

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2015

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PREFACE

The 2015 edition of Laws of the State of Maine is the official publication of the session laws of the State of Maine enacted by the 127th Legislature and is compiled and published under the authority of the Maine Revised Statutes, Title 3, section 163-A. Laws of the State of Maine has been in continuous publication since 1820, when the acts and resolves adopted by the First Legislature were published by the Secretary of State under the authority of Resolve 1820, chapter 25.

Volume 1 contains the public laws, private and special laws and resolves enacted at the First Regular Session of the 127th Legislature, followed by the 2013 Revisor's Report, chapter 2 and a selection of significant addresses, joint resolutions and memorials.

Additional volumes of the 2015 Laws of the State of Maine will contain those measures adopted in the Second Regular Session and any special session of the 127th Legislature.

The following conventions are used throughout the series.

1. At the top of each page is a heading that classifies each law by session of passage, year, type and chapter number.
2. A table of contents that locates major divisions and contents by page number is located at the beginning of each volume.
3. An individual subject index of the documents contained in these volumes, arranged alphabetically by subject heading with corresponding chapter numbers, is located at the end of volume 1.
4. Session cross-reference tables are also provided at the end of volume 1 showing how unallocated public laws, laws exempted in previous revisions and titles and sections of the Maine Revised Statutes of 1964 have been affected by the laws included in this publication.
5. Words and phrases deleted from the statutes are shown struck through. When an entire section or larger segment is repealed, the text that is repealed is not shown struck through, but its repeal is indicated by express language.
6. When new words or sections are added to the statutes, they are underlined.
7. A chaptered law's Legislative Document number is printed beneath its chapter number heading, indicating the source of the chapter.
8. The effective date for Maine laws is provided for in the Constitution of Maine, Article IV, Part Third, Section 16, which specifies that, except for certain emergency legislation, an act or resolve enacted into law takes effect 90 days after the adjournment of the session in which it passed. The general effective date of nonemergency laws passed at the First Regular Session of the 127th Legislature is October 15, 2015. The effective dates of emergency legislation vary and are provided at the ends of the chapters that were enacted as emergencies.

Copies of a specific chaptered law may be obtained by contacting the Engrossing Division of this office. Laws of the State of Maine is also available online through the website of the Office of the Revisor of Statutes at <http://www.mainelegislature.org/ros/LOM/lomdirectory.htm>.

This edition of Laws of the State of Maine and its predecessors have been prepared for the convenience of the people of the State of Maine, and any comments or suggestions for improvements in subsequent editions would be appreciated.

Suzanne M. Gresser
Revisor of Statutes
October 2015

LEGISLATIVE STATISTICS

FIRST REGULAR SESSION 127th Legislature

Convened	December 3, 2014
Adjourned	July 16, 2015
Days in Session	
Senate	69
House of Representatives	69
Legislative Documents	1,455
Carryover Bills and Papers	176
Public Laws	377
Private and Special Laws	11
Resolves	54
Constitutional Resolutions	0
Competing Measure Resolutions	0
Initiated Bills	1
Vetoed	178
Overridden	126
Sustained	52
Emergency Enactments	74
Effective Date	October 15, 2015 (unless otherwise indicated)

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OF THE
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FOR THE POLITICAL YEARS 2015 AND 2016**

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PUBLIC LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
2015

CHAPTER 1
H.P. 96 - L.D. 138

**An Act To Update References
to the United States Internal
Revenue Code of 1986
Contained in the Maine
Revised Statutes, Decouple
Federal Bonus Depreciation
Deductions and Create a Maine
Capital Investment Credit**

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

Whereas, state tax law needs to be updated to conform to federal law before the 90-day period expires to avoid delay in the processing of income tax returns for 2014; and

Whereas, legislative action is immediately necessary to ensure continued and efficient administration of the state income tax and certain other state taxes; and

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

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

Sec. 1. 36 MRSA §111, sub-§1-A, as amended by PL 2013, c. 472, §1 and affected by §2, is further amended to read:

1-A. Code. "Code" means the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, ~~2013~~ 2014.

Sec. 2. 36 MRSA §5122, sub-§1, ¶GG, as amended by PL 2013, c. 368, Pt. TT, §3, is further amended to read:

GG. The amount claimed as a deduction in determining federal adjusted gross income that is used to calculate the credit for Maine fishery infrastructure investment under section 5216-D; ~~and~~

Sec. 3. 36 MRSA §5122, sub-§1, ¶HH, as corrected by RR 2013, c. 1, §52, is amended to read:

HH. For taxable years beginning in 2013:

(1) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property placed in service in the State during the taxable year for which a credit is claimed under section 5219-JJ for that taxable year; and

(2) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property for which a credit is not claimed under section 5219-JJ; ~~and~~

Sec. 4. 36 MRSA §5122, sub-§1, ¶II is enacted to read:

II. For taxable years beginning in 2014:

(1) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property placed in service in the State during the taxable year for which a credit is claimed under section 5219-MM for that taxable year; and

(2) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property for which a credit is not claimed under section 5219-MM.

Sec. 5. 36 MRSA §5122, sub-§2, ¶LL, as repealed and replaced by PL 2013, c. 588, Pt. A, §46 and affected by §47, is amended to read:

LL. To the extent included in federal adjusted gross income and to the extent otherwise subject to Maine income tax, an amount equal to military compensation earned during the taxable year for service performed outside of this State pursuant to written military orders:

(1) For active duty service in the active components of the United States Army, Navy, Air Force, Marines or Coast Guard by a service member whose permanent duty station during such service is located outside of this State; and

(2) For active duty service in the active or reserve components of the United States Army, Navy, Air Force, Marines or Coast Guard or in the Maine National Guard by a service member in support of a federal operational mission or a declared state or federal disaster response when the orders are either at federal direction or at the direction of the Governor of this State; ~~and~~

Sec. 6. 36 MRSA §5122, sub-§2, ¶MM, as enacted by PL 2013, c. 368, Pt. TT, §8, is amended to read:

MM. For taxable years beginning on or after January 1, 2014, an amount equal to the net increase in the depreciation deduction allowable under the Code, Sections 167 and 168 that would have been applicable to that property had the depreciation deduction under the Code, Section 168(k) not been claimed with respect to such property placed in service during the taxable year beginning in 2013 for which an addition was required under subsection 1, paragraph HH, subparagraph (2) for the taxable year beginning in 2013.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal adjusted gross income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under subsection 1, paragraph HH, subparagraph (2) and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph HH, subparagraph (2) for the same property; ~~and~~

Sec. 7. 36 MRSA §5122, sub-§2, ¶NN is enacted to read:

NN. For taxable years beginning on or after January 1, 2015, an amount equal to the net increase in the depreciation deduction allowable under the Code, Sections 167 and 168 that would have been applicable to that property had the depreciation deduction under the Code, Section 168(k) not been claimed with respect to such property placed in service during the taxable year beginning in 2014 for which an addition was required under subsection 1, paragraph II, subparagraph (2) for the taxable year beginning in 2014.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal adjusted gross income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under

subsection 1, paragraph II, subparagraph (2) and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph II, subparagraph (2) for the same property.

Sec. 8. 36 MRSA §5200-A, sub-§1, ¶Z, as amended by PL 2013, c. 368, Pt. TT, §13, is further amended to read:

Z. The amount claimed as a deduction in determining federal taxable income that is used to calculate the credit for Maine fishery infrastructure investment under section 5216-D; ~~and~~

Sec. 9. 36 MRSA §5200-A, sub-§1, ¶AA, as corrected by RR 2013, c. 1, §53, is amended to read:

AA. For taxable years beginning in 2013:

(1) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property placed in service in the State during the taxable year for which a credit is claimed under section 5219-JJ for that taxable year; and

(2) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property for which a credit is not claimed under section 5219-JJ; ~~and~~

Sec. 10. 36 MRSA §5200-A, sub-§1, ¶BB is enacted to read:

BB. For taxable years beginning in 2014:

(1) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property placed in service in the State during the taxable year for which a credit is claimed under section 5219-MM for that taxable year; and

(2) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property for which a credit is not claimed under section 5219-MM.

Sec. 11. 36 MRSA §5200-A, sub-§2, ¶X, as amended by PL 2013, c. 368, Pt. TT, §16, is further amended to read:

X. To the extent included in federal taxable income, an amount equal to the refundable portion of the income tax credit under the Maine New

Markets Capital Investment Program under Title 10, section 1100-Z; ~~and~~

Sec. 12. 36 MRSA §5200-A, sub-§2, ¶Y, as enacted by PL 2013, c. 368, Pt. TT, §17, is amended to read:

Y. For taxable years beginning on or after January 1, 2014, an amount equal to the net increase in the depreciation deduction allowable under the Code, Sections 167 and 168 that would have been applicable to that property had the depreciation deduction under the Code, Section 168(k) not been claimed with respect to such property placed in service during the taxable year beginning in 2013 for which an addition was required under subsection 1, paragraph AA, subparagraph (2) for the taxable year beginning in 2013.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal taxable income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under subsection 1, paragraph AA, subparagraph (2) and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph AA, subparagraph (2) for the same property; ~~and~~

Sec. 13. 36 MRSA §5200-A, sub-§2, ¶Z is enacted to read:

Z. For taxable years beginning on or after January 1, 2015, an amount equal to the net increase in the depreciation deduction allowable under the Code, Sections 167 and 168 that would have been applicable to that property had the depreciation deduction under the Code, Section 168(k) not been claimed with respect to such property placed in service during the taxable year beginning in 2014 for which an addition was required under subsection 1, paragraph BB, subparagraph (2) for the taxable year beginning in 2014.

Upon the taxable disposition of property to which this paragraph applies, the amount of any gain or loss includable in federal taxable income must be adjusted for Maine income tax purposes by an amount equal to the difference between the addition modification for such property under subsection 1, paragraph BB, subparagraph (2) and the subtraction modifications allowed pursuant to this paragraph.

The total amount of subtraction claimed under this paragraph for all tax years may not exceed the addition modification under subsection 1, paragraph BB, subparagraph (2) for the same property.

Sec. 14. 36 MRSA §5219-MM is enacted to read:

§5219-MM. Maine capital investment credit for 2014

1. Credit allowed. A taxpayer that claims a depreciation deduction under the Code, Section 168(k) for property placed in service in the State during the taxable year beginning in 2014 is allowed a credit against the taxes imposed by this Part in an amount equal to 9% of the amount of the net increase in the depreciation deduction reported as an addition to income for the taxable year under section 5122, subsection 1, paragraph II, subparagraph (1) or section 5200-A, subsection 1, paragraph BB, subparagraph (1) with respect to that property, except for excluded property under subsection 2.

2. Certain property excluded. The following property is not eligible for the credit under this section:

A. Property owned by a public utility as defined in Title 35-A, section 102, subsection 13;

B. Property owned by a person that provides radio paging services as defined in Title 35-A, section 102, subsection 15;

C. Property owned by a person that provides mobile telecommunications services as defined in Title 35-A, section 102, subsection 9-A;

D. Property owned by a cable television company as defined in Title 30-A, section 2001, subsection 2;

E. Property owned by a person that provides satellite-based direct television broadcast services;

F. Property owned by a person that provides multichannel, multipoint television distribution services; and

G. Property that is not in service in the State for the entire 12-month period following the date it is placed in service in the State.

3. Limitations; carry-forward. The credit allowed under subsection 1 may not reduce the tax otherwise due under this Part to less than zero. Any unused portion of the credit may be carried forward to the following year or years for a period not to exceed 20 years.

4. Recapture. The credit allowed under this section must be fully recaptured to the extent claimed by the taxpayer if the property forming the basis of the credit is not used in the State for the entire 12-month period following the date it is placed in service in the State. The credit must be recaptured by filing an amended return in accordance with section 5227-A for the tax year in which that property was used to calculate the credit under this section. The amended return

must reflect the credit disallowed and the income modifications required by section 5122, subsection 1, paragraph II and section 5200-A, subsection 1, paragraph BB with respect to that property.

Sec. 15. Application. That section of this Act that amends the Maine Revised Statutes, Title 36, section 111, subsection 1-A applies to tax years beginning on or after January 1, 2014 and to any prior tax years as specifically provided by the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, 2014.

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

Effective February 12, 2015.

CHAPTER 2

S.P. 319 - L.D. 918

An Act To Allow Licensed Independent Practice Dental Hygienists To Expose and Process Radiographs under Protocols Developed by the Board of Dental Examiners

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

Whereas, pursuant to Resolve 2011, chapters 67 and 153, independent practice dental hygienists in certain underserved areas of the State are allowed to expose and process radiographs; and

Whereas, this authorization is set to expire on March 15, 2015; and

Whereas, this legislation, which continues the authorization and expands its application to the entire State, needs to take effect prior to March 15, 2015 to avoid an interruption in the services; and

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

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

Sec. 1. 32 MRSA §1094-Q, sub-§1, ¶¶N and O, as enacted by PL 2007, c. 620, Pt. B, §1, are amended to read:

N. Place temporary restorations in compliance with the protocol adopted by the board; ~~and~~

O. Apply topical antimicrobials, excluding antibiotics, including fluoride, for the purposes of bacterial reduction, caries control and desensitization in the oral cavity. The independent practice dental hygienist shall follow current manufacturer's instructions in the use of these medications; ~~and~~

Sec. 2. 32 MRSA §1094-Q, sub-§1, ¶P is enacted to read:

P. Expose and process radiographs, including but not limited to vertical and horizontal bitewing films, periapical films, panoramic images and full-mouth series, under protocols developed by the board as long as the independent practice dental hygienist has a written agreement with a licensed dentist providing that the dentist will be available to interpret all dental radiographs within 21 days from the date the radiograph is taken and that the dentist will sign a radiographic review and findings form.

Sec. 3. 32 MRSA §1100-J, sub-§3, ¶¶C and D, as amended by PL 1993, c. 600, Pt. A, §96, are further amended to read:

C. A person serving in the United States Armed Forces or public health service or employed by the Veterans' Administration or other federal agency while performing official duties, if the duties are limited to that service or employment; ~~or~~

D. Those persons having a current license to perform radiologic technology pursuant to section 9854 and who are practicing dental radiography under the general supervision of a dentist or physician; ~~or~~

Sec. 4. 32 MRSA §1100-J, sub-§3, ¶E is enacted to read:

E. An independent practice dental hygienist licensed pursuant to subchapter 3-B who meets the requirements of section 1094-Q, subsection 1, paragraph P.

Sec. 5. Resolve 2011, c. 67, as amended by Resolve 2011, c. 153, §§1 to 3, is repealed.

Sec. 6. Rules. The Department of Professional and Financial Regulation, Board of Dental Examiners shall adopt rules by July 30, 2015 to implement this Act. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Prior to adoption of rules by the board under this section, the rules adopted by the board in Rule Chapter 16 pursuant to Resolve 2011, chapter 67 in effect on March 11, 2015 apply to a licensed independent practice dental hygienist who wishes to expose and process radiographs pursuant to Title 32, section 1094-Q, subsection 1, paragraph P, except that the provisions of the rule contained in Chapter 16,

Section 1, subsections A and B regarding notice to the board and location limitation do not apply.

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

Effective March 13, 2015.

CHAPTER 3

S.P. 250 - L.D. 692

An Act Regarding Educator Effectiveness

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

Whereas, the United States Department of Education requires that revisions be made to the Maine Revised Statutes, Title 20-A, sections 13704 and 13706 and that corresponding amendments to Maine Department of Education Rule Chapter 180 be in effect by March 15, 2015 in order to be in compliance with the federal Elementary and Secondary Education Act of 1965; and

Whereas, because Rule Chapter 180 is a major substantive rule, changes to the rule require legislative review before the changes may be made; and

Whereas, the Legislature has the authority to direct the Department of Education to amend its rule to reflect legislative policy determinations; and

Whereas, the Department of Education, educators and administrators need statutory and rule revisions to be in compliance with the federal Elementary and Secondary Education Act of 1965; and

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

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

Sec. 1. 20-A MRSA §13704, sub-§3, ¶A, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

A. The rating must be based on standards of professional practice and measures of educator effectiveness. The proportionate weight of the standards and the measures is a local decision, but measurements of student learning and growth must be a significant factor in the determination of the rating of an educator. School administra-

tive units shall use state assessment growth data for English language arts, literacy and mathematics as at least one measure of the performance of English language arts and mathematics teachers in tested grades and as a measure for the performance of principals.

An educator whose summative effectiveness rating indicates ineffectiveness must receive an annual summative effectiveness evaluation and rating until the rating improves.

An individualized education plan may not be used to measure student growth for the purposes of teacher and principal evaluation, but an individualized education plan may be a source of evidence from which learning objectives and learning targets may be developed.

Sec. 2. 20-A MRSA §13706, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

§13706. Rules

The department shall adopt rules to implement this chapter, including but not limited to a rule relating to the method of identifying the educator or educators whose effectiveness ratings are affected by the measurement of learning or growth of a particular student. The department shall also adopt rules pertaining to the approval of performance evaluation and professional growth systems pursuant to section 13702. The department shall also adopt rules pertaining to the ongoing monitoring of the implementation and results of district performance evaluation and professional growth systems. Rules adopted pursuant to this section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 3. Amendment of rule. The Department of Education shall amend portions of Rule Chapter 180: Performance Evaluation and Professional Growth Systems as follows.

1. Throughout the rule the abbreviation PE/PG must be changed to PEPG.

2. In section 2, subsection 10, language must be added to the definition of "principal" to provide that "principal" means a person who supervises teachers in delivering the instructional program of a school. The phrase "serving in a position that requires certification under State Board of Education Rule Chapter 115, Part II, Section 4.5, 4.6 and 4.7" must be moved to the end of subsection 10.

3. In section 2, subsection 12, the definition of school administrative unit must be amended to include charter schools.

4. In section 4, subsection 2, the following changes must be made to the requirements of a performance evaluation and professional growth system plan:

- A. In subsection 2, paragraph C, student learning and growth measures must be removed as a requirement and replaced with a system for the selection, development, review and approval of individual educators' student learning and growth measures, including an explanation of how the student learning and growth measurement is a significant factor in the determination of the summative effectiveness rating of an educator in accordance with the provisions in section 7, subsection 1;
- B. In subsection 2, paragraph F, a description of the 4 rating categories must be changed to the 4 summative effectiveness rating categories; and
- C. A provision must be added providing that department approval is also contingent upon evidence of adoption of the system by the school board.
5. In section 5, the Kim Marshall Teacher Evaluation Rubrics and MSAD 49 Teacher Evaluation Rubric, based on the Kim Marshall Teacher Evaluation Rubrics, must be added as models containing all of the elements necessary to be approved for use as the professional practice element for teachers.
6. In section 6, the Marzano School Leader Evaluation Model and the Kim Marshall Principal Evaluation Rubrics must be added as models containing all of the elements necessary to be approved for use as the professional practice element for principals.
7. Section 7, subsection 2, paragraph A must be clarified so that a teacher is a "teacher of record" for a student only if, for any student growth measure, the student meets the criteria in subsection 2, paragraph A.
8. In section 7, subsection 2, paragraph A, a provision must be added providing that a student's academic performance may be attributed to more than one teacher of record, as long as the criteria in subparagraphs (1) to (3) are met for each teacher. The current language regarding a student's academic performance being attributable to more than one teacher must be deleted.
9. In section 7, subsection 2, paragraph B, a sentence must be added providing that nothing in section 7 prohibits collaboration in establishing and monitoring the list of students for whom the teacher will be the teacher of record.
10. In section 7, subsection 3, paragraph A, the criterion requiring that a student learning and growth measure must measure student growth in achievement, and not solely the level of achievement, must be removed and replaced with a criterion requiring that a student learning and growth measure must measure a change in a student's knowledge or skills between 2 points of time during which an educator has influence.
11. Section 7, subsection 3, paragraph B must provide that multiple measures of student learning and growth must be factored into the summative effectiveness rating of an educator and the sentence regarding reference to large-scale, norm-referenced standardized tests must be replaced with a provision requiring that, at a teacher's discretion, large-scale standardized tests may be the sole type of student learning and growth measures used in a summative effectiveness rating.
12. In section 7, subsection 3, paragraph C, the word "subject" must be changed to "knowledge and skills" and the word "pre-assessment" must be changed to "comparable pre-assessment."
13. Section 7, subsection 3, paragraph F must also provide a provision that an individual education plan may not be used as a measure of student learning and growth in the evaluation of an educator.
14. Section 7, subsection 4 must be deleted and replaced with a provision requiring that school administrative units must use a student learning objective framework or comparable structure to develop and record student learning and growth measures, and the school administrative unit must establish in its PEPG system handbook criteria for:
- A. The identification of content standards;
 - B. The selection of assessments;
 - C. Setting growth targets, if applicable;
 - D. The size of an instructional cohort; and
 - E. The length of the instructional interval of time.
15. In section 7, a new subsection must be added after subsection 5 with a provision regarding the use of state assessment results for tested subjects and grades that provides that the Maine Educational Assessment for Mathematics and English Language Arts/Literacy State Assessment results must be used as one measure of student learning and growth for teachers in the corresponding grades and subjects. These results must:
- A. Be attributed to teachers of record in accordance with the criteria for a teacher of record in section 7, subsection 2; and
 - B. Be used in such a way that they meet the criteria for permissible measures in section 7, subsection 3.
16. In section 11, subsection 3, paragraph A, a requirement that evaluators must complete training in providing meaningful feedback on instructional practice must be added.
17. Section 12, subsection 1, paragraph D must be deleted and replaced with a provision that provides if the stakeholder group fails to reach consensus on the issue of the proportionate weight of student learning and growth measures by July 15, 2015, the proportion-

ate weight of student learning and growth measures in that school administrative unit must be 20%.

18. In section 12, subsection 1, paragraph E, the date established regarding the stakeholder group failure to reach consensus on any issue in addition to the proportionate weight of student learning and growth measures must be changed from June 1, 2015 to July 15, 2015.

19. In section 13, a new subsection must be added regarding professional growth plans and must provide that an educator who receives a summative effectiveness rating higher than ineffective must develop a professional growth plan that is based on clearly articulated goals related to targeted areas of practice and student performance.

20. The text of section 14 must be moved to section 13 and identified as subsection 2.

21. Except for language containing the purpose of the pilot project and the provision providing that data from a pilot project must be used to inform potential refinement and improvement of the system, section 15 must be replaced with the following provisions:

A. Evidence and data collected during the pilot year may be used to inform professional growth plans and differentiated evaluation cycles beginning during the first year of implementation, but performance ratings assigned during the pilot year may not be used in any action related to employment or compensation of an educator; and

B. A school administrative unit shall design a pilot project for the purpose of testing technical aspects of the system, determining the value of its elements and identifying problems. The pilot project must include student growth measures based on state assessments in English language arts and literacy and mathematics and a portion of the district-defined growth measures intended for use in content areas other than English language arts and literacy and mathematics. The school administrative unit shall ensure that the local steering committee is formed before the pilot project begins and must ensure that the steering committee develops a plan for monitoring and evaluating the results of the pilot project.

22. In section 16, a provision must be added providing that the department shall implement a system of monitoring and providing feedback and support based on information gathered through the monitoring system. Ongoing monitoring will include the collection of data including but not limited to:

A. The aggregate summative effectiveness ratings for each school;

B. The process for and frequency of observation and feedback;

C. Opportunities for targeted professional growth and improvement;

D. The types and descriptions of individual assessments used in the evaluation of educators;

E. The process for developing student learning and growth measures;

F. Exemplars of student learning and growth measures;

G. District criteria for the development, review and approval of growth measures;

H. The use of effectiveness ratings for employment decisions;

I. The mechanism for sustaining the PEPG system; and

J. Evaluator and educator training programs.

23. The sections must be renumbered to read consecutively.

Sec. 4. Expedited amendment process.

Notwithstanding the Maine Revised Statutes, Title 5, chapter 375, subchapters 2 and 2-A and any other law, the Department of Education shall adopt the amendments to its Rule Chapter 180: Performance Evaluation and Professional Growth Systems as provided in section 3 of this bill. The department shall file the amended rule with the Secretary of State as a final adopted rule within 7 business days of the effective date of this bill and the rule is effective upon filing. Rules adopted pursuant to this bill are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Beginning July 1, 2015, any changes to Rule Chapter 180 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. Submission of pilot project plan.

Each school administrative unit shall submit to the Department of Education by July 15, 2015 a plan describing the intentions of its pilot project designed in accordance with the amended provisions in section 15 of the Department of Education's Rule Chapter 180: Performance Evaluation and Professional Growth Systems as provided in this Act.

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

Effective March 17, 2015.

CHAPTER 4
S.P. 33 - L.D. 85

**An Act To Prohibit Synthetic
Plastic Microbeads in Personal
Care Products and
Over-the-counter Drugs**

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

Sec. 1. 38 MRSA §419-D is enacted to read:

§419-D. Synthetic plastic microbeads

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

A. "Over-the-counter drug" means a drug that is a personal care product that contains a label that identifies the product as a drug as required by 21 Code of Federal Regulations, Section 201.66 (2014). Such a label includes but is not limited to a drug facts panel or a statement of the active ingredients with a list of those ingredients contained in the base compound, substance or preparation.

B. "Personal care product" means any article intended to be rubbed, poured, sprinkled or sprayed on, introduced into or otherwise applied to any part of the human body for cleansing, beautifying, promoting attractiveness or altering the appearance, and any item intended for use as a component of any such article. "Personal care product" does not include a prescription drug.

C. "Plastic" means a synthetic material made from linking monomers through a chemical reaction to create an organic polymer chain that can be molded or extruded at high heat into various solid forms retaining their defined shapes during their life cycle and after disposal.

D. "Synthetic plastic microbead" means any intentionally added nonbiodegradable solid plastic particle measuring less than 5 millimeters in size and used to exfoliate or cleanse in a product intended to be rinsed off.

2. Prohibitions. A person may not:

A. After December 31, 2017, manufacture for sale a personal care product, except for an over-the-counter drug, that contains synthetic plastic microbeads;

B. After December 31, 2018, accept for sale a personal care product, except for an over-the-counter drug, that contains synthetic plastic microbeads;

C. After December 31, 2018, manufacture for sale an over-the-counter drug that contains synthetic plastic microbeads; and

D. After December 31, 2019, accept for sale an over-the-counter drug that contains synthetic plastic microbeads.

See title page for effective date.

CHAPTER 5
H.P. 155 - L.D. 223

**An Act To Eliminate Outdated
Provisions of the Laws
Governing the Maine Turnpike
Authority**

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

Sec. 1. 5 MRSA §1741, first ¶, as amended by PL 2005, c. 313, §1, is further amended to read:

Whenever the words "public improvement" or "public improvements" appear in chapters 141 to 155, those words mean and include the construction, major alteration or repair of buildings or public works now owned or leased or constructed, acquired or leased by the State or any department, officer, board, commission or agency of the State, or constructed, acquired or leased, in whole or in part with state funds, and including the construction, major alteration or repair of school buildings, in excess of \$25,000, by any school administrative unit and for which state school construction aid is to be paid, except that sections 1743 and 1745 are not applicable to construction, major alteration or repair of school buildings. This subchapter does not apply to contracts for transportation-related services and contracts for construction and maintenance that, by law, are under the supervision of the Department of Transportation or the Maine Turnpike Authority.

Sec. 2. 23 MRSA §1961, sub-§3, as enacted by PL 1987, c. 793, Pt. A, §6, is repealed.

Sec. 3. 23 MRSA §1965, sub-§1, ¶D, as amended by PL 2007, c. 270, §1, is further amended to read:

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near Kittery in York County to a point at or near Augusta in Kennebec County, except that the traveled way may not be widened or expanded beyond 3 lanes for each direction of travel from the southern terminus of the turnpike to mile marker 53 and beyond 2 lanes for each direction of travel elsewhere on the turnpike without the express approval of the Legislature.

~~Except as provided in section 1965-A, a A~~ license, permit or approval necessary for the widening or expansion of the turnpike may not be issued

by any state agency unless that agency makes an affirmative finding that the widening or expansion is consistent with state transportation policy, as established in section 73, as well as rules implementing that policy;

Sec. 4. 23 MRSA §1965, sub-§1, ¶P, as enacted by PL 1981, c. 595, §3, is amended to read:

P. Provide from revenues to or for the use of the department funds for the maintenance, construction or reconstruction of interchanges ~~determined pursuant to section 1974, subsection 3~~, for which the authority has not otherwise provided;

Sec. 5. 23 MRSA §1965-A, as amended by PL 1997, c. 493, Pt. A, §2 and affected by §3, is repealed.

Sec. 6. 23 MRSA §1966, sub-§4, as enacted by PL 1987, c. 457, §4, is repealed.

Sec. 7. 23 MRSA §1969, sub-§1, ¶C, as amended by PL 1993, c. 410, Pt. MM, §8, is further amended to read:

C. To the payment of the costs of constructing or reconstructing interchanges that are determined by the Department of Transportation and the authority to have a sufficient relationship to the public's use of the turnpike and the orderly regulation and flow of traffic on the turnpike ~~in accordance with the requirements of section 1974, subsection 3~~;

Sec. 8. 23 MRSA §1974, sub-§3, as amended by PL 1991, c. 9, Pt. E, §16, is repealed.

See title page for effective date.

CHAPTER 6

H.P. 56 - L.D. 62

An Act To Require Notice to Municipalities of Certain Licensing and Registration Actions Taken by the Emergency Medical Services' Board

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

Sec. 1. 32 MRSA §83, sub-§17-B is enacted to read:

17-B. Municipal officers. "Municipal officers" means:

A. The selectmen or councillors of a town; or

B. The mayor and aldermen or councillors of a city.

Sec. 2. 32 MRSA §88, sub-§5 is enacted to read:

5. Notice of action. In any proceeding under this section with regard to an ambulance service owned and operated by a municipality or a private ambulance service with which a municipality contracts for services, if the board takes action under subsection 3 or 4, the board shall notify in writing the town manager or city manager and the municipal officers of the municipality that owns and operates or contracts with the ambulance service within 5 business days of taking the action.

Sec. 3. 32 MRSA §90-A, sub-§6 is enacted to read:

6. Notice of action. In any proceeding under this section with regard to an ambulance service owned and operated by a municipality or a private ambulance service with which a municipality contracts for services, if the board takes further licensing action under subsection 4, the board shall notify in writing the town manager or city manager and the municipal officers of the municipality that owns and operates or contracts with the ambulance service within 5 business days of taking the action.

See title page for effective date.

CHAPTER 7

H.P. 167 - L.D. 235

An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Education, the Maine Arts Commission and the Maine State Museum and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015

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

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

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

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-

tion of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. Appropriations and allocations.

The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reallocates the cost of one Public Service Manager II position from 100% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund to 95% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund and 5% in the School Finance and Operations program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	0.000
Personal Services	(\$5,598)	\$0	\$0
All Other	(\$5,598)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$11,196)	\$0	\$0

School Finance and Operations Z078

Initiative: Reallocates the cost of one Public Service Manager II position from 100% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund to 95% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund and 5% in the School Finance and Operations program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$5,598	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$5,598	\$0	\$0

EDUCATION,
DEPARTMENT OF

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND	(\$5,598)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$5,598)	\$0	\$0

PART B

Sec. B-1. Appropriations and allocations.

The following appropriations and allocations are made to provide funding for approved reclassifications and range changes.

EDUCATION, DEPARTMENT OF

General Purpose Aid for Local Schools 0308

Initiative: Provides funding for approved reclassifications and range changes.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$14,578	\$0	\$0
All Other	(\$14,578)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Provides funding for approved reclassifications and range changes.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$11,227	\$0	\$0
All Other	(\$11,227)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

School Finance and Operations Z078

Initiative: Provides funding for approved reclassifications and range changes.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$6,662	\$0	\$0
All Other	(\$6,662)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$2,243	\$0	\$0
All Other	(\$2,243)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

PART C

Sec. C-1. PL 2013, c. 368, Pt. JJ, §1 is amended to read:

Sec. JJ-1. Lease-purchase authorization; Maine learning technology initiative. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Education may enter into financing arrangements in fiscal years 2013-14, 2014-15, and 2015-16 for the acquisition of portable computer devices for students and educators to support the operations of the Maine learning technology initiative. The financing agreements may not exceed 4 years in duration and ~~\$69,696,000~~ \$95,000,000 in principal costs for the Maine learning technology initiative. The interest rate may not exceed 8% and the total interest costs may not exceed ~~\$5,575,680~~ \$7,600,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Department of Education. The State is authorized to extend the provisions of the lease-purchase agreement on behalf of school administrative units as long as all costs of the extension are borne by the school administrative units.

PART D

Sec. D-1. Appropriations and allocations. The following appropriations and allocations are made.

ARTS COMMISSION, MAINE**Arts - Administration 0178**

Initiative: Provides one-time funding to meet payroll obligations.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$76,435	\$0	\$0
GENERAL FUND TOTAL	\$76,435	\$0	\$0

PART E**Sec. E-1. Appropriations and allocations.**

The following appropriations and allocations are made.

MUSEUM, MAINE STATE**Maine State Museum 0180**

Initiative: Reorganizes 2 Museum Specialist I positions to Museum Education Specialist II positions; one part-time Museum Technician I position to a part-time Museum Education Specialist I position; and 2 part-time Museum Technician I positions to one full-time Museum Education Specialist I position funded by the elimination of one part-time Museum Technician I position.

GENERAL FUND	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(0.500)	0.000	0.000
GENERAL FUND TOTAL	\$0	\$0	\$0

Research and Collection - Museum 0174

Initiative: Reorganizes one Museum Specialist II position to a Museum Specialist III position and reallocates the funding from 100% General Fund in the Maine State Museum program to 95% General Fund in the Maine State Museum program and 5% Other Special Revenue Funds in the Research and Collection - Museum program.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$3,688	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,688	\$0	\$0

**MUSEUM, MAINE
STATE**

DEPARTMENT TOTALS	2014-15	2015-16	2016-17

GENERAL FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$3,688	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,688	\$0	\$0

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

Effective April 1, 2015.

CHAPTER 8

S.P. 175 - L.D. 446

An Act To Change the Name of the Public Utilities Commission's Consumer Assistance Division

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

Sec. 1. 2 MRSA §6-A, sub-§3, ¶E, as enacted by PL 1985, c. 618, §1, is amended to read:

E. Director of consumer assistance and safety.

Sec. 2. 5 MRSA §949, sub-§1, ¶E, as enacted by PL 1985, c. 618, §4, is amended to read:

E. Director of ~~Consumer Assistance~~ consumer assistance and safety.

Sec. 3. 35-A MRSA §107, sub-§1, ¶A, as amended by PL 2011, c. 420, Pt. A, §30, is further amended to read:

A. An administrative director, a director of telephone and water utility industries, a director of electric and gas utility industries and a director of consumer assistance and safety;

Sec. 4. 35-A MRSA §107, sub-§2, ¶A, as amended by PL 2011, c. 420, Pt. A, §31, is further amended to read:

A. The general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries and the director of consumer assistance and safety serve at the pleasure of the commission and their salaries must be set by the commission within the ranges established by Title 2, section 6-A.

Sec. 5. 35-A MRSA §107, sub-§2, ¶C, as amended by PL 2011, c. 420, Pt. A, §32, is further amended to read:

C. The salaries of the other subordinate officials and employees of the commission, other than those of the general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries, the director of consumer assistance and safety and the staff attorney and utility analyst positions, are subject to the Civil Service Law.

Sec. 6. 35-A MRSA §704, sub-§5, ¶¶A and D, as enacted by PL 1987, c. 614, §2, are amended to read:

A. Records containing the following information ~~shall be~~ are confidential and are not public records for the purpose of Title 1, section 402, subsection 3:

(1) Information acquired by the ~~Consumer Assistance Division~~ consumer assistance and safety division regarding the payment and credit history and financial condition of a customer who has requested the assistance of the division; and

(2) Information acquired by the ~~Consumer Assistance Division~~ consumer assistance and safety division regarding the medical condition of a customer or member of a customer's family.

D. The ~~Consumer Assistance Division~~ consumer assistance and safety division shall prepare its decisions or abstracts of decisions in a manner ~~which that~~ protects the confidentiality of customer information as provided by this subsection. Those decisions or abstracts of decisions ~~shall~~ must be available for public access.

Sec. 7. 35-A MRSA §6114, sub-§4, as enacted by PL 2013, c. 573, §4, is amended to read:

4. Consumer assistance and safety division. The commission shall ensure that customers of consumer-owned water utilities retain access to the services provided by the consumer assistance and safety division within the commission.

See title page for effective date.

CHAPTER 9

H.P. 170 - L.D. 238

An Act To Extend the Period of Time for Persons Who Purchase Special Fuel and Gasoline for Off-highway Use To Apply for the Special Fuel and Gasoline Tax Refunds

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

Whereas, many taxpayers when they file income tax returns request a fuel tax refund for fuel purchased for off-highway purposes such as farming and fishing; and

Whereas, it is important to change the period for which refund requests may be made during the income tax filing period ending April 15, 2015; and

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

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

Sec. 1. 36 MRSA §2908, 2nd ¶, as amended by PL 2007, c. 438, §70, is further amended to read:

A refund application on a form prescribed by the State Tax Assessor must be filed to claim a refund pursuant to this section. Interest must be paid at the rate determined pursuant to section 186, calculated from the date of receipt of the claim, for all proper claims not paid within 30 days of receipt. Applications for refunds must be filed with the assessor within ~~12~~ 18 months from the date of purchase.

Sec. 2. 36 MRSA §3218, 2nd ¶, as amended by PL 2007, c. 438, §87, is further amended to read:

A refund application on a form prescribed by the assessor must be filed to claim a refund pursuant to this section. Interest must be paid at the rate determined pursuant to section 186, calculated from the date of receipt of the claim, for all valid claims not paid within 30 days of receipt. Applications for refunds must be filed with the assessor within ~~12~~ 18 months from the date of purchase.

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

Effective April 2, 2015.

CHAPTER 10 H.P. 204 - L.D. 286

An Act Making Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015

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

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

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

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

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: Provides funding for equipment and supplies.

HIGHWAY FUND	2014-15	2015-16	2016-17
All Other	\$131,399	\$0	\$0
HIGHWAY FUND	\$131,399	\$0	\$0
TOTAL			

State Police 0291

Initiative: Provides funding to correct law enforcement personnel safety issues identified through an audit of the State Police program.

HIGHWAY FUND	2014-15	2015-16	2016-17
All Other	\$17,500	\$0	\$0

HIGHWAY FUND	\$17,500	\$0	\$0
TOTAL			

Traffic Safety 0546

Initiative: Provides funding for the approved reclassification of one State Police Trooper position to a State Police Specialist position retroactive to October of 2013.

HIGHWAY FUND	2014-15	2015-16	2016-17
Personal Services	\$12,062	\$0	\$0
All Other	\$220	\$0	\$0
HIGHWAY FUND	\$12,282	\$0	\$0
TOTAL			

**PUBLIC SAFETY,
DEPARTMENT OF
DEPARTMENT
TOTALS**

HIGHWAY FUND	\$161,181	\$0	\$0
DEPARTMENT	\$161,181	\$0	\$0
TOTAL - ALL FUNDS			

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

TRANSPORTATION, DEPARTMENT OF**Highway Light Capital Z095**

Initiative: Provides additional funding in the Highway Light Capital program and Local Road Assistance Program as a result of increased Highway Fund revenue projections in December 2014.

HIGHWAY FUND	2014-15	2015-16	2016-17
Capital Expenditures	\$6,786,777	\$0	\$0
HIGHWAY FUND	\$6,786,777	\$0	\$0
TOTAL			

Local Road Assistance Program 0337

Initiative: Provides additional funding in the Highway Light Capital program and Local Road Assistance Program as a result of increased Highway Fund revenue projections in December 2014.

HIGHWAY FUND	2014-15	2015-16	2016-17
All Other	\$610,810	\$0	\$0

HIGHWAY FUND	\$610,810	\$0	\$0
TOTAL			

Multimodal - Island Ferry Service Z016

Initiative: To implement a recruitment and retention stipend of 15% for Ferry Able Seaman positions based on the August 2014 agreement between the State of Maine and the Maine State Employees Association to address recruitment and retention problems at the Maine State Ferry Service. The hours were reduced from 7 positions, and this initiative puts those hours back.

ISLAND FERRY SERVICES FUND	2014-15	2015-16	2016-17
POSITIONS - FTE COUNT	1.110	0.000	0.000
Personal Services	\$70,164	\$0	\$0
ISLAND FERRY SERVICES FUND TOTAL	\$70,164	\$0	\$0

**TRANSPORTATION,
DEPARTMENT OF
DEPARTMENT
TOTALS**

HIGHWAY FUND	\$7,397,587	\$0	\$0
ISLAND FERRY SERVICES FUND	\$70,164	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$7,467,751	\$0	\$0

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

Effective April 2, 2015.

CHAPTER 11**S.P. 122 - L.D. 307**

**An Act To Amend the
Shoreland Zoning Laws To
Exempt Certain Walkways and
Trails from Setback
Requirements**

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

Sec. 1. 38 MRSA §439-A, sub-§4-C is enacted to read:

4-C. Exemption from setback requirements for walkways and trails over rivers within a downtown revitalization project. In accordance with the provisions of this subsection, a municipality may adopt an ordinance that exempts pedestrian walkways and trails from the water and wetland setback requirements otherwise applicable under this section.

A. Notwithstanding subsection 4, a municipality may adopt an ordinance pursuant to this subsection that exempts a pedestrian walkway or trail from the otherwise applicable water or wetland setbacks if the following requirements are met:

- (1) The walkway or trail is adjacent to a segment of a river that is located within the boundaries of a downtown revitalization project;
- (2) If cantilevered over a segment of river, the walkway or trail does not extend over the river more than 10 feet from the normal high-water line;
- (3) If cantilevered over a segment of river, the walkway or trail is attached to a structure that was constructed prior to 1971 and is located within a downtown revitalization project; and
- (4) If the walkway or trail is cantilevered over a segment of river, the municipal planning board has determined there is no other practical means to construct the walkway or trail without cantilevering over that segment of the river. If there are no other practical means to construct the walkway or trail, approaches to the cantilevered walkway or trail may also cantilever off adjacent retaining walls but no more than is necessary to access the cantilevered walkway or trail.

B. A downtown revitalization project under this subsection must be defined in a project plan approved by the legislative body of the municipality and may include the revitalization of buildings formerly used as mills that do not meet the water or wetland setback requirements in subsection 4.

C. Except for the water and wetland setback requirements in subsection 4, a walkway or trail that meets the requirements of this subsection must meet all other state and local permit requirements and comply with all other applicable rules.

D. A walkway or trail exempt under this subsection may be either privately or publicly owned and maintained.

See title page for effective date.

CHAPTER 12

H.P. 177 - L.D. 245

**An Act To Rename B Stream
in Houlton as Captain
Ambrose Bear Stream**

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

Sec. 1. 38 MRSA §467, sub-§15, ¶E, as amended by PL 2003, c. 317, §18, is further amended to read:

E. Meduxnekeag River Drainage.

(1) Meduxnekeag River, main stem.

(a) From the outlet of Meduxnekeag Lake to the international boundary - Class B.

(2) Meduxnekeag River, tributaries - Class B unless otherwise specified.

(a) North Branch of the Meduxnekeag River and its tributaries above the Monticello - T.C. R.2, W.E.L.S. boundary - Class A.

(b) Moose Brook and its tributaries, upstream of the Ludlow Road in Ludlow - Class A.

(c) South Branch of the Meduxnekeag River and its tributaries, upstream of the Oliver Road in Cary - Class A.

(d) ~~B~~ Captain Ambrose Bear Stream and tributaries upstream of the Burnt Brow Bridge in Hammond - Class A.

Sec. 2. Name change from B Stream to Captain Ambrose Bear Stream. The county commissioners of Aroostook County shall rename the stream in and near the Town of Houlton in Aroostook County named B Stream to Captain Ambrose Bear Stream in honor of Captain Ambrose Bear, a Maliseet Indian chief who served in the Revolutionary War. The commissioners shall provide notice of the new name to the Commissioner of Agriculture, Conservation and Forestry, the Secretary of the United States Department of the Interior and other public agencies, boards, committees or other groups responsible for changing names of places and ensuring that such name changes appear on maps and other documents.

Sec. 3. Commissioner of Transportation to replace signs. The Commissioner of Transportation shall replace any sign that is located on the interstate highway that contains a reference to B Stream to comply with section 2 no later than 30 days after the effective date of this Act.

Sec. 4. Commissioner of Inland Fisheries and Wildlife. The Commissioner of Inland Fisheries and Wildlife shall amend Department of Inland Fisheries and Wildlife's rules to change the name of B Stream to Captain Ambrose Bear Stream in all rules that mention the stream.

See title page for effective date.

CHAPTER 13

S.P. 83 - L.D. 214

An Act To Stay Certain Suspensions Imposed by the Secretary of State Pending Appeal

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

Sec. 1. 29-A MRSA §2458, sub-§2-A, as enacted by PL 2007, c. 486, §1, is amended to read:

2-A. Minimum suspension for negligent operation. The Secretary of State without preliminary hearing shall suspend for a period of at least 3 years a person's license if the Secretary of State, based on the Secretary of State's records or other sufficient evidence, finds that person to have ~~recklessly or~~ negligently operated a motor vehicle in a manner so as to cause the death of another person. Prior to the determination and issuance of the suspension, the Secretary of State shall notify any family of the victim and shall consider written or oral statements received from the family in response to the notice. Upon suspending the person's license, the Secretary of State shall notify that person of an opportunity for hearing as provided in section 2483. If a person whose license is suspended under this subsection requests a hearing, the suspension is stayed pursuant to section 2483.

See title page for effective date.

CHAPTER 14

S.P. 73 - L.D. 198

An Act To Amend the Laws Regarding Noncommercial Foreign Vessels

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

Sec. 1. 38 MRSA §87-A, sub-§1, ¶F, as enacted by PL 2011, c. 14, §3, is amended to read:

F. Noncommercial foreign vessels with overall length of under ~~200~~ 253 feet.

See title page for effective date.

CHAPTER 15

S.P. 39 - L.D. 102

An Act To Strengthen the Craft Beer Industry

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

Sec. 1. 28-A MRSA §1355-A, sub-§6, ¶G, as enacted by PL 2013, c. 345, §4, is repealed.

Sec. 2. 28-A MRSA §1355-A, sub-§6, ¶G-1 is enacted to read:

G-1. Licenses issued under subsection 3 may allow for up to 9 tenant brewers at a time at the manufacturing facility of a host brewer.

See title page for effective date.

CHAPTER 16

H.P. 168 - L.D. 236

An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017

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

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

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

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of

the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. Appropriations and allocations.

The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Land Management and Planning Z239

Initiative: Provides funding for the approved reclassification of 3 Forester I positions to 3 Forester II positions retroactive to February 2013.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$21,649	\$0	\$0
All Other	\$1,050	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,699	\$0	\$0

Maine Coastal Program Z150

Initiative: Provides funding for the approved reclassification of one Senior Planner position to a Resource Management Coordinator position retroactive to June 2013.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$6,500	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$6,500	\$0	\$0

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$6,500	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	\$22,699	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$29,199	\$0	\$0

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority 0253

Initiative: Reorganizes one Public Service Manager I position from range 24 to range 25 and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$588	\$0	\$0
All Other	(\$588)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Baxter State Park Authority 0253

Initiative: Reorganizes 8 Baxter State Park Backcountry Ranger positions from range 14 to range 15 and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$975	\$0	\$0
All Other	(\$975)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Baxter State Park Authority 0253

Initiative: Reorganizes one Baxter State Park Supervisor position from range 18 to range 21 and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$1,738	\$0	\$0
All Other	(\$1,738)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Baxter State Park Authority 0253

Initiative: Reorganizes 9 Baxter State Park Gatehouse Attendant positions from range 9 to range 11 and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$1,796	\$0	\$0
All Other	(\$1,796)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0
BAXTER STATE PARK AUTHORITY DEPARTMENT TOTALS	2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

ENVIRONMENTAL PROTECTION, DEPARTMENT OF**Maine Environmental Protection Fund 0421**

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

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$3,743	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,743	\$0	\$0

Remediation and Waste Management 0247

Initiative: Provides funding for the approved reclassification of one Environmental Technician position to an Environmental Specialist II position.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$26,917	\$0	\$0
All Other	\$875	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL

ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS

	2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$27,792	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$3,743	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$31,535	\$0	\$0

MARINE RESOURCES, DEPARTMENT OF**Bureau of Marine Science 0027**

Initiative: Provides funding for the approved reorganization of one Marine Resource Scientist I position to a Marine Resource Scientist II position.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$755	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$755	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reorganizes one Management Analyst II position to a Public Service Manager I position and reduces All Other to fund the reorganization.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$5,645	\$0	\$0
All Other	(\$5,645)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$755	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$755	\$0	\$0
SECTION TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$34,292	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$27,197	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$61,489	\$0	\$0

PART B**Sec. B-1. Appropriations and allocations.**

The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE**Administration - Attorney General 0310**

Initiative: Provides funding for authorized call out, weekend or holiday duty pay for Attorney General Detective positions.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$14,661	\$0	\$0
GENERAL FUND TOTAL	\$14,661	\$0	\$0

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for standby pay and call out pay for the Deputy Chief Medical Examiner position and 2 Medicolegal Death Investigator positions beginning April 1, 2015.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$18,782	\$0	\$0
GENERAL FUND TOTAL	\$18,782	\$0	\$0

FHM - Attorney General 0947

Initiative: Provides funding for the State's portion of a multistate cost-sharing agreement related to the To-

bacco Master Settlement Agreement diligent enforcement requirement.

FUND FOR A HEALTHY MAINE	2014-15	2015-16	2016-17
All Other	\$29,805	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$29,805	\$0	\$0
ATTORNEY GENERAL, DEPARTMENT OF THE	2014-15	2015-16	2016-17
DEPARTMENT TOTALS			
GENERAL FUND	\$33,443	\$0	\$0
FUND FOR A HEALTHY MAINE	\$29,805	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$63,248	\$0	\$0

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**Maine Commission on Indigent Legal Services Z112**

Initiative: Provides one-time additional funding for indigent legal services.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$1,700,000	\$0	\$0
GENERAL FUND TOTAL	\$1,700,000	\$0	\$0
INDIGENT LEGAL SERVICES, MAINE COMMISSION ON	2014-15	2015-16	2016-17
DEPARTMENT TOTALS			
GENERAL FUND	\$1,700,000	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$1,700,000	\$0	\$0

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

Initiative: Provides funding for increased guardian ad litem costs due to an increase in case filings.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$330,000	\$0	\$0
GENERAL FUND TOTAL	\$330,000	\$0	\$0

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for an increase in psychological exam costs.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$250,000	\$0	\$0
GENERAL FUND TOTAL	\$250,000	\$0	\$0

Courts - Supreme, Superior and District 0063

Initiative: Transfers one Assistant Clerk position from Supreme Judicial and Superior Courts, Other Special Revenue Funds to Publications Revolving Fund, Other Special Revenue Funds within the same program.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNCIL	0.000	0.000	0.000
Personal Services	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the increase in facility costs for the Bangor courthouse.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$138,383	\$0	\$0
GENERAL FUND TOTAL	\$138,383	\$0	\$0

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for facility costs related to the Capital Judicial Center.

GENERAL FUND	2014-15	2015-16	2016-17

All Other	\$303,788	\$0	\$0
GENERAL FUND TOTAL	\$303,788	\$0	\$0

Courts - Supreme, Superior and District 0063

Initiative: Deappropriates salary savings generated by managing vacancies.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	(\$75,000)	\$0	\$0
GENERAL FUND TOTAL	(\$75,000)	\$0	\$0

JUDICIAL DEPARTMENT

DEPARTMENT TOTALS	2014-15	2015-16	2016-17

GENERAL FUND	\$947,171	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$947,171	\$0	\$0

SECTION TOTALS	2014-15	2015-16	2016-17

GENERAL FUND	\$2,680,614	\$0	\$0
FUND FOR A HEALTHY MAINE	\$29,805	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0

SECTION TOTAL - ALL FUNDS	\$2,710,419	\$0	\$0

PART C**Sec. C-1. Appropriations and allocations.**

The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**Military Training and Operations 0108**

Initiative: Provides funding for the increased cost of fuel and utilities at new and existing facilities of the Maine Army National Guard.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$64,177	\$0	\$0
GENERAL FUND TOTAL	\$64,177	\$0	\$0
FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
All Other	\$407,758	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$407,758	\$0	\$0

Military Training and Operations 0108

Initiative: Provides funding for a heating, ventilation and air conditioning system for the Maine Air National Guard facility in Bangor.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$6,250	\$0	\$0
GENERAL FUND TOTAL	\$6,250	\$0	\$0

Military Training and Operations 0108

Initiative: Reallocates 3% of the cost of 2 Accounting Technician positions and one Public Service Manager I position from the STARBASE Program account to the Military Training and Operations account within the Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Military Training and Operations 0108

Initiative: Provides funding for overtime for 24-hour operations and maintenance at the Bangor and South Portland Maine Air National Guard facilities, funded 25% General Fund and 75% Federal Expenditures Fund.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$2,371	\$0	\$0
GENERAL FUND TOTAL	\$2,371	\$0	\$0

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$7,115	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$7,115	\$0	\$0

Veterans Services 0110

Initiative: Provides funding for a portion of the rent for consolidated offices shared with the Department of Health and Human Services and the Department of Labor.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$20,000	\$0	\$0
GENERAL FUND TOTAL	\$20,000	\$0	\$0

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

GENERAL FUND	2014-15	2015-16	2016-17
GENERAL FUND	\$92,798	\$0	\$0
FEDERAL EXPENDITURES FUND	\$414,873	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$507,671	\$0	\$0

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

PUBLIC SAFETY, DEPARTMENT OF**State Police 0291**

Initiative: Provides funding for equipment and supplies.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$239,586	\$0	\$0
GENERAL FUND TOTAL	\$239,586	\$0	\$0

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

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: Provides funding to correct law enforcement personnel safety issues identified through an audit of the State Police program.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$32,500	\$0	\$0
GENERAL FUND TOTAL	\$32,500	\$0	\$0

Sec. C-4. Appropriations and allocations.
The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Military Training and Operations 0108

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$3,384	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$3,384	\$0	\$0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$3,384	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,384	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF
Administration - Public Safety 0088

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$7,569	\$0	\$0
All Other	\$85	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,654	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS	2014-15	2015-16	2016-17

OTHER SPECIAL REVENUE FUNDS	\$7,654	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$7,654	\$0	\$0

SECTION TOTALS	2014-15	2015-16	2016-17

FEDERAL EXPENDITURES FUND	\$3,384	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$7,654	\$0	\$0

SECTION TOTAL - ALL FUNDS	\$11,038	\$0	\$0

PART D

Sec. D-1. Appropriations and allocations.
The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Maine Developmental Disabilities Council Z185

Initiative: Provides funding for the Maine Developmental Disabilities Council to support advocacy, capacity building and systematic change activities that are matched with federal funds.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$81,026	\$0	\$0
GENERAL FUND TOTAL	\$81,026	\$0	\$0

Maine Developmental Disabilities Council Z185

Initiative: Provides funding for an additional contracted staff position for the Maine Developmental Disabilities Council.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$14,750	\$0	\$0
GENERAL FUND TOTAL	\$14,750	\$0	\$0

Solid Waste Management Fund 0659

Initiative: Provides funding for modifications to the pipeline connecting the Dolby Landfill with the wastewater treatment facility formerly operated by Great Northern Paper.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$300,000	\$0	\$0
GENERAL FUND TOTAL	\$300,000	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$395,776	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$395,776	\$0	\$0

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Provides funding to meet payroll obligations.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$7,531	\$0	\$0
GENERAL FUND TOTAL	\$7,531	\$0	\$0

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$7,531	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$7,531	\$0	\$0

EXECUTIVE DEPARTMENT

Office of Policy and Management Z135

Initiative: Provides funding for technical expertise to support the development of an economic plan for the State.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$25,745	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,745	\$0	\$0

EXECUTIVE DEPARTMENT

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$25,745	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$25,745	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: Increases funding for a projected increase in revenue from recovered costs for postage, printing and redacting.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$2,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$2,000	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$2,000	\$0	\$0

INDIAN TRIBAL-STATE COMMISSION, MAINE

Maine Indian Tribal-state Commission 0554

Initiative: Provides funding for increased requests for major initiatives.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$22,500	\$0	\$0
GENERAL FUND TOTAL	\$22,500	\$0	\$0

INDIAN TRIBAL-STATE COMMISSION, MAINE

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$22,500	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$22,500	\$0	\$0

LABOR, DEPARTMENT OF

Regulation and Enforcement 0159

Initiative: Reorganizes one Office Associate II position to a Secretary Associate position funded 50% Federal Expenditures Fund and 50% Other Special Revenue Funds within the same program. Also adjusts All Other to fund the reorganization in Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$276	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$276	\$0	\$0

Safety Education and Training Programs 0161

Initiative: Reorganizes one Office Associate II position to a Secretary Associate position funded 50% Federal Expenditures Fund and 50% Other Special Revenue Funds within the same program. Also adjusts All Other to fund the reorganization in Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$276	\$0	\$0
All Other	(\$276)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

State Workforce Investment Board Z158

Initiative: Provides funding for the coordination of statewide strategic planning, program integration and evaluation of all workforce development programs and activities.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$121,993	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$121,993	\$0	\$0

State Workforce Investment Board Z158

Initiative: Reorganizes one Senior Economic Research Analyst position to a Public Service Coordinator II position and adjusts All Other to fund the reorganization.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$2,449	\$0	\$0
All Other	(\$2,449)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

Workforce Research Z164

Initiative: Transfers and reallocates the cost of one Statistician III position from 100% Federal Expenditures Fund to 60% General Fund and 40% Federal Expenditures Fund within the same program and reallocates the cost of one Principal Economic Research Analyst position from 100% Federal Expenditures

Fund to 75% Federal Expenditures Fund and 25% General Fund within the same program. Also provides funding for related All Other costs in the General Fund.

GENERAL FUND	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	0.000	0.000
Personal Services	\$17,285	\$0	\$0
All Other	\$82,715	\$0	\$0
GENERAL FUND TOTAL	\$100,000	\$0	\$0
FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
Personal Services	(\$17,285)	\$0	\$0
All Other	\$17,285	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0
LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$100,000	\$0	\$0
FEDERAL EXPENDITURES FUND	\$276	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$121,993	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$222,269	\$0	\$0

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Financial Institutions - Bureau of 0093

Initiative: Provides funding for recruitment stipends for 5 Bank Examiners, 3 Senior Bank Examiners and 4 Principal Bank Examiners who complete required training courses and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$80,856	\$0	\$0
All Other	\$1,173	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$82,029	\$0	\$0

Insurance - Bureau of 0092

Initiative: Provides funding for an approved reclassification of one Assistant Insurance Analyst position to a Consumer Assistance Specialist position and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$24,695	\$0	\$0
All Other	\$292	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$24,987	\$0	\$0

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
	\$107,016	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$107,016	\$0	\$0

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

Retirement System - Retirement Allowance Fund 0085

Initiative: Provides funding for benefits for judges who retired prior to December 1, 1984 and their surviving spouses under the Maine Revised Statutes, Title 4, section 1403 and for retired Governors and their surviving spouses under the Maine Revised Statutes, Title 2, section 1-A.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$2	\$0	\$0

GENERAL FUND	\$2	\$0	\$0	OTHER SPECIAL	2014-15	2015-16	2016-17
TOTAL				REVENUE FUNDS			
				All Other	(\$345,149)	\$0	\$0
RETIREMENT				OTHER SPECIAL	(\$345,149)	\$0	\$0
SYSTEM, MAINE				REVENUE FUNDS			
PUBLIC				TOTAL			
EMPLOYEES							
DEPARTMENT	2014-15	2015-16	2016-17	TREASURER OF			
TOTALS				STATE, OFFICE OF			
				DEPARTMENT	2014-15	2015-16	2016-17
GENERAL FUND	\$2	\$0	\$0	TOTALS			
DEPARTMENT	\$2	\$0	\$0	GENERAL FUND	(\$607,584)	\$0	\$0
TOTAL - ALL				OTHER SPECIAL	\$507,841	\$0	\$0
FUNDS				REVENUE FUNDS			

TREASURER OF STATE, OFFICE OF**Debt Service - Treasury 0021**

Initiative: Adjusts funding levels for debt service. These adjustments are net of transfers of earnings from the temporary investment of bond proceeds pursuant to the Maine Revised Statutes, Title 5, section 151-A.

GENERAL FUND	2014-15	2015-16	2016-17	GENERAL FUND	(\$81,775)	\$0	\$0
All Other	(\$607,584)	\$0	\$0	FEDERAL	\$276	\$0	\$0
				EXPENDITURES			
				FUND			
GENERAL FUND	(\$607,584)	\$0	\$0	OTHER SPECIAL	\$764,595	\$0	\$0
TOTAL				REVENUE FUNDS			

State - Municipal Revenue Sharing 0020

Initiative: Adjusts funding for municipal revenue sharing to bring allocations in line with projected resources available at the end of the Second Regular Session of the 126th Legislature.

OTHER SPECIAL	2014-15	2015-16	2016-17	SECTION TOTAL -	\$683,096	\$0	\$0
REVENUE FUNDS				ALL FUNDS			
All Other	\$852,990	\$0	\$0				
OTHER SPECIAL	\$852,990	\$0	\$0				
REVENUE FUNDS							
TOTAL							

State - Municipal Revenue Sharing 0020

Initiative: Adjusts funding for municipal revenue sharing to bring allocations in line with changes in projected resources resulting from the implementation of a Maine capital investment credit and conformity with the United States Internal Revenue Code of 1986 as amended through December 31, 2014.

DEPARTMENT	2014-15	2015-16	2016-17
TOTAL - ALL			
FUNDS			

SECTION TOTALS

GENERAL FUND	2014-15	2015-16	2016-17
GENERAL FUND	(\$81,775)	\$0	\$0
FEDERAL	\$276	\$0	\$0
EXPENDITURES			
FUND			
OTHER SPECIAL	\$764,595	\$0	\$0
REVENUE FUNDS			

SECTION TOTAL -	\$683,096	\$0	\$0
ALL FUNDS			

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**Information Services 0155**

Initiative: Provides funding for retroactive reclassifications.

OFFICE OF	2014-15	2015-16	2016-17
INFORMATION			
SERVICES FUND			
Personal Services	\$146,858	\$0	\$0
OFFICE OF	\$146,858	\$0	\$0
INFORMATION			
SERVICES FUND			
TOTAL			

Workers' Compensation Management Fund Program 0802

Initiative: Provides funding for retroactive reclassifications.

WORKERS' COMPENSATION MANAGEMENT FUND	2014-15	2015-16	2016-17
Personal Services	\$32,250	\$0	\$0
WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$32,250	\$0	\$0
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2014-15	2015-16	2016-17
OFFICE OF INFORMATION SERVICES FUND	\$146,858	\$0	\$0
WORKERS' COMPENSATION MANAGEMENT FUND	\$32,250	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$179,108	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for the retroactive portion of the reclassification of one Human Resource Specialist position to a Public Service Coordinator I position.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$10,682	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$10,682	\$0	\$0

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the approved ongoing reclassification of one Human Resource Specialist position to a Public Service Coordinator I position.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$7,988	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$7,988	\$0	\$0
HUMAN RIGHTS COMMISSION, MAINE DEPARTMENT TOTALS	2014-15	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$18,670	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$18,670	\$0	\$0

TREASURER OF STATE, OFFICE OF Administration - Treasury 0022

Initiative: Provides funding for the approved reorganization of one Public Service Coordinator I position to a Public Service Manager I position and reduces All Other to fund the reorganization.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$4,276	\$0	\$0
All Other	(\$4,276)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0
TREASURER OF STATE, OFFICE OF DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

SECTION TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$18,670	\$0	\$0
OFFICE OF INFORMATION SERVICES FUND	\$146,858	\$0	\$0
WORKERS' COMPENSATION MANAGEMENT FUND	\$32,250	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$197,778	\$0	\$0

PART E

Sec. E-1. Appropriations and allocations.
The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**Consent Decree Z163**

Initiative: Provides funding for unmet needs identified in the core services of the Consent Decree program.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$1,133,051	\$0	\$0
GENERAL FUND TOTAL	\$1,133,051	\$0	\$0

Developmental Services Waiver - MaineCare 0987

Initiative: Adjusts funding to properly align anticipated service provider tax revenues.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	(\$445,677)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$445,677)	\$0	\$0

Developmental Services Waiver - Supports Z006

Initiative: Adjusts funding to properly align anticipated service provider tax revenues.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	(\$260,087)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$260,087)	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for repair of sidewalks around Riverview Psychiatric Center.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$34,218	\$0	\$0
GENERAL FUND TOTAL	\$34,218	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for Riverview Psychiatric Center to upgrade the current duress system.

GENERAL FUND	2014-15	2015-16	2016-17
Capital Expenditures	\$30,020	\$0	\$0
GENERAL FUND TOTAL	\$30,020	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for locum tenens cost overruns due to physician vacancies.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$345,421	\$0	\$0
GENERAL FUND TOTAL	\$345,421	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Reorganizes 2 Mental Health Worker II positions to Acuity Specialist positions to address the needs of the hospital.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$1,308	\$0	\$0
GENERAL FUND TOTAL	\$1,308	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for additional survey work performed by the Joint Commission on Hospital Accreditation requested by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$4,166	\$0	\$0
GENERAL FUND TOTAL	\$4,166	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for staff training.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$7,624	\$0	\$0
GENERAL FUND TOTAL	\$7,624	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for one full-time contracted pharmacist.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$55,477	\$0	\$0
GENERAL FUND TOTAL	\$55,477	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 3 Nurse I positions and provides funding in All Other to support the positions.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$22,503	\$0	\$0
All Other	\$1,419	\$0	\$0
GENERAL FUND TOTAL	\$23,922	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 3 Hospital Nurse II positions and provides funding in All Other to support the positions.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$23,493	\$0	\$0

All Other	\$1,419	\$0	\$0
GENERAL FUND TOTAL	\$24,912	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 12 Acuity Specialist positions and provides funding in All Other to support the positions.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$75,416	\$0	\$0
All Other	\$5,678	\$0	\$0
GENERAL FUND TOTAL	\$81,094	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Office Assistant II position and provides funding in All Other to support the position.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$4,956	\$0	\$0
All Other	\$473	\$0	\$0
GENERAL FUND TOTAL	\$5,429	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding to upgrade the current video recording system at Riverview Psychiatric Center.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$9,688	\$0	\$0
GENERAL FUND TOTAL	\$9,688	\$0	\$0

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 2 Hospital Nurse III positions and provides funding for related All Other costs.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$16,910	\$0	\$0
All Other	\$946	\$0	\$0

GENERAL FUND	\$17,856	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for additional contracted nursing staff.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$27,301	\$0	\$0

GENERAL FUND	\$27,301	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for a new electronic medical record system for Riverview Psychiatric Center and Dorothea Dix Psychiatric Center.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$273,676	\$0	\$0

GENERAL FUND	\$273,676	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 2 Mental Health Worker I positions and provides funding in All Other to support the positions.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$11,494	\$0	\$0
All Other	\$947	\$0	\$0

GENERAL FUND	\$12,441	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Field Investigator position in order to streamline the investigative process and provides funding in All Other to support the position.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$6,491	\$0	\$0
All Other	\$474	\$0	\$0

GENERAL FUND	\$6,965	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Social Services Program Specialist II position to serve as a recruiting specialist and provides funding for related All Other costs.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$7,550	\$0	\$0
All Other	\$474	\$0	\$0

GENERAL FUND	\$8,024	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Public Service Coordinator I position to oversee performance improvement activities in the hospital and provides funding for related All Other costs.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$6,662	\$0	\$0
All Other	\$474	\$0	\$0

GENERAL FUND	\$7,136	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Public Service Manager II position and provides funding for related All Other costs.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$9,851	\$0	\$0
All Other	\$474	\$0	\$0

GENERAL FUND	\$10,325	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 2 Mental Health Worker II positions and provides funding for related All Other costs.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$10,893	\$0	\$0
All Other	\$947	\$0	\$0

GENERAL FUND	\$11,840	\$0	\$0
TOTAL			

Medicaid Services - Developmental Services 0705

Initiative: Adjusts funding to properly align anticipated service provider tax revenues.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$705,764	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$705,764	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for repair of sidewalks around Riverview Psychiatric Center.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$55,782	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$55,782	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for Riverview Psychiatric Center to upgrade the current duress system.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Capital Expenditures	\$48,980	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,980	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for locum tenens cost overruns due to physician vacancies.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$568,809	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$568,809	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Reorganizes 2 Mental Health Worker II positions to Acuity Specialist positions to address the needs of the hospital.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$2,118	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,118	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for renovations of the Lower Saco Unit of the Riverview Psychiatric Center.

GENERAL FUND	2014-15	2015-16	2016-17
Capital Expenditures	\$40,000	\$0	\$0
GENERAL FUND TOTAL	\$40,000	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for a lease agreement for the office of outpatient services.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$60,864	\$0	\$0
GENERAL FUND TOTAL	\$60,864	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for additional survey work performed by the Joint Commission on Hospital Accreditation requested by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$6,764	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,764	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for staff training.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$12,396	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,396	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for one full-time contracted pharmacist.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$90,055	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,055	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes 3 Nurse I positions and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	0.000	0.000
Personal Services	\$36,684	\$0	\$0
All Other	\$2,856	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$39,540	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes 3 Hospital Nurse II positions and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	0.000	0.000
Personal Services	\$38,307	\$0	\$0
All Other	\$2,878	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$41,185	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes 12 Acuity Specialist positions and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	0.000	0.000
Personal Services	\$140,600	\$0	\$0
All Other	\$11,334	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$151,934	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes one Office Assistant II position and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$8,077	\$0	\$0
All Other	\$895	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,972	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding to upgrade the current video recording system at Riverview Psychiatric Center.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$16,011	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,011	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes 2 Hospital Nurse III positions and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	2.000	0.000	0.000
Personal Services	\$27,568	\$0	\$0
All Other	\$1,660	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,228	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for additional contracted nursing staff.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$45,123	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$45,123	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Provides funding for a new electronic medical record system for Riverview Psychiatric Center and Dorothea Dix Psychiatric Center.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
All Other	\$452,330	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$452,330	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes 2 Mental Health Worker I positions and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	0.000	0.000
Personal Services	\$18,734	\$0	\$0
All Other	\$1,822	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,556	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes one Field Investigator position in order to streamline the investigative process and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$10,585	\$0	\$0
All Other	\$929	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,514	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes one Social Services Program Specialist II position to serve as a recruiting specialist and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$12,309	\$0	\$0
All Other	\$944	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,253	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes one Public Service Coordinator I position to oversee performance improvement activities in the hospital and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$10,860	\$0	\$0
All Other	\$933	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,793	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes one Public Service Manager II position and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	0.000	0.000
Personal Services	\$16,062	\$0	\$0
All Other	\$1,005	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,067	\$0	\$0

Riverview Psychiatric Center 0105

Initiative: Establishes 2 Mental Health Worker II positions and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	0.000	0.000
Personal Services	\$17,758	\$0	\$0
All Other	\$1,809	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,567	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$2,232,758	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,662,977	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,895,735	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Division of Licensing and Regulatory Services Z036

Initiative: Reorganizes one Social Service Program Specialist II position to a Social Service Manager I position.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$234	\$0	\$0
GENERAL FUND TOTAL	\$234	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$125	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding to replace expiring federal funds that support enhanced funding levels for primary care physicians, as implemented by the federal Patient Protection and Affordable Care Act. The enhanced federal reimbursement rate from the federal Patient Protection and Affordable Care Act for these services ended on December 31, 2014. Increased General Fund support supplants the loss of 100% federal funding.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$1,520,087	\$0	\$0
GENERAL FUND TOTAL	\$1,520,087	\$0	\$0
FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
All Other	\$2,459,198	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$2,459,198	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding due to a change in cash management.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$20,000,000	\$0	\$0
GENERAL FUND TOTAL	\$20,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17

All Other	\$32,356,021	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$32,356,021	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Notwithstanding any other provision of law, adjusts funding in the Medical Care - Payments to Providers program to reflect a redistribution of funding within the Fund for a Healthy Maine.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	(\$2,446,083)	\$0	\$0
GENERAL FUND TOTAL	(\$2,446,083)	\$0	\$0
FUND FOR A HEALTHY MAINE	2014-15	2015-16	2016-17
All Other	\$2,446,083	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$2,446,083	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding to repay the Federal Government for a portion of an audit finding included in federal Department of Health and Human Services, Office of Inspector General report number A-01-12-00001.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$4,000,000	\$0	\$0
GENERAL FUND TOTAL	\$4,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
All Other	(\$4,000,000)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$4,000,000)	\$0	\$0

Medical Use of Marijuana Fund Z118

Initiative: Reorganizes one Social Service Program Specialist II position to a Social Service Manager I position.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$1,083	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,083	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$23,074,238	\$0	\$0
FEDERAL EXPENDITURES FUND	\$30,815,219	\$0	\$0
FUND FOR A HEALTHY MAINE	\$2,446,083	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,208	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$56,336,748	\$0	\$0

SECTION TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$25,306,996	\$0	\$0
FEDERAL EXPENDITURES FUND	\$30,815,219	\$0	\$0
FUND FOR A HEALTHY MAINE	\$2,446,083	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$1,664,185	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$60,232,483	\$0	\$0

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

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**Office of Substance Abuse and Mental Health Services 0679**

Initiative: Provides funding for the approved reclassification of one Substance Abuse Program Specialist position to a Comprehensive Health Planner II position retroactive to September 2013.

FEDERAL BLOCK GRANT FUND	2014-15	2015-16	2016-17
Personal Services	\$7,381	\$0	\$0
All Other	\$171	\$0	\$0

FEDERAL BLOCK GRANT FUND TOTAL	\$7,552	\$0	\$0

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

DEPARTMENT TOTALS	2014-15	2015-16	2016-17

FEDERAL BLOCK GRANT FUND	\$7,552	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$7,552	\$0	\$0

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

**Maine Center for Disease Control and Prevention
0143**

Initiative: Provides funding for the approved reclassification of one Senior Geologist position to a Senior Environmental Hydrogeologist position retroactive to August 2012.

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$15,318	\$0	\$0
All Other	\$564	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$15,882	\$0	\$0

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

DEPARTMENT TOTALS	2014-15	2015-16	2016-17

FEDERAL EXPENDITURES FUND	\$15,882	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$15,882	\$0	\$0

SECTION TOTALS	2014-15	2015-16	2016-17

FEDERAL EXPENDITURES FUND	\$15,882	\$0	\$0

FEDERAL BLOCK GRANT FUND	\$7,552	\$0	\$0

SECTION TOTAL - ALL FUNDS	\$23,434	\$0	\$0

PART F

Sec. F-1. Appropriations and allocations.

The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Beverage Container Enforcement Fund 0971

Initiative: Provides funding for the approved range change of 22 Consumer Protection Inspector positions from range 20 to range 23.

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$47,108	\$16,543	\$16,588
All Other	\$2,421	\$850	\$853

OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,529	\$17,393	\$17,441

Division of Quality Assurance and Regulation 0393

Initiative: Provides funding for the approved range change of 22 Consumer Protection Inspector positions from range 20 to range 23.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$408,268	\$144,230	\$141,899

GENERAL FUND TOTAL	\$408,268	\$144,230	\$141,899

FEDERAL EXPENDITURES FUND	2014-15	2015-16	2016-17
Personal Services	\$32,035	\$12,125	\$12,369
All Other	\$1,647	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$33,682	\$12,125	\$12,369
OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$15,510	\$8,931	\$8,648
All Other	\$797	\$459	\$445
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,307	\$9,390	\$9,093
AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$408,268	\$144,230	\$141,899
FEDERAL EXPENDITURES FUND	\$33,682	\$12,125	\$12,369
OTHER SPECIAL REVENUE FUNDS	\$65,836	\$26,783	\$26,534
DEPARTMENT TOTAL - ALL FUNDS	\$507,786	\$183,138	\$180,802

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

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: Provides funding for the approved reclassification of one Arts and Humanities Associate position to a Development Program Officer position.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$5,974	\$6,461	\$6,262
GENERAL FUND TOTAL	\$5,974	\$6,461	\$6,262

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

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Veterans Services 0110

Initiative: Provides funding for the approved reclassification of one Grounds Equipment Supervisor position to a Grounds Equipment Maintenance Manager position.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$16,859	\$9,018	\$9,687
GENERAL FUND TOTAL	\$16,859	\$9,018	\$9,687

Sec. F-4. Appropriations and allocations.
The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Consumer-directed Services Z043

Initiative: Provides funding for the approved reclassification of one Social Services Program Specialist II position to a Social Services Manager I position retroactive to May 2013.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$11,711	\$11,869	\$9,551
GENERAL FUND TOTAL	\$11,711	\$11,869	\$9,551

Office of Substance Abuse and Mental Health Services 0679

Initiative: Provides funding for the approved reclassification of one Education Specialist II position to a Social Services Program Specialist II position retroactive to December 2010.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$17,217	\$7,238	\$7,507
GENERAL FUND TOTAL	\$17,217	\$7,238	\$7,507

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2014-15	2015-16	2016-17

GENERAL FUND	\$28,928	\$19,107	\$17,058
DEPARTMENT TOTAL - ALL FUNDS	\$28,928	\$19,107	\$17,058

Sec. F-5. Appropriations and allocations.
The following appropriations and allocations are made.

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

Child Care Services 0563

Initiative: Provides funding for the approved range change of 18 Financial Resource Specialist positions from range 16 to range 18 retroactive to May 2009.

FEDERAL BLOCK GRANT FUND	2014-15	2015-16	2016-17
Personal Services	\$23,282	\$25,660	\$26,374
FEDERAL BLOCK GRANT FUND TOTAL	\$23,282	\$25,660	\$26,374

Office of Child and Family Services - Central 0307

Initiative: Provides funding for the approved range change of 18 Financial Resource Specialist positions from range 16 to range 18 retroactive to May 2009.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$372,816	\$33,070	\$33,640
GENERAL FUND TOTAL	\$372,816	\$33,070	\$33,640

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$17,102	\$12,865	\$13,089
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,102	\$12,865	\$13,089

Office of Child and Family Services - District 0452

Initiative: Provides funding for the approved reclassification of one Office Assistant II position to an Office Associate I position retroactive to December 2009.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$0	\$4,522	\$3,433

GENERAL FUND TOTAL	\$0	\$4,522	\$3,433
OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$0	\$992	\$754
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$992	\$754

Office of the Commissioner District Operations 0196

Initiative: Provides funding for the approved reclassification of one Office Assistant II position to an Office Associate I position retroactive to December 2009.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$13,654	\$0	\$0
GENERAL FUND TOTAL	\$13,654	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$7,677	\$0	\$0
All Other	\$283	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,960	\$0	\$0

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

DEPARTMENT TOTALS	2014-15	2015-16	2016-17
GENERAL FUND	\$386,470	\$37,592	\$37,073
OTHER SPECIAL REVENUE FUNDS	\$25,062	\$13,857	\$13,843
FEDERAL BLOCK GRANT FUND	\$23,282	\$25,660	\$26,374
DEPARTMENT TOTAL - ALL FUNDS	\$434,814	\$77,109	\$77,290

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

**HISTORIC PRESERVATION COMMISSION,
MAINE**

Historic Preservation Commission 0036

Initiative: Provides funding for the approved reclassification of one Secretary Associate position to a Secretary Specialist position retroactive to January 2013.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$2,982	\$1,287	\$1,303
GENERAL FUND	\$2,982	\$1,287	\$1,303
TOTAL			

Sec. F-7. Appropriations and allocations.
The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Labor Relations Board 0160

Initiative: Provides funding for the approved reclassification of one Public Service Coordinator II position from range 29 to range 31.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$16,997	\$6,462	\$6,265
GENERAL FUND	\$16,997	\$6,462	\$6,265
TOTAL			

Sec. F-8. Appropriations and allocations.
The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Criminal Justice Academy 0290

Initiative: Provides funding for the approved reclassification of one Staff Development Coordinator position to an Assistant Director position retroactive to April 2013.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$10,277	\$0	\$0
All Other	\$5,897	\$9,246	\$8,951
GENERAL FUND	\$16,174	\$9,246	\$8,951
TOTAL			

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$5,897	\$9,246	\$8,951

All Other	(\$5,897)	(\$9,246)	(\$8,951)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Criminal Justice Academy 0290

Initiative: Provides funding for the approved range change of 5 Maine Criminal Justice Academy Training Coordinator positions from range 22 to range 25 retroactive to June 2008.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$308,384	\$0	\$0
All Other	\$25,565	\$51,777	\$50,168
GENERAL FUND TOTAL	\$333,949	\$51,777	\$50,168

OTHER SPECIAL REVENUE FUNDS	2014-15	2015-16	2016-17
Personal Services	\$25,565	\$51,777	\$50,168
All Other	(\$25,565)	(\$51,777)	(\$50,168)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

**PUBLIC SAFETY,
DEPARTMENT OF**

DEPARTMENT TOTALS	2014-15	2015-16	2016-17

GENERAL FUND	\$350,123	\$61,023	\$59,119
OTHER SPECIAL REVENUE FUNDS	\$0	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$350,123	\$61,023	\$59,119

Sec. F-9. Appropriations and allocations.
The following appropriations and allocations are made.

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

Initiative: Provides funding for the approved retroactive reclassification of one Records Management Services Director position to one Public Service Manager II, Deputy Director Maine State Archives position.

GENERAL FUND	2014-15	2015-16	2016-17
Personal Services	\$1,990	\$0	\$0
GENERAL FUND TOTAL	\$1,990	\$0	\$0

PART G

Sec. G-1. Riverview Psychiatric Center fiscal year 2014-15 monthly report. The Superintendent of Riverview Psychiatric Center shall provide monthly reports to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services. The reports are due on or before April 15, 2015, May 15, 2015 and June 15, 2015 and must include the following:

1. A summary of the number of hours of overtime worked by mental health worker positions, acuity specialist positions and nurse positions;
2. A summary of the number of hours of mandated overtime worked by mental health worker positions, acuity specialist positions and nurse positions;
3. A summary of the number of reported injuries indicating the job classification, whether or not the event resulted in lost time and the predicted amount of time before the employee returns to a normal workweek;
4. A summary of the number of staff injuries caused by a patient. The summary must include the number of civil and forensic patients involved and, within the forensic category, the number of patients categorized as incompetent to stand trial and the number of patients categorized as not criminally responsible;
5. A summary of the reported injuries occurring between patients;
6. The training schedule for mental health worker positions, acuity specialist positions and nurse positions, including the number of attendees and an explanation of how staff are released to attend training;
7. A schedule for hiring to fill the positions authorized by this Act; and
8. Copies of all communications with the federal Centers for Medicare and Medicaid Services related to recertification efforts.

Sec. G-2. Riverview Psychiatric Center salary savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1582, subsection 4 or any other provision of law, the State Budget Officer shall calculate the amount of General Fund salary savings resulting from filling the Riverview Psychiatric Center positions authorized by this Act later than April 1, 2015 and shall transfer those savings to the unappropriated surplus of the General Fund no later than June 30, 2015.

appropriated surplus of the General Fund no later than June 30, 2015.

PART H

Sec. H-1. General Fund reserve for future funding needs. Notwithstanding Public Law 2013, chapter 595, Part X, section 2 or any other provision of law to the contrary, the State Controller shall transfer \$4,333,751 from the General Fund reserve account for future funding needs established in Public Law 2013, chapter 595, Part X, section 2 to the unappropriated surplus of the General Fund no later than June 30, 2015.

PART I

Sec. I-1. 34-A MRSA §1803, sub-§12 is enacted to read:

12. Suspension of responsibilities and duties of the members of the board. Notwithstanding any provision of law to the contrary, the responsibilities and duties of the members of the board are suspended until July 1, 2015 and no member of the board may perform the duties and responsibilities enumerated in this subchapter until July 1, 2015.

Sec. I-2. 34-A MRSA §1816 is enacted to read:

§1816. Discharge of duties of board by commissioner

1. Interim discharge of duties of board. Notwithstanding any provision of law to the contrary, the commissioner or the commissioner's designee is responsible for distributing fiscal year 2014-15 supplemental payments to support county jail operations. The commissioner or the commissioner's designee also shall assume the powers and duties of the board until July 1, 2015.

2. Administrative support. The commissioner or the commissioner's designee may request the assistance of the Office of the Attorney General and other agencies of the State or the counties whenever necessary. The department shall provide administrative support for the operations of the commissioner or the commissioner's designee when the commissioner or the commissioner's designee is acting as the board, including, but not limited to, filing public notices, taking meeting minutes and recording decisions.

Sec. I-3. State Board of Corrections supplemental funding lapses. Notwithstanding the Maine Revised Statutes, Title 5, section 1591, subsection 4, any remaining balance of the supplemental funding for the State Board of Corrections contained in this Part lapses to the unappropriated surplus of the General Fund at the end of fiscal year 2014-15.

Sec. I-4. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, STATE BOARD OF**State Board of Corrections Operational Support Fund Z087**

Initiative: Provides one-time funding for an anticipated shortfall in fiscal year 2014-15.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	\$2,488,000	\$0	\$0
GENERAL FUND	\$2,488,000	\$0	\$0
TOTAL			

PART J

Sec. J-1. PL 2013, c. 595, Pt. Q, §1 is repealed.

PART K

Sec. K-1. Transfer from Public Utilities Commission. Pursuant to the Maine Revised Statutes, Title 35-A, section 117, the State Controller shall transfer \$500,000 in excess collections not required by the Public Utilities Commission from the Public Utilities Commission Reimbursement Fund to the unappropriated surplus of the General Fund no later than June 30, 2015.

PART L

Sec. L-1. Transfer of funds; Maine Community College System. Notwithstanding any other provision of law, on or before June 30, 2015, the State Controller shall transfer \$1,493,566 from the unappropriated surplus of the General Fund to the Maine Community College System - Board of Trustees program for the costs of collective bargaining agreements for employees of the Maine Community College System that occurred during fiscal year 2013-14 in the amount of \$494,322 and fiscal year 2014-15 in the amount of \$999,244. This amount may be allotted by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. This transfer is not considered an adjustment to appropriations.

PART M

Sec. M-1. Carrying provision; Office of the Secretary of State, Bureau of Administrative Services and Corporations. Notwithstanding any other provision of law, the Office of the Secretary of State is authorized to carry unexpended General Fund balances in fiscal year 2014-15 in the All Other line category in the Bureau of Administrative Services and Corporations program to fiscal year 2015-16 to be used to upgrade computer software for the boards and commissions program.

PART N

Sec. N-1. Contingent effective date. Part C, section 2 of this Act takes effect only if at least an additional 35% of the total funding needed for equipment and supplies is provided in fiscal year 2014-15 from the Highway Fund in accordance with the Maine Revised Statutes, Title 25, section 1509-A.

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

Effective April 12, 2015, unless otherwise indicated.

CHAPTER 17**H.P. 131 - L.D. 173**

**An Act To Amend the Laws
Governing the Gold Star
Family Registration Plate**

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

Sec. 1. 29-A MRSA §524-B, sub-§§1 and 2, as enacted by PL 2011, c. 246, §1, are amended to read:

1. Eligibility. Notwithstanding the requirements in section 468-A, the Secretary of State, upon application and upon evidence of payment of the excise tax required by Title 36, section 1482 and the annual motor vehicle registration fee required by section 501, shall issue a registration certificate and a set of gold star family registration plates, to be used in lieu of regular registration plates, to:

A. A person who is eligible to receive a gold star lapel button under 10 United States Code, Section 1126 (2010); ~~and~~

B. A grandparent of a member of the United States Armed Forces, if that member dies after March 28, 1973 as a result of:

(1) An international terrorist attack against the United States or a foreign nation friendly to the United States, recognized as such an attack by the United States Secretary of Defense; or

(2) Military operations while serving outside the United States, including the commonwealths, territories and possessions of the United States, as a part of a peacekeeping force;

C. A person who is not eligible to receive a gold star lapel button under 10 United States Code, Section 1126 (2010) but who is eligible for a lapel button for next of kin of deceased personnel under

32 Code of Federal Regulations, Section 578.63 (2006); and

D. A grandparent of a member of the United States Armed Forces, if that member dies while serving on active duty or while assigned in the reserve components of the United States Armed Forces or Army National Guard unit in a drill status.

2. Application. An application for gold star family registration plates must be accompanied by proof that the applicant is eligible ~~for the gold star lapel button~~. The Secretary of State, in consultation with the Department of Defense, Veterans and Emergency Management, shall verify the documentation presented by the applicant. Misrepresentation of documents is in violation of section 2103, subsection 5.

The Secretary of State may issue gold star family registration plates for display only on an automobile or pickup truck. An applicant may be issued gold star family registration plates for no more than one vehicle.

Sec. 2. 29-A MRSA §524-B, sub-§4 is enacted to read:

4. Gold star family vanity plates. Upon request and as provided by section 453, the Secretary of State shall issue gold star family registration plates that are also vanity plates. Gold star family vanity registration plates are issued in accordance with this section and section 453.

Sec. 3. Contingent effective date. That section of this Act that amends the Maine Revised Statutes, Title 29-A, section 524-B, subsections 1 and 2 does not take effect unless the Department of the Secretary of State receives donations from any public or private source to cover the costs of gold star family registration plates for those eligible as a result of this Act. Donations under this section must be deposited into the Specialty License Plate Fund established in Title 29-A, section 469. The Secretary of State shall notify the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes when the Department of the Secretary of State has received the donations required under this section.

See title page for effective date, unless otherwise indicated.

CHAPTER 18

H.P. 36 - L.D. 38

An Act To Allow Sufficient Time for Implementation of the Performance Evaluation and Professional Growth System for Educators

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

Whereas, it is necessary that this Act take effect prior to the beginning of the next school year, which begins in late summer 2015; and

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

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

Sec. 1. 20-A MRSA §13705, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

§13705. Phase-in of requirements

The requirements of this chapter apply to all school administrative units beginning in the ~~2015-2016~~ 2016-2017 school year. In the ~~2013-2014~~ 2014-2015 school year, each unit shall develop a system that meets the standards of this chapter, in collaboration with teachers, principals, administrators, school board members, parents and other members of the public. In the ~~2014-2015~~ 2015-2016 school year, each unit shall operate as a pilot project the system developed in the prior year by applying it in one or more of the schools in the unit or by applying it without using results in any official manner or shall employ other means to provide information to enable the unit to adjust the system prior to the first year of full implementation. Nothing in this section prohibits a unit from fully implementing the system earlier than the ~~2015-2016~~ 2016-2017 school year.

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

Effective April 12, 2015.

CHAPTER 19

H.P. 13 - L.D. 10

An Act To Establish Native American Heritage and Culture Day

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

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

§150-L. Native American Heritage and Culture Day

In recognition of the service and sacrifice of Maine Indian tribes since the beginning of our nation in support for its liberties, and to recognize the thousands of years of Native American heritage and the culture Maine Indian tribes have contributed to the State, the Governor annually shall issue a proclamation designating March 20th as Native American Heritage and Culture Day, and the Governor shall urge the people of the State to observe this day in suitable places and with appropriate ceremony and activity.

See title page for effective date.

CHAPTER 20

S.P. 13 - L.D. 12

An Act To Limit the Liability of Landowners Who Allow Recreational Climbing on Their Land

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

Sec. 1. 14 MRSA §159-A, sub-§1, ¶B, as amended by PL 2009, c. 156, §1, is further amended to read:

B. "Recreational or harvesting activities" means recreational activities conducted out-of-doors, including, but not limited to, hunting, fishing, trapping, camping, environmental education and research, hiking, rock climbing, ice climbing, bouldering, rappelling, recreational caving, sight-seeing, operating snow-traveling and all-terrain vehicles, skiing, hang-gliding, noncommercial aviation activities, dog sledding, equine activities, boating, sailing, canoeing, rafting, biking, picnicking, swimming or activities involving the harvesting or gathering of forest, field or marine products. It includes entry of, volunteer maintenance and improvement of, use of and passage over premises in order to pursue these activities. "Recreational or harvesting activities" does not include commercial agricultural or timber harvesting.

See title page for effective date.

CHAPTER 21

H.P. 37 - L.D. 43

An Act To Specify That Theft by Deception Includes False Claims Regarding Military Service

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

Sec. 1. 17-A MRSA §354, sub-§2, ¶A, as repealed and replaced by PL 2001, c. 383, §34 and affected by §156, is amended to read:

A. Creates or reinforces an impression that is false and that the person does not believe to be true, including false claims that the person is a veteran or a member of the Armed Forces of the United States or a state military force and false impressions as to identity, law, value, knowledge, opinion, intention or other state of mind; except that an intention not to perform a promise, or knowledge that a promise will not be performed, may not be inferred from the fact alone that the promise was not performed;

Sec. 2. 37-B MRSA §509, sub-§6 is enacted to read:

6. Release of information about military status; false claims. Upon request by a law enforcement officer or a prosecutor, the bureau may release information regarding a person's military service for the purposes of investigating alleged false claims of service or decoration awarded for service in the Armed Forces of the United States or a state military force.

See title page for effective date.

CHAPTER 22

H.P. 65 - L.D. 71

An Act To Amend the Laws Governing Service of Process in Eviction Actions

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

Sec. 1. 14 MRSA §6004, as repealed and replaced by PL 2013, c. 135, §1, is amended to read:

§6004. Commencement of action

~~Until September 1, 2016, the~~ The process of forcible entry and detainer must be commenced and service made in the same manner as other civil actions, except that if at least 3 good faith efforts on 3 different days have been made to serve the defendant, service may be accomplished by both mailing the summons

and complaint by first-class mail to the defendant's last known address and leaving the summons and complaint at the defendant's last and usual place of abode. If service has been made by mailing and posting the summons and complaint, the plaintiff shall file with the court an affidavit demonstrating that compliance with the requirement of service has occurred. When the plaintiff lives out of the State and a recognizance is required of the plaintiff, any person may recognize in the plaintiff's behalf and is personally liable. ~~This paragraph is repealed September 1, 2016.~~

~~Beginning September 1, 2016, the process of forcible entry and detainer must be commenced and service made in the same manner as other civil actions. When the plaintiff lives out of the State and a recognizance is required of the plaintiff, any person may recognize in the plaintiff's behalf and is personally liable.~~

See title page for effective date.

CHAPTER 23

H.P. 182 - L.D. 264

An Act To Restore the Right To Possess Certain Knives That Are Used by Many Citizens as Tools

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

Sec. 1. 17-A MRSA §1055, as amended by PL 2011, c. 464, §18, is repealed.

See title page for effective date.

CHAPTER 24

H.P. 188 - L.D. 270

An Act To Temporarily Reduce the Annual High-stakes Beano Fee from \$50,000 to \$25,000

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

Whereas, passage of this legislation is necessary to ensure the continued operation of high-stakes beano gaming by the Penobscot Nation; and

Whereas, many jobs and the operation of an elderly assisted living center depend upon high-stakes beano gaming; and

Whereas, this legislation needs to take effect before next year's license fee to operate high-stakes beano games becomes due; and

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

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

Sec. 1. 17 MRSA §314-A, sub-§4, as amended by PL 2011, c. 410, §2, is further amended to read:

4. Term of license; fees. A license issued under this section is valid for a period of one year. The annual license fee for a high-stakes beano license is \$50,000, except that the annual license fee due in 2008 to 2013 2016 is \$25,000. License fees may be paid in advance in quarterly installments. All license fees must be paid to the Treasurer of State to be credited to the General Fund.

Sec. 2. Retroactivity. This Act applies retroactively to July 1, 2014.

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

Effective April 16, 2015.

CHAPTER 25

H.P. 234 - L.D. 340

An Act To Extend the Statutory Sunset of the Green Power Offer

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

Sec. 1. 35-A MRSA §3212-A, sub-§3, as amended by PL 2009, c. 329, Pt. B, §5, is further amended to read:

3. Repeal. This section is repealed ~~December 31, 2015~~ April 1, 2021.

See title page for effective date.

CHAPTER 26

S.P. 143 - L.D. 375

An Act To Create a Blue Alert Program in Maine

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

Sec. 1. 25 MRSA c. 260 is enacted to read:

CHAPTER 260

BLUE ALERT PROGRAM

§2221. Definitions

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

1. Blue Alert. "Blue Alert" means a notice provided under this chapter to the public through certain state agencies and the media.

2. Blue Alert Program. "Blue Alert Program" means the statewide alert program regarding killed, injured or missing law enforcement officers developed and implemented under this chapter.

3. Department. "Department" means the Department of Public Safety.

4. Law enforcement officer. "Law enforcement officer" has the same meaning as in section 3701, subsection 3.

5. Media. "Media" means print, radio, Internet-based communication systems or other methods of communicating information to the public.

§2222. Blue Alert Program

1. Blue Alert Program. In accordance with this chapter and with the cooperation of the Department of Transportation, the Maine Turnpike Authority, a statewide organization representing broadcast groups in the State, the Office of the Governor and appropriate law enforcement agencies, the department shall develop and implement the Blue Alert Program as provided in subsection 2.

2. Program elements. The Blue Alert Program must be developed and implemented using existing resources and activated when, in the line of duty, a law enforcement officer has been killed or injured or is missing, there is sufficient information available regarding the law enforcement officer's last known location or physical description of an offender or vehicle involved and the department determines that a public notification may aid in:

A. Apprehending a suspected offender who poses an imminent threat to the public or to law enforcement personnel; or

B. Locating a missing law enforcement officer.

3. Standards of procedure. The Blue Alert Program must include standards of procedure for local law enforcement agencies to determine that a condition under subsection 2 exists to notify the department to activate a Blue Alert, a plan for providing relevant

information to the public through an existing system of dynamic message signs located across the State when necessary and training for all law enforcement officers.

4. Rules. The department may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to carry out the purposes of this chapter.

See title page for effective date.

CHAPTER 27

H.P. 255 - L.D. 389

An Act Relating to the Sale of Hypodermic Apparatuses

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

Sec. 1. 22 MRSA §2383-B, sub-§6, as amended by PL 2003, c. 386, §19, is further amended to read:

6. Lawful possession of hypodermic apparatuses by livestock owners; sale to livestock owners. A person who owns livestock is authorized to possess and have control of hypodermic apparatuses for the purpose of administering antibiotics, vitamins and vaccines to treat medical conditions or promote the health of that person's livestock, and such possession and control are expressly authorized within the meaning of Title 17-A, section 1111, subsection 1, paragraph A. For the purposes of this subsection, "livestock" means cattle, equines, sheep, goats, swine, members of the genus Lama, poultry, rabbits and cervids as defined in Title 7, section 1333, subsection 1.

A. An agricultural supply store authorized to sell hypodermic apparatuses pursuant to Title 32, section 13787-A, subsection 1 may furnish or sell, without limit in number, hypodermic apparatuses to a person authorized to possess and have control of hypodermic apparatuses pursuant to this subsection, and such furnishing or sale is expressly authorized within the meaning of Title 17-A, section 1110, subsection 1-B.

See title page for effective date.

CHAPTER 28

S.P. 171 - L.D. 442

An Act To Clarify Municipal Capacity for Site Location of Development and Encourage Local Development

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

Sec. 1. 38 MRSA §488, sub-§19, as amended by PL 2011, c. 655, Pt. FF, §13 and affected by §16 and amended by c. 657, Pt. W, §5, is further amended to read:

19. Municipal capacity. A structure, as defined in section 482, subsection 6, that is from 3 acres up to and including 7 acres or a subdivision, as defined in section 482, subsection 5, that is made up of 15 or more lots for single-family, detached, residential housing, common areas or open space with an aggregate area of from 30 acres up to and including 100 acres is exempt from review under this article if it is located wholly within a municipality or municipalities meeting the criteria in paragraphs A to D as determined by the department and it is located wholly within a designated growth area as identified in a comprehensive plan adopted pursuant to Title 30-A, chapter 187, subchapter 2. The planning board of the municipality in which the development is located or an adjacent municipality may petition the commissioner to review such a structure or subdivision if it has regional environmental impacts. This petition must be filed within 20 days of the receipt of the application by the municipality. State jurisdiction must be exerted, if at all, within 30 days of receipt of the completed project application by the commissioner from the municipality or within 30 days of receipt of any modification to that application from the municipality. Review by the department is limited to the identified regional environmental impacts. The criteria are as follows:

A. A municipal planning board or reviewing authority is established and the municipality has adequate resources to administer and enforce the provisions of its ordinances. In determining whether this criterion is met, the commissioner may consider any specific and adequate technical assistance that is provided by a regional council;

B. The municipality has adopted a site plan review ordinance. In determining the adequacy of the ordinance, the commissioner may consider model site plan review ordinances commonly used by municipalities in this State that address the issues reviewed under applicable provisions of this article prior to July 1, 1997;

C. The municipality has adopted subdivision regulations. In determining the adequacy of these regulations, the commissioner may consider model subdivision regulations commonly used by municipalities in this State; and

D. The former State Planning Office or the Department of Agriculture, Conservation and Forestry has determined that the municipality has a comprehensive land use plan and land use ordinances or zoning ordinances that are consistent

with Title 30-A, chapter 187 in providing for the protection of wildlife habitat, fisheries, unusual natural areas and archaeological and historic sites.

The department, in consultation with the Department of Agriculture, Conservation and Forestry, shall publish a list of those municipalities determined to have capacity pursuant to this subsection. This list need not be established by rule and must be published by January 1st of each year. The list must specify whether a municipality has capacity to review structures or subdivisions of lots for single-family, detached, residential housing, common areas or open space or both types of development. The department may recognize joint arrangements among municipalities and regional organizations in determining whether the requirements of this subsection are met. The department may review municipalities that are determined to have capacity pursuant to this subsection for compliance with the criteria in paragraphs A to D, and if the department determines that a municipality does not meet the criteria, the department may modify or remove the determination of capacity.

A modification to a development that was reviewed by a municipality and exempted pursuant to this subsection or was reviewed by the department prior to a determination that a municipality has capacity pursuant to this subsection is exempt as long as the modification will not cause the total area of the development to exceed the maximum acreage specified in this subsection for that type of development or, based upon information submitted by the municipality concerning the development and modification, the department determines that the modification may be adequately reviewed by the municipality.

See title page for effective date.

CHAPTER 29

S.P. 209 - L.D. 593

**An Act To Allow the Resale of
Electricity by Electric Vehicle
Charging Stations**

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

Sec. 1. 35-A MRSA §313-A is enacted to read:

§313-A. Submetering by electric vehicle charging station providers

An electric vehicle charging station provider, as defined in section 3201, subsection 8-B, may install an electrical submeter and may charge a submeter user only for kilowatt hours used.

Sec. 2. 35-A MRSA §3201, sub-§5, as enacted by PL 1997, c. 316, §3, is amended to read:

5. Competitive electricity provider. "Competitive electricity provider" means a marketer, broker, aggregator or any other entity selling electricity to the public at retail, but does not include an electric vehicle charging station provider.

Sec. 3. 35-A MRSA §3201, sub-§8-B is enacted to read:

8-B. Electric vehicle charging station provider. "Electric vehicle charging station provider" means a person selling electricity for the sole purpose of transferring electric energy between a charger and the battery or other energy storage device in an electric vehicle.

See title page for effective date.

CHAPTER 30

S.P. 217 - L.D. 624

An Act To Make a Technical Correction to the Law Establishing the State Trauma Prevention and Control Advisory Committee within the Field of Public Safety

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

Sec. 1. 5 MRSA §12004-I, sub-§49-B, as enacted by PL 1993, c. 311, §1, is repealed.

Sec. 2. 5 MRSA §12004-I, sub-§74-I is enacted to read:

74-I.

<u>Public</u>	<u>State</u>	<u>Not Au-</u>	<u>32 MRSA</u>
<u>Safety</u>	<u>Trauma</u>	<u>thorized</u>	<u>§87-A</u>
	<u>Prevention</u>		
	<u>and Control</u>		
	<u>Advisory</u>		
	<u>Committee</u>		

Sec. 3. 32 MRSA §87-A, sub-§2, as amended by PL 2007, c. 274, §17, is further amended to read:

2. State Trauma Prevention and Control Advisory Committee. The State Trauma Prevention and Control Advisory Committee, as established in Title 5, section 12004-I, subsection ~~49-B~~ 74-I, is appointed by the board to advise the board on all matters related to trauma care system development. The committee's members must be broadly representative of trauma prevention and care providers as a whole, must be as

geographically diverse as possible and must include, without limitation:

- A. A representative of the board;
- B. Four surgeons representing trauma-related subspecialties;
- C. Two emergency physicians;
- D. The director;
- E. An emergency nurse;
- F. A critical care nurse;
- G. A trauma rehabilitation specialist;
- H. A representative of the regional councils;
- I. A representative of air ambulance services;
- J. Two representatives of prehospital care providers;
- K. Three hospital administrators, one from a small hospital, one from a medium hospital and one from a large hospital;
- L. A representative of the Maine Hospital Association; and
- M. A representative of trauma care system users.

See title page for effective date.

CHAPTER 31

H.P. 35 - L.D. 37

An Act Regarding Emergency Lights on a Vehicle Used by a Member of a Municipal or Volunteer Fire or Emergency Medical Services Department

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

Sec. 1. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2013, c. 462, §4, is further amended to read:

C. The use of amber lights on vehicles is governed by the following.

(1) A vehicle engaged in highway maintenance or in emergency rescue operations by emergency management and public safety agencies and a public utility emergency service vehicle may be equipped with auxiliary lights that emit an amber light.

(1-A) A Department of Labor motor vehicle operated by a workplace safety inspector may be equipped with auxiliary lights that emit an amber light.

(2) A wrecker must be equipped with a flashing light mounted on top of the vehicle in such a manner as to emit an amber light over a ~~360°~~ 360-degree angle. The light must be in use on a public way or a place where public traffic may reasonably be anticipated when servicing, freeing, loading, unloading or towing a vehicle.

(3) A vehicle engaged in snow removal or sanding operations on a public way must be equipped with and display an auxiliary light that provides visible light coverage over a ~~360°~~ 360-degree range. The light must emit an amber beam of light and be equipped with a blinking or strobe light function and have sufficient intensity to be visible at 500 feet in normal daylight. When the left wing of a plow is in operation and extends over the center of the road, an auxiliary light must show the extreme end of the left wing. That light may be attached to the vehicle so that the beam of light points at the left wing. The light illuminating the left wing may be controlled by a separate switch or by the regular lighting system and must be in operation at all times when the vehicle is used for plowing snow on public ways.

(4) A vehicle equipped and used for plowing snow on other than public ways may be equipped with an auxiliary rotary flashing light that must be mounted on top of the vehicle in such a manner as to emit an amber beam of light over a ~~360°~~ 360-degree angle, or an amber strobe, or combination of strobes, that emits at a minimum a beam of 50 candlepower and provides visible light coverage over a ~~360°~~ 360-degree range. The light may be in use on a public way only when the vehicle is entering the public way in the course of plowing private driveways and other off-highway locations.

(5) A rural mail vehicle may be equipped with auxiliary lights.

(a) The lights used to the front must be white or amber, or any shade between white and amber.

(b) The lights used to the rear must be amber or red, or any shade between amber and red.

(c) The lights, whether used to the front or rear, must be mounted at the same level and as widely spaced laterally as possible.

(d) The lights, whether used to the front or rear, must flash simultaneously.

(e) The lights must be visible from a distance of at least 500 feet in normal daylight.

(6) A vehicle used or provided by a contract security company to assist in traffic control and direction at construction or maintenance sites on a public way may be equipped with amber auxiliary lights.

(7) A Department of Public Safety vehicle operated by a motor carrier inspector or motor vehicle inspector may be equipped with auxiliary lights that emit an amber light.

(8) A vehicle used by an animal control officer appointed pursuant to Title 7, section 3947 may be equipped with auxiliary lights that emit a flashing amber light.

(9) A refuse, garbage or trash business vehicle used by an individual to transport refuse, garbage and trash may be equipped with auxiliary lights that emit a flashing amber light.

(10) A vehicle used by an individual to transport and deliver newspapers may be equipped with auxiliary lights that emit a flashing amber light.

Sec. 2. 29-A MRSA §2054, sub-§2, ¶F, as amended by PL 2005, c. 299, §1, is further amended to read:

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

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

(2) The municipal officers or a municipal official designated by the municipal officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to use one red or combination red and white flashing auxiliary light mounted ~~as near as practicable above the front registration plate on the front of the vehicle, behind the rearview mirror in the windshield or on the dashboard at the front of the vehicle~~ or 2 flashing red or combination red and white auxiliary lights mounted on the front of the vehicle above the front bumper and below the hood and one red auxiliary light mounted in the rear window area. The light or lights may be displayed but may be used only while the member is en route to or

at the scene of a fire or other emergency. A light mounted on the dashboard or ~~behind the rearview mirror in the windshield~~ must be shielded so that the emitted light does not interfere with the operator's vision. The use of lights may be revoked at any time by the fire chief.

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

See title page for effective date.

CHAPTER 32

S.P. 71 - L.D. 196

An Act To Ensure the Safety of Public Service Vehicles

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

Sec. 1. 29-A MRSA §2054, sub-§1, ¶I-1 is enacted to read:

I-1. "Public service vehicle" means a vehicle used to assist members of the public or law enforcement officers with disabled vehicles or to remove debris from a roadway, or a vehicle used to construct, maintain, inspect or repair utility infrastructure, including, but not limited to, electricity, water, sewer, cable, telephone, gas and natural gas infrastructure. "Public service vehicle" includes a wrecker.

Sec. 2. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2013, c. 462, §4, is further amended to read:

C. The use of amber lights on vehicles is governed by the following.

(1) A vehicle engaged in highway maintenance or in emergency rescue operations by emergency management and public safety agencies and a public ~~utility~~ emergency service vehicle may be equipped with auxiliary lights that emit an amber light.

(1-A) A Department of Labor motor vehicle operated by a workplace safety inspector may

be equipped with auxiliary lights that emit an amber light.

(2) A wrecker must be equipped with a flashing light mounted on top of the vehicle in such a manner as to emit an amber light over a 360° angle. The light must be in use on a public way or a place where public traffic may reasonably be anticipated when servicing, freeing, loading, unloading or towing a vehicle.

(3) A vehicle engaged in snow removal or sanding operations on a public way must be equipped with and display an auxiliary light that provides visible light coverage over a 360° range. The light must emit an amber beam of light and be equipped with a blinking or strobe light function and have sufficient intensity to be visible at 500 feet in normal daylight. When the left wing of a plow is in operation and extends over the center of the road, an auxiliary light must show the extreme end of the left wing. That light may be attached to the vehicle so that the beam of light points at the left wing. The light illuminating the left wing may be controlled by a separate switch or by the regular lighting system and must be in operation at all times when the vehicle is used for plowing snow on public ways.

(4) A vehicle equipped and used for plowing snow on other than public ways may be equipped with an auxiliary rotary flashing light that must be mounted on top of the vehicle in such a manner as to emit an amber beam of light over a 360° angle, or an amber strobe, or combination of strobes, that emits at a minimum a beam of 50 candlepower and provides visible light coverage over a 360° range. The light may be in use on a public way only when the vehicle is entering the public way in the course of plowing private driveways and other off-highway locations.

(5) A rural mail vehicle may be equipped with auxiliary lights.

(a) The lights used to the front must be white or amber, or any shade between white and amber.

(b) The lights used to the rear must be amber or red, or any shade between amber and red.

(c) The lights, whether used to the front or rear, must be mounted at the same level and as widely spaced laterally as possible.

(d) The lights, whether used to the front or rear, must flash simultaneously.

(e) The lights must be visible from a distance of at least 500 feet in normal daylight.

(6) A vehicle used or provided by a contract security company to assist in traffic control and direction at construction or maintenance sites on a public way may be equipped with amber auxiliary lights.

(7) A Department of Public Safety vehicle operated by a motor carrier inspector or motor vehicle inspector may be equipped with auxiliary lights that emit an amber light.

(8) A vehicle used by an animal control officer appointed pursuant to Title 7, section 3947 may be equipped with auxiliary lights that emit a flashing amber light.

(9) A refuse, garbage or trash business vehicle used by an individual to transport refuse, garbage and trash may be equipped with auxiliary lights that emit a flashing amber light.

(10) A vehicle used by an individual to transport and deliver newspapers may be equipped with auxiliary lights that emit a flashing amber light.

Sec. 3. 29-A MRSA §2054, sub-§2, ¶G, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

G. A vehicle may be equipped with a spotlight. Only spotlights on authorized emergency vehicles, highway maintenance vehicles and public ~~utility~~ service vehicles may be used on a public way, except any vehicle may use a spotlight in cases of necessity when other lights required by law fail to operate.

Sec. 4. 29-A MRSA §2054, sub-§9, as amended by PL 2007, c. 348, §20, is further amended to read:

9. Stationary vehicles. The operator of a vehicle passing a stationary authorized emergency vehicle using an emergency light or a stationary ~~wrecker~~ public service vehicle using its authorized lights, with due regard to the safety and traffic conditions, shall:

A. Pass in a lane not adjacent to that of the authorized emergency vehicle or ~~wrecker~~ public service vehicle, if possible; or

B. If passing in a nonadjacent lane is impossible or unsafe, pass the emergency vehicle or ~~wrecker~~ public service vehicle at a careful and prudent speed reasonable for passing the authorized emergency vehicle or ~~wrecker~~ public service vehicle safely.

A violation of this subsection is a traffic infraction for which a minimum fine of \$250 must be adjudged.

See title page for effective date.

CHAPTER 33

S.P. 196 - L.D. 527

An Act To Repeal Outdated Agricultural Aviation Laws

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

Sec. 1. 6 MRSA §151, as amended by PL 1995, c. 504, Pt. B, §10, is repealed and the following enacted in its place:

§151. Agricultural aviation

A person may not conduct agricultural operations inconsistent with Federal Air Regulation, Part 137.

A person may operate aircraft from a limited-use landing area for the purposes of conducting agricultural operations if the permission of the owner of the limited-use landing area has been obtained.

See title page for effective date.

CHAPTER 34

H.P. 261 - L.D. 395

An Act To Clarify Storm Water Management Standards for Expansions of Existing Projects

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

Sec. 1. 38 MRSA §420-D, sub-§7, ¶I is enacted to read:

I. An existing project that is expanded does not require review pursuant to this section for the existing portion of the project as long as the existing portion met all applicable state and municipal standards for storm water management in effect at the time the existing portion was constructed. This exemption does not apply to:

(1) An existing project that is expanded if the existing storm water management system will be used, in whole or in part, to treat storm water flowing from the expanded portion of the existing project;

(2) The expanded portion of the existing project; or

(3) A redevelopment project as defined by the department by rule.

See title page for effective date.

CHAPTER 35

S.P. 190 - L.D. 521

An Act To Amend the Health Care Practitioner Transparency Requirements

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

Sec. 1. 24 MRSA §2988, sub-§3, as enacted by PL 2013, c. 285, §1, is amended to read:

3. Identification. A health care practitioner shall comply with the following identification requirements. ~~A health care practitioner who does not have direct patient care interactions is not subject to the provisions of this subsection.~~

~~A. A health care practitioner shall display a copy of the practitioner's license in a prominent place in an office area visible to current and prospective patients. If the health care practitioner sees patients in a setting outside of a licensed health care facility, the copy must be of sufficient size to be visible and apparent to patients, except that a copy no smaller than the original license is deemed to be sufficient.~~

B. A health care practitioner seeing patients on a face-to-face basis shall wear a name badge or some other form of identification that clearly discloses:

(1) The health care practitioner's first name or first and last name, except that if the health care practitioner is a physician, the name badge or identification must disclose the physician's first and last name; and

(2) The type of license, registration or certification the health care practitioner holds, including the common term for the health care practitioner's profession; ~~and,~~

~~(3) The health care practitioner's medical staff position, if applicable.~~

See title page for effective date.

CHAPTER 36

S.P. 223 - L.D. 630

An Act To Clarify the Requirements for Notice of the Right To Cure a Mortgage Default

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

Sec. 1. 14 MRSA §6111, sub-§1-A, ¶¶B, F and G, as enacted by PL 2009, c. 402, §11, are amended to read:

B. An itemization of all past due amounts causing the loan to be in default and the total amount due to cure the default;

F. The name, address, telephone number and other contact information for all counseling agencies approved by the United States Department of Housing and Urban Development operating to assist mortgagors in the State to avoid foreclosure; ~~and~~

G. Where mediation is available as set forth in section 6321-A, a statement that a mortgagor may request mediation to explore options for avoiding foreclosure judgment; and

Sec. 2. 14 MRSA §6111, sub-§1-A, ¶H is enacted to read:

H. A statement that the total amount due does not include any amounts that become due after the date of the notice.

See title page for effective date.

CHAPTER 37

S.P. 231 - L.D. 638

An Act To Authorize the Transfer of State-owned Real Estate to the City of Belfast

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

Sec. 1. 37-B MRSA §264, sub-§3, ¶P, as enacted by PL 2009, c. 406, §4, is amended to read:

P. The Fort Kent Armory, located on Armory Road, Fort Kent, by means of a quitclaim deed as long as the purchaser agrees to indemnify and hold harmless the State from all claims, including any environmental clean-up costs that may arise in connection with the land or the buildings constituting the armory; ~~and~~

Sec. 2. 37-B MRSA §264, sub-§3, ¶Q, as enacted by PL 2009, c. 406, §5, is amended to read:

Q. The Gardiner Armory, located on Brunswick Avenue, Gardiner, by means of a quitclaim deed as long as the purchaser agrees to indemnify and hold harmless the State from all claims, including any environmental clean-up costs that may arise in connection with the land or the buildings constituting the armory; and

Sec. 3. 37-B MRSA §264, sub-§3, ¶R is enacted to read:

R. The Belfast Armory, located on U.S. Route 1, Belfast, by means of a quitclaim deed as long as the purchaser agrees to indemnify and hold harmless the State from all claims, including any environmental clean-up costs that may arise in connection with the land or the buildings constituting the armory.

Sec. 4. 37-B MRSA §264, sub-§6 is enacted to read:

6. Special provisions for the Belfast Armory. Notwithstanding subsection 1, the Adjutant General may execute a like-kind exchange of a portion of the Belfast Armory property, located on U.S. Route 1, Belfast, for real property of substantially equal value, subject to the provisions of subsection 3, paragraph R.

See title page for effective date.

CHAPTER 38

H.P. 453 - L.D. 672

An Act To Improve Access to Capital

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

Sec. 1. 10 MRSA §1026-A, sub-§1, as amended by PL 2009, c. 124, §3, is further amended to read:

1. Insurance. The authority may make commitments and agreements to insure loan payments. Any loan insurance must be subject to the following:

A. Loan insurance may not exceed:

(1) One hundred percent of the principal amount of the loan made to any borrower including related entities for any of the following types of loans or projects:

(a) Loans to veterans and wartime veterans, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding,

loan insurance obligations pursuant to this division exceeding \$5,000,000;

(b) Underground and aboveground oil storage facility projects and projects to install equipment related to the improvement of air quality pursuant to requirements for gasoline service station vapor control and petroleum liquids transfer vapor recovery, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$5,000,000;

(c) Clean fuel vehicle projects and sustainable biofuel vehicle projects, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$5,000,000;

(d) Waste oil disposal site clean-up projects, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$1,000,000; or

(e) The Plymouth waste oil remedial study, except that the authority may not at any time have, in the aggregate amount of the principal and interest outstanding, loan insurance obligations pursuant to this division exceeding \$1,000,000; and

(2) Ninety percent of the principal amount of the loan made to any borrower, including related entities for any other manufacturing enterprise, industrial enterprise, recreational enterprise, fishing enterprise, agricultural enterprise, natural resource enterprise or any other eligible business enterprise;

B. The loan must be serviced as required by the authority;

D. The authority must determine that there is a reasonable prospect that the loan will be repaid;

E. The loan must be in compliance with the credit policy of the authority;

F. Loan insurance payments may not exceed the lesser of:

(1) Principal, outstanding accrued interest and collection costs approved by the authority; and

(2) The original insured amount; and

G. Terms other than those specified in paragraphs A to F as may be required by law or by rule of the authority.

The authority may provide insurance for related entities of up to ~~\$7,000,000~~ \$10,000,000.

Notwithstanding any provision to the contrary in this chapter, the authority may provide special loan insurance benefits to veterans and wartime veterans determined by rule of the authority developed in consultation with the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services.

For all loan insurance liability in excess of \$1,000,000 and in other instances when the authority determines it is appropriate, the authority shall obtain a written assessment from the Department of Environmental Protection of the environmental conditions known by the department to exist at a project location so that the authority fully considers environmental risks when making its decisions. Environmental conditions posing risks that must be considered include, but are not limited to, licensing obligations, existing or historic regulatory noncompliance and site clean-up responsibilities.

Sec. 2. Funds deposited. Funds appropriated or allocated pursuant to this Act must be deposited in the Finance Authority of Maine Loan Insurance Reserve Fund set forth pursuant to the Maine Revised Statutes, Title 10, section 1023-C.

Sec. 3. Contingent effective date. This Act takes effect only upon the receipt by the Finance Authority of Maine Loan Insurance Reserve Fund of an appropriation, allocation or other funding source in the amount of at least \$37,000,000.

See title page for effective date, unless otherwise indicated.

CHAPTER 39

H.P. 478 - L.D. 702

An Act To Clarify Filing Methods for Quarterly Payroll Reports

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

Sec. 1. 26 MRSA §1082, sub-§13, as amended by PL 1995, c. 657, §1 and affected by §10, is further amended to read:

13. Filing payroll reports; penalty. The commission may prescribe rules for the filing of payroll reports for the employing units in the State. Each employing unit shall submit a quarterly payroll report by electronic submission or on those forms prescribed by

the bureau ~~prescribes and these~~. These quarterly reports are due in the office of the bureau, or of any duly constituted agent of the bureau, on or before the last day of the month following the close of the calendar quarter for which the reports relate. The failure on the part of any employing unit to file the payroll reports within this time frame renders the employing unit liable for a penalty of \$25 or 10% of the tax due, whichever is greater.

~~Provided that in~~ In the case of executive, administrative and professional employees, and outside sales representatives, as defined in Part 541 of the Rules and Regulations promulgated under the Fair Labor Standards Act of 1938, as amended as of June 30, 1971, the commissioner, upon the request of an employer of those individuals, may approve an alternative method for obtaining from that employer necessary wage information relative to those employees.

Sec. 2. 26 MRSA §1161, as amended by PL 2003, c. 164, §1, is further amended to read:

§1161. Accounts and deposit

The Treasurer of State is the ex officio treasurer and custodian of the Unemployment Compensation Fund and shall administer the fund in accordance with the directions of the commissioner. The Treasurer of State shall maintain within the fund 4 separate accounts:

1. Clearing account. A clearing account for all money payable to the trust fund account that is not deposited into the ~~combined unemployment insurance contributions and income tax withholding deposit~~ account;

2. Trust fund account. An unemployment trust fund account;

3. Benefit account. A benefit account; and

4. Tax deposit account. A clearing account for that portion of unemployment insurance contributions payable to the trust fund account from the ~~combined money of unemployment insurance contributions and state income tax withholding payments deposit~~ account.

All money payable to the fund, upon receipt by the commissioner, must be forwarded to the Treasurer of State, who shall immediately deposit it in the clearing account or the ~~combined unemployment insurance contributions and income tax withholding deposit~~ account. Refunds payable pursuant to section 1043, subsection 11, paragraph F, subparagraph (2) or section 1225 may be paid from the clearing account, the ~~combined unemployment insurance contributions and income tax withholding deposit~~ account or the benefit account upon warrants prepared by the commissioner and signed by the State Controller. After clearance, all other money in the clearing account and all of the unemployment compensation money in the ~~combined~~

~~unemployment insurance contributions and income tax withholding deposit~~ account must be immediately deposited with the Secretary of the Treasury of the United States of America to the credit of the account of this State in the Unemployment Trust Fund, established and maintained pursuant to Section 904 of the Social Security Act, as amended, any provisions of law in this State relating to the deposit, administration, release or disbursement of money in the possession or custody of this State to the contrary notwithstanding. The benefit account must consist of all money requisitioned from this State's account in the Unemployment Trust Fund.

Except as otherwise provided, money in the clearing, ~~combined unemployment insurance contributions and income tax withholding deposit~~ and benefit accounts may be deposited by the Treasurer of State, under the direction of the commissioner, in any bank or public depository in which general funds of the State may be deposited, but no public deposit insurance charge or premium may be paid out of the fund.

The Governor is authorized to apply for advances to the account of this State in the Unemployment Trust Fund in accordance with the provisions of Title XII of the Social Security Act, 42 United States Code, Section 1321, as amended, or under any other Act of Congress extending such authority, in order to secure to this State and its citizens the advantages available under the provisions of Title XII of the Social Security Act.

See title page for effective date.

CHAPTER 40

H.P. 6 - L.D. 3

An Act To Ensure Consistent Certification of Graduation Standards in Publicly Funded Secondary Schools

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

Whereas, beginning January 1, 2017, public schools and private schools that enroll at least 60% publicly funded students must implement curricula designed to enable students to demonstrate proficiency in certain areas to award diplomas indicating graduation; and

Whereas, public charter schools are not currently required to implement curricula designed to enable students to demonstrate proficiency in certain areas to award diplomas indicating graduation; and

Whereas, public charter schools are publicly funded alternatives to public schools and private schools that enroll at least 60% publicly funded students; and

Whereas, all publicly funded schools should implement curricula designed to enable students to demonstrate the proficiencies necessary to receive a diploma indicating graduation from a secondary school; and

Whereas, secondary schools require the greatest amount of advance notice of applicable requirements to develop curricula to enable students to demonstrate the proficiencies necessary to receive a diploma indicating graduation from a secondary school; and

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

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

Sec. 1. 20-A MRSA §2412, sub-§5, ¶¶J and K are enacted to read:

J. Public charter schools are subject to the same proficiency-based diploma standards set forth in section 4722-A and are eligible for the same transition grants as applicable to noncharter public schools in the State pursuant to section 4722-A, subsection 4.

K. A public charter school that operates a public preschool program must comply with department rules for basic school approval standards for public preschool programs in accordance with section 4271, subsection 4 and section 4502, subsection 9.

Sec. 2. 20-A MRSA §2901, sub-§2, ¶A, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

A. Currently A private school approved for tuition purposes that enrolls at least 60% publicly funded students that is currently accredited by the a commission on independent schools of a New England Association association of Colleges and Secondary Schools schools and colleges in fulfillment of its standards of accreditation and indicators and that also meets the applicable requirements of the system of learning results established in section 6209; or

Sec. 3. 20-A MRSA §2902, sub-§3, as amended by PL 2011, c. 669, §2, is further amended to read:

3. Courses required by law. Provide instruction in elementary schools as specified in sections 4701, 4704, 4706 and 4711 and in secondary schools as

specified in sections 4701, 4704, 4706, 4722, 4722-A, 4723 and 4724.

Sec. 4. 20-A MRSA §6202, first ¶, as amended by PL 2009, c. 313, §20, is further amended to read:

The commissioner shall establish a statewide assessment program to measure and evaluate on a continuing basis the academic achievements of students in grades 3 to 12 on the accountability standards set forth in section 6209 and in department rules implementing that section and other curricular requirements. The commissioner may elect to provide for the use of alternative measures of student achievement in grades 9 to 12. This assessment applies to students in the public elementary and secondary schools, in public charter schools, as that term is defined in section 2401, subsection 9, and in all private schools approved for tuition whose school enrollments include at least 60% publicly funded students, as determined by the previous school year's October and April average enrollment. The assessment program must be adapted to meet the needs of children with disabilities as defined in section 7001, subsection 1-A or other students as defined under rules by the commissioner.

Sec. 5. 20-A MRSA §6209, first ¶, as amended by PL 2009, c. 647, §1, is further amended to read:

The department in consultation with the state board shall establish and implement a comprehensive, statewide system of learning results, which may include a core of standards in English language arts and mathematics for kindergarten to grade 12 established in common with the other states, as set forth in this section and in department rules implementing this section and other curricular requirements. The department must establish accountability standards at all grade levels in the areas of mathematics; reading; and science and technology. The department shall establish parameters for essential instruction and graduation requirements in English language arts; mathematics; science and technology; social studies; career and education development; visual and performing arts; health, physical education and wellness; and world languages. Only students in a public school, a public charter school as defined in section 2401, subsection 9 or a private school approved for tuition that enrolls at least 60% publicly funded students, as determined by the previous school year's October and April average enrollment, are required to participate in the system of learning results set forth in this section and in department rules implementing this section and other curricular requirements. The commissioner shall develop accommodation provisions for instances where course content conflicts with sincerely held religious beliefs and practices of a student's parent or guardian. The system must be adapted to accommodate children with

disabilities as defined in section 7001, subsection ~~1-A~~ 1-B.

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

Effective April 30, 2015.

CHAPTER 41

S.P. 30 - L.D. 82

An Act Concerning the Salary of Sheriffs

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

Sec. 1. 30-A MRSA §373, sub-§3, ¶B, as enacted by PL 2011, c. 95, §2, is amended to read:

B. The salary of the county sheriff may not be reduced during the sheriff's term other than upon complaint, and after due notice and hearing, of malfeasance, misfeasance, neglect, or gross negligence or failure to maintain certification with the Maine Criminal Justice Academy by the board of county commissioners to the Office of the Governor.

See title page for effective date.

CHAPTER 42

H.P. 266 - L.D. 400

An Act To Continue To Permit Persons 70 Years of Age and Older To Hunt with a Crossbow

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

Whereas, this legislation must take effect before the expiration of the 90-day period in order to ensure minimal disruption to hunters and the hunting season; and

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

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

Sec. 1. 12 MRSA §10953, sub-§1-C is enacted to read:

1-C. Hunting with a crossbow; 70 years of age or older. A person 70 years of age or older may hunt a wild bird or a wild animal with a crossbow during any open season on that wild bird or wild animal, subject to this Part. A person 70 years of age or older may hunt deer with a crossbow during a regular archery-only season established under section 11403 or in an expanded archery zone or during the muzzle-loading-only deer hunting season established under section 11404.

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

Effective April 30, 2015.

CHAPTER 43

S.P. 176 - L.D. 447

An Act To Repeal Outdated Statutory Sections Relating to Regional Ride Share Programs

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

Sec. 1. 10 MRSA c. 216, as amended, is repealed.

See title page for effective date.

CHAPTER 44

H.P. 334 - L.D. 495

An Act To Make Minor Nonsubstantive Changes to the Laws Affecting the Office of the State Auditor

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

Sec. 1. 4 MRSA §163, sub-§1, as amended by PL 2007, c. 377, §2 and affected by §17, is further amended to read:

1. District Court funds. Except as otherwise provided by law, all fines, forfeitures, surcharges, assessments and fees collected in any division of the District Court or by the violations bureau must be paid to the clerk of that District Court, who shall deposit them in a special account in a timely manner. Once each month, the clerk shall remit the sums to the Treasurer of State, who shall credit them to the General Fund. At the same time, the clerk shall remit the sums that have been collected in accordance with sec-

tion 1057; Title 5, chapter 316-A; Title 7, section 3910-A; Title 17, section 1015; Title 29-A, section 2411, subsection 7; former Title 34-A, section 1210-A, subsection 9; and Title 34-A, section 1210-B, subsection 6. Funds received by the clerk as bail in criminal cases must be deposited daily in a special account. The clerk shall deposit the funds in an interest-bearing account unless the clerk determines that it is not cost-effective to do so. Interest accrued in the account is the property of and accrues to the State. The forfeiture and setoff of bail is governed as otherwise provided by law.

~~The court shall file a monthly report with the State Auditor itemizing the amount of fines, surcharges and assessments imposed and to whom each is payable.~~

Sec. 2. 4 MRSA §554, as amended by PL 1991, c. 132, §3, is further amended to read:

§554. Accounting by clerks

Clerks of judicial courts shall account monthly ~~under oath to the State Auditor~~ for all fees received by them or payable to them by virtue of their office, except those portions of fees collected for passports and naturalization proceedings that are payable to the Federal Government, specify the items and pay the whole amount of the same to the Treasurer of State at such times and in such manner as the Chief Justice of the Superior Court or the Chief Justice's designee ~~shall~~ from time to time ~~specify~~ **specifies**.

Sec. 3. 5 MRSA §241, 2nd ¶, as enacted by PL 1997, c. 516, §1, is amended to read:

If a person elected to the office of State Auditor is not qualified as, or has not successfully completed or passed the examination for, a certified public accountant, ~~public accountant~~ **certified information systems auditor** or certified internal auditor at the time of election and fails to become so qualified within 9 months of being sworn into office, as required by section 242, that person may no longer serve as State Auditor and is ineligible for reelection by the same Legislature and the office of State Auditor is deemed vacant.

Sec. 4. 5 MRSA §242, 2nd ¶, as amended by PL 2013, c. 16, §2, is further amended to read:

Any person elected to the position of State Auditor or any person permanently employed by the Office of the State Auditor as deputy auditor, director of audits or assistant director of audits must be currently qualified as or have successfully completed or passed the examination for a certified public accountant, ~~public accountant~~ **certified information systems auditor** or certified internal auditor. Persons not so qualified may be employed in these audit supervisory positions on a temporary basis not to exceed 9 months.

Sec. 5. 15 MRSA §1943, as amended by PL 1979, c. 663, §108 and PL 2013, c. 16, §10, is further amended to read:

§1943. Fines, costs and forfeitures in Superior Court

Every clerk of a Superior Court shall render under oath a detailed account of all fines, costs and forfeitures upon convictions and sentences before ~~him, on forms prescribed by the Office of the State Auditor, the court~~ and shall pay them into the State Treasury on or before the 15th day of the month following the collection of such fines, costs and forfeitures. Any person who fails to make such payments into the State Treasury ~~shall forfeit~~ forfeits, in each instance, double the amount so neglected to be paid over, to be recovered by indictment for the persons entitled to such fines, costs and forfeitures, and in default of payment, that person is guilty of a Class E crime.

Sec. 6. 30-A MRSA §1654, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10 and PL 2013, c. 16, §10, is further amended to read:

§1654. Supplies for jails; accounts audited

The county commissioners of the several counties shall, without extra charge or commission to themselves or to any other person, procure all necessary supplies, including necessary food, fuel, bedding and clothing for the jails and the prisoners in the jails, to be furnished and purchased under their direction and at the expense of the counties. ~~No A~~ county commissioner may not be interested directly or indirectly in the purchase of any such supplies or in any contract for such supplies made by the board of which and while ~~he the county commissioner~~ is a member, and all contracts made in violation of this provision are void. A suitable person ~~shall~~ must be employed to prepare the foods of the prisoners in each county at the expense of the county. The service of the food to the prisoners is under the general direction of the jailer, master or keeper. The sheriff shall appoint the person employed to prepare the food of the prisoners subject to the approval of the county commissioners. The county commissioners may at any time direct specific rations or articles of food, clothing, soap, fuel or other necessities to be provided to the prisoners. The bills and accounts for supplies furnished and the items of expense incurred in preparing and serving these supplies ~~shall~~ must be audited ~~by the Office of the State Auditor, as provided by Title 5, section 243, subsection 2 pursuant to section 951.~~

Sec. 7. 30-A MRSA §4910, as amended by PL 1997, c. 125, §1 and PL 2013, c. 16, §10, is further amended to read:

§4910. Annual report

The director of the Maine State Housing Authority shall prepare and submit to the Governor and the bank superintendent annually a complete report and a complete financial report duly audited and certified by

the Office of the State Auditor or a qualified certified public accountant to be distributed in the same way as state departmental reports.

Sec. 8. 30-A MRSA §5685, sub-§5, ¶E, as enacted by PL 1993, c. 351, §1, is repealed.

Sec. 9. 30-A MRSA §5706, sub-§1, ¶A, as amended by PL 1995, c. 206, §1 and PL 2013, c. 16, §10, is further amended to read:

A. Accounts and deposits exceeding an amount equal to 25% of the capital, surplus and undivided profits of any trust company or national bank or a sum exceeding an amount equal to 25% of the reserve fund and undivided profit account of a mutual savings bank or state or federal savings and loan association on deposit at any one time must be secured by the pledge of certain securities as collateral, or fully covered by insurance.

(1) The collateral must be in an amount equal to the excess deposit. The municipal officers shall determine the value of the pledged securities on the basis of market value and shall review the value of the pledged securities on the first business day of January and July of each year.

(2) The collateral may consist only of securities in which municipalities may invest, as provided in article 2. The securities must be held in a depository institution approved by the municipal officers and pledged to indemnify the municipalities against any loss. The depository institution shall notify the municipal officers of the pledging when the securities are deposited ~~and shall mail a copy of the notice to the Office of the State Auditor;~~

Sec. 10. 30-A MRSA §5823, first ¶, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10 and PL 2013, c. 16, §10, is further amended to read:

Each municipality and quasi-municipal corporation shall have an annual postaudit made of its accounts covering the last complete fiscal year by the Office of the State Auditor or by a qualified certified public accountant elected by ballot or engaged by its officers. The officers shall notify the State Auditor of the name and address of the auditor within 30 days after the auditor is elected or engaged. The postaudit ~~shall~~ must be conducted ~~on the basis of~~ according to government auditing standards and procedures prescribed promulgated by the State Auditor United States Government Accountability Office.

Sec. 11. 30-A MRSA §5823, sub-§1, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt.

C, §§8 and 10 and PL 2013, c. 16, §10, is further amended to read:

1. New postaudit. If the ~~voters~~ officers of a municipality or quasi-municipal corporation are dissatisfied with the postaudit made by a certified public accountant, they may obtain a new postaudit by filing a petition with the State Auditor. The petition must be signed by: engaging another certified public accountant in private practice.

If officers of a municipality or quasi-municipal corporation judge that unusual circumstances warrant an audit performed by the Office of the State Auditor, the voters may petition the State Auditor to reperform the audit. The petition must be signed by:

A. At least 10% of the voters of a municipality or quasi-municipal corporation with a population under 10,000; or

B. At least 1,000 voters in a municipality or quasi-municipal corporation with a population of 10,000 or over.

Upon the filing of a valid petition, the State Auditor shall ~~order a new postaudit to be made~~ consider the petition and may order a new postaudit or other examination to be performed by the Office of the State Auditor. The municipality or quasi-municipal corporation shall pay the expense of this postaudit.

Sec. 12. 30-A MRSA §5823, sub-§4, ¶A, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10 and PL 2013, c. 16, §10, is repealed.

Sec. 13. 30-A MRSA §5825, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed.

Sec. 14. 30-A MRSA §6104, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

2. Determination of eligibility. When the application is received, the Department of Health and Human Services ~~and the State Auditor~~ shall determine if the municipality or unorganized territory is unable to provide for its direct relief and work programs or its contributory share of public assistance programs of any nature.

See title page for effective date.

CHAPTER 45

H.P. 710 - L.D. 1027

An Act To Create an Elver Exporter's License

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

Whereas, exporters of elvers caught in the State are not currently required to hold a license to do so; and

Whereas, the lack of an elver exporter's license provides opportunity for the transport of elvers that may have been caught in violation of state law, and the high value of elvers provides an incentive to engage in this practice; and

Whereas, the requirement that elver exporters hold an elver exporter's license will improve the ability of the Department of Marine Resources to better enforce all elver fishing laws; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order to take effect before the end of the elver fishing season; and

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

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

Sec. 1. 12 MRSA §6864, sub-§1, as amended by PL 2011, c. 549, §9, is further amended to read:

1. License required. A person may not buy, possess, ~~ship~~, transport within state limits or sell elvers without an elver dealer's license. It is unlawful for a person to possess elvers prior to the beginning of the elver season ~~and~~ or to possess elvers 5 days beyond the end of the elver season pursuant to section 6575.

Sec. 2. 12 MRSA §6864, sub-§2, as amended by PL 2013, c. 301, §21, is further amended to read:

2. License limited. An elver dealer's license authorizes the licensed activities at only one permanent facility. For the purposes of this section, "permanent facility" means a permanent building that is owned or legally leased by the license holder and is not a dwelling. A permanent facility must have holding tanks with water and aeration suitable to hold elvers.

Sec. 3. 12 MRSA §6864, sub-§3, as amended by PL 2013, c. 468, §36, is further amended to read:

3. Supplemental license. A supplemental license must be obtained for each vehicle or additional permanent facility. Beginning with the 2015 elver fishing season, a supplemental license authorizes a person to buy elvers from a person licensed under subsection 1 at the permanent facility identified on that person's license or to possess, ~~ship~~, transport within state limits or sell elvers.

Sec. 4. 12 MRSA §6864, sub-§7-B is enacted to read:

7-B. Use of elver dealer transaction card required. The department shall issue to a dealer licensed under this section an elver dealer transaction card for each dealer license and for each supplemental license to record all sales, purchases and transportation of elvers. All transfers of elvers between any license type requires the use of an elver dealer transaction card, including all transactions between holders of elver dealer licenses and holders of elver dealer supplemental licenses. A person licensed in accordance with this section must have access to an operational Internet connection when using an elver dealer transaction card to buy, sell or transport elvers.

Sec. 5. 12 MRSA §6864, sub-§§9 and 11, as enacted by PL 2011, c. 549, §9, are amended to read:

9. Authorized representatives. A person who holds an elver dealer's license may identify authorized representatives to act on the license holder's behalf to purchase elvers at ~~locations other than~~ the permanent facility. The elver dealer's license holder must identify authorized representatives on forms provided by the department.

11. Shipment or transport of elvers outside state limits. A person who holds an elver dealer's license or the elver dealer's license holder's authorized representative under subsection 9 ~~who is licensed under section 6865, subsection 9~~ must transport elvers to a permanent facility identified on the license holder's license prior to ~~shipping or transporting the elvers being transported~~ outside state limits.

Sec. 6. 12 MRSA §6865 is enacted to read:

§6865. Elver exporter's license

1. License required. A person may not engage in the activities authorized under this section without an elver exporter's license.

2. License activities. A person who holds an elver exporter's license may buy elvers from a person licensed under section 6864 and transport elvers beyond the state limits.

3. License limited. An elver exporter's license authorizes the licensed activities on only one vehicle, owned, leased or rented by the license holder.

4. Use of transaction card required. The department shall issue to an exporter licensed under this

section an electronic recording device that records the information on an elver dealer transaction card issued by the department under section 6864, subsection 7-B to record all sales and purchase transactions. A person licensed in accordance with this section may not buy or transfer elvers to or from another individual licensed in accordance with section 6864 without using an elver dealer transaction card. A person licensed in accordance with this section must have access to an operational Internet connection when using an elver dealer transaction card to buy or sell elvers.

5. Fee. The fee for an elver exporter's license is \$5,000.

6. Disposition of fees. All fees collected under this section accrue to the Eel and Elver Management Fund established in section 6505-D.

7. Violation. A person who violates this section commits a Class D crime for which a fine of \$2,000 must be imposed, none of which may be suspended. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

8. Records. An exporter licensed under this section shall maintain records as specified by the commissioner in rule. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

9. Authorized representatives. A person who holds an elver exporter's license may identify authorized representatives to act on the license holder's behalf to transport elvers beyond state limits. The elver exporter's license holder must identify authorized representatives on forms provided by the department.

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

Effective April 30, 2015.

CHAPTER 46

H.P. 354 - L.D. 515

**An Act To Amend the Law
Regarding Commercial
Learner's Permits**

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

Whereas, effective July 8, 2015, Maine law will require that a commercial learner's permit holder must be 18 years of age or older, a change made to conform to a federal regulation change; and

Whereas, recently enacted federal legislation, the Consolidated and Further Continuing Appropriations Act, 2015, Public Law No. 113-235, provides that specified federal funds may not be used to enforce that change in regulation in a state that, like Maine, allowed issuance of a commercial learner's permit to the state's residents under 18 years of age prior to May 9, 2011; and

Whereas, many of the State's vocational and technical schools provide commercial driver education instruction and programs to residents under 18 years of age, which allows them to obtain their commercial license upon reaching 18 years of age and which allows them to gain employment in the trucking industry upon reaching the age of majority; and

Whereas, the State's economy benefits by having a pool of licensed commercial drivers to meet the needs of the trucking industry; and

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

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

Sec. 1. 29-A MRSA §1304, sub-§4-A, ¶D, as enacted by PL 2013, c. 381, Pt. B, §16, is repealed.

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

Effective April 30, 2015.

CHAPTER 47

S.P. 202 - L.D. 586

An Act To Amend the Maine Economic Development Venture Capital Revolving Investment Program

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

Sec. 1. 10 MRSA §1026-N, sub-§3, as enacted by PL 1995, c. 424, §1, is amended to read:

3. Disbursements from fund. If an application is approved, the authority shall determine the amount to be invested in the private venture capital fund, taking into account:

A. The size of the region served by the private venture capital fund and the expected demand for venture capital investments in that region; and

B. The demand for venture capital investments from other eligible private venture capital funds in relation to the total amount available in the fund and whether an eligible private venture capital fund will serve a geographic area or segment of potential businesses not served by other applicants.

Funds must be disbursed directly to and retained by the eligible private venture capital fund in accordance with a contract of investment between the private venture capital fund and the authority. All money invested in the private venture capital fund by the authority must be held in the name of the authority. Investment earnings on amounts invested by the authority must be credited to the authority and periodically paid to the authority. Any uncommitted balances existing in the fund at any time may, at the discretion of the authority, be transferred to the Economic Recovery Program Fund established in section 1023-I.

See title page for effective date.

CHAPTER 48

S.P. 246 - L.D. 688

An Act To Amend the Laws Related to the Bolduc Correctional Facility

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

Sec. 1. 34-A MRSA §3266, as amended by PL 1999, c. 583, §§24 and 25, is repealed.

Sec. 2. 34-A MRSA §4205 is enacted to read:

§4205. Employees of the facility

Employees of the facility have the same power as do deputy sheriffs in their respective counties to search for and apprehend escapees from the facility when authorized to do so by the director.

See title page for effective date.

CHAPTER 49

H.P. 481 - L.D. 705

An Act Relating to Insurance Licensing

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

Sec. 1. 24-A MRSA §1416-A, sub-§2, as amended by PL 2005, c. 43, §1, is further amended to read:

2. Biennial license continuation fees. Each non-resident adjuster and consultant must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by January 1st of even-numbered years. Each nonresident business entity must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by April 1st of odd-numbered years. Each resident adjuster ~~and consultant~~ must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by October 1st of even-numbered years. Each resident consultant must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by the date the completion of the consultant's biennial education requirements is due in accordance with section 1482. Each resident business entity must be billed by the superintendent a biennial fee as provided in section 601 and shall pay the fee due by December 1st of even-numbered years.

Sec. 2. 24-A MRSA §1419, as amended by PL 2001, c. 259, §23, is further amended to read:

§1419. Duty to notify of changes; payment of late fee

Unless a different time is set by another provision of law, any change of ~~business~~ address, ~~business~~ telephone number, ~~e-mail address~~, name or other material change in the conditions or qualifications set forth in the original application of a licensee must be reported to the superintendent no later than 30 days after the change. This requirement includes any conviction of a crime other than a traffic violation or any disciplinary action brought by an insurance regulatory official of any other jurisdiction against the licensee or against any officer, director, member or partner in a business entity. A licensee shall report to the superintendent any administrative action taken against the licensee in another jurisdiction or by another governmental agency in this State within 30 days of the final disposition of the matter. This report must include a copy of the order, consent to order or other relevant legal documents. Within 30 days of the initial pretrial hearing date, a licensee shall report to the superintendent any criminal prosecution of the licensee taken in any jurisdiction. The report must include a copy of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents. If any notice required under this section is received after the prescribed time period, the licensee shall pay the late fee for filing as prescribed in section 601.

Sec. 3. 24-A MRSA §1477 is enacted to read:

§1477. Reciprocity

1. Reciprocity. The superintendent shall waive any requirements for a nonresident adjuster license applicant with a valid license from that applicant's home state, except the requirements imposed by sec-

tions 1420-G and 1472, subsection 2, paragraph B, if the applicant's home state awards nonresident licenses to residents of this State on the same basis. If the applicant's home state does not license adjusters for the license or authority sought, the applicant shall designate as the applicant's home state any state in which the applicant is licensed and in good standing.

See title page for effective date.

CHAPTER 50

S.P. 35 - L.D. 98

An Act Amending the Trap Limit for the Swans Island Lobster Conservation Area

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

Whereas, the trap limit in the Swans Island Lobster Conservation Area is 550 per individual and Zone B allows 800 traps per individual; and

Whereas, it is necessary that this Act take effect by June 2015 in order to take advantage of the plentiful summer harvest and in order to provide needed support to persons who fish for lobster in the Swans Island Lobster Conservation Area and to the lobster industry; and

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

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

Sec. 1. 12 MRSA §6482, sub-§1, ¶A, as enacted by PL 2013, c. 342, §1, is amended to read:

A. An individual registered to obtain Swans Island Lobster Conservation Area trap tags under this section may not place or maintain in the Swans Island Lobster Conservation Area more than ~~550~~ 600 traps. Each trap must bear the appropriate tag.

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

Effective April 30, 2015.

CHAPTER 51
S.P. 102 - L.D. 288

**An Act To Amend the
Requirement of When
Headlights Must Be Used**

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

Sec. 1. 29-A MRSA §2067, sub-§1, ¶A, as amended by PL 1997, c. 249, §1, is amended to read:

A. During the period ~~1/2 hour after~~ from sunset to ~~1/2 hour before~~ sunrise;

See title page for effective date.

CHAPTER 52
H.P. 256 - L.D. 390

**An Act To Enforce Restrictions
in Parking Spaces and Access
Aisles Designated for Persons
with a Walking Disability**

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

Sec. 1. 29-A MRSA §521, sub-§9-A, as amended by PL 2013, c. 381, Pt. C, §1, is further amended to read:

9-A. Enforcement of disability parking restrictions. A law enforcement officer may enforce disability parking restrictions. The State Police shall enforce disability parking restrictions at service facilities established on the Maine Turnpike and on the interstate highway system in the State. A person commits a traffic infraction if that person parks in a parking space designated and clearly marked for persons with physical disabilities and has not been issued or is not transporting a person who has been issued a disability registration plate or a removable windshield placard pursuant to this section or section 523 or a disability registration plate or placard issued by another state. A person commits a traffic infraction if that person parks in an access aisle, regardless of whether the person has been issued a disability registration plate or removable placard. A person who violates this subsection is subject to a fine of not less than \$200 and not more than \$500. Testimony under oath with clear photographic evidence from a person with a disability or the driver of a vehicle transporting a person with a disability that a vehicle was parked in violation of this subsection is prima facie evidence of a violation of this subsection. For purposes of this subsection, "person with a disability" has the same meaning as in subsection 1.

Sec. 2. 29-A MRSA §521, sub-§9-B, as amended by PL 2013, c. 381, Pt. C, §2, is further amended to read:

9-B. Registered owner's liability for vehicle illegally parked in disability parking space or access aisle. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of subsection 9-A commits a traffic infraction. For purposes of this subsection, "registered owner" includes a person issued a dealer or transporter registration plate.

A. Anyone who observes a violation of subsection 9-A may report the violation to a law enforcement officer. If a report is made, the observer shall report the time and the location of the violation and the registration plate number and a description of the vehicle involved. The officer shall initiate an investigation of the reported violation and, if possible, contact the registered owner of the motor vehicle involved and request that the registered owner supply information identifying the operator. Testimony under oath with clear photographic evidence from a person with a disability or the driver of a vehicle transporting a person with a disability that a vehicle was parked in violation of this subsection is prima facie evidence of a violation of this subsection. For purposes of this paragraph, "person with a disability" has the same meaning as in subsection 1.

B. The investigating officer may cause the registered owner of the vehicle to be served with a summons for a violation of this subsection.

C. Except as provided in paragraph D, it is not a defense to a violation of this subsection that a registered owner was not operating the vehicle at the time of the violation.

D. The following are defenses to a violation of this subsection.

(1) If a person other than the owner is found to be operating the vehicle at the time of the violation and is adjudicated of violating subsection 9-A, then the registered owner may not be found in violation of this subsection.

(2) If the registered owner is a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee, and the lessor provides the investigating officer with a copy of the lease agreement containing the information required by section 254, then the lessee and not the lessor may be charged under this subsection.

(3) If the vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by any person other than the dealer or transporter, and if the dealer or transporter pro-

vides the investigating officer with the name and address of the person who had control over the vehicle at the time of the violation, then that person and not the dealer or transporter may be charged under this subsection.

(4) If a report that the vehicle was stolen is given to a law enforcement officer or agency before the violation occurs or within a reasonable time after the violation occurs, then the registered owner may not be charged under this subsection.

E. A person who violates this subsection is subject to a fine of not less than \$200 and not more than \$500.

See title page for effective date.

CHAPTER 53

S.P. 51 - L.D. 118

An Act To Authorize Municipalities To Refund Amounts Collected in Excess of Tax Liens

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

Whereas, the property tax year begins April 1st; and

Whereas, in order to allow municipalities sufficient time to determine whether to refund any excess funds to a former owner of property foreclosed on by a municipality, this legislation needs to take effect as soon as possible; and

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

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

Sec. 1. 36 MRSA §949 is enacted to read:

§949. Disbursement of excess funds

1. Authorization to adopt ordinance. A municipality that obtains title to property acquired under the operation of this article may, by ordinance, disburse to the former owner the excess of any funds received from the disposition of that property. The ordinance must contain standards governing the disbursement of the excess of any funds and the procedures

that protect the interests of the taxpayers of the municipality.

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

A. "Excess of any funds" means the amount obtained by the municipality for the disposition of the property less:

(1) All taxes and interest owed on the property and the amount of taxes and interest that would have been assessed had the property not been acquired by the municipality;

(2) The municipality's cost of the lien and foreclosure process;

(3) The municipality's cost of maintaining and disposing of the property; and

(4) Unpaid sewer, water or other charges and fees imposed by the municipality or a quasi-governmental authority.

B. "Former owner" means a party named on a tax lien mortgage at the time of the levy of a tax lien or that party's successors, heirs or assigns.

3. Unorganized territory. The obligations of a municipality under this section apply to the State with regard to property in the unorganized territory. The State Tax Assessor may adopt routine technical rules providing for the disbursement of the excess of any funds received from the disposition of property in the unorganized territory for nonpayment of taxes under chapter 115.

4. Application. An ordinance or rule adopted under this section may apply to sales of property acquired through the tax lien and foreclosure process occurring on or after January 1, 2015.

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

Effective May 8, 2015.

CHAPTER 54

H.P. 89 - L.D. 131

An Act To Amend the Laws Related to Public Funding of Charter Schools

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

Whereas, implementation of Maine's recently enacted charter school law has resulted in substantial

budgetary challenges for certain school administrative units that are located within the catchment areas of public charter schools recently approved by the Maine Charter School Commission; and

Whereas, these challenges demonstrate the need for more timely and transparent funding provisions enacted as part of the education statutes related to public charter schools authorized and approved by the Maine Charter School Commission; and

Whereas, the funding mechanism proposed by this Act must be initiated as soon as possible in order to enable school boards to make practicable budgetary decisions that will not be constrained by funding reductions that result from students enrolling in public charter schools after school administrative units have approved their budgets for the 2015-2016 school year; and

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

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

Sec. 1. 20-A MRSA §2405, sub-§4, as amended by PL 2011, c. 570, §§5 and 6, is further amended to read:

4. Reporting and evaluation. An authorizer shall submit to the commissioner and the Legislature an annual report within 60 days of the end of each school fiscal year summarizing:

- A. The authorizer's strategic vision for chartering and progress toward achieving that vision;
- B. The performance of all operating public charter schools overseen by the authorizer, according to the performance measures and expectations specified in the charter contracts;
- C. The status of the authorizer's public charter school portfolio of approved charter applications, identifying all public charter schools within that portfolio as:
 - (1) Approved, but not yet open;
 - (2) Operating;
 - (3) Renewed;
 - (4) Transferred;
 - (5) Terminated;
 - (6) Closed; or
 - (7) Never opened;

D. The oversight and services provided by the authorizer to the public charter schools under the authorizer's purview; and

E. The total amount of funds collected from each public charter school the authorizer authorized pursuant to subsection 5, paragraph B and the costs incurred by the authorizer to oversee each public charter school.

Sec. 2. 20-A MRSA §2407, sub-§5, ¶C, as amended by PL 2013, c. 272, §1, is further amended to read:

C. Within 10 days of rendering a decision on an application, the authorizer shall report to the commissioner and the Legislature the action it has taken. The authorizer shall provide a copy of the report to the applicant at the same time that the report is submitted to the commissioner and the Legislature.

Sec. 3. 20-A MRSA §2411, sub-§7, as enacted by PL 2011, c. 414, §5, is amended to read:

7. Notification to commissioner and the Legislature. Within 10 days of taking action to renew, not renew or revoke a charter under this section, the authorizer shall report to the commissioner and the Legislature the action taken and shall provide a copy of the report to the public charter school at the same time that the report is submitted to the commissioner and the Legislature. The report must include a copy of the governing entity of the authorizer's resolution setting forth the action taken and reasons for the decision.

Sec. 4. 20-A MRSA §2413, sub-§3 is enacted to read:

3. Funding for public charter schools authorized by the commission. Beginning with fiscal year 2015-16, this section no longer applies to public charter schools authorized by the commission.

Sec. 5. 20-A MRSA §2413-A is enacted to read:

§2413-A. Funding for public charter schools authorized by the commission

Beginning with fiscal year 2015-16, this section applies to public charter schools authorized by the commission.

1. Pupil count. Students enrolled in and attending public charter schools must be reported to the department, for attendance and funding purposes, as provided in section 15683-B, subsection 2 and department rules amended or adopted pursuant to this chapter.

2. Revenue provisions. State allocation funds follow each student to the public charter school attended by the student.

A. For each public charter school, the total allocation must be determined as follows.

(1) The total allocation must be calculated pursuant to section 15683-B, based on the student's grade level and adjusted as appropriate for economically disadvantaged students and limited English proficiency students pursuant to section 15675, subsections 1 and 2. Debt service and capital outlays may not be included in the calculation of these allocations. The department shall adopt rules governing how to calculate per-pupil allocations, including those for targeted funds for assessment, technology and kindergarten to grade 2 programs.

(2) For students attending public charter schools, the payments for public charter schools must be made pursuant to section 15683-B, subsection 6.

(3) For transportation expenses, the transportation operating allocation must be the state-wide per-pupil essential programs and services transportation operating allocation multiplied by pupil counts determined under section 15683-B, subsection 2, paragraph A multiplied by the percentage established by the commission for the public charter school based on the cost of transportation services provided by the public charter school to the student, but not to exceed 100%.

(4) The department shall pay to the public charter school any additional allocation assigned to the public charter school for gifted and talented students pursuant to section 15681-A, subsection 5 in the year in which the allocation is assigned.

B. The following provisions govern special education funding.

(1) For each enrolled special education student, a public charter school must receive the average additional allocation calculated by the department under section 15681-A, subsection 2 for its special education students. These allocations must be paid on the same basis as the per-pupil allocations for operating funds.

(2) The department shall pay directly to a public charter school any federal or state aid attributable to a student with a disability attending the public charter school in proportion to the level of services for the student with a disability that the public charter school provides directly or indirectly.

(3) The department shall pay to a public charter school any additional allocation assigned to the public charter school because of a high-cost in-district special education placement in accordance with section

15681-A, subsection 2, paragraph B in the year in which the allocation is assigned as an adjustment to the public charter school's state contribution.

(4) The department shall pay to a public charter school any additional allocation assigned to the school administrative unit because of a high-cost out-of-district special education placement in accordance with section 15681-A, subsection 2, paragraph C in the year in which the allocation is assigned.

C. Except as otherwise provided in this chapter, the State shall send applicable federal funds directly to public charter schools attended by eligible students. Public charter schools with students eligible for funds under Title I of the federal Elementary and Secondary Education Act of 1965, 20 United States Code, Section 6301 et seq. must receive and use these funds in accordance with federal and state law. During the first year of operation, a public charter school must receive Title I funds on the basis of an estimated enrollment of eligible students, as determined by its authorizer.

D. A public charter school may receive gifts and grants from private sources in any manner that is available to a school administrative unit.

E. A public charter school may not levy taxes or issue bonds secured by tax revenues.

F. Any money received by a public charter school from any source and remaining in the school's accounts at the end of any budget year remains in the school's accounts for use by the school during subsequent budget years and may not revert to the authorizer or to the State.

G. Nothing in this chapter may be construed to prohibit any person or organization from providing funding or other assistance for the establishment or operation of a public charter school. The governing board of a public charter school may accept gifts, donations or grants of any kind made to the school and expend or use such gifts, donations or grants in accordance with the conditions prescribed by the donor except that a gift, donation or grant may not be accepted if subject to a condition that is contrary to any provision of law or term of the charter contract.

H. A public charter school may receive payment pursuant to paragraph A for students residing in the unorganized territory based on the state average EPS per-pupil rate as defined in section 15672, subsection 7-A. A special education student residing in the unorganized territory must be treated the same as a resident student from a school administrative unit for special education costs pursuant to paragraph B. The responsibility for providing a free, appropriate public education

for a special education student passes to the charter school in which the student enrolls. As with other resident school administrative units in accordance with section 15681-A, subsection 2, paragraph B, the department shall pay for high-cost in-district students.

Sec. 6. 20-A MRSA §15683-B is enacted to read:

§15683-B. Public charter schools; calculation of total allocation and state contribution

Beginning with fiscal year 2015-16, this section applies to public charter schools authorized by the Maine Charter School Commission, established under Title 5, section 12004-G, subsection 10-D, in accordance with the funding provisions established in section 2413-A.

1. Calculation of EPS per-pupil rates. If there is only one school administrative unit sending students to a public charter school in a school year, the commissioner shall use that resident school administrative unit's EPS per-pupil rate. If there is more than one school administrative unit sending students to the public charter school, the commissioner shall calculate a public charter school's EPS per-pupil rate for each year as follows.

A. When there are elementary students from outside of a single resident school administrative unit sending students to an elementary public charter school, the EPS per-pupil rate for elementary grades is calculated by multiplying the number of students from a resident school administrative unit attending the public charter school by that resident school administrative unit's elementary EPS per-pupil rate to find the total cost for elementary students enrolled in the public charter school in that resident school administrative unit, then adding the total cost for elementary students enrolled in the public charter school from each resident school administrative unit. The result is divided by the total number of elementary students in the public charter school.

B. When there are secondary students from outside of a single resident school administrative unit sending students to a secondary public charter school, the EPS per-pupil rate for secondary grades is calculated by multiplying the number of students from a resident school administrative unit attending the public charter school by that resident school administrative unit's secondary EPS per-pupil rate to find the total cost for secondary students enrolled in the public charter school in that resident school administrative unit, then adding the total cost for secondary students enrolled in the public charter school from each resident school administrative unit. The result is divided

by the total number of secondary students in the public charter school.

2. Pupil counts. Notwithstanding section 15674, the commissioner shall determine a public charter school's student counts for each year as follows.

A. The basic student count for a public charter school is the pupil count for October 1st of the most recent calendar year prior to the year of funding.

B. The number of economically disadvantaged students for each public charter school is determined by multiplying the number of students at the public charter school by the most recent available elementary free or reduced-price meals percentage for that public charter school. The elementary free or reduced-price meals percentage may be applied to determine the number of economically disadvantaged students in the public charter school secondary grades. If the public charter school does not operate elementary grades, the most recent available secondary free or reduced-price meals percentage must be used in place of the elementary free or reduced-price meals percentage.

C. The number of limited English proficiency students for each public charter school is the number of limited English proficiency students from the most recent October count prior to the year of funding.

D. The number of special education students for each public charter school is the number of special education students from the most recent October count prior to the year of funding.

3. Operating allocation. The commissioner shall determine a public charter school's operating allocation for each year as the sum of:

A. The base allocation, which is the pupil count pursuant to subsection 2, paragraph A multiplied by the public charter school's EPS per-pupil rates calculated pursuant to subsection 1;

B. The economically disadvantaged student allocation, which is the pupil count determined pursuant to subsection 2, paragraph B multiplied by the additional weight for each economically disadvantaged student pursuant to section 15675, subsection 2;

C. The limited English proficiency student allocation, which is the pupil count pursuant to subsection 2, paragraph C multiplied by the additional weight for each limited English proficiency student pursuant to section 15675, subsection 1;

D. The targeted funds for standards-based system allocation, which is based on the per-pupil amount pursuant to section 15683, subsection 1, para-

graph C multiplied by the pupil count pursuant to subsection 2, paragraph A;

E. The targeted funds for technology resource allocation, which is based on the per-pupil amount pursuant to section 15683, subsection 1, paragraph D multiplied by the pupil count in subsection 2, paragraph A; and

F. The targeted funds for public preschool to grade 2 student allocation, which is based on the preschool to grade 2 pupil count pursuant to subsection 2, paragraph A multiplied by the public charter school's elementary EPS per-pupil rates in subsection 1.

The operating allocation calculated pursuant to this subsection must be adjusted by multiplying it by the appropriate transition percentage in accordance with section 15671, subsection 7.

4. Other subsidizable costs allocation. The commissioner shall determine a public charter school's other subsidizable costs allocation for each year as the sum of:

A. The gifted and talented allocation pursuant to section 2413-A, subsection 2, paragraph A, subparagraph (4);

B. The special education allocation pursuant to section 2413-A, subsection 2, paragraph B. The special education allocation may not be less than 90% of the public charter school base year expenditures for special education; and

C. The transportation operating allocation, which is the statewide per-pupil essential programs and services transportation operating allocation multiplied by a percentage established by the Maine Charter School Commission for that public charter school based on the cost of transportation services provided by the public charter school to the student but not to exceed 100% multiplied by the pupil count in subsection 2, paragraph A.

A public charter school is not entitled to career and technical education funding. The school administrative unit in which the public charter school student resides must pay the cost of attendance for the student at a career and technical education program.

5. Total allocation and state contribution. The commissioner shall determine a public charter school's total allocation as the sum of the school's operating allocation under subsection 3 and other subsidizable costs allocation under subsection 4. That total allocation is the state contribution, except that up to 3% of this amount must be withheld in accordance with section 2405, subsection 5, paragraph B and transferred to the Maine Charter School Commission.

6. Payment of state contribution. The commissioner shall authorize state subsidy payments to be

made to public charter schools in accordance with the same schedule of payments for school administrative units pursuant to section 15689-B.

7. MaineCare seed. The commissioner may deduct from a public charter school's state subsidy and pay on behalf of the public charter school allowable school-based costs that represent the public charter school's portion of MaineCare payments. A transfer of payment by the department to the Department of Health and Human Services must be made pursuant to a schedule agreed upon by the Department of Health and Human Services and the department and based on documentation of payments made from MaineCare funds.

8. Curtailment adjustment. In any funding year, if general purpose aid for local schools funding is curtailed, then the public charter school state contribution under this chapter must be curtailed by the proportional percentage that school administrative units have been curtailed.

9. Phase-in procedures for new or newly expanded public charter schools. For new or newly expanded public charter schools, the commissioner shall make a preliminary calculation of total allocation based on the following:

A. Estimated student counts not to exceed the enrollment limit established by the Maine Charter School Commission;

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

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

Sec. 7. 20-A MRSA §15689-B, sub-§2-A is enacted to read:

2-A. Notification of state contribution to public charter schools. The commissioner shall annually, prior to February 1st, notify the governing board of each public charter school of the estimated amount of state contribution to be allocated to the public charter school pursuant to section 15683-B and post these estimated contributions on the department's publicly accessible website.

Sec. 8. 20-A MRSA §15689-C, sub-§2, ¶A, as enacted by PL 2005, c. 2, Pt. D, §61 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

A. The requested funding levels for the operating allocation under ~~section~~ sections 15683 and 15683-B;

Sec. 9. 20-A MRSA §15689-D, as amended by PL 2013, c. 368, Pt. C, §18, is further amended to read:

§15689-D. Governor's recommendation for funding levels

1. Annual recommendations. The Department of Administrative and Financial Services, Bureau of the Budget shall annually certify to the Legislature the funding levels that the Governor recommends under sections 15683, 15683-A, 15683-B, 15688-A, 15689 and 15689-A and the amount for any other components of the total cost of funding public education from kindergarten to grade 12 pursuant to this chapter. The Governor's recommendations must be transmitted to the Legislature within the time schedules set forth in Title 5, section 1666 and in the form and manner described in subsection 2 and these recommendations must be posted on the department's publicly accessible website. The commissioner may adjust, consistent with the Governor's recommendation for funding levels, per-pupil amounts not related to staffing pursuant to section 15680 and targeted funds pursuant to section 15681.

2. Funding level computations. The Governor's recommendations under subsection 1 must specify the amounts that are recommended for the total operating ~~allocation~~ allocations pursuant to section 15683 including the total allocation pursuant to section 15683-B, the total of other subsidizable costs pursuant to section 15681-A, the total debt service allocation pursuant to section 15683-A, the total costs of enhancing student performance and opportunity pursuant to section 15688-A, the total adjustments pursuant to section 15689, the total miscellaneous costs pursuant to section 15689-A, the amount for any other components of the total cost of funding public education from kindergarten to grade 12 and the total cost of funding public education from kindergarten to grade 12 pursuant to this chapter. The Governor's recommendations regarding the adjustments and miscellaneous costs components also must delineate each amount that is recommended for each subsection and paragraph under sections 15689 and 15689-A and the purposes for each cost in these sections. For each amount shown in the Governor's recommendations, the Governor's recommendations must also show the amount for the same component or purpose that is included in the most recently approved state budget, the differences between the amounts in the most recently approved state budget and the Governor's recommendations and the reasons for the changes. These computations must be posted on the department's publicly accessible website.

Sec. 10. 20-A MRSA §15689-E, sub-§1, ¶B, as amended by PL 2013, c. 368, Pt. C, §19, is further amended to read:

B. The state share of the total operating allocation and the total debt service allocation described in sections 15683 ~~and~~, 15683-A and 15683-B;

Sec. 11. Reports to the Legislature. Beginning on the effective date of this section and until one year after the effective date of this section, a virtual public charter school shall also submit to the Legislature each report that the virtual public charter school is required to submit to the Commissioner of Education or to the Department of Education.

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

Effective May 8, 2015.

CHAPTER 55

S.P. 91 - L.D. 253

An Act To Improve Permit Oversight for the Cutting of Christmas Trees and Evergreen Boughs

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

Sec. 1. 12 MRSA §8842-A, sub-§1, ¶A, as enacted by PL 2003, c. 452, Pt. F, §40 and affected by Pt. X, §2, is amended to read:

A. Cut Christmas trees or evergreen boughs on land of another without securing written permission or a bill of sale from the owner or the owner's authorized agents and having a copy of this written permission or bill of sale in immediate possession. ~~Only one such permit is needed per work crew.~~ Violation of this paragraph is a Class E crime; or

See title page for effective date.

CHAPTER 56

H.P. 324 - L.D. 485

An Act To Allow Licensed Foresters To Use Mechanics Liens

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

Sec. 1. 10 MRSA §3251, as amended by PL 1997, c. 264, §1, is further amended to read:

§3251. Lien established

Whoever performs labor or furnishes labor or materials, including repair parts of machines used, or

performs services as a surveyor, an architect, a forester licensed under Title 32, chapter 76 or an engineer, or as a real estate licensee, or as an owner-renter, owner-lessee, or owner-supplier of equipment used in erecting, altering, moving or repairing a house, building or appurtenances, including any public building erected or owned by any city, town, county, school district or other municipal corporation, or in constructing, altering or repairing a wharf or pier, or any building thereon, including the surveying, clearing, grading, draining, excavating or landscaping of the ground adjacent to and upon which any such objects are constructed, or in selling any interest in land, improvements or structures, by virtue of a contract with or by consent of the owner, has a lien thereon and on the land on which it stands and on any interest such owner has in the same, to secure payment thereof, with costs. If the owner of the building has no legal interest in the land on which the building is erected or to which it is moved, the lien attaches to the building, and if the owner of the wharf or pier has no legal interest in the land on which the wharf or pier is erected, the lien attaches to the wharf or pier, and in either case may be enforced as provided. If the owner of such land, building, wharf or pier, so contracting, is a minor or married woman, such lien exists and such minority or coverture does not bar a recovery in any proceeding brought to enforce it.

See title page for effective date.

CHAPTER 57

H.P. 394 - L.D. 570

An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Postpone or Cancel an Open Hunting Season

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

Sec. 1. 12 MRSA §10105, sub-§17 is enacted to read:

17. Postpone or cancel the start of an open hunting season. Notwithstanding any provision of subpart 4, the commissioner, based on sound scientific wildlife management principles, may postpone or cancel an open hunting season on any game species if the commissioner has concerns regarding disease, weather conditions, reduction in population or other unforeseen factors that may prevent publicly derived management goals from being met.

See title page for effective date.

CHAPTER 58

S.P. 291 - L.D. 817

An Act Regarding Aerial Pesticide Spray Projects

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

Sec. 1. 22 MRSA §1444, sub-§2, as enacted by PL 1997, c. 215, §1, is amended to read:

2. Aerial spraying. When the infestation causing a public health nuisance may be controlled by the aerial spraying of pesticides, the municipal officers in the affected municipality may conduct aerial spraying subject to rules adopted by the Board of Pesticides Control, pursuant to Title 7, section 610 and Title 22, section 1471-R, subsection 3, paragraph C 1471-M, except that:

A. The municipality ~~rather than the applicator~~ is responsible for compliance with the notification and consent regulations;

B. Landowners who are sent written notification by mail, sent to the landowner's last known address as contained in the municipal assessing records and who fail to respond to the notice within 30 days are deemed to have consented to aerial spraying;

C. A landowner's written consent to spray remains valid unless the municipal officers are notified in writing at least 90 days before spraying is to occur that:

(1) The landowner withdraws consent; or

(2) Ownership of the property has been transferred and the notice contains the name and mailing address of the new owner;

~~D. Any such notice sent or consent received in calendar year 1997 prior to the effective date of this chapter constitutes adequate notice or consent under the law;~~

E. Written notice to the landowners must identify the chemicals to be used in the aerial spraying; and

F. Public notice of the date of the aerial spraying, subject to change because of weather conditions, must be given 24 hours prior to the spraying.

Sec. 2. 22 MRSA §1471-C, sub-§5, as amended by PL 2007, c. 245, §1, is further amended to read:

5. Commercial applicator. "Commercial applicator" means any person, ~~except a government pesticide supervisor~~, whether or not the person is a private applicator with respect to some uses, who uses or supervises the use of any limited or restricted-use pesti-

cides on any property other than as provided by subsection 22, or who uses general-use pesticides in custom application on such property. "Commercial applicator" also includes individuals who apply any pesticides in connection with their duties as officials or employees of federal, state or local governments.

Sec. 3. 22 MRSA §1471-C, sub-§11-A, as enacted by PL 1981, c. 374, §2, is repealed.

Sec. 4. 22 MRSA §1471-C, sub-§§16-C, 23-A and 23-C, as enacted by PL 1983, c. 819, Pt. A, §41, are repealed.

Sec. 5. 22 MRSA §1471-D, sub-§2-A, as enacted by PL 1981, c. 374, §3, is repealed.

Sec. 6. 22 MRSA §1471-D, sub-§2-B, as enacted by PL 1983, c. 819, Pt. A, §43, is repealed.

Sec. 7. 22 MRSA §1471-D, sub-§5, as amended by PL 1983, c. 819, Pt. A, §45, is further amended to read:

5. Issuance. ~~No~~ A license or certification may ~~not~~ be issued by the board, unless the board determines that the standards for licensing and certification have been met as to those categories for which the applicant has applied and qualified. ~~In the case of the spotter and monitor, the board shall set minimal proficiency requirements with the understanding that the board may choose to change these standards from time to time. The enforcement personnel of the Board of Pesticides Control shall be certified to meet at least the minimal proficiency requirements required of spotters and monitors.~~ If a license or certification is not issued as applied for, the board shall provide written notice to the applicant of the reasons therefor. The license or certificate may be issued upon such terms and conditions as the board ~~deems~~ considers necessary for the protection of the public health, safety and welfare, and for enforcement and administration of this chapter and the rules ~~promulgated~~ adopted pursuant to this chapter.

Sec. 8. 22 MRSA §1471-D, sub-§6, as amended by PL 1997, c. 454, §8, is further amended to read:

6. Renewal. Licenses for commercial applicators, ~~government pesticide supervisors, spotters, monitors,~~ spray contracting firms, pesticide dealers and private applicators are valid for such period as prescribed by the board by rule. Application for renewal must be accompanied by such reasonable fee as the board may by rule require. The board may, by rule, require that such renewal application include reexamination or other procedures designed to assure a continuing level of competence to distribute, use or supervise the use of pesticides safely and properly.

If the board fails to renew a license upon application of the licensee or certificate holder, it shall afford the licensee or certificate holder an opportunity for a hear-

ing in conformity with Title 5, chapter 375, subchapter IV 4.

Sec. 9. 22 MRSA §1471-M, sub-§1, ¶A, as amended by PL 1981, c. 374, §8, is further amended to read:

A. Establish categories, and where applicable subcategories, of commercial pesticide applicators ~~and government pesticide supervisors~~ depending upon the nature and extent of the pesticide use, the type of pesticide equipment, the degree of knowledge or skill required in their application and such other factors as the board ~~deems~~ considers relevant, ~~provided that as long as such categories shall be~~ are consistent with, but not limited to, the categories established by the United States Environmental Protection Agency;

Sec. 10. 22 MRSA §1471-M, sub-§1, ¶E, as amended by PL 1983, c. 819, Pt. A, §52, is further amended to read:

E. Establish guidelines and requirements for reporting of information by commercial applicators, pesticide dealers, and spray contracting firms ~~and monitors~~ to the board; and

Sec. 11. 22 MRSA §1471-M, sub-§1, ¶F, as enacted by PL 1981, c. 374, §9, is repealed.

Sec. 12. 22 MRSA §1471-M, sub-§1, ¶G, as enacted by PL 1983, c. 819, Pt. A, §53, is repealed.

Sec. 13. 22 MRSA §1471-R, as enacted by PL 1983, c. 819, Pt. A, §54 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §23, is repealed.

Sec. 14. 22 MRSA §§1471-S and 1471-T, as enacted by PL 1983, c. 819, Pt. A, §54, are repealed.

See title page for effective date.

CHAPTER 59

S.P. 338 - L.D. 958

An Act To Amend the Laws Relating to Group Trusts Established by Self-insurers of Workers' Compensation Benefits

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

Sec. 1. 39-A MRSA §403, sub-§9, as amended by PL 2013, c. 172, §2, is repealed and the following enacted in its place:

9. Acceptable deposit funds or investments for trust funds. The following requirements apply to

assets deposited or held in trust as security for an individual or group self-insurer under this section.

A. In addition to cash, the deposit funds or permissible investments for trust funds acceptable to the Superintendent of Insurance as a security deposit are:

(1) Bonds, notes and bills that are issued by and are the direct obligation of the United States Treasury;

(2) Bonds issued or guaranteed by United States government agencies;

(3) Commercial paper rated as "P-1" by Moody's Investors Service, Inc. or "A-1" or better by Standard and Poor's Corporation or the rating equivalent of either by any other nationally recognized statistical rating agency;

(4) Money market funds rated "AAM" or "AAM-G" or better by Standard and Poor's Corporation or the rating equivalent of any other nationally recognized statistical rating agency;

(5) Certificates of deposit issued by a duly chartered commercial bank or thrift institution in the State protected by the Federal Deposit Insurance Corporation if the bank or institution possesses assets of at least \$100,000,000 and maintains a Tier 1 capital ratio equal to or greater than 6%;

(6) Bonds that are issued by corporations or municipalities and that are rated "A2" or better by Moody's Investors Service, Inc. or "A" or better by Standard and Poor's Corporation or the rating equivalent of either by any other nationally recognized statistical rating agency; and

(7) Other investments specifically approved by the superintendent.

B. Investments must be diversified in a prudent manner to ensure that funds are maintained at a sufficient level to discharge workers' compensation obligations incurred by the employer pursuant to this Title as those obligations become due and payable. At least 30% of the portfolio, as measured at market value, must consist of cash, direct obligations of the United States Treasury, commercial paper, money market funds or certificates of deposit. No more than 40% of the portfolio, as measured at market value, may be invested in bonds issued or generated by United States government agencies, with no more than 10% of the portfolio invested in a single issuer. No more than 50% of the portfolio, as measured at market value, may be invested in corporate or municipal bonds, with no more than 5% of the portfolio in-

vested in a single issuer. No more than 25% of the corporate bond portion of the portfolio, as measured at market value, may be invested in a single industry, as defined by the North American Industry Classification System of the United States Department of Commerce, United States Census Bureau.

C. If the portfolio no longer meets the requirements of this subsection as a result of a rating downgrade or a change in financial condition or market value, the value may not be considered in determining whether a deposit or trust has surplus available for distribution, and the superintendent has discretion to discount or disallow the value of the investment for purposes of determining whether additional security is required. In the case of a portfolio that no longer meets the diversification requirements of paragraph B, the self-insurer may designate the specific assets to be disallowed, as long as the remaining assets meet the requirements of paragraph B.

See title page for effective date.

CHAPTER 60

H.P. 87 - L.D. 129

An Act To Provide Options to Schools for Making Up School Days

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

Whereas, last winter's weather conditions included blizzards and snowstorms that set records for the amount of snowfall in many regions of the State, which caused the cancellation of a significant number of school days in many school administrative units due to dangerous road and travel conditions; and

Whereas, Department of Education Rule Chapter 125 provides that a school board may reschedule cancelled school days by conducting classes on the weekend, rescheduling or shortening scheduled vacation periods or postponing the scheduled closing date of the school year; and

Whereas, providing school administrative units with the additional option of adding make-up instructional time during existing school days would provide school boards with greater flexibility in determining how to meet the minimum school year calendar requirements; and

Whereas, because Rule Chapter 125 is a major substantive rule, changes to the rule require legislative review before the changes may be made; and

Whereas, the Legislature has the authority to direct the Department of Education to amend its rule to reflect legislative policy determinations; and

Whereas, the Department of Education and school boards need statutory and rule revisions for the acceptable methods established for rescheduling cancelled school days in order for school administrative units to have another option to meet the minimum school year calendar requirements for this school year; and

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

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

Sec. 1. 20-A MRSA §4801, sub-§1, ¶F is enacted to read:

F. A school administrative unit operating under a plan approved by the commissioner may provide for a one-hour extension of the school day for up to 25 days in a school year. Notwithstanding the required number of school days under this subsection, 5 one-hour extensions may be counted as one additional school day. A school administrative unit may, with the approval of the commissioner pursuant to rules adopted in accordance with this subsection, implement extended days pursuant to this paragraph only for the purpose of making up school days missed due to weather or emergency closures.

Sec. 2. Amendment of rule. The Department of Education shall amend portions of Section 6 of its Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units to provide that the acceptable methods of rescheduling school days cancelled due to weather or emergency closures may include a one-hour extension of the school day for up to 25 days in a school year and to provide that 5 one-hour extensions may be counted as one additional school day.

Sec. 3. Expedited amendment process. Notwithstanding the Maine Revised Statutes, Title 5, chapter 375, subchapters 2 and 2-A and any other law, the Department of Education shall adopt the amendments to Section 6 of its Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units as provided in section 2 of this Act. The department shall file the amended rule with the Secretary of State as a final adopted rule within 7 business days of the effective date of this Act and the rule is effective upon filing. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Beginning July 1, 2015,

any changes to Rule Chapter 125 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective May 10, 2015.

CHAPTER 61

H.P. 152 - L.D. 220

An Act To Require Proper Notification of Life Insurance Cancellation

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

Whereas, coverage under the group life insurance coverage program administered by the Maine Public Employees Retirement System may be terminated for nonpayment of premium if premiums are not paid when due at the end of the month; and

Whereas, employees have no recourse to reinstate coverage following termination; and

Whereas, employees may not have received notice of cancellation during an unpaid leave of absence due to an accident or illness and family members learn of the termination of coverage only following the death of the employee; and

Whereas, this legislation would allow employees to designate a 3rd party to also receive a notice of cancellation prior to the termination of life insurance coverage to provide further protection to avoid termination of coverage; and

Whereas, immediate enactment of this legislation is needed to help preserve life insurance coverage for employees and their families; and

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

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

Sec. 1. 5 MRSA §18058, sub-§1, ¶D is enacted to read:

D. The employee may designate in writing the name and address of a 3rd party to whom notice must be provided as required in subsection 6.

Sec. 2. 5 MRSA §18058, sub-§6 is enacted to read:

6. Notice to employee and 3rd party prior to lapse or termination. Coverage for an employee may not be terminated for nonpayment of premium unless, at least 14 days prior to the lapse or termination of coverage, the board has mailed a notice of cancellation to the employee and any 3rd party designated by the employee by name and address in writing pursuant to subsection 1, paragraph D.

Sec. 3. Notification to existing employees. On or before July 1, 2015, the Maine Public Employees Retirement System shall provide an opportunity to all employees currently insured under the group life insurance program provided in accordance with the Maine Revised Statutes, Title 5, chapter 423, subchapter 6 to designate in writing the name and address of a 3rd party to whom notice of cancellation must be mailed prior to the cancellation of insurance coverage for nonpayment of premium.

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

Effective May 10, 2015.

CHAPTER 62

H.P. 233 - L.D. 339

An Act To Clarify That the Telephone Number 9-1-1 Is the Only Number Advertised or Promoted for Emergency Response Services

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

Sec. 1. 25 MRSA §2932, sub-§1, as enacted by PL 1999, c. 651, §3, is amended to read:

1. Designated emergency telephone number. The primary telephone number to be used in a telephone exchange to request emergency services following the activation of E-9-1-1 services for that exchange, including the number for telecommunications devices for communication for the deaf, hard-of-hearing and speech-impaired, is 9-1-1. A person may not advertise or promote for emergency response services any telephone number other than 9-1-1.

Sec. 2. 25 MRSA §2932, sub-§2, as enacted by PL 1999, c. 651, §3, is amended to read:

2. Publishing of 9-1-1. A publisher of a directory of Maine telephone numbers for use by telephone subscribers in Maine must include in a conspicuous portion of the directory:

~~A. For any area within the directory in which E 9 1 1 has not been activated, the emergency numbers of the State Police and any sheriffs' departments that serve the area; and~~

~~B. For any area within the directory in which E 9 1 1 has been activated, the The telephone number 9-1-1 as the primary telephone number to request emergency services. The number "9-1-1" must be accompanied by words indicating it is accessible by teletypewriter device, or TTY, such as "TTY/Voice." A publisher is not required to update a directory following an activation of E 9 1 1 within the directory area until the next regular printing of the directory.~~

Sec. 3. 25 MRSA §2932, sub-§5, as enacted by PL 1999, c. 651, §3, is amended to read:

5. Penalty. ~~Violation~~ A violation of subsection 1 or 3 is a civil offense for which a forfeiture of up to \$500 may be adjudged. A forfeiture may not be imposed under this subsection unless the person alleged to have violated subsection 1 received notification from the bureau director that the person's promotion or advertisement of a number other than 9-1-1 for emergency response services is, in the opinion of the bureau director, a violation of subsection 1 or the person alleged to have violated subsection 3 received notification from the bureau director that the person's commercial use of the number 9-1-1 is, in the opinion of the bureau director, a violation of subsection 3 and the. ~~A person has been alleged to have violated either subsection 1 or 3 must be provided an opportunity to respond to that a notification of violation prior to the filing of an action pursuant to this subsection.~~

See title page for effective date.

CHAPTER 63

S.P. 133 - L.D. 350

An Act To Expedite MaineCare Payments for School Administrative Units

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

Sec. 1. 20-A MRSA §15689-A, sub-§22, as enacted by PL 2011, c. 655, Pt. C, §11, is amended to read:

22. MaineCare seed for school administrative units. The commissioner may deduct from a school administrative unit's state subsidy and pay on behalf of the school administrative unit allowable school-based costs that represent the school administrative unit's portion of MaineCare payments. A transfer of payment by the department to the Department of Health and Human Services must be made pursuant to a

~~schedule agreed upon by the Department of Health and Human Services and the department and based on documentation of payments made from MaineCare funds in a manner that remains in compliance with federal intergovernmental transfer requirements. No later than 90 days after the incurrence of allowable school-based payments to schools, the Department of Health and Human Services shall provide the detailed payment information to the department. The department shall make this information available and apply the adjustment to the appropriate school administrative units within 30 days of receipt of the detailed payment information from the Department of Health and Human Services.~~

See title page for effective date.

CHAPTER 64

H.P. 284 - L.D. 417

An Act Regarding Measures To Ensure Support for Students' Financial Literacy

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

Sec. 1. 20-A MRSA §254, sub-§13, as enacted by PL 2011, c. 154, §1, is amended to read:

13. Technical assistance; integrated model for instruction in personal finance. The commissioner shall develop a program of technical assistance that promotes the importance of financial literacy and encourages school administrative units to implement an integrated model for instruction in personal finance that may be used in secondary schools as part of the instruction in social studies or mathematics required by section 4722, subsection 2, paragraphs B and C. The commissioner, in consultation with the Finance Authority of Maine, the Office of Securities within the Department of Professional and Financial Regulation, Jobs for Maine's Graduates, organizations representing banks, credit unions and financial professionals and other interested organizations promoting personal finance initiatives, shall prepare and distribute annually, in January, a report to school boards and superintendents that includes strategies and resources available to implement an integrated model for instruction in personal finance for use in secondary schools. The annual report must also be provided to the joint standing committee of the Legislature having jurisdiction over education matters, and the department shall post the report on its publicly accessible website. The commissioner shall identify best practices to support students' financial literacy for those school administrative units that elect to offer financial literacy education pursuant to this subsection.

Sec. 2. Report. The Commissioner of Education shall submit the 2016 annual report required under the Maine Revised Statutes, Title 20-A, section 254, subsection 13 to the Joint Standing Committee on Education and Cultural Affairs by January 13, 2016. The report must include the findings of the interagency collaboration review, including the strategies and resources available to implement an integrated model for instruction in personal finance for use in secondary schools and the best practices available to support students' financial literacy.

See title page for effective date.

CHAPTER 65

H.P. 300 - L.D. 461

An Act To Change the Notification Deadline for the Nonrenewal of a Teacher's Contract

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

Sec. 1. 20-A MRSA §13201, 2nd ¶, as amended by PL 2011, c. 420, Pt. F, §1 and affected by §2, is further amended to read:

After a probationary period of 3 years, subsequent contracts of duly certified teachers must be for not less than 2 years. Unless a duly certified teacher receives written notice to the contrary at least 6 months before the terminal date of the contract, the contract must be extended automatically for one year and similarly in subsequent years, except for duly certified teachers who received a summative effectiveness rating indicating ineffectiveness pursuant to chapter 508 for the preceding school year. The right to an extension for a longer period of time through a new contract is specifically reserved to the contracting parties. Unless a duly certified teacher who received a summative effectiveness rating indicating ineffectiveness pursuant to chapter 508 for the preceding school year receives written notice to the contrary from the superintendent not later than May 15th, the contract must be extended automatically for one year.

See title page for effective date.

CHAPTER 66

H.P. 416 - L.D. 603

An Act To Achieve Regional Uniformity in Sulfur Standards for Heating Oil

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

Sec. 1. 38 MRSA §603-A, sub-§2, as amended by PL 2013, c. 300, §15, is further amended to read:

2. Prohibitions. Except as provided in subsections 4 and 9, a person may not ~~use~~ import, distribute or offer for sale any liquid fossil fuel with a sulfur content exceeding the limits in paragraph A or any solid fossil fuel with a sulfur content to heat content ratio exceeding the limits of paragraph B.

A. The sulfur content for liquid fossil fuels is as follows.

(1) In the Central Maine, Downeast, Aroostook County and Northwest Maine Air Quality Control Regions and the Metropolitan Portland Air Quality Control Region outside the Portland Peninsula Air Quality Control Region, a person may not ~~use~~ distribute or offer for sale any residual fuel oil with a sulfur content greater than 2.0% by weight; beginning ~~January~~ July 1, 2018, the limit for those regions is 0.5% by weight.

(2) In the Portland Peninsula Air Quality Control Region, a person may not ~~use~~ distribute or offer for sale any residual fuel oil with a sulfur content greater than 1.5% by weight; beginning ~~January~~ July 1, 2018, the limit for that region is 0.5% by weight.

(3) Statewide, a person may not ~~use~~ import, distribute or offer for sale a distillate fuel:

(a) ~~Beginning July 1, 2016, with a sulfur content greater than 0.005% by weight; and~~

(b) Beginning ~~January~~ July 1, 2018, with a sulfur content greater than 0.0015% by weight.

The sulfur content requirements in this subparagraph do not apply to the use of distillate fuel for manufacturing purposes.

B. The sulfur content for solid fossil fuels is as follows:

(1) One and two-tenths pounds sulfur per million British Thermal Units until November 1, 1991, and .96 pounds sulfur per million British Thermal Units thereafter, calculated as a calendar quarter average for sources in the Central Maine, Downeast, Aroostook County, Northwest Maine Air Quality Control Regions and that portion of the Metropolitan Portland Air Quality Region outside the Portland Peninsula Air Quality Region. A calendar quarter is composed of the months as follows: (1) January, February, March; (2)

April, May, June; (3) July, August, September; and (4) October, November, December; and

(2) Seventy-two hundredths pounds sulfur per million British Thermal Units calculated as a calendar quarter average for sources in the Portland Peninsula Air Quality Region. A calendar quarter is composed of the months as follows: (1) January, February, March; (2) April, May, June; (3) July, August, September; and (4) October, November, December.

Sec. 2. 38 MRSA §603-A, sub-§9, as enacted by PL 2009, c. 604, §2, is amended to read:

9. Equivalent alternative sulfur reduction application. The department shall adopt major substantive rules as defined in Title 5, chapter 375, subchapter 2-A that provide an opportunity for a licensed air contamination source that holds a license on the effective date of this subsection to apply for an equivalent alternative sulfur reduction strategy to the residual fuel oil and distillate fuel requirements in subsection 2. The rules must provide for the achievement of equivalent sulfur emission reductions through other means, including, but not limited to, reductions in consumption of residual fuel oil and distillate fuel, early sulfur emission reductions from a baseline emissions inventory year of 2002 and conversions to alternative fuels. The department shall submit the major substantive rules to the Legislature by January 31, 2014. Approved alternate sulfur reduction strategies must be in effect by ~~January~~ July 1, 2018.

See title page for effective date.

CHAPTER 67

S.P. 65 - L.D. 190

An Act To Add Certain Capital Goods to the Product Stewardship Exclusions

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

Sec. 1. 38 MRSA §1774, sub-§§1 and 2, as enacted by PL 2009, c. 516, §1, are amended to read:

1. Motor vehicles and watercraft. Motor vehicles as defined in Title 29-A, section 101, subsection 42 and watercraft as defined in Title 12, section 13001, subsection 28 or their component parts; ~~and~~

2. Pulp and paper manufacturers. Pulp and paper manufacturers except conversion facilities for consumer product packaging; ~~and~~

Sec. 2. 38 MRSA §1774, sub-§3 is enacted to read:

3. Specialized equipment. Specialized manufacturing equipment and specialized processing equipment, including any component of such equipment, used in the production and repair of industrial or commercial goods and not generally discarded as solid waste.

See title page for effective date.

CHAPTER 68

S.P. 260 - L.D. 730

An Act To Make Technical Changes to Maine's Marine Resources Laws

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

Sec. 1. 12 MRSA §6072, sub-§10, ¶A, as repealed and replaced by PL 2003, c. 247, §6, is repealed.

Sec. 2. 12 MRSA §6301, sub-§2, ¶U, as amended by PL 2013, c. 492, §1, is repealed.

Sec. 3. 12 MRSA §6421, sub-§3-A, ¶E, as repealed and replaced by PL 2003, c. 468, §1, is amended to read:

E. A student license authorizes the license holder to engage in the licensed activities under subsection 2. A student license may be issued only to a person who, at the time of application, is 8 years of age or older and under 23 years of age. A person issued a student license may not submerge more than:

- (1) Ten lobster traps in the coastal waters of the State if the person is 8 years of age or older and under 11 years of age;
- (2) Fifty lobster traps in the coastal waters of the State if the person is 11 years of age or older and under 14 years of age; or
- (3) One hundred and fifty lobster traps in the coastal waters of the State if the person is 14 years of age or older and under 23 years of age.

A person issued a student license is enrolled in the apprentice program under section 6422. When applying for a license the person must designate a sponsor and may designate up to 3 sponsors. For the purposes of this paragraph, "sponsor" means a person who holds a Class I, Class II or Class III lobster and crab fishing license issued under this section.

Sec. 4. 12 MRSA §6439-A, as amended by PL 2001, c. 272, §4, is repealed.

Sec. 5. 12 MRSA §6446, sub-§1-A, as amended by PL 2007, c. 201, §16, is further amended to read:

1-A. Declared lobster zone; authorized zones.

On an application for a Class I, Class II, Class III, student or noncommercial lobster and crab fishing license or a nonresident lobster and crab landing permit, a person shall declare the lobster management zone in which that person proposes to fish a majority of that person's lobster traps and shall list all other zones in which that person proposes to fish any of that person's lobster traps. A Class I, Class II, Class III, student or noncommercial lobster and crab fishing license or a nonresident lobster and crab landing permit must identify the declared lobster zone in which the person is authorized to fish a majority of that person's lobster traps and must identify all other zones in which a person is authorized to fish that person's traps. A person may not place any lobster traps in a zone that is not identified on that person's license. For the purposes of this subsection, the majority of a person's lobster traps must be determined from the number of trap tags issued to that person.

Sec. 6. 12 MRSA §6447, sub-§5, as amended by PL 2009, c. 499, §2 and affected by §3, is further amended to read:

5. Council authority. Upon approval in a referendum under subsection 6, a lobster management policy council may propose to the commissioner rules for a zone to place the following limitations on lobster and crab fishing license holders that fish in that zone, as long as the proposed limitations are equal to or stricter than the limitations under section 6431-A, ~~6439-A~~ or 6440:

- A. The number of lobster traps fished and the time periods allowed for complying with that number;
- B. The number of lobster traps allowed on a trawl; and
- C. The time of day when lobster fishing may occur.

Sec. 7. 12 MRSA §6448, sub-§3, as enacted by PL 1999, c. 508, §3, is amended to read:

3. Fishing in limited-entry zones. A person who holds a Class I, Class II ~~or~~ Class III or student lobster and crab fishing license may not fish a majority of that person's lobster traps in a limited-entry zone unless that person's license identifies that zone as the declared lobster zone.

Sec. 8. 12 MRSA §6481, sub-§1, as enacted by PL 2013, c. 342, §1, is amended to read:

1. Swans Island Lobster Conservation Area. The following territorial waters of the State in the vi-

cinity of Swans Island are known as the Swans Island Lobster Conservation Area:

Beginning at the northern tip of Long Point, Marshall Island, Hancock County, Maine; then northerly to the navigational buoy at the western entrance to Toothacker Bay, located at the intersection of Loran lines ~~9960 W 12492.0 and 9960 X 25800.0~~ 68°30.657' W. Longitude, 44°08.063' N. Latitude; then northeasterly to West Point, Swans Island, Hancock County, Maine; then from Phinney Point on the northeastern shore of Swans Island southeasterly to the intersection of Loran lines ~~9960 W 12445.6 and 9960 X 25780.9~~ 68°22.40' W. Longitude, 44°08.79' N. Latitude, Hancock County, Maine; then southwesterly to the intersection of Loran lines ~~9960 W 12468.0 and 9960 X 25773.0~~ 68°23.6' W. Longitude, 44°06.4' N. Latitude; then south-southwesterly to the intersection of Loran lines ~~9960 W 12482.2 and 9960 X 25766.4~~ 68°24.01' W. Longitude, 44°04.8' N. Latitude; then southerly to the intersection of Loran lines ~~9960 W 12493.5 and 9960 X 25758.4~~ 68°23.9' W. Longitude, 44°03.1' N. Latitude, and the intersection with the 3-nautical-mile line of the territorial waters, as shown on United States Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service, Office of Coast Survey Chart #13312; then southwesterly along the 3-nautical-mile line of the territorial waters approximately 3.5 miles to a point where a line drawn southeasterly 165° True from the center of Black Ledges intersects the 3-nautical-mile line of the territorial waters at Loran lines ~~9960 W 12524.5 and 9960 X 25765.5~~ 68°28.6' W. Longitude, 44°01.9' N. Latitude; then northwesterly 345° True to the center of Black Ledges; then northwesterly to the most southerly point of Marshall Island; ~~thence~~ then along the westerly shore of Marshall Island to the point of beginning.

Sec. 9. 12 MRSA §6851-A, as amended by PL 2009, c. 213, Pt. G, §37, is repealed.

Sec. 10. 12 MRSA §6856, sub-§1, as amended by PL 2005, c. 508, §2, is further amended to read:

1. Shellfish sanitation certificate. A person may not undertake the processing, buying, selling, shipping, transporting or shucking of shellfish or whole scallops without a shellfish sanitation certificate unless authorized under section 6701 or 6702. The commissioner may issue a shellfish sanitation certificate to a wholesale seafood license holder, ~~a limited wholesale shellfish harvester's license holder~~ or a shellfish transportation license holder that authorizes the holder to undertake the activities expressly authorized therein, which may include buying and selling, shipping, transporting, shucking or other processing of shellfish or whole scallops. A wholesale seafood license, ~~limited wholesale shellfish harvester's license~~ or shellfish transportation license is also necessary to

undertake the activities authorized under those licenses.

Sec. 11. 12 MRSA §6856, sub-§3-D, ¶A, as enacted by PL 2011, c. 175, §5, is amended to read:

A. Using the following general guidelines to identify whether pollution abatement activities are likely to succeed in a shellfish growing area, the commissioner may close a shellfish growing area pursuant to section 6172 for municipal pollution abatement activities.

(1) Pollution abatement activities are likely to succeed in shellfish growing areas affected by identified failing residential septic systems and other identified localized sources of human or animal fecal contamination when funding for abatement is available.

(2) Pollution abatement activities are not likely to succeed in shellfish growing areas affected by wastewater treatment plant outfall or other point sources of treated or partially treated sewage unless complete removal of pollution sources has been achieved.

(3) Abatement activities are not likely to succeed in shellfish growing areas affected by chronic nonpoint source contamination from rivers or streams.

At the request of the municipality, the commissioner may allow soft-shelled clam depuration harvesting in a shellfish growing area closed under this paragraph.

See title page for effective date.

CHAPTER 69

H.P. 657 - L.D. 954

An Act To Amend the Maine Property Insurance Cancellation Control Laws

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

Sec. 1. 24-A MRSA §3049, sub-§4-A is enacted to read:

4-A. Violation of terms or conditions of the policy;

See title page for effective date.

CHAPTER 70
H.P. 82 - L.D. 110

**An Act To Designate Pure
Maine Maple Syrup as the
Official State Sweetener**

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

Sec. 1. 1 MRSA §228 is enacted to read:

§228. State sweetener

Pure Maine maple syrup is the official state
sweetener.

See title page for effective date.

CHAPTER 71
H.P. 193 - L.D. 275

**An Act To Allow the Use of a
Crossbow for Recreational
Target Practice within 100
Yards of a Building without the
Owner's Permission**

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

Sec. 1. 12 MRSA §11209, as amended by PL 2013, c. 538, §26, is further amended to read:

**§11209. Discharge of firearm near dwelling or
building**

1. Prohibition. A person may not:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in subsection 3 and sections 12401 and 12402, discharge a firearm, including a muzzle-loading firearm, or crossbow or cause a projectile to pass as a result of that discharge within 100 yards of a building or residential dwelling without the permission of the owner or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

B. Possess a wild animal or wild bird taken in violation of this subsection, except as otherwise provided in this Part.

This subsection may not be construed to prohibit a person from killing or taking a wild animal in accordance with sections 12401 and 12402.

For purposes of this ~~subsection~~ section, "building" means any residential, commercial, retail, educational, religious or farm structure that is designed to be occupied by people or domesticated animals or is being used to shelter machines or harvested crops.

For purposes of this ~~subsection~~ section, "projectile" means a bullet, pellet, shot, shell, ball, bolt or other object propelled or launched from a firearm or crossbow.

2. Penalty. A person who violates subsection 1 commits a Class E crime.

3. Target practice; crossbow. Unless otherwise prohibited, a landowner or the landowner's invitee may discharge a crossbow for recreational target practice purposes on the landowner's property within 100 yards of a building or residential dwelling without the permission of the owner of that building or dwelling. Nothing in this subsection authorizes a landowner or the landowner's invitee to cause a projectile discharged from a crossbow to enter property owned by another person.

See title page for effective date.

CHAPTER 72
S.P. 157 - L.D. 428

**An Act To Amend the Powers
and Duties of the State Board
of Education**

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

Sec. 1. 20-A MRSA §405, sub-§3, ¶U, as amended by PL 2005, c. 611, §1, is further amended to read:

U. Review the organization of school administrative units statewide to identify current cooperative agreements between school administrative units. Cooperative agreements may include, but are not limited to: purchasing or contract agreements; administrative functions; shared staff and staff training; and technology initiatives. Based on the review, and in consultation with the department, the state board may recommend that school administrative units develop and carry out a plan for a cooperative agreement with one or more other school administrative units. "Cooperative agreement" may include agreements between school administrative units and career and technical education regions and career and technical education centers; ~~and~~

Sec. 2. 20-A MRSA §405, sub-§3, ¶V, as amended by PL 2005, c. 611, §2, is further amended to read:

V. Study school administrative unit configuration statewide; ~~and~~

Sec. 3. 20-A MRSA §405, sub-§3, ¶W is enacted to read:

W. Enter into an interstate reciprocity agreement regarding postsecondary distance education, administer the agreement and approve or disapprove an application to participate in the agreement from a postsecondary institution that has its principal campus in the State.

See title page for effective date.

CHAPTER 73

H.P. 301 - L.D. 462

An Act To Clarify Rulemaking for Transportation of Public School Students

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

Sec. 1. 20-A MRSA §5401, sub-§17, as enacted by PL 2007, c. 572, Pt. A, §5, is amended to read:

17. Rules; federal or state requirements for public preschool transportation. The department may adopt rules to implement the provisions of this section. A rule authorized or provisionally adopted by the department pursuant to this subsection or Title 29-A, section 2311 after January 1, 2008 that concerns the transportation of public preschool students is a major substantive rule and subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A. An amendment to a rule adopted pursuant to this subsection or Title 29-A, section 2311 prior to January 1, 2008 is considered a major substantive rule when the amendment concerns the transportation of public preschool students, and it is subject to legislative review in accordance with Title 5, chapter 375, subchapter 2-A. Should the Federal Government or the State require transportation of public preschool children, the department shall develop and adopt rules regarding such transportation, and those rules are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 29-A MRSA §2311, as amended by PL 2007, c. 572, Pt. A, §17, is further amended to read:

§2311. Rules

The Commissioner of Education may adopt or amend rules consistent with this Title and in accordance with the Maine Administrative Procedure Act, concerning school bus construction, equipment, operation and identification. Rules adopted pursuant to this section that concern the transportation of public preschool students are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Should the Federal Government or the State require transportation of public preschool children, the Department of Education shall develop and adopt rules regarding such

transportation, and those rules are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 74

H.P. 465 - L.D. 684

An Act To Amend the Authorized Hours during Which Liquor May Be Sold and Purchased

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

Sec. 1. 28-A MRSA §4, sub-§1, as amended by PL 2013, c. 476, Pt. A, §5, is further amended to read:

1. Hours for sale of liquor. Except as provided in paragraphs A to B and D, licensees may sell or deliver liquor from 5 a.m. on any day until 1 a.m. of the following day.

~~A. Licensees may not sell liquor on Sunday between the hours of 5 a.m. and 9 a.m., except on March 17th, when a licensee may sell liquor beginning at 6 a.m.~~

B. Licensees may sell liquor on January 1st of any year from 12 midnight to 2 a.m.

(1) In areas in which liquor may be sold except on Sundays, if January 1st falls on a Monday, licensees may sell or deliver liquor between 9 p.m. Sunday, December 31st and 2 a.m. January 1st, notwithstanding any local option decisions to the contrary.

D. Wholesale licensees may sell or deliver liquor to licensed establishments from 4 a.m. on any day until 1 a.m. the following day.

Sec. 2. 28-A MRSA §4, sub-§§5 and 6, as enacted by PL 1987, c. 45, Pt. A, §4, are repealed.

Sec. 3. 28-A MRSA §353, as amended by PL 2013, c. 476, Pt. A, §14 and affected by §36, is further amended to read:

§353. Business hours

Agency liquor stores may be open for the sale and delivery of spirits and fortified wine between the hours of ~~6~~ 5 a.m. and 1 a.m. in municipalities and unincorporated places that have voted in favor of the operation of agency liquor stores under local option provisions. Notwithstanding any local option decisions to the contrary, agency liquor stores may be open from 9 5 a.m. Sunday to 1 a.m. the next day.

Sec. 4. 28-A MRSA §353-A, as enacted by PL 2013, c. 476, Pt. B, §1 and affected by §6, is amended to read:

§353-A. Business hours

Agency liquor stores may be open for the sale and delivery of spirits as provided in section 4, subsection 1 in municipalities and unincorporated places that have voted in favor of the operation of agency liquor stores under local option provisions. Notwithstanding any local option decisions to the contrary ~~and except as provided by section 4, subsection 1, paragraph A~~, agency liquor stores may be open from 9 5 a.m. Sunday to 1 a.m. the following day.

Sec. 5. 28-A MRSA §1077, sub-§2, ¶C, as amended by PL 1997, c. 656, §3, is further amended to read:

C. A vessel licensed to sell liquor under this section may sell liquor on Sundays only between the hours of 9:00 5 a.m. and ~~midnight~~ 1 a.m. the following day on inland waters and when operated within the 3-mile limit on coastal waters.

Sec. 6. 28-A MRSA §1355-A, sub-§2, ¶E, as enacted by PL 2011, c. 629, §22, is amended to read:

E. A licensee may serve complimentary samples of liquor on Sunday after the hour of 9 5 a.m. and may sell liquor on Sunday after the hour of 9 5 a.m. if the municipality in which the licensed premises is located has authorized the sale of liquor on Sunday for consumption off the premises under chapter 5.

See title page for effective date.

CHAPTER 75

H.P. 392 - L.D. 568

**An Act To Protect Maine
Lakes**

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

Sec. 1. 38 MRSA §418-B is enacted to read:

**§418-B. Prohibition on application of fertilizers
near great ponds**

Notwithstanding any other provision of law, a person may not apply a fertilizer containing phosphorus or nitrogen within 25 feet of the normal high-water line of a great pond, except that a person may apply a fertilizer containing phosphorus or nitrogen within 25 feet but not closer than 10 feet of the normal high-water line of a great pond if applying the fertilizer using a drop spreader, rotary spreader with a deflector or targeted spray liquid. As used in this section, "fertil-

izer" has the same meaning as in section 419, subsection 1, paragraph A-3.

See title page for effective date.

CHAPTER 76

H.P. 871 - L.D. 1275

**An Act Regarding Notice to the
Public Pertaining to a Resident
Person Deported from Canada
to the United States for
Committing a Sex Offense
against a Child**

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

Sec. 1. 25 MRSA c. 409 is enacted to read:

CHAPTER 409

**PUBLIC NOTICE OF CONVICTION OF SEX
OFFENSE AGAINST A CHILD**

**§3831. Notice to the public regarding conviction in
Canada of a sex offense against a child**

A law enforcement agency, referred to in this section as "the agency," that obtains from the United States Customs and Border Protection, upon request or otherwise, written documentation that a person resident in the jurisdiction of the agency has been deported from Canada to the United States because the person was convicted in Canada of a sex offense against a child may provide notice to the public as determined by the agency to be appropriate to ensure the public safety. Neither the failure to perform the actions permitted by this section nor actions taken in compliance with this section subject any state, municipal or county official or employee to liability in a civil action.

See title page for effective date.

CHAPTER 77

H.P. 223 - L.D. 329

**An Act To Allow Equipment
Rental Companies To Sell
Insurance**

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

Sec. 1. 24-A MRSA §1413, sub-§9 is enacted to read:

9. Equipment rental company. A rental company as defined in section 3043, subsection 1, paragraph C that solicits or sells insurance in connection

with and incidental to the rental of covered rental equipment as defined in section 3043, subsection 1, paragraph B shall obtain a limited insurance producer license under this chapter, and at least one employee at each office of the rental company located in the State shall obtain a limited insurance producer license.

Sec. 2. 24-A MRSA §1420-F, sub-§1, ¶K, as enacted by PL 2001, c. 259, §24, is amended to read:

K. Automobile mechanical breakdown contracts, which are a limited line; ~~and~~

Sec. 3. 24-A MRSA §1420-F, sub-§1, ¶L, as repealed and replaced by PL 2007, c. 51, §3, is amended to read:

L. Insurance offered, sold or solicited in connection with and incidental to the rental of rental cars for a period of no more than 60 days, whether at the rental office or by preselection of coverage in master, corporate, group or individual agreements, that is nontransferable, applies only to the rental car that is the subject of the rental agreement and is limited to the following kinds of insurance:

- (1) Personal accident insurance for renters and other rental car occupants for accidental death or dismemberment and for medical expenses resulting from an accident that occurs with the rental car during the rental period;
- (2) Liability insurance that provides protection to the renters and other authorized drivers of a rental car for liability arising from the operation or use of the rental car during the rental period;
- (3) Personal effects insurance that provides coverage to renters and other vehicle occupants for loss of, or damage to, personal effects in the rental car during the rental period;
- (4) Roadside assistance and emergency sickness protection insurance; and
- (5) Any other coverage designated by the superintendent; ~~and~~

Sec. 4. 24-A MRSA §1420-F, sub-§1, ¶M is enacted to read:

M. Insurance offered, sold or solicited in connection with and incidental to the rental of covered rental equipment, as defined in section 3043, insuring against the loss of or damage to that equipment.

Sec. 5. 24-A MRSA §1420-H, sub-§3, ¶D, as enacted by PL 2001, c. 259, §24, is amended to read:

D. An applicant for a license as a limited insurance producer who solicits or sells mechanical breakdown insurance; ~~or~~

Sec. 6. 24-A MRSA §1420-H, sub-§3, ¶E, as amended by PL 2007, c. 51, §4, is further amended to read:

E. An applicant for a license as a limited insurance producer employed by a motor vehicle rental company who solicits or sells insurance in connection with and incidental to the rental of a motor vehicle for a period not to exceed 60 days in accordance with section 1420-F, subsection 1, paragraph L; or

Sec. 7. 24-A MRSA §1420-H, sub-§3, ¶F is enacted to read:

F. An applicant for a license as a limited insurance producer employed by an equipment rental company who solicits or sells insurance in connection with and incidental to the rental of covered rental equipment in accordance with section 1420-F, subsection 1, paragraph M.

Sec. 8. 24-A MRSA §3043 is enacted to read:

§3043. Coverage for rental equipment permitted

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

A. "Covered rental agreement" means a written agreement with a term of 30 continuous days or fewer setting forth the terms and conditions governing the use of covered rental equipment provided by a rental company.

B. "Covered rental equipment" means equipment rented pursuant to a covered rental agreement for personal or household purposes.

C. "Rental company" means a person or organization, including a franchisee, in the business of renting equipment to the public.

2. Coverage for rental equipment permitted. Notwithstanding any other provision of this Title, a rental company may offer for sale an insurance policy insuring against the loss of or damage to covered rental equipment under a covered rental agreement.

See title page for effective date.

CHAPTER 78

H.P. 139 - L.D. 181

An Act To Create Efficiencies in Court Process

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

Sec. 1. 4 MRSA §8-C is enacted to read:

§8-C. Rules concerning electronic records and filing**1. Rules and orders; processes and procedures.**

Notwithstanding any other provision of law, the Supreme Judicial Court may adopt rules and issue orders to permit or require the use of electronic forms, filings, records, e-mail and electronic signatures whenever paper forms, filings, records, written notice, postal mail and written signatures are required for judicial, legal or any other court-related process under the Maine Revised Statutes.

The Supreme Judicial Court, by rule, may determine any other processes or procedures appropriate to ensure adequate preservation, disposition, integrity, security, appropriate accessibility and confidentiality of the electronic records.

2. Electronic signatures. An electronic signature may be accepted as a substitute for and, if accepted, has the same force and effect as the use of a manual signature. The Supreme Judicial Court shall determine the type of electronic signature required, the manner and format in which the signature is affixed to the electronic record and the criteria that must be met by a party, including attorneys, filing a document.

See title page for effective date.

CHAPTER 79**H.P. 265 - L.D. 399****An Act To Establish a Youth Bear Hunting Day**

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

Whereas, the long-term health of Maine's hunting tradition is dependent on the recruitment of young hunters, the number of which has been on the decline; and

Whereas, providing positive hunting opportunities for young hunters is essential to ensuring their long-term participation in the sport; and

Whereas, allowing youth to hunt bear on a day before other bear hunters are in the field will provide a positive hunting experience; and

Whereas, as August 31, 2015 is the opening day for hunting bear with a firearm, this Act must take effect before that date to establish a youth bear hunting day this year; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following

legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §11251, sub-§2 is enacted to read:

2. Youth bear hunting day. There is a youth hunting day for hunting bear without a dog or dogs on the Saturday prior to the opening day of the bear hunting season established under subsection 1, paragraph A. A person who holds a valid junior hunting license may hunt bear with a firearm, bow and arrow or crossbow during youth bear hunting day. An adult supervisor, parent or guardian accompanying a youth on youth bear hunting day may not possess a firearm, bow and arrow or crossbow while the youth is participating in the bear hunt.

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

Effective May 15, 2015.

CHAPTER 80**S.P. 364 - L.D. 1038****An Act To Amend the Emergency Rule-making Authority of the Department of Marine Resources**

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

Sec. 1. 12 MRSA §6171, sub-§3, as enacted by PL 1977, c. 661, §5, is repealed and the following enacted in its place:

3. Emergency rules. The commissioner may adopt or amend rules under the emergency procedures provided in Title 5, chapter 375 in the following circumstances:

A. Immediate action is necessary to protect or conserve any marine organism from unusual damage or imminent depletion;

B. An unusually large concentration of fishermen might deplete the supply of any marine organism;
or

C. Immediate action is necessary to comply with changes to federal or interstate fisheries management plans.

See title page for effective date.

CHAPTER 81
S.P. 127 - L.D. 344

**An Act To Amend the Laws
Governing the Confidentiality
of Library Records**

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

Sec. 1. 27 MRSA §121, as amended by PL 2013, c. 82, §12, is repealed and the following enacted in its place:

§121. Confidentiality of library records

1. Confidentiality. A record maintained by any public library, as defined in section 110, subsection 10, the Maine State Library, the Law and Legislative Reference Library or a library of the University of Maine System, the Maine Community College System or the Maine Maritime Academy is confidential if the record contains:

A. A library patron's personally identifying information, including but not limited to the library patron's name, address, phone number and e-mail address; or

B. Information that identifies a library patron as having requested, obtained or used books or other materials in any medium at the library or provided by the library.

2. Permitted release. A record designated confidential by subsection 1 may be released only with the express written permission of the library patron involved; to officers, employees, volunteers and agents of the library to the extent necessary for library administrative purposes; or as the result of a court order.

3. Public record. A library may publish and release as a public record aggregated and statistical information pertaining to library patronage, circulation activities and use of any service or consultation the library provides as long as the release of the information does not jeopardize the confidentiality of a library patron's personally identifying information.

See title page for effective date.

CHAPTER 82
S.P. 292 - L.D. 818

**An Act To Amend the Maine
Emergency Medical Services
Act of 1982**

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

Sec. 1. 32 MRSA §83, sub-§6, as amended by PL 2011, c. 271, §3, is further amended to read:

6. Basic emergency medical services person. "Basic emergency medical services person" means a person licensed to perform basic emergency medical treatment. Licensed first emergency medical responders and basic emergency medical technicians are basic emergency medical services persons.

Sec. 2. 32 MRSA §83, sub-§13-A, as enacted by PL 1999, c. 182, §6, is amended to read:

13-A. Emergency medical responder. "First Emergency medical responder" means an emergency medical services person who has successfully completed the Maine Emergency Medical Services course for first emergency medical responders and has met the other requirements for licensure at this level.

Sec. 3. 32 MRSA §83, sub-§16-B, as amended by PL 2011, c. 271, §5, is further amended to read:

16-B. Medical Direction and Practices Board. "Medical Direction and Practices Board" means the board consisting of each regional medical director, ~~a representative of an emergency physician representing the Maine Chapter of the American College of Emergency Medicine Physicians, an at-large member, a toxicologist or licensed pharmacist, the statewide assistant emergency medical services medical director~~ and the statewide emergency medical services medical director. The Medical Direction and Practices Board is responsible for creation, adoption and maintenance of Maine Emergency Medical Services protocols.

Sec. 4. 32 MRSA §84, sub-§1, ¶F is enacted to read:

F. The board shall appoint or, as specified in section 89, subsection 2, paragraph B, approve the members of the Medical Direction and Practices Board.

Sec. 5. 32 MRSA §86, sub-§1, as amended by PL 1995, c. 161, §7, is further amended to read:

1. Ambulance services and nontransporting medical services to be licensed. Every ambulance service and nontransporting emergency medical service must be licensed, operate in accordance with the rules adopted and protocols developed for services under this chapter and carry the equipment called for in those rules.

Sec. 6. 32 MRSA §87, as amended by PL 1991, c. 588, §15, is further amended to read:

§87. Ambulances

Each ambulance must be licensed pursuant to this chapter. It must also meet the design criteria and ~~shall~~ must be equipped as specified in rules adopted under this chapter.

Sec. 7. 32 MRSA §90-C is enacted to read:

§90-C. Duty of all licensees and applicants for licensure to report certain information

1. Report in writing. A licensee or an applicant for licensure under this chapter shall notify the board in writing within 10 days of a:

A. Change of name or address;

B. Criminal conviction;

C. Revocation, suspension or other disciplinary action taken in this or any other jurisdiction against any occupational or professional license held by the applicant or licensee; or

D. Material change in the conditions or qualifications set forth in the original application for licensure submitted to the board.

Sec. 8. 32 MRSA §91-B, sub-§2, ¶E, as enacted by PL 2011, c. 271, §19, is amended to read:

E. Data collected by Maine Emergency Medical Services that allows identification of persons receiving emergency medical treatment may be released for purposes of research, public health surveillance and linkage with patient electronic medical records if the release is approved by the board, the Medical Direction and Practices Board and the director. Information that specifically identifies individuals must be removed from the information disclosed pursuant to this paragraph, unless the board, the Medical Direction and Practices Board and the director determine that the release of such information is necessary for the purposes of the research, public health surveillance or linkage with patient electronic medical records.

Sec. 9. 32 MRSA §92-B, first ¶, as enacted by PL 2007, c. 274, §28, is amended to read:

Notwithstanding any other provision of law, information that relates to an applicant for licensure or to a person licensed or certified by the board who is alleged to have engaged in any unlawful activity or professional misconduct or in conduct in violation of laws or rules relating to the board must be disclosed to the board and may be used by the board only in accordance with this chapter.

Sec. 10. 32 MRSA §92-B, sub-§1, as enacted by PL 2007, c. 274, §28, is amended to read:

1. Purpose for which disclosure is made. Any confidential information provided to the board may be used only for investigative and other actions within the scope of the authority of the board and for determining whether the applicant for licensure or the person licensed or certified by the board has engaged in unlawful activity, professional misconduct or an activity in violation of the laws or rules relating to the board.

Sec. 11. 32 MRSA §93-B, as enacted by PL 2003, c. 451, Pt. TT, §1, is repealed.

See title page for effective date.

CHAPTER 83

S.P. 371 - L.D. 1045

**An Act To Modify the Laws
Regarding the Collection and
Recycling of Mercury-added
Thermostats**

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

Sec. 1. 38 MRSA §1665-B, sub-§1, ¶E is enacted to read:

E. "Contractor" means a person engaged in the business of installing, servicing or removing thermostats and other heating, ventilation and air conditioning components.

Sec. 2. 38 MRSA §1665-B, sub-§2, ¶E, as amended by PL 2011, c. 420, Pt. E, §2 and affected by §5, is further amended to read:

~~E. Within 3 months after the department develops phase one of the plan required by subsection 4, provide~~ Provide a financial incentive with a minimum value of \$5 for the return of each mercury-added thermostat ~~by a contractor or service technician~~ to an established recycling collection point;

Sec. 3. 38 MRSA §1665-B, sub-§2, ¶F, as amended by PL 2011, c. 420, Pt. E, §3 and affected by §5, is repealed.

Sec. 4. 38 MRSA §1665-B, sub-§2, ¶G, as amended by PL 2009, c. 277, §8, is further amended to read:

~~G. Beginning in 2008, submit~~ Submit an annual report to the department by ~~January 30th~~ April 1st of each year. The report must be submitted on a form provided by the department and must include ~~at a minimum:~~

- (1) The number of mercury-added thermostats collected and recycled by that manufacturer pursuant to this section during the previous calendar year;
- (2) The estimated total amount of mercury contained in the thermostat components collected by that manufacturer pursuant to this section;
- (3) An evaluation of the effectiveness of the manufacturer's collection and recycling pro-

gram and the financial incentive provided pursuant to ~~paragraphs paragraph E and F;~~

(4) ~~An accounting of the administrative costs incurred in the course of administering the collection and recycling program and the financial incentive plan developed pursuant to subsection 4;~~

(5) A description of the education and outreach strategies employed during the previous calendar year to increase participation and collection rates and examples of education and outreach materials used; and

(6) Modifications that the manufacturer is proposing to make in its collection and recycling program; and

Sec. 5. 38 MRSA §1665-B, sub-§4, as enacted by PL 2005, c. 558, §1, is amended to read:

4. Financial incentive plan. The department shall develop a manufacturer financial incentive plan in 2 phases. By January 1, 2007, the department shall develop phase one of the plan, which must address collection of mercury-added thermostats from contractors and service technicians. By August 1, 2007, the department shall develop phase 2 of the plan, which must address collection of mercury-added thermostats from homeowners. The plan must be developed in consultation with a stakeholder group that includes representatives from the thermostat industry, environmental groups, thermostat wholesalers and service contractors. The plan must be developed in a manner that ensures to the maximum extent practical that:

A. The capture rate of out-of-service mercury-added thermostats is maximized;

B. Adequate incentives and education are provided to contractors, service technicians and homeowners to encourage return of thermostats to established recycling collection points;

C. Administrative costs of the plan are minimized;

D. The plan encourages the purchase of nonmercury thermostats qualified by the United States Environmental Protection Agency's Energy Star program as replacements for mercury-added thermostats; and

E. Mechanisms are in place to protect against the fraudulent return of thermostats.

The plan must include a requirement that manufacturers provide a financial incentive with a minimum value of \$5 for the return of each mercury-added thermostat to an established recycling collection point in accordance with subsection 2, ~~paragraphs paragraph E and F.~~ The financial incentive may include, without limitation, cash, rebates, discounts, coupons or other incentives.

Sec. 6. Department of Environmental Protection; review of financial incentive plan. The Department of Environmental Protection shall review the financial incentive plan established under the Maine Revised Statutes, Title 38, section 1665-B, subsection 4 and, by February 15, 2016, shall submit a report to the Joint Standing Committee on Environment and Natural Resources that contains, at a minimum, the following recommendations and, where applicable, corresponding implementing legislation:

1. Recommendations regarding reduction of the complexity and costs of the manufacturer thermostat collection and recycling program established pursuant to Title 38, section 1665-B, subsection 2;

2. Recommendations regarding improving the effectiveness of the manufacturer thermostat collection and recycling program, including changes in the mechanism for manufacturer payment of the financial incentive, the form of the financial incentive payment and the roles and responsibility of each participant in the program; and

3. Recommendations regarding the continuation of the thermostat disposal ban under Title 38, section 1663.

The department may include the report required under this section in the report required pursuant to Title 38, section 1772, subsection 1.

See title page for effective date.

CHAPTER 84

S.P. 58 - L.D. 124

An Act To Require Payment by a Carrier for Health Care Services Provided to Enrollees of the Carrier

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

Sec. 1. 24-A MRSA §4303, sub-§2, as amended by PL 2013, c. 383, §4, is further amended to read:

2. Credentialing. The ~~credentialling~~ credentialing of providers by a carrier is governed by this subsection.

A. The granting of credentials must be based on objective standards that are available to providers upon application for ~~credentialling~~ credentialing. A carrier shall consult with appropriately qualified health care professionals in developing its ~~credentialling~~ credentialing standards.

B. All ~~credentialling~~ credentialing decisions, including those granting, denying or withdrawing

credentials, must be in writing. The provider must be provided with all reasons for the denial of an application for ~~credentialling~~ credentialing or the withdrawal of credentials. A withdrawal of credentials must be treated as a provider termination and is subject to the requirements of subsection 3-A.

C. A carrier shall establish and maintain an appeal procedure, including the provider's right to a hearing, for dealing with provider concerns relating to the denial of ~~credentialling~~ credentialing for not meeting the objective ~~credentialling~~ credentialing standards of the plan and the contractual relationship between the carrier and the provider. The superintendent shall determine whether the process provided by a carrier is fair and reasonable. This procedure must be specified in every contract between a carrier and a provider or between a carrier and a provider network if a carrier does not contract with providers individually.

D. A carrier shall make ~~credentialling~~ credentialing decisions, including those granting or denying credentials, within 60 days of receipt of a completed ~~credentialling~~ credentialing application from a provider. The time period for granting or denying credentials may be extended upon written notification from the carrier within 60 days following submission of a completed application stating that information contained in the application requires additional time for verification. All ~~credentialling~~ credentialing decisions must be made within 180 days of receipt of a completed application. For the purposes of this paragraph, an application is completed if the application includes all of the information required by the uniform ~~credentialling~~ credentialing application used by carriers and providers in this State, such as attachments to that application as required by the carrier at the time of application and all corrections required by the carrier. A carrier shall review the entire application before returning it to the provider for corrections with a comprehensive list of all corrections needed at the time the application is first returned to the provider. A carrier may not require that a provider have a home address within the State before accepting an application.

Sec. 2. 24-A MRSA §4303, sub-§2-A is enacted to read:

2-A. Payment to provider for services rendered during pendency of credentialing. A carrier offering or renewing a health plan in the State shall pay claims for services rendered to an enrollee by a provider prior to credentials being granted from the date a complete application for credentialing is submitted to the carrier as long as credentials are granted to that provider by the carrier in accordance with the

requirements of subsection 2. A provider intending to submit a claim pursuant to this subsection may not submit the claim until the provider has been notified by the carrier whether the provider has been credentialed and of the effective date of any credentials. If a claim is submitted prior to the date credentials are granted, the carrier may process that claim in the same manner as a claim submitted by a provider that has not been credentialed.

See title page for effective date.

CHAPTER 85

S.P. 125 - L.D. 310

An Act To Prevent Organized Retail Crime

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

Sec. 1. 17 MRSA §3521, as amended by PL 2005, c. 199, §2, is repealed and the following enacted in its place:

§3521. Detention of certain persons suspected of stealing

1. Suspected stealing from a store. A store owner, manager or supervisor, or that person's designee, may detain on the premises in a reasonable manner and for a period of time not to exceed 1/2 hour any person as to whom there is probable cause to believe is unlawfully concealing merchandise or is committing theft of merchandise. The permitted purposes of detention are to require the person being detained to provide identification, to verify the identification, to inform a law enforcement officer of the detention and to surrender that person to the officer, to take possession of and hold stolen merchandise pending arrival of law enforcement and, when the detained person is a minor, to inform a law enforcement officer or a parent or guardian of the minor of the detention and to surrender the minor to the person so informed.

2. Suspected stealing from a motion picture theater. A motion picture theater owner, manager or supervisor, or that person's designee, may detain on the premises in a reasonable manner and for a period of time not to exceed 1/2 hour any person as to whom there is probable cause to believe is unlawfully operating an audiovisual or audio recording function of any device in the motion picture theater while a motion picture is being exhibited. The permitted purposes of detention are to require the person being detained to provide identification, to verify the identification, to inform a law enforcement officer of the detention and to surrender that person to the officer, to take possession of and hold recordings and related equipment pending arrival of law enforcement and, when the de-

tained person is a minor, to inform a law enforcement officer or a parent or guardian of the minor of the detention and to surrender the minor to the person so informed.

Sec. 2. 17-A MRSA §363 is enacted to read:

§363. Organized retail theft

1. A person is guilty of organized retail theft if the person commits 2 or more thefts of retail merchandise under this chapter, either as a principal or an accomplice, pursuant to a scheme or course of conduct engaged in by 2 or more persons involving thefts from 2 or more retail stores for the purpose of selling the stolen merchandise or conducting fraudulent returns of the stolen merchandise. Violation of this section is a Class C crime.

See title page for effective date.

CHAPTER 86

S.P. 147 - L.D. 379

**An Act To Create the Sex
Offender Management and
Risk Assessment Advisory
Commission**

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

Sec. 1. 5 MRSA §12004-I, sub-§4-C is enacted to read:

4-C.

Corrections	Sex Offender Management and Risk Assessment Advisory Commission	Not Authorized	34-A MRSA §11401

Sec. 2. 5 MRSA §12004-I, sub-§74-G, as enacted by PL 2011, c. 663, §1, is repealed.

Sec. 3. 17-A MRSA c. 57, as amended, is repealed.

Sec. 4. 34-A MRSA c. 19 is enacted to read:

CHAPTER 19

**SEX OFFENDER MANAGEMENT AND RISK
ASSESSMENT ADVISORY COMMISSION**

§11401. Establishment

The Sex Offender Management and Risk Assessment Advisory Commission, referred to in this chapter as "the commission," established by Title 5, section 12004-I, subsection 4-C, is created for the purpose of making recommendations pertaining to sex offender

management and risk assessment. For purposes of this chapter, "sex offender" has the same meaning as "offender" in section 11273, subsection 10. For purposes of this chapter, "registrant" has the same meaning as in section 11273, subsection 11.

§11402. Membership; terms; vacancies

1. Composition; qualifications. The commission is composed of 7 members, appointed by the Attorney General. The members may be qualified by reason of their expertise in sex offender matters, including but not limited to risk assessment methods, corrections, sex offender law and the prosecution or defense of sex offender crimes.

2. Terms. Members of the commission serve for a term of 2 years and may be reappointed. Members continue to serve until their replacements are designated.

3. Vacancy. In the event of the death or resignation of a member, the Attorney General shall appoint a member to complete the unexpired term.

§11403. Duties; powers

1. Consultation. The commission shall consult with experts in the field of sex offender matters, including but not limited to state or federal agencies, courts, correctional facilities, organizations whose affairs pertain to sex offender matters and other interested parties as the commission determines necessary.

2. Recommendations. The commission may study and make policy recommendations regarding sex offender risk assessment and management to agencies of the executive branch, the judicial branch and the Legislature or to any other entity the commission determines appropriate.

3. Review laws; legislation. The commission shall examine the sex offender registration and notification laws and any other state laws pertaining to sex offender risk assessment and management and may submit to the Legislature, at the start of each legislative session, such changes to those laws as the commission determines appropriate.

4. Funding. The commission may accept funds from the Federal Government, from a political subdivision of the State or from an individual, foundation or corporation and may expend these funds for purposes that are consistent with this section.

§11404. Organization; meetings

The Attorney General shall notify all members of the commission of the time and place of the first meeting of the commission. At that meeting, the commission shall elect a chair, vice-chair and secretary-treasurer and adopt provisions regarding the administration of the commission and its affairs. The commission may meet as frequently as the commission determines necessary.

§11405. Expenses

Members of the commission may not be compensated for expenses incurred or related to the activities of the commission.

Sec. 5. Transition. The Sex Offender Management and Risk Assessment Advisory Commission created pursuant to this Act is the successor to the Sex Offender Risk Assessment Advisory Commission established pursuant to the Maine Revised Statutes, Title 5, section 12004-I, former subsection 74-G and set out in Title 17-A, former chapter 57, and members of the Sex Offender Risk Assessment Advisory Commission on the effective date of this Act continue as members of the Sex Offender Management and Risk Assessment Advisory Commission until the expiration of their terms pursuant to Title 17-A, former section 1402.

See title page for effective date.

CHAPTER 87**S.P. 173 - L.D. 444**

**An Act To Allow a Motor
Vehicle Excise Tax Credit for a
Vehicle No Longer in Use**

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

Sec. 1. 36 MRSA §1482, sub-§5, as amended by PL 2011, c. 240, §13, is further amended to read:

5. Credits. An owner or lessee who has paid the excise or property tax for a vehicle ~~the ownership or registration of which is transferred, or that is subsequently totally lost by fire, theft or accident or totally junked or abandoned, in the same registration year,~~ is entitled to a credit up to the maximum amount of the tax previously paid in that registration year for any one vehicle toward the tax for any number of vehicles, regardless of the number of transfers that may be required of the owner or lessee in that registration year. The credit is available only if the vehicle's ownership is transferred, the vehicle is totally lost by fire, theft or accident, the vehicle is totally junked or abandoned, the use of the vehicle is totally discontinued or, in the case of a leased vehicle, the registration is transferred.

A. The credit must be given in any place in which the excise tax is payable.

B. For each transfer made in the same registration year, the owner shall pay \$3 to the place in which the excise tax is payable.

C. During the last 4 months of the registration year, the credit may not exceed 1/2 of the maximum amount of the tax previously paid in that registration year for any one vehicle.

D. If the credit available under this subsection exceeds the amount transferred to another vehicle, a municipality may choose, but is not required to refund the excess amount. If a municipality chooses to refund excess amounts it must do so in all instances where there is an excess amount.

E. For the purposes of this subsection, "owner" includes the surviving spouse of the owner.

G. For the purposes of this subsection, "totally discontinued" means that the owner has permanently discontinued all use of the vehicle except for selling, transferring ownership of, junking or abandoning that vehicle. The owner of the vehicle must provide a signed statement attesting that use of the vehicle from which the credit is being transferred is totally discontinued. If the owner who has totally discontinued use of a vehicle later seeks to register that vehicle, no excise tax credits may be applied with respect to the registration of that vehicle or any subsequent transfer of that vehicle's registration.

See title page for effective date.

CHAPTER 88**S.P. 188 - L.D. 520**

**An Act To Amend the
Requirement for a Certificate
of Title for Junk and Scrap
Automobiles and Vehicles**

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

Whereas, properly disposing of automobiles that have reached the end of their useful lives is in the best interest of Maine's environment and aesthetics; and

Whereas, the inconsistency between Maine and neighboring jurisdictions in the certificate of title requirements for automobiles destined for junk and scrap metal disposal has caused a loss of employment and income to Maine residents and income tax revenue to the State; and

Whereas, to reduce the loss of employment, income and revenue, it is imperative that this legislation take effect as soon as possible; and

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

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

Sec. 1. 29-A MRSA §652, sub-§16, as amended by PL 2009, c. 598, §27, is further amended to read:

16. Low-speed vehicle. A low-speed vehicle loaned by a dealer to a municipality; ~~and~~

Sec. 2. 29-A MRSA §652, sub-§17, as enacted by PL 2009, c. 598, §28, is amended to read:

17. Off-road vehicle. An off-road vehicle; ~~and~~

Sec. 3. 29-A MRSA §652, sub-§18 is enacted to read:

18. Vehicle model year 1995 to 1999. A vehicle that is model year 1995, 1996, 1997, 1998 or 1999 if:

A. A recycler, salvage vehicle dealer or scrap processor obtains the seller's name and the address of the seller's residence from a government-issued photograph identification document or credential and maintains the seller's name and address and vehicle identification number of the scrapped vehicle for a period of at least one year; and

B. A recycler, salvage vehicle dealer or scrap processor reports the destruction of the vehicle to the Secretary of State within 30 days in a manner prescribed by the Secretary of State.

This subsection applies only to vehicles that are scrapped. For purposes of this subsection, a government-issued photograph identification document or credential includes, but is not limited to, a current and valid United States passport, military identification, driver's license or nondriver identification card.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect July 1, 2015.

Effective July 1, 2015.

CHAPTER 89

S.P. 198 - L.D. 529

**An Act To Amend the Law
Concerning Motor Vehicles at
Railroad Crossings**

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

Sec. 1. 29-A MRSA §2076, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Warning devices. ~~When a crossing is protected by gates that are lowered or being lowered, or a~~

~~flagger or automatic signal is indicating that a train is approaching, an operator shall bring a vehicle to a full stop at a distance of not less than 10 feet from the nearest rail of the crossing. An operator of a motor vehicle approaching a railroad crossing shall do so in a manner so that the operator will be able to stop if necessary. The operator shall stop the vehicle not less than 15 feet and not more than 50 feet from the nearest rail of the railroad track and may not proceed if:~~

A. A clearly visible electric or mechanical signal device warns of the approach of a train;

B. A crossing gate is lowered or a flagger gives or continues to give a signal or warning of the approach or passage of a train;

C. A train is visible and is in hazardous proximity to the crossing; or

D. A sign, device or law requires the vehicle to stop.

A vehicle may proceed across the track when the gates have been raised, the flagger indicates that no train is approaching, or, if there is an ~~automatic electric or mechanical~~ signal device, the operator has ascertained that no train is approaching. An operator proceeding by an ~~automatic electric or mechanical~~ signal device shall use extra caution.

See title page for effective date.

CHAPTER 90

H.P. 214 - L.D. 320

**An Act Regarding the
Tracking of Wounded Animals
with a Leashed Dog**

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

Sec. 1. 12 MRSA §11109, sub-§3, ¶N, as amended by PL 2005, c. 12, Pt. III, §4, is repealed.

Sec. 2. 12 MRSA §11111, as enacted by PL 2003, c. 655, Pt. B, §117 and affected by §422, is repealed and the following enacted in its place:

§11111. Tracking wounded animals with a leashed dog

1. Permit required. Except as provided in section 12862 or otherwise authorized pursuant to this Part, a person may not use a leashed dog to track a wounded animal without a valid permit issued pursuant to this section. For purposes of this section, "wounded animal" means a lawfully wounded bear, deer or moose.

2. Eligibility; license fee. A person who holds a valid big game hunting license may obtain from the

commissioner a permit to use a leashed dog to track a wounded animal. The fee for a 3-year permit to use a leashed dog to track a wounded animal is \$81.

3. Dog tracking services. A person who holds a valid permit issued pursuant to this section may charge a fee for dog tracking services. Notwithstanding section 10001, subsection 28, a person is not a guide if the only services that person charges a fee for are dog tracking services pursuant to this subsection.

4. Penalties. Each day a person violates subsection 1, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable permit fee must be imposed.

5. Tracking a wounded animal after legal hunting hours. Notwithstanding sections 11205 and 11206, a person who holds a valid permit issued pursuant to this section may use a leashed dog to track a wounded animal outside of legal hunting hours.

6. Rules. The commissioner may adopt rules to implement the provisions of this section, which may include, but are not limited to, training requirements, the type and number of dogs used, leash requirements and the time and manner in which a wounded animal may be tracked and dispatched. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 12 MRSA §11214, sub-§1, ¶¶K to M, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, are amended to read:

K. Use a dog to hunt deer or moose, except as provided in section ~~11109, subsection 3, paragraph N~~ 11111 or 12862;

L. Use an artificial light, snare, trap or set gun to hunt deer or moose. This paragraph does not affect or restrict the legitimate possession and sale of flashlights or the lawful use of an artificial light to aid in the tracking of a wounded animal pursuant to section 11111 or 12862;

M. Use artificial lights between 1/2 hour after sunset and 1/2 hour before sunrise the next day to illuminate, jack, locate, attempt to locate or show up wild animals or wild birds from September 1st to December 15th of each calendar year. This paragraph does not affect chapter 921, or any rule issued in accordance with section 10104, subsection 1 or the lawful use of an artificial light to aid in the tracking of a wounded animal pursuant to section 11111 or 12862;

Sec. 4. 12 MRSA §11225, as enacted by PL 2007, c. 168, §6, is repealed.

Sec. 5. 12 MRSA §12862 is enacted to read:

§12862. Retrieval of wounded or killed bear, deer or moose after hours

Notwithstanding sections 11205, 11206 and 11111, the commissioner may authorize a person licensed to guide hunters under section 12853 whose client during a guided hunt wounds or kills a bear, deer or moose to track and dispatch that animal outside of legal hunting hours. A licensed guide authorized to track a wounded animal pursuant to this section may use one leashed dog for tracking purposes. The commissioner may place conditions and restrictions on tracking activities conducted pursuant to this section to ensure its proper administration and the humane treatment of a wounded animal.

See title page for effective date.

CHAPTER 91

H.P. 396 - L.D. 572

**An Act To Ensure Appropriate
Health Insurance Coverage for
Prescription Eye Drops**

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

Sec. 1. 24-A MRSA §4314-A is enacted to read:

§4314-A. Coverage for early refills of prescription eye drops

1. Required coverage. A carrier offering a health plan in this State shall provide coverage for one early refill of a prescription for eye drops if the following criteria are met:

A. The enrollee requests the refill no earlier than the date on which 70% of the days of use authorized by the prescribing health care provider have elapsed;

B. The prescribing health care provider indicated on the original prescription that a specific number of refills are authorized;

C. The refill requested by the enrollee does not exceed the number of refills indicated on the original prescription;

D. The prescription has not been refilled more than once during the period authorized by the prescribing health care provider prior to the request for an early refill; and

E. The prescription eye drops are a covered benefit under the enrollee's health plan.

2. Cost sharing. A carrier may impose a deductible, copayment or coinsurance requirement for an

early refill under this section as permitted under the health plan.

Sec. 2. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2016. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 92

S.P. 222 - L.D. 629

An Act Regarding Community Paramedicine Pilot Projects

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

Whereas, current law provides that a community paramedicine pilot project may not exceed 3 years in duration; and

Whereas, approval granted by the Emergency Medical Services' Board for the first community paramedicine pilot project may expire prior to enactment of this law unless it is enacted on an emergency basis; and

Whereas, community paramedicine pilot projects have proven to be of value to their communities, and continuation is in the public interest; and

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

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

Sec. 1. 32 MRSA §84, sub-§4, as enacted by PL 2011, c. 562, §1, is amended to read:

4. Establishment of community paramedicine pilot projects. Using the same process established by the board in rule for using pilot projects to evaluate the workability and appropriateness of incorporating a particular emergency medical treatment technique or a type of equipment into any licensure level, the board may establish up to 12 pilot projects for the purpose of developing and evaluating a community paramedicine program. ~~A pilot project established pursuant to this subsection may not exceed 3 years in duration.~~

As used in this subsection, "community paramedicine" means the practice by an emergency medical services provider primarily in an out-of-hospital setting of providing episodic patient evaluation, advice and treatment directed at preventing or improving a particular medical condition, within the scope of practice of the emergency medical services provider as specifically requested or directed by a physician.

The board shall establish the requirements and application and approval process of pilot projects established pursuant to this subsection. At a minimum, an emergency medical services provider, including, but not limited to, an ambulance service or nontransporting emergency medical service, that conducts a pilot project shall work with an identified primary care medical director, have an emergency medical services medical director and collect and submit data and written reports to the board, in accordance with requirements established by the board.

On or before January 30th of each year, the board shall submit a written report to the joint standing committees of the Legislature having jurisdiction over criminal justice and public safety matters and labor, commerce, research and economic development matters that summarizes the work and progress during the previous calendar year of each pilot project authorized pursuant to this subsection.

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

Effective May 19, 2015.

CHAPTER 93

S.P. 284 - L.D. 810

An Act To Allow the Synchronization of Prescriptions

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

Sec. 1. 24-A MRSA §2769 is enacted to read:

§2769. Prescription synchronization

1. Synchronization. If a health plan provides coverage for prescription drugs, a carrier:

A. Shall permit and apply a prorated daily cost-sharing rate to a prescription that is dispensed by a pharmacist in the carrier's network for less than a 30-day supply if the prescriber or pharmacist determines that filling or refilling the prescription for less than a 30-day supply is in the best interest of the patient and the patient requests or agrees to less than a 30-day supply in order to synchronize

the refilling of that prescription with the patient's other prescriptions;

B. May not deny coverage for the dispensing of a medication prescribed for the treatment of a chronic illness that is made in accordance with a plan developed by the carrier, the insured, the prescriber and a pharmacist to synchronize the filling or refilling of multiple prescriptions for the insured. The carrier shall allow a pharmacy to override any denial codes indicating that a prescription is being refilled too soon in order to synchronize the patient's prescriptions; and

C. May not use payment structures incorporating prorated dispensing fees. Dispensing fees for partially filled or refilled prescriptions must be paid in full for each prescription dispensed, regardless of any prorated copay for the insured or fee paid for alignment services.

2. Application; exclusion. The requirements of this section do not apply to a prescription for:

A. Solid oral doses of antibiotics; or

B. Solid oral doses that are dispensed in their original container as indicated in the federal Food and Drug Administration Prescribing Information or are customarily dispensed in their original packaging to assist a patient with compliance.

Sec. 2. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2016. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 94

H.P. 636 - L.D. 916

An Act To Establish a Private Support Organization for the Maine Commission for Community Service

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

Sec. 1. 5 MRSA §7505 is enacted to read:

§7505. Private support organization

1. Designation of private support organization. The executive director of the commission, with the consent of the voting members of the commission, shall designate a nonprofit corporation as the private support organization for the commission. The non-

profit corporation must be incorporated under the laws of this State and for purposes that are consistent with the goals, objectives, programs, responsibilities and functions of the commission.

The commission's private support organization must be organized and operated exclusively to receive, hold, invest and administer property and funds and to make expenditures to and for the benefit of the commission.

2. Board of directors. A member of the private support organization's board of directors may not also be a member of the commission. The executive director of the commission, or the executive director's designee, shall serve as a nonvoting ex-officio member of the private support organization's board of directors.

3. Scope of work. The private support organization shall operate under a memorandum of understanding negotiated annually by the commission that outlines a plan of work consistent with the purposes and goals of the commission and shall submit an annual budget for review and approval by the commission by June 1st.

The memorandum of understanding must further stipulate the reversion to the commission, or to the State if the commission ceases to exist, of money and property held in trust by the private support organization if the private support organization is no longer designated by the commission pursuant to subsection 1.

4. Use of property. The commission may authorize the private support organization to use the commission's facilities, equipment and other property, except money, in keeping with the purposes of the private support organization.

See title page for effective date.

CHAPTER 95

S.P. 141 - L.D. 373

An Act To Allow a Moose Permit To Be Transferred to a Family Member

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

Sec. 1. 12 MRSA §11154, sub-§15 is enacted to read:

15. Moose permit transfer; family members. The commissioner, in cases involving exceptional extenuating circumstances as determined by the commissioner, may authorize a person who holds a valid moose permit to transfer that permit to a family member who meets the eligibility and permit requirements

under this section and who is not otherwise prohibited from holding the moose permit. A transferor and a transferee are subject to the elimination of any accumulated points under subsection 8 and the 3-year ineligibility period under subsection 5. For purposes of this subsection, "family member" means the transferor's spouse, child, stepchild, grandchild, parent, grandparent, stepparent, brother, sister, half-sister, half-brother or adopted child.

The commissioner shall adopt rules to implement this subsection and may establish a transfer fee to recover administrative costs associated with transferring moose permits. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 96

H.P. 355 - L.D. 516

An Act Regarding Gaming

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

Whereas, the laws governing the Maine State Lottery are vague with regard to the authority of the State Liquor and Lottery Commission to conduct certain games of chance; and

Whereas, the Legislature should have the opportunity to provide input if the commission intends to offer games of chance to the public in a manner substantially different from the way lottery tickets and shares are currently sold to the public; and

Whereas, information has been presented that indicates the commission intends, within the next 6 months, to offer games of chance in a manner substantially different from the way lottery tickets and shares are currently sold; and

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

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

Sec. 1. 8 MRSA §374, first ¶, as enacted by PL 1987, c. 505, §2, is amended to read:

The commission shall meet with the director, not less than once each month, to ~~promulgate~~ **adopt** and amend rules, subject to the approval of the commissioner, relating to the lotteries; to make recommenda-

tions and set policy for state lotteries and to transact other business that may be properly brought before the commission. A lottery under this section may include, but is not limited to, a draw game in which the prize paid to a winning player is calculated as a share of the prize pool. A lottery may not include a draw game that has more than 5 daily drawings and that pays a player a set prize amount based on the wager made by the player and in which the operator keeps all losing wagers, as with the draw game commonly known as keno. Rules adopted by the commission shall must be adopted in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375.

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

Effective May 20, 2015.

CHAPTER 97

H.P. 53 - L.D. 59

An Act To Protect Students' Rights and Privacy Regarding Their School Records

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

Sec. 1. 20-A MRSA §6001, sub-§1, as amended by PL 2003, c. 181, §3, is further amended to read:

1. Federal and state law. The provisions of this section, the United States Family Educational Rights and Privacy Act of 1974, Public Law 93-380, as amended by Public Law 93-568, and the ~~United States Education of All Handicapped Children Act, Public Law 94-142~~ federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., as amended, govern the dissemination of education records and personally identifiable information about students in public schools, private schools approved by the department pursuant to chapter 117 and private schools recognized by the department as providing equivalent instruction pursuant to section 5001-A, subsection 3, paragraph A, subparagraph (1), division (b), as well as written notices of intent to provide equivalent instruction through home instruction and all education records of students receiving equivalent instruction through home instruction.

Sec. 2. Penalty. Not later than January 15, 2016, the Commissioner of Education shall report back to the Joint Standing Committee on Education and Cultural Affairs with recommendations for an appropriate penalty for a violation of the Maine Revised Statutes, Title 20-A, section 6001, subsection 1, including any necessary implementing legislation.

The Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 127th Legislature to implement a penalty for a violation of Title 20-A, section 6001, subsection 1.

See title page for effective date.

CHAPTER 98

H.P. 353 - L.D. 514

An Act To Amend the Laws Governing the Location of Motor Vehicle Excise Tax Collection for Motor Vehicles Owned by Public Utilities

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

Sec. 1. 36 MRSA §1484, sub-§3, ¶C, as amended by PL 2007, c. 627, §33, is repealed and the following enacted in its place:

C. The excise tax on a motor vehicle owned by a corporation or a partnership must be paid to the place in which the owner's registered or main office is located, except that if the owner has an additional permanent place of business where motor vehicles are customarily kept, the tax on these vehicles must be paid to the place where that permanent place of business is located. The temporary location of an office and the stationing of vehicles in connection with a construction project of less than 24 months' duration are not considered to constitute a permanent place of business. If the owner is a foreign corporation or partnership not maintaining a place of business within the State, the excise tax must be paid to the Secretary of State.

Within 3 years from the date of an excise tax levy under the authority of this paragraph, a municipality, county or motor vehicle owner that feels the excise tax has been improperly levied may request a determination of this question by the State Tax Assessor. The State Tax Assessor's determination is limited to the same 3-year period and is binding on all of the parties. Any of the parties may seek review of the determination in accordance with the Maine Rules of Civil Procedure, Rule 80-C. Within 30 days after receipt of notice of a determination made by the State Tax Assessor under this paragraph, a municipality or county that has incorrectly accepted excise tax money must pay the money, together with interest at the maximum rate established by the Treasurer of State pursuant to section 505, to the municipality or county identified in the determination as the proper place of payment.

Sec. 2. Effective date. This Act takes effect January 1, 2017.

Effective January 1, 2017.

CHAPTER 99

H.P. 134 - L.D. 176

An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda

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

Whereas, the integrity of the process for collecting signatures of direct initiative and people's veto referenda is paramount to the implementation of this form of direct democracy; and

Whereas, the collection of signatures for new direct initiatives and potential people's veto referenda may occur before the 90-day period has expired; and

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

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

Sec. 1. 21-A MRSA §903-A, first ¶, as enacted by PL 1989, c. 92, §1, is amended to read:

Petitions issued under this chapter may be circulated by any Maine resident who is a registered voter acting as a circulator of a petition. A circulator of a petition solicits signatures for the petition by presenting the petition to the voter, asking the voter to sign the petition and personally witnessing the voter affixing the voter's signature to the petition. The circulator of the petition must comply with the provisions of section 902.

Sec. 2. 21-A MRSA §903-C, sub-§1, as enacted by PL 2009, c. 611, §4, is amended to read:

1. Registration. Prior to organizing, supervising or managing the circulation of petitions for a direct initiative of legislation or a people's veto referendum, a petition organization, in addition to meeting any other requirement to transact business in this State, shall register with the Secretary of State on a form prescribed by the Secretary of State. The registration form must include the following:

A. The ballot question or title of each direct initiative of legislation or people's veto referendum for which the petition organization will receive compensation;

B. Contact information for the petition organization, including the name of the petition organization, street address or post office box, telephone number and e-mail address; ~~and~~

C. The name and signature of a designated agent for the petition organization; ~~and~~

D. A list containing the names of all individuals hired by the petition organization to assist in circulating petitions or in organizing, supervising or managing the circulation. The list must be updated and resubmitted to the Secretary of State when the petitions are filed pursuant to the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

The information contained in the registration form must be made available for public inspection and must be posted on the publicly accessible website of the Secretary of State.

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

Effective May 24, 2015.

CHAPTER 100

H.P. 283 - L.D. 416

An Act To Provide for Direct Appeals under the Maine Juvenile Code to the Supreme Judicial Court

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

Sec. 1. 15 MRSA §1, sub-§2, ¶D, as enacted by PL 1999, c. 731, Pt. ZZZ, §9 and affected by §42, is repealed.

Sec. 2. 15 MRSA §3401, sub-§1, as repealed and replaced by PL 1979, c. 512, §8, is amended to read:

1. Structure. Except as otherwise provided, appeals from the juvenile court ~~shall be~~ are to the ~~Superior~~ Supreme Judicial Court ~~and appeals from the Superior Court shall be to the Law Court.~~

Sec. 3. 15 MRSA §3402, as amended by PL 2013, c. 234, §11, is further amended to read:

§3402. Appeals to Supreme Judicial Court

1. Matters for appeal. Appeals of the following matters may be taken from the juvenile court to the

~~Superior~~ Supreme Judicial Court by a party specified in subsection 2:

A. An adjudication, ~~provided that no~~ as long as the appeal shall be ~~is~~ taken ~~until~~ after an order of disposition;

B. An order of disposition, or of any subsequent order modifying disposition, for an abuse of discretion; and

D. A detention order entered pursuant to section 3203-A, subsection 5 or any refusal to alter a detention order upon petition of the juvenile pursuant to section 3203-A, subsection 11, for abuse of discretion, provided that the appeal must be handled expeditiously.

2. Who may appeal. An appeal may be taken by the following parties:

A. The juvenile; or

B. The juvenile's parents, guardian or legal custodian on behalf of the juvenile, if the juvenile is not emancipated and the juvenile does not wish to appeal.

2-A. Appeal from a bind-over order of the juvenile court. A bind-over order of the juvenile court by a party specified in subsection 2 may be reviewed only by the Supreme Judicial Court pursuant to an appeal of a judgment of conviction following bind-over.

3. Appeals by the State. The State may appeal from a decision or order of the juvenile court to the Supreme Judicial Court to the same extent and in the same manner as in criminal cases under section 2115-A. The State may appeal from the juvenile court to the ~~Superior~~ Supreme Judicial Court for the failure of the juvenile court to order a bind-over.

4. Stays and releases. On an appeal pursuant to subsection 1, paragraphs A and B, the ~~Superior~~ Supreme Judicial Court shall consider a stay of execution and release pending the appeal.

5. Time for appeals. An appeal from the juvenile court to the ~~Superior~~ Supreme Judicial Court must be taken within ~~7~~ 21 days after the entry of an order of disposition or other appealed order or such further time as the Supreme Judicial Court may provide pursuant to a rule of court.

Sec. 4. 15 MRSA §3403, as repealed and replaced by PL 1979, c. 512, §10, is amended to read:

§3403. Rules for appeals

Procedure for appeals from the juvenile court to the ~~Superior~~ Supreme Judicial Court, including provision for a record, subject to section 3405, ~~shall be~~ is as provided by rule ~~promulgated~~ adopted by the Supreme Judicial Court.

Sec. 5. 15 MRSA §3405, as amended by PL 1997, c. 645, §14, is further amended to read:

§3405. Scope of review on appeal; record

1. Scope of review. Review on all appeals from juvenile court to ~~Superior~~ the Supreme Judicial Court ~~shall be~~ is for errors of law or abuses of discretion. The ~~Superior~~ Supreme Judicial Court may affirm, reverse or modify any order of the ~~Juvenile Court~~ juvenile court or remand for further proceedings. The ~~Superior~~ Supreme Judicial Court ~~shall~~ may enter a new order of disposition if it finds that the ~~Juvenile Court's~~ juvenile court's disposition was an abuse of discretion.

2. Record on appeals. In appeals taken pursuant to section 3402, subsection 1, paragraphs A and B, review must be on the basis of the record of the proceedings in ~~Juvenile Court~~ juvenile court. In the interest of justice, the ~~Superior~~ Supreme Judicial Court may order that the record ~~must~~ consist of:

- A. The untranscribed sound recording of the proceedings; or
- B. An agreed or settled statement of facts with the consent of the parties.

3. Record on appeals of detention orders. In appeals taken pursuant to section 3402, subsection 1, paragraph D, the court shall order a review by the most expeditious of the following methods that is consistent with the interests of justice:

- A. The untranscribed sound recording of the detention hearing;
- B. Evidence presented to the ~~Superior Court~~ trial court, ~~provided as long as~~ the scope of review ~~shall be~~ is as specified in subsection 1;
- C. A transcribed record; or
- D. A record consisting of a statement of facts as described in subsection 2, paragraph B.

Sec. 6. 15 MRSA §3407, as amended by PL 1997, c. 645, §§15 and 16, is repealed.

See title page for effective date.

CHAPTER 101

S.P. 192 - L.D. 523

**An Act To Amend the Laws
Regarding the Sale of Liquor**

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

Sec. 1. 28-A MRSA §1070, as amended by PL 1997, c. 373, §§94 and 95, is further amended to read:

§1070. Civic auditoriums

1. Issuance of licenses. The bureau may issue licenses to civic auditoriums as defined in section 2, subsection 15, paragraph C under this section for the sale of spirits, wine and malt liquor to civic auditoriums as defined in section 2, subsection 15, paragraph G. The license may be issued to the owner of the civic auditorium, the operator of the civic auditorium or the entity providing alcoholic beverages to the public in the civic auditorium.

2. Events on licensed premises only. Licenses issued to civic auditoriums may be used only in conjunction with a function or event held on the licensed premises.

3. No sales during events for minors. Licensees may not sell spirits, wine or malt liquor during any school activities or events primarily attended by minors in the rooms where these activities are taking place.

4. ~~Licensee must notify bureau.~~ ~~The civic auditorium licensee shall give written notice to the bureau at least 24 hours before a function or event.~~

5. Bottle service of spirits; designated areas. A civic auditorium licensee may sell spirits in original containers for service in a civic auditorium club suite under the following conditions:

- A. Spirits to be consumed in the club suite are provided exclusively by the civic auditorium licensee;
- B. Spirits containers provided for consumption in the club suite must remain in the club suite for the duration of the event for which they were provided;
- C. The number of spirits containers provided for consumption in the club suite may not exceed 6; and
- D. The registered tenant of the club suite or individual specifically granted access to the club suite by the civic auditorium signs a contract with the civic auditorium agreeing that no person under 21 years of age will be provided or served alcoholic beverages in the club suite.

For purposes of this subsection, "club suite" means a designated area within a civic auditorium designed to provide premium viewing of an event in the auditorium and to which access is limited to registered tenants, invited guests and those who have been specifically granted access by the operator of the civic auditorium and is not accessible to the general public or civic auditorium patrons with tickets that provide for general admission to that event at the auditorium. A club suite must have a clearly designated point of access for the registered tenant or person specifically granted access by the operator of the civic auditorium

to ensure that persons present in the suite are limited to invited guests and employees providing services to the club suite.

Sec. 2. Bureau of Alcoholic Beverages and Lottery Operations to amend rule. No later than December 1, 2015, the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations shall amend its rules governing the presence of a person under 18 years of age when that person is providing entertainment as part of an entertainment performance group at a licensed premises where alcoholic beverages are sold or consumed. The rule must allow for a person under 18 years of age to be present at a Class A restaurant, club, civic auditorium or hotel function room when part of an entertainment performance group and may require that a person under 17 years of age when part of an entertainment performance group be supervised by a parent or legal guardian or by a responsible adult designated as a guardian.

See title page for effective date.

CHAPTER 102

H.P. 462 - L.D. 681

An Act To Increase the Effectiveness of the Legislature

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

Sec. 1. 3 MRSA §161, as amended by PL 1979, c. 127, §5, is repealed and the following enacted in its place:

§161. Legislative Council

1. Establishment; membership. The Legislative Council, consisting of 10 members, 5 of whom are members of the Senate and 5 of whom are members of the House of Representatives, is established. The members of the Legislative Council are:

- A. The President of the Senate;
- B. The Speaker of the House of Representatives; and
- C. The majority and minority leaders and assistant leaders of the 2 political parties with the greatest number of members in each body.

Only a person who holds an office specified in paragraph A, B or C may be a member of the Legislative Council and is a member only during the term of the Legislature in which that office is held. The Legislative Council shall elect a chair from within its own membership.

The Legislative Council shall exercise such powers and duties as may be delegated by law or by rule of the

Legislature. Any action by the Legislative Council requires the affirmative votes of a majority of the members.

The Legislative Council shall meet at least once monthly when the Legislature is not in session, unless the chair determines that a meeting is not necessary, and at such other times as the membership or the chair determines necessary.

Sec. 2. 3 MRSA §162, sub-§6, as amended by PL 1985, c. 501, Pt. B, §2, is further amended to read:

6. Appointment of directors and office directors. ~~To~~ By a vote of no fewer than 8 members present at a public meeting of the Legislative Council, to appoint an Executive Director of the Legislative Council, a State Law Librarian and such other office directors as the council deems considers necessary. Each director shall must be chosen without reference to party affiliations and solely on the grounds of fitness to perform the duties of his the office; each to be appointed for a term of 3 years from the date of his appointment. Reappointment shall be based on performance in the office and shall be considered in accordance with policies and procedures established by the Legislative Council. The Executive Director, the State Law Librarian and the office directors appointed pursuant to this subsection serve at the pleasure of the Legislative Council and may be removed from office only by a vote of no fewer than 8 members present at a public meeting of the Legislative Council;

Sec. 3. 3 MRSA §162, sub-§6-A, as corrected by RR 1997, c. 2, §4, is repealed.

Sec. 4. 3 MRSA §163, sub-§2, as amended by PL 1985, c. 501, Pt. B, §4, is further amended to read:

2. Supervision. ~~To assign~~ coordinate, direct and supervise oversee, subject to the control of the council ~~Legislative Council~~, the activities of the nonpartisan legislative staff offices and to direct and supervise the administrative functions of legislative staff offices in accordance with the policies and procedures established by the Legislative Council. The Executive Director ~~shall have no~~ does not have any supervisory authority with respect to any persons employed pursuant to chapter 1 or section 168 ~~of this title;~~

Sec. 5. 3 MRSA §163, sub-§2-A, as amended by PL 1985, c. 785, Pt. B, §4, is further amended to read:

2-A. Appointment of nonpartisan legislative staff. To appoint, upon recommendation of the appropriate office director and subject to the approval of the Legislative Council and in accordance with the policies and procedures established by the council, qualified persons to nonpartisan legislative staff positions based solely on their ability to perform their duties and without regard to party affiliation. The general duties and compensation of these positions shall must be

established under the direction of the council and in accordance with organizational and performance objectives established by the council. These nonpartisan legislative staff positions ~~shall be~~ are unclassified and not subject to the civil service law.

Sec. 6. 3 MRSA §163-A, as enacted by PL 1985, c. 501, Pt. B, §5 and amended by PL 1987, c. 816, Pt. KK, §2, is further amended to read:

§163-A. Nonpartisan legislative staff services

~~Legislative~~ Nonpartisan legislative staff shall provide the following services under the direction of the Executive Director:

1. Bill drafting. To furnish to the members of the Legislature the assistance of expert ~~draftsman~~ drafters qualified to aid the Legislature in the preparation of bills for introduction into the Legislature;

2. Revision. Upon request, to assist any agency appointed to revise the statutes of the State or any portion of the statutes and, at the direction of such agency, to consolidate, revise and clarify the statutes of the State;

2-A. Engrossing. To engross all bills passed by the Legislature;

3. Session laws. To prepare and index for printing as promptly as possible, after the adjournment of each session, the session laws, which compilation ~~shall include~~ includes all Acts and resolves ~~which that~~ the Legislature has adopted during the session and ~~which that~~ have received the approval of the Governor, when such approval is necessary, and any other material of a general nature that the Executive Director may determine;

4. Copy of public laws. After each session of the Legislature, to cause the public laws enacted at that session to be printed on good paper and in suitable type and to distribute the same within the State to all citizens making a request for those laws;

5. Pocket supplements. After each session of the Legislature, to cause to be published cumulative pocket supplements of the volumes of the Revised Statutes, and any replacement or recompiled volumes, which ~~shall~~ must contain an accurate transcription of all public laws, the material contained in the next preceding pocket supplement, complete and accurate annotations to the statutes, appendix and other material accumulated since the publication of the next preceding pocket supplement and a cumulative index of that material;

~~**6. Continuing revision.** After each session of the Legislature, to prepare a report inserting in their proper places in the Revised Statutes public laws enacted since the last revision of the statutes and, after each subsequent session of the Legislature, to prepare a report supplementing the report so that those reports~~

~~and supplements shall form the basis of the next revision of the statutes;~~

7. Committee assistance. To provide research, analysis and bill drafting assistance for joint standing or select committees, including, but not limited to, the ~~Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Audit and Program Review~~ joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and other legislative agencies;

8. Reports and legislation. To prepare narrative reports on matters referred to joint standing committees for review or study and prepare legislation to be introduced pursuant to those reports;

9. Research services. To provide a comprehensive research service for Legislators, legislative joint standing or select committees and commissions and the Legislative Council;

10. Collection of fiscal information. To collect and assemble factual information concerning the fiscal affairs of the State for the use of the ~~Joint Standing Committee on Appropriations and Financial Affairs of the Legislature~~ joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs in formulating its proposals for appropriations and to collect and assemble fiscal information concerning other revenue funds for the use of any joint standing committee in formulating proposals for allocation acts;

11. Appropriation requests. To examine all requests for appropriations made by the various agencies of State Government and attend any hearings necessary to obtain complete information;

12. Statement of cost. To prepare statements pertaining to the existence of cost or the amount of cost to municipalities or counties for implementing or complying with a proposed law. The statement of cost ~~shall be~~ is made within the limits of information provided to the office designated by the Legislative Council as having responsibility for financial analysis. The statements ~~shall~~ must be furnished to the appropriate committee for the information of its members and for inclusion in bills ~~which that~~ receive an ought to pass report when reported by the committee. A statement ~~shall~~ is not be necessary for any bill ~~which that~~ has no cost to municipalities or counties; and

13. Other duties. To undertake such other duties as are assigned by the Executive Director.

Sec. 7. 5 MRSA §21, sub-§2, as amended by PL 1985, c. 737, Pt. B, §5, is further amended to read:

2. Nonpartisan staff. "Nonpartisan staff" means the directors and staffs of the Office of Policy and Legal Analysis, the Office of Fiscal and Program Review, the Office of the Revisor of Statutes, the Legislative Information Office, the Law and Legislative

Reference Library, the Office of Program Evaluation and Government Accountability, the Office of Legislative Information Technology and the Office of the Executive Director of the Legislative Council.

Sec. 8. 5 MRSA §1817, as amended by PL 1985, c. 737, Pt. B, §11, is further amended to read:

§1817. Printing of laws

When the Revisor of Statutes ~~shall have~~ has prepared material for a revision of the ~~entire~~ statutes ~~or for a volume containing the laws passed at a session of the Legislature with accompanying material of the State, he~~ the revisor shall deliver the ~~same~~ revision prepared for printing to the State Purchasing Agent, who shall contract for the printing, binding and delivery to the State of a sufficient number of volumes to meet the needs of the State and for sale as provided.

Sec. 9. 5 MRSA §4594-D, sub-§11, as enacted by PL 1989, c. 795, is repealed.

Sec. 10. 5 MRSA §12023, as enacted by PL 2011, c. 616, Pt. A, §1, is amended to read:

§12023. Reports to the Legislature

1. Adoption and implementation. By February 1, 2013, a governing body shall submit a report to the Legislature on the adoption and implementation status of written policies and procedures required by section 12022 and describing the measures the governing body intends to use to monitor compliance with those policies and procedures. The report must be submitted to the Executive Director of the Legislative Council in a manner established by the executive director, who shall ~~refer~~ forward it to the appropriate joint standing committee or committees of the Legislature for review.

2. Ongoing reports. By February 1, 2014, and annually thereafter, a governing body shall submit a report to the Legislature containing the following information:

A. A list of all procurements exceeding \$10,000 in the preceding year for which competitive procurement was waived under the policies adopted pursuant to section 12022, subsection 3, including procurements exceeding \$10,000 that were made under contracts previously entered into for which competitive procurement was not required. The list must include the names of the vendors and costs associated with those procurements;

B. A list of all persons to which the entity made contributions greater than \$1,000 in the preceding year and the total amount contributed to each; and

C. A description of changes made in the preceding year to the written policies and procedures required by section 12022 or to the procedures used by the governing body to monitor compliance with those policies and procedures.

For the purpose of this subsection, "the preceding year" means either the most recent January 1st to December 31st budget cycle or the most recent July 1st to June 30th budget cycle, depending on the fiscal year that the entity uses.

Reports to the Legislature required by this subsection must be submitted to the Clerk of the House, the Secretary of the Senate and the Executive Director of the Legislative Council in a manner determined by the Executive Director of the Legislative Council. The Executive Director of the Legislative Council shall ~~refer~~ forward each report to the appropriate joint standing committee or committees of the Legislature.

Sec. 11. Transition. Notwithstanding the Maine Revised Statutes, Title 3, section 162, subsection 6, this Part may not be construed to affect the term of a person appointed to a 3-year term as the Executive Director of the Legislative Council, the State Law Librarian or a director of a nonpartisan staff office before October 1, 2015.

See title page for effective date.

CHAPTER 103

H.P. 597 - L.D. 878

An Act To Support College Affordability in Maine

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

Sec. 1. 20-A MRSA §11459, sub-§§1-A, 1-B and 3-A are enacted to read:

1-A. Consolidation loan. "Consolidation loan" means a loan under this chapter to or for the benefit of an individual made for the purpose of refinancing education loans that, when made, were made to or for the benefit of a student then enrolled in an eligible program of study at an institution of higher education that meets the other requirements of this chapter.

1-B. Education loan. "Education loan" means a loan made by the Federal Government under the federal Higher Education Act of 1965, 20 United States Code, Chapter 28, Title IV, Part B, as amended, or a loan made by a regulated financial institution for the express purpose of financing the costs of higher education under a program designed solely for such purposes.

3-A. Student loan. "Student loan" means a loan under this chapter to or for the benefit of a student enrolled or to be enrolled in an eligible program of study at an institution of higher education that meets the other requirements of this chapter.

Sec. 2. 20-A MRSA §11460, as amended by PL 2013, c. 34, §5, is further amended to read:

§11460. Eligibility

Loans made or insured under this chapter must be either student loans or consolidation loans. Loans made or insured under this chapter are available only to or for the benefit of a resident of the State or an individual attending an institution of higher education in the State who:

1. Graduated. ~~Has~~ For a student loan, has graduated from an approved secondary school, matriculated at a postsecondary school prior to high school graduation or successfully completed a high school equivalency diploma or its equivalent;

2. Accepted. ~~Has~~ For a student loan, has been accepted for enrollment as an undergraduate or graduate student or is in good standing as an undergraduate or graduate student at an institution of higher education in an eligible program of study;

3. Application. Has applied for a loan under the program and has provided or caused to be provided all information determined necessary by the authority in order to determine eligibility;

4. Unmet need. ~~Has~~ For a student loan, has been determined by the authority to have an unmet need for financial assistance that, if not met, will prevent the student from attending the institution of higher education of that student's choice;

5. Residency. Meets the state residency or, ~~for a student loan,~~ school attendance requirements that may be established by the authority by rule;

6. Loan repayment. Has been determined by the authority to have a reasonable prospect of being able to repay the loan. In appropriate cases, the authority may allow repayments to be deferred and subordinated to repayment of other student loans for such period of time as may be necessary for the borrower to be able to afford to repay the loan; and

7. Minimum academic progress. ~~Is~~ For a student loan, is making satisfactory academic progress in accordance with the standards of that institution of higher education.

See title page for effective date.

CHAPTER 104

H.P. 97 - L.D. 139

**An Act To Allow the Electronic
Transfer of Marriage
Certificates**

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

Sec. 1. 22 MRSA §2702-B is enacted to read:

**§2702-B. Electronic transmittal of marriage
certificates**

The municipal clerk that issued a marriage license pursuant to Title 19-A, section 652, subsection 1 and the clerk of the municipality where the marriage occurred may issue certified copies of the marriage certificate electronically using the statewide system for the registration of vital statistics described under section 2701.

See title page for effective date.

CHAPTER 105

H.P. 21 - L.D. 22

**An Act Regarding the Removal
of Moorings and Floating
Docks in Great Ponds During
Ice-in Conditions**

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

Sec. 1. 38 MRSA §3, as amended by PL 2003, c. 660, Pt. A, §23, is further amended by adding at the end a new paragraph to read:

A harbor master, a code enforcement officer or, in the case of a great pond located in an unorganized territory, a board of county commissioners of the county in which the unorganized territory is located may direct the master or owner of a boat or vessel to remove that person's mooring or floating dock from a great pond if the harbor master, code enforcement officer or the board of county commissioners determines that leaving the mooring or floating dock in during ice-in conditions would create a public safety hazard.

See title page for effective date.

CHAPTER 106

S.P. 228 - L.D. 635

**An Act To Allow B.Y.O.B.
Function Permit Holders To
Hold Multiple Events at the
Same Location**

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

Sec. 1. 28-A MRSA §163, sub-§1, as amended by PL 1997, c. 373, §36, is further amended to read:

1. Permit required. A person may not hold a B.Y.O.B. function unless a permit is obtained from the bureau. The bureau may issue a permit that authorizes multiple B.Y.O.B. functions over a period of 12

months as long as the B.Y.O.B. functions are held at the same location.

See title page for effective date.

CHAPTER 107

H.P. 477 - L.D. 701

An Act To Modify Unemployment Insurance Successor Law

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

Sec. 1. 26 MRSA §1221, sub-§5, as amended by PL 2007, c. 23, §1, is repealed and the following enacted in its place:

5. Successor transfers of experience and assignment of rates; no common ownership. The following applies to the assignment of rates and transfers of experience in successor purchases when there is substantially no common ownership, management or control between purchaser and predecessor.

A. Effective as of the date on which the business was acquired:

(1) The executors, administrators, successors or assigns of a new employer who acquires the business of the predecessor employer in toto may acquire the experience rate of that employer with payrolls, contributions and benefits or may be assigned the state average contribution rate, whichever rate is lower; and

(2) The executors, administrators, successors or assigns of an existing employer with an established experience rate who acquires the business of the predecessor employer in toto may acquire the experience rate of that predecessor employer with payrolls, contributions and benefits, which is then blended with the successor's established experience rate to form a new rate, or retain the established experience rate of the successor, whichever is lower.

Sec. 2. 26 MRSA §1221, sub-§5-A, as corrected by RR 2005, c. 1, §12, is amended to read:

5-A. Transfers of experience and assignment of rates involving common ownership. ~~Notwithstanding subsection 5,~~ The following applies to the assignment of rates and transfers of experience when there is substantial common ownership, management or control between the successor and predecessor employers.

A. If:

(1) An employer transfers its trade or business, or a portion of its trade or business, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the 2 employers, then the unemployment experience attributable to the transferred trade or business is transferred to the employer to whom the business is transferred. The rates of both employers must be recalculated and made effective immediately upon the date of the transfer of the trade or business. The transfer of some or all of an employer's workforce to another employer shall be considered a transfer of trade or business when, as the result of such transfer, the transferring employer no longer performs trade or business with respect to the transferred workforce, and such trade or business is performed by the employer to whom the workforce is transferred; and

(2) Following a transfer of experience under subparagraph (1), the commissioner determines that the purpose of the transfer of trade or business was to obtain a reduced liability for contributions, then the experience rating accounts of the employers involved must be combined into a single account and a single rate assigned to such account.

B. Whenever a person who is not an employer under this chapter acquires the trade or business of an employer, the unemployment experience of the acquired trade or business is not transferred to that person if the commissioner finds that the person acquired the trade or business solely or primarily for the purpose of obtaining a lower rate of contributions. In such circumstances, the person acquiring the trade or business is assigned the applicable new employer rate under subsection 4-A. In determining whether the trade or business was acquired solely or primarily for the purpose of obtaining a lower rate of contributions, the commissioner shall consider objective factors that may include the cost of acquiring the trade or business, whether the person continued the business enterprise of the acquired trade or business, how long the business enterprise was continued or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

C. If a person knowingly violates or attempts to violate paragraph A or B or any other provision of this chapter related to determining the assignment of a contribution rate or if a person knowingly advises another person in a way that results in a violation of such a provision, the person commits a Class D crime. In addition, the person is subject to the following:

(1) If the person is an employer, then that employer is assigned the highest rate assignable under this chapter for the rate year during which the violation or attempted violation occurred and for the 3 rate years immediately following that rate year, except that, if the person's business is already at the highest rate for any year or if the amount of increase in the person's rate would be less than 2% for such year, then a penalty rate of contributions of 2% of taxable wages is imposed for that year; and

(2) If the person is not an employer, that person is subject to a fine of not more than \$5,000, which must be deposited in the Special Administrative Expense Fund established under section 1164.

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

(1) "Knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

(2) "Person" has the meaning given that term by Section 7701(a)(1) of the Internal Revenue Code of 1986.

(3) "Trade or business" includes the employer's workforce.

(4) "Violates or attempts to violate" includes, but is not limited to, intent to evade, misrepresentation or willful nondisclosure.

E. The commissioner shall adopt rules to identify the transfer or acquisition of a business for purposes of this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

F. This subsection must be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

See title page for effective date.

CHAPTER 108

S.P. 270 - L.D. 740

An Act To Sustain Maine's Primary Care Professional Workforce

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

Sec. 1. 36 MRSA §5219-LL, sub-§1, ¶A, as reallocated by RR 2013, c. 2, §46, is amended to read:

A. "Eligible primary care professional" means a person licensed under Title 32, chapter 31, subchapter 3 or subchapter 4; Title 32, chapter 36, subchapter 4; or Title 32, chapter 48, subchapter 2 and who, on or after January 1, 2013:

(1) ~~First begins practicing~~ Practices primary care medicine in the State ~~by joining as part of an existing health care practice in an underserved area or establishing~~ establishes a new health care practice or ~~purchasing~~ purchases an existing health care practice in an underserved area;

(2) Agrees to practice full time for at least 5 years following certification under subsection 3 in an underserved area;

(3) Is certified under subsection 3 to be eligible by the Department of Health and Human Services; and

(4) Has an unpaid student loan owed to an institution for course work directly related to that person's training in primary care medicine.

Sec. 2. Application. This Act applies to tax years beginning on or after January 1, 2015.

See title page for effective date.

CHAPTER 109

H.P. 527 - L.D. 774

An Act To Assist Victims of Crime To Obtain Restitution

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

Sec. 1. 17-A MRSA §1330-C is enacted to read:

§1330-C. Civil remedy upon default

Upon the request of the attorney for the State or a person entitled to restitution under an order of restitution, the clerk shall enter the order of restitution in the same manner as a judgment in a civil action. When entered under this section, the order of restitution is deemed to be a money judgment. Upon default, the order to make restitution is enforceable in accordance with Title 14, chapter 502 by any person entitled to restitution under the order.

See title page for effective date.

CHAPTER 110
H.P. 634 - L.D. 914

**An Act To Amend the Public
Accountancy Laws**

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

Sec. 1. 32 MRSA §12201, sub-§3-A, as amended by PL 2007, c. 384, §1, is further amended to read:

3-A. Attest service. ~~For purposes of section 12275, subsections 12 and 13, "defined "Attest service" means providing the following services:~~

A. Any audit or other engagement to be performed in accordance with the Statements on Auditing Standards, SAS;

B. Any review of a financial statement or compilation of a financial statement to be performed in accordance with the Statement on Standards for Accounting and Review Services, SSARS;

C. Any examination of prospective financial information to be performed in accordance with the Statement on Standards for Attestation Engagements, SSAE;

D. Any engagement to be performed in accordance with the auditing standards of the Public Company Accounting Oversight Board, established in 15 United States Code, Section 7211 (2007); or

~~E. Any compilation of a financial statement to be performed in accordance with the Statement on Standards for Accounting and Review Services, SSARS.~~

F. Any examination, review or agreed upon procedures engagement to be performed in accordance with the Statements on Standards for Attestation Engagements, SSAE, other than an engagement described in paragraph C.

The statements on standards specified in this definition are those developed for general application by recognized national accountancy organizations.

Sec. 2. 32 MRSA §12201, sub-§6-A, as enacted by PL 1999, c. 619, §1, is amended to read:

6-A. Peer review. "Peer review" means a study, appraisal or review of one or more aspects of the professional work of a certified public accountancy firm that provides ~~a defined~~ an attest service by a person or persons who are licensed as certified public accountants and who are not affiliated with the certified public accountancy firm being reviewed.

Sec. 3. 32 MRSA §12201, sub-§8, as enacted by PL 1987, c. 489, §2, is amended to read:

8. Practice of or practicing public accountancy. "Practice of or practicing public accountancy" means the following combined activities by a person or firm:

A. Representing to the public that ~~he~~ the person or ~~it~~ the firm is a licensee; and

B. Performing or offering to perform, for a client or potential client, services involving the use of accounting or auditing skills.

Accounting or auditing skills include the issuance of reports ~~on financial statements~~, management advisory or consulting services, the preparation of tax returns and the furnishing of advice on tax matters.

Sec. 4. 32 MRSA §12201, sub-§10, as amended by PL 2007, c. 402, Pt. Z, §3, is repealed.

Sec. 5. 32 MRSA §12201, sub-§10-A is enacted to read:

10-A. Report. "Report," when used with reference to an attest service, means an opinion or other form of language that states or implies assurance as to the reliability of the attest information and that also includes or is accompanied by a statement or implication that the person or firm issuing it has special knowledge of or competence in accounting or auditing. A statement or implication of special knowledge or competence may arise from use by the issuer of the report of names or titles indicating that the person or firm is an accountant or auditor or from the language of the report itself. "Report" includes any form of language that disclaims an opinion when such form of language is conventionally understood to imply positive assurances as to the reliability of the attest information or compiled financial statements referred to or special competence on the part of the person or firm issuing such language and includes any other form of language that is conventionally understood to imply such assurance or such special knowledge or competence.

Sec. 6. 32 MRSA §12202, sub-§2, as enacted by PL 1987, c. 489, §2, is amended to read:

2. Issue a report ~~on financial statements~~ as defined in section 12201, subsection ~~40~~ 10-A, except those persons described in section 12275, subsection 1, paragraphs A and B.

Sec. 7. 32 MRSA §12228, sub-§10, as amended by PL 2009, c. 242, §8, is further amended to read:

10. Experience. For initial issuance of a license under section 12230, an applicant must demonstrate 2 years of experience under the direction of a certified public accountant licensed by any state or territory of the United States or equivalent direction, as determined by the board, by a licensed professional in another country and must meet the other requirements

prescribed by the board by rule. The applicant's experience must include the use of accounting or auditing skills, including the issuance of reports ~~on financial statements~~, and at least one of the following: the provision of management advisory, financial advisory or consulting services; the preparation of tax returns; the furnishing of advice on tax matters; or equivalent activities defined by the board by rule. Board rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. To the extent the applicant's experience is as a revenue agent or in a similar position engaged in the examination of personal and corporate income tax returns for the Bureau of Revenue Services, the applicant receives credit at the rate of 50% toward the experience required by this subsection. To the extent the applicant's experience is as an examiner engaged in financial examinations for the Bureau of Insurance, the applicant receives credit under this subsection if that experience meets the following standards:

A. Examinations are performed in conformity with the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board;

B. Working papers prepared by the examiners are in conformity with generally accepted auditing standards and are subject to a review by a supervisor who must be a certified public accountant;

C. Written reports of examination are prepared in conformity with the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board. All examiners working on the examinations must participate in the preparation of the report;

D. Reports of examination are prepared in accordance with statutory accounting principles. All examiners working on the examinations must participate in the preparation of the financial statements and corresponding note disclosures; and

E. All examiners assigned to an examination must participate in the planning of the examination and the planning phase conforms to the Examiners' Handbook published by the National Association of Insurance Commissioners or its successor or other organization approved by the board and generally accepted auditing standards.

Sec. 8. 32 MRSA §12252, sub-§1, ¶B, as amended by PL 2009, c. 242, §21, is further amended to read:

B. A firm that does not have an office in this State may perform services described in section 12201, subsection 3-A, paragraph B or F for a client having its home office in this State and may

use the title "CPA" or "CPA firm" without a license issued under this section only if:

(1) It qualifies for a firm license pursuant to subsections 3 and 8; and

(2) It performs such services through an individual with practice privileges under section 12232.

Sec. 9. 32 MRSA §12252, sub-§3, ¶B, as amended by PL 2009, c. 242, §21, is further amended to read:

B. A certified public accountancy firm or public accountancy firm may include nonlicensee owners as long as:

(1) All nonlicensee owners are individuals who actively participate in the certified public accountancy firm or public accountancy firm or an affiliated entity;

(2) The firm complies with such other requirements as the board may impose by rule; and

(3) The firm designates an individual who is a licensee of this State or, in the case of a firm that must have a license pursuant to subsection 1, paragraph A, subparagraph (3), designates an individual who is a licensee of another state who meets the requirements set out in section 12232, subsection 1 who is responsible for the proper licensure of the firm and identifies that individual who is a licensee to the board.

Sec. 10. 32 MRSA §12252, sub-§8, as repealed and replaced by PL 2007, c. 695, Pt. A, §38, is amended to read:

8. Peer review for certified public accountancy firms. As a condition to the granting or renewal of licenses to certified public accountancy firms, each applicant that provides ~~a defined an attest~~ service other than compilations must successfully participate in an approved peer review program. Participation in such a program is governed by the following.

A. A peer review must be completed within 18 months after the initial granting of the license. The firm must undergo a peer review every 3 years for as long as it provides ~~a defined an attest~~ service other than compilations.

B. A certified public accountancy firm that does not provide ~~a defined an attest~~ service other than compilations is not required to undergo a peer review if the firm annually confirms in writing to the board that it does not provide ~~a defined an attest~~ service other than compilations. A certified public accountancy firm that subsequently provides ~~a defined an attest~~ service other than compilations must undergo a peer review within 18

months after the fiscal year end of the first ~~defined~~ attest services engagement other than compilations that it accepts.

The board is authorized to adopt rules to carry out the intent of this subsection. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 11. 32 MRSA §12275, sub-§1, as amended by PL 2009, c. 242, §29, is further amended to read:

1. Issuance of reports. ~~No~~ A person or firm not holding a valid license issued under this chapter may not issue a report, including reviews and compilations, on financial statements or on any attest service of any other person, firm, organization or governmental unit. This prohibition does not apply to the following:

A. An officer, partner or employee of any firm or organization affixing that person's signature to any statement or report in reference to the financial affairs of that firm or organization with any wording designating the position, title or office that that person holds in the organization;

B. Any act of a public official or employee in the performance of that person's duties as such; or

C. The performance by any person of other services involving the use of accounting skills, including management advisory or consulting services, the preparation of tax returns, the furnishing of advice on tax matters and the preparation of financial statements without the issuance of reports.

Sec. 12. 32 MRSA §12275, sub-§10, as amended by PL 2007, c. 402, Pt. Z, §24, is further amended to read:

10. Foreign practice. Subsections 1 to 11 do not apply to a person or firm holding a certificate, designation, degree or license granted in a foreign country entitling the holder to engage in the practice of public accountancy or its equivalent in that country, whose activities in this State are limited to the provision of professional services to persons or firms who are residents of, governments of or business entities of the country in which that person holds that entitlement, who issues no reports with respect to the ~~financial statements~~ attest service information of any other persons, firms or governmental units in this State, and who does not use in this State any title or designation other than the one under which that person practices in that country, followed by a translation of that title or designation into the English language, if it is in a different language and by the name of that country.

Sec. 13. 32 MRSA §12275, sub-§§12 and 13, as enacted by PL 1999, c. 245, §12, are amended to read:

12. Commissions; referral fees. A licensee, when performing for a client a ~~defined~~ attest service, may not receive a commission or a referral fee:

A. For recommending or referring to a client any product or service;

B. For recommending or referring any product or service to be supplied by a client; or

C. As a consequence of a decision by a client to purchase or supply a particular product or service.

Notwithstanding paragraphs A, B and C, a licensee may receive a commission or a referral fee if the licensee's compilation report discloses in writing a lack of independence.

This prohibition applies during the period in which the licensee is engaged to perform any of the ~~defined~~ attest services and the period covered by any historical financial statements involved in the ~~defined~~ attest services.

A licensee who is not prohibited by this section from receiving a commission or a referral fee shall disclose in writing to any person or entity to whom the licensee recommends or refers a product or service to which the commission or referral fee relates the fact that the licensee has been paid or expects to be paid a commission or referral fee.

13. Contingency fees. A licensee or a licensee's firm may not:

A. When involved in providing for a client a ~~defined~~ attest service:

(1) Perform for a contingent fee any services for a client; or

(2) Receive a contingency fee from a client; or

B. Prepare an original or amended tax return or claim for a tax refund for a contingent fee.

Notwithstanding paragraph A, a licensee when providing a ~~defined~~ attest service may receive a contingency fee if the licensee's compilation report discloses in writing a lack of independence.

The prohibitions apply during the period in which the licensee is engaged to perform any of the services listed in this section and the period covered by any historical financial statements involved in any of the listed services.

As used in this subsection a "contingent fee" or "contingency fee" means a fee established for the performance of any service pursuant to an arrangement in which no fee is charged unless a specified finding or result is attained or in which the amount of the fee is otherwise dependent upon the finding or result of the service. For purposes of this subsection, fees are not regarded as being contingent if fixed by courts or other

public authorities or, in tax matters, if determined based on the results of judicial proceedings or the findings of governmental agencies. A licensee's fees may vary depending on the complexity of services rendered.

Sec. 14. 32 MRSA §12275, sub-§14, ¶C, as amended by PL 2009, c. 242, §37, is further amended to read:

C. Notwithstanding any other provision of this section, it is not a violation of this section ~~if~~ for a firm that does not hold a valid license under section 12252 and that does not maintain an office in this State ~~provides to use the title "CPA" or "Certified Public Accountants" as part of the firm's name and to provide professional services in this State, and licensees and individuals with practice privileges may provide services on behalf of such a firm if the firm complies with the requirements of section 12252, subsection 1, paragraph B or C, whichever is applicable. An individual or firm authorized under this paragraph to use practice privileges in this State shall comply with the requirements otherwise applicable to licensees under this section.~~

See title page for effective date.

CHAPTER 111

H.P. 675 - L.D. 978

An Act To Promote Patient Choice and Access to Health Care

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

Sec. 1. 24-A MRSA §2748, sub-§5 is enacted to read:

5. Reimbursement; discrimination. An insurer subject to this section may not refuse to reimburse a chiropractic provider who participates in the insurer's provider network for providing a health care service or procedure covered by the insurer as long as the chiropractic provider is acting within the lawful scope of that provider's license in the delivery of the covered service or procedure. Consistent with reasonable medical management techniques specified under the insurer's contract with respect to the method, treatment or setting for a covered service or procedure, the insurer may not discriminate based on the chiropractic provider's license. This subsection does not require an insurer to accept all chiropractic providers into a network or govern the amount of the reimbursement paid to a chiropractic provider.

Sec. 2. 24-A MRSA §2840-A, sub-§5 is enacted to read:

5. Reimbursement; discrimination. An insurer subject to this section may not refuse to reimburse a chiropractic provider who participates in the insurer's provider network for providing a health care service or procedure covered by the insurer as long as the chiropractic provider is acting within the lawful scope of that provider's license in the delivery of the covered service or procedure. Consistent with reasonable medical management techniques specified under the insurer's contract with respect to the method, treatment or setting for a covered service or procedure, the insurer may not discriminate based on the chiropractic provider's license. This subsection does not require an insurer to accept all chiropractic providers into a network or govern the amount of the reimbursement paid to a chiropractic provider.

Sec. 3. 24-A MRSA §4236, sub-§2, as enacted by PL 1993, c. 669, §6, is amended to read:

2. Benefits; discrimination. The health maintenance organization shall provide benefits covering care by chiropractic providers at least equal to and consistent with the benefits paid to other health care providers treating similar neuro-musculoskeletal conditions. A health maintenance organization may not refuse to reimburse a chiropractic provider who participates in the health maintenance organization's provider network for providing a health care service or procedure covered by the health maintenance organization as long as the chiropractic provider is acting within the lawful scope of that provider's license in the delivery of the covered service or procedure. Consistent with reasonable medical management techniques specified under the health maintenance organization's contract with respect to the method, treatment or setting for a covered service or procedure, the health maintenance organization may not discriminate based on the chiropractic provider's license. This subsection does not require a health maintenance organization to accept all chiropractic providers into a network or govern the reimbursement paid to a chiropractic provider.

Sec. 4. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2016. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 112
S.P. 448 - L.D. 1243

**An Act To Make the Law
Regarding Critical Incident
Stress Management Teams
More Beneficial and Effective**

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

Sec. 1. 25 MRSA §4201, sub-§§1 and 2, as enacted by PL 2009, c. 289, §1, are amended to read:

1. Critical incident. "Critical incident" means a work-related incident that causes or has the potential to cause ~~a law enforcement officer an employee of or emergency dispatcher for a criminal justice agency~~ to experience emotional or physical stress. "Critical incident" includes, but is not limited to, use-of-force encounters that may result in the death of or serious injury to another person or an officer, fatal motor vehicle accidents, child abuse investigations and death investigations.

2. Critical incident stress management team. "Critical incident stress management team" means a team composed of members ~~of a state, county or municipal~~ designated by the chief law enforcement officer of a law enforcement agency, ~~or the chief law enforcement officer's designee,~~ that is trained, in accordance with standards established by rule by the Commissioner of Public Safety, to assist and provide support to any person employed by the team's own agency or another ~~law enforcement~~ criminal justice agency who has been involved in a critical incident that may affect, or has affected, the person's work performance or general well-being. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 25 MRSA §4201, sub-§3 is enacted to read:

3. Criminal justice agency. "Criminal justice agency" has the same meaning as in Title 16, section 803, subsection 4.

See title page for effective date.

CHAPTER 113
S.P. 267 - L.D. 737

**An Act To Amend the Laws
Regarding Learner's Permits
and Intermediate Licenses**

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

Sec. 1. 29-A MRSA §1304, sub-§1, ¶I, as amended by PL 2013, c. 381, Pt. B, §16, is further amended to read:

I. A person who has been issued a learner's permit may not operate a motor vehicle while using a handheld electronic device or mobile telephone. For the purpose of this paragraph, ~~"mobile telephone" means a device used to access a wireless telephone service~~ the following terms have the following meanings.

(1) "Handheld electronic device" means any handheld electronic device that is not part of the operating equipment of the motor vehicle, including but not limited to an electronic game, device for sending or receiving electronic mail, text messaging device or computer.

(2) "Mobile telephone" means a device used to access a wireless telephone service.

(3) "Operate" means driving a motor vehicle on a public way with the motor running, including while temporarily stationary because of traffic, a traffic light or a stop sign or otherwise stationary. "Operate" does not include operating a motor vehicle with or without the motor running when the operator has pulled the motor vehicle over to the side of, or off, a public way and has halted in a location where the motor vehicle can safely remain stationary.

(4) "Using" means manipulating, talking into or otherwise interacting with a mobile telephone or handheld electronic device.

A person who violates this paragraph commits a traffic infraction.

Sec. 2. 29-A MRSA §1311, sub-§1, ¶C, as enacted by PL 2003, c. 286, §4, is amended to read:

C. Operate a motor vehicle while using a handheld electronic device or mobile telephone.

For the purpose of this paragraph, ~~"mobile telephone" means a device used to access a wireless telephone service~~ the following terms have the following meanings.

(1) "Handheld electronic device" means any handheld electronic device that is not part of the operating equipment of the motor vehicle, including but not limited to an electronic game, device for sending or receiving electronic mail, text messaging device or computer.

(2) "Mobile telephone" means a device used to access a wireless telephone service.

(3) "Operate" means driving a motor vehicle on a public way with the motor running, including while temporarily stationary because of traffic, a traffic light or a stop sign or otherwise stationary. "Operate" does not include operating a motor vehicle with or without the motor running when the operator has pulled the motor vehicle over to the side of, or off, a public way and has halted in a location where the motor vehicle can safely remain stationary.

(4) "Using" means manipulating, talking into or otherwise interacting with a mobile telephone or handheld electronic device.

Sec. 3. 29-A MRSA §1311, sub-§3-A is enacted to read:

3-A. Restricted license decal. Before issuing a license under this section, the Secretary of State shall make available to the licensee a set of 2 decals to place in the motor vehicle driven by the licensee that indicates that the driver of the motor vehicle may be a holder of an intermediate license. Notwithstanding section 2082, a motor vehicle operated by a person who has been issued a driver's license under this section may display a set of 2 decals, one located on the rear window and one located in the upper left-hand corner of the front windshield, that indicates that the driver of the motor vehicle may be a holder of an intermediate license under this section. The design of the decal must be approved by the Chief of the State Police in consultation with the Secretary of State. The decals may not be larger than 3 inches by 3 inches and may not be placed in a manner that obstructs the operator's view of the roadway.

The Secretary of State shall begin issuing restricted license decals in accordance with this subsection no later than October 1, 2015.

Sec. 4. 29-A MRSA §2116, sub-§1, ¶B-1 is enacted to read:

B-1. "Operate" means driving a motor vehicle on a public way with the motor running, including while temporarily stationary because of traffic, a traffic light or a stop sign or otherwise stationary. "Operate" does not include operating a motor vehicle with or without the motor running when the operator has pulled the motor vehicle over to the side of, or off, a public way and has halted in a location where the motor vehicle can safely remain stationary.

Sec. 5. 29-A MRSA §2116, sub-§1, ¶C, as enacted by PL 2007, c. 272, §1, is amended to read:

C. "Using" means manipulating, talking into or otherwise interacting with a mobile telephone or handheld electronic device ~~but does not include passively listening to music or other recorded~~

~~sounds emanating from a handheld electronic device.~~

Sec. 6. Report. No later than February 1, 2017, the Department of the Secretary of State, Bureau of Motor Vehicles shall submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters with an update on the voluntary restricted license decal program established in the Maine Revised Statutes, Title 29-A, section 1311, subsection 3-A. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the First Regular Session of the 128th Legislature relating to the subject matter of this report.

See title page for effective date.

CHAPTER 114

H.P. 463 - L.D. 682

An Act To Ensure the Administration of Written Driving Tests

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

Sec. 1. 29-A MRSA §1304, sub-§1-A, ¶C, as enacted by PL 2013, c. 493, §1, is amended to read:

C. Any required examination for a learner's permit may be administered only by the Secretary of State except that the Secretary of State may waive this requirement on receipt of a course completion certificate under section 1351, subsection 3.

See title page for effective date.

CHAPTER 115

H.P. 599 - L.D. 880

An Act To Permit Rate-adjustment Mechanisms for Water Utilities

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

Sec. 1. 35-A MRSA §6102-A is enacted to read:

§6102-A. Rate-adjustment mechanism for water utilities

1. Rate-adjustment mechanism. Notwithstanding any provision of law to the contrary, the commission may establish or authorize a reasonable rate-adjustment mechanism to decouple water utility revenues from water utility sales through revenue recon-

ciliation when changes in sales are due to a change in the number of customers or a change in the volume of consumption. In determining the reasonableness of any such rate-adjustment mechanism, the commission shall apply the standards of section 301 and shall consider the transfer of risks associated with any such changes in sales and, to the extent these risks are transferred between the utility and its customers, the commission shall consider the effect of the transfer of risk in determining a utility's allowed rate of return.

2. Report. The commission, as part of its annual report pursuant to section 120, shall list rate adjustments that have been requested and those that have been granted.

See title page for effective date.

CHAPTER 116

H.P. 132 - L.D. 174

An Act To Amend the Maine Clean Election Act Regarding Candidate Participation in Political Action Committees

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

Sec. 1. 21-A MRSA §1125, sub-§6-F is enacted to read:

6-F. Participation in political action committees. A participating candidate or a certified candidate may not establish a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. This prohibition applies between April 1st immediately preceding a general election through:

A. The date on which the candidate withdraws from a race;

B. The date of the primary election or general election for a candidate who loses either election; or

C. January 1st immediately preceding the next general election for a candidate who wins the general election.

This prohibition also applies to a participating candidate or certified candidate in a special election, except that the prohibition begins on the date of the candidate's nomination. This subsection does not prohibit a participating candidate or certified candidate, including a certified candidate who wins a general or special election, from engaging in fund-raising or decision making for a party caucus political action committee, a ballot question committee or a political action committee formed for the purpose of promoting or opposing a

ballot question. This prohibition applies to a participating candidate or certified candidate regardless of the date on which the political action committee was established.

Sec. 2. Effective date. This Act takes effect January 1, 2016.

Effective January 1, 2016.

CHAPTER 117

S.P. 74 - L.D. 199

An Act To Improve the Reporting of Child Abuse

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

Sec. 1. 22 MRSA §4011-A, sub-§1, as amended by PL 2009, c. 211, Pt. B, §18 and PL 2011, c. 657, Pt. W, §5, is further amended to read:

1. Required report to department. The following adult persons shall immediately report or cause a report to be made to the department when the person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected or that a suspicious child death has occurred:

A. When acting in a professional capacity:

- (1) An allopathic or osteopathic physician, resident or intern;
- (2) An emergency medical services person;
- (3) A medical examiner;
- (4) A physician's assistant;
- (5) A dentist;
- (6) A dental hygienist;
- (7) A dental assistant;
- (8) A chiropractor;
- (9) A podiatrist;
- (10) A registered or licensed practical nurse;
- (11) A teacher;
- (12) A guidance counselor;
- (13) A school official;
- (14) A youth camp administrator or counselor;
- (15) A social worker;
- (16) A court-appointed special advocate or guardian ad litem for the child;
- (17) A homemaker;

- (18) A home health aide;
- (19) A medical or social service worker;
- (20) A psychologist;
- (21) Child care personnel;
- (22) A mental health professional;
- (23) A law enforcement official;
- (24) A state or municipal fire inspector;
- (25) A municipal code enforcement official;
- (26) A commercial film and photographic print processor;
- (27) A clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications;
- (28) A chair of a professional licensing board that has jurisdiction over mandated reporters;
- (29) A humane agent employed by the Department of Agriculture, Conservation and Forestry;
- (30) A sexual assault counselor;
- (31) A family or domestic violence victim advocate; and
- (32) A school bus driver or school bus attendant;

B. Any person who has assumed full, intermittent or occasional responsibility for the care or custody of the child, regardless of whether the person receives compensation; and

C. Any person affiliated with a church or religious institution who serves in an administrative capacity or has otherwise assumed a position of trust or responsibility to the members of that church or religious institution, while acting in that capacity, regardless of whether the person receives compensation.

Whenever a person is required to report in a capacity as a member of the staff of a medical or public or private institution, agency or facility, that person immediately shall notify either the person in charge of the institution, agency or facility or a designated agent who then shall cause a report to be made. The staff also may make a report directly to the department.

If a person required to report notifies either the person in charge of the institution, agency or facility or the designated agent, the notifying person shall acknowledge in writing that the institution, agency or facility has provided confirmation to the notifying person that another individual from the institution, agency or facility has made a report to the department. The confirmation must include, at a minimum, the name of the

individual making the report to the department, the date and time of the report and a summary of the information conveyed. If the notifying person does not receive the confirmation from the institution, agency or facility within 24 hours of the notification, the notifying person immediately shall make a report directly to the department.

An employer may not take any action to prevent or discourage an employee from making a report.

Sec. 2. 22 MRSA §4011-A, sub-§2, as amended by PL 2007, c. 586, §11, is further amended to read:

2. Required report to district attorney. When, while acting in a professional capacity, any person required to report under this section knows or has reasonable cause to suspect that a child has been abused or neglected by a person not responsible for the child or that a suspicious child death has been caused by a person not responsible for the child, the person immediately shall report or cause a report to be made to the appropriate district attorney's office.

Whenever a person is required to report in a capacity as a member of the staff of a medical or public or private institution, agency or facility, that person immediately shall notify either the person in charge of the institution, agency or facility or a designated agent who then shall cause a report to be made. The staff also may make a report directly to the appropriate district attorney's office.

If a person required to report notifies either the person in charge of the institution, agency or facility or the designated agent, the notifying person shall acknowledge in writing that the institution, agency or facility has provided confirmation to the notifying person that another individual from the institution, agency or facility has made a report to the appropriate district attorney's office. The confirmation must include, at a minimum, the name of the individual making the report to the appropriate district attorney's office, the date and time of the report and a summary of the information conveyed. If the notifying person does not receive the confirmation from the institution, agency or facility within 24 hours of the notification, the notifying person immediately shall make a report directly to the appropriate district attorney's office.

An employer may not take any action to prevent or discourage an employee from making a report.

See title page for effective date.

CHAPTER 118
H.P. 295 - L.D. 456

**An Act To Include
Nonalcoholic Malt Beverages
in the List of Exempt Products
in the Law Regarding the
Labeling of Genetically
Engineered Products**

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

Sec. 1. 22 MRSA §2594, sub-§3, as enacted by PL 2013, c. 436, §1 and affected by §2, is amended to read:

3. Exempt products. Alcoholic beverages, non-alcoholic malt beverages and medical food are exempt from the disclosure requirements of this chapter. For purposes of this subsection, "nonalcoholic malt beverage" means a malt beverage that contains less than 1/2 of 1% alcohol by volume.

See title page for effective date.

CHAPTER 119
H.P. 378 - L.D. 554

**An Act Concerning
Commercial Vehicles at
Canadian Weight Limits
Traveling to Certain Points in
the State**

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

Whereas, rural communities in the State are particularly dependent upon forest products industries for employment opportunities and economic development and, given the current economic climate, the State's lumber and pulp and paper mills are struggling to continue their operations and to keep people employed; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order to avoid damage to the State's transportation infrastructure; and

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

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

Sec. 1. 29-A MRSA §2354-C, sub-§1, ¶A, as amended by PL 2011, c. 356, §22, is further amended to read:

A. The only allowable routes of travel are from the United States-Canada border in Calais north on U.S. Route 1 to Access Road in Baileyville, east on Access Road to ~~Denton~~ Woodland Mill Pulp LLC mill or its successor on Main Street and north on Main Street to the Louisiana-Pacific Oriented Strand Board mill or its successor ~~former oriented strand board facility~~ in Baileyville; from the United States-Canada border in Madawaska then directly north or south into the ~~Fraser Papers~~ Twin Rivers facility or its successor in Madawaska or up Bridge Street to Mill Street in Madawaska in order to reverse direction; and from the United States-Canada border in Van Buren on ~~Bridge Street~~ Acadian Way, west to Main Street, also designated as Route 1, then north on Main Street approximately ~~1-1/2~~ 2 miles from the border.

Sec. 2. 29-A MRSA §2354-C, sub-§1, ¶¶B and C, as enacted by PL 2009, c. 326, §2, are amended to read:

B. Allowable truck configuration is limited to:

(1) A 3-axle truck tractor with a 3-axle semitrailer at a gross vehicle weight of 108,900 pounds. The individual weight distribution maximum limits are as follows: for the steering axle, 12,375 pounds; for the drive axles, 40,500 pounds; and for the semitrailer axles, 58,500 pounds, but in no case may the total of these values exceed 108,900 pounds; and

(2) A 3-axle truck tractor with a semitrailer-semitrailer combination, configured as a B-train double with 8 axles total, at a gross vehicle weight of 137,700 pounds. The weight of the 2nd semitrailer may not exceed the weight of the first semitrailer.

C. Maine axle weight limits, axle group limits, commodity allowances, maximum dimensions and all other commercial vehicle limits and requirements apply, except that the B-train double overall length limit must be not greater than 82.02 feet, or 25 meters.

Sec. 3. 29-A MRSA §2354-D, sub-§1, as enacted by PL 2013, c. 565, §2, is amended to read:

1. Commissioner may allow certain commercial motor vehicles that exceed weight limits and vehicle dimension standards. ~~Except for B-train double configurations as defined in section 2354-C, subsection 2, the~~ The Commissioner of Transportation, in consultation with the Department of Public Safety and the Department of the Secretary of State, may allow a specified commercial motor vehicle configura-

tion with any number of axles that would otherwise be in violation of the provisions in this chapter regarding operational weight limits, gross vehicle weights, axle weights, tire weights or vehicle dimensions to operate on a specified route of travel over public ways if:

A. The department receives a proposal from an entity seeking an allowance to operate a specified commercial motor vehicle configuration pursuant to this subsection on a specified route of travel;

B. The chief engineer of the department, as appointed in accordance with Title 23, section 201, finds the proposed configuration and weight can be safely operated on the proposed route of travel. In making this finding, the chief engineer may consider available manufacturer's ratings for gross vehicle weight, axle capacity, brake systems and other components. The chief engineer may place such restrictions on operations as are necessary to ensure public safety;

C. The chief engineer of the department, as appointed in accordance with Title 23, section 201, finds that the public ways and bridge infrastructure affected by the proposed route of travel can withstand, or can be improved and maintained to withstand, the proposed configuration and weight. The improvements necessary may include initial capital improvements and future maintenance or capital improvements; and

D. The department receives satisfactory assurance that at least 50% of the cost of any infrastructure assessment and at least 50% of the cost for any infrastructure improvements determined necessary pursuant to paragraph C will be provided by the entity seeking the allowance. The department may provide the balance of funding, if feasible.

Sec. 4. 29-A MRSA §2354-E is enacted to read:

§2354-E. Allow certain commercial vehicles with 7-axle configuration to travel from the United States-Canada border to certain points in the State

1. Canadian gross vehicle weight limits. Notwithstanding section 2354, the Commissioner of Transportation, in consultation with the Department of Public Safety and the Department of the Secretary of State, is authorized to allow certain commercial vehicles at Canadian gross vehicle weight limits to travel from the United States-Canada border in Calais to Baileyville under the following conditions.

A. The only allowable routes of travel are from the United States-Canada border in Calais north on U.S. Route 1 to Access Road in Baileyville, east on Access Road to Woodland Pulp LLC mill or its successor on Main Street and north on Main

Street to the former oriented strand board facility in Baileyville.

B. The allowable truck configuration is limited to a 3-axle truck tractor with a 4-axle semitrailer at a gross vehicle weight of 113,800 pounds. The individual weight distribution maximum limits are as follows: for the steering axle, 12,375 pounds; for the drive axles, 40,500 pounds; and for the semitrailer axles, 72,000 pounds, but in no case may the total of these values exceed 113,800 pounds.

C. Maine axle weight limits, axle group limits, commodity allowances, maximum dimensions and all other commercial vehicle limits and requirements apply, and the 4-axle semitrailer length limit must be not greater than 53.15 feet, or 16.2 meters.

D. The manufacturer's ratings for gross vehicle weight, axle capacity, brake systems and other components for which a manufacturer's rating is available may not be exceeded.

E. Each truck combination allowed under this section must display a credential obtained for a fee from the Secretary of State. The fee must be established by the Commissioner of Transportation in an amount to cover related administrative costs, compliance monitoring and the additional cost of highway damage resulting from the allowance under this section calculated using accepted engineering practices.

2. Overlimit movement permits. As provided in section 2382, the Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to commercial vehicles at Canadian gross vehicle weight limits operating under the requirements of this section. The Secretary of State shall adopt rules to implement this section in consultation with the Department of Transportation and the Department of Public Safety. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Revocation of privileges. The Commissioner of Transportation may revoke the privileges of operation under this section of trucks and trucking companies for cause, including repeatedly exceeding size and weight limits or operating outside the designated route of travel. Revocation by the Commissioner of Transportation is considered a final agency action.

4. Repeal. This section is repealed January 1, 2018.

Sec. 5. Monitor; report. The Department of Transportation shall monitor and evaluate the effects of the allowance under the Maine Revised Statutes, Title 29-A, section 2354-E on road conditions. The Commissioner of Transportation shall submit an initial

report to the Joint Standing Committee on Transportation for presentation to the Second Regular Session of the 127th Legislature and a final report to the joint standing committee of the Legislature having jurisdiction over transportation matters to the First Regular Session of the 128th Legislature. The reports must include any findings regarding the effects on road conditions and recommendations for continuance, discontinuance or modification of the allowance under Title 29-A, section 2354-E. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill relating to the subject matter of the final report to the First Regular Session of the 128th Legislature.

Sec. 6. Contingent effective date. That section of this Act that enacts the Maine Revised Statutes, Title 29-A, section 2354-E does not take effect unless the chief engineer of the Department of Transportation, as appointed in accordance with Title 23, section 201, conducts an analysis and determines that commercial vehicles of the proposed configuration and weight can be safely operated on the proposed route of travel. The Commissioner of Transportation shall notify the Secretary of Senate, the Clerk of the House of Representatives and the Revisor of Statutes when the chief engineer of the Department of Transportation has made the determination under this section.

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

Effective May 29, 2015, unless otherwise indicated.

CHAPTER 120 S.P. 251 - L.D. 693

An Act To Amend the Military Bureau Laws

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

Sec. 1. 37-B MRSA §181-A, sub-§4, as enacted by PL 1995, c. 600, §2, is amended to read:

4. Drug enforcement duties. The Governor may order Maine National Guard members to active state service to support federal drug enforcement operations under the National Defense Authorization Act of 1989. The Maine National Guard may receive forfeited money and assets seized through federal counter-drug activities in which members of the Maine National Guard participated. The Maine National Guard must use money or assets acquired pursuant to this subsection in support of counter-drug activities. For purposes of this subsection, "counter-drug activities"

means activities that are intended to reduce the supply or use of illegal drugs in the State.

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

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Defense, Veterans and Emergency Management 0109

Initiative: Provides a base allocation for funds received through federal counter-drug activities.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

CHAPTER 121 S.P. 281 - L.D. 807

An Act To Amend Maine's Threatened and Endangered Species List

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

Sec. 1. 12 MRSA §12803, sub-§3, ¶N, as amended by PL 2007, c. 166, §1, is further amended to read:

N. Roaring Brook mayfly, *Epeorus frisoni*, ~~endangered~~ threatened;

Sec. 2. 12 MRSA §12803, sub-§3, ¶P, as enacted by PL 2003, c. 573, §6 and affected by §8 and c. 655, Pt. C, §§3 and 6, is amended to read:

P. Clayton's copper, *Lycaena dorcas claytoni*, ~~endangered~~ threatened;

Sec. 3. 12 MRSA §12803, sub-§3, ¶LL, as enacted by PL 2007, c. 166, §1, is amended to read:

LL. Black-crowned night heron, *Nycticorax nycticorax*, ~~threatened~~ endangered;

Sec. 4. 12 MRSA §12803, sub-§3, ¶TT and UU, as enacted by PL 2007, c. 166, §1, are amended to read:

TT. Barrow's goldeneye, *Bucephala islandica*, ~~threatened~~ and

UU. Least bittern, *Ixobrychus exilis*, endangered;

Sec. 5. 12 MRSA §12803, sub-§3, ¶¶VV to AAA are enacted to read:

VV. Cobblestone tiger beetle, *Cicindela marginipennis*, endangered;

WW. Frigga fritillary, *Boloria frigga*, endangered;

XX. Little brown bat, *Myotis lucifugus*, endangered;

YY. Northern long-eared bat, *Myotis septentrionalis*, endangered;

ZZ. Eastern small-footed bat, *Myotis leibii*, threatened; and

AAA. Six-whorl vertigo, *Vertigo morsei*, endangered.

See title page for effective date.

CHAPTER 122

S.P. 294 - L.D. 820

An Act To Amend and Clarify Certain Notice and Assessment Provisions of the Maine Condominium Act

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

Sec. 1. 33 MRSA §1603-103, sub-§(c), as enacted by PL 1981, c. 699, is amended to read:

(c) Within 30 days after adoption of any proposed budget for the condominium, the executive board shall provide a summary of the budget to all the unit owners, and shall set a date for a meeting of the unit owners to consider ratification of the budget not less than ~~44~~ 10 nor more than 30 days after mailing of the summary. Unless at that meeting a majority of all the unit owners or any larger vote specified in the declaration reject the budget, the budget is ratified, whether or not a quorum is present. In the event the proposed budget is rejected, the periodic budget last ratified by the unit owners ~~shall~~ must be continued until such time as the unit owners ratify a subsequent budget proposed by the executive board.

Sec. 2. 33 MRSA §1603-103, sub-§(g) is enacted to read:

(g) The executive board may make a special assessment, subject to the following ratification requirements.

(1) A special assessment must be ratified by unit owners in accordance with subsection (c), except

that, if payment of any portion of the proposed special assessment is due after the end of the association's current budget year, ratification requires approval of a majority in interest of all unit owners.

(2) If the amount of the special assessment does not exceed 2 months' common charges and the board determines that the assessment is necessary to meet an emergency, the board may make the special assessment immediately in accordance with the terms of the board's vote, without ratification by unit owners.

Sec. 3. 33 MRSA §1603-108, first ¶, as amended by PL 2011, c. 368, §5, is further amended to read:

A meeting of the association must be held at least once each year. Special meetings of the association may be called as provided in the Maine Nonprofit Corporation Act. The bylaws must specify which of the association's officers, not less than 10 nor more than 60 days in advance of any meeting, shall cause notice to be hand delivered or sent prepaid by United States' mail to the mailing address of each unit or to any other mailing address designated in writing by the unit owner or sent by electronic means to any other address, including an e-mail address, specifically designated by the unit owner. The notice of any meeting must state the time and place of the meeting and the items on the agenda, including the general nature of any proposed amendment to the declaration or bylaws, any budget changes and any proposal to remove a director or officer.

See title page for effective date.

CHAPTER 123

H.P. 737 - L.D. 1068

An Act To Require That Certain Active Duty Military Personnel Are Eligible for the Resident Application Fee for a Concealed Handgun Permit

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

Sec. 1. 25 MRSA §2003, sub-§15, ¶C, as enacted by PL 1993, c. 524, §12, is amended to read:

C. If the Chief of the State Police is the issuing authority because the applicant is ~~either~~ a resident of an unorganized territory ~~or~~, a nonresident, or an applicant under subsection 18, the application fee must be paid over to the Treasurer of State. The fee must be applied to the expenses of administration incurred by the State Police.

Sec. 2. 25 MRSA §2003, sub-§18 is enacted to read:

18. Certain persons on active duty in United States Armed Forces. A person on active duty in the United States Armed Forces who qualifies as a resident of the State under the Department of Administrative and Financial Services, Bureau of Revenue Services rules and is otherwise qualified to be issued a permit under this section is eligible for a permit under this section issued by the Chief of the State Police upon payment of the application fee for a resident specified in subsection 1, paragraph E, subparagraph (4), division (a).

See title page for effective date.

CHAPTER 124
S.P. 397 - L.D. 1128

**An Act To Make Minor
Changes and Corrections to
Statutes Administered by the
Department of Environmental
Protection**

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

Sec. 1. 38 MRSA §343-H, sub-§4, as amended by PL 2009, c. 121, §4, is repealed.

Sec. 2. 38 MRSA §353, sub-§9, as amended by PL 2007, c. 655, §1, is further amended to read:

9. Finance charges. In addition to other remedies specifically authorized in this Title, the department shall charge interest at a rate of 15% per annum, unless the commissioner finds the amount too small or the likelihood of recovery too uncertain, and may pursue enforcement, including, but not limited to, penalties pursuant to section 349 and suspension or revocation pursuant to section ~~341-D~~ 342, subsection ~~3~~ 11-B for the failure of a licensee to pay any portion of licensing fees owed by the date due.

Sec. 3. 38 MRSA §353-A, sub-§8, as amended by PL 2007, c. 589, §3 and affected by §9, is further amended to read:

8. Nonpayment of fee. Failure to pay the annual fee within 60 days of the anniversary date of a license is sufficient grounds for revocation of the license under section ~~341-D~~ 342, subsection ~~3~~ 11-B.

Sec. 4. 38 MRSA §353-B, sub-§5, as enacted by PL 1997, c. 794, Pt. B, §7, is amended to read:

5. Nonpayment of fees. Failure to pay an annual fee within 30 days of the anniversary date of a license is sufficient grounds for revocation of the license,

permit or privilege under section ~~341-D~~ 342, subsection ~~3~~ 11-B.

Sec. 5. 38 MRSA §420-B, sub-§4, as amended by PL 2007, c. 565, §5, is further amended to read:

4. Report. No later than ~~March 31st of each year~~ April 30th in the first regular legislative session, the commissioner shall ~~prepare a~~ report on the monitoring program and shall provide an executive summary of the report to the joint standing committees of the Legislature having jurisdiction over natural resources matters and marine resources matters, shall publish the full report on the department's publicly accessible website and shall provide a copy or copies of the full report to the State Librarian as required under Title 1, section 501-A. This report must contain:

~~A. At the start of each 5 year period, the 5 year monitoring plan;~~

B. The annual work program for the past year and the current year;

C. The commissioner's conclusions as to the levels of toxic contamination in the State's waters and fisheries;

D. Any trends of increasing or decreasing levels of contaminants found; and

E. The results of the dioxin monitoring program required under subsection 1-A.

Sec. 6. 38 MRSA §464, sub-§3, ¶C, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §55, is further amended to read:

C. The commissioner shall report ~~annually to each the first~~ regular session of the ~~each~~ Legislature on the status of licensed discharges.

Sec. 7. 38 MRSA §570-K, sub-§5, as amended by PL 2005, c. 212, §1, is further amended to read:

5. Spill prevention and control. An above-ground oil storage facility used in the marketing and distribution of oil to others must be operated in compliance with the federal requirements for the preparation and implementation of spill prevention control and countermeasure plans under 40 Code of Federal Regulations, 112 in effect on April 17, 2003. Failure to comply with those federal requirements in accordance with the deadlines set by the United States Environmental Protection Agency constitutes a violation of this Title. If the department believes that a facility's plan does not satisfy those federal requirements, the department shall request an opinion from the United States Environmental Protection Agency as to the legal adequacy of the plan and any amendment necessary to bring the facility into compliance with those federal requirements. The department shall prepare educational and technical materials for use by facilities

affected by this subsection. ~~The commissioner shall report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 15, 2006 and on that date every 2 years thereafter on activities undertaken by the department under this subsection.~~

Sec. 8. 38 MRSA §1310-N, sub-§6-D, as amended by PL 2001, c. 212, §5, is further amended to read:

6-D. Solid waste facilities licensed under rules valid on or after May 24, 1989. A solid waste facility license issued under applicable solid waste management rules valid on or after May 24, 1989 remains in effect unless modified, under section 341-D, subsection 3 or revoked or suspended under section ~~341-D~~ 342, subsection 3 ~~11-B~~. These licensees must:

- A. Comply with applicable operating rules adopted by the board;
- B. Comply with annual facility reporting rules adopted by the board; and
- C. Beginning 5 years after the date of issuance of the license, pay an annual facility reporting fee established by the commissioner. The annual fee established in this paragraph must be an amount equal to 20% of the relicensing fee that would have applied to that facility.

Notwithstanding the terms of this subsection, a license issued to a solid waste facility that is not a solid waste landfill may be voluntarily surrendered by the license holder upon department approval.

Sec. 9. 38 MRSA §1319-O, as amended by PL 2005, c. 549, §6, is further amended to read:

§1319-O. Rule-making authority; hazardous waste, waste oil and biomedical waste

1. Hazardous waste. ~~Rulemaking. This subsection governs rulemaking for hazardous waste shall be as follows.~~

- A. The ~~board~~ commissioner may adopt and amend rules identifying hazardous waste. It is the intent of the Legislature that the ~~board~~ commissioner shall identify as hazardous waste those substances that are identified by the United States Environmental Protection Agency in proposed or final regulations. The Legislature also intends that the ~~board~~ commissioner may identify as hazardous waste, in accordance with ~~paragraph B~~ subparagraph (2), other substances in addition to those identified by the United States Environmental Protection Agency. Further, the Legislature intends that a substance that has been identified as a hazardous waste by the ~~board~~ commissioner may be removed from identification only by further rulemaking by the ~~board~~ commissioner.

Hazardous waste may be identified as follows.

- (1) The ~~board~~ commissioner may identify any substance as a hazardous waste if that substance is identified as hazardous by particular substance, by characteristic, by chemical class or as a waste product of a specific industrial activity in proposed or final rules of the United States Environmental Protection Agency.
- (2) The ~~board~~ commissioner may identify any substance as a hazardous waste if the ~~board~~ commissioner, after evaluation based on existing data or data reasonably extrapolated from previously conducted studies using similar classes of substances or compounds under similar circumstances, has determined that the substance is an acute or chronic toxin causing significant potential adverse public health or environmental effects. An acute or chronic toxin may include the characteristics of:
 - (a) Carcinogenicity;
 - (b) Mutagenicity;
 - (c) Teratogenicity; or
 - (d) Infectiousness.

Rules adopted under this subparagraph must be submitted to the joint standing committee of the Legislature having jurisdiction over natural resources for review. ~~These rules remain in effect until 90 days after adjournment of the next regular session of the Legislature unless adopted by legislative enactment.~~

- (3) Whenever the ~~board~~ commissioner proposes to adopt or amend rules identifying hazardous waste or removing hazardous waste from identification, ~~the commissioner~~ the commissioner shall hold a public hearing.

- (4) In addition to hazardous waste identified under subparagraphs (1) and (2), the Legislature identifies the following chemicals, materials, substances or waste as being hazardous waste:
 - (a) Polychlorinated biphenyls and any substance containing polychlorinated biphenyls.

- B. The ~~board~~ commissioner may adopt rules relating to the handling of hazardous waste, including, but not limited to:

- (1) Containerization and labeling of hazardous waste, consistent with applicable rules of other federal and state agencies;
- (2) Reporting of handling of hazardous waste; and

(3) Waste ~~which~~ that is not compatible.

C. The ~~board~~ commissioner may adopt rules relating to transportation of hazardous waste, including, but not limited to:

(1) Licensing of transporters of hazardous waste, conveyances used for the transportation of hazardous waste and the operators of these conveyances; and licensing fees ~~shall~~ must be paid to the Maine Hazardous Waste Fund; and

(2) A manifest system for hazardous waste ~~which~~ that takes into consideration the requirements of the United States Resources Conservation and Recovery Act of 1976, Public Law 94-580, as amended, and this subchapter.

D. The ~~board~~ commissioner may adopt rules relating to the interim and final licensing and operation of waste facilities for hazardous waste, including, but not limited to:

(1) Standards for the safe operation and maintenance of the waste facilities, including, but not limited to, record keeping, monitoring before and during operation of the facility and after its termination of use or closure, inspections and contingency plans to minimize potential damage from hazardous waste;

(2) The training of personnel and the certification of supervisory personnel involved in the operation of the waste facilities;

(3) The termination, closing and potential future uses of the waste facilities;

(4) Rules equivalent to regulations of the United States Environmental Protection Agency that provide for licensing or permitting by rule; and

(5) Corrective action for all releases of hazardous waste or constituents from any solid waste management unit at a treatment, storage or disposal facility seeking a permit under this subchapter, regardless of the time waste was placed in the unit. For purposes of this paragraph, "solid waste management unit" includes any waste pile, landfill, surface impoundment or land treatment facility from which hazardous constituents might migrate, regardless of whether the unit was intended for the management of solid or hazardous wastes.

E. The ~~board~~ commissioner may adopt rules relating to evidence of financial capacity of hazardous waste facilities' owners or operators, and of those who transport hazardous waste, to protect

public health, safety and welfare and the environment, including, but not limited to:

(1) Liability insurance;

(2) Bonding; and

(3) Financial ability to comply with statutory and regulatory requirements or conditions.

Evidence of financial capacity required by the ~~board~~ commissioner may include one, or any combination, of the following: insurance, guarantee, surety bond, letter of credit or qualification as a self-insurer. In establishing the required evidence of financial capacity to further the purposes of this subchapter, the ~~board~~ commissioner may specify policy or other contractual terms, conditions or defenses that are necessary or that are unacceptable.

F. By January 1, 2000, the board shall adopt, at a minimum, the universal waste rules, excluding pesticides, promulgated by the United States Environmental Protection Agency as defined in 40 Code of Federal Regulations, Parts 9, 260, 261, 262, 264, 265, 266, 268, 270 and 273.

2. Waste oil. ~~Rulemaking. This subsection governs rulemaking for waste oil shall be as follows:~~

A. The board may adopt rules relating to the transportation, collection and storage of waste oil to protect public health, safety and welfare and the environment. The rules may include, without limitation, rules requiring licenses for waste oil dealers and the location of waste oil storage sites that are operated by waste oil dealers, evidence of financial capability and manifest systems for waste oil. A person licensed by the department to transport or handle hazardous waste is not required to obtain a waste oil dealer's license, but the hazardous waste license must include any terms or conditions determined necessary by the department relating to the transportation or handling of waste oil; ~~and~~.

B. The board may adopt rules relating to the registration, design and operation of used oil collection centers for the purposes of section 1319-Y. Rules adopted pursuant to this paragraph are major substantive rules as defined in the ~~Maine Administrative Procedure Act~~, Title 5, chapter 375, subchapter ~~II-A~~ 2-A.

3. Handling and disposal of biomedical waste.

The ~~board~~ commissioner shall adopt rules relating to the packaging, labeling, handling, storage, collection, transportation, treatment and disposal of biomedical waste, including infectious and pathogenic waste, to protect public health, safety and welfare and the environment.

A. The rules must include, without limitation:

- (1) Registration of biomedical waste generators;
- (2) Handling of biomedical waste by generators;
- (3) Licensing of biomedical waste transporters and the conveyances used for the transportation of biomedical waste;
- (4) Implementation of a biomedical waste tracking or manifest system;
- (5) Establishment of treatment and disposal standards; and
- (6) Categories of biomedical waste subject to regulation under this subsection, consistent with the provisions of section 1303-C, subsection 1-A.

B. The ~~board~~ commissioner shall adopt rules governing the siting, licensing, operational and record-keeping requirements for biomedical waste treatment, storage and disposal facilities.

C. The ~~board~~ commissioner shall require evidence of financial capacity.

D. The ~~board~~ commissioner may assess licensing and registration fees sufficient to pay for the department's administrative costs in regulating biomedical waste.

E. The rules must provide transportation and disposal options for persons who generate fewer than 50 pounds of sharps per month that allow:

- (1) The generator or an employee of the generator to transport properly packaged sharps to a licensed biomedical waste disposal facility or another medical facility that has volunteered to serve as a collection point for sharps if no more than 50 pounds of sharps are transported in one trip; and
- (2) The generator to mail properly packaged sharps to a licensed biomedical waste disposal facility in this State or a facility in another state if the carrier accepts those items and no more than 50 pounds are transported in any single package.

For purposes of this paragraph, "sharps" means items that may cause puncture wounds or cuts, including hypodermic needles, syringes, scalpel blades, capillary tubes and lancets, and "properly packaged" means packaged in accordance with department rules and rules or requirements imposed by the mail carrier.

See title page for effective date.

CHAPTER 125

H.P. 882 - L.D. 1296

An Act To Repeal Authorization for Smelt Fish- ing in Mud Brook in Aroostook County

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

Whereas, there exists a marked decline in the abundance of smelt; and

Whereas, in order to prevent overfishing of smelt, it is necessary to take immediate action; and

Whereas, this legislation repeals authorization for smelting in Mud Brook in Aroostook County; and

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

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

Sec. 1. 12 MRSA §12460-A, as amended by PL 2009, c. 218, §1, is repealed.

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

Effective May 29, 2015.

CHAPTER 126

H.P. 815 - L.D. 1182

An Act To Exempt Certain Agricultural Buildings from the Maine Uniform Building and Energy Code

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

Sec. 1. 10 MRSA §9722, sub-§6, ¶L, as corrected by RR 2011, c. 1, §11, is amended to read:

L. In the adoption and amendment of the Maine Uniform Building and Energy Code, adopt the standards for residential basement wall insulation under the 2006 edition of the International Energy Conservation Code published by the International Code Council; ~~and~~

Sec. 2. 10 MRSA §9722, sub-§6, ¶M, as re-allocated by RR 2011, c. 1, §12, is amended to read:

M. Adopt, amend and maintain the Maine Uniform Building Code and the Maine Uniform Energy Code; and

Sec. 3. 10 MRSA §9722, sub-§6, ¶N is enacted to read:

N. In the adoption and amendment of the Maine Uniform Building and Energy Code, ensure that buildings used to house livestock or harvested crops are not subject to the code.

See title page for effective date.

CHAPTER 127

S.P. 279 - L.D. 781

An Act To Expand Turkey Hunting Opportunities

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

Sec. 1. 12 MRSA §11109, sub-§3, ¶C, as amended by PL 2005, c. 12, Pt. III, §4, is further amended to read:

C. A resident small game hunting license, for a person 16 years of age or older, which permits hunting for all legal species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$14.

Sec. 2. 12 MRSA §11109, sub-§3, ¶¶G and K, as amended by PL 2009, c. 213, Pt. OO, §2, are further amended to read:

G. A nonresident small game hunting license, which permits hunting of all legal species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$74.

K. An alien small game hunting license, which permits hunting of all species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$79.

Sec. 3. 12 MRSA §11155, sub-§1-A, as enacted by PL 2005, c. 12, Pt. III, §11, is amended to read:

1-A. Eligibility; license required. A person who possesses a valid license to hunt big game or small game may obtain a permit to hunt for wild turkey from the commissioner or an authorized agent.

Sec. 4. 12 MRSA §11701, sub-§1, ¶B, as enacted by PL 2013, c. 387, §3, is amended to read:

B. A person to hunt from 30 minutes before sunrise to 30 minutes after sunset. ~~This paragraph is repealed August 1, 2016; and~~

Sec. 5. 12 MRSA §11701, sub-§2, as enacted by PL 2013, c. 387, §3, is amended to read:

2. Fall seasons. Beginning with the ~~2014~~ 2016 fall open season, the commissioner shall establish by rule ~~a 2 fall open season~~ seasons for hunting wild turkeys. Unless the commissioner determines that sound management principles require otherwise, the rule must establish ~~a 2 fall open season~~ seasons that ~~includes~~ include the month of October and a week in the month of November and allow a person to take up to a total of 2 wild turkeys over both seasons regardless of sex without any additional fee for the taking of a 2nd wild turkey.

Sec. 6. Effective date. This Act takes effect January 1, 2016.

Effective January 1, 2016.

CHAPTER 128

H.P. 347 - L.D. 508

An Act To Amend the Laws Governing the Number of Agency Liquor Stores Allowed in a Municipality

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

Sec. 1. 28-A MRSA §453, sub-§2-A, as amended by PL 2013, c. 253, §1, is further amended to read:

2-A. Limitation on number of agency liquor stores. Beginning July 1, 2009, the bureau may license up to 10 agency liquor stores in a municipality with a population over ~~50,000~~ 45,000; up to 9 agency liquor stores in a municipality with a population over 30,000 but less than 45,001; up to 8 agency liquor stores in a municipality with a population over 20,000 but less than ~~50,001~~ 30,001; up to 5 agency liquor stores in a municipality with a population of at least 10,001 but less than 20,001; up to 4 agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; and up to 3 agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001. In addition, the bureau may establish one agency liquor store in a municipality where the population is less than 2,000. The bureau may consider the impact of seasonal population or tourism and other related information provided by the municipality requesting an additional agency liquor store location.

Nothing in this subsection may be construed to reduce the number of agency stores the bureau may license in a municipality as of June 30, 2009.

See title page for effective date.

CHAPTER 129

H.P. 251 - L.D. 364

An Act To Allow a Sales Representative To Serve Alcoholic Beverages at a Tasting Event

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

Whereas, this legislation allows sales representatives to serve alcoholic beverages at tasting events; and

Whereas, it is necessary to implement this change immediately in order for it to be in place for the summer tourist season; and

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

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

Sec. 1. 28-A MRSA §460, sub-§1, as enacted by PL 2009, c. 459, §1, is amended to read:

1. Taste testing on agency liquor store premises. Subject to the conditions in subsection 2, the bureau may authorize an agency liquor store stocking at least 200 different codes of distilled spirits products to conduct taste testing of distilled spirits on that licensee's premises. An agency liquor store may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be pouring samples for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. Any other consumption of alcoholic beverages on an agency liquor store's premises is prohibited, except as permitted under section 1205 or 1207.

Sec. 2. 28-A MRSA §460, sub-§2, ¶L, as enacted by PL 2009, c. 459, §1, is amended to read:

L. The agency liquor store must notify the bureau of the date and time scheduled for all taste-testing

events. This notification must list the name of any sales representative licensed under section 1502 who will be pouring samples for taste testing.

Sec. 3. 28-A MRSA §1051, sub-§8, as enacted by PL 2013, c. 258, §1, is amended to read:

8. Liquor taste-testing events for general public on retail licensee's premises. The bureau may authorize an on-premise retail licensee to conduct taste testings of liquor open to the public on the licensed premises. Taste-testing events under this subsection must be conducted during hours that are authorized by the bureau for the sale of liquor on the licensed premises and may be held in collaboration with a certificate of approval holder, sales representative licensed under section 1502 or wholesale licensee. An on-premise retail licensee may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be pouring samples of liquor for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. The following conditions apply to all taste-testing events conducted under this subsection.

A. Liquor may not be served to persons who have not yet attained 21 years of age.

B. A person may not be served more than a total of 12 ounces of malt liquor having an alcohol content of 6% or less; for malt liquor having an alcohol content greater than 6% but less than 12%, a person may not be served more than a total of 6 ounces; or, for malt liquor having an alcohol content of 12% or greater, a person may not be served more than a total of 3 ounces.

C. A person may not be served more than a total of 5 ounces of wine having an alcohol content of 14% or less; or, for wine having an alcohol content greater than 14%, a person may not be served more than a total of 3 ounces of wine.

D. A person may not be served more than a total of 1 1/2 ounces, in 1/2 ounce servings, of distilled spirits having an alcohol content of 80 proof or less; or, for distilled spirits containing an alcohol content of greater than 80 proof, a person may not be served more than a total of 3/4 of an ounce in 1/4 ounce servings.

E. A person may not be charged a fee for any liquor served as part of a taste-testing event.

F. A person may not be served who is visibly intoxicated.

G. A taste-testing event must be conducted within the hours of retail sale established in this Title.

H. The retail licensee must obtain the written permission of the bureau before conducting a taste-testing event.

I. The retail licensee may conduct no more than one taste-testing event per month.

J. A taste-testing event is not allowed in any municipality where on-premises and off-premises sales are not allowed pursuant to chapter 5.

K. The retail licensee must notify the bureau of the date and time scheduled for a taste-testing event. This notification must list the name of any sales representative licensed under section 1502 who will be pouring samples for taste testing.

L. Liquor served at a taste-testing event may be provided by the retail licensee purchasing the liquor from a wholesale licensee or agency liquor store. A record of a transaction under this paragraph must be maintained and made available to the bureau.

M. The retail licensee shall establish a designated area in which to conduct a taste-testing event in accordance with this section and shall make reasonable attempts to ensure that tastings are confined to the designated area.

N. The retail licensee, with prior approval from the bureau, may conduct an invitation-only taste-testing event at the licensed premises in place of or to coincide with a taste-testing event that is open to the public.

O. After a taste-testing event is concluded, the retail licensee may return any unused portion of liquor used to conduct the taste-testing event to the licensee's existing stock.

P. A certificate of approval holder, licensed sales representative or wholesale licensee who participates in a taste-testing event may provide and distribute food or snacks to be consumed in conjunction with the liquor to be tasted at no cost to the public or the retail licensee if the total cost for the food or snacks does not exceed \$200 per event. Any remaining food or snacks provided in conjunction with a taste-testing event must be removed by the certificate of approval holder, licensed sales representative or wholesale licensee from the licensed premises at the conclusion of the event.

Q. A certificate of approval holder, licensed sales representative or wholesale licensee who participates in a taste-testing event may provide material to advertise the liquor being offered at the taste-testing event or for the promotion of responsible use of alcohol. A certificate of approval holder, licensed sales representative or wholesale licensee may use the advertising material only for promotional display on the licensed premises. Advertis-

ing material related to the taste-testing event may include signs, coasters, napkins, table tents and items of like value and must be removed by the certificate of approval holder, licensed sales representative or wholesale licensee from the licensed premises at the conclusion of the event.

R. A certificate of approval holder, licensed sales representative or wholesale licensee who participates in a taste-testing event may distribute novelties to the public during the event at a cost not to exceed \$3 per novelty. All remaining novelties under this paragraph must be removed by the certificate of approval holder, licensed sales representative or wholesale licensee from the licensed premises at the conclusion of the taste-testing event.

The bureau may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 28-A MRSA §1205, sub-§1, as amended by PL 2011, c. 69, §1, is further amended to read:

1. Taste testing on off-premise retail licensee's premises. Subject to the conditions in subsection 2, the bureau may authorize an off-premise retail licensee stocking at least 125 different wine labels to conduct taste testings of wine on that licensee's premises. An off-premise retail licensee may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be pouring samples for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. Any other consumption of alcoholic beverages on an off-premise retail licensee's premises is prohibited.

Sec. 5. 28-A MRSA §1205, sub-§2, ¶J, as amended by PL 2009, c. 459, §2, is further amended to read:

J. The retail licensee must notify the bureau of the date and time scheduled for all taste-testing events. This notification must list the name of any sales representative licensed under section 1502 who will be pouring samples for taste testing;

Sec. 6. 28-A MRSA §1207, sub-§1, as amended by PL 2009, c. 510, §8, is further amended to read:

1. Taste testing on off-premise retail licensee's premises. Subject to the conditions in subsection 2, the bureau may authorize an off-premise retail licensee stocking at least 100 different labels of malt liquor to conduct taste testing of malt liquor on that licensee's

premises. An off-premise retail licensee may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be pouring samples for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. Any other consumption of alcoholic beverages on an off-premise retail licensee's premises is prohibited, except as permitted under section 460 or 1205.

Sec. 7. 28-A MRSA §1207, sub-§2, ¶J, as enacted by PL 2009, c. 459, §4, is amended to read:

J. The retail licensee must notify the bureau of the date and time scheduled for all taste-testing events. This notification must list the name of any sales representative licensed under section 1502 who will be pouring samples for taste testing.

Sec. 8. 28-A MRSA §1501, as amended by PL 2013, c. 588, Pt. B, §5, is further amended to read:

§1501. Lists of officers, partners and sales representatives

All persons selling liquor ~~to~~ in the State shall furnish to the bureau a list of all officers and directors, if a corporation, or a list of all partners, if a partnership, and the name of the sales representatives of the person within the State.

Sec. 9. 28-A MRSA §1505, first ¶, as enacted by PL 2009, c. 459, §5, is amended to read:

A sales representative holding a license under section 1502 may participate in a tasting event permitted under section 460 ~~or~~ section 1051, subsection 8; section 1205; or section 1207 subject to the provisions of this section.

Sec. 10. 28-A MRSA §1505, sub-§4, as enacted by PL 2009, c. 459, §5, is amended to read:

4. Pour or distribute. A sales representative participating in a tasting event pursuant to this section may not pour or distribute to consumers the products being offered for tasting during the event unless the sales representative was listed on a request submitted to the bureau by a licensee to conduct a taste testing in accordance with section 460; section 1051, subsection 8; section 1205; or section 1207. A sales representative who pours or distributes products to consumers at a tasting event under section 460; section 1051, subsection 8; section 1205; or section 1207 must have successfully completed an alcohol server education course approved by the commissioner.

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

Effective May 29, 2015.

CHAPTER 130

H.P. 71 - L.D. 88

**An Act To Authorize
Snowmobile Registration
Reciprocity with the Provinces
of New Brunswick and Quebec**

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

Sec. 1. 12 MRSA §13104, sub-§16, ¶¶A and B, as enacted by PL 2013, c. 588, Pt. E, §6 and affected by §7, are amended to read:

A. The nonresident's snowmobile has a valid registration from another state or from the Canadian provinces of New Brunswick or Quebec; and

B. The nonresident's state or province of residency allows a snowmobile registered in Maine to be operated in that state or province for a period of time of at least 3 consecutive days without being registered in that state or province.

See title page for effective date.

CHAPTER 131

H.P. 240 - L.D. 353

**An Act To Authorize a
Temporary Medical Transfer
of an Elver Individual Fishing
Quota**

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

Sec. 1. 12 MRSA §6505-A, sub-§3-A, as enacted by PL 2013, c. 485, §7, is amended to read:

3-A. Elver fishing quotas. The commissioner may adopt rules to establish, implement and administer an elver individual fishing quota system in order to ensure that the elver fishery annual landings do not exceed the overall annual quota established by the Atlantic States Marine Fisheries Commission. A Except as provided in section 6575-L, a person issued a license under this section or section 6302-A, subsection 3, paragraph E, E-1, F or G may not take, possess or sell elvers in excess of the weight quota allocated to that person under the quota system. The rules must:

A. Establish an overall annual quota for the State;

B. Establish the amount of the overall annual quota under paragraph A that is allocated to persons licensed under this section and specify a formula to establish individual quotas for persons licensed under this section. The formula may take into account the amount of elvers a person licensed under this section lawfully harvested in previous seasons based on final harvesting reports. The rules must specify the date by which harvester reports are considered final for the purpose of determining individual quotas; and

C. Provide, in accordance with section 6302-B, that 21.9% of the overall annual quota under paragraph A is allocated to the federally recognized Indian tribes in the State and establish the amount of that portion of the overall annual quota allocated to the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs.

If persons issued licenses under this section collectively exceed the overall annual quota allocated to those persons pursuant to paragraph B, the number of pounds by which the license holders exceeded that overall annual quota must be deducted from the following year's overall annual quota allocated to persons licensed under this section. If the overage exceeds the overall annual quota allocated to persons licensed under this section for the following year, the overage must be deducted from the overall annual quota allocated to persons licensed under this section in subsequent years until the entire overage has been accounted for.

The commissioner may adopt or amend rules on an emergency basis if immediate action is necessary to establish and implement the elver individual fishing quota in advance of the beginning of the elver fishing season.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 12 MRSA §6575-K, sub-§§1 and 2, as enacted by PL 2013, c. 485, §9, are amended to read:

1. Prohibition on possession or sale of elvers in excess of elver individual fishing quota. A person may not possess or sell a weight of elvers that exceeds the elver individual fishing quota that person has been allocated for the fishing season pursuant to section 6505-A, subsection 3-A, plus any additional quota the person may be authorized to take under section 6575-L.

2. Prohibition on fishing after elver individual fishing quota has been reached. Except as provided in section 6575-L, this section applies to fishing after a person's elver individual fishing quota has been reached. A person who has sold a weight of elvers

that meets or exceeds that person's elver individual fishing quota may not fish for or possess elvers for the remainder of the season, except that such a person who has been issued a license to fish for elvers may in accordance with section 6575-D assist another person who has been issued a license to fish for elvers who has not met or exceeded that person's elver individual fishing quota as provided in section 6505-A, subsection 3-A. All gear tagged by a license holder who has met or exceeded that person's elver individual fishing quota must be removed. A marine patrol officer may seize the elver transaction card of a license holder who has met or exceeded that person's elver individual fishing quota.

Sec. 3. 12 MRSA §6575-L is enacted to read:

§6575-L. Temporary medical transfer

The commissioner may authorize a temporary medical transfer of the elver individual fishing quota allocated to a person under section 6505-A in accordance with this section. The holder of an elver fishing license who requests a temporary medical transfer under this section must maintain a valid elver fishing license during the duration of the temporary medical transfer.

1. Temporary medical transfer requested prior to March 1st. Notwithstanding section 6505-A, subsection 3-A, the commissioner may authorize a temporary medical transfer that permits the holder of an elver fishing license issued under section 6505-A to transfer the entire annual quota allocated to that person to another person holding an elver fishing licence issued under section 6505-A if the following criteria are met:

A. The transferor reported elver landings in the prior fishing year;

B. The transferor is unable to fish the quota allocated to the transferor because the transferor has experienced a substantial illness or medical condition. The transferor shall provide the commissioner with documentation from a physician describing the substantial illness or medical condition; and

C. The transferor requests a temporary medical transfer in writing before March 1st of the fishing year for which it is being requested, except that the commissioner may adopt rules that provide a method for authorizing a temporary medical transfer requested after March 1st to address emergency medical conditions.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 132
S.P. 296 - L.D. 847

**An Act To Permit Hair
Braiding without a Barbering
or Cosmetology License**

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

Whereas, many new Americans who had hair braiding businesses in their countries of origin would like to start hair braiding businesses in Maine and current Maine cosmetology and barbering regulations are burdensome and inapplicable for individuals who want to open within their communities shops that offer only hair braiding services; and

Whereas, an exemption from licensure for hair braiding services would help many individuals start small businesses and assist with their participation in the Maine economy, which benefits all citizens of the State; and

Whereas, this legislation needs to take effect before the end of the 90-day period in order to benefit the economy as soon as possible; and

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

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

Sec. 1. 32 MRSA §14203, sub-§3 is enacted to read:

3. Hair braiding. A person who provides only hair braiding services is not subject to licensure under this chapter.

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

Effective June 2, 2015.

CHAPTER 133
H.P. 672 - L.D. 975

**An Act Regarding Travel
Insurance in the Maine
Insurance Code**

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

Sec. 1. 24-A MRSA §601, sub-§31 is enacted to read:

31. Supervising travel insurance producer. Supervising travel insurance producer licensing fees may not exceed:

- A. Original license issuance fee, \$500; and
- B. Annual renewal fee, \$300.

Sec. 2. 24-A MRSA §1420-F, sub-§1, ¶H, as enacted by PL 2001, c. 259, §24, is repealed and the following enacted in its place:

H. Travel insurance, which is a limited line and which means insurance coverage for personal risks incident to planned travel, including but not limited to:

- (1) Interruption or cancellation of a trip or event;
- (2) Loss of baggage or personal effects;
- (3) Damages to accommodations or rental vehicles; or
- (4) Sickness, accident, disability or death occurring during travel.

Travel insurance does not include a major medical plan that provides comprehensive medical protection for travelers on trips lasting 6 months or longer;

Sec. 3. 24-A MRSA §1420-H, sub-§3, ¶B, as enacted by PL 2001, c. 259, §24, is amended to read:

B. An applicant for a license as a limited insurance producer who solicits or sells travel ~~and baggage~~ insurance;

Sec. 4. 24-A MRSA c. 90 is enacted to read:

CHAPTER 90

LIMITED LINES TRAVEL INSURANCE

§7051. Short title

This chapter may be known and cited as "the Limited Lines Travel Insurance Act."

§7052. Definitions

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

1. Designated responsible producer. "Designated responsible producer" means the individual licensed producer responsible for ensuring compliance by the supervising travel insurance producer with travel insurance laws and rules of the State.

2. Offer and disseminate. "Offer and disseminate" means providing general information, including

a description of the coverage and price, as well as processing the application and collecting premiums.

3. Supervising travel insurance producer. "Supervising travel insurance producer" means a business entity licensed in accordance with this chapter to sell, solicit and negotiate travel insurance that is offered and disseminated by travel retailers.

4. Travel insurance. "Travel insurance" means insurance coverage as defined in section 1420-F, subsection 1, paragraph H.

5. Travel retailer. "Travel retailer" means a business entity that makes, arranges or offers travel services.

§7053. Licensure; nonlicensed activities; compensation

1. Issuance of license. Upon receipt of an application in the form and manner prescribed by the superintendent, the superintendent may issue a supervising travel insurance producer license, which is a limited license, to a business entity authorizing the business entity to sell, solicit or negotiate travel insurance as a supervising travel insurance producer on behalf of a licensed insurer.

2. Nonlicensed activities. A travel retailer or its employees or authorized representatives do not need a license under this chapter if the retailer is on the registry, as provided in section 7054, subsection 2, and the insurance-related activities of the travel retailer, its employees and authorized representatives are limited to offering and disseminating travel insurance in compliance with this chapter.

3. Compensation. If the insurance-related activities of a travel retailer and its employees and authorized representatives are limited to offering and disseminating travel insurance on behalf of and under the direction of a supervising travel insurance producer, and the travel retailer is registered pursuant to section 7054, subsection 2, the travel retailer and its employees are permitted to receive related compensation on sales made in accordance with this chapter.

§7054. Requirements

A travel retailer is authorized to offer and disseminate travel insurance on behalf of and under the authority of a supervising travel insurance producer if the following requirements are met.

1. Disclosure. The supervising travel insurance producer or travel retailer shall provide to purchasers of travel insurance brochures or other written materials that include:

A. A description of the material terms of the insurance coverage including:

(1) The identity and contact information of the insurer, supervising travel insurance producer and designated responsible producer;

(2) The amount of any applicable deductible and how it is to be paid;

(3) The benefits of the coverage; and

(4) Key terms and conditions of coverage;

B. An explanation that the purchase of travel insurance is not required in order to purchase any other product or service from the travel retailer;

C. An explanation that a travel retailer that is not licensed as an insurance producer is only permitted to provide general information about the insurance offered by the supervising travel insurance producer or insurer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage;

D. A description of the process for filing a claim; and

E. A description of the review or cancellation process for the travel insurance policy.

2. Registry of travel retailers. The supervising travel insurance producer shall establish and update a register on a form prescribed by the superintendent of each travel retailer that offers travel insurance on the supervising travel insurance producer's behalf. The register must include the name, address and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations and the travel retailer's federal employer identification number. The supervising travel insurance producer shall submit the register to the superintendent upon request. The supervising travel insurance producer shall certify that the registered travel retailer complies with 18 United States Code, Section 1033.

3. Designated responsible producer. The supervising travel insurance producer shall designate one of its employees who is a licensed insurance producer under chapter 16, subchapter 2-A as the designated responsible producer.

4. License continuation or termination. Each supervising travel insurance producer license issued under this chapter is subject to section 1416-A.

5. Fees. The supervising travel insurance producer shall pay all applicable insurance producer licensing fees as set forth in section 601, subsection 31.

6. Training. The supervising travel insurance producer shall require each employee of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction

or training, which may be subject to review by the superintendent. The training material must, at a minimum, contain instructions on the types of insurance offered, ethical sales practices and required brochures or other written materials provided to prospective customers.

§7055. Prohibited acts

An employee or representative of a travel retailer who is not licensed as an insurance producer may not:

1. Technical terms. Evaluate or interpret the technical terms, benefits and conditions of the offered travel insurance coverage;

2. Advice. Evaluate or provide advice concerning a prospective purchaser's existing insurance coverage; or

3. Purport to be licensed. Purport to be a licensed insurer, licensed producer or insurance expert or represent that the travel retailer is so licensed or has insurance expertise.

§7056. Policy; responsibilities; enforcement

1. Policy. Travel insurance may be provided under an individual policy or under a group or master policy.

2. Responsibility. A supervising travel insurance producer is responsible for the acts of a travel retailer offering and disseminating travel insurance under the supervising travel insurance producer's authority and shall use reasonable means to ensure compliance by the travel retailer with this chapter.

3. Enforcement. A supervising travel insurance producer and any travel retailer offering and disseminating travel insurance are subject to chapters 16 and 23.

See title page for effective date.

CHAPTER 134

S.P. 372 - L.D. 1046

An Act To Penalize Legislators for Excessive Absences

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

Sec. 1. 3 MRSA §2, as corrected by RR 2013, c. 2, §3, is amended by adding after the 2nd paragraph a new paragraph to read:

A member of the Senate or House of Representatives may not be absent without leave for more than 5 legislative days in the first regular session or for more than 3 legislative days in the second regular session. A member who violates this paragraph must have the member's salary reduced by an amount as determined

by the Legislative Council for each legislative day of absence without leave. At the beginning of each Legislature, the Legislative Council shall establish policies and procedures to record attendance for each legislative day and set the salary reduction for members who violate this paragraph.

See title page for effective date.

CHAPTER 135

H.P. 794 - L.D. 1156

An Act Regarding the Board of Dental Examiners

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

Whereas, Public Law 2011, chapter 581 established dental adjudicatory panels, which had sole authority to hold an adjudicatory hearing regarding disciplinary actions for a person licensed by the Board of Dental Examiners; and

Whereas, the law establishing the dental adjudicatory panels was repealed September 15, 2014, leaving the Board of Dental Examiners without authority to hold adjudicatory hearings on disciplinary actions; and

Whereas, it is in the best interest of the public that there be a process in place to ensure that the public is served by competent and honest practitioners in the field of dentistry; and

Whereas, this legislation needs to take effect as soon as possible to restore the authority of the Board of Dental Examiners to adjudicate disciplinary actions; and

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

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

Sec. 1. 32 MRSA §1077, sub-§1, as amended by PL 2011, c. 581, §1, is further amended to read:

1. Disciplinary proceedings and sanctions. Regarding noncompliance with or violation of this chapter or of rules adopted by the board, the board shall investigate a complaint on its own motion or upon receipt of a written complaint filed with the board.

The board shall notify the licensee of the content of a complaint filed against the licensee as soon as possi-

ble, but no later than 60 days from receipt of this information. The licensee shall respond within 30 days. If the licensee's response to the complaint satisfies the board that the complaint does not merit further investigation or action, the matter may be dismissed, with notice of the dismissal to the complainant, if any.

If, in the opinion of the board, the factual basis of the complaint is or may be true, and the complaint is of sufficient gravity to warrant further action, the board may request an informal conference with the licensee. The board shall provide the licensee with adequate notice of the conference and of the issues to be discussed. The conference must be conducted in executive session of the board, pursuant to Title 1, section 405, unless otherwise requested by the licensee. Statements made at the conference may not be introduced at a subsequent formal hearing unless all parties consent.

If the board finds that the factual basis of the complaint is true and is of sufficient gravity to warrant further action, it may take any of the following actions it considers appropriate:

A. With the consent of the licensee, enter into a consent agreement that takes any action authorized by Title 10, section 8003, subsection 5 or Title 10, section 8003-D. A consent agreement may be used to terminate a complaint investigation, if entered into by the board, the licensee and the Attorney General's office;

B. In consideration for acceptance of a voluntary surrender of the license, if a consent agreement is signed by the board, the licensee and the Attorney General's office, negotiate stipulations, including terms and conditions for reinstatement, that ensure protection of the public health and safety and that serve to rehabilitate or educate the licensee;

C. If the board concludes that denial of initial licensure or, modification or nonrenewal of an existing a license is in order warranted, the board may refer the complaint to a dental adjudicatory panel, convened pursuant to section 1080, for the purpose of holding hold an adjudicatory hearing in accordance with the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter 4 and may take any action authorized by subsection 2 or Title 10, section 8003, subsection 5; or

D. If the board concludes that suspension or revocation of the license is in order, the board may file a complaint in the District Court in accordance with Title 4, chapter 5.

~~Notwithstanding any other provision of law, a dental adjudicatory panel convened pursuant to section 1080 has the sole authority to hold an adjudicatory hearing conforming to the requirements of Title 5, chapter 375, subchapter 4 and take any action authorized by Title~~

~~10, section 8003, subsection 5 or Title 10, section 8003-D following an adjudicatory hearing.~~

Notwithstanding Title 10, section 8003, subsection 5, any nonconsensual revocation of a license by a dental adjudicatory panel pursuant to Title 10, section 8003, subsection 5 may be imposed only after a hearing conforming to the requirements of Title 5, section 375, subchapter 4 and is subject to judicial review exclusively in the Superior Court in accordance with Title 5, chapter 375, subchapter 7. ~~The board retains the authority to take any other action pursuant to this section and Title 10, section 8003 regarding the disposition of any complaint that does not involve an adjudicatory hearing.~~

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

Effective June 2, 2015.

CHAPTER 136

H.P. 114 - L.D. 156

An Act To Eliminate the Minimum Age Requirement for a Junior Hunting License and Increase the Number of Times a Person May Hold an Apprentice Hunter License

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

Sec. 1. 12 MRSA §10853, sub-§8, as amended by PL 2013, c. 136, §1, is further amended to read:

8. Members of federally recognized nation, band or tribe. The commissioner shall issue a hunting, trapping and fishing license, including an archery hunting license under this chapter, and including permits, stamps and other permission needed to hunt, trap and fish, to a person, ~~10 years of age or older,~~ who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs that is valid for the life of that person without any charge or fee pursuant to section 11109, if the person presents certification from the respective reservation governor or the Aroostook Micmac Council stating that the person described is an enrolled member of a federally recognized nation, band or tribe listed in this subsection. Holders of these licenses are subject to this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit. Members of a federally recognized nation, band or tribe listed in this subsection are exempt from the trapper evaluation program required for a license under section 12201

and the archery hunter education course under section 11106.

Sec. 2. 12 MRSA §11102, as affected by PL 2003, c. 614, §9 and repealed and replaced by c. 655, Pt. B, §111 and affected by §422, is repealed.

Sec. 3. 12 MRSA §11106, sub-§1, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. A resident or nonresident ~~10 years of age or older and~~ under 16 years of age may hunt with bow and arrow if that person holds a valid junior hunting license.

Sec. 4. 12 MRSA §11106-A, sub-§2, as enacted by PL 2005, c. 419, §3 and affected by §12, is amended to read:

2. Junior license. A resident or nonresident ~~10 years of age or older and~~ under 16 years of age may hunt with a crossbow if that person holds a valid junior hunting license.

Sec. 5. 12 MRSA §11107, sub-§2, as amended by PL 2005, c. 397, Pt. E, §5, is further amended to read:

2. Junior license. A person ~~10 years of age or older and~~ under 16 years of age may obtain a muzzle-loading permit from the commissioner or the commissioner's authorized agent if the person possesses a valid junior hunting license.

Sec. 6. 12 MRSA §11108, sub-§1, as amended by PL 2005, c. 419, §4 and affected by §12, is further amended to read:

1. On certain land. Notwithstanding section 11109, subsection 1 as it applies to this subchapter, a resident ~~over 10 years of age~~ and a member of the resident's immediate family ~~over 10 years of age~~, as long as the hunter's license to hunt is not under suspension or revocation, may hunt without a license, including, but not limited to, an archery hunting license, a crossbow hunting license and a muzzle-loading license, on a single plot of land:

- A. To which they are legally entitled to possession;
- B. On which they are actually domiciled;
- C. That is used exclusively for agricultural purposes; and
- D. That is in excess of 10 acres.

Sec. 7. 12 MRSA §11108-B, sub-§3, as amended by PL 2013, c. 538, §19, is further amended to read:

3. Eligibility. A resident or nonresident 16 years of age or older who has never held a valid adult hunting license in this State, or any other state, province or country, is eligible to obtain an apprentice hunter li-

cense. Notwithstanding section 11105, a person is eligible to obtain an apprentice hunter license without having successfully completed a hunter safety course. A person may not obtain an apprentice hunter license more than ~~twice~~ 5 times. A person selected to receive a moose permit may not then purchase an apprentice hunter license to meet the licensing requirements for that permit.

Sec. 8. 12 MRSA §11108-C, as enacted by PL 2013, c. 538, §20, is amended to read:

§11108-C. Eligibility and restrictions for a junior hunting license

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

A. "Adult supervisor" means:

(1) The parent or guardian of the junior hunter who holds or has held a valid Maine hunting license or successfully completed a hunter safety course that meets the requirements of section 11105; or

(2) A person 18 years of age or older who:

(a) Is approved by the parent or guardian of the junior hunter; and

(b) Holds or has held a valid Maine hunting license or successfully completed a hunter safety course that meets the requirements of section 11105.

B. "In the presence of" means in visual and voice contact without the use of visual or audio enhancement devices, including but not limited to binoculars and citizen band radios.

2. Eligibility. A resident or nonresident who is ~~at least 10 years of age and~~ under 16 years of age may obtain a junior hunting license, which allows that person to hunt subject to the conditions set out in this section.

3. Supervision of junior hunters. A hunter who is at least 10 years of age and under 16 years of age may not hunt unless that person holds a junior hunting license and is in the presence of and under the effective control of an adult supervisor. A hunter who is under 10 years of age may not hunt unless that person holds a junior hunting license and is in the presence of and under the effective control of an adult supervisor who remains at all times within 20 feet of that hunter.

4. Supervision of junior hunters 16 years of age. A hunter 16 years of age who obtained a junior hunter hunting license before that person reached 16 years of age may not hunt with that license unless the person is in the presence of ~~or~~ and under the effective control of an adult supervisor or the person has successfully completed a hunter safety course acceptable

under section 11105. The following penalties apply to a violation of this subsection:

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged; and

B. A person who violates paragraph A after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

5. Expiration of junior hunting license issued to person 15 years of age. A junior hunting license issued to a person who is 15 years of age is valid through the calendar year for which the license is issued. In addition to the requirements of subsection 4, all other permit requirements applicable to a person who is 16 years of age or older apply to a person who continues to hunt with a junior hunting license under this subsection after reaching that person's 16th birthday.

6. Penalties for supervisors of junior hunters. A person who is the adult supervisor of a holder of a valid junior hunting license when that junior hunter violates any provision of this Part pertaining to hunting:

A. Commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged; and

B. After having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period, commits a Class E crime.

Sec. 9. 12 MRSA §11109, sub-§3, ¶A, as amended by PL 2013, c. 538, §21, is further amended to read:

A. A resident junior hunting license, for a person ~~10 years of age or older and~~ under 16 years of age, is \$7. Notwithstanding the permit fees established in subchapter 3, a resident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost. A resident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

Sec. 10. 12 MRSA §11109, sub-§3, ¶F, as repealed and replaced by PL 2013, c. 538, §22, is amended to read:

F. A nonresident junior hunting license, for a person ~~10 years of age or older and~~ under 16 years of age, is \$34. A nonresident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

Sec. 11. 12 MRSA §11154, sub-§13, as enacted by PL 2005, c. 143, §1, is amended to read:

13. Hunting adventure permits for children. Notwithstanding subsection 6 ~~and section 11102~~, the commissioner may issue 2 moose permits to a non-profit organization dedicated to providing hunting and fishing adventures to children under 21 years of age with life-threatening, critical or terminal illnesses. The commissioner may issue these permits upon written request by an eligible nonprofit organization but may not issue more than 2 permits in total for a calendar year. These permits are in addition to the moose hunting permits issued under subsection 2 for each wildlife management district and are at no cost to the organization.

Sec. 12. Effective date. This Act takes effect January 1, 2016.

Effective January 1, 2016.

CHAPTER 137

H.P. 443 - L.D. 662

An Act To Increase Access to Health Care through Telemedicine

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

Sec. 1. 32 MRSA §3300-D is enacted to read:

§3300-D. Interstate practice of telemedicine

1. Definition. For the purposes of this section, "telemedicine" has the same meaning as in Title 24-A, section 4316, subsection 1.

2. Requirements. A physician not licensed to practice medicine in this State may provide consultative services through interstate telemedicine to a patient located in this State if the physician is registered in accordance with subsection 3. A physician intending to provide consultative services in this State through interstate telemedicine shall provide any information requested by the board and complete information on:

A. All states and jurisdictions in which the physician is currently licensed;

B. All states and jurisdictions in which the physician was previously licensed; and

C. All negative licensing actions taken previously against the physician in any state or jurisdiction.

3. Registration. The board may register a physician to practice medicine in this State through interstate telemedicine if the following conditions are met:

A. The physician is fully licensed without restriction to practice medicine in the state from which the physician provides telemedicine services;

B. The physician has not had a license to practice medicine revoked or restricted in any state or jurisdiction;

C. The physician does not open an office in this State, does not meet with patients in this State, does not receive calls in this State from patients and agrees to provide only consultative services as requested by a physician, advanced practice registered nurse or physician assistant licensed in this State and the physician, advanced practice registered nurse or physician assistant licensed in this State retains ultimate authority over the diagnosis, care and treatment of the patient;

D. The physician registers with the board every 2 years, on a form provided by the board; and

E. The physician pays a registration fee not to exceed \$500.

4. Notification of restrictions. A physician registered to provide interstate telemedicine services under this section shall immediately notify the board of restrictions placed on the physician's license to practice medicine in any state or jurisdiction.

5. Jurisdiction. In registering to provide interstate telemedicine services to residents of this State under this section, a physician agrees to be subject to the laws and judicial system of this State and board rules with respect to providing medical services to residents of this State.

6. Notification to other states. The board shall obtain confirmation of licensure from all states and jurisdictions in which a physician applying for registration has ever been licensed prior to registering the physician pursuant to subsection 3. The board shall request notification from a state or jurisdiction if future adverse action is taken against the physician's license in that state or jurisdiction.

See title page for effective date.

CHAPTER 138

H.P. 475 - L.D. 699

An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations

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

Whereas, the United States Occupational Safety and Health Administration implemented changes to its injury and illness recordkeeping requirements that became effective January 1, 2015; and

Whereas, the State became a so-called state plan state for public sector employers in an effort to decrease General Fund costs and employer costs; and

Whereas, state plan states must conform their statutes to the new federal provisions no later than July 1, 2015; and

Whereas, the State's lack of compliance with the injury and illness recordkeeping requirements would cause loss of reimbursement to the State; and

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

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

Sec. 1. 26 MRSA §2, as repealed and replaced by PL 2003, c. 244, §1, is amended to read:

§2. Reports of deaths and injuries

1. Reports of deaths. The person in charge of any workplace as defined in section 1 provided by the State, a state agency, a county, a municipal corporation, a school district or other public corporation or political subdivision shall, within 8 hours after the occurrence, report ~~in writing or by telephone~~ the death of any person in the workplace or on the premises to the Director of the Bureau of Labor Standards ~~the death of any person in the workplace or on the premises, or the director's designee, by telephone or electronically,~~ stating as fully as possible the cause of the death and the place where the deceased person has been sent and supplying other information relative to the death that may be required by the director who may investigate the causes of the death and require such precautions to be taken as will prevent the recurrence of similar events. A statement contained in any such report is not admissible in evidence in any action arising out of the death reported.

2. Reports of serious physical injuries. The person in charge of any workplace as defined in section 1 provided by the State, a state agency, a county, a municipal corporation, a school district or other public corporation or political subdivision shall, within 24 hours after the occurrence, report ~~in writing or by telephone~~ all serious physical injuries requiring immediate hospitalization sustained by any person in the workplace or on the premises to the Director of the Bureau of Labor Standards ~~all serious physical injuries requiring immediate hospitalization sustained by any person in the workplace or on the premises, or the director's~~

designee, by telephone or electronically, stating as fully as possible the extent and cause of the injury and the place where the injured person has been sent and supplying other information relative to the injury that may be required by the director who may investigate the causes of the injury and require such precautions to be taken as will prevent the recurrence of similar events. A statement contained in any such report is not admissible in evidence in any action arising out of the accident reported.

3. Serious physical injuries defined. "Serious physical injuries," as used in this section, means an incident that results in an amputation, loss or fracture of any body part or that necessitates immediate hospitalization or formal admission to the inpatient service of a hospital or clinic for care or treatment.

Sec. 2. 26 MRSA §44, first ¶, as amended by PL 2013, c. 473, §2, is further amended to read:

The director as state factory inspector, and any authorized agent of the bureau, may enter any workplace as defined in section 1, provided by the State or by a state agency, county, municipal corporation, school district or other public corporation or political subdivision when the same are open or in operation, for the purpose of gathering facts and statistics under sections 42 to 44, and may examine the methods of protecting employees from danger, the safety and health of employees and the sanitary conditions in and around the such buildings and places, and may make a record of such inspection. Upon petition of the director, a Superior Court in the county in which any refusal to permit entry or fact gathering or inspection was alleged to have occurred may order appropriate injunctive relief against any person in charge of the workplace who refuses entry to the director or authorized agent of the bureau.

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

Effective June 3, 2015.

CHAPTER 139

S.P. 150 - L.D. 382

An Act To Eliminate Certain Fees for Security Freezes and Allow Security Freezes for Minors

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

Sec. 1. 10 MRSA §1308, sub-§§6-A, 6-B, 7-A, 7-B and 7-C are enacted to read:

6-A. Protected consumer. "Protected consumer" means an individual who has not attained 16 years of age at the time a request for the placement of a security freeze is made.

6-B. Representative. "Representative" means a person who provides to a consumer reporting agency sufficient proof of authority to act on behalf of a protected consumer.

7-A. Security freeze for a protected consumer. "Security freeze for a protected consumer" means:

A. If a consumer reporting agency does not have a file pertaining to a protected consumer, a restriction that:

(1) Is placed on the protected consumer's record in accordance with section 1310, subsection 1-A; and

(2) Prohibits the consumer reporting agency from releasing the protected consumer's record except as provided in this section; or

B. If a consumer reporting agency has a file pertaining to the protected consumer, a restriction that:

(1) Is placed on the protected consumer's consumer report in accordance with section 1310, subsection 1-A; and

(2) Prohibits the consumer reporting agency from releasing the protected consumer's consumer report or any information derived from the protected consumer's consumer report except as provided in section 1310, subsection 1-A.

7-B. Sufficient proof of authority. "Sufficient proof of authority" means documentation that shows a representative has authority to act on behalf of a protected consumer. "Sufficient proof of authority" includes, but is not limited to:

A. An order issued by a court of law; or

B. A written, notarized statement signed by a representative that expressly describes the authority of the representative to act on behalf of a protected consumer.

7-C. Sufficient proof of identification. "Sufficient proof of identification" means information or documentation that identifies a protected consumer or a representative of a protected consumer. "Sufficient proof of identification" includes, but is not limited to:

A. A social security number or a copy of a social security card issued by the federal Social Security Administration;

B. A certified or official copy of a birth certificate; or

C. A copy of a driver's license, an identification card issued by the Secretary of State pursuant to Title 29-A, section 1410 or any other government-issued photo identification.

Sec. 2. 10 MRSA §1310, sub-§1, ¶A, as enacted by PL 2013, c. 228, §1, is amended to read:

A. A consumer may place a security freeze on the consumer's consumer report as follows.

(1) A consumer who has been the victim of identity theft may place a security freeze on the consumer's consumer report by making a request in writing by certified mail to a consumer reporting agency with a valid copy of a police report, investigative report or complaint the consumer has filed with a law enforcement agency about unlawful use of personal information by another person. In the case of a victim of identity theft, a consumer reporting agency may not charge a fee for placing, removing or suspending for a specific party or period of time a security freeze on a consumer report.

This subparagraph is repealed October 1, 2015.

(2) -A- Prior to October 1, 2015, a consumer who has not been the victim of identity theft may place a security freeze on the consumer's consumer report by making a request in writing by certified mail to a consumer reporting agency. A consumer reporting agency may charge a fee of no more than \$10 to a consumer for each security freeze, removal of a security freeze or temporary suspension of a security freeze for a period of time or for reissuing the same or a new personal identification number if the consumer fails to retain the original personal identification number provided by the agency under paragraph D. A consumer reporting agency may charge a fee of not more than \$12 for a temporary suspension of a security freeze for a specific party. Beginning October 1, 2015, a consumer reporting agency may not charge a fee for placing, removing or suspending for a specific party or period of time a security freeze on a consumer report.

Sec. 3. 10 MRSA §1310, sub-§1-A is enacted to read:

1-A. Security freeze for a protected consumer. Beginning October 1, 2015, a person subject to this chapter shall comply with the following provisions regarding a security freeze for a protected consumer.

A. A consumer reporting agency shall place a security freeze for a protected consumer if:

(1) The consumer reporting agency receives a request from the protected consumer's representative for the placement of the security freeze under this subsection; and

(2) The protected consumer's representative:

(a) Submits the request to the consumer reporting agency at the address or other point of contact and in the manner specified by the consumer reporting agency;

(b) Provides to the consumer reporting agency sufficient proof of identification of the protected consumer and the representative;

(c) Provides to the consumer reporting agency sufficient proof of authority to act on behalf of the protected consumer; and

(d) Pays to the consumer reporting agency any fee, as provided in paragraph H.

B. If a consumer reporting agency does not have a file pertaining to a protected consumer when the consumer reporting agency receives a request under this subsection, the consumer reporting agency shall create a record for the protected consumer.

This record may not be created or used to consider the protected consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics or mode of living for any purpose listed in 15 United States Code, Section 1681b.

C. Within 30 days after receiving a request that meets the requirements of this subsection, a consumer reporting agency shall place a security freeze for the protected consumer on the record created for the protected consumer or on the file pertaining to the protected consumer in the event that the consumer reporting agency already has a file pertaining to the protected consumer.

D. Unless a security freeze for a protected consumer is removed in accordance with this subsection, a consumer reporting agency may not release the protected consumer's consumer report, any information derived from the protected consumer's consumer report, or any record created for the protected consumer.

E. A security freeze for a protected consumer placed under this subsection remains in effect until:

(1) The protected consumer or the protected consumer's representative requests the consumer reporting agency to remove the security freeze in accordance with this subsection; or

(2) The security freeze is removed in accordance with paragraph F or I.

F. If a protected consumer or a protected consumer's representative wishes to remove a security freeze for the protected consumer, the protected consumer or the protected consumer's representative shall:

(1) Submit a request for the removal of the security freeze to the consumer reporting agency at the address or other point of contact and in the manner specified by the consumer reporting agency;

(2) Provide to the consumer reporting agency:

(a) In the case of a request by the protected consumer:

(i) Proof that the sufficient proof of authority for the protected consumer's representative to act on behalf of the protected consumer is no longer valid or that the protected consumer has attained the age of 16; and

(ii) Sufficient proof of identification of the protected consumer; or

(b) In the case of a request by the representative of a protected consumer:

(i) Sufficient proof of identification of the protected consumer and the representative; and

(ii) Sufficient proof of authority to act on behalf of the protected consumer; and

(3) Pay to the consumer reporting agency any fee authorized in paragraph H.

G. Within 30 days after receiving a request that meets the requirements for removing a security freeze for a protected consumer, the consumer reporting agency shall remove the security freeze.

H. A consumer reporting agency may charge a reasonable fee, not exceeding \$10 for each placement or removal of a security freeze for a protected consumer, except that a consumer reporting agency may not charge a fee for placement or removal of a security freeze for a protected consumer if:

(1) The protected consumer or the protected consumer's representative:

(a) Has obtained a report of alleged identity theft or fraud against the protected consumer; and

(b) The representative provides a copy of the report to the consumer reporting agency;

(2) The consumer reporting agency has a consumer report pertaining to the protected consumer; or

(3) The protected consumer or the protected consumer's representative:

(a) Receives a notice from an information broker or other person of a security breach as required by section 1348; and

(b) Provides a copy of that notice to the consumer reporting agency.

I. A consumer reporting agency shall remove a security freeze for a protected consumer or delete a record of a protected consumer if the security freeze was placed or the record was created based on a material misrepresentation of fact by the protected consumer or the protected consumer's representative.

J. The provisions of this subsection do not apply to the use of a consumer report by:

(1) A person administering a credit file monitoring subscription service to which the protected consumer has subscribed or to which a representative has subscribed on behalf of a protected consumer;

(2) A consumer reporting agency for the sole purpose of providing the protected consumer or the protected consumer's representative a copy of the protected consumer's consumer report upon the request of the protected consumer or the protected consumer's representative;

(3) An entity described in subsection 1, paragraph M, subparagraphs (3), (4), (5) and (10); or

(4) A consumer reporting agency's database or file that consists of information concerning, and used for, one or more of the following: criminal record information, fraud prevention or detection, personal loss history information, and employment, tenant or background screening.

K. A person may not be held liable for any violation of this subsection if the person shows by a preponderance of the evidence that at the time of the alleged violation the person maintained reasonable procedures to ensure compliance with the provisions of this subsection.

For the purposes of this subsection, "record" means a compilation of information that identifies a protected consumer and is created by a consumer reporting

agency solely for the purpose of complying with section 1310, subsection 1-A.

Sec. 4. 10 MRSA §1310, sub-§3, as enacted by PL 2013, c. 228, §1, is amended to read:

3. Persons not required to place security freeze. The following persons are not required to place ~~on a consumer report~~ a security freeze pursuant to subsection 1 ~~or 1-A~~, except that any person that is not required to place a security freeze ~~on a consumer report~~ under the provisions of subsection 1 ~~or 1-A~~ is subject to a security freeze placed ~~on a consumer report~~ by another consumer reporting agency from which it obtains information:

A. A check services or fraud prevention services company that reports on incidents of fraud or issues authorizations for the purpose of approving or processing negotiable instruments, electronic fund transfers or similar methods of payment;

B. A deposit account information services company that issues reports regarding account closures due to fraud, overdrafts, automated teller machine abuse or similar negative information regarding a consumer to inquiring financial institutions for use only in reviewing that consumer's request for a deposit account at the inquiring financial institution; and

C. A consumer reporting agency that:

(1) Acts only to resell credit information by assembling and merging information contained in a database of one or more consumer reporting agencies; and

(2) Does not maintain a permanent database of credit information from which new consumer reports are produced.

See title page for effective date.

CHAPTER 140

H.P. 380 - L.D. 556

An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator

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

Sec. 1. 20-A MRSA §6304, as enacted by PL 2007, c. 267, §1, is amended to read:

§6304. Automated external defibrillators and cardiopulmonary resuscitation

School boards may place automated external defibrillators in occupied school buildings and at school athletic events. School personnel and members of the public may receive training on how to perform cardiopulmonary resuscitation and use automated external defibrillators in order to acquire the skills and confidence to respond to emergencies. In accordance with rules adopted by the department, public schools shall offer training to students on how to perform cardiopulmonary resuscitation and use automated external defibrillators. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Standards for instruction in cardiopulmonary resuscitation and automated external defibrillator use. The Commissioner of Education shall establish, by rule, standards for instruction in cardiopulmonary resuscitation, or "CPR," and automated external defibrillator, or "AED," use pursuant to the Maine Revised Statutes, Title 20-A, section 6304. The commissioner shall base the standards for instruction in CPR and AED use on the programs established by the American Heart Association or the American Red Cross or another program that is nationally recognized and uses the most current national evidence-based emergency cardiovascular guidelines and incorporates psychomotor skills development into the instruction. The standards for instruction in AED use may not require the use of an AED but must include an explanation of AED use. A licensed teacher may not be required to be certified as a CPR or AED trainer or to facilitate, provide or oversee CPR or AED instruction. The rule must require that a course that results in CPR and AED certification must be taught by a certified CPR or AED instructor. The rule must be designed to ensure that the requirements of Title 20-A, section 6304 can be met by a public school without the public school's being required to expand or modify its activity so as to necessitate additional expenditures from local revenues.

See title page for effective date.

CHAPTER 141

S.P. 426 - L.D. 1199

An Act To Clarify the Laws Governing the Bureau of Rehabilitation Services

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

Sec. 1. 5 MRSA §1821, as enacted by PL 1973, c. 198, is repealed.

Sec. 2. 5 MRSA §1822, as amended by PL 1995, c. 560, Pt. F, §4, is repealed.

Sec. 3. 5 MRSA §1823, as enacted by PL 1973, c. 198, is repealed.

Sec. 4. 5 MRSA §1824, as amended by PL 1993, c. 708, Pt. J, §4, is repealed.

Sec. 5. 26 MRSA §1411-A, sub-§4, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

4. Gainful employment. "Gainful employment" for a person who receives services from the Division for the Blind and Visually Impaired includes employment in the competitive labor market; practice of a profession; self-employment; homemaking; farm or family work, including work for which payment is in kind rather than in cash; supported employment; ~~sheltered employment; and home industries or other gainful homebound work~~ home-based employment. "Gainful employment" for a person who receives services from the Division of Vocational Rehabilitation includes employment in the competitive labor market; practice of a profession; self-employment; supported employment; and home-based employment.

Sec. 6. 26 MRSA §1411-A, sub-§6, ¶C, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

C. Training services for people with disabilities, which ~~must~~ may include personal and vocational adjustment, on-the-job training and books and other training materials;

Sec. 7. 26 MRSA §1411-C, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1411-C. Authority

The department is the designated and state agency established as the sole state agency to provide rehabilitation services, including but not limited to vocational rehabilitation services, and to provide evaluation and vocational services for purposes of the ~~Federal federal~~ Rehabilitation Act of 1973 and acts amendatory and additional to the ~~Federal federal~~ Rehabilitation Act of 1973. The commissioner shall make those rules that the commissioner finds necessary and appropriate for the administration of a program of rehabilitation services and shall organize such a program within the department in a manner that is consistent with existing federal and state laws, rules and regulations.

Sec. 8. 26 MRSA §1411-D, sub-§8, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

8. Eligibility and priority. Shall Through the Bureau of Rehabilitation Services, Division of Vocational Rehabilitation and Division for the Blind and Visually Impaired, which are the designated state units under the federal Rehabilitation Act of 1973, shall

determine the eligibility of individuals for rehabilitation services or evaluation and vocational services and the priority for those services in accordance with rules established by the department; and

Sec. 9. 26 MRSA §1411-D, sub-§9, as amended by PL 2011, c. 348, §8, is further amended to read:

9. Transitional services coordination. Shall Through the Bureau of Rehabilitation Services, Division of Vocational Rehabilitation and Division for the Blind and Visually Impaired, which are the designated state units under the federal Rehabilitation Act of 1973, shall participate with school administrative units in transition planning for each student receiving special education services who is 16 years of age or older, or 14 years of age if determined appropriate by the student's individualized education program team, and shall assign appropriate staff as a transition contact person and as a member of the transition planning team for each student.

Sec. 10. 26 MRSA §1411-E, sub-§1, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

1. Apply for assistance. Apply for federal assistance under the ~~Federal federal~~ Rehabilitation Act of 1973 and acts amendatory and additional to the ~~Federal federal~~ Rehabilitation Act of 1973, and to comply with conditions, not inconsistent with this article, that are required for such assistance; and

Sec. 11. 26 MRSA §1411-F, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1411-F. Receipt and disbursement of funds

The Treasurer of State is the appropriate officer of the State to receive and administer federal grants for rehabilitation programs, as contemplated by the ~~Federal federal~~ Rehabilitation Act of 1973 and acts amendatory and additional to the ~~Federal federal~~ Rehabilitation Act of 1973, and the State Controller shall authorize expenditures as approved by the department.

Sec. 12. 26 MRSA §1411-H, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1411-H. Maintenance not assignable

The right of a ~~handicapped or disadvantaged individual~~ person with a disability to maintenance under this article is not transferable or assignable at law or in equity and none of the money paid or payable or rights existing under this article are subject to execution, levy, attachment, garnishment or other legal process or to the operation of bankruptcy or insolvency law.

Sec. 13. 26 MRSA §1412-C, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1412-C. Bureau of Rehabilitation Services; Division of Vocational Rehabilitation

The commissioner shall establish within the department the Bureau of Rehabilitation Services, ~~which, Within the bureau, the Division of Vocational Rehabilitation, as the designated state unit under the federal Rehabilitation Act of 1973, shall administer that group of rehabilitation services to nonblind and nonvisually impaired individuals specifically related to the federal vocational rehabilitation programs.~~

Sec. 14. 26 MRSA §1412-E, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1412-E. Rules

The department is authorized to establish rules required for the proper administration of a vocational rehabilitation program under the ~~Federal federal~~ Rehabilitation Act of 1973 and acts amendatory and additional to the ~~Federal federal~~ Rehabilitation Act of 1973. These rules must include procedures for ensuring access to records by the protection and advocacy agencies designated under Title 5, Part 24 pursuant to an investigation of alleged rights violations.

Sec. 15. 26 MRSA §1413-C, first ¶, as amended by PL 2009, c. 652, Pt. A, §40, is further amended to read:

Within the ~~Department of Labor, Bureau of Rehabilitation Services, Division for the Deaf, Hard of Hearing and Late Deafened~~ department, the Commission for the Deaf, Hard of Hearing and Late Deafened, as established under Title 5, section 12004-J, subsection 17, consists of ~~24 up to 23 members and 3 members at large~~ appointed by the Governor and representing equally consumers, professionals and the public. ~~Members serve 3-year terms and may serve multiple terms without limit.~~ Members are entitled to compensation in accordance with Title 5, chapter 379.

Sec. 16. 26 MRSA §1418-C, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

§1418-C. Program established; Division for the Blind and Visually Impaired

The division, as the designated state unit under the federal Rehabilitation Act of 1973, shall administer services related to blind and visually impaired individuals. The division shall provide a program of services for the blind persons, including prevention of blindness, locating of blind persons, vocational guidance and training of the blind persons, placement of blind persons in employment, assistance to local schools in meeting the special needs of blind students, instruction of adult blind persons in their homes and other social services to the blind persons.

See title page for effective date.

**CHAPTER 142
H.P. 514 - L.D. 761****An Act To Authorize Free
Samples of Liquor by a
Restaurant**

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

Sec. 1. 28-A MRSA §709, sub-§2, ¶¶J and K, as enacted by PL 2011, c. 629, §15, are amended to read:

J. Providing samples authorized under section 1355-A, 1402, 1402-A or 1504; ~~or~~

K. Donations authorized under section 708-B; ~~or~~

Sec. 2. 28-A MRSA §709, sub-§2, ¶L is enacted to read:

L. Licensees offering complimentary samples of wine under section 1055.

Sec. 3. 28-A MRSA §1055 is enacted to read:

§1055. Liquor samples at restaurants

1. Liquor samples at restaurants. A restaurant licensed by the bureau as a Class A restaurant or a Class A restaurant/lounge may offer complimentary samples of malt liquor, wine or spirits to a customer, subject to the following conditions:

A. A sample may not be given to a person under 21 years of age;

B. A person may not be provided more than 3 samples per day, and samples are subject to the following size limits:

(1) A sample of malt liquor may not exceed 3 ounces;

(2) A sample of wine may not exceed one ounce; and

(3) A sample of spirits may not exceed 1/2 of one ounce;

C. A person who is visibly intoxicated may not be served;

D. The sampling must be conducted during regular business hours of the Class A restaurant or Class A restaurant/lounge and must take place on the licensed premises only in areas of the Class A restaurant or Class A restaurant/lounge where liquor is normally served to customers;

E. Samples may be provided only by employees of the Class A restaurant or Class A restaurant/lounge;

F. Wine or malt liquor served as a sample must be purchased from a wholesale licensee; and

G. Spirits served as a sample must be purchased from the State or the State's contracted wholesaler.

See title page for effective date.

CHAPTER 143 H.P. 979 - L.D. 1435

An Act Regarding Ethanol-free Motor Fuel

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

Sec. 1. 10 MRSA §1457, sub-§4 is enacted to read:

4. Ethanol-free motor fuel. A motor fuel distributor, franchisor or refiner may not impose any condition, restriction, agreement or understanding that prohibits or limits the sale, resale, transfer or purchase of conventional, ethanol-free motor fuel products in the State. This subsection applies to contracts entered into or renewed after the effective date of this subsection.

See title page for effective date.

CHAPTER 144 S.P. 313 - L.D. 868

An Act To Remove Limitations on Reciprocity for Concealed Handguns Permits

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

Sec. 1. 25 MRSA §2001-A, sub-§2, ¶F, as repealed and replaced by PL 2011, c. 691, Pt. A, §24, is repealed and the following enacted in its place:

F. A handgun carried by a person to whom a valid permit to carry a concealed handgun has been issued by that person's state of residence if that person's state of residence honors a permit to carry a concealed handgun issued under this chapter;

Sec. 2. 25 MRSA §2003, sub-§11, as amended by PL 2011, c. 298, §7, is further amended to read:

11. Permit to be in permit holder's immediate possession. Every permit holder, including a nonresident who holds a permit issued by the nonresident's state of residence, shall have the holder's permit in the holder's immediate possession at all times when carrying a concealed handgun and shall display the same on

demand of any law enforcement officer. A person charged with violating this subsection may not be adjudicated as having committed a civil violation if that person produces in court the concealed handgun permit that was valid at the time of the issuance of a summons to court or, if the holder exhibits the permit to a law enforcement officer designated by the summoning officer not later than 24 hours before the time set for the court appearance, a complaint may not be issued.

See title page for effective date.

CHAPTER 145 H.P. 411 - L.D. 598

An Act To Strengthen the Maine Agriculture Protection Act

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

Sec. 1. 7 MRSA §152, sub-§2, as enacted by PL 2007, c. 649, §3, is amended to read:

2. Agricultural products. "Agricultural products" means those plants and animals and their products that are useful to humans and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, bees and bees' products, livestock and livestock products, manure and compost and fruits, berries, vegetables, flowers, seeds, grasses and other similar products, or any other plant, animal or plant or animal products that supply humans with food, feed, fiber or fur. "Agricultural products" does not include trees grown and harvested for forest products.

Sec. 2. 7 MRSA §154, as enacted by PL 2007, c. 649, §3, is amended to read:

§154. Violation of municipal ordinances

~~A method of farm operation used by a farm or farm operation or agricultural composting operation~~ located in an area where agricultural activities are permitted may not be considered a violation of a municipal ordinance if the ~~method of operation constitutes farm operation or agricultural composting operation~~ conforms to best management practices as determined by the commissioner in accordance with section 153, subsection 1.

Sec. 3. 7 MRSA §155, as enacted by PL 2007, c. 649, §3, is amended to read:

§155. Application; municipal ordinances

This chapter does not affect the application of state and federal laws. A municipality must provide the commissioner with a copy of any proposed ordi-

nance that affects farm operations or agricultural composting operations. The clerk of the municipality or a municipal official designated by the clerk shall submit a copy of the proposed ordinance to the commissioner at least 90 days prior to the meeting of the legislative body or public hearing at which adoption of the ordinance will be considered. The commissioner shall review the proposed ordinance and advise the municipality as to whether the proposed ordinance restricts or prohibits the use of best management practices. This section does not affect municipal authority to enact ordinances.

See title page for effective date.

CHAPTER 146

S.P. 302 - L.D. 858

An Act To Better Inform the Public of Election Results

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

Sec. 1. 21-A MRSA §700 is enacted to read:

§700. Posting unofficial results

As soon as practicable after the election return is prepared under section 711, if a secure place is available at the voting place or municipal office where the public may view a paper copy of the unofficial election results even when the voting place or municipal office is closed, an election official shall post a paper copy of the unofficial results of the election.

See title page for effective date.

CHAPTER 147

H.P. 194 - L.D. 276

An Act Regarding Maine's Power of Sale Foreclosure Law

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

Sec. 1. 14 MRSA §6203-A, as repealed and replaced by PL 2009, c. 476, Pt. B, §3 and affected by §9, is amended to read:

§6203-A. Power of sale; procedure; notice; form

1. Power of sale. Any holder of a mortgage on real estate that is granted by a corporation, partnership, including a limited partnership or a limited liability partnership, limited liability company or trustee of a trust and that contains a power of sale, as described in Title 33, section 501-A, or a person authorized by the power of sale, or an attorney duly authorized by a writing under seal, or a person acting in the name of

the holder of such mortgage or any such authorized person, may, upon breach of condition and without action, do all the acts authorized or required by the power; except that a sale under the power is not effectual to foreclose a mortgage unless, previous to the sale, notice has been published once in each of 3 successive weeks, the first publication to be not less than 21 days before the day of the sale in a newspaper of general circulation in the town where the land lies and which notice must prominently state the street address of the real estate encumbered by the mortgage deed, if any, and the book and page number of the mortgage, if any, and comply with the requirements of subsection 3. This provision is implied in every power of sale mortgage in which it is not expressly set forth. For mortgage deeds executed on or after October 1, 1993, the power of sale may be used only if the mortgage deed states that it is given primarily for a one or more of the following purposes: business, commercial or agricultural purpose. A copy of the notice must, at least 21 days before the date of the sale under the power in the mortgage, be recorded in each registry of deeds in which the mortgage deed is or by law ought to be recorded and must be served on the mortgagor or its representative in interest, or may be sent by registered mail addressed to the mortgagor or the mortgagor's representative at the mortgagor's last known address, or to the person and to the address as may be agreed upon in the mortgage, at least 21 days before the date of the sale under the power in the mortgage. Any power of sale incorporated into a mortgage is not affected by the subsequent transfer of the mortgaged premises from the corporation, partnership, including a limited partnership or a limited liability partnership, limited liability company or trustee of the trust to any other type of organization or to an individual or individuals. The power of sale may not be used to foreclose a mortgage deed granted by a trustee of a trust if at the time the mortgage deed is given the real estate is used exclusively for residential purposes, the real estate has 4 or fewer residential units and one of the units is the principal residence of the owner of at least 1/2 of the beneficial interest in the trust. If the mortgage deed contains a statement that at the time the mortgage deed is given the real estate encumbered by the mortgage deed is not used exclusively for residential purposes, that the real estate has more than 4 residential units or that none of the residential units is the principal residence of the owner of at least 1/2 of the beneficial interest in the trust, the statement conclusively establishes these facts and the mortgage deed may be foreclosed by the power of sale. The method of foreclosure of real estate mortgages provided by this section is specifically subject to the order of priorities rights of junior mortgagees set out in section 6205.

1-A. Notice to mortgagor and parties in interest; definition. At least 21 days before the date of the sale under the power in a mortgage, a copy of the fore-

closure notice must be served on the mortgagor or its representative in interest, or may be sent by registered or certified mail addressed to the mortgagor or the mortgagor's representative at the mortgagor's last known address, or to the person and to the address as may be agreed upon in the mortgage or to the address as may be provided in writing by the mortgagor to the mortgagee. In addition, a copy of the foreclosure notice must be sent by first-class mail, postmarked at least 21 days prior to the public sale, to all other parties in interest, except for parties in interest having a superior priority to the foreclosing mortgagee, at the address, if any, listed in the instrument evidencing the interest, and, if none is listed, to the registered agent for the party in interest, or to any other address that may be readily available to the mortgagee. For the purposes of this section, "parties in interest" means those parties having a claim to the real estate whose claim is recorded in the registry of deeds as of the time of recording the notice of foreclosure. Failure to notify any party in interest, other than the mortgagor, does not invalidate the foreclosure as to other parties in interest who were given notice.

2. Notice to tenants; effect on title. In addition to the notices provided pursuant to ~~subsection~~ subsections 1 and 1-A, the mortgagee shall provide a copy of the foreclosure notice to a residential tenant if the mortgagee knows or should know by exercise of due diligence that the property is occupied as a rental unit. Upon request from a mortgagee, the mortgagor or its representative in interest shall provide the name, address and other contact information for any residential tenant. Notice to a residential tenant may be served on the residential tenant by sheriff or, may be sent by first class mail and registered mail at the residential tenant's last known address or may be posted conspicuously at each entrance to the mortgaged premises. A residential tenant may not be evicted unless a mortgagee institutes an action for forcible entry and detainer pursuant to section 6001 at least 21 days after a mortgagee has served the notice required by this subsection. This subsection may not be construed to prohibit an action for forcible entry and detainer in accordance with section 6001 for a reason that is not related to a foreclosure sale. The failure to provide the notice required by this subsection does not affect the validity of the foreclosure sale.

2-A. Recording foreclosure notice. At least 21 days before the date of a sale under the power in a mortgage, a copy of the foreclosure notice must be recorded in each registry of deeds in which the mortgage deed is or by law ought to be recorded in order to provide constructive notice.

3. Form of foreclosure notice. A foreclosure notice must identify the mortgagee, the mortgagor, the terms of the public sale, the location, date and time of the public sale, the street address, if any, of the real estate encumbered by the mortgage, a description of

the real estate encumbered by the mortgage, which may be incorporated by reference to the book and page number of an instrument of record containing an adequate legal description of the real estate, and the book and page number, if any, of the mortgage. The following form of foreclosure notice may be used and may be altered as circumstances require; but nothing herein may be construed to prevent the use of other forms.

FORM

Mortgagee's sale of real estate

By virtue of and in execution of the Power of Sale contained in a certain Mortgage Deed given by (Mortgagor) to (Mortgagee) dated and recorded in the County Registry of Deeds, Book, Page, of which Mortgage the undersigned is the present holder, ... (if by assignment, or in any fiduciary capacity give reference), for breach of the conditions of said Mortgage and for the purpose of foreclosing the same there will be sold at Public Sale at o'clock, ... M. on the day of 20....., at (Location of Public Sale), all and singular the premises described in said Mortgages, ... (in case of partial releases state exceptions).

To wit: "(Description exactly as in of the real estate encumbered by the Mortgage, including all which may be incorporated by reference to title, restrictions, encumbrances, etc., as made in the Mortgage the book and page number of an instrument of record containing an adequate legal description of the real estate)".

Street Address: (Street address, if any, of the real estate encumbered by the Mortgage).

Terms of Sale: (State here the amount, if any, to be paid in cash by the purchaser at the time and place of the sale, and the time or times for payment of the balance or the whole as the case may be and any other terms or conditions relating to the sale).

Other terms to be announced at the sale.

Signed:

(Present holder of Mortgage)

..... 20.....

4. Notice of sale. A foreclosure notice of sale in subsection 3, published in accordance with this chapter or in accordance with the power in the mortgage together with such other or further notice, if any, as is required by the mortgage, along with notice to the mortgagor and parties in interest whose interest appears of record at the time that the foreclosure notice is recorded in the appropriate registry of deeds, is sufficient notice of the sale, and the premises are considered to have been sold, ~~and the free and clear of the interest of the mortgagor and of all other parties in interest who have been given notice in compliance~~

with subsection 1-A, except for parties in interest having a superior priority to the foreclosing mortgagee. The deed thereunder must convey the premises subject to and with the benefit of all restrictions, easements, improvements, outstanding tax titles, municipal or other public taxes, assessments, liens or claims in the nature of liens and existing encumbrances of record created prior to the mortgage, whether or not reference to such restrictions, easements, improvements, liens or encumbrances is made in the deed; but no purchaser at the sale is bound to complete the purchase if there are encumbrances, other than those named in the mortgage and included in the notice of the sale, that are not stated at the sale and included in the seller's contract with the purchase or foreclosure notice. Any other party in interest having a claim to the real estate whose claim is not recorded in the registry of deeds as of the time of recording the foreclosure notice need not be given notice, and any such party has no claim against the real estate after completion of the public sale, in accordance with Title 33, section 501-A. The interests of parties in interest having a superior priority are not affected by the foreclosure.

5. Public sale. At the completion of a public sale pursuant to this section, the foreclosing mortgagee shall execute a purchase and sale agreement with the highest bidder. The purchase and sale agreement may be assigned by the purchaser. If the highest bidder fails to perform on the agreement, the foreclosing mortgagee may execute a purchase and sale agreement with the next highest bidder. If the foreclosing mortgagee is the highest bidder or becomes the highest bidder by failure of a bidder to perform a purchase and sale agreement, a purchase and sale agreement need not be executed. A mortgagee may bid and may purchase any real estate sold at such sale, as long as the mortgagee is the highest bidder. If the real estate is sold for an amount in excess of the outstanding balance of the mortgage together with all interest and costs, said excess must be used to satisfy any other encumbrances on said property the claims of parties in interest whose interests were extinguished by the foreclosure in the order of priority that existed prior to the foreclosure and, after all said encumbrances of those parties in interest are satisfied together with all interest and costs, any excess then remaining must be paid to the mortgagor. If the mortgagor or any person holding an encumbrance such party in interest cannot be found after a diligent search, the money must be paid into the Superior Court in the county where the land lies for the benefit of the mortgagor or the holder of any such encumbrance.

6. Continuation of sale. A public sale pursuant to this section may be adjourned, for any time not exceeding 30 days and from time to time until a sale is made, by announcement to those present at each adjournment.

Sec. 2. 14 MRSA §6203-B, as amended by PL 2009, c. 476, Pt. B, §4 and affected by §9, is further amended to read:

§6203-B. Copy of notice; affidavit; recording; evidence

The person selling mortgagee or its agent shall, within 30 days after the sale date of the delivery of the deed to the purchaser or the purchaser's agent, cause a copy of the notice as published and the person's affidavit, fully and particularly stating the person's mortgagee's acts, or the acts of the person's principal or ward mortgagee's agent, along with a copy of the foreclosure notice as published, to be recorded in the registry of deeds for the county where the land lies. The affidavit must identify the mortgagee and mortgagor and include the street address, if any, of the real estate encumbered by the mortgage; a description of the real estate encumbered by the mortgage, which may be incorporated by reference to the book and page number of an instrument of record containing an adequate legal description of the real estate; the book and page number, if any, of the mortgage; the dates of publication and the name of the publishing entity of the public notice required by section 6203-A, subsection 1; the recipients and mailing or service dates of notices provided pursuant to section 6203-A, subsections 1 and 1-A and section 6203-E; the final purchaser under the agreement described in section 6203-A, subsection 5; and the date of delivery of the deed to the purchaser or the purchaser's agent. If the affidavit shows that the requirements of the power of sale and section 6203-A, subsection 1 have in all respects been complied with, the affidavit or a certified copy of the record thereof must be admitted as evidence that the power of sale was duly executed. In case of an error or omission in the affidavit recorded as aforesaid, the Superior Court, on petition and after such notice as it may order may, if it determines proper, authorize the recording of an affidavit amending, correcting or in substitution for an affidavit so recorded, and the affidavit so authorized to be recorded or a certified copy of the record thereof must have mortgagee or its agent shall record an amended affidavit correcting the error or omission and the amended affidavit so recorded has the same effect and must be admitted in evidence, as if it had been recorded within said 30 days, but such subsequent affidavit does not prejudicially affect any title or interest in land that may have arisen or have been created between the recording of the original and of the subsequent affidavit.

Sec. 3. 14 MRSA §6203-D, as enacted by PL 1967, c. 424, §2, is amended to read:

§6203-D. Limitation of actions

Actions on mortgage notes, whether witnessed or not, or on other obligations to pay a debt secured by a mortgage of real estate, to recover judgments for deficiencies after foreclosure by sale under a power con-

tained in the mortgage, and actions on such notes or other obligations ~~which that~~ are subject to a prior mortgage, to recover the amount due thereon after the foreclosure sale of such prior mortgage under the power contained therein, ~~shall must~~, except as otherwise provided, be commenced within 2 years after the date of ~~the foreclosure sale delivery of the deed to the purchaser or the purchaser's agent~~ or, if the principal of the note or other obligation does not become payable until after the ~~foreclosure sale date of delivery of the deed to the purchaser or the purchaser's agent~~, then within 2 years after the time when the cause of action for the principal accrues.

Sec. 4. 14 MRSA §6203-E, as amended by PL 1987, c. 736, §17, is further amended to read:

§6203-E. Liability for deficiency on sale; necessity of notice; form; affidavit

No action for a deficiency ~~shall may~~ be brought by the holder of the mortgage note or other obligation secured by mortgage of real estate after foreclosure by exercise of the power of sale, unless a notice in writing of the mortgagee's intention to foreclose the mortgage ~~shall have~~ has been served on the mortgagor or its representative in interest or the same has been sent by registered or certified mail with return receipt requested at its last address then known to the mortgagee, to such address as may be agreed upon in ~~said~~ the mortgage, together with a naming of liability for the deficiency, in substantially the form below, at least 21 days before the date of the sale under the power in the mortgage, and an affidavit has been signed and sworn to, within 30 days after the ~~foreclosure sale date of delivery of the deed to the purchaser or purchaser's agent~~, of the mailing of ~~such the~~ notice. A notice mailed as aforesaid ~~shall be~~ is a sufficient notice, and such an affidavit made within the time specified ~~shall be~~ is prima facie evidence in such action of the mailing of such notice.

The following form of notice and affidavit may be used and may be altered as circumstances require; but nothing herein ~~shall may~~ be construed to prevent the use of other forms:

FORM

Notice of Intention to Foreclose and of Liability for Deficiency After Foreclosure of Mortgage

To: A. B. of Street, Town of County of and State of

You are hereby notified in accordance with the statute, of my intention, on (date of sale), to foreclose by sale under the Power of Sale for breach of condition, the Mortgage held by me on property located on Street, Town of County of and State of

..... dated and recorded in the County Registry of Deeds, Book Page, to secure a note (or other obligation) signed by you, for the whole, or any part, of which you may be liable to me and in case of a deficiency in the proceeds of the Foreclosure Sale to hold you liable for the whole or any part thereof still remaining unpaid.

Very truly yours,

.....
(Name of holder of said Mortgage)

Affidavit

I hereby certify on oath that on the day of ~~19 20~~....., I mailed by registered or certified mail with return receipt requested, the notice a copy of which is hereinabove set forth, direct to such person or persons at the address therein named ~~which that~~ was the last address of such person known to me at the time of mailing or to such person or persons at the address therein named ~~which that~~ was the person and the address agreed upon in said Mortgage.

Subscribed and sworn to before me this day of ~~19 20~~.....

.....
Notary Public

In the event that the mortgagee is the purchaser at the public sale, any deficiency is limited to the difference between the fair market value of the premises at the time of the sale, as established by an independent appraisal, and the sum due the mortgagee with interest plus the expenses incurred in making the sale.

Sec. 5. 14 MRSA §6203-G is enacted to read:

§6203-G. Assignment of mortgage

The assignment of a mortgage by a foreclosing mortgagee at any time during the foreclosure process does not affect the validity of the foreclosure. Upon the recording of the assignment of mortgage in the registry of deeds where the land lies, the assignee of the mortgage may complete the foreclosure.

Sec. 6. 32 MRSA §286, sub-§5, as enacted by PL 1999, c. 146, §5, is amended to read:

5. Mortgage foreclosure sales. This chapter does not apply to any individual conducting a mortgage foreclosure sale ~~pursuant to a court order~~.

Sec. 7. 33 MRSA §501-A, as amended by PL 1995, c. 106, §2, is further amended to read:

§501-A. "Power of sale"

The following "power" is known as "The Statutory Power of Sale" and may be included in any mortgage or incorporated by reference in any mortgage

granted by a corporation, partnership, including a limited partnership ~~or a limited liability partnership~~, limited liability company or trustee of a trust and, if included in the mortgage, the mortgage may be foreclosed pursuant to Title 14, chapter 713, subchapter 3. The power of sale may not be used to foreclose a mortgage deed granted by a trustee of a trust if at the time the mortgage deed is given the real estate is used exclusively for residential purposes, the real estate has 4 or fewer residential units and one of the units is the principal residence of the owner of at least 1/2 of the beneficial interest in the trust. If the mortgage deed contains a statement that at the time the mortgage deed is given the real estate encumbered by the mortgage deed is not used exclusively for residential purposes, that the real estate has more than 4 residential units or that none of the residential units is the principal residence of the owner of at least 1/2 of the beneficial interest in the trust, the statement conclusively establishes these facts and the mortgage deed may be foreclosed by the power of sale.

POWER

~~But upon~~ Upon any default in the performance or the observance of the foregoing or other condition, the mortgagee or ~~his~~ the mortgagee's executors, administrators, successors or assigns, ~~his or their~~ the agent or attorney of the mortgagee or the mortgagee's executors, administrators, successors or assigns, may sell the mortgaged premises or such portion thereof as may remain subject to the mortgage in case of any partial release thereof, either as a whole or in parcels, together with all improvements that may be thereon, by a public sale ~~on or near the premises in the county where the real estate~~ then subject to the mortgage is situated, or, if more than one parcel is then subject thereto, then ~~on or near in the county where~~ one of said parcels is situated, or at such place as may be designated for the purpose in the mortgage, first complying with the terms of the mortgage and the statutes relating to the foreclosure of mortgage by the exercise of a power of sale, and ~~he or they~~ the mortgagee or the mortgagee's executors, administrators, successors or assigns or the agent or attorney of the mortgagee or the mortgagee's executors, administrators, successors or assigns may convey the same by proper deed or deeds to the purchaser or purchasers absolutely and in fee simple; and such sale ~~shall~~ forever bars the mortgagor and all persons claiming under it from all right and interest in the mortgaged premises, whether at law or in equity.

See title page for effective date.

CHAPTER 148

H.P. 473 - L.D. 697

An Act To Restore Public Safety Programs in the Department of Public Safety

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period to enhance public safety by restoring regulation and inspection of amusement rides, amusement shows, traveling circuses and amusement devices by the Office of the State Fire Marshal; and

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

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

Sec. 1. 8 MRSA c. 18 is enacted to read:

CHAPTER 18

AMUSEMENT RIDES AND SHOWS

§471. Definitions

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

1. Amusement ride. "Amusement ride" means a device or combination of devices or elements that carry, convey or direct a person over or through a fixed or restricted course or within a defined area for the primary purpose of amusement or entertainment. "Amusement ride" does not include nonmechanized playground equipment or a coin-operated ride that is manually, mechanically or electrically operated, is customarily placed in a public location and does not normally require the supervision or services of an operator.

2. Amusement ride inspector. "Amusement ride inspector" means an amusement ride inspector employed by the Office of the State Fire Marshal.

3. Amusement show. "Amusement show" means a fixed or traveling show, whether held indoors or outdoors, for which admission is charged and that is designed to provide amusement to members of the public, except that "amusement show" does not include a circus. "Amusement show" includes but is not limited to a carnival, thrill show, ice show and rodeo.

4. ASTM standards. "ASTM standards" means standards for amusement rides established by American Society for Testing and Materials International or a successor organization and adopted by the commissioner by rule.

5. Commissioner. "Commissioner" means the Commissioner of Public Safety.

6. Operator. "Operator" means an individual having direct control of the starting, stopping or speed of an amusement ride.

7. Owner. "Owner" means a person who owns or leases or manages the operation of an amusement ride.

8. Rider. "Rider" means a customer of an amusement ride. "Rider" includes a customer of an amusement ride who is waiting in the vicinity to get on the amusement ride and a departing customer who is still in the vicinity of the amusement ride.

§472. Amusement rides

1. Inspection required. An amusement ride must be inspected at least once annually by an amusement ride inspector.

A. In order to be operated in this State, an amusement ride must comply with the applicable ASTM standards for that amusement ride.

B. An amusement ride that is not operated in the State on a year-round basis must be inspected in the same calendar year in which the amusement ride is operated in the State, prior to either July 1st or the first operation of the amusement ride in the State, whichever is sooner.

C. If an inspection reveals that an amusement ride does not meet the applicable ASTM standards, an amusement ride inspector shall notify the owner of all defects.

D. An operator may not operate an amusement ride unless the amusement ride passed the most recent annual inspection required by this section.

E. Before an amusement ride may be operated, an amusement ride inspector must affix to the amusement ride an inspection decal that contains the date the amusement ride passed inspection and an identifying number of the inspection decal.

F. An amusement ride that has been modified or altered in a manner that changes its dynamics or control system from that of the original manufacturer's design or specification since its most recent annual inspection must be inspected by an amusement ride inspector before it may be operated in the State.

G. Following a serious injury or illness involving an amusement ride, the amusement ride must be inspected by an amusement ride inspector and ap-

proved by the commissioner before it may be operated in the State. As used in this paragraph, "serious injury or illness" means an injury or illness that results in death, dismemberment, disfigurement, compound fracture of a body part or permanent loss of the use of a body part or organ, function or system or that requires hospital admission within 24 hours of the occurrence of the injury or illness involving the amusement ride.

H. An owner or operator shall make an amusement ride available for inspection at all reasonable times and places upon request of an amusement ride inspector.

2. Insurance requirements. An owner shall provide an amusement ride inspector with a copy of a certificate of public liability insurance in a minimum amount of \$1,000,000 at the time of inspection.

3. Operator requirements. An owner must have a documented training policy for the operation of each amusement ride owned by the owner. The owner shall maintain a written certification for each operator, providing documented proof that the operator has received the training required by the training policy for the amusement ride.

4. Recording and reporting. An owner shall maintain a first aid incident report log for all rider injuries or illnesses, other than minor injuries or illnesses, resulting from the operation of an amusement ride. The report log must include the following:

A. The date the injury or illness occurred;

B. The name, address and telephone number of the rider who received first aid service or treatment;

C. The age of the rider;

D. The manufacturer and serial number of the amusement ride involved in the injury or illness;

E. A description of the injury or illness;

F. A description of any first aid service or treatment administered; and

G. Any other information considered pertinent by the owner.

5. Violation. A person who operates an amusement ride in violation of this section commits a civil violation for which a fine of not more than \$1,000 may be assessed upon the owner of the amusement ride.

6. Application and inspection required. A person may not operate an amusement ride prior to filing an application with the Office of the State Fire Marshal and before the amusement ride passes inspection as required in this section. An application must be accompanied by payment of an application fee in an amount set by rule adopted by the commissioner not to

exceed \$100 per amusement ride. An application must include the following:

- A. The name of the person or corporation operating the amusement ride;
- B. A statement of proposed territory within the limits of the State, including the names of the cities and towns, in which the amusement ride is to operate; and
- C. A certificate of public liability insurance from an insurer approved by the commissioner in accordance with subsection 2.

§473. Amusement ride inspection fee

The amusement ride inspection fee is \$75 per inspector per hour with a minimum charge of \$75.

§474. Amusement shows

1. License required. A person may not operate an amusement show without first obtaining a license from the commissioner. A license application must include the following:

- A. The name of the person or corporation operating the amusement show;
- B. A statement of proposed territory within the limits of the State, including the names of the cities and towns, in which the amusement show is to operate; and
- C. A certificate of public liability insurance from an insurer approved by the commissioner in an amount established by the commissioner by rule.

2. License fee. The license fee to operate an amusement show is \$300 annually.

3. Violation. A person who operates an amusement show in violation of this section commits a civil violation for which a fine of not more than \$1,000 may be adjudged.

§475. Traveling circus and amusement devices

1. License required. A traveling circus may not operate or exhibit any parade, show or entertainment in this State without first obtaining a license from the commissioner for each calendar year. An amusement device may not be operated in this State without first obtaining a license from the commissioner. A license application must include the following:

- A. The name of the person or corporation using or operating the traveling circus or amusement device;
- B. A statement of proposed territory within the limits of the State, including the names of the cities and towns, in which the traveling circus or amusement device is to exhibit or operate; and
- C. A certificate of public liability insurance from an insurer approved by the commissioner in an

amount to be determined by the commissioner by rule.

Upon receipt of the application, accompanied by a certificate of public liability insurance and, for a traveling circus required to pay a license fee under subsection 2, payment of the required fee, the commissioner shall issue a license.

2. License fees. The following license fees apply.

A. For traveling circuses that are held outdoors or under tents or similar temporary cover or enclosure, the fee is \$500.

B. For traveling circuses held indoors in an auditorium, arena, civic center or similar type building, the fee is \$300.

For traveling circuses produced in their entirety by a nonprofit charitable organization, a license is required but no fee is charged.

3. Inspection fee. An amusement device may be inspected as determined necessary to protect the public safety by the commissioner. The amusement device inspection fee is \$75 per inspector per hour with a minimum charge of \$75.

4. Amusement device defined. For purposes of this section, "amusement device" means a device by which a person is carried or conveyed or is allowed to move on, around or over a fixed course within a defined area intended to thrill, excite or amuse, including, but not limited to, bungee jumping and water slides, regardless of whether a fee to use the device is charged. "Amusement device" does not include an amusement ride, vehicle or device the operation of which is regulated as to safety by any other provision of law, except a municipal ordinance under Title 30-A, section 3001, or any coin-operated amusement device on a nonmoving base that is designed to accommodate one child.

§476. Rulemaking

The commissioner shall adopt rules to implement this chapter. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. 8 MRSA §658, as amended by PL 2013, c. 595, Pt. U, §5, is further amended to read:

§658. Unincorporated places

County commissioners within their counties and counties within their limits shall respectively exercise over unincorporated places all the powers of municipal officers and towns under chapters ~~3, 7 and 18~~ 20 to 25.

Sec. 3. 8 MRSA §701, as amended by PL 2013, c. 595, Pt. U, §6, is further amended to read:

§701. Jurisdiction

All penalties provided in chapters 3, 7 and ~~18~~ 20 to 25 must be recovered by complaint for the use of the town where incurred.

Sec. 4. 22 MRSA §1607, as amended by PL 2013, c. 595, Pt. U, §8, is further amended to read:

§1607. Application

This chapter does not apply to fairs licensed, defined and regulated under Title 7, chapter 4, or military activities. It does not apply to persons, associations, corporations, trusts or partnerships licensed under Title 8, ~~chapter~~ chapters 11 and 18.

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

Effective June 9, 2015.

CHAPTER 149**S.P. 326 - L.D. 935**

**An Act Regarding Alcohol
Manufacturing Licenses Issued
to Research Facilities**

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

Sec. 1. 28-A MRSA §1355-B is enacted to read:

§1355-B. Research manufacturer license

The bureau may issue a research manufacturer license to distill, rectify or brew spirits, wine or malt liquor to a state-supported postsecondary educational institution operating under federal law and federal supervision to manufacture malt liquor, wine or spirits. A license issued under this section authorizes the licensee to manufacture spirits, wine or malt liquor for research, educational and business development purposes as described by this section. The bureau may issue a research manufacturer license for the manufacture of malt liquor, wine and spirits or for the manufacture of one or 2 of these 3 types of liquor as specified on the license.

1. Eligible licensees. The bureau may issue a research manufacturer license to a state-supported postsecondary educational institution, or its agent, that submits an application to the bureau in a manner prescribed by the bureau. The bureau may require appropriate approval documentation from the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau that authorizes the educational institution, or its agent, to manufacture liquor. The Bureau of Alcoholic Beverages and Lottery Operations may

issue a license under this section only to an educational institution, or its agent, that:

A. Offers a course or courses for a degree program related to food sciences or agricultural sciences; and

B. Offers, as an outreach component of the institution, education and consulting through the application of the institution's research regarding food science and food processing to assist businesses in the State, including, but not limited to, manufacturers licensed under section 1355-A.

2. Location. A research manufacturer licensee may manufacture liquor only at a facility, subject to approval by the bureau, on the campus of the educational institution where courses for the programs described in subsection 1, paragraphs A and B are offered.

3. Manufacture of liquor limited to certain purposes. A licensee under this section may not manufacture liquor for sale, distribution or any other commercial purpose other than to collect fees for educational, testing or consulting services provided by the licensee. A licensee may manufacture liquor for the following purposes:

A. Business development consultation, including, but not limited to, recipe development and food health and safety practices;

B. General education about the manufacture of liquor for manufacturers licensed under section 1355-A, persons considering licensure and others who seek to manufacture liquor for their own personal use; or

C. Educational course work as part of the educational institution's curriculum for a degree program in food sciences or agricultural sciences.

Nothing in this section prohibits a research manufacturer licensee from charging a fee for the production of liquor or the use of equipment for the purposes described in this section.

4. Consumption of liquor on premises; transport of liquor from premises. A research manufacturer licensee is governed by the provisions of this subsection regarding the consumption of liquor on the research manufacturer's facility premises and the transport of liquor from the facility premises.

A. A licensee may permit sampling of the liquor produced on the facility premises by a person at least 21 years of age who is:

(1) A member of the faculty or staff of the institution who teaches or assists with course work and programs related to the liquor manufacturing, a student enrolled in a course in which manufacturing is included in the curriculum or a client of the outreach compo-

ment described in subsection 1, paragraph B for the purpose of quality control of the product; or

(2) A manufacturer licensed under section 1355-A who is receiving the consulting and educational services provided by the institution licensed under this section.

B. Liquor manufactured at the facility premises may be transported from the facility premises:

(1) By a person licensed under section 1355-A for whom the research manufacturer licensee manufactured the liquor in a quantity not to exceed 50 gallons; and

(2) By a client at least 21 years of age who is registered with the outreach component described under subsection 1, paragraph B in a quantity not to exceed 32 ounces of malt liquor, 16 ounces of wine or 8 ounces of spirits per client for the duration of the course offered by the extension program.

C. Liquor transported from the facility in accordance with paragraph B, subparagraph (2) must be clearly labeled with the research manufacturer's name and license number, the product contained in the bottle and the alcohol content of the product. This paragraph does not apply to liquor that is properly labeled and will be listed for distribution or sale by a person licensed under section 1355-A.

5. Liquor manufactured for another licensee; amount limitation. The following limits apply to the amount of liquor a research manufacturer licensee may produce for a manufacturer licensed under section 1355-A:

A. Fifty gallons of malt liquor per manufacturer per year;

B. Fifteen gallons of wine per manufacturer per year; and

C. Ten gallons of spirits per manufacturer per year.

6. Reporting. A research manufacturer licensee shall submit reports in a manner prescribed by the bureau. A research manufacturer licensee shall also submit to the bureau copies of reports the licensee is required to file with the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau.

7. License fee. The annual fee for a research manufacturer license is \$100.

See title page for effective date.

CHAPTER 150

S.P. 206 - L.D. 590

An Act To Exempt a Fee for a Paper or Plastic Single-use Carry-out Bag from Tax

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

Whereas, paper and plastic single-use carry-out bags are not an inventoried item and are not for sale in a retail establishment; and

Whereas, a municipality in Maine will begin imposing a fee on paper and plastic single-use carry-out bags on April 1, 2015; and

Whereas, the imposition of the sales tax on these bags is burdensome; and

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

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

Sec. 1. 36 MRSA §1752, sub-§14, ¶B, as amended by PL 2011, c. 211, §22, is further amended to read:

B. "Sale price" does not include:

- (1) Discounts allowed and taken on sales;
- (2) Allowances in cash or by credit made upon the return of merchandise pursuant to warranty;
- (3) The price of property returned by customers, when the full price is refunded either in cash or by credit;
- (4) The price received for labor or services used in installing or applying or repairing the property sold, if separately charged or stated;
- (5) Any amount charged or collected, in lieu of a gratuity or tip, as a specifically stated service charge, when that amount is to be disbursed by a hotel, restaurant or other eating establishment to its employees as wages;
- (6) The amount of any tax imposed by the United States on or with respect to retail sales, whether imposed upon the retailer or the consumer, except any manufacturers', importers', alcohol or tobacco excise tax;

(7) The cost of transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, provided that those charges are separately stated and the transportation occurs by means of common carrier, contract carrier or the United States mail;

(8) The fee imposed by Title 10, section 1169, subsection 11;

(9) The fee imposed by section 4832, subsection 1;

(10) The lead-acid battery deposit imposed by Title 38, section 1604, subsection 2-B;

(11) Any amount charged or collected by a person engaged in the rental of living quarters as a forfeited room deposit or cancellation fee if the prospective occupant of the living quarters cancels the reservation on or before the scheduled date of arrival;

(12) The premium imposed on motor vehicle oil by Title 10, section 1020, subsection 6-A;
~~or~~

(13) Any amount charged for the disposal of used tires; or

(14) Any amount charged for a paper or plastic single-use carry-out bag.

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

Effective June 9, 2015.

CHAPTER 151

H.P. 304 - L.D. 465

An Act To Eliminate the Broadband Sustainability Fee

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

Sec. 1. 35-A MRSA §9216, sub-§1, ¶¶A and C, as enacted by PL 2009, c. 612, §10, are amended to read:

A. "First assessment period" means the period:

(1) Commencing on the first day of the month following the date on which a dark fiber provider first sells, leases or otherwise provides one or more strands of federally supported dark fiber to an entity in this State; and

(2) Ending on the last day of the 60th month following the commencement under subpara-

graph (1) or 90 days after the adjournment of the First Regular Session of the 127th Legislature, whichever comes first.

C. "Second assessment period" means the period:

(1) Commencing on the first day of the month following the end of the first assessment period; and

(2) Ending on December 31, 2017 90 days after the adjournment of the First Regular Session of the 127th Legislature.

Sec. 2. 35-A MRSA §9216, sub-§§2, 5 and 6, as enacted by PL 2009, c. 612, §10, are amended to read:

2. Broadband sustainability fee. ~~An~~ Until 90 days after the adjournment of the First Regular Session of the 127th Legislature, an entity that purchases, leases or otherwise obtains federally supported dark fiber from a dark fiber provider is subject to the following broadband sustainability fees:

A. During the first assessment period, a monthly fee equal to \$3 multiplied by the number of miles of federally supported dark fiber strand purchased, leased or used by the entity during the month; and

B. During the 2nd assessment period, a monthly fee equal to \$2 multiplied by the number of miles of federally supported dark fiber strand purchased, leased or used by the entity during the month.

5. Broadband sustainability fund. The authority shall establish a broadband sustainability fund, separate and distinct from any other funds held or maintained by the authority, for use in accordance with subsection 6. The fund is nonlapsing and all interest on funds in the fund remains in the fund for use in accordance with subsection 6. The authority may contract with an appropriate independent fiscal agent that is not a state entity to serve as the administrator of the fund. ~~All funds deposited in the broadband sustainability fund are deemed to be encumbered for purposes of subsection 6 at the time the funds are deposited in the fund.~~

6. Use of the broadband sustainability fund. The authority shall ~~provide incumbent local exchange carriers a right of first refusal to access~~ use funds in the broadband sustainability fund established pursuant to subsection 5 in accordance with this subsection to support and promote broadband service in unserved or underserved areas.

~~A. The authority shall allocate funds in the broadband sustainability fund established pursuant to subsection 5 to each incumbent local exchange carrier in accordance with this paragraph. Each month, the authority shall allocate to each incumbent local exchange carrier an amount equal to the total amount deposited that month into the~~

broadband sustainability fund multiplied by a fraction, the denominator of which is the total number of miles of federally supported dark fiber leased, sold or used in this State during the previous month and the numerator of which is the total number of miles of federally supported dark fiber leased, sold or used in that incumbent local exchange carrier's service territory during the previous month. Any accumulated interest in the fund must be allocated proportionally. Only those amounts allocated to an incumbent local exchange carrier under this paragraph are available for disbursement to that carrier pursuant to paragraph B. By December 31st of each calendar year, the authority shall make an accounting of the total funds allocated during that calendar year to each incumbent local exchange carrier under this paragraph, and if by December 31st of the following calendar year some or all of those funds allocated to a carrier are not disbursed to that carrier in accordance with paragraph B, the authority shall transfer those unspent funds to the ConnectME Fund established under section 9211 for use in accordance with that section. Funds transferred to the ConnectME Fund under this paragraph cease to be available to any incumbent local exchange carrier pursuant to the provisions of this section.

B. To receive a disbursement from the broadband sustainability fund established pursuant to subsection 5, an incumbent local exchange carrier must file with the authority a request for funds together with a certification indicating that the funds requested will be used to deploy broadband infrastructure in unserved areas within the carrier's service territory. The certification must include the projected cost for the project and the scope of work, which must indicate how the funds will be spent. Upon receipt of a request for funds accompanied by the required certification, the authority shall disburse the requested amount to the incumbent local exchange carrier up to an amount not to exceed the total amount allocated under paragraph A to the requesting carrier.

C. An incumbent local exchange carrier may not expend funds received under paragraph B in a manner inconsistent with the certification provided by the carrier under paragraph B. The authority may audit the use by an incumbent local exchange carrier of funds disbursed in accordance with paragraph B.

D. On the last day of the 12th month following the end of the 2nd assessment period, the authority shall transfer all funds remaining in the broadband sustainability fund established pursuant to subsection 5 to the ConnectME Fund established under section 9211 for use in accordance with that section. Funds transferred to the ConnectME Fund pursuant to this paragraph cease to be avail-

able to any incumbent local exchange carrier pursuant to the provisions of this section.

See title page for effective date.

CHAPTER 152

H.P. 94 - L.D. 136

An Act To Clarify That the Medical Records of Applicants for Disability Variances Submitted to Municipal Boards of Appeal Are Not Public Records

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

Sec. 1. 30-A MRSA §4353, sub-§4-A, as repealed and replaced by PL 2009, c. 342, §1, is amended to read:

4-A. Disability variance; vehicle storage. A disability variance may be granted pursuant to this subsection.

A. The board may grant a variance to an owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The board shall restrict any variance granted under this paragraph solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability.

The board may impose conditions on the variance granted pursuant to this paragraph, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. For the purposes of this paragraph, the term "structures necessary for access to or egress from the dwelling" is defined to include railing, wall or roof systems necessary for the safety or effectiveness of the structure.

B. If authorized by the zoning ordinance establishing the board, the board may grant a variance to an owner of a dwelling who resides in the dwelling and who is a person with a permanent disability for the construction of a place of storage and parking for a noncommercial vehicle owned by that person and no other purpose. The width and length of the structure may not be larger than 2 times the width and length of the noncommercial vehicle. The owner shall submit proposed plans for the structure with the request for the variance pursuant to this paragraph to the board.

The person with the permanent disability shall prove by a preponderance of the evidence that the person's disability is permanent.

For purposes of this paragraph, "noncommercial vehicle" means a motor vehicle as defined in Title 29-A, section 101, subsection 42 with a gross vehicle weight of no more than 6,000 pounds, bearing a disability registration plate issued pursuant to Title 29-A, section 521 and owned by the person with the permanent disability.

The board may impose conditions on the variance granted pursuant to this subsection.

All medical records submitted to the board and any other documents submitted for the purpose of describing or verifying a person's disability are confidential.

For purposes of this subsection, "disability" has the same meaning as a physical or mental disability under Title 5, section 4553-A.

Sec. 2. 30-A MRSA §4353-A, as enacted by PL 2013, c. 186, §2, is amended by adding after the first paragraph a new paragraph to read:

All medical records submitted to the code enforcement officer and any other documents submitted for the purpose of describing or verifying a person's disability are confidential.

See title page for effective date.

CHAPTER 153

H.P. 149 - L.D. 206

An Act To Clarify Restrictions on Disclosure of E-9-1-1 System Information

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

Sec. 1. 25 MRSA §2929, sub-§1, as amended by PL 2011, c. 623, Pt. D, §1, is further amended to read:

1. Definition. As used in this section, "confidential information" means the following information as contained in any database, report, audio recording or other record of the bureau or a public safety answering point:

- A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;
- B. Names, addresses and telephone numbers that are omitted from a telephone utility directory list at the request of a customer;
- C. ~~The name, address and telephone number~~ Personally identifying information of a caller to a public safety answering point; ~~or~~

~~D. The name, address and telephone number~~ Personally identifying information of and any medical information about a person receiving emergency services through the E-9-1-1 system; ~~or~~

E. Personally identifying information of any 3rd party, including, but not limited to, a minor, given during a telephone call to a public safety answering point.

For the purposes of this subsection, "personally identifying information" means any information that directly or by reasonable inference might disclose the identity of or personal information about a specific person or persons, including, but not limited to, a person's name, home address, telephone number, mailing address, e-mail address, date of birth, physical residence location, approximate physical location, global positioning system coordinate location information and social security number. "Personally identifying information" does not include the name, title, official agency contact information or, when applicable, official agency identifying number of a public employee involved in a response to an emergency call in the course of carrying out the public employee's official duties.

For the purposes of this subsection, "medical information" includes, but is not limited to, any information revealing or concerning a person's injury or injuries, physical health status, mental health status, medication use, medical history or medical treatment.

Sec. 2. 25 MRSA §2929, sub-§2, ¶B, as enacted by PL 1997, c. 291, §3, is amended to read:

B. A public safety answering point may disclose confidential information to a ~~law enforcement officer or law enforcement agency~~ criminal justice agency, as defined in Title 16, section 803, subsection 4, for the ~~purpose~~ purposes of criminal investigations the administration of criminal justice, as defined in Title 16, section 803, subsection 2, and the administration of juvenile justice, as defined in Title 15, section 3308-A, subsection 1, paragraph A, related to an E-9-1-1 call;

Sec. 3. 25 MRSA §2929, sub-§4, ¶¶B and C, as enacted by PL 1997, c. 291, §3, are amended to read:

B. To a ~~law enforcement officer or law enforcement agency~~ criminal justice agency, as defined in Title 16, section 803, subsection 4, for the ~~purpose~~ purposes of criminal investigations the administration of criminal justice, as defined in Title 16, section 803, subsection 2, and the administration of juvenile justice, as defined in Title 15, section 3308-A, subsection 1, paragraph A, related to an E-9-1-1 call;

C. To designees of the bureau director for the purpose of system maintenance and quality control; ~~and~~

Sec. 4. 25 MRSA §2929, sub-§4, ¶C-1 is enacted to read:

C-1. To a person accused of a crime or that person's agent or attorney for trial and sentencing purposes if authorized by:

(1) The responsible prosecutorial office or prosecutor; or

(2) A rule or order of a court of competent jurisdiction.

As used in this paragraph, "agent" means a licensed professional investigator or an expert witness, or a parent, foster parent or guardian if the accused person has not attained 18 years of age; and

See title page for effective date.

CHAPTER 154

H.P. 181 - L.D. 263

An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose

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

Sec. 1. 28-A MRSA §2051, sub-§6 is enacted to read:

6. Defense. It is a defense to prosecution under subsection 1 if in a situation that involved risk to the minor or to another person of overdose from the consumption of alcohol, including but not limited to extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death from the consumption of alcohol:

A. The minor in good faith sought medical or emergency treatment or assistance for the minor or the other person; or

B. The minor was the person for whom medical or emergency treatment or assistance was sought and the evidence of the violation of this section is obtained as a result of a person contacting emergency medical services or law enforcement.

This subsection does not provide a defense to a charge of operating a motor vehicle while under the influence of alcohol.

Sec. 2. 28-A MRSA §2087, sub-§3 is enacted to read:

3. Defense. It is a defense to prosecution under subsection 1 if in a situation that involved risk to the minor or to another person of overdose from the consumption of alcohol, including but not limited to ex-

treme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death from the consumption of alcohol:

A. The minor in good faith sought medical or emergency treatment or assistance for the minor or the other person; or

B. The minor was the person for whom medical or emergency treatment or assistance was sought and the evidence of the violation of this section is obtained as a result of a person contacting emergency medical services or law enforcement.

This subsection does not provide a defense to a charge of operating a motor vehicle while under the influence of alcohol.

See title page for effective date.

CHAPTER 155

H.P. 327 - L.D. 488

An Act To Expand the Scope of Practice for Denturists

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

Sec. 1. 32 MRSA §1081, sub-§2, ¶E, as amended by PL 2007, c. 620, Pt. C, §2, is further amended to read:

E. The filling of prescriptions of a licensed dentist by any person, association, corporation or other entity for the construction, reproduction or repair of prosthetic dentures, bridges, plates or appliances to be used or worn as substitutes for natural teeth, provided that as long as this person, association, corporation or other entity does not solicit nor advertise, directly or indirectly, by mail, card, newspaper, pamphlet, radio or otherwise, to the general public to construct, reproduce or repair prosthetic dentures, bridges, plates or other appliances to be used or worn as substitutes for natural teeth; and

Sec. 2. 32 MRSA §1081, sub-§2, ¶G, as amended by PL 2007, c. 620, Pt. C, §3, is further amended to read:

G. The taking of impressions by dental hygienists, independent practice dental hygienists or dental assistants for study purposes only; and

Sec. 3. 32 MRSA §1081, sub-§2, ¶H, as enacted by PL 2007, c. 620, Pt. C, §4, is repealed.

Sec. 4. 32 MRSA §1081, sub-§7 is enacted to read:

7. Exceptions. Practice by an independent practice dental hygienist licensed pursuant to subchapter

3-B or by a dentist licensed pursuant to subchapter 6 is not a violation of this subchapter.

Sec. 5. 32 MRSA §1100-B, sub-§3, ¶B, as amended by PL 2013, c. 83, §1, is further amended to read:

B. The fitting of a denture to an edentulous or partially edentulous arch or arches, including the making, producing, reproducing, constructing, finishing, supplying, altering and repairing of dentures, without performing alteration to natural or reconstructed tooth structure. A dentist may perform clinical procedures related to the fabrication of a removable tooth-borne partial denture, including cast frameworks; ~~and~~

Sec. 6. 32 MRSA §1100-B, sub-§3, ¶C, as amended by PL 1993, c. 600, Pt. A, §88, is further amended to read:

C. The procedures incidental to the procedures specified in paragraphs A and B, as defined by the board; and

Sec. 7. 32 MRSA §1100-B, sub-§3, ¶D is enacted to read:

D. The making, placing, constructing, altering, reproducing or repairing of nonorthodontic removable sports mouth guards and the provision of teeth whitening services, including fabricating whitening trays, providing whitening solutions determined to be safe for public use and providing any required follow-up care and instructions for use of the trays and solutions at home.

See title page for effective date.

CHAPTER 156

H.P. 476 - L.D. 700

An Act Regarding the Industry Partnership Assistance Collaborative's Grant Program

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

Sec. 1. 26 MRSA §3305, sub-§2, ¶D, as enacted by PL 2013, c. 368, Pt. FFFFF, §1, is amended to read:

D. A procedure for establishing eligibility requirements. At a minimum, ~~the process to establish~~ this procedure must include the following:

- (1) Involvement of the local workforce investment board;
- (2) Participation of at least 4 employers, with at least 2 employers representing businesses with fewer than 50 employees;

(3) Participation of employees and, where applicable, labor representatives;

(4) Private sector matching funding of at least ~~50%~~ 25%, except that businesses with fewer than 25 employees may be exempted from this matching funding requirement at the discretion of the collaborative; and

(5) Commitment to participate in the performance improvement and evaluation system established pursuant to section 3307.

See title page for effective date.

CHAPTER 157

H.P. 529 - L.D. 776

An Act To Update the Validation of Miscellaneous Defects and Defective Acknowledgments in the Conveyance of Real Estate

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

Sec. 1. 33 MRSA §352, first ¶, as amended by PL 2001, c. 275, Pt. B, §1, is further amended to read:

A record of a deed or other instrument, including a power of attorney, made prior to January 1, ~~2000~~ 2013 for the conveyance of real property, or of any interest in the property, and recorded in the registry of deeds of the county in which the real property is located is valid and enforceable even if:

Sec. 2. 33 MRSA §353-A, as amended by PL 2001, c. 275, Pt. B, §2, is further amended to read:

§353-A. Miscellaneous defects

1. Omission of consideration; failure to seal. A deed or other instrument, including a power of attorney, made prior to January 1, ~~2000~~ 2013 for the conveyance of real property, or any interest in real property, in this State and otherwise valid, except that the deed or instrument does not state any consideration for the real property or was not sealed by the grantors, is valid.

2. Discharge or assignment of mortgage. A duly recorded satisfaction piece or instrument made prior to January 1, ~~2000~~ 2013 with the intent to cancel and discharge or assign a mortgage of real estate, fully identifying the mortgage intended to be canceled and discharged or assigned, but not drawn in accordance with statutory requirements is considered valid.

3. Corporations organized or attempted to be organized; validation of deeds and other instruments. A corporation organized or attempted to be

organized under the laws of this State more than 20 years prior to January 1, ~~2000~~ 2013 and not declared to be invalid prior to January 1, ~~2000~~ 2013 is for all intents and purposes a lawful corporation. The deeds or other instruments of the corporation, given in its corporate name, that affect or convey real estate or any interest in the real estate and that prior to January 1, ~~2000~~ 2013 were recorded in the registry of deeds in the county where the real estate is located may not be held invalid by reason of:

- A. The lack of authority for or informality in their execution or delivery if executed or delivered in good faith by the acting officers of the corporation;
- B. The failure to disclose the corporation's authority for the conveyance of real estate;
- C. The failure to bear the corporate seal;
- D. A person executing or acknowledging a deed or instrument in that person's individual capacity;
- E. The failure to disclose the official capacity of the person executing the deed or instrument; or
- F. The failure of the duly authorized corporate officer to sign the deed or instrument.

4. Omission of authorization for conveyance of real estate. A deed or other instrument for the conveyance of real property, or any interest in the real property executed by a person or persons purporting to act as the agent or attorney of the grantors or their spouses, that has been recorded in the registry of deeds for the county in which the real property is located more than 40 years prior to January 1, ~~2000~~ 2013 is valid even if no power of attorney authorizing and empowering an agent or attorney to make the conveyance or execute and deliver the deed or instrument appears of record, but the real property has in the meantime been occupied, claimed or treated by the grantees or their heirs as their own property.

5. Discharge of mortgage. An instrument written or recorded in the registry of deeds more than 40 years prior to January 1, ~~2000~~ 2013 that is signed or executed by a person or persons purporting to act as the agent or attorney of a mortgagee of real estate and purporting to discharge the mortgage is valid even if no power of attorney authorizing an agent or attorney appears of record.

6. Failure to secure bond or comply with licensing. In all cases in which an executor, administrator, guardian, conservator, trustee, master, receiver or similar officer has been authorized or ordered by a court of probate or other court to sell or exchange real estate and has sold or exchanged the real estate, or any interest in the real estate, in accordance with the authority, without first having filed a bond covering the faithful administration and distribution of the sale when a bond was required by law or has failed to

comply with any other prerequisite for the issuance of the license authorizing the sale or exchange and has given a deed to the purchaser of the real estate or to the person with whom an exchange was authorized or ordered or when the executor, administrator, guardian, conservator, trustee, master, receiver or other officer appointed has acted in that capacity under a decree of any court appointing that person to the office, but the decree of appointment erroneously or inadvertently excused the person from giving bond in that capacity when a bond was required by law and was not in fact given, the deeds and acts previously done are valid.

7. Foreclosure by publication. In all cases of foreclosure of real estate mortgages by publication, a certificate of the publication of foreclosure made by the mortgagee or by an officer of the mortgagee, if the mortgagee is a corporation, or made by an officer or employee of the newspaper that published the notice recorded on or before January 1, ~~2000~~ 2013 is prima facie evidence of the publication of foreclosure to the same extent as if the certificate had in fact been made by the register of deeds and recorded; certificates made by the mortgagee or by an officer of the mortgagee, if the mortgagee is a corporation, or made by an officer or employee of the newspaper that published the notice recorded on or before January 1, ~~2000~~ 2013 have the same force and effect as if made by the register of deeds and are valid.

8. Foreclosure by civil action. All foreclosures commenced on or after October 1, 1975 of real estate mortgages executed on or prior to October 1, 1975 using the method of foreclosure set forth in Title 14, sections 6321 to 6324 for which the period of redemption allowed was not less than one year and that would be valid but for the date of execution of the mortgage are valid and effective according to their terms.

9. Abstracts of divorce decrees. An abstract of a divorce decree recorded in any registry of deeds prior to March 24, 1987 and otherwise valid that failed to state the residence of any party to the divorce action is valid and has the force and effect of a quitclaim deed releasing all interest in the real estate described in the decree or abstract.

See title page for effective date.

CHAPTER 158

H.P. 611 - L.D. 892

An Act To Amend Certain Laws Affecting the Judicial Branch

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

Sec. 1. 14 MRSA §3147, as enacted by PL 1987, c. 414, §2, is amended to read:

§3147. Payment by credit card

The Judicial Department may implement a procedure for the payment of fines ~~up to \$500~~ by use of major credit cards and may assess a reasonable fee upon the defendant to cover any administrative expenses incurred in connection with the use of credit cards as a method of paying fines.

Sec. 2. 25 MRSA §3501, as amended by PL 1983, c. 254, §1, is further amended to read:

§3501. Application of chapter

This chapter ~~shall apply~~ applies to all personal property of which possession is transferred to a police department or other law enforcement agency of the State or any political subdivision thereof, under circumstances supporting a reasonable belief that such property was abandoned, lost or stolen, or otherwise illegally possessed, except property seized during search and retained and ultimately returned, destroyed or otherwise disposed of pursuant to a court order or some other law ~~hereafter~~ applicable to specific property or circumstance. This chapter ~~shall apply~~ applies to personal property seized during search and retained ~~which that~~ that is not offered or admitted as evidence and ~~which that~~, after retention by a police department or other law enforcement agency, becomes abandoned. This chapter does not apply to unclaimed personal property that has been confiscated at courthouses by judicial marshals. Such property that remains unclaimed for more than 30 days may be disposed of under the direction of the State Court Administrator.

Sec. 3. 29-A MRSA §2434, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Physical custody of license. Unless the defendant appeals and a stay of execution of the suspension is granted, the court shall take physical custody of a license issued by this State or another state, foreign country or province if that person is residing or employed in this State. The court may take a license issued by another state, foreign country or province if the person is not residing or employed in this State. If the court is unable to take physical custody of the license at the time of sentencing, either because the suspension has been stayed pursuant to subsection 4 or for any other reason, the license is void at such time as is specified in the court order.

See title page for effective date.

CHAPTER 159

H.P. 682 - L.D. 987

**An Act To Suspend the Right
of an Out-of-state Toll Violator
To Operate a Motor Vehicle on
Maine Roads**

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

Sec. 1. 23 MRSA §1980, sub-§2-A, ¶C, as amended by PL 2011, c. 476, §5, is further amended to read:

C. The following procedures must be followed for the collection of tolls, administrative fees and civil penalties under this subsection.

(1) The authority shall send a notice of liability by first class mail to a person alleged to be liable as a registered owner under this subsection. The notice must be sent to the address of the registered owner on record with the authority if the registered owner is an electronic toll collection patron of the authority or, if no such record exists, the address of the registered owner on record with the Secretary of State. If no address is on record with the authority or the Secretary of State, the notice may be sent to an address for the registered owner obtained by the authority through other reasonable means, including but not limited to through databases compiled by law enforcement or other government agencies. A written statement by the authority that the notice of liability has been mailed is prima facie evidence of the mailing of the notice.

(2) A notice of liability must include ~~the name and address of the person alleged to be liable as a registered owner for the failure to pay a toll under this subsection~~, the amount of the unpaid toll ~~not paid~~, the registration number of the vehicle involved, the toll collection facility at which the failure to pay occurred and the date and the approximate time of the failure. The notice must also include the name, address and telephone number of the violation clerk responsible for enforcing the penalty for the failure to pay.

(3) A notice of liability must ~~include information advising the person liable under this subsection of the manner and time in which state how the alleged liability alleged in the notice may be contested and must identify the statutory defenses described in paragraph E.~~ The notice must also include a warning that failure to contest in the manner and time provided is an admission of liability and a waiver of ~~available~~ defenses and that failure to pay

or respond may result in revocation of the registration certificate and plates issued for ~~the a motor vehicle registered in the State or suspension of the right to operate the motor vehicle in this State if it is registered in another jurisdiction.~~

(4) Within 30 calendar days after the date of ~~the~~ issuance of the notice of liability, the registered owner ~~to whom the notice is issued must~~ shall:

- (a) Pay the amount of the toll for which the person is liable, the civil penalty or penalties provided for in paragraph A and an administrative fee of \$20 for each unpaid toll for which the person is liable ~~but has not paid~~;
- (b) Send a written dispute by mail to the violation clerk named in the notice, as provided by paragraph I; or
- (c) Request a hearing with the violation clerk named in the notice as provided by paragraph J.

Sec. 2. 23 MRSA §1980, sub-§2-A, ¶G, as amended by PL 2011, c. 476, §6, is further amended to read:

G. The authority shall notify the Secretary of State, who shall, in accordance with Title 29-A, section 154, subsection 6, suspend the registration certificate and plates issued for the vehicle involved in the alleged failure to pay if that vehicle is registered in this State or, if that vehicle is registered in another jurisdiction, suspend the right to operate the motor vehicle in accordance with Title 29-A, section 2461 if a registered owner:

- (1) Does not dispute a notice of liability or pay the tolls, administrative fees and civil penalties as required by paragraph C, subparagraph (4);
- (2) Does not pay the required tolls, administrative fees and civil penalties within 30 days of a final ~~decision of a violation clerk~~ determination of liability as provided in paragraphs I and J; or
- (3) ~~Does not pay the required tolls, administrative fees and civil penalties within 30 days of final adjudication of liability under paragraph K; or~~
- (4) Does not pay the required tolls, administrative fees or civil penalties within 30 days of a final adjudication determination of liability by an away agency with whom the authority has a reciprocal collection arrangement under subsection 2-C.

When notifying the Secretary of State under this paragraph, the authority shall send a notice by first class mail informing the registered owner of the pending suspension.

Sec. 3. 29-A MRSA §154, sub-§6, as amended by PL 2003, c. 591, §4, is further amended to read:

6. Recovery of turnpike tolls. Upon receipt of notice from the Maine Turnpike Authority in accordance with Title 23, section 1980, subsection 2-A, paragraph G, the Secretary of State, ~~in accordance with section 2482, shall mail the required 10 day notice and~~ suspend the registration certificate and plates issued for the vehicle in question. If the motor vehicle is registered in another jurisdiction, the Secretary of State shall suspend the owner's right to operate the motor vehicle in this State in accordance with section 2461. The Secretary of State shall mail a notice of suspension to the registered owner at the last name and address on record with the Secretary of State, which may include an address obtained by reasonable means under Title 23, section 1980, subsection 2-A, paragraph C. The suspension takes effect on the date specified in the notice, which may not be less than 10 days after the mailing of the notification. The Secretary of State may not reinstate the registration certificate and plates or restore the owner's right to operate ~~the motor vehicle in the State until the Maine Turnpike Authority provides notice~~ notifies the Secretary of State that the toll and applicable fines fees and penalties have been paid. Notwithstanding any other provision of law, Title 5, section 9052, subsection 1 does not apply to a notice of suspension issued pursuant to this subsection.

Sec. 4. 29-A MRSA §2069, sub-§3, as amended by PL 2009, c. 493, §1, is further amended to read:

3. Vehicle used in connection with a crime or operating after suspension traffic infraction. A law enforcement officer may cause the removal to a suitable parking place of a vehicle connected with ~~the arrest of the operator or owner of a vehicle or with the issuance of a summons for a traffic infraction as described in section 2412-A, subsection 8 or used in connection with the commission of a crime;~~

- A. The arrest of the operator or owner of that vehicle;
- B. The issuance of a summons for a traffic infraction as described in section 2412-A, subsection 8;
- C. A suspended registration pursuant to Title 23, section 1980 or the suspension of the owner's right to operate the vehicle pursuant to section 2461 for failure to pay a toll; or
- D. The commission of a crime.

When a vehicle has been removed pursuant to paragraph C, the vehicle may be released only after the tolls, fees and penalties have been paid and the vehicle's registration has been reinstated or the owner's right to operate the vehicle has been restored.

See title page for effective date.

CHAPTER 160

S.P. 219 - L.D. 626

An Act Regarding Write-in Candidates in Municipal and City Elections

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

Sec. 1. 30-A MRSA §2501, sub-§3 is enacted to read:

3. Determining and counting write-in votes. A municipality may choose the method of determining and counting write-in votes according to this subsection. Once a municipality has voted to accept the option under this subsection, the option applies to all municipal elections until the municipal officers hold a public hearing and the legislative body of the municipality votes to rescind the option at least 90 days before the next election of candidates by secret ballot.

A. After the municipal officers hold a public hearing, at least 90 days prior to an election of candidates by secret ballot, the legislative body of a municipality may vote to be governed by the provisions of Title 21-A, section 696, subsection 2, paragraph C and Title 21-A, section 722-A. Votes for a write-in candidate are counted only if that candidate has filed a timely declaration of write-in candidacy with the municipal clerk in accordance with Title 21-A, section 722-A, except that votes for write-in candidates who have not filed a declaration of write-in candidacy must be counted if:

(1) The printed ballot does not include a properly nominated candidate for the office; or

(2) A properly nominated candidate for the office listed on the ballot withdraws from the race before or on election day.

B. In a municipality that has not voted under paragraph A to be governed by Title 21-A, section 696, subsection 2, paragraph C and Title 21-A, section 722-A, votes cast for write-in candidates must be counted if:

(1) The printed ballot does not include a properly nominated candidate for the office;

(2) A properly nominated candidate for the office listed on the ballot withdraws from the race before or on election day; or

(3) The number of write-in votes for an office as determined by a machine count or initial hand count exceeds the number of votes in that count for a candidate printed on the ballot.

Votes for write-in candidates may be counted even if none of the criteria listed in subparagraphs (1) to (3) are met in a municipality that has not voted to be governed by Title 21-A, section 696, subsection 2, paragraph C and Title 21-A, section 722-A.

Nothing in this subsection requires a municipal clerk to count or tally write-in votes for a fictitious person, a deceased person or a person from outside the municipality when residency is a qualification of office or who is otherwise not qualified to be a candidate for the office for which the person is a write-in candidate.

See title page for effective date.

CHAPTER 161

H.P. 323 - L.D. 484

An Act Regarding the Confidentiality of Railroad Carrier Cargo

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

Sec. 1. 1 MRSA §402, sub-§3, ¶S, as amended by PL 2013, c. 518, §2, is further amended to read:

S. E-mail addresses obtained by a political subdivision of the State for the sole purpose of disseminating noninteractive notifications, updates and cancellations that are issued from the political subdivision or its elected officers to an individual or individuals that request or regularly accept these noninteractive communications; and

Sec. 2. 1 MRSA §402, sub-§3, ¶T, as enacted by PL 2013, c. 518, §3, is amended to read:

T. Records describing research for the development of processing techniques for fisheries, aquaculture and seafood processing or the design and operation of a depuration plant in the possession of the Department of Marine Resources; and

Sec. 3. 1 MRSA §402, sub-§3, ¶U is enacted to read:

U. Records provided by a railroad company describing hazardous materials transported by the railroad company in this State, the routes of haz-

ardous materials shipments and the frequency of hazardous materials operations on those routes that are in the possession of a state or local emergency management entity or law enforcement agency, a fire department or other first responder. For the purposes of this paragraph, "hazardous material" has the same meaning as set forth in 49 Code of Federal Regulations, Section 105.5.

See title page for effective date.

CHAPTER 162

H.P. 975 - L.D. 1429

An Act To Amend the Laws Regarding On-premises and Off-premises Liquor Licenses

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

Sec. 1. 28-A MRSA §10, sub-§2-A, as enacted by PL 2013, c. 344, §1, is amended to read:

2-A. Access exception. Notwithstanding subsection 2, there may be access between the 2 licensed areas by the public as provided by this subsection.

A. There may be access between the 2 licensed areas when there is a clear delineation of space, by a wall or permanent barrier that separates the 2 licensed areas and allows only one clearly defined and controlled point of access for patrons between the licensed establishments. The controlled point of access is not required to include a door that must be physically opened and closed.

B. When access between the 2 licensed areas exists for patrons of either establishment, all malt liquor and wine sold for on-premises consumption must be served by an employee of the licensed establishment and may be served only when accompanying a full meal prepared in a separate and complete kitchen on the premises. For the purposes of this paragraph, "full meal" means a diversified selection of food that cannot ordinarily be consumed without the use of tableware and cannot be conveniently consumed while standing or walking.

C. Malt liquor or wine sold or served on the premises may not be transported by a patron or employee of either establishment from one licensed area to another. The licensee shall ensure that easily readable signs are conspicuously posted to inform the public that transfer of alcoholic beverages from one licensed area to another is strictly prohibited.

This subsection is repealed September 30, 2015.

See title page for effective date.

CHAPTER 163

H.P. 878 - L.D. 1292

An Act To Allow for Super Cribbage Tournaments

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

Sec. 1. 17 MRSA §1836, sub-§4-A is enacted to read:

4-A. Exception for super cribbage tournament. Notwithstanding any provision of this section to the contrary, the Chief of the State Police may issue up to 3 licenses per year for the conduct of a super cribbage tournament. For the purposes of this subsection, "cribbage" means a card game that uses a board and pegs to keep score and of which the characteristic feature is a crib into which players discard cards from their dealt hand to create a crib of 4 cards unseen by other players that will be ultimately part of the dealer's hand. The license fee for a super cribbage tournament is \$75. A super cribbage tournament must be conducted in the same manner as prescribed for a tournament game by this section except as follows.

A. The super cribbage tournament may be conducted by a nationally chartered organization that organizes tournament-style cribbage games and that is exempt from taxation under the United States Internal Revenue Code, Section 501(c)(3) so long as the principal organizer has been a member of that organization for a period of not less than 3 years.

B. The minimum number of players required is 50.

C. The maximum entry fee allowed is \$100 per player.

D. The super cribbage tournament need not be held on premises owned by the licensee.

E. The super cribbage tournament may be conducted over a period of up to 72 hours.

F. Notwithstanding subsection 2, 50% of the proceeds of the super cribbage tournament after prizes are paid must be paid to a bona fide charitable organization, other than the licensee, listed on the tournament application submitted to the Chief of the State Police.

This subsection is repealed September 30, 2017.

See title page for effective date.

CHAPTER 164
S.P. 466 - L.D. 1301

**An Act To Improve the Safety
of Vulnerable Users in Traffic
and To Clarify the
Responsibilities of Bicyclists
and Pedestrians**

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

Sec. 1. 29-A MRSA §101, sub-§91-A is enacted to read:

91-A. Vulnerable user. "Vulnerable user" means a person on a public way who is more vulnerable to injury than a person in an automobile, truck or other similar motor vehicle and includes, but is not limited to:

A. A pedestrian, including a person on or within a public way engaged in work or the provision of emergency or roadside assistance;

B. A person riding, guiding or leading an animal upon or within a public way;

C. A person being guided by a service animal upon or within a public way; or

D. A person lawfully on or within a public way, crosswalk or shoulder portion of the public way who is lawfully operating, riding, using, holding or otherwise on or in any of the following devices:

(1) A bicycle, or a device that is an extension of a bicycle such as an extend-a-bike, a bicycle trailer or a child's bicycle seat;

(2) A motorized bicycle or tricycle, including an electric-assisted bicycle;

(3) A farm tractor or similar vehicle designed primarily for farm use;

(4) A skateboard;

(5) Roller skates;

(6) In-line skates;

(7) A scooter;

(8) A moped;

(9) A horse-drawn carriage;

(10) An electric personal assistive mobility device;

(11) A wheelchair;

(12) A Segway; or

(13) Roller skis.

Sec. 2. 29-A MRSA §1351, sub-§4, as enacted by PL 2003, c. 183, §1, is repealed and the following enacted in its place:

4. Requirements. A driver education course approved under this subchapter must include instruction that imparts the understanding and skills necessary to operate a motor vehicle safely in a situation in which a motorcycle or vulnerable user is sharing the road with that motor vehicle.

Sec. 3. 29-A MRSA §2056, sub-§4, as amended by PL 1999, c. 101, §1, is further amended to read:

4. Pedestrians in marked crosswalks. When traffic-control devices are not in operation, an operator must yield the right-of-way to a pedestrian who is crossing within a marked crosswalk or to a pedestrian who has shown visible intent to enter the marked crosswalk.

Sec. 4. 29-A MRSA §2057, sub-§10, as amended by PL 2007, c. 348, §21, is further amended to read:

10. Failure to yield; criminal offense. A person commits a Class E crime if the person operates a vehicle past a yield sign and collides with a vehicle, person riding a bicycle or pedestrian proceeding on the intersecting way.

Sec. 5. 29-A MRSA §2057, sub-§10-A, as enacted by PL 2007, c. 348, §22, is amended to read:

10-A. Failure to yield; traffic infraction. A person commits a traffic infraction if the person operates a vehicle or a bicycle past a yield sign and fails to yield the right-of-way to a vehicle, person riding a bicycle or pedestrian proceeding on the intersecting way.

Sec. 6. 29-A MRSA §2063, sub-§7, as amended by PL 2013, c. 482, §2, is further amended to read:

7. Penalties. A person 17 years of age or over who violates ~~this section~~ subsection 2, 3, 3-A, 4, 6, 9, 10, 11, 12 or 13 commits a traffic infraction for which a fine of not less than \$25 and not more than \$250 may be adjudged. A person under 17 years of age is not subject to a fine under this section.

Sec. 7. 29-A MRSA §2063, sub-§§10 to 13 are enacted to read:

10. Duty to yield. A bicyclist, roller skier or other nonmotorized traffic must yield the right-of-way to a pedestrian crossing the way in a marked crosswalk who is proceeding in accordance with a traffic-control device as provided in section 2057 or who is proceeding without a traffic-control device in operation. For purposes of this subsection, "yield the right-of-way" means to slow or stop to avoid colliding with or causing other harm to a pedestrian.

11. Traffic-control devices. A person operating a bicycle or roller skis shall obey a traffic-control device, unless otherwise directed by a law enforcement officer. A traffic-control device conforming to the requirements for these devices is presumed to comply with this chapter.

12. Stop signs. Unless directed to proceed by a law enforcement officer or traffic-control device, a person operating a bicycle or roller skis approaching a stop sign shall stop and:

A. Yield the right-of-way to a vehicle that has entered the intersection or that is approaching so closely as to constitute an immediate hazard; and

B. Having yielded, a person operating a bicycle or roller skis may proceed. All other operators approaching the intersection shall yield the right-of-way to the person operating a bicycle or roller skis so proceeding.

13. One-way road. On a public way posted for one-way traffic, unless directed to proceed by a law enforcement officer or traffic-control device, a bicycle may be ridden only in the direction designated.

Sec. 8. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 29-A, in the title headnote, the words "motor vehicles" are amended to read "motor vehicles and traffic" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 165

H.P. 891 - L.D. 1313

An Act To Amend the Laws Regarding Nuclear Power Generating Facilities

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

Sec. 1. 35-A MRSA §4301, sub-§1, as amended by PL 1999, c. 398, Pt. A, §94 and affected by §§104 and 105, is further amended to read:

1. Investment in nuclear power plants. The Legislature finds that construction of a nuclear power plant is a major financial investment, which will have consequences for consumers for years to come. ~~In the recent past, investments in nuclear power plants have caused severe financial strain on consumers.~~

See title page for effective date.

CHAPTER 166

S.P. 498 - L.D. 1366

An Act To Promote Recycling Program Integration and Efficiencies

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

Sec. 1. 17 MRSA §1841, sub-§3, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

3. Glass prohibited. The use of glass is prohibited in games of skill pursuant to Title ~~32~~ 38, section ~~1873~~ 3118.

Sec. 2. 28-A MRSA §705, sub-§1-D, as enacted by PL 2003, c. 349, §2, is amended to read:

1-D. Credit for deposits. This section does not prohibit a licensee from giving credit to a purchaser for the actual amount of the deposit on beverage containers as defined in Title ~~32~~ 38, section ~~1862~~ 3102, subsection 2 or on the packages or original containers as a credit on any sale or from paying the amount actually charged for such a deposit on the packages or original containers.

Sec. 3. 28-A MRSA §1355-A, sub-§2, ¶G, as enacted by PL 2011, c. 629, §22, is amended to read:

G. A licensee that is a brewery or small brewery may sell on the premises during regular business hours and within the hours of legal sale to nonlicensees liquor produced at the licensed premises. The volume of the package may not exceed 15.5 gallons and must be consumed off the premises. The sale of packages described in this paragraph must comply with keg tagging requirements provided in section 714. Each licensee shall submit a monthly report to its wholesaler detailing sales made directly from the premises. The wholesaler shall calculate the fees for any bottle deposit and submit an invoice to the licensee for expenses associated with the requirements prescribed in Title ~~32~~ 38, chapter ~~28~~ 33 including the retailer handling fee, state container deposit and a mutually agreed-upon pick-up fee.

Sec. 4. 28-A MRSA §1355-A, sub-§3, ¶C, as enacted by PL 2011, c. 629, §22, is amended to read:

C. Notwithstanding any other provision of this Title, a brewery or small brewery licensed in accordance with this section may sell from the establishment at the site of the brewery licensed for the sale of alcoholic beverages to be consumed on the premises malt liquor to be consumed off the premises under the conditions specified in this paragraph.

(1) Only malt liquor brewed at the brewery where the on-premises establishment is licensed may be sold at the on-premises establishment.

(2) Malt liquor must be dispensed in bottles provided by and with labels unique to the brewery of 32 to 64 ounces in volume.

(3) No more than 6 bottles may be prefilled at any one time.

(4) A deposit may be charged per bottle. Bottles sold under this paragraph are not subject to Title ~~32~~ 38, chapter ~~28~~ 33.

(5) The bottle in which the malt liquor is dispensed must be sealed by the licensee with a seal that is tamper-evident.

(6) Malt liquor dispensed in accordance with this paragraph must be consumed off the premises.

(7) All sales of malt liquor from the on-premises establishment for off-premises consumption must be accompanied by a sales receipt with a time stamp that indicates time of purchase.

(8) Sale of malt liquor from the on-premises establishment for off-premises consumption may not be made after 10:00 p.m.

The bureau may adopt rules to enforce this paragraph. Rules adopted in accordance with this paragraph are routine technical rules in accordance with Title 5, chapter 375, subchapter 2-A.

Sec. 5. 28-A MRSA §1403-A, sub-§15, as enacted by PL 2009, c. 373, §1, is amended to read:

15. Not subject to beverage container law. Notwithstanding Title ~~32~~ 38, chapter ~~28~~ 33, wine shipped pursuant to this section does not require a refund value for beverage container control purposes.

Sec. 6. 28-A MRSA §1651, sub-§1, ¶C, as amended by PL 1993, c. 615, §5, is further amended to read:

C. The commission shall add any cost to the State related to handling containers returned for refund pursuant to Title ~~32~~ 38, section ~~1863-A~~ 3103 to the established price without markup.

Sec. 7. 28-A MRSA §2075, sub-§2-A, as amended by PL 2003, c. 452, Pt. P, §6 and affected by Pt. X, §2, is further amended to read:

2-A. Evidence. The possession of more than 8 quarts of spirits in one or more containers that are not labeled in accordance with Title ~~32~~ 38, section ~~1865~~ 3105 is prima facie evidence of a violation of this section.

Sec. 8. 28-A MRSA §2077, sub-§2-A, as amended by PL 2003, c. 452, Pt. P, §7 and affected by Pt. X, §2, is further amended to read:

2-A. Evidence. The possession of more than 6 gallons of malt liquor or 8 quarts of wine in one or more containers that are not labeled in accordance with Title ~~32~~ 38, section ~~1865~~ 3105 is prima facie evidence of a violation of this section.

Sec. 9. 30-A MRSA §3771, sub-§1, as enacted by PL 2007, c. 549, §1, is amended to read:

1. Beverage container. "Beverage container" means a can, bottle, jar or other container made of aluminum or metal that is sealed by a manufacturer and contained, at the time of sale, a beverage, as defined by Title ~~32~~ 38, section ~~1862~~ 3102, subsection 1, but does not include a beer keg.

Sec. 10. 32 MRSA c. 28, as amended, is repealed.

Sec. 11. 36 MRSA §112, sub-§8, ¶E, as enacted by PL 2011, c. 548, §10, is amended to read:

E. Administration of reports and payments required under Title ~~32~~ 38, section ~~1866-E~~ 3108.

Sec. 12. 36 MRSA §191, sub-§2, ¶QQ, as corrected by RR 2011, c. 1, §49 and amended by PL 2011, c. 380, Pt. Q, §2 and affected by §7 and amended by c. 439, §6 and affected by §12 and amended by c. 657, Pt. W, §5, is further amended to read:

QQ. The disclosure of registration, reporting and payment information to the Department of ~~Agriculture, Conservation and Forestry~~ Environmental Protection necessary for the administration of Title ~~32~~ 38, chapter ~~28~~ 33;

Sec. 13. 36 MRSA §1760, sub-§93, as enacted by PL 2011, c. 380, Pt. FFFF, §1 and affected by §2, is amended to read:

93. Plastic bags sold to redemption centers. Sales to a local redemption center licensed under Title ~~32~~ 38, section ~~1871-A~~ 3113 of plastic bags used by the redemption center to sort, store or transport returnable beverage containers.

Sec. 14. 38 MRSA c. 33 is enacted to read:

CHAPTER 33

MANUFACTURERS, DISTRIBUTORS AND DEALERS OF BEVERAGE CONTAINERS

§3101. Purpose

1. Legislative findings. The Legislature finds that beverage containers are a major source of nondegradable litter and solid waste in this State and that the collection and disposal of this litter and solid waste constitute a great financial burden for the citizens of this State.

2. Intent. It is the intent of the Legislature to create incentives for the manufacturers, distributors, dealers and consumers of beverage containers to reuse or recycle beverage containers thereby removing the blight on the landscape caused by the disposal of these containers on the highways and lands of the State and reducing the increasing costs of litter collection and municipal solid waste disposal.

§3102. Definitions

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

1. Beverage. "Beverage" means beer, ale or other drink produced by fermenting malt, spirits, wine, hard cider, wine coolers, soda or noncarbonated water and all nonalcoholic carbonated or noncarbonated drinks in liquid form and intended for internal human consumption, except for unflavored rice milk, unflavored soymilk, milk and dairy-derived products.

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

3. Commingling agreement. "Commingling agreement" means an agreement between 2 or more initiators of deposit allowing the beverage containers for which they have initiated deposits to be commingled by dealers and redemption centers, as described in section 3107.

4. Commissioner. "Commissioner" means the Commissioner of Environmental Protection.

5. Consumer. "Consumer" means an individual who purchases a beverage in a beverage container for use or consumption.

6. Dealer. "Dealer" means a person who sells, offers to sell or engages in the sale of beverages in beverage containers to a consumer, including, but not limited to, an operator of a vending machine containing beverages in beverage containers.

7. Department. "Department" means the Department of Environmental Protection.

8. Distributor. "Distributor" means a person who engages in the sale of beverages in beverage containers to a dealer in this State and includes a manufacturer who engages in such sales.

9. Hard cider. "Hard cider" means a beverage produced by fermentation of the juice of fruit, including, but not limited to, flavored, sparkling or carbonated cider that contains not less than 1/2 of 1% alcohol by volume and not more than 7% alcohol by volume.

10. In this State. "In this State" or "in the State" means within the exterior limits of the State and includes all territory within these limits owned by or ceded to the United States of America.

11. Initiator of deposit or initiator. "Initiator of deposit" or "initiator" means a manufacturer, distributor or other person who initiates a deposit on a beverage container under section 3103.

12. Local redemption center. "Local redemption center" means a place of business that deals in acceptance of empty returnable beverage containers from either consumers or from dealers, or both, and that must be licensed under section 3113.

13. Manufacturer. "Manufacturer" means a person who bottles, cans or otherwise places beverages in beverage containers for sale to distributors or dealers.

14. Nonrefillable. "Nonrefillable" means a beverage container that, after being used by a consumer, is not to be reused as a beverage container by a manufacturer.

15. Operator of a vending machine. "Operator of a vending machine" means an owner of a vending machine, the person who refills it or the owner or lessee of the property upon which it is located.

16. Person. "Person" means an individual, partnership, corporation or other legal entity.

17. Premises. "Premises" means the property of the dealer or the dealer's lessor on which a sale is made.

18. Refillable. "Refillable" means a beverage container that, after being used by a consumer, is to be reused as a beverage container at least 5 times by a manufacturer.

19. Reverse vending machine. "Reverse vending machine" means an automated device that uses a laser scanner and microprocessor to accurately recognize the universal product code on beverage containers and to accumulate information regarding containers redeemed, enabling the reverse vending machine to accept containers from redeemers and to issue script for the containers' refund value. "Reverse vending machine" does not include a hand scanner or other similar device.

20. Rice milk. "Rice milk" means any liquid intended for internal human consumption of which the primary protein source is rice protein derived from partially milled brown rice.

21. Spirits. "Spirits" has the same meaning as in Title 28-A, section 2, subsection 31.

22. Unflavored soymilk. "Unflavored soymilk" means any liquid containing no additional flavoring ingredients and intended for internal human consumption, the primary protein source of which is soy protein derived from whole soybeans, isolated soy protein, soy protein concentrate, soy flour, spray-dried tofu or spray-dried soymilk.

23. Use or consumption. "Use or consumption" means the exercise of any right or power over a beverage incident to the ownership thereof, other than the sale, storage or retention for the purpose of sale of a beverage.

24. Wine. "Wine" has the same meaning as in Title 28-A, section 2, subsection 36, except that, for the purposes of this chapter, "wine" does not include wine coolers.

25. Wine cooler. "Wine cooler" means a beverage of less than 8% alcohol content by volume consisting of wine and:

A. Plain, sparkling or carbonated water; and

B. Any one or more of the following:

(1) Fruit juices;

(2) Fruit adjuncts;

(3) Artificial or natural flavors or flavorings;

(4) Preservatives;

(5) Coloring; or

(6) Any other natural or artificial blending material.

§3103. Refund value

To encourage container reuse and recycling, every beverage container sold or offered for sale to a consumer in this State must have a deposit and refund value. The deposit and refund value are determined according to the provisions of this section.

1. Refillable containers. For refillable beverage containers, except wine and spirits containers, the manufacturer shall determine the deposit and refund value according to the type, kind and size of the beverage container. The deposit and refund value may not be less than 5¢.

2. Nonrefillable containers; exclusive distributorships. For nonrefillable beverage containers, except wine and spirits containers, sold through geographically exclusive distributorships, the distributor shall determine and initiate the deposit and refund value according to the type, kind and size of the beverage container. The deposit and refund value may not be less than 5¢.

3. Nonrefillable containers; nonexclusive distributorships. For nonrefillable beverage containers, except wine and spirits containers, not sold through geographically exclusive distributorships, the deposit and refund value may not be less than 5¢.

4. Wine and spirits containers. For wine and spirits containers of greater than 50 milliliters, the refund value may not be less than 15¢.

§3104. Dealer as distributor

Whenever a dealer or group of dealers receives a shipment or consignment of, or in any other manner acquires, beverage containers outside the State for sale to consumers in the State, the dealer or dealers shall comply with this chapter as if they were distributors, as well as dealers.

§3105. Labels; stamps; brand names

1. Labels. Except as provided under subsections 2 and 4, the refund value and the word "Maine" or the abbreviation "ME" must be clearly indicated on every refundable beverage container sold or offered for sale by a dealer in this State, by embossing, stamping, labeling or other method of secure attachment to the beverage container. The refund value may not be indicated on the bottom of the container. Metal beverage containers must be embossed or stamped on the top of the container.

2. Labels; nonrefillable containers; nonexclusive distributorships. With respect to nonrefillable beverage containers the deposits for which are initiated pursuant to section 3103, subsection 3, the refund value and the word "Maine" or the abbreviation "ME" must be clearly indicated on every refundable beverage container sold or offered for sale by a dealer in this State, by permanently embossing or permanently stamping the beverage containers, except in instances when the initiator of the deposit has specific permission from the department to use stickers or similar devices. The refund value may not be indicated on the bottom of the container. Metal beverage containers must be permanently embossed or permanently stamped on the tops of the containers.

3. Labels; nonrefillable containers; exclusive distributorships. Notwithstanding subsection 1 and with respect to nonrefillable beverage containers, for the deposits that are initiated pursuant to section 3103, subsection 2, the refund value and the word "Maine" or the abbreviation "ME" may be clearly indicated on refundable beverage containers sold or offered for sale by a dealer in this State by use of stickers or similar devices if those containers are not otherwise marked in accordance with subsection 1. A redemption center shall accept containers identified by stickers in accordance with this subsection or by embossing or stamping in accordance with subsection 1.

4. Brand name. Refillable glass beverage containers of carbonated beverages, for which the deposit is initiated under section 3103, subsection 1, that have a refund value of not less than 5¢ and a brand name permanently marked on the container are not required to comply with subsection 1. The exception provided by this subsection does not apply to glass beverage containers that contain spirits, wine or malt liquor as those terms are defined by Title 28-A, section 2.

5. Label registration. An initiator of deposit shall register the container label of any beverage offered for sale in the State on which it initiates a deposit. Registration must be on forms or in an electronic format provided by the department and must include the universal product code for each combination of beverage and container manufactured. The initiator of deposit shall renew a label registration annually and whenever that label is revised by altering the universal product code or whenever the container on which it appears is changed in size, composition or glass color. The initiator of deposit shall also include as part of the registration the method of collection for that type of container, identification of a collection agent, identification of all of the parties to a commingling agreement that applies to the container and proof of the collection agreement. The department may charge a fee for registration and registration renewals under this subsection. Rules adopted pursuant to this subsection that establish fees are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and subject to review by the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters.

6. Removal of product. A product that is sold or distributed in the State that is not in compliance with the initiator of deposit or the labeling registration requirements established in this section may be removed from sale by the department.

§3106. Application

1. Dealer acceptance. Except as provided in this section, a dealer may not refuse to accept from any consumer or other person not a dealer any empty, unbroken and reasonably clean beverage container of the kind, size and brand sold by the dealer, or refuse to pay in cash the refund value of the returned beverage container as established by section 3103. This section does not require an operator of a vending machine to maintain a person to accept returned beverage containers on the premises where the vending machine is located.

2. Permissive refusal by dealer. A dealer may refuse to accept from a consumer or other person and to pay the refund value on any beverage container, if the place of business of the dealer and the kind, size and brand of beverage container are included in an order of the department approving a redemption center under section 3109.

3. Limitation or number of returnables accepted. A dealer may limit the total number of beverage containers that the dealer will accept from any one consumer or other person in any one business day to 240 containers, or any other number greater than 240.

4. Limitation on hours for returning containers. A dealer may refuse to accept beverage containers during no more than 3 hours in any one business day. If a dealer refuses to accept containers under this subsection, the hours during which the dealer will not accept containers must be conspicuously posted.

5. Distributor acceptance. A distributor may not refuse to accept from any dealer or local redemption center any empty, unbroken and reasonably clean beverage container or any beverage container that has been processed through an approved reverse vending machine that meets the requirements of rules adopted by the department pursuant to this chapter of the kind, size and brand sold by the distributor or refuse to pay to the dealer or local redemption center the refund value of a beverage container as established by section 3103.

6. Obligation to preserve recycling value. Notwithstanding subsection 8, a distributor or its agent may refuse to accept, or pay the refund value and handling costs to a dealer, redemption center or other person for, a beverage container that has been processed by a reverse vending machine in a way that has reduced the recycling value of the container below current market value. This subsection may not be interpreted to prohibit a written processing agreement between a distributor and a dealer or redemption center and does not relieve a distributor of its obligation under subsection 8 to accept empty, unbroken and reasonably clean beverage containers. The department shall adopt rules to establish the recycling value of beverage containers under this subsection and the rules may authorize the use of a 3rd-party vendor to determine if a beverage container has been processed by a reverse vending machine in a manner that has reduced the recycling value below current market value. The rules must outline the method of allocating among the parties involved the payment for 3rd-party vendor costs. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

7. Reimbursement of handling costs. Reimbursement of handling costs is governed by this subsection.

A. In addition to the payment of the refund value, the initiator of the deposit under section 3103, subsections 1, 2 and 4 shall reimburse the dealer or local redemption center for the cost of handling beverage containers subject to section 3103, in an amount that equals at least 3¢ per returned container for containers picked up by the initiator before March 1, 2004, at least 3 1/2¢ for containers

picked up on or after March 1, 2004 and before March 1, 2010 and at least 4¢ for containers picked up on or after March 1, 2010. The initiator of the deposit may reimburse the dealer or local redemption center directly or indirectly through a party with which it has entered into a commingling agreement.

B. In addition to the payment of the refund value, the initiator of the deposit under section 3103, subsection 3 shall reimburse the dealer or local redemption center for the cost of handling beverage containers subject to section 3103 in an amount that equals at least 3¢ per returned container for containers picked up by the initiator before March 1, 2004, at least 3 1/2¢ for containers picked up on or after March 1, 2004 and before March 1, 2010 and at least 4¢ for containers picked up on or after March 1, 2010. The initiator of the deposit may reimburse the dealer or local redemption center directly or indirectly through a contracted agent or through a party with which it has entered into a commingling agreement.

C. The reimbursement that the initiator of the deposit is obligated to pay the dealer or redemption center pursuant to paragraph A or B must be reduced by 1/2¢ for any returned container that is subject to a qualified commingling agreement that allows the dealer or redemption center to commingle beverage containers of like product group, material and size. A commingling agreement is qualified for purposes of this paragraph if the department determines that 50% or more of the beverage containers of like product group, material and size for which the deposits are being initiated in the State are covered by the commingling agreement or that the initiators of deposit covered by the commingling agreement are initiators of deposit for wine containers who each sell no more than 100,000 gallons of wine or 500,000 beverage containers that contain wine in a calendar year. Once the initiator of deposit has established a qualified commingling agreement for containers of a like product group, material and size, the department shall allow additional brands to be included from a different product group if they are of like material. The State, through the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, shall make every reasonable effort to enter into a qualified commingling agreement under this paragraph with every other initiator of deposit for beverage containers that are of like product group, size and material as the beverage containers for which the State is the initiator of deposit.

D. Paragraphs A, B and C do not apply to a brewer who annually produces no more than 50,000 gallons of its product or a bottler of water who annually sells no more than 250,000 contain-

ers each containing no more than one gallon of its product. In addition to the payment of the refund value, an initiator of deposit under section 3103, subsections 1 to 4 who is also a brewer who annually produces no more than 50,000 gallons of its product or a bottler of water who annually sells no more than 250,000 containers each containing no more than one gallon of its product shall reimburse the dealer or local redemption center for the cost of handling beverage containers subject to section 3103 in an amount that equals at least 3¢ per returned container.

8. Obligation to pick up containers. The obligation to pick up beverage containers subject to this chapter is determined as follows.

A. A distributor that initiates the deposit under section 3103, subsection 2 or 4 has the obligation to pick up any empty, unbroken and reasonably clean beverage containers of the particular kind, size and brand sold by the distributor from dealers to whom that distributor has sold those beverages and from licensed redemption centers designated to serve those dealers pursuant to an order entered under section 3109. A distributor that, within this State, sells beverages under a particular label exclusively to one dealer, which dealer offers those labeled beverages for sale at retail exclusively at the dealer's establishment, shall pick up any empty, unbroken and reasonably clean beverage containers of the kind, size and brand sold by the distributor to the dealer only from those licensed redemption centers that serve the various establishments of the dealer, under an order entered under section 3109. A dealer that manufactures its own beverages for exclusive sale by that dealer at retail has the obligation of a distributor under this section. The commissioner may establish by rule, in accordance with the Maine Administrative Procedure Act, criteria prescribing the manner in which distributors shall fulfill the obligations imposed by this paragraph. The rules may establish a minimum number or value of containers below which a distributor is not required to respond to a request to pick up empty containers. Any rules adopted under this paragraph must allocate the burdens associated with the handling, storage and transportation of empty containers to prevent unreasonable financial or other hardship.

B. The initiator of the deposit under section 3103, subsection 3 has the obligation to pick up any empty, unbroken and reasonably clean beverage containers of the particular kind, size and brand sold by the initiator from dealers to whom a distributor has sold those beverages and from licensed redemption centers designated to serve those dealers pursuant to an order entered under section 3109. The obligation may be fulfilled by

the initiator directly or indirectly through a contracted agent.

C. An initiator of the deposit under section 3103, subsection 2, 3 or 4 has the obligation to pick up any empty, unbroken and reasonably clean beverage containers that are commingled pursuant to a commingling agreement along with any beverage containers that the initiator is otherwise obligated to pick up pursuant to paragraphs A and B.

D. The initiator of deposit or initiators of deposit who are members of a commingling agreement have the obligation under this subsection to pick up empty, unbroken and reasonably clean beverage containers of the particular kind, size and brand sold by the initiator from dealers to whom a distributor has sold those beverages and from licensed redemption centers designated to serve those dealers every 15 days. The initiator of deposit or initiators of deposit who are members of a commingling agreement have the obligation to make additional pickups when a redemption center has collected 10,000 beverage containers from that initiator of deposit or from the initiators of deposit who are members of a commingling agreement.

The obligation of the initiator of the deposit under this subsection may be fulfilled by the initiator directly or through a party with which it has entered into a commingling agreement. A contracted agent hired to pick up beverage containers for one or more initiators of deposit is deemed to have made a pickup at a redemption center for those initiators of deposit when it picks up beverage containers belonging to those initiators of deposit.

9. Plastic bags. A dealer or redemption center has an obligation to pick up plastic bags that are used by that dealer or redemption center to contain beverage containers. Plastic bags used by a dealer or redemption center and the cost allocation of these bags must conform to rules adopted by the department concerning size and gauge. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

10. Application to containers originally sold in the State. The obligations to accept or take empty beverage containers and to pay the refund value and handling fees for such containers as described in subsections 1, 2, 5, 7 and 8 apply only to containers originally sold in this State as filled beverage containers. A person who tenders to a dealer, distributor, redemption center or bottler more than 48 empty beverage containers that the person knows or has reason to know were not originally sold in this State as filled beverage containers is subject to the enforcement action and civil penalties set forth in this subsection. At each location where consumers tender containers for redemption, dealers and redemption centers must con-

spicuously display a sign in letters that are at least one inch in height with the following information: "WARNING: Persons tendering containers for redemption that were not originally purchased in this State may be subject to a fine of the greater of \$100 per container or \$25,000 for each tender. (38 MRSA Section 3106)." A person who violates the provisions of this subsection is subject to a civil penalty of the greater of \$100 for each container or \$25,000 for each tender of containers.

11. License revocation. The department may revoke the license of a dealer or redemption center that has been adjudged to have committed a violation of this section.

12. Bulk redemption. In order to prevent fraud from the redemption of beverage containers not originally sold in this State, this subsection governs the redemption of more than 2,500 beverage containers.

A. A person tendering for redemption more than 2,500 beverage containers at one time to a dealer or redemption center must provide to the dealer or redemption center that person's name and address and the license plate number of the vehicle used to transport the beverage containers. The dealer or redemption center redeeming these beverage containers shall forward that information to the department within 10 days, and the information must be kept on file for a minimum of 12 months.

B. After complying at least once with the requirements of paragraph A, a person need not comply with paragraph A each subsequent time that person tenders to a dealer or redemption center for redemption more than 2,500 beverage containers if:

- (1) All of the containers were collected at one location in this State;
- (2) All proceeds of the refund value benefit a nonprofit organization that has been determined by the United States Internal Revenue Service to be exempt from taxation under the United States Internal Revenue Code of 1986, Section 501(c)(3); and
- (3) The person tendering the containers for redemption signs a declaration indicating the person's name, the address of the collection point and the name of the organization or organizations that will receive the refund value.

13. Private right of action; containers not originally sold in the State. An initiator of deposit may maintain a civil action in Superior Court against a person, other than a local redemption center licensed in accordance with section 3113, that tenders to a redemption center or retailer more than 48 empty beverage containers that the person knows or has reason to know were not originally sold in this State as filled

beverage containers. If the initiator of deposit prevails in any action, the initiator of deposit is entitled to an award of reasonable attorney's fees and court costs, including expert witness fees.

§3107. Commingling of beverage containers

Notwithstanding any other provision of this chapter to the contrary, 2 or more initiators of deposit may enter into a commingling agreement through which some or all of the beverage containers for which the initiators have initiated deposits may be commingled by dealers and operators of redemption centers as provided in this section.

An initiator of deposit that enters into a commingling agreement pursuant to this section shall permit any other initiator of deposit to become a party to that agreement on the same terms and conditions as the original agreement.

1. Commingling requirement. If initiators of deposit enter into a commingling agreement pursuant to this section, commingling of beverage containers must be by all containers of like product group, material and size. An initiator of deposit required pursuant to section 3106, subsection 8 to pick up beverage containers subject to a commingling agreement also shall pick up all other beverage containers subject to the same agreement. The initiator of deposit may not require beverage containers that are subject to a commingling agreement to be sorted separately by a dealer or redemption center.

2. Commingling of like materials. For purposes of this section, containers are considered to be of like materials if made up of one of the following:

- A. Plastic;
- B. Aluminum;
- C. Metal other than aluminum; and
- D. Glass.

3. Commingling of like products. For purposes of this section, like products are those that are made up of one of the following:

- A. Beer, ale or other beverage produced by fermenting malt, wine and wine coolers;
- B. Spirits;
- C. Soda;
- D. Noncarbonated water; and
- E. All other beverages.

4. Registration of commingling agreements. Not later than 48 hours following the execution or amendment of a commingling agreement, including an amendment that adds an additional party to an existing agreement, the parties shall file a copy of the commingling agreement or amendment with the department.

§3108. Unclaimed deposits

The provisions of this section apply only to those beverage containers that are not subject to a commingling agreement pursuant to section 3107.

1. Deposit transaction fund. An initiator of deposit shall maintain a separate account to be known as the initiator's deposit transaction fund. The initiator shall keep that fund separate from all other revenues and accounts. The initiator shall place in that fund the refund value for all nonrefillable beverage containers it sells subject to the provisions of this chapter. Except as specified in subsections 3 and 4, amounts in the initiator's deposit transaction fund may only be expended to pay refund values for returned nonrefillable beverage containers. Amounts in the fund may not be used to pay the handling fees required by this chapter. The fund must be maintained by the initiator on behalf of consumers who have purchased products in refundable nonrefillable beverage containers and on behalf of the State; except as specified in subsections 3 and 4, amounts in the fund may not be regarded as income of the initiator.

2. Reports. An initiator of deposit shall report to the State Tax Assessor by the 20th day of each month concerning transactions affecting its deposit transaction fund in the preceding month. The report must be in a form prescribed by the assessor and must include: the number of nonrefillable beverage containers sold and the number of nonrefillable beverage containers returned in the applicable month; the amount of deposits received in and payments made from the fund in the applicable month and the most recent 3-month period; any income earned on amounts in the fund during the applicable month; the balance in the fund at the close of the applicable month; and such other information as the assessor may require. The report required by this subsection must be treated by the assessor as a return, as the term is defined by Title 36, section 111, subsection 4.

3. Determination of abandoned deposit amounts. The initiator's abandoned deposit amount, at the end of each month, is the amount equal to the amount of deposits that are or should be in the fund, less the sum of:

- A. Income earned on amounts in the fund during that month; and
- B. The total amount of refund values received by the initiator for nonrefillable beverage containers during that month and the 2 preceding months.

Income on the fund may be transferred from the fund for use as funds of the initiator.

4. Transfer of abandoned deposit amounts. By the 20th day of each month, an initiator shall turn over to the State Tax Assessor the initiator's abandoned

deposit amounts determined pursuant to subsection 3. Those amounts may be paid from the deposit transaction fund. Amounts collected by the assessor pursuant to this subsection must be treated by the assessor as a tax, as that term is defined by Title 36, section 111, subsection 5, and must be deposited in the General Fund.

5. Reimbursement of initiators of deposit. If in any month the authorized payments from the deposit transaction fund by an initiator pursuant to this section exceed the funds that are or should be in the initiator's deposit transaction fund, the State Tax Assessor shall reimburse the initiator, from amounts received pursuant to subsection 4, for those refunds paid by the initiator for nonrefillable beverage containers for which the funds that are or should be in the initiator's deposit transaction fund are insufficient; except that reimbursements paid by the assessor to an initiator may not exceed amounts paid by the initiator pursuant to subsection 4 in the preceding 24 months less amounts paid to the initiator pursuant to this subsection during that same 24-month period.

6. Administration by State Tax Assessor. The uniform tax administration provisions of Title 36, chapter 7 apply to the State Tax Assessor's administration of the reports and payments required by this section.

7. Small manufacturers, bottlers and brewers exempt. Except as otherwise provided in this subsection, a manufacturer who produces no more than 50,000 gallons of its product in a calendar year is exempt from the requirements of this section for that year. A brewer who produces no more than 50,000 gallons of its product or a bottler of water who sells no more than 250,000 containers each containing no more than one gallon of its product in a calendar year is exempt from the requirements of this section for that year.

8. Removal of beverage. The department may remove from sale a beverage that is sold or distributed in the State by an initiator of deposit who is not in compliance with the reporting and payment requirements established in this section if the department is notified by the State Tax Assessor of that noncompliance. The department shall allow the sale of the beverage to resume upon notification by the State Tax Assessor that all delinquent reports have been submitted and all payments are current.

§3109. Redemption centers

1. Establishment. Local redemption centers may be established and operated by any person or municipality, agency or regional association as defined in section 1303-C, subsection 24, subject to the approval of the commissioner, to serve local dealers and consumers, at which consumers may return empty beverage containers as provided under section 3106.

2. Application for approval. Application for approval of a local redemption center must be filed with the department. The application must state the name and address of the person responsible for the establishment and operation of the center, the kinds, sizes and brand names of beverage containers that will be accepted and the names and addresses of dealers to be served and their distances from the local redemption center.

3. Approval. The commissioner may approve the licensing of a local redemption center if the redemption center complies with the requirements established under section 3113. The order approving a local redemption center license must state the dealers to be served and the kinds, sizes and brand names of empty beverage containers that the center accepts.

4. Redemption center acceptance refund account. A local redemption center may not refuse to accept from any consumer or other person not a dealer any empty, unbroken and reasonably clean beverage container of the kind, size and brand sold by a dealer served by the center as long as the label for the container is registered under section 3105, subsection 5 or refuse to pay in cash the refund value of the returned beverage container as established by section 3103. A redemption center or reverse vending machine is not obligated to count containers or to pay a cash refund at the time the beverage container is returned as long as the amount of the refund value due is placed into an account to be held for the benefit of the consumer and funded in a manner that allows the consumer to obtain deposits due within 2 business days of the time of the return.

5. Posted lists. A list of the dealers served and the kinds, sizes and brand names of empty beverage containers accepted must be prominently displayed at each local redemption center.

6. Withdrawal of approval. The District Court may, in a manner consistent with the Maine Administrative Procedure Act, withdraw approval of a local redemption center if there has not been compliance with the approval order or if the local redemption center no longer provides a convenient service to the public.

§3110. Prohibition on certain types of containers and holders

A beverage may not be sold or offered for sale to consumers in this State:

1. Flip tops. In a metal container designed or constructed so that part of the container is detachable for the purpose of opening the container without the aid of a separate can opener, except that nothing in this subsection prohibits the sale of a container, the only detachable part of which is a piece of adhesive-backed tape; and

2. Plastic cans. In a container composed of one or more plastics if the basic structure of the container, exclusive of the closure device, also includes aluminum or steel.

§3111. Penalties

1. Civil violation. A violation of this chapter by any person is a civil violation for which a fine of not more than \$100 may be adjudged.

2. Separate violations. Each day that a violation under subsection 1 continues or exists constitutes a separate offense.

3. Container pickup. Notwithstanding subsection 1, a person who knowingly violates a provision of section 3106, subsection 8 commits a civil violation for which a fine of \$1,000 may be adjudged.

§3112. Exception for beverage containers used on international flights

This chapter does not apply to any beverage container sold to an airline and containing a beverage intended for consumption on an aircraft flight in interstate or foreign commerce.

§3113. Licensing requirements

A license issued annually by the department is required before any person may initiate deposits under section 3103, operate a redemption center under section 3109 or act as a contracted agent for the collection of beverage containers under section 3106, subsection 8, paragraph B.

1. Procedures; licensing fees. The department shall adopt rules establishing the requirements and procedures for issuance of licenses and annual renewals under this section, including a fee structure. Initial rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Rules adopted effective after calendar year 2003 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and are subject to review by the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters.

2. Criteria for licensing rules. In developing rules under subsection 1 for licensing redemption centers, the department shall consider at least the following:

- A. The health and safety of the public, including sanitation protection when food is also sold on the premises;
- B. The convenience for the public, including standards governing the distribution of centers by population or by distance, or both;
- C. The proximity of the proposed redemption center to existing redemption centers and the potential impact that the location of the proposed re-

demption center may have on an existing redemption center;

D. The proposed owner's record of compliance with this chapter and rules adopted by the department pursuant to this chapter; and

E. The hours of operation of the proposed redemption center and existing redemption centers in the proximity of the proposed redemption center.

3. Location of redemption centers; population requirements. The department may grant a license to a redemption center if the following requirements are met:

A. The department may license up to 5 redemption centers in a municipality with a population over 30,000;

B. The department may license up to 3 redemption centers in a municipality with a population over 20,000 but no more than 30,000; and

C. The department may license up to 2 redemption centers in a municipality with a population over 5,000 but no more than 20,000.

For a municipality with a population of no more than 5,000, the department may license redemption centers in accordance with rules adopted by the department. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4. Exceptions. Notwithstanding subsection 3:

A. An owner of a redemption center who is renewing the license of a redemption center licensed by the department as of April 1, 2009 need not comply with subsection 3;

B. An entity that is a food establishment or distributor licensed by or registered with the department need not comply with subsection 3;

C. A reverse vending machine is not considered a redemption center for purposes of subsection 3 when it is located in a licensed redemption center; and

D. The department may grant a license that is inconsistent with the requirements set out in subsection 3 only if the applicant has demonstrated a compelling public need for an additional redemption center in the municipality.

§3114. Beverage Container Enforcement Fund

1. Creation. The Beverage Container Enforcement Fund, referred to in this section as "the fund," is created under the jurisdiction and control of the department.

2. Sources of money. The fund consists of the following:

A. Fees for issuance of licenses and license renewals under section 3113;

B. Fees for registration of beverage container labels and registration renewals under section 3105, subsection 5; and

C. All other money appropriated or allocated for inclusion in the fund.

3. Application of fund. The department may combine administration and inspection responsibilities of other programs it administers with administration and enforcement responsibilities under this chapter for efficiency purposes; however, money in the fund may be used to fund only the portion of staff time devoted to administration and enforcement activities under this chapter.

4. Revolving fund. The fund is a nonlapsing, revolving fund. All money in the fund must be continuously applied by the department to carry out the administrative and enforcement responsibilities of the department under this chapter.

§3115. Department administration

The department shall administer this chapter and has the authority, following public hearing, to adopt necessary rules to carry it into effect. The department may adopt rules governing local redemption centers that receive beverage containers from dealers supplied by distributors other than the distributors servicing the area in which the local redemption center is located in order to prevent the distributors servicing the area within which the redemption center is located from being unfairly penalized. In addition to other actions required by this chapter, department responsibilities include the following.

1. Registry of labels. The department shall establish and maintain a registry of beverage container labels. The registry must contain the information for each beverage type and beverage container filed under section 3105, subsection 5 arranged and displayed in an organized and comprehensible manner. The department shall update the registry regularly and make information from the registry available upon request.

2. Provision of information. The department shall provide information about the operation of this chapter to any affected person whose premises it inspects or visits as part of its licensing and inspection responsibilities.

§3116. Denial of redemption center license

1. Denial of application. The department shall notify an applicant denied a license for a redemption center of the reasons for the denial. Written notification must be sent to the mailing address given by the applicant in the application for a redemption center license.

2. Aggrieved applicants. An applicant aggrieved by a decision made by the department may appeal the decision by filing an appeal with the Superior Court and serving a copy of the appeal upon the department in accordance with the Maine Rules of Civil Procedure, Rule 80C. The appeal must be filed and served within 30 days of the mailing of the department's decision.

§3117. Unlawful possession of beverage containers

A person is guilty of a violation of this section if that person possesses more than 48 beverage containers that are not labeled under section 3105. This section does not apply to licensed waste facilities as defined in section 1303-C, subsection 40.

1. Penalty. A violation of this section is a civil violation for which a fine of \$100 per container in excess of 48 beverage containers may be adjudged.

2. Enforcement. The Maine State Police shall enforce this section and prosecute any persons found in violation.

3. Private right of action; containers not originally sold in the State. An initiator of deposit may maintain a civil action in Superior Court against a person, other than a local redemption center licensed in accordance with section 3113, in possession of more than 48 beverage containers that the person knows or has reason to know were not originally sold in this State as filled beverage containers. If the initiator of deposit prevails in any action, the initiator of deposit is entitled to an award of reasonable attorney's fees and court costs, including expert witness fees.

4. Exempt facilities. The department may, by rule, adopt procedures for designating certain transportation activities and storage or production facilities or portions of facilities as exempt from this section. Any exemption granted under this subsection must be based on a showing by the person owning or operating the facility or undertaking the activity that:

A. The beverage containers stored or transported are intended solely for retail sale outside of the State;

B. The beverage containers are being transported to and stored in a facility licensed under Title 28-A, section 1371, subsection 1 prior to labeling and subsequent retail sale within the State; or

C. The person is licensed under Title 28-A, section 1401 to import malt liquor and wine into the State, the beverage containers contain malt liquor or wine and these containers are being transported or stored prior to labeling and subsequent retail sale within the State.

The department may require reporting of the numbers of beverage containers imported into and exported from the State under the terms of this subsection.

§3118. Glass-breaking games

A person, firm, corporation, association or organization may not hold, conduct or operate games of skill, as defined in Title 17, section 1831, subsection 6, that involve the breaking of glass. A violation of this section is a Class E crime.

Sec. 15. Transition. The following provisions govern the transfer of the administration of the provisions regarding returnable beverage containers under the Maine Revised Statutes, Title 32, chapter 28 from the Department of Agriculture, Conservation and Forestry to the Department of Environmental Protection.

1. The Department of Environmental Protection is the successor in every way to the powers, duties and functions of the Department of Agriculture, Conservation and Forestry under Title 32, chapter 28. The department may enter into a memorandum of understanding to foster the administration of this program.

2. All existing rules, regulations and procedures in effect, in operation or adopted by the Department of Agriculture, Conservation and Forestry or any of its administrative units or officers pursuant to Title 32, chapter 28 are hereby declared in effect and continue in effect until rescinded, revised or amended by the proper authority. All rules, regulations and procedures administered pursuant to Title 32, chapter 28 are administered by the Department of Environmental Protection.

3. All existing contracts, agreements and compacts in effect under the authority of the Department of Agriculture, Conservation and Forestry under Title 32, chapter 28 continue in effect.

4. All records, property and equipment belonging to or allocated for the use of the Department of Agriculture, Conservation and Forestry for the purposes of Title 32, chapter 28 become, on the effective date of this Act, part of the property of the Department of Environment Protection.

5. All existing forms, licenses, letterheads and similar items bearing the name of or referring to the Department of Agriculture, Conservation and Forestry used for the purposes of Title 32, chapter 28 may be used by the Department of Environment Protection until existing supplies of those items are exhausted.

See title page for effective date.

CHAPTER 167**S.P. 514 - L.D. 1388****An Act To Clarify the Used Car Information Laws**

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

Sec. 1. 10 MRSA §1471, sub-§§2-B, 6-C and 7-A is enacted to read:

2-B. Livery service. "Livery service" means a service that for a fee arranges, schedules or procures a vehicle for rent or hire or provides a ride for hire.

6-C. Rideshare. "Rideshare" means a program, activity or action in which a person uses that person's private vehicle to transport a person for a fee.

7-A. Vehicle history report. "Vehicle history report" means a written or electronic report, record or document that describes or provides information on the service history of a vehicle.

Sec. 2. 10 MRSA §1475, sub-§2-A, ¶B, as enacted by PL 1989, c. 878, Pt. F, §3, is amended to read:

B. The dealer's duty to disclose promptly the name and address of the previous owner of the motor vehicle, or dealer, upon the request of any person, the principal use to which the motor vehicle was put by that owner, such as personal transportation, police car, daily rental car, taxi, ride-share, livery service or other descriptive term, and the type of sale or other means by which the person acquired the motor vehicle, such as trade-in, sheriff's sale, repossession, auction or other descriptive term, to the extent that such information is reasonably available to the person;

Sec. 3. 10 MRSA §1475, sub-§2-A, ¶G, as amended by PL 1995, c. 269, §2, is further amended to read:

G. If the vehicle is repossessed, a statement identifying this fact; ~~and~~

Sec. 4. 10 MRSA §1475, sub-§2-A, ¶H, as enacted by PL 1995, c. 269, §3, is amended to read:

H. The dealer's duty to disclose conspicuously in writing the dealer's policy in relation to the return of deposits received from any person. A dealer shall require that a person making a deposit sign the form on which the disclosure appears: ; and

Sec. 5. 10 MRSA §1475, sub-§2-A, ¶I is enacted to read:

I. A dealer that provides to a consumer a vehicle history report prepared by a person other than the dealer has no liability for inaccuracies in the vehicle history report if the dealer makes the following disclosure: "[Name of dealer] is pleased to provide you a courtesy copy of a service history report for the vehicle you are considering purchasing. [Name of dealer] makes no representation as to the accuracy of this service history report."

Sec. 6. 10 MRSA §1475, sub-§3, as amended by PL 2003, c. 240, §1, is further amended to read:

3. Written statement. A dealer shall obtain from the seller of a used motor vehicle a written statement containing the following information:

- A. The make, model, model year and any identification or serial numbers of the motor vehicle;
- B. The name and address of the seller, the principal use to which the motor vehicle was put by the seller, such as personal transportation, police car, daily rental car, taxi, rideshare, livery service or other descriptive term;
- C. A statement identifying any and all mechanical defects known to the seller at the time of sale; and
- D. A statement identifying the type of damage, if any, that the vehicle has sustained, such as fire, water or substantial collision damage, if such information is known to the seller.

Any dealer who offers for sale to consumers a repossessed vehicle that has been obtained by the dealer through any transaction other than a retail sale is not subject to the provisions of this subsection.

A dealer is not subject to the provisions of this subsection if that dealer offers for sale to consumers a used motor vehicle that has been obtained by the dealer through an auction located outside the State at which buyers are limited to licensed dealers and the seller of the used motor vehicle is neither a resident of this State nor a dealer licensed in this State, if the dealer clearly discloses on the written disclosure statement required by subsections 1 and 2-A that the vehicle was acquired at an out-of-state auction and that historical information regarding mechanical defects and substantial damage is not available.

The seller of the used motor vehicle shall sign and date this written statement and the dealer who buys the vehicle shall maintain a record of it for 2 years following the sale of the motor vehicle.

As used in subsection 2-A and this subsection, "substantial collision damage" means any damage to a motor vehicle from a collision when the costs of repair of that damage, at the time of repair, including replacement of mechanical and body parts, exceed ~~\$2,000~~ \$3,000.

See title page for effective date.

CHAPTER 168

S.P. 516 - L.D. 1390

An Act To Amend the Boundaries of the Capitol Area

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 14-A established the policy, composition and duties of the Capitol Planning Commission for the purpose of developing effective planning to accommodate the needs of a growing State Government; and

Whereas, the Maine Revised Statutes, Title 1, section 814, subsection 2 delineates the boundaries of the Capitol Area within the City of Augusta over which the Capitol Planning Commission has planning jurisdiction; and

Whereas, since 1920 the Department of Transportation has owned and occupied a 9-acre parcel of land on the northerly side of Capitol Street known as the motor transport property for use as a highway maintenance facility; and

Whereas, due to the functional obsolescence of the motor transport property, the Department of Transportation recently relocated its highway maintenance operations to a modern facility elsewhere in Augusta and now desires to sell the motor transport property; and

Whereas, the motor transport property is located within the Capitol Area boundaries and is subject to the agency rules established by the Capitol Planning Commission that govern the use and development of Capitol Area property; and

Whereas, sale of the motor transport property has been impeded by the conditions and restrictions imposed by Capitol Planning Commission rules, which originally envisioned the site for use as a state office building or parking garage; and

Whereas, the need for a new state office building or state parking garage has been eliminated due to the extensive renovation of both of the existing facilities in recent years; and

Whereas, the motor transport property is now vacant, deteriorating and creating potentially detrimental health, safety and environmental conditions; and

Whereas, removal of the motor transport property from Capitol Planning Commission restrictions as soon as possible is necessary to enhance the property's marketability, expedite its sale and eliminate its current industrial use in favor of the development of a commercial, mixed-use site that will augment the City of Augusta's tax base and contribute to the overall aesthetic of the Capitol Area's West Campus; and

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

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

Sec. 1. 1 MRSA §814, sub-§2, ¶A, as enacted by PL 1991, c. 824, Pt. A, §1, is amended to read:

A. The west side of ~~the~~ Kennebec River as follows: Beginning at the intersection of the ~~easterly~~ westerly line of ~~Florence~~ Sewall Street with the northerly line of Capitol Street; thence ~~easterly~~ westerly along said northerly line of Capitol Street to a point of ~~150 feet westerly of opposite~~ the intersection of the westerly line of Federal Street ~~projected northerly across said Capitol Street and said northerly~~ the southerly line of Capitol Street; thence ~~southerly~~ continuing westerly along the northerly line of said Capitol Street 150 feet to a point; thence southerly across Capitol Street and continuing southerly parallel line of Federal Street about 800 feet to Kennedy Brook; thence following the thread of the stream generally easterly to its intersection with the northerly property line of the land of the State of Maine, being part of the Motor Vehicles premises; thence westerly about 60 feet along said property line; thence southerly along said property line about 155 feet; thence easterly along said property line about 140 feet; thence southerly along said property line about 120 feet to the northerly line of Manley Street; thence diagonally and southwesterly across Manley Street to its intersection with the northwesterly corner of other land of the State of Maine; thence southerly along said property line extended to the northerly line of Glenwood Street; thence along said Glenwood Street easterly to the westerly line of State Street; thence northerly along said State Street about 150 feet to a point opposite the northerly line of Britt Street; thence across State Street and along the northerly line of said Britt Street easterly to its intersection with property of Augusta Sanitary District; thence northerly and easterly as said property line may run to its intersection with the Kennebec River; thence along said river northerly as the same may run to its intersection with the southerly line of Highway Route 201; thence southwestwardly along said highway line, as the same may run, to the easterly line of State Street at its intersection with Memorial Traffic Circle; thence across State Street in a northwesterly direction to the southwesterly line of Grove Street at its intersection with Memorial Traffic Circle; thence southwestwardly along said Grove Street to the northerly line of Higgins Street; thence across Grove Street; thence southerly along Grove Street to its intersection with the northerly line of Wade Street; thence westerly about 400 feet in a straight line along Wade Street and its northerly line extended to the westerly line of Sewall Street; thence

southerly along Sewall Street to the ~~northerly line of Wade Street where it intersects the westerly line of Sewall Street; thence westerly along the northerly line of Wade Street and thence continuing in a straight line westerly and parallel to Capitol Street to the easterly line of Florence Street; thence southerly along Florence Street to the point of beginning; and~~

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

Effective June 12, 2015.

CHAPTER 169

S.P. 523 - L.D. 1405

**An Act To Amend the
Licensing Laws of the Maine
Fuel Board**

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

Sec. 1. 32 MRSA §18101, sub-§§6, 7 and 10, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, are amended to read:

6. Equipment installations. "Equipment installations" means the installation, alteration or repair of oil, solid fuel, propane or natural gas burning equipment and chimneys, or pellet-fired central heating appliances, including accessory equipment as relating only to the safety of the installation. Associated electrical equipment must be wired in compliance with the rules of the Electricians' Examining Board established in Title 5, section 12004-A, subsection 13.

7. Natural gas. "Natural gas" means hydrocarbon fuel in a gaseous state with a composition of predominantly CH₄, ~~delivered by pipeline to the property of the consumer.~~

10. Self-service dispensing station. "Self-service dispensing station" means a licensed facility where propane or natural gas is dispensed into permanently mounted fuel containers on vehicles ~~and is operated by the general public at a dispensing station.~~

Sec. 2. 32 MRSA §18102, first ¶, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

A person who installs or services ~~oil, solid fuel burning equipment, including pellet-fired central heating appliances, or oil~~, propane or natural gas burning equipment and a facility where propane or natural gas is dispensed must be licensed under this chapter, except as provided under section 18104.

Sec. 3. 32 MRSA §18123, sub-§3, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is repealed.

Sec. 4. 32 MRSA §18132, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

§18132. Master oil burner technician or solid fuel technician

1. Scope of license. ~~A The permitted activities for a person licensed as a master oil and burner technician or master solid fuel burning technician may install, clean, service, alter or repair oil and solid fuel burning equipment and must hold one or more of the following authorities: number one and number 2 oils up to 15 gallons per hour; number one and number 2 oils over 15 gallons per hour; number 4, number 5 and number 6 oils; number one to number 6 oils; and solid fuel are as follows.~~

A. A master oil burner technician may install, clean, service, alter or repair oil burning equipment and must hold one or more of the following authorities: number one and number 2 oils up to 15 gallons per hour; number one and number 2 oils over 15 gallons per hour; number 4, number 5 and number 6 oils; number one to number 6 oils; and pellet-fired central heating appliances.

B. A master solid fuel technician may install, clean, service, alter or repair solid fuel burning equipment.

2. Professional qualifications. Each applicant for a master oil ~~and burner~~ or solid fuel ~~burning~~ license must pass an examination approved by the board and meet the following qualifications:

~~A. The applicant must demonstrate 4 years of licensed practical experience as an apprentice oil and burner technician or solid fuel burning technician and or a journeyman oil and burner technician or solid fuel burning technician and evidence that the licensed practical experience for at least 2 of those 4 years was as a licensed journeyman oil and burner technician or solid fuel burning technician or other requirements the board may establish. Courses approved by the board that apply to a journeyman license cannot be applied toward the requirements for a master license; and.~~

~~B. The applicant must pass an examination approved by the board.~~

An out-of-state applicant must present satisfactory evidence to the board of experience in installing, cleaning, servicing, altering and repairing oil ~~and~~ or solid fuel burning equipment.

Sec. 5. 32 MRSA §18133, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

§18133. Journeyman oil burner technician or solid fuel technician

1. Scope of license. ~~A The permitted activities for a person licensed as a journeyman oil and burner technician or journeyman solid fuel burning technician may install, clean, service, alter or repair oil and solid fuel burning equipment and must hold one or more of the following authorities: number one and number 2 oils up to 15 gallons per hour; number one and number 2 oils over 15 gallons per hour; number 4, number 5 and number 6 oils; number one to number 6 oils; and solid fuel. A journeyman oil and solid fuel burning technician may install oil and solid fuel burning equipment under the indirect supervision of a master oil and solid fuel burning technician who has the same authority or higher and must at all times be under the indirect supervision of, or in the employ of, a master oil and solid fuel burning technician are as follows.~~

A. A journeyman oil burner technician, under the indirect supervision of, or in the employ of, a master oil burner technician may install, clean, service, alter or repair oil burning equipment and must hold one or more of the following authorities: number one and number 2 oils up to 15 gallons per hour; number one and number 2 oils over 15 gallons per hour; number 4, number 5 and number 6 oils; number one to number 6 oils; and pellet-fired central heating appliances. The supervising or employing master oil burner technician must hold at least the same authority as the journeyman oil burner technician.

B. A journeyman solid fuel technician, under the indirect supervision of, or in the employ of, a master solid fuel technician, may install, clean, service, alter or repair solid fuel burning equipment.

2. Professional qualifications. Each applicant for a journeyman oil ~~and burner~~ or solid fuel ~~burning~~ license must pass an examination approved by the board and must meet one of the following qualifications:

~~A. One year of licensed practical experience as an apprentice oil and burner technician or solid fuel burning technician;~~

~~B. Six months of licensed practical experience as an apprentice oil and burner technician or solid fuel burning technician and completion of an oil burner or solid fuel technician course at a community college, career and technical education center or career and technical education region or a comparable institute in the State or another state consisting, at a minimum, of 160 hours of study, of which at least 75 hours are made up of laboratory work on oil burner burning equipment and related systems; or~~

C. Successful completion of a minimum one-year accredited heating course at a community college in this State consisting at a minimum of 320 hours of study, of which at least 150 hours are made up of laboratory work on oil ~~burner or solid fuel~~ burning equipment and related systems.

An out-of-state applicant must present satisfactory evidence to the board of experience in installing, cleaning, servicing, altering and repairing oil and solid fuel burning equipment.

Sec. 6. 32 MRSA §18134, sub-§1, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is repealed.

Sec. 7. 32 MRSA §18134, sub-§1-A is enacted to read:

1-A. Scope of license. The permitted activities for a person licensed as an apprentice oil burner technician or apprentice solid fuel technician are as follows.

A. An apprentice oil burner technician may:

(1) Assist in making oil installations and repairing and servicing of oil burning equipment under the direct supervision of a master or journeyman oil burner technician who holds the same or higher authority. License authorities include: number one and number 2 oils up to 15 gallons per hour; number one and number 2 oils over 15 gallons per hour; number 4, number 5 and number 6 oils; number one to number 6 oils; and pellet-fired central heating appliances;

(2) Bleed an oil burner without direct supervision. If the oil burner fails to operate after bleeding, the apprentice shall refer the problem to a journeyman oil burner technician or master oil burner technician; and

(3) Clean oil burning equipment without direct supervision if the apprentice has either successfully completed at least 160 hours of training approved by the board or completed at least one year of supervised oil burner work experience.

B. An apprentice solid fuel technician may:

(1) Assist in making solid fuel installations and repairing and servicing of solid fuel burning equipment under the direct supervision of a master or journeyman solid fuel technician; and

(2) Clean solid fuel burning equipment without direct supervision if the apprentice has either successfully completed at least 160 hours of training approved by the board or completed at least one year of supervised solid fuel work experience.

Sec. 8. Revision of licenses. The Department of Professional and Financial Regulation shall review the licenses issued by the Maine Fuel Board pursuant to the Maine Revised Statutes, Title 32, sections 18132, 18133 and 18134 and submit legislation to the Second Regular Session of the 127th Legislature by January 15, 2016 that changes the name and scope of the licenses to reflect the changes made in this Act.

See title page for effective date.

CHAPTER 170

S.P. 544 - L.D. 1443

An Act To Merge the Maine Educational Loan Authority with the Finance Authority of Maine

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

Sec. 1. 3 MRSA §959, sub-§1, ¶E, as amended by PL 2013, c. 505, §1, is further amended to read:

E. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs shall use the following list as a guideline for scheduling reviews:

- (2) Department of Education in 2021;
- (2-A) State Board of Education in 2021;
- (3) Maine Arts Commission in 2015;
- (5) Maine Historic Preservation Commission in 2015;
- (5-A) Notwithstanding section 952, Maine Historical Society in 2015;
- (6) Maine Library Commission in 2015;
- (6-A) Maine State Cultural Affairs Council in 2015;
- (6-B) Maine State Library in 2015;
- (6-C) Maine State Museum in 2015;
- (7) Maine State Museum Commission in 2015;
- (8) Office of State Historian in 2015;
- (9) Board of Trustees of the Maine Maritime Academy in 2017;
- (10) Board of Trustees of the University of Maine System in 2017;
- (12) Maine Community College System in 2017; and

(13) Maine Health and Higher Educational Facilities Authority in 2019; ~~and,~~

(14) ~~Maine Educational Loan Authority in 2019.~~

Sec. 2. 5 MRSA §1547, sub-§3, as enacted by PL 1999, c. 731, Pt. RRR, §1 and amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4 and amended by PL 2007, c. 58, §3, is further amended to read:

3. Component units. Component units of the State include, but are not limited to, the following organizations: the Loring Development Authority of Maine; the Finance Authority of Maine; ~~the Maine Educational Loan Authority;~~ the Maine Municipal Bond Bank; the Maine Health and Higher Education Facilities Authority; the Maine Governmental Facilities Authority; the Maine Maritime Academy; the Maine State Housing Authority; the University of Maine System; the Maine Community College System; and the Maine Public Employees Retirement System. The State Controller may identify additional component units in accordance with standards established by a governmental accounting standards board.

Sec. 3. 5 MRSA §12004-F, sub-§15, as enacted by PL 1989, c. 503, Pt. A, §11, is repealed.

Sec. 4. 5 MRSA §12021, sub-§6, ¶G, as enacted by PL 2011, c. 616, Pt. A, §1, is repealed.

Sec. 5. 10 MRSA §363, sub-§8, as amended by PL 2003, c. 112, §2 and PL 2007, c. 273, Pt. B, §5 and affected by c. 695, Pt. A, §47, is further amended to read:

8. Additional allocation to the Finance Authority of Maine pursuant to Title 20-A, chapter 417-A. That portion of the state ceiling allocated to the issuance of bonds by the ~~Maine Educational Loan Authority~~ Finance Authority of Maine pursuant to Title 20-A, chapter 417-A must be allocated to the ~~Maine Educational Loan Authority~~ Finance Authority of Maine.

A. Prior to issuing loans funded through an allocation of the state ceiling for the issuance of education loans under this section, an issuer or lender must provide to the appropriate agency within the Department of Professional and Financial Regulation examples of the disclosures to be made to loan recipients or obligors. The information must be provided to the Bureau of Financial Institutions if the issuer or lender is a financial institution or credit union established pursuant to state or federal law or to the Bureau of Consumer Credit Protection for all other issuers or lenders. This information must be provided to the appropriate agency within the Department of Professional and Financial Regulation upon request, or in the course of an examination of the issuer or lender by the agency, and must include a description of

any interest rate or other discounts offered that clearly identifies all of the terms and conditions of obtaining any discount, a projection of the approximate number or percentage of loan obligors who are likely to benefit from the discounts and any other disclosures pursuant to guidelines established by the Bureau of Financial Institutions and the Bureau of Consumer Credit Protection for the issuance of education loans that would benefit from an allocation of the state ceiling. The Bureau of Financial Institutions and the Bureau of Consumer Credit Protection shall jointly adopt, to the extent allowed by law, rules to carry out the provisions of this paragraph by establishing uniform disclosure requirements and sanctions for noncompliance. Rules adopted pursuant to this paragraph are routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A. All information provided to the appropriate agencies within the Department of Professional and Financial Regulation must include the source of the information and the basis for any projections.

B-1. All education loans made under the federal Higher Education Act of 1965, 20 United States Code, Chapter 28 that are purchased or originated with proceeds of tax-exempt bonds using a portion of the state ceiling on private activity bonds must be guaranteed by the state agency designated as administrator of federal guaranteed student loan programs pursuant to Title 20-A, chapter 417, subchapter 1, ~~provided except~~ that this requirement does not apply to serial loans of a borrower that are guaranteed by a different guarantee agency and acquired or financed with tax-exempt bond proceeds prior to the effective date of this paragraph. The state agency designated as administrator of federal guaranteed student loan programs pursuant to Title 20-A, chapter 417, subchapter 1 shall use its best efforts to provide competitive rates for the guarantee function.

Sec. 6. 10 MRSA §965, sub-§4-A, as enacted by PL 1999, c. 728, §9, is amended to read:

4-A. Director; serving on more than one board. With the exception of a member serving in an ex officio capacity pursuant to subsection 4, a member may not serve at the same time as a director or officer of ~~the Maine Educational Loan Authority,~~ of any non-profit corporation formed pursuant to the former Title 20, section 2237 and Title 20-A, section 11407 or of any entity that has a contract to provide a significant level of administrative services to the authority, ~~to the Maine Educational Loan Authority~~ or to any nonprofit corporation formed pursuant to the former Title 20, section 2237 and Title 20-A, section 11407.

Sec. 7. 20-A MRSA §11407, sub-§3, as amended by PL 2003, c. 112, §4, is further amended to read:

3. Board of directors. The board of directors of a nonprofit corporation formed under this section consists of 7 members. Four members representing the public with full voting rights must be appointed by the Governor, subject to review and approval by the joint standing committee of the Legislature having jurisdiction over business and economic development matters and confirmation by the Legislature. The terms of the initial members must be staggered: 2 members must be appointed to 2-year terms and 2 members must be appointed to 3-year terms. On the expiration of a term of any member, a successor must be appointed to a 3-year term. A member serves until a successor is appointed and qualified. A member is eligible for reappointment. If a member is appointed to fill a vacancy in an unexpired term, that member may serve only for the remainder of that term until a successor is appointed. An officer, director or employee of a nonprofit corporation formed under this section may not at the same time serve as an officer, director or employee of the Maine Educational Loan Authority Finance Authority of Maine, of the state agency designated as administrator of federal guaranteed student loan programs pursuant to chapter 417, subchapter 1 or of any entity that has a contract to provide a significant level of administrative services to a nonprofit corporation formed under this section, ~~to the Maine Educational Loan Authority~~ or to the state agency designated as administrator of federal guaranteed student loan programs pursuant to chapter 417, subchapter 1.

Sec. 8. 20-A MRSA §11411, as enacted by PL 1987, c. 807, §3, is repealed and the following enacted in its place:

§11411. Maine Educational Loan Program

There is established the Maine Educational Loan Program, referred to in this chapter as "the program" and administered by the Finance Authority of Maine, to carry out the purposes of this chapter.

Sec. 9. 20-A MRSA §11413, sub-§§1, 2 and 4, as enacted by PL 1987, c. 807, §3, are amended to read:

1. Authority. "Authority" means the Finance Authority of Maine, including in its capacity as successor to the Maine Educational Loan Authority and its the Finance Authority of Maine's successors or assigns.

2. Authority loans. "Authority loans" means loans made under this chapter by the authority to institutions of higher education, students or other persons for the purpose of funding, financing or acquiring education loans.

4. Borrower. "Borrower" means a student who has received an education loan or any parent who has received or agreed to repay an education loan under this chapter.

Sec. 10. 20-A MRSA §11413, sub-§§7 and 8, as enacted by PL 1987, c. 807, §3, are amended to read:

7. Default insurance. "Default insurance" means insurance ~~which that~~ insures authority loans or bonds made or issued under this chapter against default.

8. Default Reserve Fund. "Default Reserve Fund" means a fund established by the authority for the purpose of securing authority loans or bonds made or issued under this chapter.

Sec. 11. 20-A MRSA §11413, sub-§9, as amended by PL 1989, c. 502, Pt. A, §59, is further amended to read:

9. Education loan. "Education loan" means a loan ~~which made under this chapter that~~ is made by the authority or by, or on behalf of, an institution to a student or to parents of a student, or both, in amounts not in excess of the maximum amounts specified by the authority to finance a part or all of the student's cost of attendance at an institution. An education loan ~~shall constitute~~ constitutes an authority loan.

Sec. 12. 20-A MRSA §11413, sub-§§10 and 12, as enacted by PL 1987, c. 807, §3, are amended to read:

10. Education loan series portfolio. "Education loan series portfolio" means all education loans made by a specific institution ~~which that~~ are funded from or acquired by the proceeds of an authority loan to the institution of higher education out of the proceeds of a related specific bond issue through the authority under this chapter.

12. Loan funding deposit. "Loan funding deposit" means money or other property deposited by an institution with the authority or a trustee or custodian, in amounts the authority determines necessary as a condition for an institution's participation in the authority's programs under this chapter. to:

- A. Provide security for bonds;
- B. Fund a default reserve fund;
- C. Acquire default insurance; or
- D. Defray costs of the authority.

Sec. 13. 20-A MRSA §11414, as enacted by PL 1987, c. 807, §3, is repealed and the following enacted in its place:

§11414. Finance Authority of Maine; successor

The Finance Authority of Maine is the successor to the Maine Educational Loan Authority. All properties, rights in land, buildings and equipment and any funds, moneys, revenues and receipts or assets of the Maine Educational Loan Authority, including funds previously appropriated by the State for the Maine

Educational Loan Authority, belong to the Finance Authority of Maine as successor, subject to all liens and pledges thereon made by the Maine Educational Loan Authority. All liabilities of the Maine Educational Loan Authority are liabilities of the Finance Authority of Maine. All contracts and undertakings of the Maine Educational Loan Authority are contracts of the Finance Authority of Maine. Any resolution with respect to the making of loans or issuance of bonds by the Maine Educational Loan Authority and any other action taken by them with respect to assistance provided under this chapter must be a resolution of the Finance Authority of Maine or an action taken by the Finance Authority of Maine. All bond obligations of the Maine Educational Loan Authority and all contracts, agreements, obligations, certifications and undertakings of the Maine Educational Loan Authority are obligations, contracts, agreements, certifications and undertakings of the Finance Authority of Maine, except that nothing in this section may be construed to make any obligation of the Maine Educational Loan Authority that is not a general obligation of the Maine Educational Loan Authority a general obligation of the Finance Authority of Maine, and any limitations on these obligations of the Maine Educational Loan Authority, whether by contract or indenture, are limitations on the obligations of the Finance Authority of Maine as successor. Notwithstanding this section, the Finance Authority of Maine shall administer and carry out, as obligations of the Finance Authority of Maine, all obligations of the Maine Educational Loan Authority.

Sec. 14. 20-A MRSA §11415, as amended by PL 2005, c. 397, Pt. C, §12, is repealed.

Sec. 15. 20-A MRSA §11416, as enacted by PL 1987, c. 807, §3, is repealed.

Sec. 16. 20-A MRSA §11417, as amended by PL 1999, c. 728, §§14 to 16, is further amended to read:

§11417. Supplemental powers and functions

1. General. The In addition to the powers given to the authority under Title 10, section 969-A, for the purposes of carrying out the purposes of this chapter, the authority may, subject to any limitation of this chapter:

- A. Borrow money or otherwise obtain credit in its own name;
- B. Lend money or otherwise extend credit to any person and exercise all powers of a lender or creditor;
- C. Insure or guarantee performance of any loan agreement or other obligation;
- D. Acquire, use, manage, improve or dispose of any interest in, or type of, real or personal property, including grant, purchase, sale, borrow, loan,

lease, foreclosure, mortgage, assignment or other lawful means, with or without public bidding and also including the assessment of fees, the forgiveness of indebtedness, the receipt of reimbursements for expenses incurred in carrying out its purposes and the expenditure or investment of its funds;

E. Purchase, sell, service, pledge, invest in, hold, trade, accept as collateral or otherwise deal in, acquire or transfer, on such terms and conditions as the authority may specify, any loan, loan pass-through certificate, pledge, including any pledge of loan revenue, loan participation certificate or other loan-backed or loan-related security;

F. Obtain, develop or disseminate any information useful or convenient for carrying out any purpose or power of the authority. The authority may conduct hearings, hear testimony under oath, administer oaths, issue subpoenas requiring the attendance of witnesses or the production of records or other things and may issue commissions for the examination of witnesses who are outside of the State, unable to attend or are excused from attendance;

G. Procure insurance in aid of any of its corporate purposes;

I. Obtain any certification, warranty, affidavit or other representation necessary or useful for carrying out any of its powers or duties;

J. Employ persons, including private legal counsel and financial experts, on either a temporary or permanent basis, in order to carry out any of its powers and duties. Employees of the authority ~~shall~~ are not be subject to Title 5, chapters 71 and 372, subchapter ~~H~~ 2;

K. Sue or initiate or appear in any proceeding. The authority may be sued on its written contracts or in accordance with Title 1, section 409; Title 5, chapter 375; or Title 14, chapter 741;

~~L. Maintain an office at a place designated by it within the State;~~

~~M. Adopt an official seal and alter it at pleasure;~~

N. Pursuant to Title 5, chapter 375, subchapter ~~H~~ 2, adopt any rules, including its bylaws, necessary or useful for carrying out any of its powers or duties, which are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A;

O. Make, modify and carry out any agreement, including issuing any bond, necessary or useful for carrying out any of its powers, duties or purposes; and

P. Do any act or thing necessary or useful for carrying out any of its powers, duties or purposes.

2. Programs. Without limiting the generality of this chapter, the authority is authorized to carry out one or more programs making financial and other assistance available to borrowers, institutions, or both, to finance costs of attendance. The authority is further authorized to issue its bonds, lend the proceeds of the bonds and exercise any other power set forth in this chapter for these purposes.

3. Policies. The members of the authority shall have the power and duty to establish and revise, from time to time, rules pertaining to participation in ~~programs of the authority~~ the program, issuing bonds and borrowing money by the authority ~~for the program~~, a process for allocation and carry-forward of that portion of the state ceiling on issuance of tax-exempt bonds allocated to the authority ~~for the program~~ pursuant to Title 10, chapter 9; and servicing and collection of loans made pursuant to programs of the authority and other policies governing the operation of the authority the program. In addition, the members of the authority may, by resolution of the members, determine that the authority may borrow money for the program in accordance with any such resolution. ~~All other powers and duties of the authority shall be vested in the executive director who~~ The authority, by rule, may delegate certain powers to its chief executive officer, and in such cases, the chief executive officer shall carry out such powers and duties in accordance with this chapter and the rules of the authority.

4. Administration. ~~In carrying out its powers under this chapter, the authority shall, whenever determined desirable by the authority, contract with the secondary market or other persons or entities for necessary clerical and administrative services. The contracts must be awarded by a competitive bidding process subject to approval by a vote of a majority of the members of the authority.~~

5. Loan origination. The powers of the authority set forth in subsection 1, paragraph B and in subsection 2 are limited as set forth in this subsection. The authority is authorized to originate supplemental loans.

6. Business plan. ~~Within 90 days after the effective date of this subsection and thereafter within the period set forth in Title 5, section 8060, subsection 2, the authority shall prepare and distribute to persons who request it a statement of the authority's goals and objectives for the calendar year and a regulatory agenda in accordance with Title 5, section 8060.~~

7. Operating contracts. ~~The In carrying out its powers under this chapter, the authority shall adopt rules, after notice and hearing in accordance with Title 5, section 8053, providing that may enter into loan origination, servicing and other substantial operating contracts may not be entered into without prior public notice and opportunity for interested persons to make proposals. In adopting rules, the members of the au-~~

~~thority shall, to the extent possible, follow the rules and procedures with respect to the competitive bidding process set forth in Title 5, chapter 155, subchapter I-A. The authority may not enter into any contract except after review of the proposals by the members and approval of the contract by the members after consideration of written recommendations of the executive director. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A, in compliance with its procurement policies and any applicable authority rule.~~

Sec. 17. 20-A MRSA §11418, sub-§1, as enacted by PL 1987, c. 807, §3, is amended to read:

1. Confidential information. Records containing any information acquired by the authority or a member, officer, employee or agent of the authority from applicants for or recipients of financial assistance provided pursuant to a the program administered or established by the authority shall be deemed are confidential for purposes of Title 1, section 402, subsection 3, paragraph A.

Sec. 18. 20-A MRSA §11419, as enacted by PL 1987, c. 807, §3, is repealed.

Sec. 19. 20-A MRSA §11420, as enacted by PL 1987, c. 807, §3, is amended to read:

§11420. Bonds

1. Issuance; purpose; payment; authorization; interim receipts or certificates. The authority may, at any time and from time to time, issue bonds ~~for any corporate purpose, including, without limitation,~~ for the purpose of making authority loans to institutions participating in a the program of the authority for the purpose of providing education loans, for acquiring existing portfolios of education loans from institutions or for financing or funding education loans directly or indirectly to borrowers. The bonds of each issue ~~shall~~ must be payable from sources specified in the agreement with bondholders, including without limitation, principal and interest on loans; payments by institutions, banks, insurance companies or others pursuant to letters of credit or purchase agreements; investment earnings from funds or accounts maintained pursuant to a trust agreement or other document; insurance proceeds; loan funding deposits; proceeds of sales of education loans; proceeds of refunding bonds; and other fees, charges or revenues of the authority if so specified.

Bonds ~~shall~~ must be authorized by the authority and ~~shall~~ must:

A. Bear the date or dates, and mature at a time or times, whether as serial bonds or as term bonds, or both, determined by the authority;

B. Bear interest at a rate or rates determined by the authority, including, but not limited to, fixed, variable, floating or adjustable interest rates;

C. Be payable at a time or times, in the denominations and form, either coupon or registered or both, and carry the registration and privileges as to conversion and for the replacement of mutilated, lost or destroyed bonds as the authority may establish;

D. Be negotiable and be payable in lawful money of the United States at a designated place or be payable in another form of currency if the authority so designates;

E. Be subject to redemption in accordance with the agreement with bondholders;

F. Be executed by the manual or facsimile signatures of the officers or designees of the authority;

G. Be sold in the manner and upon the terms determined by the authority at public or private sale, with or without public bidding;

H. Be conclusively presumed to be fully and duly authorized and issued under the laws of the State and any person or governmental unit ~~shall must~~ be estopped from questioning their authorization, sale, issuance, execution or delivery by the authority; and

I. Be deemed to be negotiable instruments issued under the laws of the State.

Pending preparation of the definitive bonds, the authority may issue interim receipts or certificates, which ~~shall must~~ be exchanged for such definitive bonds.

Bonds issued under this chapter ~~shall do~~ not constitute or create any debt or debts, liability or liabilities on behalf of the State or of any political subdivision of the State, other than the authority, or a loan of the credit of the State or a pledge of the faith and credit of the State or of any such political subdivision, other than the authority, but ~~shall be~~ are payable solely from the funds provided. All such bonds ~~shall must~~ contain on the face of the bonds a statement to the effect that neither the State nor any political subdivision of the State ~~shall be~~ is obligated to pay the same or the interest on the bonds, except from revenues derived pursuant to one or more agreements, and that neither the faith and credit nor the taxing power of the State or of any political subdivision of the State is pledged to the payment of the principal of, premium, if any, or the interest on such bonds. The issuance of bonds under this chapter ~~shall must~~ not directly or indirectly or contingently obligate the State or any political subdivision of the State to levy or to pledge any form of taxation whatever or to make any appropriation for their payment. Nothing in this section contained may prevent nor be construed to prevent the authority from pledging its full faith and credit or the full faith and credit of an institution to the payment of bonds or issue of bonds authorized pursuant to this chapter.

2. Provisions in bond resolution or other document. Any bond resolution or other document may contain provisions, which ~~shall must~~ be a part of the contract with the holders of the bonds to be authorized under this chapter, as to:

A. Pledging or assigning the revenues derived from authority loans, education loans or other sources with respect to which the bonds are to be issued;

B. The fees and other charges to be collected and the sums to be raised in each year, and the use, investment and disposition of such sums;

C. The setting aside of loan funding deposits, debt service reserves, capitalized interest accounts, cost of issuance accounts and sinking funds, and the regulation, investment and disposition;

D. Limitations on the use of proceeds of loans;

E. Limitations on the purpose to which or the investments in which the proceeds of sale of any issue of bonds then or thereafter to be issued may be applied;

F. Limitations on the issuance of additional bonds, the terms upon which additional bonds may be issued and secured, the terms upon which additional bonds may rank on a parity with, or be subordinate or superior to, other bonds;

G. The refunding or refinancing of outstanding bonds;

H. The procedure, if any, by which the terms of any contract with bondholders may be altered or amended and the amount of bonds the holders of which must consent thereto, and the manner in which consent ~~shall must~~ be given;

I. Defining the acts or omissions ~~which shall that~~ constitute a default in the duties of the authority to holders of its obligations and providing the rights or remedies of such holders in the event of a default;

J. Providing for guarantees, pledges of endowments, letters of credit, property or other security, or insurance for the benefit of the holders of the bonds; and

K. Any other matter relating to the bonds ~~which that~~ the authority determines appropriate.

3. Liability. No member or employee of the authority nor any person executing the bonds issued under this chapter may be liable personally on the bonds or subject to any personal liability by reason of the issuance of the bonds.

4. Purchasing, refunding or refinancing by authority. The authority may purchase its bonds issued under this chapter out of any available funds and may

hold, pledge, cancel or resell the bonds subject to and in accordance with agreements with bondholders.

The authority may refund or refinance any of its bonds issued under this chapter.

5. Security for series or issue of bonds. The authority may pledge the repayments of authority loans as security for a series or issue of bonds issued under this chapter. Notwithstanding any other provision contained in this chapter, the authority may commingle and pledge as security for a series or issue of such bonds, with the consent of all of the institutions ~~which~~ that are participating in the series or issue; the education loan series portfolios and some or all future education loan series portfolios of the institutions; and the loan funding deposits of the institutions if education loan series portfolios and other security and money set aside in any fund or funds pledged for any series or issue of such bonds are held for the sole benefit of the series or issue separate and apart from education loan series portfolios and other security and money pledged for any other series or issue of such bonds of the authority.

The authority may provide for transfer of registration of its registered bonds issued under this chapter by book entry on the records of the entity designated for that purpose and may enter into any agreement ~~which it deems~~ considers necessary to accomplish these purposes.

Sec. 20. 20-A MRSA §§11421 and 11422, as enacted by PL 1987, c. 807, §3, are amended to read:

§11421. Refunding bonds

The authority may provide for issuance of refunding bonds of the authority to refund any outstanding bonds issued under this chapter, including the payment of any redemption premium and any interest accrued or to accrue to the date of redemption, ~~and, if deemed advisable by the authority, for any other purpose of the authority.~~ The authority may provide for the issuance of bonds of the authority for the combined purpose of refunding any outstanding bonds, including refunding bonds issued under this chapter. The issuance of the bonds, the maturities and other details, the rights and remedies of the holders and the rights, powers, privileges, duties and obligations of the authority ~~shall be~~ are governed by the provisions of this chapter insofar as they are applicable.

§11422. Loan transactions

~~The~~ In furtherance of the purposes of this chapter, the authority may purchase, sell, service, pledge, invest in, hold, trade, accept as collateral or otherwise deal in, acquire or transfer, all on such terms and conditions as the authority may specify, any loan, loan pass-through certificate, pledge, including any pledge of loan revenue, loan participation certificate or other

loan-backed or loan-related security. Any such transaction may be conducted by public or private offering, with or without public bidding. In connection with ~~the~~ such purchase or sale of a loan or of a beneficial interest or participation in a loan, the authority may enter into one or more agreements providing for the custody, control and administration of the loan. Any such agreement may provide that the authority, a financial institution or other person shall act as trustor, trustee or custodian under the agreement. Any such agreement may provide that, with respect to loans governed by the agreement, title to a loan, or to a beneficial interest or participation in a loan, ~~shall~~ must be deemed to have been transferred on terms and to the extent specified in that agreement and that the effect of a sale of a beneficial interest or participation in a loan is the same as a sale of a loan. ~~The~~ In furtherance of the purposes of this chapter, the authority may also issue or cause to be issued certificates or other instruments evidencing the holder's fractional interest in a pool of loans, which interest may be undivided or limited to one or more specific loans. Whether or not the certificates or instruments are of such form or character as to be negotiable instruments under Title 11, Article 8, the certificates or instruments ~~shall~~ must be and are made negotiable instruments within the meaning of and for all purposes of Title 11, Article 8, subject only to such registration requirements as the authority may establish.

Sec. 21. 20-A MRSA §11423, sub-§§2 to 4, as enacted by PL 1987, c. 807, §3, are amended to read:

2. Pledge. Any trust agreement entered into pursuant to a bond issue under this chapter may pledge or assign any revenues to be received by the authority or proceeds or benefits of any contract and may serve to convey or mortgage or otherwise secure any property or property rights, contain provisions for protecting and enforcing the rights and remedies of bondholders, restrict the individual right of action by bondholders and contain such other provisions as the authority deems appropriate, including the right to the appointment of a receiver and the right to the issuance of an order of specific performance by a court of competent jurisdiction.

3. Education loan program. Any expense incurred in carrying out the trust agreement entered into pursuant to a bond issue under this chapter may be treated as a part of the cost of the operation of an education loan program.

4. Valid and binding. A pledge by the authority of revenues as security for an issue of bonds ~~shall be~~ issued under this chapter is valid and binding from the time when the pledge is made.

The revenues pledged ~~shall~~ are immediately be subject to the lien of the pledge without any physical delivery, recording of any instrument or further act and the lien

of any pledge ~~shall be~~ is valid and binding against any person having any claim of any kind in tort, contract or otherwise against the authority or any participating institution or borrower, irrespective of whether the person has notice.

No bond resolution, trust agreement or financing statement, continuation statement or other instrument adopted or entered into by the authority under this chapter need be filed or recorded in any public record other than the records of the authority in order to perfect the lien against 3rd persons, regardless of any contrary provision of law.

Sec. 22. 20-A MRSA §11424, sub-§1, as amended by PL 2011, c. 401, §1, is further amended to read:

1. Capital reserve fund. ~~The In connection with bonds issued under this chapter, the~~ authority may create and establish one or more capital reserve funds and may pay into any such capital reserve fund any money appropriated and made available by the State for the purposes of any such fund, any proceeds of the sale by the authority of bonds to the extent determined by the authority and any other money available to the authority. ~~The authority may not create or establish any capital reserve fund under this section after June 30, 2017.~~

Sec. 23. 20-A MRSA §11424, sub-§2, as amended by PL 2009, c. 40, §2, is further amended to read:

2. Application. Money held in any capital reserve fund created in connection with bonds issued under this chapter, except as provided in this section, ~~shall~~ must be used solely with respect to bonds, repayment of which is secured by any such fund and solely for the payment of principal of bonds, the purchase or redemption of those bonds, including any fees or premiums and the payment of interest on those bonds. In addition, if the authority obtains a letter of credit, insurance contract, surety bond or similar financial undertaking to establish and fund a capital reserve fund under this section, money in that capital reserve fund may be used to pay, as and when due, all reimbursement obligations of the authority established in connection with that letter of credit, insurance contract, surety bond or similar financial undertaking, including, but not limited to, all fees, expenses, indemnities and commissions. Money in excess of the reserve requirement set forth in subsection 3 may be transferred to other funds and accounts of the authority.

Sec. 24. 20-A MRSA §11424, sub-§4, as enacted by PL 1987, c. 807, §3, is amended to read:

4. Issuance limit. The authority may provide that it ~~shall~~ will not issue bonds under this chapter if the capital reserve requirement with respect to bonds outstanding and then to be issued and secured by any

such fund will exceed the amount of any such fund at the time of issuance, unless the authority, at the time of issuance of the bonds, ~~shall deposit~~ deposits in any such fund from proceeds of the bonds to be issued, or from other sources, an amount ~~which that~~, together with the amount then in any such fund, will not be less than the capital reserve requirement.

Sec. 25. 20-A MRSA §11427, as amended by PL 1999, c. 728, §17, is further amended to read:

§11427. Accounts and reports

The authority shall keep full and accurate accounts of its activities and operations under this chapter and shall, within 120 days after the end of each of its fiscal years, make and deliver a report to the Governor, the Speaker of the House, the President of the Senate and the joint standing committee of the Legislature having jurisdiction over education. The report must cover the preceding fiscal year and must include a complete operating and financial statement for that year and a breakdown showing the geographic distribution and distribution between institutions of higher learning of its student loans among residents of this State. The report must demonstrate that all revenues, including reserves, that are acquired with proceeds of tax-exempt bonds issued under this chapter using a portion of the state ceiling on private activity bonds, are being used in a manner consistent with the public purpose for which the bonds are issued. The authority shall cause an audit of its books and accounts related to its operations under this chapter to be made at least once each year by independent certified public accountants ~~and the~~. The audit may be combined with audits of other activities of the authority. ~~The cost must of the audit may~~ be paid by the authority from funds available to it pursuant to this chapter.

Sec. 26. 20-A MRSA §§11429, 11431, 11432, 11433 and 11434, as enacted by PL 1987, c. 807, §3, are amended to read:

§11429. Tax exemption

The exercise of the powers granted by this chapter ~~shall~~ must be in all respects for the benefit of the people of the State, for the increase of their commerce, welfare and prosperity and for the improvement of their health and living conditions and constitutes the performance of an essential governmental function. Neither the authority nor any of its agents may be required to pay any taxes or assessments upon or in respect of education loans or any property acquired, used by the authority or any of its agents or under the jurisdiction, control, possession or supervision of, or upon the activities of, the authority or any of its agents in the operation of any program under this chapter, or upon income or other revenues received and any bonds issued under this chapter, the transfer and the income from the bonds, including any profit made on the sale of the bonds, as well as the income and property of the

authority derived under this chapter, are at all times exempt from taxation of every kind by the State and by the municipalities and all other political subdivisions of the State.

§11431. Agreement of the State

The State hereby pledges to and agrees with the holders of any bonds issued under this chapter and with those parties who may enter into any contract with the authority pursuant to this chapter that the State will not limit, alter, restrict or impair the rights vested in the authority and the participating institutions under this chapter until the bonds, together with interest, including interest on any unpaid installment of interest and all costs and expenses in connection with any actions or proceedings by or on behalf of the bondholders, are fully met and discharged and such contracts are fully performed on the part of the authority. Nothing in this chapter precludes that limitation or alteration if and when adequate provision is made by law for the protection of the holders of bonds of the authority issued under this chapter or those entering into contracts with the authority pursuant to this chapter. The authority is authorized to include this pledge and undertaking for the State in those bonds or contracts.

§11432. Termination of existence of authority

~~The authority in its corporate existence shall continue until terminated by law but no A law terminating its the existence shall of the authority may not take effect as long as any bonds of the authority issued under this chapter are outstanding and unpaid without adequate provision for payment having been made. Upon termination of its existence, all rights, privileges and property of the authority shall pass to and be vested in the State or such entity as the State by proper act shall designate.~~

§11433. Chapter cumulative; no notice required

Neither this chapter nor anything contained in this chapter may be construed as a restriction or limitation upon any powers ~~which that~~ the authority might otherwise have under any laws of this State and this chapter is cumulative of any such powers. Neither the making of contracts nor the issuance of bonds pursuant to this chapter need comply with the requirements of any other state law applicable to the making of contracts, the issuance of bonds or the construction, acquisition or management of any project undertaken pursuant to this chapter. No proceedings, notice or approval ~~shall be~~ is required for the issuance of any bonds or any instrument as security therefor under this chapter, except as is provided in this chapter or in the code, if applicable.

§11434. Chapter liberally construed

This chapter being necessary for the welfare of the State and its inhabitants ~~shall~~ must be liberally construed so as to effect its purposes.

Sec. 27. 20-A MRSA §11435, as amended by PL 2005, c. 397, Pt. B, §4, is repealed.

Sec. 28. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 20-A, chapter 417-A, in the chapter headnote, the words "maine educational loan authority" are amended to read "maine educational loan program" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 29. Transition. All books, records, papers, documents, contracts, obligations, liabilities and pending business in any way pertaining to the Maine Educational Loan Authority are transferred to the Finance Authority of Maine as successor to the Maine Educational Loan Authority, but any rights or obligations of any person under any contract made by the Maine Educational Loan Authority are unaffected by this transfer. All bonds, notes or other evidences of indebtedness outstanding on the effective date of this Act are unaffected by the Finance Authority of Maine becoming successor to the Maine Educational Loan Authority. A rule, regulation, standard, criterion or guideline adopted, established or approved by the Maine Educational Loan Authority pursuant to an exercise of any right, power, duty or responsibility assumed by and transferred to the Finance Authority of Maine under the Maine Revised Statutes, Title 20-A, chapter 417-A is not affected by this assumption and transfer, and all such rules, regulations, standards, criteria and guidelines become those of the Finance Authority of Maine until such time as they are amended or repealed by the Finance Authority of Maine.

It is hereby determined that by virtue of the amendments to Title 20-A, chapter 417-A providing that the Finance Authority of Maine is the successor to the Maine Educational Loan Authority, adequate provision is being made by law for the protection of the holders of bonds of the Maine Educational Loan Authority and adequate provision for payment has been made by the assumption of these bonds by the Finance Authority of Maine and that adequate provision has been made by law for the protection of all others who have entered into contracts with the Maine Educational Loan Authority.

As successor to the Maine Educational Loan Authority, the Finance Authority of Maine affirmatively assumes and agrees to be obligated in the place of the Maine Educational Loan Authority and to continue to abide by the terms of all bonds and all documents, contracts and undertakings in connection with the bonds.

Sec. 30. Contingent effective date. This Act does not take effect until the Executive Director of the Maine Educational Loan Authority certifies in writing to the Chief Executive Officer of the Finance Authority of Maine that any consents required under documents of the Maine Educational Loan Authority in connection with outstanding bonds of the Maine Educational Loan Authority, if any, have been received. Copies of this certification must be submitted by the Chief Executive Officer of the Finance Authority of Maine to the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes. In no event may this Act take effect until 90 days after the adjournment of the First Regular Session of the 127th Legislature.

See title page for effective date, unless otherwise indicated.

CHAPTER 171
S.P. 310 - L.D. 865

**An Act To Protect Vision Care
Patients and Providers**

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

Sec. 1. 24-A MRSA §4314, sub-§1, ¶¶C to I are enacted to read:

C. "Contractual discount" means a percentage or other reduction from a provider's usual and customary rate for a covered service or covered material required under a participating provider agreement.

D. "Covered material" means a material for which benefits are provided under a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan.

E. "Covered service" means a service for which benefits are provided under a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan.

F. "Limited benefit vision insurance plan" means a plan offered or administered by a carrier that covers only vision care or any other plan offered or administered by a carrier that includes vision care benefits and is not a health plan.

G. "Materials" means ophthalmic devices, including, but not limited to, lenses, devices containing lenses, artificial intraocular lenses, ophthalmic frames and other lens mounting apparatuses, prisms, lens treatments and coating, contact lenses and prosthetic devices to correct, relieve or treat defects or abnormal conditions of the human eye or its adnexa.

H. "Services" means the professional work performed by an eye care provider.

I. "Vision insurance" means a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan.

Sec. 2. 24-A MRSA §4314, sub-§3, as enacted by PL 2001, c. 408, §1 and affected by §2, is amended to read:

3. Prohibitions. A carrier or a subsidiary or subcontractor of a carrier may not:

A. Impose a deductible or coinsurance for eye care services that is greater than the deductible or coinsurance imposed for other health care services under a health plan; ~~or~~

B. Require an eye care provider to hold hospital privileges as a condition of participation as a provider under a health plan;

C. Require in an agreement with an eye care provider that the eye care provider provide services or materials to an enrollee in a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan at a specified or limited fee unless the services or materials are a covered service or a covered material under the health plan or limited benefit vision insurance plan;

D. Restrict or limit, directly or indirectly, in an agreement with an eye care provider, the eye care provider's choice of sources and suppliers of services or materials provided by the eye care provider to an enrollee or the optical laboratories used by the eye care provider;

E. Change any term, contractual discount or reimbursement rate contained in an agreement with an eye care provider without notice to the eye care provider at least 60 days before the change is implemented;

F. Require in an agreement with an eye care provider that the eye care provider participate in other vision insurance as a condition of joining an insurer's provider network for a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan; or

G. Enter into an agreement with an eye care provider that is longer than 2 years from the date the agreement is first signed.

Sec. 3. 24-A MRSA §4314, sub-§6 is enacted to read:

6. Enforcement. A violation of this section by a carrier or a subsidiary or subcontractor of a carrier is enforced by the superintendent under the authority granted by section 12-A.

Sec. 4. Application. The requirements of this Act apply to contracts between an eye care provider and a carrier, as defined in the Maine Revised Statutes, Title 24-A, section 4301-A, subsection 3, or a subsidiary or subcontractor of a carrier executed or renewed on or after January 1, 2016.

See title page for effective date.

CHAPTER 172

S.P. 438 - L.D. 1233

An Act To Improve Enforcement of Maine's Marine Resources Laws

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

Sec. 1. 12 MRSA §6022, sub-§20 is enacted to read:

20. Sale of general merchandise. The commissioner may engage in the selling and marketing of general merchandise products when the express purpose is to accommodate public demand and generate supplemental funds for the Bureau of Marine Patrol.

A. The commissioner may create dedicated accounts for depositing money received from the sale of general merchandise products pursuant to this subsection.

B. Funds received by the commissioner from the sale of general merchandise products pursuant to this subsection must be deposited in a dedicated account to be used only to market, promote and increase public awareness of the Bureau of Marine Patrol and to recruit marine patrol officers.

Sec. 2. 12 MRSA §6210, sub-§2, as amended by PL 2013, c. 485, §1, is further amended to read:

2. Initiation and notice. If the Chief of the Bureau of Marine Patrol delivers to the commissioner a written statement under oath that the chief has probable cause to suspect that a violation of section 6575-K or section 6864, subsection 7-A has been committed, the commissioner shall immediately examine the statement and determine whether to conduct an adjudicatory proceeding for the purpose of imposing an administrative penalty under this section. If the commissioner determines that the imposition of a penalty is necessary, the commissioner shall immediately notify the person who is alleged to have violated the law in accordance with Title 5, section 9052. The notice must state that the person may request a hearing in writing within 10 days of the notice. The notice is deemed received 3 days after the mailing.

Sec. 3. 12 MRSA §6210, sub-§7 is enacted to read:

7. Renewal of licenses. If a holder of a license issued under section 6302-A, 6505-A or 6864 fails to make payment of a pecuniary gain penalty assessed under this section, the commissioner may refuse to renew that holder's license until the holder complies with the payment requirements.

Sec. 4. 12 MRSA §6374, sub-§1, as enacted by PL 2011, c. 311, §4, is amended to read:

1. Initiation and notice. If the Chief of the Bureau of Marine Patrol delivers to the commissioner a written statement under oath that the chief has probable cause to suspect that a violation of marine resources law has been committed, the commissioner shall immediately examine the affidavit and determine if a suspension is necessary. If the commissioner determines based on a preponderance of the evidence that a suspension is necessary, the commissioner shall immediately notify in writing the person who violated the law. The notice must state that there is an opportunity for a hearing, if the person requests the hearing in writing within 10 days of the notice. The notice is deemed received 3 days after the mailing.

Sec. 5. 12 MRSA §6374, sub-§2, as amended by PL 2011, c. 598, §20, is further amended to read:

2. Hearing. A hearing requested under subsection 1 must be held within 30 business days after receipt by the commissioner of a request for hearing except that a hearing may be held more than 30 business days after the request if the delay is requested by the person requesting the hearing. If the hearing is continued, it must be held no later than 60 days after the original notice, and any further continuance must be with the consent of both parties. The hearing must be held in accordance with the Maine Administrative Procedure Act, except that:

A. Notwithstanding Title 5, section 9057, issues of the hearing are limited to whether the person requesting the hearing had a license and whether that person committed a violation of marine resources law; and

B. Notwithstanding Title 5, section 9061, the decision of the presiding officer under Title 5, section 9062 must be made not more than 10 business days after completion of the hearing.

Sec. 6. 12 MRSA §6404, as amended by PL 2007, c. 201, §3, is further amended to read:

§6404. Revocation based on conviction of scrubbing lobsters

The commissioner shall ~~suspend~~ revoke the lobster and crab fishing license, wholesale seafood license and the commercial fishing license of any license holder or the nonresident lobster and crab landing permit of a permit holder convicted in court of violating section 6438-A. ~~The suspension must be for one year from the date of conviction.~~

Sec. 7. 12 MRSA §6412, sub-§3, as amended by PL 2013, c. 468, §13, is further amended to read:

3. Process for suspension for failing to comply with monthly reporting. If the commissioner determines that a person who holds a license or certificate under this Part has failed to comply with a monthly reporting requirement established by rule pursuant to section 6173, the commissioner shall notify the person at the telephone number provided on the application for the license or certificate and by e-mail if an e-mail address is provided on the application by mailing the notice to the person at the last known address provided in the department's marine resources licensing and enforcement database, or by serving the notice in hand. If the license or certificate holder has not complied with the reporting requirements within 45 days after the commissioner has provided the notice, the commissioner shall mail a notice of suspension to the license or certificate holder. The notice is deemed received 3 days after the mailing. The notice must:

A. Describe the information that the license or certificate holder is required to provide pursuant to this Part that the department has not received; and

B. State that, unless all the information described in paragraph A is provided to the department or the license or certificate holder requests a hearing, the license or certificate will be suspended in 3 business days after the license or certificate holder's receipt of the notice.

If the license or certificate holder has not complied with the reporting requirements or requested a hearing within 3 business days after receipt of the notice, the commissioner shall suspend the license or certificate.

See title page for effective date.

CHAPTER 173

S.P. 453 - L.D. 1271

An Act To Protect Patients Who Need Eye Care

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

Sec. 1. 32 MRSA §2411, sub-§§6 to 13 are enacted to read:

6. Contact lens. "Contact lens" means any lens placed directly on the surface of the eye, regardless of whether it is intended to correct a visual defect. "Contact lens" includes, but is not limited to, cosmetic, therapeutic and corrective lenses.

7. Dispense. "Dispense" means the act of furnishing a pair of ophthalmic or contact lenses to a patient.

8. Eye examination. "Eye examination" means an assessment of the ocular health and visual status of a patient that does not consist solely of objective refractive data or information generated by an automated testing device, including an autorefractor, in order to establish a medical diagnosis or for the determination of a refractive error.

9. Kiosk. "Kiosk" means automated equipment or an application designed to be used on a phone, computer or Internet-based device that can be used either in person or remotely to provide refractive data or information.

10. Ophthalmic lens. "Ophthalmic lens" means an optical instrument or device worn or used by an individual that has one or more lenses designed to correct or enhance vision addressing the visual needs of the individual wearer and commonly known as glasses or spectacles, including ophthalmic lenses that may be adjusted by the wearer to achieve different types or levels of visual correction or enhancement. "Ophthalmic lens" does not include an optical instrument or device not intended to correct or enhance vision or that is sold without consideration of the visual status of the individual who will use the optical instrument or device.

11. Provider. "Provider" means an individual licensed as an optometrist under this chapter or an individual licensed as an osteopathic or medical doctor under chapter 36 or 48, respectively, who has also completed a residency in ophthalmology.

Sec. 2. 32 MRSA §2417, sub-§4, ¶A-1, as enacted by PL 1993, c. 600, Pt. A, §146, is amended to read:

A-1. For ophthalmic lenses and contact lenses:

- (1) The prescription must contain all the information necessary to be properly dispensed;
- (2) The prescription must specify whether it is for contact lenses or ophthalmic lenses; and
- (3) All prescriptions must include the name of the patient, date of prescription, name and office location of prescriber and an expiration date. A prescription may not contain an expiration date of more than 2 years from the date of the eye examination by the provider unless the prescription contains a statement made by the provider of the reasons why a longer time frame is appropriate based on the medical needs of the patient;
- (4) A person or entity may not dispense ophthalmic lenses or contact lenses to a patient without a valid prescription from a provider issued after an eye examination performed by the provider, except that a person or entity may dispense without a prescription spectacle lenses, solely for the correction of vision, that

are of uniform focus power in each eye of between plano and +3.25 diopters; and

(5) A prescription for ophthalmic lenses or contact lenses may not be made based solely on the diagnosis of a refractive error of the human eye as generated by a kiosk.

Sec. 3. 32 MRSA §2421, sub-§3 is enacted to read:

3. Operation of kiosks. The following provisions govern the operation of kiosks.

A. The ownership and operation of a kiosk, including use of a kiosk by a provider, must comply with section 2435.

B. In addition to the enforcement actions available to the board under section 2431-A, the board has the following powers of enforcement for violations of this chapter that relate in any way to kiosks, their use or the issuance of prescriptions arising out of their use. Nothing in this paragraph may be construed to apply to enforcement for violations by physicians who are governed by the Board of Licensure in Medicine or the Board of Osteopathic Licensure.

(1) A person or governmental entity that believes a violation of this chapter in relation to a kiosk has occurred or has been attempted may make an allegation of that fact to the board in writing.

(2) If, upon reviewing an allegation under subparagraph (1), the board determines there is a reasonable basis to believe a violation of this chapter or attempted violation of this chapter has occurred in relation to a kiosk, its use or the issuance of a prescription arising out of kiosk use, the board shall investigate.

(3) The board may hold adjudicatory hearings and administer oaths and order testimony to be taken at a hearing or by deposition conducted pursuant to Title 5, sections 9051 to 10005.

(4) The board may proceed with an action if the board determines that a violation in relation to a kiosk, its use or the issuance of a prescription arising out of kiosk use has occurred.

(5) The board is not required to wait until human harm has occurred to initiate an investigation under this subsection.

(6) The board, upon finding, after notice and an opportunity for a hearing, that a person has violated or has attempted to violate any requirement related to a kiosk, its use or the issuance of a prescription arising out of kiosk use, may impose an administrative fine of not

more than \$10,000 for each violation or attempted violation and may issue an order requiring reimbursement of the reasonable costs to the board of investigation and hearing.

(7) The board shall advise the Attorney General of the failure of a person to pay an administrative fine or reimburse costs of investigation and hearing imposed under this paragraph. The Attorney General may bring an action in a court of competent jurisdiction for the failure to pay any amount imposed under this paragraph.

(8) The board may request that the Attorney General file a civil action seeking an injunction or other appropriate relief to enforce this subsection. The court may impose on a person for violations of this subsection that relate in any way to a kiosk, its use or the issuance of a prescription arising out of kiosk use a fine of not more than \$20,000 for each violation or attempted violation. In addition, the Attorney General may bring an action to recover the reasonable costs of the investigation and hearing.

(9) The board may adopt rules to implement, administer and enforce this subsection. Rules adopted pursuant to this subparagraph are routine technical rules under Title 5, chapter 375, subchapter 2-A.

C. Nothing in this subsection prohibits the Attorney General from initiating an action without referral or request from the board if the Attorney General determines there is a reasonable basis to believe a violation or attempted violation of this subsection occurred.

D. It is neither a violation of this subsection nor grounds for professional discipline or liability for an optometrist to fill a prescription for a patient based in part on measurements obtained through a kiosk.

Sec. 4. 32 MRSA §3300-D is enacted to read:

§3300-D. Issuance of prescription for ophthalmic lenses

A physician licensed pursuant to section 3275 may not issue a prescription for ophthalmic lenses, as defined in section 2411, subsection 10, solely in reliance on a measurement of the eye by a kiosk, as defined in section 2411, subsection 9, without conducting an eye examination, as defined in section 2411, subsection 8.

See title page for effective date.

CHAPTER 174
S.P. 67 - L.D. 192

**An Act To Clarify the Law
Governing the Collection of
Unpaid Sanitary District
Charges**

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 30-A MRSA §3406, sub-§2, as amended by PL 2013, c. 197, §1, is further amended to read:

2. Lien. There is a lien on real estate served or benefited by a municipal sewer or sewer system or storm water disposal system to secure the payment of service charges and interest on delinquent accounts established under this chapter. This lien arises and is perfected as services are provided and takes precedence over all other claims on the real estate, excepting only claims for taxes.

Sec. 2. 30-A MRSA §5405, sub-§2, ¶D, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

D. There ~~shall be~~ is a lien on real estate served or benefitted by a water system, sewer system or water and sewer system to secure the payment of rates, fees or charges established under this chapter. This lien arises and is perfected as services are provided and takes precedence over all other claims on the real estate, excepting only claims for taxes. The treasurer of the municipality may collect these rates, fees and charges in the same manner as provided in Title 38, section 1208 for treasurers of sanitary sewer districts with respect to rates established and due under Title 38, section 1202.

Sec. 3. 38 MRSA §1050, sub-§2, as enacted by PL 2013, c. 555, §6, is amended to read:

2. Lien. There is a lien on real estate served or benefited by the sewers of the qualified sewer district to secure the payment of the qualified sewer district's rates. The lien established under this section arises and is perfected as services are provided and takes precedence over all other claims on such real estate, except claims for taxes.

Sec. 4. 38 MRSA §1208, first ¶, as enacted by PL 1965, c. 310, is amended to read:

There ~~shall be~~ is a lien on real estate served or benefited by the sewers of any district formed under this chapter to secure the payment of rates established and due under section 1202, which shall take arises and is perfected as services are provided and takes precedence over all other claims on such real estate, excepting only claims for taxes.

Sec. 5. 38 MRSA §1208, 2nd ¶, as amended by PL 2011, c. 104, §3, is further amended to read:

The treasurer of the district has full and complete authority and power to collect the rates, tolls, rents and other charges established under section 1202 ~~and the rate, toll, rent or other charge must be committed to the treasurer.~~ The treasurer may, after demand for payment, sue in the name of the district in a civil action for any rate, toll, rent or other charge remaining unpaid in any court of competent jurisdiction. In addition to other methods established by law for the collection of rates, tolls, rents and other charges, and without waiver of the right to sue for the rate, toll, rent or other charge, the lien created may be enforced in the following manner. The treasurer, ~~when a rate, toll, rent or other charge has been committed to the treasurer for collection,~~ may, after the expiration of 3 months and within one year after the date when the rate, toll, rent or other charge became due and payable, give to the owner of the real estate served, or leave at the owner's last and usual place of abode, or send by certified mail, return receipt requested, to the owner's last known address, a notice in writing signed by the treasurer or bearing the treasurer's facsimile signature, stating the amount of that rate, toll, rent or other charge, describing the real estate upon which the lien is claimed and stating that a lien is claimed on the real estate to secure the payment of the rate, toll, rent or other charge and demanding the payment of the rate, toll, rent or other charge within 30 days after service or mailing, with \$1 for the treasurer for mailing the notice together with the certified mail, return receipt requested, fee. The notice must contain a statement that the district is willing to arrange installment payments of the outstanding debt. For the purpose of this section, a mobile home is defined as real estate. After the expiration of a period of 30 days and within one year thereafter, the treasurer shall record in the registry of deeds of the county in which the property of such person is located a certificate signed by the treasurer or bearing the treasurer's facsimile signature setting forth the amount of such rate, toll, rent or other charge, describing the real estate on which the lien is claimed, and stating that a lien is claimed on the real estate to secure payment of the rate, toll, rent or other charge and that a notice and demand for payment of the rate, toll, rent or other charge has been given or made in accordance with this section and stating further that such rate, toll, rent or other charge remains unpaid. At the time of the re-

ording of any such certificate in the registry of deeds as provided, the treasurer shall file in the office of the district a true copy of such certificate and shall mail a true copy of the certificate by certified mail, return receipt requested, to each record holder of any mortgage on the real estate, addressed to such record holder at the record holder's last and usual place of abode. If the notice described in this paragraph was not provided to all persons who were record owners of the real estate at that time, the treasurer shall mail a true copy of the lien certificate by certified mail, return receipt requested, to any such record owner who was not provided a notice, addressed to the record owner at the record owner's last known address, as well as to any new record owner as of the date the lien certificate was recorded.

Sec. 6. 38 MRSA §1208, 3rd ¶, as amended by PL 2011, c. 104, §4, is further amended to read:

The filing of the certificate in the registry of deeds creates a mortgage on the underlying real estate to the district that has priority over all other mortgages, liens, attachments and encumbrances of any nature, except liens, attachments and claims for taxes, and gives to the district all the rights usually possessed by mortgagees, except that the district as mortgagee does not have any right to possession of the real estate until the right of redemption has expired. If the mortgage, together with interest and costs, has not been paid within 18 months after the date of filing of the certificate in the registry of deeds, the mortgage is deemed to be foreclosed and the right of redemption to have expired. The filing of the certificate in the registry of deeds is sufficient notice of the existence of the mortgage created in this paragraph. If the rate, toll, rent or other charge, with interest and costs, is paid within the period of redemption, the treasurer of the district shall discharge the mortgage in the same manner as for the discharge of tax lien mortgages pursuant to Title 36, section 943. After the expiration of the 18-month period of redemption, in the event a copy of the certificate has not been provided to a mortgage holder of record or an owner of record as required by this section, the mortgage holder of record or the owner of record who did not receive a notice has the right to redeem the real estate within 3 months after receiving actual knowledge of the recording of the lien certificate by payment or tender of the amount of the sewer lien mortgage, together with interest and costs, and to have the lien discharged.

See title page for effective date.

CHAPTER 175

H.P. 470 - L.D. 694

An Act To Improve the Veterans' Services Laws

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

Sec. 1. 37-B MRSA §504, sub-§4, ¶H is enacted to read:

H. A person is not eligible for interment under this chapter if the person has:

- (1) Been convicted of the crime of murder;
- (2) Been convicted of a crime in another jurisdiction punishable by a sentence of life imprisonment or death;
- (3) Been convicted of a Class A or Class B crime under:
 - (a) Title 17-A, chapter 11;
 - (b) Title 17-A, chapter 12; or
 - (c) Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3);
- (4) Been convicted of a Class C crime under Title 17-A, section 853, subsection 1;
- (5) Been convicted of a military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151;
- (6) Been convicted under any other jurisdiction's sex offender laws requiring the person to register for life; or
- (7) Been found to have committed any crime listed in subparagraphs (1) to (6) but has not been convicted because the person has not been available for trial due to the person's death or flight to avoid prosecution. A finding under this subparagraph must be made by the appropriate federal official. Any such finding may be based only upon a showing of clear and convincing evidence, after an opportunity for a hearing in a manner prescribed by the appropriate federal official. For purposes of this subparagraph, "appropriate federal official" means the Secretary of Veterans Affairs, in the case of the National Cemetery Administration, or the Secretary of the Army, in the case of the Arlington National Cemetery.

Sec. 2. 37-B MRSA §509, sub-§2, ¶F, as amended by PL 2005, c. 273, §3, is further amended to read:

F. A civilian employee or military member of the department when in the conduct of official duties; ~~or~~

Sec. 3. 37-B MRSA §509, sub-§2, ¶G, as enacted by PL 2005, c. 273, §4, is amended to read:

G. The administrator of the Maine Veterans' Home when in the conduct of official duties; ~~or~~

Sec. 4. 37-B MRSA §509, sub-§2, ¶H is enacted to read:

H. An authorized representative of the Department of Labor when in the conduct of official duties.

See title page for effective date.

CHAPTER 176

H.P. 807 - L.D. 1175

An Act To Amend Maine's Motor Vehicle Statutes

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

Sec. 1. 29-A MRSA §558-A, sub-§2, ¶A, as enacted by PL 2013, c. 530, §4, is amended to read:

A. A person may not violate any provision of the rules of the Department of Public Safety, Bureau of State Police adopted under section 555 that incorporates by reference any of the following federal regulations or that is an amended version of any of the following federal regulations:

- (1) 49 Code of Federal Regulations, Section 390.21 (2007);
- (2) Except as otherwise provided in subsection 1, paragraph C, 49 Code of Federal Regulations, Section 391.41 (2007);
- (3) 49 Code of Federal Regulations, Sections 392.16, 392.22, 392.24, 392.25, 392.33 ~~and~~ 392.71, 392.80 and 392.82 (2007);
- (4) Any section of 49 Code of Federal Regulations, Part 393 (2007); ~~or~~
(4-A) 49 Code of Federal Regulations, Sections 395.3(a)(3)(ii), 395.8(d) and 395.8(i) (2014); or
- (5) 49 Code of Federal Regulations, Part 396, except Sections 396.7 and 396.9 (2007).

Sec. 2. 29-A MRSA §1905-B is enacted to read:

§1905-B. Brake lights

1. Requirement. All factory-installed brake lights or equivalent replacements on a motor vehicle,

trailer or semitrailer must be present and operating properly and must emit a steady red light when a slight pressure is placed on the brake pedal, and the light emitted must be visible for a distance of at least 100 feet behind the vehicle. For purposes of this section, "steady red light" means a red light that is either immediately constant and not pulsating or that pulsates for a short period and then becomes constant.

2. Vehicles used in conjunction. When a vehicle is used in conjunction with another vehicle, only the last vehicle must carry the lights required in subsection 1.

3. Exception for farm tractors. This section does not apply to unregistered farm tractors.

Sec. 3. 29-A MRSA §1921, as amended by PL 1995, c. 584, Pt. B, §7, is further amended to read:

§1921. Viewing of visual content restricted in vehicles

A person may not operate a motor vehicle equipped with in which there is a television viewer, screen or other means of visually video device, other than an allowable device, that is receiving a television broadcast that is or showing video content visible to the operator. This section does not apply to a law enforcement officer using a video camera or other video equipment for law enforcement purposes. For the purposes of this section, "video content" includes, but is not limited to, television broadcasts, recorded video and video streamed through electronic or other means. For purposes of this section, "allowable device" means:

1. Global positioning, navigation or mapping system. A device displaying video content for the purpose of a global positioning, navigation or mapping system;

2. Closed-circuit video monitor. A closed-circuit video monitor that is used to assist the operator while backing up or parking;

3. Device when vehicle is stationary. A device that is capable of operation only when the vehicle is stationary and is automatically disabled whenever the wheels of the vehicle are in motion;

4. Device to enhance operator's view. A device that is used to enhance or supplement the operator's view of the roadway or to assist the operator in object detection; and

5. Part of vehicle's instrumentation. A video display unit that is part of the vehicle's instrumentation or is used for the purpose of vehicle control.

This section does not apply to the use of a video device in the performance of official duties by a law enforcement officer or the operator of an authorized emergency vehicle, as defined in section 2054.

Sec. 4. 29-A MRSA §2061, sub-§1, as amended by PL 1999, c. 183, §10, is further amended to read:

1. Prohibition. A person commits a traffic infraction if that person occupies a camp trailer, mobile home, ~~vehicle being towed by a wrecker or by a motor vehicle using a tow bar~~, semitrailer or trailer while it is being moved on a public way.

Sec. 5. 29-A MRSA §2104, sub-§1-B is enacted to read:

1-B. Permitting display of false registration validation device. A person commits a Class E crime if that person permits to be attached or displayed on a vehicle registration plate a registration validation device issued for another vehicle.

See title page for effective date.

CHAPTER 177

S.P. 450 - L.D. 1245

An Act To Preserve the Efficiency of Transportation Maintenance and Construction Activities

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

Sec. 1. 35-A MRSA §752, sub-§1, as enacted by PL 1995, c. 348, §1, is amended to read:

1. Covered equipment or items. "Covered equipment or items" means any mechanical equipment, hoisting equipment, antenna or boat mast or rigging, any part of which is capable of vertical, lateral or swinging motion that causes any portion of the equipment or item to come within 10 feet of an overhead high-voltage line during erection, construction, operation or maintenance, including, but not limited to, equipment such as cranes, derricks, power shovels, backhoes, dump trucks, drilling rigs, pile drivers, excavating equipment, hay loaders, hay stackers, combines, portable grain augers or elevators and items such as ladders, scaffolds, boat masts and outriggers, houses or other structures in transport and gutters, siding and other construction materials. "Covered equipment or items" also includes traffic lighting.

Sec. 2. 35-A MRSA §752, sub-§4-A is enacted to read:

4-A. Traffic lighting. "Traffic lighting" means a dynamic sign that is capable of electronically displaying a changing message that provides motorists traffic-emergency-related information or means a luminaire, traffic signal or traffic beacon used for traffic control.

Sec. 3. 35-A MRSA §761, sub-§4 is enacted to read:

4. State agencies; quasi-independent state agencies; municipalities. The provisions of sections 756 and 757 do not apply to the installation or maintenance of traffic lighting by an employee of a state agency, quasi-independent state agency or municipality or by a person performing the installation or maintenance on behalf of a state agency, quasi-independent state agency or municipality. Nothing in this subsection exempts a person installing or maintaining traffic lighting from any applicable training certification or licensing requirements for performing the installation or maintenance, and the installation or maintenance must be performed in accordance with all applicable federal, state and local laws, regulations, safety codes and ordinances and any other applicable safety requirements. A municipality or a contractor working for a municipality must maintain any minimum insurance requirements specified by the Department of Transportation. For purposes of this subsection, "quasi-independent state agency" has the same meaning as in Title 5, section 12021, subsection 5.

See title page for effective date.

CHAPTER 178

H.P. 322 - L.D. 483

An Act Regarding the Reporting Standards for Child Abuse

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

Sec. 1. 22 MRSA §4011-A, sub-§7, as enacted by PL 2013, c. 268, §1, is amended to read:

7. Children under 6 months of age or otherwise nonambulatory. A person required to make a report under subsection 1 shall report to the department if a child who is under 6 months of age or otherwise nonambulatory exhibits evidence of the following:

- A. Fracture of a bone;
- B. Substantial bruising or multiple bruises;
- C. Subdural hematoma;
- D. Burns;
- E. Poisoning; or
- F. Injury resulting in substantial bleeding, soft tissue swelling or impairment of an organ.

This subsection does not require the reporting of injuries occurring as a result of the delivery of a child attended by a licensed medical practitioner or the report-

ing of burns or other injuries occurring as a result of medical treatment following the delivery of the child while the child remains hospitalized following the delivery.

See title page for effective date.

CHAPTER 179

H.P. 916 - L.D. 1347

An Act To Implement Recommendations of the Government Oversight Committee To Clarify That Competitive Bid Provisions Apply to Grant Awards

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

Sec. 1. 5 MRSA §1825-A, sub-§§1, 6 and 8, as enacted by PL 1989, c. 785, §2, are amended to read:

1. Aggrieved person. "Aggrieved person" means any person who bids on a contract or grant and who is adversely affected, financially, professionally or personally, by that contract or grant award decision.

6. Petitioner. "Petitioner" means any person who has requested a stay of a contract or grant award decision or a hearing of appeal.

8. Stay. "Stay" means the temporary suspension of a contract or grant award pending an appeal under this subchapter.

Sec. 2. 5 MRSA §1825-B, as amended by PL 2011, c. 555, §1, is further amended to read:

§1825-B. Bids, awards, contracts and grants

1. Purchases by competitive bidding. The Director of the Bureau of General Services shall purchase collectively all goods and services for the State or any department or agency of the State in a manner that best secures the greatest possible economy consistent with the required grade or quality of the goods or services. Except as otherwise provided by law, the Director of the Bureau of General Services shall make purchases of goods or services needed by the State or any department or agency of the State through competitive bidding.

2. Waiver. The requirement of competitive bidding may be waived by the Director of the Bureau of General Services when:

A. The procurement of goods or services by the State for county commissioners pursuant to Title 30-A, section 124, involves the expenditure of \$2,500 or less, and the interests of the State would best be served;

B. The Director of the Bureau of General Services is authorized by the Governor or the Governor's designee to make purchases without competitive bidding because in the opinion of the Governor or the Governor's designee an emergency exists that requires the immediate procurement of goods or services;

C. After reasonable investigation by the Director of the Bureau of General Services, it appears that any required unit or item of supply, or brand of that unit or item, is procurable by the State from only one source;

D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products;

E. The purchase is part of a cooperative project between the State and the University of Maine System, the Maine Community College System, the Maine Maritime Academy or a private, non-profit, regionally accredited institution of higher education with a main campus in this State involving:

- (1) An activity assisting a state agency and enhancing the ability of the university system, community college system, Maine Maritime Academy or a private, nonprofit, regionally accredited institution of higher education with a main campus in this State to fulfill its mission of teaching, research and public service; and
- (2) A sharing of project responsibilities and, when appropriate, costs;

F. The procurement of goods or services involves expenditures of \$10,000 or less, in which case the Director of the Bureau of General Services may accept oral proposals or bids; or

G. The procurement of goods or services involves expenditures of \$10,000 or less, and procurement from a single source is the most economical, effective and appropriate means of fulfilling a demonstrated need.

3. Report. By January 15th of each year the Director of the Bureau of General Services shall submit to the joint standing committee of the Legislature having jurisdiction over state and local government a report concerning any waivers from the competitive bidding provisions established in subsection 2, paragraph E.

4. Registry of suppliers. Suppliers desiring to have their names entered on a registry of suppliers must submit a request to the Director of the Bureau of General Services in writing. The Director of the Bureau of General Services may prescribe the manner and form in which such a request must be submitted and may limit the number of names of out-of-state

bidders on any registry. The name of any supplier entered in such a registry who fails to submit a bid on 3 consecutive proposals or invitations to bid may be removed from the registry at the discretion of the Director of the Bureau of General Services, except that the Department of Corrections remains on any registry until the Department of Corrections requests that the department be removed from that registry.

5. Alternate bids. When, in bid forms and specifications, an article or material is identified by using a trade name and catalog number of a manufacturer or vendor, the term "or approved equal," if not inserted with the identification, is implied. There is a presumption that any reference to a particular manufacturer's product either by trade name or by limited description has been made solely for the purpose of more clearly indicating the minimum standard of quality desired. Consideration must be given to proposals submitted on approved equal alternate commodities to the extent that such action serves the best interest of the State. The bidder submitting a proposal on a commodity other than as specified shall furnish complete identification, descriptive literature or data with respect to the alternate commodity that the bidder proposes to furnish. Lack of such information on the bid must be construed to mean that the bidder proposes to furnish the exact commodity described. The State reserves the right to reject any bids, in whole or in part, to waive any formality or technicality in any bid and to accept any item in any bid.

6. Record of bids. Each bid, with the name of the bidder, must be entered on a record. Each record, with the successful bid indicated, must be open to public inspection after the letting of the contract or grant. A bond for the proper performance of each contract or grant may be required of each successful bidder at the discretion of the Director of the Bureau of General Services, with the approval of the Commissioner of Administrative and Financial Services.

7. Awards to best-value bidder. Except as otherwise provided by law, competitively awarded orders awarded, grants or contracts made by the Director of the Bureau of General Services or by any department or agency of the State must be awarded to the best-value bidder, taking into consideration the qualities of the goods or services to be supplied, their conformity with the specifications, the purposes for which they are required, the date of delivery and the best interest of the State. If the bidder that was initially awarded the order, grant or contract does not perform, the Director of the Bureau of General Services may cancel the order, grant or contract and award a new order, grant or contract to the 2nd best-value bidder. The order, grant or contract may not be awarded to a bidder that the Director of the Bureau of General Services determined was not in compliance at the time the initial bid was submitted.

8. Tie bids. The Director of the Bureau of General Services shall award contracts, grants or purchases to in-state bidders or to bidders offering commodities produced or manufactured in the State if the price, quality, availability and other factors are equivalent.

9. Determination of best-value bidder. In determining the best-value bidder, the Director of the Bureau of General Services or any department or agency of the State shall, for the purpose of competitively awarding a contract or grant, add a percent increase on the bid of a nonresident bidder equal to the percent, if any, of the preference given to that bidder in the state in which the bidder resides.

10. List of state preferences published. The Director of the Bureau of General Services on or before January 1st of each year shall publish a list of states that give preference to in-state bidders with the percent increase applied in each such state. The Director of the Bureau of General Services or any department or agency of the State may rely on the names of states and percentages as published in determining the best-value bidder without incurring any liability to any bidder.

11. Rulemaking; unfair competition. State departments and agencies may not achieve cost savings due to cost differentials that derive from a bidder's failure to provide health and retirement benefits to its employees. The State Purchasing Agent shall adopt rules governing the purchase of services and the awarding of grants or contracts for personal services to establish a basis for bid price and cost comparison among businesses that provide health and retirement benefits to their employees and those that do not provide these benefits. The rules must include a methodology for calculating bid price and cost differentials for services provided by businesses and state employees due to the provision of health and retirement benefits for employees. The rules must adjust the bid prices to establish an equivalent basis for bid price and cost comparison among businesses when awarding contracts or grants and between businesses and state employees when determining whether or not a contract or grant is permitted under section 1816-A. These rules must apply to all state departments and agencies. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

12. Vendor's fee. The State Purchasing Agent may collect a fee in an amount equal to 1% of the bid from a supplier of apparel, footwear or textiles with a winning bid under this section. The State Purchasing Agent shall apply the fee under this subsection to the costs of implementing and administering the state purchasing code of conduct under section 1825-L, including developing a consortium to monitor and investigate alleged violations of the code of conduct. The State Purchasing Agent shall adopt routine technical

rules under chapter 375, subchapter 2-A to carry out the purposes of this subsection.

13. Vendor's fee report. By January 15th of each year the Director of the Bureau of General Services shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters concerning revenue generated by the vendor's fee established in subsection 12.

14. Condition of doing business with the State. Notwithstanding any provision of law to the contrary, any purchase by the State of \$100,000 or more of tangible personal property, except for public utility purchases, as defined in Title 36, section 1752, subsection 17, or emergency purchases pursuant to subsection 2, paragraph B, may be made only from a person who is registered as a seller pursuant to Title 36, section 1754-B. As a condition of doing business with the State, the seller must collect, report and remit taxes in accordance with Title 36, Part 3. As provided in this subsection, the State is prohibited from doing business with a person who is not registered as a seller pursuant to Title 36, section 1754-B and is not in compliance with the requirement to collect, report and remit taxes pursuant to Title 36, Part 3. After notification of the award, the seller must provide the State Purchasing Agent with a valid retailer certificate issued by the State Tax Assessor within 7 business days. If the seller fails to provide the registration certificate within 7 business days, the State Purchasing Agent may cancel the award and make a new award pursuant to subsection 7. The State Purchasing Agent shall provide the State Tax Assessor with a copy of all contracts and grants awarded pursuant to this section. The State Tax Assessor shall notify the State Purchasing Agent if at any time during the term of the contract or grant the person is no longer registered or is not collecting, reporting and remitting taxes in compliance with the requirements of Title 36, Part 3. Until the noncompliance is corrected, the State Purchasing Agent may withhold any payments to the person.

Sec. 3. 5 MRSA §1825-C, as amended by PL 2007, c. 466, Pt. A, §12, is further amended to read:

§1825-C. Rulemaking

The State Purchasing Agent shall adopt rules under this subchapter governing the purchase of services, the awarding of grants or contracts and the procedure by which aggrieved persons may appeal ~~contract~~ award decisions made by a department or agency of State Government. These rules must be adopted in accordance with the Maine Administrative Procedure Act and apply to all departments and agencies of State Government subject to the authority of the Department of Administrative and Financial Services as set forth in this chapter.

Sec. 4. 5 MRSA §1825-D, first ¶, as enacted by PL 1989, c. 785, §2, is amended to read:

The State Purchasing Agent shall make the public aware of contracts and grants for which bids are being requested and the procedure to be used in reviewing bids. Rules adopted under this subchapter must include a clear procedure:

Sec. 5. 5 MRSA §1825-D, sub-§§1, 3 and 4, as enacted by PL 1989, c. 785, §2, are amended to read:

1. Notice. For informing the public about contracts and grants for which proposals are being requested;

3. Contract or grant award. For determining successful bidders and awarding contracts and grants, including written notification to all bidders upon an award decision made pursuant to a request for proposals and criteria to be used to resolve tie bids; and

4. Criteria for appeals. For the review of any contract or grant award decision appealed under this subchapter.

Sec. 6. 5 MRSA §1825-E, as amended by PL 1993, c. 192, §1, is further amended to read:

§1825-E. Appeal procedures

The Director of the Bureau of General Services shall ensure that every department or agency of State Government affords aggrieved persons an opportunity to appeal a contract or grant award decision. As provided by this section, rules adopted under this subchapter must establish clear procedures by which an aggrieved person may appeal a contract or grant award decision.

1. Stay. Persons aggrieved by a contract or grant award decision may request a stay of ~~a contract an~~ award decision. Such a request must be made to the Director of the Bureau of General Services in writing within 10 days of notification of the contract or grant award and must state the nature of the grievance.

The Director of the Bureau of General Services shall issue a stay of a contract or grant award decision, pending appeal, upon a showing of irreparable injury to the petitioner, a reasonable likelihood of success on the merits, and no substantial harm to adverse parties or to the general public.

The Director of the Bureau of General Services shall notify the petitioner in writing of the director's decision regarding the issuance of a stay within 7 days of receipt of the request.

Failure of the petitioner to obtain a stay does not affect the petitioner's right to a hearing of appeal under this subchapter.

2. Request for hearing of appeal. Persons aggrieved by an agency contract or grant award decision

under this subchapter may request a hearing of appeal. Such a request must be made to the Director of the Bureau of General Services in writing within 15 days of notification of the ~~contract~~ award. The Director of the Bureau of General Services shall grant a hearing of appeal unless:

A. The Director of the Bureau of General Services determines that:

- (1) The petitioner is not an aggrieved person;
- (2) A prior request by the same petitioner relating to the same contract or grant award has been granted;
- (3) The request was made more than 15 days after notice of contract or grant award; or
- (4) The request is capricious, frivolous or without merit; or

B. No contract ~~award was granted~~ or grant was awarded.

The Director of the Bureau of General Services shall notify the petitioner in writing of the director's decision regarding a request for a hearing of appeal within 15 days of receipt of the request. If a request for a hearing is granted, notification must be made at least 10 days before the hearing date and must include the date and location of the hearing and the names of the appeal committee members.

3. Appeal committee. A committee of 3 members shall hear a petitioner's appeal within 60 days of receipt of the request for an appeal. The Commissioner of Administrative and Financial Services shall appoint 2 members of an appeal committee, except that persons who have any direct or indirect personal, professional or financial conflict of interest in the appeal or employees of any department affected by the contract or grant may not serve on the appeal committee. The 3rd member is the Director of the Bureau of General Services or the director's designee.

Members of an appeal committee appointed under this section shall meet at the appointed time and place in the presence of the petitioner and such individuals as the petitioner determines necessary for a full and fair hearing. The petitioner may present to the appeal committee any materials the petitioner considers relevant to the appeal.

The appeal committee shall keep a written record of each hearing and shall submit its decision and the reasons for its decision to the Director of the Bureau of General Services in writing no later than 15 days following the hearing of appeal.

Subject to the requirements of rules adopted under this section and evidence presented during a hearing of appeal, the appeal committee may decide either to:

A. Validate the contract or grant award decision under appeal; or

B. Invalidate the contract or grant award decision under appeal.

Except as provided in paragraph B, an appeal committee may not modify the contract or grant award under appeal, or make a new ~~contract~~ award. Contracts or grants found invalid by an appeal committee under this subchapter become immediately void and of no legal effect.

Sec. 7. 5 MRSA §1825-G, as enacted by PL 1989, c. 785, §2, is amended to read:

§1825-G. Failure to act

Failure or refusal of the State Purchasing Agent to adopt rules under this subchapter is sufficient grounds for an aggrieved person to request judicial review of agency rulemaking pursuant to section 8058. In the event that a judicial declaration of an invalid rule is made under this section and section 8058, the contract or grant award under appeal becomes immediately void and of no legal effect.

Sec. 8. 5 MRSA §1825-I, as enacted by PL 1993, c. 71, §1, is amended to read:

§1825-I. Consultants

While under contract or working pursuant to a grant with the State, a consultant may use state facilities and state property only for the project or projects to which a contract or grant applies.

Sec. 9. 5 MRSA §1825-J, as enacted by PL 1999, c. 623, §1, is amended to read:

§1825-J. Reports

When a state agency enters into a contract or grant with a nongovernmental entity, and the contract or grant includes a report to the agency, the contract or grant must require that the report be in writing or in another reproducible nontransitory medium and be submitted to the agency. The report must express all of the substantive conclusions disclosed to the agency and either summarize the information and data or identify the source of the information and data on which those conclusions are based. Once the report is submitted, the agency shall retain at least one copy of the report in its custody. This section applies to contracts and grants with a total cost of \$10,000 or more.

See title page for effective date.

CHAPTER 180
H.P. 859 - L.D. 1259

**An Act To Increase Consumer
Protections**

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

Sec. 1. 5 MRSA §90-F is enacted to read:

**§90-F. Refusal of records for filing or recording;
removal of filed or recorded records**

1. Refusal. Notwithstanding any other provision of law, if a person presents a record to the Secretary of State for filing or recording, the Secretary of State may refuse to accept the record for filing or recording if the record is not required or authorized to be filed or recorded with the Secretary of State or the Secretary of State has reasonable cause to believe the record is materially false or fraudulent. This subsection does not create a duty upon the Secretary of State to inspect, evaluate or investigate a record that is presented for filing or recording.

2. Removal. The Secretary of State may remove a record that has been filed or recorded with the Secretary of State if the Secretary of State determines that the record was filed or recorded erroneously because the record was not required or authorized to be filed or recorded with the Secretary of State or the Secretary of State has reasonable cause to believe that the record is materially false or fraudulent. If the Secretary of State removes a record that was filed or recorded, the Secretary of State shall immediately notify the person who presented the record for filing or recording.

3. Action after refusal or removal. If the Secretary of State, pursuant to subsection 1, refuses to accept a record for filing or recording, the person who presented the record to the Secretary of State may commence an action in or apply for an order from the Superior Court to require the Secretary of State to accept the record for filing or recording. If the Secretary of State, pursuant to subsection 2, removes a record that was filed or recorded, the person who presented the record to the Secretary of State may commence an action in or apply for an order from the Superior Court to require the Secretary of State to reinstate the filing or recording from the original date of filing or recording. If the court determines that the record is appropriate for filing or recording, it shall order the Secretary of State to accept the record for that purpose or require the Secretary of State to reinstate the record from the original date of filing or recording.

Sec. 2. 11 MRSA §9-1516, sub-§(2), ¶¶(f) and (g), as enacted by PL 1999, c. 699, Pt. A, §2 and affected by §4, are amended to read:

(f). In the case of an assignment reflected in an initial financing statement under section 9-1514,

subsection (1) or an amendment filed under section 9-1514, subsection (2), the record does not provide a name and mailing address for the assignee; ~~or~~

(g). In the case of a continuation statement, the record is not filed within the 6-month period prescribed by section 9-1515, subsection (4); ~~or~~

Sec. 3. 11 MRSA §9-1516, sub-§(2), ¶(h) is enacted to read:

(h). In the case of a record submitted for filing or recording with the Secretary of State, the Secretary of State refuses to accept the record in compliance with Title 5, section 90-F.

See title page for effective date.

CHAPTER 181
H.P. 840 - L.D. 1222

**An Act To Remove Barriers to
School Construction Financing
in Regional School Units**

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

Sec. 1. 20-A MRSA §1490, sub-§2, ¶D is enacted to read:

D. Notwithstanding paragraph C, bonds issued by a regional school unit for a non-state-funded school construction project under section 15905-A that is 100% locally funded may be repaid using a level debt payment structure only if the payment structure results in lower costs for the regional school unit throughout the life of the issue of the bonds. For purposes of this paragraph, "level debt payment structure" means a debt service structure in which the combined annual principal and interest payments remain approximately the same throughout the life of the issue of the bonds with increasing principal amounts and decreasing interest amounts each year.

See title page for effective date.

CHAPTER 182
H.P. 578 - L.D. 844

**An Act To Improve Transit
Services Statewide**

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

Sec. 1. 5 MRSA §12004-I, sub-§82-A is enacted to read:

82-A.

Transportation:	Public	Not Au-	23 MRSA
Public Transit	Transit	thorized	§4209-A
	Advisory		
	Council		

Sec. 2. 23 MRSA §4209, sub-§1, as amended by PL 2009, c. 130, §1, is further amended to read:

1. Geographic regions. The ~~Department of Transportation~~ department shall divide the State into a number of geographic regions for regional distribution of state-administered transportation funds. Upon designation of the geographic regions, a regional public transportation agency must be selected from each region to formulate a ~~biennial regional operations plan~~ quinquennial locally coordinated plan for regional transit in accordance with federal requirements. ~~Selection of The department shall select regional public transportation agencies must be by the Department of Transportation in collaboration with the committee established in subsection 1-A transit stakeholders, including transportation providers, social service organizations, the United States Department of Transportation, Federal Transit Administration and the Public Transit Advisory Council under section 4209-A. The Department of Transportation department shall establish a schedule for submittal of the biennial quinquennial locally coordinated plans for regional operations plan and shall reference these plans in its biennial transportation improvement plan submitted to the Legislature transit to the department for review and approval in accordance with subsection 2.~~

Sec. 3. 23 MRSA §4209, sub-§1-A, as enacted by PL 2009, c. 130, §2, is repealed.

Sec. 4. 23 MRSA §4209, sub-§2, as amended by PL 2009, c. 130, §3, is further amended to read:

2. Quinquennial locally coordinated plan for regional transit. The ~~biennial quinquennial locally coordinated plan for regional operations plan transit~~ submitted by each regional public transportation agency must provide for the following:

- A. Maximum feasible coordination of funds among all state agencies that sponsor transportation in the region;
- B. Development and maintenance of a permanent and effective public transportation system, with particular regard to riders who are low-income or elderly or who have disabilities;
- C. Participation of private transit operators in the service, to the greatest extent possible;
- D. Conformity with general operations requirements as may be prescribed by the commissioner; and

E. Compliance with any appropriate federal regulations, including but not limited to the federally required locally coordinated plan.

In years in which no ~~biennial~~ quinquennial plan is required, amendments to the effective operations may be submitted. Approval of each locally coordinated plan for regional operations plan transit must be by the ~~Department of Transportation~~ department in collaboration with transit stakeholders, including transportation providers, social service organizations, the United States Department of Transportation, Federal Transit Administration and the committee Public Transit Advisory Council under section 4209-A. Upon approval, all agencies, groups or organizations named to participate in the provision of service in accordance with a locally coordinated plan for regional operations plan transit are eligible to receive funds administered by the ~~Department of Transportation~~ department and the Department of Health and Human Services.

Sec. 5. 23 MRSA §4209, sub-§3, as amended by PL 1991, c. 859, §1, is further amended to read:

3. State assistance. Within the limits of available funding, the department shall provide assistance as follows:

A. Planning and technical assistance, information transfer, capital and operations planning, performance monitoring and evaluation, quality assurance, accounting, assistance with management information systems and service reporting to a locally coordinated plan for regional operations plan transit drafter or transportation provider and securing of provider compliance with the requirements of other state agencies in these areas;

A-1. Act as mediator and, if necessary, final arbiter of disputes between state agencies and transportation providers regarding service;

A-2. In consultation with the Bureau of Insurance, advise transportation providers regarding the liability of volunteer drivers;

B. Capital assistance to transportation providers for up to 100% of the nonfederal share required by federal assistance programs;

C. Operating assistance to transportation providers in an amount up to 1/2 of the operating deficit incurred in fulfillment of the ~~biennial quinquennial locally coordinated plan for regional operations plan transit~~; and

D. Notwithstanding any other provision of law and except as funds are necessary to carry out the object of this section, funds appropriated for public transportation shall not lapse at the end of a fiscal year, but shall be carried forward from year to year to be expended for the same purpose.

The department may enter into a request for proposals process for grants to nonprofit organizations for innovative regional projects that reflect the priorities in subsection 2, paragraph B, involve and integrate multiple service providers and modes of transportation and address service gaps identified as priorities in regional or state planning.

Sec. 6. 23 MRSA §4209, sub-§4, as amended by PL 2009, c. 130, §4, is further amended to read:

4. Human services assistance; priorities. The committee shall act to coordinate purchase of service contracts and The Public Transit Advisory Council under section 4209-A shall serve in an advisory capacity to the department, the Department of Health and Human Services and the Department of Labor in matters concerning public transportation. In the event that transportation funds for human services programs are insufficient for full implementation of the human services portion of an approved biennial quinquennial locally coordinated plan for regional operations plan transit, priorities established by the Department of Health and Human Services determine the priority clients that must be initially served by human services funds. ~~Members of the committee~~ The department, the Department of Health and Human Services and the Department of Labor and their contractors shall actively engage local transportation providers in the planning of new services that are expected to have a transportation component.

The Department of Health and Human Services and the Department of Labor shall ensure that any new service to be provided is adequately funded to cover the costs of the transportation component of the program.

Sec. 7. 23 MRSA §4209, sub-§5, as enacted by PL 1979, c. 505, §4, is amended to read:

5. Intercity service. Intercity service shall be is service designated as such in a public transportation plan developed by the department. Intercity service planning shall must fulfill the requirements set forth in subsection 2 and shall must address public transportation needs that cannot be met by locally coordinated regional operations transit planning. The State may contribute to the nonfederal costs of intercity service.

Sec. 8. 23 MRSA §4209-A is enacted to read:
§4209-A. Public Transit Advisory Council

1. Council established. The Public Transit Advisory Council, referred to in this section as "the council," is established in accordance with Title 5, section 12004-I, subsection 82-A to advise the Legislature and the department regarding public transit services in the State. The council shall advise the department on the review and approval of locally coordinated plans for regional transit under section 4209 and shall advise on any statewide strategic transit planning undertaken by

the department, including short-term and long-term fiscal, operating and capital investments, and the integration of transit planning with the Sensible Transportation Policy Act.

2. Membership. The council must include, but is not limited to, the following:

A. The commissioner or the commissioner's designee; and

B. The following individuals appointed by the commissioner:

(1) One representative each from the federally designated planning organizations for the Bangor, Kittery, Lewiston and Auburn and Portland regions;

(2) One representative of private bus operators;

(3) One representative of a statewide nonprofit organization advocating on behalf of the elderly;

(4) One representative of a medical provider;

(5) One representative of a business that relies on public transportation;

(6) One representative of a statewide association of planning and development agencies;

(7) One representative of an organization representing persons with disabilities;

(8) One representative of a nonprofit transit provider;

(9) One representative of an economic development organization; and

(10) One representative of an organization representing low-income persons.

In making appointments, the commissioner shall ensure that rural and urban areas are represented.

3. Council invitees. In addition to the requirements in subsection 2, the commissioner shall invite at least 2 members of the joint standing committee of the Legislature having jurisdiction over transportation matters representing different political parties and at least one representative of the Northern New England Passenger Rail Authority, established in Title 5, section 12004-F, subsection 16, to participate in council meetings.

4. Terms, vacancies and council chair. A member of the council appointed pursuant to subsection 2, paragraph E serves for a term of 3 years. If a member is unable to complete the term, the commissioner shall appoint a member from the same category of members listed in subsection 2, paragraph E as the member who vacated the council to serve out the unexpired portion of the term. The commissioner shall

determine how the council is to choose a chair and for how long the chair is to serve.

5. Report. The council shall report on its deliberations and any recommendations by March 1st of each odd-numbered year to the Governor and the joint standing committees of the Legislature having jurisdiction over transportation matters and health and human services matters. The report must include the following:

A. An assessment of the level of public transportation services provided to the public;

B. Recommendations for the level of service that should be provided and an estimate of the cost of providing those services; and

C. Recommendations for the optimal coordination of transit services with other senior and veteran services.

Sec. 9. 30-A MRSA §3515, sub-§1, ¶A, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

A. The directors of a district that participates in a locally coordinated plan for regional operations ~~plan~~ transit that has been approved in accordance with Title 23, section 4209, shall establish routes and fixed fares in accordance with the plan whenever the plan requires.

Sec. 10. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 23, section 4209-A, subsection 4, the Commissioner of Transportation shall designate the initial appointments of public members of the Public Transit Advisory Council under Title 23, section 4209-A, subsection 2, paragraph B, subparagraphs (1) to (3) for a one-year term, the appointments under Title 23, section 4209-A, subsection 2, paragraph B, subparagraphs (4) to (6) for a 2-year term and any other appointments for a 3-year term.

See title page for effective date.

CHAPTER 183

H.P. 361 - L.D. 537

An Act To Avoid the Inappropriate Use of Assessment Tools on Children before Grade 3

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

Sec. 1. 20-A MRSA §4252, sub-§§7 and 8, as enacted by PL 1989, c. 548, §5, are amended to read:

7. Transition. Facilitate the transition of children from preschool programs to public school programs; ~~and~~

8. Family outreach. Provide family outreach and support programs designed to improve parent-school relations and parenting skills; ~~and~~

Sec. 2. 20-A MRSA §4252, sub-§9 is enacted to read:

9. Early childhood statewide assessments. The use of early childhood statewide assessment tools pursuant to chapter 222 to inform instruction and to communicate effectively with parents. An early childhood statewide assessment must avoid inappropriate use of assessment information; specifically, the assessment may not result in labeling children, restricting kindergarten entry or predicting children's future academic and life success.

See title page for effective date.

CHAPTER 184

H.P. 350 - L.D. 511

An Act To Permit a Licensed Sales Representative To Provide Spirits at an Approved Tasting Event

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

Sec. 1. 28-A MRSA §460, sub-§1, as enacted by PL 2009, c. 459, §1, is amended to read:

1. Taste testing on agency liquor store premises. Subject to the conditions in subsection 2, the bureau may authorize an agency liquor store stocking at least 200 different codes of distilled spirits products to conduct taste testing of distilled spirits on that licensee's premises. An agency liquor store may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be providing the spirits for taste testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. Any other consumption of alcoholic beverages on an agency liquor store's premises is prohibited, except as permitted under section 1205 or 1207.

Sec. 2. 28-A MRSA §460, sub-§2, ¶M, as enacted by PL 2009, c. 459, §1, is repealed.

Sec. 3. 28-A MRSA §460, sub-§2, ¶M-1 is enacted to read:

M-1. Distilled spirits served at a taste testing must be provided by the agency liquor store or

purchased, at the retail list price, by a licensed sales representative participating in the taste testing from existing stock available for purchase at the agency liquor store.

Sec. 4. 28-A MRSA §1501, as amended by PL 2013, c. 588, Pt. B, §5, is further amended to read:

§1501. Lists of officers, partners and sales representatives

All persons selling liquor ~~to~~ in the State shall furnish to the bureau a list of all officers and directors, if a corporation, or a list of all partners, if a partnership, and the name of the sales representatives of the person within the State.

Sec. 5. 28-A MRSA §1505, first ¶, as enacted by PL 2009, c. 459, §5, is amended to read:

A sales representative holding a license under section 1502 may participate in a tasting event permitted under section 460, ~~or~~ 1205 or 1207 subject to the provisions of this section.

Sec. 6. 28-A MRSA §1505, sub-§4, as enacted by PL 2009, c. 459, §5, is amended to read:

4. Pour or distribute. A sales representative participating in a tasting event pursuant to this section may not pour or distribute to consumers the products being offered for tasting during the event. A sales representative may purchase spirits for a consumer tasting event in compliance with section 460 if the sales representative has successfully completed an alcohol server education course approved by the commissioner.

See title page for effective date.

CHAPTER 185

H.P. 429 - L.D. 616

An Act To Allow Certain Wine and Hard Cider Manufacturing Partnerships

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

Whereas, this legislation must take effect before the expiration of the 90-day period so that it applies to this year's apple harvest; and

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

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

Sec. 1. 28-A MRSA §2, sub-§32-B is enacted to read:

32-B. Tenant winery. "Tenant winery" means a person who has been issued an approved application for an alternating proprietorship from the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau authorizing the winery to engage in an alternating proprietorship as defined by federal regulation and is licensed by the bureau to produce wine or hard cider at a manufacturing facility of another winery who is licensed by the bureau.

Sec. 2. 28-A MRSA §605, first ¶, as amended by PL 2013, c. 446, §1, is further amended to read:

Except as otherwise provided in this section and section 608, a license or any interest in a license may not be sold, transferred, assigned or otherwise subject to control by any person other than the licensee. If the business, or any interest in the business, in connection with which a licensed activity is conducted is sold, transferred or assigned, the license holder shall immediately send to the bureau the license and a sworn statement showing the name and address of the purchaser. The bureau is not required to refund any portion of the ~~licensee~~ license fee if the license is surrendered before it expires. For the purposes of this section, neither a tenant brewer who is licensed in accordance with section 1355-A, subsection 6 nor a tenant winery who is licensed in accordance with section 1355-A, subsection 7 is ~~not~~ considered to be subject to the control of the host brewer or host winery, as the case may be, as described in ~~that subsection~~ those subsections, or considered to have been transferred or assigned the license or interest in the license of the host brewer or host winery.

Sec. 3. 28-A MRSA §1355-A, sub-§7 is enacted to read:

7. Tenant winery. Except as otherwise provided, the following provisions apply to a tenant winery license under which the holder of a tenant winery license may produce wine at the manufacturing facility of another winery, referred to in this subsection as "the host winery," licensed by the bureau under subsection 4. This subsection applies to hard cider produced by a manufacturer licensed as a winery or small winery under subsection 4.

A. To be eligible for a tenant winery license, a person must submit an application to the bureau in a manner prescribed by the bureau and hold an approved application for an alternating proprietorship issued by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau that authorizes a tenant winery to use the facilities and equipment of a host winery.

B. A tenant winery is subject to the same requirements regarding manufacture of its product as if the tenant winery conducted its manufacturing on its own premises independently.

C. A tenant winery is not eligible for privileges provided in subsection 2 except for sampling described by paragraph A, subparagraphs (1) and (2).

D. A tenant winery may not produce wine or hard cider for another winery or certificate of approval holder.

E. A tenant winery shall ensure that the tenant winery maintains control of the raw ingredients used to manufacture the tenant winery's product.

F. A license issued under subsection 4 may allow for up to 9 tenant wineries at a time at the manufacturing facility of a host winery.

G. The bureau may require a tenant winery to maintain a record or log indicating which equipment is being used at any time by the tenant winery in the production of wine or hard cider and which employees are working on production of the tenant winery's product.

H. The bureau shall require that reports from a tenant winery be submitted in a manner similar to the manner in which a winery licensed under subsection 4 submits reports. The bureau shall also require a tenant winery to submit copies of reports required of holders of an approved application issued by the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau authorizing the tenant winery to engage in an alternating proprietorship.

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

Effective June 15, 2015.

CHAPTER 186

H.P. 905 - L.D. 1330

An Act To Enhance Efficiency in the Collection of Child Support Obligations

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

Sec. 1. 14 MRSA §3128-A, sub-§3, as amended by PL 2011, c. 34, §1, is further amended to read:

3. Duration. The order continues in effect for one year ~~or until the obligor finds work, whichever occurs first.~~

Sec. 2. 19-A MRSA §2001, sub-§5, ¶D, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

D. Gross income may include the difference between the amount a party is earning and that party's earning capacity when the party voluntarily becomes or remains unemployed or underemployed, if sufficient evidence is introduced concerning a party's current earning capacity. In the absence of evidence in the record to the contrary, a party that is personally providing primary care for a child under the age of ~~3 years~~ 24 months is deemed not available for employment. The court shall consider anticipated child care and other work-related expenses in determining whether to impute income, or how much income to impute, to a party providing primary care to a child between the ages of ~~3~~ 24 months and 12 years. A party who is incarcerated in a correctional or penal institution is deemed available only for employment that is available through such institutions.

Sec. 3. 19-A MRSA §2006, sub-§5, ¶A, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

A. When the parent who is not the primary care provider is legally obligated to support a child in that party's household other than the child for whom a support order is being sought, an adjustment must be made to that party's parental support obligation. The adjustment is made by using the nonprimary residential care provider's annual gross income to compute a theoretical support obligation under the support guidelines for each child in that household. Neither the child support received by nor the financial contributions of the other parent of each child in the household are considered in the theoretical support calculation. The obligation is then subtracted from the annual gross income, and the adjusted income is the amount used to calculate support. The adjustment is used in all appropriate cases, ~~except when the result would be a reduction in an award previously established.~~

Sec. 4. 19-A MRSA §2302, sub-§4, as enacted by PL 2001, c. 255, §1, is amended to read:

4. Department notification responsibilities. As soon as practicable after the department knows that an obligor has become an assisted obligor, the department shall send notices to the obligor and obligee notifying them of:

- A. The obligor's status as an assisted obligor;
- B. The existence of the suspension in subsection 2;

C. The obligee's opportunity to contest the suspension by seeking a modification as set forth in subsection 3; and

D. The location where forms for modification proceedings can be obtained.

~~In addition, the department shall include with the notices to the parties blank forms for use in initiating modification actions.~~

Sec. 5. 19-A MRSA §2652, sub-§6, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

6. Fees. A notice to the obligor and payor of income that the payor of income shall withhold and send to the department a fee of \$2 per ~~week~~ pay period in addition to the amount withheld for child support.

Sec. 6. 19-A MRSA §2961, sub-§1, ¶B, as enacted by PL 2003, c. 436, §10, is amended to read:

B. The individual submits to the jurisdiction of this State by consent in a record, by entering a general appearance or by filing a responsive document having the effect of waiving any contest to personal jurisdiction;

Sec. 7. 19-A MRSA §3101-E, as enacted by PL 1997, c. 669, §21, is repealed.

Sec. 8. 19-A MRSA §3254, first ¶, as amended by PL 2003, c. 436, §44, is further amended to read:

If a child support order issued by a tribunal of this State is modified by a tribunal of another state that assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of ~~the~~ this State:

Sec. 9. 19-A MRSA §3311, sub-§4-A is enacted to read:

4-A. Foreign central authority. "Foreign central authority" means the entity designated by a foreign country as defined in section 2802, subsection 3-A to perform the functions specified in the Convention.

See title page for effective date.

CHAPTER 187

S.P. 389 - L.D. 1117

An Act To Clarify the Policy for Withdrawal of Life Support from Minors

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

Sec. 1. 22 MRSA §4037, as amended by PL 1995, c. 694, Pt. D, §44 and affected by Pt. E, §2, is repealed and the following enacted in its place:

§4037. Authority of custodian

When custody of the child is ordered to the department or other custodian under a preliminary or final protection order, the custodian has full custody of the child subject to the terms of the order and other applicable law.

1. Adoption. Custody does not include the right to initiate adoption proceedings without parental consent, except as provided under Title 18-A, section 9-302.

2. Withhold or withdraw life-sustaining medical treatment. Except as provided in paragraphs A and B, the custodian may not withhold or withdraw life-sustaining medical treatment.

A. The custodian may withhold or withdraw life-sustaining medical treatment if the parental rights of the parents of the child have been terminated pursuant to section 4055 and the custodian determines that withholding or withdrawing life-sustaining medical treatment is in the best interests of the child after considering the factors in paragraph C and the opinions of the child's treating physicians.

B. If the parental rights of one or more parent of the child have not been terminated, the custodian under a preliminary or final child protection order may withhold or withdraw life-sustaining medical treatment:

(1) If the parent or parents whose parental rights have not been terminated consent to the custodian having that authority and the custodian determines that withholding or withdrawing life-sustaining medical treatment is in the best interests of the child after considering the factors in paragraph C and the opinions of the child's treating physicians; or

(2) If any parent whose parental rights have not been terminated does not consent, after notice and hearing, the District Court finds by clear and convincing evidence that:

(a) All of the nonconsenting parents are unfit under one or more of the grounds for termination in section 4055, subsection 1, paragraph B, subparagraph (2), division (b); and

(b) Withholding or withdrawing life-sustaining medical treatment is in the best interests of the child.

C. Withholding or withdrawing life-sustaining medical treatment is in the best interests of the child if the child is in a persistent vegetative state or suffers from another irreversible medical condition that severely impairs mental and physical functioning, with poor long-term medical prognosis.

sis, and the child would experience additional pain and suffering if life-sustaining medical treatment were administered.

See title page for effective date.

CHAPTER 188
S.P. 162 - L.D. 433

**An Act To Clarify the Liability
of Funeral Practitioners**

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

Sec. 1. 22 MRSA §2843-A, sub-§8, as amended by PL 2011, c. 387, §2, is further amended to read:

8. Immunity. A party, including but not limited to a funeral director or practitioner of funeral service, who, in good faith, acts upon the instructions of the party having custody and control is not liable for having carried out those instructions, may not be held civilly or criminally liable and is not subject to disciplinary action for acting in accordance with those instructions.

See title page for effective date.

CHAPTER 189
S.P. 266 - L.D. 736

**An Act To Allow Access to
Certain Death Records**

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

Sec. 1. 34-B MRSA §1207, sub-§1, ¶H, as amended by PL 2011, c. 347, §10, is further amended to read:

H. The names and dates of death of individuals who died while patients at the Augusta Mental Health Institute, the Bangor Mental Health Institute, the Dorothea Dix Psychiatric Center or the Riverview Psychiatric Center or the Pineland Hospital and Training Center may be made available to the public in accordance with rules adopted by the department. The rules must require the department to notify the public regarding the release of the information and to maintain the confidentiality of information concerning any deceased individual whose surviving relatives notify the department that they object to public disclosure. Rules adopted pursuant to this paragraph are

routine technical rules as defined in Title 5, chapter 375, subchapter 2-A; and

See title page for effective date.

CHAPTER 190
H.P. 631 - L.D. 911

**An Act Concerning the Review
of Certain Projects under the
Site Location of Development
Laws**

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

Sec. 1. 35-A MRSA §3451, sub-§§1-D and 1-E are enacted to read:

1-D. Combined observation. "Combined observation" means a view from a scenic resource of state or national significance of more than one group of generating facilities located within the viewshed of the scenic resource of state or national significance within the field of view of a stationary viewer.

1-E. Cumulative scenic impact or effect. "Cumulative scenic impact or effect" means the potential adverse effect on the scenic character and existing uses related to the scenic character of scenic resources of state or national significance resulting from the incremental impact of a proposed wind energy development when added to the effects of other existing, permitted or pending wind energy developments within the viewshed of a scenic resource of state or national significance. For the purposes of this subsection, a pending wind energy development is a wind energy development for which an application has been submitted to and determined complete for processing by the department. A determination of cumulative scenic impact or effect may be based upon the combined observation, successive observation or sequential observation of wind energy developments located within the viewshed of a scenic resource of state or national significance as viewed from a scenic resource of state or national significance.

Sec. 2. 35-A MRSA §3451, sub-§§9-A and 9-B are enacted to read:

9-A. Sequential observation. "Sequential observation" means a view of more than one group of generating facilities located within the viewshed of a scenic resource of state or national significance as the viewer travels along the portion of a linear route that is located within the viewshed of a scenic resource of state or national significance. For the purposes of this subsection, a linear route is a scenic resource of state or national significance that is a trail that is used exclusively for pedestrian use and has been designated as a national scenic trail.

9-B. Successive observation. "Successive observation" means views from a scenic resource of state or national significance of more than one group of generating facilities located within the viewshed of a scenic resource of state or national significance from a single viewpoint as a result of a viewer turning the viewer's head or body.

Sec. 3. 35-A MRSA §3451, sub-§10-A is enacted to read:

10-A. Viewshed of a scenic resource of state or national significance. "Viewshed of a scenic resource of state or national significance" means the geographic area as viewed from a scenic resource of state or national significance that includes the proposed wind energy development. The viewshed of a scenic resource of state or national significance may include the proposed wind energy development visible from a single viewer position or the proposed wind energy development visible from multiple viewer positions. The viewshed of a scenic resource of state or national significance is limited to the geographic area within 8 miles, measured horizontally, from the proposed wind energy development's generating facilities.

Sec. 4. 35-A MRSA §3452, sub-§3, as enacted by PL 2007, c. 661, Pt. A, §7, is amended to read:

3. Evaluation criteria. In making its determination pursuant to subsection 1, and in determining whether an applicant for an expedited wind energy development must provide a visual impact assessment in accordance with subsection 4, the primary siting authority shall consider:

- A. The significance of the potentially affected scenic resource of state or national significance;
- B. The existing character of the surrounding area;
- C. The expectations of the typical viewer;
- D. The expedited wind energy development's purpose and the context of the proposed activity;
- E. The extent, nature and duration of potentially affected public uses of the scenic resource of state or national significance and the potential effect of the generating facilities' presence on the public's continued use and enjoyment of the scenic resource of state or national significance; and
- F. The scope and scale of the potential effect of views of the generating facilities on the scenic resource of state or national significance, including but not limited to issues related to the number and extent of turbines visible from the scenic resource of state or national significance, the distance from the scenic resource of state or national significance and the effect of prominent features of the development on the landscape.

In applying these criteria, the primary siting authority shall consider the primary impact and the cumulative scenic impact or effect of the development during both day and night on scenic resources of state or national significance. In evaluating cumulative scenic impact or effect associated with sequential observation, the department shall consider, in addition to the criteria in this subsection, the distance between viewpoints on the linear route and other forms of development along the linear route that effect the expectation of the user of the scenic resource of state or national significance. A finding by the primary siting authority that the development's generating facilities are a highly visible feature in the landscape is not a solely sufficient basis for determination that an expedited wind energy project has an unreasonable adverse effect on the scenic character and existing uses related to scenic character of a scenic resource of state or national significance. In making its determination under subsection 1, the primary siting authority shall consider insignificant the effects of portions of the development's generating facilities located more than 8 miles, measured horizontally, from a scenic resource of state or national significance.

See title page for effective date.

CHAPTER 191

S.P. 329 - L.D. 938

An Act To Clarify Maine's Fertilizer Quality Control Laws

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

Sec. 1. 7 MRSA §742, sub-§9, ¶A, as amended by PL 2007, c. 147, §2, is further amended to read:

A. "Guaranteed analysis" ~~shall mean~~ means the minimum percentage of plant nutrients claimed in the following order and form:

Total Nitrogen (N) per-cent %

Available ~~Phosphoric Acid~~ Phosphate
(P₂O₅)..... per-cent %

Soluble Potash (K₂O) per-cent %; and

Sec. 2. 7 MRSA §743, as amended by PL 2005, c. 12, Pt. EEE, §1, is further amended to read:

§743. Registration

Each brand and grade of commercial fertilizer must be registered before being offered for sale, sold or distributed in this State. The application for registration must be submitted to the commissioner on forms furnished by the commissioner and must be

accompanied by an annual fee of ~~\$100~~ \$125 per product. All registrations expire on December 31st or in a manner consistent with the provisions as to license expiration of the Maine Administrative Procedure Act, Title 5, section 10002, whichever is later. The commissioner may issue a registration for a one-year, 2-year or 3-year period. Registrations for a period in excess of one year may only be issued with the agreement of or at the request of the applicant. The fee for a 2-year registration is 2 times the annual fee. The fee for a 3-year registration is 3 times the annual fee. The commissioner may refuse to register or renew or may suspend or cancel registration for failure to comply with this subchapter or with rules adopted pursuant to this subchapter. This refusal, suspension or cancellation is considered rulemaking as that term is defined in the Maine Administrative Procedure Act, Title 5, chapter 375 and notice and opportunity for a hearing must be provided in a manner consistent with the Maine Administrative Procedure Act, Title 5, chapter 375. The application must include the following information:

1. **Weight.** The net weight;
2. **Brand and grade.** The brand and grade;
3. **Analysis.** The guaranteed analysis;
4. **Registrant's name and address.** The name and address of the registrant; and
5. **Additional information.** Additional information as required in rules adopted by the department.

~~The fees so~~ Of the fee collected by the commissioner ~~shall under this section, \$100 must be deposited in the General Fund and \$25 must be deposited in a dedicated, nonlapsing account established under section 765, subsection 2 and used for the purpose of administering and enforcing this subchapter and subchapter 5-A.~~

A distributor ~~shall~~ is not be required to register any brand and grade of commercial fertilizer ~~which that~~ is already registered under this subchapter by another person.

The plant nutrient content of each and every brand and grade of commercial fertilizer must remain uniform for the period of registration.

The commissioner shall review annually the fertilizer inspection and sampling program established under this subchapter and report findings and any recommendations for changes to the program by February 1st annually to the joint standing committee of the Legislature having jurisdiction over agricultural matters, which after receiving the report may report out a bill to the Legislature to make adjustments to the program.

Sec. 3. 7 MRSA §743-A, sub-§1, as amended by PL 2011, c. 607, §1, is further amended to read:

1. Registrants required to report. On or before September 1st of each year, a registrant shall file with the commissioner, on a form prescribed by the commissioner, the number of tons of each brand and grade of commercial fertilizer sold by the registrant in the State during the 12 months preceding July 1st of that year. ~~A fee of \$1 per ton sold during the 12 months preceding July 1st of that year must accompany the form.~~

Sec. 4. 7 MRSA §743-A, sub-§2, as enacted by PL 2009, c. 393, §3, is repealed.

Sec. 5. 7 MRSA §743-A, sub-§3, as enacted by PL 2009, c. 393, §3, is amended to read:

3. Commissioner's report. The commissioner ~~or the commissioner's agent~~ may publish and distribute annually, to each registrant and other interested persons, a report showing the total tons of commercial fertilizer and the total tons by grade sold in the State.

Sec. 6. 7 MRSA §745, first ¶, as amended by PL 2007, c. 147, §4, is further amended to read:

The commissioner shall inspect and sample for analysis in accordance with section 490 commercial fertilizers distributed within this State to the extent the commissioner considers necessary to determine compliance with this subchapter. The commissioner ~~or the commissioner's agent~~ is authorized to enter upon any public or private premises during regular business hours in order to have access to commercial fertilizers, subject to this subchapter and the rules adopted pursuant to section 748.

Sec. 7. 7 MRSA §751, sub-§3, as enacted by PL 2007, c. 147, §8, is amended to read:

3. Determination of commercial value. For the purpose of determining the commercial value ~~of fertilizer to be applied in determining assessment under this section,~~ the commissioner shall ~~use the amount originally invoiced to the consumer to determine and publish annually the values~~ per unit of total nitrogen, available phosphate, and soluble potash or other nutrients that the registrant is required to or may guarantee in fertilizers in this State. The values ~~derived from the invoice so determined and published~~ must be used in determining ~~the assessment~~ and assessing penalty payments.

Sec. 8. 7 MRSA §765, sub-§2, as amended by PL 2009, c. 393, §4, is further amended to read:

2. Fees; nonlapsing fund. The commissioner shall collect all fees under this subchapter and section ~~743-A~~ 743 and deposit them with the Treasurer of State in a separate account to be used for carrying out this subchapter and subchapter 5, including the cost of inspection, sampling and analysis of commercial fertilizers and agricultural liming materials. These funds do not lapse, but remain in a carry-over account.

Sec. 9. 7 MRSA §766, sub-§1, as amended by PL 2011, c. 607, §2, is further amended to read:

1. By registrants. On or before September 1st in each year each registrant shall file with the commissioner, on forms prescribed by the commissioner, the number of tons of each agricultural liming material sold during the 12 months preceding July 1st of that year. ~~A fee of \$1 per ton sold during the 12 months preceding July 1st of that year must accompany the form.~~

See title page for effective date.

CHAPTER 192

S.P. 349 - L.D. 1009

An Act To Benefit the Education of Denturism Students

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

Sec. 1. 32 MRSA §1100-E-2 is enacted to read:

§1100-E-2. Permits for externship

The board may issue a permit to a bona fide denturist student of a school acceptable to the board to allow that student, after the completion of satisfactory training, to perform, commensurate with the student's level of training and under the supervision of a licensed dentist or denturist or instructional facility acceptable to the board, limited denturist services in private practice or institutional and public health service programs within the State if the student presents satisfactory proof of academic affiliation and good academic standing and the board determines that the student has not violated this chapter or the rules of the board.

The board, prior to the issuance of a permit under this section, shall determine that the supervision and control of the services to be performed by the student are adequate and that the performance of these services by the student adds to the student's knowledge and skill in the practice of denturism. A permit issued under this section is valid for one year from the date of issuance and may be renewed one time only for the purpose of completing supervised training experience. The board shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

For the purposes of this section, "denturist services" means services provided through the practice of denturism.

See title page for effective date.

CHAPTER 193

S.P. 442 - L.D. 1237

An Act Regarding the Filing of Death and Marriage Records

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

Sec. 1. 19-A MRSA §660 is enacted to read:

§660. Late-filed application for certificate of marriage

1. Application. The parties, or the legal representatives of the parties, to a marriage that occurred more than one year previously may apply for a certificate of marriage under this section by submitting to the State Registrar of Vital Statistics the following:

A. The license and certification statement completed in accordance with section 656;

B. The required filing fee; and

C. An application for a certificate of marriage, which must include, if available, a copy of the marriage intentions obtained from the clerk of the municipality where the intentions were filed and other documents specified in rules adopted by the State Registrar of Vital Statistics.

2. Indication of date of filing. The certificate of marriage issued under this section must be marked "delayed" and must indicate the date that the certificate of marriage was filed.

3. Rules. The State Registrar of Vital Statistics shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. 22 MRSA §2848 is enacted to read:

§2848. Registering a presumed death

When a death is presumed to have occurred in the State but the body has not been located, the State Registrar of Vital Statistics shall register a death in accordance with this section upon receipt of a certified copy of an order of a court issued in accordance with Title 18-A, section 1-107, subsection (3).

1. Required information. In order to register a death on the basis of a court order, the court order must include:

A. The decedent's full legal name;

B. The date of death, as determined from the evidence presented;

C. The municipality, county and place of death, as determined from the evidence presented;

D. The decedent's address, including street address, municipality, county, state and zip code at the time of death;

E. The decedent's marital status at the time of death;

F. The given name of the decedent's surviving spouse, if any; and

G. If known, information necessary to complete the medical certification including the cause and manner of death. If the death occurred from an injury, the court order must include information on how and when the injury occurred. If such information is not known, the order must indicate the lack of available information.

2. Death certificate; identification of court order. A death certificate issued pursuant to this section must identify the court that issued the order on which the death certificate is based and include the date of the court order.

3. Record marked "presumptive." The record of a death registered pursuant to this section must be marked "presumptive."

See title page for effective date.

CHAPTER 194

S.P. 443 - L.D. 1238

An Act To Allow the Release of Child Protective Records to Certain Providers of Child and Adult Services

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

Sec. 1. 22 MRSA §4008, sub-§2, ¶J, as amended by PL 2007, c. 140, §6, is further amended to read:

J. A person making a report of suspected abuse or neglect. The department may only disclose that it has not accepted the report for investigation, unless other disclosure provisions of this section apply; ~~and~~

Sec. 2. 22 MRSA §4008, sub-§2, ¶K, as enacted by PL 2007, c. 140, §7 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

K. The local animal control officer or the animal welfare program of the Department of Agriculture, Conservation and Forestry established pur-

suant to Title 7, section 3902 when there is a reasonable suspicion of animal cruelty, abuse or neglect. For purposes of this paragraph, "cruelty, abuse or neglect" has the same meaning as provided in Title 34-B, section 1901, subsection 1, paragraph B; ~~and~~

Sec. 3. 22 MRSA §4008, sub-§2, ¶L is enacted to read:

L. A person, organization, employer or agency for the purpose of carrying out background or employment-related screening of an individual who is or may be engaged in:

(1) Child-related activities or employment; or

(2) Activities or employment relating to adults with intellectual disabilities, autism, related conditions as set out in 42 Code of Federal Regulations, Section 435.1010 or acquired brain injury.

Sec. 4. 22 MRSA §4008, sub-§6, as enacted by PL 2003, c. 673, Pt. W, §1, is amended to read:

6. Disclosing information; establishment of fees; rules. The department may ~~accept requests and charge fees for research searching and disclosure of~~ disclosing information in its records as provided in this subsection.

A. The department may charge fees for the services listed in paragraph B to any person except the following:

(1) A parent in a child protection proceeding, an attorney who represents a parent in a child protection proceeding or a guardian ad litem in a child protection proceeding when the parent, attorney or guardian ad litem requests the service for the purposes of the child protection proceeding;

(2) An adoptive parent or prospective adoptive parent who requests information in the department's records relating to the child who has been or might be adopted;

(3) A person having the legal authorization to evaluate or treat a child, parent or custodian who is the subject of a record, including a member of a treatment team or group convened to plan for or treat a child or family that is the subject of a record; the information in the record must be requested for the purpose of evaluating or treating the child, parent or custodian who is the subject of the record;

(4) Governmental entities of this State that are not engaged in licensing; and

(5) Governmental entities of any county or municipality of this State that are not engaged in licensing.

~~A request or~~ An order by a court for disclosure of information in records pursuant to subsection 3, paragraph B must be deemed to have been made by the person requesting that the court order the disclosure.

B. The department may charge fees for the following services:

- (1) ~~Researching~~ Searching its records to determine whether a particular person is named in the records;
- (2) Receiving and responding to a request for disclosure of information in department records, whether or not the department grants the request; and
- (3) Disclosing information in department records.

C. The department ~~may~~ shall adopt rules governing requests for the services listed in paragraph B. Those rules may provide for a mechanism for making a request, the information required in making a request, the circumstances under which requests will be granted or denied and any other matter that the department determines necessary to efficiently respond to requests for disclosure of information in the records. The rules must establish a list of specified categories of activities or employment for which the department may provide information for background or employment-related screening pursuant to subsection 2, paragraph L. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

D. The department shall establish a schedule of fees by rule. The schedule of fees may provide that certain classes of persons are exempt from the fees, and it may establish different fees for different classes of persons. All fees collected by the department must be deposited in the General Fund. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

E. A governmental entity that is engaged in licensing may charge an applicant for the fees imposed on it by the department for ~~research and disclosure of searching and disclosing information in its records~~.

F. This subsection may not be construed to permit or require the department to make a disclosure in any particular case.

See title page for effective date.

CHAPTER 195

H.P. 910 - L.D. 1338

An Act Regarding Legal Representation in Certain Eviction Actions

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

Sec. 1. 4 MRSA §807, sub-§3, ¶S, as reallocated by RR 2013, c. 1, §7, is amended to read:

S. ~~A person~~ An individual who is the sole member of a limited liability company or is a member of a limited liability company that is owned by a married couple ~~or~~, registered domestic partners ~~or~~ an individual and that individual's issue as defined in Title 18-A, section 1-201, subsection (21) who is not an attorney but is appearing for that company in an action for forcible entry and detainer pursuant to Title 14, chapter 709.

~~This paragraph is repealed September 1, 2016.~~

See title page for effective date.

CHAPTER 196

H.P. 972 - L.D. 1426

An Act Regarding the Maine Registry of Certified Nursing Assistants and Direct Care Workers

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

Sec. 1. 22 MRSA §1717, sub-§1, ¶¶A-1 to A-3 are enacted to read:

A-1. "Direct access" means access to the property, personally identifiable information, financial information or resources of an individual or physical access to an individual who is a Medicare or Medicaid beneficiary or other individual served by a provider subject to this chapter.

A-2. "Direct access personnel" means individuals employed in positions that have direct access.

A-3. "Direct care worker" means an individual who by virtue of employment generally provides to individuals direct contact assistance with personal care or activities of daily living or has direct access to provide care and services to clients, patients or residents regardless of setting. "Direct care worker" does not include a certified nursing assistant employed in that person's capacity as a certified nursing assistant.

Sec. 2. 22 MRSA §1717, sub-§1, ¶C, as amended by PL 2007, c. 324, §2, is further amended to read:

C. "Personal care agency" means a business entity or subsidiary of a business entity that is not otherwise licensed by the Division of Licensing and Regulatory Services and that hires and employs unlicensed assistive direct access personnel or individuals who work in direct contact with clients, patients or residents to provide assistance with activities of daily living and related tasks to individuals in the places in which they reside, either permanently or temporarily. An individual who hires and employs unlicensed assistive direct access personnel or individuals who work in direct contact with clients, patients or residents to provide care for that individual is not a personal care agency, except when permitted by rule of the department.

Sec. 3. 22 MRSA §1717, sub-§1, ¶D, as amended by PL 2007, c. 324, §2, is repealed.

Sec. 4. 22 MRSA §1717, sub-§2, as amended by PL 2007, c. 324, §2, is further amended to read:

2. Registration of personal care agencies and placement agencies. Beginning August 1, 1998, a personal care agency not otherwise licensed by the department shall register with the department. Beginning January 1, 2008, a placement agency not otherwise licensed by the department shall register with the department. The department shall adopt rules establishing the annual registration fee, which must be at least between \$25 and \$250. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 22 MRSA §1717, sub-§3, as amended by PL 2011, c. 257, §1, is further amended to read:

3. Prohibited employment based on disqualifying offenses. A personal care agency or a placement agency shall obtain criminal history record information about applicants for positions as unlicensed assistive personnel or home care services workers and may not hire or place an individual who: conduct a comprehensive background check for direct access personnel in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including, but not limited to, a certified nursing assistant or a direct care worker.

A. Has worked as a certified nursing assistant and has been the subject of a notation by the state survey agency for a substantiated complaint of abuse, neglect or misappropriation of property in a health care setting that was entered on the Maine Regis-

try of Certified Nursing Assistants and Direct Care Workers;

B. Has been convicted in a court of law of a crime involving abuse, neglect or misappropriation of property in a health care setting; or

C. Has a prior criminal conviction within the last 10 years of:

(1) A crime for which incarceration of 3 years or more may be imposed under the laws of the state in which the conviction occurred; or

(2) A crime for which incarceration of less than 3 years may be imposed under the laws of the state in which the conviction occurred involving sexual misconduct or involving abuse, neglect or exploitation in a setting other than a health care setting.

Sec. 6. 22 MRSA §1717, sub-§3-A is enacted to read:

3-A. Verification of listing on the registry. Prior to hiring a certified nursing assistant or a direct care worker, a personal care agency or a placement agency shall check the Maine Registry of Certified Nursing Assistants and Direct Care Workers established pursuant to section 1812-G and verify that a certified nursing assistant or direct care worker listed on the registry has no disqualifying notations.

The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. 22 MRSA §1717, sub-§4, ¶B, as amended by PL 2007, c. 324, §2, is further amended to read:

B. A person who operates a personal care agency or placement agency in violation of the employment prohibitions in subsection 3 or 3-A commits a civil violation for which a fine of not less than \$500 per day of operation in violation but not more than \$10,000 per day may be adjudged, beginning on the first day that a violation occurs. Each day of violation constitutes a separate offense.

Sec. 8. 22 MRSA §1724, first ¶, as reallocated by RR 2009, c. 2, §49, is further amended to read:

Beginning October 1, 2010, a facility or health care provider subject to the licensing or certification processes of chapter 405, 412 or 419 shall obtain, prior to hiring an individual who will work in direct contact with a consumer, criminal history record information on that individual, including, at a minimum, criminal history record information from the Department of Public Safety, State Bureau of Identification. A facil-

ity or provider subject to licensing under chapter 419 shall conduct a comprehensive background check for individuals employed in positions that have direct access to a consumer's property, personally identifiable information, financial information or resources in accordance with applicable federal and state laws. The comprehensive background check must be conducted in accordance with state law and rules adopted by the department. The facility or health care provider shall pay for the comprehensive or criminal background check required by this section as applicable.

Sec. 9. 22 MRSA §1812-G, as amended by PL 2011, c. 257, §2, is further amended to read:

§1812-G. Maine Registry of Certified Nursing Assistants and Direct Care Workers

1. Established. The Maine Registry of Certified Nursing Assistants and Direct Care Workers is established in compliance with federal and state requirements. The Department of Health and Human Services shall maintain the registry and make it accessible through a public website portal.

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

A. "Certified nursing assistant" means an individual who has successfully completed an approved nursing assistant training program, holds a certificate of training and meets the eligibility requirements established by the State Board of Nursing for listing on the registry.

B. "Registry" means the Maine Registry of Certified Nursing Assistants and Direct Care Workers established in subsection 1, which is a list of certified nursing assistants, with notations if applicable, and a list of unlicensed assistive persons with notations.

C. "Unlicensed assistive person" or "direct care worker" means an individual employed to provide hands-on assistance with activities of daily living or other services to individuals in homes, assisted living programs, residential care facilities, hospitals and other health care and direct care settings. "Unlicensed assistive person" and "direct care worker" include but are not limited to a direct support professional, residential care specialist, personal support specialist, mental health support specialist, mental health rehabilitation technician, behavior specialist, other qualified mental health professional, certified residential medication aide and registered medical assistant and other direct care workers as described in rules adopted by the department. "Unlicensed assistive person" and "direct care worker" do not include a certified nursing assistant employed in the capacity of a certified nursing assistant.

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

A. "Abuse" means the infliction of injury, unreasonable confinement, intimidation or cruel punishment that causes or is likely to cause physical harm or pain or mental anguish; sexual abuse or sexual exploitation; or the intentional, knowing or reckless deprivation of essential needs. "Abuse" includes acts and omissions.

B. "Certified nursing assistant" means an individual who has successfully completed an approved nursing assistant training program, holds a certificate of training and meets the eligibility requirements established by the State Board of Nursing for listing on the registry.

C. "Direct access" means access to the property, personally identifiable information, financial information or resources of an individual or physical access to an individual who is a Medicare or Medicaid beneficiary or other individual served by a provider subject to this chapter.

D. "Direct care worker" means an individual who by virtue of employment generally provides to individuals direct contact assistance with personal care or activities of daily living or has direct access to provide care and services to clients, patients or residents regardless of setting. "Direct care worker" does not include a certified nursing assistant employed in that person's capacity as a certified nursing assistant.

E. "Disqualifying offense" means a substantiation for abuse, neglect or exploitation, or a criminal conviction identified in rules adopted by the department that prohibits employment as a certified nursing assistant or a direct care worker in accordance with subsection 2-C.

F. "Employer" means a person or licensed, certified or registered provider or other entity that employs direct access workers, including certified nursing assistants and direct care workers, to provide direct contact services in home, community or other health care or direct access settings. An individual who employs an unlicensed person to provide care for that individual is not an employer for the purposes of this section, except when required by rules adopted by the department.

G. "Health care or direct access setting" means a setting in which individuals receive services that require direct access by a certified nursing assistant or a direct care worker or other employee in providing care and related services.

H. "Misappropriation of property" means the deliberate misplacement, exploitation or wrongful, temporary or permanent use of a client's, patient's or resident's belongings or money without that person's consent.

I. "Neglect" means a threat to a person's health or welfare by failure to provide goods or services necessary to avoid physical or mental injury or impairment or the threat of injury or impairment.

J. "Nondisqualifying criminal conviction" means a criminal conviction identified in rules adopted by the department pursuant to subsection 18 that is included as a notation on the registry but does not prohibit employment as a certified nursing assistant or a direct care worker.

K. "Registered direct care worker" means an individual listed on the registry for training, education or compliance purposes in accordance with rules adopted pursuant to this chapter. "Registered direct care worker" does not include a certified nursing assistant employed in the capacity of a certified nursing assistant or a direct care worker listed on the registry with notations for disqualifying offenses.

L. "Registry" means the Maine Registry of Certified Nursing Assistants and Direct Care Workers established in subsection 1, which identifies individuals qualified and eligible for employment as a certified nursing assistant or a registered direct care worker and individuals who are not eligible for employment as a certified nursing assistant or direct care worker due to notations for disqualifying offenses.

M. "Substantiated finding" means an administrative determination made by the department after investigation of a complaint against a certified nursing assistant or a direct care worker of abuse, neglect or misappropriation of property of a client, patient or resident.

N. "Unsubstantiated finding" means an administrative determination made by the department after investigation of a complaint against a certified nursing assistant or a direct care worker that no evidence of abuse, neglect or misappropriation of property of a client, patient or resident was found to support a substantiated finding.

2. Contents. The registry must contain a listing of certified nursing assistants. The listing must include, for any certified nursing assistant listed, a notation of:

A. Any criminal convictions, except for Class D and Class E convictions over 10 years old that did not involve as a victim of the act a patient, client or resident of a health care entity; and

B. Any specific documented findings by the state survey agency of abuse, neglect or misappropriation of property of a resident, client or patient. For purposes of this section, "state survey agency" means the agency specified under 42 United States Code, Sections 1395aa and 1396 responsible for determining whether institutions and agencies meet requirements for participation in the State's Medicare and Medicaid programs.

The registry must also contain a listing of any unlicensed assistive persons who have notations pursuant to section 1812-J.

2-A. Registry listing. All active certified nursing assistants employed in the State must be listed on the registry. The registry must contain a listing of certified nursing assistants and direct care workers that are ineligible for employment based on notations for disqualifying offenses. Direct care workers registered for training, education or compliance purposes may apply for registration and listing on the registry. Direct care workers who may be listed on the registry include but are not limited to the following:

- A. Behavior specialists;
- B. Behavioral health professionals;
- C. Certified residential care aides;
- D. Certified residential medication aides;
- E. Direct support professionals;
- F. Mental health rehabilitation technicians;
- G. Mental health support specialists;
- H. Other qualified mental health professionals;
- I. Personal care or support specialists;
- J. Registered medical assistants;
- K. Residential care specialists;
- L. Community health workers; and
- M. Other direct care workers described in rules adopted by the department pursuant to subsection 18.

2-B. Individual information. The registry must include information for each listed certified nursing assistant and direct care worker as required by rules adopted by the department pursuant to subsection 18.

2-C. Registry notations. The registry must include for a certified nursing assistant and direct care worker listed on the registry a notation of:

- A. Disqualifying criminal convictions;
- B. Nondisqualifying criminal convictions, except that a notation is not required on the registry for Class D and Class E criminal convictions over 10 years old that did not involve as a victim of the act a patient, client or resident;

C. Substantiated findings, including but not limited to the following information:

(1) Documentation of an investigation of a certified nursing assistant or a direct care worker, including the nature of the allegation and evidence supporting a determination that substantiates the allegation of abuse, neglect or misappropriation of property of a client, patient or resident;

(2) Documentation of substantiated findings of abuse, neglect or misappropriation of property of a client, patient or resident;

(3) If the certified nursing assistant or direct care worker appealed the substantiated finding, the date of the hearing; and

(4) The statement of the certified nursing assistant or direct care worker disputing the allegation of abuse, neglect or misappropriation of property of a client, patient or resident if the certified nursing assistant or direct care worker submitted such a statement; and

D. Petitions filed by a certified nursing assistant or direct care worker for removal of an employment ban issued by the department that was based on a criminal conviction and the department's review and determination.

3. Eligibility requirements for listing; certified nursing assistant. The State Board of Nursing shall adopt rules pursuant to the Maine Administrative Procedure Act defining eligibility requirements for listing on the registry as a certified nursing assistant, including rules regarding temporary listing of nursing assistants who have received training in another jurisdiction. The rules must permit certified nursing assistants to work under the supervision of a registered professional nurse in a facility providing assisted living housing services as defined in chapter 1664 and must recognize work in those facilities for the purpose of qualifying for and continuing listing on the registry. Rules adopted regarding the work of certified nursing assistants in facilities providing assisted living housing services are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

3-A. Listing on the registry; direct care worker. A direct care worker listed for purposes other than a disqualifying notation may be listed on the registry as a registered direct care worker for 2-year renewable periods. The department shall adopt routine technical rules regarding listing direct care workers on the registry, including but not limited to the following:

A. Direct care workers with disqualifying offenses must be listed on the registry; and

B. Direct care workers without disqualifying offenses who are registered for training, education

or compliance purposes must comply with requirements for continued listing on the registry.

The rules may include provisions for direct care workers registered for training, education or compliance purposes including provisions for the temporary listing of direct care workers who received training in another jurisdiction.

A certified nursing assistant in good standing on the registry may qualify for registration as a direct care worker.

4. Department verification of credentials and training. The department ~~shall~~ may verify the credentials and training of ~~all~~ certified nursing assistant applicants to the assistants and registered direct care workers listed on the registry.

4-A. Provider verification fee. The department may establish a provider verification fee not to exceed \$25 annually per provider for verification of a certified nursing assistant's or registered direct care worker's credentials and training. Providers may not pass the cost on to the individual certified nursing assistant or registered direct care worker. Provider verification fees collected by the department must be placed in a special revenue account to be used by the department to operate the registry, including but not limited to the cost of criminal history record checks. The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

5. Employment eligibility verification; certified nursing assistant. ~~A~~ An employer, including a health care institution, facility or other organization that employs an individual as a certified nursing assistant, shall, before hiring a certified nursing assistant, verify with the registry that the certified nursing assistant is listed as active and has no disqualifying notations on the registry.

5-A. Employment eligibility verification; direct care worker. An employer, including a health care institution, facility or other organization that employs an individual as a direct care worker, shall verify that the direct care worker, if listed on the registry, has no disqualifying notations and has complied with the training or education requirements for registration, if applicable.

6. Prohibited employment based on disqualifying offenses. ~~Except as otherwise provided in this section:~~ An individual with a disqualifying offense including a substantiated complaint or a disqualifying criminal conviction may not work as a certified nursing assistant or a direct care worker and an employer is subject to penalties for employing a disqualified or otherwise ineligible person in accordance with applicable federal or state laws.

~~A. An individual may not be employed in a hospital, nursing facility, home health agency or assisted housing program as a certified nursing assistant if that individual has been convicted in a court of law of a crime involving abuse, neglect or misappropriation of property in a health care setting; and~~

~~B. An individual may not be employed in a hospital, nursing facility, home health agency or assisted housing program as a certified nursing assistant if that individual:~~

~~(1) Has been the subject of a complaint involving abuse or neglect that was substantiated by the department pursuant to its responsibility to license hospitals, nursing facilities, home health agencies and assisted housing programs and that was entered on the registry; or~~

~~(2) Has been the subject of a complaint involving the misappropriation of property in a health care setting that was substantiated by the department and entered on the registry.~~

6-A. Background check. Certified nursing assistants and direct care workers are subject to a background check as defined by rules adopted by the department and according to the following:

A. A training program for certified nursing assistants or direct care workers must secure or pay for a background check on each individual who applies for enrollment. The individual's current name and all previous names are subject to the background check. A copy of the background check is given to the individual who, upon successful completion of the training, submits it with an application to be listed on the registry as a certified nursing assistant or a registered direct care worker.

(1) Prior to enrolling an individual, a training program for certified nursing assistants or direct care workers must notify individuals that a background check will be conducted and that certain disqualifying offenses, including criminal convictions, may prohibit an individual from working as a certified nursing assistant or a direct care worker.

B. Pursuant to sections 1717, 1724, 2137, 2149-A, 7706, 8606, 9005 and Title 34-B, section 1225, licensed, certified or registered providers must secure and pay for a background check prior to hiring an individual who will work in direct contact with clients, patients or residents, including a certified nursing assistant or a direct care worker.

C. The department may secure a background check on certified nursing assistants and regis-

tered direct care workers on the registry every 2 years.

D. A person or other legal entity that is not otherwise licensed by the department and that employs or places a certified nursing assistant or direct care worker to provide services allowing direct access must secure and pay for a background check in accordance with state law or rules adopted by the department.

6-B. Convictions within previous 10 years; impact on employment eligibility. The department shall determine the effect of a criminal conviction within the previous 10 years on the employability of an individual as a certified nursing assistant or direct care worker based on rules adopted by the department pursuant to subsection 18.

6-C. Table of crimes. Department rules must include a table of crimes. Specific crimes listed on the table must be considered substantive offenses under Title 17-A, Part 2 or crimes identified in federal or state law that prohibit employment of an individual subject to this chapter. Convictions of specific crimes must be categorized in the table of crimes as disqualifying criminal convictions or nondisqualifying criminal convictions. Convictions in other jurisdictions for similar crimes must be identified as disqualifying or nondisqualifying convictions.

A. A disqualifying criminal conviction within the previous 10 years prohibits employment as a certified nursing assistant or a direct care worker.

(1) An individual with a disqualifying criminal conviction is subject to an employment ban of 10 or 30 years. The department shall adopt rules that specify disqualifying criminal convictions that prohibit employment for 10 years and disqualifying criminal convictions that prohibit employment for 30 years.

B. Nondisqualifying criminal convictions do not prohibit employment as a certified nursing assistant or a direct care worker.

6-D. Petition for removal of an employment ban; criminal conviction. Prior to the expiration of an employment ban under subsection 6-C, paragraph A, subparagraph (1), an individual may petition the department for removal of an employment ban that is based on a disqualifying criminal conviction. Unless otherwise prohibited, removal of the employment ban allows the individual to work as a certified nursing assistant or a direct care worker.

A. No sooner than 5 years after an individual is discharged from the legal restraints imposed by the criminal conviction, an individual may petition the department for removal of a 10-year employment ban.

B. No sooner than 15 years after an individual is discharged from the legal restraints imposed by the criminal conviction, an individual may petition the department for removal of a 30-year employment ban.

C. A successful petitioner must meet the criteria established by department rules for removal of an employment ban. Criteria must include but not be limited to an assessment of the risk of reoffending and the conduct of the petitioner since the conviction.

A petition for removal of an employment ban submitted by a certified nursing assistant or a registered direct care worker must be denied if the conduct that led to the conviction would have resulted in a lifetime ban if that conduct had been investigated as a complaint that resulted in a substantiated finding under subsection 13.

D. When the department grants a petition for removal of an employment ban, the individual, unless otherwise prohibited, may work as a certified nursing assistant or a direct care worker. The notation of the criminal conviction remains on the registry.

7. Time limit on consideration of prior criminal conviction. ~~Except as otherwise provided in this section, an individual may not be employed in a hospital, nursing facility, home health agency or assisted housing program as a certified nursing assistant if that individual has a prior criminal conviction within the last 10 years of:~~

~~A. A crime for which incarceration of 3 years or more may be imposed under the laws of the state in which the conviction occurred; or~~

~~B. A crime for which incarceration of less than 3 years may be imposed under the laws of the state in which the conviction occurred involving sexual misconduct or involving abuse, neglect or exploitation in a setting other than a health care setting.~~

8. Exception; certified nursing assistant convictions prior to June 2, 2003. ~~The restrictions on employment under subsections 6 and 7 based on criminal convictions prior to June 2, 2003 do not apply to an individual listed and active on the registry as a certified nursing assistant prior to the effective date of this subsection June 2, 2003, as long as the individual meets other state and federal requirements for certified nursing assistants and continues to maintain an active status by timely reregistration renewal as required by the rules.~~

9. Notification. ~~A nursing assistant training program must notify applicants to that program of the restrictions under subsections 6 and 7 prior to the acceptance of any applicant.~~

10. Complaint investigation. The department may investigate complaints and allegations against certified nursing assistants or registered direct care workers of abuse, neglect, exploitation or misappropriation of property of a client, patient or resident.

11. Issue a decision. After an investigation under subsection 10, the department shall issue a written decision that the allegation of abuse, neglect, exploitation or misappropriation of property of a client, patient or resident is unsubstantiated or substantiated. Each allegation of abuse, neglect or misappropriation of property must be considered separately. A substantiated finding must be based on factors established by department rules. The written decision must include at least the following information:

A. Whether the allegation is unsubstantiated or substantiated;

B. A description of the factors supporting a substantiated finding;

C. If a notation of a substantiated finding is entered on the registry;

D. A description of the employment prohibition, if any; and

E. Notice of the right to appeal the department's decision pursuant to subsection 12.

12. Right to hearing; appeal. In accordance with department rules, a certified nursing assistant or registered direct care worker may request an administrative hearing to appeal a substantiated finding under subsection 11.

13. Substantiated finding; lifetime employment ban. A certified nursing assistant or a registered direct care worker with a notation of a substantiated finding on the registry is banned for life from employment as either a certified nursing assistant or a direct care worker.

14. Registration requirements; direct care workers. An individual registered by the department as a direct care worker for training, education or compliance purposes must comply with requirements established by department rules, including but not limited to the following:

A. Submission of a completed department-approved application form with required documents;

B. Successful completion of training requirements; and

C. Submission to a background check, if required.

15. Department review of application; decision. After review of an application for an initial or renewed registration for a direct care worker for training, education or compliance purposes, the department

shall render a written decision to either deny or approve the application. The decision must be based on factors established by department rules and the factors must be included in the written decision.

A. A department-issued registration for a direct care worker for training, education or compliance purposes is for a term of 2 years. The issued date and the expiration date must be on the registration.

16. Renewal of registration. Prior to expiration of a direct care worker's registration for training, education or compliance purposes, the direct care worker shall secure a department-issued renewed registration.

17. Failure to renew registration prior to expiration. Upon expiration of the 2-year registration under subsection 15, a direct care worker registered for training, education or compliance purposes pursuant to subsection 14 who fails to secure a department-issued renewed registration will receive a notation on the registry that may disqualify the direct care worker for employment in the capacity for which the training, education or compliance purposes were required. A direct care worker who elects not to renew a registration remains eligible for employment as a direct care worker in a capacity that does not require registration-level training or education pursuant to subsection 14, paragraph B.

18. Rules. The department shall adopt rules necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 10. 22 MRSA §2137, first ¶, as enacted by PL 2009, c. 621, §5, is amended to read:

Beginning October 1, 2010, a temporary nurse agency ~~shall obtain, prior to hiring, employing or placing an individual who will work in direct contact with a consumer, criminal history record information on that individual, including, or who has direct access to a consumer's property, personally identifiable information, financial information or resources, shall obtain a comprehensive background check in accordance with applicable federal and state laws. The comprehensive background check must include, at a minimum, criminal history record information from the Department of Public Safety, State Bureau of Identification. The temporary nurse agency shall pay for the criminal background check required by this section.~~

Sec. 11. 22 MRSA §2138, as amended by PL 2011, c. 257, §16, is repealed and the following enacted in its place:

§2138. Prohibited employment based on disqualifying offenses

A temporary nurse agency shall conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, para-

graph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel including a certified nursing assistant or a direct care worker.

The department may adopt rules necessary to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 12. 22 MRSA §2149-A, sub-§2, as amended by PL 2011, c. 257, §17, is further amended to read:

2. Prohibited employment based on disqualifying offenses. A home health care provider shall ~~obtain criminal history record information about applicants for positions as unlicensed assistive personnel as defined in section 1717, subsection 1, paragraph D and may not hire an individual who: conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel including a certified nursing assistant or a direct care worker.~~

~~A.—Has worked as a certified nursing assistant and has been the subject of a notation by the state survey agency for a substantiated complaint of abuse, neglect or misappropriation of property in a health care setting that was entered on the Maine Registry of Certified Nursing Assistants and Direct Care Workers;~~

~~B.—Has been convicted in a court of law of a crime involving abuse, neglect or misappropriation of property in a health care setting; or~~

~~C.—Has a prior criminal conviction within the last 10 years of:~~

~~(1) A crime for which incarceration of 3 years or more may be imposed under the laws of the state in which the conviction occurred; or~~

~~(2) A crime for which incarceration of less than 3 years may be imposed under the laws of the state in which the conviction occurred involving sexual misconduct or involving abuse, neglect or exploitation in a setting other than a health care setting.~~

The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 13. 22 MRSA §7706, first ¶, as reallocated by RR 2009, c. 2, §61, is amended to read:

Beginning October 1, 2010, a facility or health care provider subject to the licensing or certification processes of chapter 1663, a nursery school subject to chapter 1675 or a hospice provider subject to chapter 1681 ~~shall obtain~~, prior to hiring an individual who will work in direct contact with a consumer, ~~criminal history record information on that individual, including, or who has direct access to a consumer's property, personally identifiable information, financial information or resources, shall obtain a comprehensive background check in accordance with applicable federal and state laws. The comprehensive background check must include, at a minimum, criminal history record information from the Department of Public Safety, State Bureau of Identification. The entity seeking to employ the individual shall pay for the criminal background check required by this section.~~

Sec. 14. 22 MRSA §7851, sub-§4, as enacted by PL 2003, c. 634, §6, is amended to read:

4. Prohibited employment based on disqualifying offenses. A licensed assisted housing program may not hire as unlicensed assistive personnel as defined in section 1717, subsection 1, paragraph D an individual who is prohibited from employment as a certified nursing assistant pursuant to section 1812-G, subsection 6 or 7 must conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel including a certified nursing assistant or a direct care worker.

The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 15. 22 MRSA §8606, as amended by PL 2011, c. 257, §18, is further amended to read:

§8606. Prohibited employment based on disqualifying offenses

1. Prohibited employment based on disqualifying offenses. An adult day care program shall ~~obtain criminal history record information about applicants for positions as unlicensed assistive personnel as defined in section 1717, subsection 1, paragraph D and may not hire an individual who: conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or plac-~~

ing direct access personnel, including, but not limited to, a certified nursing assistant or a direct care worker.

~~A. Has worked as a certified nursing assistant and has been the subject of a notation by the state survey agency for a substantiated complaint of abuse, neglect or misappropriation of property in a health care setting that was entered on the Maine Registry of Certified Nursing Assistants and Direct Care Workers;~~

~~B. Has been convicted in a court of law of a crime involving abuse, neglect or misappropriation of property in a health care setting; or~~

~~C. Has a prior criminal conviction within the last 10 years of:~~

~~(1) A crime for which incarceration of 3 years or more may be imposed under the laws of the state in which the conviction occurred; or~~

~~(2) A crime for which incarceration of less than 3 years may be imposed under the laws of the state in which the conviction occurred involving sexual misconduct or involving abuse, neglect or exploitation in a setting other than a health care setting.~~

The department may adopt rules necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 16. 22 MRSA §9005, as enacted by PL 2011, c. 444, §1, is amended to read:

§9005. Prohibited employment based on disqualifying offenses

1. Prohibited employment based on disqualifying offenses. A veterans' adult day health care program shall ~~obtain criminal history record information about applicants for positions as unlicensed assistive personnel as defined in section 1717, subsection 1, paragraph D and may not hire an individual who: conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including, but not limited to, a certified nursing assistant or a direct care worker.~~

~~A. Has worked as a certified nursing assistant and has been the subject of a notation by the state survey agency for a substantiated complaint of abuse, neglect or misappropriation of property in a health care setting that was entered on the Maine Registry of Certified Nursing Assistants;~~

~~B. Has been convicted in a court of law of a crime involving abuse, neglect or misappropriation of property in a health care setting; or~~

~~C. Has a prior criminal conviction within the last 10 years of:~~

~~(1) A crime for which incarceration of 3 years or more may be imposed under the laws of the state in which the conviction occurred; or~~

~~(2) A crime for which incarceration of less than 3 years may be imposed under the laws of the state in which the conviction occurred involving sexual misconduct or involving abuse, neglect or exploitation in a setting other than a health care setting.~~

The department may adopt rules necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 17. 34-B MRSA §1225, first ¶, as reallocated by RR 2009, c. 2, §94, is amended to read:

Beginning October 1, 2010, a facility or health care provider subject to the licensing provisions of section 1203-A ~~shall obtain~~, prior to hiring an individual who will work in direct contact with a consumer, ~~criminal history record information on that individual, including, or who has direct access to a consumer's property, personally identifiable information, financial information or resources, shall obtain a comprehensive background check in accordance with applicable federal and state laws. The comprehensive background check must include, at a minimum, criminal history record information from the Department of Public Safety, State Bureau of Identification. A facility or provider licensed under section 1203-A is subject to the employment restrictions set out in Title 22, section 1812-G and other applicable federal and state laws when employing direct access personnel, as defined in section 1717, subsection 1, paragraph A-2.~~ The facility or health care provider shall pay for the criminal background check required by this section.

Sec. 18. Department implementation. The Department of Health and Human Services shall begin registering direct care workers for training, education or compliance purposes and listing them on the registry established pursuant to the Maine Revised Statutes, Title 22, section 1812-G after the department adopts rules pursuant to Title 22, section 1812-G.

See title page for effective date.

CHAPTER 197

H.P. 666 - L.D. 967

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2015-16

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; and

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

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

Sec. 1. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2015-16 is as follows:

Audit - Fiscal Administration	\$254,952
Education	12,129,121
Forest Fire Protection	150,000
Human Services - General Assistance	55,750
Property Tax Assessment - Operations	950,000
Maine Land Use Planning Commission - Operations	529,025
TOTAL STATE AGENCIES	\$14,068,848

County Reimbursements for Services:

Aroostook	\$1,216,139
Franklin	1,029,624
Hancock	223,152
Kennebec	12,115

Oxford	1,247,937
Penobscot	1,033,537
Piscataquis	1,008,711
Somerset	1,463,162
Washington	870,612
TOTAL COUNTY SERVICES	\$8,104,989
COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND	
Tax Increment Financing Payments	\$2,800,000
TOTAL REQUIREMENTS	\$24,973,837
COMPUTATION OF ASSESSMENT	
Requirements	\$24,973,837
Less Deductions:	
General -	
State Revenue Sharing	\$0
Homestead Reimbursement	93,945
Miscellaneous Revenues	16,000
Transfer from unassigned fund balance	2,400,000
TOTAL GENERAL DEDUCTIONS	\$2,509,945
Educational -	
Land Reserved Trust	\$70,000
Tuition/Travel	124,516
United States Forestry Payment in Lieu of Taxes	15,000
Special - Teacher Retirement	208,801
TOTAL EDUCATION DEDUCTIONS	\$418,317
TOTAL DEDUCTIONS	\$2,928,262
TAX ASSESSMENT	\$22,045,575

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

Effective June 16, 2015.

CHAPTER 198

H.P. 222 - L.D. 328

An Act To Allow Personal Representatives of Children Access to Certain Documents of the Department of Health and Human Services Regarding Child Protective Activities

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

Sec. 1. 22 MRSA §4008, sub-§2, ¶J, as amended by PL 2007, c. 140, §6, is further amended to read:

J. A person making a report of suspected abuse or neglect. The department may only disclose that it has not accepted the report for investigation, unless other disclosure provisions of this section apply; ~~and~~

Sec. 2. 22 MRSA §4008, sub-§2, ¶K, as enacted by PL 2007, c. 140, §7 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

K. The local animal control officer or the animal welfare program of the Department of Agriculture, Conservation and Forestry established pursuant to Title 7, section 3902 when there is a reasonable suspicion of animal cruelty, abuse or neglect. For purposes of this paragraph, "cruelty, abuse or neglect" has the same meaning as provided in Title 34-B, section 1901, subsection 1, paragraph B; ~~and~~

Sec. 3. 22 MRSA §4008, sub-§2, ¶L is enacted to read:

L. The personal representative of the estate of a child named in a record who is reported to be abused or neglected.

See title page for effective date.

CHAPTER 199

H.P. 450 - L.D. 669

An Act To Create a Spat Collection License

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

Sec. 1. 12 MRSA §6074-A is enacted to read:

§6074-A. Spat collection license

1. Definition. As used in this section, "spat" means sea scallops, *Placopecten magellanicus*, or blue

mussels, *Mytilus edulis*, in the post-larval stage that have gone through metamorphosis and settled on a substrate. The commissioner may, by rule, add additional species to this definition.

2. License required. A person may not engage in the activities authorized under this section without a current spat collection license issued by the commissioner. A person who holds a lease issued under section 6072 or 6072-A or a license issued under section 6072-C is exempt from the requirement to obtain a spat collection license to collect spat on the lease site or in connection with the license issued under section 6072-C if the species is commercially cultured and listed on that person's lease or license.

3. Licensed activity. The holder of a spat collection license may take, possess or sell the spat of marine organisms identified on the spat collection license.

4. Type and amount of gear. The commissioner shall specify on a spat collection license the method of taking and the type and amount of gear authorized by the license.

5. Eligibility. A spat collection license may be issued only to an individual who is a resident of the State.

6. Rules. The commissioner shall adopt rules that define the maximum size of spat for each species that a holder of a spat collection license is authorized to take. The commissioner may adopt rules to limit the amount of spat collected and the type and amount of gear that may be used for spat collection for each species. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7. License holder exempted. The holder of a spat collection license is exempt from the requirement to hold a license under this Part for harvesting the species identified on the spat collection license up to the maximum size of spat that is specified for that species in rule. The holder of a spat collection license is exempt from the time restrictions on taking and possessing and minimum size requirements for that species up to the maximum size of spat that is specified for that species in rule.

8. Fees. The fee for a spat collection license is \$75. All fees collected under this subsection accrue to the Aquaculture Management Fund established in section 6072-D.

9. Reporting. The commissioner may require the holder of a spat collection license to report annually on the quantity of spat collected and whether the spat was used for aquaculture or stock enhancement activities.

10. Violation. A person who violates this section commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

Sec. 2. Effective date. This Act takes effect January 1, 2016.

Effective January 1, 2016.

CHAPTER 200

H.P. 572 - L.D. 838

An Act To Enhance Equity and Efficiency for Off-track Betting Facilities

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

Sec. 1. 8 MRSA §275-A, sub-§7-A is enacted to read:

7-A. Net commission. "Net commission" means the total commission less 4% of the amount wagered.

Sec. 2. 8 MRSA §275-N, as amended by PL 2003, c. 401, §14, is further amended to read:

§275-N. Limitations on off-track betting facilities

The commission may ~~not~~ and license any off-track betting facility regardless of the number of race dates that were conducted in the State for any calendar year ~~unless during the preceding 2 calendar years there were at least 150 race dates on which live racing actually was conducted at the commercial tracks.~~ Interstate simulcasting always must be allowed at any commercial track that conducted at least 136 race dates during the immediately preceding 2 calendar years or at an existing commercial track as defined in section 275-A, subsection 1, paragraph B at which at least 35 race dates were conducted during the preceding 2 years if the interstate simulcasting at the commercial track is conducted during the regular meeting. For the purposes of this section, any race date that the commission determines was canceled due to a natural or other disaster must be counted as a race date. For the purposes of this section and for the purpose of meeting the requirements of section 275-A, subsection 1, any race date that is canceled at a commercial race track due to the inability to meet the requirements of section 275-A, subsection 9-A because of a horse shortage, as verified by the state steward, is counted as a race date.

Sec. 3. 8 MRSA §286, sub-§4, as enacted by PL 1997, c. 528, §46, is amended to read:

4. Off-track betting facility interstate simulcasting with commingled pools. The distribution of the commission on simulcasting of races with commingled pools originating at a racetrack in another state by an off-track betting facility is calculated as a percentage of the commission with respect to the State's share and as percentages of the net commission

with respect to all other participants' shares and is distributed as follows.

A. On exotic wagers:

- (1) The state share is 8.647% for an off-track betting facility located in the same municipality as a commercial track and 9.801% for all other facilities;
- (2) The Sire Stakes Fund share is 5.965%;
- (3) The Stipend Fund share is 4.494%;
- (4) The purse supplement share is 16.558%;
- (5) The Harness Racing Promotional Fund share is 0.962%;
- (6) The off-track betting facility share is ~~49.269%~~ all amounts not otherwise assigned; and
- (7) The off-track betting facility simulcast fund share is 12.951%.

B. On regular wagers:

- (1) The state share is 2.739% for an off-track betting facility located in the same municipality as a commercial track and 4.405% for all other facilities;
- (2) The Sire Stakes Fund share is 0.400%;
- (3) The Stipend Fund share is 6.590%;
- (4) The purse supplement share is 8.399%;
- (5) The Harness Racing Promotional Fund share is 1.389%;
- (6) The off-track betting facility share is ~~60.190%~~ all amounts not otherwise assigned; and
- (7) The off-track betting facility simulcast fund share is 18.627%.

See title page for effective date.

CHAPTER 201

H.P. 845 - L.D. 1227

An Act To Provide for Improved Reporting of Marine Resources Landings

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

Sec. 1. 12 MRSA §6173, sub-§§3 and 4 are enacted to read:

3. Equipment required. The commissioner may require a person licensed under chapter 625 to purchase specific equipment that is necessary to comply

with rules regarding electronic reporting adopted pursuant to this section as a condition of engaging in the licensed activities.

4. Reimbursement for equipment provided. If the holder of a license issued under chapter 625 fails to pay a fee or charge for equipment that is necessary to comply with rules regarding electronic reporting adopted pursuant to this section and that was provided by the department and either not returned to the department by the license holder or returned in poor condition, the commissioner may refuse to renew or issue any marine resources license or permit to that license holder.

Sec. 2. 12 MRSA §6535, sub-§2, as amended by PL 2013, c. 492, §6, is further amended to read:

2. Licensed activity. A person licensed under this section may tend divers who harvest sea urchins and scallops by hand and operate a boat as a platform for the harvesting of sea urchins and scallops by hand and may possess, ship, transport and sell sea urchins and scallops harvested by licensed harvesters subject to the requirements of paragraph A. A sea urchin and scallop diving tender license does not authorize the holder to harvest sea urchins and scallops. As used in this subsection, "tend" means to assist the diver in any way, to operate a boat as a platform for harvesting or to cull or otherwise handle the harvested product.

~~A. A diving tender licensed under this section may not sell sea urchins or scallops unless the person:~~

- ~~(1) Sells sea urchins to a purchaser who holds a valid wholesale seafood license with a sea urchin buyer's permit or a valid wholesale seafood license with a sea urchin processor's permit or a valid retail seafood license or sells scallops to a purchaser who holds a valid wholesale seafood license or a valid retail seafood license; and~~

- ~~(2) Provides to the purchaser the name and license number of the license holder with whom the person was engaged when the sea urchins or scallops were harvested.~~

~~B. A holder of a wholesale seafood license, a wholesale seafood license with a sea urchin buyer's permit or a wholesale seafood license with a sea urchin processor's permit or a retail seafood license who purchases scallops or sea urchins from a diving tender licensed under this section may not purchase the sea urchins or scallops except by check or cashier's check unless there is a written receipt associated with the transaction, and the holder of a wholesale seafood license, a wholesale seafood license with a sea urchin buyer's permit or a wholesale seafood license with a sea urchin processor's permit or a retail seafood license who purchases scallops or sea urchins~~

~~from a licensed diving tender shall report the information provided by the person under paragraph A, subparagraph (2) in accordance with section 6173.~~

As long as one person present on a boat engaged as a platform for the harvesting of sea urchins and scallops by hand has met the tender safety requirements adopted by rule pursuant to section 6533, all other persons present on the boat may operate the boat or engage in culling activities or otherwise handle the harvested product. An individual who engages in harvesting activities in accordance with a license issued under section 6701 or 6748 may not be considered as the person who has met the tender safety requirements adopted by rule pursuant to section 6533.

Sec. 3. 12 MRSA §6701, sub-§2, as repealed and replaced by PL 2009, c. 561, §22, is amended to read:

2. Licensed activity. The holder of a hand fishing scallop license may take scallops by hand or possess, ship, transport or sell shucked scallops the holder has taken. ~~An unlicensed person acting as a tender for an individual licensed under subsection 5, paragraph B, in accordance with subsection 4, may possess, ship, transport and sell shucked scallops the hand fishing scallop license holder has taken.~~ A person may not act as a tender under subsection 5, paragraph B unless that person has met the tender safety requirements adopted by rule pursuant to section 6533.

Sec. 4. 12 MRSA §6748, sub-§2, as corrected by RR 2013, c. 1, §23, is amended to read:

2. Licensed activity. The holder of a handfishing sea urchin license may take sea urchins by hand or possess, ship, transport or sell sea urchins. ~~An unlicensed person acting as a tender for an individual licensed under subsection 4, paragraph B, in accordance with subsection 1 A, may possess, ship, transport and sell sea urchins the handfishing sea urchin license holder has taken subject to the requirements of paragraph A.~~

~~A. An unlicensed person acting as a tender may not sell sea urchins unless the person:~~

~~(1) Sells sea urchins to a purchaser who holds a valid wholesale seafood license with a sea urchin buyer's permit or a valid wholesale seafood license with a sea urchin processor's permit or a valid retail seafood license; and~~

~~(2) Provides to the purchaser the name and license number of the license holder with whom the person was engaged when the sea urchins were harvested.~~

~~B. A holder of a wholesale seafood license with a sea urchin buyer's permit or a wholesale seafood license with a sea urchin processor's permit or a retail seafood license who purchases sea urchins~~

~~from an unlicensed person acting as a tender must purchase the sea urchins by check or cashier's check unless there is a written receipt associated with the transaction, and the holder of a wholesale seafood license with a sea urchin buyer's permit or a wholesale seafood license with a sea urchin processor's permit or a retail seafood license who purchases sea urchins from an unlicensed person acting as a tender shall report the information provided by the person under paragraph A, subparagraph (2) in accordance with section 6173.~~

A person may not act as a tender under subsection 4, paragraph B unless that person has met the tender safety requirements adopted by rule pursuant to section 6533.

Sec. 5. 12 MRSA §6851, sub-§2, ¶A, as amended by PL 2011, c. 598, §41, is further amended to read:

A. Within or beyond the state limits, buy, sell, process, ship or transport any marine species or their parts, except lobsters and sea urchins; scallops purchased directly from harvesters; and shrimp purchased directly from harvesters;

Sec. 6. 12 MRSA §6851, sub-§2-E is enacted to read:

2-E. Wholesale seafood license with a scallop permit. At the request of the applicant, the commissioner shall issue a wholesale seafood license with a scallop permit. A person holding a wholesale seafood license with a scallop permit may engage in all of the activities in subsection 2, may buy scallops from harvesters and may sell, process, ship or transport scallops.

See title page for effective date.

CHAPTER 202

H.P. 7 - L.D. 4

An Act To Promote Industrial Hemp

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

Whereas, farmers need adequate time to prepare for their upcoming growing seasons and industrial hemp cultivation involves numerous time-sensitive planning considerations; and

Whereas, cultivation of industrial hemp may provide a valuable economic opportunity for farmers that begin cultivating as soon as possible; and

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

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

Sec. 1. 7 MRSA §2231, as enacted by PL 2009, c. 320, §1, is amended to read:

§2231. Industrial hemp

1. Definition. As used in this chapter, unless the context otherwise indicates, "industrial hemp" means any variety of *Cannabis sativa* L. with a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis and that is grown or possessed by a licensed grower in compliance with this chapter. As used in this chapter, unless the context otherwise indicates, "certified seed source" means a source of hemp seeds that are certified by a 3rd party as producing hemp having a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis.

2. Growing permitted. Notwithstanding any other provision of law, a person may plant, grow, harvest, possess, process, sell and buy industrial hemp if that person holds a license issued pursuant to subsection 4. A person licensed pursuant to subsection 4 may plant, grow and harvest only hemp that is grown from seeds acquired from a certified seed source. A person licensed pursuant to subsection 4 may acquire hemp seeds directly from a certified seed source or from a hemp seed distributor licensed in this State distributing hemp seeds pursuant to subsection 2-A.

2-A. Seed distribution. The commissioner may issue a license for a hemp seed distributor if the hemp seeds distributed by the hemp seed distributor are from a certified seed source. The commissioner may issue a license under this subsection to a holder of a seed labeling license pursuant to section 1044-A.

3. Application. A person desiring to grow industrial hemp for commercial purposes shall apply to the commissioner for a license on a form prescribed by the commissioner. The application must include the name and address of the applicant, the legal description of the land area to be used for the production of industrial hemp and a map, an aerial photograph or global positioning coordinates sufficient for locating the production fields. ~~Except for employees of the Maine Agricultural Experiment Station and the University of Maine System involved in research and related activities, an applicant for an initial licensure must submit a set of the applicant's fingerprints, taken by a law enforcement officer, and any other information necessary to complete a statewide and nationwide criminal history record check by the Department of Public Safety,~~

~~State Bureau of Identification and the Federal Bureau of Investigation. All costs associated with the criminal history record check are the responsibility of the applicant and must be submitted with the fingerprints. Criminal history records provided to the commissioner under this section are confidential. The results of criminal records checks received under this subsection may only be used in determining an applicant's eligibility for licensure. A person with a prior criminal conviction is not eligible for licensure.~~

4. License issued. Upon review and approval of an application, the commissioner shall notify the applicant and request that the application fee determined under subsection 7 be submitted. Upon receipt of the appropriate fee ~~and in accordance with subsection 8~~, the commissioner shall issue a license, which is valid for a period of one year and only for the site or sites specified in the license.

5. Documentation. ~~A licensee shall file with the commissioner documentation indicating that the seeds planted were of a type and variety of hemp approved by the commissioner as having a concentration of no more than 0.3% delta 9 tetrahydrocannabinol by dry weight and a copy of any contract to grow industrial hemp. A licensee shall notify the commissioner of the sale or distribution of industrial hemp grown by the licensee and the name of each person to whom the industrial hemp was sold or distributed.~~

6. Rules. The commissioner shall adopt rules to establish ~~approved varieties of industrial hemp, protocols for testing plant parts during growth for delta 9 tetrahydrocannabinol levels~~ an application fee, a license fee, per acre fees for monitoring, sampling and testing and guidelines for monitoring the growth and harvest of industrial hemp. Rules adopted pursuant to this subsection are major substantive routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7. Fees. The commissioner shall establish through rulemaking under subsection 6 an application fee, a license fee and per acre fees for monitoring, sampling and testing that are reasonable and necessary to cover the costs of the department. The application fee must be no less than \$50 and no more than \$100, the license fee must be no less than \$100 and no more than \$500, and the fees for monitoring, sampling and testing must be no less than \$1 per acre and no more than \$100 per acre.

All fees received pursuant to this subsection must be paid to the Treasurer of State and credited to a separate, nonlapsing account in the department. Money received pursuant to this subsection must be used for the expenses of administering this chapter.

8. Licensing contingent upon action by Federal Government. ~~A license may not be issued under this section unless:~~

~~A. The United States Congress excludes industrial hemp from the definition of "marihuana" for the purpose of the Controlled Substances Act, 21 United States Code, Section 802(16); or~~

~~B. The United States Department of Justice, Drug Enforcement Administration takes affirmative steps towards issuing a permit under 21 United States Code, Chapter 13, Subchapter 1, Part C to a person holding a license issued by a state to grow industrial hemp.~~

~~The commissioner shall notify the Revisor of Statutes and the Commissioner of Public Safety when the requirements of either paragraph A or B have been met.~~

Sec. 2. Appropriations and allocations.

The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Division of Plant Industry 0831

Initiative: Provides funding to adopt routine technical rules establishing an application fee, a license fee, a per acre fee for monitoring, sampling and testing and guidelines for monitoring the growth and harvest of industrial hemp.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,500	\$0

Division of Plant Industry 0831

Initiative: Provides funding for one half-time Certified Seed Specialist position and related costs to conduct testing, inspection and monitoring related to the production of industrial hemp.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$30,032	\$30,032
All Other	\$8,197	\$7,911
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,229	\$37,943

Office of the Commissioner 0401

Initiative: Provides funds for the Department of Administrative and Financial Services, Office of Information Technology costs associated with the Certified Seed Specialist position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,968	\$1,968
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,968	\$1,968
AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$42,697	\$39,911
DEPARTMENT TOTAL - ALL FUNDS	\$42,697	\$39,911

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

Effective June 16, 2015.

CHAPTER 203

S.P. 280 - L.D. 782

An Act To Improve the Quality of Life of Persons with Serious Illnesses

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

Sec. 1. 5 MRSA §12004-I, sub-§47-I is enacted to read:

47-I.

<u>Human Services</u>	<u>Palliative Care and Quality of Life Interdisciplinary Advisory Council</u>	<u>Expenses Only</u>	<u>22 MRSA §1726</u>

Sec. 2. 22 MRSA §1726 is enacted to read:

§1726. Palliative Care and Quality of Life Interdisciplinary Advisory Council

The Palliative Care and Quality of Life Interdisciplinary Advisory Council, as established in Title 5, section 12004-I, subsection 47-I and referred to in this section as "the advisory council," is established to im-

prove the quality and delivery of patient-centered and family-focused care in accordance with this section.

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

A. "Palliative care" means patient-centered and family-focused medical care that optimizes quality of life by anticipating, preventing and treating suffering caused by a medical illness or a physical injury or condition that substantially affects a patient's quality of life, including, but not limited to, addressing physical, emotional, social and spiritual needs; facilitating patient autonomy and choice of care; providing access to information; discussing the patient's goals for treatment and treatment options, including, when appropriate, hospice care; and managing pain and symptoms comprehensively.

B. "Serious illness" means a medical illness or physical injury or condition that substantially affects quality of life for more than a short period of time. "Serious illness" includes, but is not limited to, Alzheimer's disease and related dementias, lung disease, cancer and heart, renal or liver failure.

2. Membership. The advisory council consists of the following members:

A. Five persons with experience and expertise in palliative care in acute hospital care, long-term care, in-home care and hospice care with respect to pediatric, youth, adult and elderly populations as follows:

(1) Two persons appointed by the Governor. One person must be a physician who is certified by a national board of hospice and palliative medicine. One person must be a registered nurse or advanced practice registered nurse who is certified by a national board for certification of hospice and palliative nurses; and

(2) Three persons appointed by the executive director of the Maine Hospice Council, established in section 8611, who are health professionals with palliative care work experience or expertise in the delivery of palliative care;

B. Two persons appointed by the President of the Senate. One person must be a licensed pharmacist with experience working with persons with serious illnesses. One person must represent hospitals in the State;

C. Two persons appointed by the Speaker of the House of Representatives. One person must be a licensed social worker with experience working with persons with serious illnesses and their fam-

ily members. One person must represent health insurers;

D. Two persons appointed by the member of the Senate who is the leader of the minority party in the Senate. Both persons must represent statewide organizations that advocate on behalf of persons with serious illnesses;

E. Two persons appointed by the member of the House of Representatives who is the leader of the minority party in the House. One person must be a spiritual counselor with experience working with persons with serious illnesses and their family members. One person must represent persons 55 years of age and older; and

F. The executive director of the Maine Hospice Council, established in section 8611, who serves as a nonvoting member.

3. Terms; vacancies; expense reimbursement.

A person appointed to the advisory council serves a 3-year term, subject to termination by decision of the appointing authority. When a vacancy occurs, the appointing authority shall appoint a new member to serve for 3 years. As provided in Title 5, section 12004-I, subsection 47-I, members serve on a voluntary basis, are not eligible for payment for their service and may be reimbursed for necessary expenses.

4. Conduct of business. At the first meeting of the advisory council and annually thereafter, the members shall elect from the membership a chair and a vice-chair and shall determine their duties. The chair and vice-chair shall call at least 2 meetings per year and other meetings as requested by a majority of the membership or as determined by the chair and vice-chair. A majority of the membership constitutes a quorum. All meetings of the advisory council are public proceedings, are open to the public and must be held in locations that are convenient for public access and that are provided by the Maine Hospice Council, established in section 8611. As appropriate to the agenda for the meeting and in conformance with the Maine Administrative Procedure Act, all meetings must provide an opportunity for public comment.

5. Duties. The advisory council shall:

A. Consult with and advise the Maine Center for Disease Control and Prevention on matters related to the establishment, maintenance, operation and evaluation of palliative care initiatives in the State;

B. Analyze palliative care being provided in the State;

C. Make recommendations to improve palliative care and the quality of life of persons with serious illnesses; and

D. Submit a report to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs, health and human services matters and insurance and financial services matters by January 1st each year providing the findings and recommendations of the advisory council.

6. Funding. The advisory council may accept funding that is not public funding.

Sec. 3. 22 MRSA §8615 is enacted to read:

§8615. Palliative care initiatives

To the extent allowed by available resources, the council shall establish a palliative care consumer and professional information and education program to maximize the effectiveness of palliative care initiatives by ensuring that comprehensive and accurate information and education are available to the public, health care providers and health care facilities. The council shall publish and maintain on a publicly accessible website information and resources related to palliative care, including, but not limited to, links to external resources, continuing professional education opportunities, delivery of palliative care in the home and in primary, secondary and tertiary care environments, best practices for palliative care delivery and consumer educational materials and referral information for palliative care, including hospice care. The council may develop and implement other initiatives regarding palliative care services and education as it determines to be appropriate. The council may seek and accept funding to cover the costs of the Palliative Care and Quality of Life Interdisciplinary Advisory Council under section 1726. In performing its work under this section, the council shall consult with the Palliative Care and Quality of Life Interdisciplinary Advisory Council.

Sec. 4. Palliative Care and Quality of Life Interdisciplinary Advisory Council. Appointments to the Palliative Care and Quality of Life Interdisciplinary Advisory Council required by this Act must be made no later than 90 days after the effective date of this Act. Notwithstanding the Maine Revised Statutes, Title 22, section 1726, subsection 3, each appointing authority, when making initial appointments under Title 22, section 1726, subsection 2, paragraphs B to D, shall appoint one person for a 2-year term and one person for a 3-year term. When all appointments have been made, the executive director of the Maine Hospice Council, established in Title 22, section 8611, shall call and convene the first meeting of the advisory council. The first meeting of the advisory council must be held no later than October 1, 2015.

See title page for effective date.

CHAPTER 204
H.P. 563 - L.D. 829

**An Act To Amend the Trespass
Laws Pertaining to Railroad
Property**

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

Whereas, knowingly entering a railroad right-of-way without right creates potential public safety issues requiring immediate attention; and

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

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

Sec. 1. 23 MRSA §7007, sub-§3, as enacted by PL 2003, c. 452, Pt. L, §12 and affected by Pt. X, §2, is amended to read:

3. Penalties. The following penalties apply to violations of this section.

A. A person who violates subsection 1 commits a civil violation for which a fine of not less than ~~\$5~~ \$50 and not more than \$100 may be adjudged.

B. A person who violates subsection 1 after having previously violated subsection 1 commits a civil violation for which a fine of not less than ~~\$100~~ \$250 and not more than \$500 may be adjudged.

C. A person who violates subsection 1 after having previously violated subsection 1 ~~2 or more~~ times commits a civil violation for which a fine of not less than ~~\$500~~ \$750 and not more than ~~\$1000~~ \$1,000 may be adjudged.

C-1. A person who violates subsection 1 after having previously violated subsection 1 3 or more times commits a Class E crime.

D. A person who violates subsection 2 commits a Class E crime. Violation of subsection 2 is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

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

Effective June 16, 2015.

CHAPTER 205
H.P. 808 - L.D. 1176

**An Act To Prohibit the Sale
and Possession of Powdered
Alcohol in the State**

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

Sec. 1. 28-A MRSA §2089 is enacted to read:

§2089. Powdered alcohol

1. Possession and use prohibited. A person may not possess or use alcohol in a powdered or crystalline form.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$250 and not more than \$500 must be adjudged.

B. A person who violates this subsection after having been previously adjudicated as violating this subsection commits a civil violation for which a fine of not less than \$500 and not more than \$3,000 must be adjudged.

2. Selling or furnishing prohibited. A person may not sell, furnish or give away or offer for sale or offer to furnish or give away alcohol in a powdered or crystalline form.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 must be adjudged.

B. A person who violates this subsection after having been previously adjudicated as violating this subsection commits a Class E crime for which a fine of not less than \$1,000 and, notwithstanding Title 17-A, section 1301, not more than \$5,000 must be imposed. In addition to a fine imposed under this subsection, if the person is a licensee under chapter 19, 43, 45, 51 or 55, the court may suspend that person's license for up to one year in accordance with chapter 33. A violation under this paragraph is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

See title page for effective date.

CHAPTER 206
H.P. 898 - L.D. 1320

**An Act To Amend the Laws
Relating to Motor Vehicles**

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

Sec. 1. 29-A MRSA §101, sub-§55, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

55. Pickup truck. "Pickup truck" means a truck with a registered gross vehicle weight of ~~6,000~~ 10,000 pounds or less.

Sec. 2. 29-A MRSA §453, sub-§3-A, as amended by PL 2009, c. 435, §1, is further amended to read:

3-A. Restrictions. The Secretary of State, ~~in the Secretary of State's discretion~~, may refuse to issue or may recall a ~~vanity~~ plate issued under this section that:

~~A. Consists of or comprises language that is obscene, contemptuous, profane or prejudicial;~~

~~B. Promotes abusive or unlawful activity;~~

C. Falsely suggests an association with public institutions; ~~or~~

D. Is duplicative; ~~or~~

E. The Secretary of State finds consists of language that encourages violence or may result in an act of violence or other unlawful activity because of the content of the language requested by the registrant.

Sec. 3. 29-A MRSA §457, sub-§7, as amended by PL 1999, c. 790, Pt. C, §1 and affected by §19, is further amended to read:

7. Registration fee. The fee for registration of ~~an antique auto~~, a horseless carriage or antique motorcycle is \$15. The fee for registration of a street rod or antique auto is \$30.

Sec. 4. 29-A MRSA §501, sub-§1, as amended by PL 2011, c. 356, §6, is further amended to read:

1. Automobiles; pickup trucks. The fee for an automobile, a pickup truck registered for 6,000 pounds or less or a sport utility vehicle used for the conveyance of passengers or interchangeably for passengers or property is \$35. The fee for a pickup truck registered for more than 6,000 pounds but no more than 10,000 pounds is \$37.

An automobile or sport utility vehicle used for the conveyance of passengers or property is a "combination" vehicle and may be issued a special plate with the word "combination" instead of "Vacationland." A passenger vehicle used under contract with the State, a municipality or a school district to transport students must be designated as "combination." A vehicle owned or operated by parents or legal guardians is exempt from this subsection.

Commercial plates may not be issued for or displayed on an automobile.

A sport utility vehicle may be registered either as an automobile or a truck. A sport utility vehicle with a gross vehicle weight or combined gross vehicle weight in excess of 10,000 pounds and used in the furtherance of a commercial enterprise must be registered as a truck according to its actual gross weight as provided in section 504.

The gross weight of a pickup truck registered as provided by this subsection may not exceed ~~6,000~~ 10,000 pounds. An owner of a pickup truck who operates the pickup truck with a gross weight in excess of ~~6,000~~ 10,000 pounds or the pickup truck drawing a semi-trailer with a combined gross weight in excess of ~~6,000~~ 10,000 pounds must register the truck as provided in section 504.

~~A combination of vehicles consisting of a pickup truck as defined in section 101, subsection 55 and a semi-trailer with a registered weight of 2,000 pounds or less may be operated at the combined gross weight of the pickup truck and the semitrailer.~~

A combination of vehicles consisting of a motor vehicle and a camp trailer is not required to be registered for the gross weight of the combination.

Beginning July 1, 2009, \$10 of the fee must be transferred on a quarterly basis by the Treasurer of State to the TransCap Trust Fund established by Title 30-A, section 6006-G.

Sec. 5. 29-A MRSA §1258, sub-§7, as amended by PL 1995, c. 482, Pt. A, §21, is further amended to read:

7. Confidentiality. A report received or made by the board, a member or the Secretary of State for the purpose of assisting the Secretary of State in determining whether a person is qualified to be licensed is confidential and only for the use of the board, the Secretary of State, medical personnel treating the person subject to review and the person ~~under~~ subject to review.

These reports may not be divulged to another person unless the person ~~under~~ subject to review gives written permission.

Sec. 6. 29-A MRSA §1307, sub-§4, as amended by PL 2013, c. 381, Pt. B, §17, is further amended to read:

4. Cancellation of examination appointment. If an examination requires an appointment and the applicant does not keep that appointment, the Secretary of State shall assess an additional \$30 fee for a Class A ~~or~~ Class B or Class C commercial examination and \$20 for a bus, school bus or Class C non-commercial examination at the time of reappointment for examination. If the applicant notifies the Department of the Secretary of State, Bureau of Motor Vehicles, Driver Examination Section of cancellation at

least 48 hours prior to the examination, the Secretary of State shall waive the additional fee.

Sec. 7. 29-A MRSA §1405, sub-§3, as amended by PL 2013, c. 381, Pt. B, §23, is repealed and the following enacted in its place:

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

Sec. 8. 29-A MRSA §1912, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Cutouts prohibited. ~~Except as provided in subsection 5, a~~ A muffler or exhaust system may not be equipped with a cutout, bypass or similar device.

Sec. 9. 29-A MRSA §1912, sub-§5, as repealed and replaced by PL 2003, c. 452, Pt. Q, §23 and affected by Pt. X, §2, is repealed.

Sec. 10. 30-A MRSA §3772, sub-§3, as amended by PL 2011, c. 545, §§4-7, is further amended to read:

3. Information required. The record of each scrap metal purchase transaction required under subsection 1 must be on a form prescribed by the Commissioner of Public Safety and contain the following information:

A. The name, address and gender of the seller. The scrap metal processor shall require the seller to provide proof of identification with a driver's license, military identification card, passport or other form of government-issued photo identification. The scrap metal processor shall photocopy the form of photo identification presented and record the distinct identifying number of that photo identification. If the proof of identification contains a photograph that is faded, out of date or otherwise indiscernible, the scrap metal processor shall photograph the seller. A scrap metal processor shall keep these proof of identification records in a secure, nonpublic location and, unless otherwise permitted by law, may not publish, reproduce, distribute or disclose these records for any other purpose than that described in section 3773, subsection 2. Information required under this paragraph may be maintained for repeat sellers in a relational database that allows the scrap metal processor to record the information one time and relate future purchase records to that information;

B. The date of the scrap metal purchase transaction;

C. A general description of the predominant types of scrap metal purchased, which must be made in accordance with the custom of the trade;

D. A general description of the configuration of the scrap metal and whether the material is insulated;

E. The weight, quantity or volume, recorded in accordance with the custom of the trade, of the scrap metal purchased;

F. The consideration paid;

G. A signed statement that the seller is the owner or is otherwise authorized to sell the scrap metal on a form provided by the buyer that conspicuously bears the warning that making a false statement is a Class D crime under Title 17-A, section 453; and

H. The make, model and number and state of issue of the license plate of the vehicle being used to deliver the scrap metal.

See title page for effective date.

CHAPTER 207

S.P. 108 - L.D. 294

An Act To Allow a Home Heating Oil Delivery Driver To Bleed a Home Heating Oil Burner

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

Sec. 1. 32 MRSA §18134-A is enacted to read:

§18134-A. Exception; bleeding of a residential home heating oil burner

Notwithstanding section 18134, paragraph C, a home heating oil delivery driver may bleed a residential home heating oil burner without direct supervision if the delivery driver has documentation of having completed a board-approved training course in bleeding oil burners. If the oil burner fails to operate after bleeding, the delivery driver shall refer the problem to a journeyman oil and solid fuel burning technician or master oil and solid fuel burning technician.

See title page for effective date.

CHAPTER 208

S.P. 146 - L.D. 378

An Act To Facilitate the Issuance of a Gravestone for a Deceased Veteran with No Next of Kin

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

Sec. 1. 22 MRSA §2843-A, sub-§1, ¶D, as amended by PL 2009, c. 159, §1, is further amended to read:

D. "Next of kin" means a person having the following relationship to the subject, in the following order of priority:

(1) The spouse;

(1-A) A domestic partner. For purposes of this section, "domestic partner" means the partner of the subject who:

(a) Is a mentally competent adult;

(b) Had been legally domiciled with the subject for at least 12 months immediately preceding the death of the subject;

(c) Is not legally married to or legally separated from another individual;

(d) Was the sole partner of the subject; and

(e) Was jointly responsible with the subject for each other's common welfare as evidenced by joint living arrangements, joint financial arrangements or joint ownership of real or personal property;

(2) An adult son or daughter;

(3) A parent;

(4) An adult brother or sister;

(5) An adult grandchild;

(6) An adult niece or nephew who is the child of a brother or sister;

(7) A maternal grandparent;

(8) A paternal grandparent;

(9) An adult aunt or uncle;

(10) An adult first cousin; ~~or~~

(11) Any other adult relative in descending order of blood relationship; ~~or~~

(12) If the subject is a veteran and has no known living spouse or adult relative, the Adjutant General or the Adjutant General's designee. For purposes of this paragraph, "veteran" has the same meaning as in section 2900, subsection 1, paragraph B.

Sec. 2. 22 MRSA §2900, sub-§3, as enacted by PL 2011, c. 318, §1, is amended to read:

3. Sharing information. Notwithstanding any other provision of law, a funeral director, the Adjutant General or other authorized person under subsection 2

may share information concerning cremated remains in the funeral director's or other authorized person's possession with the United States Department of Veterans Affairs, the Adjutant General, a veterans' service organization or a national cemetery to determine whether the cremated remains are those of a veteran.

Sec. 3. 37-B MRSA §515 is enacted to read:

§515. Adjutant General as next of kin

If the Adjutant General is next of kin to a veteran under Title 22, section 2843-A, the Adjutant General shall ensure that the veteran receives all benefits to which the veteran is entitled, including a grave marker or other death benefit from the United States Department of Veterans Affairs.

See title page for effective date.

CHAPTER 209

S.P. 288 - L.D. 814

**An Act To Update the Maine
Veterinary Practice Act**

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

Sec. 1. 7 MRSA §3939-A, sub-§2, as enacted by PL 2007, c. 439, §23, is amended to read:

2. Detrimental to health. If a licensed veterinarian or licensed veterinary technician as defined in Title 32, section 4853 determines that a dog or cat is too sick or injured or that it would otherwise be detrimental to the health of the dog or cat to be spayed or neutered within 30 days of placement, the animal shelter or rescue group shall collect a deposit of not less than \$50 and not more than \$150 at the time of sale or placement. The animal shelter or rescue group shall determine the amount of the deposit based on the cost of spaying or neutering within the geographic area served by the animal shelter or rescue group. A person accepting ownership of the dog or cat under this subsection shall sign an agreement to have the animal sterilized as soon as it is medically advisable.

Upon receipt of proof of sterilization, the animal shelter or rescue group shall immediately and fully refund the deposit.

Sec. 2. 32 MRSA §4851, as enacted by PL 1975, c. 477, §4, is amended to read:

§4851. Legislative findings

The Legislature finds and declares that the public health, safety and welfare of the State of Maine requires the exercise of the police powers of this State to safeguard the people of Maine from incompetent, dishonest or unprincipled practitioners of veterinary medicine by ensuring the delivery of competent vet-

erinary medical care and further that the right to practice veterinary medicine is a privilege conferred by legislative grant to persons possessed of personal and professional qualifications specified in this chapter.

Sec. 3. 32 MRSA §4853, sub-§1-A, as enacted by PL 1993, c. 404, Pt. A, §3, is amended to read:

1-A. Veterinary assistant. ~~"Animal health assistant"~~ "Veterinary assistant" means a person employed in a veterinary facility to assist a licensed veterinarian or a licensed veterinary technician, but who has neither had the formal training required for licensure nor passed the required examination for licensure as a veterinary technician.

Sec. 4. 32 MRSA §4853, sub-§4-A, as amended by PL 1997, c. 246, §3, is further amended to read:

4-A. Direct supervision. "Direct supervision" means any time when a supervisor is on the premises ~~or~~ and is quickly and easily available.

Sec. 5. 32 MRSA §4853, sub-§4-B, as enacted by PL 1993, c. 404, Pt. A, §5, is amended to read:

4-B. Indirect supervision. "Indirect supervision" means any time when a supervisor is not on the premises, ~~but that supervisor has issued written or oral instructions pertaining to the treatment of animal patients~~ is available for consultation on patient care.

Sec. 6. 32 MRSA §4853, sub-§5-A is enacted to read:

5-A. Patient. "Patient" means an animal or group of animals examined or treated by a veterinarian.

Sec. 7. 32 MRSA §4853, sub-§7, as repealed and replaced by PL 1997, c. 246, §4, is amended to read:

7. Practice of veterinary medicine. "Practice of veterinary medicine" means:

A. The diagnosis, treatment, correction, change, relief or prevention of animal disease, deformity, defect, injury or other physical or mental condition, including the prescription or administration of a drug, medicine, biologic, apparatus, application, anesthetic or other imaging, therapeutic or diagnostic technique or nutritional substance or technique on, for or to any animal, including, but not limited to, acupuncture, dentistry, homeopathic or chiropractic procedures, physical or massage therapy, surgery including cosmetic elective surgery, implanting of microchips or similar devices or any manual, mechanical, biological or chemical procedure used for pregnancy testing or correcting sterility or infertility;

~~B. The removal of an embryo from an animal for the purposes of transferring that embryo into another female animal or the processing or cryopreserving of that embryo. The practice of veterinary medicine does not include the removal of an embryo from the person's own animal;~~

C. The representation directly or indirectly of an ability and willingness to perform an act included in paragraph A; and

D. The use of any titles, word or abbreviations of letters in a manner or under circumstances that induce the belief that the person using them is legally authorized and qualified to perform any act included in paragraph A. That use is prima facie evidence of the intention to represent oneself as engaged in the practice of veterinary medicine.

The practice of veterinary medicine must occur within an established veterinarian-client-patient relationship.

Sec. 8. 32 MRSA §4853, sub-§7-B is enacted to read:

7-B. Practice of veterinary technology. "Practice of veterinary technology" means:

A. The performance of patient care or other services that require a technical understanding of veterinary medicine on the basis of written or oral instructions of a veterinarian. "Practice of veterinary technology" does not include diagnosing, making prognoses, performing surgery or prescribing a drug, medicine, biologic, apparatus, application, anesthetic or other imaging, therapeutic or diagnostic technique or nutritional substance or technique on, for or to any patient;

B. The representation directly or indirectly of an ability and willingness to perform an act authorized under paragraph A; and

C. The use of any titles, word or abbreviations of letters in a manner or under circumstances that induce the belief that the person using them is legally authorized and qualified to perform any act authorized under paragraph A. That use is prima facie evidence of the intention to represent oneself as engaged in the practice of veterinary technology.

Sec. 9. 32 MRSA §4853, sub-§8-A, as enacted by PL 1993, c. 404, Pt. A, §5, is amended to read:

8-A. Supervisor. "Supervisor" means a licensed veterinarian or, if the task being supervised warrants, a licensed veterinary technician.

Sec. 10. 32 MRSA §4853, sub-§11, as enacted by PL 1993, c. 404, Pt. A, §5, is amended to read:

11. Licensed veterinary technician. "Veterinary Licensed veterinary technician" means a person who has completed a minimum of 2 years in a college program that is certified according to the standards adopted by the American Veterinary Medical Association's Committee on Veterinary Technician Education and Activities or an equivalent program, as determined by the board, and who has passed an examination for licensure prescribed by the board.

Sec. 11. 32 MRSA §4859, sub-§2, as amended by PL 2007, c. 402, Pt. R, §4, is further amended to read:

2. License; set standards. Grant and deny licenses and set standards of practice for veterinarians practicing veterinary medicine in this State and for the performance of duties by licensed veterinary technicians;

Sec. 12. 32 MRSA §4859, sub-§9, as enacted by PL 2011, c. 190, §11, is amended to read:

9. Veterinarian health program. The board may establish protocols for the operation of a professional review committee as defined in Title 24, section 2502, subsection 4-A. The protocols must include the committee's reporting information the board considers appropriate regarding reports received, contracts or investigations made and the disposition of each report, as long as the committee is not required to disclose any personally identifiable information. The protocol may not prohibit an impaired veterinarian or licensed veterinary technician from seeking alternative forms of treatment.

The board has the power to contract with other agencies, individuals, firms or associations for the conduct and operation of a veterinarian health program operated by a professional review committee.

Sec. 13. 32 MRSA §4860, first ¶, as amended by PL 1983, c. 48, §3, is further amended to read:

~~No~~ A person may not practice veterinary medicine in this State who is not a licensed veterinarian or the holder of a ~~valid temporary permit or~~ permit for the performance of relief veterinary service issued by the board. This ~~shall~~ section does not apply to:

Sec. 14. 32 MRSA §4861, as amended by PL 2011, c. 189, §1, is further amended to read:

§4861. Application for license; qualifications and examination

A person desiring a license to practice veterinary medicine in this State must make written application and pay the license fee as set under section 4863-A. The application must show that the applicant holds a doctorate degree in veterinary medicine from an approved veterinary medicine program that is recognized by the United States Department of Education and by

the board, and is trustworthy and competent and provide such other information and proof as the board may establish by rule. The board may adopt rules applicable to graduates of approved veterinary medicine programs by the Commissioner of Education and rules applicable to foreign educated graduates who can demonstrate equivalent education and training. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

1-A. Examinations. ~~Examinations, written or practical, must be prepared to measure the competence of an applicant to engage in the practice of veterinary medicine.~~ The board may also test an applicant's knowledge of the laws and rules relating to the practice of veterinary medicine. The board may require successful completion of an equivalency examination or assessment mechanism for foreign educated and trained applicants that is designed to evaluate educational equivalence, including clinical competencies and a command of the English language.

The board may employ and cooperate and contract with an organization or consultant in the preparation, administration and grading of an examination, but retains sole discretion and responsibility for determining which applicants have successfully passed the examination. The applicant shall pay the examination fee as set under section 4863-A.

3. Temporary permit. ~~The board may issue without examination a temporary permit to practice veterinary medicine in this State to a qualified applicant for license pending examination. A temporary permit issued pursuant to this subsection expires the day after the notice of results of the first examination given after the permit is issued. The applicant shall pay the temporary permit fee set under section 4863-A.~~

4. Permit for performance of relief veterinary service. The board may issue without examination a permit to perform relief veterinary service in this State to a qualified person who holds a doctorate degree in veterinary medicine from an approved veterinary medicine program that is recognized by the United States Department of Education and by the board or by rules of the board applicable to foreign educated graduates, and who holds a current license for the practice of veterinary medicine issued by another state, United States territory, province of Canada or other jurisdiction. The board may establish, by rule, the application process. The initial term of a permit issued under this subsection may not exceed 30 days. Extensions may be granted in the discretion of the board. The applicant shall pay the relief permit fee as set under section 4863-A.

4-A. Request by state veterinarian. Upon the request by the state veterinarian to the board for emergency situations as determined by the state veterinarian,

a veterinarian licensed in another state may practice in the State for a period not to exceed 30 days without a state license or permit.

5. Licensure by endorsement. The board shall grant a license by endorsement to a veterinarian who:

- A. Has submitted a complete application;
- B. Has paid the examination and license fee as set under section 4863-A;
- C. Holds a valid license issued by another state, United States territory, province of Canada or other jurisdiction;
- D-1. Has successfully passed an examination pursuant to subsection 1-A pertaining to the practice of veterinary medicine as determined by board rule. The board may require the applicant to submit to an examination covering the laws and rules pertaining to the practice of veterinary medicine in this State; and
- E. Has actively practiced clinical veterinary medicine for 3,000 hours during the 3 years preceding application.

Notwithstanding this subsection, the board shall waive the requirement that a veterinarian pass an examination for veterinarians who have, during the 6 years preceding the application, actively practiced clinical veterinary medicine for at least 6,000 hours without disciplinary action relating to the practice of veterinary medicine by another state, United States territory or province of Canada.

Sec. 15. 32 MRSA §4861-A is enacted to read:

§4861-A. Application for veterinary technician license; qualifications and examination

In order to practice as a licensed veterinary technician in this State, a person must apply for a veterinary technician license by submitting a written application, paying the license fee as set under section 4863-A and taking an examination for a license. In order to take the examination for a license, an applicant must:

1. Education completed. Have completed a minimum of 2 years in a college program that is certified according to the standards adopted by the American Veterinary Medical Association's Committee on Veterinary Technician Education and Activities or an equivalent program, as determined by the board; or

2. Within 6 months of completing education. Be within the final 6 months of professional study in a program of education for veterinary technology approved by the board or accredited by an accrediting organization approved by the board.

Upon the request of the state veterinarian to the board for emergency situations as determined by the state

veterinarian, a licensed veterinary technician may practice in the State for a period not to exceed 30 days without a state license.

Sec. 16. 32 MRSA §4864, sub-§12, as amended by PL 2011, c. 594, §1, is further amended to read:

12. Unauthorized associations. A veterinarian may practice only in an individual capacity under that veterinarian's own name or in association with a licensed practitioner of veterinary medicine or professional association. ~~Notwithstanding paragraph A, for~~ For purposes of this subsection, a veterinarian who has an employment relationship with a corporation or other legal entity that provides a continuum of veterinary services and treatment, including, but not limited to, diagnostic laboratory, research and development services and health and import and export certification, is considered to be lawfully practicing under that veterinarian's own name as long as that veterinarian is individually accountable for conduct under that veterinarian's license. The following are deemed unauthorized associations:

~~A. Except as otherwise provided in this subsection, association for the joint practice of veterinary medicine with any person, corporation or partnership not licensed to practice veterinary medicine;~~

B. Knowingly aiding and abetting in the practice of veterinary medicine any person not licensed to practice in this State;

C. The lending, leasing or in any other manner placing of one's license at the disposal of or in the service of any other person not licensed to practice veterinary medicine in this State; and

D. The continuance of a veterinarian directly or indirectly in the employ of or in association with any veterinarian after knowledge that such veterinarian is engaged in the violation of the provisions of this chapter; or

Sec. 17. 32 MRSA §4865, as amended by PL 2005, c. 347, Pt. C, §3, is repealed.

Sec. 18. 32 MRSA §4866, as amended by PL 1997, c. 246, §§25 and 26, is further amended to read:

§4866. Duties of licensed veterinary technicians and veterinary assistants

~~An animal health~~ A veterinary assistant may, under the direct supervision of a licensed veterinarian or a ~~registered~~ licensed veterinary technician, perform duties of an animal health care nature. ~~The duties do not include~~ excluding diagnosing, making prognoses, performing surgery, ~~interpreting laboratory tests~~ or prescribing ~~or initiating~~ treatment.

A licensed veterinary technician ~~registered~~ in the State may ~~perform, under the supervision and direction~~

~~of a licensed veterinarian, such duties as drug administration, nursing care, x ray film exposure and processing, bandage changes, dental prophylaxis, restraint, blood and fecal collections, diagnostic laboratory procedures and other duties the supervising veterinarian or the board may prescribe by rule, consistent with this chapter, except no one but a veterinarian may diagnose, make prognoses, prescribe or initiate treatment or surgery or perform surgery engage in the practice of veterinary technology on the basis of written or oral instruction of a veterinarian.~~

Sec. 19. 32 MRSA §4869, as amended by PL 1993, c. 404, Pt. A, §13, is further amended to read:

§4869. Reinstatement

A veterinarian ~~or licensed veterinary technician~~ whose license is revoked or suspended ~~or a veterinary technician whose registration is revoked or suspended~~ may, at the discretion of the board, be relicensed, ~~re-registered~~ or reinstated at any time without an examination by majority vote of the board on written application made to the board showing cause justifying the relicensing, ~~re-registration~~ or reinstatement.

Sec. 20. 32 MRSA §4870, as amended by PL 2007, c. 402, Pt. R, §10, is further amended to read:

§4870. Enforcement

Any person who practices veterinary medicine without a currently valid license, ~~temporary permit~~ or permit for the performance of relief veterinary service is subject to the provisions of Title 10, section 8003-C. A person engaged in the practice of veterinary technology without a valid license is subject to the provisions of Title 10, section 8003-C.

Sec. 21. 32 MRSA §4877 is enacted to read:

§4877. Veterinarian-client-patient relationship required; Good Samaritan exception

In order to practice veterinary medicine, a veterinarian must be engaged in a veterinarian-client-patient relationship. A veterinarian-client-patient relationship exists when a veterinarian:

1. Engaged by client. Has been engaged by the client;

2. Assumed responsibility. Has assumed responsibility for making medical judgments regarding the health of the patient;

3. Knowledge of patient. Has sufficient knowledge of the patient to initiate a preliminary diagnosis of the medical condition of the patient and has personal knowledge of the keeping and care of the patient as a result of:

A. A timely examination of the patient by the veterinarian; or

B. A medically appropriate and timely visit or visits by the veterinarian to the patient while that patient is under the care of the veterinarian's practice;

4. Follow-up evaluation. Is readily available for follow-up evaluation or has arranged for veterinary emergency coverage and continuing care and treatment; and

5. Records. Maintains patient records.

A licensed veterinarian who in good faith engages in the practice of veterinary medicine by rendering or attempting to render emergency care to a patient when a client cannot be identified and a veterinarian-client-patient relationship is not established is not subject to any disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A based solely upon the veterinarian's inability to establish a veterinarian-client-patient relationship.

See title page for effective date.

CHAPTER 210

H.P. 231 - L.D. 337

An Act To Require Lienholders To Remove Liens Once Satisfied

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

Sec. 1. 10 MRSA §4013 is enacted to read:

§4013. Removal of lien

1. Removal within 60 days. Unless a specific time period is otherwise provided, a holder of a lien against property issued pursuant to the laws of this State shall remove the lien within 60 days of satisfaction or discharge of the lien by the debtor or owner of the property or agent of the debtor or owner.

2. Liability. A holder of a lien, other than the State, a municipality or other governmental entity, who fails to remove a lien as provided in subsection 1 is liable to the debtor or owner of the property for reasonable attorney's fees and costs incurred to cure the lien as a result of the failure to remove the lien.

3. Application. This section does not apply to a financing statement or other record governed by Title 11.

See title page for effective date.

CHAPTER 211

H.P. 836 - L.D. 1218

An Act Regarding the Administration of Vaccines by Pharmacists

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

Sec. 1. 32 MRSA §13831, sub-§1, as enacted by PL 2009, c. 308, §3, is amended to read:

1. Administration of influenza vaccines. A pharmacist licensed in this State who meets the qualifications and requirements of section 13832 and rules adopted by the board may administer topically or by injection or by inhalation all forms of influenza vaccines, including intranasal influenza vaccines, to a person 9 ~~7~~ years of age or older without a prescription.

See title page for effective date.

CHAPTER 212

S.P. 471 - L.D. 1306

An Act To Affirm the Obligation To Support One's Children

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

Sec. 1. 19-A MRSA §2110 is enacted to read:

§2110. Exempt property of child support obligor

1. Exempt property. The property of a child support obligor that is exempt pursuant to section 2203, subsection 15 from an order to seize and sell is also exempt from any other enforcement and collection action regarding a support order, except to the extent that it has been fraudulently conveyed by the obligor.

2. Application of law. Title 14, chapter 507, subchapter 2, article 7 exemptions to collection do not apply to enforcement and collection of a support order.

Sec. 2. 19-A MRSA §2203, sub-§15, ¶¶A and B, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, are amended to read:

A. The obligor's aggregate interest, not to exceed ~~\$12,500~~ \$47,500 in value, in real or personal property that the obligor uses as a residence;

B. The obligor's interest, not to exceed ~~\$2,500~~ \$5,000 in value, in one motor vehicle;

See title page for effective date.

CHAPTER 213
S.P. 545 - L.D. 1444

**An Act To Correct an
Inconsistency in the So-called
Dig Safe Law**

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

Sec. 1. 23 MRSA §3360-A, sub-§3, ¶E, as amended by PL 2013, c. 557, §1, is further amended to read:

E. The excavation must commence within 30 days of notification under this subsection. If the proposed excavation or blasting commences or continues is not completed 60 calendar days after notification under this subsection or the excavation or blasting will be expanded outside of the location originally specified in the notification, the excavator responsible for that excavation shall again notify the system as specified in paragraph A. The excavator shall notify the system once for each successive 60-day period.

Sec. 2. Rules. The Public Utilities Commission shall amend Sections 4(B)(1)(a) and 4(B)(1)(d) of Rule Chapter 895: Underground Facility Damage Prevention Requirements to be consistent with the Maine Revised Statutes, Title 23, section 3360-A, subsection 3, paragraph E. Notwithstanding Title 23, section 3360-A, subsection 13, rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 214
S.P. 424 - L.D. 1197

**An Act To Allow Certificate of
Approval Holders under the
Liquor Licensing Laws To
Donate Alcohol to Nonprofit
Organizations**

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

Sec. 1. 28-A MRSA §2, sub-§15, ¶I, as amended by PL 2011, c. 629, §2, is further amended to read:

I. "Incorporated civic organization" means any charitable or civic organization incorporated as a corporation without stock under Title 13, chapter 81 or Title 13-B with a civic or charitable purpose, including but not limited to relief of poverty, advancement of education and the arts, pro-

motion of social health, safety and welfare, fostering community and economic development, protection against animal cruelty, combating community deterioration, lessening the burdens of government and providing assistance to the underprivileged and distressed.

Sec. 2. 28-A MRSA §708-B, as repealed and replaced by PL 2011, c. 629, §11, is repealed.

Sec. 3. 28-A MRSA §708-C is enacted to read:

**§708-C. Donations to public broadcasting stations,
incorporated civic organizations and
national organizations**

1. Donations for an auction or award. A person licensed by the bureau under section 1355-A, a certificate of approval holder or a wholesaler may donate a certificate to purchase its product or donate its product to a public broadcasting station, an incorporated civic organization or a similarly purposed national organization designated by the United States Internal Revenue Service under the United States Internal Revenue Code of 1986, Section 501(c)(3) for the purpose of an auction or to offer as a prize, gift or award in conjunction with efforts to support the purposes of the incorporated civic organization, similarly purposed organization or public broadcasting station. Spirits donated in accordance with this subsection must have first been sold to the State or the State's contracted wholesaler for listing, pricing and distribution in accordance with this Title. A person authorized to make a donation in accordance with this subsection shall maintain a record of each donation, including the value of the donation and the date on which it was made. A recipient of a donation under this subsection must be 21 years of age or older.

2. Donations for consumption at on-premises events. A person licensed by the bureau under section 1355-A, a certificate of approval holder or a wholesaler may donate its product or provide malt liquor, wine or fortified wine at a reduced price to a person licensed by the bureau to serve alcoholic beverages for on-premises consumption at an event designed to benefit an incorporated civic organization or a similarly purposed national organization designated by the United States Internal Revenue Service under the United States Internal Revenue Code of 1986, Section 501(c)(3). Spirits donated in accordance with this subsection must have first been sold to the State or the State's contracted wholesaler for listing, pricing and distribution in accordance with this Title. A person authorized to make a donation or offer its product at a reduced price under this subsection shall maintain a record of the products donated or offered, including the value of each, the reduced price when applicable and the date on which the product was provided. All applicable excise taxes on donated malt liquor, wine and fortified wine must be remitted as required by this

Title. A licensee provided product in accordance with this subsection:

A. Shall maintain a record of each product received and the date on which it was received;

B. Shall maintain a record of the name of the incorporated civic organization or similarly purposed national organization the event was designed to benefit and for which the product is provided;

C. Shall ensure that the product provided is served only at the event designed to benefit the incorporated civic organization or similarly purposed national organization;

D. Shall ensure that excess product that was donated for the event is returned to the donor within a reasonable period after the event; and

E. Shall ensure that containers holding donated product are returned to the donor for recycling as appropriate and not presented for redemption under Title 32, chapter 28.

Sec. 4. 28-A MRSA §709, sub-§2, ¶¶J and K, as enacted by PL 2011, c. 629, §15, are amended to read:

J. Providing samples authorized under section 1355-A, 1402, 1402-A or 1504; ~~or~~

K. Donations authorized under section ~~708-B~~, 708-C; or

Sec. 5. 28-A MRSA §709, sub-§2, ¶L is enacted to read:

L. Product supplied by licensees authorized under section 1052-D for the purposes of providing taste-testing samples under a taste-testing event license.

Sec. 6. 28-A MRSA §1071, sub-§6, as amended by PL 2011, c. 629, §19, is further amended to read:

6. Server requirements. A manufacturer licensed by the bureau under section 1355-A, a certificate of approval holder or a wholesaler who provides malt liquor, wine, fortified wine or spirits for the public event or gathering being sponsored may serve its product at the event. An incorporated civic organization issued a license in accordance with this section shall provide the names of ~~those persons not licensed under chapters 51, 55 or 59~~ who will be serving alcoholic beverages at the ~~public event or gathering being sponsored~~. In the event that a server from that list is unavailable, a licensed manufacturer, distributor, wholesaler, small winery or small brewery that has provided alcoholic beverages to be served at the event may provide serving assistance.

See title page for effective date.

CHAPTER 215

S.P. 320 - L.D. 929

An Act Relative to the Escheat of United States Savings Bonds

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

Sec. 1. 33 MRSA §1952, sub-§15-B is enacted to read:

15-B. United States savings bond. "United States savings bond" means property, tangible or intangible, in the form of a savings bond issued by the United States Treasury whether in paper form, electronic form or paperless form, along with all the proceeds of the savings bond.

Sec. 2. 33 MRSA §1953, sub-§1, ¶P, as amended by PL 2001, c. 439, Pt. L, §3, is further amended to read:

P. Notwithstanding paragraph E, property contained in a prearranged funeral or burial plan described in Title 32, section 1401, including deposits containing funds from such a plan, 3 years after the death of the person on whose behalf funds were paid into the plan; ~~and~~

Sec. 3. 33 MRSA §1953, sub-§1, ¶Q, as enacted by PL 2001, c. 439, Pt. L, §4, is amended to read:

Q. Property distributable in the course of a demutualization or related reorganization of an insurance company, 2 years after the earlier of:

- (1) The date of the distribution of the property; or
- (2) The date of last contact with a policyholder; ~~and~~

Sec. 4. 33 MRSA §1953, sub-§1, ¶R is enacted to read:

R. A United States savings bond, as described in section 1954-B, 3 years after its date of final maturity.

Sec. 5. 33 MRSA §1954-B is enacted to read:

§1954-B. United States savings bonds

1. Presumed abandoned in this State. Notwithstanding section 1953, subsection 1, paragraph K and sections 1963, 1970 and 1976, a United States savings bond subject to this chapter or held or owing in this State by any person is presumed abandoned in this State if:

A. The last known address of the owner of the United States savings bond is in this State; and

B. The United States savings bond has remained unclaimed for 3 years after its date of final maturity.

2. Escheat; procedure. United States savings bonds that are presumed abandoned and unclaimed under subsection 1, including bonds in the possession of the administrator, and those lost, stolen or destroyed bonds registered to persons with last known addresses in this State, escheat to the State 3 years after the bonds are presumed abandoned, and all property rights and legal title to and ownership of the United States savings bonds, including all rights, powers and privileges of survivorship of any owner, co-owner or beneficiary, vest solely in the State according to the following procedure.

A. Within 180 days after the 3-year period in this subsection has passed, if no claim has been filed in accordance with this chapter for the United States savings bonds, the administrator shall commence a civil action in the Kennebec County Superior Court or in any other court of competent jurisdiction for a determination that the United States savings bonds escheat to the State. The administrator may postpone the bringing of such an action until sufficient United States savings bonds have accumulated in the administrator's custody to justify the expense of such a proceeding.

B. The administrator shall make service by publication of the civil action in accordance with Maine Rules of Civil Procedure, Rule 4 and Title 1, sections 601 and 603.

C. If no person files a claim or appears at the hearing to substantiate a claim or if the court determines that a claimant is not entitled to the property claimed by the claimant, the court, if satisfied by evidence that the administrator has substantially complied with the laws of this State, shall enter a judgment that the United States savings bonds have escheated to the State and all property rights and legal title to and ownership of the United States savings bonds, including all rights, powers and privileges of survivorship of any owner, co-owner or beneficiary, vest solely in the State.

D. The administrator shall redeem the United States savings bonds escheated to the State. When the escheated proceeds have been recovered by the administrator, the administrator shall first pay all costs incident to the collection and recovery of the proceeds from the redemption of the United States savings bonds and then promptly deposit the remaining balance of the proceeds in the Unclaimed Property Fund under section 1964 to be distributed in accordance with law.

3. Claims after escheat. Notwithstanding sections 1966 and 1967, any person making a claim for a United States savings bond escheated to the State under this section may file a claim with the administrator. Upon being provided sufficient proof of the validity of the person's claim, the administrator may pay the claim and may subtract any expenses and costs incurred by the State in securing full title and ownership of the property by escheat. If payment has been made to a claimant, no action may be maintained by any other claimant or the State or any state officer for or on account of the funds.

See title page for effective date.

CHAPTER 216

H.P. 775 - L.D. 1124

An Act To Manage Risks Associated with the Installation of Natural Gas Pipelines

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

Sec. 1. 35-A MRSA §2503, sub-§1, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

1. Application. The application must be in writing and describe the facilities, the requested location, evidence of notice provided to owners of facilities in the applicable public way, the minimum depth if an underground facility, the minimum height of any attached wires or cables, if ~~above-ground~~ aboveground facilities, all in the manner and form ~~which that~~ the licensing authority requires.

Sec. 2. 35-A MRSA §2503, sub-§3, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

3. Objection. Objection to the application may be filed according to this subsection.

A. Any person owning property ~~which that~~ abuts the applicable public way or any owner of facilities in the applicable public way may file a written objection with the appropriate licensing authority within 14 days after publication by the applicant. The written objection ~~shall~~ must state the reason for the objection. The written objection must be served by delivery in hand or by registered or certified mail.

B. If the applicant proceeds without publication of the application, any person owning property ~~which that~~ abuts the applicable public way or any owner of facilities in the applicable public way may file a written objection with the appropriate licensing authority within 90 days after installa-

tion of the facility described in the application. The written objection ~~shall~~ must state the cause for the objection. The written objection must be served by delivery in hand or by registered or certified mail.

Sec. 3. 35-A MRSA §2503, sub-§21, as enacted by PL 1999, c. 753, §12, is repealed and the following enacted in its place:

21. Default standards. This subsection governs standards applied by local licensing authorities.

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

(1) "Local licensing authority" means municipal officers or their designees or county commissioners.

(2) "Underground location standards" means standards governing the location and depth of and distance between utility facilities, including the underground portion of aboveground facilities such as utility pole bases.

B. For all state and state-aid highways within compact areas of urban compact municipalities as defined in Title 23, section 754, rules adopted by the Department of Transportation under subsection 16 serve as the minimum standard.

C. Except within areas identified in paragraph B, a local licensing authority may adopt underground location standards for utility facilities within its jurisdiction as designated in section 2502, subsection 1, paragraph A or B. If a local licensing authority has not adopted underground location standards for utility facilities, the underground location standards adopted by the Department of Transportation under subsection 16 govern.

D. A local licensing authority that has not adopted underground location standards for utility facilities in accordance with paragraph C may grant exceptions to the underground location standards adopted by the Department of Transportation under subsection 16 if the licensing authority finds one of the following:

(1) Application of the underground location standards would present an exceptional hardship or unreasonable cost under the circumstances and alternative standards will adequately ensure public safety;

(2) All affected parties, as determined by the local licensing authority, have agreed to alternative underground location standards that will adequately ensure public safety;

(3) A unique situation exists that requires an adjustment of the standards in a manner that ensures public safety; or

(4) The underground location standards exceed the limits of the available space within the right-of-way.

E. The owners of a new, planned underground utility facility shall coordinate directly with owners of existing underground utility facilities in the public way during the design phase of the new, planned facility. Both the new and existing facility owners shall make reasonable accommodation for each other's facilities in accordance with applicable underground location standards to allow ease of access to and maintenance of those facilities and adequately ensure public safety.

See title page for effective date.

CHAPTER 217

H.P. 982 - L.D. 1438

An Act To Include Muzzle-loading Firearms, Bows and Crossbows as Dangerous Weapons for Purposes of Protection from Abuse Orders

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

Sec. 1. 19-A MRSA §4006, sub-§2-A, as enacted by PL 2003, c. 372, §2, is amended to read:

2-A. Temporary orders; possession of dangerous weapons. The court may direct the defendant not to possess a firearm, muzzle-loading firearm, bow, crossbow or other dangerous weapon for the duration of the temporary order if the complaint demonstrates:

A. Abuse that involves a firearm, muzzle-loading firearm, bow, crossbow or other dangerous weapon; or

B. A heightened risk of immediate abuse to the plaintiff or a minor child. In determining whether a heightened risk of immediate abuse is present, the court shall consider, but is not limited to consideration of, whether:

(1) The temporary order of protection is not likely to achieve its purpose in the absence of such a condition;

(2) The defendant has violated orders of protection;

(3) Past or present abuse to a victim resulted in injury;

(4) The abuse occurred in public; and

(5) The abuse includes:

(a) Threats of suicide or homicide;

- (b) Killing or threatening to kill pets;
- (c) An escalation of violence;
- (d) Stalking behavior or extreme obsession;
- (e) Sexual violence;
- (f) Excessive alcohol or drug use; and
- (g) Abuse against a pregnant victim.

If the court prohibits the defendant from possessing a firearm, muzzle-loading firearm, bow, crossbow or other dangerous weapon in a temporary order and if the defendant moves for dissolution or modification of an order pursuant to subsection 7, the court must hear and decide the motion as expeditiously as possible and must issue a written decision on the motion within 24 hours after a hearing on that motion.

If the court prohibits the defendant from possessing a dangerous weapon other than a firearm, muzzle-loading firearm, bow or crossbow in a temporary order, the court shall specify the type of weapon the defendant is prohibited from possessing.

If the court prohibits the defendant from possessing a firearm, muzzle-loading firearm, bow, crossbow or other dangerous weapon in a temporary order, the court shall direct the defendant to relinquish, within 24 hours after service of the order on the defendant or such earlier time as the court specifies in the order, all firearms, muzzle-loading firearms, bows, crossbows and specified dangerous weapons in the possession of the defendant to a law enforcement officer or other individual for the duration of the order. If the weapons are relinquished to an individual other than a law enforcement officer, the defendant must file, within 24 hours after such relinquishment, with the court or local law enforcement agency designated in the order a written statement that contains the name and address of the individual holding the weapons and a description of all weapons held by that individual. The court may subsequently issue a search warrant authorizing a law enforcement officer to seize any firearms, muzzle-loading firearms, bows, crossbows and other dangerous weapons at any location if there is probable cause to believe such firearms, muzzle-loading firearms, bows, crossbows or dangerous weapons have not been relinquished by the defendant.

Sec. 2. 19-A MRSA §4007, sub-§1, ¶A-1, as enacted by PL 1997, c. 334, §5, is amended to read:

A-1. Directing the defendant not to possess a firearm, muzzle-loading firearm, bow, crossbow or other dangerous weapon for the duration of the order;

Sec. 3. 19-A MRSA §4007, sub-§1-A, as enacted by PL 2003, c. 372, §3, is amended to read:

1-A. No possession of firearm, muzzle-loading firearm, bow or crossbow or dangerous weapons for duration of order. If the court prohibits the defendant from possessing a dangerous weapon other than a firearm, muzzle-loading firearm, bow or crossbow, the court shall specify the type of weapon the defendant is prohibited from possessing.

If the court prohibits the defendant from possessing a firearm, muzzle-loading firearm, bow, crossbow or other dangerous weapon, the court shall direct the defendant to relinquish, within 24 hours after service of the order on the defendant or such earlier time as the court specifies in the order, all firearms, muzzle-loading firearms, bows, crossbows and specified dangerous weapons in the possession of the defendant to a law enforcement officer or other individual for the duration of the order. If the weapons are relinquished to an individual other than a law enforcement officer, the defendant must file, within 24 hours after such relinquishment, with the court or local law enforcement agency designated in the order a written statement that contains the name and address of the individual holding the weapons and a description of all weapons held by that individual. The court may subsequently issue a search warrant authorizing a law enforcement officer to seize any firearms, muzzle-loading firearms, bows, crossbows and other dangerous weapons at any location if there is probable cause to believe such firearms, muzzle-loading firearms, bows, crossbows or dangerous weapons have not been relinquished by the defendant.

See title page for effective date.

CHAPTER 218

H.P. 978 - L.D. 1434

An Act To Amend the Laws Governing Law Enforcement's Access to, and Access to Information about, Certain Persons in Hospitals and Mental Health Facilities

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

Sec. 1. 22 MRSA §1711-C, sub-§6, ¶E-2 is enacted to read:

E-2. To federal, state or local governmental entities if the health care practitioner or facility that is providing diagnosis, treatment or care to an individual has determined in the exercise of sound professional judgment that the disclosure is required by section 1726;

Sec. 2. 22 MRSA §1726 is enacted to read:

§1726. Cooperation with law enforcement

A hospital licensed under chapter 404 or 405 shall make a good faith effort to cooperate with law enforcement agencies as provided in this section.

1. Service of protection from abuse order. A law enforcement agency may request that a hospital provide access to a defendant who is receiving care in the hospital for the purpose of serving a protection from abuse order pursuant to Title 19-A, section 4006, subsection 6.

A. The hospital shall provide the law enforcement agency with an opportunity to serve the defendant personally with the order at a time the hospital determines is clinically appropriate with due consideration to the medical condition of the defendant.

B. A hospital may disclose that the defendant is a patient to facilitate service under this section regardless of patient consent.

2. Notice of upcoming release. A law enforcement agency may request that a hospital provide notice to the law enforcement agency that a person is to be released from the hospital so that the law enforcement agency may arrest the person.

A. The hospital shall provide notice that the person is to be released from the hospital if the person was transported or was caused to be transported to the hospital by the law enforcement agency.

B. The information contained in the notice provided by the hospital must be no more than the minimum amount necessary to satisfy the requirements of this subsection.

3. Required consistency with federal requirements. A hospital may provide access under subsection 1 and information under subsection 2 only if the request is consistent with the provisions of 45 Code of Federal Regulations, Section 164.512 (2015) and 42 Code of Federal Regulations, Part 2 (2015).

4. Immunity; no cause of action. A hospital, hospital agent, employee or other person who in good faith and without gross negligence provides access or information to a law enforcement agency as required by this section or cooperates in an investigation or a criminal or judicial proceeding related to the requirements of this section is immune from civil and criminal liability and professional licensure action arising out of or related to compliance with this section. This section does not create a cause of action against the hospital, hospital agent, employee or other person for failure to comply with this section.

See title page for effective date.

CHAPTER 219**H.P. 100 - L.D. 142**

**An Act To Expand Deer
Hunting Opportunities for
Junior Hunters**

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

Sec. 1. 12 MRSA §11152, sub-§5-A is enacted to read:

5-A. Permit transfer to junior hunter. Notwithstanding subsection 5, a junior hunter may take an antlerless deer if another person who is 18 years of age or older and holds a valid antlerless deer permit transfers that permit to that junior hunter by identifying the name and address of the transferee on the permit as well as any other information reasonably requested by the commissioner and then returns the permit to the department at least 48 hours prior to the junior hunter's hunting antlerless deer. Upon transfer of the antlerless deer permit to a junior hunter, the transferor may not hunt an antlerless deer pursuant to the transferred permit but remains eligible, unless otherwise prohibited, to take a deer other than an antlerless deer in accordance with this Part.

The commissioner shall record a transfer under this subsection and return the permit to the transferee. A valid permit must be in the possession of the transferee in order for the transferee to take an antlerless deer.

See title page for effective date.

CHAPTER 220**S.P. 205 - L.D. 589**

**An Act To Increase the
Beneficial Reuse of Waste
Materials**

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

Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-3, as enacted by PL 2009, c. 542, §3, is amended to read:

B-3. "Renewable capacity resource" means a source of electrical generation:

(1) Whose total power production capacity does not exceed 100 megawatts and relies on one or more of the following:

- (a) Fuel cells;
- (b) Tidal power;
- (c) Solar arrays and installations;
- (d) Geothermal installations;

(e) Hydroelectric generators that meet all state and federal fish passage requirements applicable to the generator; ~~or~~

(f) Biomass generators that are fueled by wood ~~or~~ wood waste; ~~or~~ landfill gas ~~or~~ anaerobic digestion of agricultural products, ~~by products or wastes~~; or

(g) Anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse; or

(2) That relies on wind power installations.

See title page for effective date.

CHAPTER 221

S.P. 277 - L.D. 779

An Act To Increase the Minimum Population Requirement for a Municipality in Which the Bureau of Alcoholic Beverages and Lottery Operations May Locate an Additional Agency Liquor Store

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

Sec. 1. 28-A MRSA §453, sub-§2-A, as amended by PL 2013, c. 253, §1, is further amended to read:

2-A. Limitation on number of agency liquor stores. Beginning July 1, 2009, the bureau may license up to 10 agency liquor stores in a municipality with a population over 50,000; up to 8 agency liquor stores in a municipality with a population over 20,000 but less than 50,001; up to 5 agency liquor stores in a municipality with a population of at least 10,001 but less than 20,001; up to 4 agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; ~~and up to 3 agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001.~~ In addition, the bureau may establish, and one agency liquor store in a municipality where the population is less than 2,000. The bureau may issue one additional liquor store license beyond those otherwise authorized by this subsection in a municipality with a population of less than 10,000. The bureau may consider the impact of seasonal population or tourism and other related information provided by the municipality requesting an additional agency liquor store ~~location~~ license.

Nothing in this subsection may be construed to reduce the number of agency stores the bureau may license in a municipality as of June 30, 2009.

Sec. 2. 28-A MRSA §453, sub-§2-D, as enacted by PL 2013, c. 269, Pt. A, §6, is amended to read:

2-D. Exception. If a retailer that is located in this State and has at least 5 locations licensed as an agency liquor store is sold or ownership is transferred to another company that will assume operation of some or all of the retailer's stores and that company submits an application for an agency liquor store license at some or all of those stores, the bureau may waive the requirement of subsection 2-C, paragraph A. The bureau may provide this waiver only if the applicant has held a license in another state to sell malt liquor and wine or spirits at retail for off-premises consumption, for at least one year prior to submitting the application, without a violation of the laws governing the sale of alcoholic beverages in that state and can provide the bureau with documentation of financial success as determined by the bureau. The bureau may not provide this waiver when issuing an additional liquor store license in a municipality with a population of less than 10,000 beyond the limit on the number of agency liquor stores authorized under subsection 2-A.

See title page for effective date.

CHAPTER 222

H.P. 632 - L.D. 912

An Act To Allow the Establishment of Regional Municipal Utility Districts To Support Broadband Communications

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

Sec. 1. 30-A MRSA §2203, sub-§9 is enacted to read:

9. Included powers. Without limiting the powers, privileges or authority that may be jointly or cooperatively exercised pursuant to this chapter, any 2 or more parties may enter into an agreement to establish a regional municipal utility district for any or all of the following purposes:

A. To provide or, through public-private partnerships, to support or promote the provision of any of the following:

(1) Broadband services; and

(2) Internet services; and

B. To issue revenue bonds in support of any of the activities undertaken pursuant to paragraph A.

Nothing in this subsection exempts a regional municipal utility district from any applicable provisions of Title 35-A.

See title page for effective date.

CHAPTER 223

H.P. 706 - L.D. 1023

An Act To Revise the Animal Welfare Laws

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

Sec. 1. 7 MRSA §3907, sub-§5-A, as amended by PL 2005, c. 510, §1, is repealed and the following enacted in its place:

5-A. Animal shelter. "Animal shelter" means a:

A. Facility that houses domesticated animals and operates for the purpose of providing stray, abandoned, abused or owner-surrendered animals with sanctuary or finding the animals temporary or permanent adoptive homes; or

B. Rescue group.

Sec. 2. 7 MRSA §3907, sub-§23-A, as enacted by PL 2007, c. 439, §5, is amended to read:

23-A. Rescue group. "Rescue group" means an organization or individual that receives domesticated animals that have been abandoned, surrendered or removed from an animal facility or that takes in homeless dogs or cats and sells, gives or otherwise places the animals in private homes. ~~"Rescue group" does not include a facility licensed under chapter 723.~~

Sec. 3. 7 MRSA §3907, sub-§28, as enacted by PL 1987, c. 383, §3, is repealed.

Sec. 4. 7 MRSA §3919-A, sub-§4, as amended by PL 2007, c. 439, §10, is further amended to read:

4. Euthanasia for severely sick or severely injured cat or small animal. A humane agent, an animal control officer or an animal shelter may authorize in writing the immediate euthanasia of a severely sick or severely injured cat or small animal upon determining that the following conditions are met:

A. The animal control officer of the municipality where the cat or small animal was found has been notified or, if the cat or small animal has ~~eat~~ identification, the owner of the cat or small animal has been notified; and

B. A veterinarian states in writing that the cat's or small animal's recovery from its injury or illness, given reasonable time and reasonable care, is doubtful or that the cat or small animal presents a danger to the public.

Notwithstanding paragraphs A and B, a veterinarian may authorize immediate euthanasia if, in the veterinarian's judgment, there is no possibility of recovery for a severely injured or severely sick cat or small animal.

Sec. 5. 7 MRSA §3919-A, sub-§5, as enacted by PL 2001, c. 363, §3, is amended to read:

5. Immunity. A veterinarian, a humane agent, an animal control officer or an animal shelter, including a person employed by an animal shelter, is not civilly liable to the owner of a cat or small animal for the loss of that cat or small animal resulting from actions taken in compliance with this section.

Nothing in this subsection grants to an animal shelter or person any immunity from liability arising from the gift, sale or other transference of a cat or small animal to a research facility in violation of subsection 2.

Sec. 6. 7 MRSA §3919-C, first ¶, as amended by PL 2007, c. 439, §11, is further amended to read:

When an animal shelter holds an animal at the request or with the approval of the ~~department~~ person who seized the animal pending an investigation or disposition by the court of an alleged violation of chapter 739 or Title 17, chapter 42, the shelter is entitled to receive from the ~~department~~ person who seized the animal monetary compensation in accordance with this section for the period for which food and shelter are furnished to the animal. For the purposes of this section, "person who seized the animal" includes a humane agent, law enforcement or an animal control officer permitted by law to obtain a search warrant or to seize animals ex parte.

Sec. 7. 7 MRSA §3919-E, sub-§1, ¶A, as enacted by PL 2013, c. 115, §8, is amended to read:

A. Offer the small animal for adoption, sell the small animal, give away the small animal or transfer the small animal to an appropriate facility ~~or rescue group~~ that can provide for that specific type of small animal; or

Sec. 8. 7 MRSA §3932-A, sub-§4, as enacted by PL 2013, c. 115, §14, is repealed.

Sec. 9. 7 MRSA §3939-A, as enacted by PL 2007, c. 439, §23, is amended to read:

§3939-A. Spay; neuter of dogs and cats

1. Spay; neuter. Except as otherwise provided in subsections 2 and 3, an animal shelter ~~or rescue group~~ may not place with a new owner a dog or cat

that has not been spayed or neutered unless an appointment has been made with a licensed veterinarian to spay or neuter the animal within 30 days of accepting ownership. A person who accepts ownership of a dog or cat that is unaltered shall, in addition to any other charges or other fees, make a deposit equal to 100% of the cost of the scheduled surgery with the animal shelter ~~or rescue group~~ and shall sign a spay-neuter agreement. The animal shelter ~~or rescue group~~ must refund the deposit upon receiving proof of sterilization.

For purposes of this section, "place" means to sell, give away or otherwise transfer possession of a cat or dog.

2. Detrimental to health. If a licensed veterinarian or veterinary technician as defined in Title 32, section 4853 determines that a dog or cat is too sick or injured or that it would otherwise be detrimental to the health of the dog or cat to be spayed or neutered within 30 days of placement, the animal shelter ~~or rescue group~~ shall collect a deposit of not less than \$50 and not more than \$150 at the time of sale or placement. The animal shelter ~~or rescue group~~ shall determine the amount of the deposit based on the cost of spaying or neutering within the geographic area served by the animal shelter ~~or rescue group~~. A person accepting ownership of the dog or cat under this subsection shall sign an agreement to have the animal sterilized as soon as it is medically advisable.

Upon receipt of proof of sterilization, the animal shelter ~~or rescue group~~ shall immediately and fully refund the deposit.

3. Extension. Notwithstanding subsection 1, an animal shelter ~~or rescue group~~ may extend the date by which spaying or neutering is to be completed at its discretion for good cause. An extension must be in writing.

4. Reimbursement of deposit. If a dog or cat dies prior to spaying or neutering and within the agreement period, the owner is entitled to reimbursement of the deposit paid under subsection 1. If a dog or cat dies prior to spaying or neutering and within 120 days of signing an agreement under subsection 2, the owner is entitled to reimbursement of the deposit paid under subsection 2. To receive reimbursement under this subsection, the owner must provide the animal shelter ~~or rescue group~~ with a letter signed by a licensed veterinarian stating that the cat or dog has died and providing a description of the animal.

5. Unclaimed deposits. Except as provided in subsections 2, 3 and 4, deposits received under subsection 1 or 2 that are unclaimed within 120 days of the date the spay-neuter agreement was signed must be:

A. Used to subsidize spaying or neutering of dogs and cats offered for placement by the animal shelter ~~or rescue group~~ receiving the deposits; or

B. Remitted to the department for deposit in the Companion Animal Sterilization Fund established under section 3910-B.

When extensions are granted under subsection 3 and the deposits are unclaimed 120 days after the extended date for spaying or neutering, those deposits must be disposed of under paragraphs A and B.

Sec. 10. 7 MRSA §3939-B, as enacted by PL 2007, c. 439, §24, is amended to read:

§3939-B. Violations

1. Noncompliance by new owner. If a person receiving a dog or cat from an animal shelter ~~or rescue group~~ fails to comply with section 3939-A, that person forfeits the sterilization deposit and commits a civil violation for which a fine of not less than \$50 nor more than \$200 per animal may be adjudged.

2. Noncompliance by animal shelter. If an animal shelter ~~or rescue group~~ fails to require a spay-neuter agreement or fails to collect a deposit as required under section 3939-A, that animal shelter ~~or rescue group~~ commits a civil violation for which a fine of not less than \$50 nor more than \$200 per animal may be adjudged.

Sec. 11. 7 MRSA §3942, as amended by PL 2003, c. 405, §20, is further amended to read:

§3942. Issuance of dog licenses

Municipal clerks shall issue dog licenses in accordance with chapter 721, receive the license fees and pay to the department ~~\$9~~ **\$10** for dogs capable of producing young and \$3 from each license fee received for dogs incapable of producing young. The clerks shall keep a record of all licenses issued by them, with the names of the owners or keepers of dogs licensed and the sex, registered numbers and description of all dogs except those covered by a kennel license. The clerks shall make a monthly report to the department on a department-approved form of all dog licenses issued and fees received.

The clerk shall retain \$1 from each license fee as a recording fee. The clerk shall deposit \$2 from each license for a dog incapable of producing young in the municipality's animal welfare account established in accordance with section 3945.

Sec. 12. 7 MRSA §3972, sub-§1, ¶E, as amended by PL 1995, c. 144, §1, is further amended to read:

E. Tie, tether or restrain any animal in a manner that is inhumane or detrimental to its welfare; ~~or~~

Sec. 13. 7 MRSA §3972, sub-§1, ¶F, as amended by PL 1997, c. 690, §40, is further amended to read:

F. Intentionally cause an equine to fall or lose its balance by any means whatsoever. For the purposes of this paragraph, the term "equine" means, but is not limited to, a horse, mare, pony, ass, donkey, burro, mule or hinny. This paragraph does not apply to the lawful laying down of an equine for medical or identification purposes; or

Sec. 14. 7 MRSA §3972, sub-§1, ¶G is enacted to read:

G. Abandon, dump or dispose of any deceased domesticated animal on public property or on private property without the permission of the property owner.

See title page for effective date.

CHAPTER 224

S.P. 409 - L.D. 1140

An Act To Promote Economic Development

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

Sec. 1. 10 MRSA §1026-J, sub-§2, as amended by PL 1999, c. 731, Pt. VVV, §6, is further amended to read:

2. Loan terms and conditions. Loans may not exceed ~~\$1,000,000~~ \$2,000,000 per project. The authority may establish prudent terms and conditions for loans, including limits on the amount of loans for any one project and requiring adequate collateral for the loans. Loan terms may not exceed 20 years in the case of loans primarily secured by real estate, 10 years in the case of loans secured primarily by machinery and equipment and 7 years for other loans. The interest rate charged on each loan may not exceed the prime rate for interest plus 4%, as determined by the authority. The authority may establish conditions, such as balloon payments, to encourage borrowers to make the transition to conventional financing as soon as they are reasonably able to do so. The authority may further assist the borrower by allowing for the deferral of interest or principal payments for a period of time. Loans may be subject to conditions that allow the authority to make a reasonable return based on the risk of the investment, which may include royalties or additional payments based on sales, net cash flow or other financial measures and rights to equity in the company.

Sec. 2. Contingent effective date. This Act takes effect only upon the receipt by the Economic

Recovery Program Fund of an appropriation, an allocation or funds from another funding source in the amount of at least \$13,000,000.

See title page for effective date, unless otherwise indicated.

CHAPTER 225

S.P. 93 - L.D. 255

An Act To Preserve the Integrity of Maine's Shellfish Industry by Increasing the Penalty for Interfering with Permitted Harvest

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

Sec. 1. 12 MRSA §6674, as amended by PL 2009, c. 229, §18, is repealed and the following enacted in its place:

§6674. Interference with municipal shellfish aquaculture permit

1. Prohibition. A person may not knowingly interfere with the ability of a person who holds a municipal shellfish aquaculture permit to carry out the privileges granted to the permittee under that permit. Except for the permittee or the permittee's designee, a person may not take, disturb or molest any shellfish in the intertidal zone in the area that is included in a municipal shellfish aquaculture permit.

2. Penalty. A person who violates this section commits a civil violation for which a fine of not less than \$500 nor more than \$1,000 may be adjudged.

3. Restitution. In addition to the penalty under subsection 2, if a person violates this section by interfering with the ability of a person who holds a municipal shellfish aquaculture permit to carry out the privileges granted to that permittee under that permit, the court shall:

A. Order that person to pay to the holder of the municipal shellfish aquaculture permit an amount equal to twice the replacement value of any damaged equipment on the permit site; and

B. Direct that person to provide proof of payment of restitution under paragraph A to the commissioner.

See title page for effective date.

CHAPTER 226
S.P. 94 - L.D. 256

**An Act To Allow Nonresident
College Students To Obtain
Hunting, Fishing and Trapping
Licenses at the Resident Fee
and with Resident Privileges**

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

Sec. 1. 12 MRSA §10752, sub-§7 is enacted to read:

7. Nonresident student enrolled in an institution of higher education. In accordance with this subsection, a nonresident student is eligible for any hunting, fishing, trapping or combination hunting and fishing license or permit under this Part at the resident fee and upon obtaining that license or permit has the same privileges under this Part and rules adopted under this Part as a resident holder of that license or permit.

In order to obtain a hunting, fishing, trapping or combination hunting and fishing license or permit under this subsection, a person must demonstrate to the satisfaction of the commissioner that the person is a nonresident student and has been enrolled as a full-time student in an institution of higher education for at least one semester prior to applying for a license or permit under this subsection. The commissioner shall stamp or otherwise indicate on the license or permit issued to the nonresident student that it has been issued to a nonresident student. The license or permit remains valid for one year from issuance unless otherwise suspended or revoked.

For purposes of this subsection, "nonresident student" means a nonresident who is 18 years of age or older and under 24 years of age who is enrolled as a full-time student in an institution of higher education. For purposes of this subsection, "institution of higher education" means an institution of higher education located in this State that meets the requirements of and conforms to the definitions contained in the federal Higher Education Act of 1965, as amended, 20 United States Code, Section 1001(a) and the regulations, guidelines and procedures promulgated by the Secretary of Education pursuant to that Act.

See title page for effective date.

CHAPTER 227
H.P. 246 - L.D. 359

**An Act To Assist Persons with
Breast Cancer**

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

Sec. 1. 24 MRSA §2320-C, sub-§1, as enacted by PL 1997, c. 408, §2 and affected by §8, is amended to read:

1. Inpatient care. All individual and group non-profit hospital and medical services plan contracts providing coverage for medical and surgical benefits must ensure that inpatient coverage with respect to the treatment of breast cancer is provided for a period of time determined by the attending physician, after providing notice to the patient regarding the coverage required by this subsection and in consultation with the patient, to be medically appropriate following a mastectomy, a lumpectomy or a lymph node dissection for the treatment of breast cancer.

Nothing in this subsection may be construed to require the provision of inpatient coverage if the attending physician and patient determine that a shorter period of hospital stay is appropriate.

In implementing the requirements of this subsection, an individual and group nonprofit hospital and medical services plan contract may not modify the terms and conditions of coverage based on the determination by any enrollee to request less than the minimum coverage required under this subsection.

All individual and group nonprofit hospital and medical services plan contracts must provide written notice to each enrollee under the contract regarding the coverage required by this subsection. The notice must be prominently positioned in any literature or correspondence made available or distributed by the plan and must be transmitted in the next mailing made by the plan to the enrollee or as part of any yearly information packet sent to the enrollee, whichever is earlier. The notice must also be made available to any physician participating in the insurer's provider network.

Sec. 2. 24-A MRSA §2745-C, sub-§1, as enacted by PL 1997, c. 408, §4 and affected by §8, is amended to read:

1. Inpatient care. All individual health policies providing coverage for medical and surgical benefits, except accidental injury, specified disease, hospital indemnity, Medicare supplement, long-term care and other limited benefit health insurance policies and contracts, must ensure that inpatient coverage with respect to the treatment of breast cancer is provided for a period of time determined by the attending physician, after providing notice to the patient regarding the coverage required by this subsection and in consultation

with the patient, to be medically appropriate following a mastectomy, a lumpectomy or a lymph node dissection for the treatment of breast cancer.

Nothing in this subsection may be construed to require the provision of inpatient coverage if the attending physician and patient determine that a shorter period of hospital stay is appropriate.

In implementing the requirements of this subsection, an individual health policy may not modify the terms and conditions of coverage based on the determination by any enrollee to request less than the minimum coverage required under this subsection.

All individual health policies must provide written notice to each enrollee under the contract regarding the coverage required by this subsection. The notice must be prominently positioned in any literature or correspondence made available or distributed by the plan and must be transmitted in the next mailing made by the plan to the enrollee or as part of any yearly information packet sent to the enrollee, whichever is earlier. The notice must also be made available to any physician participating in the insurer's provider network.

Sec. 3. 24-A MRSA §2837-C, sub-§1, as enacted by PL 1997, c. 408, §6 and affected by §8, is amended to read:

1. Inpatient care. All group health policies providing coverage for medical and surgical benefits, except accidental injury, specified disease, hospital indemnity, Medicare supplement, long-term care and other limited benefit health insurance policies and contracts, must ensure that inpatient coverage with respect to the treatment of breast cancer is provided for a period of time determined by the attending physician, after providing notice to the patient regarding the coverage required by this subsection and in consultation with the patient, to be medically appropriate following a mastectomy, a lumpectomy or a lymph node dissection for the treatment of breast cancer.

Nothing in this subsection may be construed to require the provision of inpatient coverage if the attending physician and patient determine that a shorter period of hospital stay is appropriate.

In implementing the requirements of this subsection, a group health policy may not modify the terms and conditions of coverage based on the determination by any enrollee to request less than the minimum coverage required under this subsection.

All group health policies must provide written notice to each enrollee under the contract regarding the coverage required by this subsection. The notice must be prominently positioned in any literature or correspondence made available or distributed by the plan and must be transmitted in the next mailing made by the plan to the enrollee or as part of any yearly informa-

tion packet sent to the enrollee, whichever is earlier. The notice must also be made available to any physician participating in the insurer's provider network.

Sec. 4. 24-A MRSA §4237, sub-§1, as enacted by PL 1997, c. 408, §7 and affected by §8, is amended to read:

1. Inpatient care. All individual and group coverage subject to this chapter that provides coverage for medical and surgical benefits must ensure that inpatient coverage with respect to the treatment of breast cancer is provided for a period of time determined by the attending physician, after providing notice to the patient regarding the coverage required by this subsection and in consultation with the patient, to be medically appropriate following a mastectomy, a lumpectomy or a lymph node dissection for the treatment of breast cancer.

Nothing in this subsection may be construed to require the provision of inpatient coverage if the attending physician and patient determine that a shorter period of hospital stay is appropriate.

In implementing the requirements of this subsection, an individual or group coverage contract may not modify the terms and conditions of coverage based on the determination by any enrollee to request less than the minimum coverage required under this subsection.

All individual and group coverage subject to this subsection must provide written notice to each enrollee under the contract regarding the coverage required by this subsection. The notice must be prominently positioned in any literature or correspondence made available or distributed by the plan and must be transmitted in the next mailing made by the plan to the enrollee or as part of any yearly information packet sent to the enrollee, whichever is earlier. The notice must also be made available to any physician participating in the insurer's provider network.

Sec. 5. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2016. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 228
H.P. 711 - L.D. 1028

**An Act To Amend the Laws
Concerning the Registration of
Professional Engineers**

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

Whereas, the State Board of Licensure for Professional Engineers currently lacks the statutory ability to provide an equitable solution for licensure renewal that does not unfairly burden a licensee whose license has lapsed prior to renewal and who was licensed under a prior experience-based pathway to licensure; and

Whereas, this legislation will restore fairness to the statutes governing the State Board of Licensure for Professional Engineers by providing the board with the discretion to waive overly burdensome renewal requirements and should be enacted immediately in order to protect engineers who are in danger of losing their licenses; and

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

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

Sec. 1. 32 MRSA §1357, as amended by PL 2013, c. 296, §6, is further amended to read:

§1357. Expiration and renewals

Licenses expire on the last day of December of ~~each odd-numbered year following their issuance or renewal and become invalid on that date unless renewed year and a licensee may not practice professional engineering with an expired license.~~ The board shall notify every person licensed under this chapter of the date of the expiration of that person's license and the amount of the fee that is required for its renewal ~~for a 2 year period, except when the applicant has become licensed during the first year of the 2 year period, then the renewal fee is for the remaining one year of that 2 year period.~~ The notice must be provided at least one month in advance of the date of the expiration of the license. ~~Renewal may be effected at any time~~ A license may be renewed after completion of ~~continuing education~~ professional development requirements and after receipt of notice by the payment of a fee established by rule by the board, which may not exceed ~~\$50~~ \$200 annually. Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee ~~of \$10~~ established by rule by the

board in addition to the renewal fee. Any person who submits an application for renewal more than 90 days after the license renewal date is subject to all requirements governing new applicants under this chapter, except that if the renewal application is made within 3 years from the date of the expiration the board may in its discretion, giving due consideration to the protection of the public, waive examination if the renewal application is made within 3 years from the date of the expiration any additional qualifications if the licensee has held a license for at least 10 years, has completed all professional development requirements and has never been subject to discipline in this or any other jurisdiction.

Sec. 2. Retroactivity. This Act applies retroactively to January 1, 2011.

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

Effective June 22, 2015.

CHAPTER 229
H.P. 267 - L.D. 401

**An Act To Create
Transparency in the Mortgage
Foreclosure Process**

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

Sec. 1. 14 MRSA §6321, 3rd ¶, as amended by PL 2009, c. 476, Pt. B, §5 and affected by §9, is further amended to read:

The foreclosure must be commenced in accordance with the Maine Rules of Civil Procedure, and the mortgagee shall within 60 days of commencing the foreclosure also record a copy of the complaint or a clerk's certificate of the filing of the complaint in each registry of deeds in which the mortgage deed is or by law ought to be recorded and such a recording thereafter constitutes record notice of commencement of foreclosure. The mortgagee shall further certify and provide evidence that all steps mandated by law to provide notice to the mortgagor pursuant to section 6111 were strictly performed. In order to state a claim for foreclosure upon which relief can be granted, the complaint must contain a certification of proof of ownership of the mortgage note. The mortgagee shall certify proof of ownership of the mortgage note and produce evidence of the mortgage note, mortgage and all assignments and endorsements of the mortgage note and mortgage. The complaint must allege with specificity the plaintiff's claim by mortgage on such real estate, describe the mortgaged premises intelligibly, including the street address of the mortgaged

premises, if any, which must be prominently stated on the first page of the complaint, state the book and page number of the mortgage, if any, state the existence of public utility easements, if any, that were recorded subsequent to the mortgage and prior to the commencement of the foreclosure proceeding and without mortgagee consent, state the amount due on the mortgage, state the condition broken and by reason of such breach demand a foreclosure and sale. If a clerk's certificate of the filing of the complaint is presented for recording pursuant to this section, the clerk's certificate must bear the title "Clerk's Certificate of Foreclosure" and prominently state, immediately after the title, the street address of the mortgaged premises, if any, and the book and page number of the mortgage, if any. Service of process on all parties in interest and all proceedings must be in accordance with the Maine Rules of Civil Procedure. "Parties in interest" includes mortgagors, holders of fee interest, mortgagees, lessees pursuant to recorded leases or memoranda thereof, lienors and attaching creditors all as reflected by the indices in the registry of deeds and the documents referred to therein affecting the mortgaged premises, through the time of the recording of the complaint or the clerk's certificate. Failure to join any party in interest does not invalidate the action nor any subsequent proceedings as to those joined. Failure of the mortgagee to join, as a party in interest, the holder of any public utility easement recorded subsequent to the mortgage and prior to commencement of foreclosure proceedings is deemed consent by the mortgagee to that easement. Any other party having a claim to the real estate whose claim is not recorded in the registry of deeds as of the time of recording of the copy of the complaint or the clerk's certificate need not be joined in the foreclosure action, and any such party has no claim against the real estate after completion of the foreclosure sale, except that any such party may move to intervene in the action for the purpose of being added as a party in interest at any time prior to the entry of judgment. Within 10 days of submitting the complaint for filing with the court, the mortgagee shall provide a copy of the complaint or of the clerk's certificate as submitted to the court that prominently states, immediately after the title, the street address of the mortgaged premises, if any, and the book and page number of the mortgage, if any, to the municipal tax assessor of the municipality in which the property is located and, if the mortgaged premises is manufactured housing as defined in Title 10, section 9002, subsection 7, to the owner of any land leased by the mortgagor. The failure to provide the notice required by this section does not affect the validity of the foreclosure sale.

See title page for effective date.

CHAPTER 230

H.P. 856 - L.D. 1256

An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders

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

Sec. 1. 25 MRSA §2927, sub-§3-C is enacted to read:

3-C. Payment for standardized dispatch protocols for fire 9-1-1 calls. To assist public safety answering points in the adoption and implementation of standardized dispatch protocols for answering fire 9-1-1 calls, the bureau shall use up to 5¢ of each surcharge collected under subsections 1-E and 1-F to provide public safety answering points dispatcher training consistent with the protocols, necessary software and printed support materials. The bureau shall provide quality assurance training and software to assist public safety answering points in ensuring compliance with the protocols.

A. The bureau shall adopt rules related to the adoption, implementation and administration of standardized dispatch protocols for answering fire 9-1-1 calls. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Protocol phase-in. The Public Utilities Commission, Emergency Services Communication Bureau shall phase in over a 3-year period the required adoption and implementation of standardized dispatch protocols for answering fire 9-1-1 calls by all public safety answering points under the Maine Revised Statutes, Title 25, section 2927, subsection 3-C. In developing criteria pursuant to section 2927, subsection 3-C to phase in over a 3-year period the adoption and implementation of standardized dispatch protocols for answering fire 9-1-1 calls, the bureau shall seek input from the management of all public safety answering points.

Sec. 3. Report. By January 15, 2019, the Public Utilities Commission, Emergency Services Communication Bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters that includes the cost to adopt and implement standardized dispatch protocols for answering police 9-1-1 calls, the time it would take to phase in the adoption and implementation of standardized dispatch protocols for answering police 9-1-1 calls based on available funding from the surcharge in the Maine Revised Statutes, Title 25, section 2927, subsections 1-E and 1-F, whether there should be a certification and licensing requirement for all standardized dispatch protocols and any recommendations to ensure the efficient and effective over-

sight of the standardized dispatch protocols. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters may submit legislation during the First Regular Session of the 129th Legislature relating to the report.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: Provides allocations in fiscal years 2015-16 and 2016-17 to provide public safety answering points dispatcher training for answering fire 9-1-1 calls, software, printed support materials and quality assurance training.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$904,466	\$616,329
OTHER SPECIAL REVENUE FUNDS TOTAL	\$904,466	\$616,329

See title page for effective date.

CHAPTER 231

H.P. 776 - L.D. 1125

An Act To Expand Public Access to Epinephrine Autoinjectors

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

Sec. 1. 22 MRSA c. 423 is enacted to read:

CHAPTER 423

ACCESS TO EPINEPHRINE AUTOINJECTOR

§2150-F. Definitions

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

1. Administer. "Administer" means to apply an epinephrine autoinjector directly to a human body.

2. Authorized entity. "Authorized entity" means any entity, organization or place of employment, other than a school under Title 20-A, section 6305, in connection with or at which allergens capable of causing anaphylaxis may be present, including but not limited to recreation camps, colleges, universities, day care facilities, youth sports leagues, amusement parks, restaurants and sports arenas.

3. Epinephrine autoinjector. "Epinephrine autoinjector" means a single-use device used for the automatic injection of a premeasured dose of epinephrine into a human body.

4. Health care practitioner. "Health care practitioner" means an individual who is licensed, registered or otherwise authorized in the appropriate jurisdiction to prescribe and administer drugs in the course of professional practice.

§2150-G. Epinephrine autoinjectors; emergency administration

1. Prescribing to an authorized entity permitted. A health care practitioner may prescribe epinephrine autoinjectors in the name of an authorized entity for use in accordance with this section, and pharmacists and health care practitioners may dispense epinephrine autoinjectors pursuant to a prescription issued in the name of an authorized entity. A prescription authorized pursuant to this section is valid for 2 years.

2. Authorized entities permitted to maintain supply. An authorized entity may acquire and stock a supply of epinephrine autoinjectors pursuant to a prescription issued under subsection 1. An epinephrine autoinjector must be stored in a location readily accessible in an emergency and in accordance with the instructions for use for the epinephrine autoinjector and any additional requirements that may be established by the department. An authorized entity shall designate employees or agents who have completed the training required under subsection 4 to be responsible for the storage, maintenance, control and general oversight of epinephrine autoinjectors acquired by the authorized entity.

3. Use of epinephrine autoinjectors. An employee or agent of an authorized entity who has completed the training required by subsection 4 may use epinephrine autoinjectors prescribed pursuant to subsection 1 to:

A. Provide an epinephrine autoinjector to a person the employee or agent believes in good faith is experiencing anaphylaxis, or the parent, guardian or caregiver of such a person, for immediate administration, regardless of whether the person has a prescription for an epinephrine autoinjector or has previously been diagnosed with an allergy; and

B. Administer an epinephrine autoinjector to a person the employee or agent believes in good faith is experiencing anaphylaxis, regardless of whether the person has a prescription for an epinephrine autoinjector or has previously been diagnosed with an allergy.

4. Training. An employee or agent of an authorized entity shall complete an anaphylaxis training pro-

gram and shall complete additional training at least every 2 years thereafter. The training must be conducted by a nationally recognized organization experienced in training nonprofessionals in emergency health treatment or an entity or individual approved by the department. The department may approve specific entities or individuals or may approve classes of entities or individuals to conduct training. Training may be conducted online or in person and, at a minimum, must cover:

- A. How to recognize signs and symptoms of severe allergic reactions, including anaphylaxis;
- B. Standards and procedures for the storage and administration of an epinephrine autoinjector; and
- C. Emergency follow-up procedures.

The entity or individual that conducts the training shall issue a certificate, on a form developed or approved by the department, to each person who successfully completes the anaphylaxis training program.

5. Immunity. The following entities are not liable for any injuries or related damages that result from any act or omission of the entity committed in good faith pursuant to this section unless it is established that the injuries or related damages were caused willfully, wantonly or recklessly or by gross negligence:

- A. A health care practitioner that prescribes epinephrine autoinjectors in accordance with subsection 1;
- B. A pharmacist or health care practitioner that dispenses epinephrine autoinjectors in accordance with subsection 1;
- C. An authorized entity that acquires and stocks epinephrine autoinjectors or designates employees or agents to be responsible for storage, maintenance, control and general oversight of epinephrine autoinjectors in accordance with subsection 2;
- D. An employee or agent of an authorized entity who has completed the training required by subsection 4 who provides an epinephrine autoinjector to a person pursuant to subsection 3, paragraph A or who administers an epinephrine autoinjector to a person in accordance with subsection 3, paragraph B; and
- E. An individual or entity that conducts training in accordance with subsection 4.

The administration of an epinephrine autoinjector in accordance with this section is not the practice of medicine or any other profession that otherwise requires licensure.

This subsection does not eliminate, limit or reduce any other immunity or defense that may be available under

the laws of this State, including that provided under Title 14, section 164.

An authorized entity located in this State is not liable for any injuries or related damages that result from the provision or administration of an epinephrine autoinjector outside of this State if the authorized entity would not have been liable for such injuries or related damages had the provision or administration occurred within this State.

See title page for effective date.

CHAPTER 232

H.P. 888 - L.D. 1310

An Act To Amend the Community-based Renewable Energy Program

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

Sec. 1. 35-A MRSA §3602, sub-§3-A is enacted to read:

3-A. Net generating capacity. "Net generating capacity" means the output of a generating facility delivered to the transmission and distribution utility system. "Net generating capacity" does not include any energy consumed by the generator to operate the electricity generating facility and energy consumed for plant lighting, power and auxiliary facilities.

Sec. 2. 35-A MRSA §3603, sub-§2, as amended by PL 2013, c. 454, §3, is further amended to read:

2. Program scope; limits on generating capacity. The commission shall limit participation in the program in accordance with this subsection.

A. The ~~installed~~ net generating capacity of a program participant may not exceed 10 megawatts.

B. The total ~~installed~~ net generating capacity of all program participants combined may not exceed 50 megawatts.

D. Of the 50-megawatt limit on total net generating capacity under paragraph B, ~~10~~ 2 megawatts must be reserved at the outset of the program for program participants that:

- (1) Have ~~an installed~~ a net generating capacity of less than 100 kilowatts; or
- (2) Are located in the service territory of a consumer-owned transmission and distribution utility.

The commission may modify the amount of net generating capacity reserved under this paragraph based on program experience.

E. The total ~~installed net~~ generating capacity of program participants that receive the renewable energy credit multiplier incentive under section 3605 may not exceed 10 megawatts.

Sec. 3. 35-A MRSA §3609, as enacted by PL 2009, c. 329, Pt. A, §4, is repealed.

Sec. 4. 35-A MRSA §3610 is enacted to read:

§3610. Project deadline; completion deadline

The commission may not issue an order after December 31, 2015 directing an investor-owned transmission and distribution utility to enter into a long-term contract under this chapter nor allow a consumer-owned transmission and distribution utility to enter into a long-term contract under this chapter. All community-based renewable energy projects that have been selected for a long-term contract must become operational and commence generating electricity by December 31, 2018.

Sec. 5. Viability assessment; request for proposals. The Public Utilities Commission shall review all certified program participant projects under the Maine Revised Statutes, Title 35-A, section 3603 that have not yet reached commercial operations to determine whether the projects are reasonably likely to achieve commercial operations within a 3-year period. For those projects the commission determines will not be viable within a 3-year period, the commission must revoke any contract awarded, but the project may still remain certified. To the extent there is less capacity remaining than is allowed under Title 35-A, section 3603, subsection 2 after the removal of nonviable projects, the commission shall conduct an expedited request for proposals to select community-based renewable energy projects to become program participants and enter into long-term contracts. A project under this process may not elect to choose the renewable energy credit multiplier incentive under Title 35-A, section 3605, and those projects that are operational and have elected the renewable energy credit multiplier do not count towards the 50-megawatt cap on net generating capacity under Title 35-A, section 3603, subsection 2. The commission shall select the projects that provide the most benefit to ratepayers and that have contract pricing levels below 10¢ per kilowatt hour within each contract year. To the maximum extent practicable, the commission must select projects to provide for a total net generating capacity for all projects to meet the maximum allowance under Title 35-A, section 3603, subsection 2 of 50 megawatts.

See title page for effective date.

CHAPTER 233

H.P. 812 - L.D. 1179

An Act To Prohibit Certain Payments with Respect to an Adoption

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

Sec. 1. 17-A MRSA §553-A is enacted to read:

§553-A. Illegal payment with respect to an adoption

1. A person is guilty of illegal payment with respect to an adoption if that person:

A. Is the parent of a child or is a person whose consent is required pursuant to Title 18-A, section 9-302 and, in return for placing that child for adoption, intentionally or knowingly solicits or receives monetary payment or other valuable consideration that is not authorized by Title 18-A, section 9-306; or

B. With the intent of adopting a child, intentionally or knowingly provides, or offers to provide, the parent of that child or the person whose consent is required pursuant to Title 18-A, section 9-302 with monetary payment or other valuable consideration that is not authorized by Title 18-A, section 9-306.

2. Violation of this section is a Class D crime.

See title page for effective date.

CHAPTER 234

H.P. 985 - L.D. 1442

An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County

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

Whereas, the daily bag limit for brook trout established in this legislation for portions of Webster Stream in Piscataquis County needs to take effect prior to the fall fishing season for the proper fishery management of brook trout in those portions of Webster Stream; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following

legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §12458, sub-§2 is enacted to read:

2. Webster Stream. Between August 16th and September 30th annually, there is a daily bag limit of one brook trout for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake.

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

Effective June 22, 2015.

CHAPTER 235

H.P. 289 - L.D. 422

An Act To Improve Access to Treatments for Lyme Disease

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

Sec. 1. 32 MRSA §3282-B is enacted to read:

§3282-B. Lyme disease treatment

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

A. "Long-term antibiotic therapy" means the administration of oral, intramuscular or intravenous antibiotics, singly or in combination, for a period of time in excess of 4 weeks.

B. "Lyme disease" means:

(1) The presence of signs or symptoms compatible with acute infection with *Borrelia burgdorferi*;

(2) Late stage, persistent or chronic infection with *Borrelia burgdorferi*;

(3) Complications related to an infection under subparagraph (1) or (2); or

(4) The presence of signs or symptoms compatible with acute infection or late stage, persistent or chronic infection with other strains of *Borrelia* that are identified or recognized by the United States Department of Health and Human Services, Centers for Disease Control and Prevention as a cause of disease.

"Lyme disease" includes an infection that meets the surveillance criteria for Lyme disease established by the federal Centers for Disease Control and Prevention or a clinical diagnosis of Lyme disease that does not meet the surveillance criteria for Lyme disease set by the federal Centers for Disease Control and Prevention but presents other acute and chronic signs or symptoms of Lyme disease as determined by a patient's treating physician.

2. Lyme disease treatment. A physician licensed under this chapter may prescribe, administer or dispense long-term antibiotic therapy for a therapeutic purpose to eliminate infection or to control a patient's symptoms upon making a clinical diagnosis that the patient has Lyme disease or displays symptoms consistent with a clinical diagnosis of Lyme disease. The physician shall document the clinical diagnosis and treatment in the patient's medical record. The clinical diagnosis must be based on knowledge obtained through medical history and physical examination only or in conjunction with testing that provides supportive data for the clinical diagnosis.

See title page for effective date.

CHAPTER 236

H.P. 374 - L.D. 550

An Act To Improve the Process for Obtaining an Adjustment in State Valuation Due to Sudden and Severe Reduction in Municipal Valuation

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

Whereas, the value of property within a municipality has a great effect on the calculation of the municipality's required contribution for funding local schools; and

Whereas, the sudden closure of businesses has a severe effect on municipal property valuations that is not currently accounted for in the calculation of general purpose aid for local schools; and

Whereas, immediate relief is necessary to ensure municipalities with sudden and severe impacts upon property valuations are able to preserve adequate funding for education; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-

tion of the public peace, health and safety; now, therefore,

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

Sec. 1. 36 MRSA §208-A, sub-§2, ¶C, as repealed and replaced by PL 2007, c. 322, §2, is amended to read:

C. The municipality's equalized tax rate of residential property following the sudden and severe disruption in municipal valuation exceeds the most recent state average of residential property for which data is available.

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

Effective June 23, 2015.

CHAPTER 237

H.P. 492 - L.D. 716

**An Act To Amend the Fees for
Snowmobile Registrations and
To Create the Snowmobile
Trail Fund Donation Sticker**

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

Whereas, Maine's snowmobile industry is a vital part of the economy and depends on the quantity and quality of the State's snowmobile trails; and

Whereas, the State's snowmobile trails are created and maintained by a volunteer network of snowmobile clubs supported in part by snowmobile registration fees; and

Whereas, these snowmobile clubs are struggling to maintain the snowmobile trail system at current funding levels, and, unless additional funding is provided for snowmobile trail creation and maintenance, the State's snowmobile trails will begin to deteriorate, causing economic hardship throughout the State; and

Whereas, as snowmobile trail creation and maintenance must be planned for and started well before the beginning of the snowmobile season, this Act must take effect prior to 90 days after the adjournment of the Legislature; and

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

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

Sec. 1. 12 MRSA §13104, sub-§3, as amended by PL 2009, c. 213, Pt. OO, §19, is further amended to read:

3. Form of registration. The snowmobile registration must be in such form as the commissioner may determine except that the commissioner shall develop a single form of registration that can be used for ~~either~~ the 3-day, 10-day or seasonal nonresident registrations.

Sec. 2. 12 MRSA §13104, sub-§4, as repealed and replaced by PL 2011, c. 129, §1 and amended by c. 657, Pt. W, §§5 and 7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

4. Fee. Except as provided in subsection 5, the annual snowmobile registration fee is as follows:

A. For residents, ~~\$40~~ \$45. The registration for a snowmobile owned by a resident is valid for one year, commencing on July 1st of each year; and

B. For nonresidents:

(1) ~~Forty-three~~ Forty-nine dollars for a 3-consecutive-day registration. A person may purchase more than one 3-day registration in any season; ~~and~~

(2) ~~Eighty-eight~~ Ninety-nine dollars for a seasonal registration; ~~and~~

(3) Seventy-five dollars for a 10-consecutive-day registration. A person may purchase more than one 10-day registration in any season.

The registration for a snowmobile owned by a nonresident must specify the dates for which the registration is valid.

Five dollars from each registration fee collected pursuant to this subsection must be transferred to a special fund administered by the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry. The funds must be used to assist any entity that has a snowmobile trail grooming contract with the Bureau of Parks and Lands in the purchase of trail-grooming equipment. The funds also may be used for the repair or overhaul of trail-grooming equipment.

~~Seven~~ Twelve dollars from each resident snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

Six dollars from each nonresident 3-day snowmobile registration fee, \$6 from each nonresident 10-day snowmobile registration fee and \$11 from each nonresident seasonal snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the De-

partment of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

Sec. 3. 12 MRSA §13104, sub-§17 is enacted to read:

17. Snowmobile Trail Fund Donation Sticker Program. The commissioner shall establish the Snowmobile Trail Fund Donation Sticker Program. The commissioner shall design and issue 3 different Snowmobile Trail Fund donation stickers to reflect a donor's donation of \$25, \$50 and \$100, respectively. For every donation \$2 is retained by the department and the remainder is transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

A Snowmobile Trail Fund donation sticker is in addition to and separate from the snowmobile registration requirements of this section.

Sec. 4. Policies for the distribution of Snowmobile Trail Fund revenues; development and review. The Commissioner of Agriculture, Conservation and Forestry shall develop written policies specifying the criteria the Department of Agriculture, Conservation and Forestry will use to distribute additional revenues raised pursuant to this act to snowmobile clubs. The policies must distribute the additional revenue to eligible snowmobile organizations using a per mile reimbursement formula. To the extent feasible, the additional revenues must be distributed in a geographically equitable manner.

The Commissioner of Agriculture, Conservation and Forestry shall submit written policies for review to the Joint Standing Committee on Inland Fisheries and Wildlife and that committee may report out a bill to the Second Regular Session of the 127th Legislature pertaining to the distribution of Snowmobile Trail Fund revenues.

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

Effective June 23, 2015.

CHAPTER 238

H.P. 819 - L.D. 1186

An Act To Promote Professional Training and Security in Maine Courts

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to

provide support for critical court functions such as entry screening and security as soon as possible; and

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

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

Sec. 1. 4 MRSA §17-D is enacted to read:

§17-D. Fees for training, security and other expenses

The State Court Administrator may establish fees on lawyers, guardians ad litem, interpreters, mediators and other professionals who routinely participate in court proceedings to cover the costs of training, orientation, continuing education, background investigations, entry screening and security provided to these professionals. The State Court Administrator also may establish fees on 3rd parties to cover the costs of the use of court facilities for purposes not related to court functions by those 3rd parties. All fees collected under this section must be deposited in a nonlapsing Other Special Revenue Funds account to be used for these purposes only. This account may receive money from grants, gifts, bequests and donations.

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

Effective June 23, 2015.

CHAPTER 239

H.P. 197 - L.D. 279

An Act Regarding Payment under the Business Equipment Tax Reimbursement Program

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

Sec. 1. 36 MRSA §6656, sub-§1, as amended by PL 2009, c. 213, Pt. S, §15 and affected by §16, is further amended to read:

1. Reimbursement claim. Notwithstanding any other provision of law, except as provided in subsection 1-A, section 6652 and section 6662, upon receipt of a timely and properly completed claim for reimbursement, the State Tax Assessor shall certify that the claimant is eligible for reimbursement under this chapter. The assessor shall determine the benefit for each claimant and shall certify to the State Controller the amounts to be transferred to the Business Equipment

Tax Reimbursement reserve account established, maintained and administered by the State Controller from General Fund undedicated revenue.

Sec. 2. 36 MRSA §6656, sub-§1-A is enacted to read:

1-A. Suspension of reimbursement for non-payment of taxes. The State Tax Assessor shall suspend reimbursement under this chapter for a claimant who is delinquent in the payment of personal property taxes. For the purposes of this paragraph, delinquency occurs when:

A. The taxpayer has a past due balance in a single municipality or the unorganized territory in the amount of \$10,000 or more in property tax on personal property; and

B. The municipal tax collector certifies to the State Tax Assessor or, in the case of the unorganized territory, the State Tax Assessor determines that the taxpayer is delinquent in the payment of personal property taxes. Certification by the municipal tax collector must be made on a form prescribed by the State Tax Assessor and list the tax and interest due and the year for which it is due. The certification by the municipal tax collector or determination by the State Tax Assessor must be made from July 1st to July 15th of the year for which the reimbursement is to be suspended.

Within 10 days after certifying or determining that a taxpayer is delinquent, the municipal tax collector or, in the case of the unorganized territory, the State Tax Assessor shall notify the taxpayer that reimbursement under this chapter for the application period beginning August 1st of that year may be suspended under this subsection unless the past due taxes are paid by the end of the application period for that year.

A taxpayer receiving a notice under this subsection has until the last day of the application period prescribed under section 6654 to pay the past due tax to the municipality or, in the case of the unorganized territory, to the State Tax Assessor to redeem any otherwise eligible reimbursement under this chapter. When the municipal tax collector certifies to the State Tax Assessor or, in the case of the unorganized territory, the State Tax Assessor determines that the past due tax has been paid, the State Tax Assessor shall release the reimbursement that has been suspended to the taxpayer in the same manner as for other claims under this chapter. If the taxpayer does not pay the past due tax by the end of the application period, the taxpayer's eligibility for the suspended reimbursement is terminated.

See title page for effective date.

CHAPTER 240

H.P. 309 - L.D. 470

An Act To Allow Children's Residential Care Facilities To Ensure the Safety of Their Residents

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

Sec. 1. 22 MRSA §8108 is enacted to read:

§8108. Search of property

An administrator or other staff designated by an administrator of a children's home or children's residential care facility may search a resident's backpack or travel bag upon the resident's return to the home or facility if there are reasonable grounds for suspecting that the backpack or travel bag contains misappropriated articles or items that would endanger the health or safety of the resident or other residents. A search of a resident's backpack or travel bag conducted under this section must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the resident and the nature of the suspected misappropriated or harmful items. Following a search of a resident's backpack or travel bag authorized under this section, the administrator or designated staff may confiscate any items found in the resident's possession that are misappropriated or that pose a health or safety risk to the resident or other residents.

See title page for effective date.

CHAPTER 241

H.P. 451 - L.D. 670

An Act To Amend the Laws Governing the Unlawful Cutting of Trees

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

Sec. 1. 14 MRSA §7552, sub-§3, ¶B, as amended by PL 1999, c. 339, §1, is repealed and the following enacted in its place:

B. Except within areas that have been zoned for residential use, for lost trees the owner may choose to claim:

- (1) The market value of the lost trees;
- (2) The diminution in value of the real estate as a whole resulting from the violation;
- (3) The forfeiture amounts determined in Title 17, section 2510, subsections 2 and 3; or

(4) If the lost trees are ornamental or fruit trees, the costs of replacing, replanting and restoring the trees with trees of comparable size and the same or equivalent species and the actual costs for cleanup of damage caused during the cutting.

In addition, the owner's damages for lost trees that are not ornamental or fruit trees may include the costs for regeneration of the stand in accordance with Title 12, section 8869.

The court may reduce the damages awarded for good cause shown when the cutting of trees was done negligently or without fault.

Public utilities, as defined in Title 35-A, section 102, and contractors performing work for public utilities are not liable for damages under this paragraph for lost trees the trimming or removal of which is necessary to provide safe and reliable service to the customers of the public utilities.

Sec. 2. 14 MRSA §7552, sub-§3, ¶B-1 is enacted to read:

B-1. Within areas that have been zoned for residential use, for lost trees the owner may choose to claim:

(1) The costs of replacing, replanting and restoring the trees with trees of comparable size and the same or equivalent species and the actual costs for cleanup of damage caused during the cutting;

(2) The market value of the lost trees;

(3) The diminution in value of the real estate as a whole resulting from the violation; or

(4) The forfeiture amounts determined in Title 17, section 2510, subsections 2 and 3.

Public utilities, as defined in Title 35-A, section 102, and contractors performing work for public utilities are not liable for damages under this paragraph for lost trees the trimming or removal of which is necessary to provide safe and reliable service to the customers of the public utilities.

Sec. 3. 14 MRSA §7552, sub-§4, ¶D is enacted to read:

D. A person who with malice violates subsection 2 is subject to punitive damages in addition to the damages under paragraphs A, B and C.

Sec. 4. 14 MRSA §7552, sub-§5, as enacted by PL 1995, c. 450, §2, is amended to read:

5. Costs and fees. In addition to damages, interest and costs, the owner may also recover from the person who violates subsection 2 the reasonable costs of professional services necessary for determining damages and proving the claim, ~~provided that as long~~

as the person first has written notice or actual knowledge that a claim is being asserted.

~~The amount awarded for professional services may not exceed 50% of the damages recovered pursuant to subsection 4 plus interest on the damages. Interest may be assessed after service of a notice of claim pursuant to section 1602.~~

See title page for effective date.

CHAPTER 242

H.P. 564 - L.D. 830

An Act To Eliminate the Dual Licensing of Physician Assistants

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

Sec. 1. 32 MRSA §2594-B, as amended by PL 2013, c. 101, §§2 and 3, is repealed.

Sec. 2. 32 MRSA §2594-C, as amended by PL 2013, c. 101, §4, is repealed.

Sec. 3. 32 MRSA §2594-E is enacted to read:

§2594-E. License and registration of physician assistants

1. License and registration required. A physician assistant may not render medical services under the supervision of an osteopathic physician or an allopathic physician pursuant to a plan of supervision until the physician assistant has applied for and obtained from either the Board of Osteopathic Licensure or the Board of Licensure in Medicine:

A. A license, which must be renewed biennially with the board that issued the initial license; and

B. A certificate of registration.

Applications for licensure and certificate of registration as a physician assistant must be made to the board that licenses the physician assistant's primary supervising physician at the time the applications for initial licensure and certificate of registration are filed. A physician assistant who applies for licensure without a designated primary supervising physician may submit the application to either the Board of Osteopathic Licensure or the Board of Licensure in Medicine. A license granted by either the Board of Osteopathic Licensure or the Board of Licensure in Medicine authorizes the physician assistant to render medical services under the supervision of an osteopathic or allopathic physician regardless of which board issued the license to the physician assistant.

2. Qualification for licensure. The board may issue to an individual a license to practice as a physician assistant under the following conditions:

A. A license may be issued to an individual who:

- (1) Graduated from a physician assistant program approved by the board;
- (2) Passed a physician assistant national certifying examination administered by the National Commission on Certification of Physician Assistants or its successor organization;
- (3) Demonstrates current clinical competency;
- (4) Does not have a license or certificate of registration that is the subject of disciplinary action such as probation, restriction, suspension, revocation or surrender;
- (5) Completes an application approved by the board;
- (6) Pays an application fee of up to \$250; and
- (7) Passes an examination approved by the board.

B. No grounds exist as set forth in section 2591-A to deny the application.

3. Certificate of registration. A physician assistant may not render medical services until issued a certificate of registration by the board. The board may issue a certificate of registration to a physician assistant under the following requirements:

A. The physician assistant shall:

- (1) Submit an application on forms approved by the board. The application must include:
 - (a) A written statement by the proposed supervising physician taking responsibility for all medical activities of the physician assistant; and
 - (b) A written statement by the physician assistant and proposed supervising physician that a written plan of supervision has been established; and
- (2) Pays an application fee of up to \$50.

B. A proposed supervising physician must hold an active license to practice medicine in the State and be in good standing.

4. Delegation by physician assistant. A physician assistant may delegate medical acts to a medical assistant employed by the physician assistant or by an employer of the physician assistant as long as that delegation is permitted in the plan of supervision established by the physician assistant and the supervising physician.

5. Rules. The Board of Osteopathic Licensure is authorized to adopt rules regarding the training and licensure of physician assistants and the agency relationship between the physician assistant and the supervising physician. These rules, which must be adopted jointly with the Board of Licensure in Medicine, may pertain to, but are not limited to, the following matters:

A. Information to be contained in the application for a license and certificate of registration;

B. Information that is required on the application for a certificate of registration filed by the proposed supervising physician;

C. Training and education requirements and scope of permissible clinical medical procedures of the physician assistant and the manner and methods by which the supervising physician shall supervise the physician assistant's medical services;

D. Scope of practice for physician assistants, including prescribing of controlled drugs;

E. Requirements for written plans of supervision;

F. Requirements for a physician assistant to notify the board regarding certain circumstances, including but not limited to any change in address, any change in the identity or address of the physician assistant's employer or in the physician assistant's employment status, any change in the identity or address of the supervising physician, the permanent departure of the physician assistant from the State, any criminal convictions of the physician assistant and any discipline by other jurisdictions of the physician assistant;

G. Issuance of temporary physician assistant licenses and temporary registration of physician assistants;

H. Appointment of an advisory committee for continuing review of the physician assistant program and rules. The physician assistant member of the board pursuant to section 2561 must be a member of the advisory committee;

I. Continuing education requirements as a precondition to continued licensure or licensure renewal;

J. Fees for the application for an initial physician assistant license, which may not exceed \$250;

K. Fees for an initial certificate of registration, which may not exceed \$100;

L. Fees for transfer of the certificate of registration by a physician assistant from one supervising physician to another, which may not exceed \$50; and

M. Fees for the biennial renewal of a physician assistant license in an amount not to exceed \$250.

Sec. 4. 32 MRSA §3270-B, as amended by PL 2013, c. 101, §§6 and 7, is repealed.

Sec. 5. 32 MRSA §3270-E is enacted to read:

§3270-E. License and registration of physician assistants

1. License and registration required. A physician assistant may not render medical services under the supervision of an osteopathic physician or an allopathic physician pursuant to a plan of supervision until the physician assistant has applied for and obtained from either the Board of Licensure in Medicine or the Board of Osteopathic Licensure:

A. A license, which must be renewed biennially with the board that issued the initial license; and

B. A certificate of registration.

Applications for licensure and certificate of registration as a physician assistant must be made to the board that licenses the physician assistant's primary supervising physician at the time the applications for initial licensure and certificate of registration are filed. A physician assistant who applies for licensure without a designated primary supervising physician may submit the application to either the Board of Osteopathic Licensure or the Board of Licensure in Medicine. A license granted by either the Board of Osteopathic Licensure or the Board of Licensure in Medicine authorizes the physician assistant to render medical services under the supervision of an allopathic or osteopathic physician regardless of which board issued the license to the physician assistant.

2. Qualification for licensure. The board may issue to an individual a license to practice as a physician assistant under the following conditions:

A. A license may be issued to an individual who:

(1) Graduated from a physician assistant program approved by the board;

(2) Passed a physician assistant national certifying examination administered by the National Commission on Certification of Physician Assistants or its successor organization;

(3) Demonstrates current clinical competency;

(4) Does not have a license or certificate of registration that is the subject of disciplinary action such as probation, restriction, suspension, revocation or surrender;

(5) Completes an application approved by the board;

(6) Pays an application fee of up to \$250; and

(7) Passes an examination approved by the board; and

B. No grounds exist as set forth in section 3282-A to deny the application.

3. Certificate of registration. A physician assistant may not render medical services until issued a certificate of registration by the board. The board may issue a certificate of registration to a physician assistant under the following requirements:

A. The physician assistant shall:

(1) Submit an application on forms approved by the board. The application must include:

(a) A written statement by the proposed supervising physician taking responsibility for all medical activities of the physician assistant; and

(b) A written statement by the physician assistant and proposed supervising physician that a written plan of supervision has been established; and

(2) Pays an application fee of up to \$50.

B. A proposed supervising physician must hold an active license to practice medicine in the State and be in good standing.

4. Delegation by physician assistant. A physician assistant may delegate medical acts to a medical assistant employed by the physician assistant or by an employer of the physician assistant as long as that delegation is permitted in the plan of supervision established by the physician assistant and the supervising physician.

5. Rules. The Board of Licensure in Medicine is authorized to adopt rules regarding the training and licensure of physician assistants and the agency relationship between the physician assistant and the supervising physician. These rules, which must be adopted jointly with the Board of Osteopathic Licensure, may pertain to, but are not limited to, the following matters:

A. Information to be contained in the application for a license and certificate of registration;

B. Information that is required on the application for a certificate of registration filed by the proposed supervising physician;

C. Training and education requirements and scope of permissible clinical medical procedures of the physician assistant and the manner and methods by which the supervising physician shall supervise the physician assistant's medical services;

D. Scope of practice for physician assistants, including prescribing of controlled drugs;

E. Requirements for written plans of supervision;

F. Requirements for a physician assistant to notify the board regarding certain circumstances, including but not limited to any change in address, any change in the identity or address of the physician assistant's employer or in the physician assistant's employment status, any change in the identity or address of the supervising physician, the permanent departure of the physician assistant from the State, any criminal convictions of the physician assistant and any discipline by other jurisdictions of the physician assistant;

G. Issuance of temporary physician assistant licenses and temporary registration of physician assistants;

H. Appointment of an advisory committee for continuing review of the physician assistant program and rules. The physician assistant member of the board pursuant to section 2561 must be a member of the advisory committee;

I. Continuing education requirements as a precondition to continued licensure or licensure renewal;

J. Fees for the application for an initial physician assistant license, which may not exceed \$250;

K. Fees for an initial certificate of registration, which may not exceed \$100;

L. Fees for transfer of the certificate of registration by a physician assistant from one supervising physician to another, which may not exceed \$50; and

M. Fees for the biennial renewal of a physician assistant license in an amount not to exceed \$250.

Sec. 6. 37-B MRSA §185, sub-§1-A, as enacted by PL 2009, c. 587, §1, is amended to read:

1-A. Immunity from civil and criminal liability for supervising physician. Subsection 1 applies to the supervising physician of a physician assistant under Title 32, section ~~2594-B~~ 2594-E or ~~3270-B~~ 3270-E:

A. With regard to any act of the physician assistant in providing services to individuals not on active state service;

B. When the physician assistant is on active state service in the performance of the physician assistant's duty; and

C. When the supervising physician is not on active state service.

Sec. 7. Transition period. A license issued to a physician assistant by the Board of Licensure in Medicine or the Board of Osteopathic Licensure that is current and valid on the effective date of this Act re-

mains in effect until that license is required to be renewed by the board that initially issued the license. A license renewed by a physician assistant after the effective date of this Act must be renewed in compliance with any rules jointly adopted by the Board of Licensure in Medicine and the Board of Osteopathic Licensure.

Sec. 8. Appropriations and allocations.

The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Licensure in Medicine - Board of 0376

Initiative: Allocates funds for the cost of rulemaking and licensing system enhancements in order to establish a single physician assistant license.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$15,781	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,781	\$0

Osteopathic Licensure - Board of 0383

Initiative: Allocates funds for the cost of rulemaking and licensing system enhancements in order to establish a single physician assistant license.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$4,711	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,711	\$0

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$20,492	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$20,492	\$0

See title page for effective date.

CHAPTER 243
H.P. 580 - L.D. 846

**An Act To Expedite Final
Hearings in Certain
Foreclosure Cases**

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

Sec. 1. 14 MRSA §6321-B is enacted to read:

§6321-B. Expedited final hearing in certain foreclosure cases

1. Request. The court shall schedule an expedited final hearing pursuant to section 6322 if a plaintiff in an action brought pursuant to section 6321 files with the clerk a request for an expedited final hearing on a form prescribed by the Supreme Judicial Court indicating:

A. That mediation conducted pursuant to section 6321-A did not result in the settlement or dismissal of the action and that all of the defendants and all of the parties in interest who have appeared in the action have consented to an expedited final hearing pursuant to section 6322; or

B. That the defendant has not filed an answer to the complaint as provided by the Maine Rules of Civil Procedure and section 6321-A and that all of the parties who have filed an answer in the action have consented to an expedited final hearing.

2. Consent. The request filed under subsection 1 must be accompanied by a consent form, as prescribed by the Supreme Judicial Court, that informs defendants that they may consult with an attorney or a housing counselor before consenting to an expedited hearing.

A. For a request filed under subsection 1, paragraph A, the consent form must be signed by all of the defendants and all of the parties in interest who have appeared in the action.

B. For a request filed under subsection 1, paragraph B, the consent form must be signed by all of the parties who have appeared in the action and all of the parties who have filed an answer in the action.

3. Scheduling. The court, upon receiving a request for an expedited final hearing filed in accordance with subsection 1, shall, as the interests of justice permit, set the expedited final hearing not less than 45 days after the request is filed.

4. Final hearing. An expedited final hearing held pursuant to this section must be conducted in accordance with section 6322 and this subsection.

A. Notwithstanding that a default may have been entered against the defendant by the clerk pursuant to the Maine Rules of Civil Procedure, Rule

55, the defendant may appear and defend at the expedited final hearing held pursuant to this section.

B. The burden of proof and legal requirements for entry of a judgment of foreclosure are the same as in other actions pursuant to section 6321, including the requirement that a judgment of foreclosure specify the priority and those amounts, if any, that may be due to the parties in interest that have appeared in the action.

C. After the expedited final hearing, the court shall issue a written judgment of foreclosure, dismissal with or without prejudice or judgment for the defendant as expeditiously as the interests of justice permit.

See title page for effective date.

CHAPTER 244

H.P. 610 - L.D. 891

**An Act To Help Municipalities
Dispose of Certain Abandoned
Property**

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

Sec. 1. 30-A MRSA §3106-A is enacted to read:

§3106-A. Municipal authority to manage abandoned mobile homes

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

A. "Mobile home" has the same meaning as in Title 10, section 9091, subsection 1.

B. "Property defect" means a condition that, in the judgment of the municipality, contributes to blight as a result of the continued lack of care, maintenance or security of a property.

C. "Responsible party" includes the owner or owners of record for a mobile home, not including a mortgagee.

2. Municipal authority. In accordance with this section, the municipal officers or their designees may regulate the care, maintenance and security of a mobile home determined to be abandoned under subsection 4 if the responsible parties fail to address the property defects after notice and an opportunity to comply, and the municipality may recover its costs from the responsible parties. The authority established by this section may not be construed to replace or supplant any municipal authority to provide for basic ne-

cessities under Title 14, section 6026-A or address dangerous buildings under Title 17, chapter 91, subchapter 4. Municipal action under this section may not be interpreted to bestow any responsibility on the municipality to safeguard or otherwise preserve or protect an abandoned mobile home. A municipality is authorized to take corrective action in accordance with this section, up to and including taking possession of and disposing of an abandoned mobile home and all related personal property.

3. Notice of foreclosure; designation of representative. When initiating a foreclosure action on a property, a foreclosing mortgagee shall notify the municipality where the property is situated and designate an in-state representative responsible for responding to municipal inquiries regarding the property. The foreclosing mortgagee shall provide the municipality where the property is located with the contact information for the mortgagee's in-state representative. For the purposes of this subsection, "contact information" means both a mailing address and a direct telephone number with a functioning voice mailbox, as well as the in-state representative's direct e-mail address when available.

4. Determination of abandonment. Before a municipality may initiate corrective measures to address property defects pursuant to this section, either a court or the municipal officers must have determined that the mobile home has been abandoned according to the evidence of abandonment described in Title 14, section 6326, subsection 2, paragraph A, C, D, E, F, G or H.

A. The municipal officers shall provide notice to the responsible party and hold a hearing before making a determination that a mobile home has been abandoned. The notice of hearing must:

(1) State the scheduled date, time and location of the hearing; and

(2) Inform the responsible party that, upon a finding of abandonment, the municipality may require the responsible party to correct any property defects within 60 days of issuing a notice to correct.

B. A hearing under paragraph A must be held not less than 7 days after receipt or publication of the notice.

C. An order issued by the municipality determining that a mobile home is abandoned may be combined with the notice to correct set forth in subsection 5.

5. Notice to correct. Upon a finding of abandonment, the municipal officers may give written notice to the responsible party to correct the property defect. The municipal notice to correct under this subsection must:

A. Identify the property defect;

B. State the municipality's intention to take appropriate preventive or corrective measures to address the property defect;

C. Identify the measures the municipality will take if the responsible party has not remedied the property defect identified within 60 days of the notice to correct;

D. State the municipality's intention to subsequently recover the municipality's direct, legal and administrative costs from the responsible party;

E. Inform the responsible party of the responsible party's ability to avert the municipality's actions by remedying the property defect as identified in the notice; and

F. State the municipality's intention to take possession of and dispose of the mobile home and all related personal property if the responsible party has not remedied the property defect identified within 60 days of the notice to correct.

6. Notice process. A notice required to be given under this section is governed by the following.

A. Notice must be hand-delivered or mailed by certified mail, return receipt requested, to the responsible party. Notice is sufficient if the signed receipt is returned or the certified mail is returned as refused by the recipient.

B. If the name or address of the responsible party cannot be determined with reasonable diligence, or notice was otherwise not successful pursuant to paragraph A, the notice must be published twice consecutively in a daily or weekly newspaper having general circulation in the municipality in which the mobile home is located.

7. Costs. A responsible party is jointly and severally liable to a municipality for its direct, legal and administrative costs incurred while remedying or attempting to remedy the property defect pursuant to this section. The responsible party shall reimburse the municipality for its costs within 30 days after demand, or a special tax may be assessed against the property in the amount of those costs and may be collected in the same manner as other state, county and municipal taxes are collected.

8. Appeals. An appeal to a determination of abandonment by the municipal officers pursuant to subsection 4 is to the Superior Court pursuant to the provisions of the Maine Rules of Civil Procedure, Rule 80B.

See title page for effective date.

CHAPTER 245
H.P. 633 - L.D. 913

**An Act To Expand Public
Opportunities for Wildlife
Management Education**

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

Sec. 1. 12 MRSA §10206, sub-§11 is enacted to read:

11. Species Management Education Fund. The department shall deposit \$1 of every hunting license and trapping license fee collected pursuant to sections 11109, 11109-A and 12201 in a separate account within the department, to be known as the Species Management Education Fund. The fund is nonlapsing. The department shall use money in the fund on an annual basis to educate the public on the management of game species. The department may contract with a private entity to provide this education. Education provided pursuant to this section must include information about how hunting and fishing helps to manage specific species. The department may continue its activities pursuant to this subsection during ballot initiative campaigns concerning wildlife issues.

Sec. 2. 12 MRSA §11109, sub-§3, as amended by PL 2013, c. 538, §§21 and 22, is further amended to read:

3. Hunting licenses; combination licenses; fees. Hunting licenses, combination licenses and fees are as follows.

A. A resident junior hunting license, for a person 10 years of age or older and under 16 years of age, is ~~\$7~~ \$8. Notwithstanding the permit fees established in subchapter 3, a resident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost. A resident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

B. A resident hunting license, for a person 16 years of age or older, is ~~\$25~~ \$26.

C. A resident small game hunting license, for a person 16 years of age or older, which permits hunting for all legal species except deer, bear, turkey, moose, raccoon and bobcat, is ~~\$14~~ \$15.

D. A resident combination hunting and fishing license is ~~\$42~~ \$43.

E. A resident combination archery hunting and fishing license is ~~\$42~~ \$43.

E-1. A resident apprenticeship hunter license, which includes a bear hunting permit and a wild

turkey hunting permit under sections 11151 and 11155 respectively, is ~~\$25~~ \$26.

F. A nonresident junior hunting license, for a person 10 years of age or older and under 16 years of age, is ~~\$34~~ \$35. A nonresident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

G. A nonresident small game hunting license, which permits hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat, is ~~\$74~~ \$75.

H. A nonresident 3-day small game hunting license, valid for 3 consecutive hunting days, which permits hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat for the 72-hour period specified on the license, is ~~\$49~~ \$50.

I. A nonresident big game hunting license, which permits hunting of all legal species subject to the permit requirements in subchapter 3, is ~~\$114~~ \$115.

J. A nonresident combination hunting and fishing license is ~~\$149~~ \$150.

K. An alien small game hunting license, which permits hunting of all species except deer, bear, turkey, moose, raccoon and bobcat, is ~~\$79~~ \$80.

L. An alien big game hunting license, which permits hunting of all legal species subject to the permit requirements in subchapter 3, is ~~\$139~~ \$140.

M. An alien combination hunting and fishing license is ~~\$190~~ \$191.

N. A license to use leashed dogs to track wounded animals, which permits a person to use one or more leashed dogs to track a lawfully wounded deer, moose or bear, is ~~\$27~~ \$28.

O. A nonresident small game apprenticeship hunter license, which permits the hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat, is ~~\$74~~ \$75.

P. A nonresident big game apprenticeship hunter license, which permits the hunting of all legal species and includes a bear hunting permit and a wild turkey hunting permit under sections 11151 and 11155 respectively, is ~~\$114~~ \$115.

Sec. 3. 12 MRSA §11109, sub-§7, as amended by PL 2009, c. 213, Pt. OO, §4, is further amended to read:

7. Archery hunting licenses; combination licenses; fees. Archery hunting licenses, combination licenses and fees are as follows:

- A. A resident archery license is ~~\$25~~ \$26;
- B. A resident combination archery hunting and fishing license is ~~\$42~~ \$43;
- C. A nonresident archery license is ~~\$74~~ \$75; and
- D. An alien archery license is ~~\$84~~ \$85.

Sec. 4. 12 MRSA §11109, sub-§9, as amended by PL 2009, c. 213, Pt. OO, §5, is further amended to read:

9. Crossbow licenses and fees. Crossbow hunting licenses and fees are as follows:

- A. A resident crossbow hunting license is ~~\$25~~ \$26;
- B. A nonresident crossbow hunting license is ~~\$55~~ \$56; and
- C. An alien crossbow hunting license is ~~\$79~~ \$80.

Sec. 5. 12 MRSA §11109-A, sub-§5, as enacted by PL 2005, c. 477, §4, is amended to read:

5. Fee. The fee for a super pack license is ~~\$200~~ \$201 for residents and ~~\$175~~ \$176 for a person holding 2 or more lifetime licenses.

Sec. 6. 12 MRSA §12201, sub-§6, as amended by PL 2009, c. 213, Pt. OO, §9, is further amended to read:

6. Trapping fees. The fees for trapping licenses are as follows:

- A. A resident junior trapping license, for a person 10 years of age or older and under 16 years of age, is ~~\$9~~ \$10;
- B. A resident trapping license, for a person 16 years of age or older, is ~~\$35~~ \$36; and
- C. A nonresident trapping license is ~~\$317~~ \$318.

Sec. 7. Stakeholders group; 5-year public outreach campaign. The Commissioner of Inland Fisheries and Wildlife shall convene a stakeholders group to develop recommendations for a 5-year public outreach campaign for the Department of Inland Fisheries and Wildlife on the department's efforts to manage game species, including a plan for how money in the Species Management Education Fund under the Maine Revised Statutes, Title 12, section 10206, subsection 11 is to be used. The commissioner shall report on the recommendations of the stakeholders group, including any suggested legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2016. The joint standing committee may report out a bill regarding the commissioner's report to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 246

H.P. 655 - L.D. 952

An Act Regarding the Licensure of Funeral Service Providers

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

Sec. 1. 32 MRSA §1501-B is enacted to read:

§1501-B. Temporary license

The board may issue a 6-month, nonrenewable temporary license to an applicant who pays the required fee and:

1. Active license. Holds an active license to practice funeral service in another state whose license requirements are substantially similar to the license requirements under this chapter and board rules; or

2. Continuous active practice. Has been in continuous active practice as a licensed practitioner of funeral service in another state whose license requirements are substantially similar to the requirements of the laws and rules of this State for 2 years immediately preceding submission of the application for temporary licensure.

Upon verification of the absence of disciplinary history with respect to the holder of a temporary license under this section from every jurisdiction where the holder of a temporary license is or previously has been licensed, the board may issue a permanent license to the holder of a temporary license upon notification by the board that the holder of a temporary license has passed an examination required by the board by rule. The board shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to carry out the provisions of this section.

See title page for effective date.

CHAPTER 247

H.P. 718 - L.D. 1049

An Act To Further Define Duties for Persons Who Hold Powers of Attorney or Act as Agents for Residents of Long-term Care Facilities

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

Sec. 1. 22 MRSA §1826, sub-§2, ¶I, as enacted by PL 1985, c. 291, §1, is amended to read:

I. No contract or agreement may contain a provision ~~which that~~ provides for the payment of ~~attor-~~

~~neys' attorney's fees or any other cost of collecting payments from the resident, except that attorney's fees and costs may be collected against any agent under a power of attorney who breaches the agent's duties as set forth in section 1826-A or Title 18-A, section 5-914 or against a conservator appointed under Title 18-A, section 5-404 for breach of the conservator's duties.~~

Sec. 2. Department of Health and Human Services; standard admission contract; rule-making.

The Department of Health and Human Services shall amend its rules Chapter 110: Regulations Governing the Licensing and Functioning of Skilled Nursing Facilities and Nursing Facilities and Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs to modify the standard admission contract for residents of nursing homes and assisted housing programs to provide enhanced notice of an agent's obligations relating to a resident's eligibility for MaineCare benefits and to the agent's filing an application for those benefits on the resident's behalf. The amendments to the rules must describe a nursing home's or assisted housing program's legal remedies if an agent fails to fulfill the agent's obligations with respect to a nursing home or assisted housing program resident's eligibility and application for MaineCare benefits. Modifications to the standard admission contract in accordance with this section must specify in substantially similar language that, by signing the standard admission contract, the resident of a nursing home or assisted housing program, the resident's agent and the nursing home or assisted housing program acknowledge the following obligations:

1. The nursing home or assisted housing program must explore whether the resident is financially eligible for MaineCare benefits and, if the resident is financially eligible, must refer the resident or the resident's agent to the appropriate regional office of the office for family independence within the Department of Health and Human Services for the purpose of filing an application for MaineCare benefits;

2. The nursing home or assisted housing program must timely request a MaineCare eligibility assessment on behalf of the resident by submitting a completed referral form to the department or its authorized agent when the nursing home or assisted housing program has reason to believe that the resident is financially eligible for MaineCare benefits;

3. The nursing home or assisted housing program must remind the resident or the resident's agent on a quarterly basis of the availability of MaineCare benefits when the nursing home or assisted housing program has reason to believe that the resident is financially eligible for such benefits. The nursing home or assisted housing program must document each quar-

terly reminder provided to the resident or the resident's agent;

4. The nursing home or assisted housing program must assist the resident or the resident's agent in completing and filing an application for MaineCare benefits;

5. The resident or the resident's agent must make timely payment to the nursing home or assisted housing program for the resident's care from the resident's resources that are available for that purpose;

6. The resident or the resident's agent must notify the nursing home or assisted housing program when the resident or the resident's agent has reason to believe that the resident is financially eligible for MaineCare benefits and must timely apply for MaineCare benefits and provide to the department all information necessary to support the resident's application; and

7. As an alternative to their obligation to file an application for MaineCare benefits, the resident or the resident's agent must authorize the nursing home or assisted housing program to file an application for MaineCare benefits on behalf of the resident and timely provide all necessary financial information to the nursing home or assisted housing program or provide the nursing home or assisted housing program with all authorizations necessary to secure this financial information, so that the nursing home or assisted housing program may complete the application process on behalf of the resident.

The standard admission contract must provide that, if the resident's agent fails in the agent's obligation to ensure that the nursing home or assisted housing program is timely paid for the costs of the resident's monthly care or fails to perform any of the agent's obligations described in the amended rule or otherwise required by law or rule, in addition to any other legal remedy the nursing home or assisted housing program may possess, the nursing home or assisted housing program may pursue a legal action against the agent in Probate Court or District Court for review of the agent's performance. In addition to any other relief that the nursing home or assisted housing program may request from the court under such action, it must also include a request for attorney's fees and costs.

Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 248
H.P. 747 - L.D. 1086

**An Act To Implement the
Recommendations of the Right
To Know Advisory Committee
To Create a Remedy for
Unduly Burdensome and
Oppressive Requests**

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

Sec. 1. 1 MRSA §408-A, sub-§4, as amended by PL 2013, c. 350, §2, is further amended to read:

4. Refusals; denials. If a body or an agency or official having custody or control of any public record refuses permission to inspect or copy or abstract a public record, the body or agency or official shall provide written notice of the denial, stating the reason for the denial, within 5 working days of the receipt of the request for inspection or copying. A request for inspection or copying may be denied, in whole or in part, on the basis that the request is unduly burdensome or oppressive if the procedures established in subsection 4-A are followed. Failure to comply with this subsection is considered failure to allow inspection or copying and is subject to appeal as provided in section 409.

Sec. 2. 1 MRSA §408-A, sub-§4-A is enacted to read:

4-A. Action for protection. A body, an agency or official may seek protection from a request for inspection or copying that is unduly burdensome or oppressive by filing an action for an order of protection in the Superior Court for the county where the request for records was made within 30 days of receipt of the request.

A. The following information must be included in the complaint if available or provided to the parties and filed with the court no more than 14 days from the filing of the complaint or such other period as the court may order:

(1) The terms of the request and any modifications agreed to by the requesting party;

(2) A statement of the facts that demonstrate the burdensome or oppressive nature of the request, with a good faith estimate of the time required to search for, retrieve, redact if necessary and compile the records responsive to the request and the resulting costs calculated in accordance with subsection 8;

(3) A description of the efforts made by the body, agency or official to inform the requesting party of the good faith estimate of costs and to discuss possible modifications of

the request that would reduce the burden of production; and

(4) Proof that the body, agency or official has submitted a notice of intent to file an action under this subsection to the party requesting the records, dated at least 10 days prior to filing the complaint for an order of protection under this subsection.

B. Any appeal that may be filed by the requesting party under section 409 may be consolidated with an action under this subsection.

C. An action for protection may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require upon the request of any party.

D. If the court finds that the body, agency or official has demonstrated good cause to limit or deny the request, the court shall enter an order making such findings and establishing the terms upon which production, if any, must be made. If the court finds that the body, agency or official has not demonstrated good cause to limit or deny the request, the court shall establish a date by which the records must be provided to the requesting party.

See title page for effective date.

CHAPTER 249
H.P. 748 - L.D. 1087

**An Act To Implement the
Recommendations of the Right
To Know Advisory Committee
Concerning Response
Deadlines and Appeals**

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

Sec. 1. 1 MRSA §408-A, sub-§4, as amended by PL 2013, c. 350, §2, is further amended to read:

4. Refusals; denials. If a body or an agency or official having custody or control of any public record refuses permission to inspect or copy or abstract a public record, the body or agency or official shall provide, within 5 working days of the receipt of the request for inspection or copying, written notice of the denial, stating the reason for the denial, ~~within 5 working days of the receipt of the request for inspection or copying,~~ or the expectation that the request will be denied in full or in part following a review. Failure to comply with this subsection is considered failure to allow inspection or copying and is subject to appeal as provided in section 409.

Sec. 2. 1 MRSA §409, sub-§1, as repealed and replaced by PL 2013, c. 350, §3, is amended to read:

1. Records. Any person aggrieved by a refusal or denial to inspect or copy a record or the failure to allow the inspection or copying of a record under section 408-A may appeal the refusal, denial or failure within 30 calendar days of the receipt of the written notice of refusal, denial or failure to ~~any~~ the Superior Court within the State ~~as a trial de novo for the county where the person resides or the agency has its principal office.~~ a statement of position explaining the basis for denial within 14 calendar days of service of the appeal. If a court, after a ~~trial de novo~~ review, with taking of testimony and other evidence as determined necessary, determines such refusal, denial or failure was not for just and proper cause, the court shall enter an order for disclosure. Appeals may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require.

See title page for effective date.

CHAPTER 250

H.P. 749 - L.D. 1088

An Act To Implement Recommendations of the Right To Know Advisory Committee

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

PART A

Sec. A-1. 1 MRSA §411, sub-§2, ¶¶L and M, as enacted by PL 2005, c. 631, §1, are amended to read:

L. Two representatives of the public, one appointed by the President of the Senate and one appointed by the Speaker of the House; ~~and~~

M. The Attorney General or the Attorney General's designee; and

Sec. A-2. 1 MRSA §411, sub-§2, ¶N is enacted to read:

N. One member with broad experience in and understanding of issues and costs in multiple areas of information technology, including practical applications concerning creation, storage, retrieval and accessibility of electronic records; use of communication technologies to support meetings, including teleconferencing and Internet-based conferencing; databases for records management and reporting; and information technology system development and support, appointed by the Governor.

PART B

Sec. B-1. 5 MRSA §200-I, sub-§5, as enacted by PL 2007, c. 603, §1, is amended to read:

5. Report. The ombudsman shall submit a report not later than ~~March~~ January 15th of each year to the Legislature and the Right To Know Advisory Committee established in Title 1, section 411 concerning the activities of the ombudsman for the previous year. The report must include:

- A. The total number of inquiries and complaints received;
- B. The number of inquiries and complaints received respectively from the public, the media and public agencies or officials;
- C. The number of complaints received concerning respectively public records and public meetings;
- D. The number of complaints received concerning respectively:
 - (1) State agencies;
 - (2) County agencies;
 - (3) Regional agencies;
 - (4) Municipal agencies;
 - (5) School administrative units; and
 - (6) Other public entities;

E. The number of inquiries and complaints that were resolved;

F. The total number of written advisory opinions issued and pending; and

G. Recommendations concerning ways to improve public access to public records and proceedings.

PART C

Sec. C-1. 22 MRSA c. 271, sub-c. 2, as amended, is repealed.

Sec. C-2. 26 MRSA §3, as amended by PL 2011, c. 655, Pt. DD, §10 and affected by §24, is repealed and the following enacted in its place:

§3. Confidentiality of records

1. Confidential records. Except as provided in subsections 2 and 3, all information and reports received by the director or the director's authorized agents under this Title are confidential for the purposes of Title 1, section 402, subsection 3, paragraph A.

2. Exceptions. Reports of final bureau action taken under the authority of this Title are public records for the purposes of Title 1, chapter 13, subchapter 1.

3. Authorized disclosure. The director shall make or authorize any disclosure of information of the following types or under the following circumstances with the understanding that the confidentiality of the information will be maintained:

A. Information and reports to other government agencies if the director believes that the information will serve to further the protection of the public or assist in the enforcement of local, state and federal laws; and

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

Sec. C-3. 26 MRSA §934, 4th ¶, as enacted by PL 1985, c. 294, §§2 and 3, is amended to read:

The board shall hear all interested persons who come before it, advise the respective parties what ought to be done by either or both to adjust the controversy, and shall make a confidential written report to the Governor and the Executive Director of the Maine Labor Relations Board. The Governor or executive director ~~may~~ **shall** make the report public if, after 15 days from the date of its receipt, the parties have not resolved the controversy and the public interest would be served by publication. In addition, either the Governor or the executive director may refer the report and recommendations of the board to the Attorney General or other department for appropriate action when it appears that any of the laws of this State may have been violated.

Sec. C-4. 29-A MRSA §257, as enacted by PL 2003, c. 434, §6 and affected by §37, is repealed.

Sec. C-5. 29-A MRSA §517, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Unmarked law enforcement vehicles. An unmarked motor vehicle used primarily for law enforcement purposes, when authorized by the Secretary of State and upon approval from the appropriate requesting authority, is exempt from displaying a special registration plate. Records for all unmarked vehicle registrations are confidential.

~~Upon receipt of a written request by an appropriate criminal justice official showing cause that it is in the best interest of public safety, the Secretary of State may determine that records of a nongovernment vehicle may be held confidential for a specific period of~~

~~time, which may not exceed the expiration of the current registration.~~

Sec. C-6. 35-A MRSA §8703, sub-§5, as enacted by PL 1989, c. 851, §7, is amended to read:

5. Confidentiality. ~~Relay~~ The providers of telecommunications relay services shall keep relay service communications ~~must be~~ confidential.

Sec. C-7. 38 MRSA §414, sub-§6, as amended by PL 1997, c. 794, Pt. A, §20, is further amended to read:

6. Confidentiality of records. Any records, reports or information obtained under this subchapter is available to the public, except that upon a showing satisfactory to the department by any person that any records, reports or information, or particular part of any record, report or information, other than the names and addresses of applicants, license applications, licenses and effluent data, to which the department has access under this subchapter would, if made public, divulge methods or processes that are entitled to protection as trade secrets as defined in Title 10, section 1542, subsection 4, these records, reports or information must be confidential and not available for public inspection or examination. Any records, reports or information may be disclosed to employees or authorized representatives of the State or the United States concerned with carrying out this subchapter or any applicable federal law, and to any party to a hearing held under this section on terms the commissioner may prescribe in order to protect these confidential records, reports and information, as long as this disclosure is material and relevant to any issue under consideration by the department.

Sec. C-8. 38 MRSA §585-B, sub-§6, as amended by PL 2009, c. 535, §2, is further amended to read:

6. Mercury reduction plans. An air emission source emitting mercury in excess of 10 pounds per year after January 1, 2007 must develop a mercury reduction plan. Except as provided in subsection 7, the mercury reduction plan must be submitted to the department no later than September 1, 2008. The mercury reduction plan must contain:

A. Identification, characterization and accounting of the mercury used or released at the emission source; and

B. Identification, analysis and evaluation of any appropriate technologies, procedures, processes, equipment or production changes that may be utilized by the emission source to reduce the amount of mercury used or released by that emission source, including a financial analysis of the costs and benefits of reducing the amount of mercury used or released.

~~The department may keep information submitted to the department under this subsection confidential as provided under section 1310-B.~~

The department shall submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters no later than March 1, 2009 summarizing the mercury emissions and mercury reduction potential from those emission sources subject to this subsection. In addition, the department shall include an evaluation of the appropriateness of the 25-pound mercury standard established in subsection 5. The evaluation must address, but is not limited to, the technological feasibility, cost and schedule of achieving the standards established in subsection 5. The department shall submit an updated report to the committee by March 1, 2013. The joint standing committee of the Legislature having jurisdiction over natural resources matters is authorized to report out to the 126th Legislature a bill relating to the evaluation and the updated report.

Sec. C-9. 38 MRSA §585-C, sub-§2, ¶D, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §160, is repealed.

Sec. C-10. 38 MRSA §1310-B, sub-§2, as repealed and replaced by PL 2011, c. 420, Pt. A, §35 and amended by c. 657, Pt. W, §5, is amended to read:

2. Hazardous waste information and information on mercury-added products and electronic devices; chemicals. Information relating to hazardous waste submitted to the department under this subchapter, information relating to mercury-added products submitted to the department under chapter 16-B, information relating to electronic devices submitted to the department under section 1610, subsection 6-A, ~~information relating to mercury reduction plans submitted to the department under section 585-B, subsection 6,~~ information related to priority toxic chemicals submitted to the department under chapter 27 or information related to products that contain the "deca" mixture of polybrominated diphenyl ethers submitted to the department under section 1609 may be designated by the person submitting it as being only for the confidential use of the department, its agents and employees, the Department of Agriculture, Conservation and Forestry and the Department of Health and Human Services and their agents and employees, other agencies of State Government, as authorized by the Governor, employees of the United States Environmental Protection Agency and the Attorney General and, for waste information, employees of the municipality in which the waste is located. The designation must be clearly indicated on each page or other portion of information. The commissioner shall establish procedures to ensure that information so designated is segregated from public records of the department. The department's public records must include the indication that information so designated has been submitted

to the department, giving the name of the person submitting the information and the general nature of the information. Upon a request for information, the scope of which includes information so designated, the commissioner shall notify the submitter. Within 15 days after receipt of the notice, the submitter shall demonstrate to the satisfaction of the department that the designated information should not be disclosed because the information is a trade secret or production, commercial or financial information, the disclosure of which would impair the competitive position of the submitter and would make available information not otherwise publicly available. Unless such a demonstration is made, the information must be disclosed and becomes a public record. The department may grant or deny disclosure for the whole or any part of the designated information requested and within 15 days shall give written notice of the decision to the submitter and the person requesting the designated information. A person aggrieved by a decision of the department may appeal only to the Superior Court in accordance with the provisions of section 346. All information provided by the department to the municipality under this subsection is confidential and not a public record under Title 1, chapter 13. In the event a request for such information is submitted to the municipality, the municipality shall submit that request to the commissioner to be processed by the department as provided in this subsection.

PART D

Sec. D-1. 1 MRSA §433, sub-§2, as enacted by PL 2005, c. 631, §5, is repealed.

Sec. D-2. 1 MRSA §433, sub-§2-A is enacted to read:

2-A. Scheduling guidelines. The advisory committee shall use the following list as a guideline for scheduling reviews of public records exceptions and reporting its recommendations to the review committee:

A. Exceptions enacted after 2004 and before 2013 are scheduled to be reviewed by the review committee no later than 2017;

B. Exceptions codified in the following Titles are scheduled to be reviewed by the review committee no later than 2019:

- (1) Title 1;
- (2) Title 2;
- (3) Title 3;
- (4) Title 4;
- (5) Title 5;
- (6) Title 6;
- (7) Title 7; and

(8) Title 7-A;

C. Exceptions codified in the following Titles are scheduled to be reviewed by the review committee no later than 2021:

(1) Title 8;

(2) Title 9-A;

(3) Title 9-B;

(4) Title 10;

(5) Title 11; and

(6) Title 12;

D. Exceptions codified in the following Titles are scheduled to be reviewed by the review committee no later than 2023:

(1) Title 13;

(2) Title 13-B;

(3) Title 13-C;

(4) Title 14;

(5) Title 15;

(6) Title 16;

(7) Title 17;

(8) Title 17-A;

(9) Title 18-A;

(10) Title 18-B;

(11) Title 19-A;

(12) Title 20-A; and

(13) Title 21-A;

E. Exceptions codified in the following Titles are scheduled to be reviewed by the review committee no later than 2025:

(1) Title 22;

(2) Title 22-A;

(3) Title 23;

(4) Title 24; and

(5) Title 24-A;

F. Exceptions codified in the following Titles are scheduled to be reviewed by the review committee no later than 2027:

(1) Title 25;

(2) Title 26;

(3) Title 27;

(4) Title 28-A;

(5) Title 29-A;

(6) Title 30;

(7) Title 30-A;

(8) Title 31; and

(9) Title 32; and

G. Exceptions codified in the following Titles are scheduled to be reviewed by the review committee no later than 2029:

(1) Title 33;

(2) Title 34-A;

(3) Title 34-B;

(4) Title 35-A;

(5) Title 36;

(6) Title 37-B;

(7) Title 38; and

(8) Title 39-A.

Sec. D-3. 1 MRSA §433, sub-§3, as enacted by PL 2005, c. 631, §5, is amended to read:

3. Scheduling changes. The advisory committee may make adjustments to the scheduling guidelines provided in subsection ~~2~~ 2-A as it determines appropriate and shall notify the review committee of such adjustments.

See title page for effective date.

CHAPTER 251

H.P. 805 - L.D. 1173

An Act To Improve School Administrative Efficiency and Expand Capacity for Professional Growth for Educators with Regional Collaborative Programs and Services

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

Sec. 1. 20-A MRSA §2601, sub-§2, ¶B, as enacted by PL 2007, c. 240, Pt. XXXX, §22, is amended to read:

B. Agreements for shared staff or staff training, including collaborative programs and support services;

Sec. 2. 20-A MRSA §2602, as enacted by PL 2007, c. 240, Pt. XXXX, §22, is amended to read:

§2602. Development of collaborative agreements

A school administrative unit may enter into collaborative agreements with other school administrative units and, whenever possible, with local and county governments and State Government or with any public institution of higher education or nonprofit corporation, to achieve efficiencies and reduce costs in the delivery of administrative, instructional and noninstructional functions.

Sec. 3. 20-A MRSA §2651, sub-§1, as enacted by PL 2011, c. 446, §1, is amended to read:

1. Fund created. The Fund for the Efficient Delivery of Educational Services, referred to in this chapter as "the fund" is created to assist in financing the cost of local and regional initiatives to improve educational opportunity and student achievement through more efficient delivery of educational programs and services. The fund is a dedicated, nonlapsing account within the department.

Sec. 4. 20-A MRSA §2651, sub-§2, as amended by PL 2013, c. 303, §1, is further amended to read:

2. Use of fund. The department shall award grants from the fund to school administrative units, municipalities, counties and groups of 2 or more such entities, including such groups that have entered into a collaborative agreement pursuant to chapter 114, to fund the costs of implementing changes in governance, administrative structures or policies that result in the creation of consolidated school administrative units; purchasing alliances; innovative, autonomous public schools, teacher-led schools, innovative public school districts or innovative public school zones; regional delivery of collaborative programs and educational services; or collaborations of municipal-school service delivery or support systems, with the purpose of improving educational opportunity and student achievement. Grants must be used to implement changes that will be sustained by the school administrative unit, municipality or county without the need for additional grants from the fund or other sources.

Sec. 5. 20-A MRSA §2651, sub-§3, ¶B-1 is enacted to read:

B-1. Facilitate the transformation of the public education system to one in which standards are used to guide curriculum and instruction and in which student advancement and graduation are based on student demonstration of proficiency in meeting educational standards;

Sec. 6. 20-A MRSA §2651, sub-§3, ¶C, as enacted by PL 2011, c. 446, §1, is amended to read:

C. Expand access to high-quality professional development, training and support for teachers and school administrators initiatives aligned with evidence-based best practices that can be linked to

improvements in student learning and expansion of opportunities for professional growth for teachers and principals pursuant to chapter 508; more fully integrate educational technology and expand access to online and digital learning opportunities; improve management and use of data to enhance instruction and increase student achievement; broaden access to opportunities for career and technical education; expand access to early college opportunities for high school students; or increase student choice; or

Sec. 7. 20-A MRSA §2651, sub-§5, as enacted by PL 2011, c. 446, §1, is amended to read:

5. Rules. Rules adopted or amended by the department to implement this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 252

H.P. 843 - L.D. 1225

An Act Concerning Swim Area Permits

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

Sec. 1. 12 MRSA §1896, as amended by PL 2001, c. 693, §3 and affected by §11 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

§1896. Boating Facilities Fund

There is created within the bureau the Boating Facilities Fund, referred to in this subchapter as the "fund." The fund, as funded under Title 36, section 2903-D, subsection 1, must be available to the director in carrying out the duties of the bureau under this subchapter. This fund is a continuous carrying account. The fund also receives fees collected under subchapter 10 and is available to the director in carrying out the duties specified under subchapter 10.

Sec. 2. 12 MRSA §1900, sub-§§3 to 5, as enacted by PL 2009, c. 312, §1, are amended to read:

3. Swim area prohibition. A person may not establish or maintain a swim line or a developed swim area without a permit issued under subsection 4.

~~A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged. Each day a person violates this subsection is a separate violation.~~

~~B. A person who violates this subsection after having been adjudicated as having committed 3 or~~

~~more civil violations under this subchapter within the previous 5 year period commits a Class E crime.~~

4. Issuance of permit; revocation. The director may issue a permit to establish and maintain a swim line or a developed swim area within the water safety zone only to a qualified entity to establish and maintain a developed swim area within the water safety zone and only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public.

A. If the director determines, after notice and an opportunity for hearing, that a swim line or developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

B. If the Commissioner of Inland Fisheries and Wildlife believes that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public and is interfering with boating or fishing, the commissioner shall notify the director and may request that the permit for the swim line or developed swim area be revoked pursuant to paragraph A.

The length of the area delineated by a swim line or of a developed swim area may not exceed 50% of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater, except that in no event may the developed swim area or the area delineated by a swim line extend beyond the shore frontage of the property. The length of the developed swim area or of an area delineated by a swim line must be measured parallel to the shore.

5. Fee; expiration. Permits issued under subsection 4 expire 5 years after the date of issuance. The director shall establish by rule a fee for the permits, ~~except that a developed swim area established and operated by the State or a governmental entity or a recreational camp may not be charged a fee and its permit does not expire as long as no alterations to the developed swim area are made after the permit is issued. All revenues from fees must be deposited in the Boating Facilities Fund created under section 1896.~~

See title page for effective date.

CHAPTER 253

H.P. 945 - L.D. 1395

An Act To Implement the Recommendations of the Government Oversight Committee To Ensure Legislative Review of Reports Submitted by Quasi-independent State Agencies

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

Sec. 1. 5 MRSA §12023, sub-§3 is enacted to read:

3. Committee review and report. By March 1st of every second regular session, beginning in 2016, a joint standing committee of the Legislature receiving reports pursuant to subsection 2 shall review the reports received within the past 2 calendar years, and gather additional information as necessary from the submitting entities, to assess whether policies and procedures adopted by a governing body in accordance with section 12022, subsections 3 to 5 are consistent with expectations established in those subsections and whether all reported waivers of competitive procurement and reported contributions made are in compliance with the adopted policies and procedures, including proper justification and documentation. The joint standing committee shall report the results of its review, including any areas that should be reviewed in more depth, to the joint legislative committee established to oversee program evaluation and government accountability matters.

See title page for effective date.

CHAPTER 254

H.P. 971 - L.D. 1425

An Act To Amend the Laws Relating to Corporations and Limited Partnerships

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

Sec. 1. 13-B MRSA §1118 is enacted to read:

§1118. Late reinstatement of nonprofit corporation after administrative dissolution

1. Application to reinstate nonprofit corporation. A nonprofit corporation that has been administratively dissolved for more than 6 years may apply to the Secretary of State for reinstatement. The application must:

A. Provide the name of the corporation and the effective date of its administrative dissolution;

B. Provide a statement together with supporting documentation that the officer or director signing the application is duly authorized to act for the corporation;

C. Establish that the grounds for dissolution either did not exist or have been eliminated;

D. Demonstrate that the corporation's name satisfies the requirements of section 301-A or that the corporation is filing an amendment to change the name to satisfy the requirements of section 301-A;

E. Attest that no lawsuits are pending against the corporation; and

F. Explain the reason or reasons that reinstatement is being requested.

2. Determination of need to reinstate nonprofit corporation. If the Secretary of State determines that the application satisfies the requirements of subsection 1 and is accompanied by the reinstatement fee set forth in section 1401, subsection 35, the Secretary of State shall cancel the administrative dissolution and prepare a notice of reinstatement that recites that determination and the effective date of reinstatement. The Secretary of State may deny reinstatement if there are material misstatements provided in the application. The Secretary of State shall use the procedures set forth in section 1113, subsection 7 to deliver the notice to the corporation.

3. Effect of reinstatement. When the reinstatement is effective under subsection 2, it relates back to and takes effect as of the effective date of the administrative dissolution, and the corporation resumes activities as if the administrative dissolution had not occurred.

Sec. 2. 13-B MRSA §1401, sub-§35, as repealed and replaced by PL 2007, c. 695, Pt. A, §17 and affected by §18, is amended to read:

35. Reinstatement fee after administrative dissolution of domestic or foreign corporation. For failure to file an annual report, a fee of \$25 for each per report, to a maximum fee of \$150, regardless of the number of delinquent reports or the period of delinquency; for failure to pay the annual report late filing penalty, \$25; for failure to appoint or maintain a registered agent, \$25; for failure to notify the Secretary of State that its registered agent or the address of the registered agent has been changed or that its registered agent has resigned, \$25; and for filing false information, \$25; and

Sec. 3. 13-C MRSA §1426 is enacted to read:

§1426. Late reinstatement of business corporation after administrative dissolution

1. Application to reinstate corporation. A business corporation that has been administratively dissolved for more than 6 years may apply to the Secretary of State for reinstatement. The application must:

A. Provide the name of the corporation and the effective date of its administrative dissolution;

B. Provide a statement together with supporting documentation that the officer or director signing the application is duly authorized to act for the corporation;

C. Establish that the grounds for dissolution either did not exist or have been eliminated;

D. Demonstrate that the corporation's name satisfies the requirements of section 401 or that the corporation is filing an amendment to change the name to satisfy the requirements of section 401;

E. Attest that no lawsuits are pending against the corporation; and

F. Explain the reason or reasons that reinstatement is being requested.

2. Determination of need to reinstate corporation. If the Secretary of State determines that the application satisfies the requirements of subsection 1 and is accompanied by the reinstatement fee set forth in section 123, subsection 1, paragraph U, the Secretary of State shall cancel the administrative dissolution and prepare a notice of reinstatement that recites that determination and the effective date of reinstatement. The Secretary of State may deny reinstatement if there are material misstatements provided in the application. The Secretary of State shall use the procedures set forth in section 1421, subsection 8 to deliver the notice to the corporation.

3. Effect of reinstatement. When the reinstatement is effective under subsection 2, it relates back to and takes effect as of the effective date of the administrative dissolution, and the corporation resumes activities as if the administrative dissolution had not occurred.

Sec. 4. 31 MRSA §1403 is enacted to read:

§1403. Late reinstatement of domestic limited partnership after administrative dissolution

1. Application to reinstate domestic limited partnership. A domestic limited partnership that has been administratively dissolved for more than 6 years may apply to the Secretary of State for reinstatement. The application must:

A. Provide the name of the domestic limited partnership and the effective date of its administrative dissolution;

B. Provide a statement together with supporting documentation that the general partner signing the application is duly authorized to act for the domestic limited partnership;

C. Establish that the grounds for dissolution either did not exist or have been eliminated;

D. Demonstrate that the domestic limited partnership's name satisfies the requirements of section 1308 or that the domestic limited partnership is filing an amendment to change the name to satisfy the requirements of section 1308;

E. Attest that no lawsuits are pending against the domestic limited partnership; and

F. Explain the reason or reasons that reinstatement is being requested.

2. Determination of need to reinstate domestic limited partnership. If the Secretary of State determines that the application satisfies the provisions of subsection 1 and is accompanied by the reinstatement fee set forth in section 1460, subsection 6, the Secretary of State shall cancel the administrative dissolution and prepare a notice of reinstatement that recites that determination and the effective date of reinstatement. The Secretary of State may deny reinstatement if there are material misstatements provided in the application. The Secretary of State shall use the procedures set forth in section 1399, subsection 10 to deliver the notice to the domestic limited partnership.

3. Effect of reinstatement. When the reinstatement is effective under subsection 2, it relates back to and takes effect as of the effective date of the administrative dissolution, and the domestic limited partnership resumes activities as if the administrative dissolution had not occurred.

See title page for effective date.

CHAPTER 255

H.P. 833 - L.D. 1215

An Act To Provide Lower Energy Costs to Maine Businesses and Residences by Carrying Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust

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

Sec. 1. 35-A MRSA §10110, sub-§4-A, as enacted by PL 2013, c. 369, Pt. A, §20 and affected by §30, is amended to read:

4-A. Procurement of cost-effective energy efficiency resources. The commission shall ensure that transmission and distribution utilities on behalf of their ratepayers procure all electric energy efficiency resources found by the commission to be cost-effective, reliable and achievable pursuant to section 10104, subsection 4, except that the commission may not require the inclusion in rates under this subsection of a total amount that exceeds 4% of total retail electricity and transmission and distribution sales in the State as determined by the commission by rule. The cost of procurement of cost-effective electric energy efficiency resources is a just and reasonable element of rates. The commission may issue any appropriate orders to transmission and distribution utilities necessary to achieve the goals of this subsection. When determining the amount of cost-effective electric energy efficiency resources to be procured under this subsection, the commission shall:

A. Consider electric energy efficiency resources that are reasonably foreseeable to be acquired by the trust using all other sources of revenue, including, but not limited to, the Regional Greenhouse Gas Initiative Trust Fund under section 10109;

B. Ensure that calculations of avoided energy costs and the budget identified by the trust in its triennial plan as needed to capture all cost-effective electric energy efficiency resources are reasonable, based on sound evidence and make use of best practices across the region; and

C. Maximize total electricity savings for all ratepayers.

The commission shall consider gross efficiency savings for the purpose of determining savings that are cost-effective, reliable and achievable and shall consider both net and gross efficiency savings for the purpose of determining the appropriateness of the amount identified by the trust in its triennial plan as needed to capture all cost-effective electric energy efficiency resources.

Rules adopted under this subsection are routine technical rules under Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 256
S.P. 183 - L.D. 454

**An Act To Enact the Student
Information Privacy Act**

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

Sec. 1. 20-A MRSA c. 13 is enacted to read:

CHAPTER 13

THE STUDENT INFORMATION PRIVACY ACT

§951. Short title

This chapter may be known and cited as "the Student Information Privacy Act."

§952. Definitions

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

1. Aggregate student data. "Aggregate student data" means data that is not personally identifiable and that is collected or reported at the group, cohort or institutional level.

2. Eligible student. "Eligible student" means a student who has reached 18 years of age or who is attending a postsecondary educational institution.

3. Kindergarten to grade 12 school purposes. "Kindergarten to grade 12 school purposes" means purposes that take place at the direction of a school administrative unit, a school that provides instruction to any grades from kindergarten to grade 12 or a teacher at such a school or purposes that aid in the administration of school activities, including, but not limited to, instruction in the classroom or at home, administrative activities, preparation for postsecondary education or employment opportunities and collaboration between students, school personnel or parents, or that are for the use and benefit of the school.

4. Operator. "Operator" means any entity other than the department, school administrative unit or school to the extent that the entity:

A. Operates an Internet website, online service, online application or mobile application with actual knowledge that the website, service or application is used for kindergarten to grade 12 school purposes and was designed and marketed for kindergarten to grade 12 school purposes to the extent that the operator is operating in that capacity; and

B. Collects, maintains or uses student personally identifiable information in a digital or electronic format.

5. State-assigned student identifier. "State-assigned student identifier" means the unique student identifier assigned by the State to each student, which may not be and may not include the student's social security number in whole or in part.

6. Student data. "Student data" means information that is collected and maintained at the individual student level in this State, including, but not limited to:

A. Data descriptive of a student in any media or format, including, but not limited to:

(1) The student's first and last names;

(2) The names of the student's parent and other family members;

(3) The physical address, e-mail address, phone number and any other information that allows contact with the student or the student's family;

(4) A student's personal identifier, such as the state-assigned student identifier, when used for identification purposes;

(5) Other indirect identifiers, such as the student's date of birth, place of birth and mother's maiden name;

(6) Results of assessments administered by the State, school administrative unit, school or teacher, including participation information;

(7) Course transcript information, including, but not limited to, courses taken and completed, course grades and grade point average, credits earned and degree, diploma, credential attainment or other school exit information;

(8) Attendance and mobility information between and within school administrative units within the State;

(9) The student's gender, race and ethnicity;

(10) Educational program participation information required by state or federal law;

(11) The student's disability status;

(12) The student's socioeconomic information;

(13) The student's food purchases; and

(14) The student's e-mails, text messages, documents, search activity, photos, voice recordings and geolocation information; and

B. Information that:

(1) Is created by a student or the student's parent or provided to an employee or agent of the school, school administrative unit, the de-

partment or an operator in the course of the student's or parent's use of the operator's website, service or application for kindergarten to grade 12 school purposes;

(2) Is created or provided by an employee or agent of the school or school administrative unit, including information provided to an operator in the course of the employee's or agent's use of the operator's website, service or application for kindergarten to grade 12 school purposes; or

(3) Is gathered by an operator through the operation of an operator's website, service or application for kindergarten to grade 12 school purposes.

7. Student personally identifiable information.

"Student personally identifiable information" means student data that, alone or in combination, is linked to a specific student and would allow a reasonable person who does not have knowledge of the relevant circumstances to identify the student.

8. Targeted advertising. "Targeted advertising" means advertisements presented to a student when the advertisement is selected based on information obtained or inferred from that student's online behavior, usage of applications or student data. "Targeted advertising" includes advertising to a student at an online location based upon a single search query without collection and retention of a student's online activities over time. "Targeted advertising" includes contextual targeted advertising that is based upon factors, including, but not limited to, the central theme of an Internet website, the student's recent browsing history, the student's language and the student's location. "Targeted advertising" does not include advertising to a student at an online location based upon that student's current visit to that location.

§953. Restrictions on operator's use of student data

1. Prohibitions. An operator may not knowingly engage in any of the following activities with respect to the operator's website, service or application without explicit written or electronic consent from a student's parent or an eligible student:

A. Use student data to engage in targeted advertising on the operator's website, service or application or targeted advertising on any other website, service or application when the targeting of the advertising is based upon any student data and state-assigned student identifiers or other persistent unique identifiers that the operator has acquired because of the use of the operator's website, service or application;

B. Use student data, including state-assigned student identifiers or other persistent unique identifiers,

ers, created or gathered by the operator to amass a profile of a student except for kindergarten to grade 12 school purposes. For purposes of this paragraph, "amass a profile" does not include collection and retention of account information that remains under the control of a student, parent or school administrative unit;

C. Sell student data. This prohibition does not apply to the purchase, merger or other type of acquisition of an operator by another entity as long as the operator or successor entity continues to be subject to the provisions of this section with respect to previously acquired student data subject to this chapter.

D. Except as provided in subsection 3, disclose student personally identifiable information, unless the disclosure is made:

(1) To advance the kindergarten to grade 12 school purposes of the website, service or application, as long as the recipient of the student data disclosed:

(a) May not further disclose the student data except to allow or improve operability and functionality of the website, service or application within that student's classroom or school; and

(b) Is legally required to comply with the requirements of this chapter;

(2) To ensure legal or regulatory compliance or protect against liability;

(3) To respond to or participate in judicial process;

(4) To protect the security or integrity of the operator's website, service or application;

(5) To protect the safety of users or others; or

(6) To a service provider, as long as the operator contractually:

(a) Prohibits the service provider from using any student data for any purpose other than providing the contracted service to, or on behalf of, the operator;

(b) Requires the service provider to impose the restrictions of this subsection on its own service providers; and

(c) Requires the service provider to implement and maintain reasonable security procedures and practices as provided in subsection 2.

2. Security procedures and practices. An operator shall:

A. Implement and maintain reasonable security procedures and practices appropriate to the nature

of the student data to protect that data from unauthorized access, destruction, use, modification and disclosure; and

B. Delete student data within 45 days of a school's or school administrative unit's request.

3. Permitted disclosures. The following provisions apply to disclosure of student data by an operator.

A. Notwithstanding subsection 1, paragraph D, and in accordance with subsection 1, paragraphs A, B and C, an operator may disclose student data under the following circumstances:

(1) If another provision of federal or state law requires the operator to disclose the student data and the operator complies with applicable requirements of federal and state law in protecting and disclosing that information;

(2) For legitimate research purposes:

(a) As required by state or federal law and subject to the restrictions under applicable state and federal law; or

(b) As allowed by state or federal law and under the direction of a school, school administrative unit or the department; or

(3) To a state agency, school administrative unit or school for kindergarten to grade 12 purposes, as permitted by state or federal law.

B. Nothing in this section prohibits an operator from using student data, including student personally identifiable information, as follows:

(1) For maintaining, delivering, developing, supporting, evaluating, improving or diagnosing the operator's website, service or application;

(2) Within other websites, services or applications owned by the operator and intended for school or student use, to evaluate and improve educational products or services intended for school or student use;

(3) For adaptive learning or customized student learning purposes;

(4) For recommendation engines to recommend additional content or services for educational, other learning or job opportunities to students within the operator's website, service or application without the response being determined in whole or in part by payment or other consideration from a 3rd party; or

(5) To ensure legal or regulatory compliance or to retain student data for these purposes.

C. Nothing in this section prohibits an operator from using or sharing aggregate student data or data from which personally identifying information has been removed as follows:

(1) For the development and improvement of the operator's website, service or application or other educational websites, services or applications; or

(2) To demonstrate or market the effectiveness of the operator's products or services.

4. Construction. The following provisions govern the application and construction of this chapter.

A. This chapter may not be construed to limit the authority of a law enforcement agency to obtain any content or student data from an operator as authorized by law or pursuant to an order of a court of competent jurisdiction.

B. This chapter does not apply to general audience Internet websites, general audience online services, general audience online applications or general audience mobile applications even if login credentials created for an operator's site, service or application may be used to access those general audience sites, services or applications.

C. This chapter may not be construed to restrict Internet service providers from providing Internet connectivity to schools or students and their families.

D. This chapter may not be construed to prohibit an operator from marketing educational products directly to parents so long as the marketing does not result from the use of student data obtained without parental consent by the operator through the provision of services covered under this section.

E. This chapter may not be construed to impose a duty upon a provider of an electronic store, gateway, marketplace or other means of purchasing or downloading software or applications to review or enforce compliance of this section on those applications or software.

F. This chapter may not be construed to impose a duty upon a provider of an interactive computer service, as defined in 47 United States Code, Section 230, to review or enforce compliance with this section by 3rd-party content providers.

G. This chapter may not be construed to impede the ability of a student or a student's parent to download, transfer or otherwise save or maintain student data or documents belonging to the student.

H. Nothing in this chapter prevents this State or a school administrative unit or employee of this State or a school administrative unit from recom-

mending, directly or via a product or service, any educational materials, online content, services or other products to any student or the student's family if this State or a school administrative unit determines that such products will benefit the student and the State or school administrative unit does not receive compensation for developing, enabling or communicating such recommendations.

I. Nothing in this chapter authorizes the dissemination of information in violation of section 6001.

Sec. 2. Transition. Pursuant to the Maine Revised Statutes, Title 20-A, chapter 13, an operator who enters into a signed, written contract with a school, teacher or local educational agency prior to the effective date of this Act must meet the requirements of this Act by the beginning of the 2016-17 school year.

See title page for effective date.

CHAPTER 257

S.P. 300 - L.D. 856

An Act To Amend the Competitive Skills Scholarship Program To Allow for Participation in Early College and Career and Technical Education Programs

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

Sec. 1. 26 MRSA §2033, sub-§5-A is enacted to read:

5-A. Secondary student eligibility. Notwithstanding subsection 5, paragraph A, before January 1, 2020, a full-time student at a public secondary school enrolled in a career and technical education program at a career and technical education center or a career and technical education region may be granted enrollment in the program if the student applies for enrollment and meets the requirements of subsection 5, paragraphs B, C, D and E. For the purpose of determining eligibility under subsection 5, paragraph C, "income" includes the income of the student's family as defined by department rule.

The commissioner may not expend, on an annualized basis, more than 15% of the annual revenue to the fund for tuition, other allowable costs and administration and case management for students enrolled in the program under this subsection and the costs for any of these students who continue to participate in the program after attaining 18 years of age.

This subsection is repealed January 1, 2020.

Sec. 2. Report. The Department of Labor shall submit a report to the joint standing committee of the Legislature having jurisdiction over workforce training matters by January 1, 2019 assessing the status of the inclusion of public secondary school students enrolled in a career and technical education program at a career and technical education center or a career and technical education region in the Competitive Skills Scholarship Program pursuant to the Maine Revised Statutes, Title 26, section 2033, subsection 5-A and the effect of this inclusion on the Competitive Skills Scholarship Fund and including any recommended legislation related to the report's findings. The joint standing committee of the Legislature having jurisdiction over workforce training matters may report out a bill to address issues raised by the report to the First Regular Session of the 129th Legislature.

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

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Allocates funds for tuition costs associated with expanding the Competitive Skills Scholarship Program to include eligible full-time secondary students at public secondary schools.

COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17
All Other	\$35,000	\$131,600
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$35,000	\$131,600

Employment Services Activity 0852

Initiative: Allocates funds for one CareerCenter Consultant position beginning in fiscal year 2015-16 and an additional CareerCenter Consultant position beginning in fiscal year 2016-17 to support the additional workload associated with expanding the Competitive Skills Scholarship Program to include certain full-time secondary students at public secondary schools.

COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	2.000
Personal Services	\$45,111	\$121,096
All Other	\$19,750	\$39,500
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$64,861	\$160,596

LABOR, DEPARTMENT
OF

DEPARTMENT TOTALS	2015-16	2016-17
COMPETITIVE SKILLS SCHOLARSHIP FUND	\$99,861	\$292,196
DEPARTMENT TOTAL - ALL FUNDS	\$99,861	\$292,196

See title page for effective date.

CHAPTER 258

S.P. 377 - L.D. 1074

An Act To Make Damaging a
Public Easement with a Motor
Vehicle a Class E CrimeBe it enacted by the People of the State of
Maine as follows:

Sec. 1. 17 MRSA §3853-D, sub-§1, as amended by PL 1995, c. 539, §1, is further amended to read:

1. Damage or destruction to farmland, forest land or public easement. A person who, as a result of operating a motor vehicle on farmland ~~or~~, forest land or a public easement in fact, damages or destroys crops, forest products, personal property or roads on that farmland ~~or~~, forest land or public easement, commits a Class E crime.

Sec. 2. 17 MRSA §3853-D, sub-§2, ¶A-3 is enacted to read:

A-3. "Emergency responder" means a person providing firefighting, rescue or emergency medical services.

Sec. 3. 17 MRSA §3853-D, sub-§2, ¶C is enacted to read:

C. "Public easement" has the same meaning as in Title 23, section 3021, subsection 2.

Sec. 4. 17 MRSA §3853-D, sub-§3, ¶¶C and D, as amended by PL 1995, c. 539, §1, are further amended to read:

C. An agent or employee of a landowner who operates a motor vehicle on farmland or forest land owned by that landowner in the scope of that agent's or employee's agency or employment; ~~or~~

D. A law enforcement officer who, in an emergency and in the scope of that law enforcement officer's employment, operates a motor vehicle on farmland or forest land owned by another; or on a public easement; or

Sec. 5. 17 MRSA §3853-D, sub-§3, ¶E is enacted to read:

E. An emergency responder who, in an emergency and in performing the duties of the emergency responder, operates a motor vehicle on farmland or forest land owned by another or on a public easement.

See title page for effective date.

CHAPTER 259

S.P. 405 - L.D. 1136

An Act To Amend the Maine
Business Corporation ActBe it enacted by the People of the State of
Maine as follows:

Sec. 1. 13-C MRSA §102, sub-§32-A, ¶B, as enacted by PL 2007, c. 289, §3, is amended to read:

B. "Qualified director" means a person who, at the time action is to be taken under:

- (1) Section 755, does not have:
 - (a) A material interest in the outcome of the proceeding; or
 - (b) A material relationship with a person who has such an interest;
- (2) Section 854 or 856:
 - (a) Is not a party to the proceeding;
 - (b) Is not a director as to whom a transaction is a director's conflicting-interest transaction or who sought a disclaimer of the corporation's interest in a business opportunity under section 881, which transaction or disclaimer is challenged in the proceeding; and
 - (c) Does not have a material relationship with a director described in division (a) or (b);
- (3) Section 873, is not a director:
 - (a) As to whom the transaction is a director's conflicting-interest transaction; or
 - (b) Who has a material relationship with another director as to whom the transaction is a director's conflicting-interest transaction; ~~or~~
- (4) Section 881, would be a qualified director under subparagraph (3) if the business opportunity was a director's conflicting-interest transaction; or

(5) Section 202, subsection 2, paragraph F, is not a director:

(a) To whom the limitation or elimination of a duty of an officer to offer potential business opportunities to the corporation would apply; or

(b) Who has a material relationship with another officer to whom the limitation or elimination would apply.

Sec. 2. 13-C MRSA §202, sub-§2, ¶¶D and E, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, are amended to read:

D. A provision eliminating or limiting the liability of a director to the corporation or its shareholders for money damages for an action taken or a failure to take an action as a director, except liability for:

- (1) The amount of a financial benefit received by a director to which the director is not entitled;
- (2) An intentional infliction of harm on the corporation or its shareholders;
- (3) A violation of section 833; or
- (4) An intentional violation of criminal law; ~~and~~

E. A provision permitting or making obligatory indemnification of a director for liability, as defined in section 851, subsection 5, to any person for an action taken or a failure to take an action as a director, except liability for:

- (1) Receipt of a financial benefit to which the director is not entitled;
- (2) An intentional infliction of harm on the corporation or its shareholders;
- (3) A violation of section 833; or
- (4) An intentional violation of criminal law; and

Sec. 3. 13-C MRSA §202, sub-§2, ¶F is enacted to read:

F. A provision limiting or eliminating any duty of a director or any other person to offer the corporation the right to have or participate in any, or one or more classes or categories of, business opportunities, prior to the pursuit or taking of the opportunity by the director or other person; only if any application of the provision to an officer or a related person of that officer:

- (1) Also requires a determination by the board of directors by action of qualified directors taken in compliance with the same procedures as are set forth in section 873 sub-

sequent to the effective date of the provision applying the provision to a particular officer or any related person of that officer; and

- (2) May be limited by the authorizing action of the board.

Sec. 4. 13-C MRSA §202, sub-§2-A is enacted to read:

2-A. Related person. As used in this section, "related person" has the meaning set forth in section 871, subsection 3.

Sec. 5. 13-C MRSA §626, sub-§4, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is amended to read:

4. Signatures. Each share certificate must be signed, either manually or in facsimile, by:

- A. Two officers designated in the bylaws or by the board of directors; or
- B. The clerk and an officer designated in the bylaws; or by the board of directors.

~~C. The corporation's board of directors.~~

A share certificate may bear the corporate seal or its facsimile.

Sec. 6. 13-C MRSA §702, sub-§1, ¶B, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is amended to read:

B. ~~If the holders of~~ shareholders holding at least 10% of all the votes entitled to be cast on an issue proposed to be considered at the proposed special meeting sign, date and deliver to the corporation one or more written demands for the meeting describing the purpose or purposes for which it is to be held, except that the articles of incorporation may fix a lower percentage or a higher percentage not exceeding 25% of all the votes entitled to be cast on any issue proposed to be considered. Unless otherwise provided in the articles of incorporation, a written demand for a special meeting may be revoked by a writing to that effect received by the corporation prior to the receipt by the corporation of demands sufficient in number to require the holding of a special meeting.

Sec. 7. 13-C MRSA §723, sub-§§3 and 7, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, are amended to read:

3. Appointment of proxy effective. An appointment of a proxy is effective when a signed appointment form or an electronic transmission of the appointment is received by the inspector of election appointed pursuant to section 731 or the officer or agent of the corporation authorized to ~~tabulate count~~ votes. An appointment is valid for ~~11 months unless a longer period is expressly the term~~ provided in the appointment form; if no term is provided, the ap-

pointment is valid for 11 months unless the appointment is irrevocable under subsection 4.

7. Transfer of shares subject to irrevocable appointment. ~~A Unless it otherwise provides, an appointment made irrevocable under subsection 4 continues in effect after a transfer of the shares and a transferee takes subject to the appointment, except that a transferee for value of shares subject to an irrevocable appointment may revoke the appointment if the transferee did not know of the existence of the irrevocable appointment when the transferee acquired the shares and the existence of the irrevocable appointment was not noted conspicuously on the certificate representing the shares or on the information statement for shares without certificates.~~

Sec. 8. 13-C MRSA §725, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is amended to read:

§725. Acceptance of votes and other instruments

1. Corresponding name. If the name signed on a vote, ballot, consent, waiver or proxy appointment corresponds to the name of a shareholder, the corporation, if acting in good faith, is entitled to accept the vote, ballot, consent, waiver or proxy appointment and give it effect as the act of the shareholder.

2. Different name. If the name signed on a vote, ballot, consent, waiver or proxy appointment does not correspond to the name of its shareholder, the corporation, if acting in good faith, is nevertheless entitled to accept the vote, ballot, consent, waiver or proxy appointment and give it effect as the act of the shareholder if:

A. The shareholder is an entity and the name signed purports to be that of an officer or agent of the entity;

B. The name signed purports to be that of an administrator, executor, guardian or conservator representing the shareholder and, if the corporation requests, evidence of fiduciary status acceptable to the corporation has been presented with respect to the vote, ballot, consent, waiver or proxy appointment;

C. The name signed purports to be that of a receiver or trustee in bankruptcy of the shareholder and, if the corporation requests, evidence of this status acceptable to the corporation has been presented with respect to the vote, ballot, consent, waiver or proxy appointment;

D. The name signed purports to be that of a pledgee, beneficial owner or attorney-in-fact of the shareholder and, if the corporation requests, evidence acceptable to the corporation of the signatory's authority to sign for the shareholder has been presented with respect to the vote, ballot, consent, waiver or proxy appointment; or

E. Two or more persons are the shareholder as cotenants or fiduciaries and the name signed purports to be the name of at least one of the co-owners and the person signing appears to be acting on behalf of all the co-owners.

3. Rejection authorized. A corporation is entitled to reject a vote, ballot, consent, waiver or proxy appointment if the ~~secretary or other officer or agent~~ person authorized to tabulate count votes, acting in good faith, has reasonable basis for doubt about the validity of the signature on it or about the signatory's authority to sign for the shareholder.

4. Not liable for damages. A corporation and ~~its officer or agent who~~ the person authorized to count votes, including an inspector of election under section 731, that accept or reject a vote, ballot, consent, waiver or proxy appointment in good faith and in accordance with the standards of this section or section 723, subsection 2 are not liable in damages to the shareholder for the consequences of the acceptance or rejection.

5. Corporate action valid. Corporate action based on the acceptance or rejection of a vote, ballot, consent, waiver or proxy appointment under this section is valid unless a court of competent jurisdiction determines otherwise.

6. Power of inspector. If an inspector of election has been appointed under section 731, the inspector of election also has the authority to request information and make determinations under subsections 1, 2 and 3. A determination made by the inspector of election under those subsections is controlling.

Sec. 9. 13-C MRSA §731, as amended by PL 2007, c. 289, §9, is further amended to read:

§731. Inspectors of election

1. Appointment of inspector. A public corporation shall, and any other corporation may, appoint one or more inspectors to act at a meeting of shareholders ~~and make a written report of the inspectors' determinations in connection with determining voting results.~~ Each inspector shall ~~take and sign an oath~~ certify in writing that the inspector will faithfully ~~to~~ execute the duties of inspector with strict impartiality and according to the best of the inspector's ability. An inspector may be an officer or employee of the corporation. The inspector may appoint or retain other persons to assist in the performance of the duties of inspector under subsection 2 and may rely on information provided by such persons and other persons, including those appointed to count votes, unless the inspector believes reliance is unwarranted.

2. Duties of inspector. An inspector shall:

A. Ascertain the number of shares outstanding and the voting power of each;

- B. Determine the shares represented at a meeting;
- C. Determine the validity of ~~proxies~~ proxy appointments and ballots;
- D. Count ~~all~~ the votes; and
- E. ~~Determine the result.~~
- F. Make a written report of the results.

3. ~~Clerk; officer; employee.~~ An inspector may be the clerk or an officer or employee of the corporation.

4. Examinations by inspectors. In performing their duties, the inspectors may examine:

- A. The proxy appointment forms and any other information provided in accordance with section 723, subsection 2;
- B. Any envelope or related writing submitted with those appointment forms;
- C. Any ballots;
- D. Any evidence or other information specified in section 725; and
- E. The relevant books and records of the corporation relating to its shareholders and their entitlement to vote, including any securities position list provided by a depository clearing agency.

5. Scope of inspectors' powers. In addition to information otherwise provided under this section, the inspectors may consider information that they believe is relevant and reliable for the purpose of performing any of the duties assigned to them pursuant to subsection 2, including for the purposes of evaluating inconsistent, incomplete or erroneous information and reconciling information submitted on behalf of banks, brokers, their nominees or similar persons that indicates more votes being cast than a proxy is authorized by the record shareholder to cast or more votes being cast than the record shareholder is entitled to cast. If the inspectors consider other information allowed by this subsection, they shall, in their report under subsection 2, specify the information considered by them, including the purpose or purposes for which the information was considered, the person or persons from whom they obtained the information, when the information was obtained, the means by which the information was obtained and the basis for the inspectors' belief that such information is relevant and reliable.

6. Judicial review. Determinations of law by the inspectors of election are subject to de novo review by a court in a proceeding under section 732 or other judicial proceeding.

Sec. 10. 13-C MRSA §732 is enacted to read:

§732. Judicial determination of corporate offices and review of elections and shareholder votes

1. Judicial determinations authorized. Upon application of or in a proceeding commenced by a person specified in subsection 2, the Superior Court of the county where a corporation's principal office or, if none in this State, its registered office, is located may determine:

- A. The validity of the election, appointment, removal or resignation of the director or officer of the corporation;
- B. The right of an individual to hold the office of director or officer of the corporation;
- C. The result or validity of an election or vote by the shareholders of the corporation;
- D. The right of a director to membership on a committee of the board of directors; and
- E. The right of a person to nominate or an individual to be nominated as a candidate for election or appointment as a director of the corporation, and any right under a bylaw adopted pursuant to section 206, subsection 2 or any comparable right under any provision of the articles of incorporation, contract or applicable law.

2. Persons entitled to commence proceedings. An application or proceeding pursuant to subsection 1 may be filed or commenced by any of the following persons:

- A. The corporation;
- B. A record shareholder or beneficial shareholder of the corporation;
- C. A director of the corporation, an individual claiming the office of the director or a director whose membership on a committee of the board of directors is contested, in each case who is seeking a determination of that individual's right to such office or membership;
- D. An officer of the corporation or an individual claiming to be an officer of the corporation who is seeking a determination of the individual's right to such office; and
- E. A person claiming a right covered by subsection 1, paragraph E and who is seeking a determination of such right.

3. Named defendants. In connection with any application or proceeding under subsection 1, the following must be named as defendants, unless that person made the application or commenced the proceeding:

- A. The corporation;

B. An individual whose right to office or membership on a committee of the board of directors is contested;

C. An individual claiming the office or membership at issue; and

D. A person claiming a right covered by subsection 1, paragraph E that is at issue.

4. Service of process. In connection with any application or proceeding under subsection 1, service of process may be made upon each of the persons specified in subsection 3 by either:

A. Serving on the corporation process in any manner provided by statute of this State or by rule of the applicable court for service on the corporation; or

B. Service of process on such person in any manner provided by statute of this State or by rule of applicable court.

5. Notice of service of process. When service of process is made upon a person other than the corporation by service upon the corporation pursuant to subsection 4, paragraph A, the plaintiff and the corporation or its registered agent shall promptly provide written notice of such service, together with copies of all process and the application or complaint, to such person at the person's last known residence or business address, or as permitted by statute of this State or by rule of the applicable court.

6. Expedited proceedings; remedies. In connection with any application or proceeding under subsection 1, the court shall dispose of the application or proceeding on an expedited basis and also may:

A. Order such additional or further notice as the court considers proper under the circumstances;

B. Order that additional persons be joined as parties to the proceeding if the court determines that such joinder is necessary for a just adjudication of matters before the court;

C. Order an election or meeting to be held in accordance with the provisions of section 703, subsection 2 or otherwise;

D. Appoint a master to conduct an election or meeting;

E. Enter temporary, preliminary or permanent injunctive relief;

F. Resolve solely for the purpose of this proceeding any legal or factual issues necessary for the resolution of any of the matter specified in subsection 1, including the right and power of persons claiming to own shares to vote at any meeting of the shareholders; and

G. Order such relief as the court determines is equitable, just and proper.

7. Shareholders as parties. It is not necessary to make a shareholder a party to a proceeding or application pursuant to this section unless the shareholder is a required defendant under subsection 3, paragraph D, relief is sought against the shareholder individually or the court orders joinder pursuant to subsection 6, paragraph B.

8. Jurisdiction or powers not exclusive. Nothing in this section limits, restricts or abolishes the subject matter jurisdiction or powers of the court as existed prior to the enactment of this section and an application or proceeding available with respect to the matters specified in subsection 1.

9. Right to jury trial. In any proceeding commenced under this section there is no right to a jury trial.

Sec. 11. 13-C MRSA §741, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is amended to read:

§741. Voting trusts

1. Creation of voting trust. One or more shareholders may create a voting trust, conferring on a trustee the right to vote or otherwise act for them, by signing an agreement setting out the provisions of the trust, which may include anything consistent with its purpose, and transferring their shares to the trustee. When a voting trust agreement is signed, the trustee shall prepare a list of the names and addresses of all owners of beneficial interests in the trust, together with the number and class of shares each transferred to the trust, and deliver copies of the list and agreement to the corporation's principal office.

2. Effective date of voting trust. A voting trust becomes effective on the date the first shares subject to the trust are registered in the trustee's name. ~~A voting trust is valid for not more than 21 years after its effective date unless extended under subsection 3.~~

3. Extension authorized. ~~All or some of the parties to a voting trust may extend it for additional terms of not more than 21 years each by signing written consent to the extension. An extension is valid for 21 years from the date the first shareholder signs the extension agreement. The voting trustee must deliver copies of the extension agreement and list of beneficial owners to the corporation's principal office. An extension agreement binds only those parties signing it.~~

4. Limits. Limits, if any, on duration of a voting trust are as set forth in the voting trust. A voting trust that became effective when this section provided a 21-year limit on its duration under former subsection 3 remains governed by the provisions of this section then in effect, unless the voting trust is amended to

provide otherwise by unanimous agreement of the parties to the voting trust.

Sec. 12. 13-C MRSA §802, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is repealed and the following enacted in its place:

§802. Qualifications of directors

1. General. The corporation's articles of incorporation or bylaws may prescribe qualifications for directors or for nominees for directors.

2. Residency, shareholder. A director need not be a resident of this State or a shareholder of the corporation unless the articles of incorporation or bylaws so prescribe.

3. Timing and application of nominee qualifications. A qualification for nomination for director prescribed before a person's nomination applies to such person at the time of nomination. A qualification for nomination for director prescribed after a person's nomination does not apply to such person with respect to such nomination.

4. Timing and application of director qualifications. A qualification for director prescribed before the start of a director's term applies only at the time an individual becomes a director or may apply during a director's term. A qualification prescribed during a director's term does not apply to that director before the end of that term.

Sec. 13. 13-C MRSA §832, sub-§1, ¶A, as repealed and replaced by PL 2007, c. 289, §17, is amended to read:

A. A defense interposed by the director does not preclude liability if the defense is based on:

- (1) Any provision in the corporation's articles of incorporation authorized by section 202, subsection 2, paragraph D or E;
- (2) The protection afforded by section 872 for action taken in compliance with section 873 or 874; or
- (3) The protection afforded by section 881; and

Sec. 14. 13-C MRSA §871, sub-§3, as amended by PL 2007, c. 289, §27, is further amended to read:

3. Related person. "Related person" means:

- A. The ~~director's~~ individual's spouse;
- C. A child, stepchild, grandchild, parent, stepparent, grandparent, sibling, stepsibling, half sibling, aunt, uncle, niece or nephew, or spouse of any of those persons, of the ~~director~~ individual or of the ~~director's~~ individual's spouse;

D. ~~An~~ Another individual living in the same home as the ~~director~~ individual;

E. An entity, other than the corporation or an entity controlled by the corporation, controlled by the ~~director~~ individual or any person specified in paragraph A, C or D;

F. A domestic or foreign:

- (1) Business or nonprofit corporation, other than the corporation or an entity controlled by the corporation, of which the ~~director~~ individual is a director;
- (2) Unincorporated entity of which the ~~director~~ individual is a general partner or a member of the governing body; or
- (3) Individual, trust or estate for whom or of which the ~~director~~ individual is a trustee, guardian, personal representative or like fiduciary; or

G. A person that is, or an entity that is controlled by, an employer of the ~~director~~ individual.

Sec. 15. 13-C MRSA §874, sub-§7, as enacted by PL 2007, c. 289, §30, is amended to read:

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

A. "Holder" means and "held by" refers to shares held by both a record shareholder, as defined in ~~section 1301, subsection 7~~, and a beneficial shareholder, as defined in ~~section 1301, subsection 2~~.

B. "Qualified shares" means all shares entitled to be voted with respect to the transaction except for shares that the secretary or other officer or agent of the corporation authorized to ~~tabulate count~~ votes either knows, or under ~~section 873, subsection 2~~ A subsection 4 is notified, are held by:

- (1) A director who has a conflicting interest regarding the transaction; or
- (2) A related person of the director, excluding a person described in section 871, subsection 3, paragraph G.

Sec. 16. 13-C MRSA §881, as enacted by PL 2007, c. 289, §31, is amended to read:

§881. Business opportunities

1. Business opportunity not actionable if standards met. ~~A director's taking~~ If a director or officer or related person of either pursues or takes advantage, directly or indirectly, of a business opportunity, that action may not be the subject of equitable relief, or give rise to an award of damages or other sanctions against the director, officer or related person, in a proceeding by or in the right of the corporation on the ground that such opportunity should have first been

offered to the corporation, if ~~before becoming legally obligated regarding the opportunity the director brings it to the attention of the corporation and:~~

A. ~~Action Before the director, officer or related person becomes legally obligated regarding the opportunity, the director or officer brings it to the attention of the corporation and action by qualified directors disclaiming the corporation's interest in the opportunity is taken in compliance with the same procedures set forth in section 873, as if the decision being made concerned a director's conflicting interest transaction as defined in section 871, subsection 2; or~~

B. ~~Action Before the director, officer or related person becomes legally obligated regarding the opportunity, the director or officer brings it to the attention of the corporation and action by shareholders disclaiming the corporation's interest in the opportunity is taken in compliance with the procedures set forth in section 874, as if the decision being made concerned a director's conflicting-interest transaction as defined in section 871, subsection 2; or~~

C. ~~The duty to offer the corporation the particular business opportunity has been limited or eliminated pursuant to a provision of the articles of incorporation adopted and in the case of officers and their related persons, made effective by action of qualified directors in accordance with section 202, subsection 2, paragraph F.~~

In each case under paragraph A or B, the director, rather than making a required disclosure as defined in section 871, subsection 4, must have made prior disclosure to those acting on behalf of the corporation of all material facts concerning the business opportunity that are then known to the director.

2. No inference or change in burden of proof.

In any proceeding seeking equitable relief or other remedies based upon an alleged improper pursuit or taking advantage of a business opportunity by a director or officer, the fact that the director or officer did not employ the procedure described in subsection 1, paragraph A or B before taking advantage of the opportunity does not create an inference that the opportunity should have been first presented to the corporation or alter the burden of proof otherwise applicable to establish that the director breached a duty to the corporation in the circumstances.

3. Related person. As used in this section, "related person" has the meaning set forth in section 871, subsection 3.

Sec. 17. 13-C MRSA §1430, sub-§2, as amended by PL 2007, c. 289, §43, is further amended to read:

2. Shareholder. A shareholder if it is established that:

A. The directors are deadlocked in the management of the corporate affairs, the shareholders are unable to break the deadlock and, because of the deadlock, irreparable injury to the corporation is threatened or being suffered or the business and affairs of the corporation can no longer be conducted to the advantage of the shareholders generally;

B. The directors or those in control of the corporation have acted, are acting or will act in a manner that is illegal, oppressive or fraudulent;

C. The shareholders are so divided regarding the management of the business and affairs of the corporation that the corporation is suffering or will suffer irreparable injury or the business and affairs of the corporation can no longer be conducted to the advantage of the shareholders generally;

D. The shareholders are deadlocked in voting power and have failed, for a period that includes at least 2 consecutive annual meeting dates, to elect successors to directors whose terms have expired;

E. The corporate assets are being misapplied or wasted; or

F. A shareholder of the corporation has abandoned its business and has failed within a reasonable time to liquidate and distribute its assets and dissolve;

This subsection does not apply in the case of a corporation that, on the date of the filing of the proceeding, has shares that are a covered security under Section 18(b)(1)(A) or (B) of the federal Securities Act of 1933, as amended. This subsection also does not apply in the case of a corporation that, on the date of the filing of the proceeding, has shares that are not a covered security under Section 18(b)(1)(A) or (B) of the federal Securities Act of 1933, as amended, but are held of record by at least 500 shareholders and the shares outstanding have a market value of at least \$20,000,000 exclusive of the value of such shares held by the corporation's executive officers or directors or by any person or group that beneficially owns more than 10% of the outstanding shares.

See title page for effective date.

CHAPTER 260
S.P. 229 - L.D. 636

**An Act To Provide Consumers
of Health Care with
Information Regarding Health
Care Costs**

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

Sec. 1. 24-A MRSA §4303, sub-§20 is enacted to read:

20. Information about prescription drugs. Consistent with the requirements of the federal Affordable Care Act, a carrier offering a health plan in this State shall provide the following information to prospective enrollees and enrollees with respect to prescription drug coverage on its publicly accessible website.

A. A carrier shall post each prescription drug formulary for each health plan offered by the carrier. The prescription drug formularies must be posted in a manner that allows prospective enrollees and enrollees to search the formularies and compare formularies to determine whether a particular prescription drug is covered under a formulary. When a change is made to a formulary, the updated formulary must be posted on the website within 72 hours.

B. A carrier shall provide an explanation of:

- (1) The requirements for utilization review, prior authorization or step therapy for each category of prescription drug covered under a health plan;
- (2) The cost-sharing requirements for prescription drug coverage, including a description of how the costs of prescription drugs will specifically be applied or not applied to any deductible or out-of-pocket maximum required under a health plan;
- (3) The exclusions from coverage under a health plan and any restrictions on use or quantity of covered health care services in each category of benefits; and
- (4) The amount of coverage provided under a health plan for out-of-network providers or noncovered health care services and any right of appeal available to an enrollee when out-of-network providers or noncovered health care services are medically necessary.

See title page for effective date.

CHAPTER 261
S.P. 543 - L.D. 1441

**An Act To Establish the Public
Higher Education Systems
Coordinating Committee**

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

Sec. 1. 20-A MRSA §9, as amended by PL 2013, c. 368, Pt. DDDDD, §1, is repealed and the following enacted in its place:

§9. Public Higher Education Systems Coordinating Committee

1. Committee established. The Public Higher Education Systems Coordinating Committee, referred to in this section as "the committee," is established to promote efficiency, cooperative effort and strategic planning between the University of Maine System and the Maine Community College System, referred to in this section as "the systems."

2. Membership. The committee consists of the Chancellor of the University of Maine System, the Chair of the Board of Trustees of the University of Maine System, the President of the Maine Community College System and the Chair of the Board of Trustees of the Maine Community College System. The members of the committee may appoint designees to a subcommittee.

3. Duties. The committee shall seek to achieve greater collaboration and cooperation between the systems in order to address issues including, but not limited to, the following:

- A. Improving college affordability;
- B. Minimizing or eliminating barriers to student transfer between the systems;
- C. Reducing unnecessary duplication of programs between the systems;
- D. Identifying opportunities for sharing best practices and individual efficiencies, building cross-system economies of scale and sharing of resources;
- E. Recommending changes to state laws that would improve the systems' efficiency or effectiveness;
- F. In consultation with the President of the Maine Maritime Academy and the Chair of the Board of Trustees of the Maine Maritime Academy, investigating and pursuing opportunities for collaboration and resource sharing with the Maine Maritime Academy. The committee shall notify the President of the Maine Maritime Academy of committee meetings and agenda items; and

G. In consultation with the commissioner and the chair of the state board, investigating and pursuing opportunities to improve college preparation, transition and completion for Maine's secondary students, including supporting early college opportunities and improving credit transfer between secondary and postsecondary school systems.

4. Meetings. The committee shall meet at least twice each year and the committee members' designees may meet more frequently. The chancellor shall convene the first meeting of the committee by October 15, 2015. The committee shall establish a meeting schedule, and the initial work must include an accounting of the members' prior and current efforts to promote efficiency, cooperative effort and strategic planning between the systems. The committee shall elect a chair from among its members to serve for a term to be determined by the committee.

5. Reporting. The committee shall report succinctly on its deliberations and any recommendations to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters by February 15th each year.

See title page for effective date.

CHAPTER 262

S.P. 333 - L.D. 942

An Act To Permit the Use of Firearm Noise Suppression Devices in Hunting and To Provide for a Chief Law Enforcement Officer's Certification for Certain Firearms

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

Sec. 1. 12 MRSA §11161 is enacted to read:

§11161. Noise suppression devices

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

A. "Hunting crime" means any criminal offense under this chapter or any criminal offense under any other provision of this Part involving the use of a firearm.

B. "Serious hunting violation" means any act by a person for which the person's hunting license is subject to revocation under this section or section 10902, subsection 4, 5, 6, 7 or 7-A.

C. "Noise suppression device" means a device used to suppress or deaden the sound or natural report of a firearm.

2. Permit. In accordance with this subsection, the commissioner may issue a permit to a person allowing that person to use a noise suppression device with a firearm when hunting any wild animals or wild birds the person is licensed to hunt under this chapter and for which use of the firearm is allowed or for the purpose of killing a wild animal or wild turkey under section 12401 or 12402.

A. A person applying for a permit:

(1) Shall show proof of lawful possession of the noise suppression device; and

(2) May not have had a hunting license revoked as a result of a serious hunting violation.

B. A permit is valid until August 1, 2018, unless revoked under this section.

The commissioner may not issue a permit under this section after July 31, 2018.

3. Violation; aggravating factor. Except as provided in subsection 4, a person who commits a hunting crime while in possession of a firearm with a noise suppression device is subject to the following penalties in addition to any penalties otherwise applicable:

A. A \$1,000 mandatory fine; and

B. Mandatory revocation of the person's hunting license, and that person is ineligible to obtain a hunting license for a period of 5 years from the date of conviction.

4. Serious hunting violation; permanent loss of license. A person who commits a serious hunting violation while in possession of a firearm with a noise suppression device is subject to the following provisions in addition to any penalties otherwise applicable:

A. Notwithstanding section 10902, the commissioner shall permanently revoke the person's current hunting license and the privilege to obtain a hunting license; and

B. Notwithstanding any exemption under section 10502, the firearm and noise suppression device must be seized and, subject to libel proceedings, disposed of pursuant to section 10503.

5. Revocation of permit. The commissioner shall permanently revoke a permit issued under this section to a person whose hunting license is revoked as a result of a serious hunting violation.

Sec. 2. 12 MRSA §11214, sub-§1, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. Use Except as allowed under section 11161, use for hunting or possess for hunting any firearm fitted or contrived with a device for deadening the sound of explosion. This paragraph does not apply to:

- (1) Military organizations authorized by law to bear arms or to the National Guard in the performance of its duty;

Sec. 3. 25 MRSA §2013 is enacted to read:

§2013. Chief law enforcement officer's certification; certain firearms

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

A. "Certification" means the participation and assent of a chief law enforcement officer necessary under federal law for the approval of an application to transfer or make a firearm.

B. "Chief law enforcement officer" means an official or the official's designee who the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives or successor agency identifies as eligible to provide certification.

C. "Firearm" has the same meaning as in the National Firearms Act, 26 United States Code, Section 5845(a).

2. Chief law enforcement officer's certification. Within 15 days of receipt of an application for certification, the chief law enforcement officer shall provide the certification unless the chief law enforcement officer has information that prevents the chief law enforcement officer from providing the certification.

A. If the chief law enforcement officer denies an application for certification under this section, the chief law enforcement officer shall provide the applicant with a written notification of the denial and the reason for the denial, which may not be based upon a generalized objection to a private person's possessing, making or transferring a firearm or to a certain type of firearm that is otherwise lawful.

B. The denial of an application for certification or a failure or refusal to provide a certification in accordance with this section by a chief law enforcement officer may be appealed by an applicant in the following manner:

- (1) If the chief law enforcement officer is employed by a state agency, the denial may be appealed pursuant to Title 5, section 11001 and the Maine Rules of Civil Procedure, Rule 80C; and

(2) If the chief law enforcement officer is not employed by a state agency, the denial may be appealed pursuant to the Maine Rules of Civil Procedure, Rule 80B.

3. Criminal history record check; search of premises. In making a certification required by subsection 2, a chief law enforcement officer may require the applicant to provide only such information as required by federal or state law to identify the applicant and conduct a criminal history record check or to determine the disposition of an arrest or proceeding relevant to the applicant's eligibility to lawfully possess or receive a firearm. A chief law enforcement officer may not require access to or consent for an inspection of any private premises as a condition of making a certification under this section.

See title page for effective date.

CHAPTER 263

S.P. 415 - L.D. 1168

An Act To Prohibit the Use of Eminent Domain in Certain Public-private Partnerships and To Prohibit the Use of Eminent Domain by a Private Business Entity in a Public-private Partnership

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

Sec. 1. 23 MRSA §4251, sub-§3, as enacted by PL 2009, c. 648, Pt. A, §1, is amended to read:

3. Authorization. Notwithstanding any other provision of law, the department is authorized to receive or solicit proposals to form a public-private partnership with respect to a transportation facility. Proposals must be reviewed in accordance with this subchapter. Upon approval of the Legislature as provided in this subchapter, the department may enter into an agreement. All proposals must comply with section 73.

Sec. 2. 23 MRSA §4251, sub-§§7 and 9, as enacted by PL 2009, c. 648, Pt. A, §1, are amended to read:

7. Exercise of powers. If the department exercises its power of eminent domain for the development and construction of a transportation facility pursuant to this subchapter and section 73, the department must retain ownership rights and interests taken. The department's power of eminent domain may not be conferred on a private entity. The State may provide maintenance, law enforcement and other services with respect to a transportation facility owned by a private

entity when the agreement provides for reasonable reimbursement for such services.

9. Legislative approval. If the department determines that a public-private partnership proposal and draft agreement meets the standards of this subchapter, the department shall submit to the Legislature a bill that authorizes the agreement. The bill must include a statement that the proposal meets the standards in subsection 4, a summary of the substance of the draft agreement and a description of the nature and amount of state investment, if any, including effects on programmed capital work. If legislative approval is granted, the department shall report to the joint standing committee of the Legislature having jurisdiction over transportation matters by February 1st of each year as to the status of the project and any substantive changes to the public-private partnership proposal.

See title page for effective date.

CHAPTER 264

S.P. 449 - L.D. 1244

An Act To Amend Environmental Permitting Standards

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

Sec. 1. 38 MRSA §344, sub-§2-A, ¶D, as enacted by PL 2013, c. 325, §4, is repealed and the following enacted in its place:

D. For an application for a permit for a grid-scale wind energy development, as defined in Title 35-A, section 3451, subsection 6, the following procedures apply.

(1) The commissioner shall accept public comment on an application during the course of processing the application. The commissioner shall set a deadline for receiving public comments.

(2) The commissioner may not issue the final decision until 10 business days after the close of the public comment period. The commissioner's final decision must include responses to the public comments.

Sec. 2. 38 MRSA §480-C, sub-§5 is enacted to read:

5. Small-scale wind energy development. A person may not construct or cause to be constructed a wind energy development requiring certification under Title 35-A, section 3456 without first obtaining a permit from the department under section 480-II.

Sec. 3. 38 MRSA §480-II is enacted to read:

§480-II. Small-scale wind energy development; permit requirements

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

A. "Decommissioning" means the physical removal of all components of a small-scale wind energy development, including, but not limited to, wind turbines and associated foundations to a depth of at least 24 inches; structures, roads, cabling, electrical components and any other associated facilities and foundations to a depth of at least 24 inches to the extent they are not otherwise in or proposed to be placed into productive use; the grading and reseeded of all earth disturbed during construction and decommissioning; and restoration of any disturbed wetlands or critical wildlife habitat.

B. "Small-scale wind energy development" means any wind energy development that is not a grid-scale wind energy development as defined in Title 35-A, section 3451, subsection 6, and that has a total generating capacity of at least 100 kilowatts.

2. Permit requirements. An applicant for a permit to construct a small-scale wind energy development shall demonstrate that the proposed project:

A. Will be constructed with setbacks and other considerations adequate to protect public safety, including, but not limited to, a fire protection plan. In making a finding pursuant to this paragraph, the department shall consider the recommendation of a professional licensed civil engineer as well as any applicable setback recommended by a manufacturer of any equipment to be installed on or in support of the small-scale wind energy development;

B. Will be constructed using the best practical mitigation techniques for mitigating impacts to endangered and threatened species, essential wildlife habitat and other protected resources from all aspects of construction and operation, in accordance with rules adopted under Title 35-A, section 3459; and

C. Will not significantly compromise views from a scenic resource of state or national significance, as considered under the criteria and methodologies set forth in Title 35-A, section 3452.

A person proposing to construct a small-scale wind energy development must demonstrate adequate financial capacity to decommission the development at any time during construction or operation of the development, or upon termination of development operations for any reason. The obligation to decommission the development must be transferred to any future owner

of the development in the event of a transfer of title. Decommissioning is required if the development's purpose or use is abandoned for a period of one year at any time after construction begins. Demonstration of financial capacity to decommission must include documentation of financial assurance that the decommissioning costs will be fully funded prior to the start of construction. Financial assurance may be demonstrated in the form of a performance bond, surety bond, letter of credit or other form of financial assurance acceptable to the department.

A public informational meeting must be held in accordance with department rules for permit application for a small-scale wind energy development.

Sec. 4. 38 MRSA §840, sub-§7 is enacted to read:

7. Applicability beginning October 1, 2015. Beginning October 1, 2015, the board or the commissioner may not conduct an adjudicatory hearing for the purpose of establishing a water level regime or minimum flow requirements and may not issue an order establishing a water level regime or minimum flow requirements, except that the commissioner may conduct an adjudicatory hearing and issue an order in accordance with this section on a request or petitions submitted prior to October 1, 2015 or may amend or rescind an order issued prior to October 1, 2015. All orders establishing a water level regime or minimum flow requirements issued by the board or the commissioner prior to October 1, 2015, or after October 1, 2015 on a request or petitions submitted prior to October 1, 2015, remain in effect and enforceable until they expire or are rescinded or amended under this subarticle.

This subsection is repealed September 30, 2016.

Sec. 5. Authorization to report out a bill. The Joint Standing Committee on Environment and Natural Resources may report out a bill related to the establishment of water level regimes under the Maine Revised Statutes, Title 38, chapter 5, subchapter 1, article 3-A, subarticle 4 to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 265

H.P. 562 - L.D. 828

An Act To Improve Regulatory Consistency within the Jurisdiction of the Maine Land Use Planning Commission

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

Sec. 1. 12 MRSA §685-A, sub-§13, as enacted by PL 2007, c. 661, Pt. C, §1, is amended to read:

13. Additions to and removals from the expedited permitting area for wind energy development. The commission may add or remove areas in the State's unorganized and deorganized areas to or from the expedited permitting area for wind energy development in accordance with Title 35-A, ~~section 3453~~ chapter 34-A.

Sec. 2. 12 MRSA §685-B, sub-§1-A, ¶B-1, as corrected by RR 2011, c. 2, §9, is amended to read:

B-1. Except for projects that are located in a planned subdistrict that was approved or accepted by the commission for processing prior to September 1, 2012, a permit from the commission is not required for a development of state or regional significance that may substantially affect the environment as defined in Title 38, section 482, subsection 2. A project meeting that definition is reviewed under Title 38, section 489-A-1. A person submitting a development proposal to the Department of Environmental Protection under Title 38, section 489-A-1 shall file a notice of the intent to develop and a map indicating the location of the proposed development with the commission prior to or concurrently with submission of a development application to the Department of Environmental Protection. The Department of Environmental Protection must receive certification from the commission that the proposed development is an allowed use within the subdistrict or subdistricts for which it is proposed and the proposed development meets any land use standard established by the commission that is not considered in the department's review under Title 38, section 489-A-1, subsection 1 before issuing a permit. The commission may not certify that a proposed expedited wind energy development, as defined in Title 35-A, section 3451, subsection 4, within the expedited permitting area, as defined in Title 35-A, section 3451, subsection 3, is an allowed use if a relevant petition is pending under Title 35-A, section 3453-A. Nothing in this subsection may be construed as prohibiting the commission from enforcing the land use standards certified to the Department of Environmental Protection under this paragraph;

Sec. 3. 35-A MRSA §3451, sub-§3, ¶B, as enacted by PL 2007, c. 661, Pt. A, §7 and amended by PL 2011, c. 682, §38, is further amended to read:

B. ~~Specific~~ Specified places within the State's unorganized and deorganized areas, ~~as defined by Title 12, section 682, subsection 1,~~ that are identified by rule by the Maine Land Use Planning Commission in accordance with this chapter.

Sec. 4. 35-A MRSA §3451, sub-§8, ¶B, as amended by PL 2011, c. 682, §26, is further amended to read:

B. The Maine Land Use Planning Commission, in the case of a community-based offshore wind energy project as defined in Title 12, section 682, subsection 19 and a wind energy development in the unorganized and deorganized areas ~~as defined in Title 12, section 682, subsection 4~~ that is not grid-scale wind energy development.

Sec. 5. 35-A MRSA §3451, sub-§9-A is enacted to read:

9-A. Specified place. "Specified place" means the entirety or a portion of a township, plantation or municipality in the unorganized and deorganized areas, or a combination thereof.

Sec. 6. 35-A MRSA §3451, sub-§10-A is enacted to read:

10-A. Unorganized and deorganized areas. "Unorganized and deorganized areas" has the same meaning as in Title 12, section 682, subsection 1.

Sec. 7. 35-A MRSA §3453, as enacted by PL 2007, c. 661, Pt. A, §7 and amended by PL 2011, c. 682, §38, is further amended to read:

§3453. Additions to the expedited permitting area

The Maine Land Use Planning Commission may, by rule adopted in accordance with Title 5, chapter 375, establish standards for the addition of and add a specified place in the State's unorganized or and deorganized areas to the expedited permitting area. In order to add a specified place to the expedited permitting area, the Maine Land Use Planning Commission must determine that the proposed addition to the expedited permitting area:

1. Geographic extension. Involves a logical geographic extension of the currently designated expedited permitting area, except that the addition of a specified place that was previously removed from the expedited permitting area in accordance with section 3453-A, subsection 1 need not satisfy this requirement;

2. Meets state goals. Is important to meeting the state goals for wind energy development established in section 3404; and

3. Consistent with comprehensive land use plan. ~~Would not compromise~~ Is consistent with the principal values and the goals identified in the comprehensive land use plan adopted by the Maine Land Use Planning Commission pursuant to Title 12, section 685-C.

Rules adopted by the Maine Land Use Planning Commission pursuant to this section are routine technical

rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 8. 35-A MRSA §3453-A is enacted to read:

§3453-A. Removal from the expedited permitting area

The Maine Land Use Planning Commission may, by rule adopted in accordance with Title 5, chapter 375, remove a specified place in the unorganized and deorganized areas from the expedited permitting area as described in this section.

1. Removal by petition. The Maine Land Use Planning Commission shall, by rule, remove a specified place in the unorganized and deorganized areas from the expedited permitting area if:

A. The specified place is a township, plantation, municipality or portion thereof that has been identified pursuant to section 3451, subsection 3, paragraph B;

B. The Maine Land Use Planning Commission receives a petition on or before June 30, 2016 requesting the removal of the specified place from the expedited permitting area that:

(1) Clearly states that the persons signing the petition are requesting the removal of the specified place from the expedited permitting area;

(2) Is signed by at least 10% of the number of registered voters residing in the township, plantation, municipality or portion thereof that voted in the most recent gubernatorial election; and

(3) Is on a form consistent with Title 5, section 8055, a form provided by the Maine Land Use Planning Commission or a form otherwise determined to be sufficient for the purposes of this subsection by the Maine Land Use Planning Commission; and

C. A person does not request substantive review of the petition for removal pursuant to subsection 3 within 45 days of the Maine Land Use Planning Commission posting notice of receipt of the petition on its publicly accessible website.

The removal of a specified place from the expedited permitting area under this subsection may not prejudice any subsequent petition presented to the Maine Land Use Planning Commission to add the specified place back into the expedited permitting area under section 3453.

2. Notice of receipt of petition. Within 5 business days of receipt of a petition for removal under subsection 1, the Maine Land Use Planning Commission shall post notice of receipt of the petition, along

with a copy of the petition, on its publicly accessible website. The notice must specify that a person may request substantive review of the petition pursuant to subsection 3. A petition for removal of a specified place from the expedited permitting area is considered pending upon notice of receipt of a petition being posted on the commission's publicly accessible website. The Maine Land Use Planning Commission shall maintain a distribution list of persons who have requested to receive notice of commission receipt of petitions for removal and promptly notify persons on the list when a petition is received. Notwithstanding any other law to the contrary, additional notice of receipt of a petition for removal and additional notice associated with rulemaking to remove a specified place pursuant to subsection 1 is not required.

3. Removal by petition with review. A person may, in writing, request substantive review of a petition for removal under subsection 1 by the Maine Land Use Planning Commission. Upon receipt of a timely filed request for substantive review, if the commission finds the requirements of subsection 1, paragraphs A and B are satisfied, the commission shall, by rule, remove a specified place in the unorganized and deorganized areas from the expedited permitting area if it finds the proposed removal:

A. Will not have an unreasonable adverse effect on the State's ability to meet the state goals for wind energy development in section 3404, subsection 2, paragraph C; and

B. Is consistent with the principal values and the goals in the comprehensive land use plan adopted by the Maine Land Use Planning Commission pursuant to Title 12, section 685-C.

4. Notice of petition review and opportunity for public hearing. Upon receipt of a request for substantive review of a petition for removal pursuant to subsection 3, the Maine Land Use Planning Commission shall, based on available tax records, notify property owners in the specified place of the petition and the request for review, provide an opportunity for public comment on the petition and conduct a public hearing if 5 or more persons request a hearing.

5. Exceptions. The following specified places may not be removed from the expedited permitting area under this section:

A. Any specified place within the project boundary of an existing or proposed, legally permitted expedited wind energy development, unless the development permit is revoked or withdrawn;

B. Any specified place within the project boundary of a proposed expedited wind energy development, as described in the development permit application, that has been accepted for processing by the Department of Environmental Protection,

unless the development permit application is denied; and

C. Any specified place added by rule to the expedited permitting area in accordance with section 3453 prior to January 1, 2016.

As used in this subsection, "project boundary" means the geographic limits of an existing or proposed expedited wind energy development, as defined by the deeded geographic boundaries of the parcel or parcels of land on which the development or portions thereof are located or proposed to be located.

6. Fee. If a person requests substantive review of a petition for removal under subsection 3, notwithstanding Title 12, section 685-F, subsection 1 or any other provision of law to the contrary, the director of the Maine Land Use Planning Commission may assess a processing fee associated with the rulemaking, consistent with the fee that may be collected under Title 12, section 685-F, subsection 2, to cover actual costs, including costs associated with any notice or public hearing and the processing of the rule-making petition for removal. The director also may assess a similar fee to cover actual costs associated with petitions to add a specified place to the expedited permitting area under section 3453.

7. Rulemaking. The Maine Land Use Planning Commission may adopt rules implementing this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Rules adopted pursuant to subsection 3 need not meet the requirements of Title 5, section 8053-A or 8060 but must meet all other applicable requirements in Title 5, chapter 375.

Sec. 9. PL 2007, c. 661, Pt. C, §6, first ¶ is amended to read:

Sec. C-6. Expedited permitting area designation; permitted use. No later than September 1, 2008, the Maine Land Use ~~Regulation~~ Planning Commission shall adopt a rule listing the following specific places within the State's unorganized and deorganized areas, which comprise the expedited permitting area for purposes of this Act, except that the commission may subsequently add additional areas to this list or remove areas from this list by rule in the manner provided by this Act in accordance with the Maine Revised Statutes, Title 35-A, chapter 34-A:

Sec. 10. Effective date. This Act takes effect January 1, 2016.

Effective January 1, 2016.

CHAPTER 266
H.P. 929 - L.D. 1368

**An Act To Require the
Documentation of the Use of
Seclusion and Restraint at
Mental Health Institutions in
the State**

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

Sec. 1. 34-B MRSA c. 1, sub-c. 8 is enacted to read:

SUBCHAPTER 8

**REPORTING AND DOCUMENTATION OF
INCIDENTS OF USE OF SECLUSION AND
RESTRAINT**

§1951. Definitions

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

1. Institution. "Institution" means a public or private psychiatric institution licensed under Title 22, chapters 404 or 405 to provide psychiatric services that fall under the jurisdiction of the department.

2. Restraint. "Restraint" has the same meaning as defined in 42 Code of Federal Regulations, Section 482.13.

3. Seclusion. "Seclusion" has the same meaning as defined in 42 Code of Federal Regulations, Section 482.13.

4. Unit. "Unit" means a hospital ward or other area used to provide inpatient care.

§1952. Reporting of an incident of restraint or seclusion

1. Quarterly reporting by institution. An institution shall submit for each calendar quarter a report to the commissioner that includes for that institution, organized by unit:

A. The hours of restraint for each 1,000 patient hours;

B. The hours of seclusion for each 1,000 patient hours;

C. The aggregate number of incidents of restraint;

D. The aggregate number of incidents of seclusion;

E. The maximum and mean duration, across all patients, of incidents of restraint;

F. The maximum and mean duration, across all patients, of incidents of seclusion; and

G. Any other information that may be useful regarding the use of restraint or seclusion.

2. Annual reporting by institution. Annually, as soon as practicable after completing the formal quarterly report for the preceding year, an institution shall submit a report to the commissioner with the data required under subsection 1, paragraphs A to G, organized by unit.

3. Annual report by the commissioner. By January 1st of each year, the commissioner shall submit to the joint standing committee of the Legislature having jurisdiction over health and human services matters a report that includes the data submitted pursuant to subsection 1 for the previous fiscal year. The joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation relating to the report to the next regular session of the Legislature.

§1953. Restraint and seclusion debriefing policy

All institutions must develop a policy for a debriefing of a client who was the subject of restraint or seclusion. The policy may not prevent a legally responsible parent, guardian or designated representative from attending the debriefing.

Sec. 2. Partial reporting for January 1, 2016. Notwithstanding the Maine Revised Statutes, Title 34-B, section 1952, subsection 3, the report from the Commissioner of Health and Human Services due January 1, 2016 may include only one calendar quarter of the data required pursuant to Title 34-B, section 1952, subsection 2 and may be incomplete if necessary.

Sec. 3. Debriefing policy deadline. Pursuant to the Maine Revised Statutes, Title 34-B, section 1953, all institutions in the State shall develop a debriefing policy by May 1, 2016.

See title page for effective date.

CHAPTER 267

H.P. 702 - L.D. 1019

**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,
2015, June 30, 2016 and June
30, 2017**

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

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

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

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

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

PART A

Sec. A-1. Appropriations and allocations.
The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$20,776	\$20,907
All Other	\$772,957	\$772,957

GENERAL FUND TOTAL	\$793,733	\$793,864

RETIREE HEALTH INSURANCE FUND	2015-16	2016-17
All Other	\$48,400,235	\$48,400,235

RETIREE HEALTH INSURANCE FUND TOTAL	\$48,400,235	\$48,400,235

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$928,419	\$923,657
All Other	\$895,354	\$895,354

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	\$1,823,773	\$1,819,011

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$68,073	\$66,897
All Other	\$1,712,619	\$1,712,619

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	\$1,780,692	\$1,779,516

ACCIDENT - SICKNESS - HEALTH INSURANCE 0455

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$20,776	\$20,907
All Other	\$772,957	\$772,957

GENERAL FUND TOTAL	\$793,733	\$793,864

RETIREE HEALTH INSURANCE FUND	2015-16	2016-17
All Other	\$48,400,235	\$48,400,235

RETIREE HEALTH INSURANCE FUND TOTAL	\$48,400,235	\$48,400,235

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$928,419	\$923,657
All Other	\$895,354	\$895,354

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	\$1,823,773	\$1,819,011

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$68,073	\$66,897
All Other	\$1,712,619	\$1,712,619

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	\$1,780,692	\$1,779,516

Administration - Human Resources 0038

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	18.500	18.500
Personal Services	\$1,771,771	\$1,742,735
All Other	\$362,601	\$362,601

GENERAL FUND TOTAL	\$2,134,372	\$2,105,336

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$256,285	\$256,285

OTHER SPECIAL REVENUE FUNDS TOTAL	\$256,285	\$256,285

Administration - Human Resources 0038

Initiative: Reduces funding to align allocations with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$251,285)	(\$251,285)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$251,285)	(\$251,285)

**ADMINISTRATION - HUMAN RESOURCES
0038****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	18.500	18.500
Personal Services	\$1,771,771	\$1,742,735
All Other	\$362,601	\$362,601

GENERAL FUND TOTAL	\$2,134,372	\$2,105,336

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,000	\$5,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000	\$5,000

Alcoholic Beverages - General Operation 0015

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$751,524	\$740,882
All Other	\$114,066	\$114,066

GENERAL FUND TOTAL	\$865,590	\$854,948

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$19,190	\$19,190

OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,190	\$19,190

**STATE ALCOHOLIC
BEVERAGE FUND**

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$225,301	\$220,370
All Other	\$11,533,800	\$11,533,800

STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$11,759,101	\$11,754,170

Alcoholic Beverages - General Operation 0015

Initiative: Provides funding for a new online liquor excise tax system and associated technology support costs.

GENERAL FUND	2015-16	2016-17
All Other	\$557,827	\$557,229
GENERAL FUND TOTAL	\$557,827	\$557,229

Alcoholic Beverages - General Operation 0015

Initiative: Reorganizes one Public Service Manager II position from range 32 to range 34.

STATE ALCOHOLIC BEVERAGE FUND	2015-16	2016-17
Personal Services	\$5,002	\$4,844
STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$5,002	\$4,844

Alcoholic Beverages - General Operation 0015

Initiative: Transfers one Office Associate II position from the State Lottery Fund, Lottery Operations program, to the Alcoholic Beverages Fund, Alcoholic Beverages - General Operation program. This initiative also transfers one part-time Office Associate II position from the State Lottery Fund, Lottery Operations program, to the General Fund, Bureau of Alcoholic Beverages program, increases the hours from 34 hours biweekly to 80 hours biweekly and provides funding for associated All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,177	\$69,324
All Other	\$6,728	\$6,728
GENERAL FUND TOTAL	\$76,905	\$76,052

STATE ALCOHOLIC BEVERAGE FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,177	\$69,324
STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$70,177	\$69,324

Alcoholic Beverages - General Operation 0015

Initiative: Reorganizes one Public Safety Inspector III to a Public Service Manager I to more accurately reflect the work performed within the Division of Li-

censing and Enforcement, Alcoholic Beverages - General Operation program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$24,406	\$23,026
GENERAL FUND TOTAL	\$24,406	\$23,026

Alcoholic Beverages - General Operation 0015

Initiative: Reorganizes one Accounting Assistant position to an Accounting Associate I position to more accurately reflect the work performed within the Division of Licensing and Enforcement, Alcoholic Beverages - General Operation program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$3,865	\$5,546
GENERAL FUND TOTAL	\$3,865	\$5,546

Alcoholic Beverages - General Operation 0015

Initiative: Transfers one Secretary Associate Supervisor position from the State Lottery Fund within the Lottery Operations program to the General Fund within the Alcoholic Beverages - General Operation program to provide additional support for the Division of Licensing and Enforcement.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$75,465	\$74,405
GENERAL FUND TOTAL	\$75,465	\$74,405

ALCOHOLIC BEVERAGES - GENERAL OPERATION 0015 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$925,437	\$913,183
All Other	\$678,621	\$678,023
GENERAL FUND TOTAL	\$1,604,058	\$1,591,206

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$19,190	\$19,190

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OTHER SPECIAL	\$19,190	\$19,190
REVENUE FUNDS TOTAL		

STATE ALCOHOLIC BEVERAGE FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$300,480	\$294,538
All Other	\$11,533,800	\$11,533,800
STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$11,834,280	\$11,828,338

Budget - Bureau of the 0055

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,299,533	\$1,283,494
All Other	\$62,683	\$62,683
GENERAL FUND TOTAL	\$1,362,216	\$1,346,177

**BUDGET - BUREAU OF THE 0055
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,299,533	\$1,283,494
All Other	\$62,683	\$62,683
GENERAL FUND TOTAL	\$1,362,216	\$1,346,177

Buildings and Grounds Operations 0080

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	100.000	100.000
Personal Services	\$5,844,489	\$5,816,128
All Other	\$6,296,050	\$6,296,050
GENERAL FUND TOTAL	\$12,140,539	\$12,112,178

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$464,900	\$464,900

OTHER SPECIAL	\$464,900	\$464,900
REVENUE FUNDS TOTAL		

REAL PROPERTY LEASE INTERNAL SERVICE FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$312,488	\$308,304
All Other	\$25,590,339	\$25,590,339
REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL	\$25,902,827	\$25,898,643

Buildings and Grounds Operations 0080

Initiative: Provides funding for rent expenses.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$246,377	\$246,377
OTHER SPECIAL REVENUE FUNDS TOTAL	\$246,377	\$246,377

Buildings and Grounds Operations 0080

Initiative: Provides funding for utilities and maintenance costs at the Bangor campus.

GENERAL FUND	2015-16	2016-17
All Other	\$250,000	\$250,000
GENERAL FUND TOTAL	\$250,000	\$250,000

**BUILDINGS AND GROUNDS OPERATIONS 0080
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	100.000	100.000
Personal Services	\$5,844,489	\$5,816,128
All Other	\$6,546,050	\$6,546,050
GENERAL FUND TOTAL	\$12,390,539	\$12,362,178

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$711,277	\$711,277

			All Other	\$310,587	\$310,587
OTHER SPECIAL	\$711,277	\$711,277			
REVENUE FUNDS TOTAL			GENERAL FUND TOTAL	\$310,587	\$310,587
REAL PROPERTY LEASE	2015-16	2016-17	OTHER SPECIAL	2015-16	2016-17
INTERNAL SERVICE			REVENUE FUNDS		
FUND			All Other	\$645,000	\$645,000
POSITIONS -	3.000	3.000			
LEGISLATIVE COUNT			OTHER SPECIAL	\$645,000	\$645,000
Personal Services	\$312,488	\$308,304	REVENUE FUNDS TOTAL		
All Other	\$25,590,339	\$25,590,339			
REAL PROPERTY LEASE	\$25,902,827	\$25,898,643	Bureau of Revenue Services Fund 0885		
INTERNAL SERVICE FUND			Initiative: BASELINE BUDGET		
TOTAL			BUREAU OF REVENUE	2015-16	2016-17
			SERVICES FUND		
			All Other	\$151,720	\$151,720
Bureau of General Services - Capital Construction			BUREAU OF REVENUE	\$151,720	\$151,720
and Improvement Reserve Fund 0883			SERVICES FUND TOTAL		
Initiative: BASELINE BUDGET					
GENERAL FUND	2015-16	2016-17	BUREAU OF REVENUE SERVICES FUND 0885		
All Other	\$310,587	\$310,587	PROGRAM SUMMARY		
GENERAL FUND TOTAL	\$310,587	\$310,587	BUREAU OF REVENUE	2015-16	2016-17
			SERVICES FUND		
OTHER SPECIAL	2015-16	2016-17	All Other	\$151,720	\$151,720
REVENUE FUNDS					
All Other	\$5,000	\$5,000	BUREAU OF REVENUE	\$151,720	\$151,720
OTHER SPECIAL	\$5,000	\$5,000	SERVICES FUND TOTAL		
REVENUE FUNDS TOTAL					
			Capital Construction/Repairs/Improvements -		
Bureau of General Services - Capital Construction			Administration 0059		
and Improvement Reserve Fund 0883			Initiative: BASELINE BUDGET		
Initiative: Provides funding for debt service payments			GENERAL FUND	2015-16	2016-17
for the Bureau of General Services multifuel-capable			All Other	\$92,909	\$92,909
boiler-generator certificates of participation.			GENERAL FUND TOTAL	\$92,909	\$92,909
OTHER SPECIAL	2015-16	2016-17	OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS			REVENUE FUNDS		
All Other	\$640,000	\$640,000	All Other	\$948,359	\$948,359
OTHER SPECIAL	\$640,000	\$640,000	OTHER SPECIAL	\$948,359	\$948,359
REVENUE FUNDS TOTAL			REVENUE FUNDS TOTAL		
BUREAU OF GENERAL SERVICES - CAPITAL			Capital Construction/Repairs/Improvements -		
CONSTRUCTION AND IMPROVEMENT			Administration 0059		
RESERVE FUND 0883					
PROGRAM SUMMARY					
GENERAL FUND	2015-16	2016-17			

Initiative: Provides funding for capital construction and repairs for the 2016-2017 biennium.

GENERAL FUND	2015-16	2016-17
Capital Expenditures	\$3,000,000	\$3,000,000
GENERAL FUND TOTAL	\$3,000,000	\$3,000,000

**CAPITAL CONSTRUCTION/REPAIRS/
IMPROVEMENTS - ADMINISTRATION 0059
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$92,909	\$92,909
Capital Expenditures	\$3,000,000	\$3,000,000
GENERAL FUND TOTAL	\$3,092,909	\$3,092,909

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$948,359	\$948,359
OTHER SPECIAL REVENUE FUNDS TOTAL	\$948,359	\$948,359

Central Fleet Management 0703

Initiative: BASELINE BUDGET

CENTRAL MOTOR POOL	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,114,266	\$1,102,785
All Other	\$8,921,645	\$8,921,645
CENTRAL MOTOR POOL TOTAL	\$10,035,911	\$10,024,430

**CENTRAL FLEET MANAGEMENT 0703
PROGRAM SUMMARY**

CENTRAL MOTOR POOL	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,114,266	\$1,102,785
All Other	\$8,921,645	\$8,921,645
CENTRAL MOTOR POOL TOTAL	\$10,035,911	\$10,024,430

Central Services - Purchases 0004

Initiative: BASELINE BUDGET

POSTAL, PRINTING AND SUPPLY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	39.000	39.000
Personal Services	\$2,408,182	\$2,422,478
All Other	\$1,542,220	\$1,542,220
POSTAL, PRINTING AND SUPPLY FUND TOTAL	\$3,950,402	\$3,964,698

Central Services - Purchases 0004

Initiative: Transfers one Inventory and Property Associate I position and incumbent personnel from the Department of Administrative and Financial Services, Central Services - Purchases program, Postal, Printing and Supply Fund to the Department of Agriculture, Conservation and Forestry, Office of the Commissioner program, Other Special Revenue Funds. The employee retains all rights as a classified employee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurance and retirement benefits.

POSTAL, PRINTING AND SUPPLY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$59,591)	(\$58,415)
POSTAL, PRINTING AND SUPPLY FUND TOTAL	(\$59,591)	(\$58,415)

Central Services - Purchases 0004

Initiative: Transfers one Inventory and Property Associate II Supervisor position and incumbent personnel from the Department of Administrative and Financial Services, Central Services - Purchases program, Postal, Printing and Supply Fund to the Department of Inland Fisheries and Wildlife, Office of the Commissioner - Inland Fisheries and Wildlife program, Other Special Revenue Funds. The employee retains all rights as a classified employee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurance and retirement benefits.

POSTAL, PRINTING AND SUPPLY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$62,940)	(\$64,469)

POSTAL, PRINTING AND SUPPLY FUND TOTAL	(\$62,940)	(\$64,469)

All Other	\$16,836,024	\$16,836,024
GENERAL FUND TOTAL	\$16,836,024	\$16,836,024

CENTRAL SERVICES - PURCHASES 0004**PROGRAM SUMMARY**

POSTAL, PRINTING AND SUPPLY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	37,000	37,000
Personal Services	\$2,285,651	\$2,299,594
All Other	\$1,542,220	\$1,542,220
POSTAL, PRINTING AND SUPPLY FUND TOTAL	\$3,827,871	\$3,841,814

County Tax Reimbursement 0263

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,440,000	\$1,440,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,440,000	\$1,440,000

COUNTY TAX REIMBURSEMENT 0263**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,440,000	\$1,440,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,440,000	\$1,440,000

Debt Service - Government Facilities Authority 0893

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$16,836,024	\$16,836,024
GENERAL FUND TOTAL	\$16,836,024	\$16,836,024

**DEBT SERVICE - GOVERNMENT FACILITIES
AUTHORITY 0893****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17

Elderly Tax Deferral Program 0650

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$22,000	\$22,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,000	\$22,000

Elderly Tax Deferral Program 0650

Initiative: Reduces funding to more accurately reflect projected expenditures in the Elderly Tax Deferral Program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$17,000)	(\$17,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$17,000)	(\$17,000)

ELDERLY TAX DEFERRAL PROGRAM 0650**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,000	\$5,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000	\$5,000

Financial and Personnel Services - Division of 0713

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$497,302	\$497,302
FEDERAL EXPENDITURES FUND TOTAL	\$497,302	\$497,302

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$30,000	\$30,000

OTHER SPECIAL	\$30,000	\$30,000
REVENUE FUNDS TOTAL		

FINANCIAL AND PERSONNEL SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	260.000	260.000
Personal Services	\$19,643,333	\$19,578,452
All Other	\$1,577,370	\$1,577,370
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$21,220,703	\$21,155,822

Financial and Personnel Services - Division of 0713

Initiative: Eliminates the Federal Expenditures Fund within the Financial and Personnel Services - Division of program for the Maine Developmental Disabilities Council in order to establish a separate program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$497,302)	(\$497,302)
FEDERAL EXPENDITURES FUND TOTAL	(\$497,302)	(\$497,302)

Financial and Personnel Services - Division of 0713

Initiative: Eliminates one Accounting Associate I position in the Financial and Personnel Services - Division of program, Financial and Personnel Services Fund.

FINANCIAL AND PERSONNEL SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$59,022)	(\$57,864)
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	(\$59,022)	(\$57,864)

Financial and Personnel Services - Division of 0713

Initiative: Transfers one Accounting Associate II position and incumbent personnel from the Financial and Personnel Services - Division of program, Financial and Personnel Services Fund to the Department of Inland Fisheries and Wildlife, Office of the Commissioner - Inland Fisheries and Wildlife program, Other Special Revenue Funds. The employee retains all

rights as a classified employee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurance and retirement benefits.

FINANCIAL AND PERSONNEL SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$59,909)	(\$60,903)
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	(\$59,909)	(\$60,903)

FINANCIAL AND PERSONNEL SERVICES - DIVISION OF 0713

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$30,000	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$30,000

FINANCIAL AND PERSONNEL SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	258.000	258.000
Personal Services	\$19,524,402	\$19,459,685
All Other	\$1,577,370	\$1,577,370
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$21,101,772	\$21,037,055

Fund for Efficient Delivery of Local and Regional Services - Administration Z047

Initiative: Provides one-time funding of \$750,000 in each year of the 2016-2017 biennium to foster the efficient delivery of local and regional services.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$750,000	\$750,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$750,000	\$750,000

FUND FOR EFFICIENT DELIVERY OF LOCAL AND REGIONAL SERVICES - ADMINISTRATION Z047

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$750,000	\$750,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$750,000	\$750,000

Homestead Property Tax Exemption Reimburse- ment 0886

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$24,711,875	\$24,711,875
GENERAL FUND TOTAL	\$24,711,875	\$24,711,875

Homestead Property Tax Exemption Reimburse- ment 0886

Initiative: Provides funding for projected increases in the Homestead Property Tax Exemption Reimbursement program.

GENERAL FUND	2015-16	2016-17
All Other	\$2,273,125	\$3,622,375
GENERAL FUND TOTAL	\$2,273,125	\$3,622,375

Homestead Property Tax Exemption Reimburse- ment 0886

Initiative: Provides funding to increase the resident homestead property tax exemption by \$5,000 and reimburse municipalities for 100% of the increased amount.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$27,975,000
GENERAL FUND TOTAL	\$0	\$27,975,000

HOMESTEAD PROPERTY TAX EXEMPTION REIMBURSEMENT 0886

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$26,985,000	\$56,309,250
GENERAL FUND TOTAL	\$26,985,000	\$56,309,250

Information Services 0155

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$12,486,824	\$12,486,824
GENERAL FUND TOTAL	\$12,486,824	\$12,486,824

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	479.000	479.000
Personal Services	\$46,769,665	\$46,462,379
All Other	\$16,178,081	\$16,178,081

OFFICE OF INFORMATION SERVICES FUND TOTAL	\$62,947,746	\$62,640,460

Information Services 0155

Initiative: Establishes one Senior Information System Support Specialist position and 3 Information System Support Specialist II positions to support statewide security and network maintenance and provides funding for associated All Other costs.

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$346,996	\$353,656
All Other	\$62,896	\$62,896
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$409,892	\$416,552

Information Services 0155

Initiative: Reorganizes one Inventory and Property Associate I position to one Inventory and Property Associate II position and increases service department billing to fund the reorganization.

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
Personal Services	\$4,271	\$4,129
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$4,271	\$4,129

Information Services 0155

Initiative: Reorganizes 2 Information System Support Specialist positions to 2 Information System Support Specialist II positions and increases service department billing to fund the reorganization.

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
Personal Services	\$22,147	\$22,752
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$22,147	\$22,752

Information Services 0155

Initiative: Establishes one Information System Support Specialist II position and one Technical Support Specialist position to enhance cybersecurity efforts to protect state information in the Office of Information Technology security business area, Information Services program and provides funding for associated All Other costs.

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

Personal Services	\$180,820	\$184,290
All Other	\$31,448	\$31,448
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$212,268	\$215,738

Information Services 0155

Initiative: Establishes 3 Public Service Coordinator I positions to provide financial auditing services in the Office of Information Technology finance area, Information Services program and provides funding for associated All Other costs.

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$279,342	\$284,787
All Other	\$47,172	\$47,172
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$326,514	\$331,959

Information Services 0155

Initiative: Provides funding for the increased cost of supporting central system applications.

GENERAL FUND	2015-16	2016-17
All Other	\$494,740	\$392,302
GENERAL FUND TOTAL	\$494,740	\$392,302

Information Services 0155

Initiative: Establishes 3 Office of Information Technology Business Analyst positions, 5 Office of Information Technology Project Manager positions and one Office of Information Technology Program Manager position and provides funding for associated All Other costs.

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$918,371	\$938,172
All Other	\$148,542	\$148,542
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$1,066,913	\$1,086,714

Information Services 0155

Initiative: Establishes 2 Systems Section Manager positions, one Systems Group Manager position, one Systems Team Leader position, one Management Analyst I position and one Senior Programmer Analyst position within the applications section of the Office of Information Technology, Information Services program and provides funding for associated All Other costs.

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$584,964	\$596,373
All Other	\$98,001	\$98,001
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$682,965	\$694,374

Information Services 0155

Initiative: Adjusts funding for the cost of goods sold in the Office of Information Services Fund.

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
All Other	(\$9,000,000)	(\$9,000,000)
OFFICE OF INFORMATION SERVICES FUND TOTAL	(\$9,000,000)	(\$9,000,000)

INFORMATION SERVICES 0155**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$12,981,564	\$12,879,126
GENERAL FUND TOTAL	\$12,981,564	\$12,879,126

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	503.000	503.000
Personal Services	\$49,106,576	\$48,846,538
All Other	\$7,566,140	\$7,566,140

OFFICE OF INFORMATION SERVICES FUND TOTAL	\$56,672,716	\$56,412,678

Leased Space Reserve Fund Program Z145

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

LEASED SPACE RESERVE FUND PROGRAM Z145**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Lottery Operations 0023

Initiative: BASELINE BUDGET

STATE LOTTERY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
Personal Services	\$1,708,676	\$1,693,880
All Other	\$2,319,536	\$2,319,536

STATE LOTTERY FUND TOTAL	\$4,028,212	\$4,013,416

Lottery Operations 0023

Initiative: Reorganizes one Public Service Manager II position from range 32 to range 34.

STATE LOTTERY FUND	2015-16	2016-17
Personal Services	\$5,001	\$4,846
STATE LOTTERY FUND TOTAL	\$5,001	\$4,846

Lottery Operations 0023

Initiative: Transfers one Office Associate II position from the State Lottery Fund, Lottery Operations program, to the Alcoholic Beverages Fund, Alcoholic Beverages - General Operation program. This initiative also transfers one part-time Office Associate II position from the State Lottery Fund, Lottery Operations program, to the General Fund, Bureau of Alcoholic Beverages program, increases the hours from 34 hours biweekly to 80 hours biweekly and provides funding for associated All Other costs.

STATE LOTTERY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.500)	(1.500)
Personal Services	(\$100,637)	(\$99,103)
STATE LOTTERY FUND TOTAL	(\$100,637)	(\$99,103)

Lottery Operations 0023

Initiative: Transfers one Secretary Associate Supervisor position from the State Lottery Fund within the Lottery Operations program to the General Fund within the Alcoholic Beverages - General Operation program to provide additional support for the Division of Licensing and Enforcement.

STATE LOTTERY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$75,465)	(\$74,405)
STATE LOTTERY FUND TOTAL	(\$75,465)	(\$74,405)

Lottery Operations 0023

Initiative: Provides funding for per diem payments for the State Liquor and Lottery Commission members.

STATE LOTTERY FUND	2015-16	2016-17
Personal Services	\$3,300	\$3,300
STATE LOTTERY FUND TOTAL	\$3,300	\$3,300

Lottery Operations 0023

Initiative: Reorganizes one Lottery Marketing Manager position to a Public Service Manager II position, one Lottery Field Representative position to a Secretary Associate Supervisor position and 2 Inventory and Property Associate I positions to 2 Office Associate II positions and changes the range of one Lottery Security Operations Manager from Range 17 to Range 20 in the State Lottery Fund, Lottery Operations program. This initiative also reduces the hours of one Office Associate II position from 80 hours biweekly to 34 hours biweekly to partially fund the reorganization.

STATE LOTTERY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	\$8,401	\$3,003
STATE LOTTERY FUND TOTAL	\$8,401	\$3,003

**LOTTERY OPERATIONS 0023
PROGRAM SUMMARY**

STATE LOTTERY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,549,276	\$1,531,521
All Other	\$2,319,536	\$2,319,536
STATE LOTTERY FUND TOTAL	\$3,868,812	\$3,851,057

Maine Board of Tax Appeals Z146

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$391,067	\$381,978
All Other	\$67,313	\$67,313
GENERAL FUND TOTAL	\$458,380	\$449,291

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$45,000	\$45,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$45,000	\$45,000

**MAINE BOARD OF TAX APPEALS Z146
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$391,067	\$381,978
All Other	\$67,313	\$67,313
GENERAL FUND TOTAL	\$458,380	\$449,291

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$45,000	\$45,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$45,000	\$45,000

Maine Developmental Disabilities Council Z185

Initiative: Establishes a Federal Expenditures Fund allocation for the Maine Developmental Disabilities Council program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$476,925	\$480,465
FEDERAL EXPENDITURES FUND TOTAL	\$476,925	\$480,465

Maine Developmental Disabilities Council Z185

Initiative: Provides funding for the Maine Developmental Disabilities Council to support advocacy, capacity building and systematic change activities that is matched with federal funds.

GENERAL FUND	2015-16	2016-17
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

Maine Developmental Disabilities Council Z185

Initiative: Provides funding for an additional contracted staff position for the Maine Developmental Disabilities Council.

GENERAL FUND	2015-16	2016-17
All Other	\$58,975	\$60,155
GENERAL FUND TOTAL	\$58,975	\$60,155

**MAINE DEVELOPMENTAL DISABILITIES
COUNCIL Z185****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$158,975	\$160,155
GENERAL FUND TOTAL	\$158,975	\$160,155
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$476,925	\$480,465
FEDERAL EXPENDITURES FUND TOTAL	\$476,925	\$480,465

Mandate BETE - Reimburse Municipalities Z065

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$12,222	\$12,222
GENERAL FUND TOTAL	\$12,222	\$12,222

Mandate BETE - Reimburse Municipalities Z065

Initiative: Provides funding for projected increases in the business equipment tax exemption program.

GENERAL FUND	2015-16	2016-17
All Other	\$3,056	\$6,875
GENERAL FUND TOTAL	\$3,056	\$6,875

**MANDATE BETE - REIMBURSE
MUNICIPALITIES Z065****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$15,278	\$19,097
GENERAL FUND TOTAL	\$15,278	\$19,097

**Office of the Commissioner - Administrative and
Financial Services 0718**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$785,558	\$769,153
All Other	\$44,088	\$44,088
GENERAL FUND TOTAL	\$829,646	\$813,241

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,000	\$5,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000	\$5,000

**OFFICE OF THE COMMISSIONER -
ADMINISTRATIVE AND FINANCIAL
SERVICES 0718**

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$785,558	\$769,153
All Other	\$44,088	\$44,088
GENERAL FUND TOTAL	\$829,646	\$813,241

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,000	\$5,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000	\$5,000

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

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,200,874	\$1,181,359
All Other	\$127,977	\$127,977
GENERAL FUND TOTAL	\$1,328,851	\$1,309,336

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$31,000	\$31,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,000	\$31,000

**PUBLIC IMPROVEMENTS -
PLANNING/CONSTRUCTION -
ADMINISTRATION 0057**

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,200,874	\$1,181,359
All Other	\$127,977	\$127,977
GENERAL FUND TOTAL	\$1,328,851	\$1,309,336

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$31,000	\$31,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,000	\$31,000

Purchases - Division of 0007

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$579,454	\$577,367
All Other	\$199,102	\$199,102
GENERAL FUND TOTAL	\$778,556	\$776,469

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$4,000	\$4,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,000	\$4,000

Purchases - Division of 0007

Initiative: Provides funding for annual licensing fees for a state electronic procurement system.

GENERAL FUND	2015-16	2016-17
All Other	\$180,000	\$180,000
GENERAL FUND TOTAL	\$180,000	\$180,000

**PURCHASES - DIVISION OF 0007
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$579,454	\$577,367
All Other	\$379,102	\$379,102

GENERAL FUND TOTAL	\$958,556	\$956,469
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$4,000	\$4,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,000	\$4,000

Revenue Services, Bureau of 0002

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	292.000	292.000
Personal Services	\$22,123,176	\$22,002,609
All Other	\$13,119,737	\$13,119,737
GENERAL FUND TOTAL	\$35,242,913	\$35,122,346

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$5,000	\$5,000
FEDERAL EXPENDITURES FUND TOTAL	\$5,000	\$5,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$11,418,348	\$11,418,348
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,418,348	\$11,418,348

Revenue Services, Bureau of 0002

Initiative: Reduces funding to reflect the discontinued hosting of the annual Maine tax forum.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$40,000)	(\$40,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$40,000)	(\$40,000)

Revenue Services, Bureau of 0002

Initiative: Provides funding for projected increases in certified media production claims.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$25,000	\$25,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000	\$25,000

Revenue Services, Bureau of 0002

Initiative: Provides funding for debt service payments on bonds issued for a new Bureau of Revenue Services publicly accessible website.

GENERAL FUND	2015-16	2016-17
All Other	\$379,800	\$379,800
GENERAL FUND TOTAL	\$379,800	\$379,800

Revenue Services, Bureau of 0002

Initiative: Provides funding for increased system costs and for additional technology support staff to ensure the ongoing reliability of the Maine Revenue Services tax system.

GENERAL FUND	2015-16	2016-17
All Other	\$560,779	\$680,175
GENERAL FUND TOTAL	\$560,779	\$680,175

Revenue Services, Bureau of 0002

Initiative: Provides one-time funding for the updating of econometric database information used for revenue projections provided to the Revenue Forecasting Committee.

GENERAL FUND	2015-16	2016-17
All Other	\$300,000	\$300,000
GENERAL FUND TOTAL	\$300,000	\$300,000

**REVENUE SERVICES, BUREAU OF 0002
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	292.000	292.000
Personal Services	\$22,123,176	\$22,002,609
All Other	\$14,360,316	\$14,479,712
GENERAL FUND TOTAL	\$36,483,492	\$36,482,321

FEDERAL EXPENDITURES FUND	2015-16	2016-17			
All Other	\$5,000	\$5,000	STATE-ADMINISTERED FUND TOTAL	\$2,042,515	\$2,042,515
FEDERAL EXPENDITURES FUND TOTAL	\$5,000	\$5,000			
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	Snow Grooming Property Tax Exemption Reimbursement Z024		
All Other	\$11,403,348	\$11,403,348	Initiative: BASELINE BUDGET		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,403,348	\$11,403,348	GENERAL FUND	2015-16	2016-17
			All Other	\$15,269	\$15,269
			GENERAL FUND TOTAL	\$15,269	\$15,269
			SNOW GROOMING PROPERTY TAX EXEMPTION REIMBURSEMENT Z024 PROGRAM SUMMARY		
Risk Management - Claims 0008			GENERAL FUND	2015-16	2016-17
Initiative: BASELINE BUDGET			All Other	\$15,269	\$15,269
RISK MANAGEMENT FUND	2015-16	2016-17	GENERAL FUND TOTAL	\$15,269	\$15,269
POSITIONS - LEGISLATIVE COUNT	5.000	5.000			
Personal Services	\$424,178	\$418,778	Solid Waste Management Fund 0659		
All Other	\$3,534,326	\$3,534,326	Initiative: BASELINE BUDGET		
RISK MANAGEMENT FUND TOTAL	\$3,958,504	\$3,953,104	GENERAL FUND	2015-16	2016-17
			All Other	\$316,851	\$316,851
			GENERAL FUND TOTAL	\$316,851	\$316,851
STATE-ADMINISTERED FUND	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,042,515	\$2,042,515	All Other	\$172,500	\$172,500
STATE-ADMINISTERED FUND TOTAL	\$2,042,515	\$2,042,515	OTHER SPECIAL REVENUE FUNDS TOTAL	\$172,500	\$172,500
RISK MANAGEMENT - CLAIMS 0008 PROGRAM SUMMARY			Solid Waste Management Fund 0659		
RISK MANAGEMENT FUND	2015-16	2016-17	Initiative: Provides funding for the operation of the wastewater treatment facility that supports the Dolby Landfill in the Town of East Millinocket.		
POSITIONS - LEGISLATIVE COUNT	5.000	5.000	GENERAL FUND	2015-16	2016-17
Personal Services	\$424,178	\$418,778	All Other	\$500,000	\$500,000
All Other	\$3,534,326	\$3,534,326	GENERAL FUND TOTAL	\$500,000	\$500,000
RISK MANAGEMENT FUND TOTAL	\$3,958,504	\$3,953,104	SOLID WASTE MANAGEMENT FUND 0659 PROGRAM SUMMARY		
			GENERAL FUND	2015-16	2016-17
STATE-ADMINISTERED FUND	2015-16	2016-17			
All Other	\$2,042,515	\$2,042,515			

All Other	\$816,851	\$816,851
GENERAL FUND TOTAL	\$816,851	\$816,851
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$172,500	\$172,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$172,500	\$172,500

State Controller - Office of the 0056

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$2,474,565	\$2,439,758
All Other	\$149,581	\$149,581
GENERAL FUND TOTAL	\$2,624,146	\$2,589,339

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,000	\$1,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,000	\$1,000

State Controller - Office of the 0056

Initiative: Establishes one Public Service Manager II position and one Public Service Coordinator I position to provide formalization and augmentation to the functional development and support of an enterprise resource planning system and provides associated All Other funding.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$192,171	\$196,152
All Other	\$15,000	\$15,000
GENERAL FUND TOTAL	\$207,171	\$211,152

STATE CONTROLLER - OFFICE OF THE 0056 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	28.000	28.000
Personal Services	\$2,666,736	\$2,635,910
All Other	\$164,581	\$164,581
GENERAL FUND TOTAL	\$2,831,317	\$2,800,491
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,000	\$1,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,000	\$1,000

Statewide Radio Network System 0112

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$6,699,151	\$6,699,151
GENERAL FUND TOTAL	\$6,699,151	\$6,699,151

STATEWIDE RADIO NETWORK SYSTEM 0112 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$6,699,151	\$6,699,151
GENERAL FUND TOTAL	\$6,699,151	\$6,699,151

Trade Adjustment Assistance Health Insurance Z001

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$8,385	\$8,385
FEDERAL EXPENDITURES FUND TOTAL	\$8,385	\$8,385

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$75,000	\$75,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

TRADE ADJUSTMENT ASSISTANCE HEALTH INSURANCE Z001

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$8,385	\$8,385
FEDERAL EXPENDITURES FUND TOTAL	\$8,385	\$8,385

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$75,000	\$75,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

Tree Growth Tax Reimbursement 0261

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$7,251,007	\$7,251,007
GENERAL FUND TOTAL	\$7,251,007	\$7,251,007

Tree Growth Tax Reimbursement 0261

Initiative: Provides funding for projected increases in the Tree Growth Tax Reimbursement program.

GENERAL FUND	2015-16	2016-17
All Other	\$448,993	\$348,993
GENERAL FUND TOTAL	\$448,993	\$348,993

TREE GROWTH TAX REIMBURSEMENT 0261**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$7,700,000	\$7,600,000
GENERAL FUND TOTAL	\$7,700,000	\$7,600,000

Unorganized Territory Education and Services Fund - Finance 0573

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$16,968,000	\$16,968,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,968,000	\$16,968,000

Unorganized Territory Education and Services Fund - Finance 0573

Initiative: Reduces funding to more accurately reflect anticipated revenue and expenditures associated with depreciation and economic obsolescence of windmills.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$600,000)	(\$700,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$600,000)	(\$700,000)

Unorganized Territory Education and Services Fund - Finance 0573

Initiative: Provides funding for increased costs to counties for services in unorganized territories.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$143,000	\$967,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$143,000	\$967,000

UNORGANIZED TERRITORY EDUCATION AND SERVICES FUND - FINANCE 0573**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$16,511,000	\$17,235,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,511,000	\$17,235,000

Veterans' Organization Tax Reimbursement Z062

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$29,106	\$29,106
GENERAL FUND TOTAL	\$29,106	\$29,106

VETERANS' ORGANIZATION TAX REIMBURSEMENT Z062**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$29,106	\$29,106
GENERAL FUND TOTAL	\$29,106	\$29,106

Veterans Tax Reimbursement 0407

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$1,158,617	\$1,158,617
GENERAL FUND TOTAL	\$1,158,617	\$1,158,617

Personal Services	\$1,519,580	\$1,512,311
All Other	\$18,155,846	\$18,155,846

WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$19,675,426	\$19,668,157

Veterans Tax Reimbursement 0407

Initiative: Provides funding for projected increases in the Veterans Tax Reimbursement program.

GENERAL FUND	2015-16	2016-17
All Other	\$22,469	\$69,713
GENERAL FUND TOTAL	\$22,469	\$69,713

WORKERS' COMPENSATION MANAGEMENT FUND PROGRAM 0802**PROGRAM SUMMARY**

WORKERS' COMPENSATION MANAGEMENT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12,000	12,000
Personal Services	\$1,519,580	\$1,512,311
All Other	\$18,155,846	\$18,155,846

WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$19,675,426	\$19,668,157

VETERANS TAX REIMBURSEMENT 0407**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$1,181,086	\$1,228,330
GENERAL FUND TOTAL	\$1,181,086	\$1,228,330

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2015-16	2016-17
GENERAL FUND	\$138,009,148	\$167,017,953
FEDERAL EXPENDITURES FUND	\$490,810	\$494,350
OTHER SPECIAL REVENUE FUNDS	\$32,802,674	\$33,526,674
FINANCIAL AND PERSONNEL SERVICES FUND	\$21,101,772	\$21,037,055
POSTAL, PRINTING AND SUPPLY FUND	\$3,827,871	\$3,841,814
OFFICE OF INFORMATION SERVICES FUND	\$56,672,716	\$56,412,678
RISK MANAGEMENT FUND	\$3,958,504	\$3,953,104
WORKERS' COMPENSATION MANAGEMENT FUND	\$19,675,426	\$19,668,157
CENTRAL MOTOR POOL	\$10,035,911	\$10,024,430

Waste Facility Tax Reimbursement 0907

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$12,188	\$12,188
GENERAL FUND TOTAL	\$12,188	\$12,188

WASTE FACILITY TAX REIMBURSEMENT 0907**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$12,188	\$12,188
GENERAL FUND TOTAL	\$12,188	\$12,188

Workers' Compensation Management Fund Program 0802

Initiative: BASELINE BUDGET

WORKERS' COMPENSATION MANAGEMENT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12,000	12,000

REAL PROPERTY LEASE INTERNAL SERVICE FUND	\$25,902,827	\$25,898,643	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
			All Other	\$261,376	\$261,376
BUREAU OF REVENUE SERVICES FUND	\$151,720	\$151,720			
RETIREE HEALTH INSURANCE FUND	\$48,400,235	\$48,400,235	OTHER SPECIAL	\$261,376	\$261,376
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	\$1,823,773	\$1,819,011	REVENUE FUNDS TOTAL		
STATE ALCOHOLIC BEVERAGE FUND	\$11,834,280	\$11,828,338	Administration - Forestry Z223		
STATE- ADMINISTERED FUND	\$2,042,515	\$2,042,515	Initiative: Deallocates Other Special Revenue Funds funding pursuant to the elimination of the Elm Tree Restoration Fund under Public Law 2013, chapter 12.		
STATE LOTTERY FUND	\$3,868,812	\$3,851,057	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	\$1,780,692	\$1,779,516	All Other	(\$573)	(\$573)
			OTHER SPECIAL	(\$573)	(\$573)
			REVENUE FUNDS TOTAL		
DEPARTMENT TOTAL - ALL FUNDS	\$382,379,686	\$411,747,250	Administration - Forestry Z223		

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

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

Administration - Forestry Z223

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17	GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	\$168,255	\$167,536	Personal Services	(\$168,255)	(\$167,536)
All Other	\$30,617	\$30,617	All Other	(\$30,617)	(\$30,617)
GENERAL FUND TOTAL	\$198,872	\$198,153	GENERAL FUND TOTAL	(\$198,872)	(\$198,153)
FEDERAL EXPENDITURES FUND	2015-16	2016-17	FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$56,344	\$55,227	Personal Services	(\$56,344)	(\$55,227)
All Other	\$24,849	\$24,849	All Other	(\$24,849)	(\$24,849)
FEDERAL EXPENDITURES FUND TOTAL	\$81,193	\$80,076	FEDERAL EXPENDITURES FUND TOTAL	(\$81,193)	(\$80,076)
			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
			All Other	(\$260,803)	(\$260,803)

OTHER SPECIAL	(\$260,803)	(\$260,803)
REVENUE FUNDS TOTAL		

ADMINISTRATION - FORESTRY Z223**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS -	0.000	0.000
LEGISLATIVE COUNT		
Personal Services	\$0	\$0
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Animal Welfare Fund 0946

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS -	10.000	10.000
LEGISLATIVE COUNT		
POSITIONS - FTE COUNT	0.238	0.238
Personal Services	\$792,369	\$800,184
All Other	\$770,260	\$770,260
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,562,629	\$1,570,444

Animal Welfare Fund 0946

Initiative: Reallocates the cost of one State Veterinarian position and related All Other from 100% Other Special Revenue Funds in the Animal Welfare Fund program to 50% General Fund in the Division of Ani-

mal Health and Industry program and 50% Other Special Revenue Funds in the Animal Welfare Fund program and reallocates the cost of one Office Associate II position and related All Other from 50% General Fund in the Division of Animal Health and Industry program and 50% Other Special Revenue Funds in the Animal Welfare Fund program to 100% Other Special Revenue Funds in the Animal Welfare Fund program to align position funding with functions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	(\$15,856)	(\$17,288)
All Other	(\$815)	(\$889)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$16,671)	(\$18,177)

Animal Welfare Fund 0946

Initiative: Reorganizes one Veterinarian position to one State Veterinarian position and reallocates the cost of the position and related All Other from 100% in the Harness Racing Commission program to 15% in the Animal Welfare Fund program and 85% in the Harness Racing Commission program to align position funding with functions and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$15,373	\$15,715
All Other	\$858	\$868

OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,231	\$16,583

ANIMAL WELFARE FUND 0946**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS -	11.000	11.000
LEGISLATIVE COUNT		
POSITIONS - FTE COUNT	0.238	0.238
Personal Services	\$791,886	\$798,611
All Other	\$770,303	\$770,239

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,562,189	\$1,568,850

Beverage Container Enforcement Fund 0971

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$205,471	\$209,114
All Other	\$108,665	\$108,665
OTHER SPECIAL REVENUE FUNDS TOTAL	\$314,136	\$317,779

**BEVERAGE CONTAINER ENFORCEMENT
FUND 0971****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$205,471	\$209,114
All Other	\$108,665	\$108,665
OTHER SPECIAL REVENUE FUNDS TOTAL	\$314,136	\$317,779

Boating Facilities Fund Z226

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	1.673	1.673
Personal Services	\$882,288	\$870,292
All Other	\$601,956	\$601,956
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,484,244	\$1,472,248

Boating Facilities Fund Z226

Initiative: Continues 2 limited-period seasonal Navigational Aide Assistant positions through October 31, 2017. These positions were established in Public Law 2009, chapter 213 and continued through October 31, 2015 in Public Law 2013, chapter 368.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$33,641	\$31,955
All Other	\$1,302	\$1,236

OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,943	\$33,191

Boating Facilities Fund Z226

Initiative: Provides funding to acquire and develop public recreational boating facilities.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$495,000	\$495,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$495,000	\$495,000

BOATING FACILITIES FUND Z226**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	1.673	1.673
Personal Services	\$915,929	\$902,247
All Other	\$603,258	\$603,192
Capital Expenditures	\$495,000	\$495,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,014,187	\$2,000,439

Certified Seed Fund 0787

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
POSITIONS - FTE COUNT	2.082	2.082
Personal Services	\$529,176	\$526,168
All Other	\$360,040	\$360,040

OTHER SPECIAL REVENUE FUNDS TOTAL	\$889,216	\$886,208

CERTIFIED SEED FUND 0787**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	7.000	7.000			
POSITIONS - FTE COUNT	2.082	2.082	FEDERAL EXPENDITURES FUND TOTAL	\$1,522,195	\$1,523,264
Personal Services	\$529,176	\$526,168			
All Other	\$360,040	\$360,040	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
			POSITIONS - LEGISLATIVE COUNT	3.000	3.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$889,216	\$886,208	Personal Services	\$208,126	\$209,296
			All Other	\$354,026	\$354,026
Coastal Island Registry Z241			OTHER SPECIAL REVENUE FUNDS TOTAL	\$562,152	\$563,322
Initiative: BASELINE BUDGET					
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	Division of Agricultural Resource Development 0833		
All Other	\$107	\$107	Initiative: Transfers funding for the soil and water conservation districts from the Division of Agricul- tural Resource Development program to the Geologi- cal Survey program.		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107	\$107			
COASTAL ISLAND REGISTRY Z241 PROGRAM SUMMARY			GENERAL FUND	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	All Other	(\$50,000)	(\$50,000)
All Other	\$107	\$107	GENERAL FUND TOTAL	(\$50,000)	(\$50,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107	\$107			
Division of Agricultural Resource Development 0833			Division of Agricultural Resource Development 0833		
Initiative: BASELINE BUDGET			Initiative: Transfers funding from the Federal Expen- ditures Fund to the Federal Block Grant Fund within the same program for the federal Specialty Crop Block Grant.		
GENERAL FUND	2015-16	2016-17	FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	All Other	(\$400,000)	(\$400,000)
Personal Services	\$355,785	\$350,628	FEDERAL EXPENDITURES FUND TOTAL	(\$400,000)	(\$400,000)
All Other	\$171,393	\$171,393			
GENERAL FUND TOTAL	\$527,178	\$522,021	FEDERAL BLOCK GRANT FUND	2015-16	2016-17
FEDERAL EXPENDITURES FUND	2015-16	2016-17	All Other	\$400,000	\$400,000
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	FEDERAL BLOCK GRANT FUND TOTAL	\$400,000	\$400,000
Personal Services	\$64,894	\$65,963			
All Other	\$1,457,301	\$1,457,301	DIVISION OF AGRICULTURAL RESOURCE DEVELOPMENT 0833 PROGRAM SUMMARY		
			GENERAL FUND	2015-16	2016-17

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POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$355,785	\$350,628
All Other	\$121,393	\$121,393
GENERAL FUND TOTAL	\$477,178	\$472,021
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$64,894	\$65,963
All Other	\$1,057,301	\$1,057,301

FEDERAL EXPENDITURES FUND TOTAL \$1,122,195 \$1,123,264

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$208,126	\$209,296
All Other	\$354,026	\$354,026

OTHER SPECIAL REVENUE FUNDS TOTAL \$562,152 \$563,322

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$400,000	\$400,000
FEDERAL BLOCK GRANT FUND TOTAL	\$400,000	\$400,000

Division of Animal Health and Industry 0394

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$527,319	\$522,568
All Other	\$121,419	\$121,419
GENERAL FUND TOTAL	\$648,738	\$643,987

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$82,561	\$80,155
All Other	\$652,823	\$652,823
FEDERAL EXPENDITURES FUND TOTAL	\$735,384	\$732,978

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$181,702	\$181,702

OTHER SPECIAL REVENUE FUNDS TOTAL \$181,702 \$181,702

Division of Animal Health and Industry 0394

Initiative: Provides funding to increase the hours of one Public Service Coordinator II position from 40 hours biweekly to 80 hours biweekly and transfers the position from the Federal Expenditures Fund to the General Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$114,034	\$111,112

GENERAL FUND TOTAL \$114,034 \$111,112

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$57,674)	(\$56,017)
All Other	(\$2,964)	(\$2,879)

FEDERAL EXPENDITURES FUND TOTAL (\$60,638) (\$58,896)

Division of Animal Health and Industry 0394

Initiative: Reallocates the cost of one State Veterinarian position and related All Other from 100% Other Special Revenue Funds in the Animal Welfare Fund program to 50% General Fund in the Division of Animal Health and Industry program and 50% Other Special Revenue Funds in the Animal Welfare Fund program and reallocates the cost of one Office Associate II position and related All Other from 50% General Fund in the Division of Animal Health and Industry program and 50% Other Special Revenue Funds in the Animal Welfare Fund program to 100% Other Special Revenue Funds in the Animal Welfare Fund program to align position funding with functions.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	\$15,856	\$17,288
GENERAL FUND TOTAL	\$15,856	\$17,288

Division of Animal Health and Industry 0394

Initiative: Transfers one Office Associate I position from the Division of Quality Assurance and Regulation program to the Division of Animal Health and Industry program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$57,667	\$59,052
GENERAL FUND TOTAL	\$57,667	\$59,052

Division of Animal Health and Industry 0394

Initiative: Reorganizes one Director, Division of Quality Assurance and Regulation position to a Public Service Executive I position and reorganizes one Director, Division of Animal and Plant Health position to a Public Service Executive I position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$3,207	\$3,207
GENERAL FUND TOTAL	\$3,207	\$3,207

DIVISION OF ANIMAL HEALTH AND INDUSTRY 0394**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$718,083	\$713,227
All Other	\$121,419	\$121,419
GENERAL FUND TOTAL	\$839,502	\$834,646

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$24,887	\$24,138
All Other	\$649,859	\$649,944

FEDERAL EXPENDITURES FUND TOTAL	\$674,746	\$674,082

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$181,702	\$181,702
OTHER SPECIAL REVENUE FUNDS TOTAL	\$181,702	\$181,702

Division of Forest Protection Z232

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	86.000	86.000
POSITIONS - FTE COUNT	4.711	4.711
Personal Services	\$7,928,195	\$7,857,851
All Other	\$1,879,888	\$1,879,888

GENERAL FUND TOTAL	\$9,808,083	\$9,737,739

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	3.634	3.634
Personal Services	\$311,426	\$311,690
All Other	\$813,641	\$813,641

FEDERAL EXPENDITURES FUND TOTAL	\$1,125,067	\$1,125,331

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$226,154	\$226,154
OTHER SPECIAL REVENUE FUNDS TOTAL	\$226,154	\$226,154

Division of Forest Protection Z232

Initiative: Eliminates 6 vacant Forest Ranger II positions in the Division of Forest Protection program and reduces funding for related All Other costs.

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	(6.000)	(6.000)
Personal Services	(\$232,167)	(\$471,966)
All Other	(\$52,650)	(\$105,300)
GENERAL FUND TOTAL	(\$284,817)	(\$577,266)

Division of Forest Protection Z232

Initiative: Transfers funding from the Forest Fire Control - Municipal Assistance Grants program, General Fund to the Division of Forest Protection program, General Fund.

GENERAL FUND	2015-16	2016-17
All Other	\$46,890	\$46,890
GENERAL FUND TOTAL	\$46,890	\$46,890

Division of Forest Protection Z232

Initiative: Reorganizes 2 seasonal full-time Customer Representative Associate I - Communications positions to one permanent full-time Customer Representative Associate I - Communications position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$1,430)	\$257
GENERAL FUND TOTAL	(\$1,430)	\$257

Division of Forest Protection Z232

Initiative: Eliminates one permanent full-time and one seasonal full-time Customer Representative Associate I - Communications positions and transfers funding to All Other to fund dispatch services through the Department of Public Safety.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	(0.615)	(0.615)
Personal Services	(\$101,803)	(\$101,228)
All Other	\$101,803	\$101,228
GENERAL FUND TOTAL	\$0	\$0

Division of Forest Protection Z232

Initiative: Reorganizes 4 Customer Representative Associate I - Communications positions to Office Associate II positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$10,763	\$10,536
GENERAL FUND TOTAL	\$10,763	\$10,536

Division of Forest Protection Z232

Initiative: Provides funding for ongoing aircraft maintenance.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$350,000	\$350,000
FEDERAL EXPENDITURES FUND TOTAL	\$350,000	\$350,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$80,000	\$80,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$80,000	\$80,000

Division of Forest Protection Z232

Initiative: Provides funding for capital improvements.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$80,000	\$80,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$80,000	\$80,000

Division of Forest Protection Z232

Initiative: Reorganizes one seasonal full-time 25-week Laborer I position funded 100% General Fund and one seasonal full-time 27-week Laborer I position funded 100% Federal Expenditures Fund to one permanent full-time Laborer I position funded 48% General Fund and 52% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - FTE COUNT	(0.481)	(0.481)
Personal Services	(\$609)	\$14
GENERAL FUND TOTAL	(\$609)	\$14

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(0.519)	(0.519)
Personal Services	(\$469)	\$94
FEDERAL EXPENDITURES FUND TOTAL	(\$469)	\$94

Division of Forest Protection Z232

Initiative: Reorganizes one seasonal Laborer I position to one permanent Laborer I position by adjusting the number of weeks from 48 weeks to 52 weeks per year. Also adjusts the number of weeks for one seasonal Laborer I position from 16 weeks to 12 weeks per year.

GENERAL FUND	2015-16	2016-17
POSITIONS - FTE COUNT	(0.077)	(0.077)
Personal Services	(\$181)	\$67
GENERAL FUND TOTAL	(\$181)	\$67

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(0.923)	(0.923)
Personal Services	(\$165)	(\$133)
FEDERAL EXPENDITURES FUND TOTAL	(\$165)	(\$133)

Division of Forest Protection Z232

Initiative: Reallocates the cost of various positions and All Other funding from 100% General Fund in the Division of Forest Protection program to 71% General Fund in the Division of Forest Protection program and 29% General Fund in the Forest Health and Monitoring program in order to index to the commercial forestry excise tax. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$1,929,362)	(\$1,657,342)
All Other	(\$609,424)	(\$607,353)
GENERAL FUND TOTAL	(\$2,538,786)	(\$2,264,695)

Division of Forest Protection Z232

Initiative: Appropriates funding for additional short-haul activities from the Division of Forest Protection program to the Forest Health and Monitoring program.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$2,240
GENERAL FUND TOTAL	\$0	\$2,240

Division of Forest Protection Z232

Initiative: Provides funding for information technology systems through the Department of Administrative and Financial Services, Office of Information Technology.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$55,300	\$55,300
FEDERAL EXPENDITURES FUND TOTAL	\$55,300	\$55,300

Division of Forest Protection Z232

Initiative: Transfers funding for cellular telephone expenditures from various General Fund programs to the central information technology account in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
All Other	(\$4,545)	(\$4,545)
GENERAL FUND TOTAL	(\$4,545)	(\$4,545)

Division of Forest Protection Z232

Initiative: Eliminates vacant positions from various programs within the Department of Agriculture, Conservation and Forestry, except the Ranger Pilot position. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	(0.231)	(0.231)
Personal Services	(\$50,822)	(\$51,690)
GENERAL FUND TOTAL	(\$50,822)	(\$51,690)

FEDERAL EXPENDITURES FUND	2015-16	2016-17

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PUBLIC LAW, C. 267

POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$77,501)	(\$79,297)
FEDERAL EXPENDITURES FUND TOTAL	(\$77,501)	(\$79,297)

**DIVISION OF FOREST PROTECTION Z232
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	79.000	79.000
POSITIONS - FTE COUNT	2.307	2.307
Personal Services	\$5,622,584	\$5,586,499
All Other	\$1,361,962	\$1,313,048
GENERAL FUND TOTAL	\$6,984,546	\$6,899,547

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	2.192	2.192
Personal Services	\$233,291	\$232,354
All Other	\$868,941	\$868,941
Capital Expenditures	\$350,000	\$350,000

FEDERAL EXPENDITURES FUND TOTAL	\$1,452,232	\$1,451,295

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$226,154	\$226,154
Capital Expenditures	\$160,000	\$160,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$386,154	\$386,154

Division of Plant Industry 0831

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$88,507	\$88,959
All Other	\$42,079	\$42,079

GENERAL FUND TOTAL	\$130,586	\$131,038

FEDERAL EXPENDITURES FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$77,603	\$77,021
All Other	\$529,563	\$529,563

FEDERAL EXPENDITURES FUND TOTAL	\$607,166	\$606,584

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

Personal Services	\$32,614	\$32,380
All Other	\$45,588	\$45,588

OTHER SPECIAL REVENUE FUNDS TOTAL	\$78,202	\$77,968

Division of Plant Industry 0831

Initiative: Reorganizes one Director, Division of Quality Assurance and Regulation position to a Public Service Executive I position and reorganizes one Director, Division of Animal and Plant Health position to a Public Service Executive I position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$3,205	\$3,203

GENERAL FUND TOTAL	\$3,205	\$3,203

Division of Plant Industry 0831

Initiative: Eliminates vacant positions from various programs within the Department of Agriculture, Conservation and Forestry. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17

POSITIONS - FTE COUNT	(0.308)	(0.308)
Personal Services	(\$15,857)	(\$16,470)

FEDERAL EXPENDITURES FUND TOTAL	(\$15,857)	(\$16,470)

DIVISION OF PLANT INDUSTRY 0831

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$91,712	\$92,162
All Other	\$42,079	\$42,079
GENERAL FUND TOTAL	\$133,791	\$134,241

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$61,746	\$60,551
All Other	\$529,563	\$529,563
FEDERAL EXPENDITURES FUND TOTAL	\$591,309	\$590,114

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$32,614	\$32,380
All Other	\$45,588	\$45,588
OTHER SPECIAL REVENUE FUNDS TOTAL	\$78,202	\$77,968

Division of Quality Assurance and Regulation 0393

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	29.500	29.500
Personal Services	\$2,160,089	\$2,151,777
All Other	\$410,076	\$410,076
GENERAL FUND TOTAL	\$2,570,165	\$2,561,853

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
POSITIONS - FTE COUNT	12.435	12.435
Personal Services	\$2,075,115	\$2,068,630
All Other	\$307,601	\$307,601

FEDERAL EXPENDITURES FUND TOTAL	\$2,382,716	\$2,376,231

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$141,762	\$140,019
All Other	\$275,596	\$275,596

OTHER SPECIAL REVENUE FUNDS TOTAL	\$417,358	\$415,615

Division of Quality Assurance and Regulation 0393

Initiative: Establishes one Consumer Protection Inspector position funded 50% General Fund and 50% Federal Expenditures Fund in the Division of Quality Assurance and Regulation program and provides funding for related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$37,233	\$38,016
All Other	\$5,000	\$5,000

GENERAL FUND TOTAL	\$42,233	\$43,016

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$37,228	\$38,014
All Other	\$5,000	\$5,000

FEDERAL EXPENDITURES FUND TOTAL	\$42,228	\$43,014

Division of Quality Assurance and Regulation 0393

Initiative: Transfers one Office Associate I position from the Division of Quality Assurance and Regulation program to the Division of Animal Health and Industry program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$57,667)	(\$59,052)
GENERAL FUND TOTAL	(\$57,667)	(\$59,052)

Division of Quality Assurance and Regulation 0393

Initiative: Reorganizes 2 Dairy Inspector positions to Consumer Protection Inspector positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$7,747	\$8,320
GENERAL FUND TOTAL	\$7,747	\$8,320

Division of Quality Assurance and Regulation 0393

Initiative: Reorganizes one Director, Division of Quality Assurance and Regulation position to a Public Service Executive I position and reorganizes one Director, Division of Animal and Plant Health position to a Public Service Executive I position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,916	\$1,831
GENERAL FUND TOTAL	\$1,916	\$1,831

Division of Quality Assurance and Regulation 0393

Initiative: Eliminates vacant positions from various programs within the Department of Agriculture, Conservation and Forestry. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	(2.481)	(2.481)
Personal Services	(\$162,279)	(\$164,641)
FEDERAL EXPENDITURES FUND TOTAL	(\$162,279)	(\$164,641)

DIVISION OF QUALITY ASSURANCE AND REGULATION 0393

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	29.500	29.500
Personal Services	\$2,149,318	\$2,140,892
All Other	\$415,076	\$415,076
GENERAL FUND TOTAL	\$2,564,394	\$2,555,968

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	20.000	20.000

POSITIONS - FTE COUNT	9.954	9.954
Personal Services	\$1,950,064	\$1,942,003
All Other	\$312,601	\$312,601

FEDERAL EXPENDITURES FUND TOTAL	\$2,262,665	\$2,254,604

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$141,762	\$140,019
All Other	\$275,596	\$275,596
OTHER SPECIAL REVENUE FUNDS TOTAL	\$417,358	\$415,615

Floodplain Management Z151

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$47,541	\$46,483
All Other	\$7,423	\$7,423
GENERAL FUND TOTAL	\$54,964	\$53,906

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$199,178	\$198,324
All Other	\$56,105	\$56,105
FEDERAL EXPENDITURES FUND TOTAL	\$255,283	\$254,429

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

FLOODPLAIN MANAGEMENT Z151

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
Personal Services	\$47,541	\$46,483

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All Other	\$7,423	\$7,423
GENERAL FUND TOTAL	\$54,964	\$53,906
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$199,178	\$198,324
All Other	\$56,105	\$56,105
FEDERAL EXPENDITURES FUND TOTAL	\$255,283	\$254,429

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Food Assistance Program 0816

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$145,997	\$146,452
All Other	\$51,212	\$51,212
GENERAL FUND TOTAL	\$197,209	\$197,664

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,103	\$70,364
All Other	\$353,386	\$353,386
FEDERAL EXPENDITURES FUND TOTAL	\$422,489	\$423,750

FOOD ASSISTANCE PROGRAM 0816**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$145,997	\$146,452

All Other	\$51,212	\$51,212
GENERAL FUND TOTAL	\$197,209	\$197,664
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,103	\$70,364
All Other	\$353,386	\$353,386
FEDERAL EXPENDITURES FUND TOTAL	\$422,489	\$423,750

Forest Fire Control - Municipal Assistance Grants Z300

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$46,890	\$46,890
GENERAL FUND TOTAL	\$46,890	\$46,890

Forest Fire Control - Municipal Assistance Grants Z300

Initiative: Transfers funding from the Forest Fire Control - Municipal Assistance Grants program, General Fund to the Division of Forest Protection program, General Fund.

GENERAL FUND	2015-16	2016-17
All Other	(\$46,890)	(\$46,890)
GENERAL FUND TOTAL	(\$46,890)	(\$46,890)

FOREST FIRE CONTROL - MUNICIPAL ASSISTANCE GRANTS Z300**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

Forest Health and Monitoring Z233

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$889,991	\$880,615

All Other	\$95,978	\$95,978
GENERAL FUND TOTAL	\$985,969	\$976,593
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	5.889	5.889
Personal Services	\$757,987	\$752,878
All Other	\$230,187	\$230,187
FEDERAL EXPENDITURES FUND TOTAL	\$988,174	\$983,065

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$56,171	\$56,171
OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,171	\$56,171

Forest Health and Monitoring Z233

Initiative: Transfers and reallocates one Director of Forestry position from the Administration - Forestry program to the Forest Health and Monitoring program funded 100% General Fund and one Public Service Coordinator position funded 50% General Fund and 50% Federal Expenditures in the Administration - Forestry program to 50% General Fund and 50% Federal Expenditures Fund in the Forest Health and Monitoring program and transfers All Other in the Administration - Forestry program to the Forest Health and Monitoring program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$168,255	\$167,536
All Other	\$30,617	\$30,617
GENERAL FUND TOTAL	\$198,872	\$198,153

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$56,344	\$55,227
All Other	\$24,849	\$24,849
FEDERAL EXPENDITURES FUND TOTAL	\$81,193	\$80,076

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$260,803	\$260,803
OTHER SPECIAL REVENUE FUNDS TOTAL	\$260,803	\$260,803

Forest Health and Monitoring Z233

Initiative: Transfers 19 positions and All Other funding from the General Fund in the Forest Policy and Management program to the General Fund in the Forest Health and Monitoring program and 3 positions and All Other funding from the Federal Expenditures Fund in the Forest Policy and Management program to the Federal Expenditures Fund in the Forest Health and Monitoring program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,547,753	\$1,527,269
All Other	\$334,331	\$334,331
GENERAL FUND TOTAL	\$1,882,084	\$1,861,600

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$295,924	\$293,152
All Other	\$1,344,676	\$1,344,676
FEDERAL EXPENDITURES FUND TOTAL	\$1,640,600	\$1,637,828

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$57,855	\$57,855
OTHER SPECIAL REVENUE FUNDS TOTAL	\$57,855	\$57,855

Forest Health and Monitoring Z233

Initiative: Establishes 3 seasonal full-time Student Intern positions.

GENERAL FUND	2015-16	2016-17
POSITIONS - FTE COUNT	1.038	1.038
Personal Services	\$51,894	\$50,535

GENERAL FUND TOTAL	\$51,894	\$50,535

Forest Health and Monitoring Z233

Initiative: Eliminates 3 project full-time Conservation Aide positions and reduces the weeks of one project full-time Conservation Aide position and increases the weeks of 2 project full-time Entomology Technician positions.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$365)	(\$367)
FEDERAL EXPENDITURES FUND TOTAL	(\$365)	(\$367)

Forest Health and Monitoring Z233

Initiative: Reorganizes 7 project full-time Conservation Aide positions and 5 project full-time Entomology Technician positions to seasonal full-time positions.

GENERAL FUND	2015-16	2016-17
POSITIONS - FTE COUNT	1.193	1.193
Personal Services	\$21,814	\$18,027
GENERAL FUND TOTAL	\$21,814	\$18,027

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	3.905	3.905
Personal Services	\$84,926	\$73,828
All Other	\$2,047	\$1,779
FEDERAL EXPENDITURES FUND TOTAL	\$86,973	\$75,607

Forest Health and Monitoring Z233

Initiative: Provides funding for ongoing grant expenditures in the Forest Health and Monitoring program to cover overlapping grant years.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$130,000	\$130,000
FEDERAL EXPENDITURES FUND TOTAL	\$130,000	\$130,000

Forest Health and Monitoring Z233

Initiative: Reallocates the cost of one Programmer Analyst position from 100% Federal Expenditures Fund to 50% Federal Expenditures Fund and 50% General Fund within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$50,407	\$49,480
GENERAL FUND TOTAL	\$50,407	\$49,480

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$50,407)	(\$49,480)
FEDERAL EXPENDITURES FUND TOTAL	(\$50,407)	(\$49,480)

Forest Health and Monitoring Z233

Initiative: Provides funding for ongoing stream crossing improvements.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$20,000	\$20,000
FEDERAL EXPENDITURES FUND TOTAL	\$20,000	\$20,000

Forest Health and Monitoring Z233

Initiative: Provides funding for ongoing projects.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$36,000	\$36,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$36,000	\$36,000

Forest Health and Monitoring Z233

Initiative: Reallocates the cost of various positions and All Other funding from 100% General Fund in the Division of Forest Protection program to 71% General Fund in the Division of Forest Protection program and 29% General Fund in the Forest Health and Monitoring program in order to index to the commercial forestry excise tax. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,929,362	\$1,657,342
All Other	\$609,424	\$607,353

GENERAL FUND TOTAL	\$2,538,786	\$2,264,695

Forest Health and Monitoring Z233

Initiative: Transfers funding for cellular telephone expenditures from various General Fund programs to the central information technology account in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
All Other	(\$491)	(\$491)
GENERAL FUND TOTAL	(\$491)	(\$491)

Forest Health and Monitoring Z233

Initiative: Eliminates vacant positions from various programs within the Department of Agriculture, Conservation and Forestry, except the Ranger Pilot position. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$20,756)	(\$21,010)
GENERAL FUND TOTAL	(\$20,756)	(\$21,010)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	(0.505)	(0.505)
Personal Services	(\$93,092)	(\$94,607)
FEDERAL EXPENDITURES FUND TOTAL	(\$93,092)	(\$94,607)

FOREST HEALTH AND MONITORING Z233**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
POSITIONS - FTE COUNT	2.231	2.231
Personal Services	\$4,638,720	\$4,329,794
All Other	\$1,069,859	\$1,067,788
GENERAL FUND TOTAL	\$5,708,579	\$5,397,582

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	9.289	9.289
Personal Services	\$1,051,317	\$1,030,631
All Other	\$1,731,759	\$1,731,491
Capital Expenditures	\$20,000	\$20,000
FEDERAL EXPENDITURES FUND TOTAL	\$2,803,076	\$2,782,122

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$410,829	\$410,829
OTHER SPECIAL REVENUE FUNDS TOTAL	\$410,829	\$410,829

Forest Policy and Management - Division of Z240**Initiative: BASELINE BUDGET**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,547,753	\$1,527,269
All Other	\$334,331	\$334,331
GENERAL FUND TOTAL	\$1,882,084	\$1,861,600

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$295,924	\$293,152
All Other	\$1,344,676	\$1,344,676

FEDERAL EXPENDITURES FUND TOTAL	\$1,640,600	\$1,637,828

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$110,258	\$110,258
OTHER SPECIAL REVENUE FUNDS TOTAL	\$110,258	\$110,258

Forest Policy and Management - Division of Z240

Initiative: Deallocates Other Special Revenue Funds funding pursuant to the elimination of the certified forest resource manager grant fund under Public Law 2013, chapter 11.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$52,403)	(\$52,403)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$52,403)	(\$52,403)

Forest Policy and Management - Division of Z240

Initiative: Transfers 19 positions and All Other funding from the General Fund in the Forest Policy and Management program to the General Fund in the Forest Health and Monitoring program and 3 positions and All Other funding from the Federal Expenditures Fund in the Forest Policy and Management program to the Federal Expenditures Fund in the Forest Health and Monitoring program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(19.000)	(19.000)
Personal Services	(\$1,547,753)	(\$1,527,269)
All Other	(\$334,331)	(\$334,331)

GENERAL FUND TOTAL	(\$1,882,084)	(\$1,861,600)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$295,924)	(\$293,152)
All Other	(\$1,344,676)	(\$1,344,676)

FEDERAL EXPENDITURES FUND TOTAL	(\$1,640,600)	(\$1,637,828)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$57,855)	(\$57,855)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$57,855)	(\$57,855)

FOREST POLICY AND MANAGEMENT - DIVISION OF Z240

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Forest Recreation Resource Fund Z354

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - FTE COUNT	1.058	1.058
Personal Services	\$72,241	\$70,383
All Other	\$3,352	\$3,352

OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,593	\$73,735

FOREST RECREATION RESOURCE FUND Z354

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - FTE COUNT	1.058	1.058
Personal Services	\$72,241	\$70,383
All Other	\$3,352	\$3,352

OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,593	\$73,735

Geological Survey Z237

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$969,593	\$948,036
All Other	\$326,106	\$326,106

GENERAL FUND TOTAL	\$1,295,699	\$1,274,142

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$124,026	\$121,327
All Other	\$167,528	\$167,528

FEDERAL EXPENDITURES FUND TOTAL	\$291,554	\$288,855

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$82,804	\$84,174
All Other	\$88,720	\$88,720

OTHER SPECIAL REVENUE FUNDS TOTAL	\$171,524	\$172,894

Geological Survey Z237

Initiative: Transfers funding for the soil and water conservation districts from the Division of Agricultural Resource Development program to the Geological Survey program.

GENERAL FUND	2015-16	2016-17
All Other	\$50,000	\$50,000

GENERAL FUND TOTAL	\$50,000	\$50,000

Geological Survey Z237

Initiative: Provides funding to increase the hours of one Geographic Information System Coordinator position from 64 to 80 hours biweekly and reallocates the cost from 60% General Fund and 40% Federal Expenditures Fund to 48% General Fund and 52% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17

Personal Services	(\$116)	(\$111)

GENERAL FUND TOTAL	(\$116)	(\$111)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$14,800	\$14,345
All Other	\$782	\$758

FEDERAL EXPENDITURES FUND TOTAL	\$15,582	\$15,103

Geological Survey Z237

Initiative: Transfers and reallocates one Secretary Associate position from 100% Federal Expenditures Fund in the Maine Coastal Program to 25% Federal Expenditures Fund in the Maine Coastal Program and 75% General Fund in the Geological Survey program and reduces funding in related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$48,859	\$47,844

GENERAL FUND TOTAL	\$48,859	\$47,844

Geological Survey Z237

Initiative: Eliminates vacant positions from various programs within the Department of Agriculture, Conservation and Forestry. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$82,390)	(\$83,760)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$82,390)	(\$83,760)

GEOLOGICAL SURVEY Z237**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,018,336	\$995,769
All Other	\$376,106	\$376,106

GENERAL FUND TOTAL	\$1,394,442	\$1,371,875	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$46,876)	(\$47,343)
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Harness Racing Commission 0320		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	Initiative: Reorganizes one Veterinarian position to one State Veterinarian position and reallocates the cost of the position and related All Other from 100% in the Harness Racing Commission program to 15% in the Animal Welfare Fund program and 85% in the Harness Racing Commission program to align position funding with functions and provides funding for related All Other costs.		
Personal Services	\$138,826	\$135,672			
All Other	\$168,310	\$168,286			
FEDERAL EXPENDITURES FUND TOTAL	\$307,136	\$303,958	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	Personal Services	(\$11,110)	(\$10,418)
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	All Other	(\$189)	(\$192)
Personal Services	\$414	\$414			
All Other	\$88,720	\$88,720	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$11,299)	(\$10,610)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$89,134	\$89,134	Harness Racing Commission 0320		
Harness Racing Commission 0320			Initiative: Reduces funding to bring allocations in line with available resources projected in the December 2014 Revenue Forecasting Committee report.		
Initiative: BASELINE BUDGET			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	All Other	(\$960,844)	(\$849,222)
POSITIONS - LEGISLATIVE COUNT	4.500	4.500	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$960,844)	(\$849,222)
POSITIONS - FTE COUNT	3.750	3.750	Harness Racing Commission 0320		
Personal Services	\$674,506	\$672,208	Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.		
All Other	\$15,395,388	\$15,395,388	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,069,894	\$16,067,596	All Other	\$130,727	\$132,039
Harness Racing Commission 0320			OTHER SPECIAL REVENUE FUNDS TOTAL	\$130,727	\$132,039
Initiative: Reallocates 50% of one Public Service Coordinator I position from the Harness Racing Commission account to the operating account within the same program and reduces All Other to fund the transfer.			HARNESS RACING COMMISSION 0320 PROGRAM SUMMARY		
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$0	\$0	POSITIONS - LEGISLATIVE COUNT	4.500	4.500
All Other	(\$46,876)	(\$47,343)			

POSITIONS - FTE COUNT	3.750	3.750
Personal Services	\$663,396	\$661,790
All Other	\$14,518,206	\$14,630,670
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,181,602	\$15,292,460

Land for Maine's Future Z162

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$180,641	\$176,875
All Other	\$7,678	\$7,678
GENERAL FUND TOTAL	\$188,319	\$184,553

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$89,156	\$87,234
All Other	\$2,349	\$2,349
FEDERAL EXPENDITURES FUND TOTAL	\$91,505	\$89,583

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$47,560	\$47,560
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,560	\$47,560

Land for Maine's Future Z162

Initiative: Provides funding for the Land for Maine's Future Board per diem and travel expenses.

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,980	\$1,980
All Other	\$5,952	\$5,952
GENERAL FUND TOTAL	\$7,932	\$7,932

Land for Maine's Future Z162

Initiative: Transfers and reallocates one Public Service Manager I position from 57.25% General Fund in the Parks - General Operations program and 42.75% Other

Special Revenue Funds in the Office of the Commissioner program to 57.25% General Fund in the Land for Maine's Future program and 42.75% Other Special Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$53,671	\$52,002
GENERAL FUND TOTAL	\$53,671	\$52,002

Land for Maine's Future Z162

Initiative: Provides funding for increased operating expenses.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$2,500	\$2,500
FEDERAL EXPENDITURES FUND TOTAL	\$2,500	\$2,500

**LAND FOR MAINE'S FUTURE Z162
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$236,292	\$230,857
All Other	\$13,630	\$13,630
GENERAL FUND TOTAL	\$249,922	\$244,487

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$89,156	\$87,234
All Other	\$4,849	\$4,849
FEDERAL EXPENDITURES FUND TOTAL	\$94,005	\$92,083

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$47,560	\$47,560
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,560	\$47,560

Land Management and Planning Z239

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$37,557	\$37,557
FEDERAL EXPENDITURES FUND TOTAL	\$37,557	\$37,557

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	41.000	41.000
POSITIONS - FTE COUNT	2.963	2.963
Personal Services	\$3,593,877	\$3,546,834
All Other	\$2,013,873	\$2,013,873

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,607,750	\$5,560,707

Land Management and Planning Z239

Initiative: Provides funding for increased contract costs for structure inventory and scanning application records.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$31,161	\$31,161

OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,161	\$31,161

Land Management and Planning Z239

Initiative: Provides funding for increased operating expenses including repairs to roads, maintenance contracts, capital construction materials and capital improvements to bridges and roads.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$596,211	\$691,740
Capital Expenditures	\$503,789	\$508,260

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,100,000	\$1,200,000

Land Management and Planning Z239

Initiative: Provides funding for capital equipment replacements.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$109,000	\$42,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$109,000	\$42,500

Land Management and Planning Z239

Initiative: Provides one-time funding for the purchase of new equipment.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$69,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$69,000	\$0

Land Management and Planning Z239

Initiative: Eliminates vacant positions from various programs within the Department of Agriculture, Conservation and Forestry. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$79,212)	(\$80,692)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$79,212)	(\$80,692)

LAND MANAGEMENT AND PLANNING Z239 PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$37,557	\$37,557
FEDERAL EXPENDITURES FUND TOTAL	\$37,557	\$37,557

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	40.000	40.000
POSITIONS - FTE COUNT	2.963	2.963
Personal Services	\$3,514,665	\$3,466,142
All Other	\$2,641,245	\$2,736,774

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Capital Expenditures	\$681,789	\$550,760
OTHER SPECIAL	\$6,837,699	\$6,753,676
REVENUE FUNDS TOTAL		

Maine Coastal Program Z150

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$420,662	\$413,011
All Other	\$988,571	\$988,571

FEDERAL EXPENDITURES FUND TOTAL	\$1,409,233	\$1,401,582

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Coastal Program Z150

Initiative: Provides funding for ongoing grant expenditures and special projects.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$105,287	\$105,287

FEDERAL EXPENDITURES FUND TOTAL	\$105,287	\$105,287

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$150,000	\$150,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$150,000

Maine Coastal Program Z150

Initiative: Transfers and reallocates one Secretary Associate position from 100% Federal Expenditures Fund in the Maine Coastal Program to 25% Federal Expenditures Fund in the Maine Coastal Program and 75% General Fund in the Geological Survey program and reduces funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$48,859)	(\$47,844)
All Other	(\$2,583)	(\$2,529)

FEDERAL EXPENDITURES FUND TOTAL	(\$51,442)	(\$50,373)

MAINE COASTAL PROGRAM Z150 PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$371,803	\$365,167
All Other	\$1,091,275	\$1,091,329

FEDERAL EXPENDITURES FUND TOTAL	\$1,463,078	\$1,456,496

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$150,500	\$150,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,500	\$150,500

Maine Conservation Corps Z149

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$78,113	\$79,217
All Other	\$3,096	\$3,096

GENERAL FUND TOTAL	\$81,209	\$82,313

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$65,441	\$66,075
All Other	\$392,412	\$392,412

FEDERAL EXPENDITURES FUND TOTAL	\$457,853	\$458,487

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$171,841	\$174,435
All Other	\$672,938	\$672,938
OTHER SPECIAL REVENUE FUNDS TOTAL	\$844,779	\$847,373

Maine Conservation Corps Z149

Initiative: Transfers one Public Service Coordinator I position and reallocates the cost from 50% Federal Expenditures Fund in the Parks - General Operations program and 50% Other Special Revenue Funds in the Maine Conservation Corps program to 100% Other Special Revenue Funds in the Office of the Commissioner program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$38,912)	(\$39,190)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$38,912)	(\$39,190)

MAINE CONSERVATION CORPS Z149**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$78,113	\$79,217
All Other	\$3,096	\$3,096
GENERAL FUND TOTAL	\$81,209	\$82,313

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$65,441	\$66,075
All Other	\$392,412	\$392,412
FEDERAL EXPENDITURES FUND TOTAL	\$457,853	\$458,487

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

Personal Services	\$132,929	\$135,245
All Other	\$672,938	\$672,938
OTHER SPECIAL REVENUE FUNDS TOTAL	\$805,867	\$808,183

Maine Farms for the Future Program 0925**Initiative: BASELINE BUDGET**

GENERAL FUND	2015-16	2016-17
All Other	\$242,589	\$242,589
GENERAL FUND TOTAL	\$242,589	\$242,589

MAINE FARMS FOR THE FUTURE PROGRAM 0925**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$242,589	\$242,589
GENERAL FUND TOTAL	\$242,589	\$242,589

Maine Land Use Planning Commission Z236**Initiative: BASELINE BUDGET**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,760,278	\$1,753,375
All Other	\$134,371	\$134,371
GENERAL FUND TOTAL	\$1,894,649	\$1,887,746

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,310	\$2,310
All Other	\$308,178	\$308,178
OTHER SPECIAL REVENUE FUNDS TOTAL	\$310,488	\$310,488

Maine Land Use Planning Commission Z236

Initiative: Transfers funding for cellular telephone expenditures from various General Fund programs to the central information technology account in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
All Other	(\$3,445)	(\$3,445)

GENERAL FUND TOTAL	(\$3,445)	(\$3,445)

MAINE LAND USE PLANNING COMMISSION Z236

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,760,278	\$1,753,375
All Other	\$130,926	\$130,926
GENERAL FUND TOTAL	\$1,891,204	\$1,884,301

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,310	\$2,310
All Other	\$308,178	\$308,178

OTHER SPECIAL REVENUE FUNDS TOTAL	\$310,488	\$310,488

Maine Mosquito Management Fund Z180

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

MAINE MOSQUITO MANAGEMENT FUND Z180

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine State Parks Development Fund Z342

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

POSITIONS - FTE COUNT	4.500	4.500
Personal Services	\$363,111	\$359,296
All Other	\$693,214	\$693,214

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,056,325	\$1,052,510

Maine State Parks Development Fund Z342

Initiative: Provides funding for maintenance of infrastructure and capital improvements.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$207,738	\$207,738
Capital Expenditures	\$100,000	\$100,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$307,738	\$307,738

Maine State Parks Development Fund Z342

Initiative: Eliminates vacant positions from various programs within the Department of Agriculture, Conservation and Forestry. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - FTE COUNT	(0.442)	(0.442)
Personal Services	(\$23,682)	(\$23,374)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$23,682)	(\$23,374)

MAINE STATE PARKS DEVELOPMENT FUND Z342

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	4.058	4.058
Personal Services	\$339,429	\$335,922
All Other	\$900,952	\$900,952
Capital Expenditures	\$100,000	\$100,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,340,381	\$1,336,874

Maine State Parks Program Z746

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$614,709	\$614,709
OTHER SPECIAL REVENUE FUNDS TOTAL	\$614,709	\$614,709

Maine State Parks Program Z746

Initiative: Provides funding for maintenance of infrastructure and capital improvements.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$140,223	\$140,223
Capital Expenditures	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$240,223	\$240,223

MAINE STATE PARKS PROGRAM Z746**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$754,932	\$754,932
Capital Expenditures	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$854,932	\$854,932

Milk Commission 0188

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$183,242	\$181,776
All Other	\$18,122,982	\$18,122,982
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,306,224	\$18,304,758

Milk Commission 0188

Initiative: Reduces funding to align allocations with anticipated resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	(\$9,534,690)	(\$9,534,690)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$9,534,690)	(\$9,534,690)

Milk Commission 0188

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$6,218,451	\$3,346,416
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,218,451	\$3,346,416

MILK COMMISSION 0188**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$183,242	\$181,776
All Other	\$14,806,743	\$11,934,708
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,989,985	\$12,116,484

Municipal Planning Assistance Z161

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$159,549	\$159,549
GENERAL FUND TOTAL	\$159,549	\$159,549

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$270,519	\$265,054
All Other	\$282,678	\$282,678

FEDERAL EXPENDITURES FUND TOTAL	\$553,197	\$547,732

Municipal Planning Assistance Z161

Initiative: Provides funding for ongoing grant expenditures in the Municipal Planning Assistance program to cover overlapping grant years.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$150,000	\$150,000
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

MUNICIPAL PLANNING ASSISTANCE Z161 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$159,549	\$159,549
GENERAL FUND TOTAL	\$159,549	\$159,549
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$270,519	\$265,054
All Other	\$432,678	\$432,678
FEDERAL EXPENDITURES FUND TOTAL	\$703,197	\$697,732

Natural Areas Program Z821

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$106,432	\$103,956
All Other	\$16,242	\$16,242
GENERAL FUND TOTAL	\$122,674	\$120,198
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$18,815	\$19,140
All Other	\$129,725	\$129,725
FEDERAL EXPENDITURES FUND TOTAL	\$148,540	\$148,865

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$490,183	\$490,236
All Other	\$166,145	\$166,145
OTHER SPECIAL REVENUE FUNDS TOTAL	\$656,328	\$656,381

Natural Areas Program Z821

Initiative: Reallocates one Biology Specialist position, one Biologist I position and one Biologist II position from 100% Other Special Revenue Funds to 75% Other Special Revenue Funds and 25% Federal Expenditures Fund; one Biologist I position from 75% Other Special Revenue Funds and 25% Federal Expenditures Fund to 50% Other Special Revenue Funds and 50% Federal Expenditures Fund; and 2 Biologist II positions from 100% Other Special Revenue Funds to 50% Other Special Revenue Funds and 50% Federal Expenditures Fund all within the same program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$174,159	\$173,988
All Other	\$9,178	\$9,168
FEDERAL EXPENDITURES FUND TOTAL	\$183,337	\$183,156

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$174,159)	(\$173,988)
All Other	(\$9,178)	(\$9,168)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$183,337)	(\$183,156)

Natural Areas Program Z821

Initiative: Provides funding for an increase in operating expenses.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

NATURAL AREAS PROGRAM Z821 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$106,432	\$103,956
All Other	\$16,242	\$16,242
GENERAL FUND TOTAL	\$122,674	\$120,198
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$192,974	\$193,128
All Other	\$138,903	\$138,893
FEDERAL EXPENDITURES FUND TOTAL	\$331,877	\$332,021

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$316,024	\$316,248
All Other	\$206,967	\$206,977
OTHER SPECIAL REVENUE FUNDS TOTAL	\$522,991	\$523,225

Office of the Commissioner 0401

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$519,442	\$505,940
All Other	\$2,372,737	\$2,372,737
GENERAL FUND TOTAL	\$2,892,179	\$2,878,677

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$814,488	\$805,548
All Other	\$1,737,129	\$1,737,129
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,551,617	\$2,542,677

Office of the Commissioner 0401

Initiative: Establishes one Consumer Protection Inspector position funded 50% General Fund and 50%

Federal Expenditures Fund in the Division of Quality Assurance and Regulation program and provides funding for related All Other costs.

GENERAL FUND	2015-16	2016-17
All Other	\$2,022	\$1,810
GENERAL FUND TOTAL	\$2,022	\$1,810

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$375	\$335
OTHER SPECIAL REVENUE FUNDS TOTAL	\$375	\$335

Office of the Commissioner 0401

Initiative: Provides funding to increase the hours of one Office Associate II position from 44 hours bi-weekly to 80 hours biweekly and reallocates the position from 100% General Fund to 44.3% Other Special Revenue Funds and 55.7% General Fund in the Office of the Commissioner program and reduces All Other to fund the increase.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$409)	\$15
All Other	\$409	(\$15)
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$26,545	\$27,183
All Other	(\$26,545)	(\$27,183)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Office of the Commissioner 0401

Initiative: Transfers one Public Service Coordinator I position and reallocates the cost from 50% Federal Expenditures Fund in the Parks - General Operations program and 50% Other Special Revenue Funds in the Maine Conservation Corps program to 100% Other Special Revenue Funds in the Office of the Commissioner program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$77,828	\$78,385
All Other	\$4,000	\$4,029
OTHER SPECIAL REVENUE FUNDS TOTAL	\$81,828	\$82,414

Office of the Commissioner 0401

Initiative: Establishes one 20-week Customer Representative Associate I position and one 20-week Assistant Park Ranger position at Mackworth Island and provides funding for related All Other costs which will result in an estimated \$55,000 per year increase in undedicated revenue.

GENERAL FUND	2015-16	2016-17
All Other	\$2,022	\$1,810
GENERAL FUND TOTAL	\$2,022	\$1,810

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$375	\$335
OTHER SPECIAL REVENUE FUNDS TOTAL	\$375	\$335

Office of the Commissioner 0401

Initiative: Eliminates 6 vacant Forest Ranger II positions in the Division of Forest Protection program and reduces funding for related All Other costs.

GENERAL FUND	2015-16	2016-17
All Other	(\$9,910)	(\$19,818)
GENERAL FUND TOTAL	(\$9,910)	(\$19,818)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$1,749)	(\$3,497)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,749)	(\$3,497)

Office of the Commissioner 0401

Initiative: Transfers one Inventory and Property Associate I position and incumbent personnel from the Department of Administrative and Financial Services, Central Services - Purchases program, Postal, Printing and Supply Fund to the Department of Agriculture, Conservation and Forestry, Office of the Commissioner program, Other Special Revenue Funds and

reorganizes the position as one Inventory and Property Associate II position. The employee retains all rights as a classified employee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurance and retirement benefits.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$64,254	\$62,922
OTHER SPECIAL REVENUE FUNDS TOTAL	\$64,254	\$62,922

Office of the Commissioner 0401

Initiative: Transfers funding for cellular telephone expenditures from various General Fund programs to the central information technology account in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
All Other	\$8,481	\$8,481
GENERAL FUND TOTAL	\$8,481	\$8,481

**OFFICE OF THE COMMISSIONER 0401
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$519,033	\$505,955
All Other	\$2,375,761	\$2,365,005
GENERAL FUND TOTAL	\$2,894,794	\$2,870,960

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$983,115	\$974,038
All Other	\$1,713,585	\$1,711,148
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,696,700	\$2,685,186

Off-Road Recreational Vehicles Program Z224

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
POSITIONS - FTE COUNT	3.530	3.530
Personal Services	\$699,239	\$691,148
All Other	\$5,603,627	\$5,603,627
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,302,866	\$6,294,775

Off-Road Recreational Vehicles Program Z224

Initiative: Reorganizes 2 seasonal part-time Office Assistant II positions to one permanent part-time Office Assistant II position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
POSITIONS - FTE COUNT	(0.375)	(0.375)
Personal Services	\$2,062	\$1,529
All Other	\$80	\$59
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,142	\$1,588

Off-Road Recreational Vehicles Program Z224

Initiative: Provides funding for capital equipment replacements.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$26,000	\$18,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$26,000	\$18,000

Off-Road Recreational Vehicles Program Z224

Initiative: Provides funding for a new snowmobile catastrophic relief grant program, pursuant to Resolve 2013, chapter 48.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000

**OFF-ROAD RECREATIONAL VEHICLES
PROGRAM Z224****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
POSITIONS - FTE COUNT	3.155	3.155
Personal Services	\$701,301	\$692,677
All Other	\$5,703,707	\$5,703,686
Capital Expenditures	\$26,000	\$18,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,431,008	\$6,414,363

Parks - General Operations Z221**Initiative: BASELINE BUDGET**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	46.000	46.000
POSITIONS - FTE COUNT	79.195	79.195
Personal Services	\$7,280,348	\$7,062,807
All Other	\$683,550	\$683,550
GENERAL FUND TOTAL	\$7,963,898	\$7,746,357

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,227	\$91,480
All Other	\$1,971,828	\$1,971,828
FEDERAL EXPENDITURES FUND TOTAL	\$2,063,055	\$2,063,308

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - FTE COUNT	0.923	0.923
Personal Services	\$53,678	\$52,692
All Other	\$483,628	\$483,628
OTHER SPECIAL REVENUE FUNDS TOTAL	\$537,306	\$536,320

Parks - General Operations Z221

Initiative: Transfers one Public Service Coordinator I position and reallocates the cost from 50% Federal Expenditures Fund in the Parks - General Operations program and 50% Other Special Revenue Funds in the Maine Conservation Corps program to 100% Other Special Revenue Funds in the Office of the Commissioner program.

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$38,916)	(\$39,195)
FEDERAL EXPENDITURES FUND TOTAL	(\$38,916)	(\$39,195)

Parks - General Operations Z221

Initiative: Establishes one 20-week Customer Representative Associate I position and one 20-week Assistant Park Ranger position at Mackworth Island and provides funding for related All Other costs which will result in an estimated \$55,000 per year increase in undedicated revenue.

GENERAL FUND	2015-16	2016-17
POSITIONS - FTE COUNT	0.770	0.770
Personal Services	\$40,961	\$40,325
GENERAL FUND TOTAL	\$40,961	\$40,325

Parks - General Operations Z221

Initiative: Provides one-time funding for projects at state park facilities to comply with the federal Americans with Disabilities Act of 1990.

GENERAL FUND	2015-16	2016-17
All Other	\$125,000	\$125,000
GENERAL FUND TOTAL	\$125,000	\$125,000

Parks - General Operations Z221

Initiative: Provides funding for maintenance of infrastructure and capital improvements.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$15,580	\$15,580
Capital Expenditures	\$30,000	\$30,000

OTHER SPECIAL	\$45,580	\$45,580
REVENUE FUNDS TOTAL		

Parks - General Operations Z221

Initiative: Provides funding for improvements at state parks from increased revenues generated by the sale of merchandise with park logos, the rental of recreational equipment and the sale of firewood and ice.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$40,000	\$55,000
Capital Expenditures	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$65,000

Parks - General Operations Z221

Initiative: Transfers and reallocates one Public Service Manager I position from 57.25% General Fund in the Parks - General Operations program and 42.75% Other Special Revenue Funds in the Office of the Commissioner program to 57.25% General Fund in the Land for Maine's Future program and 42.75% Other Special Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$53,671)	(\$52,002)
GENERAL FUND TOTAL	(\$53,671)	(\$52,002)

**PARKS - GENERAL OPERATIONS Z221
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	45.000	45.000
POSITIONS - FTE COUNT	79.965	79.965
Personal Services	\$7,267,638	\$7,051,130
All Other	\$808,550	\$808,550
GENERAL FUND TOTAL	\$8,076,188	\$7,859,680

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000

Personal Services	\$52,311	\$52,285
All Other	\$1,971,828	\$1,971,828
FEDERAL EXPENDITURES FUND TOTAL	\$2,024,139	\$2,024,113

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - FTE COUNT	0.923	0.923
Personal Services	\$53,678	\$52,692
All Other	\$539,208	\$554,208
Capital Expenditures	\$40,000	\$40,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$632,886	\$646,900

Pesticides Control - Board of 0287

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
POSITIONS - FTE COUNT	2.787	2.787
Personal Services	\$296,188	\$298,538
All Other	\$211,630	\$211,630
FEDERAL EXPENDITURES FUND TOTAL	\$507,818	\$510,168

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.500	13.500
POSITIONS - FTE COUNT	1.893	1.893
Personal Services	\$1,307,599	\$1,295,605
All Other	\$231,912	\$231,912
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,539,511	\$1,527,517

Pesticides Control - Board of 0287

Initiative: Provides funding for increased costs for a grant to the University of Maine Cooperative Extension Service to develop and revise training manuals for applicator licensing and recertification.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$43,000	\$43,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$43,000	\$43,000

Pesticides Control - Board of 0287

Initiative: Provides funding for information technology systems through the Department of Administrative and Financial Services, Office of Information Technology.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$94,625	\$94,625
OTHER SPECIAL REVENUE FUNDS TOTAL	\$94,625	\$94,625

Pesticides Control - Board of 0287

Initiative: Reorganizes one Public Relations Representative position to one Environmental Specialist III position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,718	\$2,637
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,718	\$2,637

Pesticides Control - Board of 0287

Initiative: Eliminates vacant positions from various programs within the Department of Agriculture, Conservation and Forestry. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
POSITIONS - FTE COUNT	(0.769)	(0.769)
Personal Services	(\$77,450)	(\$78,382)
FEDERAL EXPENDITURES FUND TOTAL	(\$77,450)	(\$78,382)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$30,796)	(\$31,142)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$30,796)	(\$31,142)

**PESTICIDES CONTROL - BOARD OF 0287
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	2.018	2.018
Personal Services	\$218,738	\$220,156
All Other	\$211,630	\$211,630
FEDERAL EXPENDITURES FUND TOTAL	\$430,368	\$431,786

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
POSITIONS - FTE COUNT	1.893	1.893
Personal Services	\$1,279,521	\$1,267,100
All Other	\$369,537	\$369,537
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,649,058	\$1,636,637

**Potato Quality Control - Reducing Inspection Costs
0459**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$74,676	\$74,676
GENERAL FUND TOTAL	\$74,676	\$74,676

**POTATO QUALITY CONTROL - REDUCING
INSPECTION COSTS 0459
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$74,676	\$74,676

GENERAL FUND TOTAL	\$74,676	\$74,676

Rural Rehabilitation 0894

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$16,316	\$16,316

OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,316	\$16,316

**RURAL REHABILITATION 0894
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$16,316	\$16,316

OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,316	\$16,316

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

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$32,147,410	\$31,456,203
FEDERAL EXPENDITURES FUND	\$15,433,205	\$15,387,893
OTHER SPECIAL REVENUE FUNDS	\$59,449,932	\$56,566,626
FEDERAL BLOCK GRANT FUND	\$400,000	\$400,000

DEPARTMENT TOTAL - ALL FUNDS	\$107,430,547	\$103,810,722

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

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$585,968	\$576,387

All Other	\$273,161	\$273,161
GENERAL FUND TOTAL	\$859,129	\$849,548

Arts - Administration 0178

Initiative: Provides funding to host the Maine International Conference on the Arts in November 2015.

GENERAL FUND	2015-16	2016-17
All Other	\$70,000	\$0
GENERAL FUND TOTAL	\$70,000	\$0

Arts - Administration 0178

Initiative: Provides funding to implement the results of the Maine Arts Commission's cultural strategic planning process that will conclude in fiscal year 2014-15.

GENERAL FUND	2015-16	2016-17
All Other	\$45,500	\$45,500
GENERAL FUND TOTAL	\$45,500	\$45,500

ARTS - ADMINISTRATION 0178**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$585,968	\$576,387
All Other	\$388,661	\$318,661
GENERAL FUND TOTAL	\$974,629	\$895,048

Arts - General Grants Program 0177

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$357,051	\$357,051
FEDERAL EXPENDITURES FUND TOTAL	\$357,051	\$357,051

ARTS - GENERAL GRANTS PROGRAM 0177**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$357,051	\$357,051

FEDERAL EXPENDITURES FUND TOTAL	\$357,051	\$357,051

Arts - Sponsored Program 0176

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$278,059	\$273,954
All Other	\$293,217	\$293,217

FEDERAL EXPENDITURES FUND TOTAL	\$571,276	\$567,171

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$102,168	\$102,168

OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,168	\$102,168

Arts - Sponsored Program 0176

Initiative: Continues one part-time Office Associate I position and provides funding for associated All Other costs. This position was previously authorized to continue in Public Law 2013, chapter 368.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$49,373	\$49,669
All Other	\$3,915	\$3,964

FEDERAL EXPENDITURES FUND TOTAL	\$53,288	\$53,633

ARTS - SPONSORED PROGRAM 0176**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$327,432	\$323,623
All Other	\$297,132	\$297,181

FEDERAL EXPENDITURES FUND TOTAL	\$624,564	\$620,804
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$102,168	\$102,168
OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,168	\$102,168

**ARTS COMMISSION,
MAINE**

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$974,629	\$895,048
FEDERAL EXPENDITURES FUND	\$981,615	\$977,855
OTHER SPECIAL REVENUE FUNDS	\$102,168	\$102,168
DEPARTMENT TOTAL - ALL FUNDS	\$2,058,412	\$1,975,071

Sec. A-4. Appropriations and allocations.
The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF
THE****Administration - Attorney General 0310**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	57.500	57.500
Personal Services	\$5,721,028	\$5,760,713
All Other	\$614,634	\$614,634
GENERAL FUND TOTAL	\$6,335,662	\$6,375,347
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$936,019	\$940,013
All Other	\$269,207	\$269,207
FEDERAL EXPENDITURES FUND TOTAL	\$1,205,226	\$1,209,220

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	48.500	48.500
Personal Services	\$6,117,825	\$6,196,016
All Other	\$824,241	\$824,241
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,942,066	\$7,020,257

Administration - Attorney General 0310

Initiative: Provides funding for contracted electronic litigation support services.

GENERAL FUND	2015-16	2016-17
All Other	\$10,000	\$10,000
GENERAL FUND TOTAL	\$10,000	\$10,000

Administration - Attorney General 0310

Initiative: Transfers one Assistant Attorney General position and one Secretary Associate Legal position from the Administration - Attorney General program to the Human Services Division program within the same fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$258,047)	(\$259,595)
All Other	(\$9,116)	(\$9,171)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$267,163)	(\$268,766)

Administration - Attorney General 0310

Initiative: Transfers one Research Assistant position funded 50% from the Attorney General - Administration program, General Fund and 50% from the Victims' Compensation Board program, Other Special Revenue Funds and associated operating costs, to the Department of Health and Human Services, Purchased Social Services program, General Fund and Other Special Revenue Funds.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$45,402)	(\$44,310)
All Other	(\$1,921)	(\$1,921)

GENERAL FUND TOTAL	(\$47,323)	(\$46,231)

Administration - Attorney General 0310

Initiative: Adjusts allocations to reflect current revenue projections.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$40,290)	(\$40,290)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$40,290)	(\$40,290)

Administration - Attorney General 0310

Initiative: Continues one Research Assistant position previously established in Financial Order 002613 F5.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,236	\$70,352
All Other	\$4,686	\$4,725

FEDERAL EXPENDITURES FUND TOTAL	\$73,922	\$75,077

Administration - Attorney General 0310

Initiative: Provides one-time funding to upgrade the data storage array and to replace the data backup appliance.

GENERAL FUND	2015-16	2016-17
All Other	\$36,000	\$0
Capital Expenditures	\$58,000	\$0

GENERAL FUND TOTAL	\$94,000	\$0

Administration - Attorney General 0310

Initiative: Adjusts funding for the Department of Administration and Financial Services, Office of Information Technology rate changes and computer replacements based on a 5-year replacement schedule.

GENERAL FUND	2015-16	2016-17
All Other	\$6,604	\$27,904

GENERAL FUND TOTAL	\$6,604	\$27,904

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$2,571	(\$12,526)

FEDERAL EXPENDITURES FUND TOTAL	\$2,571	(\$12,526)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$3,662)	\$11,039

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$3,662)	\$11,039

Administration - Attorney General 0310

Initiative: Establishes 2 Assistant Attorney General positions dedicated to prosecuting drug crimes.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$186,778	\$190,602
All Other	\$9,882	\$5,882

GENERAL FUND TOTAL	\$196,660	\$196,484

Administration - Attorney General 0310

Initiative: Reallocates the cost of 6 Assistant Attorney General positions and one Secretary Associate Legal position from 75% General Fund and 25% Federal Expenditures Fund to 100% General Fund beginning October 1, 2015 to compensate for the loss of federal funding.

GENERAL FUND	2015-16	2016-17
Personal Services	\$132,000	\$188,317
All Other	\$11,000	\$15,719

GENERAL FUND TOTAL	\$143,000	\$204,036

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$132,000)	(\$188,317)
All Other	(\$11,000)	(\$15,715)

FEDERAL EXPENDITURES FUND TOTAL	(\$143,000)	(\$204,032)

Administration - Attorney General 0310

Initiative: Establishes one part-time Research Assistant position to serve as the homicide review panel coordinator in the criminal division.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$34,025	\$34,445
All Other	\$6,662	\$6,662
GENERAL FUND TOTAL	\$40,687	\$41,107

Administration - Attorney General 0310

Initiative: Establishes one Research Assistant position to serve as a trial preparation assistant in the criminal division.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,831	\$68,406
All Other	\$4,886	\$2,886
GENERAL FUND TOTAL	\$71,717	\$71,292

Administration - Attorney General 0310

Initiative: Adjusts the baseline budget in the account used for the state match required for the Medicaid fraud control unit grant to reflect grant requirements.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$123,133	\$131,320
OTHER SPECIAL REVENUE FUNDS TOTAL	\$123,133	\$131,320

Administration - Attorney General 0310

Initiative: Provides funding for one Assistant Attorney General position and related costs to support increased participation in multistate and in-state civil fraud cases.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$82,530	\$117,279
All Other	\$10,000	\$8,000
FEDERAL EXPENDITURES FUND TOTAL	\$92,530	\$125,279

ADMINISTRATION - ATTORNEY GENERAL 0310

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	60.000	60.000
Personal Services	\$6,095,260	\$6,198,173
All Other	\$697,747	\$681,766
Capital Expenditures	\$58,000	\$0
GENERAL FUND TOTAL	\$6,851,007	\$6,879,939

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$955,785	\$939,327
All Other	\$275,464	\$253,691
FEDERAL EXPENDITURES FUND TOTAL	\$1,231,249	\$1,193,018

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	46.500	46.500
Personal Services	\$5,859,778	\$5,936,421
All Other	\$894,306	\$917,139
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,754,084	\$6,853,560

Chief Medical Examiner - Office of 0412

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,188,815	\$1,199,111
All Other	\$596,610	\$596,610
GENERAL FUND TOTAL	\$1,785,425	\$1,795,721

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$75,000	\$75,000
FEDERAL EXPENDITURES FUND TOTAL	\$75,000	\$75,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$14,993	\$14,993
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993

Chief Medical Examiner - Office of 0412

Initiative: Establishes one Research Assistant position to serve as a medical records analyst.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,561	\$62,695
All Other	\$3,618	\$1,618
GENERAL FUND TOTAL	\$65,179	\$64,313

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for standby pay and call-out pay for the Deputy Chief Medical Examiner and 2 Medicolegal Death Investigator positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$78,660	\$81,373
GENERAL FUND TOTAL	\$78,660	\$81,373

Chief Medical Examiner - Office of 0412

Initiative: Provides one-time funding for one x-ray machine and one autopsy table.

GENERAL FUND	2015-16	2016-17
Capital Expenditures	\$76,000	\$0
GENERAL FUND TOTAL	\$76,000	\$0

Chief Medical Examiner - Office of 0412

Initiative: Adjusts funding for the Department of Administrative and Financial Services, Office of Information Technology rate changes and computer replacements based on a 5-year replacement schedule.

GENERAL FUND	2015-16	2016-17
All Other	\$3,633	\$15,233
GENERAL FUND TOTAL	\$3,633	\$15,233

Chief Medical Examiner - Office of 0412

Initiative: Continues one part-time Research Assistant position previously established in Financial Order 002617 F5.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$28,189	\$27,624
All Other	\$114,841	\$114,803
FEDERAL EXPENDITURES FUND TOTAL	\$143,030	\$142,427

CHIEF MEDICAL EXAMINER - OFFICE OF 0412**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,329,036	\$1,343,179
All Other	\$603,861	\$613,461
Capital Expenditures	\$76,000	\$0
GENERAL FUND TOTAL	\$2,008,897	\$1,956,640

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$28,189	\$27,624
All Other	\$189,841	\$189,803
FEDERAL EXPENDITURES FUND TOTAL	\$218,030	\$217,427

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$14,993	\$14,993
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993

Civil Rights 0039

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$170,645	\$170,486

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All Other	\$98,617	\$98,617
GENERAL FUND TOTAL	\$269,262	\$269,103

Civil Rights 0039

Initiative: Adjusts funding for the Department of Administrative and Financial Services, Office of Information Technology rate changes and computer replacements based on a 5-year replacement schedule.

GENERAL FUND	2015-16	2016-17
All Other	\$77	(\$3,919)
GENERAL FUND TOTAL	\$77	(\$3,919)

**CIVIL RIGHTS 0039
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$170,645	\$170,486
All Other	\$98,694	\$94,698
GENERAL FUND TOTAL	\$269,339	\$265,184

District Attorneys Salaries 0409

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	83.500	83.500
Personal Services	\$9,269,907	\$9,697,978
GENERAL FUND TOTAL	\$9,269,907	\$9,697,978

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$84,027	\$88,213
All Other	\$8,244	\$8,244
FEDERAL EXPENDITURES FUND TOTAL	\$92,271	\$96,457

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500

Personal Services	\$45,544	\$47,893
All Other	\$7,630	\$7,630

OTHER SPECIAL REVENUE FUNDS TOTAL	\$53,174	\$55,523

District Attorneys Salaries 0409

Initiative: Continues one Assistant District Attorney position previously continued in Financial Order 002365 F5.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,017	\$99,842
All Other	\$3,357	\$3,527

OTHER SPECIAL REVENUE FUNDS TOTAL	\$98,374	\$103,369

District Attorneys Salaries 0409

Initiative: Establishes 10 Assistant District Attorney positions.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$906,010	\$953,010
GENERAL FUND TOTAL	\$906,010	\$953,010

District Attorneys Salaries 0409

Initiative: Provides funding to restore Personal Services costs related to attrition in the District Attorneys Salaries program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$158,390	\$166,052
GENERAL FUND TOTAL	\$158,390	\$166,052

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$1,212	\$1,276
FEDERAL EXPENDITURES FUND TOTAL	\$1,212	\$1,276

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

Personal Services	\$1,818	\$1,920
OTHER SPECIAL	\$1,818	\$1,920
REVENUE FUNDS TOTAL		

DISTRICT ATTORNEYS SALARIES 0409

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS -	93.500	93.500
LEGISLATIVE COUNT		
Personal Services	\$10,334,307	\$10,817,040
GENERAL FUND TOTAL	\$10,334,307	\$10,817,040

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$85,239	\$89,489
All Other	\$8,244	\$8,244
FEDERAL EXPENDITURES	\$93,483	\$97,733
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS -	1.500	1.500
LEGISLATIVE COUNT		
Personal Services	\$142,379	\$149,655
All Other	\$10,987	\$11,157
OTHER SPECIAL	\$153,366	\$160,812
REVENUE FUNDS TOTAL		

FHM - Attorney General 0947

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$116,600	\$118,540
All Other	\$21,224	\$21,224
FUND FOR A HEALTHY	\$137,824	\$139,764
MAINE TOTAL		

FHM - Attorney General 0947

Initiative: Adjusts funding for the Department of Administrative and Financial Services, Office of Information Technology rate changes and computer replacements based on a 5-year replacement schedule.

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$318	(\$1,596)

FUND FOR A HEALTHY	\$318	(\$1,596)
MAINE TOTAL		

FHM - ATTORNEY GENERAL 0947

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$116,600	\$118,540
All Other	\$21,542	\$19,628
FUND FOR A HEALTHY	\$138,142	\$138,168
MAINE TOTAL		

Human Services Division 0696

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS -	63.500	63.500
LEGISLATIVE COUNT		
Personal Services	\$6,556,624	\$6,637,761
All Other	\$861,314	\$861,314
OTHER SPECIAL	\$7,417,938	\$7,499,075
REVENUE FUNDS TOTAL		

Human Services Division 0696

Initiative: Reorganizes 2 part-time Assistant Attorney General positions into one 40-hour-per-week Assistant Attorney General position within the same program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$6,616	\$6,149
All Other	\$233	\$217
OTHER SPECIAL	\$6,849	\$6,366
REVENUE FUNDS TOTAL		

Human Services Division 0696

Initiative: Transfers one Assistant Attorney General position and one Secretary Associate Legal position from the Administration - Attorney General program to the Human Services Division program within the same fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$258,047	\$259,595
All Other	\$9,116	\$9,171
OTHER SPECIAL REVENUE FUNDS TOTAL	\$267,163	\$268,766

Human Services Division 0696

Initiative: Continues 2 Assistant Attorney General positions, one part-time Assistant Attorney General position and 3 Research Assistant positions previously authorized in Public Law 2013, chapter 368.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.500	5.500
Personal Services	\$453,411	\$460,268
All Other	\$16,019	\$16,261
OTHER SPECIAL REVENUE FUNDS TOTAL	\$469,430	\$476,529

Human Services Division 0696

Initiative: Adjusts funding for the Department of Administrative and Financial Services, Office of Information Technology rate changes and computer replacements based on a 5-year replacement schedule.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,206	(\$1,857)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,206	(\$1,857)

Human Services Division 0696

Initiative: Provides funding for United States Food and Drug Administration retail tobacco compliance check inspections at youth-accessible tobacco retailers statewide.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$156,335	\$156,335

OTHER SPECIAL	\$156,335	\$156,335
REVENUE FUNDS TOTAL		

HUMAN SERVICES DIVISION 0696 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	71.000	71.000
Personal Services	\$7,274,698	\$7,363,773
All Other	\$1,045,223	\$1,041,441
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,319,921	\$8,405,214

Victims' Compensation Board 0711

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$225,549	\$225,549
FEDERAL EXPENDITURES FUND TOTAL	\$225,549	\$225,549

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$286,319	\$288,687
All Other	\$613,796	\$613,796
OTHER SPECIAL REVENUE FUNDS TOTAL	\$900,115	\$902,483

Victims' Compensation Board 0711

Initiative: Transfers one Research Assistant position funded 50% from the Attorney General - Administration program, General Fund and 50% from the Victims' Compensation Board program, Other Special Revenue Funds and associated operating costs to the Department of Health and Human Services, Purchased Social Services program, General Fund and Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$45,396)	(\$44,306)
All Other	(\$21,275)	(\$21,236)

OTHER SPECIAL	(\$66,671)	(\$65,542)
REVENUE FUNDS TOTAL		

Victims' Compensation Board 0711

Initiative: Adjusts funding for the Department of Administrative and Financial Services, Office of Information Technology rate changes and computer replacements based on a 5-year replacement schedule.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$1,591	\$6,858

OTHER SPECIAL	\$1,591	\$6,858
REVENUE FUNDS TOTAL		

VICTIMS' COMPENSATION BOARD 0711**PROGRAM SUMMARY**

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
All Other	\$225,549	\$225,549

FEDERAL EXPENDITURES	\$225,549	\$225,549
FUND TOTAL		

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	3.000	3.000
LEGISLATIVE COUNT		
Personal Services	\$240,923	\$244,381
All Other	\$594,112	\$599,418

OTHER SPECIAL	\$835,035	\$843,799
REVENUE FUNDS TOTAL		

**ATTORNEY GENERAL,
DEPARTMENT OF THE
DEPARTMENT TOTALS**

GENERAL FUND	2015-16	2016-17
FEDERAL		
EXPENDITURES FUND		
FUND FOR A HEALTHY		
MAINE		
OTHER SPECIAL		
REVENUE FUNDS		
	\$19,463,550	\$19,918,803
	\$1,768,311	\$1,733,727
	\$138,142	\$138,168
	\$16,077,399	\$16,278,378

DEPARTMENT TOTAL -	\$37,447,402	\$38,069,076
ALL FUNDS		

Sec. A-5. Appropriations and allocations.
The following appropriations and allocations are made.

AUDITOR, OFFICE OF THE STATE**Audit - Departmental Bureau 0067**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS -	13.500	13.500
LEGISLATIVE COUNT		
Personal Services	\$1,446,166	\$1,433,234
All Other	\$11,501	\$11,501

GENERAL FUND TOTAL	\$1,457,667	\$1,444,735

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	18.000	18.000
LEGISLATIVE COUNT		
Personal Services	\$1,690,980	\$1,687,267
All Other	\$211,449	\$211,449

OTHER SPECIAL	\$1,902,429	\$1,898,716
REVENUE FUNDS TOTAL		

Audit - Departmental Bureau 0067

Initiative: Provides funding to increase the hours of one Staff Auditor I position from 40 hours biweekly to 80 hours biweekly.

GENERAL FUND	2015-16	2016-17
POSITIONS -	0.500	0.500
LEGISLATIVE COUNT		
Personal Services	\$36,348	\$37,423

GENERAL FUND TOTAL	\$36,348	\$37,423

Audit - Departmental Bureau 0067

Initiative: Establishes one Principal Auditor position, one Senior Auditor position and one Staff Auditor II position and provides funding for related All Other costs to create an information technology audit unit in the Audit - Departmental Bureau program.

GENERAL FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$93,836	\$92,249
All Other	\$2,000	\$2,000

GENERAL FUND TOTAL	\$95,836	\$94,249

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$223,278	\$218,976
All Other	\$4,000	\$4,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$227,278	\$222,976

Audit - Departmental Bureau 0067

Initiative: Provides one-time funding for a mandatory external peer review of the Office of the State Auditor's system of quality control.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$3,000
GENERAL FUND TOTAL	\$0	\$3,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$7,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$7,000

Audit - Departmental Bureau 0067

Initiative: Provides funding for the cost of technology-related expenditures.

GENERAL FUND	2015-16	2016-17
All Other	\$16,600	\$16,682
GENERAL FUND TOTAL	\$16,600	\$16,682

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$6,929	\$7,035
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,929	\$7,035

Audit - Departmental Bureau 0067

Initiative: Provides funding for the costs of technology-related expenditures associated with the establishment of an information technology audit unit in the Audit - Departmental Bureau program.

GENERAL FUND	2015-16	2016-17
All Other	\$1,860	\$1,866

GENERAL FUND TOTAL	\$1,860	\$1,866

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$3,720	\$3,731
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,720	\$3,731

AUDIT - DEPARTMENTAL BUREAU 0067**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	15,000	15,000
Personal Services	\$1,576,350	\$1,562,906
All Other	\$31,961	\$35,049
GENERAL FUND TOTAL	\$1,608,311	\$1,597,955

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	20,000	20,000
Personal Services	\$1,914,258	\$1,906,243
All Other	\$226,098	\$233,215
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,140,356	\$2,139,458

Audit - Unorganized Territory 0075

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$165,843	\$162,504
All Other	\$63,727	\$63,727
OTHER SPECIAL REVENUE FUNDS TOTAL	\$229,570	\$226,231

Audit - Unorganized Territory 0075

Initiative: Provides funding to support the production of the annual financial report required by the Maine Revised Statutes, Title 5, section 246, subsection 2, paragraph C.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	All Other	\$78,809	\$78,821
All Other	\$3,600	\$3,600			
			OTHER SPECIAL REVENUE FUNDS TOTAL	\$254,952	\$251,277
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,600	\$3,600			

Audit - Unorganized Territory 0075

Initiative: Provides funding to support contracts for 2 technical training sessions to 9 counties on topics related to the statutory requirements for compliance with the municipal cost component legislation.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$10,200	\$10,200
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,200	\$10,200

Audit - Unorganized Territory 0075

Initiative: Provides funding for the cost of technology-related expenditures.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,282	\$1,294
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,282	\$1,294

Audit - Unorganized Territory 0075

Initiative: Reorganizes one Fiscal Administrator position to a Public Service Manager II position in the Office of the State Auditor's Unorganized Territory program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$10,300	\$9,952
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,300	\$9,952

AUDIT - UNORGANIZED TERRITORY 0075
PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$176,143	\$172,456

AUDITOR, OFFICE OF THE STATE

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$1,608,311	\$1,597,955
OTHER SPECIAL REVENUE FUNDS	\$2,395,308	\$2,390,735
DEPARTMENT TOTAL - ALL FUNDS	\$4,003,619	\$3,988,690

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

BAXTER STATE PARK AUTHORITY**Baxter State Park Authority 0253**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
POSITIONS - FTE COUNT	19.193	19.193
Personal Services	\$2,587,736	\$2,557,245
All Other	\$1,101,630	\$1,101,630
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,689,366	\$3,658,875

Baxter State Park Authority 0253

Initiative: Reduces funding to reflect operational spending.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$16,581)	(\$16,581)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$16,581)	(\$16,581)

Baxter State Park Authority 0253

Initiative: Reorganizes one Public Service Manager I position from range 24 to range 25 and reduces All Other to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,539	\$2,603
All Other	(\$2,539)	(\$2,603)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Baxter State Park Authority 0253

Initiative: Reorganizes 8 Baxter State Park Backcountry Ranger positions from range 14 to range 15 and reduces All Other to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$4,599	\$4,350
All Other	(\$4,599)	(\$4,350)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Baxter State Park Authority 0253

Initiative: Reorganizes one Baxter State Park Supervisor position from range 18 to range 21 and reduces All Other to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$7,544	\$7,835
All Other	(\$7,544)	(\$7,835)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Baxter State Park Authority 0253

Initiative: Reorganizes 9 Baxter Park Gatehouse Attendant positions from range 9 to range 11 and reduces All Other to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$8,262	\$7,733
All Other	(\$8,262)	(\$7,733)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Baxter State Park Authority 0253

Initiative: Reorganizes 2 Customer Representative Assistant II positions to Customer Representative Associate I - Communications positions and reduces All Other to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$3,698	\$3,471
All Other	(\$3,698)	(\$3,471)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

BAXTER STATE PARK AUTHORITY 0253**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
POSITIONS - FTE COUNT	19.193	19.193
Personal Services	\$2,614,378	\$2,583,237
All Other	\$1,058,407	\$1,059,057
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,672,785	\$3,642,294

**BAXTER STATE PARK
AUTHORITY**

DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$3,672,785	\$3,642,294
DEPARTMENT TOTAL - ALL FUNDS	\$3,672,785	\$3,642,294

Sec. A-7. Appropriations and allocations.
The following appropriations and allocations are made.

BLUEBERRY COMMISSION OF MAINE, WILD**Blueberry Commission 0375**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,595,000	\$1,595,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,595,000	\$1,595,000

Blueberry Commission 0375

Initiative: Provides funding to reflect increased revenues available to support expenditures for market de-

velopment and promotional activities related to the Maine wild blueberry industry.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$280,000	\$280,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$280,000	\$280,000

BLUEBERRY COMMISSION 0375 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,875,000	\$1,875,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,875,000	\$1,875,000

BLUEBERRY COMMISSION OF MAINE, WILD

DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$1,875,000	\$1,875,000
DEPARTMENT TOTAL - ALL FUNDS	\$1,875,000	\$1,875,000

Sec. A-8. Appropriations and allocations.
The following appropriations and allocations are made.

CENTERS FOR INNOVATION

Centers for Innovation 0911

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$118,009	\$118,009
GENERAL FUND TOTAL	\$118,009	\$118,009

CENTERS FOR INNOVATION 0911 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$118,009	\$118,009
GENERAL FUND TOTAL	\$118,009	\$118,009

Sec. A-9. Appropriations and allocations.
The following appropriations and allocations are made.

CHARTER SCHOOL COMMISSION, STATE

State Charter School Commission Z137

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$148,406	\$148,406
GENERAL FUND TOTAL	\$148,406	\$148,406

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$6,600	\$6,600
All Other	\$11,900	\$11,900
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,500	\$18,500

State Charter School Commission Z137

Initiative: Provides funding for per diems and other costs related to overseeing public charter schools.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$5,500	\$5,500
All Other	\$126,000	\$126,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$131,500	\$131,500

State Charter School Commission Z137

Initiative: Reduces funding in the General Fund for operating costs related to the Maine Charter School Commission and increases funding in Other Special Revenue Funds for operating costs related to the Maine Charter School Commission within the same program.

GENERAL FUND	2015-16	2016-17
All Other	(\$148,406)	(\$148,406)
GENERAL FUND TOTAL	(\$148,406)	(\$148,406)

State Charter School Commission Z137

Initiative: Reduces funding in the General Fund for operating costs related to the Maine Charter School Commission and increases funding in Other Special Revenue Funds for operating costs related to the

Maine Charter School Commission within the same program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$148,406	\$148,406
OTHER SPECIAL REVENUE FUNDS TOTAL	\$148,406	\$148,406

STATE CHARTER SCHOOL COMMISSION Z137

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$12,100	\$12,100
All Other	\$286,306	\$286,306
OTHER SPECIAL REVENUE FUNDS TOTAL	\$298,406	\$298,406

CHARTER SCHOOL COMMISSION, STATE

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$298,406	\$298,406
DEPARTMENT TOTAL - ALL FUNDS	\$298,406	\$298,406

Sec. A-10. Appropriations and allocations.
The following appropriations and allocations are made.

CHILDREN'S TRUST INCORPORATED, BOARD OF THE MAINE

Maine Children's Trust Incorporated 0798

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$48,300	\$48,300

OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,300	\$48,300

MAINE CHILDREN'S TRUST INCORPORATED 0798

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$48,300	\$48,300
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,300	\$48,300

Sec. A-11. Appropriations and allocations.
The following appropriations and allocations are made.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Bring College to ME Program Z168

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$320,000	\$320,000
GENERAL FUND TOTAL	\$320,000	\$320,000

BRING COLLEGE TO ME PROGRAM Z168 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$320,000	\$320,000
GENERAL FUND TOTAL	\$320,000	\$320,000

Community College System - Maine Quality Centers 0804

Initiative: Provides funds for needs-based tuition assistance and grants for persons participating in the Put ME to Work Program and to be used to match funding or in-kind contributions by businesses participating in the Put ME to Work Program.

GENERAL FUND	2015-16	2016-17
All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	\$500,000	\$500,000

COMMUNITY COLLEGE SYSTEM - MAINE QUALITY CENTERS 0804

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	\$500,000	\$500,000

Maine Community College System - Board of Trustees 0556

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$55,138,536	\$55,138,536
GENERAL FUND TOTAL	\$55,138,536	\$55,138,536

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$3,179,138	\$3,179,138
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,179,138	\$3,179,138

Maine Community College System - Board of Trustees 0556

Initiative: Provides funding to bring allocations in line with anticipated revenue from the fire investigation and prevention tax.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$15,795	\$15,795
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,795	\$15,795

Maine Community College System - Board of Trustees 0556

Initiative: Adjusts funding for scholarships due to increases anticipated by the Revenue Forecasting Committee in dedicated revenues from slot machine proceeds.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$189,553	\$211,704
OTHER SPECIAL REVENUE FUNDS TOTAL	\$189,553	\$211,704

Maine Community College System - Board of Trustees 0556

Initiative: Provides funds to maintain the workforce development and education programs that enable Maine citizens to obtain the skills and qualifications necessary to acquire jobs that are available in economic sectors across the State.

GENERAL FUND	2015-16	2016-17
All Other	\$2,000,000	\$6,000,000
GENERAL FUND TOTAL	\$2,000,000	\$6,000,000

Maine Community College System - Board of Trustees 0556

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$15,330	\$15,484
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,330	\$15,484

Maine Community College System - Board of Trustees 0556

Initiative: Provides one-time funds to Southern Maine Community College to support base redevelopment through economic growth and the operation of the new Midcoast Campus at Brunswick Landing. The funding supports public-private partnerships for academic programming in composites manufacturing, nursing, business and the arts and sciences and ensures student success through advising, library and tutoring services, academic programming and support services for workforce development and public-private partnerships.

GENERAL FUND	2015-16	2016-17
All Other	\$410,982	\$0
GENERAL FUND TOTAL	\$410,982	\$0

MAINE COMMUNITY COLLEGE SYSTEM - BOARD OF TRUSTEES 0556**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$57,549,518	\$61,138,536
GENERAL FUND TOTAL	\$57,549,518	\$61,138,536

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	\$3,399,816	\$3,422,121
OTHER SPECIAL	\$3,399,816	\$3,422,121
REVENUE FUNDS TOTAL		
COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$58,369,518	\$61,958,536
OTHER SPECIAL	\$3,399,816	\$3,422,121
REVENUE FUNDS		
DEPARTMENT TOTAL - ALL FUNDS	\$61,769,334	\$65,380,657

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

CORRECTIONS, DEPARTMENT OF

Administration - Corrections 0141

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	57,000	57,000
Personal Services	\$5,435,663	\$5,596,330
All Other	\$8,094,570	\$8,089,419
GENERAL FUND TOTAL	\$13,530,233	\$13,685,749
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$883,620	\$883,620
FEDERAL EXPENDITURES FUND TOTAL	\$883,620	\$883,620
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$106,256	\$111,098
All Other	\$494,379	\$494,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,635	\$605,477

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$500,000	\$500,000
FEDERAL BLOCK GRANT FUND TOTAL	\$500,000	\$500,000

Administration - Corrections 0141

Initiative: Provides funding for increased human resources costs in the Corrections Service Center.

GENERAL FUND	2015-16	2016-17
All Other	\$296,392	\$296,392
GENERAL FUND TOTAL	\$296,392	\$296,392

Administration - Corrections 0141

Initiative: Reduces funding to bring allocations in line with projected federal revenue.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$4,415)	(\$4,415)
FEDERAL EXPENDITURES FUND TOTAL	(\$4,415)	(\$4,415)

Administration - Corrections 0141

Initiative: Eliminates one Public Service Manager I position and establishes one Public Service Executive II position and reorganizes one part-time Correctional Officer position to a Public Service Manager II position and increases the hours from 72 hours biweekly to 80 hours biweekly.

GENERAL FUND	2015-16	2016-17
Personal Services	\$113,199	\$112,622
GENERAL FUND TOTAL	\$113,199	\$112,622

Administration - Corrections 0141

Initiative: Eliminates one Juvenile Program Manager position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$110,238)	(\$111,296)
GENERAL FUND TOTAL	(\$110,238)	(\$111,296)

Administration - Corrections 0141

Initiative: Provides ongoing funds to support the Criminogenic Addiction Recovery Academy at the Kennebec County Jail.

GENERAL FUND	2015-16	2016-17
All Other	\$120,000	\$120,000
GENERAL FUND TOTAL	\$120,000	\$120,000

ADMINISTRATION - CORRECTIONS 0141 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	56.000	56.000
Personal Services	\$5,438,624	\$5,597,656
All Other	\$8,510,962	\$8,505,811
GENERAL FUND TOTAL	\$13,949,586	\$14,103,467

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$879,205	\$879,205
FEDERAL EXPENDITURES FUND TOTAL	\$879,205	\$879,205

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$106,256	\$111,098
All Other	\$494,379	\$494,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,635	\$605,477

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$500,000	\$500,000
FEDERAL BLOCK GRANT FUND TOTAL	\$500,000	\$500,000

Adult Community Corrections 0124

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	109.500	109.500

Personal Services	\$9,108,919	\$9,349,223
All Other	\$1,296,123	\$1,296,123

GENERAL FUND TOTAL	\$10,405,042	\$10,645,346

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$37,027	\$37,333
All Other	\$656,101	\$656,101
FEDERAL EXPENDITURES FUND TOTAL	\$693,128	\$693,434

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$305,959	\$305,959
OTHER SPECIAL REVENUE FUNDS TOTAL	\$305,959	\$305,959

Adult Community Corrections 0124

Initiative: Reduces funding to bring allocations in line with projected federal revenue.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$500,000)	(\$500,000)
FEDERAL EXPENDITURES FUND TOTAL	(\$500,000)	(\$500,000)

ADULT COMMUNITY CORRECTIONS 0124 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	109.500	109.500
Personal Services	\$9,108,919	\$9,349,223
All Other	\$1,296,123	\$1,296,123
GENERAL FUND TOTAL	\$10,405,042	\$10,645,346

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$37,027	\$37,333
All Other	\$156,101	\$156,101

FEDERAL EXPENDITURES FUND TOTAL	\$193,128	\$193,434
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$305,959	\$305,959
OTHER SPECIAL REVENUE FUNDS TOTAL	\$305,959	\$305,959

Bolduc Correctional Facility Z155

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	56.000	56.000
Personal Services	\$5,039,387	\$5,125,682
All Other	\$556,500	\$556,500
GENERAL FUND TOTAL	\$5,595,887	\$5,682,182
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$8,340	\$8,340
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,340	\$8,340

BOLDUC CORRECTIONAL FACILITY Z155**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	56.000	56.000
Personal Services	\$5,039,387	\$5,125,682
All Other	\$556,500	\$556,500
GENERAL FUND TOTAL	\$5,595,887	\$5,682,182
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$8,340	\$8,340
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,340	\$8,340

**Capital Construction/Repairs/Improvements -
Corrections 0432**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

**CAPITAL CONSTRUCTION/REPAIRS/
IMPROVEMENTS - CORRECTIONS 0432****PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

Central Maine Pre-release Center 0392

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$114,809	\$114,809
GENERAL FUND TOTAL	\$114,809	\$114,809

Central Maine Pre-release Center 0392

Initiative: Transfers the remaining All Other funding from the Central Maine Pre-release Center program to the Charleston Correctional Facility program.

GENERAL FUND	2015-16	2016-17
All Other	(\$114,809)	(\$114,809)
GENERAL FUND TOTAL	(\$114,809)	(\$114,809)

**CENTRAL MAINE PRE-RELEASE CENTER
0392****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

Charleston Correctional Facility 0400

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	51.000	51.000	All Other	\$571,075	\$571,075
Personal Services	\$4,153,366	\$4,306,230			
All Other	\$456,266	\$456,266			
GENERAL FUND TOTAL	\$4,609,632	\$4,762,496	GENERAL FUND TOTAL	\$4,643,662	\$4,793,129
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$52,436	\$52,436	All Other	\$52,436	\$52,436
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,436	\$52,436	OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,436	\$52,436

Charleston Correctional Facility 0400

Initiative: Transfers the remaining All Other funding from the Central Maine Pre-release Center program to the Charleston Correctional Facility program.

GENERAL FUND	2015-16	2016-17
All Other	\$114,809	\$114,809
GENERAL FUND TOTAL	\$114,809	\$114,809

Charleston Correctional Facility 0400

Initiative: Reorganizes one Correctional Unit Manager position to a Correctional Care and Treatment Worker position and transfers the position from the Downeast Correctional Facility program to the State Prison program. Reorganizes one Teacher BS Juvenile position to a Correctional Officer position and transfers the position from the Long Creek Youth Development Center program to the State Prison program. Also transfers one Correctional Officer position from the Charleston Correctional Facility program to the State Prison program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$80,779)	(\$84,176)
GENERAL FUND TOTAL	(\$80,779)	(\$84,176)

**CHARLESTON CORRECTIONAL FACILITY
0400****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	50.000	50.000
Personal Services	\$4,072,587	\$4,222,054

Correctional Center 0162

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	256.500	256.500
Personal Services	\$20,908,180	\$21,509,094
All Other	\$2,432,684	\$2,432,684
GENERAL FUND TOTAL	\$23,340,864	\$23,941,778

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$41,692	\$43,341
All Other	\$38,920	\$38,920
FEDERAL EXPENDITURES FUND TOTAL	\$80,612	\$82,261

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$151,393	\$151,393
OTHER SPECIAL REVENUE FUNDS TOTAL	\$151,393	\$151,393

Correctional Center 0162

Initiative: Adjusts funding to reflect increased grant transfers from the Department of Education for student educational supplies.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$22,051	\$22,051
FEDERAL EXPENDITURES FUND TOTAL	\$22,051	\$22,051

CORRECTIONAL CENTER 0162
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	256.500	256.500
Personal Services	\$20,908,180	\$21,509,094
All Other	\$2,432,684	\$2,432,684

GENERAL FUND TOTAL	\$23,340,864	\$23,941,778

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$41,692	\$43,341
All Other	\$60,971	\$60,971

FEDERAL EXPENDITURES FUND TOTAL	\$102,663	\$104,312

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$151,393	\$151,393

OTHER SPECIAL REVENUE FUNDS TOTAL	\$151,393	\$151,393

Correctional Medical Services Fund 0286

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$22,795,105	\$22,795,105

GENERAL FUND TOTAL	\$22,795,105	\$22,795,105

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$518,377	\$518,377

FEDERAL EXPENDITURES FUND TOTAL	\$518,377	\$518,377

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$11,914	\$11,914

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,914	\$11,914

Correctional Medical Services Fund 0286

Initiative: Provides funding for increases to the medical service contract.

GENERAL FUND	2015-16	2016-17
All Other	\$1,349,128	\$1,402,052

GENERAL FUND TOTAL	\$1,349,128	\$1,402,052

Correctional Medical Services Fund 0286

Initiative: Reduces funding to bring allocations in line with projected federal revenue.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$517,877)	(\$517,877)

FEDERAL EXPENDITURES FUND TOTAL	(\$517,877)	(\$517,877)

**CORRECTIONAL MEDICAL SERVICES FUND
0286**
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$24,144,233	\$24,197,157

GENERAL FUND TOTAL	\$24,144,233	\$24,197,157

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$11,914	\$11,914

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,914	\$11,914

Corrections Food Z177

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$4,147,713	\$4,147,713

GENERAL FUND TOTAL	\$4,147,713	\$4,147,713

CORRECTIONS FOOD Z177**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$4,147,713	\$4,147,713
GENERAL FUND TOTAL	\$4,147,713	\$4,147,713

Corrections Industries Z166

Initiative: BASELINE BUDGET

PRISON INDUSTRIES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$502,958	\$519,552
All Other	\$1,465,063	\$1,465,063
PRISON INDUSTRIES FUND TOTAL	\$1,968,021	\$1,984,615

Corrections Industries Z166

Initiative: Adjusts funding to reflect anticipated revenue projections.

PRISON INDUSTRIES FUND	2015-16	2016-17
All Other	\$508,765	\$508,765
PRISON INDUSTRIES FUND TOTAL	\$508,765	\$508,765

CORRECTIONS INDUSTRIES Z166**PROGRAM SUMMARY**

PRISON INDUSTRIES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$502,958	\$519,552
All Other	\$1,973,828	\$1,973,828
PRISON INDUSTRIES FUND TOTAL	\$2,476,786	\$2,493,380

Departmentwide - Overtime 0032

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$971,195	\$1,010,480

GENERAL FUND TOTAL	\$971,195	\$1,010,480

DEPARTMENTWIDE - OVERTIME 0032**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
Personal Services	\$971,195	\$1,010,480

GENERAL FUND TOTAL	\$971,195	\$1,010,480

Downeast Correctional Facility 0542

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	53.000	53.000
Personal Services	\$4,468,736	\$4,570,098
All Other	\$596,977	\$596,977

GENERAL FUND TOTAL	\$5,065,713	\$5,167,075

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$47,814	\$47,814

FEDERAL EXPENDITURES FUND TOTAL	\$47,814	\$47,814

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$32,526	\$32,526

OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,526	\$32,526

Downeast Correctional Facility 0542

Initiative: Reduces funding to bring allocations in line with projected federal revenue.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$47,314)	(\$47,314)

FEDERAL EXPENDITURES FUND TOTAL	(\$47,314)	(\$47,314)

Downeast Correctional Facility 0542

Initiative: Reorganizes one Correctional Unit Manager position to a Correctional Care and Treatment Worker

position and transfers the position from the Downeast Correctional Facility program to the State Prison program. Reorganizes one Teacher BS Juvenile position to a Correctional Officer position and transfers the position from the Long Creek Youth Development Center program to the State Prison program. Also transfers one Correctional Officer position from the Charleston Correctional Facility program to the State Prison program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$94,642)	(\$98,903)
GENERAL FUND TOTAL	(\$94,642)	(\$98,903)

DOWNEAST CORRECTIONAL FACILITY 0542 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	52.000	52.000
Personal Services	\$4,374,094	\$4,471,195
All Other	\$596,977	\$596,977
GENERAL FUND TOTAL	\$4,971,071	\$5,068,172

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$32,526	\$32,526
OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,526	\$32,526

Justice - Planning, Projects and Statistics 0502

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$44,668	\$45,244
All Other	\$1,968	\$1,968
GENERAL FUND TOTAL	\$46,636	\$47,212

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$183,318	\$191,047
All Other	\$688,760	\$688,760
FEDERAL EXPENDITURES FUND TOTAL	\$872,078	\$879,807

JUSTICE - PLANNING, PROJECTS AND STATISTICS 0502

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
Personal Services	\$44,668	\$45,244
All Other	\$1,968	\$1,968
GENERAL FUND TOTAL	\$46,636	\$47,212

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$183,318	\$191,047
All Other	\$688,760	\$688,760
FEDERAL EXPENDITURES FUND TOTAL	\$872,078	\$879,807

Juvenile Community Corrections 0892

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
Personal Services	\$6,711,284	\$6,895,276
All Other	\$4,436,339	\$4,436,339
GENERAL FUND TOTAL	\$11,147,623	\$11,331,615

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$90,032	\$90,032
FEDERAL EXPENDITURES FUND TOTAL	\$90,032	\$90,032

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$67,873	\$68,322
All Other	\$223,622	\$223,622
OTHER SPECIAL REVENUE FUNDS TOTAL	\$291,495	\$291,944

JUVENILE COMMUNITY CORRECTIONS 0892 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
Personal Services	\$6,711,284	\$6,895,276
All Other	\$4,436,339	\$4,436,339
GENERAL FUND TOTAL	\$11,147,623	\$11,331,615

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$90,032	\$90,032
FEDERAL EXPENDITURES FUND TOTAL	\$90,032	\$90,032

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$67,873	\$68,322
All Other	\$223,622	\$223,622
OTHER SPECIAL REVENUE FUNDS TOTAL	\$291,495	\$291,944

Long Creek Youth Development Center 0163

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	164.000	164.000
POSITIONS - FTE COUNT	1.577	1.577
Personal Services	\$13,759,246	\$14,143,141
All Other	\$1,454,549	\$1,454,549
GENERAL FUND TOTAL	\$15,213,795	\$15,597,690

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,413	\$82,877
All Other	\$89,547	\$89,547
FEDERAL EXPENDITURES FUND TOTAL	\$168,960	\$172,424

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$38,694	\$38,694
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,694	\$38,694

Long Creek Youth Development Center 0163

Initiative: Transfers 2 Education Specialist II positions and 2 Office Associate II positions from the General Purpose Aid for Local Schools program within the Department of Education to one of each in the Long Creek Youth Development Center program and the Mountain View Youth Development Center program within the Department of Corrections. The headcount for these positions will be offset by a reduction in headcount by the Department of Education and the positions will be funded by the General Purpose Aid for Local Schools program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
GENERAL FUND TOTAL	\$0	\$0

Long Creek Youth Development Center 0163

Initiative: Adjusts funding to reflect increased grant transfers from the Department of Education for student educational supplies.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$25,242	\$25,242
FEDERAL EXPENDITURES FUND TOTAL	\$25,242	\$25,242

Long Creek Youth Development Center 0163

Initiative: Reorganizes one Correctional Unit Manager position to a Correctional Care and Treatment Worker position and transfers the position from the Downeast

Correctional Facility program to the State Prison program. Reorganizes one Teacher BS Juvenile position to a Correctional Officer position and transfers the position from the Long Creek Youth Development Center program to the State Prison program. Also transfers one Correctional Officer position from the Charleston Correctional Facility program to the State Prison program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$73,593)	(\$76,783)
GENERAL FUND TOTAL	(\$73,593)	(\$76,783)

LONG CREEK YOUTH DEVELOPMENT CENTER 0163

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	165.000	165.000
POSITIONS - FTE COUNT	1.577	1.577
Personal Services	\$13,685,653	\$14,066,358
All Other	\$1,454,549	\$1,454,549
GENERAL FUND TOTAL	\$15,140,202	\$15,520,907

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,413	\$82,877
All Other	\$114,789	\$114,789
FEDERAL EXPENDITURES FUND TOTAL	\$194,202	\$197,666

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$38,694	\$38,694
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,694	\$38,694

Mountain View Youth Development Center 0857

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	143.000	143.000
POSITIONS - FTE COUNT	1.200	1.200
Personal Services	\$12,210,699	\$12,523,429
All Other	\$1,299,033	\$1,299,033

GENERAL FUND TOTAL	\$13,509,732	\$13,822,462

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$156,791	\$163,262
All Other	\$73,408	\$73,408

FEDERAL EXPENDITURES FUND TOTAL	\$230,199	\$236,670

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$51,540	\$51,540

OTHER SPECIAL REVENUE FUNDS TOTAL	\$51,540	\$51,540

Mountain View Youth Development Center 0857

Initiative: Transfers 2 Education Specialist II positions and 2 Office Associate II positions from the General Purpose Aid for Local Schools program within the Department of Education to one of each in the Long Creek Youth Development Center program and the Mountain View Youth Development Center program within the Department of Corrections. The headcount for these positions will be offset by a reduction in headcount by the Department of Education and the positions will be funded by the General Purpose Aid for Local Schools program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

GENERAL FUND TOTAL	\$0	\$0

MOUNTAIN VIEW YOUTH DEVELOPMENT CENTER 0857

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	145.000	145.000

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POSITIONS - FTE COUNT	1.200	1.200	All Other	\$11,702	\$11,702
Personal Services	\$12,210,699	\$12,523,429	GENERAL FUND TOTAL	\$175,266	\$182,158
All Other	\$1,299,033	\$1,299,033			
GENERAL FUND TOTAL	\$13,509,732	\$13,822,462	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
			All Other	\$14,974	\$14,974
FEDERAL EXPENDITURES FUND	2015-16	2016-17			
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,974	\$14,974
Personal Services	\$156,791	\$163,262			
All Other	\$73,408	\$73,408			
FEDERAL EXPENDITURES FUND TOTAL	\$230,199	\$236,670	Parole Board 0123		
			Initiative: BASELINE BUDGET		
			GENERAL FUND	2015-16	2016-17
			Personal Services	\$1,650	\$1,650
			All Other	\$2,828	\$2,828
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	GENERAL FUND TOTAL	\$4,478	\$4,478
All Other	\$51,540	\$51,540			
OTHER SPECIAL REVENUE FUNDS TOTAL	\$51,540	\$51,540	PAROLE BOARD 0123 PROGRAM SUMMARY		
			GENERAL FUND	2015-16	2016-17
			Personal Services	\$1,650	\$1,650
			All Other	\$2,828	\$2,828
Office of Victim Services 0046			GENERAL FUND TOTAL	\$4,478	\$4,478
Initiative: BASELINE BUDGET					
GENERAL FUND	2015-16	2016-17			
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	Prisoner Boarding Program Z086		
Personal Services	\$163,564	\$170,456	Initiative: BASELINE BUDGET		
All Other	\$11,702	\$11,702	GENERAL FUND	2015-16	2016-17
GENERAL FUND TOTAL	\$175,266	\$182,158	All Other	\$547,613	\$547,613
			GENERAL FUND TOTAL	\$547,613	\$547,613
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17			
All Other	\$14,974	\$14,974	PRISONER BOARDING PROGRAM Z086 PROGRAM SUMMARY		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,974	\$14,974	GENERAL FUND	2015-16	2016-17
			All Other	\$547,613	\$547,613
OFFICE OF VICTIM SERVICES 0046 PROGRAM SUMMARY			GENERAL FUND TOTAL	\$547,613	\$547,613
GENERAL FUND	2015-16	2016-17			
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	Southern Maine Women's Reentry Center Z156		
Personal Services	\$163,564	\$170,456	Initiative: BASELINE BUDGET		
			GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,434,658	\$1,491,209
All Other	\$310,700	\$310,700
GENERAL FUND TOTAL	\$1,745,358	\$1,801,909

SOUTHERN MAINE WOMEN'S REENTRY CENTER Z156

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,434,658	\$1,491,209
All Other	\$310,700	\$310,700
GENERAL FUND TOTAL	\$1,745,358	\$1,801,909

State Prison 0144

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	303.000	303.000
Personal Services	\$24,964,554	\$25,776,749
All Other	\$4,789,930	\$4,789,930
GENERAL FUND TOTAL	\$29,754,484	\$30,566,679

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$20,181	\$20,181
FEDERAL EXPENDITURES FUND TOTAL	\$20,181	\$20,181

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$68,363	\$71,290
All Other	\$34,034	\$34,034
OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,397	\$105,324

State Prison 0144

Initiative: Reduces funding to bring allocations in line with projected federal revenue.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$19,681)	(\$19,681)
FEDERAL EXPENDITURES FUND TOTAL	(\$19,681)	(\$19,681)

State Prison 0144

Initiative: Reorganizes one Correctional Unit Manager position to a Correctional Care and Treatment Worker position and transfers the position from the Downeast Correctional Facility program to the State Prison program. Reorganizes one Teacher BS Juvenile position to a Correctional Officer position and transfers the position from the Long Creek Youth Development Center program to the State Prison program. Also transfers one Correctional Officer position from the Charleston Correctional Facility program to the State Prison program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$244,759	\$254,535
GENERAL FUND TOTAL	\$244,759	\$254,535

STATE PRISON 0144 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	306.000	306.000
Personal Services	\$25,209,313	\$26,031,284
All Other	\$4,789,930	\$4,789,930
GENERAL FUND TOTAL	\$29,999,243	\$30,821,214

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$68,363	\$71,290
All Other	\$34,034	\$34,034
OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,397	\$105,324
CORRECTIONS, DEPARTMENT OF		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$164,485,404	\$167,668,992
FEDERAL EXPENDITURES FUND	\$2,563,507	\$2,583,126
OTHER SPECIAL REVENUE FUNDS	\$1,662,303	\$1,670,521
FEDERAL BLOCK GRANT FUND	\$500,000	\$500,000
PRISON INDUSTRIES FUND	\$2,476,786	\$2,493,380
DEPARTMENT TOTAL - ALL FUNDS	\$171,688,000	\$174,916,019

Sec. A-13. Appropriations and allocations.
The following appropriations and allocations are made.

**CORRECTIONS, STATE BOARD OF
Electronic Monitoring Fund - State Board of Corrections Z170**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

ELECTRONIC MONITORING FUND - STATE BOARD OF CORRECTIONS Z170

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

State Board of Corrections Operational Support Fund Z087

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$12,202,104	\$12,202,104
GENERAL FUND TOTAL	\$12,202,104	\$12,202,104

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$225,881	\$228,505
All Other	\$565,503	\$565,503
OTHER SPECIAL REVENUE FUNDS TOTAL	\$791,384	\$794,008

**STATE BOARD OF CORRECTIONS
OPERATIONAL SUPPORT FUND Z087
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$12,202,104	\$12,202,104
GENERAL FUND TOTAL	\$12,202,104	\$12,202,104

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$225,881	\$228,505
All Other	\$565,503	\$565,503
OTHER SPECIAL REVENUE FUNDS TOTAL	\$791,384	\$794,008

CORRECTIONS, STATE BOARD OF		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$12,202,104	\$12,202,104
OTHER SPECIAL REVENUE FUNDS	\$791,884	\$794,508
DEPARTMENT TOTAL - ALL FUNDS	\$12,993,988	\$12,996,612

Sec. A-14. Appropriations and allocations.
The following appropriations and allocations are made.

CULTURAL AFFAIRS COUNCIL, MAINE STATE**New Century Program Fund 0904**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$39,445	\$39,445

GENERAL FUND TOTAL	\$39,445	\$39,445

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$65,424	\$65,424

OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,424	\$65,424

NEW CENTURY PROGRAM FUND 0904**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$39,445	\$39,445

GENERAL FUND TOTAL	\$39,445	\$39,445

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$65,424	\$65,424

OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,424	\$65,424

Sec. A-15. Appropriations and allocations.
The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**Administration - Defense, Veterans and Emergency Management 0109**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$185,479	\$178,637
All Other	\$57,120	\$57,120

GENERAL FUND TOTAL	\$242,599	\$235,757

FEDERAL EXPENDITURES FUND

All Other	\$100	\$100

FEDERAL EXPENDITURES FUND TOTAL	\$100	\$100

ADMINISTRATION - DEFENSE, VETERANS AND EMERGENCY MANAGEMENT 0109**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000

Personal Services	\$185,479	\$178,637

All Other	\$57,120	\$57,120

GENERAL FUND TOTAL	\$242,599	\$235,757

FEDERAL EXPENDITURES FUND

All Other	\$100	\$100

FEDERAL EXPENDITURES FUND TOTAL	\$100	\$100

Administration - Maine Emergency Management Agency 0214

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11,000	11,000

Personal Services	\$542,686	\$539,589

All Other	\$118,819	\$118,819

GENERAL FUND TOTAL	\$661,505	\$658,408

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	13,000	13,000

Personal Services	\$1,612,417	\$1,597,523

All Other	\$31,479,758	\$31,479,758

FEDERAL EXPENDITURES FUND TOTAL	\$33,092,175	\$33,077,281

OTHER SPECIAL REVENUE FUNDS

2015-16	2016-17

POSITIONS -	2.000	2.000
LEGISLATIVE COUNT		
Personal Services	\$152,351	\$149,297
All Other	\$475,668	\$475,668
OTHER SPECIAL	\$628,019	\$624,965
REVENUE FUNDS TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Continues one Planning and Research Associate I position and related All Other costs, originally established by Financial Order 005147 F0 and continued as a limited-period position in Public Law 2011, chapter 380 and Public Law 2013, chapter 368.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$64,425	\$65,636
All Other	\$1,427	\$1,447
OTHER SPECIAL	\$65,852	\$67,083
REVENUE FUNDS TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Establishes one Senior Planner position and provides funding for related All Other costs.

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$84,862	\$86,390
All Other	\$3,298	\$3,328
FEDERAL EXPENDITURES	\$88,160	\$89,718
FUND TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Provides funding for the approved reorganization of one Planning and Research Associate I position to a Planning and Research Associate II position and 2 Planning and Research Associate II positions to Senior Planner positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$18,494	\$17,563

GENERAL FUND TOTAL	\$18,494	\$17,563

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
Personal Services	\$18,495	\$17,562
All Other	\$363	\$345

FEDERAL EXPENDITURES	\$18,858	\$17,907
FUND TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Reorganizes one Planning and Research Associate I position to a Planning and Research II position and one Planning and Research Associate II position to a Senior Planner position.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
Personal Services	\$13,353	\$15,102
All Other	\$262	\$297

OTHER SPECIAL	\$13,615	\$15,399
REVENUE FUNDS TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Reorganizes one Senior Contract/Grant Specialist position to a Public Service Manager I position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$2,375	\$2,293

GENERAL FUND TOTAL	\$2,375	\$2,293

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
Personal Services	\$7,124	\$6,887
All Other	\$140	\$135

FEDERAL EXPENDITURES	\$7,264	\$7,022
FUND TOTAL		

ADMINISTRATION - MAINE EMERGENCY MANAGEMENT AGENCY 0214

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$563,555	\$559,445
All Other	\$118,819	\$118,819

GENERAL FUND TOTAL	\$682,374	\$678,264

**FEDERAL
EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,722,898	\$1,708,362
All Other	\$31,483,559	\$31,483,566

FEDERAL EXPENDITURES FUND TOTAL	\$33,206,457	\$33,191,928

**OTHER SPECIAL
REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$230,129	\$230,035
All Other	\$477,357	\$477,412

OTHER SPECIAL REVENUE FUNDS TOTAL	\$707,486	\$707,447

Emergency Response Operations 0918

Initiative: BASELINE BUDGET

**OTHER SPECIAL
REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$51,518	\$49,910
All Other	\$17,275	\$17,275

OTHER SPECIAL REVENUE FUNDS TOTAL	\$68,793	\$67,185

EMERGENCY RESPONSE OPERATIONS 0918

PROGRAM SUMMARY

**OTHER SPECIAL
REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$51,518	\$49,910
All Other	\$17,275	\$17,275

OTHER SPECIAL REVENUE FUNDS TOTAL	\$68,793	\$67,185

Loring Rebuild Facility 0843

Initiative: BASELINE BUDGET

**FEDERAL
EXPENDITURES FUND**

All Other	\$49,586,066	\$49,586,066

FEDERAL EXPENDITURES FUND TOTAL	\$49,586,066	\$49,586,066

LORING REBUILD FACILITY 0843

PROGRAM SUMMARY

**FEDERAL
EXPENDITURES FUND**

All Other	\$49,586,066	\$49,586,066

FEDERAL EXPENDITURES FUND TOTAL	\$49,586,066	\$49,586,066

Military Educational Benefits 0922

Initiative: BASELINE BUDGET

**OTHER SPECIAL
REVENUE FUNDS**

All Other	\$410,000	\$410,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$410,000	\$410,000

MILITARY EDUCATIONAL BENEFITS 0922

PROGRAM SUMMARY

**OTHER SPECIAL
REVENUE FUNDS**

All Other	\$410,000	\$410,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$410,000	\$410,000

Military Training and Operations 0108

Initiative: BASELINE BUDGET

GENERAL FUND

POSITIONS - LEGISLATIVE COUNT	12.000	12.000

Personal Services	\$1,109,779	\$1,098,520

All Other	\$1,475,543	\$1,475,543
GENERAL FUND TOTAL	\$2,585,322	\$2,574,063

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	123.000	123.000
Personal Services	\$8,890,915	\$8,841,868
All Other	\$10,786,160	\$10,786,160

FEDERAL EXPENDITURES FUND TOTAL	\$19,677,075	\$19,628,028

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$82,898	\$83,767
All Other	\$490,991	\$490,991

OTHER SPECIAL REVENUE FUNDS TOTAL	\$573,889	\$574,758

MAINE MILITARY AUTHORITY ENTERPRISE FUND	2015-16	2016-17
Personal Services	\$49,128,016	\$49,601,869
All Other	\$44,505,619	\$44,505,619

MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL	\$93,633,635	\$94,107,488

Military Training and Operations 0108

Initiative: Provides funding for the increased cost of fuel and utilities at new and existing facilities of the Maine Army National Guard.

GENERAL FUND	2015-16	2016-17
All Other	\$118,096	\$152,794
GENERAL FUND TOTAL	\$118,096	\$152,794

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$2,118,866	\$693,435
FEDERAL EXPENDITURES FUND TOTAL	\$2,118,866	\$693,435

Military Training and Operations 0108

Initiative: Establishes one Building Maintenance Co-ordinator position funded 25% General Fund and 75% Federal Expenditures Fund in the Military Training and Operations program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$16,829	\$17,089
GENERAL FUND TOTAL	\$16,829	\$17,089

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$50,489	\$51,278

FEDERAL EXPENDITURES FUND TOTAL	\$50,489	\$51,278

Military Training and Operations 0108

Initiative: Provides funding for repairs and maintenance of existing facilities of the Maine Army National Guard.

GENERAL FUND	2015-16	2016-17
All Other	\$453,000	\$453,000
GENERAL FUND TOTAL	\$453,000	\$453,000

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$989,500	\$989,500
FEDERAL EXPENDITURES FUND TOTAL	\$989,500	\$989,500

Military Training and Operations 0108

Initiative: Provides funding for a heating, ventilation and air conditioning system for the Air National Guard facility in Bangor.

GENERAL FUND	2015-16	2016-17
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$25,000	\$25,000

Military Training and Operations 0108

Initiative: Provides funding for the approved reorganization of one Accounting Technician position to a Staff Accountant position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$5,807	\$6,376
FEDERAL EXPENDITURES FUND TOTAL	\$5,807	\$6,376

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$241	\$266
OTHER SPECIAL REVENUE FUNDS TOTAL	\$241	\$266

Military Training and Operations 0108

Initiative: Reorganizes one Office Associate II position to a Secretary Specialist position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$7,701	\$9,731
GENERAL FUND TOTAL	\$7,701	\$9,731

Military Training and Operations 0108

Initiative: Reorganizes one Engineering Technician IV position to a Project Manager I position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$10,306	\$13,865
FEDERAL EXPENDITURES FUND TOTAL	\$10,306	\$13,865

Military Training and Operations 0108

Initiative: Reorganizes one Energy Analyst position to a Public Service Coordinator I position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$10,663	\$14,115
FEDERAL EXPENDITURES FUND TOTAL	\$10,663	\$14,115

Military Training and Operations 0108

Initiative: Reorganizes one Senior Planner position to a Public Service Coordinator I position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17

Personal Services	\$12,682	\$12,887
FEDERAL EXPENDITURES FUND TOTAL	\$12,682	\$12,887

Military Training and Operations 0108

Initiative: Reorganizes one Engineering Technician III position to an Engineering Technician IV position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$5,734	\$5,972
FEDERAL EXPENDITURES FUND TOTAL	\$5,734	\$5,972

Military Training and Operations 0108

Initiative: Provides funding for the payroll cost of state active duty personnel assigned to support federal projects under the Master Cooperative Agreement for the National Guard.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$904,500	\$871,000
FEDERAL EXPENDITURES FUND TOTAL	\$904,500	\$871,000

Military Training and Operations 0108

Initiative: Reorganizes one Planning and Research Associate I position to an Environmental Specialist II position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$2,423	\$2,460
FEDERAL EXPENDITURES FUND TOTAL	\$2,423	\$2,460

Military Training and Operations 0108

Initiative: Reorganizes one Electrician II position to a High Voltage Electrician position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$2,916	\$2,031
GENERAL FUND TOTAL	\$2,916	\$2,031

Military Training and Operations 0108

Initiative: Provides funding for overtime for 24-hour operations and maintenance at the Bangor and South Portland Air National Guard Facilities funded 100% in the Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$27,088	\$27,914
FEDERAL EXPENDITURES FUND TOTAL	\$27,088	\$27,914

Military Training and Operations 0108

Initiative: Provides funding for overtime for 24-hour operations and maintenance at the Bangor and South Portland Air National Guard Facilities funded 25% General Fund and 75% Federal Expenditures Fund.

GENERAL FUND	2015-16	2016-17
Personal Services	\$9,642	\$9,699
GENERAL FUND TOTAL	\$9,642	\$9,699

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$28,902	\$29,082
FEDERAL EXPENDITURES FUND TOTAL	\$28,902	\$29,082

Military Training and Operations 0108

Initiative: Reorganizes one Staff Accountant position to a Senior Staff Accountant position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$6,298	\$8,648
FEDERAL EXPENDITURES FUND TOTAL	\$6,298	\$8,648

Military Training and Operations 0108

Initiative: Provides funding for the approved reorganization of 2 Electrician II positions to 2 High Voltage Electrician positions and one Electrician Supervisor position to a High Voltage Electrician Supervisor position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$4,175	\$4,101
GENERAL FUND TOTAL	\$4,175	\$4,101

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$12,518	\$12,299
FEDERAL EXPENDITURES FUND TOTAL	\$12,518	\$12,299

Military Training and Operations 0108

Initiative: Reorganizes one Plumber II position to a Heating, Ventilation, and Air Conditioning Technician position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$2,280	\$2,208
GENERAL FUND TOTAL	\$2,280	\$2,208

Military Training and Operations 0108

Initiative: Reorganizes one Oil Burner Mechanic Supervisor position to a Heating, Ventilation and Air Conditioning Electrician Supervisor position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$4,368	\$4,229
GENERAL FUND TOTAL	\$4,368	\$4,229

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$4,366	\$4,227
FEDERAL EXPENDITURES FUND TOTAL	\$4,366	\$4,227

Military Training and Operations 0108

Initiative: Reorganizes 2 Maintenance Mechanic positions to Building Maintenance Coordinator positions.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$10,642	\$14,617
FEDERAL EXPENDITURES FUND TOTAL	\$10,642	\$14,617

Military Training and Operations 0108

Initiative: Reorganizes one Engineering Technician V position to a Project Manager I position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,962	\$2,731

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

GENERAL FUND TOTAL	\$1,962	\$2,731
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$5,880	\$8,194
FEDERAL EXPENDITURES FUND TOTAL	\$5,880	\$8,194

Military Training and Operations 0108

Initiative: Reorganizes one Laborer II position to a Building Maintenance Coordinator position and reallocates the cost from 100% General Fund to 25% General Fund and 75% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$35,779)	(\$36,158)
GENERAL FUND TOTAL	(\$35,779)	(\$36,158)
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$50,489	\$51,278
FEDERAL EXPENDITURES FUND TOTAL	\$50,489	\$51,278

MILITARY TRAINING AND OPERATIONS 0108

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,123,873	\$1,114,181
All Other	\$2,071,639	\$2,106,337
GENERAL FUND TOTAL	\$3,195,512	\$3,220,518
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	125.000	125.000
Personal Services	\$10,039,702	\$9,976,080

All Other	\$13,894,526	\$12,469,095
FEDERAL EXPENDITURES FUND TOTAL	\$23,934,228	\$22,445,175
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$83,139	\$84,033
All Other	\$490,991	\$490,991
OTHER SPECIAL REVENUE FUNDS TOTAL	\$574,130	\$575,024
MAINE MILITARY AUTHORITY ENTERPRISE FUND	2015-16	2016-17
Personal Services	\$49,128,016	\$49,601,869
All Other	\$44,505,619	\$44,505,619
MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL	\$93,633,635	\$94,107,488

Stream Gaging Cooperative Program 0858

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$133,749	\$133,749
GENERAL FUND TOTAL	\$133,749	\$133,749

Stream Gaging Cooperative Program 0858

Initiative: Provides funding for critical flood warning systems and increased monitoring capacity for both floods and drought.

GENERAL FUND	2015-16	2016-17
All Other	\$39,291	\$41,256
GENERAL FUND TOTAL	\$39,291	\$41,256

STREAM GAGING COOPERATIVE PROGRAM 0858

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$173,040	\$175,005

GENERAL FUND TOTAL	\$173,040	\$175,005

Veterans Services 0110

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	36,000	36,000
Personal Services	\$2,372,752	\$2,374,568
All Other	\$560,737	\$560,737

GENERAL FUND TOTAL	\$2,933,489	\$2,935,305

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$130,952	\$130,952

FEDERAL EXPENDITURES FUND TOTAL	\$130,952	\$130,952

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$376,343	\$376,343

OTHER SPECIAL REVENUE FUNDS TOTAL	\$376,343	\$376,343

Veterans Services 0110

Initiative: Reorganizes one Clerk IV position to an Office Specialist I Manager Supervisor position and reallocates the cost from 100% General Fund to 85% General Fund and 15% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$4,890)	(\$6,420)

GENERAL FUND TOTAL	(\$4,890)	(\$6,420)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$12,074	\$12,003
All Other	\$251	\$250

FEDERAL EXPENDITURES FUND TOTAL	\$12,325	\$12,253

Veterans Services 0110

Initiative: Establishes one Engineering Technician III position and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$73,608	\$75,188
All Other	\$2,996	\$3,025

FEDERAL EXPENDITURES FUND TOTAL	\$76,604	\$78,213

Veterans Services 0110

Initiative: Reorganizes one Office Assistant II position to an Office Associate II position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$14,369	\$14,139

GENERAL FUND TOTAL	\$14,369	\$14,139

Veterans Services 0110

Initiative: Provides funding for a portion of rent for offices shared with the Department of Health and Human Services and the Department of Labor.

GENERAL FUND	2015-16	2016-17
All Other	\$20,000	\$20,000

GENERAL FUND TOTAL	\$20,000	\$20,000

Veterans Services 0110

Initiative: Establishes one Public Service Manager II position to serve as Deputy Director and provides funding for related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$121,760	\$123,883
All Other	\$1,588	\$1,588

GENERAL FUND TOTAL	\$123,348	\$125,471

Veterans Services 0110

Initiative: Continues one Office Associate II position and provides funding for related All Other costs. This position was previously established by Financial Order 002564 F5.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$57,712	\$58,788
All Other	\$2,841	\$2,865
FEDERAL EXPENDITURES FUND TOTAL	\$60,553	\$61,653

Veterans Services 0110

Initiative: Provides funding for the upgrade of desktop computers to laptops with wireless capability for veterans services officers.

GENERAL FUND	2015-16	2016-17
All Other	\$10,924	\$10,924
GENERAL FUND TOTAL	\$10,924	\$10,924

Veterans Services 0110

Initiative: Provides funding for a contracted veterans' outreach specialist position and related All Other.

GENERAL FUND	2015-16	2016-17
All Other	\$96,000	\$96,000
GENERAL FUND TOTAL	\$96,000	\$96,000

Veterans Services 0110

Initiative: Provides funding for the increase in service center costs of providing accounting and human resources-related services to the Bureau of Maine Veterans' Services.

GENERAL FUND	2015-16	2016-17
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$25,000	\$25,000

Veterans Services 0110

Initiative: Provides funding for the additional software, communications services and maintenance fees for existing databases at the veterans services and cemetery systems.

GENERAL FUND	2015-16	2016-17
All Other	\$10,016	\$10,016
GENERAL FUND TOTAL	\$10,016	\$10,016

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$5,000	\$5,000
FEDERAL EXPENDITURES FUND TOTAL	\$5,000	\$5,000

VETERANS SERVICES 0110 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	37,000	37,000
Personal Services	\$2,503,991	\$2,506,170
All Other	\$724,265	\$724,265
GENERAL FUND TOTAL	\$3,228,256	\$3,230,435

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$143,394	\$145,979
All Other	\$142,040	\$142,092
FEDERAL EXPENDITURES FUND TOTAL	\$285,434	\$288,071

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$376,343	\$376,343
OTHER SPECIAL REVENUE FUNDS TOTAL	\$376,343	\$376,343

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$7,521,781	\$7,539,979
FEDERAL EXPENDITURES FUND	\$107,012,285	\$105,511,340
OTHER SPECIAL REVENUE FUNDS	\$2,136,752	\$2,135,999
MAINE MILITARY AUTHORITY ENTERPRISE FUND	\$93,633,635	\$94,107,488

DEPARTMENT TOTAL - ALL FUNDS	\$210,304,453	\$209,294,806

Sec. A-16. Appropriations and allocations.
The following appropriations and allocations are made.

DEVELOPMENT FOUNDATION, MAINE

Development Foundation 0198

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$58,444	\$58,444
GENERAL FUND TOTAL	\$58,444	\$58,444

DEVELOPMENT FOUNDATION 0198

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$58,444	\$58,444
GENERAL FUND TOTAL	\$58,444	\$58,444

Sec. A-17. Appropriations and allocations.
The following appropriations and allocations are made.

DIRIGO HEALTH

Dirigo Health Fund 0988

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$300,974	\$293,960
All Other	\$1,027,590	\$1,027,590
GENERAL FUND TOTAL	\$1,328,564	\$1,321,550

DIRIGO HEALTH FUND 0988

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$300,974	\$293,960
All Other	\$1,027,590	\$1,027,590
GENERAL FUND TOTAL	\$1,328,564	\$1,321,550

Sec. A-18. Appropriations and allocations.
The following appropriations and allocations are made.

DISABILITY RIGHTS CENTER

Disability Rights Center 0523

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$126,045	\$126,045
GENERAL FUND TOTAL	\$126,045	\$126,045

DISABILITY RIGHTS CENTER 0523

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$126,045	\$126,045
GENERAL FUND TOTAL	\$126,045	\$126,045

Sec. A-19. Appropriations and allocations.
The following appropriations and allocations are made.

DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION

Downeast Institute for Applied Marine Research and Education 0993

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$12,554	\$12,554
GENERAL FUND TOTAL	\$12,554	\$12,554

DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION 0993

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$12,554	\$12,554
GENERAL FUND TOTAL	\$12,554	\$12,554

Sec. A-20. Appropriations and allocations.
The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development 0069

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$474,421	\$461,615
All Other	\$1,006,048	\$1,006,048
GENERAL FUND TOTAL	\$1,480,469	\$1,467,663

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$30,000	\$30,000

OTHER SPECIAL
REVENUE FUNDS TOTAL \$30,000 \$30,000

**ADMINISTRATION - ECONOMIC AND
COMMUNITY DEVELOPMENT 0069****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$474,421	\$461,615
All Other	\$1,006,048	\$1,006,048
GENERAL FUND TOTAL	\$1,480,469	\$1,467,663

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$30,000	\$30,000

OTHER SPECIAL
REVENUE FUNDS TOTAL \$30,000 \$30,000

**Applied Technology Development Center System
0929**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$178,838	\$178,838
GENERAL FUND TOTAL	\$178,838	\$178,838

**APPLIED TECHNOLOGY DEVELOPMENT
CENTER SYSTEM 0929****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$178,838	\$178,838

GENERAL FUND TOTAL	\$178,838	\$178,838

Business Development 0585

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$816,493	\$808,523
All Other	\$669,604	\$669,604

GENERAL FUND TOTAL	\$1,486,097	\$1,478,127

BUSINESS DEVELOPMENT 0585**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$816,493	\$808,523
All Other	\$669,604	\$669,604

GENERAL FUND TOTAL	\$1,486,097	\$1,478,127

Communities for Maine's Future Fund Z108

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**COMMUNITIES FOR MAINE'S FUTURE FUND
Z108****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**Community Development Block Grant Program
0587**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$173,052	\$171,927
All Other	\$103,204	\$103,204
GENERAL FUND TOTAL	\$276,256	\$275,131

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$155,363	\$153,781
All Other	\$1,138,436	\$1,138,436
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,293,799	\$1,292,217

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$495,049	\$488,179
All Other	\$21,274,038	\$21,274,038
FEDERAL BLOCK GRANT FUND TOTAL	\$21,769,087	\$21,762,217

Community Development Block Grant Program 0587

Initiative: Reorganizes one Public Service Manager II position to a Public Service Coordinator II position and transfers the position from the Community Development Block Grant Program, Federal Block Grant Fund to the International Commerce program, General Fund. Also provides funding for All Other costs to permanently establish the Maine North Atlantic development office at the Maine International Trade Center.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$98,659)	(\$100,840)
All Other	(\$7,798)	(\$7,970)
FEDERAL BLOCK GRANT FUND TOTAL	(\$106,457)	(\$108,810)

Community Development Block Grant Program 0587

Initiative: Reallocates the cost of one Development Program Manager position from 100% Community Development Block Grant Program, Federal Block Grant Fund to 50% Community Development Block Grant Program, Federal Block Grant Fund and 50% Office of Tourism program, Other Special Revenue Funds and adjusts funding for related STA-CAP charges.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
Personal Services	(\$49,750)	(\$48,581)
All Other	(\$3,932)	(\$3,840)
FEDERAL BLOCK GRANT FUND TOTAL	(\$53,682)	(\$52,421)

Community Development Block Grant Program 0587

Initiative: Reallocates the cost of one Planner II position from 100% Other Special Revenue Funds to 75% Federal Block Grant Fund and 25% General Fund within the same program and adjusts funding for related STA-CAP charges.

GENERAL FUND	2015-16	2016-17
Personal Services	\$14,763	\$14,942
All Other	(\$14,763)	(\$14,942)
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$59,057)	(\$59,775)
All Other	(\$4,668)	(\$4,725)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$63,725)	(\$64,500)

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$44,294	\$44,833
All Other	\$3,501	\$3,543
FEDERAL BLOCK GRANT FUND TOTAL	\$47,795	\$48,376

**Community Development Block Grant Program
0587**

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

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
Personal Services	\$5,282	\$5,113
All Other	(\$5,282)	(\$5,113)
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$0

**Community Development Block Grant Program
0587**

Initiative: Reduces funding to align allocations with anticipated resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$5,461)	(\$3,161)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,461)	(\$3,161)

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 0587**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$187,815	\$186,869
All Other	\$88,441	\$88,262
GENERAL FUND TOTAL	\$276,256	\$275,131

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,306	\$94,006
All Other	\$1,128,307	\$1,130,550
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,224,613	\$1,224,556

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$396,216	\$388,704
All Other	\$21,260,527	\$21,260,658

FEDERAL BLOCK GRANT FUND TOTAL	\$21,656,743	\$21,649,362

International Commerce 0674**Initiative: BASELINE BUDGET**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$116,605	\$113,211
All Other	\$498,409	\$498,409
GENERAL FUND TOTAL	\$615,014	\$611,620

International Commerce 0674

Initiative: Reorganizes one Public Service Manager II position to a Public Service Coordinator II position and transfers the position from the Community Development Block Grant Program, Federal Block Grant Fund to the International Commerce program, General Fund. Also provides funding for All Other costs to permanently establish the Maine North Atlantic development office at the Maine International Trade Center.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$105,044	\$107,024
All Other	\$200,000	\$200,000
GENERAL FUND TOTAL	\$305,044	\$307,024

International Commerce 0674

Initiative: Provides funding to increase overseas business recruitment efforts of the Maine International Trade Center.

GENERAL FUND	2015-16	2016-17
All Other	\$200,000	\$200,000
GENERAL FUND TOTAL	\$200,000	\$200,000

**INTERNATIONAL COMMERCE 0674
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17

POSITIONS -	2,000	2,000
LEGISLATIVE COUNT		
Personal Services	\$221,649	\$220,235
All Other	\$898,409	\$898,409
GENERAL FUND TOTAL	\$1,120,058	\$1,118,644

Leadership and Entrepreneurial Development Program Z071

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

LEADERSHIP AND ENTREPRENEURIAL DEVELOPMENT PROGRAM Z071

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Economic Development Evaluation Fund Z057

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000

MAINE ECONOMIC DEVELOPMENT EVALUATION FUND Z057

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000

Maine Economic Growth Council 0727

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$55,395	\$55,395
GENERAL FUND TOTAL	\$55,395	\$55,395

MAINE ECONOMIC GROWTH COUNCIL 0727 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$55,395	\$55,395
GENERAL FUND TOTAL	\$55,395	\$55,395

Maine Research and Development Evaluation Fund 0985

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000

MAINE RESEARCH AND DEVELOPMENT EVALUATION FUND 0985

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000

Maine Small Business and Entrepreneurship Commission 0675

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$683,684	\$683,684
GENERAL FUND TOTAL	\$683,684	\$683,684

MAINE SMALL BUSINESS AND ENTREPRENEURSHIP COMMISSION 0675

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$683,684	\$683,684

GENERAL FUND TOTAL	\$683,684	\$683,684

Maine State Film Office 0590

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$10,000	\$10,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000

Maine State Film Office 0590

Initiative: Transfers one Director Maine Film Office position from the Office of Tourism program to the Maine State Film Office program and adjusts funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$92,535	\$90,338
All Other	\$160,605	\$160,605

OTHER SPECIAL REVENUE FUNDS TOTAL	\$253,140	\$250,943

MAINE STATE FILM OFFICE 0590**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$92,535	\$90,338
All Other	\$170,605	\$170,605

OTHER SPECIAL REVENUE FUNDS TOTAL	\$263,140	\$260,943

Maine Workforce Opportunities Marketing Fund Z178

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$50,000	\$50,000

GENERAL FUND TOTAL	\$50,000	\$50,000

MAINE WORKFORCE OPPORTUNITIES MARKETING FUND Z178**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$50,000	\$50,000

GENERAL FUND TOTAL	\$50,000	\$50,000

Office of Innovation 0995

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$222,253	\$220,657
All Other	\$6,803,703	\$6,803,703

GENERAL FUND TOTAL	\$7,025,956	\$7,024,360

Office of Innovation 0995

Initiative: Provides funding for a range change for one Public Service Executive II position from range 35 to range 37 and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2015-16	2016-17
Personal Services	\$9,805	\$9,443
All Other	(\$9,805)	(\$9,443)

GENERAL FUND TOTAL	\$0	\$0

OFFICE OF INNOVATION 0995**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$232,058	\$230,100
All Other	\$6,793,898	\$6,794,260

GENERAL FUND TOTAL	\$7,025,956	\$7,024,360

Office of Tourism 0577

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000

Personal Services	\$770,764	\$753,659

All Other	\$9,018,133	\$9,018,133
OTHER SPECIAL	\$9,788,897	\$9,771,792
REVENUE FUNDS TOTAL		

Office of Tourism 0577

Initiative: Reallocates the cost of one Development Program Manager position from 100% Community Development Block Grant Program, Federal Block Grant Fund to 50% Community Development Block Grant Program, Federal Block Grant Fund and 50% Office of Tourism program, Other Special Revenue Funds and adjusts funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$49,750	\$48,581
All Other	\$114	\$112
OTHER SPECIAL	\$49,864	\$48,693
REVENUE FUNDS TOTAL		

Office of Tourism 0577

Initiative: Transfers one Director Maine Film Office position from the Office of Tourism program to the Maine State Film Office program and adjusts funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$92,535)	(\$90,338)
All Other	(\$160,605)	(\$160,605)
OTHER SPECIAL	(\$253,140)	(\$250,943)
REVENUE FUNDS TOTAL		

Office of Tourism 0577

Initiative: Provides funding to align with anticipated revenue.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$3,119,144	\$2,117,975
OTHER SPECIAL	\$3,119,144	\$2,117,975
REVENUE FUNDS TOTAL		

Office of Tourism 0577

Initiative: Continues one Public Service Manager I position that was established by Financial Order 002079 F4 and continued by Financial Order 002374 F5.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$104,375	\$105,659
All Other	(\$104,375)	(\$105,659)
OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

Office of Tourism 0577

Initiative: Provides funding for a range change for one Public Service Executive II position from range 34 to range 35 and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$5,348	\$5,184
All Other	(\$5,348)	(\$5,184)
OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

Office of Tourism 0577

Initiative: Allocates funds to reflect the additional revenue due to the increase in the meals and lodging tax rate.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$1,710,535
OTHER SPECIAL	\$0	\$1,710,535
REVENUE FUNDS TOTAL		

OFFICE OF TOURISM 0577 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$837,702	\$822,745
All Other	\$11,867,063	\$12,575,307
OTHER SPECIAL	\$12,704,765	\$13,398,052
REVENUE FUNDS TOTAL		

Renewable Energy Resources Fund Z072

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$288,000	\$288,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$288,000	\$288,000

Renewable Energy Resources Fund Z072

Initiative: Reduces funding to reflect anticipated revenue from the Efficiency Maine Trust.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$200,000)	(\$200,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$200,000)	(\$200,000)

**RENEWABLE ENERGY RESOURCES FUND
Z072****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$88,000	\$88,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$88,000	\$88,000

**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF**

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$12,356,753	\$12,331,842
OTHER SPECIAL REVENUE FUNDS	\$14,711,518	\$15,402,551
FEDERAL BLOCK GRANT FUND	\$21,656,743	\$21,649,362
DEPARTMENT TOTAL - ALL FUNDS	\$48,725,014	\$49,383,755

Sec. A-21. Appropriations and allocations.
The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
Adult Education 0364**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$262,451	\$256,516
All Other	\$5,962,512	\$5,962,512
GENERAL FUND TOTAL	\$6,224,963	\$6,219,028

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$223,583	\$218,509
All Other	\$1,874,267	\$1,874,267
FEDERAL EXPENDITURES FUND TOTAL	\$2,097,850	\$2,092,776

**ADULT EDUCATION 0364
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$262,451	\$256,516
All Other	\$5,962,512	\$5,962,512
GENERAL FUND TOTAL	\$6,224,963	\$6,219,028

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$223,583	\$218,509
All Other	\$1,874,267	\$1,874,267
FEDERAL EXPENDITURES FUND TOTAL	\$2,097,850	\$2,092,776

Charter School Program Z129

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

CHARTER SCHOOL PROGRAM Z129**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

Child Development Services 0449

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$27,985,282	\$27,985,282
GENERAL FUND TOTAL	\$27,985,282	\$27,985,282

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,403	\$60,136
All Other	\$2,239,633	\$2,239,633
FEDERAL EXPENDITURES FUND TOTAL	\$2,301,036	\$2,299,769

Child Development Services 0449

Initiative: Provides funding for technology costs for child development services.

GENERAL FUND	2015-16	2016-17
All Other	\$550,000	\$700,000
GENERAL FUND TOTAL	\$550,000	\$700,000

CHILD DEVELOPMENT SERVICES 0449**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$28,535,282	\$28,685,282
GENERAL FUND TOTAL	\$28,535,282	\$28,685,282

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,403	\$60,136

All Other	\$2,239,633	\$2,239,633

FEDERAL EXPENDITURES FUND TOTAL	\$2,301,036	\$2,299,769

Commission To End Student Hunger N200

Initiative: Provides base allocations for the Commission to End Student Hunger to establish an account that can be used to accept contributions and other sources of funding to support the work of the commission and 4 privately funded hunger coordinators.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

COMMISSION TO END STUDENT HUNGER N200**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Criminal History Record Check Fund Z014

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$9,580	\$9,352
All Other	\$366,801	\$366,801
OTHER SPECIAL REVENUE FUNDS TOTAL	\$376,381	\$376,153

Criminal History Record Check Fund Z014

Initiative: Reduces funding as a result of having fees collected for criminal history record checks deposited in a Department of Public Safety account rather than a Department of Education account.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$316,101)	(\$341,101)

OTHER SPECIAL	(\$316,101)	(\$341,101)
REVENUE FUNDS TOTAL		

CRIMINAL HISTORY RECORD CHECK FUND Z014**PROGRAM SUMMARY**

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
Personal Services	\$9,580	\$9,352
All Other	\$50,700	\$25,700
OTHER SPECIAL	\$60,280	\$35,052
REVENUE FUNDS TOTAL		

Digital Literacy Fund Z130

Initiative: BASELINE BUDGET

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$156,115	\$156,115
OTHER SPECIAL	\$156,115	\$156,115
REVENUE FUNDS TOTAL		

Digital Literacy Fund Z130

Initiative: Provides funding to promote digital literacy and teacher professional development and training on the use of online learning resources.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$300,000	\$300,000
OTHER SPECIAL	\$300,000	\$300,000
REVENUE FUNDS TOTAL		

DIGITAL LITERACY FUND Z130**PROGRAM SUMMARY**

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$456,115	\$456,115
OTHER SPECIAL	\$456,115	\$456,115
REVENUE FUNDS TOTAL		

Education in Unorganized Territory 0220

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

POSITIONS -	22.500	22.500
LEGISLATIVE COUNT		
POSITIONS - FTE	26.634	26.634
COUNT		
Personal Services	\$3,071,850	\$3,063,639
All Other	\$9,225,078	\$9,225,078

GENERAL FUND TOTAL	\$12,296,928	\$12,288,717

FEDERAL EXPENDITURES FUND

2015-16	2016-17	
POSITIONS -	2.000	2.000
LEGISLATIVE COUNT		
POSITIONS - FTE	0.707	0.707
COUNT		
Personal Services	\$140,368	\$140,850
All Other	\$146,611	\$146,611

FEDERAL EXPENDITURES	\$286,979	\$287,461
FUND TOTAL		

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$8,135	\$8,135

OTHER SPECIAL	\$8,135	\$8,135
REVENUE FUNDS TOTAL		

Education in Unorganized Territory 0220

Initiative: Eliminates one part-time Education Specialist I position, one Cook II position and one Office Associate II position from various programs within the Department of Education.

GENERAL FUND	2015-16	2016-17
POSITIONS - FTE	(0.586)	(0.586)
COUNT		
Personal Services	(\$35,359)	(\$36,419)

GENERAL FUND TOTAL	(\$35,359)	(\$36,419)

EDUCATION IN UNORGANIZED TERRITORY 0220**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS -	22.500	22.500
LEGISLATIVE COUNT		
POSITIONS - FTE	26.048	26.048
COUNT		

Personal Services	\$3,036,491	\$3,027,220	All Other	\$500	\$500
All Other	\$9,225,078	\$9,225,078			
			OTHER SPECIAL	\$500	\$500
GENERAL FUND TOTAL	\$12,261,569	\$12,252,298	REVENUE FUNDS TOTAL		
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Fund for the Efficient Delivery of Educational Services Z005		
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	Initiative: Provides one-time funding for consolidation of school administrative units.		
POSITIONS - FTE COUNT	0.707	0.707	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$140,368	\$140,850	All Other	\$750,000	\$750,000
All Other	\$146,611	\$146,611			
			OTHER SPECIAL	\$750,000	\$750,000
FEDERAL EXPENDITURES FUND TOTAL	\$286,979	\$287,461	REVENUE FUNDS TOTAL		
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	FUND FOR THE EFFICIENT DELIVERY OF EDUCATIONAL SERVICES Z005		
All Other	\$8,135	\$8,135	PROGRAM SUMMARY		
			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
OTHER SPECIAL	\$8,135	\$8,135	All Other	\$750,500	\$750,500
REVENUE FUNDS TOTAL					
			OTHER SPECIAL	\$750,500	\$750,500
FHM - School Breakfast Program Z068			REVENUE FUNDS TOTAL		
Initiative: BASELINE BUDGET					
FUND FOR A HEALTHY MAINE	2015-16	2016-17	General Purpose Aid for Local Schools 0308		
All Other	\$213,720	\$213,720	Initiative: BASELINE BUDGET		
			GENERAL FUND	2015-16	2016-17
FUND FOR A HEALTHY MAINE TOTAL	\$213,720	\$213,720	POSITIONS - LEGISLATIVE COUNT	22.000	22.000
			Personal Services	\$2,004,454	\$1,991,967
			All Other	\$927,379,942	\$927,379,942
FHM - SCHOOL BREAKFAST PROGRAM Z068					
PROGRAM SUMMARY			GENERAL FUND TOTAL	\$929,384,396	\$929,371,909
FUND FOR A HEALTHY MAINE	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$213,720	\$213,720	All Other	\$13,782,644	\$13,782,644
FUND FOR A HEALTHY MAINE TOTAL	\$213,720	\$213,720	OTHER SPECIAL	\$13,782,644	\$13,782,644
			REVENUE FUNDS TOTAL		
Fund for the Efficient Delivery of Educational Services Z005			General Purpose Aid for Local Schools 0308		
Initiative: BASELINE BUDGET			Initiative: Transfers 2 Education Specialist II positions and 2 Office Associate II positions from the General Purpose Aid for Local Schools program to one of each in the Long Creek Youth Development Center pro-		
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17			

gram and the Mountain View Youth Development Center program in the Department of Corrections and transfers funding from the Personal Services line category to the All Other line category. The reduction in headcount for these positions will be offset by an increase in headcount in the Department of Corrections and the positions will be funded from the All Other line category in the General Purpose Aid for Local Schools program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$286,704)	(\$288,565)
All Other	\$286,704	\$288,565
GENERAL FUND TOTAL	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: Provides funding to cover obligations in support of publicly funded students and teachers in the State.

GENERAL FUND	2015-16	2016-17
All Other	\$34,699,613	\$36,130,634
GENERAL FUND TOTAL	\$34,699,613	\$36,130,634
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,405,259	\$2,567,138
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,405,259	\$2,567,138

General Purpose Aid for Local Schools 0308

Initiative: Reallocates the cost of one Public Service Manager II position from 30% in the General Purpose Aid for Local Schools program, General Fund and 70% in the Leadership Team program, Other Special Revenue Funds to 100% in the General Purpose Aid for Local Schools program, General Fund and transfers funding from the All Other category to the Personal Services line category to fund the reallocation.

GENERAL FUND	2015-16	2016-17
Personal Services	\$84,260	\$82,101
All Other	(\$84,260)	(\$82,101)
GENERAL FUND TOTAL	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: Transfers the cost of one Office Associate II position from 100% Federal Expenditures Fund to 100% General Fund within the PK-20, Adult Education and Federal Programs Team program and increases the number of hours of the position from 58 hours to 80 hours biweekly. This initiative also transfers All Other in the General Purpose Aid for Local Schools program to Personal Services in the PK-20, Adult Education and Federal Programs Team program to fund the position.

GENERAL FUND	2015-16	2016-17
All Other	(\$59,549)	(\$61,000)
GENERAL FUND TOTAL	(\$59,549)	(\$61,000)

General Purpose Aid for Local Schools 0308

Initiative: Reorganizes one Education Specialist II position to a Public Service Manager I position and transfers the position from the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund to the General Purpose Aid for Local Schools program, General Fund. Also transfers All Other to Personal Services in the General Purpose Aid for Local Schools program, General Fund to fund the continuation of the position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$95,777	\$97,100
All Other	(\$95,777)	(\$97,100)
GENERAL FUND TOTAL	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: Provides funding for the state share of the normal cost component of teacher retirement costs.

GENERAL FUND	2015-16	2016-17
All Other	\$3,509,583	\$4,120,411
GENERAL FUND TOTAL	\$3,509,583	\$4,120,411

General Purpose Aid for Local Schools 0308

Initiative: Transfers one Senior Planner position from the PK-20, Adult Education and Federal Programs Team program, Federal Block Grant Fund to the Leadership Team program, General Fund. This position will be funded with a transfer from the All Other line category in the General Purpose Aid for Local Schools program, General Fund to the Personal Services line category in the Leadership Team program, General Fund. This initiative also transfers one Edu-

cation Specialist III position from the Federal Expenditures Fund to the Federal Block Grant Fund in the PK-20, Adult Education and Federal Programs Team program.

GENERAL FUND	2015-16	2016-17
All Other	(\$79,819)	(\$81,324)
GENERAL FUND TOTAL	(\$79,819)	(\$81,324)

General Purpose Aid for Local Schools 0308

Initiative: Reorganizes one Chief Academic Officer position to a Public Service Executive II position in the PK-20, Adult Education and Federal Programs Team program, General Fund, one Director of Special Service Team position to a Public Service Executive II position in the Special Services Team program, Federal Expenditures Fund and one Public Service Coordinator II position to a Public Service Manager II position in the Leadership Team program, General Fund. Eliminates one Public Service Executive II position in the Leadership Team program. Reorganizes one Public Service Executive II position to a Regional Education Representative position and transfers the position from the Leadership Team program to PK-20, Adult Education and Federal Programs Team program within the same fund. This initiative also provides funding for the range change of one Public Service Executive II position in the General Purpose Aid for Local Schools program, General Fund.

GENERAL FUND	2015-16	2016-17
Personal Services	\$5,068	\$5,120
GENERAL FUND TOTAL	\$5,068	\$5,120

General Purpose Aid for Local Schools 0308

Initiative: Reorganizes one Office Associate II position to a Public Service Coordinator I position and increases the hours from 33 hours per week to 40 hours per week and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2015-16	2016-17
Personal Services	\$61,808	\$59,040
All Other	(\$61,808)	(\$59,040)
GENERAL FUND TOTAL	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: Provides funds for 3 community schools to be part of a 5-year pilot project beginning in the 2016-2017 school year.

GENERAL FUND	2015-16	2016-17

All Other	\$0	\$150,000
GENERAL FUND TOTAL	\$0	\$150,000

GENERAL PURPOSE AID FOR LOCAL SCHOOLS 0308

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,964,663	\$1,946,763
All Other	\$965,494,629	\$967,688,987
GENERAL FUND TOTAL	\$967,459,292	\$969,635,750

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$16,187,903	\$16,349,782
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,187,903	\$16,349,782

Leadership Team Z077

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,285,123	\$1,256,273
All Other	\$377,444	\$377,444
GENERAL FUND TOTAL	\$1,662,567	\$1,633,717

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$95,338	\$93,016
All Other	\$5,480,535	\$5,480,535
FEDERAL EXPENDITURES FUND TOTAL	\$5,575,873	\$5,573,551

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$194,101	\$189,601
All Other	\$5,777,964	\$5,777,964

OTHER SPECIAL	\$5,972,065	\$5,967,565
REVENUE FUNDS TOTAL		

Leadership Team Z077

Initiative: Reallocates the cost of one Public Service Manager II position from 30% in the General Purpose Aid for Local Schools program, General Fund and 70% in the Leadership Team program, Other Special Revenue Funds to 100% in the General Purpose Aid for Local Schools program, General Fund and transfers funding from the All Other category to the Personal Services line category to fund the reallocation.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
Personal Services	(\$84,260)	(\$82,101)
All Other	\$84,260	\$82,101

OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

Leadership Team Z077

Initiative: Provides funding for programs and training costs.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$150,000	\$150,000

OTHER SPECIAL	\$150,000	\$150,000
REVENUE FUNDS TOTAL		

Leadership Team Z077

Initiative: Transfers one Senior Planner position from the PK-20, Adult Education and Federal Programs Team program, Federal Block Grant Fund to the Leadership Team program, General Fund. This position will be funded with a transfer from the All Other line category in the General Purpose Aid for Local Schools program, General Fund to the Personal Services line category in the Leadership Team program, General Fund. This initiative also transfers one Education Specialist III position from the Federal Expenditures Fund to the Federal Block Grant Fund in the PK-20, Adult Education and Federal Programs Team program.

GENERAL FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$79,819	\$81,324
GENERAL FUND TOTAL	\$79,819	\$81,324

Leadership Team Z077

Initiative: Reorganizes one Chief Academic Officer position to a Public Service Executive II position in the PK-20, Adult Education and Federal Programs Team program, General Fund, one Director of Special Service Team position to a Public Service Executive II position in the Special Services Team program, Federal Expenditures Fund and one Public Service Coordinator II position to a Public Service Manager II position in the Leadership Team program, General Fund. Eliminates one Public Service Executive II position in the Leadership Team program. Reorganizes one Public Service Executive II position to a Regional Education Representative position and transfers the position from the Leadership Team program to PK-20, Adult Education and Federal Programs Team program within the same fund. This initiative also provides funding for the range change of one Public Service Executive II position in the General Purpose Aid for Local Schools program, General Fund.

GENERAL FUND	2015-16	2016-17
POSITIONS -	(2.000)	(2.000)
LEGISLATIVE COUNT		
Personal Services	(\$275,059)	(\$269,117)
GENERAL FUND TOTAL	(\$275,059)	(\$269,117)

Leadership Team Z077

Initiative: Provides funding to increase the hours of one Education Specialist II position from 64 to 80 hours biweekly in the PK-20, Adult Education and Federal Programs Team program. Also transfers and reallocates the cost of one Education Specialist II position from 80% Federal Expenditures Fund and 20% General Fund in the Special Services Team to 50% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund and 50% in the Leadership Team program, Other Special Revenue Funds.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
Personal Services	\$38,445	\$39,233
All Other	\$5,811	\$5,648
OTHER SPECIAL	\$44,256	\$44,881
REVENUE FUNDS TOTAL		

LEADERSHIP TEAM Z077**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS -	11.000	11.000
LEGISLATIVE COUNT		

Personal Services	\$1,089,883	\$1,068,480	All Other	\$12,141,815	\$12,141,815
All Other	\$377,444	\$377,444			
GENERAL FUND TOTAL	\$1,467,327	\$1,445,924	OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,141,815	\$12,141,815

FEDERAL EXPENDITURES FUND

	2015-16	2016-17
Personal Services	\$95,338	\$93,016
All Other	\$5,480,535	\$5,480,535
FEDERAL EXPENDITURES FUND TOTAL	\$5,575,873	\$5,573,551

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$148,286	\$146,733
All Other	\$6,018,035	\$6,015,713
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,166,321	\$6,162,446

Learning Through Technology Z029

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$6,141,815	\$6,141,815
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,141,815	\$6,141,815

Learning Through Technology Z029

Initiative: Provides funding for the Maine Learning Technology Initiative program to provide laptops for schools that lease them.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$6,000,000	\$6,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,000,000	\$6,000,000

LEARNING THROUGH TECHNOLOGY Z029**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

Maine Community Services Z134

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$384,404	\$386,267
All Other	\$1,631,264	\$1,631,264
FEDERAL EXPENDITURES FUND TOTAL	\$2,015,668	\$2,017,531

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
All Other	\$167,535	\$167,535
OTHER SPECIAL REVENUE FUNDS TOTAL	\$167,535	\$167,535

Maine Community Services Z134

Initiative: Provides funding to support service learning and assessment of civic health.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$65,000	\$65,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,000	\$65,000

Maine Community Services Z134

Initiative: Provides funding for grants to be distributed through the AmeriCorps grant award.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$727,075	\$727,075
FEDERAL EXPENDITURES FUND TOTAL	\$727,075	\$727,075

Maine Community Services Z134

Initiative: Reallocates the cost of one Senior Planner position and one Planning and Research Associate I position from 100% Federal Expenditures Fund to

75% Federal Expenditures Fund and 25% Other Special Revenue Funds within the same program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$37,792)	(\$38,253)
FEDERAL EXPENDITURES FUND TOTAL	(\$37,792)	(\$38,253)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$37,792	\$38,253
All Other	(\$37,792)	(\$38,253)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

MAINE COMMUNITY SERVICES Z134 PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$346,612	\$348,014
All Other	\$2,358,339	\$2,358,339
FEDERAL EXPENDITURES FUND TOTAL	\$2,704,951	\$2,706,353
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$37,792	\$38,253
All Other	\$194,743	\$194,282
OTHER SPECIAL REVENUE FUNDS TOTAL	\$232,535	\$232,535

Maine HIV Prevention Education Program Z182

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000

MAINE HIV PREVENTION EDUCATION PROGRAM Z182 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000

National Board Certification Salary Supplement Fund Z147

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$335,000	\$335,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$335,000	\$335,000

NATIONAL BOARD CERTIFICATION SALARY SUPPLEMENT FUND Z147

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$335,000	\$335,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$335,000	\$335,000

National Board Certification Scholarship Fund Z148

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$75,000	\$75,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

NATIONAL BOARD CERTIFICATION SCHOLARSHIP FUND Z148

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$75,000	\$75,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

Obesity and Chronic Disease Fund Z111

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**OBESITY AND CHRONIC DISEASE FUND Z111
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**PK-20, Adult Education and Federal Programs
Team Z081**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	16.500	16.500
Personal Services	\$1,701,052	\$1,670,213
All Other	\$3,118,940	\$3,118,940
GENERAL FUND TOTAL	\$4,819,992	\$4,789,153

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	24.000	24.000
POSITIONS - FTE COUNT	0.576	0.576
Personal Services	\$2,002,815	\$1,986,175
All Other	\$89,464,800	\$89,464,800
FEDERAL EXPENDITURES FUND TOTAL	\$91,467,615	\$91,450,975

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$49,714	\$50,261
All Other	\$71,897	\$71,897
OTHER SPECIAL REVENUE FUNDS TOTAL	\$121,611	\$122,158

**PK-20, Adult Education and Federal Programs
Team Z081**

Initiative: Reorganizes one Development Project Officer position to an Education Specialist III position, increases the hours from 40 hours to 80 hours bi-weekly and reallocates 50% of the cost of the position from the Special Services Team program to the PK-20, Adult Education and Federal Programs Team program and adjusts All Other costs to fund position changes.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$85,446	\$83,304
All Other	(\$52,501)	(\$51,534)
FEDERAL EXPENDITURES FUND TOTAL	\$32,945	\$31,770

**PK-20, Adult Education and Federal Programs
Team Z081**

Initiative: Increases the number of weeks for one seasonal Migrant Education Field Recruiter position from 15 to 30 and eliminates one 15-week seasonal Migrant Education Field Recruiter position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	0.001	0.001
Personal Services	\$41	\$42
FEDERAL EXPENDITURES FUND TOTAL	\$41	\$42

**PK-20, Adult Education and Federal Programs
Team Z081**

Initiative: Transfers the cost of one Office Associate II position from 100% Federal Expenditures Fund to 100% General Fund within the PK-20, Adult Education and Federal Programs Team program and increases the number of hours of the position from 58 hours to 80 hours biweekly. This initiative also transfers All Other in the General Purpose Aid for Local Schools program to Personal Services in the PK-20, Adult Education and Federal Programs Team program to fund the position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$59,549	\$61,000

GENERAL FUND TOTAL	\$59,549	\$61,000
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$43,853)	(\$44,375)
FEDERAL EXPENDITURES FUND TOTAL	(\$43,853)	(\$44,375)

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reorganizes one Clerk IV position to an Office Associate II position and reallocates the cost of the position from 50% General Fund and 50% Federal Expenditures Fund to 100% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$37,310)	(\$36,720)
GENERAL FUND TOTAL	(\$37,310)	(\$36,720)
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$30,973	\$30,574
All Other	(\$30,973)	(\$30,574)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reorganizes one vacant part-time Education Specialist I position to a part-time Office Associate II position.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$7,274)	(\$7,331)
GENERAL FUND TOTAL	(\$7,274)	(\$7,331)

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Provides funding to increase the hours of one Education Specialist II position from 64 to 80 hours biweekly in the PK-20, Adult Education and Federal Programs Team program. Reduces funding by decreasing the hours of one Education Specialist II

position from 80 to 64 hours biweekly and reallocates the costs from 80% Federal Expenditures Fund and 20% General Fund to 100% Federal Expenditures Fund in the Special Services Team program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$16,358	\$17,302
GENERAL FUND TOTAL	\$16,358	\$17,302

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Transfers one Education Specialist III position from the School Finance and Operations program to the PK-20, Adult Education and Federal Programs Team program and adjusts funding for All Other expenditures between the School Finance and Operations program and the PK-20, Adult Education and Federal Programs Team program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$82,018	\$83,401
All Other	\$2,207,156	\$2,207,156
FEDERAL EXPENDITURES FUND TOTAL	\$2,289,174	\$2,290,557

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reorganizes one Education Specialist II position to a Public Service Manager I position and transfers the position from the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund to the General Purpose Aid for Local Schools program, General Fund. Also transfers All Other to Personal Services in the General Purpose Aid for Local Schools program, General Fund to fund the continuation of the position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$76,894)	(\$78,470)
FEDERAL EXPENDITURES FUND TOTAL	(\$76,894)	(\$78,470)

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Transfers positions and All Other costs from the Special Services Team program to the PK-20, Adult Education and Federal Programs Team program within the Federal Expenditures Fund and the Federal Block Grant Fund.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$299,183	\$300,196
All Other	\$306,452	\$306,452
FEDERAL EXPENDITURES FUND TOTAL	\$605,635	\$606,648

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$184,318	\$183,870
All Other	\$57,083	\$57,083
FEDERAL BLOCK GRANT FUND TOTAL	\$241,401	\$240,953

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Transfers one Education Specialist III position from the Federal Expenditures Fund to the General Fund within the same program and reorganizes the position to a Public Service Manager II position. Provides funding for related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$99,077	\$101,242
All Other	\$4,410	\$3,960

GENERAL FUND TOTAL \$103,487 \$105,202

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$82,018)	(\$83,401)
FEDERAL EXPENDITURES FUND TOTAL	(\$82,018)	(\$83,401)

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Establishes one Regional Education Representative position for math and provides funding for related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$100,649	\$102,679
All Other	\$4,410	\$3,960
GENERAL FUND TOTAL	\$105,059	\$106,639

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Provides funding for the federal After School Learning Center Formula Award grant.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$500,000	\$500,000

FEDERAL EXPENDITURES FUND TOTAL \$500,000 \$500,000

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reallocates the cost of one Education Specialist III position from 85% Federal Expenditures Fund and 15% General Fund to 100% Federal Expenditures Fund within the same program and transfers All Other to Personal Services to fund the reallocation.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$15,633)	(\$15,381)
GENERAL FUND TOTAL	(\$15,633)	(\$15,381)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$15,633	\$15,381
All Other	(\$15,633)	(\$15,381)

FEDERAL EXPENDITURES FUND TOTAL \$0 \$0

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reallocates the cost of one Public Service Manager II position from 100% Federal Expenditures Fund to 60% Federal Expenditures Fund and 40%

General Fund within the PK-20, Adult Education and Federal Programs Team program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$49,557	\$48,386
GENERAL FUND TOTAL	\$49,557	\$48,386
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$49,557)	(\$48,386)
All Other	\$49,557	\$48,386
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reallocates the cost of one Public Service Manager II position between various accounts in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund and adjusts All Other costs.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	(\$4,954)	(\$5,062)
FEDERAL EXPENDITURES FUND TOTAL	(\$4,954)	(\$5,062)

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Transfers one Senior Planner position from the PK-20, Adult Education and Federal Programs Team program, Federal Block Grant Fund to the Leadership Team program, General Fund. This position will be funded with a transfer from the All Other line category in the General Purpose Aid for Local Schools program, General Fund to the Personal Services line category in the Leadership Team program, General Fund. This initiative also transfers 90% of the costs of one Education Specialist III position from the Federal Expenditures Fund to the Federal Block Grant Fund in the PK-20, Adult Education and Federal Programs Team program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)

Personal Services	(\$92,002)	(\$90,161)
All Other	(\$6,595)	(\$6,464)

FEDERAL EXPENDITURES FUND TOTAL	(\$98,597)	(\$96,625)

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
Personal Services	\$12,183	\$8,837
All Other	(\$12,183)	(\$8,837)

FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$0

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reduces funding for the refugee children's impact grant program. Grant funding is no longer available.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$140,917)	(\$140,917)
FEDERAL EXPENDITURES FUND TOTAL	(\$140,917)	(\$140,917)

PK-20, Adult Education and Federal Programs Team Z081

Initiative: Reorganizes one Chief Academic Officer position to a Public Service Executive II position in the PK-20, Adult Education and Federal Programs Team program, General Fund, one Director of Special Service Team position to a Public Service Executive II position in the Special Services Team program, Federal Expenditures Fund and one Public Service Coordinator II position to a Public Service Manager II position in the Leadership Team program, General Fund. Eliminates one Public Service Executive II position in the Leadership Team program. Reorganizes one Public Service Executive II position to a Regional Education Representative position and transfers the position from the Leadership Team program to PK-20, Adult Education and Federal Programs Team program within the same fund. This initiative also provides funding for the range change of one Public Service Executive II position in the General Purpose Aid for Local Schools program, General Fund.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$118,848	\$116,460

GENERAL FUND TOTAL	\$118,848	\$116,460

**PK-20, Adult Education and Federal Programs
Team Z081**

Initiative: Eliminates one part-time Education Specialist I position, one Cook II position and one Office Associate II position from various programs within the Department of Education.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.500)	(1.500)
Personal Services	(\$37,698)	(\$38,114)
FEDERAL EXPENDITURES FUND TOTAL	(\$37,698)	(\$38,114)

**PK-20, Adult Education and Federal Programs
Team Z081**

Initiative: Provides funding to increase the hours of one Education Specialist II position from 64 to 80 hours biweekly in the PK-20, Adult Education and Federal Programs Team program. Also transfers and reallocates the cost of one Education Specialist II position from 80% Federal Expenditures Fund and 20% General Fund in the Special Services Team to 50% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund and 50% in the Leadership Team program, Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$38,449	\$39,237
All Other	\$5,811	\$5,648
FEDERAL EXPENDITURES FUND TOTAL	\$44,260	\$44,885

**PK-20, Adult Education and Federal Programs
Team Z081**

Initiative: Continues one Education Specialist II position, established by Financial Order 002791F5, through December 31, 2018 and provides funding for school administrative units that will be subrecipients of the preschool development grant received by the department.

FEDERAL EXPENDITURES FUND	2015-16	2016-17

Personal Services	\$97,876	\$96,160
All Other	\$3,672,095	\$3,825,789

FEDERAL EXPENDITURES FUND TOTAL	\$3,769,971	\$3,921,949

PK-20, ADULT EDUCATION AND FEDERAL PROGRAMS TEAM Z081

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	20.500	20.500
Personal Services	\$2,084,873	\$2,057,850
All Other	\$3,127,760	\$3,126,860

GENERAL FUND TOTAL	\$5,212,633	\$5,184,710

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$2,270,412	\$2,251,563
All Other	\$95,954,298	\$96,108,299
FEDERAL EXPENDITURES FUND TOTAL	\$98,224,710	\$98,359,862

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$49,714	\$50,261
All Other	\$71,897	\$71,897

OTHER SPECIAL REVENUE FUNDS TOTAL	\$121,611	\$122,158

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$196,501	\$192,707
All Other	\$44,900	\$48,246

FEDERAL BLOCK GRANT FUND TOTAL	\$241,401	\$240,953

Retired Teachers Group Life Insurance Z033

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$3,660,000	\$3,660,000
GENERAL FUND TOTAL	\$3,660,000	\$3,660,000

Retired Teachers Group Life Insurance Z033

Initiative: Reduces funding for group life insurance for retired teachers.

GENERAL FUND	2015-16	2016-17
All Other	(\$499,683)	(\$389,072)
GENERAL FUND TOTAL	(\$499,683)	(\$389,072)

**RETIRED TEACHERS GROUP LIFE INSURANCE Z033
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$3,160,317	\$3,270,928
GENERAL FUND TOTAL	\$3,160,317	\$3,270,928

Retired Teachers' Health Insurance 0854

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$31,000,000	\$31,000,000
GENERAL FUND TOTAL	\$31,000,000	\$31,000,000

Retired Teachers' Health Insurance 0854

Initiative: Provides funding for increased retired teachers' health insurance costs.

GENERAL FUND	2015-16	2016-17
All Other	\$1,200,000	\$6,300,000
GENERAL FUND TOTAL	\$1,200,000	\$6,300,000

RETIRED TEACHERS' HEALTH INSURANCE 0854**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$32,200,000	\$37,300,000
GENERAL FUND TOTAL	\$32,200,000	\$37,300,000

School Finance and Operations Z078

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$861,870	\$863,407
All Other	\$1,730,663	\$1,730,663
GENERAL FUND TOTAL	\$2,592,533	\$2,594,070

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$665,911	\$660,663
All Other	\$51,554,172	\$51,554,172
FEDERAL EXPENDITURES FUND TOTAL	\$52,220,083	\$52,214,835

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$278,264	\$274,778
All Other	\$409,671	\$409,671
OTHER SPECIAL REVENUE FUNDS TOTAL	\$687,935	\$684,449

School Finance and Operations Z078

Initiative: Transfers one Education Specialist III position from the School Finance and Operations program to the PK-20, Adult Education and Federal Programs Team program and adjusts funding for All Other expenditures between the School Finance and Operations program and the PK-20, Adult Education and Federal Programs Team program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$82,018)	(\$83,401)
All Other	(\$2,207,156)	(\$2,207,156)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,289,174)	(\$2,290,557)

School Finance and Operations Z078

Initiative: Continues one Education Specialist I position established by Financial Order 002666 F5 and transfers All Other to Personal Services to fund the position.

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$74,089	\$75,671
All Other	(\$74,089)	(\$75,671)
FEDERAL EXPENDITURES	\$0	\$0
FUND TOTAL		

School Finance and Operations Z078

Initiative: Establishes 2 Public Service Coordinator II positions. Reorganizes one Financial Coordinator - Program Administrator position to a Public Service Manager II position and one Public Service Manager II position to a Public Service Executive II position to provide a more comprehensive and integrated approach to planning and construction of public school buildings.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	2.000	2.000
LEGISLATIVE COUNT		
Personal Services	\$240,822	\$239,824
All Other	\$24,100	\$23,106
OTHER SPECIAL	\$264,922	\$262,930
REVENUE FUNDS TOTAL		

School Finance and Operations Z078

Initiative: Provides funding for ongoing licensing, maintenance and support costs for new computer applications for adult education and school nutrition.

GENERAL FUND	2015-16	2016-17
All Other	\$337,496	\$256,086
GENERAL FUND TOTAL	\$337,496	\$256,086

School Finance and Operations Z078

Initiative: Provides funding to cover merchant fees and InforME payment engine fees for certification activities.

GENERAL FUND	2015-16	2016-17
All Other	\$148,000	\$148,000

GENERAL FUND TOTAL	\$148,000	\$148,000

School Finance and Operations Z078

Initiative: Reorganizes one vacant Public Service Manager II position to a Public Service Executive II position to oversee the certification unit.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$6,140)	(\$801)
GENERAL FUND TOTAL	(\$6,140)	(\$801)

School Finance and Operations Z078

Initiative: Provides funds for one Planning and Research Associate II position to increase communication and cooperation between the Department of Education and the Department of Health and Human Services, to provide staffing services to the Commission to End Student Hunger, to monitor child hunger and nutrition programs in both departments and to provide information to local school administrative units on existing child hunger and nutrition programs and available funding.

GENERAL FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$73,104	\$75,491
All Other	\$7,151	\$5,351
GENERAL FUND TOTAL	\$80,255	\$80,842

School Finance and Operations Z078

Initiative: Provides base allocations for any federal grant funds that might be received to increase contribution to local school administrative units that purchase produce or minimally processed foods directly from a farmer, farmers' cooperative or local food hub in the State and for the implementation of the local foods training program.

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
All Other	\$500	\$500

FEDERAL EXPENDITURES	\$500	\$500
FUND TOTAL		

School Finance and Operations Z078

Initiative: Provides funds for annual competitive skill-oriented school food services recognition events that emphasize creative and effective use of local foods.

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

GENERAL FUND	2015-16	2016-17	Personal Services	\$2,231,968	\$2,207,432
All Other	\$7,850	\$7,850	All Other	\$60,248,974	\$60,248,974
GENERAL FUND TOTAL	\$7,850	\$7,850	FEDERAL EXPENDITURES FUND TOTAL	\$62,480,942	\$62,456,406

SCHOOL FINANCE AND OPERATIONS Z078

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$928,834	\$938,097
All Other	\$2,231,160	\$2,147,950
GENERAL FUND TOTAL	\$3,159,994	\$3,086,047

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$184,318	\$183,870
All Other	\$57,083	\$57,083
FEDERAL BLOCK GRANT FUND TOTAL	\$241,401	\$240,953

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$657,982	\$652,933
All Other	\$49,273,427	\$49,271,845
FEDERAL EXPENDITURES FUND TOTAL	\$49,931,409	\$49,924,778

Special Services Team Z080

Initiative: Reorganizes one Development Project Officer position to an Education Specialist III position, increases the hours from 40 hours to 80 hours bi-weekly and reallocates 50% of the cost of the position from the Special Services Team program to the PK-20, Adult Education and Federal Programs Team program and adjusts All Other costs to fund position changes.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$19,548)	(\$19,755)
All Other	\$19,548	\$19,755
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$519,086	\$514,602
All Other	\$433,771	\$432,777
OTHER SPECIAL REVENUE FUNDS TOTAL	\$952,857	\$947,379

Special Services Team Z080

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$45,151	\$46,192
All Other	\$164,943	\$164,943
GENERAL FUND TOTAL	\$210,094	\$211,135

Special Services Team Z080

Initiative: Provides funding to increase the hours of one Education Specialist II position from 64 to 80 hours biweekly in the PK-20, Adult Education and Federal Programs Team program. Also transfers and reallocates the cost of one Education Specialist II position from 80% Federal Expenditures Fund and 20% General Fund in the Special Services Team to 50% in the PK-20, Adult Education and Federal Programs Team program, Federal Expenditures Fund and 50% in the Leadership Team program, Other Special Revenue Funds.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$15,379)	(\$15,693)
GENERAL FUND TOTAL	(\$15,379)	(\$15,693)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	27.000	27.000

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$61,515)	(\$62,777)
FEDERAL EXPENDITURES FUND TOTAL	(\$61,515)	(\$62,777)

Special Services Team Z080

Initiative: Transfers positions and All Other costs from the Special Services Team program to the PK-20, Adult Education and Federal Programs Team program within the Federal Expenditures Fund and the Federal Block Grant Fund.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$299,183)	(\$300,196)
All Other	(\$306,452)	(\$306,452)
FEDERAL EXPENDITURES FUND TOTAL	(\$605,635)	(\$606,648)

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$184,318)	(\$183,870)
All Other	(\$57,083)	(\$57,083)
FEDERAL BLOCK GRANT FUND TOTAL	(\$241,401)	(\$240,953)

Special Services Team Z080

Initiative: Reorganizes one Chief Academic Officer position to a Public Service Executive II position in the PK-20, Adult Education and Federal Programs Team program, General Fund, one Director of Special Service Team position to a Public Service Executive II position in the Special Services Team program, Federal Expenditures Fund and one Public Service Coordinator II position to a Public Service Manager II position in the Leadership Team program, General Fund. Eliminates one Public Service Executive II position in the Leadership Team program. Reorganizes one Public Service Executive II position to a Regional Education Representative position and transfers the position from the Leadership Team program to PK-20, Adult Education and Federal Programs Team program within the same fund. This initiative also provides funding

for the range change of one Public Service Executive II position in the General Purpose Aid for Local Schools program, General Fund.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$3,471	\$3,360
FEDERAL EXPENDITURES FUND TOTAL	\$3,471	\$3,360

Special Services Team Z080

Initiative: Reorganizes 3 Education Specialist III positions to Public Service Manager II positions and one Education Specialist II position to an Education Specialist III position. Eliminates one Public Service Manager II position. Establishes one Education Specialist III position. Also transfers funding from All Other line category to Personal Services line category to fund the position changes.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$23,529	\$37,429
All Other	(\$23,529)	(\$37,429)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

**SPECIAL SERVICES TEAM Z080
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
Personal Services	\$29,772	\$30,499
All Other	\$164,943	\$164,943
GENERAL FUND TOTAL	\$194,715	\$195,442

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,878,722	\$1,865,493
All Other	\$59,938,541	\$59,924,848
FEDERAL EXPENDITURES FUND TOTAL	\$61,817,263	\$61,790,341

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000

Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL BLOCK GRANT	\$0	\$0
FUND TOTAL		

Teacher Retirement 0170

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$147,283,723	\$147,283,723
GENERAL FUND TOTAL	\$147,283,723	\$147,283,723

Teacher Retirement 0170

Initiative: Reduces funding for teacher retirement costs based upon actuarial estimates from the Maine Public Employees Retirement System.

GENERAL FUND	2015-16	2016-17
All Other	(\$34,805,886)	(\$30,869,162)
GENERAL FUND TOTAL	(\$34,805,886)	(\$30,869,162)

TEACHER RETIREMENT 0170**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$112,477,837	\$116,414,561
GENERAL FUND TOTAL	\$112,477,837	\$116,414,561

**EDUCATION,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2015-16	2016-17
GENERAL FUND	\$1,172,503,929	\$1,183,839,970
FEDERAL EXPENDITURES FUND	\$222,940,571	\$223,035,391
FUND FOR A HEALTHY MAINE	\$213,720	\$213,720
OTHER SPECIAL REVENUE FUNDS	\$37,489,072	\$37,616,917
FEDERAL BLOCK GRANT FUND	\$241,401	\$240,953
DEPARTMENT TOTAL - ALL FUNDS	\$1,433,388,693	\$1,444,946,951

Sec. A-22. Appropriations and allocations.
The following appropriations and allocations are made.

EDUCATION, STATE BOARD OF**State Board of Education 0614**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,939	\$89,877
All Other	\$73,694	\$73,694
GENERAL FUND TOTAL	\$164,633	\$163,571

STATE BOARD OF EDUCATION 0614**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,939	\$89,877
All Other	\$73,694	\$73,694
GENERAL FUND TOTAL	\$164,633	\$163,571

Sec. A-23. Appropriations and allocations.
The following appropriations and allocations are made.

EFFICIENCY MAINE TRUST**Efficiency Maine Trust Z100**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$179,751	\$181,381
All Other	\$14,404,090	\$14,404,090
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,583,841	\$14,585,471

Efficiency Maine Trust Z100

Initiative: Reduces funding for electricity assessments pursuant to Public Law 2013, chapter 369, Part A, section 19. This law provides for these assessments to flow directly from the utilities to the Efficiency Maine Trust.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$13,883,916)	(\$13,883,916)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$13,883,916)	(\$13,883,916)

Efficiency Maine Trust Z100

Initiative: Provides funding for the increase in projected gas assessment revenues.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$795,075	\$1,017,695
OTHER SPECIAL REVENUE FUNDS TOTAL	\$795,075	\$1,017,695

EFFICIENCY MAINE TRUST Z100**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$179,751	\$181,381
All Other	\$1,315,249	\$1,537,869
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,495,000	\$1,719,250

**EFFICIENCY MAINE
TRUST**

DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$1,495,000	\$1,719,250
DEPARTMENT TOTAL - ALL FUNDS	\$1,495,000	\$1,719,250

Sec. A-24. Appropriations and allocations.
The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF****Administration - Environmental Protection 0251**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$409,540	\$407,102
All Other	\$438,068	\$438,068
GENERAL FUND TOTAL	\$847,608	\$845,170

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	29.000	29.000
Personal Services	\$2,519,108	\$2,503,561
All Other	\$3,801,716	\$3,801,716
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,320,824	\$6,305,277

Administration - Environmental Protection 0251

Initiative: Transfers one Environmental Specialist III position and one Office Associate II Supervisor position and related All Other from the Administration - Environmental Protection program, Other Special Revenue Funds to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$147,826)	(\$144,859)
All Other	(\$4,807)	(\$4,710)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$152,633)	(\$149,569)

Administration - Environmental Protection 0251

Initiative: Eliminates one Clerk IV position and one Office Associate I position and reduces funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$122,649)	(\$125,332)
All Other	(\$3,989)	(\$4,076)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$126,638)	(\$129,408)

Administration - Environmental Protection 0251

Initiative: Adjusts funding to meet the current rates published by the Department of Administrative and Financial Services, Office of Information Technology for increased storage costs.

GENERAL FUND	2015-16	2016-17
All Other	\$54,661	\$54,661

GENERAL FUND TOTAL	\$54,661	\$54,661

Administration - Environmental Protection 0251

Initiative: Adjusts funding to meet the current rates published by the Department of Administrative and Financial Services, Office of Information Technology for application development and maintenance.

GENERAL FUND	2015-16	2016-17
All Other	\$149,540	\$149,540

GENERAL FUND TOTAL	\$149,540	\$149,540

Administration - Environmental Protection 0251

Initiative: Eliminates vacant positions from various programs within the Department of Environmental Protection. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$57,060)	(\$58,467)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$57,060)	(\$58,467)

ADMINISTRATION - ENVIRONMENTAL PROTECTION 0251

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$409,540	\$407,102
All Other	\$642,269	\$642,269

GENERAL FUND TOTAL	\$1,051,809	\$1,049,371

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	24,000	24,000

Personal Services	\$2,191,573	\$2,174,903
All Other	\$3,792,920	\$3,792,930

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,984,493	\$5,967,833

Air Quality 0250

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	14,000	14,000
Personal Services	\$1,111,828	\$1,104,714
All Other	\$57,159	\$57,159

GENERAL FUND TOTAL	\$1,168,987	\$1,161,873

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$300,903	\$300,087
All Other	\$2,685,774	\$2,685,774

FEDERAL EXPENDITURES FUND TOTAL	\$2,986,677	\$2,985,861

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$450,000	\$450,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$450,000	\$450,000

Air Quality 0250

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation to monitor and maintain baseline data about ambient air quality.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$25,000	\$25,000

FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000

Air Quality 0250

Initiative: Eliminates vacant positions from various programs within the Department of Environmental

Protection. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$30,189)	(\$30,557)
GENERAL FUND TOTAL	(\$30,189)	(\$30,557)

AIR QUALITY 0250 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.500	13.500
Personal Services	\$1,081,639	\$1,074,157
All Other	\$57,159	\$57,159
GENERAL FUND TOTAL	\$1,138,798	\$1,131,316

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$300,903	\$300,087
All Other	\$2,685,774	\$2,685,774
Capital Expenditures	\$25,000	\$25,000

FEDERAL EXPENDITURES FUND TOTAL	\$3,011,677	\$3,010,861

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$450,000	\$450,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$450,000	\$450,000

Board of Environmental Protection Fund 0025

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$213,146	\$208,598
All Other	\$109,889	\$109,889

OTHER SPECIAL REVENUE FUNDS TOTAL	\$323,035	\$318,487

BOARD OF ENVIRONMENTAL PROTECTION FUND 0025

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$213,146	\$208,598
All Other	\$109,889	\$109,889

OTHER SPECIAL REVENUE FUNDS TOTAL	\$323,035	\$318,487

Land and Water Quality 0248

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	49.000	49.000
Personal Services	\$4,132,287	\$4,109,880
All Other	\$643,132	\$643,132

GENERAL FUND TOTAL	\$4,775,419	\$4,753,012

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$544,790	\$543,505
All Other	\$373,925	\$373,925

FEDERAL EXPENDITURES FUND TOTAL	\$918,715	\$917,430

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,271,338	\$1,252,720
All Other	\$2,388,390	\$2,388,390

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,659,728	\$3,641,110

Land and Water Quality 0248

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

Initiative: Eliminates positions from various programs within the Department of Environmental Protection.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$69,348)	(\$68,488)
GENERAL FUND TOTAL	(\$69,348)	(\$68,488)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$138,160)	(\$140,404)
FEDERAL EXPENDITURES FUND TOTAL	(\$138,160)	(\$140,404)

Land and Water Quality 0248

Initiative: Transfers 28 positions and associated All Other from the Land and Water Quality program to the Land Resources program. Position detail is on file in the Bureau of Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(25.000)	(25.000)
Personal Services	(\$1,888,876)	(\$1,891,289)
All Other	(\$100,000)	(\$100,000)
GENERAL FUND TOTAL	(\$1,988,876)	(\$1,991,289)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$215,231)	(\$216,121)
All Other	(\$17,240)	(\$17,240)
FEDERAL EXPENDITURES FUND TOTAL	(\$232,471)	(\$233,361)

**LAND AND WATER QUALITY 0248
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,174,063	\$2,150,103
All Other	\$543,132	\$543,132

GENERAL FUND TOTAL	\$2,717,195	\$2,693,235

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$191,399	\$186,980
All Other	\$356,685	\$356,685

FEDERAL EXPENDITURES FUND TOTAL	\$548,084	\$543,665

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,271,338	\$1,252,720
All Other	\$2,388,390	\$2,388,390

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,659,728	\$3,641,110

Land Resources Z188

Initiative: Transfers 28 positions and associated All Other from the Land and Water Quality program to the Land Resources program. Position detail is on file in the Bureau of Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
Personal Services	\$1,888,876	\$1,891,289
All Other	\$100,000	\$100,000

GENERAL FUND TOTAL	\$1,988,876	\$1,991,289

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$215,231	\$216,121
All Other	\$17,240	\$17,240

FEDERAL EXPENDITURES FUND TOTAL	\$232,471	\$233,361

**LAND RESOURCES Z188
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
Personal Services	\$1,888,876	\$1,891,289
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$1,988,876	\$1,991,289
 FEDERAL EXPENDITURES FUND	 2015-16	 2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$215,231	\$216,121
All Other	\$17,240	\$17,240
FEDERAL EXPENDITURES FUND TOTAL	\$232,471	\$233,361

Maine Environmental Protection Fund 0421

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	63.500	63.500
POSITIONS - FTE COUNT	1.538	1.538
Personal Services	\$5,576,326	\$5,528,190
All Other	\$1,396,911	\$1,396,911
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,973,237	\$6,925,101

Maine Environmental Protection Fund 0421

Initiative: Transfers one Environmental Specialist III position and one Office Associate II Supervisor position and related All Other from the Administration - Environmental Protection program, Other Special Revenue Funds to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$147,826	\$144,859
All Other	\$4,807	\$4,710
OTHER SPECIAL REVENUE FUNDS TOTAL	\$152,633	\$149,569

Maine Environmental Protection Fund 0421

Initiative: Transfers one Environmental Specialist II position and related All Other from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Performance Partnership Grant program, Federal Expenditures Fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$69,464)	(\$70,461)
All Other	(\$2,259)	(\$2,291)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$71,723)	(\$72,752)

Maine Environmental Protection Fund 0421

Initiative: Provides funding in the in lieu fee compensation program in accordance with Maine Revised Statutes, Title 38, section 480-Z.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$3,000,000	\$3,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000,000	\$3,000,000

Maine Environmental Protection Fund 0421

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation to monitor and maintain baseline data about ambient air quality.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$103,000	\$101,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$103,000	\$101,000

Maine Environmental Protection Fund 0421

Initiative: Eliminates 2 full-time seasonal Conservation Aide positions and one part-time Environmental Specialist III position and reduces funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)

POSITIONS - FTE COUNT	(0.538)	(0.538)
Personal Services	(\$59,969)	(\$58,958)
All Other	(\$1,950)	(\$1,917)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$61,919)	(\$60,875)

Maine Environmental Protection Fund 0421

Initiative: Eliminates vacant positions from various programs within the Department of Environmental Protection. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
POSITIONS - FTE COUNT	(0.346)	(0.346)
Personal Services	(\$190,081)	(\$193,256)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$190,081)	(\$193,256)

Maine Environmental Protection Fund 0421

Initiative: Eliminates one Public Service Manager II position and establishes one Bureau Director, Land Resources position within the same program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$14,346)	(\$9,400)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$14,346)	(\$9,400)

**MAINE ENVIRONMENTAL PROTECTION
FUND 0421****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	62.000	62.000
POSITIONS - FTE COUNT	0.654	0.654
Personal Services	\$5,390,292	\$5,340,974
All Other	\$4,397,509	\$4,397,413
Capital Expenditures	\$103,000	\$101,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,890,801	\$9,839,387

Performance Partnership Grant 0851**Initiative: BASELINE BUDGET**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	68.500	68.500
POSITIONS - FTE COUNT	0.596	0.596
Personal Services	\$6,023,846	\$5,945,865
All Other	\$3,552,715	\$3,552,715
FEDERAL EXPENDITURES FUND TOTAL	\$9,576,561	\$9,498,580

Performance Partnership Grant 0851

Initiative: Transfers one Environmental Specialist II position and related All Other from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Performance Partnership Grant program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,464	\$70,461
All Other	\$2,259	\$2,291
FEDERAL EXPENDITURES FUND TOTAL	\$71,723	\$72,752

Performance Partnership Grant 0851

Initiative: Eliminates vacant positions from various programs within the Department of Environmental Protection. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$73,854)	(\$75,445)
FEDERAL EXPENDITURES FUND TOTAL	(\$73,854)	(\$75,445)

PERFORMANCE PARTNERSHIP GRANT 0851

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	68.500	68.500
POSITIONS - FTE COUNT	0.596	0.596
Personal Services	\$6,019,456	\$5,940,881
All Other	\$3,554,974	\$3,555,006

FEDERAL EXPENDITURES FUND TOTAL	\$9,574,430	\$9,495,887

Remediation and Waste Management 0247

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$302,676	\$306,888
All Other	\$58,194	\$58,194

GENERAL FUND TOTAL	\$360,870	\$365,082

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	24.000	24.000
Personal Services	\$2,177,791	\$2,158,072
All Other	\$2,379,887	\$2,379,887

FEDERAL EXPENDITURES FUND TOTAL	\$4,557,678	\$4,537,959

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	107.000	107.000
POSITIONS - FTE COUNT	0.924	0.924
Personal Services	\$10,695,824	\$10,553,716
All Other	\$18,067,362	\$18,067,362

OTHER SPECIAL REVENUE FUNDS TOTAL	\$28,763,186	\$28,621,078

Remediation and Waste Management 0247

Initiative: Transfers one Director Bureau of Remediation and Waste Management position from Other Spe-

cial Revenue Funds to General Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$136,930	\$133,259

GENERAL FUND TOTAL	\$136,930	\$133,259

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$136,930)	(\$133,259)
All Other	(\$4,453)	(\$4,333)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$141,383)	(\$137,592)

Remediation and Waste Management 0247

Initiative: Transfers one Oil and Hazardous Material Responder I position and one Oil and Hazardous Material Responder II position and related All Other from Other Special Revenue Funds to General Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$164,184	\$163,240
All Other	\$100,000	\$100,000

GENERAL FUND TOTAL	\$264,184	\$263,240

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$164,184)	(\$163,240)
All Other	(\$5,339)	(\$5,309)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$169,523)	(\$168,549)

Remediation and Waste Management 0247

Initiative: Provides funding for the Uncontrolled Sites Fund for the purpose of investigating and remediating uncontrolled sites throughout the State that pose immediate and substantial threats to public health and the environment.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,000,000	\$1,000,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,000,000	\$1,000,000

Remediation and Waste Management 0247

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation for investigating and cleaning up spilled hazardous materials and petroleum products.

GENERAL FUND	2015-16	2016-17
Capital Expenditures	\$0	\$30,000

GENERAL FUND TOTAL	\$0	\$30,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$271,500	\$188,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$271,500	\$188,000

Remediation and Waste Management 0247

Initiative: Eliminates one Environmental Specialist II position and reduces funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$45,489)	(\$45,751)
All Other	(\$1,480)	(\$1,488)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$46,969)	(\$47,239)

Remediation and Waste Management 0247

Initiative: Eliminates vacant positions from various programs within the Department of Environmental Protection. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$159,445)	(\$162,896)

FEDERAL EXPENDITURES FUND TOTAL	(\$159,445)	(\$162,896)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)

POSITIONS - FTE COUNT	(0.508)	(0.508)

Personal Services	(\$485,013)	(\$485,667)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$485,013)	(\$485,667)

**REMEDIATION AND WASTE MANAGEMENT
0247****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$603,790	\$603,387
All Other	\$158,194	\$158,194
Capital Expenditures	\$0	\$30,000

GENERAL FUND TOTAL	\$761,984	\$791,581

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$2,018,346	\$1,995,176
All Other	\$2,379,887	\$2,379,887

FEDERAL EXPENDITURES FUND TOTAL	\$4,398,233	\$4,375,063

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	98.000	98.000

POSITIONS - FTE COUNT	0.416	0.416

Personal Services	\$9,864,208	\$9,725,799

All Other	\$19,056,090	\$19,056,232

Capital Expenditures	\$271,500	\$188,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,191,798	\$28,970,031

**ENVIRONMENTAL
PROTECTION,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2015-16	2016-17
GENERAL FUND	\$7,658,662	\$7,656,792
FEDERAL EXPENDITURES FUND	\$17,764,895	\$17,658,837
OTHER SPECIAL REVENUE FUNDS	\$49,499,855	\$49,186,848
DEPARTMENT TOTAL - ALL FUNDS	\$74,923,412	\$74,502,477

Sec. A-25. Appropriations and allocations.

The following appropriations and allocations are made.

**ETHICS AND ELECTION PRACTICES,
COMMISSION ON GOVERNMENTAL
Governmental Ethics and Election Practices -
Commission on 0414**

Initiative: BASELINE BUDGET

	2015-16	2016-17
GENERAL FUND		
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$143,321	\$140,500
All Other	\$8,897	\$8,897

GENERAL FUND TOTAL	\$152,218	\$149,397

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$392,631	\$387,209
All Other	\$1,800,118	\$1,800,118

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,192,749	\$2,187,327

**Governmental Ethics and Election Practices -
Commission on 0414**

Initiative: Establishes one project Planning and Research Assistant position needed to administer the 2016 election. This position begins on January 1, 2016 and ends on December 31, 2016.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$32,597	\$32,261

All Other	\$678	\$671

OTHER SPECIAL REVENUE FUNDS TOTAL	\$33,275	\$32,932

**Governmental Ethics and Election Practices -
Commission on 0414**

Initiative: Increases funding to align allocations with the Revenue Forecasting Committee projections of November 2014.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$173,464	\$178,139

OTHER SPECIAL REVENUE FUNDS TOTAL	\$173,464	\$178,139

**Governmental Ethics and Election Practices -
Commission on 0414**

Initiative: Reorganizes one Public Service Manager I position to a Public Service Manager II position and funds the reorganization by reducing All Other.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$6,143	\$10,290
All Other	(\$6,143)	(\$10,290)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Governmental Ethics and Election Practices -
Commission on 0414**

Initiative: Reorganizes one Registration and Reporting Officer I position to a Staff Attorney position.

	2015-16	2016-17
GENERAL FUND		
Personal Services	\$3,266	\$4,023

GENERAL FUND TOTAL	\$3,266	\$4,023

**OTHER SPECIAL
REVENUE FUNDS**

Personal Services	\$9,797	\$12,068
All Other	(\$9,797)	(\$12,068)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**GOVERNMENTAL ETHICS AND ELECTION
PRACTICES - COMMISSION ON 0414**

PROGRAM SUMMARY

			FEDERAL EXPENDITURES FUND	2015-16	2016-17
GENERAL FUND	2015-16	2016-17	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	Personal Services	\$153,536	\$155,741
Personal Services	\$146,587	\$144,523	All Other	\$599,944	\$599,944
All Other	\$8,897	\$8,897			
GENERAL FUND TOTAL	\$155,484	\$153,420	FEDERAL EXPENDITURES FUND TOTAL	\$753,480	\$755,685
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	All Other	\$500	\$500
Personal Services	\$441,168	\$441,828			
All Other	\$1,958,320	\$1,956,570			
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,399,488	\$2,398,398	OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL			Administration - Executive - Governor's Office 0165		
DEPARTMENT TOTALS	2015-16	2016-17	Initiative: Reallocates the cost of one Governor's Special Assistant position from 87.5% General Fund and 12.5% Federal Expenditures Fund to 100% General Fund within the same program.		
GENERAL FUND	\$155,484	\$153,420	GENERAL FUND	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$2,399,488	\$2,398,398	Personal Services	\$14,993	\$15,132
			All Other	\$7,424	\$7,424
DEPARTMENT TOTAL - ALL FUNDS	\$2,554,972	\$2,551,818	GENERAL FUND TOTAL	\$22,417	\$22,556
			FEDERAL EXPENDITURES FUND	2015-16	2016-17
			Personal Services	(\$14,993)	(\$15,132)
			All Other	(\$7,424)	(\$7,424)
			FEDERAL EXPENDITURES FUND TOTAL	(\$22,417)	(\$22,556)
			Administration - Executive - Governor's Office 0165		
			Initiative: Reallocates the cost of one part-time Governor's Special Assistant position from 83.5% General Fund and 16.5% Federal Expenditures Fund to 100% General Fund within the same program.		
			GENERAL FUND	2015-16	2016-17
			Personal Services	\$6,909	\$6,972
			All Other	\$3,421	\$3,421
			GENERAL FUND TOTAL	\$10,330	\$10,393

Sec. A-26. Appropriations and allocations.
The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT**Administration - Executive - Governor's Office 0165**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	20.500	20.500
Personal Services	\$2,219,383	\$2,233,092
All Other	\$414,949	\$414,949
GENERAL FUND TOTAL	\$2,634,332	\$2,648,041

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$6,909)	(\$6,972)
All Other	(\$3,421)	(\$3,421)
FEDERAL EXPENDITURES FUND TOTAL	(\$10,330)	(\$10,393)

Administration - Executive - Governor's Office 0165

Initiative: Transfers one Governor's Special Assistant position from the Governor's Office of Communications program to the Administration - Executive - Governor's Office program within the same fund.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$123,448	\$122,472
GENERAL FUND TOTAL	\$123,448	\$122,472

Administration - Executive - Governor's Office 0165

Initiative: Eliminates funding for the Office of Health Policy and Finance - Grants, Federal Expenditures Fund in the Administration - Executive - Governor's Office program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$474,085)	(\$474,085)
FEDERAL EXPENDITURES FUND TOTAL	(\$474,085)	(\$474,085)

ADMINISTRATION - EXECUTIVE - GOVERNOR'S OFFICE 0165

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$2,364,733	\$2,377,668
All Other	\$425,794	\$425,794
GENERAL FUND TOTAL	\$2,790,527	\$2,803,462

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$131,634	\$133,637
All Other	\$115,014	\$115,014
FEDERAL EXPENDITURES FUND TOTAL	\$246,648	\$248,651

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Blaine House 0072

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	0.684	0.684
Personal Services	\$549,406	\$555,719
All Other	\$62,182	\$62,182
GENERAL FUND TOTAL	\$611,588	\$617,901

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,240	\$5,240
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,240	\$5,240

Blaine House 0072

Initiative: Provides funding for technology devices and services.

GENERAL FUND	2015-16	2016-17
All Other	\$7,323	\$7,323
GENERAL FUND TOTAL	\$7,323	\$7,323

BLAINE HOUSE 0072 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	0.684	0.684

FIRST REGULAR SESSION - 2015
PUBLIC LAW, C. 267

Personal Services	\$549,406	\$555,719
All Other	\$69,505	\$69,505
GENERAL FUND TOTAL	\$618,911	\$625,224

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,240	\$5,240
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,240	\$5,240

Governor's Energy Office Z122
Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$192,746	\$195,760
All Other	\$1,894,100	\$1,894,100
FEDERAL EXPENDITURES FUND TOTAL	\$2,086,846	\$2,089,860

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$120,558	\$121,521
All Other	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$220,558	\$221,521

GOVERNOR'S ENERGY OFFICE Z122
PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$192,746	\$195,760
All Other	\$1,894,100	\$1,894,100
FEDERAL EXPENDITURES FUND TOTAL	\$2,086,846	\$2,089,860
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$120,558	\$121,521
All Other	\$100,000	\$100,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$220,558	\$221,521

Governor's Office of Communications Z127
Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$123,448	\$122,472
GENERAL FUND TOTAL	\$123,448	\$122,472

Governor's Office of Communications Z127

Initiative: Transfers one Governor's Special Assistant position from the Governor's Office of Communications program to the Governor's Office, Administration - Executive - Governor's Office program within the same fund.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$123,448)	(\$122,472)
GENERAL FUND TOTAL	(\$123,448)	(\$122,472)

GOVERNOR'S OFFICE OF COMMUNICATIONS Z127
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

Office of Policy and Management Z135
Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$728,533	\$728,445
All Other	\$142,223	\$142,223

GENERAL FUND TOTAL	\$870,756	\$870,668	POSITIONS - LEGISLATIVE COUNT	8.000	8.000
			Personal Services	\$1,046,110	\$1,027,334
			All Other	\$670,437	\$670,437
OFFICE OF POLICY AND MANAGEMENT Z135					
PROGRAM SUMMARY			OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,716,547	\$1,697,771
GENERAL FUND	2015-16	2016-17			
POSITIONS - LEGISLATIVE COUNT	7.000	7.000	Public Advocate 0410		
Personal Services	\$728,533	\$728,445	Initiative: Continues one Public Service Coordinator I position previously established by Financial Order 002437 F5 to serve as a consumer advisor and pro- vides funding for related All Other.		
All Other	\$142,223	\$142,223			
GENERAL FUND TOTAL	\$870,756	\$870,668	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
			POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Ombudsman Program 0103			Personal Services	\$102,924	\$101,033
Initiative: BASELINE BUDGET			All Other	\$8,825	\$8,825
GENERAL FUND	2015-16	2016-17			
All Other	\$116,539	\$116,539	OTHER SPECIAL REVENUE FUNDS TOTAL	\$111,749	\$109,858
GENERAL FUND TOTAL	\$116,539	\$116,539			
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Public Advocate 0410		
All Other	\$57,150	\$57,150	Initiative: Provides funding for the increased cost of leased space.		
FEDERAL EXPENDITURES FUND TOTAL	\$57,150	\$57,150	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
			All Other	\$2,363	\$4,725
OMBUDSMAN PROGRAM 0103					
PROGRAM SUMMARY			OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,363	\$4,725
GENERAL FUND	2015-16	2016-17	Public Advocate 0410		
All Other	\$116,539	\$116,539	Initiative: Provides funding for a one-time purchase to replace a used printer.		
GENERAL FUND TOTAL	\$116,539	\$116,539	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
FEDERAL EXPENDITURES FUND	2015-16	2016-17	All Other	\$10,000	\$0
All Other	\$57,150	\$57,150			
FEDERAL EXPENDITURES FUND TOTAL	\$57,150	\$57,150	OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$0
Public Advocate 0410			PUBLIC ADVOCATE 0410		
Initiative: BASELINE BUDGET			PROGRAM SUMMARY		
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

POSITIONS -	9,000	9,000
LEGISLATIVE COUNT		
Personal Services	\$1,149,034	\$1,128,367
All Other	\$691,625	\$683,987
OTHER SPECIAL	\$1,840,659	\$1,812,354
REVENUE FUNDS TOTAL		
EXECUTIVE		
DEPARTMENT		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$4,396,733	\$4,415,893
FEDERAL	\$2,390,644	\$2,395,661
EXPENDITURES FUND		
OTHER SPECIAL	\$2,066,957	\$2,039,615
REVENUE FUNDS		
DEPARTMENT TOTAL -	\$8,854,334	\$8,851,169
ALL FUNDS		

Sec. A-27. Appropriations and allocations.
The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Educational Opportunity Tax Credit Marketing Fund Z174

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$22,000	\$22,000
GENERAL FUND TOTAL	\$22,000	\$22,000

EDUCATIONAL OPPORTUNITY TAX CREDIT MARKETING FUND Z174

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$22,000	\$22,000
GENERAL FUND TOTAL	\$22,000	\$22,000

FHM - Dental Education 0951

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$237,740	\$237,740

FUND FOR A HEALTHY MAINE TOTAL	\$237,740	\$237,740

FHM - DENTAL EDUCATION 0951

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$237,740	\$237,740

FUND FOR A HEALTHY MAINE TOTAL	\$237,740	\$237,740

FHM - Health Education Centers 0950

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$110,000	\$110,000

FUND FOR A HEALTHY MAINE TOTAL	\$110,000	\$110,000

FHM - HEALTH EDUCATION CENTERS 0950

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$110,000	\$110,000

FUND FOR A HEALTHY MAINE TOTAL	\$110,000	\$110,000

Student Financial Assistance Programs 0653

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$10,670,394	\$10,670,394

GENERAL FUND TOTAL	\$10,670,394	\$10,670,394

Student Financial Assistance Programs 0653

Initiative: Provides additional funding of \$5,000,000 for the Maine State Grant Program.

GENERAL FUND	2015-16	2016-17
All Other	\$5,000,000	\$5,000,000

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

**STUDENT FINANCIAL ASSISTANCE
PROGRAMS 0653****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$15,670,394	\$15,670,394
GENERAL FUND TOTAL	\$15,670,394	\$15,670,394

**Waste Motor Oil Disposal Site Remediation
Program Z060**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,000,000	\$5,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000,000	\$5,000,000

**WASTE MOTOR OIL DISPOSAL SITE
REMEDICATION PROGRAM Z060****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,000,000	\$5,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000,000	\$5,000,000

**FINANCE AUTHORITY
OF MAINE**

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$15,692,394	\$15,692,394
FUND FOR A HEALTHY MAINE	\$347,740	\$347,740
OTHER SPECIAL REVENUE FUNDS	\$5,000,000	\$5,000,000
DEPARTMENT TOTAL - ALL FUNDS	\$21,040,134	\$21,040,134

Sec. A-28. Appropriations and allocations.
The following appropriations and allocations are made.

**FIRE PROTECTION SERVICES COMMISSION,
MAINE****Maine Fire Protection Services Commission 0936**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$495	\$495
GENERAL FUND TOTAL	\$495	\$495

Maine Fire Protection Services Commission 0936

Initiative: Provides funding for increased operating costs of the Maine Fire Protection Services Commission.

GENERAL FUND	2015-16	2016-17
All Other	\$1,505	\$1,505
GENERAL FUND TOTAL	\$1,505	\$1,505

**MAINE FIRE PROTECTION SERVICES
COMMISSION 0936****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$2,000	\$2,000
GENERAL FUND TOTAL	\$2,000	\$2,000

**FIRE PROTECTION
SERVICES COMMISSION,
MAINE**

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$2,000	\$2,000
DEPARTMENT TOTAL - ALL FUNDS	\$2,000	\$2,000

Sec. A-29. Appropriations and allocations.
The following appropriations and allocations are made.

FOUNDATION FOR BLOOD RESEARCH**ScienceWorks for ME 0908**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$52,175	\$52,175
GENERAL FUND TOTAL	\$52,175	\$52,175

SCIENCEWORKS FOR ME 0908**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$52,175	\$52,175
GENERAL FUND TOTAL	\$52,175	\$52,175

Sec. A-30. Appropriations and allocations.
The following appropriations and allocations are made.

HARNESS RACING PROMOTIONAL BOARD

Harness Racing Promotional Board 0873

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$188,651	\$188,651
OTHER SPECIAL REVENUE FUNDS TOTAL	\$188,651	\$188,651

HARNESS RACING PROMOTIONAL BOARD 0873

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$188,651	\$188,651
OTHER SPECIAL REVENUE FUNDS TOTAL	\$188,651	\$188,651

Sec. A-31. Appropriations and allocations.
The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Brain Injury Z041

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$101,526	\$106,961
All Other	\$5,037	\$5,037
GENERAL FUND TOTAL	\$106,563	\$111,998

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$150,000	\$150,000

FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

Brain Injury Z041

Initiative: Transfers one Social Services Program Specialist I position and 2 Human Services Caseworker positions from the Developmental Services - Community program to the Brain Injury program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$186,954	\$191,630
All Other	\$14,935	\$14,935
GENERAL FUND TOTAL	\$201,889	\$206,565

Brain Injury Z041

Initiative: Transfers and reallocates one Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Brain Injury program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$46,442	\$54,422
All Other	\$4,978	\$4,978
GENERAL FUND TOTAL	\$51,420	\$59,400

Brain Injury Z041

Initiative: Establishes one Social Services Program Specialist II position and provides funding in All Other to support the position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$81,301	\$85,563
All Other	\$4,978	\$4,978
GENERAL FUND TOTAL	\$86,279	\$90,541

BRAIN INJURY Z041 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000

Personal Services	\$416,223	\$438,576
All Other	\$29,928	\$29,928

GENERAL FUND TOTAL	\$446,151	\$468,504

FEDERAL EXPENDITURES FUND

All Other	\$150,000	\$150,000

FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

Bridging Rental Assistance Program Z183

Initiative: Provides funding for the Bridging Rental Assistance Program related specifically to the subset of consent decree clients.

GENERAL FUND	2015-16	2016-17
All Other	\$1,233,947	\$1,233,947

GENERAL FUND TOTAL	\$1,233,947	\$1,233,947

Bridging Rental Assistance Program Z183

Initiative: Transfers funding for the Bridging Rental Assistance Program from the Mental Health Services - Community program to the Bridging Rental Assistance Program.

GENERAL FUND	2015-16	2016-17
All Other	\$5,372,414	\$5,372,414

GENERAL FUND TOTAL	\$5,372,414	\$5,372,414

BRIDGING RENTAL ASSISTANCE PROGRAM Z183

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$6,606,361	\$6,606,361

GENERAL FUND TOTAL	\$6,606,361	\$6,606,361

Consent Decree Z163

Initiative: Provides funding for unmet needs identified in the core services of the Consent Decree program.

GENERAL FUND	2015-16	2016-17
All Other	\$5,797,300	\$5,797,300

GENERAL FUND TOTAL	\$5,797,300	\$5,797,300

CONSENT DECREE Z163

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$5,797,300	\$5,797,300

GENERAL FUND TOTAL	\$5,797,300	\$5,797,300

Consumer-directed Services Z043

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$71,475	\$74,865

All Other	\$2,146,861	\$2,146,861

GENERAL FUND TOTAL	\$2,218,336	\$2,221,726

Consumer-directed Services Z043

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$1,481	\$1,481

GENERAL FUND TOTAL	\$1,481	\$1,481

CONSUMER-DIRECTED SERVICES Z043

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$71,475	\$74,865

All Other	\$2,148,342	\$2,148,342

GENERAL FUND TOTAL	\$2,219,817	\$2,223,207

Crisis Outreach Program Z136

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	45.000	45.000

Personal Services	\$1,712,914	\$1,758,700

All Other	\$119,200	\$119,200

GENERAL FUND TOTAL	\$1,832,114	\$1,877,900
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$1,556,646	\$1,598,240
All Other	\$110,844	\$110,844
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,667,490	\$1,709,084

Crisis Outreach Program Z136

Initiative: Transfers and reallocates one Human Services Caseworker Supervisor position from 100% General Fund in the Developmental Services - Community program to 52.4% General Fund and 47.6% Other Special Revenue Funds in the Crisis Outreach Program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$36,529	\$38,474
All Other	\$2,489	\$2,489
GENERAL FUND TOTAL	\$39,018	\$40,963
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$33,185	\$34,947
All Other	\$2,489	\$2,489
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,674	\$37,436

CRISIS OUTREACH PROGRAM Z136 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	46.000	46.000
Personal Services	\$1,749,443	\$1,797,174
All Other	\$121,689	\$121,689
GENERAL FUND TOTAL	\$1,871,132	\$1,918,863
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$1,589,831	\$1,633,187
All Other	\$113,333	\$113,333

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,703,164	\$1,746,520

Developmental Services - Community 0122

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	182.000	182.000
Personal Services	\$13,405,616	\$13,822,125
All Other	\$8,658,811	\$8,658,811

GENERAL FUND TOTAL	\$22,064,427	\$22,480,936

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$50,000	\$50,000

FEDERAL EXPENDITURES FUND TOTAL	\$50,000	\$50,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$400,747	\$400,747

OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,747	\$400,747

Developmental Services - Community 0122

Initiative: Transfers one Social Services Program Specialist I position and 2 Human Services Caseworker positions from the Developmental Services - Community program to the Brain Injury program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$186,954)	(\$191,630)
All Other	(\$14,935)	(\$14,935)

GENERAL FUND TOTAL	(\$201,889)	(\$206,565)

Developmental Services - Community 0122

Initiative: Transfers and reallocates 3 Office Assistant II positions and one Office Associate II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Developmental Services - Community program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$229,785	\$236,677
All Other	\$24,890	\$24,890
GENERAL FUND TOTAL	\$254,675	\$261,567

Developmental Services - Community 0122

Initiative: Transfers and reallocates one Human Services Caseworker Supervisor position from 100% General Fund in the Developmental Services - Community program to 52.4% General Fund and 47.6% Other Special Revenue Funds in the Crisis Outreach Program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$69,714)	(\$73,421)
All Other	(\$4,978)	(\$4,978)
GENERAL FUND TOTAL	(\$74,692)	(\$78,399)

Developmental Services - Community 0122

Initiative: Transfers one Human Services Caseworker position from 100% General Fund in the Developmental Services - Community program to 100% General Fund in the Office of Aging and Disability Services Adult Protective Services program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$79,753)	(\$81,006)
All Other	(\$4,978)	(\$4,978)
GENERAL FUND TOTAL	(\$84,731)	(\$85,984)

Developmental Services - Community 0122

Initiative: Transfers one Social Services Program Specialist I position from 100% General Fund in the Developmental Services - Community program to 100% General Fund in the Office of Aging and Disability Services Adult Protective Services program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$62,659)	(\$65,793)
All Other	(\$4,978)	(\$4,978)

GENERAL FUND TOTAL	(\$67,637)	(\$70,771)

Developmental Services - Community 0122

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$49,820	\$49,819
GENERAL FUND TOTAL	\$49,820	\$49,819

Developmental Services - Community 0122

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$139,466)	(\$146,722)
GENERAL FUND TOTAL	(\$139,466)	(\$146,722)

DEVELOPMENTAL SERVICES - COMMUNITY 0122**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	178.000	178.000
Personal Services	\$13,096,855	\$13,500,230
All Other	\$8,703,652	\$8,703,651
GENERAL FUND TOTAL	\$21,800,507	\$22,203,881

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$50,000	\$50,000
FEDERAL EXPENDITURES FUND TOTAL	\$50,000	\$50,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$400,747	\$400,747

OTHER SPECIAL	\$400,747	\$400,747
REVENUE FUNDS TOTAL		

Developmental Services Waiver - MaineCare 0987

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$95,362,544	\$95,362,544

GENERAL FUND TOTAL	\$95,362,544	\$95,362,544

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$445,677	\$445,677

OTHER SPECIAL	\$445,677	\$445,677
REVENUE FUNDS TOTAL		

Developmental Services Waiver - MaineCare 0987

Initiative: Provides funding to reduce the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 21: Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

GENERAL FUND	2015-16	2016-17
All Other	\$5,000,000	\$5,000,000

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

Developmental Services Waiver - MaineCare 0987

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$1,922,695)	(\$2,496,633)

GENERAL FUND TOTAL	(\$1,922,695)	(\$2,496,633)

Developmental Services Waiver - MaineCare 0987

Initiative: Adjusts funding to align appropriations and allocations based on the report of the Revenue Forecasting Committee.

GENERAL FUND	2015-16	2016-17
All Other	(\$158,636)	(\$158,636)

GENERAL FUND TOTAL	(\$158,636)	(\$158,636)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$445,677)	(\$445,677)

OTHER SPECIAL	(\$445,677)	(\$445,677)
REVENUE FUNDS TOTAL		

DEVELOPMENTAL SERVICES WAIVER - MAINECARE 0987**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$98,281,213	\$97,707,275

GENERAL FUND TOTAL	\$98,281,213	\$97,707,275

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$0

OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

Developmental Services Waiver - Supports Z006

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$18,626,315	\$18,626,315

GENERAL FUND TOTAL	\$18,626,315	\$18,626,315

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$367,026	\$367,026

OTHER SPECIAL	\$367,026	\$367,026
REVENUE FUNDS TOTAL		

Developmental Services Waiver - Supports Z006

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$339,790)	(\$441,220)

GENERAL FUND TOTAL	(\$339,790)	(\$441,220)

Developmental Services Waiver - Supports Z006

Initiative: Adjusts funding to align appropriations and allocations based on the report of the Revenue Forecasting Committee.

GENERAL FUND	2015-16	2016-17
All Other	\$4,168	\$4,168
GENERAL FUND TOTAL	\$4,168	\$4,168

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$264,246)	(\$264,246)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$264,246)	(\$264,246)

Developmental Services Waiver - Supports Z006

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$16,780)	(\$16,780)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$16,780)	(\$16,780)

DEVELOPMENTAL SERVICES WAIVER - SUPPORTS Z006

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$18,290,693	\$18,189,263
GENERAL FUND TOTAL	\$18,290,693	\$18,189,263

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$86,000	\$86,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$86,000	\$86,000

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$6,135,893	\$6,283,017
All Other	\$332,973	\$332,973

GENERAL FUND TOTAL	\$6,468,866	\$6,615,990

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$5,840)	(\$7,583)
GENERAL FUND TOTAL	(\$5,840)	(\$7,583)

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Continues 6 Acuity Specialist positions at the Dorothea Dix Psychiatric Center to ensure a culture of safety. These positions were established by Financial Order 002510 F5.

GENERAL FUND	2015-16	2016-17
Personal Services	\$143,238	\$148,908
GENERAL FUND TOTAL	\$143,238	\$148,908

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Provides funding for a new electronic medical records system for the Riverview Psychiatric Center and the Dorothea Dix Psychiatric Center.

GENERAL FUND	2015-16	2016-17
All Other	\$164,372	\$80,605
GENERAL FUND TOTAL	\$164,372	\$80,605

Disproportionate Share - Dorothea Dix Psychiatric Center 0734

Initiative: Adjusts funding for positions as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$107,643)	(\$143,194)
GENERAL FUND TOTAL	(\$107,643)	(\$143,194)

DISPROPORTIONATE SHARE - DOROTHEA DIX PSYCHIATRIC CENTER 0734

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
Personal Services	\$6,171,488	\$6,288,731
All Other	\$491,505	\$405,995
GENERAL FUND TOTAL	\$6,662,993	\$6,694,726

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$8,928,145	\$9,168,804
All Other	\$3,411,369	\$3,411,369
GENERAL FUND TOTAL	\$12,339,514	\$12,580,173

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$59,833)	(\$77,694)
GENERAL FUND TOTAL	(\$59,833)	(\$77,694)

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for training.

GENERAL FUND	2015-16	2016-17
All Other	\$7,506	\$7,466
GENERAL FUND TOTAL	\$7,506	\$7,466

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for one full-time contracted pharmacist.

GENERAL FUND	2015-16	2016-17
All Other	\$54,618	\$54,327
GENERAL FUND TOTAL	\$54,618	\$54,327

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Reorganizes 2 Mental Health Worker II positions to Acuity Specialist positions to address the needs of the hospital.

GENERAL FUND	2015-16	2016-17
Personal Services	\$4,847	\$5,306
GENERAL FUND TOTAL	\$4,847	\$5,306

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 2 Acuity Specialist positions to support a culture of safety for patients and staff.

GENERAL FUND	2015-16	2016-17
Personal Services	\$47,746	\$49,636
GENERAL FUND TOTAL	\$47,746	\$49,636

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Occupational Therapist II position to support discharge evaluations.

GENERAL FUND	2015-16	2016-17
Personal Services	\$30,854	\$32,104
GENERAL FUND TOTAL	\$30,854	\$32,104

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 4 Hospital Psychiatrist positions at the Riverview Psychiatric Center and reduces All Other to fund a portion of the new positions from funds that were used for 2 contracted psychiatrists.

GENERAL FUND	2015-16	2016-17
Personal Services	\$351,240	\$367,750
All Other	(\$232,396)	(\$231,157)
GENERAL FUND TOTAL	\$118,844	\$136,593

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Office Specialist II position to assist the medical director to maintain accurate and complete medical records on behalf of clients at Riverview Psychiatric Center. The All Other reduction reflects the elimination of a contract for a part-time position to assist in these duties.

GENERAL FUND	2015-16	2016-17
Personal Services	\$31,353	\$31,614
All Other	(\$13,914)	(\$13,840)
GENERAL FUND TOTAL	\$17,439	\$17,774

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding for a new electronic medical records system for the Riverview Psychiatric Center and the Dorothea Dix Psychiatric Center.

GENERAL FUND	2015-16	2016-17
All Other	\$165,732	\$81,689
GENERAL FUND TOTAL	\$165,732	\$81,689

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 2 Mental Health Worker I positions and provides funding in All Other to support the positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$46,152	\$47,690
All Other	\$3,736	\$3,717
GENERAL FUND TOTAL	\$49,888	\$51,407

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Field Investigator position in order to streamline the investigative process and provides funding in All Other to support the position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$26,170	\$27,384
All Other	\$1,866	\$1,858
GENERAL FUND TOTAL	\$28,036	\$29,242

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 4 limited-period Mental Health Worker IV positions through June 10, 2017 and provides funding in All Other to support the positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$95,492	\$99,272
All Other	\$7,474	\$7,434
GENERAL FUND TOTAL	\$102,966	\$106,706

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Social Services Program Specialist II position to serve as a recruiting specialist

and provides funding in All Other to support the position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$30,511	\$31,940
All Other	\$1,866	\$1,858
GENERAL FUND TOTAL	\$32,377	\$33,798

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Public Service Coordinator I position to oversee performance improvement activities in the hospital and provides funding in All Other to support the position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$33,198	\$34,748
All Other	\$1,866	\$1,858
GENERAL FUND TOTAL	\$35,064	\$36,606

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Public Service Manager II position to act as the director of quality and informatics and provides funding in All Other to support the position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$40,009	\$41,816
All Other	\$1,866	\$1,858
GENERAL FUND TOTAL	\$41,875	\$43,674

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Provides funding to reflect the increased cost of contracted nurse practitioner positions.

GENERAL FUND	2015-16	2016-17
All Other	\$6,120	\$6,087
GENERAL FUND TOTAL	\$6,120	\$6,087

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 2 Mental Health Worker II positions and provides funding in All Other to support the positions.

GENERAL FUND	2015-16	2016-17

Personal Services	\$49,048	\$50,690
All Other	\$3,733	\$3,717
GENERAL FUND TOTAL	\$52,781	\$54,407

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 3 Nurse I positions and provides funding in All Other to support the positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$100,002	\$102,801
All Other	\$5,606	\$5,575
GENERAL FUND TOTAL	\$105,608	\$108,376

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 3 Hospital Nurse II positions and provides funding in All Other to support the positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$103,514	\$107,682
All Other	\$5,606	\$5,575
GENERAL FUND TOTAL	\$109,120	\$113,257

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 12 Acuity Specialist positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$293,952	\$305,542
All Other	\$22,419	\$22,302
GENERAL FUND TOTAL	\$316,371	\$327,844

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes one Office Assistant II position and provides funding in All Other to support the position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$19,851	\$20,728
All Other	\$1,868	\$1,858
GENERAL FUND TOTAL	\$21,719	\$22,586

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Establishes 2 Hospital Nurse III positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$72,648	\$75,084
All Other	\$3,736	\$3,717
GENERAL FUND TOTAL	\$76,384	\$78,801

Disproportionate Share - Riverview Psychiatric Center 0733

Initiative: Adjusts funding for positions as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$154,593)	(\$207,037)
GENERAL FUND TOTAL	(\$154,593)	(\$207,037)

DISPROPORTIONATE SHARE - RIVERVIEW PSYCHIATRIC CENTER 0733

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
Personal Services	\$10,150,139	\$10,393,554
All Other	\$3,400,844	\$3,299,574
GENERAL FUND TOTAL	\$13,550,983	\$13,693,128

Dorothea Dix Psychiatric Center 0120

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$2,495,279	\$2,495,279
GENERAL FUND TOTAL	\$2,495,279	\$2,495,279

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	2015-16	2016-17
Personal Services	\$9,926,829	\$10,164,831
All Other	\$2,558,198	\$2,558,198
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,485,027	\$12,723,029

Dorothea Dix Psychiatric Center 0120

Initiative: Continues 6 Acuity Specialist positions at the Dorothea Dix Psychiatric Center to ensure a culture of safety. These positions were established by Financial Order 002510 F5.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$238,452	\$249,996
All Other	\$2,153	\$2,257
OTHER SPECIAL REVENUE FUNDS TOTAL	\$240,605	\$252,253

Dorothea Dix Psychiatric Center 0120

Initiative: Provides funding for a new electronic medical records system for the Riverview Psychiatric Center and the Dorothea Dix Psychiatric Center.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$276,073	\$136,542
OTHER SPECIAL REVENUE FUNDS TOTAL	\$276,073	\$136,542

Dorothea Dix Psychiatric Center 0120

Initiative: Adjusts funding for positions as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$107,643	\$143,194
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107,643	\$143,194

Dorothea Dix Psychiatric Center 0120

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,840	\$7,583
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,840	\$7,583

Dorothea Dix Psychiatric Center 0120

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$46,805	\$46,805
GENERAL FUND TOTAL	\$46,805	\$46,805

DOROTHEA DIX PSYCHIATRIC CENTER 0120 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$2,542,084	\$2,542,084
GENERAL FUND TOTAL	\$2,542,084	\$2,542,084

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	197.500	197.500
Personal Services	\$10,272,924	\$10,558,021
All Other	\$2,842,264	\$2,704,580

OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,115,188	\$13,262,601

Driver Education and Evaluation Program - Office of Substance Abuse and Mental Health Services 0700

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$633,403	\$650,862
All Other	\$1,015,133	\$1,015,133

GENERAL FUND TOTAL	\$1,648,536	\$1,665,995

Driver Education and Evaluation Program - Office of Substance Abuse and Mental Health Services 0700

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$13,798	\$13,798

GENERAL FUND TOTAL	\$13,798	\$13,798

Driver Education and Evaluation Program - Office of Substance Abuse and Mental Health Services 0700

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$58,351)	(\$61,327)
GENERAL FUND TOTAL	(\$58,351)	(\$61,327)

DRIVER EDUCATION AND EVALUATION PROGRAM - OFFICE OF SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES 0700

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8,000	8,000
Personal Services	\$575,052	\$589,535
All Other	\$1,028,931	\$1,028,931
GENERAL FUND TOTAL	\$1,603,983	\$1,618,466

Forensic Services Z123

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7,000	7,000
Personal Services	\$633,678	\$648,658
All Other	\$98,192	\$98,192
GENERAL FUND TOTAL	\$731,870	\$746,850

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
All Other	\$17,172	\$17,172
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,172	\$17,172

Forensic Services Z123

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$57,256)	(\$60,159)
GENERAL FUND TOTAL	(\$57,256)	(\$60,159)

FORENSIC SERVICES Z123 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$576,422	\$588,499
All Other	\$98,192	\$98,192
GENERAL FUND TOTAL	\$674,614	\$686,691

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
All Other	\$17,172	\$17,172
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,172	\$17,172

Medicaid Services - Developmental Services 0705

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$26,236,425	\$26,236,425
GENERAL FUND TOTAL	\$26,236,425	\$26,236,425

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
All Other	\$16,458,059	\$16,458,059
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,458,059	\$16,458,059

Medicaid Services - Developmental Services 0705

Initiative: Provides funding to reduce the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 21: Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	All Other	\$25,813,653	\$25,659,588
All Other	\$768,521	\$773,276	GENERAL FUND TOTAL	\$25,813,653	\$25,659,588

OTHER SPECIAL REVENUE FUNDS TOTAL	\$768,521	\$773,276

Medicaid Services - Developmental Services 0705

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$516,120)	(\$670,185)
GENERAL FUND TOTAL	(\$516,120)	(\$670,185)

Medicaid Services - Developmental Services 0705

Initiative: Adjusts funding to align appropriations and allocations based on the report of the Revenue Forecasting Committee.

GENERAL FUND	2015-16	2016-17
All Other	\$93,348	\$93,348
GENERAL FUND TOTAL	\$93,348	\$93,348

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$822,417	\$822,417

OTHER SPECIAL REVENUE FUNDS TOTAL	\$822,417	\$822,417

Medicaid Services - Developmental Services 0705

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$248,766)	(\$248,766)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$248,766)	(\$248,766)

MEDICAID SERVICES - DEVELOPMENTAL SERVICES 0705**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$17,800,231	\$17,804,986
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,800,231	\$17,804,986

Medicaid Waiver for Brain Injury Residential/Community Serv Z160

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$6,669,051	\$6,669,051
GENERAL FUND TOTAL	\$6,669,051	\$6,669,051

Medicaid Waiver for Brain Injury Residential/Community Serv Z160

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$116,970)	(\$151,887)
GENERAL FUND TOTAL	(\$116,970)	(\$151,887)

MEDICAID WAIVER FOR BRAIN INJURY RESIDENTIAL /COMMUNITY SERV Z160**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$6,552,081	\$6,517,164
GENERAL FUND TOTAL	\$6,552,081	\$6,517,164

Medicaid Waiver for Other Related Conditions Z159

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$2,090,683	\$2,090,683
GENERAL FUND TOTAL	\$2,090,683	\$2,090,683

Medicaid Waiver for Other Related Conditions Z159

Initiative: Provides funding necessary to increase the availability of community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 20: Home and Community-Based Services for Adults with Other Related Conditions.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$899,878
GENERAL FUND TOTAL	\$0	\$899,878

Medicaid Waiver for Other Related Conditions Z159

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$36,669)	(\$47,615)
GENERAL FUND TOTAL	(\$36,669)	(\$47,615)

MEDICAID WAIVER FOR OTHER RELATED CONDITIONS Z159

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$2,054,014	\$2,942,946
GENERAL FUND TOTAL	\$2,054,014	\$2,942,946

Mental Health Services - Child Medicaid 0731

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$35,082,504	\$35,082,504
GENERAL FUND TOTAL	\$35,082,504	\$35,082,504

Mental Health Services - Child Medicaid 0731

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$631,696)	(\$820,261)
GENERAL FUND TOTAL	(\$631,696)	(\$820,261)

MENTAL HEALTH SERVICES - CHILD MEDICAID 0731

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$34,450,808	\$34,262,243
GENERAL FUND TOTAL	\$34,450,808	\$34,262,243

Mental Health Services - Children 0136

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	49.500	49.500
Personal Services	\$4,066,388	\$4,161,900
All Other	\$12,413,819	\$12,413,819
GENERAL FUND TOTAL	\$16,480,207	\$16,575,719

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$2,844,755	\$2,844,755
FEDERAL EXPENDITURES FUND TOTAL	\$2,844,755	\$2,844,755

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$960,388	\$960,388
FEDERAL BLOCK GRANT FUND TOTAL	\$960,388	\$960,388

Mental Health Services - Children 0136

Initiative: Transfers and reallocates one Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Mental Health Services - Children program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$52,533	\$53,187
All Other	\$9,956	\$9,956
GENERAL FUND TOTAL	\$62,489	\$63,143

Mental Health Services - Children 0136

Initiative: Transfers and reallocates one Social Services Manager I position from 60% Federal Block Grant Fund, Child Care Services program and 40%

Federal Expenditures Fund, Child Care Food Program to 100% General Fund in the Mental Health Services - Children program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$101,468	\$103,478
All Other	\$4,978	\$4,978
GENERAL FUND TOTAL	\$106,446	\$108,456

Mental Health Services - Children 0136

Initiative: Transfers and reallocates one Social Services Program Specialist I position from 61% General Fund and 39% Other Special Revenue Funds in the Office of Child and Family Services - Central program to 100% General Fund in the Mental Health Services - Children program to align with duties and responsibilities.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$81,413	\$82,684
All Other	\$4,978	\$4,978
GENERAL FUND TOTAL	\$86,391	\$87,662

Mental Health Services - Children 0136

Initiative: Transfers and reallocates one Customer Representative Associate II - Human Services position from 100% General Fund in the Mental Health Services - Children program to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$57,976)	(\$60,953)
All Other	(\$4,978)	(\$4,978)
GENERAL FUND TOTAL	(\$62,954)	(\$65,931)

Mental Health Services - Children 0136

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	(2.500)	(2.500)
Personal Services	(\$151,281)	(\$159,054)
GENERAL FUND TOTAL	(\$151,281)	(\$159,054)

MENTAL HEALTH SERVICES - CHILDREN 0136

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	49.000	49.000
Personal Services	\$4,092,545	\$4,181,242
All Other	\$12,428,753	\$12,428,753
GENERAL FUND TOTAL	\$16,521,298	\$16,609,995

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$2,844,755	\$2,844,755
FEDERAL EXPENDITURES FUND TOTAL	\$2,844,755	\$2,844,755

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$960,388	\$960,388
FEDERAL BLOCK GRANT FUND TOTAL	\$960,388	\$960,388

Mental Health Services - Community 0121

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	59.000	59.000
Personal Services	\$4,859,078	\$4,970,679
All Other	\$25,786,086	\$25,786,086
GENERAL FUND TOTAL	\$30,645,164	\$30,756,765

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$10,977,731	\$10,977,731
FEDERAL EXPENDITURES FUND TOTAL	\$10,977,731	\$10,977,731

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$20,000	\$20,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,000	\$20,000
FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$960,388	\$960,388
FEDERAL BLOCK GRANT FUND TOTAL	\$960,388	\$960,388

Mental Health Services - Community 0121

Initiative: Provides funding for forensic consumers who the courts determine to be not criminally responsible and who may no longer meet the clinical level of care for residential treatment but are in the care and custody of the Commissioner of Health and Human Services.

GENERAL FUND	2015-16	2016-17
All Other	\$1,420,000	\$1,420,000
GENERAL FUND TOTAL	\$1,420,000	\$1,420,000

Mental Health Services - Community 0121

Initiative: Transfers funding for the Bridging Rental Assistance Program from the Mental Health Services - Community program to the Bridging Rental Assistance Program.

GENERAL FUND	2015-16	2016-17
All Other	(\$5,372,414)	(\$5,372,414)
GENERAL FUND TOTAL	(\$5,372,414)	(\$5,372,414)

Mental Health Services - Community 0121

Initiative: Transfers and reallocates one full-time Office Associate II position and one part-time Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds within the Office of the Commissioner District Operations program to 100% General Fund in the Mental Health Services - Community program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$79,882	\$83,999
All Other	\$9,956	\$9,956

GENERAL FUND TOTAL	\$89,838	\$93,955

Mental Health Services - Community 0121

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$22,903)	(\$24,063)
GENERAL FUND TOTAL	(\$22,903)	(\$24,063)

Mental Health Services - Community 0121

Initiative: Provides one-time funding to increase payments to peer centers, also referred to as social clubs or drop-in centers, by October 1st in each year of the 2016-2017 biennium.

GENERAL FUND	2015-16	2016-17
All Other	\$40,000	\$85,000
GENERAL FUND TOTAL	\$40,000	\$85,000

MENTAL HEALTH SERVICES - COMMUNITY 0121**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	59.500	59.500
Personal Services	\$4,916,057	\$5,030,615
All Other	\$21,883,628	\$21,928,628
GENERAL FUND TOTAL	\$26,799,685	\$26,959,243

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$10,977,731	\$10,977,731
FEDERAL EXPENDITURES FUND TOTAL	\$10,977,731	\$10,977,731

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$20,000	\$20,000

OTHER SPECIAL	\$20,000	\$20,000
REVENUE FUNDS TOTAL		

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$960,388	\$960,388
FEDERAL BLOCK GRANT FUND TOTAL	\$960,388	\$960,388

Mental Health Services - Community Medicaid 0732

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$40,484,941	\$40,484,941
GENERAL FUND TOTAL	\$40,484,941	\$40,484,941

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,428,785	\$5,428,785
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,428,785	\$5,428,785

Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$805,293)	(\$1,045,679)
GENERAL FUND TOTAL	(\$805,293)	(\$1,045,679)

Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding to align appropriations and allocations based on the report of the Revenue Forecasting Committee.

GENERAL FUND	2015-16	2016-17
All Other	(\$958,532)	(\$958,532)
GENERAL FUND TOTAL	(\$958,532)	(\$958,532)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	\$958,532	\$958,532
OTHER SPECIAL REVENUE FUNDS TOTAL	\$958,532	\$958,532

Mental Health Services - Community Medicaid 0732

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000

Mental Health Services - Community Medicaid 0732

Initiative: Provides funding to increase the private non-medical institutions assisted living reimbursement rate by 3% beginning July 1, 2015.

GENERAL FUND	2015-16	2016-17
All Other	\$802,599	\$797,975
GENERAL FUND TOTAL	\$802,599	\$797,975

MENTAL HEALTH SERVICES - COMMUNITY MEDICAID 0732

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$39,523,715	\$39,278,705
GENERAL FUND TOTAL	\$39,523,715	\$39,278,705

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$6,487,317	\$6,487,317
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,487,317	\$6,487,317

Office of Advocacy - BDS 0632

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$326,815	\$326,815

GENERAL FUND TOTAL	\$326,815	\$326,815

OFFICE OF ADVOCACY - BDS 0632**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$326,815	\$326,815

GENERAL FUND TOTAL	\$326,815	\$326,815

Office of Substance Abuse and Mental Health Services 0679

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$902,996	\$922,693
All Other	\$9,271,800	\$9,271,800

GENERAL FUND TOTAL	\$10,174,796	\$10,194,493

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$155,034	\$162,525
All Other	\$1,646,211	\$1,646,211

FEDERAL EXPENDITURES FUND TOTAL	\$1,801,245	\$1,808,736

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$1,848,306	\$1,848,306

FUND FOR A HEALTHY MAINE TOTAL	\$1,848,306	\$1,848,306

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$574,552	\$574,534

OTHER SPECIAL REVENUE FUNDS TOTAL	\$574,552	\$574,534

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$468,188	\$485,983
All Other	\$6,573,489	\$6,573,489

FEDERAL BLOCK GRANT FUND TOTAL	\$7,041,677	\$7,059,472

Office of Substance Abuse and Mental Health Services 0679

Initiative: Provides funding to meet programmatic and operational needs within available resources.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,235,000	\$1,235,000

FEDERAL EXPENDITURES FUND TOTAL	\$1,235,000	\$1,235,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$49,995	\$49,995

OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,995	\$49,995

Office of Substance Abuse and Mental Health Services 0679

Initiative: Continues one limited-period Education Specialist I position through June 10, 2017 and provides funding in All Other to support the position. This position was previously authorized to continue in Public Law 2013, chapter 368.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
Personal Services	\$72,353	\$74,499
All Other	\$4,978	\$4,978

FEDERAL BLOCK GRANT FUND TOTAL	\$77,331	\$79,477

Office of Substance Abuse and Mental Health Services 0679

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$24,341	\$24,342

GENERAL FUND TOTAL	\$24,341	\$24,342
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$16,277	\$16,277
FEDERAL EXPENDITURES FUND TOTAL	\$16,277	\$16,277
FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$984	\$984
FEDERAL BLOCK GRANT FUND TOTAL	\$984	\$984

Office of Substance Abuse and Mental Health Services 0679

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$155,034)	(\$162,525)
FEDERAL EXPENDITURES FUND TOTAL	(\$155,034)	(\$162,525)

Office of Substance Abuse and Mental Health Services 0679

Initiative: Provides funds to increase the baseline funding for the drug court program.

GENERAL FUND	2015-16	2016-17
All Other	\$301,000	\$353,000
GENERAL FUND TOTAL	\$301,000	\$353,000

Office of Substance Abuse and Mental Health Services 0679

Initiative: Provides funds for the case management and other ancillary services provided by the Office of Substance Abuse and Mental Health Services for a drug court program in the Penobscot County unified criminal docket.

GENERAL FUND	2015-16	2016-17

All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000

OFFICE OF SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES 0679

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$902,996	\$922,693
All Other	\$9,747,141	\$9,799,142
GENERAL FUND TOTAL	\$10,650,137	\$10,721,835

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$2,897,488	\$2,897,488

FEDERAL EXPENDITURES FUND TOTAL	\$2,897,488	\$2,897,488

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$1,848,306	\$1,848,306

FUND FOR A HEALTHY MAINE TOTAL	\$1,848,306	\$1,848,306

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$624,547	\$624,529

OTHER SPECIAL REVENUE FUNDS TOTAL	\$624,547	\$624,529

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$540,541	\$560,482
All Other	\$6,579,451	\$6,579,451

FEDERAL BLOCK GRANT FUND TOTAL	\$7,119,992	\$7,139,933

Office of Substance Abuse and Mental Health Services - Medicaid Seed 0844

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$5,071,301	\$5,071,301
GENERAL FUND TOTAL	\$5,071,301	\$5,071,301
FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$1,306,059	\$1,306,059
FUND FOR A HEALTHY MAINE TOTAL	\$1,306,059	\$1,306,059
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$614,320	\$614,320
OTHER SPECIAL REVENUE FUNDS TOTAL	\$614,320	\$614,320

Office of Substance Abuse and Mental Health Services - Medicaid Seed 0844

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$122,629)	(\$159,234)
GENERAL FUND TOTAL	(\$122,629)	(\$159,234)

Office of Substance Abuse and Mental Health Services - Medicaid Seed 0844

Initiative: Adjusts funding to align appropriations and allocations based on the report of the Revenue Forecasting Committee.

GENERAL FUND	2015-16	2016-17
All Other	\$43,400	\$43,400
GENERAL FUND TOTAL	\$43,400	\$43,400
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$43,400)	(\$43,400)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$43,400)	(\$43,400)

Office of Substance Abuse and Mental Health Services - Medicaid Seed 0844

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

OFFICE OF SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES - MEDICAID SEED 0844**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$4,992,072	\$4,955,467
GENERAL FUND TOTAL	\$4,992,072	\$4,955,467
FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$1,306,059	\$1,306,059
FUND FOR A HEALTHY MAINE TOTAL	\$1,306,059	\$1,306,059
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$620,920	\$620,920
OTHER SPECIAL REVENUE FUNDS TOTAL	\$620,920	\$620,920

Residential Treatment Facilities Assessment 0978

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,859,374	\$1,859,374
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,859,374	\$1,859,374

Residential Treatment Facilities Assessment 0978

Initiative: Adjusts funding to align appropriations and allocations based on the report of the Revenue Forecasting Committee.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$51,374)	(\$51,374)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$51,374)	(\$51,374)

Residential Treatment Facilities Assessment 0978

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$150,000)	(\$150,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$150,000)	(\$150,000)

**RESIDENTIAL TREATMENT FACILITIES
ASSESSMENT 0978****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,658,000	\$1,658,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,658,000	\$1,658,000

Riverview Psychiatric Center 0105

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$668,770	\$690,880
All Other	\$4,891,008	\$4,891,008
GENERAL FUND TOTAL	\$5,559,778	\$5,581,888

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	318.500	318.500
POSITIONS - FTE COUNT	0.360	0.360
Personal Services	\$14,444,213	\$14,833,455
All Other	\$3,046,133	\$3,046,133

OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,490,346	\$17,879,588

Riverview Psychiatric Center 0105

Initiative: Provides funding for a lease agreement for the office of outpatient services.

GENERAL FUND	2015-16	2016-17
All Other	\$60,864	\$60,864
GENERAL FUND TOTAL	\$60,864	\$60,864

Riverview Psychiatric Center 0105

Initiative: Provides funding for one full-time contracted pharmacist.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$92,174	\$92,469
OTHER SPECIAL REVENUE FUNDS TOTAL	\$92,174	\$92,469

Riverview Psychiatric Center 0105

Initiative: Reorganizes 2 Mental Health Worker II positions to Acuity Specialist positions to address the needs of the hospital.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$8,064	\$8,911
All Other	\$112	\$124
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,176	\$9,035

Riverview Psychiatric Center 0105

Initiative: Establishes 2 Acuity Specialist positions to support a culture of safety for patients and staff.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$79,484	\$83,332
All Other	\$1,102	\$1,155
OTHER SPECIAL REVENUE FUNDS TOTAL	\$80,586	\$84,487

Riverview Psychiatric Center 0105

Initiative: Establishes one Occupational Therapist II position to support discharge evaluations.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$51,361	\$53,901
All Other	\$712	\$747
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,073	\$54,648

Riverview Psychiatric Center 0105

Initiative: Establishes 4 Hospital Psychiatrist positions at the Riverview Psychiatric Center and reduces All Other to fund a portion of the new positions from funds that were used for 2 contracted psychiatrists.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$584,660	\$617,381
All Other	(\$386,002)	(\$384,777)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$198,658	\$232,604

Riverview Psychiatric Center 0105

Initiative: Establishes one Education Specialist III position to serve as the director of supported education at the Riverview Psychiatric Center in order to reduce recidivism rates.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,980	\$83,728
All Other	\$4,978	\$4,978
GENERAL FUND TOTAL	\$84,958	\$88,706

Riverview Psychiatric Center 0105

Initiative: Establishes one Office Specialist II position to assist the medical director to maintain accurate and complete medical records on behalf of clients at Riverview Psychiatric Center. The All Other reduction reflects the elimination of a contract for a part-time position to assist in these duties.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$52,188	\$53,077
All Other	(\$23,056)	(\$23,120)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,132	\$29,957

Riverview Psychiatric Center 0105

Initiative: Provides funding to offset a reduction in disproportionate share payments based on the amount of available funding utilizing the historical level of uncompensated care and the hospital-specific limit for the Riverview Psychiatric Center.

GENERAL FUND	2015-16	2016-17
All Other	\$1,924,081	\$1,918,686
GENERAL FUND TOTAL	\$1,924,081	\$1,918,686
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$1,924,081)	(\$1,918,686)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,924,081)	(\$1,918,686)

Riverview Psychiatric Center 0105

Initiative: Provides funding for a new electronic medical records system for the Riverview Psychiatric Center and the Dorothea Dix Psychiatric Center.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$279,692	\$139,042
OTHER SPECIAL REVENUE FUNDS TOTAL	\$279,692	\$139,042

Riverview Psychiatric Center 0105

Initiative: Adjusts funding for positions as a result of the increase in the federal fiscal year 2016 Federal Medical Assistance Percentage to 62.67% from 61.88%.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$159,921	\$212,365
OTHER SPECIAL REVENUE FUNDS TOTAL	\$159,921	\$212,365

Riverview Psychiatric Center 0105

Initiative: Adjusts funding as a result of the increase in the federal fiscal year 2016 Federal Medical Assistance Percentage to 62.67% from 61.88%.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$59,833	\$77,694
OTHER SPECIAL REVENUE FUNDS TOTAL	\$59,833	\$77,694

Riverview Psychiatric Center 0105

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$56,469	\$56,469
GENERAL FUND TOTAL	\$56,469	\$56,469

Riverview Psychiatric Center 0105

Initiative: Establishes 2 Mental Health Worker I positions and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$76,824	\$80,070
All Other	\$7,370	\$7,436
OTHER SPECIAL REVENUE FUNDS TOTAL	\$84,194	\$87,506

Riverview Psychiatric Center 0105

Initiative: Establishes one Field Investigator position in order to streamline the investigative process and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$43,563	\$45,977
All Other	\$3,757	\$3,800
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,320	\$49,777

Riverview Psychiatric Center 0105

Initiative: Establishes 4 limited-period Mental Health Worker IV positions through June 10, 2017 and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$158,968	\$166,664
All Other	\$14,814	\$14,961
OTHER SPECIAL REVENUE FUNDS TOTAL	\$173,782	\$181,625

Riverview Psychiatric Center 0105

Initiative: Establishes one Social Services Program Specialist II position to serve as a recruiting specialist and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$50,790	\$53,623
All Other	\$3,858	\$3,864
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,648	\$57,487

Riverview Psychiatric Center 0105

Initiative: Establishes one Public Service Coordinator I position to oversee performance improvement activities in the hospital and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$55,262	\$58,338
All Other	\$3,920	\$3,971
OTHER SPECIAL REVENUE FUNDS TOTAL	\$59,182	\$62,309

Riverview Psychiatric Center 0105

Initiative: Establishes one Public Service Manager II position to act as the director of quality and informatics and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,596	\$70,196
All Other	\$4,077	\$4,135
OTHER SPECIAL REVENUE FUNDS TOTAL	\$70,673	\$74,331

Riverview Psychiatric Center 0105

Initiative: Provides funding to reflect the increased cost of contracted nurse practitioner positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$10,327	\$10,361
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,327	\$10,361

Riverview Psychiatric Center 0105

Initiative: Establishes 2 Mental Health Worker II positions and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$81,630	\$85,106
All Other	\$7,437	\$7,505
OTHER SPECIAL REVENUE FUNDS TOTAL	\$89,067	\$92,611

Riverview Psychiatric Center 0105

Initiative: Establishes 3 Nurse I positions and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$166,476	\$172,590
All Other	\$11,765	\$11,881
OTHER SPECIAL REVENUE FUNDS TOTAL	\$178,241	\$184,471

Riverview Psychiatric Center 0105

Initiative: Establishes 3 Hospital Nurse II positions and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$172,313	\$180,270
All Other	\$11,846	\$11,987
OTHER SPECIAL REVENUE FUNDS TOTAL	\$184,159	\$192,257

Riverview Psychiatric Center 0105

Initiative: Establishes 12 Acuity Specialist positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$489,324	\$512,222
All Other	\$44,619	\$45,055
OTHER SPECIAL REVENUE FUNDS TOTAL	\$533,943	\$557,277

Riverview Psychiatric Center 0105

Initiative: Establishes one Office Assistant II position and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$33,044	\$34,803
All Other	\$3,625	\$3,660
OTHER SPECIAL REVENUE FUNDS TOTAL	\$36,669	\$38,463

Riverview Psychiatric Center 0105

Initiative: Establishes 2 Hospital Nurse III positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$120,932	\$126,048
All Other	\$7,982	\$8,073

OTHER SPECIAL	\$128,914	\$134,121
REVENUE FUNDS TOTAL		

RIVERVIEW PSYCHIATRIC CENTER 0105 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$748,750	\$774,608
All Other	\$6,937,400	\$6,932,005
GENERAL FUND TOTAL	\$7,686,150	\$7,706,613

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	355.500	355.500
POSITIONS - FTE COUNT	0.360	0.360
Personal Services	\$16,895,613	\$17,448,329
All Other	\$1,282,016	\$1,167,470

OTHER SPECIAL	\$18,177,629	\$18,615,799
REVENUE FUNDS TOTAL		

Traumatic Brain Injury Seed Z042

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$123,783	\$123,783
GENERAL FUND TOTAL	\$123,783	\$123,783

Traumatic Brain Injury Seed Z042

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$2,171)	(\$2,819)
GENERAL FUND TOTAL	(\$2,171)	(\$2,819)

TRAUMATIC BRAIN INJURY SEED Z042 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$121,612	\$120,964

GENERAL FUND TOTAL	\$121,612	\$120,964

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2015-16	2016-17

GENERAL FUND	\$355,839,871	\$356,411,327
FEDERAL EXPENDITURES FUND	\$16,919,974	\$16,919,974
FUND FOR A HEALTHY MAINE	\$3,154,365	\$3,154,365
OTHER SPECIAL REVENUE FUNDS	\$60,710,915	\$61,344,591
FEDERAL BLOCK GRANT FUND	\$9,040,768	\$9,060,709

DEPARTMENT TOTAL - ALL FUNDS	\$445,665,893	\$446,890,966

Sec. A-32. Appropriations and allocations.
The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Additional Support for People in Retraining and Employment 0146

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	32.500	32.500
Personal Services	\$2,195,553	\$2,260,853
All Other	\$4,826,128	\$4,826,128

GENERAL FUND TOTAL	\$7,021,681	\$7,086,981

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	50.500	50.500
Personal Services	\$3,158,218	\$3,253,550
All Other	\$20,726,628	\$20,726,628

FEDERAL BLOCK GRANT FUND TOTAL	\$23,884,846	\$23,980,178

Additional Support for People in Retraining and Employment 0146

Initiative: Continues 2 limited-period Eligibility Specialist positions through June 10, 2017 and provides funding in All Other to support the positions. The positions were established by Financial Order 002381 F5.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
Personal Services	\$127,230	\$130,484
All Other	\$9,956	\$9,956
FEDERAL BLOCK GRANT FUND TOTAL	\$137,186	\$140,440

Additional Support for People in Retraining and Employment 0146

Initiative: Continues one limited-period Public Service Coordinator II position and 3 limited-period Senior Planner positions through June 10, 2017 and provides funding in All Other to support the positions. The positions were established by Financial Order 002381 F5.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
Personal Services	\$329,996	\$340,932
All Other	\$19,913	\$19,913
FEDERAL BLOCK GRANT FUND TOTAL	\$349,909	\$360,845

Additional Support for People in Retraining and Employment 0146

Initiative: Transfers 7 ASPIRE Regional Program Supervisor positions, 22 ASPIRE Specialist positions, one Customer Representative Associate II - Human Services position and 3 Office Assistant II positions from 100% General Fund to 100% Federal Block Grant Fund in the Additional Support for People in Retraining and Employment program and appropriates the savings in All Other for program needs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(32.500)	(32.500)
Personal Services	(\$2,194,835)	(\$2,260,853)
All Other	\$2,194,835	\$2,260,853
GENERAL FUND TOTAL	\$0	\$0

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	32.500	32.500

Personal Services	\$2,194,835	\$2,260,853
All Other	\$82,137	\$82,137

FEDERAL BLOCK GRANT FUND TOTAL	\$2,276,972	\$2,342,990

Additional Support for People in Retraining and Employment 0146

Initiative: Transfers and reallocates 2 Office Assistant II positions from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% Federal Block Grant Fund in the Additional Support for People in Retraining and Employment program.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$91,950	\$96,766
All Other	\$9,956	\$9,956

FEDERAL BLOCK GRANT FUND TOTAL	\$101,906	\$106,722

Additional Support for People in Retraining and Employment 0146

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$3,670	\$3,670

GENERAL FUND TOTAL	\$3,670	\$3,670

Additional Support for People in Retraining and Employment 0146

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$83,957)	(\$88,147)

FEDERAL BLOCK GRANT FUND TOTAL	(\$83,957)	(\$88,147)

**ADDITIONAL SUPPORT FOR PEOPLE IN
RETRAINING AND EMPLOYMENT 0146****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$718	\$0
All Other	\$7,024,633	\$7,090,651
GENERAL FUND TOTAL	\$7,025,351	\$7,090,651

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	83.000	83.000
Personal Services	\$5,818,272	\$5,994,438
All Other	\$20,848,590	\$20,848,590
FEDERAL BLOCK GRANT FUND TOTAL	\$26,666,862	\$26,843,028

Aids Lodging House 0518

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$37,496	\$37,496
GENERAL FUND TOTAL	\$37,496	\$37,496

AIDS LODGING HOUSE 0518**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$37,496	\$37,496
GENERAL FUND TOTAL	\$37,496	\$37,496

Bone Marrow Screening Fund 0076

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000

**BONE MARROW SCREENING FUND 0076
PROGRAM SUMMARY****OTHER SPECIAL
REVENUE FUNDS**

	2015-16	2016-17
All Other	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000

**Breast Cancer Services Special Program Fund
Z069**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$212,328	\$212,328
OTHER SPECIAL REVENUE FUNDS TOTAL	\$212,328	\$212,328

**BREAST CANCER SERVICES SPECIAL
PROGRAM FUND Z069****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$212,328	\$212,328
OTHER SPECIAL REVENUE FUNDS TOTAL	\$212,328	\$212,328

Child Care Food Program 0454

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$226,478	\$233,546
All Other	\$12,005,497	\$12,005,497
FEDERAL EXPENDITURES FUND TOTAL	\$12,231,975	\$12,239,043

Child Care Food Program 0454

Initiative: Transfers and reallocates one Social Services Manager I position from 60% Federal Block Grant Fund, Child Care Services program and 40% Federal Expenditures Fund, Child Care Food Program to 100% General Fund in the Mental Health Services - Children program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17

Personal Services	(\$40,588)	(\$41,391)
All Other	(\$1,991)	(\$1,991)
FEDERAL EXPENDITURES FUND TOTAL	(\$42,579)	(\$43,382)

CHILD CARE FOOD PROGRAM 0454 PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$185,890	\$192,155
All Other	\$12,003,506	\$12,003,506
FEDERAL EXPENDITURES FUND TOTAL	\$12,189,396	\$12,195,661

Child Care Services 0563

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$297,048	\$297,048
GENERAL FUND TOTAL	\$297,048	\$297,048
FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.500	10.500
Personal Services	\$679,601	\$701,267
All Other	\$15,976,551	\$15,976,551
FEDERAL BLOCK GRANT FUND TOTAL	\$16,656,152	\$16,677,818

Child Care Services 0563

Initiative: Transfers and reallocates one Social Services Manager I position from 60% Federal Block Grant Fund, Child Care Services program and 40% Federal Expenditures Fund, Child Care Food Program to 100% General Fund in the Mental Health Services - Children program.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$60,880)	(\$62,087)
All Other	(\$2,987)	(\$2,987)

FEDERAL BLOCK GRANT	(\$63,867)	(\$65,074)
FUND TOTAL		

CHILD CARE SERVICES 0563 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$297,048	\$297,048
GENERAL FUND TOTAL	\$297,048	\$297,048
FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.500	9.500
Personal Services	\$618,721	\$639,180
All Other	\$15,973,564	\$15,973,564
FEDERAL BLOCK GRANT FUND TOTAL	\$16,592,285	\$16,612,744

Child Support 0100

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	30.500	30.500
Personal Services	\$2,888,555	\$2,977,127
All Other	\$799,576	\$799,576
GENERAL FUND TOTAL	\$3,688,131	\$3,776,703
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	197.000	197.000
Personal Services	\$9,926,145	\$10,235,358
All Other	\$5,329,060	\$5,329,060
FEDERAL EXPENDITURES FUND TOTAL	\$15,255,205	\$15,564,418

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,073,046	\$2,139,145
All Other	\$5,870,515	\$5,870,515

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,943,561	\$8,009,660	GENERAL FUND TOTAL	(\$73,605)	(\$76,566)
Child Support 0100			FEDERAL EXPENDITURES FUND	2015-16	2016-17
Initiative: Transfers and reallocates 14 Office Assistant II positions and 7 Office Associate II positions from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 34% General Fund and 66% Federal Expenditures Fund in the Child Support program in order to align with the office in which the positions work 100% of the time.			POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
			Personal Services	(\$183,375)	(\$191,132)
			FEDERAL EXPENDITURES FUND TOTAL	(\$183,375)	(\$191,132)
GENERAL FUND	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	21.000	21.000	Personal Services	(\$18,474)	(\$19,421)
Personal Services	\$355,110	\$369,829			
All Other	\$37,237	\$37,057	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$18,474)	(\$19,421)
GENERAL FUND TOTAL	\$392,347	\$406,886			
FEDERAL EXPENDITURES FUND	2015-16	2016-17	CHILD SUPPORT 0100 PROGRAM SUMMARY		
Personal Services	\$689,311	\$717,862	GENERAL FUND	2015-16	2016-17
All Other	\$70,295	\$70,295	POSITIONS - LEGISLATIVE COUNT	50.500	50.500
FEDERAL EXPENDITURES FUND TOTAL	\$759,606	\$788,157	Personal Services	\$3,170,060	\$3,270,390
			All Other	\$915,858	\$915,678
			GENERAL FUND TOTAL	\$4,085,918	\$4,186,068
Child Support 0100			FEDERAL EXPENDITURES FUND	2015-16	2016-17
Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.			POSITIONS - LEGISLATIVE COUNT	193.000	193.000
GENERAL FUND	2015-16	2016-17	Personal Services	\$10,432,081	\$10,762,088
All Other	\$79,045	\$79,045	All Other	\$5,399,355	\$5,399,355
GENERAL FUND TOTAL	\$79,045	\$79,045	FEDERAL EXPENDITURES FUND TOTAL	\$15,831,436	\$16,161,443
Child Support 0100			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.			Personal Services	\$2,054,572	\$2,119,724
GENERAL FUND	2015-16	2016-17	All Other	\$5,870,515	\$5,870,515
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)	OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,925,087	\$7,990,239
Personal Services	(\$73,605)	(\$76,566)			

Community Family Planning 0466

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$223,105	\$223,105
GENERAL FUND TOTAL	\$223,105	\$223,105

COMMUNITY FAMILY PLANNING 0466**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$223,105	\$223,105
GENERAL FUND TOTAL	\$223,105	\$223,105

Community Services Block Grant 0716

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,829	\$77,123
All Other	\$4,863,395	\$4,863,395
FEDERAL BLOCK GRANT FUND TOTAL	\$4,937,224	\$4,940,518

COMMUNITY SERVICES BLOCK GRANT 0716**PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,829	\$77,123
All Other	\$4,863,395	\$4,863,395
FEDERAL BLOCK GRANT FUND TOTAL	\$4,937,224	\$4,940,518

Comprehensive Cancer Screening, Detection and Prevention Fund Z054

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

COMPREHENSIVE CANCER SCREENING, DETECTION AND PREVENTION FUND Z054**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Data, Research and Vital Statistics Z037

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$495,680	\$506,357
All Other	\$858,245	\$858,245
GENERAL FUND TOTAL	\$1,353,925	\$1,364,602

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$203,484	\$210,646
All Other	\$1,765,905	\$1,765,905

FEDERAL EXPENDITURES FUND TOTAL	\$1,969,389	\$1,976,551

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$656,616	\$677,394
All Other	\$2,218,165	\$2,218,165

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,874,781	\$2,895,559

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$72,352	\$75,998
All Other	\$8,368	\$8,368

FEDERAL BLOCK GRANT	\$80,720	\$84,366
FUND TOTAL		

Data, Research and Vital Statistics Z037

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$235,533	\$240,198
GENERAL FUND TOTAL	\$235,533	\$240,198

Data, Research and Vital Statistics Z037

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$72,352)	(\$75,998)
FEDERAL BLOCK GRANT FUND TOTAL	(\$72,352)	(\$75,998)

DATA, RESEARCH AND VITAL STATISTICS Z037**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$495,680	\$506,357
All Other	\$1,093,778	\$1,098,443
GENERAL FUND TOTAL	\$1,589,458	\$1,604,800

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$203,484	\$210,646
All Other	\$1,765,905	\$1,765,905
FEDERAL EXPENDITURES FUND TOTAL	\$1,969,389	\$1,976,551

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10,000	10,000
Personal Services	\$656,616	\$677,394
All Other	\$2,218,165	\$2,218,165
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,874,781	\$2,895,559

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$8,368	\$8,368
FEDERAL BLOCK GRANT FUND TOTAL	\$8,368	\$8,368

Dental Disease Prevention 0486

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$27,408	\$27,408
FEDERAL BLOCK GRANT FUND TOTAL	\$27,408	\$27,408

Dental Disease Prevention 0486

Initiative: Adjusts funding to align allocations with available resources.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	(\$26,908)	(\$26,908)
FEDERAL BLOCK GRANT FUND TOTAL	(\$26,908)	(\$26,908)

DENTAL DISEASE PREVENTION 0486 PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL BLOCK GRANT FUND TOTAL	\$500	\$500

Departmentwide 0640

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	(\$2,000,000)	(\$2,000,000)
GENERAL FUND TOTAL	(\$2,000,000)	(\$2,000,000)

DEPARTMENTWIDE 0640**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	(\$2,000,000)	(\$2,000,000)
GENERAL FUND TOTAL	(\$2,000,000)	(\$2,000,000)

Disability Determination - Division of 0208

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	63.500	63.500
Personal Services	\$4,453,121	\$4,587,061
All Other	\$5,168,560	\$5,168,560
FEDERAL EXPENDITURES FUND TOTAL	\$9,621,681	\$9,755,621

Disability Determination - Division of 0208

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(7.000)	(7.000)
Personal Services	(\$423,215)	(\$444,548)
FEDERAL EXPENDITURES FUND TOTAL	(\$423,215)	(\$444,548)

DISABILITY DETERMINATION - DIVISION OF 0208**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	56.500	56.500

Personal Services	\$4,029,906	\$4,142,513
All Other	\$5,168,560	\$5,168,560

FEDERAL EXPENDITURES FUND TOTAL	\$9,198,466	\$9,311,073

Division of Administrative Hearings Z038

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$405,093	\$412,267
All Other	\$51,016	\$51,016
GENERAL FUND TOTAL	\$456,109	\$463,283

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$559,416	\$569,336
All Other	\$244,799	\$244,799
OTHER SPECIAL REVENUE FUNDS TOTAL	\$804,215	\$814,135

Division of Administrative Hearings Z038

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$488	\$488
GENERAL FUND TOTAL	\$488	\$488

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$674	\$529
OTHER SPECIAL REVENUE FUNDS TOTAL	\$674	\$529

DIVISION OF ADMINISTRATIVE HEARINGS Z038**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$405,093	\$412,267
All Other	\$51,504	\$51,504
GENERAL FUND TOTAL	\$456,597	\$463,771

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$559,416	\$569,336
All Other	\$245,473	\$245,328
OTHER SPECIAL REVENUE FUNDS TOTAL	\$804,889	\$814,664

Division of Audit Z157

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$779,504	\$806,434
All Other	\$46,188	\$46,188
GENERAL FUND TOTAL	\$825,692	\$852,622

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	24.000	24.000
Personal Services	\$779,591	\$806,497
All Other	\$46,188	\$46,188

OTHER SPECIAL REVENUE FUNDS TOTAL	\$825,779	\$852,685

Division of Audit Z157

Initiative: Transfers Personal Services and related All Other in the General Fund and Other Special Revenue Funds from the Office of the Commissioner program to the Division of Audit program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$1,817,279	\$1,859,314
All Other	\$137,393	\$137,393
GENERAL FUND TOTAL	\$1,954,672	\$1,996,707

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$1,641,644	\$1,678,545
All Other	\$91,595	\$91,595

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,733,239	\$1,770,140

**DIVISION OF AUDIT Z157
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$2,596,783	\$2,665,748
All Other	\$183,581	\$183,581
GENERAL FUND TOTAL	\$2,780,364	\$2,849,329

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	50.000	50.000
Personal Services	\$2,421,235	\$2,485,042
All Other	\$137,783	\$137,783

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,559,018	\$2,622,825

Division of Contract Management Z035

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	24.500	24.500
Personal Services	\$1,560,066	\$1,605,895
All Other	\$140,451	\$140,451
GENERAL FUND TOTAL	\$1,700,517	\$1,746,346

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$803,688	\$827,310
All Other	\$86,632	\$86,632

OTHER SPECIAL	\$890,320	\$913,942
REVENUE FUNDS TOTAL		

OTHER SPECIAL	\$6,365,304	\$6,488,721
REVENUE FUNDS TOTAL		

DIVISION OF CONTRACT MANAGEMENT Z035**FEDERAL BLOCK GRANT FUND****PROGRAM SUMMARY**

	2015-16	2016-17

GENERAL FUND	2015-16	2016-17
POSITIONS -	24.500	24.500
LEGISLATIVE COUNT		
Personal Services	\$1,560,066	\$1,605,895
All Other	\$140,451	\$140,451
GENERAL FUND TOTAL	\$1,700,517	\$1,746,346

FEDERAL BLOCK GRANT	\$13,517	\$13,517
FUND TOTAL		

Division of Licensing and Regulatory Services Z036

Initiative: Adjusts funding to align allocations with available resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS -	5.000	5.000
LEGISLATIVE COUNT		
Personal Services	\$803,688	\$827,310
All Other	\$86,632	\$86,632

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$10,000	\$10,000

OTHER SPECIAL	\$10,000	\$10,000
REVENUE FUNDS TOTAL		

OTHER SPECIAL	\$890,320	\$913,942
REVENUE FUNDS TOTAL		

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	(\$13,517)	(\$13,517)

FEDERAL BLOCK GRANT	(\$13,517)	(\$13,517)
FUND TOTAL		

Division of Licensing and Regulatory Services Z036

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS -	29.000	29.000
LEGISLATIVE COUNT		
Personal Services	\$2,873,579	\$2,940,136
All Other	\$1,230,229	\$1,230,229
GENERAL FUND TOTAL	\$4,103,808	\$4,170,365

Division of Licensing and Regulatory Services Z036

Initiative: Provides funding to meet programmatic and operational needs within available resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$92,000	\$92,000

OTHER SPECIAL	\$92,000	\$92,000
REVENUE FUNDS TOTAL		

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,406,743	\$1,406,743
FEDERAL EXPENDITURES FUND TOTAL	\$1,406,743	\$1,406,743

Division of Licensing and Regulatory Services Z036

Initiative: Establishes the first of 2 Social Services Program Specialist I positions funded 35% General Fund and 65% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS -	74.500	74.500
LEGISLATIVE COUNT		
Personal Services	\$5,317,970	\$5,441,387
All Other	\$1,047,334	\$1,047,334

GENERAL FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$24,407	\$25,679

All Other	\$1,742	\$1,742
GENERAL FUND TOTAL	\$26,149	\$27,421
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$45,326	\$47,682
All Other	\$3,236	\$3,236
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,562	\$50,918

Division of Licensing and Regulatory Services Z036

Initiative: Transfers and reallocates 2 Office Associate II positions and one Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 35% General Fund and 65% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$58,594	\$60,907
All Other	\$6,970	\$6,970
GENERAL FUND TOTAL	\$65,564	\$67,877
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$108,814	\$113,110
All Other	\$12,942	\$12,942
OTHER SPECIAL REVENUE FUNDS TOTAL	\$121,756	\$126,052

Division of Licensing and Regulatory Services Z036

Initiative: Establishes 13 Community Care Worker positions, 2 Social Services Program Specialist II positions and one Office Associate II position, and provides funding in All Other to support the positions. The positions were previously limited-period and continued by Financial Order 002377 F5.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	16.000	16.000

Personal Services	\$1,101,664	\$1,152,268
All Other	\$79,652	\$79,652
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,181,316	\$1,231,920

Division of Licensing and Regulatory Services Z036

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$6,975	\$6,975
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,975	\$6,975

Division of Licensing and Regulatory Services Z036

Initiative: Establishes the 2nd of 2 Social Services Program Specialist I positions funded 35% General Fund and 65% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program and provides funding in All Other to support the position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$24,407	\$25,679
All Other	\$1,742	\$1,742
GENERAL FUND TOTAL	\$26,149	\$27,421
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$45,326	\$47,682
All Other	\$3,236	\$3,236
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,562	\$50,918

Division of Licensing and Regulatory Services Z036

Initiative: Provides funding for an approved reclassification of one Social Services Program Specialist II position to a Social Services Manager I position and transfers and reallocates the position from 75% Other Special Revenue Funds in the Medical Use of Marijuana Fund program and 16.25% General Fund and 8.75% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program to 65%

General Fund and 35% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$55,044	\$46,914
GENERAL FUND TOTAL	\$55,044	\$46,914
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$29,641	\$25,262
All Other	\$102	\$100
OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,743	\$25,362

DIVISION OF LICENSING AND REGULATORY SERVICES Z036

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$3,036,031	\$3,099,315
All Other	\$1,240,683	\$1,240,683
GENERAL FUND TOTAL	\$4,276,714	\$4,339,998
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,406,743	\$1,406,743
FEDERAL EXPENDITURES FUND TOTAL	\$1,406,743	\$1,406,743
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	92.500	92.500
Personal Services	\$6,648,741	\$6,827,391
All Other	\$1,255,477	\$1,255,475
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,904,218	\$8,082,866
FEDERAL BLOCK GRANT FUND	2015-16	2016-17

All Other	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$0

Drinking Water Enforcement 0728

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$488,834	\$501,631
All Other	\$598,709	\$598,709
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,087,543	\$1,100,340

Drinking Water Enforcement 0728

Initiative: Transfers and reallocates one Environmental Specialist III position from 100% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program to 100% Other Special Revenue Funds in the Drinking Water Enforcement program to serve as an assistant laboratory certification officer.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,547	\$81,511
All Other	\$4,978	\$4,978
OTHER SPECIAL REVENUE FUNDS TOTAL	\$85,525	\$86,489

Drinking Water Enforcement 0728

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$6,181	\$6,181
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,181	\$6,181

Drinking Water Enforcement 0728

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$30,818)	(\$32,408)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$30,818)	(\$32,408)

DRINKING WATER ENFORCEMENT 0728 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$538,563	\$550,734
All Other	\$609,868	\$609,868
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,148,431	\$1,160,602

Food Supplement Administration Z019

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$2,372,882	\$2,372,882
GENERAL FUND TOTAL	\$2,372,882	\$2,372,882

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$16,100	\$0
All Other	\$7,916,303	\$7,916,303
FEDERAL EXPENDITURES FUND TOTAL	\$7,932,403	\$7,916,303

Food Supplement Administration Z019

Initiative: Continues one limited-period Social Services Program Specialist I position through June 10, 2017 and provides funding in All Other to support the position. This position was extended by Public Law 2013, chapter 368.

FEDERAL EXPENDITURES FUND	2015-16	2016-17

Personal Services	\$69,733	\$71,932
All Other	\$4,978	\$4,978

FEDERAL EXPENDITURES FUND TOTAL	\$74,711	\$76,910

Food Supplement Administration Z019

Initiative: Continues 2 limited-period Customer Representative Associate II - Human Services positions through June 10, 2017 and provides funding in All Other to support the positions. These positions were extended by Public Law 2013, chapter 368.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$116,702	\$120,438
All Other	\$9,956	\$9,956
FEDERAL EXPENDITURES FUND TOTAL	\$126,658	\$130,394

Food Supplement Administration Z019

Initiative: Provides funding for the Temporary Assistance for Needy Families offset for common costs, as determined by the Department of Health and Human Services, in the supplemental nutrition assistance program administration, as required by Section 16(k)(3) of the Food Stamp Act of 1977, extended by the Consolidated Appropriations Act of 2008, and permanently extended by Section 4406 of the Food, Conservation, and Energy Act of 2008.

GENERAL FUND	2015-16	2016-17
All Other	\$598,000	\$598,000
GENERAL FUND TOTAL	\$598,000	\$598,000

FOOD SUPPLEMENT ADMINISTRATION Z019 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$2,970,882	\$2,970,882
GENERAL FUND TOTAL	\$2,970,882	\$2,970,882

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$202,535	\$192,370
All Other	\$7,931,237	\$7,931,237
FEDERAL EXPENDITURES FUND TOTAL	\$8,133,772	\$8,123,607

General Assistance - Reimbursement to Cities and Towns 0130

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$12,148,875	\$12,148,875
GENERAL FUND TOTAL	\$12,148,875	\$12,148,875
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$286,317	\$297,964
All Other	\$2,053,687	\$2,053,687
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,340,004	\$2,351,651

GENERAL ASSISTANCE - REIMBURSEMENT TO CITIES AND TOWNS 0130**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$12,148,875	\$12,148,875
GENERAL FUND TOTAL	\$12,148,875	\$12,148,875
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$286,317	\$297,964
All Other	\$2,053,687	\$2,053,687
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,340,004	\$2,351,651

Head Start 0545

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$1,194,458	\$1,194,458
GENERAL FUND TOTAL	\$1,194,458	\$1,194,458
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$107,637	\$107,637

FEDERAL EXPENDITURES FUND TOTAL	\$107,637	\$107,637

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$1,354,580	\$1,354,580
FUND FOR A HEALTHY MAINE TOTAL	\$1,354,580	\$1,354,580

Head Start 0545

Initiative: Provides funding for Head Start services in fiscal year 2015-16 and fiscal year 2016-17 only to be used to maximize the State's share of federal block grant dollars under the federal Child Care and Development Fund program.

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$575,000	\$575,000
FUND FOR A HEALTHY MAINE TOTAL	\$575,000	\$575,000

HEAD START 0545**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$1,194,458	\$1,194,458
GENERAL FUND TOTAL	\$1,194,458	\$1,194,458
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$107,637	\$107,637
FEDERAL EXPENDITURES FUND TOTAL	\$107,637	\$107,637

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$1,929,580	\$1,929,580
FUND FOR A HEALTHY MAINE TOTAL	\$1,929,580	\$1,929,580

Homeless Youth Program 0923

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

All Other	\$397,807	\$397,807
GENERAL FUND TOTAL	\$397,807	\$397,807

HOMELESS YOUTH PROGRAM 0923**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$397,807	\$397,807
GENERAL FUND TOTAL	\$397,807	\$397,807

Hypertension Control 0487

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$56,204	\$56,204
FEDERAL BLOCK GRANT FUND TOTAL	\$56,204	\$56,204

Hypertension Control 0487

Initiative: Adjusts funding to align allocations with available resources.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	(\$55,704)	(\$55,704)
FEDERAL BLOCK GRANT FUND TOTAL	(\$55,704)	(\$55,704)

HYPERTENSION CONTROL 0487**PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL BLOCK GRANT FUND TOTAL	\$500	\$500

Independent Housing with Services 0211

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$2,799,286	\$2,799,286
GENERAL FUND TOTAL	\$2,799,286	\$2,799,286

INDEPENDENT HOUSING WITH SERVICES 0211**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$2,799,286	\$2,799,286
GENERAL FUND TOTAL	\$2,799,286	\$2,799,286

IV-E Foster Care/Adoption Assistance 0137

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$13,588,106	\$13,588,106
GENERAL FUND TOTAL	\$13,588,106	\$13,588,106

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$21,435,620	\$21,435,620
FEDERAL EXPENDITURES FUND TOTAL	\$21,435,620	\$21,435,620

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,529,441	\$1,529,441
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,529,441	\$1,529,441

IV-E FOSTER CARE/ADOPTION ASSISTANCE 0137**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$13,588,106	\$13,588,106
GENERAL FUND TOTAL	\$13,588,106	\$13,588,106

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$21,435,620	\$21,435,620
FEDERAL EXPENDITURES FUND TOTAL	\$21,435,620	\$21,435,620

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,529,441	\$1,529,441

OTHER SPECIAL	\$1,529,441	\$1,529,441
REVENUE FUNDS TOTAL		

Long Term Care - Office of Aging and Disability Services 0420

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$60,754	\$62,966
All Other	\$12,432,526	\$12,432,526
GENERAL FUND TOTAL	\$12,493,280	\$12,495,492

Long Term Care - Office of Aging and Disability Services 0420

Initiative: Transfers funds from the Office of Aging and Disability Services program, General Fund related to the adult day program to the Long Term Care - Office of Aging and Disability Services program for home-based care.

GENERAL FUND	2015-16	2016-17
All Other	\$350,000	\$350,000
GENERAL FUND TOTAL	\$350,000	\$350,000

Long Term Care - Office of Aging and Disability Services 0420

Initiative: Provides funding to increase the reimbursement rates for personal support services provided under Chapter 10-149: Office of Aging and Disability Services, Chapter 5, Office of Elder Services Policy Manual, Section 63, In-Home and Community Support Services for Elderly and Other Adults.

GENERAL FUND	2015-16	2016-17
All Other	\$695,186	\$695,186
GENERAL FUND TOTAL	\$695,186	\$695,186

LONG TERM CARE - OFFICE OF AGING AND DISABILITY SERVICES 0420

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
Personal Services	\$60,754	\$62,966
All Other	\$13,477,712	\$13,477,712
GENERAL FUND TOTAL	\$13,538,466	\$13,540,678

Low-cost Drugs To Maine's Elderly 0202

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$4,462,863	\$4,462,863
GENERAL FUND TOTAL	\$4,462,863	\$4,462,863

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$6,897,869	\$6,897,869
FUND FOR A HEALTHY MAINE TOTAL	\$6,897,869	\$6,897,869

Low-cost Drugs To Maine's Elderly 0202

Initiative: Adjusts funding to reflect amounts authorized by the Revenue Forecasting Committee.

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	(\$1,644)	(\$1,661)
FUND FOR A HEALTHY MAINE TOTAL	(\$1,644)	(\$1,661)

Low-cost Drugs To Maine's Elderly 0202

Initiative: Adjusts funding to reflect a redistribution of funding to the Medical Care - Payments to Providers program by raising the asset level for eligibility in the Low-cost Drugs to Maine's Elderly program to align with the Medicare Savings Program.

GENERAL FUND	2015-16	2016-17
All Other	(\$30,883)	(\$37,060)
GENERAL FUND TOTAL	(\$30,883)	(\$37,060)

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	(\$678,427)	(\$814,113)
FUND FOR A HEALTHY MAINE TOTAL	(\$678,427)	(\$814,113)

LOW-COST DRUGS TO MAINE'S ELDERLY 0202

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$4,431,980	\$4,425,803

GENERAL FUND TOTAL	\$4,431,980	\$4,425,803	FEDERAL EXPENDITURES FUND TOTAL	\$62,392,410	\$62,763,417
FUND FOR A HEALTHY MAINE	2015-16	2016-17	FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$6,217,798	\$6,082,095	POSITIONS - LEGISLATIVE COUNT	8,000	8,000
FUND FOR A HEALTHY MAINE TOTAL	\$6,217,798	\$6,082,095	Personal Services	\$907,522	\$941,803
			All Other	\$13,276,792	\$13,276,792
Maine Asthma and Lung Disease Research Fund (DHHS) Z027			FUND FOR A HEALTHY MAINE TOTAL	\$14,184,314	\$14,218,595
Initiative: BASELINE BUDGET					
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$42,500	\$42,500	POSITIONS - LEGISLATIVE COUNT	80,000	80,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$42,500	\$42,500	POSITIONS - FTE COUNT	1,500	1,500
			Personal Services	\$6,245,538	\$6,400,505
MAINE ASTHMA AND LUNG DISEASE RESEARCH FUND (DHHS) Z027			All Other	\$10,156,863	\$10,156,863
PROGRAM SUMMARY			OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,402,401	\$16,557,368
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$42,500	\$42,500	Personal Services	\$103,675	\$105,382
OTHER SPECIAL REVENUE FUNDS TOTAL	\$42,500	\$42,500	All Other	\$100,814	\$100,814
Maine Center for Disease Control and Prevention 0143			FEDERAL BLOCK GRANT FUND TOTAL	\$204,489	\$206,196
Initiative: BASELINE BUDGET					
GENERAL FUND	2015-16	2016-17	Maine Center for Disease Control and Prevention 0143		
POSITIONS - LEGISLATIVE COUNT	71,500	71,500	Initiative: Provides funding to meet programmatic and operational needs within available resources.		
Personal Services	\$5,881,291	\$6,025,042	FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$3,482,532	\$3,482,532	All Other	\$1,383,430	\$1,383,430
GENERAL FUND TOTAL	\$9,363,823	\$9,507,574			
			FEDERAL BLOCK GRANT FUND TOTAL	\$1,383,430	\$1,383,430
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Maine Center for Disease Control and Prevention 0143		
POSITIONS - LEGISLATIVE COUNT	146,000	146,000	Initiative: Transfers one Public Health Nurse I position from 100% Federal Block Grant Fund in the Special		
Personal Services	\$11,139,720	\$11,510,727			
All Other	\$51,252,690	\$51,252,690			

Children's Services program to 100% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$83,613	\$85,174
All Other	\$4,978	\$4,978
OTHER SPECIAL REVENUE FUNDS TOTAL	\$88,591	\$90,152

Maine Center for Disease Control and Prevention 0143

Initiative: Reallocates one Public Service Manager II position from 100% Other Special Revenue Funds to 90% Other Special Revenue Funds and 10% Federal Expenditures Fund within the same program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$10,591	\$11,066
All Other	\$501	\$501
FEDERAL EXPENDITURES FUND TOTAL	\$11,092	\$11,567

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$10,591)	(\$11,066)
All Other	(\$501)	(\$501)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$11,092)	(\$11,567)

Maine Center for Disease Control and Prevention 0143

Initiative: Transfers one Public Health Educator III position from 100% Federal Expenditures Fund in the Maine Center for Disease Control and Prevention program to 100% Federal Block Grant Fund in the Maternal and Child Health program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$75,867)	(\$76,672)
All Other	(\$4,978)	(\$4,978)

FEDERAL EXPENDITURES FUND TOTAL	(\$80,845)	(\$81,650)

Maine Center for Disease Control and Prevention 0143

Initiative: Transfers and reallocates 5 full-time Office Assistant II positions, one part-time Office Assistant II position and one full-time Office Associate II position from 64% General Fund and 36% Other Special Revenue Funds within the Office of the Commissioner District Operations program to 100% General Fund in the Maine Center for Disease Control and Prevention program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6,500	6,500
Personal Services	\$337,658	\$347,575
All Other	\$32,359	\$32,359
GENERAL FUND TOTAL	\$370,017	\$379,934

Maine Center for Disease Control and Prevention 0143

Initiative: Transfers and reallocates one Office Associate I position from 100% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program to 10% Other Special Revenue Funds in the Plumbing - Control Over program, 90% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$6,139)	(\$6,225)
All Other	(\$498)	(\$498)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$6,637)	(\$6,723)

Maine Center for Disease Control and Prevention 0143

Initiative: Reallocates one Public Service Coordinator III position from 100% Federal Expenditures Fund to 75% Federal Expenditures Fund and 25% General Fund within the same program and transfers from All Other to fund the General Fund portion of the position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$50,876	\$53,692
All Other	(\$50,876)	(\$53,692)

GENERAL FUND TOTAL	\$0	\$0	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$85,525)	(\$86,489)
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Maine Center for Disease Control and Prevention 0143		
Personal Services	(\$50,876)	(\$53,692)	Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.		
All Other	(\$1,245)	(\$1,245)			
FEDERAL EXPENDITURES FUND TOTAL	(\$52,121)	(\$54,937)	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Maine Center for Disease Control and Prevention 0143			All Other	\$5,440	\$5,397
Initiative: Reallocates one Sanitary Engineer III position from 100% Other Special Revenue Funds to 95% Other Special Revenue Funds and 5% Federal Expenditures Fund within the same program.			OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,440	\$5,397
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Maine Center for Disease Control and Prevention 0143		
Personal Services	\$5,650	\$5,716	Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.		
All Other	\$250	\$250			
FEDERAL EXPENDITURES FUND TOTAL	\$5,900	\$5,966	GENERAL FUND	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	POSITIONS - LEGISLATIVE COUNT	(11.000)	(11.000)
Personal Services	(\$5,650)	(\$5,716)	Personal Services	(\$850,254)	(\$887,321)
All Other	(\$250)	(\$250)	GENERAL FUND TOTAL	(\$850,254)	(\$887,321)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,900)	(\$5,966)	FEDERAL EXPENDITURES FUND	2015-16	2016-17
Maine Center for Disease Control and Prevention 0143			POSITIONS - LEGISLATIVE COUNT	(19.000)	(19.000)
Initiative: Transfers and reallocates one Environmental Specialist III position from 100% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program to 100% Other Special Revenue Funds in the Drinking Water Enforcement program to serve as an assistant laboratory certification officer.			Personal Services	(\$1,446,947)	(\$1,509,659)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	FEDERAL EXPENDITURES FUND TOTAL	(\$1,446,947)	(\$1,509,659)
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)	FUND FOR A HEALTHY MAINE	2015-16	2016-17
Personal Services	(\$80,547)	(\$81,511)	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
All Other	(\$4,978)	(\$4,978)	Personal Services	(\$121,281)	(\$127,418)
			FUND FOR A HEALTHY MAINE TOTAL	(\$121,281)	(\$127,418)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(6.000)	(6.000)
POSITIONS - FTE COUNT	(0.500)	(0.500)
Personal Services	(\$446,604)	(\$465,860)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$446,604)	(\$465,860)

Maine Center for Disease Control and Prevention 0143

Initiative: Deallocates funding from the Maine Center for Disease Control and Prevention program, Immunization account.

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	(\$1,078,884)	(\$1,078,884)
FUND FOR A HEALTHY MAINE TOTAL	(\$1,078,884)	(\$1,078,884)

Maine Center for Disease Control and Prevention 0143

Initiative: Provides one-time funding for contracted lead inspections.

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$694,126	\$636,386
FUND FOR A HEALTHY MAINE TOTAL	\$694,126	\$636,386

Maine Center for Disease Control and Prevention 0143

Initiative: Provides funding to hire 8 limited-period Environmental Specialist III positions through June 10, 2017 to review inspections, issue orders to abate hazards, track to make sure abatements occur and work with families on interim controls to reduce hazards until the abatement is complete.

FUND FOR A HEALTHY MAINE	2015-16	2016-17
Personal Services	\$447,780	\$612,686
All Other	\$37,669	\$50,226
FUND FOR A HEALTHY MAINE TOTAL	\$485,449	\$662,912

MAINE CENTER FOR DISEASE CONTROL AND PREVENTION 0143

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	67.000	67.000
Personal Services	\$5,419,571	\$5,538,988
All Other	\$3,464,015	\$3,461,199
GENERAL FUND TOTAL	\$8,883,586	\$9,000,187

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	126.000	126.000
Personal Services	\$9,582,271	\$9,887,486
All Other	\$51,247,218	\$51,247,218
FEDERAL EXPENDITURES FUND TOTAL	\$60,829,489	\$61,134,704

FUND FOR A HEALTHY MAINE	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$1,234,021	\$1,427,071
All Other	\$12,929,703	\$12,884,520
FUND FOR A HEALTHY MAINE TOTAL	\$14,163,724	\$14,311,591

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	74.000	74.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$5,779,620	\$5,915,301
All Other	\$10,161,054	\$10,161,011
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,940,674	\$16,076,312

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
Personal Services	\$103,675	\$105,382
All Other	\$1,484,244	\$1,484,244

FEDERAL BLOCK GRANT	\$1,587,919	\$1,589,626
FUND TOTAL		

OTHER SPECIAL	\$23,420	\$23,405
REVENUE FUNDS TOTAL		

Maine Children's Growth Council Z074

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,000	\$2,000

OTHER SPECIAL	\$2,000	\$2,000
REVENUE FUNDS TOTAL		

**MAINE CHILDREN'S GROWTH COUNCIL
Z074****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,000	\$2,000

OTHER SPECIAL	\$2,000	\$2,000
REVENUE FUNDS TOTAL		

Maine Rx Plus Program 0927

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$135,786	\$135,786

OTHER SPECIAL	\$135,786	\$135,786
REVENUE FUNDS TOTAL		

MAINE RX PLUS PROGRAM 0927**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$135,786	\$135,786

OTHER SPECIAL	\$135,786	\$135,786
REVENUE FUNDS TOTAL		

Maine School Oral Health Fund Z025

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$23,420	\$23,405

**MAINE SCHOOL ORAL HEALTH FUND Z025
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$23,420	\$23,405

OTHER SPECIAL	\$23,420	\$23,405
REVENUE FUNDS TOTAL		

Maine Water Well Drilling Program 0697

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$29,324	\$29,662
All Other	\$44,389	\$44,389

OTHER SPECIAL	\$29,324	\$29,662
REVENUE FUNDS TOTAL		

OTHER SPECIAL	\$73,713	\$74,051
REVENUE FUNDS TOTAL		

**MAINE WATER WELL DRILLING PROGRAM
0697****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$29,324	\$29,662
All Other	\$44,389	\$44,389

OTHER SPECIAL	\$73,713	\$74,051
REVENUE FUNDS TOTAL		

Maternal and Child Health 0191

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$178,412	\$184,035
All Other	\$7,454,746	\$7,454,746

FEDERAL EXPENDITURES	\$7,633,158	\$7,638,781
FUND TOTAL		

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	28.000	28.000
Personal Services	\$2,505,164	\$2,562,809
All Other	\$647,431	\$647,431

FEDERAL BLOCK GRANT FUND TOTAL	\$3,152,595	\$3,210,240

Maternal and Child Health 0191

Initiative: Transfers one Public Health Educator III position from 100% Federal Expenditures Fund in the Maine Center for Disease Control and Prevention program to 100% Federal Block Grant Fund in the Maternal and Child Health program.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$75,867	\$76,672
All Other	\$4,978	\$4,978

FEDERAL BLOCK GRANT FUND TOTAL	\$80,845	\$81,650

Maternal and Child Health 0191

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$88,460)	(\$93,086)

FEDERAL EXPENDITURES FUND TOTAL	(\$88,460)	(\$93,086)

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$368,049)	(\$385,734)

FEDERAL BLOCK GRANT FUND TOTAL	(\$368,049)	(\$385,734)

MATERNAL AND CHILD HEALTH 0191
PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$89,952	\$90,949
All Other	\$7,454,746	\$7,454,746

FEDERAL EXPENDITURES FUND TOTAL	\$7,544,698	\$7,545,695

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	25.000	25.000
Personal Services	\$2,212,982	\$2,253,747
All Other	\$652,409	\$652,409

FEDERAL BLOCK GRANT FUND TOTAL	\$2,865,391	\$2,906,156

Maternal and Child Health Block Grant Match Z008

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$391,144	\$408,342
All Other	\$4,892,116	\$4,892,116

GENERAL FUND TOTAL	\$5,283,260	\$5,300,458

Maternal and Child Health Block Grant Match Z008

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17

Personal Services	(\$34,350)	(\$36,096)

GENERAL FUND TOTAL	(\$34,350)	(\$36,096)

**MATERNAL AND CHILD HEALTH BLOCK
GRANT MATCH Z008****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$356,794	\$372,246
All Other	\$4,892,116	\$4,892,116
GENERAL FUND TOTAL	\$5,248,910	\$5,264,362

Medical Care - Payments to Providers 0147

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$424,973,373	\$424,973,373
GENERAL FUND TOTAL	\$424,973,373	\$424,973,373

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,509,735,400	\$1,509,735,400
FEDERAL EXPENDITURES FUND TOTAL	\$1,509,735,400	\$1,509,735,400

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$25,222,817	\$25,222,817
FUND FOR A HEALTHY MAINE TOTAL	\$25,222,817	\$25,222,817

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$162,663,158	\$162,663,158
OTHER SPECIAL REVENUE FUNDS TOTAL	\$162,663,158	\$162,663,158

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$27,808,379	\$27,808,379
FEDERAL BLOCK GRANT FUND TOTAL	\$27,808,379	\$27,808,379

Medical Care - Payments to Providers 0147

Initiative: Provides funding to eliminate the waiting list for home and community-based services for older adults within long-term care.

GENERAL FUND	2015-16	2016-17
All Other	\$960,898	\$941,662
GENERAL FUND TOTAL	\$960,898	\$941,662

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,599,448	\$1,580,873
FEDERAL EXPENDITURES FUND TOTAL	\$1,599,448	\$1,580,873

Medical Care - Payments to Providers 0147

Initiative: Provides funding to reduce the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 21: Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$9,601,906	\$9,692,237
FEDERAL EXPENDITURES FUND TOTAL	\$9,601,906	\$9,692,237

Medical Care - Payments to Providers 0147

Initiative: Provides funding necessary to increase the availability of community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 20: Home and Community-Based Services for Adults with Other Related Conditions.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$0	\$1,510,725
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$1,510,725

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the MaineCare Benefits Manual, Chapter II, Section 92, behavioral health homes for adults with serious and persistent mental illness and children with serious emotional disturbance and for the MaineCare Benefits Manual, Chapter II, Section 91, health homes for individuals with one or more chronic conditions due to the elimination of the

enhanced federal match of 90/10 under the federal Patient Protection and Affordable Care Act.

GENERAL FUND	2015-16	2016-17
All Other	\$2,822,086	\$3,920,400
GENERAL FUND TOTAL	\$2,822,086	\$3,920,400
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$2,822,086)	(\$3,920,400)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,822,086)	(\$3,920,400)

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the reimbursement of primary care physicians at an enhanced rate, which replaces expiring funds provided through the federal Patient Protection and Affordable Care Act.

GENERAL FUND	2015-16	2016-17
All Other	\$2,992,924	\$2,977,173
GENERAL FUND TOTAL	\$2,992,924	\$2,977,173
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$5,020,309	\$5,036,060
FEDERAL EXPENDITURES FUND TOTAL	\$5,020,309	\$5,036,060

Medical Care - Payments to Providers 0147

Initiative: Provides funding to meet programmatic and operational needs within available resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$12,572,275	\$12,572,275
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,572,275	\$12,572,275

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% for federal fiscal year 2016 from 61.88%.

GENERAL FUND	2015-16	2016-17
All Other	(\$9,813,693)	(\$12,782,887)

GENERAL FUND TOTAL	(\$9,813,693)	(\$12,782,887)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$14,307,341	\$18,618,142

FEDERAL EXPENDITURES FUND TOTAL	\$14,307,341	\$18,618,142

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$385	\$278

FEDERAL BLOCK GRANT FUND TOTAL	\$385	\$278

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding to align appropriations and allocations based on the report of the Revenue Forecasting Committee.

GENERAL FUND	2015-16	2016-17
All Other	\$4,086,976	\$4,086,976

GENERAL FUND TOTAL	\$4,086,976	\$4,086,976

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$4,086,976)	(\$4,086,976)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$4,086,976)	(\$4,086,976)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by changing reimbursement of nonemergency use of emergency services to an office visit rate.

GENERAL FUND	2015-16	2016-17
All Other	(\$1,157,315)	(\$1,534,864)

GENERAL FUND TOTAL	(\$1,157,315)	(\$1,534,864)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$1,926,392)	(\$2,576,746)

FEDERAL EXPENDITURES FUND TOTAL	(\$1,926,392)	(\$2,576,746)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding to align with projected resources.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	(\$1,754,295)	(\$1,754,295)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,754,295)	(\$1,754,295)

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding to reflect a redistribution of funding to the Medical Care - Payments to Providers program by raising the asset level for eligibility in the Low-cost Drugs to Maine's Elderly program to align with the Medicare Savings Program.

	2015-16	2016-17
GENERAL FUND		
All Other	(\$678,427)	(\$814,113)
GENERAL FUND TOTAL	(\$678,427)	(\$814,113)

	2015-16	2016-17
FUND FOR A HEALTHY MAINE		
All Other	\$678,427	\$814,113
FUND FOR A HEALTHY MAINE TOTAL	\$678,427	\$814,113

Medical Care - Payments to Providers 0147

Initiative: Provides funding for a projected increase in school subsidy payments for the state share of Maine-Care expenditures for school-based services.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$3,000,000	\$3,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000,000	\$3,000,000

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase the private non-medical institutions assisted living reimbursement rate by 3% beginning July 1, 2015.

	2015-16	2016-17
GENERAL FUND		
All Other	\$1,203,569	\$1,195,642
GENERAL FUND TOTAL	\$1,203,569	\$1,195,642

	2015-16	2016-17
FEDERAL EXPENDITURES FUND		
All Other	\$3,889,468	\$3,902,019
FEDERAL EXPENDITURES FUND TOTAL	\$3,889,468	\$3,902,019

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$330,288	\$330,288
OTHER SPECIAL REVENUE FUNDS TOTAL	\$330,288	\$330,288

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase the reimbursement rates for adult family care services at residential care facilities by 3% beginning July 1, 2015.

	2015-16	2016-17
GENERAL FUND		
All Other	\$49,259	\$48,997
GENERAL FUND TOTAL	\$49,259	\$48,997

	2015-16	2016-17
FEDERAL EXPENDITURES FUND		
All Other	\$81,994	\$82,256
FEDERAL EXPENDITURES FUND TOTAL	\$81,994	\$82,256

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding as a result of the increase in the federal Child Health Insurance Program (CHIP) enhanced Federal Medical Assistance Percentage to 96.87% for federal fiscal year 2016 from 73.32%.

	2015-16	2016-17
GENERAL FUND		
All Other	(\$5,024,634)	(\$6,486,919)
GENERAL FUND TOTAL	(\$5,024,634)	(\$6,486,919)

	2015-16	2016-17
FEDERAL BLOCK GRANT FUND		
All Other	\$5,024,634	\$6,486,919
FEDERAL BLOCK GRANT FUND TOTAL	\$5,024,634	\$6,486,919

Medical Care - Payments to Providers 0147

Initiative: Provides funding for an increase in the State's contribution (clawback payments) for prescription drug costs for eligible individuals enrolled in Medicare Part D.

GENERAL FUND	2015-16	2016-17
All Other	\$1,122,092	\$3,485,854
GENERAL FUND TOTAL	\$1,122,092	\$3,485,854

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase the reimbursement rates for personal support services provided under the MaineCare Benefits Manual, Chapters II and III, Section 19: Home and Community Benefits for the Elderly and for Adults with Disabilities and the MaineCare Benefits Manual, Chapters II and III, Section 96: Private Duty Nursing and Personal Care Services.

GENERAL FUND	2015-16	2016-17
All Other	\$1,304,814	\$1,304,814
GENERAL FUND TOTAL	\$1,304,814	\$1,304,814

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$2,171,909	\$2,190,536
FEDERAL EXPENDITURES FUND TOTAL	\$2,171,909	\$2,190,536

Medical Care - Payments to Providers 0147

Initiative: Provides funding for prepared meals to be delivered to individuals who qualify for services under the MaineCare Benefits Manual, Chapter II, Section 19, Home and Community Benefits for the Elderly and for Adults with Disabilities and who are also experiencing transitions of care, have debilitating or acute illnesses or are primarily homebound.

GENERAL FUND	2015-16	2016-17
All Other	\$14,477	\$19,303
GENERAL FUND TOTAL	\$14,477	\$19,303

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$24,304	\$32,406
FEDERAL EXPENDITURES FUND TOTAL	\$24,304	\$32,406

MEDICAL CARE - PAYMENTS TO PROVIDERS 0147

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$422,856,399	\$421,335,411
GENERAL FUND TOTAL	\$422,856,399	\$421,335,411

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,541,683,601	\$1,545,883,508
FEDERAL EXPENDITURES FUND TOTAL	\$1,541,683,601	\$1,545,883,508

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$25,901,244	\$26,036,930
FUND FOR A HEALTHY MAINE TOTAL	\$25,901,244	\$26,036,930

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$172,724,450	\$172,724,450
OTHER SPECIAL REVENUE FUNDS TOTAL	\$172,724,450	\$172,724,450

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$32,833,398	\$34,295,576
FEDERAL BLOCK GRANT FUND TOTAL	\$32,833,398	\$34,295,576

Medical Use of Marijuana Fund Z118

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$182,265	\$188,772
All Other	\$422,211	\$422,211
OTHER SPECIAL REVENUE FUNDS TOTAL	\$604,476	\$610,983

Medical Use of Marijuana Fund Z118

Initiative: Provides funding to meet programmatic and operational needs within available resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000

Medical Use of Marijuana Fund Z118

Initiative: Establishes one Social Services Manager I position in the Medical Use of Marijuana Fund program and provides funding in All Other to support the position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$85,990	\$90,493
All Other	\$4,978	\$4,978
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,968	\$95,471

Medical Use of Marijuana Fund Z118

Initiative: Continues one limited-period Social Services Program Specialist II position through June 10, 2017 to serve as the policy analyst for the Medical Use of Marijuana Fund program and provides funding in All Other to support the position. This position was established by Financial Order 002033 F4 and continued by 002404 F5.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$85,990	\$90,493
All Other	\$4,978	\$4,978
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,968	\$95,471

Medical Use of Marijuana Fund Z118

Initiative: Establishes 2 Field Investigator positions in the Medical Use of Marijuana Fund program to provide field inspections of dispensaries and provides funding in All Other to support the positions.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$139,466	\$146,722
All Other	\$13,232	\$13,232
OTHER SPECIAL REVENUE FUNDS TOTAL	\$152,698	\$159,954

Medical Use of Marijuana Fund Z118

Initiative: Reorganizes one Social Services Program Specialist II position to a Social Services Manager I position and reallocates the position from 75% Other Special Revenue Funds in the Medical Use of Marijuana Fund program and 16.25% General Fund and 8.75% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program to 65% General Fund and 35% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$65,419)	(\$66,078)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$65,419)	(\$66,078)

**MEDICAL USE OF MARIJUANA FUND Z118
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$428,292	\$450,402
All Other	\$545,399	\$545,399
OTHER SPECIAL REVENUE FUNDS TOTAL	\$973,691	\$995,801

Multicultural Services Z034

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,073	\$97,588
All Other	\$8,707	\$8,707

GENERAL FUND TOTAL	\$104,780	\$106,295	POSITIONS - LEGISLATIVE COUNT	1,000	1,000
			Personal Services	\$152,812	\$160,220
			All Other	\$1,474,726	\$1,474,726
FEDERAL EXPENDITURES FUND	2015-16	2016-17			
POSITIONS - LEGISLATIVE COUNT	1,000	1,000	FEDERAL EXPENDITURES FUND TOTAL	\$1,627,538	\$1,634,946
Personal Services	\$83,079	\$86,859			
All Other	\$1,469,748	\$1,469,748			
FEDERAL EXPENDITURES FUND TOTAL	\$1,552,827	\$1,556,607			

Multicultural Services Z034

Initiative: Continues one limited-period Social Services Program Specialist I position through June 10, 2017 and provides funding in All Other to support the position. The position was established by Financial Order 001977 F4 and continued by Financial Order 002369 F5.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$69,733	\$73,361
All Other	\$4,978	\$4,978
FEDERAL EXPENDITURES FUND TOTAL	\$74,711	\$78,339

Multicultural Services Z034

Initiative: Provides funding to improve data collection.

GENERAL FUND	2015-16	2016-17
All Other	\$10,000	\$10,000
GENERAL FUND TOTAL	\$10,000	\$10,000

MULTICULTURAL SERVICES Z034**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$96,073	\$97,588
All Other	\$18,707	\$18,707
GENERAL FUND TOTAL	\$114,780	\$116,295
FEDERAL EXPENDITURES FUND	2015-16	2016-17

Nursing Facilities 0148**Initiative: BASELINE BUDGET**

GENERAL FUND	2015-16	2016-17
All Other	\$89,251,450	\$89,251,450

GENERAL FUND TOTAL	\$89,251,450	\$89,251,450

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$215,503,806	\$215,503,806

FEDERAL EXPENDITURES FUND TOTAL	\$215,503,806	\$215,503,806

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$35,349,317	\$35,349,317

OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,349,317	\$35,349,317

Nursing Facilities 0148

Initiative: Provides funding in the Nursing Facilities program to replace the one-time General Fund appropriation provided in fiscal year 2014-15 and to fund the recommendations in Public Law 2013, chapter 594, An Act To Implement the Recommendations of the Commission To Study Long-term Care Facilities.

GENERAL FUND	2015-16	2016-17
All Other	\$7,000,000	\$7,000,000

GENERAL FUND TOTAL	\$7,000,000	\$7,000,000

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$13,869,015	\$14,002,235

FEDERAL EXPENDITURES FUND TOTAL	\$13,869,015	\$14,002,235

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,332,065	\$1,340,568	All Other	\$231,558,227	\$232,343,807
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,332,065	\$1,340,568	FEDERAL EXPENDITURES FUND TOTAL	\$231,558,227	\$232,343,807
Nursing Facilities 0148			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage to 62.67% in federal fiscal year 2016 from 61.88%.			All Other	\$37,781,633	\$37,790,136
GENERAL FUND	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS TOTAL	\$37,781,633	\$37,790,136
All Other	(\$2,185,406)	(\$2,837,766)			
GENERAL FUND TOTAL	(\$2,185,406)	(\$2,837,766)	Office for Family Independence Z020		
			Initiative: BASELINE BUDGET		
FEDERAL EXPENDITURES FUND	2015-16	2016-17	GENERAL FUND	2015-16	2016-17
All Other	\$2,185,406	\$2,837,766	POSITIONS - LEGISLATIVE COUNT	19.000	19.000
FEDERAL EXPENDITURES FUND TOTAL	\$2,185,406	\$2,837,766	Personal Services	\$2,099,217	\$2,157,145
			All Other	\$3,684,494	\$3,684,494
Nursing Facilities 0148			GENERAL FUND TOTAL	\$5,783,711	\$5,841,639
Initiative: Adjusts funding to align appropriations and allocations based on the report of the Revenue Forecasting Committee.			FEDERAL EXPENDITURES FUND	2015-16	2016-17
GENERAL FUND	2015-16	2016-17	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
All Other	(\$1,100,251)	(\$1,100,251)	Personal Services	\$74,548	\$75,399
GENERAL FUND TOTAL	(\$1,100,251)	(\$1,100,251)	All Other	\$387,080	\$387,080
			FEDERAL EXPENDITURES FUND TOTAL	\$461,628	\$462,479
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,100,251	\$1,100,251	POSITIONS - LEGISLATIVE COUNT	40.500	40.500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,100,251	\$1,100,251	Personal Services	\$2,059,141	\$2,116,604
			All Other	\$8,610,423	\$8,610,423
NURSING FACILITIES 0148			OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,669,564	\$10,727,027
PROGRAM SUMMARY			Office for Family Independence Z020		
GENERAL FUND	2015-16	2016-17	Initiative: Continues 4 limited-period Eligibility Specialist positions through June 10, 2017, funded 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program and		
All Other	\$92,965,793	\$92,313,433			
GENERAL FUND TOTAL	\$92,965,793	\$92,313,433			

provides funding in All Other to support the positions. These positions were established in Public Law 2013, chapter 368.

GENERAL FUND	2015-16	2016-17
Personal Services	\$127,236	\$130,484
All Other	\$9,956	\$9,956
GENERAL FUND TOTAL	\$137,192	\$140,440
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$127,224	\$130,484
All Other	\$9,956	\$9,956
OTHER SPECIAL REVENUE FUNDS TOTAL	\$137,180	\$140,440

Office for Family Independence Z020

Initiative: Continues 5 limited-period Social Services Program Specialist I positions and 4 limited-period Eligibility Specialist positions through June 10, 2017, funded 25% General Fund and 75% Other Special Revenue Funds in the Office for Family Independence program and provides funding in All Other to support the positions. These positions were established in Public Law 2013, chapter 368.

GENERAL FUND	2015-16	2016-17
Personal Services	\$150,782	\$155,153
All Other	\$11,201	\$11,201
GENERAL FUND TOTAL	\$161,983	\$166,354
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$452,343	\$465,475
All Other	\$33,602	\$33,602
OTHER SPECIAL REVENUE FUNDS TOTAL	\$485,945	\$499,077

Office for Family Independence Z020

Initiative: Transfers and reallocates one Comprehensive Health Planner II position from 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program to 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$39,988)	(\$41,863)

All Other	(\$2,489)	(\$2,489)
GENERAL FUND TOTAL	(\$42,477)	(\$44,352)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNCIL	(1,000)	(1,000)
Personal Services	(\$39,992)	(\$41,865)
All Other	(\$2,489)	(\$2,489)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$42,481)	(\$44,354)

Office for Family Independence Z020

Initiative: Reallocates one Family Independence Unit Supervisor position from 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program to 50% General Fund and 50% Other Special Revenue Funds in the Office of Family Independence - District program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNCIL	(1,000)	(1,000)
Personal Services	(\$42,162)	(\$42,594)
All Other	(\$2,489)	(\$2,489)
GENERAL FUND TOTAL	(\$44,651)	(\$45,083)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$42,157)	(\$42,590)
All Other	(\$2,489)	(\$2,489)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$44,646)	(\$45,079)

Office for Family Independence Z020

Initiative: Transfers one Public Service Manager II position from 65% Federal Expenditures Fund and 35% General Fund to 65% Other Special Revenue Funds and 35% General Fund within the same program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNCIL	(1,000)	(1,000)
Personal Services	(\$74,548)	(\$75,399)
All Other	(\$3,236)	(\$3,236)

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All Other	\$383,844	\$383,844
FEDERAL EXPENDITURES	\$383,844	\$383,844
FUND TOTAL		
OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	37.500	37.500
LEGISLATIVE COUNT		
Personal Services	\$2,566,722	\$2,635,810
All Other	\$8,652,239	\$8,652,239
OTHER SPECIAL	\$11,218,961	\$11,288,049
REVENUE FUNDS TOTAL		

**Office of Aging and Disability Services Adult
Protective Services Z040**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS -	72.000	72.000
LEGISLATIVE COUNT		
Personal Services	\$5,679,832	\$5,804,822
All Other	\$864,894	\$864,894
GENERAL FUND TOTAL	\$6,544,726	\$6,669,716
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$126,528	\$126,528
OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,528	\$126,528

**Office of Aging and Disability Services Adult
Protective Services Z040**

GENERAL FUND	2015-16	2016-17
POSITIONS -	18.000	18.000
LEGISLATIVE COUNT		
Personal Services	\$2,230,710	\$2,290,635
All Other	\$3,700,673	\$3,700,673
GENERAL FUND TOTAL	\$5,931,383	\$5,991,308
FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
POSITIONS -	0.000	0.000
LEGISLATIVE COUNT		
Personal Services	\$0	\$0

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
POSITIONS -	0.000	0.000
LEGISLATIVE COUNT		
Personal Services	\$0	\$0

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Transfers one Human Services Caseworker position from 100% General Fund in the Developmental Services - Community program to 100% General Fund in the Office of Aging and Disability Services Adult Protective Services program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,137	\$80,180
All Other	\$4,978	\$4,978
GENERAL FUND TOTAL	\$84,115	\$85,158

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Establishes 2 Human Services Caseworker positions in the Office of Aging and Disability Services Adult Protective Services program and provides funding in All Other to support the positions.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$139,466	\$146,722
All Other	\$9,956	\$9,956
GENERAL FUND TOTAL	\$149,422	\$156,678

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Provides funding to support office rental costs.

GENERAL FUND	2015-16	2016-17
All Other	\$23,000	\$23,000
GENERAL FUND TOTAL	\$23,000	\$23,000

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Transfers funding for state boarding homes from the PNMI Room and Board program to the Office of Aging and Disability Services Adult Protective Services program.

GENERAL FUND	2015-16	2016-17
All Other	\$152,000	\$152,000
GENERAL FUND TOTAL	\$152,000	\$152,000

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$13,383	\$13,383
GENERAL FUND TOTAL	\$13,383	\$13,383

OFFICE OF AGING AND DISABILITY SERVICES ADULT PROTECTIVE SERVICES Z040**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	76.000	76.000
Personal Services	\$5,961,094	\$6,097,517
All Other	\$1,073,189	\$1,073,189
GENERAL FUND TOTAL	\$7,034,283	\$7,170,706

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$126,528	\$126,528
OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,528	\$126,528

Office of Aging and Disability Services Central Office 0140

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$885,316	\$909,402
All Other	\$2,661,752	\$2,661,752
GENERAL FUND TOTAL	\$3,547,068	\$3,571,154

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$603,942	\$544,172
All Other	\$10,616,476	\$10,616,476

FEDERAL EXPENDITURES FUND TOTAL	\$11,220,418	\$11,160,648

**OTHER SPECIAL
REVENUE FUNDS**

	2015-16	2016-17
All Other	\$204,000	\$204,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$204,000	\$204,000

**FEDERAL BLOCK
GRANT FUND**

	2015-16	2016-17
All Other	\$415,000	\$415,000

FEDERAL BLOCK GRANT FUND TOTAL	\$415,000	\$415,000

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

Initiative: Reallocates one Management Analyst II position from 50% General Fund and 50% Federal Expenditures Fund to 20% General Fund and 80% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$20,266)	(\$21,297)
All Other	(\$996)	(\$996)

GENERAL FUND TOTAL	(\$21,262)	(\$22,293)

**FEDERAL
EXPENDITURES FUND**

	2015-16	2016-17
Personal Services	\$20,266	\$21,297
All Other	\$996	\$996

FEDERAL EXPENDITURES FUND TOTAL	\$21,262	\$22,293

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

Initiative: Reallocates one Staff Attorney position and one Office Associate II position from 100% Federal Expenditures Fund to 20% General Fund and 80% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$30,522	\$30,618
All Other	\$996	\$996

GENERAL FUND TOTAL	\$31,518	\$31,614

FEDERAL EXPENDITURES FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)

Personal Services	(\$30,522)	(\$34,003)
All Other	(\$996)	(\$996)

FEDERAL EXPENDITURES FUND TOTAL	(\$31,518)	(\$34,999)

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

Initiative: Establishes one Social Services Program Specialist II position in the Office of Aging and Disability Services Central Office program and provides funding in All Other to support the position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$81,301	\$85,563
All Other	\$4,978	\$4,978

GENERAL FUND TOTAL	\$86,279	\$90,541

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

Initiative: Transfers funding from the Office of Aging and Disability Services Central Office program related to the adult day program to the Long Term Care - Office of Aging and Disability Services program for home-based care.

GENERAL FUND	2015-16	2016-17
All Other	(\$350,000)	(\$350,000)

GENERAL FUND TOTAL	(\$350,000)	(\$350,000)

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

Initiative: Provides funding to support office rental costs.

GENERAL FUND	2015-16	2016-17
All Other	\$95,000	\$95,000

GENERAL FUND TOTAL	\$95,000	\$95,000

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

Initiative: Continues one limited-period Public Service Coordinator I position through June 10, 2017 and pro-

vides funding in All Other to support the position. This position was previously authorized by Public Law 2013, chapter 368.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$28,877	\$105,109
All Other	\$2,963	\$11,258
FEDERAL EXPENDITURES FUND TOTAL	\$31,840	\$116,367

Office of Aging and Disability Services Central Office 0140

Initiative: Transfers and reallocates one Office Associate II position and 4 Office Assistant II positions from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Office of Aging and Disability Services Central Office program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$248,992	\$257,648
All Other	\$24,890	\$24,890
GENERAL FUND TOTAL	\$273,882	\$282,538

Office of Aging and Disability Services Central Office 0140

Initiative: Reallocates one Health Services Supervisor position from 40% General Fund in the Office of Aging and Disability Services Central Office program and 60% Federal Expenditures Fund in the Office of MaineCare Services program to 85% General Fund in the Office of Aging and Disability Services Central Office program and 15% Federal Expenditures Fund in the Office of MaineCare Services program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$41,805	\$42,215
All Other	\$2,240	\$2,240
GENERAL FUND TOTAL	\$44,045	\$44,455

Office of Aging and Disability Services Central Office 0140

Initiative: Reallocates one Public Service Manager II position from 37.5% General Fund and 37.5% Federal Expenditures Fund in the Office of Aging and Disability Services Central Office program and 25% Federal Expenditures Fund in the Office of MaineCare Ser-

vices program to 55% General Fund and 37.5% Federal Expenditures Fund in the Office of Aging and Disability Services Central Office program and 7.5% Federal Expenditures Fund in the Office of MaineCare Services program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$19,223	\$19,462
All Other	\$871	\$871
GENERAL FUND TOTAL	\$20,094	\$20,333

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$4	\$1
FEDERAL EXPENDITURES FUND TOTAL	\$4	\$1

Office of Aging and Disability Services Central Office 0140

Initiative: Reallocates one Housing Resource Development position from 50% General Fund in the Office of Aging and Disability Services Central Office program and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 75% General Fund in the Office of Aging and Disability Services Central Office program and 25% Federal Expenditures Fund in the Office of MaineCare Services program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$18,507	\$19,374
All Other	\$1,245	\$1,245
GENERAL FUND TOTAL	\$19,752	\$20,619

Office of Aging and Disability Services Central Office 0140

Initiative: Continues one limited-period Social Services Program Specialist II position in the Office of Aging and Disability Services Central Office program to June 10, 2017. This position was previously authorized to continue in Public Law 2013, chapter 368.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$87,224	\$88,102
FEDERAL EXPENDITURES FUND TOTAL	\$87,224	\$88,102

OFFICE OF AGING AND DISABILITY SERVICES CENTRAL OFFICE 0140

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,305,400	\$1,342,985
All Other	\$2,440,976	\$2,440,976
GENERAL FUND TOTAL	\$3,746,376	\$3,783,961

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$709,791	\$724,678
All Other	\$10,619,439	\$10,627,734

FEDERAL EXPENDITURES FUND TOTAL	\$11,329,230	\$11,352,412

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$204,000	\$204,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$204,000	\$204,000

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$415,000	\$415,000

FEDERAL BLOCK GRANT FUND TOTAL	\$415,000	\$415,000

Office of Child and Family Services - Central 0307

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	64.000	64.000
Personal Services	\$3,102,304	\$3,169,982
All Other	\$1,493,449	\$1,493,449
GENERAL FUND TOTAL	\$4,595,753	\$4,663,431

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$896,668	\$896,668

FEDERAL EXPENDITURES FUND TOTAL	\$896,668	\$896,668

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$1,971,373	\$2,014,339
All Other	\$996,142	\$996,142

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,967,515	\$3,010,481

Office of Child and Family Services - Central 0307

Initiative: Transfers and reallocates one Social Services Program Specialist I position from 61% General Fund and 39% Other Special Revenue Funds in the Office of Child and Family Services - Central program to 100% General Fund in the Mental Health Services - Children program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$49,661)	(\$50,436)
All Other	(\$3,037)	(\$3,037)

GENERAL FUND TOTAL	(\$52,698)	(\$53,473)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$31,752)	(\$32,248)
All Other	(\$1,941)	(\$1,941)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$33,693)	(\$34,189)

Office of Child and Family Services - Central 0307

Initiative: Transfers and reallocates one Public Service Manager III position from 77% General Fund and 23% Other Special Revenue Funds in the Office of Child and Family Services - District program to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$88,277	\$90,102
All Other	\$4,082	\$4,082

GENERAL FUND TOTAL	\$92,359	\$94,184
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$34,330	\$35,042
All Other	\$896	\$896
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,226	\$35,938

Office of Child and Family Services - Central 0307

Initiative: Transfers and reallocates one Office Specialist I position from 70% General Fund and 30% Other Special Revenue Funds in the State-funded Foster Care/Adoption Assistance program to 72.05% General Fund and 27.95% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$43,609	\$45,919
All Other	\$3,584	\$3,584
GENERAL FUND TOTAL	\$47,193	\$49,503
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$16,918	\$17,815
All Other	\$1,394	\$1,394
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,312	\$19,209

Office of Child and Family Services - Central 0307

Initiative: Transfers and reallocates one Social Services Manager I position from 61% General Fund and 39% Other Special Revenue Funds in the Office of Child and Family Services - Central program to 82% General Fund and 18% Other Special Revenue Funds in the Office of Child and Family Services - District program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$53,975)	(\$56,695)
All Other	(\$3,037)	(\$3,037)

GENERAL FUND TOTAL	(\$57,012)	(\$59,732)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$34,507)	(\$36,248)
All Other	(\$1,941)	(\$1,941)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$36,448)	(\$38,189)

Office of Child and Family Services - Central 0307

Initiative: Transfers and reallocates one Customer Representative Associate II - Human Services position from 100% General Fund in the Mental Health Services - Children program to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$41,741	\$43,887
All Other	\$3,584	\$3,584
GENERAL FUND TOTAL	\$45,325	\$47,471
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$16,235	\$17,066
All Other	\$1,394	\$1,394
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,629	\$18,460

Office of Child and Family Services - Central 0307

Initiative: Transfers and reallocates one Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$40,479	\$41,024
All Other	\$3,584	\$3,584
GENERAL FUND TOTAL	\$44,063	\$44,608

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$15,743	\$15,954
All Other	\$1,394	\$1,394
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,137	\$17,348

Office of Child and Family Services - Central 0307

Initiative: Reallocates 54 positions and related All Other from 61% General Fund and 39% Other Special Revenue Funds to 72% General Fund and 28% Other Special Revenue Funds within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$521,128	\$531,966
All Other	\$225,802	\$225,802
GENERAL FUND TOTAL	\$746,930	\$757,768

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$521,128)	(\$531,966)
All Other	(\$87,812)	(\$87,812)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$608,940)	(\$619,778)

Office of Child and Family Services - Central 0307

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$60,346)	(\$63,318)
GENERAL FUND TOTAL	(\$60,346)	(\$63,318)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$38,582)	(\$40,480)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$38,582)	(\$40,480)

OFFICE OF CHILD AND FAMILY SERVICES - CENTRAL 0307**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	64,000	64,000
Personal Services	\$3,673,556	\$3,752,431
All Other	\$1,728,011	\$1,728,011
GENERAL FUND TOTAL	\$5,401,567	\$5,480,442

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$896,668	\$896,668
FEDERAL EXPENDITURES FUND TOTAL	\$896,668	\$896,668

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$1,428,630	\$1,459,274
All Other	\$909,526	\$909,526
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,338,156	\$2,368,800

Office of Child and Family Services - District 0452

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	482,000	482,000
Personal Services	\$27,049,671	\$27,994,535
All Other	\$2,523,318	\$2,523,318
GENERAL FUND TOTAL	\$29,572,989	\$30,517,853

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$17,930	\$18,149
All Other	\$569	\$569
FEDERAL EXPENDITURES FUND TOTAL	\$18,499	\$18,718

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$8,061,734	\$8,344,008
All Other	\$975,475	\$975,475

OTHER SPECIAL	\$9,037,209	\$9,319,483
REVENUE FUNDS TOTAL		

Office of Child and Family Services - District 0452

Initiative: Transfers and reallocates one Public Service Manager III position from 77% General Fund and 23% Other Special Revenue Funds in the Office of Child and Family Services - District program to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$94,407)	(\$96,361)
All Other	(\$4,082)	(\$4,082)
GENERAL FUND TOTAL	(\$98,489)	(\$100,443)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$28,200)	(\$28,783)
All Other	(\$896)	(\$896)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$29,096)	(\$29,679)

Office of Child and Family Services - District 0452

Initiative: Transfers and reallocates one Social Services Manager I position from 61% General Fund and 39% Other Special Revenue Funds in the Office of Child and Family Services - Central program to 82% General Fund and 18% Other Special Revenue Funds in the Office of Child and Family Services - District program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$72,555	\$76,213
All Other	\$4,082	\$4,082
GENERAL FUND TOTAL	\$76,637	\$80,295
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$15,927	\$16,730
All Other	\$896	\$896

OTHER SPECIAL	\$16,823	\$17,626
REVENUE FUNDS TOTAL		

Office of Child and Family Services - District 0452

Initiative: Reallocates one Human Services Case-worker position from 23% Federal Expenditures Fund and 77% General Fund to 23% Other Special Revenue Funds and 77% General Fund within the same program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$17,930)	(\$18,149)
All Other	(\$1,145)	(\$1,145)
FEDERAL EXPENDITURES FUND TOTAL	(\$19,075)	(\$19,294)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$17,930	\$18,149
All Other	\$1,145	\$1,145
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,075	\$19,294

Office of Child and Family Services - District 0452

Initiative: Transfers and reallocates 28 Office Assistant II positions, 4 Office Associate II positions, 3 Office Associate II Supervisor positions, one Accounting Associate I position and one part-time Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 82% General Fund and 18% Other Special Revenue Funds in the Office of Child and Family Services - District program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	36.500	36.500
Personal Services	\$1,571,857	\$1,623,575
All Other	\$153,079	\$153,079
GENERAL FUND TOTAL	\$1,724,936	\$1,776,654
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$345,048	\$356,382
All Other	\$33,602	\$33,602

OTHER SPECIAL	\$378,650	\$389,984
REVENUE FUNDS TOTAL		

Office of Child and Family Services - District 0452

Initiative: Reallocates 480 positions from 77% General Fund and 23% Other Special Revenue Funds to 82% General Fund and 18% Other Special Revenue Funds within the same program. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,742,812	\$1,804,420
All Other	\$1,975,669	\$1,975,669
GENERAL FUND TOTAL	\$3,718,481	\$3,780,089

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$1,741,924)	(\$1,803,532)
All Other	(\$433,683)	(\$433,683)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,175,607)	(\$2,237,215)

Office of Child and Family Services - District 0452

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$593	\$593
FEDERAL EXPENDITURES FUND TOTAL	\$593	\$593

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$287,596	\$287,596
OTHER SPECIAL REVENUE FUNDS TOTAL	\$287,596	\$287,596

OFFICE OF CHILD AND FAMILY SERVICES - DISTRICT 0452**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	518.500	518.500
Personal Services	\$30,342,488	\$31,402,382
All Other	\$4,652,066	\$4,652,066

GENERAL FUND TOTAL	\$34,994,554	\$36,054,448

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$0	\$0
All Other	\$17	\$17
FEDERAL EXPENDITURES FUND TOTAL	\$17	\$17

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$6,670,515	\$6,902,954
All Other	\$864,135	\$864,135
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,534,650	\$7,767,089

Office of Family Independence - District 0453

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	228.000	228.000
Personal Services	\$12,479,517	\$12,941,306
All Other	\$1,315,063	\$1,315,063
GENERAL FUND TOTAL	\$13,794,580	\$14,256,369

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	225.000	225.000
Personal Services	\$15,252,379	\$15,816,413
All Other	\$2,797,447	\$2,797,447
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,049,826	\$18,613,860

Office of Family Independence - District 0453

Initiative: Continues 15 limited-period Customer Representative Associate II - Human Services positions through June 10, 2017, funded 50% General Fund and 50% Other Special Revenue Funds in the Office of

Family Independence - District program and provides funding in All Other to support the positions. These positions were originally established by Public Law 2011, chapter 380 and continued by Public Law 2013, chapter 368.

GENERAL FUND	2015-16	2016-17
Personal Services	\$437,580	\$451,620
All Other	\$37,337	\$37,337
GENERAL FUND TOTAL	\$474,917	\$488,957
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$437,685	\$451,665
All Other	\$37,337	\$37,337
OTHER SPECIAL REVENUE FUNDS TOTAL	\$475,022	\$489,002

Office of Family Independence - District 0453

Initiative: Continues 16 limited-period Eligibility Specialist positions through June 10, 2017, funded 25% General Fund and 75% Other Special Revenue Funds in the Office of Family Independence - District program and provides All Other to support the positions. These positions were established by Public Law 2013, chapter 368.

GENERAL FUND	2015-16	2016-17
Personal Services	\$254,448	\$260,912
All Other	\$19,913	\$19,913
GENERAL FUND TOTAL	\$274,361	\$280,825
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$763,392	\$782,960
All Other	\$59,736	\$59,736
OTHER SPECIAL REVENUE FUNDS TOTAL	\$823,128	\$842,696

Office of Family Independence - District 0453

Initiative: Reallocates one Family Independence Unit Supervisor position from 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program to 50% General Fund and 50% Other Special Revenue Funds in the Office of Family Independence - District program.

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$42,162	\$42,594
All Other	\$2,489	\$2,489
GENERAL FUND TOTAL	\$44,651	\$45,083
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$42,157	\$42,590
All Other	\$2,489	\$2,489
OTHER SPECIAL REVENUE FUNDS TOTAL	\$44,646	\$45,079

Office of Family Independence - District 0453

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$23,803)	(\$24,989)
GENERAL FUND TOTAL	(\$23,803)	(\$24,989)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$29,092)	(\$30,542)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$29,092)	(\$30,542)

OFFICE OF FAMILY INDEPENDENCE - DISTRICT 0453

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	229,000	229,000
Personal Services	\$13,189,904	\$13,671,443
All Other	\$1,374,802	\$1,374,802
GENERAL FUND TOTAL	\$14,564,706	\$15,046,245
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	224,000	224,000
Personal Services	\$16,466,521	\$17,063,086
All Other	\$2,897,009	\$2,897,009
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,363,530	\$19,960,095

Office of MaineCare Services 0129

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	41,000	41,000
Personal Services	\$5,523,530	\$5,710,789
All Other	\$23,028,231	\$23,028,231

GENERAL FUND TOTAL	\$28,551,761	\$28,739,020

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	117,000	117,000
Personal Services	\$6,553,378	\$6,767,862
All Other	\$82,290,791	\$82,290,791

FEDERAL EXPENDITURES FUND TOTAL	\$88,844,169	\$89,058,653

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,245,917	\$1,245,917

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,245,917	\$1,245,917

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$5,366,530	\$5,366,530

FEDERAL BLOCK GRANT FUND TOTAL	\$5,366,530	\$5,366,530

FEDERAL EXPENDITURES FUND ARRA	2015-16	2016-17
All Other	\$1,479,438	\$1,479,438

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$1,479,438	\$1,479,438

Office of MaineCare Services 0129

Initiative: Transfers and reallocates one Comprehensive Health Planner II position from 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program to 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$39,992	\$41,865
All Other	\$2,489	\$2,489

GENERAL FUND TOTAL	\$42,481	\$44,354

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$39,988	\$41,863
All Other	\$2,489	\$2,489

FEDERAL EXPENDITURES FUND TOTAL	\$42,477	\$44,352

Office of MaineCare Services 0129

Initiative: Transfers and reallocates one Public Service Manager II position from 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$57,209)	(\$57,724)
All Other	(\$2,489)	(\$2,489)

GENERAL FUND TOTAL	(\$59,698)	(\$60,213)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$57,214)	(\$57,728)
All Other	(\$2,489)	(\$2,489)

FEDERAL EXPENDITURES FUND TOTAL	(\$59,703)	(\$60,217)

Office of MaineCare Services 0129

Initiative: Transfers and reallocates one Public Service Coordinator I position from 50% General Fund and 50% Federal Expenditures Fund within the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$43,011)	(\$45,251)
All Other	(\$2,489)	(\$2,489)
GENERAL FUND TOTAL	(\$45,500)	(\$47,740)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$43,017)	(\$45,254)
All Other	(\$2,489)	(\$2,489)
FEDERAL EXPENDITURES FUND TOTAL	(\$45,506)	(\$47,743)

Office of MaineCare Services 0129

Initiative: Reallocates one Health Services Supervisor position from 40% General Fund in the Office of Aging and Disability Services Central Office program and 60% Federal Expenditures Fund in the Office of MaineCare Services program to 85% General Fund in the Office of Aging and Disability Services Central Office program and 15% Federal Expenditures Fund in the Office of MaineCare Services program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$41,805)	(\$42,215)
All Other	(\$2,240)	(\$2,240)
FEDERAL EXPENDITURES FUND TOTAL	(\$44,045)	(\$44,455)

Office of MaineCare Services 0129

Initiative: Reallocates one Public Service Manager II position from 37.5% General Fund and 37.5% Federal Expenditures Fund in the Office of Aging and Disability Services Central Office program and 25% Federal Expenditures Fund in the Office of MaineCare Services program to 55% General Fund and 37.5% Federal Expenditures Fund in the Office of Aging and Disability Services Central Office program and 7.5% Federal Expenditures Fund in the Office of MaineCare Services program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$19,227)	(\$19,463)
All Other	(\$871)	(\$871)
FEDERAL EXPENDITURES FUND TOTAL	(\$20,098)	(\$20,334)

Office of MaineCare Services 0129

Initiative: Reallocates one Housing Resource Development position from 50% General Fund in the Office of Aging and Disability Services Central Office program and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 75% General Fund in the Office of Aging and Disability Services Central Office program and 25% Federal Expenditures Fund in the Office of MaineCare Services program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$18,507)	(\$19,374)
All Other	(\$1,245)	(\$1,245)
FEDERAL EXPENDITURES FUND TOTAL	(\$19,752)	(\$20,619)

Office of MaineCare Services 0129

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

FEDERAL EXPENDITURES FUND ARRA	2015-16	2016-17
All Other	\$26,330	\$26,330
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$26,330	\$26,330

Office of MaineCare Services 0129

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$323,196)	(\$338,644)
GENERAL FUND TOTAL	(\$323,196)	(\$338,644)

FEDERAL EXPENDITURES FUND	2015-16	2016-17			
POSITIONS - LEGISLATIVE COUNT	(8.000)	(8.000)	OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,245,917	\$1,245,917
Personal Services	(\$396,530)	(\$414,017)			
			FEDERAL BLOCK GRANT FUND	2015-16	2016-17
FEDERAL EXPENDITURES FUND TOTAL	(\$396,530)	(\$414,017)	All Other	\$5,366,530	\$5,366,530
Office of MaineCare Services 0129			FEDERAL BLOCK GRANT FUND TOTAL	\$5,366,530	\$5,366,530
Initiative: Provides funding for technology changes and testing to the Maine Integrated Health Management Solution computer system.					
GENERAL FUND	2015-16	2016-17	FEDERAL EXPENDITURES FUND ARRA	2015-16	2016-17
All Other	\$41,046	\$0	All Other	\$1,505,768	\$1,505,768
GENERAL FUND TOTAL	\$41,046	\$0	FEDERAL EXPENDITURES FUND ARRA TOTAL	\$1,505,768	\$1,505,768
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Office of the Commissioner 0142		
All Other	\$123,139	\$0	Initiative: BASELINE BUDGET		
			GENERAL FUND	2015-16	2016-17
FEDERAL EXPENDITURES FUND TOTAL	\$123,139	\$0	POSITIONS - LEGISLATIVE COUNT	61.000	61.000
			Personal Services	\$4,817,729	\$4,951,313
			All Other	\$6,876,841	\$6,876,841
OFFICE OF MAINECARE SERVICES 0129			GENERAL FUND TOTAL	\$11,694,570	\$11,828,154
PROGRAM SUMMARY					
GENERAL FUND	2015-16	2016-17	FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	39.000	39.000	All Other	\$373,191	\$373,191
Personal Services	\$5,140,106	\$5,311,035			
All Other	\$23,066,788	\$23,025,742			
			FEDERAL EXPENDITURES FUND TOTAL	\$373,191	\$373,191
GENERAL FUND TOTAL	\$28,206,894	\$28,336,777			
FEDERAL EXPENDITURES FUND	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	107.000	107.000	POSITIONS - LEGISLATIVE COUNT	38.500	38.500
Personal Services	\$6,017,066	\$6,211,674	Personal Services	\$3,705,910	\$3,809,301
All Other	\$82,407,085	\$82,283,946	All Other	\$7,612,786	\$7,612,786
FEDERAL EXPENDITURES FUND TOTAL	\$88,424,151	\$88,495,620	OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,318,696	\$11,422,087
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	FEDERAL EXPENDITURES FUND ARRA	2015-16	2016-17
All Other	\$1,245,917	\$1,245,917			

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All Other	\$4,361	\$4,361
FEDERAL EXPENDITURES	\$4,361	\$4,361
FUND ARRA TOTAL		

Office of the Commissioner 0142

Initiative: Provides funding for a federal grant award from the United States Department of Justice.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$152,100	\$152,100
FEDERAL EXPENDITURES FUND TOTAL	\$152,100	\$152,100

Office of the Commissioner 0142

Initiative: Transfers Personal Services and related All Other in the General Fund and Other Special Revenue Funds from the Office of the Commissioner program to the Division of Audit program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(18.000)	(18.000)
Personal Services	(\$1,817,279)	(\$1,859,314)
All Other	(\$137,393)	(\$137,393)
GENERAL FUND TOTAL	(\$1,954,672)	(\$1,996,707)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(26.000)	(26.000)
Personal Services	(\$1,641,644)	(\$1,678,545)
All Other	(\$91,595)	(\$91,595)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,733,239)	(\$1,770,140)

Office of the Commissioner 0142

Initiative: Transfers and reallocates one Public Service Manager II position from 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$57,214	\$57,728

All Other	\$2,489	\$2,489
GENERAL FUND TOTAL	\$59,703	\$60,217

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
Personal Services	\$57,209	\$57,724
All Other	\$2,489	\$2,489
OTHER SPECIAL REVENUE FUNDS TOTAL	\$59,698	\$60,213

Office of the Commissioner 0142

Initiative: Transfers and reallocates one Public Service Coordinator I position from 50% General Fund and 50% Federal Expenditures Fund within the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$43,017	\$45,254
All Other	\$2,489	\$2,489
GENERAL FUND TOTAL	\$45,506	\$47,743
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$43,011	\$45,251
All Other	\$2,489	\$2,489
OTHER SPECIAL REVENUE FUNDS TOTAL	\$45,500	\$47,740

Office of the Commissioner 0142

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$83,681	\$84,011
GENERAL FUND TOTAL	\$83,681	\$84,011

OTHER SPECIAL REVENUE FUNDS

	2015-16	2016-17
All Other	\$56,287	\$56,507

OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,287	\$56,507	GENERAL FUND TOTAL	\$9,954,150	\$10,049,208
Office of the Commissioner 0142			FEDERAL EXPENDITURES FUND	2015-16	2016-17
Initiative: Provides funding for a range change for one Deputy Commissioner position from range 38 to range 90 and transfers All Other to Personal Services to fund the reorganization.			All Other	\$525,291	\$525,291
GENERAL FUND			FEDERAL EXPENDITURES FUND TOTAL	2015-16	2016-17
Personal Services	\$1,511	\$1,521		\$525,291	\$525,291
All Other	(\$1,511)	(\$1,521)			
GENERAL FUND TOTAL	\$0	\$0			
OTHER SPECIAL REVENUE FUNDS			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$1,007	\$1,013	POSITIONS - LEGISLATIVE COUNT	12.500	12.500
All Other	(\$1,007)	(\$1,013)	Personal Services	\$2,182,399	\$2,251,938
			All Other	\$7,581,449	\$7,581,663
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,763,848	\$9,833,601
Office of the Commissioner 0142			FEDERAL EXPENDITURES FUND ARRA	2015-16	2016-17
Initiative: Reorganizes 7 Public Service Coordinator I positions from range 25 to range 27 within the Office of the Commissioner program and reduces funding in the Office of the Commissioner District Operations program in order to fund the reorganization.			All Other	\$4,361	\$4,361
GENERAL FUND			FEDERAL EXPENDITURES FUND ARRA TOTAL	2015-16	2016-17
Personal Services	\$25,362	\$25,790		\$4,361	\$4,361
GENERAL FUND TOTAL	\$25,362	\$25,790			
OTHER SPECIAL REVENUE FUNDS			Office of the Commissioner District Operations 0196		
Personal Services	\$16,906	\$17,194	Initiative: BASELINE BUDGET		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,906	\$17,194	GENERAL FUND	2015-16	2016-17
OFFICE OF THE COMMISSIONER 0142 PROGRAM SUMMARY			POSITIONS - LEGISLATIVE COUNT	98.500	98.500
GENERAL FUND	2015-16	2016-17	Personal Services	\$6,521,882	\$6,755,709
POSITIONS - LEGISLATIVE COUNT	45.000	45.000	All Other	\$6,654,515	\$6,654,515
Personal Services	\$3,127,554	\$3,222,292	GENERAL FUND TOTAL	\$13,176,397	\$13,410,224
All Other	\$6,826,596	\$6,826,916	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
			POSITIONS - LEGISLATIVE COUNT	88.500	88.500
			Personal Services	\$3,668,637	\$3,800,278
			All Other	\$4,427,880	\$4,427,880
			OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,096,517	\$8,228,158

**Office of the Commissioner District Operations
0196**

Initiative: Transfers and reallocates 5 full-time Office Assistant II positions, one part-time Office Assistant II position and one full-time Office Associate II position from 64% General Fund and 36% Other Special Revenue Funds within the Office of the Commissioner District Operations program to 100% General Fund in the Maine Center for Disease Control and Prevention program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.500)	(1.500)
Personal Services	(\$216,099)	(\$222,446)
All Other	(\$20,710)	(\$20,710)
GENERAL FUND TOTAL	(\$236,809)	(\$243,156)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$121,559)	(\$125,129)
All Other	(\$11,649)	(\$11,649)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$133,208)	(\$136,778)

**Office of the Commissioner District Operations
0196**

Initiative: Transfers and reallocates 2 Office Associate II positions and one Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 35% General Fund and 65% Other Special Revenue Funds in the Division of Licensing and Regulatory Services program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$107,139)	(\$111,368)
All Other	(\$12,743)	(\$12,743)
GENERAL FUND TOTAL	(\$119,882)	(\$124,111)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$60,269)	(\$62,649)

All Other	(\$7,169)	(\$7,169)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$67,438)	(\$69,818)

**Office of the Commissioner District Operations
0196**

Initiative: Transfers and reallocates one Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Brain Injury program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$29,722)	(\$31,278)
All Other	(\$3,186)	(\$3,186)
GENERAL FUND TOTAL	(\$32,908)	(\$34,464)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$16,720)	(\$17,596)
All Other	(\$1,792)	(\$1,792)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$18,512)	(\$19,388)

**Office of the Commissioner District Operations
0196**

Initiative: Transfers and reallocates 3 Office Assistant II positions and one Office Associate II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Developmental Services - Community program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$144,852)	(\$149,150)
All Other	(\$15,930)	(\$15,930)
GENERAL FUND TOTAL	(\$160,782)	(\$165,080)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$81,482)	(\$83,904)

All Other	(\$8,960)	(\$8,960)
OTHER SPECIAL	(\$90,442)	(\$92,864)
REVENUE FUNDS TOTAL		

Office of the Commissioner District Operations 0196

Initiative: Transfers and reallocates one Office Associate II position and 4 Office Assistant II positions from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Office of Aging and Disability Services Central Office program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$159,356)	(\$164,894)
All Other	(\$14,934)	(\$14,934)
GENERAL FUND TOTAL	(\$174,290)	(\$179,828)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$89,636)	(\$92,754)
All Other	(\$9,956)	(\$9,956)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$99,592)	(\$102,710)

Office of the Commissioner District Operations 0196

Initiative: Transfers and reallocates 14 Office Assistant II positions and 7 Office Associate II positions from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 34% General Fund and 66% Federal Expenditures Fund in the Child Support program in order to align with the office in which the positions work 100% of the time.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(8.000)	(8.000)
Personal Services	(\$668,418)	(\$696,112)
All Other	(\$70,094)	(\$70,094)
GENERAL FUND TOTAL	(\$738,512)	(\$766,206)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(13.000)	(13.000)
Personal Services	(\$376,003)	(\$391,579)
All Other	(\$39,427)	(\$39,427)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$415,430)	(\$431,006)

Office of the Commissioner District Operations 0196

Initiative: Transfers and reallocates 2 Office Assistant II positions from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% Federal Block Grant Fund in the Additional Support for People in Retraining and Employment program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$58,847)	(\$61,929)
All Other	(\$6,372)	(\$6,372)
GENERAL FUND TOTAL	(\$65,219)	(\$68,301)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$33,103)	(\$34,837)
All Other	(\$3,584)	(\$3,584)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$36,687)	(\$38,421)

Office of the Commissioner District Operations 0196

Initiative: Transfers and reallocates one full-time Office Associate II position and one part-time Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Mental Health Services - Community program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.500)	(1.500)
Personal Services	(\$51,441)	(\$54,080)
All Other	(\$6,372)	(\$6,372)
GENERAL FUND TOTAL	(\$57,813)	(\$60,452)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$28,936)	(\$30,420)
All Other	(\$3,584)	(\$3,584)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$32,520)	(\$34,004)

Office of the Commissioner District Operations 0196

Initiative: Transfers and reallocates 28 Office Assistant II positions, 4 Office Associate II positions, 3 Office Associate II Supervisor positions, one Accounting Associate I position and one part-time Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 82% General Fund and 18% Other Special Revenue Funds in the Office of Child and Family Services - District program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(22.500)	(22.500)
Personal Services	(\$1,226,811)	(\$1,267,139)
All Other	(\$119,477)	(\$119,477)
GENERAL FUND TOTAL	(\$1,346,288)	(\$1,386,616)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(14.000)	(14.000)
Personal Services	(\$690,094)	(\$712,818)
All Other	(\$67,206)	(\$67,206)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$757,300)	(\$780,024)

Office of the Commissioner District Operations 0196

Initiative: Transfers and reallocates one Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 100% General Fund in the Mental Health Services - Children program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$34,503)	(\$34,927)

All Other	(\$6,372)	(\$6,372)
GENERAL FUND TOTAL	(\$40,875)	(\$41,299)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$19,407)	(\$19,646)
All Other	(\$3,584)	(\$3,584)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$22,991)	(\$23,230)

Office of the Commissioner District Operations 0196

Initiative: Transfers and reallocates one Office Assistant II position from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$35,983)	(\$36,467)
All Other	(\$3,186)	(\$3,186)
GENERAL FUND TOTAL	(\$39,169)	(\$39,653)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$20,239)	(\$20,511)
All Other	(\$1,792)	(\$1,792)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$22,031)	(\$22,303)

Office of the Commissioner District Operations 0196

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$25,683	\$25,683
GENERAL FUND TOTAL	\$25,683	\$25,683

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$14,447	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,447	\$0

Office of the Commissioner District Operations 0196

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$350,539)	(\$368,259)
GENERAL FUND TOTAL	(\$350,539)	(\$368,259)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(5.500)	(5.500)
Personal Services	(\$197,189)	(\$207,140)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$197,189)	(\$207,140)

Office of the Commissioner District Operations 0196

Initiative: Reorganizes 7 Public Service Coordinator I positions from range 25 to range 27 within the Office of the Commissioner program and reduces funding in the Office of the Commissioner District Operations program in order to fund the reorganization.

GENERAL FUND	2015-16	2016-17
All Other	(\$28,320)	(\$28,799)
GENERAL FUND TOTAL	(\$28,320)	(\$28,799)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$13,948)	(\$14,185)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$13,948)	(\$14,185)

OFFICE OF THE COMMISSIONER DISTRICT OPERATIONS 0196

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	50.000	50.000
Personal Services	\$3,438,172	\$3,557,660
All Other	\$6,372,502	\$6,372,023
GENERAL FUND TOTAL	\$9,810,674	\$9,929,683

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	44.000	44.000
Personal Services	\$1,934,000	\$2,001,295
All Other	\$4,269,676	\$4,254,992
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,203,676	\$6,256,287

Plumbing - Control Over 0205

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$308,769	\$314,300
All Other	\$821,522	\$821,522
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,130,291	\$1,135,822

Plumbing - Control Over 0205

Initiative: Transfers and reallocates one Office Associate I position from 100% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program to 10% Other Special Revenue Funds in the Plumbing - Control Over program and 90% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$6,139	\$6,225
All Other	\$498	\$498
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,637	\$6,723

Plumbing - Control Over 0205

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$58,351)	(\$61,327)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$58,351)	(\$61,327)

PLUMBING - CONTROL OVER 0205**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$256,557	\$259,198
All Other	\$822,020	\$822,020
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,078,577	\$1,081,218

PNMI Room and Board Z009

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$14,264,089	\$14,264,089
GENERAL FUND TOTAL	\$14,264,089	\$14,264,089

PNMI Room and Board Z009

Initiative: Transfers funding for state boarding homes from the PNMI Room and Board program to the Office of Aging and Disability Services Adult Protective Services program.

GENERAL FUND	2015-16	2016-17
All Other	(\$152,000)	(\$152,000)
GENERAL FUND TOTAL	(\$152,000)	(\$152,000)

PNMI Room and Board Z009

Initiative: Provides funding to increase the private non-medical institutions assisted living reimbursement rate by 3% beginning July 1, 2015.

GENERAL FUND	2015-16	2016-17
All Other	\$379,831	\$379,831
GENERAL FUND TOTAL	\$379,831	\$379,831

PNMI Room and Board Z009

Initiative: Provides funding to increase the reimbursement rates for adult family care services at residential care facilities by 3% beginning July 1, 2015.

GENERAL FUND	2015-16	2016-17
All Other	\$12,981	\$12,981
GENERAL FUND TOTAL	\$12,981	\$12,981

PNMI ROOM AND BOARD Z009**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$14,504,901	\$14,504,901
GENERAL FUND TOTAL	\$14,504,901	\$14,504,901

Prescription Drug Academic Detailing Z055

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$106,253	\$106,253
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,253	\$106,253

PRESCRIPTION DRUG ACADEMIC DETAILING Z055**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$106,253	\$106,253
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,253	\$106,253

Purchased Social Services 0228

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$6,123,669	\$6,123,669
GENERAL FUND TOTAL	\$6,123,669	\$6,123,669

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$4,382,844	\$4,382,844
FEDERAL EXPENDITURES FUND TOTAL	\$4,382,844	\$4,382,844
FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$1,971,118	\$1,971,118
FUND FOR A HEALTHY MAINE TOTAL	\$1,971,118	\$1,971,118
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000
FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,733	\$73,361
All Other	\$8,000,305	\$8,000,305
FEDERAL BLOCK GRANT FUND TOTAL	\$8,070,038	\$8,073,666

Purchased Social Services 0228

Initiative: Transfers one Research Assistant MSEA-B position from the Department of the Attorney General, funded 50% General Fund in the Administration - Attorney General program and 50% Other Special Revenue Funds in the Victims' Compensation Board program, to the Department of Health and Human Services, funded 50% General Fund and 50% Other Special Revenue Funds in the Purchased Social Services program, and reorganizes the position to a Health Services Consultant II position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$44,078	\$44,511
All Other	\$1,921	\$1,921
GENERAL FUND TOTAL	\$45,999	\$46,432

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$44,074	\$44,508
All Other	\$21,275	\$21,266
OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,349	\$65,774

Purchased Social Services 0228

Initiative: Provides for funding for the State's federally qualified health centers to support access to primary medical, behavioral health and dental services for residents in rural and underserved communities, as well as to assist with provider recruitment and retention.

GENERAL FUND	2015-16	2016-17
All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	\$500,000	\$500,000

PURCHASED SOCIAL SERVICES 0228 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$44,078	\$44,511
All Other	\$6,625,590	\$6,625,590
GENERAL FUND TOTAL	\$6,669,668	\$6,670,101

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$4,382,844	\$4,382,844
FEDERAL EXPENDITURES FUND TOTAL	\$4,382,844	\$4,382,844

FUND FOR A HEALTHY MAINE	2015-16	2016-17
All Other	\$1,971,118	\$1,971,118
FUND FOR A HEALTHY MAINE TOTAL	\$1,971,118	\$1,971,118

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$44,074	\$44,508
All Other	\$71,275	\$71,266

OTHER SPECIAL	\$115,349	\$115,774
REVENUE FUNDS TOTAL		

All Other	(\$172,589)	(\$172,589)

FEDERAL BLOCK GRANT	(\$172,589)	(\$172,589)
FUND TOTAL		

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$69,733	\$73,361
All Other	\$8,000,305	\$8,000,305

FEDERAL BLOCK GRANT	\$8,070,038	\$8,073,666
FUND TOTAL		

Risk Reduction 0489

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

All Other	\$527	\$527

FEDERAL BLOCK GRANT	\$527	\$527
FUND TOTAL		

Rape Crisis Control 0488

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

All Other	\$32,720	\$32,720

FEDERAL BLOCK GRANT	\$32,720	\$32,720
FUND TOTAL		

**RISK REDUCTION 0489
PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

Personal Services	\$30,190	\$31,561
All Other	\$1,027	\$1,027

FEDERAL BLOCK GRANT	\$31,217	\$32,588
FUND TOTAL		

RAPE CRISIS CONTROL 0488**PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

All Other	\$32,720	\$32,720

FEDERAL BLOCK GRANT	\$32,720	\$32,720
FUND TOTAL		

Sexually Transmitted Diseases 0496

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

All Other	\$27,763	\$27,763

FEDERAL BLOCK GRANT	\$27,763	\$27,763
FUND TOTAL		

Risk Reduction 0489

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

Personal Services	\$30,190	\$31,561
All Other	\$173,089	\$173,089

FEDERAL BLOCK GRANT	\$203,279	\$204,650
FUND TOTAL		

Sexually Transmitted Diseases 0496

Initiative: Adjusts funding to align allocations with available resources.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

All Other	(\$27,263)	(\$27,263)

FEDERAL BLOCK GRANT	(\$27,263)	(\$27,263)
FUND TOTAL		

Risk Reduction 0489

Initiative: Adjusts funding to align allocations with available resources.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

SEXUALLY TRANSMITTED DISEASES 0496

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$500	\$500
FEDERAL BLOCK GRANT FUND TOTAL	\$500	\$500

Special Children's Services 0204

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$890,937	\$906,633
All Other	\$131,541	\$131,541
FEDERAL BLOCK GRANT FUND TOTAL	\$1,022,478	\$1,038,174

Special Children's Services 0204

Initiative: Transfers one Public Health Nurse I position from 100% Federal Block Grant Fund in the Special Children's Services program to 100% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$83,613)	(\$85,174)
All Other	(\$4,978)	(\$4,978)
FEDERAL BLOCK GRANT FUND TOTAL	(\$88,591)	(\$90,152)

Special Children's Services 0204

Initiative: Eliminates 100 vacant positions from various accounts within the Department of Health and Human Services. Position detail is on file in the Bureau of the Budget.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$58,351)	(\$61,327)
FEDERAL BLOCK GRANT FUND TOTAL	(\$58,351)	(\$61,327)

SPECIAL CHILDREN'S SERVICES 0204**PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$748,973	\$760,132
All Other	\$126,563	\$126,563
FEDERAL BLOCK GRANT FUND TOTAL	\$875,536	\$886,695

State Supplement to Federal Supplemental Security Income 0131

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$6,882,011	\$6,882,011
GENERAL FUND TOTAL	\$6,882,011	\$6,882,011

STATE SUPPLEMENT TO FEDERAL SUPPLEMENTAL SECURITY INCOME 0131**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$6,882,011	\$6,882,011
GENERAL FUND TOTAL	\$6,882,011	\$6,882,011

State-funded Foster Care/Adoption Assistance 0139

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$511,763	\$525,168
All Other	\$37,457,245	\$37,457,245
GENERAL FUND TOTAL	\$37,969,008	\$37,982,413

FEDERAL EXPENDITURES FUND

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$3,654,685	\$3,654,685
FEDERAL EXPENDITURES FUND TOTAL	\$3,654,685	\$3,654,685

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$219,320	\$225,068
All Other	\$482,216	\$482,216
OTHER SPECIAL REVENUE FUNDS TOTAL	\$701,536	\$707,284

State-funded Foster Care/Adoption Assistance 0139

Initiative: Transfers and reallocates one Office Specialist I position from 70% General Fund and 30% Other Special Revenue Funds in the State-funded Foster Care/Adoption Assistance program to 72.05% General Fund and 27.95% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$42,369)	(\$44,615)
All Other	(\$3,485)	(\$3,485)
GENERAL FUND TOTAL	(\$45,854)	(\$48,100)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$18,158)	(\$19,119)
All Other	(\$1,493)	(\$1,493)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$19,651)	(\$20,612)

State-funded Foster Care/Adoption Assistance 0139

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2015-16	2016-17
All Other	\$91,507	\$91,507
GENERAL FUND TOTAL	\$91,507	\$91,507

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$39,217	\$39,217
OTHER SPECIAL REVENUE FUNDS TOTAL	\$39,217	\$39,217

STATE-FUNDED FOSTER CARE/ADOPTION ASSISTANCE 0139**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8,000	8,000
Personal Services	\$469,394	\$480,553
All Other	\$37,545,267	\$37,545,267
GENERAL FUND TOTAL	\$38,014,661	\$38,025,820

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$3,654,685	\$3,654,685
FEDERAL EXPENDITURES FUND TOTAL	\$3,654,685	\$3,654,685

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$201,162	\$205,949
All Other	\$519,940	\$519,940
OTHER SPECIAL REVENUE FUNDS TOTAL	\$721,102	\$725,889

Temporary Assistance for Needy Families 0138**Initiative: BASELINE BUDGET**

GENERAL FUND	2015-16	2016-17
All Other	\$22,163,821	\$22,163,821
GENERAL FUND TOTAL	\$22,163,821	\$22,163,821

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$102,740,445	\$102,740,445
OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,740,445	\$102,740,445

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$52,298,825	\$52,298,825
FEDERAL BLOCK GRANT FUND TOTAL	\$52,298,825	\$52,298,825

Temporary Assistance for Needy Families 0138

Initiative: Provides funding in Other Special Revenue Funds to meet program obligations related to the maintenance and support of the Child Support Enforcement - Maine system in the department's Office for Family Independence.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,999,545	\$2,549,545
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,999,545	\$2,549,545

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES 0138

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$22,163,821	\$22,163,821
GENERAL FUND TOTAL	\$22,163,821	\$22,163,821

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$104,739,990	\$105,289,990
OTHER SPECIAL REVENUE FUNDS TOTAL	\$104,739,990	\$105,289,990

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$52,298,825	\$52,298,825
FEDERAL BLOCK GRANT FUND TOTAL	\$52,298,825	\$52,298,825

Tuberculosis Control Program 0497

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$37,728	\$37,728
FEDERAL BLOCK GRANT FUND TOTAL	\$37,728	\$37,728

Tuberculosis Control Program 0497

Initiative: Adjusts funding to align allocations with available resources.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17

All Other	(\$37,228)	(\$37,228)
FEDERAL BLOCK GRANT FUND TOTAL	(\$37,228)	(\$37,228)

Tuberculosis Control Program 0497

Initiative: Provides funding to address the increased costs associated with rate changes from the Department of Administrative and Financial Services, Office of Information Technology.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$453	\$453
FEDERAL BLOCK GRANT FUND TOTAL	\$453	\$453

TUBERCULOSIS CONTROL PROGRAM 0497 PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$953	\$953
FEDERAL BLOCK GRANT FUND TOTAL	\$953	\$953

Universal Childhood Immunization Program Z121

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$12,427,340	\$12,427,340
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,427,340	\$12,427,340

UNIVERSAL CHILDHOOD IMMUNIZATION PROGRAM Z121

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$12,427,340	\$12,427,340
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,427,340	\$12,427,340

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

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$809,491,545	\$810,023,627
FEDERAL EXPENDITURES FUND	\$2,023,112,742	\$2,028,952,376
FUND FOR A HEALTHY MAINE	\$50,183,464	\$50,331,314
OTHER SPECIAL REVENUE FUNDS	\$433,084,761	\$435,245,888
FEDERAL BLOCK GRANT FUND	\$152,583,766	\$154,304,493
FEDERAL EXPENDITURES FUND ARRA	\$1,510,129	\$1,510,129
DEPARTMENT TOTAL - ALL FUNDS	\$3,469,966,407	\$3,480,367,827

Sec. A-33. Appropriations and allocations.
The following appropriations and allocations are made.

HEALTH DATA ORGANIZATION, MAINE

Maine Health Data Organization 0848

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$368,371	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$368,371	\$0
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$537,840	\$537,660
All Other	\$1,462,940	\$1,462,940
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,780	\$2,000,600

Maine Health Data Organization 0848

Initiative: Provides funds for the grant for the state data center enhancement to improve health cost trans-

parency recently awarded to the Maine Health Data Organization.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$630,000	\$170,000
FEDERAL EXPENDITURES FUND TOTAL	\$630,000	\$170,000

**MAINE HEALTH DATA ORGANIZATION 0848
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$998,371	\$170,000
FEDERAL EXPENDITURES FUND TOTAL	\$998,371	\$170,000
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$537,840	\$537,660
All Other	\$1,462,940	\$1,462,940
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,780	\$2,000,600

HEALTH DATA ORGANIZATION, MAINE DEPARTMENT TOTALS	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$998,371	\$170,000
OTHER SPECIAL REVENUE FUNDS	\$2,000,780	\$2,000,600
DEPARTMENT TOTAL - ALL FUNDS	\$2,999,151	\$2,170,600

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

**HISTORIC PRESERVATION COMMISSION,
MAINE**

Historic Commercial Rehabilitation Fund Z067

Initiative: BASELINE BUDGET

**OTHER SPECIAL
REVENUE FUNDS**

	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**HISTORIC COMMERCIAL REHABILITATION
FUND Z067****PROGRAM SUMMARY****OTHER SPECIAL
REVENUE FUNDS**

	2015-16	2016-17
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Historic Preservation Commission 0036

Initiative: BASELINE BUDGET

GENERAL FUND

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$301,874	\$297,107
All Other	\$9,842	\$9,842

GENERAL FUND TOTAL	\$311,716	\$306,949

**FEDERAL
EXPENDITURES FUND**

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$443,140	\$435,189
All Other	\$336,934	\$336,934

FEDERAL EXPENDITURES FUND TOTAL	\$780,074	\$772,123

**OTHER SPECIAL
REVENUE FUNDS**

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	4.731	4.731
Personal Services	\$494,892	\$493,523
All Other	\$123,188	\$123,188

OTHER SPECIAL REVENUE FUNDS TOTAL	\$618,080	\$616,711

Historic Preservation Commission 0036

Initiative: Provides one-time funding for the acquisition of the Frances Perkins homestead in Newcastle, Maine.

GENERAL FUND

	2015-16	2016-17
All Other	\$200,000	\$0

GENERAL FUND TOTAL	\$200,000	\$0

Historic Preservation Commission 0036

Initiative: Provides one-time funds to the Wood Island Life Saving Station Association for the planning, design and restoration of the Wood Island Life Saving Station in Kittery.

GENERAL FUND

	2015-16	2016-17
All Other	\$200,000	\$0

GENERAL FUND TOTAL	\$200,000	\$0

**HISTORIC PRESERVATION COMMISSION
0036****PROGRAM SUMMARY****GENERAL FUND**

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$301,874	\$297,107
All Other	\$409,842	\$9,842

GENERAL FUND TOTAL	\$711,716	\$306,949

**FEDERAL
EXPENDITURES FUND**

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$443,140	\$435,189
All Other	\$336,934	\$336,934

FEDERAL EXPENDITURES FUND TOTAL	\$780,074	\$772,123

**OTHER SPECIAL
REVENUE FUNDS**

	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	4.731	4.731
Personal Services	\$494,892	\$493,523
All Other	\$123,188	\$123,188

OTHER SPECIAL	\$618,080	\$616,711
REVENUE FUNDS TOTAL		

Historic Preservation Revolving Fund Z109

Initiative: BASELINE BUDGET

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		

All Other	\$500	\$500

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

HISTORIC PRESERVATION REVOLVING FUND Z109**PROGRAM SUMMARY**

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		

All Other	\$500	\$500

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

HISTORIC PRESERVATION COMMISSION, MAINE

DEPARTMENT TOTALS	2015-16	2016-17

GENERAL FUND	\$711,716	\$306,949

FEDERAL EXPENDITURES FUND	\$780,074	\$772,123

OTHER SPECIAL REVENUE FUNDS	\$619,080	\$617,711

DEPARTMENT TOTAL - ALL FUNDS	\$2,110,870	\$1,696,783

Sec. A-35. Appropriations and allocations.
The following appropriations and allocations are made.

HISTORICAL SOCIETY, MAINE**Historical Society 0037**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$44,864	\$44,864

GENERAL FUND TOTAL	\$44,864	\$44,864

HISTORICAL SOCIETY 0037**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$44,864	\$44,864

GENERAL FUND TOTAL	\$44,864	\$44,864

Sec. A-36. Appropriations and allocations.
The following appropriations and allocations are made.

HOSPICE COUNCIL, MAINE**Maine Hospice Council 0663**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$63,506	\$63,506

GENERAL FUND TOTAL	\$63,506	\$63,506

MAINE HOSPICE COUNCIL 0663**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$63,506	\$63,506

GENERAL FUND TOTAL	\$63,506	\$63,506

Sec. A-37. Appropriations and allocations.
The following appropriations and allocations are made.

HOUSING AUTHORITY, MAINE STATE**Housing Authority - State 0442**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$7,389,756	\$7,389,756

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,389,756	\$7,389,756

Housing Authority - State 0442

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

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	\$6,035,105	\$5,833,732
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,035,105	\$5,833,732

Housing Authority - State 0442

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

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$6,291,740)	(\$6,090,367)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$6,291,740)	(\$6,090,367)

HOUSING AUTHORITY - STATE 0442**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$7,133,121	\$7,133,121
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,133,121	\$7,133,121

Low-income Home Energy Assistance - MSHA 0708

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$545	\$545
OTHER SPECIAL REVENUE FUNDS TOTAL	\$545	\$545

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

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$545	\$545
OTHER SPECIAL REVENUE FUNDS TOTAL	\$545	\$545

Maine Energy, Housing and Economic Recovery Program Z124

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$4,316,356	\$4,316,356
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,316,356	\$4,316,356

Maine Energy, Housing and Economic Recovery Program Z124

Initiative: Provides funding to increase debt service payments in accordance with the repayment schedule.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,857	\$3,457
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,857	\$3,457

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

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$4,319,213	\$4,319,813
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,319,213	\$4,319,813

Maine Home Repair Program N199

Initiative: Allocates one-time funds to provide loans and grants to low-income homeowners for necessary home repairs to remediate arsenic in drinking water.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$200,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$0

MAINE HOME REPAIR PROGRAM N199**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$200,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$0

Shelter Operating Subsidy 0661

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$364,641	\$364,641
GENERAL FUND TOTAL	\$364,641	\$364,641

Shelter Operating Subsidy 0661

Initiative: Provides additional funding for emergency shelters that serve people that are homeless.

GENERAL FUND	2015-16	2016-17
All Other	\$135,359	\$135,359
GENERAL FUND TOTAL	\$135,359	\$135,359

Shelter Operating Subsidy 0661

Initiative: Provides funds for homeless shelters.

GENERAL FUND	2015-16	2016-17
All Other	\$2,000,000	\$2,000,000
GENERAL FUND TOTAL	\$2,000,000	\$2,000,000

SHELTER OPERATING SUBSIDY 0661**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$2,500,000	\$2,500,000
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000

**HOUSING AUTHORITY,
MAINE STATE**

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$2,500,000	\$2,500,000
OTHER SPECIAL REVENUE FUNDS	\$11,652,879	\$11,453,479
DEPARTMENT TOTAL - ALL FUNDS	\$14,152,879	\$13,953,479

Sec. A-38. Appropriations and allocations.
The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE**Human Rights Commission - Regulation 0150**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$526,892	\$528,079
All Other	\$23,936	\$23,936
GENERAL FUND TOTAL	\$550,828	\$552,015

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$378,538	\$379,476
All Other	\$73,125	\$73,125
FEDERAL EXPENDITURES FUND TOTAL	\$451,663	\$452,601

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$7,338	\$7,338
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,338	\$7,338

Human Rights Commission - Regulation 0150

Initiative: Reduces funding to bring allocations in line with available resources projected by the commission.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$21,366)	(\$19,366)
FEDERAL EXPENDITURES FUND TOTAL	(\$21,366)	(\$19,366)

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the collection of fees for commission mediation services, as authorized by the 2014 amendment to 94-348 Code of Maine Rules Chapter 2, Section 2.02(H).

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$16,050	\$16,050
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,050	\$16,050

Human Rights Commission - Regulation 0150

Initiative: Establishes one Human Rights Investigator position. Sufficient All Other funding exists to absorb additional costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,457	\$78,050
GENERAL FUND TOTAL	\$76,457	\$78,050

Human Rights Commission - Regulation 0150

Initiative: Reallocates the cost of one Paralegal Assistant position from 100% Federal Expenditures Fund to 60% General Fund and 40% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$38,785	\$37,987
GENERAL FUND TOTAL	\$38,785	\$37,987

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$38,785)	(\$37,987)
FEDERAL EXPENDITURES FUND TOTAL	(\$38,785)	(\$37,987)

Human Rights Commission - Regulation 0150

Initiative: Reallocates the cost of one Public Coordinator I position from 100% Federal Expenditures Fund to 66% General Fund and 35% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$27,710	\$28,248
GENERAL FUND TOTAL	\$27,710	\$28,248

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$27,710)	(\$28,248)
FEDERAL EXPENDITURES FUND TOTAL	(\$27,710)	(\$28,248)

Human Rights Commission - Regulation 0150

Initiative: Provides funding for changes in health insurance costs.

GENERAL FUND	2015-16	2016-17

Personal Services	\$18,255	\$18,990
GENERAL FUND TOTAL	\$18,255	\$18,990

HUMAN RIGHTS COMMISSION - REGULATION 0150 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$688,099	\$691,354
All Other	\$23,936	\$23,936
GENERAL FUND TOTAL	\$712,035	\$715,290

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$312,043	\$313,241
All Other	\$51,759	\$53,759
FEDERAL EXPENDITURES FUND TOTAL	\$363,802	\$367,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$23,388	\$23,388
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,388	\$23,388

HUMAN RIGHTS COMMISSION, MAINE DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$712,035	\$715,290
FEDERAL EXPENDITURES FUND	\$363,802	\$367,000
OTHER SPECIAL REVENUE FUNDS	\$23,388	\$23,388
DEPARTMENT TOTAL - ALL FUNDS	\$1,099,225	\$1,105,678

Sec. A-39. Appropriations and allocations.
The following appropriations and allocations are made.

HUMANITIES COUNCIL, MAINE

Humanities Council 0942

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$53,357	\$53,357
GENERAL FUND TOTAL	\$53,357	\$53,357

**HUMANITIES COUNCIL 0942
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$53,357	\$53,357
GENERAL FUND TOTAL	\$53,357	\$53,357

Sec. A-40. Appropriations and allocations.
The following appropriations and allocations are made.

**INDIAN TRIBAL-STATE COMMISSION,
MAINE****Maine Indian Tribal-state Commission 0554**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$89,114	\$89,114
GENERAL FUND TOTAL	\$89,114	\$89,114

Maine Indian Tribal-state Commission 0554

Initiative: Provides funding for increased requests for major initiatives.

GENERAL FUND	2015-16	2016-17
All Other	\$22,500	\$22,500
GENERAL FUND TOTAL	\$22,500	\$22,500

**MAINE INDIAN TRIBAL-STATE
COMMISSION 0554****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$111,614	\$111,614
GENERAL FUND TOTAL	\$111,614	\$111,614

**INDIAN TRIBAL-STATE
COMMISSION, MAINE**

DEPARTMENT TOTALS	2015-16	2016-17

GENERAL FUND	\$111,614	\$111,614
DEPARTMENT TOTAL - ALL FUNDS	\$111,614	\$111,614

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

**INDIGENT LEGAL SERVICES, MAINE
COMMISSION ON****Maine Commission on Indigent Legal Services
Z112**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNCIL	11.500	11.500
Personal Services	\$760,268	\$766,688
All Other	\$13,949,052	\$13,949,052
GENERAL FUND TOTAL	\$14,709,320	\$14,715,740

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$628,497	\$628,497
OTHER SPECIAL REVENUE FUNDS TOTAL	\$628,497	\$628,497

**Maine Commission on Indigent Legal Services
Z112**

Initiative: Allocates funds to reflect an increase in the collection of counsel fee reimbursement and fees paid to the commission for training.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$149,000	\$165,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$149,000	\$165,000

**Maine Commission on Indigent Legal Services
Z112**

Initiative: Provides one-time additional funding for indigent legal services.

GENERAL FUND	2015-16	2016-17
All Other	\$2,900,000	\$0
GENERAL FUND TOTAL	\$2,900,000	\$0

Maine Commission on Indigent Legal Services Z112

Initiative: Provides funds to increase the hourly rate to \$60 per hour beginning in fiscal year 2015-16.

GENERAL FUND	2015-16	2016-17
All Other	\$1,470,790	\$1,592,773
GENERAL FUND TOTAL	\$1,470,790	\$1,592,773

MAINE COMMISSION ON INDIGENT LEGAL SERVICES Z112**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.500	11.500
Personal Services	\$760,268	\$766,688
All Other	\$18,319,842	\$15,541,825
GENERAL FUND TOTAL	\$19,080,110	\$16,308,513

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$777,497	\$793,497
OTHER SPECIAL REVENUE FUNDS TOTAL	\$777,497	\$793,497

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$19,080,110	\$16,308,513
OTHER SPECIAL REVENUE FUNDS	\$777,497	\$793,497
DEPARTMENT TOTAL - ALL FUNDS	\$19,857,607	\$17,102,010

Sec. A-42. Appropriations and allocations.
The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**Administrative Services - Inland Fisheries and Wildlife 0530**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	4.000	4.000

Personal Services	\$309,781	\$305,099
All Other	\$805,822	\$805,822

GENERAL FUND TOTAL	\$1,115,603	\$1,110,921

OTHER SPECIAL REVENUE FUNDS

All Other	\$639,465	\$639,465

OTHER SPECIAL REVENUE FUNDS TOTAL	\$639,465	\$639,465

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Transfers funding from the Administrative Services - Inland Fisheries and Wildlife program to the Office of the Commissioner - Inland Fisheries and Wildlife program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$627,806)	(\$627,806)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$627,806)	(\$627,806)

ADMINISTRATIVE SERVICES - INLAND FISHERIES AND WILDLIFE 0530**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$309,781	\$305,099
All Other	\$805,822	\$805,822

GENERAL FUND TOTAL	\$1,115,603	\$1,110,921

OTHER SPECIAL REVENUE FUNDS

All Other	\$11,659	\$11,659

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,659	\$11,659

ATV Safety and Educational Program 0559

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

All Other	\$23,170	\$23,170
GENERAL FUND TOTAL	\$23,170	\$23,170
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$145,188	\$145,188
OTHER SPECIAL REVENUE FUNDS TOTAL	\$145,188	\$145,188

ATV SAFETY AND EDUCATIONAL PROGRAM 0559

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$23,170	\$23,170
GENERAL FUND TOTAL	\$23,170	\$23,170
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$145,188	\$145,188
OTHER SPECIAL REVENUE FUNDS TOTAL	\$145,188	\$145,188

Boating Access Sites 0631

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$43,616	\$43,616
FEDERAL EXPENDITURES FUND TOTAL	\$43,616	\$43,616

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$57,266	\$56,156
All Other	\$97,233	\$97,233
OTHER SPECIAL REVENUE FUNDS TOTAL	\$154,499	\$153,389

Boating Access Sites 0631

Initiative: Provides funding to purchase and improve land for boat launch facilities throughout the State.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$575,000	\$575,000
FEDERAL EXPENDITURES FUND TOTAL	\$575,000	\$575,000
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$175,000	\$175,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$175,000	\$175,000

Boating Access Sites 0631

Initiative: Provides funding for improvements and maintenance activities at publicly owned boat launch facilities on inland waters.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$90,000	\$90,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,000	\$90,000

Boating Access Sites 0631

Initiative: Provides funding to improve and maintain publicly owned boat launch facilities.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$25,000	\$25,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000	\$25,000

BOATING ACCESS SITES 0631

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$43,616	\$43,616
Capital Expenditures	\$575,000	\$575,000
FEDERAL EXPENDITURES FUND TOTAL	\$618,616	\$618,616
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$57,266	\$56,156
All Other	\$122,233	\$122,233
Capital Expenditures	\$265,000	\$265,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$444,499	\$443,389

Endangered Nongame Operations 0536

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$22,372	\$22,446
All Other	\$4,731	\$4,731
GENERAL FUND TOTAL	\$27,103	\$27,177

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$367,225	\$367,565
All Other	\$516,029	\$516,029
FEDERAL EXPENDITURES FUND TOTAL	\$883,254	\$883,594

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$264,374	\$262,589
All Other	\$128,077	\$128,077
OTHER SPECIAL REVENUE FUNDS TOTAL	\$392,451	\$390,666

Endangered Nongame Operations 0536

Initiative: Provides funding to increase All Other costs in the Endangered Nongame Operations program to align expenditures with anticipated revenues.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$106,505	\$106,505
FEDERAL EXPENDITURES FUND TOTAL	\$106,505	\$106,505

**ENDANGERED NONGAME OPERATIONS 0536
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$22,372	\$22,446
All Other	\$4,731	\$4,731
GENERAL FUND TOTAL	\$27,103	\$27,177

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$367,225	\$367,565
All Other	\$622,534	\$622,534
FEDERAL EXPENDITURES FUND TOTAL	\$989,759	\$990,099

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$264,374	\$262,589
All Other	\$128,077	\$128,077
OTHER SPECIAL REVENUE FUNDS TOTAL	\$392,451	\$390,666

**Enforcement Operations - Inland Fisheries and
Wildlife 0537**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	123.000	123.000
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$11,046,096	\$10,948,018
All Other	\$2,556,860	\$2,556,860
GENERAL FUND TOTAL	\$13,602,956	\$13,504,878

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	1.540	1.540
Personal Services	\$587,092	\$584,748
All Other	\$583,227	\$583,227

FEDERAL EXPENDITURES FUND TOTAL	\$1,170,319	\$1,167,975

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$330,032	\$329,016
All Other	\$283,738	\$283,738
OTHER SPECIAL REVENUE FUNDS TOTAL	\$613,770	\$612,754

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for Personal Services overtime costs for Operation Stonegarden, funded by the United States Department of Homeland Security.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$227,052	\$228,650
FEDERAL EXPENDITURES FUND TOTAL	\$227,052	\$228,650

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Continues one Game Warden Specialist position in the Enforcement Operations - Inland Fisheries and Wildlife program that was previously authorized by Financial Order 002470 F5. This initiative also eliminates one Office Specialist I position in the Office of the Commissioner - Inland Fisheries and Wildlife program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$98,509	\$96,821
GENERAL FUND TOTAL	\$98,509	\$96,821

Enforcement Operations - Inland Fisheries and Wildlife 0537

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

GENERAL FUND	2015-16	2016-17
All Other	\$73,017	\$76,348

GENERAL FUND TOTAL	\$73,017	\$76,348

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Transfers 2 Game Warden positions from the Enforcement Operations - Lake and River Protection Fund, Other Special Revenue Funds to the General Fund within the same program and reduces funding in related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$167,789	\$167,373
GENERAL FUND TOTAL	\$167,789	\$167,373

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$167,789)	(\$167,373)
All Other	(\$1,896)	(\$1,891)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$169,685)	(\$169,264)

ENFORCEMENT OPERATIONS - INLAND FISHERIES AND WILDLIFE 0537

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	126.000	126.000
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$11,312,394	\$11,212,212
All Other	\$2,629,877	\$2,633,208
GENERAL FUND TOTAL	\$13,942,271	\$13,845,420

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	1.540	1.540
Personal Services	\$814,144	\$813,398
All Other	\$583,227	\$583,227

FEDERAL EXPENDITURES FUND TOTAL	\$1,397,371	\$1,396,625

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$162,243	\$161,643
All Other	\$281,842	\$281,847

OTHER SPECIAL REVENUE FUNDS TOTAL	\$444,085	\$443,490

Fisheries and Hatcheries Operations 0535

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	59,000	59,000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$3,048,070	\$3,027,394
All Other	\$1,163,901	\$1,163,901

GENERAL FUND TOTAL	\$4,211,971	\$4,191,295

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$1,931,264	\$1,912,402
All Other	\$1,048,929	\$1,048,929

FEDERAL EXPENDITURES FUND TOTAL	\$2,980,193	\$2,961,331

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$45,612	\$46,492
All Other	\$157,054	\$157,054

OTHER SPECIAL REVENUE FUNDS TOTAL	\$202,666	\$203,546

Fisheries and Hatcheries Operations 0535

Initiative: Reorganizes one Biology Specialist position to a Biologist I position as well as transfers and reallocates the costs of the position from 100% Resource Management Services - Inland Fisheries and Wildlife

program, Other Special Revenue Funds to 25% General Fund and 75% Federal Expenditures Fund in the Fisheries and Hatcheries Operations program. This initiative also transfers All Other to Personal Services in the General Fund to fund the position changes.

GENERAL FUND	2015-16	2016-17
Personal Services	\$14,872	\$15,080
All Other	(\$14,872)	(\$15,080)

GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$44,621	\$45,249
All Other	\$890	\$903

FEDERAL EXPENDITURES FUND TOTAL	\$45,511	\$46,152

Fisheries and Hatcheries Operations 0535

Initiative: Reorganizes one Public Service Executive I position to a Public Service Executive II position and reduces General Fund All Other to fund the reorganization.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$1,337	\$1,408
All Other	\$27	\$28

FEDERAL EXPENDITURES FUND TOTAL	\$1,364	\$1,436

Fisheries and Hatcheries Operations 0535

Initiative: Reallocates the cost of one Inland Fisheries and Wildlife Promotional Coordinator position and related All Other from 33% General Fund and 67% Federal Expenditures Fund in the Fisheries and Hatcheries Operations program to 16.5% General Fund and 33.5% Federal Expenditures Fund in the Fisheries and Hatcheries Operations program and 16.5% General Fund and 33.5% Federal Expenditures Fund in the Bureau of Resource Management - Wildlife Management program.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$13,702)	(\$13,389)

GENERAL FUND TOTAL	(\$13,702)	(\$13,389)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$27,824)	(\$27,180)
All Other	(\$555)	(\$542)
FEDERAL EXPENDITURES FUND TOTAL	(\$28,379)	(\$27,722)

Fisheries and Hatcheries Operations 0535

Initiative: Transfers funding from the All Other line category to the Capital Expenditures line category for the replacement of 2 one-ton fish stocking trucks, 2 2-ton fish stocking trucks, 2 fish stocking truck beds and 2 sets of fish stocking tanks.

GENERAL FUND	2015-16	2016-17
All Other	(\$125,000)	(\$125,000)
Capital Expenditures	\$125,000	\$125,000
GENERAL FUND TOTAL	\$0	\$0

Fisheries and Hatcheries Operations 0535

Initiative: Provides funding for the replacement of 8 snowmobiles, one boat, 2 boat motors and one all-terrain vehicle with trailer.

GENERAL FUND	2015-16	2016-17
Capital Expenditures	\$8,756	\$11,405
GENERAL FUND TOTAL	\$8,756	\$11,405

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$26,264	\$34,215
FEDERAL EXPENDITURES FUND TOTAL	\$26,264	\$34,215

FISHERIES AND HATCHERIES OPERATIONS 0535**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	59.000	59.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$3,049,240	\$3,029,085
All Other	\$1,024,029	\$1,023,821
Capital Expenditures	\$133,756	\$136,405

GENERAL FUND TOTAL	\$4,207,025	\$4,189,311

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$1,949,398	\$1,931,879
All Other	\$1,049,291	\$1,049,318
Capital Expenditures	\$26,264	\$34,215
FEDERAL EXPENDITURES FUND TOTAL	\$3,024,953	\$3,015,412

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$45,612	\$46,492
All Other	\$157,054	\$157,054
OTHER SPECIAL REVENUE FUNDS TOTAL	\$202,666	\$203,546

Landowner Relations Fund Z140

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$3,930	\$3,957
All Other	\$62,262	\$62,262
OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,192	\$66,219

Landowner Relations Fund Z140

Initiative: Provides funding to increase 2 Recreational Safety Coordinator positions from 920 hours to 1,040 hours annually and one Recreational Safety Coordinator position from 950 hours to 1,040 hours annually. This initiative also transfers and reallocates the costs of 10 Recreational Safety Coordinator positions from 26% Division of Public Information and Education program, General Fund, 40% Division of Public Information and Education program, Federal Expenditures Fund, 32% Division of Public Information and Education program, Other Special Revenue Funds and 2% Landowner Relations program, Other Special Revenue Funds to 26% Resource Management Services - Inland Fisheries and Wildlife program, General Fund, 72% Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund and 2% Landowner Relations program, Other

Special Revenue Funds and reduces funding in related All Other costs.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$96	\$98
OTHER SPECIAL REVENUE FUNDS TOTAL	\$96	\$98

LANDOWNER RELATIONS FUND Z140 PROGRAM SUMMARY

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$4,026	\$4,055
All Other	\$62,262	\$62,262
OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,288	\$66,317

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: BASELINE BUDGET

	2015-16	2016-17
GENERAL FUND		
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,046,796	\$1,043,567
All Other	\$501,704	\$501,704

GENERAL FUND TOTAL	\$1,548,500	\$1,545,271

	2015-16	2016-17
FEDERAL EXPENDITURES FUND		
All Other	\$76,328	\$76,328

FEDERAL EXPENDITURES FUND TOTAL	\$76,328	\$76,328

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$237,380	\$237,380

OTHER SPECIAL REVENUE FUNDS TOTAL	\$237,380	\$237,380

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of In-

formation Technology to perform maintenance and enhancements to the Maine Online Sportsman's Electronic System application.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$133,868	\$133,868
OTHER SPECIAL REVENUE FUNDS TOTAL	\$133,868	\$133,868

LICENSING SERVICES - INLAND FISHERIES AND WILDLIFE 0531

PROGRAM SUMMARY

	2015-16	2016-17
GENERAL FUND		
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,046,796	\$1,043,567
All Other	\$501,704	\$501,704

GENERAL FUND TOTAL	\$1,548,500	\$1,545,271

	2015-16	2016-17
FEDERAL EXPENDITURES FUND		
All Other	\$76,328	\$76,328

FEDERAL EXPENDITURES FUND TOTAL	\$76,328	\$76,328

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$371,248	\$371,248

OTHER SPECIAL REVENUE FUNDS TOTAL	\$371,248	\$371,248

Maine Outdoor Heritage Fund 0829

Initiative: BASELINE BUDGET

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$1,144,926	\$1,144,926

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,144,926	\$1,144,926

Maine Outdoor Heritage Fund 0829

Initiative: Adjusts funding for per diem costs for the Maine Outdoor Heritage Fund Board members.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$1,500	\$1,500
All Other	(\$1,500)	(\$1,500)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

MAINE OUTDOOR HERITAGE FUND 0829**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$1,500	\$1,500
All Other	\$1,143,426	\$1,143,426
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,144,926	\$1,144,926

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$448,705	\$439,938
All Other	\$1,776,548	\$1,776,548
GENERAL FUND TOTAL	\$2,225,253	\$2,216,486
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$179,381	\$183,477
All Other	\$109,759	\$109,759
OTHER SPECIAL REVENUE FUNDS TOTAL	\$289,140	\$293,236

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Continues one Game Warden Specialist position in the Enforcement Operations - Inland Fisheries and Wildlife program that was previously authorized by Financial Order 002470 F5. This initiative also eliminates one Office Specialist I position in the Office of the Commissioner - Inland Fisheries and Wildlife program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$63,760)	(\$65,259)
GENERAL FUND TOTAL	(\$63,760)	(\$65,259)

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Transfers funding from the Administrative Services - Inland Fisheries and Wildlife program to the Office of the Commissioner - Inland Fisheries and Wildlife program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$627,806	\$627,806
OTHER SPECIAL REVENUE FUNDS TOTAL	\$627,806	\$627,806

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Transfers one Accounting Associate II position and incumbent personnel from the Department of Administrative and Financial Services, Financial and Personnel Services - Division of program, Financial and Personnel Services Fund to the Office of the Commissioner - Inland Fisheries Wildlife program, Other Special Revenue Funds and provides funding for related All Other costs. The employee retains all rights as a classified employee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurance and retirement benefits.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$63,220	\$64,592
All Other	\$5,260	\$5,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$68,480	\$69,971

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Transfers one Inventory and Property Associate II Supervisor position and incumbent personnel from the Department of Administrative and Financial Services, Central Services - Purchases program, Postal, Printing and Supply Fund to the Office of the Commissioner - Inland Fisheries and Wildlife pro-

gram, Other Special Revenue Funds and provides funding for related All Other costs. The employee retains all rights as a classified employee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurance and retirement benefits.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$63,760	\$65,259
All Other	\$5,354	\$5,474
OTHER SPECIAL REVENUE FUNDS TOTAL	\$69,114	\$70,733

OFFICE OF THE COMMISSIONER - INLAND FISHERIES AND WILDLIFE 0529

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$384,945	\$374,679
All Other	\$1,776,548	\$1,776,548
GENERAL FUND TOTAL	\$2,161,493	\$2,151,227

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$306,361	\$313,328
All Other	\$748,179	\$748,418
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,054,540	\$1,061,746

Public Information and Education, Division of 0729

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	4.841	4.841
Personal Services	\$647,358	\$644,529
All Other	\$257,441	\$257,441
GENERAL FUND TOTAL	\$904,799	\$901,970

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$150,684	\$149,931
All Other	\$147,857	\$147,857
FEDERAL EXPENDITURES FUND TOTAL	\$298,541	\$297,788
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$324,289	\$324,879
All Other	\$569,152	\$569,152
OTHER SPECIAL REVENUE FUNDS TOTAL	\$893,441	\$894,031

Public Information and Education, Division of 0729

Initiative: Provides funding to increase 2 Recreational Safety Coordinator positions from 920 hours to 1,040 hours annually and one Recreational Safety Coordinator position from 950 hours to 1,040 hours annually. This initiative also transfers and reallocates the costs of 10 Recreational Safety Coordinator positions from 26% Division of Public Information and Education program, General Fund, 40% Division of Public Information and Education program, Federal Expenditures Fund, 32% Division of Public Information and Education program, Other Special Revenue Funds and 2% Landowner Relations program, Other Special Revenue Funds to 26% Resource Management Services - Inland Fisheries and Wildlife program, General Fund, 72% Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund and 2% Landowner Relations program, Other Special Revenue Funds and reduces funding in related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - FTE COUNT	(4.841)	(4.841)
Personal Services	(\$51,094)	(\$51,469)
GENERAL FUND TOTAL	(\$51,094)	(\$51,469)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$78,591)	(\$79,169)
All Other	(\$2,199)	(\$2,215)

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FEDERAL EXPENDITURES	(\$80,790)	(\$81,384)
FUND TOTAL		
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$62,882)	(\$63,342)
All Other	(\$1,069)	(\$1,069)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$63,951)	(\$64,411)

Public Information and Education, Division of 0729

Initiative: Transfers one Recreational Safety and Vehicle Coordinator position and one Office Associate II position from the Division of Public Information and Education program to the Resource Management Services - Inland Fisheries and Wildlife program and reduces funding in related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$74,179)	(\$72,761)
GENERAL FUND TOTAL	(\$74,179)	(\$72,761)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$72,093)	(\$70,762)
All Other	(\$2,017)	(\$1,980)
FEDERAL EXPENDITURES FUND TOTAL	(\$74,110)	(\$72,742)

Public Information and Education, Division of 0729

Initiative: Transfers funding for All Other costs from the Division of Public Information and Education program to the Resource Management Services - Inland Fisheries and Wildlife program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$143,641)	(\$143,662)
FEDERAL EXPENDITURES FUND TOTAL	(\$143,641)	(\$143,662)

PUBLIC INFORMATION AND EDUCATION, DIVISION OF 0729 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$522,085	\$520,299
All Other	\$257,441	\$257,441
GENERAL FUND TOTAL	\$779,526	\$777,740

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$261,407	\$261,537
All Other	\$568,083	\$568,083
OTHER SPECIAL REVENUE FUNDS TOTAL	\$829,490	\$829,620

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,247,729	\$1,243,785
All Other	\$380,225	\$380,225
GENERAL FUND TOTAL	\$1,627,954	\$1,624,010

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	36.000	36.000
Personal Services	\$2,608,370	\$2,588,635
All Other	\$642,878	\$642,878
FEDERAL EXPENDITURES FUND TOTAL	\$3,251,248	\$3,231,513

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$320,376	\$318,729
All Other	\$313,342	\$313,342
OTHER SPECIAL REVENUE FUNDS TOTAL	\$633,718	\$632,071

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for operating expenses for land management.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$230,000	\$230,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$230,000	\$230,000

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for operating expenses related to the research and management of moose.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$15,000	\$15,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,000	\$15,000

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reorganizes one Biology Specialist position to a Biologist I position as well as transfers and reallocates the costs of the position from 100% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds to 25% General Fund and 75% Federal Expenditures Fund in the Fisheries and Hatcheries Operations program. This initiative also transfers All Other to Personal Services in the General Fund to fund the position changes.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$59,493)	(\$60,329)
All Other	(\$1,187)	(\$1,204)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$60,680)	(\$61,533)

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding to increase 2 Recreational Safety Coordinator positions from 920 hours to 1,040 hours annually and one Recreational Safety Coordinator position from 950 hours to 1,040 hours annually. This initiative also transfers and reallocates the costs of 10 Recreational Safety Coordinator positions from 26% Division of Public Information and Education program, General Fund, 40% Division of Public Information and Education program, Federal Expenditures Fund, 32% Division of Public Information and Education program, Other Special Revenue Funds and 2% Landowner Relations program, Other Special Revenue Funds to 26% Resource Management Services - Inland Fisheries and Wildlife program, General Fund, 72% Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund and 2% Landowner Relations program, Other Special Revenue Funds and reduces funding in related All Other costs.

GENERAL FUND	2015-16	2016-17
Personal Services	\$52,538	\$52,925
GENERAL FUND TOTAL	\$52,538	\$52,925

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	5.000	5.000
Personal Services	\$145,482	\$146,552
All Other	\$2,902	\$2,924
FEDERAL EXPENDITURES FUND TOTAL	\$148,384	\$149,476

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Transfers one Recreational Safety and Vehicle Coordinator position and one Office Associate II position from the Division of Public Information and Education program to the Resource Management Services - Inland Fisheries and Wildlife program and reduces funding in related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$74,179	\$72,761

GENERAL FUND TOTAL	\$74,179	\$72,761
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$72,093	\$70,762
All Other	\$1,438	\$1,412
FEDERAL EXPENDITURES FUND TOTAL	\$73,531	\$72,174

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Transfers funding for All Other costs from the Division of Public Information and Education program to the Resource Management Services - Inland Fisheries and Wildlife program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$143,641	\$143,662
FEDERAL EXPENDITURES FUND TOTAL	\$143,641	\$143,662

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for an increase to align expenditures with anticipated revenues.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,467,348	\$1,467,348
FEDERAL EXPENDITURES FUND TOTAL	\$1,467,348	\$1,467,348

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reorganizes one Public Service Executive I position to a Public Service Executive II position and reduces General Fund All Other to fund the reorganization.

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,251	\$1,321
All Other	(\$1,251)	(\$1,321)
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2015-16	2016-17

Personal Services	\$1,586	\$1,674
All Other	\$32	\$33

FEDERAL EXPENDITURES FUND TOTAL	\$1,618	\$1,707

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates the cost of one Inland Fisheries and Wildlife Promotional Coordinator position and related All Other from 33% General Fund and 67% Federal Expenditures Fund in the Fisheries and Hatcheries Operations program to 16.5% General Fund and 33.5% Federal Expenditures Fund in the Fisheries and Hatcheries Operations program and 16.5% General Fund and 33.5% Federal Expenditures Fund in the Bureau of Resource Management - Wildlife Management program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$13,704	\$13,388
GENERAL FUND TOTAL	\$13,704	\$13,388

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$27,822	\$27,181
All Other	\$555	\$542

FEDERAL EXPENDITURES FUND TOTAL	\$28,377	\$27,723

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for the replacement of 8 snowmobiles, one boat, 2 boat motors and one all-terrain vehicle with trailer.

GENERAL FUND	2015-16	2016-17
Capital Expenditures	\$5,625	\$1,875
GENERAL FUND TOTAL	\$5,625	\$1,875

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$16,875	\$5,625

FEDERAL EXPENDITURES FUND TOTAL	\$16,875	\$5,625

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for one trailer and one off-road utility vehicle.

GENERAL FUND	2015-16	2016-17
Capital Expenditures	\$5,750	\$0
GENERAL FUND TOTAL	\$5,750	\$0
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$17,250	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$17,250	\$0

RESOURCE MANAGEMENT SERVICES - INLAND FISHERIES AND WILDLIFE 0534
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,389,401	\$1,384,180
All Other	\$378,974	\$378,904
Capital Expenditures	\$11,375	\$1,875
GENERAL FUND TOTAL	\$1,779,750	\$1,764,959
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	36.000	36.000
POSITIONS - FTE COUNT	5.000	5.000
Personal Services	\$2,855,353	\$2,834,804
All Other	\$2,258,794	\$2,258,799
Capital Expenditures	\$34,125	\$5,625
FEDERAL EXPENDITURES FUND TOTAL	\$5,148,272	\$5,099,228
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$260,883	\$258,400
All Other	\$557,155	\$557,138
OTHER SPECIAL REVENUE FUNDS TOTAL	\$818,038	\$815,538

Search and Rescue 0538

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$227,518	\$222,538
All Other	\$120,220	\$120,220
GENERAL FUND TOTAL	\$347,738	\$342,758

Search and Rescue 0538

Initiative: Provides funding for an increase in overtime costs for search and rescue operations for the Search and Rescue program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$158,800	\$158,800
GENERAL FUND TOTAL	\$158,800	\$158,800

SEARCH AND RESCUE 0538
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$386,318	\$381,338
All Other	\$120,220	\$120,220
GENERAL FUND TOTAL	\$506,538	\$501,558

Waterfowl Habitat Acquisition and Management 0561

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,525,000	\$1,525,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,525,000	\$1,525,000
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$23,085	\$23,085
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,085	\$23,085

Waterfowl Habitat Acquisition and Management 0561

Initiative: Provides funding to purchase land for wild-life habitat.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$1,800,000	\$1,800,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,800,000	\$1,800,000

Waterfowl Habitat Acquisition and Management 0561

Initiative: Provides funding for operating expenses for the Waterfowl Habitat Acquisition and Management program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$60,000	\$60,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,000	\$60,000

WATERFOWL HABITAT ACQUISITION AND MANAGEMENT 0561**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,525,000	\$1,525,000
Capital Expenditures	\$1,800,000	\$1,800,000
FEDERAL EXPENDITURES FUND TOTAL	\$3,325,000	\$3,325,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$83,085	\$83,085
OTHER SPECIAL REVENUE FUNDS TOTAL	\$83,085	\$83,085

Whitewater Rafting - Inland Fisheries and Wildlife 0539

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$115,969	\$113,659
All Other	\$43,508	\$43,508

OTHER SPECIAL REVENUE FUNDS TOTAL	\$159,477	\$157,167

WHITEWATER RAFTING - INLAND FISHERIES AND WILDLIFE 0539**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$115,969	\$113,659
All Other	\$43,508	\$43,508
OTHER SPECIAL REVENUE FUNDS TOTAL	\$159,477	\$157,167

Whitewater Rafting Fund 0533

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$10,904	\$10,904
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,904	\$10,904

Whitewater Rafting Fund 0533

Initiative: Provides funding for additional whitewater rafting grants to affected municipalities and unorganized townships.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$7,500	\$7,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,500	\$7,500

WHITEWATER RAFTING FUND 0533**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$18,404	\$18,404

OTHER SPECIAL	\$18,404	\$18,404
REVENUE FUNDS TOTAL		

**INLAND FISHERIES AND
WILDLIFE,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2015-16	2016-17
GENERAL FUND	\$26,090,979	\$25,936,754
FEDERAL EXPENDITURES FUND	\$14,580,299	\$14,521,308
OTHER SPECIAL REVENUE FUNDS	\$6,186,044	\$6,185,989

DEPARTMENT TOTAL - ALL FUNDS	\$46,857,322	\$46,644,051

Sec. A-43. Appropriations and allocations.

The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	493,000	493,000
Personal Services	\$38,360,437	\$39,589,085
All Other	\$16,060,599	\$16,060,599

GENERAL FUND TOTAL	\$54,421,036	\$55,649,684

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,500	1,500
Personal Services	\$1,842,633	\$1,919,142
All Other	\$1,088,789	\$1,088,789

FEDERAL EXPENDITURES FUND TOTAL	\$2,931,422	\$3,007,931

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7,000	7,000
Personal Services	\$477,627	\$496,717
All Other	\$3,241,601	\$3,241,601

OTHER SPECIAL	\$3,719,228	\$3,738,318
REVENUE FUNDS TOTAL		

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased guardian ad litem costs due to an increase in case filings.

GENERAL FUND	2015-16	2016-17
All Other	\$330,000	\$330,000
GENERAL FUND TOTAL	\$330,000	\$330,000

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for an increase in psychological exam costs.

GENERAL FUND	2015-16	2016-17
All Other	\$250,000	\$250,000
GENERAL FUND TOTAL	\$250,000	\$250,000

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the increase in the Kennebec County security coverage contract.

GENERAL FUND	2015-16	2016-17
All Other	\$77,000	\$77,000
GENERAL FUND TOTAL	\$77,000	\$77,000

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for an increase in the per diem paid to jurors.

GENERAL FUND	2015-16	2016-17
All Other	\$160,312	\$160,312
GENERAL FUND TOTAL	\$160,312	\$160,312

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for an increase in the mileage rate for jurors.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$293,867
GENERAL FUND TOTAL	\$0	\$293,867

Courts - Supreme, Superior and District 0063

Initiative: Continues 6 Judicial Marshal positions and one Sergeant position, previously continued by Financial Order JJ1501 F5, to provide entry security screening coverage to courthouses throughout the State and transfers All Other to Personal Services to fund the positions.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$357,771	\$374,256
All Other	(\$357,771)	(\$374,256)
GENERAL FUND TOTAL	\$0	\$0

Courts - Supreme, Superior and District 0063

Initiative: Continues 6 Judicial Marshal positions and one Sergeant position, previously continued by Financial Order JJ1502 F5, to provide security coverage in the Penobscot County courthouses and transfers All Other to Personal Services to fund the positions.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$357,771	\$374,256
All Other	(\$357,771)	(\$374,256)
GENERAL FUND TOTAL	\$0	\$0

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for facility costs related to the Capital Judicial Center.

GENERAL FUND	2015-16	2016-17
All Other	\$485,697	\$527,384
GENERAL FUND TOTAL	\$485,697	\$527,384

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increased facility costs for the Bangor courthouse.

GENERAL FUND	2015-16	2016-17
All Other	\$138,383	\$138,383
GENERAL FUND TOTAL	\$138,383	\$138,383

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for positions in the professional and supervisory bargaining units to increase

hours from a 37.5-hour work week to a 40-hour work week.

GENERAL FUND	2015-16	2016-17
Personal Services	\$300,895	\$309,680
GENERAL FUND TOTAL	\$300,895	\$309,680
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$9,422	\$9,744
FEDERAL EXPENDITURES FUND TOTAL	\$9,422	\$9,744

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Legal Publications Specialist position through June 10, 2017 and increases the hours from 75 hours biweekly to 80 hours biweekly. This position was previously continued in Public Law 2013, chapter 368.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$87,841	\$91,668
OTHER SPECIAL REVENUE FUNDS TOTAL	\$87,841	\$91,668

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Court Appointed Special Advocate Volunteer Supervisor position and one limited-period Court Appointed Special Advocate Coordinator position through June 10, 2017 and increases the hours from 75 hours biweekly to 80 hours biweekly. This initiative also changes the funding of the Court Appointed Special Advocate Volunteer Supervisor position from 49% General Fund and 51% Other Special Revenue Funds to 100% Federal Expenditures Funds. These positions were previously continued in Public Law 2013, chapter 368.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$190,207	\$196,100
FEDERAL EXPENDITURES FUND TOTAL	\$190,207	\$196,100

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Project Coordinator position and one limited-period Administrative Assistant position through June 10, 2017. These posi-

tions were previously continued in Public Law 2013, chapter 368.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$160,415	\$168,829
FEDERAL EXPENDITURES FUND TOTAL	\$160,415	\$168,829

Courts - Supreme, Superior and District 0063

Initiative: Continues 3 limited-period Collections Clerk positions through June 10, 2017 and increases the hours from 75 hours biweekly to 80 hours biweekly. These positions were previously continued in Public Law 2013, chapter 368.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$189,682	\$198,821
OTHER SPECIAL REVENUE FUNDS TOTAL	\$189,682	\$198,821

Courts - Supreme, Superior and District 0063

Initiative: Continues 3 limited-period Law Clerk positions for the foreclosure program through June 10, 2017. These positions were previously continued in Public Law 2013, chapter 368.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$245,142	\$256,248
OTHER SPECIAL REVENUE FUNDS TOTAL	\$245,142	\$256,248

Courts - Supreme, Superior and District 0063

Initiative: Establishes one limited-period Collections Clerk position through June 10, 2016.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$60,493	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,493	\$0

Courts - Supreme, Superior and District 0063

Initiative: Establishes 2 Clerk positions that will expand the availability of drugs courts and judge days for criminal trials and dockets.

GENERAL FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$108,200	\$113,088
All Other	\$14,600	\$2,600
GENERAL FUND TOTAL	\$122,800	\$115,688

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the reclassification of 2 Clerk III positions to Clerk IV positions and of one Assistant Technology Trainer position to a Technology Trainer position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$19,063	\$22,402
GENERAL FUND TOTAL	\$19,063	\$22,402

Courts - Supreme, Superior and District 0063

Initiative: Allocates funds to support judicial branch capital expenditures for courthouse facilities throughout the State.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$300,000	\$300,000

Courts - Supreme, Superior and District 0063

Initiative: Establishes 3 Deputy Marshal positions and one Sergeant position to start in fiscal year 2015-16 and 3 additional Deputy Marshal positions to start in fiscal year 2016-17 to provide entry screening in the courthouses throughout the State.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	7,000
Personal Services	\$255,733	\$455,143
All Other	\$14,000	\$24,500
GENERAL FUND TOTAL	\$269,733	\$479,643

Courts - Supreme, Superior and District 0063

Initiative: Provides one-time funding for architectural feasibility studies to improve court facilities in Oxford County, Waldo County and York County.

GENERAL FUND	2015-16	2016-17
All Other	\$300,000	\$0

GENERAL FUND TOTAL	\$300,000	\$0

Courts - Supreme, Superior and District 0063

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 3% for fiscal years 2015-16 and 2016-17.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$480,915)	(\$500,456)
GENERAL FUND TOTAL	(\$480,915)	(\$500,456)

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Court Appointed Special Advocate Volunteer Supervisor position through June 10, 2017. Continues one limited-period Court Appointed Special Advocate Coordinator position through June 10, 2017 and reorganizes the position to a limited-period Court Appointed Special Advocate Volunteer Supervisor position. Increases the hours for the 2 positions from 75 hours biweekly to 80 hours biweekly. This initiative also changes the funding of the Court Appointed Special Advocate Volunteer Supervisor from 49% General Fund and 51% Other Special Revenue Funds to 100% Federal Expenditure Funds. These positions were previously continued in Public Law 2013, chapter 368.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$196,965	\$203,145
FEDERAL EXPENDITURES FUND TOTAL	\$196,965	\$203,145

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the reorganization of one Family Division Case Management Assistant position to a Court Appointed Special Advocate Program Specialist position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$29,868	\$31,548
FEDERAL EXPENDITURES FUND TOTAL	\$29,868	\$31,548

Courts - Supreme, Superior and District 0063

Initiative: Establishes 2 new District Court Judge positions that will expand the availability of drugs courts and judge days for criminal trials and dockets.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$351,364	\$363,610
All Other	\$37,000	\$8,000
GENERAL FUND TOTAL	\$388,364	\$371,610

COURTS - SUPREME, SUPERIOR AND DISTRICT 0063**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	515.000	518.000
Personal Services	\$39,630,319	\$41,101,064
All Other	\$17,152,049	\$17,124,133
GENERAL FUND TOTAL	\$56,782,368	\$58,225,197

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$2,429,510	\$2,528,508
All Other	\$1,088,789	\$1,088,789
FEDERAL EXPENDITURES FUND TOTAL	\$3,518,299	\$3,617,297

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$1,060,785	\$1,043,454
All Other	\$3,241,601	\$3,241,601
Capital Expenditures	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,602,386	\$4,585,055

Judicial - Debt Service Z097

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$10,639,349	\$10,639,349
GENERAL FUND TOTAL	\$10,639,349	\$10,639,349

Judicial - Debt Service Z097

Initiative: Provides funding for the increase in debt service costs for the previously authorized bond issuance for the judicial branch case management, data storage and electronic filing system pursuant to Public Law 2013, chapter 571.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$1,296,560
GENERAL FUND TOTAL	\$0	\$1,296,560

JUDICIAL - DEBT SERVICE Z097
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$10,639,349	\$11,935,909
GENERAL FUND TOTAL	\$10,639,349	\$11,935,909

JUDICIAL DEPARTMENT
DEPARTMENT TOTALS

	2015-16	2016-17
GENERAL FUND	\$67,421,717	\$70,161,106
FEDERAL EXPENDITURES FUND	\$3,518,299	\$3,617,297
OTHER SPECIAL REVENUE FUNDS	\$4,602,386	\$4,585,055
DEPARTMENT TOTAL - ALL FUNDS	\$75,542,402	\$78,363,458

Sec. A-44. Appropriations and allocations.
The following appropriations and allocations are made.

LABOR, DEPARTMENT OF**Administration - Bureau of Labor Standards 0158**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$74,916	\$74,652
All Other	\$31,350	\$31,350
GENERAL FUND TOTAL	\$106,266	\$106,002
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$109,906	\$110,095

All Other	\$18,579	\$18,579

FEDERAL EXPENDITURES FUND TOTAL	\$128,485	\$128,674

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$200,000	\$200,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000

Administration - Bureau of Labor Standards 0158

Initiative: Eliminates 10.5 positions vacant from various accounts within the Department of Labor. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$25,669)	(\$26,087)
All Other	(\$475)	(\$483)

FEDERAL EXPENDITURES FUND TOTAL	(\$26,144)	(\$26,570)

ADMINISTRATION - BUREAU OF LABOR
STANDARDS 0158
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$74,916	\$74,652
All Other	\$31,350	\$31,350

GENERAL FUND TOTAL	\$106,266	\$106,002

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$84,237	\$84,008
All Other	\$18,104	\$18,096

FEDERAL EXPENDITURES FUND TOTAL	\$102,341	\$102,104

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$200,000	\$200,000

OTHER SPECIAL	\$200,000	\$200,000
REVENUE FUNDS TOTAL		

Administration - Labor 0030

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$82,771	\$82,013
All Other	\$232,963	\$232,963

GENERAL FUND TOTAL	\$315,734	\$314,976

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$986,815	\$977,657
All Other	\$2,891,665	\$2,891,665

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,878,480	\$3,869,322

Administration - Labor 0030

Initiative: Transfers and reallocates the cost of one Statistician III position from 100% Federal Expenditures Fund to 60% General Fund and 40% Federal Expenditures Fund within the same program and reallocates the cost of one Senior Economic Research Analyst position from 100% Federal Expenditures Fund to 75% Federal Expenditures Fund and 25% General Fund within the same program and provides funding for related All Other costs in the Administration - Labor program, General Fund.

GENERAL FUND	2015-16	2016-17
All Other	\$18,661	\$18,668

GENERAL FUND TOTAL	\$18,661	\$18,668

Administration - Labor 0030

Initiative: Adjusts funding on a one-time basis for the administration of the Employment Security Services program.

GENERAL FUND	2015-16	2016-17
All Other	\$97,500	\$97,500

GENERAL FUND TOTAL	\$97,500	\$97,500

ADMINISTRATION - LABOR 0030**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
Personal Services	\$82,771	\$82,013
All Other	\$349,124	\$349,131

GENERAL FUND TOTAL	\$431,895	\$431,144

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$986,815	\$977,657
All Other	\$2,891,665	\$2,891,665

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,878,480	\$3,869,322

Blind and Visually Impaired - Division for the 0126

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$738,808	\$730,290
All Other	\$2,382,768	\$2,382,768

GENERAL FUND TOTAL	\$3,121,576	\$3,113,058

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	22.500	22.500
Personal Services	\$1,985,228	\$1,969,832
All Other	\$2,107,750	\$2,107,750

FEDERAL EXPENDITURES FUND TOTAL	\$4,092,978	\$4,077,582

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$102,552	\$100,372
All Other	\$108,044	\$108,044

OTHER SPECIAL REVENUE FUNDS TOTAL	\$210,596	\$208,416

Blind and Visually Impaired - Division for the 0126

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

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$4,010	\$4,010
FEDERAL EXPENDITURES FUND TOTAL	\$4,010	\$4,010

Blind and Visually Impaired - Division for the 0126

Initiative: Provides ongoing funds beginning in fiscal year 2016-17 to support salary increases for contracted teachers for the visually impaired.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$200,000
GENERAL FUND TOTAL	\$0	\$200,000

BLIND AND VISUALLY IMPAIRED - DIVISION FOR THE 0126 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$738,808	\$730,290
All Other	\$2,382,768	\$2,582,768
GENERAL FUND TOTAL	\$3,121,576	\$3,313,058

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	22.500	22.500
Personal Services	\$1,985,228	\$1,969,832
All Other	\$2,111,760	\$2,111,760
FEDERAL EXPENDITURES FUND TOTAL	\$4,096,988	\$4,081,592

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$102,552	\$100,372
All Other	\$108,044	\$108,044
OTHER SPECIAL REVENUE FUNDS TOTAL	\$210,596	\$208,416

Employment Security Services 0245

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	197.000	197.000
Personal Services	\$13,510,943	\$13,577,503
All Other	\$17,157,726	\$17,157,726
FEDERAL EXPENDITURES FUND TOTAL	\$30,668,669	\$30,735,229

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$305,383	\$305,383
OTHER SPECIAL REVENUE FUNDS TOTAL	\$305,383	\$305,383

EMPLOYMENT SECURITY TRUST FUND	2015-16	2016-17
All Other	\$204,350,000	\$204,350,000
EMPLOYMENT SECURITY TRUST FUND TOTAL	\$204,350,000	\$204,350,000

Employment Security Services 0245

Initiative: Transfers and reallocates the cost of various positions between the Federal Expenditures Fund and Other Special Revenue Funds within the same program to better align positions with work activity and funding source and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(54.000)	(54.000)
Personal Services	(\$1,905,610)	(\$1,905,343)
All Other	(\$21,514)	(\$21,511)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,927,124)	(\$1,926,854)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	54.000	54.000
Personal Services	\$1,905,610	\$1,905,343
All Other	\$1,059,221	\$1,052,114

OTHER SPECIAL	\$2,964,831	\$2,957,457
REVENUE FUNDS TOTAL		

Employment Security Services 0245

Initiative: Continues the following limited-period positions through June 30, 2017 that were previously authorized to continue in Public Law 2013, chapter 368: 4 Customer Representative Associate I Employment positions, one Hearings Examiner position and one Office Associate II position. Also reallocates these positions from 100% Federal Expenditures Fund to 50% Federal Expenditures Fund and 50% Other Special Revenue Funds within the same program and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$178,549	\$180,495
All Other	\$2,016	\$2,038
FEDERAL EXPENDITURES FUND TOTAL	\$180,565	\$182,533

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$178,517	\$180,483
All Other	\$2,015	\$2,038
OTHER SPECIAL REVENUE FUNDS TOTAL	\$180,532	\$182,521

Employment Security Services 0245

Initiative: Adjusts funding on a one-time basis for the administration of the Employment Security Services program.

GENERAL FUND	2015-16	2016-17
All Other	\$1,300,000	\$1,300,000
GENERAL FUND TOTAL	\$1,300,000	\$1,300,000

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$1,314,677)	(\$1,314,677)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,314,677)	(\$1,314,677)

Employment Security Services 0245

Initiative: Reduces funding to align allocations with anticipated revenue.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$500,000)	(\$500,000)
FEDERAL EXPENDITURES FUND TOTAL	(\$500,000)	(\$500,000)

EMPLOYMENT SECURITY TRUST FUND	2015-16	2016-17
All Other	(\$20,000,000)	(\$20,000,000)
EMPLOYMENT SECURITY TRUST FUND TOTAL	(\$20,000,000)	(\$20,000,000)

Employment Security Services 0245

Initiative: Eliminates 10.5 positions vacant from various accounts within the Department of Labor. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(6,000)	(6,000)
Personal Services	(\$378,756)	(\$387,543)
All Other	(\$4,276)	(\$4,375)
FEDERAL EXPENDITURES FUND TOTAL	(\$383,032)	(\$391,918)

EMPLOYMENT SECURITY SERVICES 0245 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$1,300,000	\$1,300,000
GENERAL FUND TOTAL	\$1,300,000	\$1,300,000

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	137,000	137,000
Personal Services	\$11,405,126	\$11,465,112
All Other	\$15,319,275	\$15,319,201
FEDERAL EXPENDITURES FUND TOTAL	\$26,724,401	\$26,784,313

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	54.000	54.000	Personal Services	\$382,851	\$381,667
Personal Services	\$2,084,127	\$2,085,826	All Other	\$2,525,475	\$2,525,475
All Other	\$1,366,619	\$1,359,535			
			COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$2,908,326	\$2,907,142
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,450,746	\$3,445,361			
EMPLOYMENT SECURITY TRUST FUND	2015-16	2016-17	Employment Services Activity 0852		
All Other	\$184,350,000	\$184,350,000	Initiative: Transfers and reallocates the cost of various positions between General Fund, Federal Expenditures Fund, Other Special Revenue Funds and Competitive Skills Scholarship Fund within the Employment Services Activity program to better align positions with work activity and adjusts All Other. Position detail is on file in the Bureau of the Budget.		
EMPLOYMENT SECURITY TRUST FUND TOTAL	\$184,350,000	\$184,350,000			
Employment Services Activity 0852			GENERAL FUND	2015-16	2016-17
Initiative: BASELINE BUDGET			Personal Services	(\$229)	(\$979)
GENERAL FUND	2015-16	2016-17	All Other	\$229	\$979
POSITIONS - LEGISLATIVE COUNT	2.000	2.000			
Personal Services	\$636,676	\$635,166	GENERAL FUND TOTAL	\$0	\$0
All Other	\$323,656	\$323,656			
GENERAL FUND TOTAL	\$960,332	\$958,822	FEDERAL EXPENDITURES FUND	2015-16	2016-17
FEDERAL EXPENDITURES FUND	2015-16	2016-17	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - LEGISLATIVE COUNT	108.500	108.500	Personal Services	\$144,076	\$142,464
Personal Services	\$7,009,386	\$7,015,465	All Other	(\$144,076)	(\$142,464)
All Other	\$21,066,387	\$21,066,387			
FEDERAL EXPENDITURES FUND TOTAL	\$28,075,773	\$28,081,852	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000	POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	\$767,895	\$762,272	Personal Services	(\$127,892)	(\$125,680)
All Other	\$1,794,991	\$1,794,991	All Other	\$127,892	\$125,680
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,562,886	\$2,557,263	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
			COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17
			POSITIONS - LEGISLATIVE COUNT	1.000	1.000
			Personal Services	(\$15,955)	(\$15,805)
			All Other	\$15,955	\$15,805

COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$0	\$0	GENERAL FUND TOTAL	(\$23,425)	(\$23,726)
Employment Services Activity 0852			FEDERAL EXPENDITURES FUND	2015-16	2016-17
Initiative: Reduces funding for grants due to a decrease in federal awards.			POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Personal Services	(\$39,889)	(\$40,396)
All Other	(\$2,100,000)	(\$2,100,000)	All Other	(\$971)	(\$983)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,100,000)	(\$2,100,000)	FEDERAL EXPENDITURES FUND TOTAL	(\$40,860)	(\$41,379)
Employment Services Activity 0852			EMPLOYMENT SERVICES ACTIVITY 0852 PROGRAM SUMMARY		
Initiative: Continues 12 limited-period Career Center Consultant positions and one limited-period Program Manager Employment and Training position through June 17, 2017 and provides funding for related All Other costs. These positions were originally established by Financial Order 001913 F4. Positions and associated costs are covered by a memorandum of understanding with the Department of Health and Human Services.			GENERAL FUND	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$802,812	\$816,609	Personal Services	\$613,022	\$610,461
All Other	\$180,128	\$180,464	All Other	\$323,885	\$324,635
OTHER SPECIAL REVENUE FUNDS TOTAL	\$982,940	\$997,073	GENERAL FUND TOTAL	\$936,907	\$935,096
Employment Services Activity 0852			FEDERAL EXPENDITURES FUND	2015-16	2016-17
Initiative: Reduces funding to align allocations with anticipated revenue.			POSITIONS - LEGISLATIVE COUNT	108,500	108,500
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Personal Services	\$7,113,573	\$7,117,533
All Other	(\$1,849,000)	(\$1,849,000)	All Other	\$16,972,340	\$16,973,940
FEDERAL EXPENDITURES FUND TOTAL	(\$1,849,000)	(\$1,849,000)	FEDERAL EXPENDITURES FUND TOTAL	\$24,085,913	\$24,091,473
Employment Services Activity 0852			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Initiative: Eliminates 10.5 positions vacant from various accounts within the Department of Labor. Position detail is on file in the Bureau of the Budget.			POSITIONS - LEGISLATIVE COUNT	8,000	8,000
GENERAL FUND	2015-16	2016-17	Personal Services	\$1,442,815	\$1,453,201
Personal Services	(\$23,425)	(\$23,726)	All Other	\$2,103,011	\$2,101,135
			OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,545,826	\$3,554,336
			COMPETITIVE SKILLS SCHOLARSHIP FUND	2015-16	2016-17
			POSITIONS - LEGISLATIVE COUNT	1,000	1,000
			Personal Services	\$366,896	\$365,862

All Other	\$2,541,430	\$2,541,280
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$2,908,326	\$2,907,142

Foreign Labor Certification Process Fund Z120

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Foreign Labor Certification Process Fund Z120

Initiative: Reduces funding to eliminate the Foreign Labor Certification Process Fund program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$500)	(\$500)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500)	(\$500)

**FOREIGN LABOR CERTIFICATION PROCESS
FUND Z120****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Labor Relations Board 0160

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$468,705	\$458,510
All Other	\$24,617	\$24,617
GENERAL FUND TOTAL	\$493,322	\$483,127

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

Personal Services	\$75,300	\$75,300
All Other	\$45,477	\$45,477
OTHER SPECIAL REVENUE FUNDS TOTAL	\$120,777	\$120,777

LABOR RELATIONS BOARD 0160**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$468,705	\$458,510
All Other	\$24,617	\$24,617
GENERAL FUND TOTAL	\$493,322	\$483,127

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$75,300	\$75,300
All Other	\$45,477	\$45,477
OTHER SPECIAL REVENUE FUNDS TOTAL	\$120,777	\$120,777

Regulation and Enforcement 0159

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$606,378	\$606,780
All Other	\$147,696	\$147,696
GENERAL FUND TOTAL	\$754,074	\$754,476

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$653,630	\$647,003
All Other	\$430,452	\$430,452
FEDERAL EXPENDITURES FUND TOTAL	\$1,084,082	\$1,077,455

Regulation and Enforcement 0159

Initiative: Reallocates one Workplace Safety and Health Manager position from 50% Safety Education

and Training Programs, Other Special Revenue Funds and 50% Regulation and Enforcement program, Federal Expenditures Fund to 100% Safety Education and Training Programs, Other Special Revenue Funds and reallocates one Occupational Health and Safety Program Supervisor position from 100% Safety Education and Training Programs, Other Special Revenue Funds to 50% Safety Education and Training Programs, Other Special Revenue Funds and 50% Regulation and Enforcement program, Federal Expenditures Fund and adjusts All Other to fund the reallocation.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$5,104	\$3,426
All Other	(\$5,104)	(\$3,426)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Regulation and Enforcement 0159

Initiative: Reorganizes one Office Associate II position to a Secretary Associate position and adjusts All Other to fund the reorganization.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$1,189	\$1,211
All Other	(\$1,189)	(\$1,211)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

REGULATION AND ENFORCEMENT 0159

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$606,378	\$606,780
All Other	\$147,696	\$147,696

GENERAL FUND TOTAL	\$754,074	\$754,476

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$659,923	\$651,640
All Other	\$424,159	\$425,815

FEDERAL EXPENDITURES FUND TOTAL	\$1,084,082	\$1,077,455

Rehabilitation Services 0799

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,203,664	\$1,205,735
All Other	\$2,852,092	\$2,852,092

GENERAL FUND TOTAL	\$4,055,756	\$4,057,827

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	95.000	95.000
Personal Services	\$6,939,671	\$6,926,277
All Other	\$9,763,707	\$9,763,707

FEDERAL EXPENDITURES FUND TOTAL	\$16,703,378	\$16,689,984

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$357,521	\$357,521

OTHER SPECIAL REVENUE FUNDS TOTAL	\$357,521	\$357,521

Rehabilitation Services 0799

Initiative: Continues 2 limited-period Rehabilitation Counselor I positions, previously authorized to continue in Public Law 2013, chapter 368, through June 17, 2017 and adjusts All Other to fund these positions.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$126,152	\$125,072
All Other	(\$126,152)	(\$125,072)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Rehabilitation Services 0799

Initiative: Continues 5 Rehabilitation Counselor I positions, 2 Rehabilitation Counselor II positions and one Rehabilitation Consultant position previously author-

ized to continue in Public Law 2013, chapter 368. Also provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$603,914	\$604,607
All Other	\$14,095	\$14,112
FEDERAL EXPENDITURES FUND TOTAL	\$618,009	\$618,719

Rehabilitation Services 0799

Initiative: Continues 3 Rehabilitation Counselor II positions funded 67% Federal Expenditures Fund and 33% Other Special Revenue Funds within the same program. These positions were previously authorized to continue in Public Law 2013, chapter 368. Also provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$149,041	\$151,874
All Other	\$3,479	\$3,545
FEDERAL EXPENDITURES FUND TOTAL	\$152,520	\$155,419

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$73,407	\$74,800
All Other	\$1,713	\$1,746
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,120	\$76,546

Rehabilitation Services 0799

Initiative: Eliminates 10.5 positions vacant from various accounts within the Department of Labor. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$80,690)	(\$82,359)
All Other	(\$1,883)	(\$1,922)

FEDERAL EXPENDITURES FUND TOTAL	(\$82,573)	(\$84,281)

REHABILITATION SERVICES 0799

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,203,664	\$1,205,735
All Other	\$2,852,092	\$2,852,092
GENERAL FUND TOTAL	\$4,055,756	\$4,057,827

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	105.000	105.000
Personal Services	\$7,738,088	\$7,725,471
All Other	\$9,653,246	\$9,654,370
FEDERAL EXPENDITURES FUND TOTAL	\$17,391,334	\$17,379,841

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$73,407	\$74,800
All Other	\$359,234	\$359,267
OTHER SPECIAL REVENUE FUNDS TOTAL	\$432,641	\$434,067

Safety Education and Training Programs 0161

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$1,610,149	\$1,614,925
All Other	\$749,178	\$749,178
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,359,327	\$2,364,103

Safety Education and Training Programs 0161

Initiative: Reallocates one Workplace Safety and Health Manager position from 50% Safety Education and Training Programs, Other Special Revenue Funds

and 50% Regulation and Enforcement program, Federal Expenditures Fund to 100% Safety Education and Training Programs, Other Special Revenue Funds and reallocates one Occupational Health and Safety Program Supervisor position from 100% Safety Education and Training Programs, Other Special Revenue Funds to 50% Safety Education and Training Programs, Other Special Revenue Funds and 50% Regulation and Enforcement program, Federal Expenditures Fund and adjusts All Other to fund the reallocation.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$5,104)	(\$3,426)
All Other	\$5,104	\$3,426
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Safety Education and Training Programs 0161

Initiative: Reorganizes one Office Associate II position to a Secretary Associate position and adjusts All Other to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$1,189	\$1,211
All Other	(\$1,189)	(\$1,211)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Safety Education and Training Programs 0161

Initiative: Eliminates 10.5 positions vacant from various accounts within the Department of Labor. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$31,370)	(\$31,884)
All Other	(\$581)	(\$590)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$31,951)	(\$32,474)

SAFETY EDUCATION AND TRAINING PROGRAMS 0161

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	22,000	22,000
Personal Services	\$1,574,864	\$1,580,826
All Other	\$752,512	\$750,803
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,327,376	\$2,331,629

State Workforce Investment Board Z158

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$305,131	\$305,582
All Other	\$46,254	\$46,254
FEDERAL EXPENDITURES FUND TOTAL	\$351,385	\$351,836

State Workforce Investment Board Z158

Initiative: Reorganizes one Program Manager Employment & Training position to a Public Service Coordinator II position and adjusts All Other to fund the reorganization.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$10,285	\$10,490
All Other	(\$10,285)	(\$10,490)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

State Workforce Investment Board Z158

Initiative: Reallocates one Labor Program Specialist position, one Public Service Coordinator II position and one Public Service Manager III position from 100% Federal Expenditures Fund to 95% Federal Expenditures Fund and 5% Other Special Revenue Funds within the same program and provides funding for related All Other costs for the coordination of state-wide strategic planning, program integration and evaluation of all workforce development programs and activities. Also provides funding for related All Other costs in the Administration - Labor program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$15,771)	(\$15,802)
All Other	\$16,954	\$16,987

FEDERAL EXPENDITURES FUND TOTAL	\$1,183	\$1,185	OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,379	\$54,379
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	Workforce Research Z164		
Personal Services	\$15,771	\$15,802	Initiative: Transfers and reallocates the cost of one Statistician III position from 100% Federal Expenditures Fund to 60% General Fund and 40% Federal Expenditures Fund within the same program and reallocates the cost of one Senior Economic Research Analyst position from 100% Federal Expenditures Fund to 75% Federal Expenditures Fund and 25% General Fund within the same program and provides funding for related All Other costs in the Administration - Labor program, General Fund.		
All Other	\$81,741	\$81,708			
OTHER SPECIAL REVENUE FUNDS TOTAL	\$97,512	\$97,510			
STATE WORKFORCE INVESTMENT BOARD Z158			GENERAL FUND	2015-16	2016-17
PROGRAM SUMMARY			POSITIONS - LEGISLATIVE COUNT	1.000	1.000
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Personal Services	\$63,953	\$64,899
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	All Other	\$184,868	\$184,011
Personal Services	\$299,645	\$300,270	GENERAL FUND TOTAL	\$248,821	\$248,910
All Other	\$52,923	\$52,751			
FEDERAL EXPENDITURES FUND TOTAL	\$352,568	\$353,021	FEDERAL EXPENDITURES FUND	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	\$15,771	\$15,802	Personal Services	(\$63,953)	(\$64,899)
All Other	\$81,741	\$81,708	All Other	\$63,953	\$64,899
OTHER SPECIAL REVENUE FUNDS TOTAL	\$97,512	\$97,510	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
Workforce Research Z164			Workforce Research Z164		
Initiative: BASELINE BUDGET			Initiative: Eliminates 10.5 positions vacant from various accounts within the Department of Labor. Position detail is on file in the Bureau of the Budget.		
FEDERAL EXPENDITURES FUND	2015-16	2016-17	FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	24.000	24.000	POSITIONS - LEGISLATIVE COUNT	(1.500)	(1.500)
Personal Services	\$2,129,012	\$2,123,813	Personal Services	(\$147,806)	(\$149,803)
All Other	\$967,474	\$967,474	All Other	(\$1,669)	(\$1,692)
FEDERAL EXPENDITURES FUND TOTAL	\$3,096,486	\$3,091,287	FEDERAL EXPENDITURES FUND TOTAL	(\$149,475)	(\$151,495)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	WORKFORCE RESEARCH Z164 PROGRAM SUMMARY		
All Other	\$54,379	\$54,379			

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$63,953	\$64,899
All Other	\$184,868	\$184,011
GENERAL FUND TOTAL	\$248,821	\$248,910

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$1,917,253	\$1,909,111
All Other	\$1,029,758	\$1,030,681
FEDERAL EXPENDITURES FUND TOTAL	\$2,947,011	\$2,939,792

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$54,379	\$54,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,379	\$54,379

LABOR, DEPARTMENT OF		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$11,448,617	\$11,629,640
FEDERAL EXPENDITURES FUND	\$76,784,638	\$76,809,591
OTHER SPECIAL REVENUE FUNDS	\$14,318,333	\$14,315,797
EMPLOYMENT SECURITY TRUST FUND	\$184,350,000	\$184,350,000
COMPETITIVE SKILLS SCHOLARSHIP FUND	\$2,908,326	\$2,907,142
DEPARTMENT TOTAL - ALL FUNDS	\$289,809,914	\$290,012,170

Sec. A-45. Appropriations and allocations.
The following appropriations and allocations are made.

LAW AND LEGISLATIVE REFERENCE LIBRARY

Law and Legislative Reference Library 0636

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,112,088	\$1,123,607
All Other	\$356,757	\$356,757
GENERAL FUND TOTAL	\$1,468,845	\$1,480,364

LAW AND LEGISLATIVE REFERENCE LIBRARY 0636 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,112,088	\$1,123,607
All Other	\$356,757	\$356,757
GENERAL FUND TOTAL	\$1,468,845	\$1,480,364

Sec. A-46. Appropriations and allocations.
The following appropriations and allocations are made.

LEGISLATURE

Citizen Trade Policy Commission Z173

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,320	\$1,320
All Other	\$36,300	\$26,300
GENERAL FUND TOTAL	\$37,620	\$27,620

CITIZEN TRADE POLICY COMMISSION Z173 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,320	\$1,320
All Other	\$36,300	\$26,300
GENERAL FUND TOTAL	\$37,620	\$27,620

Interstate Cooperation - Commission on 0053

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$219,557	\$219,557

GENERAL FUND TOTAL	\$219,557	\$219,557

Interstate Cooperation - Commission on 0053

Initiative: Reduces funding for dues to the National Conference of State Legislatures and the Council of State Governments.

GENERAL FUND	2015-16	2016-17
All Other	(\$10,000)	(\$10,000)
GENERAL FUND TOTAL	(\$10,000)	(\$10,000)

INTERSTATE COOPERATION - COMMISSION ON 0053**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$209,557	\$209,557
GENERAL FUND TOTAL	\$209,557	\$209,557

Legislature 0081

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	146.500	146.500
POSITIONS - FTE COUNT	35.698	35.698
Personal Services	\$20,054,164	\$21,360,155
All Other	\$4,207,928	\$4,567,692
GENERAL FUND TOTAL	\$24,262,092	\$25,927,847

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Legislature 0081

Initiative: Appropriates funds for the per diem costs and other expenses of one member of the Senate and one member of the House of Representatives to participate in up to 4 meetings of the Commission to End Student Hunger during each interim period.

GENERAL FUND	2015-16	2016-17
Personal Services	\$220	\$220

All Other	\$280	\$280

GENERAL FUND TOTAL	\$500	\$500

**LEGISLATURE 0081
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	146.500	146.500
POSITIONS - FTE COUNT	35.698	35.698
Personal Services	\$20,054,384	\$21,360,375
All Other	\$4,208,208	\$4,567,972
GENERAL FUND TOTAL	\$24,262,592	\$25,928,347

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

State House and Capitol Park Commission 0615

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$67,834	\$67,834
GENERAL FUND TOTAL	\$67,834	\$67,834
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**STATE HOUSE AND CAPITOL PARK
COMMISSION 0615****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$67,834	\$67,834
GENERAL FUND TOTAL	\$67,834	\$67,834
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	\$500	\$500
OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

Study Commissions - Funding 0444

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
Personal Services	\$3,725	\$3,725
All Other	\$6,275	\$6,275
GENERAL FUND TOTAL	\$10,000	\$10,000

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$500	\$500
OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

Study Commissions - Funding 0444

Initiative: Appropriates funds for legislative per diem costs and other expenses for the Commission to Study the Public Reserved Lands Management Fund.

GENERAL FUND	2015-16	2016-17
Personal Services	\$1,100	\$0
All Other	\$1,650	\$0
GENERAL FUND TOTAL	\$2,750	\$0

STUDY COMMISSIONS - FUNDING 0444**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
Personal Services	\$4,825	\$3,725
All Other	\$7,925	\$6,275
GENERAL FUND TOTAL	\$12,750	\$10,000

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$500	\$500
OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

Uniform State Laws - Commission on 0242

Initiative: Provides funding for the Commission on Uniform State Laws.

GENERAL FUND	2015-16	2016-17
All Other	\$10,000	\$10,000
GENERAL FUND TOTAL	\$10,000	\$10,000

UNIFORM STATE LAWS - COMMISSION ON 0242**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$10,000	\$10,000
GENERAL FUND TOTAL	\$10,000	\$10,000

LEGISLATURE		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$24,600,353	\$26,253,358
OTHER SPECIAL	\$1,500	\$1,500
REVENUE FUNDS		

DEPARTMENT TOTAL - ALL FUNDS	\$24,601,853	\$26,254,858

Sec. A-47. Appropriations and allocations.
The following appropriations and allocations are made.

LIBRARY, MAINE STATE**Administration - Library 0215**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$150,918	\$147,460
All Other	\$85,938	\$85,938

GENERAL FUND TOTAL	\$236,856	\$233,398

ADMINISTRATION - LIBRARY 0215**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$150,918	\$147,460
All Other	\$85,938	\$85,938

GENERAL FUND TOTAL	\$236,856	\$233,398

Maine Public Library Fund Z144

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$10,000	\$10,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000

Maine Public Library Fund Z144

Initiative: Adjusts funding to reflect higher anticipated revenue from state income tax check-off donations.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$22,000	\$22,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,000	\$22,000

MAINE PUBLIC LIBRARY FUND Z144**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$32,000	\$32,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,000	\$32,000

Maine State Library 0217

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	28.500	28.500
Personal Services	\$1,971,064	\$1,956,374
All Other	\$888,865	\$888,865

GENERAL FUND TOTAL	\$2,859,929	\$2,845,239

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.500	12.500
Personal Services	\$812,256	\$817,378
All Other	\$453,971	\$453,971

FEDERAL EXPENDITURES FUND TOTAL	\$1,266,227	\$1,271,349

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	\$689,977	\$689,977

OTHER SPECIAL REVENUE FUNDS TOTAL	\$689,977	\$689,977

Maine State Library 0217

Initiative: Establishes one Librarian II position and related All Other in the library and development services program to be funded 1/3 each by the Maine State Library, Maine State Museum and Maine State Archives.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$20,908	\$21,338
All Other	\$1,340	\$1,340

GENERAL FUND TOTAL	\$22,248	\$22,678

Maine State Library 0217

Initiative: Continues one Librarian III position previously established by financial order that serves as the emergent/family literacy and children's consultant and provides funding for related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$88,250	\$89,553
All Other	\$4,020	\$4,020

GENERAL FUND TOTAL	\$92,270	\$93,573

Maine State Library 0217

Initiative: Provides funding for print and electronic book development.

GENERAL FUND	2015-16	2016-17
All Other	\$15,000	\$15,000

GENERAL FUND TOTAL	\$15,000	\$15,000

**MAINE STATE LIBRARY 0217
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	\$721,977	\$721,977
POSITIONS - LEGISLATIVE COUNT	30.500	30.500			
Personal Services	\$2,080,222	\$2,067,265	DEPARTMENT TOTAL - ALL FUNDS	\$5,457,293	\$5,446,000
All Other	\$909,225	\$909,225			
GENERAL FUND TOTAL	\$2,989,447	\$2,976,490			
FEDERAL EXPENDITURES FUND	2015-16	2016-17	Sec. A-48. Appropriations and allocations. The following appropriations and allocations are made.		
POSITIONS - LEGISLATIVE COUNT	12.500	12.500	LICENSURE OF WATER SYSTEM OPERATORS, BOARD OF		
Personal Services	\$812,256	\$817,378	Water System Operators - Board of Licensure 0104		
All Other	\$453,971	\$453,971	Initiative: BASELINE BUDGET		
FEDERAL EXPENDITURES FUND TOTAL	\$1,266,227	\$1,271,349	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
			All Other	\$75,939	\$75,939
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,939	\$75,939
All Other	\$689,977	\$689,977			
OTHER SPECIAL REVENUE FUNDS TOTAL	\$689,977	\$689,977	Water System Operators - Board of Licensure 0104		
			Initiative: Eliminates funding in Other Special Revenue Funds in the Water System Operators - Board of Licensure program.		
Statewide Library Information System 0185			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Initiative: BASELINE BUDGET			All Other	(\$75,939)	(\$75,939)
GENERAL FUND	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$75,939)	(\$75,939)
All Other	\$242,786	\$242,786			
GENERAL FUND TOTAL	\$242,786	\$242,786	WATER SYSTEM OPERATORS - BOARD OF LICENSURE 0104		
STATEWIDE LIBRARY INFORMATION SYSTEM 0185			PROGRAM SUMMARY		
PROGRAM SUMMARY			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
GENERAL FUND	2015-16	2016-17	All Other	\$0	\$0
All Other	\$242,786	\$242,786			
GENERAL FUND TOTAL	\$242,786	\$242,786	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
LIBRARY, MAINE STATE DEPARTMENT TOTALS	2015-16	2016-17	LICENSURE OF WATER SYSTEM OPERATORS, BOARD OF		
GENERAL FUND	\$3,469,089	\$3,452,674	DEPARTMENT TOTALS	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$1,266,227	\$1,271,349	OTHER SPECIAL REVENUE FUNDS	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

Sec. A-49. Appropriations and allocations.
The following appropriations and allocations are made.

MAINE LOBSTER MARKETING COLLABORATIVE

Lobster Promotion Fund 0701

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,936,000	\$1,936,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,936,000	\$1,936,000

Lobster Promotion Fund 0701

Initiative: Provides funding to perform increased marketing efforts in the lobster industry pursuant to Public Law 2013, chapter 309.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$750,000	\$750,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$750,000	\$750,000

LOBSTER PROMOTION FUND 0701

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,686,000	\$2,686,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,686,000	\$2,686,000

MAINE LOBSTER MARKETING COLLABORATIVE

DEPARTMENT TOTALS	2015-16	2016-17

OTHER SPECIAL REVENUE FUNDS	\$2,686,000	\$2,686,000

DEPARTMENT TOTAL - ALL FUNDS	\$2,686,000	\$2,686,000

Sec. A-50. Appropriations and allocations.
The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Science 0027

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,382,153	\$1,366,361
All Other	\$677,746	\$677,746

GENERAL FUND TOTAL	\$2,059,899	\$2,044,107

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
POSITIONS - FTE COUNT	3.250	3.250
Personal Services	\$1,864,153	\$1,848,577
All Other	\$520,828	\$520,828

FEDERAL EXPENDITURES FUND TOTAL	\$2,384,981	\$2,369,405

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$1,353,963	\$1,357,135
All Other	\$782,445	\$782,445

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,136,408	\$2,139,580

Bureau of Marine Science 0027

Initiative: Provides funding for the approved reorganization of one Marine Resource Scientist I position to a Marine Resource Scientist II position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$6,093	\$6,092

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,093	\$6,092

Bureau of Marine Science 0027

Initiative: Reorganizes one Resource Management Coordinator position to an Office Associate II position and transfers the cost of the position from the Bureau of Marine Science program, Other Special Revenue Funds to the Bureau of Policy and Management program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$93,056)	(\$94,755)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$93,056)	(\$94,755)

Bureau of Marine Science 0027

Initiative: Reorganizes one Marine Resource Scientist I position to a Marine Resource Specialist I position and transfers the position from the Division of Aquaculture program, Other Special Revenue Funds to the Bureau of Marine Science program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$64,421	\$65,557
FEDERAL EXPENDITURES FUND TOTAL	\$64,421	\$65,557

Bureau of Marine Science 0027

Initiative: Reorganizes one Marine Resource Scientist I position to an Office Associate I position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	(\$19,821)	(\$20,043)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$19,821)	(\$20,043)

Bureau of Marine Science 0027

Initiative: Establishes one Office Associate I position to support biological monitoring and assessment of commercial landings.

FEDERAL EXPENDITURES FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$57,856	\$59,234
FEDERAL EXPENDITURES FUND TOTAL	\$57,856	\$59,234

Bureau of Marine Science 0027

Initiative: Transfers one Marine Resource Specialist II position and related All Other from Federal Expenditures Fund to General Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$68,098	\$69,242
All Other	\$19,500	\$19,500
GENERAL FUND TOTAL	\$87,598	\$88,742

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$68,098)	(\$69,242)
FEDERAL EXPENDITURES FUND TOTAL	(\$68,098)	(\$69,242)

Bureau of Marine Science 0027

Initiative: Transfers and reallocates the cost of one Marine Resource Specialist I position from 25% Federal Expenditures Fund and 75% General Fund to 100% General Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$17,479	\$17,242
GENERAL FUND TOTAL	\$17,479	\$17,242

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$17,479)	(\$17,242)
FEDERAL EXPENDITURES FUND TOTAL	(\$17,479)	(\$17,242)

Bureau of Marine Science 0027

Initiative: Reallocates the cost of one Marine Resource Technician position from 100% Federal Expenditures Fund to 50% Federal Expenditures Fund and 50% Other Special Revenue Funds within the same program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$30,559)	(\$31,080)
FEDERAL EXPENDITURES FUND TOTAL	(\$30,559)	(\$31,080)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$30,559	\$31,080
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,559	\$31,080

Bureau of Marine Science 0027

Initiative: Transfers and reallocates 75% of the cost of one Marine Resource Specialist I position from Federal Expenditures Fund to Other Special Revenue Funds within the same program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$42,862)	(\$43,445)
FEDERAL EXPENDITURES FUND TOTAL	(\$42,862)	(\$43,445)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$42,862	\$43,445
OTHER SPECIAL REVENUE FUNDS TOTAL	\$42,862	\$43,445

Bureau of Marine Science 0027

Initiative: Reorganizes one Biologist III position to a Public Service Manager II position and transfers and reallocates the costs of the position from 72% Bureau of Marine Science program, General Fund and 28% Bureau of Marine Science program, Federal Expendi-

tures Fund to 100% Bureau of Policy and Management program, Other Special Revenue Funds.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$68,378)	(\$69,694)
GENERAL FUND TOTAL	(\$68,378)	(\$69,694)
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$26,591)	(\$27,106)
FEDERAL EXPENDITURES FUND TOTAL	(\$26,591)	(\$27,106)

Bureau of Marine Science 0027

Initiative: Reallocates the cost of one Marine Resource Scientist II position from 50% General Fund and 50% Federal Expenditures Fund to 75% General Fund and 25% Federal Expenditures Fund within the same program.

GENERAL FUND	2015-16	2016-17
Personal Services	\$21,112	\$21,508
GENERAL FUND TOTAL	\$21,112	\$21,508
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$21,112)	(\$21,508)
FEDERAL EXPENDITURES FUND TOTAL	(\$21,112)	(\$21,508)

Bureau of Marine Science 0027

Initiative: Continues one limited-period Office Associate I position previously authorized in Public Law 2013, chapter 368. This position will end on June 18, 2017.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$57,856	\$59,234
FEDERAL EXPENDITURES FUND TOTAL	\$57,856	\$59,234

Bureau of Marine Science 0027

Initiative: Provides funding for data collection used in groundfish and lobster stock assessments.

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FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$187,000	\$187,000
FEDERAL EXPENDITURES FUND TOTAL	\$187,000	\$187,000

Bureau of Marine Science 0027

Initiative: Reallocates the cost of one Marine Resource Scientist II position from 50% Bureau of Marine Science program, General Fund and 50% Bureau of Policy and Management program, Other Special Revenue Funds to 100% Bureau of Marine Science program, General Fund.

GENERAL FUND	2015-16	2016-17
Personal Services	\$50,003	\$49,094
GENERAL FUND TOTAL	\$50,003	\$49,094

Bureau of Marine Science 0027

Initiative: Provides funding for research and monitoring on the freshwater life stages of the endangered Atlantic salmon in Maine rivers.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$85,000	\$85,000
FEDERAL EXPENDITURES FUND TOTAL	\$85,000	\$85,000

Bureau of Marine Science 0027

Initiative: Reorganizes one Resource Management Coordinator position to a Public Service Manager I position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$4,293	\$4,226
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,293	\$4,226

BUREAU OF MARINE SCIENCE 0027 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,470,467	\$1,453,753
All Other	\$697,246	\$697,246

GENERAL FUND TOTAL	\$2,167,713	\$2,150,999

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
POSITIONS - FTE COUNT	3.250	3.250
Personal Services	\$1,837,585	\$1,822,979
All Other	\$792,828	\$792,828
FEDERAL EXPENDITURES FUND TOTAL	\$2,630,413	\$2,615,807

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$1,324,893	\$1,327,180
All Other	\$782,445	\$782,445

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,107,338	\$2,109,625

Bureau of Policy and Management 0258

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$818,402	\$803,520
All Other	\$1,221,303	\$1,221,303

GENERAL FUND TOTAL	\$2,039,705	\$2,024,823

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$623,965	\$628,497
All Other	\$559,451	\$559,451

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,183,416	\$1,187,948

Bureau of Policy and Management 0258

Initiative: Reorganizes one Resource Management Coordinator position to an Office Associate II position and transfers the cost of the position from the Bureau of Marine Science program, Other Special Revenue Funds to the Bureau of Policy and Management program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$64,241	\$65,727
OTHER SPECIAL REVENUE FUNDS TOTAL	\$64,241	\$65,727

Bureau of Policy and Management 0258

Initiative: Reorganizes one Biologist III position to a Public Service Manager II position and transfers and reallocates the costs of the position from 72% Bureau of Marine Science program, General Fund and 28% Bureau of Marine Science program, Federal Expenditures Fund to 100% Bureau of Policy and Management program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$99,638	\$101,783
OTHER SPECIAL REVENUE FUNDS TOTAL	\$99,638	\$101,783

Bureau of Policy and Management 0258

Initiative: Provides funding for emerging public health and fisheries work.

GENERAL FUND	2015-16	2016-17
All Other	\$80,000	\$80,000
GENERAL FUND TOTAL	\$80,000	\$80,000

Bureau of Policy and Management 0258

Initiative: Continues one limited-period Office Associate II position previously authorized in Public Law 2013, chapter 368. This position will end on June 18, 2017.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$68,816	\$69,884

OTHER SPECIAL REVENUE FUNDS TOTAL	\$68,816	\$69,884

Bureau of Policy and Management 0258

Initiative: Establishes one Inventory and Property Specialist position in the Bureau of Policy and Management program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,928	\$68,444

OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,928	\$68,444

Bureau of Policy and Management 0258

Initiative: Reallocates the cost of one Marine Resource Scientist II position from 50% Bureau of Marine Science program, General Fund and 50% Bureau of Policy and Management program, Other Special Revenue Funds to 100% Bureau of Marine Science program, General Fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$50,003)	(\$49,094)
All Other	(\$1,401)	(\$1,401)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$51,404)	(\$50,495)

Bureau of Policy and Management 0258

Initiative: Eliminates one Regulations and Information Officer position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$97,834)	(\$95,468)

GENERAL FUND TOTAL	(\$97,834)	(\$95,468)

Bureau of Policy and Management 0258

Initiative: Reorganizes one Hearings Examiner position to a Resource Management Coordinator position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$5,094	\$4,939

OTHER SPECIAL	\$5,094	\$4,939
REVENUE FUNDS TOTAL		

Bureau of Policy and Management 0258

Initiative: Establishes one Resource Management Coordinator position.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$86,473	\$88,384
OTHER SPECIAL	\$86,473	\$88,384
REVENUE FUNDS TOTAL		

Bureau of Policy and Management 0258

Initiative: Eliminates one Public Service Coordinator I position.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	(1.000)	(1.000)
LEGISLATIVE COUNT		
Personal Services	(\$111,694)	(\$109,488)
OTHER SPECIAL	(\$111,694)	(\$109,488)
REVENUE FUNDS TOTAL		

Bureau of Policy and Management 0258

Initiative: Transfers one Resource Management Coordinator position and related All Other from the Division of Aquaculture program to the Bureau of Policy and Management program.

GENERAL FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$86,473	\$88,384
All Other	\$5,000	\$5,000
GENERAL FUND TOTAL	\$91,473	\$93,384

Bureau of Policy and Management 0258

Initiative: Transfers funding from the Division of Aquaculture program to the Bureau of Policy and Management program.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$5,452	\$5,452

OTHER SPECIAL	\$5,452	\$5,452
REVENUE FUNDS TOTAL		

Bureau of Policy and Management 0258

Initiative: Transfers one Public Service Manager I position and one Marine Resource Scientist II position and related All Other from the Division of Aquaculture program to the Bureau of Policy and Management program.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	2.000	2.000
LEGISLATIVE COUNT		
Personal Services	\$210,750	\$207,885
All Other	\$23,279	\$23,409

OTHER SPECIAL	\$234,029	\$231,294
REVENUE FUNDS TOTAL		

Bureau of Policy and Management 0258

Initiative: Transfers one Public Service Manager I position, one Management Analyst I position and 4 Office Associate II positions and related All Other from the Marine Patrol - Bureau of program to the Bureau of Policy and Management program between General Fund and Other Special Revenue Funds. Position detail is on file in the Bureau of Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS -	4.000	4.000
LEGISLATIVE COUNT		
Personal Services	\$209,263	\$211,996
All Other	\$35,000	\$35,000

GENERAL FUND TOTAL	\$244,263	\$246,996

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	2.000	2.000
LEGISLATIVE COUNT		
Personal Services	\$184,565	\$184,447

OTHER SPECIAL	\$184,565	\$184,447
REVENUE FUNDS TOTAL		

Bureau of Policy and Management 0258

Initiative: Transfers one continued limited-period Office Associate II position from the Bureau of Marine Patrol program to the Bureau of Policy and Management program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$60,110	\$61,541
OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,110	\$61,541

Bureau of Policy and Management 0258

Initiative: Reorganizes one Resource Management Coordinator position to a Public Service Manager I position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$4,292	\$4,227
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,292	\$4,227

BUREAU OF POLICY AND MANAGEMENT 0258**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,016,304	\$1,008,432
All Other	\$1,341,303	\$1,341,303
GENERAL FUND TOTAL	\$2,357,607	\$2,349,735

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,313,175	\$1,327,176
All Other	\$586,781	\$586,911
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,899,956	\$1,914,087

Bureau of Public Health Z154

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$1,311,819	\$1,329,001
All Other	\$325,534	\$325,534

GENERAL FUND TOTAL	\$1,637,353	\$1,654,535

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,650	\$76,212
All Other	\$516,000	\$516,000

FEDERAL EXPENDITURES FUND TOTAL	\$590,650	\$592,212

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$802,175	\$804,619
All Other	\$126,145	\$126,145

OTHER SPECIAL REVENUE FUNDS TOTAL	\$928,320	\$930,764

Bureau of Public Health Z154

Initiative: Provides funding for repairs and maintenance of the Lamoine water quality lab.

GENERAL FUND	2015-16	2016-17
All Other	\$10,000	\$10,000

GENERAL FUND TOTAL	\$10,000	\$10,000

Bureau of Public Health Z154

Initiative: Provides funding for the approved reorganization of one Marine Resource Technician position to a Marine Resource Specialist I position.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,415	\$2,639

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,415	\$2,639

Bureau of Public Health Z154

Initiative: Provides funding for the approved reorganization of one Marine Resource Technician position to a Marine Resource Specialist I position and reallocates the cost from 50% General Fund and 50% Other Special Revenue Funds to 82% General Fund and 18% Other Special Revenue Funds within the same pro-

gram. This initiative also transfers one Conservation Aide position from General Fund to Other Special Revenue Funds within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(0.500)	(0.500)
Personal Services	(\$591)	(\$1,219)

GENERAL FUND TOTAL	(\$591)	(\$1,219)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$3,669	\$4,348

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,669	\$4,348

Bureau of Public Health Z154

Initiative: Reallocates the cost of one Office Associate II position from Federal Expenditures Fund to Other Special Revenue Funds and reallocates the cost of one Marine Resource Scientist III position from 100% Other Special Revenue Funds to 71% Federal Expenditures Fund and 29% Other Special Revenue Funds within the same program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$1,011)	(\$3,543)

FEDERAL EXPENDITURES FUND TOTAL	(\$1,011)	(\$3,543)

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	(\$13,529)	(\$11,128)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$13,529)	(\$11,128)

BUREAU OF PUBLIC HEALTH Z154

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$1,311,228	\$1,327,782
All Other	\$335,534	\$335,534

GENERAL FUND TOTAL	\$1,646,762	\$1,663,316

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$73,639	\$72,669
All Other	\$516,000	\$516,000

FEDERAL EXPENDITURES FUND TOTAL	\$589,639	\$588,669

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$794,730	\$800,478
All Other	\$126,145	\$126,145

OTHER SPECIAL REVENUE FUNDS TOTAL	\$920,875	\$926,623

Division of Aquaculture Z153

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$284,903	\$283,768
All Other	\$32,255	\$32,255

OTHER SPECIAL REVENUE FUNDS TOTAL	\$317,158	\$316,023

Division of Aquaculture Z153

Initiative: Reorganizes one Marine Resource Scientist I position to a Marine Resource Specialist I position

and transfers the position from the Division of Aquaculture program, Other Special Revenue Funds to the Bureau of Marine Science program, Federal Expenditures Fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$77,677)	(\$79,277)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$77,677)	(\$79,277)

Division of Aquaculture Z153

Initiative: Establishes one Resource Management Coordinator position to support the Division of Aquaculture program and provides funding for related All Other costs.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$86,473	\$88,384
All Other	\$5,000	\$5,000
GENERAL FUND TOTAL	\$91,473	\$93,384

Division of Aquaculture Z153

Initiative: Transfers one Resource Management Coordinator position and related All Other from the Division of Aquaculture program to the Bureau of Policy and Management program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$86,473)	(\$88,384)
All Other	(\$5,000)	(\$5,000)
GENERAL FUND TOTAL	(\$91,473)	(\$93,384)

Division of Aquaculture Z153

Initiative: Transfers funding from the Division of Aquaculture program to the Bureau of Policy and Management program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$5,452)	(\$5,452)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,452)	(\$5,452)

Division of Aquaculture Z153

Initiative: Transfers one Public Service Manager I position and one Marine Resource Scientist II position and related All Other from the Division of Aquaculture program to the Bureau of Policy and Management program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$210,750)	(\$207,885)
All Other	(\$23,279)	(\$23,409)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$234,029)	(\$231,294)

Division of Aquaculture Z153

Initiative: Reorganizes one Marine Resource Scientist III position to a Public Service Manager I position and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$3,524	\$3,394
All Other	(\$3,524)	(\$3,394)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

DIVISION OF AQUACULTURE Z153 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	42,000	42,000
Personal Services	\$3,683,231	\$3,668,052
All Other	\$533,941	\$533,941

GENERAL FUND TOTAL	\$4,217,172	\$4,201,993

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$322,042	\$327,083
All Other	\$125,578	\$125,578

FEDERAL EXPENDITURES FUND TOTAL	\$447,620	\$452,661

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	15,000	15,000
Personal Services	\$1,228,603	\$1,228,950
All Other	\$1,195,051	\$1,195,051

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,423,654	\$2,424,001

Marine Patrol - Bureau of 0029

Initiative: Reorganizes one Marine Patrol Officer position to a Marine Patrol Lieutenant position and transfers 50% of the position costs from Other Special Revenue Funds to General Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$51,009	\$52,055

GENERAL FUND TOTAL	\$51,009	\$52,055

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$27,905)	(\$28,139)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$27,905)	(\$28,139)

Marine Patrol - Bureau of 0029

Initiative: Provides funding for an enforcement agreement to ensure compliance with federal fisheries laws.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$370,000	\$370,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$370,000	\$370,000

Marine Patrol - Bureau of 0029

Initiative: Continues one limited-period Office Associate II position previously authorized in Public Law 2013, chapter 368. This position will end on June 18, 2017.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$60,110	\$61,541

OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,110	\$61,541

Marine Patrol - Bureau of 0029

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

GENERAL FUND	2015-16	2016-17
All Other	\$59,420	\$59,420

GENERAL FUND TOTAL	\$59,420	\$59,420

Marine Patrol - Bureau of 0029

Initiative: Transfers one Public Service Manager I position, one Management Analyst I position and 4 Office Associate II positions and related All Other from the Marine Patrol - Bureau of program to the Bureau of Policy and Management program between General Fund and Other Special Revenue Funds. Position detail is on file in the Bureau of Budget.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$209,263)	(\$211,996)
All Other	(\$35,000)	(\$35,000)

GENERAL FUND TOTAL	(\$244,263)	(\$246,996)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$184,565)	(\$184,447)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$184,565)	(\$184,447)

Marine Patrol - Bureau of 0029

Initiative: Transfers one continued limited-period Office Associate II position from the Bureau of Marine Patrol program to the Bureau of Policy and Management program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$60,110)	(\$61,541)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$60,110)	(\$61,541)

MARINE PATROL - BUREAU OF 0029
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	39,000	39,000
Personal Services	\$3,524,977	\$3,508,111
All Other	\$558,361	\$558,361
GENERAL FUND TOTAL	\$4,083,338	\$4,066,472
FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$322,042	\$327,083
All Other	\$125,578	\$125,578
FEDERAL EXPENDITURES FUND TOTAL	\$447,620	\$452,661

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12,000	12,000

Personal Services	\$1,016,133	\$1,016,364
All Other	\$1,565,051	\$1,565,051

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,581,184	\$2,581,415

Marine Science, Management and Enforcement Fund Z181

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

MARINE SCIENCE, MANAGEMENT AND ENFORCEMENT FUND Z181
PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

MARINE RESOURCES, DEPARTMENT OF		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$10,255,420	\$10,230,522
FEDERAL EXPENDITURES FUND	\$3,667,672	\$3,657,137
OTHER SPECIAL REVENUE FUNDS	\$7,509,853	\$7,532,250
DEPARTMENT TOTAL - ALL FUNDS	\$21,432,945	\$21,419,909

Sec. A-51. Appropriations and allocations.
The following appropriations and allocations are made.

MARITIME ACADEMY, MAINE
Maine Maritime Academy Scholarship Fund - Casino Z167

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	\$105,385	\$105,385
OTHER SPECIAL	\$105,385	\$105,385
REVENUE FUNDS TOTAL		

Maine Maritime Academy Scholarship Fund - Casino Z167

Initiative: Provides funding to align allocations with projected dedicated revenue.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$18,796	\$20,038
OTHER SPECIAL	\$18,796	\$20,038
REVENUE FUNDS TOTAL		

Maine Maritime Academy Scholarship Fund - Casino Z167

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$12,789	\$12,917
OTHER SPECIAL	\$12,789	\$12,917
REVENUE FUNDS TOTAL		

MAINE MARITIME ACADEMY SCHOLARSHIP FUND - CASINO Z167

PROGRAM SUMMARY

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$136,970	\$138,340
OTHER SPECIAL	\$136,970	\$138,340
REVENUE FUNDS TOTAL		

Maritime Academy - Operations 0035

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$8,483,304	\$8,483,304
GENERAL FUND TOTAL	\$8,483,304	\$8,483,304

Maritime Academy - Operations 0035

Initiative: Provides one-time funding in each fiscal year to rebuild a 40-year-old boiler in Curtis Hall dormitory.

GENERAL FUND	2015-16	2016-17
All Other	\$250,000	\$250,000
GENERAL FUND TOTAL	\$250,000	\$250,000

Maritime Academy - Operations 0035

Initiative: Provides one-time funding to repair a roof at the Alford Student Center.

GENERAL FUND	2015-16	2016-17
All Other	\$157,000	\$0
GENERAL FUND TOTAL	\$157,000	\$0

Maritime Academy - Operations 0035

Initiative: Provides one-time funding for a sprinkler upgrade in Leavitt Hall living quarters.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$150,000
GENERAL FUND TOTAL	\$0	\$150,000

MARITIME ACADEMY - OPERATIONS 0035

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$8,890,304	\$8,883,304
GENERAL FUND TOTAL	\$8,890,304	\$8,883,304

MARITIME ACADEMY, MAINE

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$8,890,304	\$8,883,304
OTHER SPECIAL	\$136,970	\$138,340
REVENUE FUNDS		

DEPARTMENT TOTAL - ALL FUNDS	\$9,027,274	\$9,021,644

Sec. A-52. Appropriations and allocations.
The following appropriations and allocations are made.

MUNICIPAL BOND BANK, MAINE

Maine Municipal Bond Bank - Maine Rural Water Association 0699

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$69,331	\$69,331
GENERAL FUND TOTAL	\$69,331	\$69,331

MAINE MUNICIPAL BOND BANK - MAINE RURAL WATER ASSOCIATION 0699**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$69,331	\$69,331
GENERAL FUND TOTAL	\$69,331	\$69,331

Sec. A-53. Appropriations and allocations.

The following appropriations and allocations are made.

MUSEUM, MAINE STATE**Maine State Museum 0180**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,494,916	\$1,478,760
All Other	\$163,416	\$163,416
GENERAL FUND TOTAL	\$1,658,332	\$1,642,176

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.840	0.840
Personal Services	\$83,259	\$82,227
All Other	\$93,900	\$93,900
OTHER SPECIAL REVENUE FUNDS TOTAL	\$177,159	\$176,127

Maine State Museum 0180

Initiative: Provides funding to increase the hours of one Museum Specialist I position from 58 to 80 hours biweekly.

GENERAL FUND	2015-16	2016-17

Personal Services	\$17,656	\$18,351
GENERAL FUND TOTAL	\$17,656	\$18,351

Maine State Museum 0180

Initiative: Provides funding for 1/3 of the cost of one Librarian II position and related All Other established in the library and development services program in the Maine State Library.

GENERAL FUND	2015-16	2016-17
Personal Services	\$20,907	\$21,338
All Other	\$1,340	\$1,340
GENERAL FUND TOTAL	\$22,247	\$22,678

Maine State Museum 0180

Initiative: Reorganizes 2 Museum Specialist I positions to Museum Education Specialist II positions; one part-time Museum Technician I position to a part-time Museum Education Specialist I position; and 2 part-time Museum Technician I positions to one full-time Museum Education Specialist I position funded by the elimination of one part-time Museum Technician I position and reallocates the funding from 100% General Fund in the Maine State Museum program to 97.5% General Fund in the Maine State Museum program and 2.5% Other Special Revenue Funds in the Research and Collection - Museum program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
GENERAL FUND TOTAL	\$0	\$0

Maine State Museum 0180

Initiative: Provides one-time funds to contract with a qualified architect with museum design experience to work with an interagency planning team to develop a conceptual design and schematic plans for an expansion of the Cultural Building in anticipation of the upcoming bicentennial of Maine's statehood in 2020. Funds appropriated for this purpose in this program that are unexpended by June 30, 2016 are carried over on a one-time basis.

GENERAL FUND	2015-16	2016-17
All Other	\$40,000	\$0
GENERAL FUND TOTAL	\$40,000	\$0

Maine State Museum 0180

Initiative: Provides funds for one part-time Museum Technician I position to provide essential public scheduling services for some 20,000 visitors who come to Augusta in structured educational groups to see the Maine State Museum, State House and Blaine House.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$29,518	\$29,667
GENERAL FUND TOTAL	\$29,518	\$29,667

MAINE STATE MUSEUM 0180 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,562,997	\$1,548,116
All Other	\$204,756	\$164,756
GENERAL FUND TOTAL	\$1,767,753	\$1,712,872

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.840	0.840
Personal Services	\$83,259	\$82,227
All Other	\$93,900	\$93,900
OTHER SPECIAL REVENUE FUNDS TOTAL	\$177,159	\$176,127

Maine State Museum - Operating Fund Z179

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$23,000	\$23,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,000	\$23,000

Maine State Museum - Operating Fund Z179

Initiative: Provides funding to reflect an increase in anticipated revenue from entrance fees.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,000	\$5,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000	\$5,000

Maine State Museum - Operating Fund Z179

Initiative: Reorganizes 2 Museum Specialist I positions to Museum Education Specialist II positions; one part-time Museum Technician I position to a part-time Museum Education Specialist I position; and 2 part-time Museum Technician I positions to one full-time Museum Education Specialist I position funded by the elimination of one part-time Museum Technician I position and reallocates the funding from 100% General Fund in the Maine State Museum program to 97.5% General Fund in the Maine State Museum program and 2.5% Other Special Revenue Funds in the Research and Collection - Museum program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$3,741	\$7,772
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,741	\$7,772

MAINE STATE MUSEUM - OPERATING FUND Z179

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$3,741	\$7,772
All Other	\$28,000	\$28,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,741	\$35,772

Research and Collection - Museum 0174

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$130,606	\$130,606
FEDERAL EXPENDITURES FUND TOTAL	\$130,606	\$130,606

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$163,238	\$163,238

OTHER SPECIAL	\$163,238	\$163,238
REVENUE FUNDS TOTAL		

Research and Collection - Museum 0174

Initiative: Reorganizes one Museum Specialist II position to a Museum Specialist III position and reallocates the funding from 100% General Fund in the Maine State Museum program to 95% General Fund in the Maine State Museum program and 5% Other Special Revenue Funds in the Research and Collection - Museum program.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$4,776	\$5,871
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,776	\$5,871

RESEARCH AND COLLECTION - MUSEUM 0174**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$130,606	\$130,606
FEDERAL EXPENDITURES FUND TOTAL	\$130,606	\$130,606

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$4,776	\$5,871
All Other	\$163,238	\$163,238
OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,014	\$169,109

MUSEUM, MAINE STATE DEPARTMENT TOTALS

GENERAL FUND	\$1,767,753	\$1,712,872
FEDERAL EXPENDITURES FUND	\$130,606	\$130,606
OTHER SPECIAL REVENUE FUNDS	\$376,914	\$381,008
DEPARTMENT TOTAL - ALL FUNDS	\$2,275,273	\$2,224,486

Sec. A-54. Appropriations and allocations.

The following appropriations and allocations are made.

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION**Maine Joint Environmental Training Coordinating Committee 0980**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$7,950	\$7,950
GENERAL FUND TOTAL	\$7,950	\$7,950

MAINE JOINT ENVIRONMENTAL TRAINING COORDINATING COMMITTEE 0980 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$7,950	\$7,950
GENERAL FUND TOTAL	\$7,950	\$7,950

Sec. A-55. Appropriations and allocations.

The following appropriations and allocations are made.

PINE TREE LEGAL ASSISTANCE**Legal Assistance 0553**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$354,802	\$354,802
GENERAL FUND TOTAL	\$354,802	\$354,802

Legal Assistance 0553

Initiative: Provides funding to support increased legal services for victims of domestic violence, veterans and low-income children.

GENERAL FUND	2015-16	2016-17
All Other	\$145,198	\$145,198
GENERAL FUND TOTAL	\$145,198	\$145,198

LEGAL ASSISTANCE 0553 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$500,000	\$500,000

GENERAL FUND TOTAL	\$500,000	\$500,000
PINE TREE LEGAL ASSISTANCE		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$500,000	\$500,000
DEPARTMENT TOTAL - ALL FUNDS	\$500,000	\$500,000

Sec. A-56. Appropriations and allocations.
The following appropriations and allocations are made.

POTATO BOARD, MAINE

Potato Board 0429

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$160,902	\$160,902

GENERAL FUND TOTAL	\$160,902	\$160,902

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,586,129	\$1,586,129

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,586,129	\$1,586,129

**POTATO BOARD 0429
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$160,902	\$160,902

GENERAL FUND TOTAL	\$160,902	\$160,902

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,586,129	\$1,586,129

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,586,129	\$1,586,129

Sec. A-57. Appropriations and allocations.
The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF
Administrative Services - Professional and Financial Regulation 0094**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$10,030	\$10,030

FEDERAL EXPENDITURES FUND TOTAL	\$10,030	\$10,030

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7,000	7,000
Personal Services	\$642,652	\$630,975
All Other	\$4,196,634	\$4,196,634

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,839,286	\$4,827,609

Administrative Services - Professional and Financial Regulation 0094

Initiative: Reduces funding for technology costs related to a change in the agency license management system billing process to other state agencies.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$103,405)	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$103,405)	\$0

Administrative Services - Professional and Financial Regulation 0094

Initiative: Provides funding for the development and support of new functionality for the agency license management system, the increased cost of application maintenance and converting additional agency systems to the agency license management system.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$380,075

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$380,075

**ADMINISTRATIVE SERVICES -
PROFESSIONAL AND FINANCIAL
REGULATION 0094****PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$10,030	\$10,030

FEDERAL EXPENDITURES FUND TOTAL	\$10,030	\$10,030

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$642,652	\$630,975
All Other	\$4,093,229	\$4,576,709

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,735,881	\$5,207,684

Bureau of Consumer Credit Protection 0091

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,206,988	\$1,203,040
All Other	\$830,682	\$830,682

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,037,670	\$2,033,722

Bureau of Consumer Credit Protection 0091

Initiative: Reduces funding to reflect anticipated resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$126,451)	(\$126,450)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$126,451)	(\$126,450)

**BUREAU OF CONSUMER CREDIT
PROTECTION 0091****PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,206,988	\$1,203,040
All Other	\$704,231	\$704,232

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,911,219	\$1,907,272

Dental Examiners - Board of 0384

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$208,589	\$210,921
All Other	\$203,077	\$203,077

OTHER SPECIAL REVENUE FUNDS TOTAL	\$411,666	\$413,998

Dental Examiners - Board of 0384

Initiative: Provides funding for additional technology costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$3,780	\$3,023

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,780	\$3,023

Dental Examiners - Board of 0384

Initiative: Continues one Public Service Executive I position previously established by Financial Order 002424 F5 and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$113,947	\$111,055
All Other	\$3,222	\$3,140

OTHER SPECIAL REVENUE FUNDS TOTAL	\$117,169	\$114,195

DENTAL EXAMINERS - BOARD OF 0384**PROGRAM SUMMARY**

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$322,536	\$321,976
All Other	\$210,079	\$209,240
OTHER SPECIAL REVENUE FUNDS TOTAL	\$532,615	\$531,216

Engineers - Board of Registration for Professional 0369

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.438	0.438
Personal Services	\$70,083	\$71,661
All Other	\$160,481	\$160,481
OTHER SPECIAL REVENUE FUNDS TOTAL	\$230,564	\$232,142

Engineers - Board of Registration for Professional 0369

Initiative: Continues one Public Service Executive I position previously established by Financial Order 002424 F5 and adjusts related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$122,631	\$120,088
All Other	(\$42,921)	(\$48,123)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$79,710	\$71,965

Engineers - Board of Registration for Professional 0369

Initiative: Eliminates one Senior Market Conduct Examiner position and one intermittent Office Assistant I position from various accounts within the Department of Professional and Financial Regulation.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - FTE COUNT	(0.438)	(0.438)
Personal Services	(\$21,536)	(\$22,606)
All Other	(\$577)	(\$605)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$22,113)	(\$23,211)

ENGINEERS - BOARD OF REGISTRATION FOR PROFESSIONAL 0369

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$171,178	\$169,143
All Other	\$116,983	\$111,753
OTHER SPECIAL REVENUE FUNDS TOTAL	\$288,161	\$280,896

Financial Institutions - Bureau of 0093

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,716,147	\$1,701,509
All Other	\$644,153	\$644,153
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,360,300	\$2,345,662

FINANCIAL INSTITUTIONS - BUREAU OF 0093

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,716,147	\$1,701,509
All Other	\$644,153	\$644,153
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,360,300	\$2,345,662

Insurance - Bureau of 0092**Initiative: BASELINE BUDGET**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$10,000	\$10,000
FEDERAL EXPENDITURES FUND TOTAL	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	73.000	73.000
Personal Services	\$6,686,733	\$6,633,710
All Other	\$2,110,091	\$2,110,091
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,796,824	\$8,743,801

Insurance - Bureau of 0092

Initiative: Eliminates one Senior Market Conduct Examiner position and one intermittent Office Assistant I position from various accounts within the Department of Professional and Financial Regulation.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$79,773)	(\$81,280)
All Other	(\$945)	(\$962)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$80,718)	(\$82,242)

INSURANCE - BUREAU OF 0092**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$10,000	\$10,000
FEDERAL EXPENDITURES FUND TOTAL	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	72.000	72.000
Personal Services	\$6,606,960	\$6,552,430

All Other	\$2,109,146	\$2,109,129
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,716,106	\$8,661,559

Licensing and Enforcement 0352**Initiative: BASELINE BUDGET**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	55.500	55.500
Personal Services	\$4,383,820	\$4,347,722
All Other	\$2,051,548	\$2,051,548
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,435,368	\$6,399,270

Licensing and Enforcement 0352

Initiative: Provides funding for increased STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$36,558	\$39,946
OTHER SPECIAL REVENUE FUNDS TOTAL	\$36,558	\$39,946

Licensing and Enforcement 0352

Initiative: Provides funding for an increase in the use of online licensing services and related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$19,167	\$19,966
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,167	\$19,966

LICENSING AND ENFORCEMENT 0352**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	55.500	55.500
Personal Services	\$4,383,820	\$4,347,722
All Other	\$2,107,273	\$2,111,460

			Initiative: BASELINE BUDGET		
OTHER SPECIAL	\$6,491,093	\$6,459,182	FEDERAL	2015-16	2016-17
REVENUE FUNDS TOTAL			EXPENDITURES FUND		
			All Other	\$23,554	\$23,554
Licensure in Medicine - Board of 0376					
Initiative: BASELINE BUDGET			FEDERAL EXPENDITURES	\$23,554	\$23,554
OTHER SPECIAL	2015-16	2016-17	FUND TOTAL		
REVENUE FUNDS					
POSITIONS -	9.000	9.000	Manufactured Housing Board 0351		
LEGISLATIVE COUNT			Initiative: Provides funding for field supplies and re-		
POSITIONS - FTE	0.770	0.770	lated STA-CAP charges.		
COUNT			FEDERAL	2015-16	2016-17
Personal Services	\$750,889	\$755,544	EXPENDITURES FUND		
All Other	\$737,484	\$737,484	All Other	\$3,065	\$3,065
OTHER SPECIAL	\$1,488,373	\$1,493,028	FEDERAL EXPENDITURES	\$3,065	\$3,065
REVENUE FUNDS TOTAL			FUND TOTAL		
Licensure in Medicine - Board of 0376			MANUFACTURED HOUSING BOARD 0351		
Initiative: Continues one part-time Physician III position previously authorized to continue in Public Law 2013, chapter 368 and provides funding for related STA-CAP charges.			PROGRAM SUMMARY		
OTHER SPECIAL	2015-16	2016-17	FEDERAL	2015-16	2016-17
REVENUE FUNDS			EXPENDITURES FUND		
POSITIONS -	1.000	1.000	All Other	\$26,619	\$26,619
LEGISLATIVE COUNT					
Personal Services	\$190,453	\$184,996	FEDERAL EXPENDITURES	\$26,619	\$26,619
All Other	\$3,756	\$3,648	FUND TOTAL		
OTHER SPECIAL	\$194,209	\$188,644	Nursing - Board of 0372		
REVENUE FUNDS TOTAL			Initiative: BASELINE BUDGET		
LICENSURE IN MEDICINE - BOARD OF 0376			FEDERAL	2015-16	2016-17
PROGRAM SUMMARY			EXPENDITURES FUND		
OTHER SPECIAL	2015-16	2016-17	All Other	\$10,144	\$10,144
REVENUE FUNDS					
POSITIONS -	10.000	10.000	FEDERAL EXPENDITURES	\$10,144	\$10,144
LEGISLATIVE COUNT			FUND TOTAL		
POSITIONS - FTE	0.770	0.770			
COUNT			OTHER SPECIAL	2015-16	2016-17
Personal Services	\$941,342	\$940,540	REVENUE FUNDS		
All Other	\$741,240	\$741,132	POSITIONS -	7.000	7.000
			LEGISLATIVE COUNT		
			Personal Services	\$535,725	\$527,973
			All Other	\$477,866	\$477,866
OTHER SPECIAL	\$1,682,582	\$1,681,672	OTHER SPECIAL	\$1,013,591	\$1,005,839
REVENUE FUNDS TOTAL			REVENUE FUNDS TOTAL		

Manufactured Housing Board 0351**Nursing - Board of 0372**

Initiative: Continues one Field Investigator position previously authorized to continue in Public Law 2013, chapter 368 and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,147	\$75,028
All Other	\$1,662	\$1,682
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,809	\$76,710

NURSING - BOARD OF 0372

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$10,144	\$10,144
FEDERAL EXPENDITURES FUND TOTAL	\$10,144	\$10,144

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$609,872	\$603,001
All Other	\$479,528	\$479,548
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,089,400	\$1,082,549

Office of Securities 0943

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$10,113	\$10,113
FEDERAL EXPENDITURES FUND TOTAL	\$10,113	\$10,113

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,104,694	\$1,087,596
All Other	\$446,103	\$446,103

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,550,797	\$1,533,699

Office of Securities 0943

Initiative: Provides funding for a range change for the Administrator, Office of Securities position from range 88 to range 90 pursuant to the Maine Revised Statutes, Title 2, section 6, subsection 2 and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$12,560	\$12,169
All Other	\$201	\$195

OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,761	\$12,364

Office of Securities 0943

Initiative: Continues one Attorney position and one Senior Securities Specialist position previously established by Financial Order 002423 F5 and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$173,850	\$177,121
All Other	\$2,782	\$2,834

OTHER SPECIAL REVENUE FUNDS TOTAL	\$176,632	\$179,955

Office of Securities 0943

Initiative: Continues one Senior Securities Examiner position and one Securities Examiner-in-Charge position previously authorized to continue in Public Law 2013, chapter 368 and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$184,295	\$180,181
All Other	\$2,949	\$2,883

OTHER SPECIAL REVENUE FUNDS TOTAL	\$187,244	\$183,064

OFFICE OF SECURITIES 0943

PROGRAM SUMMARY

	2015-16	2016-17
FEDERAL EXPENDITURES FUND		
All Other	\$10,113	\$10,113
FEDERAL EXPENDITURES FUND TOTAL	\$10,113	\$10,113
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,475,399	\$1,457,067
All Other	\$452,035	\$452,015
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,927,434	\$1,909,082

Optometry - Board of 0385

Initiative: BASELINE BUDGET

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$46,771	\$46,793
All Other	\$21,832	\$21,832
OTHER SPECIAL REVENUE FUNDS TOTAL	\$68,603	\$68,625

Optometry - Board of 0385

Initiative: Provides funding for an increase in STA-CAP rates and an increase in membership fees.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$6,211	\$6,212
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,211	\$6,212

OPTOMETRY - BOARD OF 0385**PROGRAM SUMMARY**

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$46,771	\$46,793
All Other	\$28,043	\$28,044

OTHER SPECIAL REVENUE FUNDS TOTAL	\$74,814	\$74,837

Osteopathic Licensure - Board of 0383

Initiative: BASELINE BUDGET

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$77,124	\$75,780
All Other	\$128,312	\$128,312
OTHER SPECIAL REVENUE FUNDS TOTAL	\$205,436	\$204,092

Osteopathic Licensure - Board of 0383

Initiative: Provides funding for an increase in the cost of professional services and general operating expenses.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$11,676	\$10,531
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,676	\$10,531

Osteopathic Licensure - Board of 0383

Initiative: Provides funding for an increase in technology costs and related STA-CAP charges.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$12,781	\$12,781
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,781	\$12,781

OSTEOPATHIC LICENSURE - BOARD OF 0383**PROGRAM SUMMARY**

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$77,124	\$75,780
All Other	\$152,769	\$151,624
OTHER SPECIAL REVENUE FUNDS TOTAL	\$229,893	\$227,404

**PROFESSIONAL AND
FINANCIAL
REGULATION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$66,906	\$66,906
OTHER SPECIAL REVENUE FUNDS	\$30,039,498	\$30,369,015
DEPARTMENT TOTAL - ALL FUNDS	\$30,106,404	\$30,435,921

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

**PROGRAM EVALUATION AND
GOVERNMENT ACCOUNTABILITY, OFFICE
OF**

**Office of Program Evaluation and Government
Accountability 0976**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7,000	7,000
Personal Services	\$852,292	\$847,512
All Other	\$124,088	\$124,088
GENERAL FUND TOTAL	\$976,380	\$971,600

**OFFICE OF PROGRAM EVALUATION AND
GOVERNMENT ACCOUNTABILITY 0976**

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	7,000	7,000
Personal Services	\$852,292	\$847,512
All Other	\$124,088	\$124,088
GENERAL FUND TOTAL	\$976,380	\$971,600

Sec. A-59. Appropriations and allocations.
The following appropriations and allocations are made.

PROPERTY TAX REVIEW, STATE BOARD OF

Property Tax Review - State Board of 0357

Initiative: BASELINE BUDGET

GENERAL FUND

All Other	2015-16	2016-17
	\$80,565	\$80,565

GENERAL FUND TOTAL	\$80,565	\$80,565

**OTHER SPECIAL
REVENUE FUNDS**

All Other	2015-16	2016-17
	\$3,000	\$3,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000	\$3,000

Property Tax Review - State Board of 0357

Initiative: Provides funding for per diem payments for State Board of Property Tax Review members.

GENERAL FUND

Personal Services	2015-16	2016-17
	\$6,000	\$6,000

GENERAL FUND TOTAL	\$6,000	\$6,000

**PROPERTY TAX REVIEW - STATE BOARD OF
0357**

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
Personal Services	\$6,000	\$6,000
All Other	\$80,565	\$80,565

GENERAL FUND TOTAL	\$86,565	\$86,565

**OTHER SPECIAL
REVENUE FUNDS**

All Other	2015-16	2016-17
	\$3,000	\$3,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000	\$3,000

**PROPERTY TAX
REVIEW, STATE BOARD
OF**

DEPARTMENT TOTALS	2015-16	2016-17

GENERAL FUND	\$86,565	\$86,565
OTHER SPECIAL REVENUE FUNDS	\$3,000	\$3,000

DEPARTMENT TOTAL - ALL FUNDS	\$89,565	\$89,565

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

**PUBLIC BROADCASTING CORPORATION,
MAINE**

Maine Public Broadcasting Corporation 0033

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$1,500,000	\$1,500,000
GENERAL FUND TOTAL	\$1,500,000	\$1,500,000

**MAINE PUBLIC BROADCASTING
CORPORATION 0033**

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$1,500,000	\$1,500,000
GENERAL FUND TOTAL	\$1,500,000	\$1,500,000

Sec. A-61. Appropriations and allocations.
The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety 0088

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$121,634	\$117,125
All Other	\$195,774	\$195,774
GENERAL FUND TOTAL	\$317,408	\$312,899

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$87,317	\$85,735
All Other	\$1,399,068	\$1,399,068
FEDERAL EXPENDITURES FUND TOTAL	\$1,486,385	\$1,484,803

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$158,809	\$157,396
All Other	\$106,214	\$106,214

OTHER SPECIAL REVENUE FUNDS TOTAL	\$265,023	\$263,610

ADMINISTRATION - PUBLIC SAFETY 0088

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$121,634	\$117,125
All Other	\$195,774	\$195,774
GENERAL FUND TOTAL	\$317,408	\$312,899

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$87,317	\$85,735
All Other	\$1,399,068	\$1,399,068
FEDERAL EXPENDITURES FUND TOTAL	\$1,486,385	\$1,484,803

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$158,809	\$157,396
All Other	\$106,214	\$106,214

OTHER SPECIAL REVENUE FUNDS TOTAL	\$265,023	\$263,610

**Background Checks - Certified Nursing Assistants
0992**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$77,098	\$76,053
All Other	\$11,683	\$11,683
GENERAL FUND TOTAL	\$88,781	\$87,736

**BACKGROUND CHECKS - CERTIFIED
NURSING ASSISTANTS 0992****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$77,098	\$76,053
All Other	\$11,683	\$11,683
GENERAL FUND TOTAL	\$88,781	\$87,736

Capitol Police - Bureau of 0101

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
Personal Services	\$1,013,351	\$1,009,492
All Other	\$70,024	\$70,024
GENERAL FUND TOTAL	\$1,083,375	\$1,079,516

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$100	\$100
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100	\$100

Capitol Police - Bureau of 0101

Initiative: Provides funding for increased technology costs and associated STA-CAP.

GENERAL FUND	2015-16	2016-17
All Other	\$598	\$1,015
GENERAL FUND TOTAL	\$598	\$1,015

Capitol Police - Bureau of 0101

Initiative: Continues 4 Capitol Police Officer positions and one Capitol Police Sergeant position originally created by Financial Order 001942 F4 to provide security at the Riverview Psychiatric Center.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$378,856	\$382,637
All Other	\$32,252	\$31,976

OTHER SPECIAL REVENUE FUNDS TOTAL	\$411,108	\$414,613

**CAPITOL POLICE - BUREAU OF 0101
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
Personal Services	\$1,013,351	\$1,009,492
All Other	\$70,622	\$71,039
GENERAL FUND TOTAL	\$1,083,973	\$1,080,531

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$378,856	\$382,637
All Other	\$32,352	\$32,076

OTHER SPECIAL REVENUE FUNDS TOTAL	\$411,208	\$414,713

Computer Crimes 0048

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$307,257	\$303,930
All Other	\$325,655	\$325,655
GENERAL FUND TOTAL	\$632,912	\$629,585

Computer Crimes 0048

Initiative: Provides funding for increased technology costs and associated STA-CAP.

GENERAL FUND	2015-16	2016-17
All Other	\$25,048	\$25,148
GENERAL FUND TOTAL	\$25,048	\$25,148

Computer Crimes 0048

Initiative: Provides one-time funding for trained local law enforcement agencies to work on current cases within the computer crimes unit.

GENERAL FUND	2015-16	2016-17
All Other	\$85,769	\$0
GENERAL FUND TOTAL	\$85,769	\$0

COMPUTER CRIMES 0048 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$307,257	\$303,930
All Other	\$436,472	\$350,803
GENERAL FUND TOTAL	\$743,729	\$654,733

Consolidated Emergency Communications Z021

Initiative: BASELINE BUDGET

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	70,000	70,000
Personal Services	\$5,847,969	\$5,887,022
All Other	\$698,479	\$698,857
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$6,546,448	\$6,585,879

Consolidated Emergency Communications Z021

Initiative: Provides funding for technology costs as a result of decreased federal funding.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2015-16	2016-17
All Other	\$107,095	\$120,254
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$107,095	\$120,254

Consolidated Emergency Communications Z021

Initiative: Eliminates vacant positions from various accounts within the Department of Public Safety. Position detail is on file in the Bureau of the Budget.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$242,421)	(\$247,002)

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	(\$242,421)	(\$247,002)

CONSOLIDATED EMERGENCY COMMUNICATIONS Z021 PROGRAM SUMMARY

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	67,000	67,000
Personal Services	\$5,605,548	\$5,640,020
All Other	\$805,574	\$819,111
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$6,411,122	\$6,459,131

Criminal Justice Academy 0290

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	\$500,000	\$500,000

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$25,000	\$25,000
FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$883,205	\$870,727

All Other	\$519,042	\$519,042
OTHER SPECIAL	\$1,402,247	\$1,389,769
REVENUE FUNDS TOTAL		

Criminal Justice Academy 0290

Initiative: Reduces funding to align allocations with the Revenue Forecasting Committee projections of December 2014.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	(\$33,446)	(\$22,146)
OTHER SPECIAL	(\$33,446)	(\$22,146)
REVENUE FUNDS TOTAL		

CRIMINAL JUSTICE ACADEMY 0290**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	\$500,000	\$500,000

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
All Other	\$25,000	\$25,000
FEDERAL EXPENDITURES	\$25,000	\$25,000
FUND TOTAL		

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	11.000	11.000
LEGISLATIVE COUNT		
Personal Services	\$883,205	\$870,727
All Other	\$485,596	\$496,896
OTHER SPECIAL	\$1,368,801	\$1,367,623
REVENUE FUNDS TOTAL		

Division of Building Codes and Standards Z073

Initiative: BASELINE BUDGET

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$121,424	\$121,072

All Other	\$39,086	\$39,086
OTHER SPECIAL	\$160,510	\$160,158
REVENUE FUNDS TOTAL		

DIVISION OF BUILDING CODES AND STANDARDS Z073**PROGRAM SUMMARY**

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$121,424	\$121,072
All Other	\$39,086	\$39,086
OTHER SPECIAL	\$160,510	\$160,158
REVENUE FUNDS TOTAL		

Drug Enforcement Agency 0388

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS -	3.000	3.000
LEGISLATIVE COUNT		
Personal Services	\$228,727	\$223,035
All Other	\$2,930,286	\$2,930,286
GENERAL FUND TOTAL	\$3,159,013	\$3,153,321

FEDERAL	2015-16	2016-17
EXPENDITURES FUND		
All Other	\$933,432	\$933,432
FEDERAL EXPENDITURES	\$933,432	\$933,432
FUND TOTAL		

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	\$450,494	\$450,494
OTHER SPECIAL	\$450,494	\$450,494
REVENUE FUNDS TOTAL		

Drug Enforcement Agency 0388

Initiative: Provides funding for the increase in contracts with local law enforcement agencies.

GENERAL FUND	2015-16	2016-17
All Other	\$57,801	\$57,801

GENERAL FUND TOTAL	\$57,801	\$57,801

Drug Enforcement Agency 0388

Initiative: Provides funding to maintain current level of agents due to loss of federal funding.

GENERAL FUND	2015-16	2016-17
All Other	\$157,139	\$157,139

GENERAL FUND TOTAL	\$157,139	\$157,139

Drug Enforcement Agency 0388

Initiative: Provides funding for technology costs to support the source management application.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$30,350	\$30,350

OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,350	\$30,350

Drug Enforcement Agency 0388

Initiative: Provides funding for increased vehicle leasing rates with the Department of Administrative and Financial Services, Central Fleet Management Division.

GENERAL FUND	2015-16	2016-17
All Other	\$10,777	\$15,043

GENERAL FUND TOTAL	\$10,777	\$15,043

Drug Enforcement Agency 0388

Initiative: Provides funding for increased technology costs.

GENERAL FUND	2015-16	2016-17
All Other	\$25,122	\$24,875

GENERAL FUND TOTAL	\$25,122	\$24,875

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$6,895	\$6,139

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,895	\$6,139

Drug Enforcement Agency 0388

Initiative: Provides funding to process crime scenes involving the seizure of methamphetamine labs and dump sites.

GENERAL FUND	2015-16	2016-17
All Other	\$300,000	\$300,000

GENERAL FUND TOTAL	\$300,000	\$300,000

Drug Enforcement Agency 0388

Initiative: Provides funding for 4 Investigative Agent positions from the General Fund and funding for training and costs associated with conducting investigations from Other Special Revenue Funds.

GENERAL FUND	2015-16	2016-17
All Other	\$511,830	\$511,830

GENERAL FUND TOTAL	\$511,830	\$511,830

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$130,226	\$130,226

OTHER SPECIAL REVENUE FUNDS TOTAL	\$130,226	\$130,226

DRUG ENFORCEMENT AGENCY 0388**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$228,727	\$223,035
All Other	\$3,992,955	\$3,996,974

GENERAL FUND TOTAL	\$4,221,682	\$4,220,009

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$933,432	\$933,432

FEDERAL EXPENDITURES FUND TOTAL	\$933,432	\$933,432

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$617,965	\$617,209

OTHER SPECIAL REVENUE FUNDS TOTAL	\$617,965	\$617,209

Emergency Medical Services 0485

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$410,034	\$405,829
All Other	\$584,358	\$584,358
GENERAL FUND TOTAL	\$994,392	\$990,187

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$83,665	\$84,807
All Other	\$85,177	\$85,177
FEDERAL EXPENDITURES FUND TOTAL	\$168,842	\$169,984

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,703	\$78,859
All Other	\$72,151	\$72,151
OTHER SPECIAL REVENUE FUNDS TOTAL	\$152,854	\$151,010

Emergency Medical Services 0485

Initiative: Provides funding for increased technology costs and associated STA-CAP.

GENERAL FUND	2015-16	2016-17
All Other	\$6,058	\$6,058
GENERAL FUND TOTAL	\$6,058	\$6,058

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$12,773	\$16,843
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,773	\$16,843

Emergency Medical Services 0485

Initiative: Provides funding for contracted services for a consulting medical director.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$22,500

GENERAL FUND TOTAL	\$0	\$22,500

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$0	(\$22,891)

FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$22,891)

**EMERGENCY MEDICAL SERVICES 0485
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$410,034	\$405,829
All Other	\$590,416	\$612,916

GENERAL FUND TOTAL	\$1,000,450	\$1,018,745

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$83,665	\$84,807
All Other	\$85,177	\$62,286

FEDERAL EXPENDITURES FUND TOTAL	\$168,842	\$147,093

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,703	\$78,859
All Other	\$84,924	\$88,994

OTHER SPECIAL REVENUE FUNDS TOTAL	\$165,627	\$167,853

Fire Marshal - Office of 0327

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000

FIRST REGULAR SESSION - 2015
PUBLIC LAW, C. 267

Personal Services	\$333,826	\$336,115			
All Other	\$33,715	\$33,715	GENERAL FUND TOTAL	(\$94,525)	(\$96,793)
GENERAL FUND TOTAL	\$367,541	\$369,830			
FEDERAL EXPENDITURES FUND	2015-16	2016-17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$101,675	\$101,675	POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
FEDERAL EXPENDITURES FUND TOTAL	\$101,675	\$101,675	Personal Services	(\$197,330)	(\$201,702)
			OTHER SPECIAL REVENUE FUNDS TOTAL	(\$197,330)	(\$201,702)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	FIRE MARSHAL - OFFICE OF 0327 PROGRAM SUMMARY		
POSITIONS - LEGISLATIVE COUNT	40,000	40,000	GENERAL FUND	2015-16	2016-17
Personal Services	\$3,703,384	\$3,689,824	POSITIONS - LEGISLATIVE COUNT	3,000	3,000
All Other	\$746,884	\$746,884	Personal Services	\$239,301	\$239,322
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,450,268	\$4,436,708	All Other	\$33,715	\$33,715
			GENERAL FUND TOTAL	\$273,016	\$273,037
Fire Marshal - Office of 0327			FEDERAL EXPENDITURES FUND	2015-16	2016-17
Initiative: Provides funding to purchase vehicles.			All Other	\$101,675	\$101,675
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	FEDERAL EXPENDITURES FUND TOTAL	\$101,675	\$101,675
Capital Expenditures	\$184,600	\$146,300			
OTHER SPECIAL REVENUE FUNDS TOTAL	\$184,600	\$146,300	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Fire Marshal - Office of 0327			POSITIONS - LEGISLATIVE COUNT	36,000	36,000
Initiative: Provides funding for increased technology costs and associated STA-CAP.			Personal Services	\$3,506,054	\$3,488,122
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	All Other	\$774,012	\$778,612
All Other	\$27,128	\$31,728	Capital Expenditures	\$184,600	\$146,300
OTHER SPECIAL REVENUE FUNDS TOTAL	\$27,128	\$31,728	OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,464,666	\$4,413,034
			Gambling Control Board Z002		
Fire Marshal - Office of 0327			Initiative: BASELINE BUDGET		
Initiative: Eliminates vacant positions from various accounts within the Department of Public Safety. Position detail is on file in the Bureau of the Budget.			GENERAL FUND	2015-16	2016-17
GENERAL FUND	2015-16	2016-17	POSITIONS - LEGISLATIVE COUNT	18,000	18,000
Personal Services	(\$94,525)	(\$96,793)	Personal Services	\$1,311,834	\$1,308,249
			All Other	\$775,382	\$775,382

GENERAL FUND TOTAL	\$2,087,216	\$2,083,631
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,121,330	\$5,121,330
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,121,330	\$5,121,330

Gambling Control Board Z002

Initiative: Provides funding for overtime costs for holiday time worked and coverage needed for vacation and sick time.

GENERAL FUND	2015-16	2016-17
Personal Services	\$39,835	\$41,314
GENERAL FUND TOTAL	\$39,835	\$41,314

Gambling Control Board Z002

Initiative: Provides funding for increased technology costs and associated STA-CAP.

GENERAL FUND	2015-16	2016-17
All Other	\$5,910	\$7,152
GENERAL FUND TOTAL	\$5,910	\$7,152

Gambling Control Board Z002

Initiative: Reduces funding to align allocations with the Revenue Forecasting Committee projections of December 2014.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$43,053)	(\$37,051)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$43,053)	(\$37,051)

Gambling Control Board Z002

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$62,402	\$63,026

OTHER SPECIAL REVENUE FUNDS TOTAL	\$62,402	\$63,026

GAMBLING CONTROL BOARD Z002 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$1,351,669	\$1,349,563
All Other	\$781,292	\$782,534

GENERAL FUND TOTAL	\$2,132,961	\$2,132,097

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,140,679	\$5,147,305

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,140,679	\$5,147,305

Highway Safety DPS 0457

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$411,261	\$412,970
All Other	\$2,516,581	\$2,516,581

FEDERAL EXPENDITURES FUND TOTAL	\$2,927,842	\$2,929,551

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$33,100	\$33,644
All Other	\$240,787	\$240,787

OTHER SPECIAL REVENUE FUNDS TOTAL	\$273,887	\$274,431

HIGHWAY SAFETY DPS 0457 PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17

FIRST REGULAR SESSION - 2015

PUBLIC LAW, C. 267

POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$411,261	\$412,970
All Other	\$2,516,581	\$2,516,581

FEDERAL EXPENDITURES FUND TOTAL	\$2,927,842	\$2,929,551

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$33,100	\$33,644
All Other	\$240,787	\$240,787

OTHER SPECIAL REVENUE FUNDS TOTAL	\$273,887	\$274,431

Licensing and Enforcement - Public Safety 0712

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$712,611	\$701,285
All Other	\$227,915	\$227,916

OTHER SPECIAL REVENUE FUNDS TOTAL	\$940,526	\$929,201

Licensing and Enforcement - Public Safety 0712

Initiative: Provides funding for the replacement of one vehicle.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$27,100	\$27,100

OTHER SPECIAL REVENUE FUNDS TOTAL	\$27,100	\$27,100

Licensing and Enforcement - Public Safety 0712

Initiative: Provides funding for an increase in technology costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$5,511	\$5,511

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,511	\$5,511

Licensing and Enforcement - Public Safety 0712

Initiative: Reduces funding to align allocations with anticipated revenue.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$67,062)	(\$55,629)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$67,062)	(\$55,629)

**LICENSING AND ENFORCEMENT - PUBLIC
SAFETY 0712**

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$712,611	\$701,285
All Other	\$166,364	\$177,798
Capital Expenditures	\$27,100	\$27,100

OTHER SPECIAL REVENUE FUNDS TOTAL	\$906,075	\$906,183

State Police 0291

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	313.500	313.500
Personal Services	\$22,677,601	\$22,624,405
All Other	\$9,769,797	\$9,769,797

GENERAL FUND TOTAL	\$32,447,398	\$32,394,202

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$359,639	\$357,831
All Other	\$2,120,304	\$2,120,304

FEDERAL EXPENDITURES FUND TOTAL	\$2,479,943	\$2,478,135

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$312,068	\$306,613
All Other	\$400,539	\$400,539
OTHER SPECIAL REVENUE FUNDS TOTAL	\$712,607	\$707,152

State Police 0291

Initiative: Provides funding for fees associated with background checks.

GENERAL FUND	2015-16	2016-17
All Other	\$152,142	\$152,142
GENERAL FUND TOTAL	\$152,142	\$152,142

State Police 0291

Initiative: Provides funding for additional vehicles.

GENERAL FUND	2015-16	2016-17
All Other	\$194,974	\$194,974
GENERAL FUND TOTAL	\$194,974	\$194,974

State Police 0291

Initiative: Provides funding for escort and construction overtime details provided by the Maine State Police.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$385,876	\$400,125
All Other	\$98,818	\$99,082
OTHER SPECIAL REVENUE FUNDS TOTAL	\$484,694	\$499,207

State Police 0291

Initiative: Provides funding for equipment for the Maine State Police Crime Laboratory including a genotyping software package and an uninterruptible power supply for a gas chromatograph.

GENERAL FUND	2015-16	2016-17
Capital Expenditures	\$81,250	\$0
GENERAL FUND TOTAL	\$81,250	\$0

State Police 0291

Initiative: Reorganizes 21 State Police Trooper positions to State Police Corporal positions.

GENERAL FUND	2015-16	2016-17
Personal Services	\$66,570	\$65,268
GENERAL FUND TOTAL	\$66,570	\$65,268

State Police 0291

Initiative: Provides funding for increased technology costs and associated STA-CAP.

GENERAL FUND	2015-16	2016-17
All Other	\$237,838	\$212,865
GENERAL FUND TOTAL	\$237,838	\$212,865

State Police 0291

Initiative: Provides funding for the replacement of a microspectrophotometer.

GENERAL FUND	2015-16	2016-17
Capital Expenditures	\$74,750	\$0
GENERAL FUND TOTAL	\$74,750	\$0

State Police 0291

Initiative: Reduces funding to align allocations with revenue projections.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	(\$1,186,125)	(\$1,186,125)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,186,125)	(\$1,186,125)

State Police 0291

Initiative: Provides funding for an increase in technology costs.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$17,096	\$17,096
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,096	\$17,096

State Police 0291

Initiative: Transfers and reallocates one DNA Forensic Analyst position from 100% Federal Expenditures

Fund to 65% General Fund and 35% Highway Fund within the same program.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,530	\$63,157

GENERAL FUND TOTAL	\$62,530	\$63,157

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$96,201)	(\$97,163)
All Other	\$96,201	\$97,163

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

State Police 0291

Initiative: Continues one Planning and Research Associate II position established by Financial Order 001678 F4 and continued in Financial Order 002372 F5.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,077	\$67,247
All Other	\$1,224	\$1,246

FEDERAL EXPENDITURES FUND TOTAL	\$67,301	\$68,493

State Police 0291

Initiative: Reduces funding to align allocations with the Revenue Forecasting Committee projections of December 2014.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$80,445)	(\$76,441)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$80,445)	(\$76,441)

State Police 0291

Initiative: Continues one State Police Trooper position established by Financial Order 002630 F5 and reorganizes the position to a State Police Specialist position.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$87,505	\$89,030
All Other	\$1,600	\$1,628

FEDERAL EXPENDITURES FUND TOTAL	\$89,105	\$90,658

State Police 0291

Initiative: Provides funding for the approved reclassification of one Central Fleet Manager position to a Public Safety Fleet Administrator position retroactive to July 2014.

GENERAL FUND	2015-16	2016-17
Personal Services	\$8,370	\$4,192

GENERAL FUND TOTAL	\$8,370	\$4,192

State Police 0291

Initiative: Provides funding for 2 State Police Detective positions and one Forensic Chemist position and related All Other costs to establish a cold case homicide unit.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$239,068	\$246,462
All Other	\$73,128	\$46,697

GENERAL FUND TOTAL	\$312,196	\$293,159

STATE POLICE 0291

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	317.500	317.500
Personal Services	\$23,054,139	\$23,003,484
All Other	\$10,427,879	\$10,376,475
Capital Expenditures	\$156,000	\$0

GENERAL FUND TOTAL	\$33,638,018	\$33,379,959

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5.000	5.000

Personal Services	\$417,020	\$416,945
All Other	\$1,033,204	\$1,034,216
FEDERAL EXPENDITURES FUND TOTAL	\$1,450,224	\$1,451,161
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$697,944	\$706,738
All Other	\$436,008	\$440,276
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,133,952	\$1,147,014

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$312,889	\$311,945
All Other	\$5,891	\$5,903
FEDERAL EXPENDITURES FUND TOTAL	\$318,780	\$317,848

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Reallocates the cost of 5 Motor Carrier Inspector positions from 63% Highway Fund and 37% Federal Expenditures Fund; one Motor Carrier Inspector position from 62% Highway Fund and 38% Federal Expenditures Fund; one Motor Carrier Inspector position from 61.91% Highway Fund and 38.09% Federal Expenditures Fund; and one Motor Carrier Inspections Supervisor position from 66% Highway Fund and 34% Federal Expenditures Fund to 50% Highway Fund and 50% Federal Expenditures Fund in the Traffic Safety - Commercial Vehicle Enforcement program; and reallocates one State Police Corporal position and one State Police Trooper position from 63% Highway Fund and 37% Federal Expenditures Fund to 100% Highway Fund in the Traffic Safety - Commercial Vehicle Enforcement program.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$3,765	\$3,289
All Other	\$50	\$50

FEDERAL EXPENDITURES FUND TOTAL	\$3,815	\$3,339

TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$316,654	\$315,234
All Other	\$5,941	\$5,953
FEDERAL EXPENDITURES FUND TOTAL	\$322,595	\$321,187

Turnpike Enforcement 0547

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	36.000	36.000
Personal Services	\$4,675,355	\$4,642,738
All Other	\$1,179,445	\$1,179,767
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,854,800	\$5,822,505

Turnpike Enforcement 0547

Initiative: Provides funding for the replacement of 10 vehicles.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$290,600	\$290,600
OTHER SPECIAL REVENUE FUNDS TOTAL	\$290,600	\$290,600

TURNPIKE ENFORCEMENT 0547

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	36.000	36.000
Personal Services	\$4,675,355	\$4,642,738
All Other	\$1,179,445	\$1,179,767
Capital Expenditures	\$290,600	\$290,600

OTHER SPECIAL	\$6,145,400	\$6,113,105
REVENUE FUNDS TOTAL		
PUBLIC SAFETY, DEPARTMENT OF		
DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$44,000,018	\$43,659,746
FEDERAL	\$7,415,995	\$7,393,902
EXPENDITURES FUND		
OTHER SPECIAL	\$21,053,793	\$20,992,238
REVENUE FUNDS		
CONSOLIDATED	\$6,411,122	\$6,459,131
EMERGENCY		
COMMUNICATIONS		
FUND		
DEPARTMENT TOTAL - ALL FUNDS	\$78,880,928	\$78,505,017

Sec. A-62. Appropriations and allocations.
The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: BASELINE BUDGET

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	9.000	9.000
LEGISLATIVE COUNT		
Personal Services	\$873,413	\$861,883
All Other	\$7,454,575	\$7,454,575
OTHER SPECIAL	\$8,327,988	\$8,316,458
REVENUE FUNDS TOTAL		

Emergency Services Communication Bureau 0994

Initiative: Reduces funding to align technology expenditures with estimated need.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	(\$57,915)	(\$58,589)
OTHER SPECIAL	(\$57,915)	(\$58,589)
REVENUE FUNDS TOTAL		

Emergency Services Communication Bureau 0994

Initiative: Eliminates funding for professional services by the State due to the absorption of costs in other object classes.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	(\$27,609)	(\$27,609)
OTHER SPECIAL	(\$27,609)	(\$27,609)
REVENUE FUNDS TOTAL		
Emergency Services Communication Bureau 0994		
Initiative: Eliminates funding for state vehicle operation due to the reduction in the number of vehicles and the absorption of costs in other objects.		
OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	(\$17,475)	(\$17,475)
OTHER SPECIAL	(\$17,475)	(\$17,475)
REVENUE FUNDS TOTAL		

Emergency Services Communication Bureau 0994

Initiative: Reduces funding to align expenditures with estimated need resulting from installation of a new 911 system.

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
All Other	(\$1,110,141)	(\$1,097,517)
OTHER SPECIAL	(\$1,110,141)	(\$1,097,517)
REVENUE FUNDS TOTAL		

EMERGENCY SERVICES COMMUNICATION BUREAU 0994

PROGRAM SUMMARY

OTHER SPECIAL	2015-16	2016-17
REVENUE FUNDS		
POSITIONS -	9.000	9.000
LEGISLATIVE COUNT		
Personal Services	\$873,413	\$861,883
All Other	\$6,241,435	\$6,253,385
OTHER SPECIAL	\$7,114,848	\$7,115,268
REVENUE FUNDS TOTAL		

Oversight and Evaluation Fund Z106

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$20,000	\$20,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,000	\$20,000

Oversight and Evaluation Fund Z106

Initiative: Provides funding for increased costs related to oversight of the Efficiency Maine Trust.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$232,660	\$232,660
OTHER SPECIAL REVENUE FUNDS TOTAL	\$232,660	\$232,660

OVERSIGHT AND EVALUATION FUND Z106
PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$252,660	\$252,660
OTHER SPECIAL REVENUE FUNDS TOTAL	\$252,660	\$252,660

Public Utilities - Administrative Division 0184

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$50,000	\$50,000
FEDERAL EXPENDITURES FUND TOTAL	\$50,000	\$50,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	56.000	56.000
POSITIONS - FTE COUNT	0.250	0.250
Personal Services	\$6,261,158	\$6,284,645
All Other	\$4,013,502	\$4,013,502
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,274,660	\$10,298,147

Public Utilities - Administrative Division 0184

Initiative: Provides funding in the Personal Services line category in order to charge a portion of one Damage Prevention Investigator position to an annual grant from the United States Department of Transportation. This initiative is funded by a decrease in the All Other line category. The expenditures for the grant award will be adjusted to reflect this change.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$49,474	\$49,474
All Other	(\$49,474)	(\$49,474)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Public Utilities - Administrative Division 0184

Initiative: Eliminates funding in the regional greenhouse gas initiative account due to a Public Utilities Commission order directing the Efficiency Maine Trust to distribute the funds directly to transmission and distribution utilities.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$1,500,000)	(\$1,500,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,500,000)	(\$1,500,000)

Public Utilities - Administrative Division 0184

Initiative: Provides funding for anticipated revenues in the prepaid wireless fee fund based on actual revenues received in fiscal year 2013-14.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$635,714	\$635,714
OTHER SPECIAL REVENUE FUNDS TOTAL	\$635,714	\$635,714

Public Utilities - Administrative Division 0184

Initiative: Provides funding for contracts for 3rd-party investigations and consultations required by the Maine Revised Statutes, Title 35-A, section 3132, subsection 2-C.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$303,192	\$303,192
OTHER SPECIAL REVENUE FUNDS TOTAL	\$303,192	\$303,192

Public Utilities - Administrative Division 0184

Initiative: Provides funding to purchase a subscription service that will supply information to be used to assist with the analysis of utility rate requests.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$21,729	\$21,729

OTHER SPECIAL REVENUE FUNDS TOTAL	\$21,729	\$21,729

Public Utilities - Administrative Division 0184

Initiative: Provides funding to purchase a new audio-visual system to replace the current system, which was installed in 2009.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$126,330	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,330	\$0

Public Utilities - Administrative Division 0184

Initiative: Provides funding for the increase in technology expenditures.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$76,213	\$109,103

OTHER SPECIAL REVENUE FUNDS TOTAL	\$76,213	\$109,103

PUBLIC UTILITIES - ADMINISTRATIVE DIVISION 0184**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$49,474	\$49,474
All Other	\$526	\$526

FEDERAL EXPENDITURES FUND TOTAL	\$50,000	\$50,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	56.000	56.000

POSITIONS - FTE COUNT	0.250	0.250
Personal Services	\$6,261,158	\$6,284,645
All Other	\$3,676,680	\$3,583,240

OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,937,838	\$9,867,885

PUBLIC UTILITIES COMMISSION

DEPARTMENT TOTALS	2015-16	2016-17

FEDERAL EXPENDITURES FUND	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS	\$17,305,346	\$17,235,813

DEPARTMENT TOTAL - ALL FUNDS	\$17,355,346	\$17,285,813

Sec. A-63. Appropriations and allocations.

The following appropriations and allocations are made.

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES**Retirement System - Retirement Allowance Fund 0085**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$516,842	\$516,842

GENERAL FUND TOTAL	\$516,842	\$516,842

Retirement System - Retirement Allowance Fund 0085

Initiative: Provides funding for benefits for retired Governors and surviving spouses under the Maine Revised Statutes, Title 2, section 1-A.

GENERAL FUND	2015-16	2016-17
All Other	\$34,654	\$37,554

GENERAL FUND TOTAL	\$34,654	\$37,554

Retirement System - Retirement Allowance Fund 0085

Initiative: Reduces funding for benefits for judges who retired before December 1, 1984 and surviving spouses under the Maine Revised Statutes, Title 4, section 1403 for the 2016-2017 biennium.

GENERAL FUND	2015-16	2016-17
All Other	(\$333,592)	(\$314,988)
GENERAL FUND TOTAL	(\$333,592)	(\$314,988)

RETIREMENT SYSTEM - RETIREMENT ALLOWANCE FUND 0085
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$217,904	\$239,408
GENERAL FUND TOTAL	\$217,904	\$239,408

Retirement System - Subsidized Military Service Credit Z094

Initiative: Provides funds to allow for 2 members who the Maine Public Employees Retirement System determined were qualified to purchase military service credit at a subsidized rate pursuant to the Maine Revised Statutes, Title 5, section 17760 in 2004.

GENERAL FUND	2015-16	2016-17
All Other	\$98,983	\$0
GENERAL FUND TOTAL	\$98,983	\$0

Retirement System - Subsidized Military Service Credit Z094

Initiative: Provides funds to allow for 3 members who the Maine Public Employees Retirement System determined were qualified to purchase military service credit at a subsidized rate pursuant to the Maine Revised Statutes, Title 5, section 17760 in 2005, 2012 and 2013.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$262,893
GENERAL FUND TOTAL	\$0	\$262,893

RETIREMENT SYSTEM - SUBSIDIZED MILITARY SERVICE CREDIT Z094

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$98,983	\$262,893
GENERAL FUND TOTAL	\$98,983	\$262,893

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$316,887	\$502,301
DEPARTMENT TOTAL - ALL FUNDS	\$316,887	\$502,301

Sec. A-64. Appropriations and allocations.
The following appropriations and allocations are made.

SACO RIVER CORRIDOR COMMISSION

Saco River Corridor Commission 0322

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$46,960	\$46,960
GENERAL FUND TOTAL	\$46,960	\$46,960

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$40,348	\$40,348
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,348	\$40,348

SACO RIVER CORRIDOR COMMISSION 0322
PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$46,960	\$46,960
GENERAL FUND TOTAL	\$46,960	\$46,960

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$40,348	\$40,348
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,348	\$40,348

Sec. A-65. Appropriations and allocations.
The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Archives 0050

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12,500	12,500
Personal Services	\$830,914	\$839,807
All Other	\$275,527	\$275,527
GENERAL FUND TOTAL	\$1,106,441	\$1,115,334

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$79,994	\$78,176
All Other	\$27,673	\$27,673
FEDERAL EXPENDITURES FUND TOTAL	\$107,667	\$105,849

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$17,730	\$17,730
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,730	\$17,730

Administration - Archives 0050

Initiative: Provides funding for contract work to perform data indexing in support of the records digitization project.

GENERAL FUND	2015-16	2016-17
All Other	\$64,480	\$66,560
GENERAL FUND TOTAL	\$64,480	\$66,560

Administration - Archives 0050

Initiative: Provides funding for 1/3 of the cost of one Librarian II position and related All Other established in the library and development services program in the Maine State Library.

GENERAL FUND	2015-16	2016-17
Personal Services	\$20,907	\$21,338
All Other	\$1,340	\$1,340
GENERAL FUND TOTAL	\$22,247	\$22,678

Administration - Archives 0050

Initiative: Provides funding for the approved reclassification of one Records Management Services Director position to one Public Service Manager II, Deputy Director Maine State Archives position.

GENERAL FUND	2015-16	2016-17
Personal Services	\$10,386	\$10,360
GENERAL FUND TOTAL	\$10,386	\$10,360

**ADMINISTRATION - ARCHIVES 0050
PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	12,500	12,500
Personal Services	\$862,207	\$871,505
All Other	\$341,347	\$343,427
GENERAL FUND TOTAL	\$1,203,554	\$1,214,932

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$79,994	\$78,176
All Other	\$27,673	\$27,673
FEDERAL EXPENDITURES FUND TOTAL	\$107,667	\$105,849

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$17,730	\$17,730
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,730	\$17,730

Administration - Motor Vehicles 0077

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$485,423	\$485,423
FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$107,727	\$105,492
All Other	\$185,200	\$185,200
OTHER SPECIAL REVENUE FUNDS TOTAL	\$292,927	\$290,692

Administration - Motor Vehicles 0077

Initiative: Reduces funding to align expenditures with anticipated resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$4,101)	(\$1,866)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$4,101)	(\$1,866)

ADMINISTRATION - MOTOR VEHICLES 0077**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$485,423	\$485,423
FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$107,727	\$105,492
All Other	\$181,099	\$183,334
OTHER SPECIAL REVENUE FUNDS TOTAL	\$288,826	\$288,826

Bureau of Administrative Services and Corporations 0692

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	32.000	32.000
Personal Services	\$2,312,747	\$2,309,249
All Other	\$700,280	\$700,280
GENERAL FUND TOTAL	\$3,013,027	\$3,009,529

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$232,842	\$235,401
All Other	\$24,385	\$24,385
OTHER SPECIAL REVENUE FUNDS TOTAL	\$257,227	\$259,786

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for continuing programs established under the federal Help America Vote Act of 2002, Public Law 107-252.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$1,018,325
GENERAL FUND TOTAL	\$0	\$1,018,325

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for the replacement of desktop computers and printers.

GENERAL FUND	2015-16	2016-17
All Other	\$61,578	\$0
GENERAL FUND TOTAL	\$61,578	\$0

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for increased postal service costs.

GENERAL FUND	2015-16	2016-17
All Other	\$11,000	\$17,000
GENERAL FUND TOTAL	\$11,000	\$17,000

BUREAU OF ADMINISTRATIVE SERVICES AND CORPORATIONS 0692**PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	32.000	32.000
Personal Services	\$2,312,747	\$2,309,249
All Other	\$772,858	\$1,735,605

GENERAL FUND TOTAL	\$3,085,605	\$4,044,854
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$232,842	\$235,401
All Other	\$24,385	\$24,385
OTHER SPECIAL REVENUE FUNDS TOTAL	\$257,227	\$259,786

Elections and Commissions 0693

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,322,550	\$1,322,550
FEDERAL EXPENDITURES FUND TOTAL	\$1,322,550	\$1,322,550
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

ELECTIONS AND COMMISSIONS 0693**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,322,550	\$1,322,550
FEDERAL EXPENDITURES FUND TOTAL	\$1,322,550	\$1,322,550
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

Municipal Excise Tax Reimbursement Fund 0871

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$925,000	\$925,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$925,000	\$925,000

MUNICIPAL EXCISE TAX REIMBURSEMENT FUND 0871**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$925,000	\$925,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$925,000	\$925,000

SECRETARY OF STATE, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$4,289,159	\$5,259,786
FEDERAL EXPENDITURES FUND	\$1,915,640	\$1,913,822
OTHER SPECIAL REVENUE FUNDS	\$1,538,783	\$1,541,342
DEPARTMENT TOTAL - ALL FUNDS	\$7,743,582	\$8,714,950

Sec. A-66. Appropriations and allocations.
The following appropriations and allocations are made.

ST. CROIX INTERNATIONAL WATERWAY COMMISSION**St. Croix International Waterway Commission 0576**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$21,858	\$21,858
GENERAL FUND TOTAL	\$21,858	\$21,858

St. Croix International Waterway Commission 0576

Initiative: Provides funding to align contributions with those of the Province of New Brunswick, Canada, as stipulated in both the original 1986 memorandum of understanding between the State of Maine and the

Province of New Brunswick, Canada, regarding the St. Croix International Waterway and the Maine Revised Statutes, Title 38, sections 991 through 1002.

GENERAL FUND	2015-16	2016-17
All Other	\$1,142	\$3,142
GENERAL FUND TOTAL	\$1,142	\$3,142

ST. CROIX INTERNATIONAL WATERWAY COMMISSION 0576

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$23,000	\$25,000
GENERAL FUND TOTAL	\$23,000	\$25,000

ST. CROIX INTERNATIONAL WATERWAY COMMISSION

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$23,000	\$25,000
DEPARTMENT TOTAL - ALL FUNDS	\$23,000	\$25,000

Sec. A-67. Appropriations and allocations.
The following appropriations and allocations are made.

STATE HOUSE PRESERVATION AND MAINTENANCE, RESERVE FUND FOR

Reserve Fund for State House Preservation and Maintenance 0975

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$800,000	\$800,000
GENERAL FUND TOTAL	\$800,000	\$800,000

RESERVE FUND FOR STATE HOUSE PRESERVATION AND MAINTENANCE 0975

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$800,000	\$800,000
GENERAL FUND TOTAL	\$800,000	\$800,000

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

TREASURER OF STATE, OFFICE OF

Administration - Treasury 0022

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,223,810	\$1,213,240
All Other	\$784,626	\$784,626
GENERAL FUND TOTAL	\$2,008,436	\$1,997,866

ABANDONED PROPERTY FUND	2015-16	2016-17
All Other	\$203,149	\$203,149
ABANDONED PROPERTY FUND TOTAL	\$203,149	\$203,149

Administration - Treasury 0022

Initiative: Provides funding for the modernization and replacement of the State's unclaimed property application.

ABANDONED PROPERTY FUND	2015-16	2016-17
All Other	\$0	\$66,175
ABANDONED PROPERTY FUND TOTAL	\$0	\$66,175

Administration - Treasury 0022

Initiative: Establishes one Management Analyst II position.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,368	\$77,964
GENERAL FUND TOTAL	\$76,368	\$77,964

Administration - Treasury 0022

Initiative: Adjusts funding to allow comprehensive automated web claim authentication and verification of unclaimed property.

ABANDONED PROPERTY FUND	2015-16	2016-17
All Other	\$23,100	\$23,100
ABANDONED PROPERTY FUND TOTAL	\$23,100	\$23,100

Administration - Treasury 0022

Initiative: Provides funding for the approved reorganization of one Public Service Coordinator I position to a Public Service Manager I position and reduces All Other to fund the reorganization.

GENERAL FUND	2015-16	2016-17
Personal Services	\$5,110	\$8,349
All Other	(\$5,110)	(\$8,349)
GENERAL FUND TOTAL	\$0	\$0

ADMINISTRATION - TREASURY 0022 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,305,288	\$1,299,553
All Other	\$779,516	\$776,277
GENERAL FUND TOTAL	\$2,084,804	\$2,075,830

ABANDONED PROPERTY FUND	2015-16	2016-17
All Other	\$226,249	\$292,424
ABANDONED PROPERTY FUND TOTAL	\$226,249	\$292,424

Debt Service - Treasury 0021

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$76,555,988	\$76,555,988
GENERAL FUND TOTAL	\$76,555,988	\$76,555,988

FEDERAL EXPENDITURES FUND ARRA	2015-16	2016-17
All Other	\$295,737	\$295,737

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$295,737	\$295,737

Debt Service - Treasury 0021

Initiative: Adjusts funding levels for the Debt Service - Treasury program based upon the current debt service schedule and anticipated issuance.

GENERAL FUND	2015-16	2016-17
All Other	\$6,886,987	\$5,702,204
GENERAL FUND TOTAL	\$6,886,987	\$5,702,204

FEDERAL EXPENDITURES FUND ARRA	2015-16	2016-17
All Other	\$1	\$1

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$1	\$1

DEBT SERVICE - TREASURY 0021 PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$83,442,975	\$82,258,192
GENERAL FUND TOTAL	\$83,442,975	\$82,258,192

FEDERAL EXPENDITURES FUND ARRA	2015-16	2016-17
All Other	\$295,738	\$295,738
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$295,738	\$295,738

Disproportionate Tax Burden Fund 0472

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$34,589,699	\$33,873,220

OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,589,699	\$33,873,220

Disproportionate Tax Burden Fund 0472

Initiative: Adjusts funding for Municipal Revenue Sharing to bring allocations in line with projected

available resources available due to changes in the tax laws.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$18,889,699)	(\$18,173,220)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$18,889,699)	(\$18,173,220)

DISPROPORTIONATE TAX BURDEN FUND 0472

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$15,700,000	\$15,700,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,700,000	\$15,700,000

Passamaquoddy Sales Tax Fund 0915

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$17,607	\$17,607
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,607	\$17,607

PASSAMAQUODDY SALES TAX FUND 0915

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$17,607	\$17,607
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,607	\$17,607

State - Municipal Revenue Sharing 0020

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$122,358,797	\$119,492,880
OTHER SPECIAL REVENUE FUNDS TOTAL	\$122,358,797	\$119,492,880

State - Municipal Revenue Sharing 0020

Initiative: Adjusts funding for municipal revenue sharing to bring allocations in line with projected available resources available due to changes in the tax laws.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$75,558,797)	(\$72,692,880)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$75,558,797)	(\$72,692,880)

STATE - MUNICIPAL REVENUE SHARING 0020

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$46,800,000	\$46,800,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$46,800,000	\$46,800,000

TREASURER OF STATE, OFFICE OF

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$85,527,779	\$84,334,022
OTHER SPECIAL REVENUE FUNDS	\$62,517,607	\$62,517,607
FEDERAL EXPENDITURES FUND ARRA	\$295,738	\$295,738
ABANDONED PROPERTY FUND	\$226,249	\$292,424
DEPARTMENT TOTAL - ALL FUNDS	\$148,567,373	\$147,439,791

Sec. A-69. Appropriations and allocations.
The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Casco Bay Estuary Project - University of Southern Maine 0983

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$35,000	\$35,000
GENERAL FUND TOTAL	\$35,000	\$35,000

**CASCO BAY ESTUARY PROJECT -
UNIVERSITY OF SOUTHERN MAINE 0983****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$35,000	\$35,000
GENERAL FUND TOTAL	\$35,000	\$35,000

Debt Service - University of Maine System 0902

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$3,267,950	\$3,267,950
GENERAL FUND TOTAL	\$3,267,950	\$3,267,950

Debt Service - University of Maine System 0902

Initiative: Eliminates funding for debt service payments for research and development that was provided in Public Law 1999, chapter 401.

GENERAL FUND	2015-16	2016-17
All Other	(\$2,500,000)	(\$2,500,000)
GENERAL FUND TOTAL	(\$2,500,000)	(\$2,500,000)

Debt Service - University of Maine System 0902

Initiative: Provides funding to continue an annual appropriation of \$2,500,000 for a 10-year period that would cover the debt service payments on an estimated \$21,000,000 university revenue bond to be utilized to address extensive infrastructure needs.

GENERAL FUND	2015-16	2016-17
All Other	\$2,500,000	\$2,500,000
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000

**DEBT SERVICE - UNIVERSITY OF MAINE
SYSTEM 0902****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$3,267,950	\$3,267,950
GENERAL FUND TOTAL	\$3,267,950	\$3,267,950

Educational and General Activities - UMS 0031

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

All Other	\$176,194,798	\$176,194,798

GENERAL FUND TOTAL	\$176,194,798	\$176,194,798

**OTHER SPECIAL
REVENUE FUNDS**

All Other	\$600,000	\$600,000

OTHER SPECIAL	\$600,000	\$600,000

REVENUE FUNDS TOTAL**Educational and General Activities - UMS 0031**

Initiative: Provides funding to increase state support for higher education for in-state students.

GENERAL FUND	2015-16	2016-17
All Other	\$2,994,802	\$6,455,736

GENERAL FUND TOTAL	\$2,994,802	\$6,455,736

Educational and General Activities - UMS 0031

Initiative: Eliminates funding for the annual installment payment of the Fort Kent Armory debt.

GENERAL FUND	2015-16	2016-17
All Other	(\$30,000)	(\$30,000)

GENERAL FUND TOTAL	(\$30,000)	(\$30,000)

**EDUCATIONAL AND GENERAL ACTIVITIES -
UMS 0031****PROGRAM SUMMARY**

GENERAL FUND	2015-16	2016-17
All Other	\$179,159,600	\$182,620,534

GENERAL FUND TOTAL	\$179,159,600	\$182,620,534

**OTHER SPECIAL
REVENUE FUNDS**

All Other	\$600,000	\$600,000

OTHER SPECIAL	\$600,000	\$600,000

REVENUE FUNDS TOTAL**Maine Centers for Women, Work and Community
Z169**

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17

All Other	\$841,975	\$841,975
GENERAL FUND TOTAL	\$841,975	\$841,975

Maine Centers for Women, Work and Community Z169

Initiative: Provides funding to support increased personnel costs.

GENERAL FUND	2015-16	2016-17
All Other	\$22,500	\$22,500
GENERAL FUND TOTAL	\$22,500	\$22,500

MAINE CENTERS FOR WOMEN, WORK AND COMMUNITY Z169

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$864,475	\$864,475
GENERAL FUND TOTAL	\$864,475	\$864,475

Maine Economic Improvement Fund 0986

Initiative: BASELINE BUDGET

GENERAL FUND	2015-16	2016-17
All Other	\$14,700,000	\$14,700,000
GENERAL FUND TOTAL	\$14,700,000	\$14,700,000

Maine Economic Improvement Fund 0986

Initiative: Provides additional funding to increase research funding at all University of Maine System campuses, including the 5 smaller campuses; foster more collaboration with businesses and accelerate commercialization; improve workforce development systemwide in innovation, entrepreneurship and economic development, building on the recommendations of Legislature's Joint Select Committee on Maine's Workforce and Economic Future; and meet the strategic outcomes of the board of trustees.

GENERAL FUND	2015-16	2016-17
All Other	\$2,650,000	\$2,650,000
GENERAL FUND TOTAL	\$2,650,000	\$2,650,000

MAINE ECONOMIC IMPROVEMENT FUND 0986

PROGRAM SUMMARY

GENERAL FUND	2015-16	2016-17
All Other	\$17,350,000	\$17,350,000
GENERAL FUND TOTAL	\$17,350,000	\$17,350,000

UM Cooperative Extension - Pesticide Education Z059

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

UM COOPERATIVE EXTENSION - PESTICIDE EDUCATION Z059

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

University of Maine Cooperative Extension Z172

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$135,000	\$135,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$135,000	\$135,000

UNIVERSITY OF MAINE COOPERATIVE EXTENSION Z172

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$135,000	\$135,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$135,000	\$135,000

University of Maine Scholarship Fund Z011

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$3,003,894	\$3,003,894
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,003,894	\$3,003,894

University of Maine Scholarship Fund Z011

Initiative: Provides additional funding for scholarships due to an anticipated increase in revenue from slot machines.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$198,776	\$230,052
OTHER SPECIAL REVENUE FUNDS TOTAL	\$198,776	\$230,052

University of Maine Scholarship Fund Z011

Initiative: Adjusts funding to reflect revenue changes approved by the Revenue Forecasting Committee report of May 1, 2015.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$11,498	\$11,614
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,498	\$11,614

UNIVERSITY OF MAINE SCHOLARSHIP FUND Z011**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$3,214,168	\$3,245,560
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,214,168	\$3,245,560

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$200,677,025	\$204,137,959
OTHER SPECIAL REVENUE FUNDS	\$3,949,668	\$3,981,060

DEPARTMENT TOTAL - ALL FUNDS	\$204,626,693	\$208,119,019

Sec. A-70. Appropriations and allocations.
The following appropriations and allocations are made.

WORKERS' COMPENSATION BOARD**Administration - Workers' Compensation Board 0183**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	108.000	108.000
Personal Services	\$9,164,403	\$9,074,523
All Other	\$2,011,865	\$2,011,865
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,176,268	\$11,086,388

Administration - Workers' Compensation Board 0183

Initiative: Reorganizes one Office Associate II Manager Supervisor position to a Clerk IV position and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,051	\$1,990
All Other	\$60	\$58
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,111	\$2,048

Administration - Workers' Compensation Board 0183

Initiative: Adjusts funding to reflect projected expenditures.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,011	\$1,011
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,011	\$1,011

Administration - Workers' Compensation Board 0183

Initiative: Reorganizes one Paralegal position to a Law Clerk position and provides funding for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$6,172	\$6,009
All Other	\$181	\$176
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,353	\$6,185

Administration - Workers' Compensation Board 0183

Initiative: Provides funding for increases in operational expenses.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$104,768	\$160,949
OTHER SPECIAL REVENUE FUNDS TOTAL	\$104,768	\$160,949

ADMINISTRATION - WORKERS' COMPENSATION BOARD 0183

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	108.000	108.000
Personal Services	\$9,172,626	\$9,082,522
All Other	\$2,117,885	\$2,174,059
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,290,511	\$11,256,581

Employment Rehabilitation Program 0195

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$125,000	\$125,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125,000	\$125,000

EMPLOYMENT REHABILITATION PROGRAM 0195

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$125,000	\$125,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125,000	\$125,000

Workers' Compensation Board 0751

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$10,000	\$10,000
All Other	\$11,831	\$11,831
OTHER SPECIAL REVENUE FUNDS TOTAL	\$21,831	\$21,831

Workers' Compensation Board 0751

Initiative: Adjusts funding to reflect projected expenditures.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	(\$1,011)	(\$1,011)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,011)	(\$1,011)

WORKERS' COMPENSATION BOARD 0751

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$10,000	\$10,000
All Other	\$10,820	\$10,820
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,820	\$20,820

WORKERS' COMPENSATION BOARD DEPARTMENT TOTALS

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$11,436,331	\$11,402,401
DEPARTMENT TOTAL - ALL FUNDS	\$11,436,331	\$11,402,401

Sec. A-71. Appropriations and allocations.

The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF**Multimodal - Passenger Rail Z139**

Initiative: Allocates one-time funding to study and plan for the implementation of passenger rail service between the cities of Lewiston and Auburn and the Amtrak Downeaster service.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$0

MULTIMODAL - PASSENGER RAIL Z139**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$0

PART B**Sec. B-1. Appropriations and allocations.**

The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**Accident - Sickness - Health Insurance 0455**

Initiative: Reorganizes one Health Insurance Technician position to a Human Resources Assistant position and transfers All Other to Personal Services to fund the reorganization.

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2015-16	2016-17
Personal Services	\$2,172	\$2,093
All Other	(\$2,172)	(\$2,093)
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	\$0	\$0

Information Services 0155

Initiative: RECLASSIFICATIONS

OFFICE OF INFORMATION SERVICES FUND	2015-16	2016-17
Personal Services	\$110,708	\$112,691
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$110,708	\$112,691

Workers' Compensation Management Fund Program 0802

Initiative: RECLASSIFICATIONS

WORKERS' COMPENSATION MANAGEMENT FUND	2015-16	2016-17
Personal Services	\$27,919	\$27,851
WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$27,919	\$27,851

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

	2015-16	2016-17
OFFICE OF INFORMATION SERVICES FUND	\$110,708	\$112,691
WORKERS' COMPENSATION MANAGEMENT FUND	\$27,919	\$27,851
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$138,627	\$140,542

**AGRICULTURE, CONSERVATION AND
FORESTRY, DEPARTMENT OF****Division of Quality Assurance and Regulation 0393**

Initiative: RECLASSIFICATIONS

GENERAL FUND	2015-16	2016-17
Personal Services	\$20,594	\$19,960
All Other	(\$20,594)	(\$19,960)

GENERAL FUND TOTAL	\$0	\$0	DEPARTMENT TOTAL - ALL FUNDS	\$86,784	\$69,946
FEDERAL EXPENDITURES FUND	2015-16	2016-17	BAXTER STATE PARK AUTHORITY		
Personal Services	\$27,941	\$10,035	Baxter State Park Authority 0253		
FEDERAL EXPENDITURES FUND TOTAL	\$27,941	\$10,035	Initiative: RECLASSIFICATIONS		
Land Management and Planning Z239			OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Initiative: RECLASSIFICATIONS			Personal Services	\$11,355	\$7,824
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	All Other	(\$11,355)	(\$7,824)
Personal Services	\$52,566	\$53,582	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,566	\$53,582	BAXTER STATE PARK AUTHORITY		
Maine Coastal Program Z150			DEPARTMENT TOTALS	2015-16	2016-17
Initiative: RECLASSIFICATIONS			OTHER SPECIAL REVENUE FUNDS	\$0	\$0
FEDERAL EXPENDITURES FUND	2015-16	2016-17	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
Personal Services	\$6,277	\$6,329	DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF		
FEDERAL EXPENDITURES FUND TOTAL	\$6,277	\$6,329	Military Training and Operations 0108		
Parks - General Operations Z221			Initiative: RECLASSIFICATIONS		
Initiative: RECLASSIFICATIONS			FEDERAL EXPENDITURES FUND	2015-16	2016-17
GENERAL FUND	2015-16	2016-17	Personal Services	\$5,575	\$7,442
Personal Services	\$1,525	\$1,617	FEDERAL EXPENDITURES FUND TOTAL	\$5,575	\$7,442
All Other	(\$1,525)	(\$1,617)	DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF		
GENERAL FUND TOTAL	\$0	\$0	DEPARTMENT TOTALS	2015-16	2016-17
AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF			FEDERAL EXPENDITURES FUND	\$5,575	\$7,442
DEPARTMENT TOTALS	2015-16	2016-17	DEPARTMENT TOTAL - ALL FUNDS	\$5,575	\$7,442
GENERAL FUND	\$0	\$0	EDUCATION, DEPARTMENT OF		
FEDERAL EXPENDITURES FUND	\$34,218	\$16,364			
OTHER SPECIAL REVENUE FUNDS	\$52,566	\$53,582			

General Purpose Aid for Local Schools 0308

Initiative: RECLASSIFICATIONS

GENERAL FUND	2015-16	2016-17
Personal Services	\$13,249	\$12,839
All Other	(\$13,249)	(\$12,839)
GENERAL FUND TOTAL	\$0	\$0

PK-20, Adult Education and Federal Programs Team Z081

Initiative: RECLASSIFICATIONS

GENERAL FUND	2015-16	2016-17
Personal Services	\$6,641	\$6,436
All Other	(\$6,641)	(\$6,436)
GENERAL FUND TOTAL	\$0	\$0

School Finance and Operations Z078

Initiative: RECLASSIFICATIONS

GENERAL FUND	2015-16	2016-17
Personal Services	\$2,405	\$1,946
All Other	(\$2,405)	(\$1,946)
GENERAL FUND TOTAL	\$0	\$0

**EDUCATION,
DEPARTMENT OF
DEPARTMENT TOTALS**

GENERAL FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF****Maine Environmental Protection Fund 0421**

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$5,992	\$6,065
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,992	\$6,065

Remediation and Waste Management 0247

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$12,020	\$11,650
All Other	\$391	\$379
FEDERAL EXPENDITURES FUND TOTAL	\$12,411	\$12,029

**ENVIRONMENTAL
PROTECTION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$12,411	\$12,029
OTHER SPECIAL REVENUE FUNDS	\$5,992	\$6,065

DEPARTMENT TOTAL - ALL FUNDS**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF (FORMERLY BDS)****Office of Substance Abuse and Mental Health Services 0679**

Initiative: RECLASSIFICATIONS

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
Personal Services	\$10,842	\$11,257
All Other	\$251	\$261
FEDERAL BLOCK GRANT FUND TOTAL	\$11,093	\$11,518

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

DEPARTMENT TOTALS	2015-16	2016-17
FEDERAL BLOCK GRANT FUND	\$11,093	\$11,518
DEPARTMENT TOTAL - ALL FUNDS	\$11,093	\$11,518

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

**Maine Center for Disease Control and Prevention
0143**

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$7,552	\$10,926
All Other	\$278	\$402

FEDERAL EXPENDITURES FUND TOTAL	\$7,830	\$11,328

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

DEPARTMENT TOTALS	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$7,830	\$11,328

DEPARTMENT TOTAL - ALL FUNDS	\$7,830	\$11,328

**HUMAN RIGHTS COMMISSION, MAINE
Human Rights Commission - Regulation 0150**

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$14,807	\$14,964

FEDERAL EXPENDITURES FUND TOTAL	\$14,807	\$14,964

**HUMAN RIGHTS
COMMISSION, MAINE**

DEPARTMENT TOTALS	2015-16	2016-17
FEDERAL EXPENDITURES FUND	\$14,807	\$14,964

DEPARTMENT TOTAL - ALL FUNDS	\$14,807	\$14,964

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

Initiative: RECLASSIFICATIONS

GENERAL FUND	2015-16	2016-17

Personal Services	\$8,236	\$3,438
All Other	(\$8,236)	(\$3,438)

GENERAL FUND TOTAL	\$0	\$0

**INLAND FISHERIES AND
WILDLIFE,
DEPARTMENT OF**

DEPARTMENT TOTALS	2015-16	2016-17

GENERAL FUND	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

**MARINE RESOURCES, DEPARTMENT OF
Bureau of Marine Science 0027**

Initiative: RECLASSIFICATIONS

GENERAL FUND	2015-16	2016-17
Personal Services	\$19,195	\$12,832
All Other	(\$19,195)	(\$12,832)

GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$24,532	\$17,770
All Other	(\$24,532)	(\$17,770)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$3,590	\$2,400
All Other	(\$3,590)	(\$2,400)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: RECLASSIFICATIONS

GENERAL FUND	2015-16	2016-17
Personal Services	\$9,835	\$10,872
All Other	(\$9,835)	(\$10,872)

GENERAL FUND TOTAL	\$0	\$0

**MARINE RESOURCES,
DEPARTMENT OF
DEPARTMENT TOTALS**

GENERAL FUND
FEDERAL
EXPENDITURES FUND
OTHER SPECIAL
REVENUE FUNDS

2015-16
2016-17

**DEPARTMENT TOTAL -
ALL FUNDS**

**PROFESSIONAL AND FINANCIAL
REGULATION, DEPARTMENT OF
Financial Institutions - Bureau of 0093**

Initiative: RECLASSIFICATIONS

**OTHER SPECIAL
REVENUE FUNDS**

Personal Services
All Other

2015-16
2016-17

**OTHER SPECIAL
REVENUE FUNDS TOTAL**

Insurance - Bureau of 0092

Initiative: RECLASSIFICATIONS

**OTHER SPECIAL
REVENUE FUNDS**

Personal Services
All Other

2015-16
2016-17

**OTHER SPECIAL
REVENUE FUNDS TOTAL**

**PROFESSIONAL AND
FINANCIAL
REGULATION,
DEPARTMENT OF
DEPARTMENT TOTALS**

2015-16
2016-17

**OTHER SPECIAL
REVENUE FUNDS**

**DEPARTMENT TOTAL -
ALL FUNDS**

**PUBLIC SAFETY, DEPARTMENT OF
Administration - Public Safety 0088**

Initiative: RECLASSIFICATIONS

**OTHER SPECIAL
REVENUE FUNDS**

Personal Services
All Other

**OTHER SPECIAL
REVENUE FUNDS TOTAL**

**PUBLIC SAFETY,
DEPARTMENT OF**

DEPARTMENT TOTALS

**OTHER SPECIAL
REVENUE FUNDS**

**DEPARTMENT TOTAL -
ALL FUNDS**

SECTION TOTALS

GENERAL FUND
FEDERAL
EXPENDITURES FUND
OTHER SPECIAL
REVENUE FUNDS
FEDERAL BLOCK
GRANT FUND
OFFICE OF
INFORMATION
SERVICES FUND
WORKERS'
COMPENSATION
MANAGEMENT FUND
FIREFIGHTERS AND
LAW ENFORCEMENT
OFFICERS HEALTH
INSURANCE
PROGRAM FUND

**SECTION TOTAL - ALL
FUNDS**

2015-16
2016-17

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2016-17

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2016-17

PART C

Sec. C-1. 20-A MRSA §4251, as amended by
PL 1989, c. 548, §2, is further amended to read:

§4251. Intent

The intent of this subchapter is to encourage
school administrative units to place an increased em-
phasis on instruction and curriculum for all children
ages 4 to 9 beginning at 4 years of age in public pre-

school programs to grade 2. This subchapter is not intended as a method of financing existing efforts but as a way of encouraging the development of new or expanded programs.

Sec. C-2. 20-A MRSA §4252, sub-§1, as enacted by PL 1983, c. 576, §1, is amended to read:

1. Class size. Reduce the ~~student-teacher ratio~~ class size in all classrooms ~~within one or more grades, kindergarten through grade 3, to a recommended ratio of 15 to 1 and maximum ratio of 18 to 1;~~

Sec. C-3. 20-A MRSA §4722-A, sub-§4, as enacted by PL 2011, c. 669, §7, is amended to read:

4. Grants; contingent extension of full implementation. During the period of transition to proficiency-based graduation in accordance with this section, the department, if funds are available, shall make annual transition grants to each school administrative unit equal to 1/10 of 1% of the school administrative unit's total cost of education calculated under section 15688, subsection 1 to be used in the manner determined by the school administrative unit to fund the costs of the transition not otherwise subsidized by the State through the 2014-2015 school year. The date for implementation of the awarding of diplomas based on student demonstration of proficiency as described in this section is extended one year for each year for which transition grants are not made available to a school administrative unit or for which levels of general purpose aid for local schools fall below school year 2012-2013 levels. Beginning in the 2015-2016 school year, the department, if funds are available, shall make annual transition grants to each school administrative unit that operates schools equal to 1/9 of 1% of the school administrative unit's total cost of education calculated under section 15688, subsection 1 to be used in the manner determined by the school administrative unit to fund the costs of the transition not otherwise subsidized by the State.

Sec. C-4. 20-A MRSA §15671, sub-§1-A, as enacted by PL 2013, c. 368, Pt. C, §4, is amended to read:

1-A. State funding for kindergarten to grade 12 public education. Beginning in fiscal year ~~2015-16~~ 2016-17 and in each fiscal year thereafter until the state share percentage of the total cost of funding public education from kindergarten to grade 12 reaches 55% pursuant to subsection 7, paragraph B, the State shall increase the state share percentage of the funding for the cost of essential programs and services by at least one percentage point per year over the percentage of the previous year and the department, in allocating funds, shall make this increase in funding a priority. For those fiscal years that the funding appropriated or allocated for the cost of essential programs and services is not sufficient to increase the state share percentage of the total cost of funding public educa-

tion from kindergarten to grade 12 by at least one percentage point, no new programs or initiatives may be established for kindergarten to grade 12 public education within the department that would divert funds that would otherwise be distributed as general purpose aid for local schools pursuant to subsection 5.

Sec. C-5. 20-A MRSA §15671, sub-§5-A, as amended by PL 2013, c. 581, §6, is further amended to read:

5-A. Funds from casino slot machines or table games. Revenues received by the department from casino slot machines or casino table games pursuant to Title 8, section 1036, subsection 2-A, paragraph A or Title 8, section 1036, subsection 2-B, paragraph A must be distributed until the end of fiscal year 2014-15 as general purpose aid for local schools, and each school administrative unit shall make its own determination as to how to allocate these resources. Beginning in fiscal year ~~2015-16~~ 2017-18, \$4,000,000 in revenues must be distributed by the department to provide start-up funds for approved public preschool programs for children 4 years of age in accordance with chapter 203, subchapter 3. Neither the Governor nor the Legislature may divert the revenues payable to the department to any other fund or for any other use. Any proposal to enact or amend a law to allow distribution of the revenues paid to the department from casino slot machines or casino table games for another purpose must be submitted to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over education matters at least 30 days prior to any vote or public hearing on the proposal.

Sec. C-6. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2013, c. 595, Pt. C, §1, is further amended to read:

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

- (1) For fiscal year 2005-06, the target is 52.6%.
- (2) For fiscal year 2006-07, the target is 53.86%.
- (3) For fiscal year 2007-08, the target is 53.51%.
- (4) For fiscal year 2008-09, the target is 52.52%.
- (5) For fiscal year 2009-10, the target is 48.93%.
- (6) For fiscal year 2010-11, the target is 45.84%.
- (7) For fiscal year 2011-12, the target is 46.02%.

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

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

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

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

Sec. C-7. 20-A MRSA §15671, sub-§7, ¶C, as amended by PL 2013, c. 595, Pt. C, §2, is further amended to read:

C. Beginning in fiscal year 2011-12, the annual targets for the state share percentage of the total cost of funding public education from kindergarten to grade 12 including the cost of the components of essential programs and services plus the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance are as follows.

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

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

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

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

(5) For fiscal year 2015-16 ~~and succeeding years~~, the target is ~~55%~~ 50.08%.

(6) For fiscal year 2016-17 and succeeding years, the target is 55%.

Sec. C-8. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2013, c. 595, Pt. C, §3, is further amended to read:

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

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

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

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

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

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

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

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

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

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

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

(8) For the 2015 property tax year ~~and subsequent tax years~~, the full-value education mill rate is the amount necessary to result in a ~~45%~~ 52.46% statewide total local share in fiscal year 2015-16 ~~and after~~.

(9) For the 2016 property tax year and subsequent tax years, the full-value education mill rate is the amount necessary to result in a 45% statewide total local share in fiscal year 2016-17 and after.

Sec. C-9. 20-A MRSA §15681-A, sub-§4, as amended by PL 2013, c. 595, Pt. C, §4, is further amended to read:

4. Career and technical education costs. Career and technical education costs in the base year adjusted to the year prior to the allocation year. This subsection does not apply to the ~~2015-16~~ 2017-18 funding year and thereafter; and

Sec. C-10. 20-A MRSA §15688-A, sub-§1, as amended by PL 2013, c. 595, Pt. C, §5, is further amended to read:

1. Career and technical education costs. Beginning in fiscal year ~~2015-16~~ 2017-18, the allocation for career and technical education must be based upon a program-driven model that considers components for direct instruction, central administration, supplies, operation and maintenance of plant, other student and staff support and equipment. Monthly payments must be made directly to school administrative units with career and technical education centers and directly to career and technical education regions. If a school administrative unit with a career and technical education center or a career and technical education region has any unexpended funds at the end of the fiscal year, these funds must be carried forward for the purposes of career and technical education.

Sec. C-11. 20-A MRSA §15688-A, sub-§§5 to 7 are enacted to read:

5. School improvement and support. The commissioner may expend and disburse funds to support school improvement activities in accordance with chapter 222.

6. National industry standards for career and technical education. The commissioner may expend and disburse funds to support enhancements to career and technical education programs that align those programs with national industry standards, in accordance with chapter 313.

7. Educator effectiveness. The commissioner may expend and disburse funds to support the implementation of performance evaluation and professional growth systems in accordance with chapter 508.

Sec. C-12. 20-A MRSA §15689, sub-§2, ¶C is enacted to read:

C. Beginning in fiscal year 2016-17, the debt service adjustment in this subsection must be applied to each member municipality of a school administrative district, community school district and regional school unit.

Sec. C-13. 20-A MRSA §15689-A, sub-§18, as amended by PL 2009, c. 213, Pt. C, §13, is further amended to read:

18. Coordination of services for juvenile offenders. The commissioner may pay certain costs attributed to staff support ~~consisting of 2 Education Specialist II positions and 2 Office Associate II positions~~ and associated operating costs for providing co-

ordination of education, treatment and other services for juvenile offenders at youth development centers in Charleston and South Portland. A transfer of All Other funds from the General Purpose Aid for Local Schools account to the ~~All Other line category in the Special Services Team program General Fund account within the Department of Education sufficient to support the All Other costs in this subsection~~ Personal Services and All Other line categories in the Long Creek Youth Development Center, General Fund account within the Department of Corrections sufficient to support one Education Specialist II position and one Office Associate II position and to the Mountain View Youth Development Center, General Fund account within the Department of Corrections sufficient to support one Education Specialist II position and one Office Associate II position may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.

Sec. C-14. 20-A MRSA §15689-A, sub-§24, as enacted by PL 2013, c. 368, Pt. C, §15, is amended to read:

24. Postsecondary education attainment in Androscoggin County. The commissioner ~~may~~ shall expend and disburse ~~up to \$200,000 in fiscal year 2013-14 \$75,000 in fiscal year 2015-16 and \$75,000 in fiscal year 2016-17~~ to support postsecondary education attainment in Androscoggin County.

Sec. C-15. 20-A MRSA §15905, sub-§1, ¶A, as amended by PL 2013, c. 44, §1, is further amended to read:

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

Table 1

Fiscal year	Major Capital	Integrated, Consolidated Secondary and Postsecondary Project
	Maximum Debt Service Limit	Maximum Debt Service Limit
1990	\$ 48,000,000	
1991	\$ 57,000,000	
1992	\$ 65,000,000	
1993	\$ 67,000,000	
1994	\$ 67,000,000	
1995	\$ 67,000,000	
1996	\$ 67,000,000	
1997	\$ 67,000,000	
1998	\$ 67,000,000	
1999	\$ 69,000,000	

2000	\$ 72,000,000	
2001	\$ 74,000,000	
2002	\$ 74,000,000	
2003	\$ 80,000,000	
2004	\$ 80,000,000	
2005	\$ 84,000,000	
2006	\$ 90,000,000	
2007	\$ 96,000,000	
2008	\$100,000,000	
2009	\$104,000,000	
2010	\$108,000,000	
2011	\$126,000,000	
2012	\$116,000,000	
2013	\$116,000,000	
2014	\$126,000,000	\$10,000,000
2015	\$126,000,000	\$10,000,000
<u>2016</u>	<u>\$126,000,000</u>	<u>\$10,000,000</u>
<u>2017</u>	<u>\$126,000,000</u>	<u>\$10,000,000</u>

Enhancing Student Performance and Opportunity \$3,972,105

Total Adjustments and Miscellaneous Costs

Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, sections 15689 and 15689-A \$67,063,541

Total Normal Cost of Teacher Retirement \$37,291,090

Total Cost of Funding Public Education from Kindergarten to Grade 12

Total cost of funding public education from kindergarten to grade 12 for fiscal year 2015-16 pursuant to the Maine Revised Statutes, Title 20-A, chapter 606-B \$2,068,905,830

Total cost of the state contribution to teacher retirement, teacher retirement health insurance and teacher retirement life insurance for fiscal year 2015-16 pursuant to the Maine Revised Statutes, Title 5, chapters 421 and 423 excluding the normal cost of teacher retirement \$147,838,154

Adjustment pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subsection 2 \$42,586,047

Total cost of funding public education from kindergarten to grade 12 \$2,259,330,031

Sec. C-16. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 20-A, chapter 203, subchapter 2, in the subchapter headnote, the words "early childhood educational plans for children ages 4 to 9" are amended to read "early childhood educational plans for children in preschool to grade 2" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. C-17. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2015-16 is 8.23.

Sec. C-18. Total cost of funding public education from kindergarten to grade 12. The total cost of funding public education from kindergarten to grade 12 for fiscal year 2015-16 is as follows:

2015-16

TOTAL

Total Operating Allocation

Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A \$1,872,709,385

Total Debt Service Allocation

Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A \$87,869,709

Sec. C-19. Local and state contributions to total cost of funding public education from kindergarten to grade 12. The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2015 and ending June 30, 2016 is calculated as follows:

2015-16	2015-16
LOCAL	STATE

Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12

Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subject to statewide distributions required by law	\$1,085,258,635	\$983,647,195

State contribution to the total cost of teacher retirement, teacher retirement health insurance and teacher retirement life insurance for fiscal year 2015-16 pursuant to the Maine Revised Statutes, Title 5, chapters 421 and 423		\$147,838,154

State contribution to the total cost of funding public education from kindergarten to grade 12		\$1,131,485,349

Sec. C-20. Authorization of payments. If the State's continued obligation for any individual component contained in those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from this Part may not lapse but must be carried forward for the same purpose.

Sec. C-21. Limit of State's obligation. Those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2015 and ending June 30, 2016.

Sec. C-22. Annual components review restructuring. Notwithstanding anything to the contrary in the Maine Revised Statutes, Title 20-A, section 15686-A, in fiscal years 2015-16, 2016-17 and 2017-18, the department shall review essential programs and services components as follows.

1. In fiscal year 2015-16, the review must be in accordance with Title 20-A, section 15686-A, subsection 2.

2. In fiscal year 2016-17, the review must be in accordance with Title 20-A, section 15686-A, subsection 3.

3. In fiscal year 2017-18, the review must be in accordance with Title 20-A, section 15686-A, subsection 1.

PART D

Sec. D-1. PL 2013, c. 585, §§3 and 4 are repealed.

PART E

Sec. E-1. Transfers to Maine Clean Election Fund. The State Controller shall transfer \$500,000 of the \$2,000,000 required to be transferred on or before January 1, 2017 pursuant to the Maine Revised Statutes, Title 21-A, section 1124, subsection 2, paragraph B from the General Fund undedicated revenue to the Maine Clean Election Fund on or before July 15, 2016 and shall transfer \$1,500,000 from the General Fund undedicated revenue to the Maine Clean Election Fund on or before January 1, 2017.

PART F

Sec. F-1. 3 MRSA §314, 2nd ¶, as repealed and replaced by PL 1993, c. 691, §12, is amended to read:

A joint registration expires if the lobbyist or employer notifies the commission in writing that the lobbyist is no longer engaged by the employer to lobby. If termination occurs prior to November 30th, the notification must be given within 30 days of the termination.

Sec. F-2. 3 MRSA §316-A, last ¶, as enacted by PL 1993, c. 691, §17, is amended to read:

~~These forms must be signed by the employee and the signature serves as a certificate~~ The employee must certify that the information entered on ~~that~~ the form is true, correct and complete.

Sec. F-3. 3 MRSA §320, first ¶, as amended by IB 1995, c. 1, §8, is further amended to read:

Fees collected pursuant to this chapter must ~~go in equal portions to the General Fund and to be deposited into a special revenue account of the commission to be used for the purposes of administering and enforcing the provisions of this chapter, including the costs of obtaining, maintaining and upgrading technology to facilitate disclosure of lobbying and campaign finance information to the public.~~

PART G

Sec. G-1. Study of court facility needs. The Judicial Department shall conduct or contract for architectural feasibility studies to improve court facilities in Oxford County, Waldo County and York County. The Judicial Department shall report on the

findings of the feasibility studies to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over judiciary matters by January 1, 2017.

PART H

Sec. H-1. Appropriations and allocations.

The following appropriations and allocations are made.

TREASURER OF STATE, OFFICE OF

Debt Service - Treasury 0021

Initiative: Reduces funding for debt service.

GENERAL FUND	2014-15	2015-16	2016-17
All Other	(\$1,400,000)	\$0	\$0
GENERAL FUND	(\$1,400,000)	\$0	\$0
TOTAL			

PART I

Sec. I-1. 36 MRSA §4102, sub-§5, as enacted by PL 2011, c. 380, Pt. M, §9, is amended to read:

5. Maine exclusion amount. For estates of decedents dying on or after January 1, 2013, but before January 1, 2016, "Maine exclusion amount" means \$2,000,000. For estates of decedents dying on or after January 1, 2016, "Maine exclusion amount" means the basic exclusion amount determined for the calendar year in accordance with the Code, Section 2010(c)(3).

Sec. I-2. 36 MRSA §4103, sub-§1, as enacted by PL 2011, c. 380, Pt. M, §9, is amended to read:

1. Imposition of tax. A tax is imposed on the transfer of the Maine taxable estate of every person who, at the time of death, was a resident of this State. The amount of tax is determined as provided in this section.

A. If the Maine taxable estate is ~~\$2,000,000 or less than or equal to the Maine exclusion amount,~~ the tax is \$0.

B. If the Maine taxable estate is more than ~~\$2,000,000~~ the Maine exclusion amount but no more than ~~\$5,000,000~~ the Maine exclusion amount plus \$3,000,000, the tax is 8% of the excess over ~~\$2,000,000~~ the Maine exclusion amount.

C. If the Maine taxable estate is more than ~~\$5,000,000~~ the Maine exclusion amount plus \$3,000,000 but no more than ~~\$8,000,000~~ the Maine exclusion amount plus \$6,000,000, the tax is \$240,000 plus 10% of the excess over

~~\$5,000,000~~ the Maine exclusion amount plus \$3,000,000.

D. If the Maine taxable estate is more than ~~\$8,000,000~~ the Maine exclusion amount plus \$6,000,000, the tax is \$540,000 plus 12% of the excess over ~~\$8,000,000~~ the Maine exclusion amount plus \$6,000,000.

The amount of this tax is multiplied by a fraction, the numerator of which is the value of that portion of the decedent's adjusted federal gross estate that consists of real and tangible personal property located in this State plus the value of all intangible personal property and the denominator of which is the value of the decedent's adjusted federal gross estate.

Sec. I-3. Application. That Section of this Part that amends the Maine Revised Statutes, Title 36, section 4103 applies to estates of decedents dying on or after January 1, 2016.

PART J

Sec. J-1. 36 MRSA §683, sub-§1-B is enacted to read:

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

Sec. J-2. 36 MRSA §683, sub-§§3 and 4, as amended by PL 2005, c. 2, Pt. F, §3 and affected by §5, are further amended to read:

3. Effect on state valuation. Fifty percent of the just value of ~~homesteads exempt under this subchapter~~ homestead exemptions under subsection 1 and, for additional exemptions under subsection 1-B, 50% of the just value of the exemptions for property tax years beginning April 1, 2016 and 75% of the just value of the exemptions for subsequent property tax years must be included in the annual determination of state valuation under sections 208 and 305.

4. Property tax rate. Fifty percent of the value of homestead exemptions under ~~this subchapter~~ subsection 1 and, for additional exemptions under subsection 1-B, 50% of the just value of the exemptions for property tax years beginning on April 1, 2016 and 75% of the just value of the exemptions for subsequent property tax years 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. J-3. 36 MRSA §683, sub-§5, as enacted by PL 2005, c. 647, §4 and affected by §5, is amended to read:

5. Determination of exemption for cooperative housing corporation. A cooperative housing corporation may apply for an exemption under this subchapter to be applied against the valuation of property of the corporation that is occupied by qualifying shareholders. The application must include a list of all qualifying shareholders and must be updated annually to reflect changes in the ownership and residency of qualifying shareholders. The exemption is equal to the ~~amount~~ amounts specified in ~~subsection~~ subsections 1 and 1-B multiplied by the number of units in the cooperative property occupied by qualifying shareholders. A cooperative housing corporation that receives an exemption pursuant to this section shall apportion the property tax reduction resulting from the exemption among the qualifying shareholders on a per unit basis. Any supplemental assessment resulting from disqualification for exemption must be applied in the same manner against the qualifying shareholders for whom the disqualification applies.

Sec. J-4. 36 MRSA §685, sub-§2, as amended by PL 2005, c. 2, Pt. F, §4 and affected by §5, 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 50% ~~of the taxes lost by reason of the exemptions upon proof in a form satisfactory to the bureau. The bureau shall reimburse the Unorganized Territory Education and Services Fund for 50% of taxes lost by reason of the exemption.;~~

A. Fifty percent of the taxes lost by reason of the exemptions under section 683, subsection 1; and

B. For taxes lost by reason of additional exemptions under section 683, subsection 1-B, 50% of the taxes lost for property tax years beginning April 1, 2016 and 75% of the taxes lost for subsequent property tax years.

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.

PART K

Sec. K-1. 30-A MRSA §5681, sub-§5, as amended by PL 2009, c. 213, Pt. S, §4 and affected by §16, is further amended to read:

5. Transfers to funds. No later than the 10th day of each month, the State Controller shall transfer to the Local Government Fund 5% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, except that for fiscal years 2015-16, 2016-17, 2017-18 and 2018-19

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

C. For months beginning on or after July 1, 2009 but before July 1, 2010, 15%;

D. For months beginning on or after July 1, 2010 but before July 1, 2011, 16%;

E. For months beginning on or after July 1, 2011 but before July 1, 2012, 17%;

F. For months beginning on or after July 1, 2012 but before July 1, 2013, 18%;

G. For months beginning on or after July 1, 2013 but before July 1, 2014, 19%; and

H. For months beginning on or after July 1, 2014, 20%.

PART L

Sec. L-1. 5 MRSA §1519, sub-§6 is enacted to read:

6. Additional transfers to the fund. The State Controller may, at the close of each fiscal year, as the next priority after the transfers authorized pursuant to section 1507, section 1511 and section 1536, subsection 1, transfer from the unappropriated surplus of the General Fund to the Retiree Health Insurance Internal Service Fund amounts as may be available from time to time, up to an amount of \$4,000,000 in fiscal year 2015-16, \$4,000,000 in fiscal year 2016-17 and, beginning in fiscal year 2017-18, \$2,000,000 to be used solely for the purpose of amortizing the unfunded liability for retiree health benefits. Transfers to the fund may also include appropriations and allocations of the Legislature and revenue from direct billing rates charged to state departments and agencies and other participating jurisdictions to be used solely for the purpose of amortizing the unfunded liability for retiree health benefits.

Sec. L-2. 5 MRSA §1531, sub-§1, as amended by PL 2011, c. 655, Pt. DD, §1 and affected by §24, is repealed.

Sec. L-3. 5 MRSA §1531, sub-§2, as amended by PL 2013, c. 368, Pt. Q, §2, is further amended to read:

2. Average personal income growth. "Average ~~real~~ personal income growth" means the average for

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

Sec. L-4. 5 MRSA §1531, sub-§4, ¶A, as enacted by PL 2005, c. 2, Pt. A, §5 and affected by §14, is amended to read:

A. For the ~~2006-2007~~ 2018-2019 biennium, the General Fund appropriation enacted for fiscal year ~~2004-05~~ 2016-17 as of December 1, ~~2004~~ 2016; and

Sec. L-5. 5 MRSA §1531, sub-§6, as enacted by PL 2005, c. 2, Pt. A, §5 and affected by §14, is repealed.

Sec. L-6. 5 MRSA §1532, sub-§§1 and 5, as enacted by PL 2005, c. 2, Pt. A, §5 and affected by §14, are amended to read:

1. Generally; stabilization fund established. The Maine Budget Stabilization Fund is hereby established. Amounts in the stabilization fund may not exceed ~~12%~~ 18% of total General Fund revenues in the immediately preceding state fiscal year and, except as provided by section 1533, may not be reduced below 1% of total General Fund revenue in the immediately preceding state fiscal year. For the purposes of this subsection, at the close of a fiscal year, "immediately preceding state fiscal year" means the fiscal year that is being closed.

5. Investment proceeds; exception. At the close of every month during which the stabilization fund is at the ~~12%~~ 18% limitation described in subsection 1, the State Controller shall transfer from the General Fund to the Retirement Allowance Fund established in section 17251 an amount equal to the investment earnings that otherwise would have been credited to the stabilization fund.

Sec. L-7. 5 MRSA §1534, sub-§2, as enacted by PL 2005, c. 2, Pt. A, §5 and affected by §14, is amended to read:

2. Growth limitation factor. The growth limitation factor is ~~calculated as follows~~ the average personal income growth.

A. ~~For fiscal years when the State Tax Assessor has determined that the state and local tax burden ranks in the highest 1/3 of all states, the growth limitation factor is average real personal income growth, but no more than 2.75%, plus average population growth.~~

~~B. For fiscal years when the state and local tax burden ranks in the middle 1/3 of all states, as determined by the State Tax Assessor, the growth limitation factor is average real personal income growth plus forecasted inflation plus average population growth.~~

Sec. L-8. 5 MRSA §1536, as amended by PL 2013, c. 1, Pt. E, §2, is further amended to read:

§1536. Excess General Fund revenues

1. Final priority reserves. After the transfers to the State Contingent Account pursuant to section 1507, the transfers to the Loan Insurance Reserve pursuant to section 1511 ~~and~~, the transfers pursuant to section 1522, a transfer of \$2,500,000 for the Reserve for General Fund Operating Capital and the transfers to the Retiree Health Insurance Internal Service Fund pursuant to section 1519, the State Controller shall transfer at the close of each fiscal year from the unappropriated surplus of the General Fund an amount equal to the amount available from the unappropriated surplus after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made as follows:

A. ~~Forty-eight~~ Eighty percent to the stabilization fund; ~~and~~

~~C. Thirteen percent to the Reserve for General Fund Operating Capital;~~

~~D. Nine percent to the Retiree Health Insurance Internal Service Fund established in section 1519 to be used solely for the purpose of amortizing the unfunded actuarial liability associated with future health benefits;~~

~~E. Ten percent to the Capital Construction and Improvements Reserve Fund established in section 1516 A; and~~

F. Twenty percent to the Tax Relief Fund for Maine Residents established in section 1518-A.

2. Additional transfer. At the close of each fiscal year, the State Controller shall transfer from the unappropriated surplus of the General Fund to the stabilization fund an amount equal to the balance remaining of the excess of total General Fund revenue received over accepted estimates in that fiscal year that would have been transferred to the Reserve for General Fund Operating Capital pursuant to subsection 1, ~~paragraph C~~ had the Reserve for General Fund Operating Capital not been at its statutory limit of \$50,000,000.

3. Exceptions; stabilization fund at limit. If the stabilization fund is at its limit of ~~12%~~ 18% of General Fund revenue of the immediately preceding year, then amounts that would otherwise have been transferred to the stabilization fund pursuant to subsections 1 and 2

must be transferred to the Tax Relief Fund for Maine Residents established in section 1518-A.

Sec. L-9. 5 MRSA §1665, sub-§1, as amended by PL 2009, c. 636, Pt. C, §2, is further amended to read:

1. Expenditure and appropriation requirements. On or before September 1st of the even-numbered years, all departments and other agencies of the State Government and corporations and associations receiving or desiring to receive state funds under the provisions of law shall prepare, in the manner prescribed by the State Budget Officer, and submit to the officer estimates of their expenditure and appropriation requirements for each fiscal year of the ensuing biennium. The expenditure estimates must be classified to set forth the data by funds, organization units, character and objects of expenditure. The organization units may be subclassified by functions and activities, or in any other manner, at the discretion of the State Budget Officer.

All departments and other agencies receiving or desiring to receive state funds from the Highway Fund shall submit to the officer estimates of their expenditure and appropriation requirements for each fiscal year of the ensuing biennium that do not exceed the Highway Fund appropriation of the previous fiscal year multiplied by one plus the average ~~real~~ personal income growth rate ~~or 2.75%, whichever is less~~. The Highway Fund highway and bridge improvement accounts are exempt from this spending limitation.

The State Budget Officer shall request that the Governor provide the budget proposal for the Maine Indian Tribal-State Commission developed pursuant to Title 30, section 6212, subsection 6.

Sec. L-10. 20-A MRSA §15671, sub-§1, as amended by PL 2005, c. 2, Pt. D, §32 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

1. State and local partnership. The State and each local school administrative unit are jointly responsible for contributing to the cost of the components of essential programs and services described in this chapter. Except as otherwise provided in this subsection, for each fiscal year, the total cost of the components of essential programs and services may not exceed the prior fiscal year's costs multiplied by one plus the average ~~real~~ personal income growth rate as defined in Title 5, section 1665, subsection 1, ~~except that in no case may that rate exceed 2.75%. For fiscal years commencing after the state tax burden ranks in the middle 1/3 of all states, as calculated and certified by the State Tax Assessor, the total cost of the components of essential programs and services may not exceed the prior fiscal year's costs multiplied by one plus the average real personal income growth rate as defined in Title 5, section 1665, subsection 1.~~ The Leg-

islature, by an affirmative vote of each House, may exceed the limitations on increases in the total cost of the components of essential programs and services provided in this subsection, as long as that vote is taken upon legislation stating that it is the Legislature's intent to override the limitation for that fiscal year. The state contribution to the cost of the components of essential programs and services, exclusive of federal funds that are provided and accounted for in the cost of the components of essential programs and services, must be made in accordance with this subsection:

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

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

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

Sec. L-11. 30-A MRSA §706-A, sub-§1, as amended by PL 2007, c. 653, Pt. A, §10, is further amended to read:

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

A. "Average ~~real~~ personal income growth" has the same meaning as under Title 5, section 1531, subsection 2.

B. "County assessment" means:

(1) For the tax year of any county that began prior to January 1, 2009, total annual county appropriations reduced by all resources available to fund those appropriations other than the county tax; or

(2) For the tax year of any county that begins on or after January 1, 2009, total annual county appropriations for noncorrectional-related services as established in section 701, reduced by all resources available to fund those appropriations other than the county tax.

~~C. "Forecasted inflation" has the same meaning as under Title 5, section 1531, subsection 6.~~

D. "Property growth factor" means the percentage equivalent to a fraction, whose denominator is the total valuation of all municipalities, plantations and unorganized territory in the county, and whose numerator is the amount of increase in the assessed valuation of any real or personal property in those jurisdictions that became subject to taxation for the first time, or taxed as a separate parcel for the first time for the most recent property tax year for which information is available, or that has had an increase in its assessed valuation over the prior year's valuation as a result of improvements to or expansion of the property. The State Tax Assessor shall provide to the counties forms and a methodology for the calculation of the property growth factor, and the counties shall use those forms and the methodology to establish the property growth factor.

~~E. "State and local tax burden" has the same meaning as under Title 5, section 1531, subsection 9.~~

Sec. L-12. 30-A MRSA §706-A, sub-§3, as enacted by PL 2005, c. 2, Pt. B, §1 and affected by §§2 and 4 and c. 12, Pt. WW, §14, is amended to read:

3. Growth limitation factor. The growth limitation factor is ~~calculated as follows the average personal income growth plus the property growth factor.~~

~~A. For fiscal years when the State Tax Assessor has determined that the state and local tax burden ranks in the highest 1/3 of all states, the growth limitation factor is average real personal income growth but no more than 2.75%, plus the property growth factor.~~

~~B. For fiscal years when the state and local tax burden ranks in the middle 1/3 of all states, as determined by the State Tax Assessor, the growth limitation factor is the average real personal income growth plus forecasted inflation plus the property growth factor.~~

Sec. L-13. 30-A MRSA §5721-A, sub-§1, ¶A, as amended by PL 2005, c. 621, §9, is further amended to read:

A. "Average real personal income growth" has the same meaning as in Title 5, section 1531, subsection 2.

Sec. L-14. 30-A MRSA §5721-A, sub-§1, ¶B, as amended by PL 2005, c. 621, §10, is repealed.

Sec. L-15. 30-A MRSA §5721-A, sub-§1, ¶E, as amended by PL 2005, c. 621, §11, is repealed.

Sec. L-16. 30-A MRSA §5721-A, sub-§3, as enacted by PL 2005, c. 2, Pt. C, §1 and affected by §§3 and 5 and c. 12, Pt. WW, §16, is amended to read:

3. Growth limitation factor. The growth limitation factor is ~~calculated as follows the average personal income growth plus the property growth factor.~~

~~A. For fiscal years when the State Tax Assessor has determined that the state and local tax burden ranks in the highest 1/3 of all states, the growth limitation factor is average real personal income growth but no more than 2.75%, plus the property growth factor.~~

~~B. For fiscal years when the state and local tax burden ranks in the middle 1/3 of all states, as determined by the State Tax Assessor, the growth limitation factor is the average real personal income growth plus forecasted inflation plus the property growth factor.~~

Sec. L-17. 36 MRSA §7301, first ¶, as enacted by PL 2005, c. 2, Pt. H, §2, is repealed.

PART M

Sec. M-1. 4 MRSA §1610-H is enacted to read:

§1610-H. Additional securities

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$23,000,000 outstanding at any one time for capital repairs and improvements to state-owned facilities and hazardous waste cleanup on state-owned properties.

Sec. M-2. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-H, 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 \$23,000,000. Proceeds must be used for the purpose of paying the costs associated with capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties as designated by the Commissioner of Administrative and Financial Services.

PART N

Sec. N-1. 36 MRSA §4641-B, sub-§4-B, ¶E, as enacted by PL 2011, c. 453, §6, is 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, which 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. 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 O

Sec. O-1. Tax expenditures. In accordance with the Maine Revised Statutes, Title 5, section 1666 and to the extent not otherwise provided in this Act, funding is continued for each individual tax expenditure, as defined in Title 5, section 1666, reported in the budget document submitted to the Legislature by the Governor on January 9, 2015.

PART P

Sec. P-1. Attrition savings. Notwithstanding any other provision of law, the attrition rate for the 2016-2017 biennium is increased from 1.6% to 3% for judicial branch and executive branch departments and agencies only, with the exception of the District Attorneys Salaries program within the Department of the Attorney General. The attrition rate for subsequent biennia is 1.6% with the exception of the District Attorneys Salaries program within the Department of the Attorney General. The attrition rate for the District Attorneys Salaries program is 0% for the 2016-2017 biennium.

Sec. P-2. Calculation and transfer. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each General Fund account for all executive branch departments and agencies from savings associated with attrition in fiscal year 2015-16 and fiscal year 2016-17 and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2015-16 and fiscal year 2016-17. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than October 1, 2015.

Sec. P-3. Application of attrition savings. The State Budget Officer shall consider the size of an agency when developing a process to ensure agency compliance with budgeted attrition savings. Agencies with 50 or fewer legislatively authorized positions must be given an opportunity to justify any deviation from the established savings target to the State Budget Officer. The State Budget Officer may reassign the unrealized attrition savings to another agency. In no event may an agency's ability to achieve attrition savings in one fiscal year have any effect on another fiscal year's attrition savings target.

Sec. P-4. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 3% for fiscal years 2015-16 and 2016-17.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$4,747,724)	(\$4,790,263)
GENERAL FUND TOTAL	(\$4,747,724)	(\$4,790,263)

PART Q

Sec. Q-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the Central Fleet Management Division. The financing arrangements entered into in each fiscal year may not exceed \$5,500,000 in principal costs, and a financing arrangement may not exceed 4 years in duration. The interest rate may not

exceed 5%. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Fleet Management Division account.

PART R

Sec. R-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, may enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police. The financing arrangements entered into in each fiscal year may not exceed \$2,600,000 in principal costs, and a financing arrangement may not exceed 3 years in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the State Police accounts.

PART S

Sec. S-1. Voluntary employee incentive programs. Notwithstanding the Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of Administrative and Financial Services shall offer for use prior to July 1, 2017 special voluntary employee incentive programs for state employees, including a 50% workweek, flexible position staffing and time off without pay. Employee participation in a voluntary employee incentive program is subject to the approval of the employee's appointing authority.

Sec. S-2. Continuation of group health insurance. Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and Title 5, section 903, the State shall continue to pay health and dental insurance benefits for a state employee who applies prior to July 1, 2017 and is approved to participate in a voluntary employee incentive program under section 1 based upon the scheduled workweek in effect prior to the employee's participation in the voluntary employee incentive program.

Sec. S-3. Continuation of group life insurance. Notwithstanding the Maine Revised Statutes, Title 5, sections 903 and 18056 and the rules of the Maine Public Employees Retirement System, the life, accidental death and dismemberment, supplemental and dependent insurance amounts for a state employee who applies prior to July 1, 2017 and is approved to participate in a voluntary employee incentive program under section 1 are based upon the scheduled hours of the employee prior to the employee's participation in the voluntary employee incentive program.

Sec. S-4. General Fund savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall transfer the Gen-

eral Fund savings resulting from the voluntary employee incentive programs under section 1 to the General Fund Compensation and Benefit Plan account in the Department of Administrative and Financial Services. The State Budget Officer shall submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report of the transferred amounts no later than January 15, 2017 for fiscal year 2015-16 and no later than January 15, 2018 for fiscal year 2016-17.

Sec. S-5. Lapsed balances. Notwithstanding any other provision of law, \$350,000 in fiscal year 2015-16 and \$350,000 in fiscal year 2016-17 of savings identified from the voluntary employee incentive programs in this Part lapse to the General Fund.

PART T

Sec. T-1. Transfer from General Fund unappropriated surplus; Fund for Efficient Delivery of Local and Regional Services - Administration, Other Special Revenue Funds account; fiscal year 2015-16. Notwithstanding any other provision of law, the State Controller shall transfer \$750,000 from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Local and Regional Services - Administration, Other Special Revenue Funds account within the Department of Administrative and Financial Services no later than June 30, 2016.

Sec. T-2. Transfer from General Fund unappropriated surplus; Fund for Efficient Delivery of Local and Regional Services - Administration, Other Special Revenue Funds account; fiscal year 2016-17. Notwithstanding any other provision of law, the State Controller shall transfer \$750,000 from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Local and Regional Services - Administration, Other Special Revenue Funds account within the Department of Administrative and Financial Services no later than June 30, 2017.

PART U

Sec. U-1. 5 MRSA §933, sub-§1, ¶N, as amended by PL 2009, c. 552, §4, is repealed.

Sec. U-2. 5 MRSA §933, sub-§1, ¶P, as repealed and replaced by PL 2013, c. 588, Pt. A, §3, is repealed.

PART V

Sec. V-1. 34-A MRSA §1803, sub-§12, as enacted by PL 2015, c. 16, Pt. I, §1, is amended to read:

12. Suspension of responsibilities and duties of the members of the board. Notwithstanding any provision of law to the contrary, the responsibilities and duties of the members of the board are suspended

until July 1, ~~2015~~ 2016 and no member of the board may perform the duties and responsibilities enumerated in this subchapter until July 1, ~~2015~~ 2016.

Sec. V-2. 34-A MRSA §1816, sub-§1, as enacted by PL 2015, c. 16, Pt. I, §2, is amended to read:

1. Interim discharge of duties of board. Notwithstanding any provision of law to the contrary, the commissioner or the commissioner's designee is responsible for distributing fiscal year 2014-15 supplemental payments and fiscal year 2015-16 payments to support county jail operations. The commissioner or the commissioner's designee also shall assume the powers and duties of the board until July 1, ~~2015~~ 2016.

PART W

Sec. W-1. Transfer; Dirigo Health Fund; General Fund. Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$700,000 by June 30, 2016 from the Dirigo Health Fund to the unappropriated surplus of the General Fund.

PART X

Sec. X-1. 12 MRSA §1804, sub-§1, as enacted by PL 1997, c. 678, §13 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

1. Administration. Administer all functions of the bureau, including, but not limited to, the management of state parks and historic sites, public reserved lands, nonreserved public lands, submerged lands, intertidal lands and the Allagash Wilderness Waterway, and adopt methods of administration that are determined necessary to render the office efficient;

PART Y

Sec. Y-1. Emergency rule-making authority; indigent legal services. Notwithstanding the Maine Revised Statutes, Title 5, section 8054, subsections 1 and 2, the Maine Commission on Indigent Legal Services shall adopt emergency rules as necessary under Title 5, sections 8054 and 8073 in order to implement the rate increase for compensation for assigned counsel and contract counsel funded in Part A of this Act. The rules may not authorize a rate increase that exceeds the rate increase funded in Part A.

PART Z

Sec. Z-1. 12 MRSA §8901, sub-§1, ¶A is enacted to read:

A. The forest protection unit of the Bureau of Forestry shall employ no fewer than 45 and no more than 50 forest rangers classified as Forest Ranger II to serve as wildfire control specialists and forestry law enforcement officers, and no fewer than 17 forest rangers classified as follows: 3 Regional Rangers, 8 District Rangers, one For-

est Fire Prevention Specialist, one Ranger Pilot Supervisor and 4 Ranger Pilots. Each forest ranger must, at a minimum, be a graduate of the Maine Criminal Justice Academy's law enforcement preservice program or equivalent.

Sec. Z-2. PL 1999, c. 352, §§3 and 4 are repealed.

PART AA

Sec. AA-1. Rate study. The Department of Health and Human Services shall contract with a 3rd party to conduct a rate study of the following services in Rule Chapter 101: MaineCare Benefits Manual: medication management services and outpatient services under Section 65: Behavioral Health Services and all services under Section 28: Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations. The rate study must account for provider costs related to these services. The 3rd party shall invite the participation of stakeholders for all services included in this section.

Sec. AA-2. Report. The Department of Health and Human Services, no later than January 1, 2016, shall submit a report to the Joint Standing Committee on Health and Human Services with the findings of the rate study conducted pursuant to section 1 of this Part. The department shall include in the report any recommendations for changes in the rates provided for services that are the subject of the rate study conducted pursuant to section 1 of this Part.

PART BB

Sec. BB-1. Drug Enforcement Agency program savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, subsection 1 or any other provision of law, unused balances of appropriations of \$300,000 in each year of the 2016-2017 biennium to the Drug Enforcement Agency program within the Department of Public Safety contained in Part A of this Act for the purpose of processing crime scenes involving the seizure of methamphetamine laboratories and dump sites may not be transferred at any time prior to the closing of the books to any other appropriation or subdivision of an appropriation made by the Legislature. The State Budget Officer shall calculate the unused balance of the funds appropriated for the purpose of processing crime scenes involving the seizure of methamphetamine laboratories and dump sites but not used for that purpose and shall transfer that balance to the unappropriated surplus of the General Fund no later than June 30th of each year of the 2016-2017 biennium.

Sec. BB-2. Remediation and Waste Management program savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, subsection 1 or any other provision of law, unused balances of appropriations of \$100,000 in each year of the 2016-2017 biennium to the Remediation and Waste

Management program within the Department of Environmental Protection contained in Part A of this Act as part of the transfer of one Oil and Hazardous Material Responder I position and one Oil and Hazardous Material Responder II position and related All Other from Other Special Revenue Funds to the General Fund contained in Part A of this Act may not be used for any purpose other than for cleanup of illegal drug operations or natural gas contamination. The State Budget Officer shall calculate the amount of unused balances not used for cleanup of illegal drug operations or natural gas contamination and shall transfer those balances to the unappropriated surplus of the General Fund no later than June 30th of each year of the 2016-2017 biennium.

PART CC

Sec. CC-1. 25 MRSA §2801-B, sub-§1, ¶C, as repealed and replaced by PL 2001, c. 710, §11 and affected by §12 and amended by PL 2011, c. 657, Pt. W, §§5 and 7 and PL 2013, c. 405, Pt. A, §23, is further amended to read:

C. An agent or a representative of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry whose law enforcement powers are limited to those specified by Title 12, section 8901, subsection 3 and who does not carry a firearm;

PART DD

Sec. DD-1. 20-A MRSA §11475, sub-§2, as enacted by PL 1997, c. 732, §4, is amended to read:

2. Lump-sum payments. A participation agreement may permit a participant to make one or more lump-sum deposits to an account for the benefit of a specific beneficiary. ~~Lump-sum deposits may be made through the assignment of state tax refunds.~~

Sec. DD-2. 36 MRSA §5111, sub-§1-D, as enacted by PL 2013, c. 368, Pt. Q, §4, is amended to read:

1-D. Single individuals and married persons filing separate returns; tax years beginning 2014 and 2015. For tax years beginning ~~on or after January 1,~~ in 2014 or 2015, for single individuals and married persons filing separate returns:

If Maine Taxable income is:	The tax is:
At least \$5,200 but less than \$20,900	6.5% of the excess over \$5,200
\$20,900 or more	\$1,021 plus 7.95% of the excess over \$20,900

Sec. DD-3. 36 MRSA §5111, sub-§§1-E and 1-F are enacted to read:

1-E. Single individuals and married persons filing separate returns; tax years beginning 2016.

For tax years beginning in 2016, for single individuals and married persons filing separate returns:

If Maine taxable income is:	The tax is:
Less than \$21,050	5.8% of the Maine taxable income
At least \$21,050 but less than \$37,500	\$1,221 plus 6.75% of the excess over \$21,050
\$37,500 or more	\$2,331 plus 7.15% of the excess over \$37,500

1-F. Single individuals and married persons filing separate returns; tax years beginning 2017. For tax years beginning on or after January 1, 2017, for single individuals and married persons filing separate returns:

If Maine taxable income is:	The tax is:
Less than \$21,050	5.8% of the Maine taxable income
At least \$21,050 but less than \$50,000	\$1,221 plus 6.75% of the excess over \$21,050
\$50,000 or more	\$3,175 plus 7.15% of the excess over \$50,000

Sec. DD-4. 36 MRSA §5111, sub-§2-D, as enacted by PL 2013, c. 368, Pt. Q, §6, is amended to read:

2-D. Heads of households; tax years beginning 2014 and 2015. For tax years beginning ~~on or after January 1,~~ in 2014 or 2015, for unmarried individuals or legally separated individuals who qualify as heads of households:

If Maine Taxable income is:	The tax is:
At least \$7,850 but less than \$31,350	6.5% of the excess over \$7,850
\$31,350 or more	\$1,528 plus 7.95% of the excess over \$31,350

Sec. DD-5. 36 MRSA §5111, sub-§§2-E and 2-F are enacted to read:

2-E. Heads of households; tax years beginning 2016. For tax years beginning in 2016, for unmarried individuals or legally separated individuals who qualify as heads of households:

If Maine taxable income is:	The tax is:
Less than \$31,550	5.8% of the Maine taxable income
At least \$31,550 but less than \$56,250	\$1,830 plus 6.75% of the excess over \$31,550
\$56,250 or more	\$3,497 plus 7.15% of the excess over \$56,250

2-F. Heads of households; tax years beginning 2017. For tax years beginning on or after January 1, 2017, for unmarried individuals or legally separated individuals who qualify as heads of households:

If Maine taxable income is:	The tax is:
Less than \$31,550	5.8% of the Maine taxable income
At least \$31,550 but less than \$75,000	\$1,830 plus 6.75% of the excess over \$31,550
\$75,000 or more	\$4,763 plus 7.15% of the excess over \$75,000

Sec. DD-6. 36 MRSA §5111, sub-§3-D, as enacted by PL 2013, c. 368, Pt. Q, §8, is amended to read:

3-D. Individuals filing married joint return or surviving spouses; tax years beginning 2014 and 2015. For tax years beginning on or after January 1, in 2014 or 2015, for individuals filing married joint returns or surviving spouses permitted to file a joint return:

If Maine Taxable income is:	The tax is:
At least \$10,450 but less than \$41,850	6.5% of the excess over \$10,450
\$41,850 or more	\$2,041 plus 7.95% of the excess over \$41,850

Sec. DD-7. 36 MRSA §5111, sub-§§3-E and 3-F are enacted to read:

3-E. Individuals filing married joint returns or surviving spouses; tax years beginning 2016. For tax years beginning in 2016, for individuals filing married joint returns or surviving spouses permitted to file a joint return:

If Maine taxable income is:	The tax is:
Less than \$42,100	5.8% of the Maine taxable income
At least \$42,100 but less than \$75,000	\$2,442 plus 6.75% of the excess over \$42,100
\$75,000 or more	\$4,663 plus 7.15% of the excess over \$75,000

3-F. Individuals filing married joint returns or surviving spouses; tax years beginning 2017. For tax years beginning on or after January 1, 2017, for individuals filing married joint returns or surviving spouses permitted to file a joint return:

If Maine taxable income is:	The tax is:
Less than \$42,100	5.8% of the Maine taxable income

At least \$42,100 but less than \$100,000	\$2,442 plus 6.75% of the excess over \$42,100
\$100,000 or more	\$6,350 plus 7.15% of the excess over \$100,000

Sec. DD-8. 36 MRSA §5122, sub-§1, ¶JJ is enacted to read:

JJ. For tax years beginning on or after January 1, 2016, an amount equal to the taxpayer base multiplied by the following fraction:

(1) For single individuals and married persons filing separate returns, the numerator is the taxpayer's Maine adjusted gross income less \$70,000, except that the numerator may not be less than zero, and the denominator is \$75,000. In no case may the fraction contained in this subparagraph produce a result that is more than one. The \$70,000 amount used to calculate the numerator in this subparagraph must be adjusted for inflation in accordance with section 5403, subsection 3;

(2) For individuals filing as heads of households, the numerator is the taxpayer's Maine adjusted gross income less \$105,000, except that the numerator may not be less than zero, and the denominator is \$112,500. In no case may the fraction contained in this subparagraph produce a result that is more than one. The \$105,000 amount used to calculate the numerator in this subparagraph must be adjusted for inflation in accordance with section 5403, subsection 3; or

(3) For individuals filing married joint returns or surviving spouses, the numerator is the taxpayer's Maine adjusted gross income less \$140,000, except that the numerator may not be less than zero, and the denominator is \$150,000. In no case may the fraction contained in this subparagraph produce a result that is more than one. The \$140,000 amount used to calculate the numerator in this subparagraph must be adjusted for inflation in accordance with section 5403, subsection 3.

For purposes of this paragraph, "taxpayer base" means either the taxpayer's applicable standard deduction amount for the taxable year determined under section 5124-B or, if itemized deductions are claimed, the taxpayer's itemized deductions claimed for the taxable year determined under section 5125.

Sec. DD-9. 36 MRSA §5122, sub-§2, ¶M-1, as amended by PL 2013, c. 546, §13, is further amended to read:

M-1. For tax years beginning on or after January 1, 2014, for each individual who is a primary re-

recipient of retirement plan benefits under an employee retirement plan or an individual retirement account, an amount that is the lesser of the aggregate of retirement plan benefits under employee retirement plans or individual retirement accounts included in the individual's federal adjusted gross income and the pension deduction amount reduced by the total amount of the individual's social security benefits and railroad retirement benefits paid by the United States, but not less than \$0. ~~The social security benefits and railroad retirement benefits reduction does not apply to benefits paid under a military retirement plan.~~

For purposes of this paragraph, the following terms have the following meanings.

- (1) "Employee retirement plan" means a state, ~~or federal or military~~ retirement plan or any other retirement benefit plan established and maintained by an employer for the benefit of its employees under the Code, Section 401(a), Section 403 or Section 457(b), except that distributions made pursuant to a Section 457(b) plan are not eligible for the deduction provided by this paragraph if they are made prior to age 55 and are not part of a series of substantially equal periodic payments made for the life of the primary recipient or the joint lives of the primary recipient and that recipient's designated beneficiary. "Employee retirement plan" does not include a military retirement plan or survivor benefits under such a plan.
- (2) "Individual retirement account" means an individual retirement account under Section 408 of the Code, a Roth IRA under Section 408A of the Code, a simplified employee pension under Section 408(k) of the Code or a simple retirement account for employees under Section 408(p) of the Code.
- (3) "Military retirement plan" means retirement plan benefits received as a result of service in the active or reserve components of the Army, Navy, Air Force, Marines or Coast Guard.
- (4) "Pension deduction amount" means \$10,000 for tax years beginning on or after January 1, 2014.
- (5) "Primary recipient" means the individual upon whose earnings or contributions the retirement plan benefits are based or the surviving spouse of that individual.
- (6) "Retirement plan benefits" means employee retirement plan benefits, except pickup contributions for which a subtraction is allowed under paragraph E, reported as pension or annuity income for federal income tax purposes

and individual retirement account benefits reported as individual retirement account distributions for federal income tax purposes. "Retirement plan benefits" does not include distributions that are subject to the tax imposed by the Code, Section 72(t);

Sec. DD-10. 36 MRSA §5122, sub-§2,
¶M-2 is enacted to read:

M-2. For tax years beginning on or after January 1, 2016:

(1) For each individual who is a primary recipient of retirement plan benefits, the reduction is the sum of:

(a) Excluding military retirement plan benefits, an amount that is the lesser of the aggregate of retirement plan benefits under employee retirement plans or individual retirement accounts included in the individual's federal adjusted gross income and the pension deduction amount. The amount claimed under this division must be reduced by the total amount of the individual's social security benefits and railroad retirement benefits paid by the United States, but not less than \$0; and

(b) An amount equal to the aggregate of retirement benefits under military retirement plans included in the individual's federal adjusted gross income; and

(2) For purposes of this paragraph, the following terms have the following meanings.

(a) "Employee retirement plan" means a state, federal or military retirement plan or any other retirement benefit plan established and maintained by an employer for the benefit of its employees under the Code, Section 401(a), Section 403 or Section 457(b), except that distributions made pursuant to a Section 457(b) plan are not eligible for the deduction provided by this paragraph if they are made prior to age 55 and are not part of a series of substantially equal periodic payments made for the life of the primary recipient or the joint lives of the primary recipient and that recipient's designated beneficiary.

(b) "Individual retirement account" means an individual retirement account under Section 408 of the Code, a Roth IRA under Section 408A of the Code, a simplified employee pension under Section 408(k) of the Code or a simple re-

retirement account for employees under Section 408(p) of the Code.

(c) "Military retirement plan" means retirement plan benefits received as a result of service in the active or reserve components of the Army, Navy, Air Force, Marines or Coast Guard.

(d) "Pension deduction amount" means \$10,000 for tax years beginning in 2014.

(e) "Primary recipient" means the individual upon whose earnings or contributions the retirement plan benefits are based or the surviving spouse of that individual.

(f) "Retirement plan benefits" means employee retirement plan benefits, except pick-up contributions for which a subtraction is allowed under paragraph E, reported as pension or annuity income for federal income tax purposes and individual retirement account benefits reported as individual retirement account distributions for federal income tax purposes. "Retirement plan benefits" does not include distributions that are subject to the tax imposed by the Code, Section 72(t);

Sec. DD-11. 36 MRSA §5122, sub-§2, ¶T, as amended by PL 2005, c. 519, Pt. LLL, §1 and c. 622, §26, is repealed.

Sec. DD-12. 36 MRSA §5122, sub-§2, ¶Y, as amended by PL 2007, c. 539, Pt. CCC, §6 and c. 689, §1 and affected by §4, is repealed.

Sec. DD-13. 36 MRSA §5124-A, as amended by PL 2013, c. 368, Pt. TT, §9, is further amended to read:

§5124-A. Standard deduction; resident before 2016

The For tax years beginning before January 1, 2016, the standard deduction of a resident individual is equal to the standard deduction as determined in accordance with the Code, Section 63, except that, for tax years beginning in 2013, the standard deduction is \$10,150 in the case of individuals filing a married joint return and surviving spouses permitted to file a joint return and \$5,075 in the case of a married individual filing a separate return.

Sec. DD-14. 36 MRSA §5124-B is enacted to read:

§5124-B. Standard deduction; resident on or after January 1, 2016

For tax years beginning on or after January 1, 2016, the standard deduction of a resident individual is

equal to the sum of the basic standard deduction and any additional standard deduction.

1. Basic standard deduction. The basic standard deduction is:

A. For single individuals and married persons filing separate returns, the basic standard deduction is \$11,600;

B. For individuals filing as heads of household, the basic standard deduction is the amount allowed under paragraph A multiplied by 1.5; and

C. For individuals filing married joint returns or surviving spouses, the basic standard deduction is the amount allowed under paragraph A multiplied by 2.

2. Additional standard deduction. The additional standard deduction is the amount allowed under the Code, Section 63(c)(3).

Sec. DD-15. 36 MRSA §5125, sub-§3, ¶C, as amended by PL 2003, c. 390, §34, is further amended to read:

C. Reduced by any amount of deduction attributable to income taxable to financial institutions under chapter 819; and

Sec. DD-16. 36 MRSA §5125, sub-§3, ¶D, as amended by PL 2011, c. 380, Pt. N, §8 and affected by §§19 and 20, is further amended to read:

D. Reduced by any amount attributable to interest or expenses incurred in the production of income exempt from tax under this Part; and

Sec. DD-17. 36 MRSA §5125, sub-§3, ¶E, as amended by PL 2011, c. 380, Pt. N, §9 and affected by §§19 and 20, is repealed.

Sec. DD-18. 36 MRSA §5125, sub-§5, as enacted by PL 2013, c. 590, §1, is repealed.

Sec. DD-19. 36 MRSA §5213-A is enacted to read:

§5213-A. Sales tax fairness credit

For tax years beginning on or after January 1, 2016, individuals are allowed a credit as computed under this section against the taxes imposed under this Part.

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

A. "Base credit" means:

(1) For an individual income tax return claiming one personal exemption, \$125;

(2) For an individual income tax return claiming 2 personal exemptions, \$175;

(3) For an individual income tax return claiming 3 personal exemptions, \$200; and

(4) For an individual income tax return claiming 4 or more personal exemptions, \$225.

For the purposes of this paragraph, personal exemption does not include a personal exemption for an individual who is incarcerated.

B. "Income" means federal adjusted gross income increased by the following amounts:

(1) Trade or business losses; capital losses; any net loss resulting from combining the income or loss from rental real estate and royalties, the income or loss from partnerships and S corporations, the income or loss from estates and trusts, the income or loss from real estate mortgage investment conduits and the net farm rental income or loss; any loss associated with the sale of business property; and farm losses included in federal adjusted gross income;

(2) Interest received to the extent not included in federal adjusted gross income;

(3) Payments received under the federal Social Security Act and railroad retirement benefits to the extent not included in federal adjusted gross income; and

(4) The following amounts deducted in arriving at federal adjusted gross income:

(a) Educator expenses pursuant to the Code, Section 62(a)(2)(D);

(b) Certain business expenses of performing artists pursuant to the Code, Section 62(a)(2)(B);

(c) Certain business expenses of government officials pursuant to the Code, Section 62(a)(2)(C);

(d) Certain business expenses of reservists pursuant to the Code, Section 62(a)(2)(E);

(e) Health savings account deductions pursuant to the Code, Section 62(a)(16) and Section 62(a)(19);

(f) Moving expenses pursuant to the Code, Section 62(a)(15);

(g) The deductible part of self-employment tax pursuant to the Code, Section 164(f);

(h) The deduction for self-employed SEP, SIMPLE and qualified plans pursuant to the Code, Section 62(a)(6);

(i) The self-employed health insurance deduction pursuant to the Code, Section 162(1);

(j) The penalty for early withdrawal of savings pursuant to the Code, Section 62(a)(9);

(k) Alimony paid pursuant to the Code, Section 62(a)(10);

(l) The IRA deduction pursuant to the Code, Section 62(a)(7);

(m) The student loan interest deduction pursuant to the Code, Section 62(a)(17);

(n) The tuition and fees deduction pursuant to the Code, Section 62(a)(18); and

(o) The domestic production activities deduction pursuant to the Code, Section 199.

2. Credit for resident taxpayer. A resident individual is allowed a credit equal to the applicable base credit amount, subject to the phase-out provisions under subsection 4.

3. Credit for part-year resident taxpayer. A taxpayer who files a return as a part-year resident in accordance with section 5224-A is allowed a credit equal to the applicable base credit amount, subject to the phase-out provisions under subsection 4, multiplied by a ratio, the numerator of which is the individual's income as modified by section 5122 for that portion of the taxable year during which the individual was a resident plus the individual's income from sources within this State, as determined under section 5142, for that portion of the taxable year during which the individual was a nonresident and the denominator of which is the individual's entire income, as modified by section 5122.

4. Phase-out of credit. The credit allowed under this section is phased out as follows.

A. For single individuals, the credit is reduced by \$10 for every \$500 or portion thereof that exceeds \$20,000 of the income.

B. For unmarried individuals or legally separated individuals who qualify as heads of households, the credit is reduced by \$15 for every \$750 or portion thereof that exceeds \$30,000 of the income.

C. For individuals filing married joint returns or surviving spouses permitted to file joint returns, the credit is reduced by \$20 for every \$1,000 or portion thereof that exceeds \$40,000 of the income.

5. Refundability of credit. The tax credit allowed under this section is refundable.

6. Limitations. The following individuals do not qualify for the credit under this section:

A. Married taxpayers filing separate returns; or

B. Individuals who do not qualify as resident individuals because they do not meet the requirements of section 5102, subsection 5102, subsection 5, paragraph A.

Sec. DD-20. 36 MRSA §5215, sub-§6-C is enacted to read:

6-C. Application. Except for the credit allowed with respect to the carry-over of unused credit amounts pursuant to subsection 4, the tax credit allowed under this section does not apply to tax years beginning on or after January 1, 2016.

Sec. DD-21. 36 MRSA §5216-C, as enacted by PL 1999, c. 475, §6 and affected by §7, is repealed.

Sec. DD-22. 36 MRSA §5217, sub-§5 is enacted to read:

5. Application. Except for the credit allowed with respect to the carry-over of unused credit amounts pursuant to subsection 3, the credit allowed under this section does not apply to tax years beginning on or after January 1, 2016.

Sec. DD-23. 36 MRSA §5217-C, sub-§4 is enacted to read:

4. Application. Except for the credit allowed with respect to the carry-over of unused credit amounts pursuant to subsection 3, the tax credit allowed under this section does not apply to tax years beginning on or after January 1, 2016.

Sec. DD-24. 36 MRSA §5218, sub-§4, as amended by PL 2003, c. 391, §10, is further amended to read:

4. Refund. The credit allowed by this section may result in a refund of up to \$500. ~~In except, in the case of a nonresident individual, the refundable portion of the credit may not exceed \$500 multiplied by the ratio of the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, to the individual's entire federal adjusted gross income, as modified by section 5122 reduce the Maine income tax to less than zero.~~ In the case of an individual who files a return as a part-year resident in accordance with section 5224-A, the refundable portion of the credit may not exceed \$500 multiplied by a ratio, the numerator of which is the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph A for that portion of the taxable year during which the individual was a resident plus the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph B for that portion of the taxable year during which the individual was a nonresident and the denominator of

which is the individual's entire federal adjusted gross income, as modified by section 5122.

Sec. DD-25. 36 MRSA §5219-A, as amended by PL 2003, c. 390, §§46 and 47, is repealed.

Sec. DD-26. 36 MRSA §5219-C, as amended by PL 2007, c. 627, §90, is repealed.

Sec. DD-27. 36 MRSA §5219-M, sub-§4, ¶C, as enacted by PL 2001, c. 358, Pt. M, §4 and affected by §6, is amended to read:

C. Except as otherwise provided by subsection 5, paragraph B, to reduce a person's tax liability by more than \$100,000, after the allowance of all other tax credits except for the ~~credits~~ credit allowed under ~~sections 5216-C and~~ section 5219-L.

Sec. DD-28. 36 MRSA §5219-M, sub-§7 is enacted to read:

7. Application. Except for the credit allowed with respect to the carry-over of unused credit amounts pursuant to subsection 5, the tax credit allowed under this section does not apply to tax years beginning on or after January 1, 2016.

Sec. DD-29. 36 MRSA §5219-O, sub-§5 is enacted to read:

5. Application. Except for the credit allowed with respect to the carry-over of unused credit amounts pursuant to subsection 4, the tax credit allowed under this section does not apply to tax years beginning on or after January 1, 2016.

Sec. DD-30. 36 MRSA §5219-Q, sub-§5 is enacted to read:

5. Application. Except for the credit allowed with respect to the carry-over of unused credit amounts pursuant to subsection 4, the tax credit allowed under this section does not apply to tax years beginning on or after January 1, 2016.

Sec. DD-31. 36 MRSA §5219-S, sub-§4, as enacted by PL 2007, c. 693, §31, is amended to read:

4. Limitation. The credit allowed by this section ~~may not reduce the Maine income tax to less than zero~~ is refundable.

Sec. DD-32. 36 MRSA §5219-X, sub-§5, as enacted by PL 2003, c. 698, §1, is amended to read:

5. Application. This section applies to tax years beginning on or after January 1, 2004. Except for the credit allowed with respect to the carry-over of unused credit amounts pursuant to subsection 3, the tax credit allowed under this section does not apply to tax years beginning on or after January 1, 2016.

Sec. DD-33. 36 MRSA §5403, as repealed and replaced by PL 2013, c. 551, §4, is repealed and the following enacted in its place:

§5403. Annual adjustments for inflation

On or about September 15th of each year as specified in subsections 1 to 6, the assessor shall multiply the cost-of-living adjustment for taxable years beginning in the succeeding calendar year by the following:

1. Individual income tax rate tables. For the tax rate tables in section 5111:

A. Beginning in 2016 and each year thereafter, by the lowest dollar amounts of the tax rate tables specified in section 5111, subsections 1-F, 2-F and 3-F, except that for the purposes of this paragraph, notwithstanding section 5402, subsection 1-B, the "cost-of-living adjustment" is the Chained Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Chained Consumer Price Index for the 12-month period ending June 30, 2015; and

B. Beginning in 2017 and each year thereafter, by the highest taxable income dollar amount of each tax rate table, except that for the purposes of this paragraph, notwithstanding section 5402, subsection 1-B, the "cost-of-living adjustment" is the Chained Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Chained Consumer Price Index for the 12-month period ending June 30, 2016;

2. Standard deductions. By the dollar amount contained in section 5124-B, subsection 1, paragraph A, except that for the purposes of this subsection, notwithstanding section 5402, subsection 1-B, the "cost-of-living adjustment" is the Chained Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Chained Consumer Price Index for the 12-month period ending June 30, 2015;

3. Itemized deductions. By the dollar amount of the itemized deduction limitation amount in section 5125, subsection 4;

4. Individual income tax standard deduction and itemized deduction phase-out. Beginning in 2017 and each year thereafter, by the dollar amount contained in the numerator of the fraction specified in section 5122, subsection 1, paragraph JJ, subparagraphs (1), (2) and (3), except that for the purposes of this subsection, notwithstanding section 5402, subsection 1-B, the "cost-of-living adjustment" is the Chained Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Chained Consumer Price Index for the 12-month period ending June 30, 2016;

5. Sales tax fairness credit. For the sales tax fairness credit:

A. Beginning in 2017 and each year thereafter, by the base credit amount in section 5213-A, subsection 1, paragraph A, subparagraph (1), except that for the purposes of this paragraph, notwithstanding section 5402, subsection 1-B, the "cost-of-living adjustment" is the Chained Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Chained Consumer Price Index for the 12-month period ending June 30, 2016. If the base credit amount, adjusted by application of the cost-of-living adjustment, is not a multiple of \$5, any increase must be rounded to the next lowest multiple of \$5;

B. Beginning in 2017 and each year thereafter, the base credit amount in section 5213-A, subsection 1, paragraph A, subparagraphs (2) to (4) is equal to the base credit amount determined in accordance with paragraph A, multiplied by the following applicable factor:

(1) For section 5213-A, subsection 1, paragraph A, subparagraph (2), 1.4;

(2) For section 5213-A, subsection 1, paragraph A, subparagraph (3), 1.6; and

(3) For section 5213-A, subsection 1, paragraph A, subparagraph (4), 1.8.

If the base credit amount, adjusted by application of the appropriate factor, is not a multiple of \$5, any increase must be rounded to the next lowest multiple of \$5; and

C. Beginning in 2016 and each year thereafter, by the dollar amount of the income threshold set forth in section 5213-A, subsection 4, except that for the purposes of this paragraph, notwithstanding section 5402, subsection 1-B, the "cost-of-living adjustment" is the Chained Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Chained Consumer Price Index for the 12-month period ending June 30, 2015; and

6. Property tax fairness credit. Beginning in 2015 and each year thereafter, the benefit base amounts in section 5219-KK, subsection 1, paragraph A.

Except for subsection 5, paragraphs A and B, if the dollar amount of each item, adjusted by the application of the cost-of-living adjustment, is not a multiple of \$50, any increase must be rounded to the next lowest multiple of \$50.

If the cost-of-living adjustment for any taxable year would be less than the cost-of-living adjustment for the preceding calendar year, the cost-of-living adjustment is the same as for the preceding calendar year. The assessor shall incorporate such changes into

the income tax forms, instructions and withholding tables for the taxable year.

Sec. DD-34. Application. Those sections of this Part that amend the Maine Revised Statutes, Title 20-A, section 11475, subsection 2 and Title 36, section 5122, subsection 2, paragraph M-1, section 5124-A, section 5218, subsection 4 and section 5219-S, subsection 4; and that repeal Title 36, section 5122, subsection 2, paragraphs T and Y and sections 5216-C, 5219-A and 5219-C apply to tax years beginning on or after January 1, 2016.

PART EE

Sec. EE-1. Department of Agriculture, Conservation and Forestry, Division of Forest Protection carrying account; transfer from unencumbered balance forward; General Fund. Notwithstanding any other provision of law, the State Controller shall leave only \$500,000 of unencumbered balance forward in the Personal Services line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account and shall transfer all remaining money from unencumbered balance forward in the Personal Services line category above that amount on or before August 1, 2015 to the Capital Expenditures line category in the Division of Forest Protection, General Fund account to fund the overhaul of helicopters owned by the State.

PART FF

Sec. FF-1. 12 MRSA §1807 is enacted to read:

§1807. Sustainable harvest level

Except as provided in this section, timber harvesting on public reserved lands and nonreserved public lands may not exceed in total an average of 160,000 cords per year over any 3-year period. If an independent timber inventory conducted after July 1, 2015 establishes a different sustainable harvest, the department may adopt by rule a different harvesting level consistent with that inventory. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and must be reviewed by the joint standing committee of the Legislature having jurisdiction over public reserved and non-reserved lands matters.

PART GG

Sec. GG-1. 5 MRSA §200-H, sub-§1, ¶H-1, as enacted by PL 2009, c. 149, §1, is amended to read:

H-1. A sexual assault nurse examiner within the ~~Office of the Attorney General, ex officio Department of Health and Human Services;~~

Sec. GG-2. 5 MRSA §3360-N, as enacted by PL 2001, c. 439, Pt. Z, §1, is amended to read:

§3360-N. Sexual Assault Forensic Examiner Advisory Board established; membership

1. Establishment and membership. The Sexual Assault Forensic Examiner Advisory Board, referred to in this chapter as the "board," established under section 12004-J, subsection 13, is established within the Department of ~~the Attorney General~~ Health and Human Services. The board consists of 13 members appointed by the ~~Attorney General~~ Commissioner of Health and Human Services. Members must include the following:

- A. One physician licensed to practice medicine in the State;
- B. One member of the State Board of Nursing;
- C. One sexual assault nurse examiner;
- D. One representative from a sexual assault center;
- E. One member from a statewide coalition against sexual assault;
- F. One survivor of sexual assault;
- G. One attorney from the Department of the Attorney General, designated by the Attorney General;
- H. One employee of the Maine State Police Crime Laboratory;
- I. One member from a statewide association of prosecutors;
- J. One member from a statewide association of hospitals;
- K. One member who is a forensic pediatric health care provider; and
- L. Two public members.

2. Terms of appointment. The term of each member of the board is 3 years. When a vacancy occurs prior to the expiration of a term, the appointment to fill that vacancy is for the balance of the unexpired term. ~~Notwithstanding this subsection, the Attorney General may appoint initial members of the board for terms of fewer than 3 years to ensure staggered terms.~~

3. Chair. The Commissioner of Health and Human Services shall appoint a member to be appointed by the Attorney General pursuant to subsection 1, paragraph G shall act as the chair of the board.

4. Meetings. The board may not meet more than once a month.

5. Quorum. Five members of the board constitute a quorum.

Sec. GG-3. 5 MRSA §3360-P, as enacted by PL 2001, c. 439, Pt. Z, §1, is amended to read:

§3360-P. Administration

The Department of ~~the Attorney General Health and Human Services~~ shall provide general administrative oversight for the board's policies and responsibilities. When appropriate, the Department of ~~the Attorney General Health and Human Services~~ may employ personnel necessary to carry out the purposes of the board; lease, rent or acquire adequate equipment and facilities; accept federal funds or grants that are available to carry out or implement the board's objectives; and provide technical assistance and training to sexual assault forensic examiners.

PART HH

Sec. HH-1. Department of Corrections; transfer of funds for overtime expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Corrections, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, may transfer Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the purpose of paying overtime expenses in fiscal years 2015-16 and 2016-17. These transfers are not considered adjustments to appropriations.

PART II

Sec. II-1. 22 MRSA §4307, sub-§4, as corrected by RR 2009, c. 2, §58, is amended to read:

4. Special circumstances. Overseers of a municipality may not move or transport an applicant or recipient into another municipality to relieve their municipality of responsibility for that applicant's or recipient's support. The municipality of responsibility for relocations, persons released from correctional facilities and institutional settings is as follows.

A. When an applicant or recipient requests relocation to another municipality and the overseers of a municipality assist that person to relocate to another municipality, the municipality from which that person is moving continues to be responsible for the support of the recipient for 30 days after relocation. As used in this paragraph, "assist" includes:

- (1) Granting financial assistance to relocate; and
- (2) Making arrangements for a person to relocate.

B. If an applicant is in a group home, shelter, rehabilitation center, nursing home, hospital or other institution at the time of application and has either been in that institution for 6 months or less, or had a residence immediately prior to entering the institution which the applicant had maintained and to which the applicant intends to return, the

municipality of responsibility is the municipality where the applicant was a resident immediately prior to entering the institution. For the purpose of this paragraph, a hotel, motel or similar place of temporary lodging is considered an institution when a municipality:

- (1) Grants financial assistance for a person to move to or stay in temporary lodging;
- (2) Makes arrangements for a person to stay in temporary lodging;
- (3) Advises or encourages a person to stay in temporary lodging; or
- (4) Illegally denies housing assistance and, as a result of that denial, the person stays in temporary lodging.

C. If an applicant has been released from a correctional facility within 45 days of application, the municipality of responsibility for the first 12 months of payment of benefits is the municipality that was on record as the residence of the applicant when the applicant was committed to the correctional facility. A municipality of responsibility must accept an application for general assistance by telephone if the applicant is calling from another municipal office, as long as the written application is contemporaneously faxed or sent electronically to the municipality of responsibility.

PART JJ

Sec. JJ-1. Transfers and adjustments to position count. The Commissioner of Corrections shall review the current organizational structure of the Department of Corrections to improve organizational efficiency and cost-effectiveness and shall recommend transfers of positions and available balances. Notwithstanding any other provision of law, the State Budget Officer shall transfer the position counts and available balances by financial order in order to achieve the purposes of this section from July 1st to December 1st of each fiscal year of the 2016-2017 biennium. Position adjustments made after December 1st and before July 1st of each fiscal year may not be an adjustment to position count or appropriations. In accordance with the requirements of the Maine Revised Statutes, Title 5, section 1585, a financial order describing such a transfer must be submitted by the Department of Administrative and Financial Services, Bureau of the Budget to the Office of Fiscal and Program Review 30 days before a transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Any transfer or adjustment pursuant to this section that would result in a program or mission change or facility closure must be reported by the Bureau of the Budget to the joint standing committee of the Legislature hav-

ing jurisdiction over criminal justice and public safety matters for review before the associated financial order is submitted to the Governor for approval. These transfers are considered adjustments to authorized position count, appropriations and allocations.

Sec. JJ-2. Department of Corrections; quarterly reporting. The Commissioner of Corrections shall provide quarterly reports to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the position transfers authorized pursuant to section 1 of this Part. The reports must detail, for both the sending and receiving program, the position title, the program name, an indication if the position was filled or vacant and the pay range and step if applicable. The report must also include all position reclassifications, reorganizations and range changes that were approved during the previous quarter.

PART KK

Sec. KK-1. Transfer of funds; food, heating and utility expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Corrections, upon recommendation of the State Budget Officer and approval of the Governor, is authorized to transfer, from the All Other line category, funding by financial order between accounts within the same fund for the purposes of paying food, heating and utility expenses in fiscal years 2015-16 and 2016-17. These transfers are not considered adjustments to appropriations.

PART LL

Sec. LL-1. Working capital advance to Department of Defense, Veterans and Emergency Management. The State Controller is authorized to advance up to \$350,000 from the General Fund unappropriated surplus to the Department of Defense, Veterans and Emergency Management, Administration - Maine Emergency Management Agency program, Federal Expenditures Fund account during fiscal year 2015-16 to be used to provide cash necessary to meet current expenditures of the program until federal funds become available in the same fiscal year. The State Controller shall report to the Joint Standing Committee on Appropriations and Financial Affairs within 30 days of making any working capital advance for this purpose. Funds advanced from the General Fund to the Administration - Maine Emergency Management Agency program must be returned to the General Fund unappropriated surplus not later than December 31, 2015.

PART MM

Sec. MM-1. Department of Economic and Community Development, Office of Innovation program, Maine Technology Institute;

fiscal year 2015-16. Notwithstanding any other provision of law, \$1,537,761 of funds in the All Other line category in the Department of Economic and Community Development, Office of Innovation program, Maine Technology Institute, General Fund account lapses to the unappropriated surplus of the General Fund no later than June 30, 2016.

Sec. MM-2. Department of Economic and Community Development, Office of Innovation program, Maine Technology Institute; fiscal year 2016-17. Notwithstanding any other provision of law, \$1,537,761 of funds in the All Other line category in the Department of Economic and Community Development, Office of Innovation program, Maine Technology Institute, General Fund account lapses to the unappropriated surplus of the General Fund no later than June 30, 2017.

PART NN

Sec. NN-1. 5 MRSA §937, sub-§1, as amended by PL 2013, c. 1, Pt. S, §1, is further amended to read:

1. Major policy-influencing positions. The following positions are major policy-influencing positions within the Department of Education. Notwithstanding any other provision of law, these positions and their successor positions are subject to this chapter:

- A. Deputy Commissioner;
- F. Director, Policy and Programs; and
- ~~K. Chief Academic Officer;~~
- ~~L. Director, Special Services Team; and~~
- M. Director, Communications.

Sec. NN-2. 20-A MRSA §203, sub-§1, as amended by PL 2013, c. 1, Pt. S, §2 and c. 368, Pt. II, §§1 and 2, is further amended to read:

1. Commissioner's appointments. The following officials are appointed by and serve at the pleasure of the commissioner:

- A. Deputy Commissioner;
- F. Director, Policy and Programs;
- ~~K. Chief Academic Officer;~~
- ~~L. Director, Special Services Team;~~
- M. Director, Communications; and
- ~~N. Deputy Chief of Staff.~~
- O. Science, Technology, Engineering and Mathematics Workforce Coordinator.

PART OO

Sec. OO-1. Lease-purchase authorization; Maine learning technology initiative. Pursuant

to the Maine Revised Statutes, Title 5, section 1587, the Department of Education may enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of portable computer devices for students and educators to support the operations of the Maine learning technology initiative. The financing agreements may not exceed 4 years in duration and \$95,000,000 in principal costs for the Maine learning technology initiative. The interest rate may not exceed 8% and the total interest costs may not exceed \$7,600,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Department of Education. The State is authorized to extend the provisions of the lease-purchase agreement on behalf of school administrative units as long as all costs of the extension are borne by the school administrative units.

PART PP

Sec. PP-1. Transfer from General Fund unappropriated surplus; Department of Education, Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account; fiscal year 2015-16. Notwithstanding any other provision of law, the State Controller shall transfer \$750,000 from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education no later than June 30, 2016.

Sec. PP-2. Transfer from General Fund unappropriated surplus; Department of Education, Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account; fiscal year 2016-17. Notwithstanding any other provision of law, the State Controller shall transfer \$750,000 from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education no later than June 30, 2017.

PART QQ

Sec. QQ-1. Rename PK-20, Adult Education and Federal Programs Team program. Notwithstanding any other provision of law, the PK-20, Adult Education and Federal Programs Team program within the Department of Education is renamed the Learning Systems Team program.

PART RR

Sec. RR-1. 22 MRSA §7802, sub-§2, ¶B, as amended by PL 2013, c. 179, §6, is further amended to read:

B. The terms of full licenses or approvals are as follows.

- (1) Except as provided in subparagraphs (2) to (7), the term of all full licenses and ap-

provals issued pursuant to this chapter is for one year or the remaining period of a conditional or provisional license that has been issued for less than one year.

(2) The term of a children's residential care facility license is for 2 years.

(3) The term of a drug treatment center license ~~may be~~ is for ~~either one or~~ 2 years.

(4) The term of a family foster home or specialized foster home license is for 2 years.

(5) The term of a child care facility license issued under section 8301-A, subsection 2 is for 2 years.

(6) The term of a home day care certificate issued under section 8301-A, subsection 3 is for 2 years.

(7) The term of an adult day care program license pursuant to chapter 1679 is for either one or 2 years at the discretion of the department.

Sec. RR-2. 22 MRSA §8003, as enacted by PL 1975, c. 719, §6, is repealed and the following enacted in its place:

§8003. Fees and terms for licenses

License fees and terms for drug treatment centers are governed by this section.

1. Provisional license. The application fee for a provisional license for a drug treatment center may not be less than \$100 nor more than \$280. The term of a provisional license is for one year.

2. Full license. The application fee for a full license for a drug treatment center may not be less than \$100 nor more than \$280. The term of a full license is for 2 years.

3. Biennial renewal of a full license. The fee for the biennial renewal of a full license for a drug treatment center may not be less than \$70 nor more than \$170.

4. Adding a service site to a license. The processing fee to add a service site to an issued license for a drug treatment center may not be less than \$35 nor more than \$70.

5. Adding a service to a license. The processing fee to add a service to an issued license for a drug treatment center may not be less than \$70 nor more than \$140.

6. Fee to replace a license. A licensee under this section shall maintain a valid license. An issued license is not valid when the information on the license is no longer accurate. A processing fee not to exceed \$10 must be paid to the department to secure a reissued license with accurate information. The fee applies

to each license replaced. The reissued license must have the same expiration date as the replaced license.

7. Transaction fee for electronic renewal of license. The transaction fee for the electronic renewal of a license for a drug treatment center may not be less than \$25 nor more than \$50. The transaction fee may not exceed the cost of providing the electronic renewal service.

8. Rules. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. RR-3. 22 MRSA §8108 is enacted to read:

§8108. Fees and terms for licenses

License fees and terms for children's residential care facilities are governed by this section.

1. Provisional license. The application fee for a provisional license for a children's residential care facility may not be less than \$100 nor more than \$280. The term of a provisional license is for one year.

2. Full license. The application fee for a full license for a children's residential care facility may not be less than \$100 nor more than \$280. The term of a full license is for 2 years.

3. Fee for biennial renewal of a full license. The fee for the biennial renewal of a full license for a children's residential care facility may not be less than \$70 nor more than \$170.

4. Fee to add a service site to a license. The processing fee to add a service site to an issued license for a children's residential care facility may not be less than \$35 nor more than \$70.

5. Fee to add a service to a license. The processing fee to add a service to an issued license for a children's residential care facility may not be less than \$70 nor more than \$140.

6. Fee to replace a license. A licensee under this section shall maintain a valid license. An issued license is not valid when the information on the license is no longer accurate. A processing fee not to exceed \$10 must be paid to the department to secure a reissued license with accurate information. The fee applies to each license replaced. The reissued license must have the same expiration date as the replaced license.

7. Transaction fee for electronic renewal of license. The transaction fee for the electronic renewal of a license for a children's residential care facility may not be less than \$25 nor more than \$50. The transaction fee may not exceed the cost of providing the electronic renewal service.

8. Rules. The department shall adopt rules to implement this section. Rules adopted pursuant to this

subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. RR-4. 34-B MRSA §1203-A, sub-§1, ¶B, as amended by PL 2003, c. 369, §1 and affected by §2, is further amended to read:

B. A full license ~~must be issued for a specified period of time appropriate to the type of agency or facility, but not to exceed 3 years~~ is issued for a term of 2 years.

Sec. RR-5. 34-B MRSA §1203-A, sub-§4, as enacted by PL 1989, c. 227, §1, is amended to read:

4. Licensing fees and terms. ~~The fee for all types of licenses is \$25, except~~ Except for those children's residential care facilities defined in Title 22, section 8101, subsection 4 and licensed in accordance with Title 22, section 8104, fees and terms for licenses under this section are as follows.

A. The application fee for a provisional license may not be less than \$100 nor more than \$280. The term of a provisional license is established pursuant to subsection 3, paragraph C.

B. The application fee for a full license may not be less than \$100 nor more than \$280. The term of a full license is for 2 years.

C. The fee for the biennial renewal of a full license may not be less than \$70 nor more than \$170.

D. The processing fee to add a service site to an issued license may not be less than \$35 nor more than \$70.

E. The processing fee to add a service to an issued license may not be less than \$70 nor more than \$140.

F. A licensee under this section shall maintain a valid license. An issued license is not valid when the information on the license is no longer accurate. A processing fee not to exceed \$10 must be paid to the department to secure a reissued license with accurate information. The fee applies to each license replaced. The reissued license must have the same expiration date as the replaced license.

G. The transaction fee for the electronic renewal of a license may not be less than \$25 nor more than \$50 for the electronic renewal of a license. The transaction fee may not exceed the cost of providing the electronic renewal service.

H. The department shall adopt rules to implement this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

PART SS

Sec. SS-1. Department of Health and Human Services to convene stakeholder group regarding methadone treatment.

The Department of Health and Human Services, referred to in this Part as "the department," shall convene a stakeholder group, including representatives of patients receiving methadone treatment and outpatient methadone treatment providers, consistent with state and federal law, for the purpose of developing criteria related to outpatient methadone treatment as set forth in this section. The stakeholder group shall conclude its work by November 15, 2015.

1. Treatment criteria. The stakeholder group shall consider the establishment of criteria for receiving methadone treatment that may include one or more of the following:

A. A physician's determination that methadone treatment is medically appropriate for a patient based on the criteria established by the American Society for Addiction Medicine or similar criteria;

B. Criteria involving a patient who had received opioid addiction treatment within the past 6 months under a treatment method other than methadone treatment, including detoxification treatment, medication-assisted treatment through buprenorphine or similar medication, abstinence-based treatment or other treatment method, and the treatment was determined by a physician trained in addiction medicine not to be effective or otherwise medically appropriate; or

C. Criteria involving a patient who sought opioid addiction treatment through a treatment method other than methadone treatment within the prior 6 months but was unable to obtain the treatment.

The treatment criteria must include the requirement that a patient seeking methadone treatment be at least 18 years of age. A patient must be granted automatic approval to receive methadone treatment if treatment for the patient is court-ordered or the patient is pregnant.

2. Prior approval. The stakeholder group shall review the department's existing criteria for prior approval of a patient to continue methadone treatment beyond 24 months. The stakeholder group shall consider the need for additional criteria to ensure that methadone treatment continues to be medically appropriate for patients, including one or more of the following:

A. All applicable criteria for receiving treatment under subsection 1;

B. Evidence of active engagement in treatment services and supports;

C. Criteria for establishing a medication level at the lowest effective dosage as is medically appropriate for the patient; or

D. Evidence of progress in at least one of the following categories:

(1) Reunification with family;

(2) Employment or engagement in education or volunteer work;

(3) A reduction in illicit behavior related to addiction in the preceding 6 months;

(4) Physical health improvement; or

(5) Engagement in spiritual or community activities.

3. Treatment services. The stakeholder group shall review opportunities to create a care delivery model focused on progress, recovery and reintegration through improved oversight, including opportunities to reduce transportation costs, improve staffing and services and improve the cost-effectiveness of treatment services. The review shall consider the level of services available through other treatment methods and include, but not be limited to, the services provided by an on-site medical director or designee, on-site behavioral health and addiction counseling services and vocational and educational services and the appropriate development, as needed, of quality improvement and quality assurance programs that help patients receiving clinically based services to accomplish their treatment goals during their approved term of treatment.

Sec. SS-2. Report. The stakeholder group shall submit a report to the department and to the Joint Standing Committee on Health and Human Services with its findings and recommendations for changes, as identified pursuant to this Part, no later than December 1, 2015. Any changes to methadone treatment made by the department, pursuant to the proposed changes included in the stakeholder group's report, must take effect March 1, 2016.

PART TT

Sec. TT-1. 22 MRSA §254-D, sub-§4, ¶B, as enacted by PL 2005, c. 401, Pt. A, §2, is amended to read:

B. An individual is eligible for the program if that individual:

(1) Is a legal resident of the State;

(2) Meets the income eligibility criteria set forth in this section or is eligible for both MaineCare and Medicare Part D;

(3) Does not receive full MaineCare pharmaceutical benefits; ~~and~~

(4) Is at least 62 years of age, or is 19 years of age or older and determined to be disabled

by the standards of the federal social security program. A person who was eligible for the program at any time from August 1, 1998 to July 31, 1999 and who does not meet the requirements of this subparagraph at the time of application or renewal retains eligibility for the program if that person is a member of a household of an eligible person; and

(5) Does not have more than \$50,000 individually or more than \$75,000 per couple in liquid assets.

PART UU

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

PART VV

Sec. VV-1. 5 MRSA §1591, sub-§2, ¶F, as enacted by PL 2013, c. 368, Pt. MMM, §3, is amended to read:

F. Any balance remaining in the Medicaid Waiver for Brain Injury Residential/Community Services program, General Fund account at the end of any fiscal year to be carried forward for use in the next fiscal year; and

Sec. VV-2. 5 MRSA §1591, sub-§2, ¶G, as enacted by PL 2013, c. 368, Pt. MMM, §4, is amended to read:

G. Any balance remaining in the Medicaid Waiver for Other Related Conditions program, General Fund account at the end of any fiscal year to be carried forward for use in the next fiscal year;

Sec. VV-3. 5 MRSA §1591, sub-§2, ¶¶H and I are enacted 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.

PART WW

Sec. WW-1. 34-B MRSA §3011 is enacted to read:

§3011. Bridging Rental Assistance Program

The Bridging Rental Assistance Program is established within the department as a transitional housing voucher program. The purpose of the program is to assist persons with mental illness with housing assistance for up to 24 months or until they receive assistance from a housing voucher program administered by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 412, Section 8 or receive an alternative housing placement. The department shall adopt rules to carry out the purpose of the program. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

PART XX

Sec. XX-1. 22 MRSA §3273, sub-§7-A, as enacted by PL 2009, c. 462, Pt. I, §2, is amended to read:

7-A. Transfer of funds prohibited. Funds appropriated to support benefits authorized under sections 3271 and 3274 may not be transferred by financial order unless the funds are transferred to the Department of Health and Human Services, Departmentwide program. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART YY

Sec. YY-1. Study. The Department of Transportation, in consultation with the cities of Lewiston and Auburn and the Northern New England Passenger Rail Authority, shall conduct a study and complete a plan for the implementation of passenger rail service between the cities of Lewiston and Auburn and the Amtrak Downeaster service. The plan must include a process for public review and comment and must incorporate information from completed studies and new information, including, but not limited to:

1. An analysis of market demand and the potential economic benefits associated with the implementation of passenger rail service between the cities of Lewiston and Auburn and the Amtrak Downeaster service, and potential future expansion to Montreal;

2. The development of a detailed service plan to meet travel demand and identified economic opportunities, including frequency and schedule of service, station locations, equipment types and seating capacity, marketing, management and operator plans and estimated annual operating costs;

3. An inventory of infrastructure needed to support operations, including mechanical facilities, with an estimate of the necessary capital investments;

4. An evaluation of potential financing mechanisms for capital and operating expenses and an implementation approach and schedule; and

5. A review of potential alternatives and environmental impacts associated with the proposed service, including station locations and necessary investments.

Sec. YY-2. Transfer from unappropriated surplus of the General Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$150,000 no later than July 15, 2015 from the unappropriated surplus of the General Fund to the Multimodal - Passenger Rail program, Other Special Revenue Funds account in the Department of Transportation.

Sec. YY-3. Community match. Notwithstanding any other provision of law, no later than November 1, 2015, the cities of Lewiston and Auburn each shall remit \$50,000 to the State for the purposes of funding the study and plan for the implementation of passenger rail service between the cities of Lewiston and Auburn and the Amtrak Downeaster service pursuant to section 1 of this Part. The Treasurer of State shall deposit the funds in the Multimodal - Passenger Rail program, Other Special Revenue Funds account in the Department of Transportation.

PART ZZ

Sec. ZZ-1. Transfer of funds. Notwithstanding any other provision of law, for fiscal year 2015-16 and 2016-17 only, the Department of Health and Human Services is authorized to transfer available balances of All Other or Personal Services appropriations, after all salary, benefit and other obligations are met, in the Developmental Services - Community program account to the Personal Services line category of the Crisis Outreach Program account by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART AAA

Sec. AAA-1. Home-delivered meals. The Department of Health and Human Services shall file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request that home-delivered meals be a reimbursable covered service under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 19, Home and Community Benefits for the Elderly and for Adults with Disabilities. Individuals receiving the home-delivered meal services under the waiver must both qualify for Section 19 services and be experiencing a transition of care, have a debilitating

or acute illness or be primarily homebound and unable to prepare nutritious meals.

PART BBB

Sec. BBB-1. PL 2007, c. 240, Pt. X, §2, as amended by PL 2013, c. 368, Pt. VVV, §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, ~~2015~~ 2017, 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 CCC

Sec. CCC-1. 5 MRSA §12004-I, sub-§12-B is enacted to read:

12-B.

<u>Education</u>	<u>Commission</u>	<u>Expenses</u>	<u>20-A MRSA</u>
	<u>To End</u>	<u>Only</u>	<u>§6663</u>
	<u>Student</u>		
	<u>Hunger</u>		

Sec. CCC-2. 20-A MRSA §6663 is enacted to read:

§6663. Commission To End Student Hunger

The Commission To End Student Hunger, as established in Title 5, section 12004-I, subsection 12-B and referred to in this section as "the commission," is established within the department as set forth in this section.

1. Commission membership. The commission consists of 11 members as follows:

A. One member of the Senate appointed by the President of the Senate, from the party holding the largest number of seats in the Legislature;

B. One member of the House of Representatives appointed by the Speaker of the House, from a party other than the party holding the largest number of seats in the Legislature;

C. Three public members appointed by the President of the Senate, chosen from 3 of the following options:

(1) One member from a statewide organization dedicated to food security;

(2) One member from a statewide or regional organization dedicated to alleviating child hunger;

(3) One member from a statewide or regional organization that runs a food pantry; and

(4) One member who is a food service director in a municipality or school administrative unit that uses the United States Department of Agriculture community eligibility provision, as provided in 42 United States Code, Section 1759a(a)(1)(F);

D. Three public members appointed by the Speaker of the House, chosen from 3 of the following options:

(1) One member from a statewide or regional farm organization;

(2) One member from a statewide or regional organization that runs a school food program for students in at-risk areas;

(3) One member who is a superintendent of a school administrative unit; and

(4) One member who is an elected official in a municipality that participates in the United States Department of Agriculture community eligibility provision, as provided in 42 United States Code, Section 1759a(a)(1)(F);

E. One public member appointed by the Governor who is a parent of a child who has used or is using free or reduced-price student meal programs;

F. The commissioner or the commissioner's designee; and

G. The Commissioner of Health and Human Services or the commissioner's designee.

2. Chairs. For the first 2 years of the commission, the Senate member is the Senate chair and the House of Representatives member is the House chair. In subsequent years, the chair of the commission must be elected by the members of the commission at the first meeting of each year.

3. Appointments; vacancies; quorum. A nonlegislative member of the commission must be appointed for a 2-year term. A member may continue to serve until the member's replacement is appointed. When a vacancy exists, the appointing authority shall appoint a new member from the same category as the member vacating the commission. A quorum consists of 6 members.

4. Duties; funding. The commission shall meet at least 2 and no more than 4 times per year. The commission shall work to implement the 5-year plan to end student hunger developed by the Task Force To End Student Hunger in Maine pursuant to Resolve 2013, chapter 107, shall monitor the plan and shall update it if necessary. In addition, the commission may conduct public meetings throughout the State to highlight the issue of student hunger. Every one or 2 years the commission may conduct a statewide summit of state leaders regarding ending student hunger. The

commission shall provide advice regarding the responsibilities of and supervision of the hunger coordinators in their working across the State and performing the following functions within school administrative units and communities:

A. Compile and analyze data to identify opportunities to increase food security and the progress made in decreasing student hunger;

B. Raise awareness of food insecurity and of opportunities and best practices to decrease food insecurity;

C. Assist school board and school food service directors and community leaders in understanding, applying for and complying with the requirements of the child nutrition programs offered by the United States Department of Agriculture and understanding the effect of the programs on students, schools and communities; and

D. Report by November 15th each year to the commission on food insecurity in communities and school administrative units and the progress made in decreasing student hunger.

5. Staff assistance. The department shall provide necessary staffing services to the commission.

6. Report; legislation. By January 10th each year, the commission shall submit to the joint standing committee of the Legislature having jurisdiction over education matters a report that includes findings and recommendations for action to eliminate student hunger. The commission is authorized to submit to the Legislature legislation as the commission may determine to be appropriate.

Sec. CCC-3. Collaboration to reduce student hunger. The Department of Education and the Department of Health and Human Services shall collaborate to reduce student hunger through the following actions.

1. Using new state funding and creating a new position, the Department of Education and the Department of Health and Human Services shall increase communication and cooperation between the 2 departments and the monitoring of child hunger and nutrition programs in both departments. Representatives of the departments shall meet quarterly to collaborate on child hunger and nutrition programs. The departments shall provide quarterly reports to the joint standing committee of the Legislature having jurisdiction over education matters and to the Commission To End Student Hunger, established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 12-B, on their quarterly meetings and on cooperation between the departments regarding child hunger and nutrition programs.

2. The Department of Education and the Department of Health and Human Services shall expand ac-

cess to departmental data in order to measure and track access to and participation in child hunger and nutrition programs under the jurisdiction of both departments. The departments shall provide each school administrative unit and school with analyses of its existing child hunger and nutrition programs and their funding and federal funding not being used. The departments shall make student meal program data available on their publicly accessible websites.

Sec. CCC-4. Encouraging participation in federal meals and snacks programs for students. The Department of Education and the Department of Health and Human Services shall encourage the congressional delegation of the State to make participation in federal meals and snacks programs for students easier for school administrative units and nonprofit organizations and to make administration of the programs easier for the Department of Education and the Department of Health and Human Services.

PART DDD

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

PART EEE

Sec. EEE-1. Transfer of funds. Notwithstanding any other provision of law, available balances of appropriations in the Nursing Facilities program in the Department of Health and Human Services may be transferred to support individuals who are transitioning to the Money Follows the Person/Homeward Bound program through the home-based care program by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART FFF

Sec. FFF-1. Transfer of funds. Notwithstanding any other provision of law, for fiscal years 2015-16 and 2016-17, the Department of Health and Human Services may transfer available balances of appropriations from the State-funded Foster Care/Adoption Assistance program in the All Other line category to the Office of Child and Family Services - Central and the Office of Child and Family Services - District programs to fund expenditures in the Personal Services or All Other line category that are incurred due to the cost of administering the child

welfare program. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART GGG

Sec. GGG-1. 20-A MRSA c. 333 is enacted to read:

CHAPTER 333

COMMUNITY SCHOOLS

§9921. Definitions

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

1. Community partner. "Community partner" means a provider of one or more of the following services to students, families or community members:

- A. Primary medical or dental care;
- B. Nurse home visitation services;
- C. Mental health treatment and counseling services;
- D. Developmentally appropriate physical education activities;
- E. Academic enrichment activities;
- F. Specialized instructional support services;
- G. Teacher home visits;
- H. Programs designed to improve student attendance at school, including programs that provide assistance to students who are truant or who have been suspended or expelled;
- I. Mentoring and other youth development programs, including peer mentoring and conflict mediation;
- J. Community service and service-learning opportunities;
- K. Early childhood education;
- L. Programs that promote parental involvement and family literacy;
- M. Parenting education activities;
- N. Parenting leadership development activities;
- O. Child care services;
- P. Youth and adult job training, internship opportunities and career counseling services;
- Q. Nutrition education;
- R. Adult education, including instruction in English as a second language;

S. Remedial education and enrichment activities, including expanded learning time;

T. Summer or after-school enrichment and learning experiences;

U. Legal services;

V. Juvenile crime prevention and rehabilitation programs;

W. Homelessness prevention services; or

X. Any appropriate services and programs authorized by a community school that are consistent with the services and programs specified in paragraphs A to W.

2. Community school. "Community school" means a public elementary or secondary school that:

A. Participates in a community-based effort to coordinate and integrate educational, developmental, family, health and other comprehensive services through community-based organizations and public and private partnerships; and

B. Provides access to services under paragraph A to students, families and the community, such as access during the school year to services before school hours, after school hours and during the weekend, as well as access to such services during the summer.

§9922. Establishment of a community school

Beginning October 1, 2015, a school board may designate an existing school or establish a new school as a community school.

1. Community school plan goals. A community school shall collaborate with community partners to provide services to students, families and community members that promote student success while addressing the needs of the whole student. A school board may designate or establish a community school as long as the community school plan developed by the school board is consistent with the following goals:

A. Improving student learning and development by providing support for students to enable them to graduate college-ready and career-ready;

B. Improving the coordination and integration, accessibility and effectiveness of services for children and families, particularly for students attending high-poverty schools, including high-poverty rural schools;

C. Enabling educators and school personnel to complement and enrich efforts to improve academic achievement and other results related to student learning and development;

D. Ensuring that children have the physical, social and emotional well-being to come to school ready to engage in the learning process every day;

E. Promoting and enabling family and community engagement in the education of children;

F. Enabling more efficient use of federal, state, local and private sector resources that serve children and families;

G. Facilitating the coordination and integration of programs and services operated by community-based organizations, nonprofit organizations and state, local and tribal governments;

H. Engaging students as resources for their communities; and

I. Engaging the business community and other community organizations as partners.

2. Audit. Following the designation or establishment of a community school, but prior to the opening of a community school, a school board shall conduct:

A. A community needs audit to identify the academic, physical, social, emotional, health, mental health and civic needs of students and their families that may affect student learning and academic achievement;

B. A community resource assessment of potential resources, services and opportunities available within or near the community that students, families and community members may access and integrate into the community school; and

C. For an existing school that has been designated as a community school, an operations and instructional audit.

3. Plan. A school board shall develop a community school plan for each school designated or established as a community school.

A. When developing a community school plan for the establishment of a new community school, the school board shall use the results of the community resource assessment under subsection 2, paragraph B to address the specific needs identified in the community needs audit under subsection 2, paragraph A.

B. When developing a community school plan for the designation of an existing school as a community school, the school board shall use the results of the community resource assessment under subsection 2, paragraph B to address the specific needs identified in the community needs audit under subsection 2, paragraph A and the operations and instructional audit under subsection 2, paragraph C.

C. A community school plan must coordinate, integrate and enhance services for students, families and community members at the community school to improve the academic achievement of

students and increase family and community involvement in education.

D. A community school plan must include cost estimates or an operational budget for the specified educational, developmental, family, health and other comprehensive services to be provided by the community school.

E. When developing a community school plan for the establishment of a new community school, a school board shall designate a community school coordinator to manage the partnerships with community partners participating in the community school plan.

4. Funding. The commissioner may provide state funding to the school administrative units in which community schools are located pursuant to section 15689-A, subsection 25. In providing funds under this subsection, the commissioner shall give priority to a qualified school administrative unit in which at least 40% of the students are economically disadvantaged students as determined pursuant to section 15675, subsection 2 and that has more economically disadvantaged students than other qualified school administrative units under this subsection.

5. Gifts, grants and donations. A school administrative unit may seek and accept public and private gifts, grants and donations to offset the costs of developing and implementing a community school plan under subsection 3. A gift, grant or donation received pursuant to this subsection must be approved by the school board prior to the receipt of the gift, grant or donation.

§9923. Pilot project for community schools

The department is authorized to designate 3 community schools established in accordance with this chapter as part of a 5-year pilot project beginning in the 2016-2017 school year. The commissioner shall provide state funding to the school administrative units in which the designated community schools are located and may employ a state community school coordinator to implement this pilot project. Annual state allocations for this pilot project may not exceed \$150,000.

This section is repealed July 1, 2021.

Sec. GGG-2. 20-A MRSA §15689-A, sub-§25 is enacted to read:

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

PART HHH

Sec. HHH-1. 2 MRSA §6, sub-§2, as amended by PL 2013, c. 491, §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, Department of Administrative and Financial Services;

Deputy Commissioner, Department of Corrections;

Public Advocate;

~~Deputy Commissioner~~ Two deputy commissioners, Department of Health and Human Services;

Chief Information Officer;

Associate Commissioner, Department of Corrections; and

Chief of the State Police.

Sec. HHH-2. 2 MRSA §6, sub-§11, as amended by PL 2007, c. 539, Pt. N, §2, is further amended to read:

11. Range 38. ~~The salaries~~ salary of 2 one deputy ~~commissioners~~ commissioner of the Department of Health and Human Services ~~are~~ is within salary range 38.

PART III

Sec. III-1. Department of Health and Human Services; transfer of funds for MaineCare payments authorized. Notwithstanding any provision of law, for fiscal years 2015-16 and 2016-17 only, available balances of appropriations, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, including available balances of Personal Services appropriations from any account within the Department of Health and Human Services, may be transferred between MaineCare, MaineCare-related and non-MaineCare-related accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

Sec. III-2. Transfer of Personal Services balances to All Other; state psychiatric centers. Notwithstanding any other provision of law, for fiscal years 2015-16 and 2016-17 only, the Department of Health and Human Services is authorized to transfer available balances of Personal Services appro-

priations in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program after all salary, benefit and other obligations are met to the All Other line category of those programs in order to provide funding for an electronic medical records system. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART JJJ

Sec. JJJ-1. 22 MRSA §259, sub-§1, as amended by PL 2001, c. 667, Pt. C, §12, is further amended to read:

1. Support for federally qualified health centers. The department shall provide support for federally qualified health centers as follows:

A. Seventy-five thousand dollars in fiscal years 2001-02 and 2002-03 as the state Medicaid match to contract for Medicaid outstationing services at federally qualified health centers; ~~and~~

B. Six hundred ninety-nine thousand, one hundred fifty dollars in fiscal year 2001-02 to federally qualified health centers to support the infrastructure of these programs in providing primary care services to underserved populations. Forty-four thousand, two hundred fifty dollars must be provided to each federally qualified health center with an additional \$8,850 for the 2nd and each additional site operated by a federally qualified health center. For the purposes of this paragraph, "site" means a site or sites operated by the federally qualified health center within its scope of service that meet all health center requirements, including providing primary care services, regardless of patients' ability to pay, 5 days a week with extended hours. If there is not sufficient funding to meet the formula in this paragraph, the \$699,150 must be allocated in proportion to the formula outlined in this paragraph; ~~and~~

C. Five hundred thousand dollars, beginning with fiscal year 2015-16 and continuing each fiscal year thereafter, to support access to primary medical, behavioral health and dental services to residents of the State in rural and underserved communities and to assist with provider recruitment and retention. Twenty-five thousand dollars must be provided to each federally qualified health center.

PART KKK

Sec. KKK-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before August 1, 2015, the State Controller shall transfer \$386,000 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.

PART LLL

Sec. LLL-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before August 1, 2015, the State Controller shall transfer \$37,000 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, 2016, the State Controller shall transfer \$37,000 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 MMM

Sec. MMM-1. 12 MRSA §10251, sub-§4, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

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

PART NNN

Sec. NNN-1. 12 MRSA §10202, sub-§9, as amended by PL 2013, c. 368, Pt. ZZ, §1, is further amended to read:

9. Fiscal Stability Program. The Fiscal Stability Program is established to ensure that the general public and hunters and anglers share the cost of the fish and wildlife conservation programs of the department. To achieve this goal, beginning with the ~~2016-2017~~ 2018-2019 biennial budget and for each biennial budget thereafter, the biennial budget submitted by the executive branch must include an additional General Fund appropriation of 18% in excess of the department's requested biennial budget.

PART OOO

Sec. OOO-1. 20-A MRSA §6602, sub-§12, as enacted by PL 2001, c. 447, §1, is amended to read:

12. Local Produce Fund. The Local Produce Fund is established within the ~~Department of Education~~ department. The fund is authorized to receive revenue from public and private sources. The fund must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of the fiscal year must be carried forward to the next fiscal year. The fund must be used to match \$1 for every \$3 a school administrative unit pays for produce or minimally processed foods purchased directly from a farmer ~~or~~ farmers' cooperative or local food hub in the State, to a maximum state contribution of \$1,000 or \$2,000 if funding is received and the school administrative unit sends a food service employee to local foods training administered by the department under subsection 13. At the end of the fiscal year, the school administrative unit may provide the department with receipts documenting purchases pursuant to this subsection during that year. For purposes of this subsection, "minimally processed" means only the washing, cleaning, trimming, drying, sorting and packaging of food items or a combination of those activities. Reimbursement or partial reimbursement to school administrative units may only be made up to the amount available in the fund. Failure to reimburse does not constitute an obligation on behalf of the State to a school administrative unit. The department shall apply for federal grant funding to provide state contributions in excess of \$1,000 pursuant to this subsection if applicable grant funding is available. The department may accept grant funding from hospitals and other sources to provide state contributions in excess of \$1,000 pursuant to this subsection.

Sec. 000-2. 20-A MRSA §6602, sub-§§13 to 15 are enacted to read:

13. Local foods training. The department shall administer a program to encourage and expand the use of local foods in school food service programs. As used in this subsection, unless the context otherwise indicates, "local food" means food produced or harvested by a Maine food producer as defined by Title 7, section 212, subsection 2, and "food hub" means any business or organization that locates and obtains food from local growers and fisheries and is able to handle the logistics of supplying and delivering local foods to schools. The program must:

A. Provide competitive grants for a training program to be conducted in up to 6 regions to provide training throughout the State without cost for local school food service programs to encourage and expand the use of local foods in school food service programs. The training program must emphasize practical training for food preparers, including creative and effective cooking skills using local fresh foods and local food procurement skills. The training program must also inform participants about practical supply chain solu-

tions, including local food hubs and cooperatives within and across each region of the State;

B. Foster collaboration between school food service programs throughout the State;

C. Facilitate and encourage the use of local food hubs; and

D. Provide guidance to schools in the use of local food products and the nutritional attributes of local foods and provide strategies for encouraging maximum knowledge and acceptance of the nutritional value of locally produced food by students and communities.

The department shall apply for federal grant funding to implement this subsection. The department may implement this subsection only if the department receives funding covering the costs of the program under this subsection.

14. Food service program personnel; position description. The department shall develop and post a model position description for school food service program personnel on its publicly accessible website. The position description must meet the federal guidelines established under the Nutrition Education and Training Program and Team Nutrition initiative of the National School Lunch Program under 7 Code of Federal Regulations, Part 210.

15. Food service recognition. The department shall provide for the development of an annual competitive skill-oriented school food service recognition based on criteria developed by the department emphasizing creative and effective use of local food products to attract students to eat healthier meals and snacks and promoting community interest in good nutrition and other factors determined by the department.

PART PPP

Sec. PPP-1. 14 MRSA §1215, as amended by PL 1991, c. 528, Pt. E, §13 and affected by Pt. RRR and amended by c. 591, Pt. E, §13, is further amended to read:

§1215. Mileage and compensation of jurors

A juror is entitled to paid mileage at the rate of 15¢ per mile for travel expenses from the juror's residence to the place of holding court and return ~~and, except that, beginning July 1, 2016, a juror is entitled to paid mileage at the rate established in Title 5, section 8.~~ A juror is entitled to compensation at the rate of ~~\$10~~ \$15 for each day of required attendance at sessions of the court.

PART QQQ

Sec. QQQ-1. 36 MRSA §5217-D, sub-§1, ¶A, as amended by PL 2013, c. 525, §15, is further amended to read:

A. "Benchmark loan payment" means the monthly loan payment for the amount of the principal cap paid over 10 years at the interest rate for federally subsidized Stafford loans under 20 United States Code, Section 1077a applicable during the individual's last year of enrollment at an accredited Maine community college, college or university or an accredited non-Maine community college, college or university under paragraph G, subparagraph (1), division (b).

Sec. QQQ-2. 36 MRSA §5217-D, sub-§1, ¶¶B-1 and D-1, as enacted by PL 2013, c. 525, §15, are amended to read:

B-1. "Financial aid package" means financial aid obtained by a student after December 31, 2007 for attendance at an accredited Maine community college, college or university after December 31, 2007. ~~For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2013, the financial aid package may include financial aid obtained for up to 30 credit hours of course work at an accredited non-Maine community college, college or university earned prior to transfer to an accredited Maine community college, college or university, if the 30 credit hours were earned after December 31, 2007 and the transfer occurred after December 31, 2012. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2016, who is eligible for a credit under paragraph G, subparagraph (1), division (b), the financial aid package may include financial aid obtained by a student for attendance at an accredited non-Maine community college, college or university after December 31, 2007. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2016, who is eligible for a credit under paragraph G, subparagraph (1), division (c), the financial aid package may include financial aid obtained by a student for attendance at an accredited Maine college or university after December 31, 2007. For purposes of an employer claiming a credit under this section for tax years beginning on or after January 1, 2013, the financial aid package may include financial aid obtained by a qualified employee after December 31, 2007 for attendance at an accredited non-Maine community college, college or university after December 31, 2007. The financial aid package may include private loans or less than the full amount of loans under federal programs, depending on the practices of the accredited Maine or non-Maine community college, college or university. Loans are includable in the financial aid package only if entered into prior to July 1, 2023.~~

D-1. "Principal cap" means:

(1) For an individual graduating from an accredited Maine community college, college or university before January 1, 2015, the amount calculated by the State Tax Assessor under Title 20-A, section 12542, former subsection 2-A;

(2) For an individual obtaining a bachelor's degree and graduating ~~from an accredited Maine community college, college or university~~ on or after January 1, 2015, the average in-state tuition and mandatory fees for attendance at the University of Maine System for the academic year ending during the calendar year prior to the year of graduation multiplied by 4; ~~and~~

(3) For an individual obtaining an associate degree and graduating ~~from an accredited Maine community college, college or university~~ on or after January 1, 2015, the average in-state tuition and mandatory fees for attendance at the Maine Community College System for the academic year ending during the calendar year prior to the year of graduation multiplied by 2; ~~and~~

(4) For an individual obtaining a graduate degree and graduating from an accredited Maine college or university, the average in-state tuition and mandatory fees for attendance at the University of Maine System for the academic year ending during the calendar year prior to the year of graduation multiplied by 4.

Sec. QQQ-3. 36 MRSA §5217-D, sub-§1, ¶G, as amended by PL 2013, c. 525, §15, is further amended to read:

G. "Qualified individual" means an individual, including the spouse filing a joint return with the individual under section 5221, who is eligible for the credit provided in this section. An individual is eligible for the credit if the individual:

(1) ~~Attended, and obtained an associate or a bachelor's degree from, an accredited Maine community college, college or university after December 31, 2007. The individual need not obtain the degree from the institution in which that individual originally enrolled, as long as all course work toward the degree is performed at an accredited Maine community college, college or university, except that an individual who transfers to an accredited Maine community college, college or university after December 31, 2012 from outside the State and earned no more than 30 credit hours of course work toward the degree at an accredited non-Maine community college, college or university after December 31, 2007~~

~~and prior to the transfer is eligible for the credit if all other eligibility criteria are met. Program eligibility for such an individual must be determined as if the commencement of course work at the relevant accredited Maine community college, college or university was the commencement of course work for the degree program as a whole;~~

(a) An associate or bachelor's degree from an accredited Maine community college, college or university after December 31, 2007;

(b) An associate or bachelor's degree from an accredited non-Maine community college, college or university after December 31, 2007; or

(c) A graduate degree from an accredited Maine college or university after December 31, 2007;

~~(2) Was a Maine resident while in attendance at the accredited Maine community college, college or university. For purposes of this subparagraph, "Maine resident" has the same meaning as in Title 20-A, section 12541, subsection 5;~~

~~(3) Lived in Maine while pursuing the degree, excepting periods when it was reasonably necessary for the individual to live elsewhere as part of the relevant institution's academic programs or while pursuing course work at an accredited non-Maine community college, college or university as provided in subparagraph (4);~~

~~(4) During the taxable year, was a resident individual; and~~

~~(5) Worked during the taxable year:~~

~~(a) For tax years beginning prior to January 1, 2015, at least part time for an employer located in this State or, for tax years beginning on or after January 1, 2013, was, during the taxable year, deployed for military service in the United States Armed Forces, including the National Guard and the Reserves of the United States Armed Forces; or~~

~~(b) For tax years beginning on or after January 1, 2015, at least part time in this State for an employer or as a self-employed individual or was, during the taxable year, deployed for military service in the United States Armed Forces, including the National Guard and the Reserves of the United States Armed Forces.~~

As used in this subparagraph, "deployed for military service" has the same meaning as in Title 26, section 814, subsection 1, paragraph A.

Sec. QQQ-4. 36 MRSA §5217-D, sub-§2, ¶B, as amended by PL 2013, c. 525, §15, is further amended to read:

B. A taxpayer may claim a credit based on loan payments actually made to a relevant lender or lenders under this section only with respect to loans that are part of the qualified individual's financial aid package and, for tax years beginning on or after January 1, 2015, only with respect to loan payment amounts paid by the taxpayer during that part of the taxable year that the qualified individual worked in this State. Payment of loan amounts in excess of the amounts due during the taxable year does not qualify for the credit. Refinanced loans or consolidated loans that are part of the qualified individual's financial aid package are eligible for the credit under this section ~~if the refinanced loans remain separate from other debt, including debt incurred in an educational program other than the degree program for which a credit is claimed but only in proportion to the portion of the loan payments that are otherwise eligible under this section.~~ Forbearance or deferment of loan payments does not affect eligibility for the credit under this section. For tax years beginning on or after January 1, 2015, an individual who worked in this State for any part of a month during the Maine residency period of the taxable year is considered to have worked in this State for the entire month. For tax years beginning on or after January 1, 2015, an individual who worked outside this State for an entire month during the Maine residency period is considered to have worked in this State during that month, except that in no case may this exception exceed 3 months during the Maine residency period of the taxable year.

Sec. QQQ-5. 36 MRSA §5217-D, sub-§2-A is enacted to read:

2-A. Limitation. A credit claimed by a qualified individual based on eligibility under subsection 1, paragraph G, subparagraph (1), division (b) or (c) may be claimed only on returns filed for tax years beginning on or after January 1, 2016. A credit based on loan payments made prior to January 1, 2016 is not available to any individual based on eligibility under subsection 1, paragraph G, subparagraph (1), division (b) or (c).

Sec. QQQ-6. Application. This Part applies to tax years beginning on or after January 1, 2016.

PART RRR

Sec. RRR-1. 2 MRSA §6, sub-§2, as amended by PL 2013, c. 491, §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, Department of Administrative and Financial Services;
 Deputy Commissioner, Department of Corrections;
 Public Advocate;
 Deputy Commissioner, Department of Health and Human Services;
 Chief Information Officer;
 Associate Commissioner, Department of Corrections; ~~and~~
 Chief of the State Police; and
Securities Administrator, Office of Securities.

Sec. RRR-2. 2 MRSA §6, sub-§4, as repealed and replaced by PL 2007, c. 695, Pt. A, §5 and affected by §47 and amended by PL 2011, c. 286, Pt. B, §5, is further amended to read:

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

Director, Bureau of Air Quality;
 Director, Bureau of Land and Water Quality;
 Director, Bureau of Remediation and Waste Management;
 Deputy Commissioner, Environmental Protection;
 Director, Office of Professional and Occupational Regulation; and
~~Administrator, Office of Securities; and~~
 Deputy Chief of the State Police.

PART SSS

Sec. SSS-1. 20-A MRSA §6103, sub-§3-A, as amended by PL 2005, c. 519, Pt. I, §1, is further amended to read:

3-A. Fees. ~~The commissioner~~ Commissioner of Public Safety shall assess a fee of \$55 for each initial criminal history record check and \$24 for each renewal criminal history record check required by this section.

Sec. SSS-2. 20-A MRSA §6103, sub-§6, as amended by PL 2005, c. 457, Pt. CC, §3, is further amended to read:

6. Fingerprinting. The applicant shall submit to having fingerprints taken. The Maine State Police, upon payment by the applicant or any other entity required by law of the expenses specified in subsection 3-A, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Maine State Police for purposes of this section must be paid over to the Treasurer of State for deposit in accordance with Title 20-A, section 6103, subsection 10 the State Police program, Other Special Revenue Funds account in the Department of Public Safety for the purpose of funding the costs of the Department of Public Safety to administer the criminal history record checks under this section.

Sec. SSS-3. 20-A MRSA §6103, sub-§10, as enacted by PL 2005, c. 457, Pt. CC, §4, is amended to read:

10. Criminal History Record Check Fund. The Criminal History Record Check Fund is created as a dedicated fund within the Department of Education for the ~~deposit of any fees collected pursuant to subsection 3-A transfer of funds from the Department of Public Safety to cover a portion of the cost of a position that issues certificates. The purpose of the fund is to reimburse the Department of Public Safety, State Bureau of Identification for the cost of conducting the fingerprinting and needed state and national criminal history record checks pursuant to this section.~~ The fund may not lapse, but must be carried forward to carry out the purposes of this chapter.

Sec. SSS-4. 25 MRSA §1541, sub-§6, as amended by PL 2013, c. 267, Pt. B, §22, is further amended to read:

6. Establishment of fees. The State Bureau of Identification may charge a fee to individuals, non-governmental organizations, governmental organizations that are engaged in licensing and governmental organizations that are not a governmental entity of the State, a county of the State or a municipality of the State for each criminal history record check requested for noncriminal justice purposes pursuant to Title 16, chapter 7. The requestor shall provide a name and date of birth for each record being requested. A re-

quest made pursuant to 5 United States Code, Section 9101 must be accompanied by fingerprints. A governmental organization that is engaged in licensing may charge an applicant for the cost of the criminal history record check. The commissioner shall establish a schedule of fees that covers the cost of providing these services. One dollar of each fee generated under this subsection must be deposited to the Other Special Revenue Funds account within the Bureau of State Police to offset the cost of maintenance and replacement of both hardware and software associated with the criminal history record check system. The remaining revenues generated from these fees must be credited to the General Fund.

Notwithstanding any other provision of law, the full fee charged for fingerprint-supported criminal history record checks fees as collected pursuant to Title 20-A, section 6103, subsection 3-A must be deposited in the State Police program, Other Special Revenue Funds account for the purpose of funding the costs of the Department of Public Safety to administer the criminal history record check program. Notwithstanding any provision of law, all fees associated with any criminal history record check requirements established after July 1, 2015 must be deposited in a dedicated revenue account for the purposes of paying costs incurred by the Department of Public Safety, State Bureau of Identification to conduct such checks.

Sec. SSS-5. Transfer of funds. Notwithstanding any other provision of law, the Department of Education shall transfer \$500,000 from the Criminal History Record Check Fund program, Other Special Revenue Funds account to the Department of Public Safety, State Police program, Other Special Revenue Funds account by July 31, 2015.

PART TTT

Sec. TTT-1. Carrying provision; Department of Secretary of State, Administration - Archives. Notwithstanding any other provision of law, the State Controller shall carry forward any unexpended balance in the Personal Services and All Other line categories at the end of fiscal years 2014-15 and 2015-16 to the next fiscal year in the Department of Secretary of State, Administration - Archives program. The amounts carried forward may be transferred to the All Other line category upon the recommendation of the State Budget Officer and approval of the Governor for the purpose of providing funding for archive activities.

PART UUU

Sec. UUU-1. Transfer from General Fund undedicated revenue; Callahan Mine Site Restoration, Department of Transportation. Notwithstanding any other provision of law, the State Controller shall transfer \$900,000 by August 15, 2015 and \$750,000 by August 15, 2016 from the General

Fund unappropriated surplus to the Callahan Mine Site Restoration program, Other Special Revenue Funds account within the Department of Transportation to be used to design and implement clean-up initiatives at the Callahan Mine site.

PART VVV

Sec. VVV-1. 34-A MRSA §1403, sub-§2, ~~¶D~~, as enacted by PL 2013, c. 491, §3, is amended to read:

D. The commissioner may appoint and set the salary for a director of operations, and a policy development coordinator ~~and a media and public information officer~~ to assist in carrying out the responsibilities of the department. An appointment is for an indeterminate term and until a successor is appointed and qualified or during the pleasure of the commissioner.

PART WWW

Sec. WWW-1. Continuation of limited-period positions. Notwithstanding any provision of law to the contrary, all limited-period positions throughout State Government that are scheduled to expire during June 2015 are continued until August 1, 2015.

PART XXX

Sec. XXX-1. Transfer to General Fund; Bureau of Revenue Services Fund program, Bureau of Revenue Services Fund account. Notwithstanding any other provision of law, the State Controller shall transfer \$100,000 no later than June 30, 2016 from the Bureau of Revenue Services Fund program, Bureau of Revenue Services Fund account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus.

Sec. XXX-2. Transfer to General Fund; Bureau of Revenue Services Fund program, Bureau of Revenue Services Fund account. Notwithstanding any other provision of law, the State Controller shall transfer \$100,000 no later than June 30, 2017 from the Bureau of Revenue Services Fund program, Bureau of Revenue Services Fund account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus.

PART YYY

Sec. YYY-1. 5 MRSA §2002, sub-§11, as enacted by PL 2005, c. 12, Pt. SS, §16, is amended to read:

11. State funds. "State funds" means bond revenues and General Fund money appropriated ~~or allocated~~ by the Legislature for the purposes of this chapter.

Sec. YYY-2. 5 MRSA §2006, sub-§4, as enacted by PL 2013, c. 122, §1, is amended to read:

4. Matching funds. ~~Money in the accounts~~ State funds used to purchase geospatial data must be matched by funding from other sources at at least a one-to-one ratio.

PART ZZZ

Sec. ZZZ-1. Department of Administrative and Financial Services, Information Services program, General Fund account carry-forward. Notwithstanding any provision of law to the contrary, any balance remaining in the Department of Administrative and Financial Services, Information Services program, General Fund account at the close of fiscal year 2015-16 and fiscal year 2016-17 may not lapse and must be carried forward in the same program.

PART AAAA

Sec. AAAA-1. 20-A MRSA §12730 is enacted to read:

§12730. Put ME to Work Program

1. Establishment; purpose. The Put ME to Work Program, referred to in this section as "the program," is established within the centers. The program must facilitate the establishment of job training programs at community colleges in this State by working with private businesses and community colleges.

2. Job training programs; criteria. The job training programs in the program must provide training to prepare workers for jobs in high-demand fields. The centers shall work with private businesses and trade associations to determine the demand for jobs and the skills needed for those jobs in those industries and with community colleges to determine the ability of those institutions to provide the appropriate education and training, including teaching faculty and any necessary infrastructure. A qualified job training program must meet the following criteria:

A. Support of at least 50% of the start-up costs for the job training program must be provided by a business or group of businesses or an industry partnership that chooses to participate in a job training program. The support may be provided through funds or through an in-kind contribution, such as equipment or teaching faculty;

B. The job training program must provide education or training for employment in a trade or industry with a significant demand for skilled labor either statewide or in a region that has been identified by the Center for Workforce Research and Information within the Department of Labor as providing employment for high-compensation jobs or in an industry in which technology or work practices have significantly changed to require training to assist new workers to acquire needed skills or incumbent workers to remain current and competitive;

C. A person who successfully completes the job training program must be awarded a certificate, degree or similar credential that is universally recognized by the trade or industry that meets the requirements of paragraph B in which the person intends to seek employment; and

D. In order to participate, a business must agree to hire a person who successfully completes the job training program at a post-training wage that is at least \$2.50 per hour more than the minimum hourly wage rate established in state law and to provide successful incumbent worker trainees with an increase in the hourly wage to meet or exceed the median wage for that occupation in the State as identified by the Center for Workforce Research and Information within the Department of Labor.

3. Financial aid; funding. The centers shall make available needs-based scholarships, grants and other financial aid to persons participating in a qualified job training program. If the job training program includes academic credit, the program may coordinate with the financial aid office of the sponsoring postsecondary education institution to deliver an award to an individual student; the award must be used to assist with all or partial unmet expenses for tuition, fees or books after any existing financial aid resources are used. The centers may accept funding from private businesses and other interests for this purpose.

4. Rules. The Board of Trustees of the Maine Community College System shall amend or adopt as necessary the centers' operational policies and procedures in order to implement the provisions of this section. In selecting awardees for the program, the board of trustees shall consider:

A. Whether the business or industry partnership provides fringe benefits and what those fringe benefits are;

B. Economic impacts to the local or regional economy;

C. The ability of the business or industry partnership to leverage other resources both in the short term and the long term;

D. The record of the business or industry partnership in training individuals who have historically faced barriers to employment and individuals who are unemployed or underemployed;

E. Occupational outcomes of individuals who have been trained by the business or industry partnership; and

F. Factors determined appropriate by the board of trustees.

Recruitment of prospective trainees and preliminary screening and testing for funded partnerships must be

done in conjunction with the Department of Labor's career centers, as well as with state job training providers, industry partners and other referring organizations as appropriate and consistent with the program.

To be considered eligible for training under this program, applicants must meet the specific training program's related academic and admissions standards. Individuals that do not meet threshold academic standards may be referred to available community remediation services. Individuals enrolled in the program must maintain satisfactory academic performance and meet all requirements in order to continue enrollment in the program.

PART BBBB

Sec. BBBB-1. 29-A MRSA §501, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Passenger vehicles for hire. The fee for a passenger vehicle used for hire is double the fee provided in subsection 1, except that for a passenger vehicle used for hire that is equipped with adaptive equipment to make that vehicle accessible by a person with a disability the fee is the same fee provided in subsection 1. The Secretary of State may issue a 2nd registration for the same vehicle at no additional fee.

Sec. BBBB-2. 36 MRSA §1483, sub-§15, as amended by PL 2007, c. 404, §2 and affected by §4, is further amended to read:

15. Adaptive equipment. Adaptive equipment installed on a motor vehicle owned by a disabled person or the family of a disabled person or by a carrier engaged in furnishing passenger service for hire to make that vehicle operable or accessible by a disabled person; and

PART CCCC

Sec. CCCC-1. 5 MRSA §17704-B, as amended by PL 2009, c. 213, Pt. SSS, §2 and c. 474, §18, is further amended to read:

§17704-B. Back contributions for certain days off without pay

1. Election. If the retirement system determines at the time a member retires that the member's benefit would be increased as a result of the inclusion of compensation that would have been paid for days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay in fiscal year 2002-03, 2009-10 ~~or~~, 2010-11 or 2012-13, or a combination thereof, as provided in section 17001, subsection 4, paragraph A, the retirement system shall advise the member of that result and shall allow the member to elect to have that compensation included in the calculation of the member's benefit and to make payments set forth in subsection 2.

2. Payment. The amount that a member who makes the election permitted in subsection 1 must pay is the amount equal to the employee contribution that member would have made on compensation that would have been paid to that member on the days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay during fiscal year 2002-03, 2009-10 ~~or~~, 2010-11 or 2012-13, or a combination thereof, as provided in section 17001, subsection 4, paragraph A, plus interest at a rate, to be set by the board, not to exceed regular interest by 5 or more percentage points. Interest must be computed beginning at the end of the year when those contributions or pick-up contributions would have been made to the date of payment. If the member elects to make the payment, the retirement system shall withhold the required amount from the member's first retirement benefit check.

3. Benefit calculation. If the member fails to make the election within 31 days of the notification provided under subsection 1, the retirement system shall calculate the member's retirement benefit without inclusion of the days off without pay and without inclusion of the compensation that otherwise would have been paid if the freezing of merit pay and longevity pay had not occurred during fiscal year 2002-03, 2009-10 ~~or~~, 2010-11 or 2012-13, or a combination thereof, as provided in section 17001, subsection 4, paragraph A.

PART DDDD

Sec. DDDD-1. Use of salary plan authorized. Notwithstanding any provision of law to the contrary, the State Budget Officer may transfer up to \$6,500,000 in the fiscal year ending June 30, 2016 and up to \$6,500,000 in the fiscal year ending June 30, 2017 from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services to programs within the Department of Corrections to implement wage adjustments to aid in the recruitment and retention of employees and to provide parity between state correctional employees and county or regional jail employees who perform direct care or supervision of prisoners.

PART EEEE

Sec. EEEE-1. Vacancy report. The Department of Administrative and Financial Services, Bureau of the Budget shall review vacant positions, regardless of funding source. The bureau shall submit a report on its findings to the Joint Standing Committee on Appropriations and Financial Affairs by September 30, 2015 with any recommendations for eliminating vacant positions. The report must also be delivered to the Joint Standing Committee on Transportation if the report includes any positions that are partially or wholly funded by the Highway Fund or by internal service funds, enterprise funds or Other Special Revenue Funds accounts of the Department of Transporta-

tion, the Department of Public Safety or the Department of the Secretary of State.

PART FFFF

Sec. FFFF-1. Distribution of assistant district attorney positions. The Attorney General and the 8 district attorneys shall jointly develop a proposed policy on the distribution of assistant district attorney positions across all prosecutorial districts that is equitable to each district. The Attorney General and the district attorneys shall jointly submit a written report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Judiciary by September 1, 2015. The report must contain the proposed policy, a description of the process used to develop the proposed policy and any other information the Attorney General and the district attorneys believe is relevant. The Joint Standing Committee on Judiciary may report out legislation related to the report to the Second Regular Session of the 127th Legislature.

PART GGGG

Sec. GGGG-1. Commission established. Notwithstanding Joint Rule 353, the Commission To Study the Public Reserved Lands Management Fund, referred to in this Part as "the commission," is established.

Sec. GGGG-2. Commission membership. The commission consists of the following members:

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

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

3. Four members appointed by the President of the Senate as follows:

- A. A commercial wood harvester;
- B. A state-licensed forester;
- C. A scientist who has studied forest health and management; and
- D. A representative of the tourism industry;

4. Four members appointed by the Speaker of the House as follows:

- A. A representative of a conservation organization;
- B. An individual who represents outdoor recreation interests;
- C. A representative of commercial timber holdings in the State; and

D. A representative of a sportsman's group;

5. The Commissioner of Agriculture, Conservation and Forestry, or the commissioner's designee; and

6. The Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry, or the director's designee.

Sec. GGGG-3. Chairs. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. GGGG-4. Appointments; convening of commission. All appointments must be made no later than 30 days following the effective date of this Part. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission within 45 days. If 30 days or more after the effective date of this Part a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

Sec. GGGG-5. Duties. The commission shall meet a minimum of 4 times to review, study and analyze:

1. The proper use of the Public Reserved Lands Management Fund established in the Maine Revised Statutes, Title 12, section 1849 and its possible expansion to other uses;

2. The proper sustainable harvest levels on state land and how best to maintain those levels;

3. How best to manage public lands to preserve forests for recreation, wildlife habitat and public use while ensuring a healthy working forest;

4. After reviewing data and current science, how best to manage the State's public lands to deal with possible pest and disease issues;

5. Investments in public lands to increase access to public lands and spur rural economic development;

6. The impact of outdoor recreation on the State's tourism economy and the role public lands play in that economy; and

7. Any other issues the commission feels necessary to protect and manage public lands and the funds derived from those public lands.

Sec. GGGG-6. Staff assistance. The Legislative Council shall provide necessary staffing services to the commission.

Sec. GGGG-7. Report. No later than December 5, 2015, the commission shall submit a report of its findings and recommendations to date, including sug-

gested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry. The joint standing committee is authorized to submit a bill to the Second Regular Session of the 127th Legislature related to the subject matter of the report.

PART HHHH

Sec. HHHH-1. Rename Land and Water Quality program. Notwithstanding any other provision of law, the Land and Water Quality program within the Department of Environmental Protection is renamed the Water Quality program.

Sec. HHHH-2. Establish Land Resources program. Notwithstanding any other provision of law, the Land Resources program is established within the Department of Environmental Protection.

PART IIII

Sec. IIII-1. 2 MRSA §6, sub-§4, as repealed and replaced by PL 2007, c. 695, Pt. A, §5 and affected by §47 and amended by PL 2011, c. 286, Pt. B, §5, is further amended to read:

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

Director, Bureau of Air Quality;

Director, Bureau of ~~Land and~~ Water Quality;

Director, Bureau of Land Resources;

Director, Bureau of Remediation and Waste Management;

Deputy Commissioner, Environmental Protection;

Director, Office of Professional and Occupational Regulation;

Administrator, Office of Securities; and

Deputy Chief of the State Police.

Sec. IIII-2. 5 MRSA §938, sub-§1-A, ¶G, as enacted by PL 1995, c. 560, Pt. E, §2, is amended to read:

G. Director, Bureau of Remediation and Waste Management; ~~and~~

Sec. IIII-3. 5 MRSA §938, sub-§1-A, ¶H, as enacted by PL 1995, c. 560, Pt. E, §2, is amended to read:

H. Director, Bureau of ~~Land and~~ Water Quality; and

Sec. IIII-4. 5 MRSA §938, sub-§1-A, ¶I is amended to read:

I. Director, Bureau of Land Resources.

PART JJJJ

Sec. JJJJ-1. PL 2013, c. 595, Pt. H, §1 is amended to read:

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

PART KKKK

Sec. KKKK-1. 36 MRSA §1760, sub-§9-H is enacted to read:

9-H. Fuel used in certain agricultural production. Ninety-five percent of the sale price of all fuel purchased for use at a greenhouse facility occupying at least 1,000,000 square feet of indoor space operated by an agricultural employer that employs at least 100 employees and is engaged in the year-round commercial production of fruits or vegetables.

This subsection is repealed December 31, 2019.

Sec. KKKK-2. Effective date. This Part takes effect January 1, 2016.

PART LLLL

Sec. LLLL-1. 22 MRSA §1315, sub-§5-C, as amended by PL 1995, c. 453, §5, is further amended to read:

5-C. Lead poisoning. "Lead poisoning" means a confirmed elevated level of blood lead that is injurious, as defined in rules adopted by the department using ~~intervention~~ reference levels no higher than ~~those set the 97.5th percentile of blood lead levels in children established by a national health and nutrition examination survey adopted by the federal Department of Health and Human Services, Centers for Disease Control and Prevention.~~

Sec. LLLL-2. 22 MRSA §1325, as amended by PL 1999, c. 276, §17, is further amended to read:

§1325. Violation

In addition to any other penalty imposed under this chapter, any person who violates any section of this chapter may be punished for each violation by a fine of not more than \$500 or by imprisonment for not more than 6 months, or by both. A person who violates any section of this chapter or rules adopted pursuant to this chapter commits a Class E crime. In addition, other than for a violation covered under section 1316-A, the department may, in accordance with Title 5, chapter 375, subchapter 4, impose an administrative penalty not to exceed \$500 for a violation of this chap-

ter or rules adopted pursuant to this chapter. Each day a violation continues constitutes a separate offense. Violations existing within individual dwelling units are considered separate violations. An action commenced by the department to enforce any administrative penalty imposed under this section may be brought in the name of the State in the Superior Court in the county where the violation occurred or in Kennebec County and must be prosecuted by the Attorney General. The court shall award to the State all costs in bringing the enforcement action as well as reasonable interest on penalties not paid. This section does not limit the authority of the Department of Environmental Protection to seek penalties for violations under the authority of Title 38, section 349. All penalties and awards collected under this section must be deposited in the Lead Poisoning Prevention Fund established under section 1322-E.

Sec. LLLL-3. 22 MRSA §1326, as amended by PL 2005, c. 530, §5, is further amended to read:

§1326. Injunction requiring removal

If the lead-based substance remains an environmental lead hazard at the expiration of 30 days or at the expiration of an extension given by the commissioner pursuant to section 1321, that is a violation of this chapter and the State, in addition to any other remedies it has, may seek a mandatory injunction ordering the environmental lead hazard removed by a suitable 3rd party at the expense of the owner of the dwelling, premises, residential child-occupied facility, child care facility, premises of the family child care provider or nursery school.

PART MMMM

Sec. MMMM-1. Transfer; Fund for a Healthy Maine; Maine State Housing Authority, Other Special Revenue Funds. Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$200,000 from the Fund for a Healthy Maine to the Maine Home Repair Program, Other Special Revenue Funds account within the Maine State Housing Authority no later than October 1, 2015. The authority shall use the funds to provide loans and grants to low-income homeowners for repairs to remediate arsenic in drinking water.

PART NNNN

Sec. NNNN-1. 38 MRSA §341-G, sub-§1, as amended by PL 1991, c. 817, §8, is further amended to read:

1. Transfer funds. The amount transferred from each fund must be proportional to that fund's contribution to the total special revenues received by the department under chapter 2, subchapter 2; sections 551, 569-A and 569-B; ~~and chapter 13, subchapter 4; and section 1364.~~ Any funds received by the board from the General Fund must be credited towards the amount

owed by the Maine Environmental Protection Fund, chapter 2, subchapter 2.

PART OOOO

Sec. OOOO-1. 5 MRSA §13090-K, sub-§2, as amended by PL 2013, c. 368, Pt. M, §1, is further amended to read:

2. Source of fund. Beginning July 1, 2003 and every July 1st thereafter, 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 7% 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, except that, from October 1, 2013 to ~~June 30~~ December 31, 2015, the amount is equivalent to 5% of the 8% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811 and beginning July 1, 2016 the amount is equivalent to 5% of the 8% tax and 5% of the 9% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811. Beginning on October 1, 2003 and every October 1st thereafter, 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 7% 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, except that, from October 1, 2013 to ~~June 30~~ December 31, 2015, the amount is equivalent to 5% of the 8% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811 and beginning October 1, 2016 the amount is equivalent to 5% of the 8% tax and 5% of the 9% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811. The tax amount must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law. The amount transferred from General Fund sales and use tax revenues does not affect the calculation for the transfer to the Local Government Fund.

Sec. OOOO-2. 36 MRSA §1752, sub-§3-B, as amended by PL 1999, c. 698, §1 and affected by §3, is further amended to read:

3-B. Grocery staples. "Grocery staples" means food products ordinarily consumed for human nourishment.

"Grocery staples" does not include ~~spiruous, malt or vinous liquors; soft drinks, iced tea, sodas or beverages such as are ordinarily dispensed at bars or soda fountains or in connection with bars or soda fountains; medicines, tonics, vitamins and preparations in liquid,~~

~~powdered, granular, tablet, capsule, lozenge or pill form, sold as dietary supplements or adjuncts, except when sold on the prescription of a physician; water, including mineral bottled and carbonated waters and ice; dietary substitutes; candy and confections; and prepared food;~~

A. Spirituous, malt or vinous liquors;

B. Medicines, tonics, vitamins and preparations in liquid, powdered, granular, tablet, capsule, lozenge or pill form, sold as dietary supplements or adjuncts, except when sold on the prescription of a physician;

C. Water, including mineral bottled and carbonated waters and ice;

D. Dietary substitutes;

E. Candy and confections, including but not limited to confectionery spreads. As used in this paragraph, "candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces;

F. Prepared food; and

G. The following food and drinks ordinarily sold for consumption without further preparation:

(1) Soft drinks and powdered and liquid drink mixes except powdered milk, infant formula, coffee and tea;

(2) Sandwiches and salads;

(3) Supplemental meal items such as corn chips, potato chips, crisped vegetable or fruit chips, potato sticks, pork rinds, pretzels, crackers, popped popcorn, cheese sticks, cheese puffs and dips;

(4) Fruit bars, granola bars, trail mix, breakfast bars, rice cakes, popcorn cakes, bread sticks and dried sugared fruit;

(5) Nuts and seeds that have been processed or treated by salting, spicing, smoking, roasting or other means;

(6) Desserts and bakery items, including but not limited to doughnuts, cookies, muffins, dessert breads, pastries, croissants, cakes, pies, ice cream cones, ice cream, ice milk, frozen confections, frozen yogurt, sherbet, ready-to-eat pudding, gelatins and dessert sauces; and

(7) Meat sticks, meat jerky and meat bars.

As used in this paragraph, "without further preparation" does not include combining an item with a liquid or toasting, microwaving or otherwise heat-

ing or thawing a product for palatability rather than for the purpose of cooking the product.

"Grocery staples" includes bread and bread products, jam, jelly, pickles, honey, condiments, maple syrup, spaghetti sauce or salad dressing when packaged as a separate item for retail sale.

Sec. 0000-3. 36 MRSA §1752, sub-§14-F is enacted to read:

14-F. Soft drinks. "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products; that contain soy, rice or similar milk substitutes; or that contain greater than 50% vegetable or fruit juice by volume.

Sec. 0000-4. 36 MRSA §1760, sub-§§98 and 99 are enacted to read:

98. Certain veterans' support organizations. Sales to incorporated nonprofit organizations organized for the purpose of providing direct supportive services in the State to veterans and their families living with service-related post-traumatic stress disorder or traumatic brain injury.

99. Nonprofit library collaboratives. Sales to nonprofit collaboratives of academic, public, school and special libraries that provide support for library resource sharing, promote quality library information services and support the cultural, educational and economic development of the State.

Sec. 0000-5. 36 MRSA §1811, first ¶, as repealed and replaced by PL 2013, c. 588, Pt. E, §11, is amended to read:

A tax is imposed on the value of all tangible personal property, products transferred electronically and taxable services sold at retail in this State. The rate of tax is 7% on the value of liquor sold in licensed establishments as defined in Title 28-A, section 2, subsection 15, in accordance with Title 28-A, chapter 43; 7% on the value of rental of living quarters in any hotel, rooming house or tourist or trailer camp; 10% on the value of rental for a period of less than one year of an automobile, of a pickup truck or van with a gross vehicle weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles or of a loaner vehicle that is provided other than to a motor vehicle dealer's service customers pursuant to a manufacturer's or dealer's warranty; 7% on the value of prepared food; and 5% on the value of all other tangible personal property and taxable services and products transferred electronically. Notwithstanding the other provisions of this section, from October 1, 2013 to ~~June 30~~ December 31, 2015, the rate of tax is 8% on the value of rental of living quarters in any hotel, rooming house or tourist or trailer camp; 8% on the value of prepared food; 8% on the value of liquor sold in licensed establishments as

defined in Title 28-A, section 2, subsection 15, in accordance with Title 28-A, chapter 43; and 5.5% on the value of all other tangible personal property and taxable services and products transferred electronically. Notwithstanding the other provisions of this section, beginning January 1, 2016, the rate of tax is 9% on the value of rental of living quarters in any hotel, rooming house or tourist or trailer camp; 8% on the value of prepared food; 8% on the value of liquor sold in licensed establishments as defined in Title 28-A, section 2, subsection 15, in accordance with Title 28-A, chapter 43; and 5.5% on the value of all other tangible personal property and taxable services and products transferred electronically. Value is measured by the sale price, except as otherwise provided. The value of rental for a period of less than one year of an automobile or of a pickup truck or van with a gross vehicle weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles is the total rental charged to the lessee and includes, but is not limited to, maintenance and service contracts, drop-off or pick-up fees, airport surcharges, mileage fees and any separately itemized charges on the rental agreement to recover the owner's estimated costs of the charges imposed by government authority for title fees, inspection fees, local excise tax and agent fees on all vehicles in its rental fleet registered in the State. All fees must be disclosed when an estimated quote is provided to the lessee.

Sec. OOOO-6. 36 MRSA §1812, sub-§1,
¶F is enacted to read:

F. If the tax rate is 9%:

<u>Amount of Sale Price</u>	<u>Amount of Tax</u>
<u>\$0.01 to \$0.05, inclusive</u>	<u>0¢</u>
<u>.06 to .11, inclusive</u>	<u>1¢</u>
<u>.12 to .22, inclusive</u>	<u>2¢</u>
<u>.23 to .33, inclusive</u>	<u>3¢</u>
<u>.34 to .44, inclusive</u>	<u>4¢</u>
<u>.45 to .56, inclusive</u>	<u>5¢</u>
<u>.57 to .67, inclusive</u>	<u>6¢</u>
<u>.68 to .78, inclusive</u>	<u>7¢</u>
<u>.79 to .89, inclusive</u>	<u>8¢</u>
<u>.90 to 1.00, inclusive</u>	<u>9¢</u>

Sec. OOOO-7. Application date. This Part applies to sales occurring on or after January 1, 2016 except that the section of this Part that amends the Maine Revised Statutes, Title 36, section 1811, first paragraph, applies to sales occurring on or after July, 2015 and the sections that enact Title 36, section 1760, subsections 98 and 99, apply to sales occurring on or after October 1, 2015.

PART PPPP

Sec. PPPP-1. Legislative Council to solicit bids. The Legislative Council shall solicit bids to purchase the equipment needed for the Maine Public Broadcasting Network to operate the Maine Capitol Connection channel.

PART QQQQ

Sec. QQQQ-1. Affordable housing working group. The director of the Maine State Housing Authority, referred to in this Part as "the director," or the director's designee shall convene a working group to evaluate the extent to which extremely low-income households, including families, persons with disabilities and elderly persons, lack access to safe and affordable housing and the burden that this inadequacy creates for individuals and communities. "Extremely low-income households" mean those with incomes at or below 30% of the area median income for their county or metropolitan area.

The director or the director's designee shall convene the first meeting of the working group no later than September 15, 2015.

1. Members. The working group consists of 9 voting members.

The director, or the director's designee, serves as a voting member of the working group. The director shall appoint the following 8 additional voting members:

- A. The director of the office for family independence within the Department of Health and Human Services or a designee;
- B. One member of a statewide organization representing Maine municipal welfare directors;
- C. One member representing a nonprofit developer of affordable housing;
- D. One member representing an advocacy organization representing the interests of people with low income expertise in policy and legal matters related to public benefit programs;
- E. One member representing a local housing authority;
- F. One member representing a nonprofit homeless service provider;
- G. One member with extremely low income who has experienced housing inadequacy; and
- H. One member representing a community action agency.

The working group may create subgroups to work on specific issues or initiatives and may include individuals who are not working group members.

2. Duties. The working group shall make recommendations to the director. In developing its recommendations under this subsection, the working group shall:

A. Review existing data, reports and other materials describing the extent to which Maine people with extremely low incomes lack access to safe and affordable housing, including data related to waiting lists for the United States Department of Housing and Urban Development's housing choice voucher program.

B. Assess the burden that lack of affordable housing places on municipal general assistance programs and other community resources;

C. Review the role of the Maine State Housing Authority in providing housing assistance to households with extremely low incomes;

D. Examine strategies employed by other states to improve access to affordable housing for extremely low-income people and determine best practices among those states;

E. Evaluate resources and strategies available to the Maine State Housing Authority to increase access to safe and affordable housing for extremely low-income households, including strategies to transition families or individuals from shelters to permanent housing, to address the needs of families at risk of homelessness that must rely on support from municipal general assistance programs and to assist families facing housing instability due to high housing cost burdens; and

F. Examine all state-administered housing voucher programs to determine if they are being administered in an efficacious manner through the most appropriate state agency.

3. Report. The working group shall prepare a report based on its findings under subsection 2. No later than December 1, 2015, the director of the Maine State Housing Authority shall submit the report and recommendations developed pursuant to subsection 2, including any suggested legislation, to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Labor, Commerce, Research and Economic Development. The Joint Standing Committee on Labor, Commerce, Research and Economic Development may report out a bill to implement the recommendations.

PART RRRR

Sec. RRRR-1. 22 MRSA §3736, sub-§3 is enacted to read:

3. Application; effective date. If an applicant for child care programs administered under this chapter is determined eligible, child care assistance must be provided retroactively to the date of application.

Sec. RRRR-2. 22 MRSA §3762, sub-§3, ¶B, as amended by PL 2013, c. 368, Pt. OO, §3 and Pt. UUU, §1 and affected by §2, is enacted to read:

B. The department may use funds, insofar as resources permit, provided under and in accordance with the United States Social Security Act or state funds appropriated for this purpose or a combination of state and federal funds to provide assistance to families under this chapter. In addition to assistance for families described in this subsection, funds must be expended for the following purposes:

(1) To continue the pass-through of the first \$50 per month of current child support collections and the exclusion of the \$50 pass-through from the budget tests and benefit calculations;

(2) To provide financial assistance to noncitizens legally admitted to the United States who are receiving assistance under this subsection as of July 1, 2011. Recipients of assistance under this subparagraph are limited to the categories of noncitizens who would be eligible for the TANF programs but for their status as aliens under PRWORA. Eligibility for the TANF program for these categories of noncitizens must be determined using the criteria applicable to other recipients of assistance from the TANF program. Any household receiving assistance as of July 1, 2011 may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for financial assistance through a state-funded program unless that noncitizen is:

(a) Elderly or disabled, as described under the laws governing supplemental security income in 42 United States Code, Sections 1381 to 1383f (2010);

(b) A victim of domestic violence;

(c) Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or

(d) Unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are

routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;

(3) To provide benefits to certain 2-parent families whose deprivation is based on physical or mental incapacity;

(4) To provide an assistance program for needy children, 19 to 21 years of age, who are in full-time attendance in secondary school. The program is operated for those individuals who qualify for TANF under the United States Social Security Act, except that they fail to meet the age requirement, and is also operated for the parent or caretaker relative of those individuals. Except for the age requirement, all provisions of TANF, including the standard of need and the amount of assistance, apply to the program established pursuant to this subparagraph;

(5) To provide assistance for a pregnant woman who is otherwise eligible for assistance under this chapter, except that she has no dependents under 19 years of age. An individual is eligible for the monthly benefit for one eligible person if the medically substantiated expected date of the birth of her child is not more than 90 days following the date the benefit is received;

(6) To provide a special housing allowance for TANF families whose shelter expenses for rent, mortgage or similar payments, homeowners insurance and property taxes equal or exceed 75% of their monthly income. The special housing allowance is limited to \$200 per month for each family. For purposes of this subparagraph, "monthly income" means the total of the TANF monthly benefit and all income countable under the TANF program, plus child support received by the family, excluding the \$50 pass-through payment;

(7) In determining benefit levels for TANF recipients who have earnings from employment, the department shall disregard from monthly earnings the following:

- (a) One hundred and eight dollars;
- (b) Fifty percent of the remaining earnings that are less than the federal poverty level; and
- (c) All actual child care costs necessary for work, except that the department may limit the child care disregard to \$175 per month per child or \$200 per month per child under 2 years of age or with special needs;

(7-A) In determining eligibility and benefit levels, the department may apply a gross income test only to applicants and not to recipients;

(8) In cases when the TANF recipient has no child care cost, the monthly TANF benefit is the maximum payment level or the difference between the countable earnings and the standard of need established by rule adopted by the department, whichever is lower;

(9) In cases when the TANF recipient has child care costs, the department shall determine a total benefit package, including TANF cash assistance, determined in accordance with subparagraph (7) and additional child care assistance, as provided by rule, necessary to cover the TANF recipient's actual child care costs up to the maximum amount specified in section 3782-A, subsection 5. The benefit amount must be paid as provided in this subparagraph.

(a) Before the first month in which child care assistance is available to an ASPIRE-TANF recipient under this paragraph and periodically thereafter, the department shall notify the recipient of the total benefit package and the following options of the recipient: to receive the total benefit package directly; or to have the department pay the recipient's child care assistance directly to the designated child care provider for the recipient and pay the balance of the total benefit package to the recipient.

(b) If an ASPIRE-TANF recipient notifies the department that the recipient chooses to receive the child care assistance directly, the department shall pay the total benefit package to the recipient.

(c) If an ASPIRE-TANF recipient does not respond or notifies the department of the choice to have the child care assistance paid directly to the child care provider from the total benefit package, the department shall pay the child care assistance directly to the designated child care provider for the recipient. The department shall pay the balance of the total benefit package to the recipient;

(10) Child care assistance under this paragraph must be paid by the department in a prompt manner that permits an ASPIRE-TANF recipient to access child care necessary for work; and

(11) The department shall adopt rules pursuant to Title 5, chapter 375 to implement this

subsection. Rules adopted pursuant to this subparagraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. RRRR-3. 22 MRSA §3762, sub-§8, ¶B, as amended by PL 2013, c. 97, §1, is further amended to read:

B. The department shall provide limited transitional transportation benefits to meet employment-related costs to ASPIRE-TANF program participants who lose eligibility for TANF assistance due to employment. The department may also make transitional transportation benefits available to families in which one or both adults are working and who, although they remain financially eligible for TANF benefits, request that their benefits be terminated. Benefits may be provided for up to ~~42~~ 18 months following loss of TANF eligibility. The department may adopt rules that impose a weekly limit on available transitional transportation benefits and that require a contribution from each participant toward the cost of transportation.

Sec. RRRR-4. 22 MRSA §3769-D is enacted to read:

§3769-D. Temporary Assistance for Needy Families block grant; family development accounts

In fiscal year 2016-17 and annually thereafter, the Department of Health and Human Services may use \$500,000 in funds provided under the Temporary Assistance for Needy Families block grant to promote financial literacy and healthy savings habits of families with income less than 200% of the federal poverty guidelines through the placement of funds in family development accounts established pursuant to Title 10, chapter 110, subchapter 4-A.

PART SSSS

Sec. SSSS-1. 22 MRSA §4311, as amended by PL 2013, c. 368, Pt. OO, §§10 and 11, is further amended to read:

§4311. State reimbursement to municipalities; reports

1. Departmental reimbursement. When a municipality incurs net general assistance costs in any fiscal year prior to July 1, 2015 in excess of .0003 of that municipality's most recent state valuation relative to the state fiscal year for which reimbursement is being issued, as determined by the State Tax Assessor in the statement filed as provided in Title 36, section 381, the Department of Health and Human Services shall reimburse the municipality for 90% of the amount in excess of these expenditures when the department finds that the municipality has been in compliance with all requirements of this chapter. If a municipality

elects to determine need without consideration of funds distributed from any municipally-controlled trust fund that must otherwise be considered for purposes of this chapter, the department shall reimburse the municipality for 66 2/3% of the amount in excess of such expenditures when the department finds that the municipality has otherwise been in compliance with all requirements of this chapter.

The department shall reimburse each municipality and each Indian tribe 70% of the direct costs incurred by that municipality or tribe on or after July 1, 2015 for the general assistance program granted by that municipality or tribe. For the purposes of this subsection, "Indian tribe" has the same meaning as in section 411, subsection 8-A.

1-A. Municipalities reimbursed. When a municipality pays for expenses approved pursuant to section 4313 for hospital inpatient or outpatient care at any hospital on behalf of any person who is otherwise eligible and who would have been entitled to receive payments for hospital care if that care had been rendered prior to May 1, 1984, for services under the Catastrophic Illness Program, section 3185, the department shall reimburse the municipality for 100% of those payments.

1-B. Reimbursement for administrative expenses. The department shall reimburse each municipality for the costs of a portion of the direct costs of paying benefits incurred prior to July 1, 2015 through its general assistance program if the department finds that the municipality was in compliance with all requirements of this chapter during the fiscal year for which reimbursement is sought. The amount of reimbursement to each municipality must be an amount equal to:

A. Fifty percent of all general assistance granted by that municipality below the .0003% of all state valuation amount; or

B. Ten percent of all general assistance granted.

Each municipality shall elect to be reimbursed under paragraph A or B at the beginning of the fiscal year for which reimbursement is sought.

Notwithstanding any other provision of law, this subsection takes effect on July 1, 1989.

1-C. Indian tribe reimbursement. The department shall reimburse each Indian tribe for the costs of a portion of the direct costs of paying benefits through its general assistance program if the department finds that the Indian tribe was in compliance with all requirements of this chapter during the fiscal year for which those benefits are sought.

The amount of reimbursement must be calculated for each fiscal year by adding 10% of all general assistance granted up to the threshold amount to 100% of

all general assistance granted above the threshold amount.

For the purposes of this subsection, "Indian tribe" has the same meaning as in section 411, subsection 8-A. For purposes of this subsection, "threshold amount" means 0.0003 of the Indian tribe's most recent state valuation, as determined by the State Tax Assessor in the statement filed as provided in Title 36, section 381, relative to the year for which reimbursement is being issued.

2. Submission of reports. ~~Municipalities~~ Each municipality shall submit reports as follows report on a schedule determined by the department through rulemaking the direct cost of paying benefits through the general assistance program on forms for reimbursement provided by the department.

~~A. For purposes of this section, those municipalities that received reimbursement at 90% during the previous fiscal year of the State and those municipalities that expect to receive reimbursement at 90% during the current fiscal year of the State must submit monthly reports on forms provided by the department.~~

~~B. Those municipalities that did not receive reimbursement at 90% during the previous fiscal year and do not expect to receive reimbursement at 90% for the current fiscal year must submit quarterly or semiannual reports on forms provided by the department.~~

~~Indian tribes must submit monthly reports on forms provided by the department.~~

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Claims. The Department of Health and Human Services may refuse to accept and pay any claim for reimbursement that is not submitted by a municipality to the department within 90 days of the payment on which that claim is based or at the end of the reporting period for which reimbursement is sought unless just cause exists for failure to file a timely claim.

PART TTTT

Sec. TTTT-1. 36 MRSA §2551, sub-§1-I is enacted to read:

1-I. Business. "Business" means a commercial activity engaged in as a means of livelihood or profit or an entity that engages in such activities.

Sec. TTTT-2. 36 MRSA §2551, sub-§2, as amended by PL 2005, c. 12, Pt. TTT, §2 and affected by §4, is further amended to read:

2. Cable and satellite television or radio services. ~~"Extended cable~~ Cable and satellite television

~~or radio services" means all cable and satellite television service that is in addition to the minimum service that can be purchased from a cable or satellite television supplier or radio services, including the installation or use of associated equipment, for which a charge is made. It does not include installation of the associated equipment for which a separate charge is levied.~~

Sec. TTTT-3. 36 MRSA §2552, sub-§1, as amended by PL 2013, c. 331, Pt. C, §14 and c. 368, Pt. OOOO, §§2 to 4, is further amended to read:

1. Rate. ~~A~~ Effective January 1, 2016, a tax at the rate of 5% 6% is imposed on the value of the following services sold in this State:

- ~~A. Extended cable~~ Cable and satellite television or radio services;
- B. Fabrication services;
- C. Rental of video media and video equipment;
- D. Rental of furniture, audio media and audio equipment pursuant to a rental-purchase agreement as defined in Title 9-A, section 11-105;
- E. Telecommunications services;
- F. The installation, maintenance or repair of telecommunications equipment;
- G. Private nonmedical institution or personal home care services;
- H. Community support services for persons with mental health diagnoses;
- I. Community support services for persons with intellectual disabilities or autism;
- J. Home support services;
- L. Ancillary services; and
- M. Group residential services for persons with brain injuries.

Sec. TTTT-4. 36 MRSA §2557, sub-§33, as amended by PL 2009, c. 434, §32, is further amended to read:

33. International telecommunications service. Sales of international telecommunications service to a business for use directly in that business;

Sec. TTTT-5. 36 MRSA §2557, sub-§34, as amended by PL 2009, c. 434, §33, is further amended to read:

34. Interstate telecommunications service. Sales of interstate telecommunications service to a business for use directly in that business;

Sec. TTTT-6. 36 MRSA §2557, sub-§35, as enacted by PL 2009, c. 434, §34, is amended to read:

35. Certain fabrication services. The production of tangible personal property if a sale to the consumer of that tangible personal property would be exempt or otherwise not subject to tax under Part 3; and

Sec. TTTT-7. 36 MRSA §2557, sub-§36, as enacted by PL 2009, c. 434, §35, is amended to read:

36. Fuel used at a manufacturing facility. Ninety-five percent of the sale price of fabrication services for the production of fuel for use at a manufacturing facility as defined in section 1752, subsection 6-A;

Sec. TTTT-8. 36 MRSA §2557, sub-§§37 and 38 are enacted to read:

37. Certain veterans' support organizations. Sales to incorporated nonprofit organizations organized for the purpose of providing direct supportive services in the State to veterans and their families living with service-related post-traumatic stress disorder or traumatic brain injury; and

38. Nonprofit library collaboratives. Sales to nonprofit collaboratives of academic, public, school and special libraries that provide support for library resource sharing, promote quality library information services and support the cultural, educational and economic development of the State.

Sec. TTTT-9. Effective date. This Part takes effect January 1, 2016, except that the section that enacts the Maine Revised Statutes, Title 36, section 2557, subsections 37 and 38 takes effect October 1, 2015.

PART UUUU

Sec. UUUU-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Provides funding to increase the resident homestead property tax exemption by \$5,000 in property tax year 2016 and by \$10,000 beginning in property tax year 2017.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$10,338,750
GENERAL FUND TOTAL	\$0	\$10,338,750

Revenue Services, Bureau of 0002

Initiative: Establishes 2 Tax Examiner positions beginning January 2017 to assist in the implementation of tax changes and provides funding for associated All

Other costs. All Other costs include funding for outreach efforts to publicize the new Sales Tax Fairness Credit and other tax changes.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNCIL	0.000	2.000
Personal Services	\$0	\$64,412
All Other	\$0	\$233,894
GENERAL FUND TOTAL	\$0	\$298,306

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$0	\$10,637,056
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$10,637,056

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Office of Tourism 0577

Initiative: Allocates funds to reflect the additional revenue due to the increase in the meals and lodging tax rate.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$1,866,521
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,866,521

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS	\$0	\$1,866,521
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,866,521

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Developmental Services Waiver - MaineCare 0987

Initiative: Provides funding to reduce the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 21: Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

GENERAL FUND	2015-16	2016-17
All Other	\$2,323,614	\$2,327,665
GENERAL FUND TOTAL	\$2,323,614	\$2,327,665

Medicaid Services - Developmental Services 0705

Initiative: Provides funding to reduce the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 21: Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$357,150	\$359,986
OTHER SPECIAL REVENUE FUNDS TOTAL	\$357,150	\$359,986

Medicaid Services - Developmental Services 0705

Initiative: Provides funding to reduce the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 18: Home and Community-Based Services for Adults with Brain Injury.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$115,278	\$115,991
OTHER SPECIAL REVENUE FUNDS TOTAL	\$115,278	\$115,991

Medicaid Waiver for Brain Injury Residential/Community Serv Z160

Initiative: Provides funding to eliminate the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 18: Home and Community-Based Services for Adults with Brain Injury.

GENERAL FUND	2015-16	2016-17
All Other	\$750,000	\$750,000
GENERAL FUND TOTAL	\$750,000	\$750,000

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$3,073,614	\$3,077,665
OTHER SPECIAL REVENUE FUNDS	\$472,428	\$475,977
DEPARTMENT TOTAL - ALL FUNDS	\$3,546,042	\$3,553,642

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Medical Care - Payments to Providers 0147

Initiative: Provides funding to reduce the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 21: Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$4,462,233	\$4,512,064
FEDERAL EXPENDITURES FUND TOTAL	\$4,462,233	\$4,512,064

Medical Care - Payments to Providers 0147

Initiative: Provides funding to eliminate the waiting list for community-based services provided under the MaineCare Benefits Manual, Chapters II and III, Section 18: Home and Community-Based Services for Adults with Brain Injury.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,440,286	\$1,453,837
FEDERAL EXPENDITURES FUND TOTAL	\$1,440,286	\$1,453,837

Medical Care - Payments to Providers 0147

Initiative: Provides additional funding to increase the reimbursement increase provided in Part A for adult family care services at residential care facilities from 3% to 4% beginning July 1, 2015.

GENERAL FUND	2015-16	2016-17
All Other	\$20,747	\$20,747
GENERAL FUND TOTAL	\$20,747	\$20,747

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$27,331	\$27,331
FEDERAL EXPENDITURES FUND TOTAL	\$27,331	\$27,331

Medical Care - Payments to Providers 0147

Initiative: Provides additional funding to increase the reimbursement increase provided in Part A for private non-medical institutions from 3% to 4% beginning July 1, 2015.

GENERAL FUND	2015-16	2016-17
All Other	\$905,639	\$901,588
GENERAL FUND TOTAL	\$905,639	\$901,588

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,296,283	\$1,300,334
FEDERAL EXPENDITURES FUND TOTAL	\$1,296,283	\$1,300,334

Nursing Facilities 0148

Initiative: Provides additional funding for nursing home reimbursements.

GENERAL FUND	2015-16	2016-17
All Other	\$1,000,000	\$1,000,000
GENERAL FUND TOTAL	\$1,000,000	\$1,000,000

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,981,288	\$2,000,319
FEDERAL EXPENDITURES FUND TOTAL	\$1,981,288	\$2,000,319

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$190,295	\$191,510
OTHER SPECIAL REVENUE FUNDS TOTAL	\$190,295	\$191,510

Temporary Assistance for Needy Families 0138

Initiative: Provides funding to families with income less than 200% of the federal poverty guidelines by placing funds in family development accounts.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$500,000	\$500,000
FEDERAL BLOCK GRANT FUND TOTAL	\$500,000	\$500,000

Temporary Assistance for Needy Families 0138

Initiative: Provides funding to increase the number of months eligible individuals may receive transitional transportation benefits from 12 months to 18 months.

FEDERAL BLOCK GRANT FUND	2015-16	2016-17
All Other	\$775,878	\$775,878
FEDERAL BLOCK GRANT FUND TOTAL	\$775,878	\$775,878

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$1,926,386	\$1,922,335
FEDERAL EXPENDITURES FUND	\$9,207,421	\$9,293,885
OTHER SPECIAL REVENUE FUNDS	\$190,295	\$191,510
FEDERAL BLOCK GRANT FUND	\$1,275,878	\$1,275,878
DEPARTMENT TOTAL - ALL FUNDS	\$12,599,980	\$12,683,608

SECTION TOTALS	2015-16	2016-17
GENERAL FUND	\$5,000,000	\$15,637,056
FEDERAL EXPENDITURES FUND	\$9,207,421	\$9,293,885
OTHER SPECIAL REVENUE FUNDS	\$662,723	\$2,534,008
FEDERAL BLOCK GRANT FUND	\$1,275,878	\$1,275,878
SECTION TOTAL - ALL FUNDS	\$16,146,022	\$28,740,827

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective June 30, 2015, unless otherwise indicated.

**CHAPTER 268
H.P. 740 - L.D. 1080**

**An Act Making Unified
Appropriations and Allocations
for the Expenditures of State
Government, Highway Fund
and Other Funds and
Changing Certain Provisions of
the Law Necessary to the
Proper Operations of State
Government for the Fiscal
Years Ending June 30, 2016
and June 30, 2017**

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

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

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

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

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

PART A

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

Budget - Bureau of the 0055

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$111,612	\$109,447
All Other	\$8,893	\$8,893

HIGHWAY FUND TOTAL	\$120,505	\$118,340

**BUDGET - BUREAU OF THE 0055
PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$111,612	\$109,447
All Other	\$8,893	\$8,893

HIGHWAY FUND TOTAL	\$120,505	\$118,340

Buildings and Grounds Operations 0080

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS -	16.000	16.000
LEGISLATIVE COUNT		
Personal Services	\$738,367	\$739,187
All Other	\$1,383,729	\$1,383,729

HIGHWAY FUND TOTAL	\$2,122,096	\$2,122,916

Buildings and Grounds Operations 0080

Initiative: Eliminates one Housekeeper II position and 4 Institutional Custodial Worker positions within the Bureau of General Services Buildings and Grounds program with the transfer of janitorial services for the Child Street facility in Augusta to the Department of Transportation.

HIGHWAY FUND	2015-16	2016-17
POSITIONS -	(5.000)	(5.000)
LEGISLATIVE COUNT		
Personal Services	(\$230,573)	(\$233,512)

HIGHWAY FUND TOTAL	(\$230,573)	(\$233,512)

Buildings and Grounds Operations 0080

Initiative: Reduces funding as a result of savings achieved through the transfer of operations of the Child Street facility in Augusta from the Department of Administrative and Financial Services to the Department of Transportation.

HIGHWAY FUND	2015-16	2016-17
All Other	(\$309,427)	(\$306,488)

HIGHWAY FUND TOTAL	(\$309,427)	(\$306,488)

**BUILDINGS AND GROUNDS OPERATIONS
0080****PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$507,794	\$505,675
All Other	\$1,074,302	\$1,077,241
HIGHWAY FUND TOTAL	\$1,582,096	\$1,582,916

Claims Board 0097

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$66,204	\$64,822
All Other	\$17,758	\$17,758
HIGHWAY FUND TOTAL	\$83,962	\$82,580

Claims Board 0097

Initiative: Provides funding for per diem payments for the State Claims Commission members.

HIGHWAY FUND	2015-16	2016-17
All Other	\$6,000	\$6,000
HIGHWAY FUND TOTAL	\$6,000	\$6,000

Claims Board 0097

Initiative: Establishes one part-time Public Service Manager II position and associated All Other costs to provide additional support to the State Claims Commission. By January 15, 2017, the Commissioner of Administrative and Financial Services shall report to the Joint Standing Committee on Transportation on the status of the position and whether or not any backlog exists within the commission.

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$62,870	\$61,224
All Other	\$6,278	\$6,278
HIGHWAY FUND TOTAL	\$69,148	\$67,502

CLAIMS BOARD 0097**PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,500	1,500
Personal Services	\$129,074	\$126,046
All Other	\$30,036	\$30,036
HIGHWAY FUND TOTAL	\$159,110	\$156,082

Departments and Agencies - Statewide 0016

Initiative: Reduces funding to reflect projected savings to the State from an increase in the attrition rate from 1.6% to 3% for fiscal years 2015-16 and 2016-17.

HIGHWAY FUND	2015-16	2016-17
Personal Services	(\$995,397)	(\$1,000,071)
HIGHWAY FUND TOTAL	(\$995,397)	(\$1,000,071)

**DEPARTMENTS AND AGENCIES -
STATEWIDE 0016****PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
Personal Services	(\$995,397)	(\$1,000,071)
HIGHWAY FUND TOTAL	(\$995,397)	(\$1,000,071)

Revenue Services, Bureau of 0002

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$510,404	\$501,988
All Other	\$42,517	\$42,517
HIGHWAY FUND TOTAL	\$552,921	\$544,505

Revenue Services, Bureau of 0002

Initiative: Reduces funding to more accurately reflect actual activity.

HIGHWAY FUND	2015-16	2016-17
All Other	(\$10,207)	(\$10,422)
HIGHWAY FUND TOTAL	(\$10,207)	(\$10,422)

**REVENUE SERVICES, BUREAU OF 0002
PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$510,404	\$501,988
All Other	\$32,310	\$32,095
HIGHWAY FUND TOTAL	\$542,714	\$534,083
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
DEPARTMENT TOTALS	2015-16	2016-17
HIGHWAY FUND	\$1,409,028	\$1,391,350
DEPARTMENT TOTAL - ALL FUNDS	\$1,409,028	\$1,391,350

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

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Air Quality 0250

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
All Other	\$33,054	\$33,054
HIGHWAY FUND TOTAL	\$33,054	\$33,054

AIR QUALITY 0250

PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
All Other	\$33,054	\$33,054
HIGHWAY FUND TOTAL	\$33,054	\$33,054

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

LEGISLATURE

Legislature 0081

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$5,720	\$3,575
All Other	\$7,280	\$4,550

HIGHWAY FUND TOTAL	\$13,000	\$8,125

**LEGISLATURE 0081
PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$5,720	\$3,575
All Other	\$7,280	\$4,550

HIGHWAY FUND TOTAL	\$13,000	\$8,125

Sec. A-4. Appropriations and allocations.
The following appropriations and allocations are made.

MUNICIPAL BOND BANK, MAINE

TransCap Trust Fund Z064

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$37,769,183	\$37,769,183

OTHER SPECIAL REVENUE FUNDS TOTAL	\$37,769,183	\$37,769,183

TransCap Trust Fund Z064

Initiative: Adjusts funding to align allocations with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$462,901	\$405,329

OTHER SPECIAL REVENUE FUNDS TOTAL	\$462,901	\$405,329

TRANSCAP TRUST FUND Z064

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$38,232,084	\$38,174,512

OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,232,084	\$38,174,512

**MUNICIPAL BOND BANK,
MAINE**

DEPARTMENT TOTALS	2015-16	2016-17

OTHER SPECIAL REVENUE FUNDS	\$38,232,084	\$38,174,512
DEPARTMENT TOTAL - ALL FUNDS	\$38,232,084	\$38,174,512

Sec. A-5. Appropriations and allocations.
The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety 0088

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$112,320	\$114,598
All Other	\$680,219	\$680,219
HIGHWAY FUND TOTAL	\$792,539	\$794,817

ADMINISTRATION - PUBLIC SAFETY 0088

PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$112,320	\$114,598
All Other	\$680,219	\$680,219
HIGHWAY FUND TOTAL	\$792,539	\$794,817

Computer Crimes 0048

Initiative: Provides one-time funding for equipment related to the evidence van in the computer crime unit.

HIGHWAY FUND	2015-16	2016-17
All Other	\$27,000	\$0
HIGHWAY FUND TOTAL	\$27,000	\$0

COMPUTER CRIMES 0048

PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
All Other	\$27,000	\$0
HIGHWAY FUND TOTAL	\$27,000	\$0

Highway Safety DPS 0457

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,122	\$70,424
All Other	\$557,132	\$557,132
HIGHWAY FUND TOTAL	\$626,254	\$627,556

Highway Safety DPS 0457

Initiative: Reduces funding for training costs related to blood-alcohol testing equipment use.

HIGHWAY FUND	2015-16	2016-17
All Other	(\$60,000)	(\$60,000)
HIGHWAY FUND TOTAL	(\$60,000)	(\$60,000)

HIGHWAY SAFETY DPS 0457

PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,122	\$70,424
All Other	\$497,132	\$497,132
HIGHWAY FUND TOTAL	\$566,254	\$567,556

Motor Vehicle Inspection 0329

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$739,783	\$728,320
All Other	\$284,808	\$284,810
HIGHWAY FUND TOTAL	\$1,024,591	\$1,013,130

Motor Vehicle Inspection 0329

Initiative: Provides funding for increased technology costs and associated STA-CAP.

HIGHWAY FUND	2015-16	2016-17
All Other	\$401	\$2,628
HIGHWAY FUND TOTAL	\$401	\$2,628

Motor Vehicle Inspection 0329

Initiative: Provides funding for the replacement of 3 vehicles each year of the biennium.

HIGHWAY FUND	2015-16	2016-17
Capital Expenditures	\$59,700	\$59,700
HIGHWAY FUND TOTAL	\$59,700	\$59,700

MOTOR VEHICLE INSPECTION 0329 PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$739,783	\$728,320
All Other	\$285,209	\$287,438
Capital Expenditures	\$59,700	\$59,700
HIGHWAY FUND TOTAL	\$1,084,692	\$1,075,458

State Police 0291

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$12,210,903	\$12,182,049
All Other	\$5,685,405	\$5,686,436
HIGHWAY FUND TOTAL	\$17,896,308	\$17,868,485

State Police 0291

Initiative: Provides funding for additional vehicles.

HIGHWAY FUND	2015-16	2016-17
All Other	\$104,986	\$104,986
HIGHWAY FUND TOTAL	\$104,986	\$104,986

State Police 0291

Initiative: Provides funding for equipment for the crime laboratory including a genotyping software package and an uninterruptable power supply for a gas chromatograph.

HIGHWAY FUND	2015-16	2016-17
Capital Expenditures	\$43,750	\$0
HIGHWAY FUND TOTAL	\$43,750	\$0

State Police 0291

Initiative: Reorganizes 21 State Police Trooper positions to State Police Corporal positions.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$35,847	\$35,112
All Other	\$665	\$651
HIGHWAY FUND TOTAL	\$36,512	\$35,763

State Police 0291

Initiative: Provides funding for increased technology costs and associated STA-CAP.

HIGHWAY FUND	2015-16	2016-17
All Other	\$130,654	\$116,958
HIGHWAY FUND TOTAL	\$130,654	\$116,958

State Police 0291

Initiative: Provides funding for the replacement of a microspectrophotometer.

HIGHWAY FUND	2015-16	2016-17
Capital Expenditures	\$40,250	\$0
HIGHWAY FUND TOTAL	\$40,250	\$0

State Police 0291

Initiative: Transfers and reallocates one DNA Forensic Analyst position from 100% Federal Expenditures Fund to 65% General Fund and 35% Highway Fund within the same program.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$33,671	\$34,006
HIGHWAY FUND TOTAL	\$33,671	\$34,006

State Police 0291

Initiative: Provides funding for the approved reclassification of one Central Fleet Manager position to a Public Safety Fleet Administrator position retroactive to July 1, 2014.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$4,420	\$2,214
All Other	\$86	\$42
HIGHWAY FUND TOTAL	\$4,506	\$2,256

State Police 0291

Initiative: Provides funding for 2 State Police Detective positions and one Forensic Chemist position and

related All Other costs to establish a cold case homicide unit.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$128,730	\$132,711
All Other	\$39,377	\$25,144
HIGHWAY FUND TOTAL	\$168,107	\$157,855

STATE POLICE 0291 PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$12,413,571	\$12,386,092
All Other	\$5,961,173	\$5,934,217
Capital Expenditures	\$84,000	\$0
HIGHWAY FUND TOTAL	\$18,458,744	\$18,320,309

State Police - Support 0981

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$606,157	\$597,921
All Other	\$11,145	\$11,145
HIGHWAY FUND TOTAL	\$617,302	\$609,066

STATE POLICE - SUPPORT 0981 PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$606,157	\$597,921
All Other	\$11,145	\$11,145
HIGHWAY FUND TOTAL	\$617,302	\$609,066

Traffic Safety 0546

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$872,507	\$860,497
All Other	\$275,473	\$275,485

HIGHWAY FUND TOTAL	\$1,147,980	\$1,135,982

Traffic Safety 0546

Initiative: Provides funding for the replacement of one vehicle each year of the biennium.

HIGHWAY FUND	2015-16	2016-17
Capital Expenditures	\$33,500	\$33,500
HIGHWAY FUND TOTAL	\$33,500	\$33,500

Traffic Safety 0546

Initiative: Reorganizes one State Police Trooper position to a State Police Specialist position.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$7,020	\$7,393
HIGHWAY FUND TOTAL	\$7,020	\$7,393

Traffic Safety 0546

Initiative: Provides funding for the approved reclassification of one State Police Trooper position to a State Police Specialist position.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$4,453	\$4,350
HIGHWAY FUND TOTAL	\$4,453	\$4,350

TRAFFIC SAFETY 0546 PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$883,980	\$872,240
All Other	\$275,473	\$275,485
Capital Expenditures	\$33,500	\$33,500
HIGHWAY FUND TOTAL	\$1,192,953	\$1,181,225

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	46.000	46.000
Personal Services	\$4,278,931	\$4,246,075

All Other	\$938,384	\$938,531
HIGHWAY FUND TOTAL	\$5,217,315	\$5,184,606

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Provides funding for increased technology costs and associated STA-CAP.

HIGHWAY FUND	2015-16	2016-17
All Other	\$34,308	\$34,308
HIGHWAY FUND TOTAL	\$34,308	\$34,308

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Provides funding for the replacement of 10 vehicles each year of the biennium.

HIGHWAY FUND	2015-16	2016-17
Capital Expenditures	\$302,600	\$302,600
HIGHWAY FUND TOTAL	\$302,600	\$302,600

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Reallocates the cost of 5 Motor Carrier Inspector positions from 63% Highway Fund and 37% Federal Expenditures Fund; one Motor Carrier Inspector position from 62% Highway Fund and 38% Federal Expenditures Fund; one Motor Carrier Inspector position from 61.91% Highway Fund and 38.09% Federal Expenditures Fund; and one Motor Carrier Inspections Supervisor position from 66% Highway Fund and 34% Federal Expenditures Fund to 50% Highway Fund and 50% Federal Expenditures Fund in the Traffic Safety - Commercial Vehicle Enforcement program; and reallocates one State Police Corporal position and one State Police Trooper position from 63% Highway Fund and 37% Federal Expenditures Fund to 100% Highway Fund in the Traffic Safety - Commercial Vehicle Enforcement program.

HIGHWAY FUND	2015-16	2016-17
Personal Services	(\$3,765)	(\$3,289)
HIGHWAY FUND TOTAL	(\$3,765)	(\$3,289)

TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715

PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17

POSITIONS - LEGISLATIVE COUNT	46,000	46,000
Personal Services	\$4,275,166	\$4,242,786
All Other	\$972,692	\$972,839
Capital Expenditures	\$302,600	\$302,600
HIGHWAY FUND TOTAL	\$5,550,458	\$5,518,225

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

	2015-16	2016-17
HIGHWAY FUND	\$28,289,942	\$28,066,656
DEPARTMENT TOTAL - ALL FUNDS	\$28,289,942	\$28,066,656

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

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	367,000	367,000
Personal Services	\$25,023,051	\$24,946,838
All Other	\$10,952,836	\$10,952,836
HIGHWAY FUND TOTAL	\$35,975,887	\$35,899,674

Administration - Motor Vehicles 0077

Initiative: Reorganizes 34.5 Office Assistant II positions to Customer Representative Associate II-MV positions and 6 Office Assistant II positions to Office Assistant I positions and provides funding for associated All Other costs.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$119,754	\$143,304
All Other	\$5,816	\$6,960
HIGHWAY FUND TOTAL	\$125,570	\$150,264

Administration - Motor Vehicles 0077

Initiative: Provides funding for the range change for 14 Motor Vehicle Branch Office Manager positions from range 20 to range 21 and provides funding for associated All Other costs.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$42,737	\$42,031
All Other	\$2,076	\$2,041
HIGHWAY FUND TOTAL	\$44,813	\$44,072

Administration - Motor Vehicles 0077

Initiative: Reorganizes one Public Service Manager I position from 84% Highway Fund and 16% General Fund to one Programmer Analyst position funded 100% Highway Fund.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$10,695	\$10,299
HIGHWAY FUND TOTAL	\$10,695	\$10,299

Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for the replacement of storage array disks.

HIGHWAY FUND	2015-16	2016-17
All Other	\$23,488	\$0
Capital Expenditures	\$25,000	\$0
HIGHWAY FUND TOTAL	\$48,488	\$0

Administration - Motor Vehicles 0077

Initiative: Provides funding to cover the administrative costs regarding enforcement of toll violations.

HIGHWAY FUND	2015-16	2016-17
All Other	\$14,000	\$14,000
HIGHWAY FUND TOTAL	\$14,000	\$14,000

ADMINISTRATION - MOTOR VEHICLES 0077
PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	367.000	367.000
Personal Services	\$25,196,237	\$25,142,472
All Other	\$10,998,216	\$10,975,837
Capital Expenditures	\$25,000	\$0
HIGHWAY FUND TOTAL	\$36,219,453	\$36,118,309

SECRETARY OF STATE,
DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
HIGHWAY FUND	\$36,219,453	\$36,118,309
DEPARTMENT TOTAL - ALL FUNDS	\$36,219,453	\$36,118,309

Sec. A-7. Appropriations and allocations.
The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF
Administration 0339

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	100.000	100.000
Personal Services	\$8,200,234	\$8,376,396
All Other	\$4,686,900	\$4,686,900
HIGHWAY FUND TOTAL	\$12,887,134	\$13,063,296

Administration 0339

Initiative: Adjusts the allocation of positions within the Department of Transportation to more appropriately reflect the amount of time spent on various programs.

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$55,019)	(\$57,670)
HIGHWAY FUND TOTAL	(\$55,019)	(\$57,670)

Administration 0339

Initiative: Provides funding for the operations of the department headquarters building on Child Street in Augusta, pursuant to Public Law 2003, chapter 673, Part SS.

HIGHWAY FUND	2015-16	2016-17
All Other	\$483,367	\$492,064
HIGHWAY FUND TOTAL	\$483,367	\$492,064

Administration 0339

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2015-16	2016-17
All Other	(\$1,269,059)	(\$1,196,426)
HIGHWAY FUND TOTAL	(\$1,269,059)	(\$1,196,426)

ADMINISTRATION 0339 PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	99.000	99.000
Personal Services	\$8,145,215	\$8,318,726
All Other	\$3,901,208	\$3,982,538
HIGHWAY FUND TOTAL	\$12,046,423	\$12,301,264

Bond Interest - Highway 0358

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
All Other	\$3,265,079	\$2,600,579
HIGHWAY FUND TOTAL	\$3,265,079	\$2,600,579

BOND INTEREST - HIGHWAY 0358 PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
All Other	\$3,265,079	\$2,600,579
HIGHWAY FUND TOTAL	\$3,265,079	\$2,600,579

Bond Retirement - Highway 0359

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
All Other	\$15,300,000	\$21,015,000
HIGHWAY FUND TOTAL	\$15,300,000	\$21,015,000

BOND RETIREMENT - HIGHWAY 0359 PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
All Other	\$15,300,000	\$21,015,000
HIGHWAY FUND TOTAL	\$15,300,000	\$21,015,000

Callahan Mine Site Restoration Z007

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000

Callahan Mine Site Restoration Z007

Initiative: Provides allocation to spend funds transferred from the General Fund to design and implement clean-up initiatives for the Callahan Mine site.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$10,000	\$10,000
All Other	\$880,000	\$730,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$890,000	\$740,000

CALLAHAN MINE SITE RESTORATION Z007 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$10,000	\$10,000
All Other	\$890,000	\$740,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$900,000	\$750,000

Fleet Services 0347

Initiative: BASELINE BUDGET

FLEET SERVICES FUND - DOT	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
POSITIONS - FTE COUNT	132.000	132.000
Personal Services	\$10,141,598	\$10,560,948
All Other	\$14,922,256	\$14,922,256
FLEET SERVICES FUND - DOT TOTAL	\$25,063,854	\$25,483,204

Fleet Services 0347

Initiative: Adjusts the allocation of positions within the Department of Transportation to more appropri-

ately reflect the amount of time spent on various programs.

FLEET SERVICES FUND - DOT	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$329,263	\$334,928
All Other	\$2,911	\$2,961
FLEET SERVICES FUND - DOT TOTAL	\$332,174	\$337,889

Fleet Services 0347

Initiative: Provides funding for projected fleet operating budget.

FLEET SERVICES FUND - DOT	2015-16	2016-17
All Other	\$3,000,000	\$3,000,000
FLEET SERVICES FUND - DOT TOTAL	\$3,000,000	\$3,000,000

Fleet Services 0347

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

FLEET SERVICES FUND - DOT	2015-16	2016-17
All Other	\$117,397	\$124,515
FLEET SERVICES FUND - DOT TOTAL	\$117,397	\$124,515

FLEET SERVICES 0347 PROGRAM SUMMARY

FLEET SERVICES FUND - DOT	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	26,000	26,000
POSITIONS - FTE COUNT	132,000	132,000
Personal Services	\$10,470,861	\$10,895,876
All Other	\$18,042,564	\$18,049,732
FLEET SERVICES FUND - DOT TOTAL	\$28,513,425	\$28,945,608

Highway and Bridge Capital 0406

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	456,500	456,500
POSITIONS - FTE COUNT	20,192	20,192
Personal Services	\$18,233,147	\$18,672,615
All Other	\$17,246,252	\$17,246,252
HIGHWAY FUND TOTAL	\$35,479,399	\$35,918,867

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$20,589,980	\$21,078,671
All Other	\$42,680,421	\$42,680,421
FEDERAL EXPENDITURES FUND TOTAL	\$63,270,401	\$63,759,092

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,231,758	\$2,281,728
All Other	\$4,591,975	\$4,591,975
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,823,733	\$6,873,703

Highway and Bridge Capital 0406

Initiative: Provides funding for Capital Expenditures needs for the biennium.

HIGHWAY FUND	2015-16	2016-17
Capital Expenditures	\$2,000,000	\$0
HIGHWAY FUND TOTAL	\$2,000,000	\$0

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$106,000,000	\$106,000,000
FEDERAL EXPENDITURES FUND TOTAL	\$106,000,000	\$106,000,000

Highway and Bridge Capital 0406

Initiative: Adjusts the allocation of positions within the Department of Transportation to more appropriately reflect the amount of time spent on various programs.

HIGHWAY FUND	2015-16	2016-17
Personal Services	(\$6,390)	(\$6,639)
HIGHWAY FUND TOTAL	(\$6,390)	(\$6,639)
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$7,099)	(\$7,376)
FEDERAL EXPENDITURES FUND TOTAL	(\$7,099)	(\$7,376)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	(\$708)	(\$738)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$708)	(\$738)

Highway and Bridge Capital 0406

Initiative: Provides new GARVEE bond funding for highway and bridge needs statewide.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$0	\$50,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$50,000,000

Highway and Bridge Capital 0406

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2015-16	2016-17
All Other	\$1,022,118	\$786,332
HIGHWAY FUND TOTAL	\$1,022,118	\$786,332

Highway and Bridge Capital 0406

Initiative: Reorganizes one Office Associate II position to a Senior Technician position; 3 Assistant Technician positions to Senior Technician positions; and 4 Assistant Technician positions to Civil Engineer III positions.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$87,209	\$92,944

HIGHWAY FUND TOTAL	\$87,209	\$92,944
FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$96,892	\$103,281
All Other	\$1,425	\$1,512
FEDERAL EXPENDITURES FUND TOTAL	\$98,317	\$104,793
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$9,686	\$10,330
All Other	\$232	\$241
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,918	\$10,571

Highway and Bridge Capital 0406

Initiative: Provides the allocation to continue to spend the previously issued GARVEE bond funding for a portion of the replacement of the Sarah Mildred Long Bridge carrying the Route 1 Bypass between Portsmouth, New Hampshire and Kittery, Maine and for other highway and bridge capital needs statewide.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$25,000,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000,000	\$0

Highway and Bridge Capital 0406

Initiative: Provides the allocation to continue to spend the remaining funds provided by the Maine Turnpike Authority for a portion of the replacement of the Sarah Mildred Long Bridge carrying the Route 1 Bypass between Portsmouth, New Hampshire and Kittery, Maine and for other highway and bridge capital needs statewide.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$15,000,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,000,000	\$0

**HIGHWAY AND BRIDGE CAPITAL 0406
PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	456.500	456.500
POSITIONS - FTE COUNT	20.192	20.192
Personal Services	\$18,313,966	\$18,758,920
All Other	\$18,268,370	\$18,032,584
Capital Expenditures	\$1,700,000	\$0

HIGHWAY FUND TOTAL	\$38,282,336	\$36,791,504

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$20,679,773	\$21,174,576
All Other	\$42,681,846	\$42,681,933
Capital Expenditures	\$106,000,000	\$106,000,000

FEDERAL EXPENDITURES FUND TOTAL	\$169,361,619	\$169,856,509

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$2,240,736	\$2,291,320
All Other	\$4,592,207	\$4,592,216
Capital Expenditures	\$40,000,000	\$50,000,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$46,832,943	\$56,883,536

Highway Light Capital Z095

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
All Other	\$2,250,000	\$2,250,000

HIGHWAY FUND TOTAL	\$2,250,000	\$2,250,000

Highway Light Capital Z095

Initiative: Provides authority to spend the return of the cash available after the repayment of bonds from the funds previously transferred to the Maine Municipal Bond Bank TransCap Trust Fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$17,500,000	\$17,500,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,500,000	\$17,500,000

Highway Light Capital Z095

Initiative: Provides funding with a goal of providing approximately 600 miles of light capital paving per year, among other work, depending on bid prices and the severity of winter weather.

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$2,726,500	\$1,783,500
Capital Expenditures	\$2,675,004	\$1,952,704

HIGHWAY FUND TOTAL	\$5,401,504	\$3,736,204

**HIGHWAY LIGHT CAPITAL Z095
PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
Personal Services	\$2,726,500	\$1,783,500
All Other	\$2,250,000	\$2,250,000
Capital Expenditures	\$2,675,004	\$1,952,704

HIGHWAY FUND TOTAL	\$7,651,504	\$5,986,204

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Capital Expenditures	\$17,500,000	\$17,500,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,500,000	\$17,500,000

Local Road Assistance Program 0337

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
All Other	\$19,038,496	\$19,870,421

HIGHWAY FUND TOTAL	\$19,038,496	\$19,870,421

Local Road Assistance Program 0337

Initiative: Provides funding for the Local Road Assistance Program at the correct proportioned rate in accordance with the Maine Revised Statutes, Title 23, section 1803-B.

HIGHWAY FUND	2015-16	2016-17
All Other	\$1,325,067	\$1,066,250

HIGHWAY FUND TOTAL	\$1,325,067	\$1,066,250

**LOCAL ROAD ASSISTANCE PROGRAM 0337
PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17
All Other	\$20,183,511	\$20,935,320
HIGHWAY FUND TOTAL	\$20,183,511	\$20,935,320

Maintenance and Operations 0330

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	164.000	164.000
POSITIONS - FTE COUNT	1,056.059	1,056.059
Personal Services	\$79,028,000	\$82,534,437
All Other	\$57,819,381	\$57,819,381
HIGHWAY FUND TOTAL	\$136,847,381	\$140,353,818

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$3,307,824	\$3,453,744
All Other	\$5,106,169	\$5,106,169

FEDERAL EXPENDITURES FUND TOTAL	\$8,413,993	\$8,559,913

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$100,000	\$100,000
All Other	\$1,374,886	\$1,374,886

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,474,886	\$1,474,886

Maintenance and Operations 0330

Initiative: Provides funding for the purchase of capital equipment to be used in the maintenance of the transportation system.

HIGHWAY FUND	2015-16	2016-17
Capital Expenditures	\$638,900	\$611,200

HIGHWAY FUND TOTAL	\$638,900	\$611,200

Maintenance and Operations 0330

Initiative: Transfers funding from anticipated Personal Services savings to All Other to provide more direct infrastructure improvements through additional contracting and purchase of highway materials. The anticipated savings will be generated through the projec-

tion of actual benefit costs matching workforce demographics.

HIGHWAY FUND	2015-16	2016-17
Personal Services	(\$6,612,289)	(\$7,195,584)
All Other	\$5,612,289	\$8,195,584
HIGHWAY FUND TOTAL	(\$1,000,000)	\$1,000,000

Maintenance and Operations 0330

Initiative: Adjusts the allocation of positions within the Department of Transportation to more appropriately reflect the amount of time spent on various programs.

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$390,790)	(\$396,936)
HIGHWAY FUND TOTAL	(\$390,790)	(\$396,936)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	(\$4,441)	(\$4,501)
FEDERAL EXPENDITURES FUND TOTAL	(\$4,441)	(\$4,501)

Maintenance and Operations 0330

Initiative: Provides funding for the purchase of approximately 55 heavy equipment vehicles in fiscal year 2015-16 and 46 heavy equipment vehicles in fiscal year 2016-17 in accordance with the long-term equipment purchasing plan.

HIGHWAY FUND	2015-16	2016-17
Capital Expenditures	\$7,400,000	\$6,300,000
HIGHWAY FUND TOTAL	\$7,400,000	\$6,300,000

Maintenance and Operations 0330

Initiative: Establishes an Internal Service Fund for the maintenance and capital needs of the facility at 66 Industrial Drive in Augusta.

INDUSTRIAL DRIVE FACILITY FUND	2015-16	2016-17
All Other	\$500,000	\$500,000

INDUSTRIAL DRIVE	\$500,000	\$500,000
FACILITY FUND TOTAL		

MAINTENANCE AND OPERATIONS 0330 PROGRAM SUMMARY

HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	159.000	159.000
POSITIONS - FTE COUNT	1,055.059	1,055.059
Personal Services	\$72,024,921	\$74,941,917
All Other	\$63,431,670	\$66,014,965
Capital Expenditures	\$8,038,900	\$6,911,200

HIGHWAY FUND TOTAL	\$143,495,491	\$147,868,082

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Personal Services	\$3,303,383	\$3,449,243
All Other	\$5,106,169	\$5,106,169

FEDERAL EXPENDITURES FUND TOTAL	\$8,409,552	\$8,555,412

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$100,000	\$100,000
All Other	\$1,374,886	\$1,374,886

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,474,886	\$1,474,886

INDUSTRIAL DRIVE FACILITY FUND	2015-16	2016-17
All Other	\$500,000	\$500,000

INDUSTRIAL DRIVE FACILITY FUND TOTAL	\$500,000	\$500,000

Multimodal - Aviation 0294

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,585,782	\$1,585,782

FEDERAL EXPENDITURES FUND TOTAL	\$1,585,782	\$1,585,782

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$194,475	\$199,416
All Other	\$957,000	\$957,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,151,475	\$1,156,416

Multimodal - Aviation 0294

Initiative: Provides funding for Capital Expenditures needs for the biennium.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$300,000	\$300,000

FEDERAL EXPENDITURES FUND TOTAL	\$300,000	\$300,000

MULTIMODAL - AVIATION 0294 PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,585,782	\$1,585,782
Capital Expenditures	\$300,000	\$300,000

FEDERAL EXPENDITURES FUND TOTAL	\$1,885,782	\$1,885,782

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$194,475	\$199,416
All Other	\$957,000	\$957,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,151,475	\$1,156,416

Multimodal - Freight Rail 0350

Initiative: BASELINE BUDGET

HIGHWAY FUND	2015-16	2016-17
All Other	\$603,599	\$603,599

HIGHWAY FUND TOTAL	\$603,599	\$603,599

FEDERAL EXPENDITURES FUND	2015-16	2016-17	Personal Services	\$206,400	\$210,342
All Other	\$100,000	\$100,000	All Other	\$1,467,904	\$1,467,904
			Capital Expenditures	\$500,000	\$500,000
FEDERAL EXPENDITURES FUND TOTAL	\$100,000	\$100,000	OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,174,304	\$2,178,246
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	Multimodal - Island Ferry Service 2016		
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	Initiative: BASELINE BUDGET		
Personal Services	\$206,400	\$210,342	HIGHWAY FUND	2015-16	2016-17
All Other	\$1,467,904	\$1,467,904	All Other	\$4,906,250	\$4,977,298
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,674,304	\$1,678,246	HIGHWAY FUND TOTAL	\$4,906,250	\$4,977,298
Multimodal - Freight Rail 0350			ISLAND FERRY SERVICES FUND	2015-16	2016-17
Initiative: Provides funding for engineering services performed by department staff and for projects financed through General Fund general obligation bond funds and adjusts the Capital Expenditures allocation to the anticipated revenue and expenditure level for the biennium.			POSITIONS - LEGISLATIVE COUNT	76.000	76.000
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	POSITIONS - FTE COUNT	10.191	10.191
Capital Expenditures	\$500,000	\$500,000	Personal Services	\$6,023,912	\$6,166,009
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000	All Other	\$3,788,587	\$3,788,587
MULTIMODAL - FREIGHT RAIL 0350			ISLAND FERRY SERVICES FUND TOTAL	\$9,812,499	\$9,954,596
PROGRAM SUMMARY			Multimodal - Island Ferry Service 2016		
HIGHWAY FUND	2015-16	2016-17	Initiative: Provides funding to adjust state support to 50% of the operating cost of the Maine State Ferry Service in accordance with the Maine Revised Statutes, Title 23, section 4210-C.		
All Other	\$603,599	\$603,599	HIGHWAY FUND	2015-16	2016-17
HIGHWAY FUND TOTAL	\$603,599	\$603,599	All Other	\$205,096	\$278,151
FEDERAL EXPENDITURES FUND			HIGHWAY FUND TOTAL	\$205,096	\$278,151
All Other	\$100,000	\$100,000	Multimodal - Island Ferry Service 2016		
FEDERAL EXPENDITURES FUND TOTAL	\$100,000	\$100,000	Initiative: Adjusts the allocation of positions within the Department of Transportation to more appropriately reflect the amount of time spent on various programs.		
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17	HIGHWAY FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	All Other	\$27,106	\$27,106
			HIGHWAY FUND TOTAL	\$27,106	\$27,106

ISLAND FERRY SERVICES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$53,691	\$53,691
All Other	\$522	\$522
ISLAND FERRY SERVICES FUND TOTAL	\$54,213	\$54,213

Multimodal - Island Ferry Service 2016

Initiative: Provides funding necessary to maintain the operations of the fleet of vehicles for the department. It assumes fuel prices of \$3.35 per gallon for 1,800,000 gallons of diesel and \$3.20 per gallon for 600,000 gallons of gasoline in both fiscal years for the fleet and \$3.50 per gallon for 550,000 gallons of diesel for the Maine State Ferry Service.

HIGHWAY FUND	2015-16	2016-17
All Other	\$125,000	\$125,000
HIGHWAY FUND TOTAL	\$125,000	\$125,000

ISLAND FERRY SERVICES FUND	2015-16	2016-17
All Other	\$250,000	\$250,000
ISLAND FERRY SERVICES FUND TOTAL	\$250,000	\$250,000

Multimodal - Island Ferry Service 2016

Initiative: Provides funding to increase the hours of 2 intermittent Ferry Able Seaman positions to full-time to meet the staffing needs of the Maine State Ferry Service.

HIGHWAY FUND	2015-16	2016-17
All Other	\$37,885	\$38,455
HIGHWAY FUND TOTAL	\$37,885	\$38,455

ISLAND FERRY SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	(0.608)	(0.608)
Personal Services	\$75,069	\$76,210
All Other	\$700	\$700

ISLAND FERRY SERVICES FUND TOTAL	\$75,769	\$76,910

Multimodal - Island Ferry Service 2016

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2015-16	2016-17
All Other	(\$16,671)	(\$16,521)
HIGHWAY FUND TOTAL	(\$16,671)	(\$16,521)

ISLAND FERRY SERVICES FUND	2015-16	2016-17
All Other	(\$33,342)	(\$33,042)
ISLAND FERRY SERVICES FUND TOTAL	(\$33,342)	(\$33,042)

Multimodal - Island Ferry Service 2016

Initiative: Implements a recruitment and retention stipend of 15% for Ferry Able Seaman positions based on the August 2014 agreement between the State and the Maine State Employees Association to address recruitment and retention problems at the Maine State Ferry Service. The hours were reduced from 7 positions, and this initiative puts those hours back.

HIGHWAY FUND	2015-16	2016-17
All Other	\$32,714	\$33,954
HIGHWAY FUND TOTAL	\$32,714	\$33,954

ISLAND FERRY SERVICES FUND	2015-16	2016-17
POSITIONS - FTE COUNT	0.949	0.949
Personal Services	\$64,720	\$67,174
All Other	\$708	\$733

ISLAND FERRY SERVICES FUND TOTAL	\$65,428	\$67,907

MULTIMODAL - ISLAND FERRY SERVICE 2016**PROGRAM SUMMARY**

HIGHWAY FUND	2015-16	2016-17

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All Other	\$5,317,380	\$5,463,443
HIGHWAY FUND TOTAL	\$5,317,380	\$5,463,443
ISLAND FERRY SERVICES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
POSITIONS - FTE COUNT	11.532	11.532
Personal Services	\$6,217,392	\$6,363,084
All Other	\$4,007,175	\$4,007,500
ISLAND FERRY SERVICES FUND TOTAL	\$10,224,567	\$10,370,584

Multimodal - Passenger Rail Z139

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,000,000	\$2,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,000	\$2,000,000

MULTIMODAL - PASSENGER RAIL Z139**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,000,000	\$2,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,000	\$2,000,000

Multimodal - Ports and Marine 0323

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$150,000	\$150,000
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$181,920	\$183,635
All Other	\$8,334	\$8,334
OTHER SPECIAL REVENUE FUNDS TOTAL	\$190,254	\$191,969

MULTIMODAL - PORTS AND MARINE 0323**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$150,000	\$150,000
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$181,920	\$183,635
All Other	\$8,334	\$8,334

OTHER SPECIAL REVENUE FUNDS TOTAL	\$190,254	\$191,969

Multimodal - Transit 0443

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$368,832	\$373,601
All Other	\$8,134,946	\$8,134,946

FEDERAL EXPENDITURES FUND TOTAL	\$8,503,778	\$8,508,547

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$54,146	\$54,628
All Other	\$1,400,000	\$1,400,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,454,146	\$1,454,628

Multimodal - Transit 0443

Initiative: Provides funding for Capital Expenditures needs for the biennium.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
Capital Expenditures	\$3,800,000	\$3,800,000
FEDERAL EXPENDITURES FUND TOTAL	\$3,800,000	\$3,800,000

Multimodal - Transit 0443

Initiative: Adjusts the allocation of positions within the Department of Transportation to more appropriately reflect the amount of time spent on various programs.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,344	\$76,716
FEDERAL EXPENDITURES FUND TOTAL	\$73,344	\$76,716

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$8,149	\$8,525
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,149	\$8,525

MULTIMODAL - TRANSIT 0443

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$442,176	\$450,317
All Other	\$8,134,946	\$8,134,946
Capital Expenditures	\$3,800,000	\$3,800,000
FEDERAL EXPENDITURES FUND TOTAL	\$12,377,122	\$12,385,263

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,295	\$63,153
All Other	\$1,400,000	\$1,400,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,462,295	\$1,463,153

Multimodal Transportation Fund Z017

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,000,000	\$1,000,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,000,000	\$1,000,000

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$250,000	\$250,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$250,000	\$250,000

Multimodal Transportation Fund Z017

Initiative: Provides funding for engineering services performed by department staff and for projects financed through General Fund general obligation bond funds and adjusts the Capital Expenditures allocation to the anticipated revenue and expenditure level for the biennium.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$400,000	\$400,000
Capital Expenditures	\$1,292,830	\$1,283,089
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,692,830	\$1,683,089

Multimodal Transportation Fund Z017

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$201,163	\$209,519
FEDERAL EXPENDITURES FUND TOTAL	\$201,163	\$209,519

MULTIMODAL TRANSPORTATION FUND Z017

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,201,163	\$1,209,519
FEDERAL EXPENDITURES FUND TOTAL	\$1,201,163	\$1,209,519

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$400,000	\$400,000
All Other	\$250,000	\$250,000
Capital Expenditures	\$1,292,830	\$1,283,089
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,942,830	\$1,933,089

Receivables 0344

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$100,000	\$100,000
All Other	\$912,121	\$912,121
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,012,121	\$1,012,121

RECEIVABLES 0344**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$100,000	\$100,000
All Other	\$912,121	\$912,121
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,012,121	\$1,012,121

State Infrastructure Bank 0870

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$150,000	\$150,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$150,000

State Infrastructure Bank 0870

Initiative: Provides the allocation to make a loan to a municipality for a transportation project.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$450,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$450,000	\$0

STATE INFRASTRUCTURE BANK 0870**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$600,000	\$150,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,000	\$150,000

Transportation Facilities Z010

Initiative: BASELINE BUDGET

TRANSPORTATION FACILITIES FUND	2015-16	2016-17
All Other	\$2,200,000	\$2,200,000
TRANSPORTATION FACILITIES FUND TOTAL	\$2,200,000	\$2,200,000

TRANSPORTATION FACILITIES Z010**PROGRAM SUMMARY**

TRANSPORTATION FACILITIES FUND	2015-16	2016-17
All Other	\$2,200,000	\$2,200,000
TRANSPORTATION FACILITIES FUND TOTAL	\$2,200,000	\$2,200,000

TRANSPORTATION, DEPARTMENT OF**DEPARTMENT TOTALS**

	2015-16	2016-17
HIGHWAY FUND	\$246,145,323	\$253,564,995
FEDERAL EXPENDITURES FUND	\$193,485,238	\$194,142,485
OTHER SPECIAL REVENUE FUNDS	\$77,241,108	\$86,693,416
TRANSPORTATION FACILITIES FUND	\$2,200,000	\$2,200,000

FLEET SERVICES FUND - DOT	\$28,513,425	\$28,945,608
INDUSTRIAL DRIVE FACILITY FUND	\$500,000	\$500,000
ISLAND FERRY SERVICES FUND	\$10,224,567	\$10,370,584
DEPARTMENT TOTAL - ALL FUNDS	\$558,309,661	\$576,417,088

PART B

Sec. B-1. Programmed GARVEE bonding level for 2016-2017 biennium. Notwithstanding any other provision of law and pursuant to the Maine Revised Statutes, Title 23, chapter 19, subchapter 3-A, the Maine Municipal Bond Bank may issue from time to time up to \$50,000,000 of GARVEE bonds for highway and bridge needs statewide to be repaid solely from annual federal transportation appropriations for funding for qualified transportation projects.

PART C

Sec. C-1. Transfer of Highway Fund unallocated balance; capital program needs; Department of Transportation. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of fiscal years 2015-16 and 2016-17 the State Controller shall transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute and the fiscal year 2015-16 unallocated balance dedicated to the fiscal year 2016-17 budgets to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The Commissioner of Transportation is authorized to allot these funds by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. The transferred amounts are considered adjustments to allocations. Within 30 days of approval of the financial order, the Commissioner of Transportation shall provide to the joint standing committee of the Legislature having jurisdiction over transportation matters a report detailing the financial status of the department's capital program.

PART D

Sec. D-1. Transfer authorized. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, for the fiscal years ending June 30, 2016 and June 30, 2017 the Commissioner of Transportation is authorized to transfer, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, identified Highway Fund Personal Services savings to the

Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The financial order must identify the specific savings after all adjustments that may be required by the State Controller to ensure that all financial commitments have been met in Personal Services after assuming all costs for that program including collective bargaining costs. The Commissioner of Transportation shall provide reports by September 15, 2016 and September 15, 2017 detailing the financial adjustments to the Highway Fund to the joint standing committee of the Legislature having jurisdiction over transportation matters.

PART E

Sec. E-1. Transfer of funds; Highway Fund; TransCap Trust Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$5,710,148 in fiscal year 2015-16 and \$5,696,863 in fiscal year 2016-17 from the Highway Fund unallocated surplus to the TransCap Trust Fund established in the Maine Revised Statutes, Title 30-A, section 6006-G.

PART F

Sec. F-1. Transfers of nonbond funds; capital project expenditures; 5-year useful life. Notwithstanding the Maine Revised Statutes, Title 23, section 1604, subsection 3 or any other provision of law, transfers of nonbond funds from the TransCap Trust Fund established in Title 30-A, section 6006-G may be used for capital projects having an estimated useful life of 5 years.

PART G

Sec. G-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, may enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police. The financing arrangements entered into in each fiscal year may not exceed \$2,600,000 in principal costs, and a financing arrangement may not exceed 3 years in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the State Police accounts.

PART H

Sec. H-1. Attrition savings. Notwithstanding any other provision of law, the attrition rate for the 2016-2017 biennium is increased from 1.6% to 3% for judicial branch and executive branch departments and agencies only. The attrition rate for subsequent biennia is 1.6%.

Sec. H-2. Calculation and transfer. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each Highway Fund account for all departments and agencies from savings associated with attrition in fiscal year 2015-16 and fiscal year 2016-17 and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2015-16 and fiscal year 2016-17. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than October 1, 2015.

PART I

Sec. I-1. 23 MRSA §4210-F is enacted to read:

§4210-F. Industrial Drive Facility Fund account

1. Industrial Drive Facility Fund account established. There is established in the department, through the Office of the State Controller, the Industrial Drive Facility Fund account, referred to in this section as "the account." The account is an internal service fund and is under the control of the commissioner. The account is a continuing fund, and funds in the account do not lapse but must be carried forward from year to year. The Treasurer of State shall credit interest earned to the fund. The funds deposited in the account include, but are not limited to, appropriations and allocations made to the account, funds transferred to the account from within the department, funds received from fees charged to state departments and agencies for the use of the department's facility located on Industrial Drive in the City of Augusta or for the services of that facility and earnings by the account from the Treasurer of State's pool.

2. Use of funds. The funds deposited into and disbursed from the account must be used for the purposes of purchasing, operating, maintaining, improving and repairing the facility described in subsection 1.

PART J

Sec. J-1. 30-A MRSA §6006-G, sub-§3, as enacted by PL 2007, c. 470, Pt. D, §1, is amended to read:

3. Bond terms; authorized levels. Bonds issued pursuant to this section may not have terms of more than 15 years. Commencing with the budget presented for the fiscal year beginning July 1, 2009, each new authorization of TransCap revenue bonding must be presented for review and approval by the Legislature as part of the Highway Fund budget, except that review and approval by the Legislature is not required for TransCap revenue bonds issued to refund previously issued TransCap revenue bonds that have been issued with approval by the Legislature, if the issuance

of those refunding bonds results in net present value savings and those refunding bonds have a final maturity date that is not later than the date that is 15 years after the date of issuance of the TransCap revenue bonds being refunded.

PART K

Sec. K-1. 23 MRSA §1612, first ¶, as amended by PL 2011, c. 391, §1, is further amended to read:

Notwithstanding any other provision of law, upon certification, the bank may issue from time to time GARVEE bonds for qualified transportation projects and qualified transportation project costs in such amounts as are authorized by the Legislature by a 2/3 vote in each House of the Legislature, as long as the rolling, 3-year average ratio of GARVEE bond debt service payments to federal funds received from the United States Department of Transportation, Federal Highway Administration does not exceed 15%, less the amount of capacity necessary to issue a \$25,000,000 GARVEE bond for extraordinary, unprogrammed needs. Authorization by the Legislature is not required for GARVEE bonds issued to refund previously issued GARVEE bonds that have been issued with the authorization of the Legislature, if the issuance of those refunding bonds results in net present value savings and those refunding bonds have a final maturity date that is not later than the date that is 15 years after the date of issuance of the GARVEE bonds being refunded.

PART L

Sec. L-1. Carrying provision; Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund account. Notwithstanding any other provision of law, the State Controller shall carry forward up to \$200,000 of any unexpended balance in the All Other, Capital Expenditures and Unallocated line categories on June 30, 2015 in the Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund account to fiscal year 2015-16. The amounts carried forward must be used to make building repairs and improvements to the building housing the main office of the Department of the Secretary of State in Augusta.

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

Effective June 30, 2015.

CHAPTER 269
S.P. 403 - L.D. 1134

**An Act To Require the
Department of Health and
Human Services To Distribute
Information Regarding Down
Syndrome to Providers of
Prenatal and Postnatal Care
and to Genetic Counselors**

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

Sec. 1. 22 MRSA §1642 is enacted to read:

§1642. Down syndrome

The department shall establish, maintain and operate an information service for Down syndrome. For the purposes of this section, "Down syndrome" means a chromosomal condition caused by an error in cell division that results in the presence of an extra whole or partial copy of chromosome 21.

1. Expectant or new parent; others. A hospital, physician, health care provider or certified nurse midwife who renders prenatal care or postnatal care or a genetic counselor who renders prenatal or postnatal genetic counseling shall, upon receipt of a positive test result from a prenatal or postnatal test for Down syndrome, offer the expectant or new parent information provided by the department under subsection 2. The department shall also make such information available to any other person who has received a positive test result from a prenatal or postnatal test for Down syndrome.

2. Information provided. The department shall make available to a person who renders prenatal care, postnatal care or genetic counseling to expectant or new parents who receive a prenatal or postnatal diagnosis of Down syndrome the following:

A. Up-to-date evidence-based written information about Down syndrome that includes physical, developmental, educational and psychosocial outcomes, life expectancy, clinical course and intellectual and functional development and treatment options. The information must have been reviewed by established medical experts in the field and national Down syndrome organizations; and

B. Contact information regarding support programs and services, including information hotlines specific to Down syndrome, resource centers and clearinghouses, national, statewide and local Down syndrome organizations and other educational and support programs.

3. Accessibility of information. Information provided under this section must be culturally and linguistically appropriate for a person receiving a posi-

tive prenatal diagnosis and for the family of a child receiving a postnatal diagnosis of Down syndrome.

See title page for effective date.

CHAPTER 270
H.P. 568 - L.D. 834

**An Act To Clarify the Use of
"M.D." To Represent
Achievement of a Graduate
Degree by an Individual Not
Licensed To Practice Medicine
in Maine**

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

Sec. 1. 32 MRSA §3270, 2nd ¶, as amended by PL 1993, c. 600, Pt. A, §204, is further amended to read:

Whoever, not being duly licensed by the board, practices medicine or surgery or a branch of medicine or surgery, or purports to practice medicine or surgery or a branch of medicine or surgery in a way cited in this section, or who uses the title "Doctor" or the letters "Dr." or the letters "M.D." in connection with that individual's name, contrary to this section, commits a Class E crime. ~~The prefixing of the title "Doctor" or the letters "Dr." or the appending of the letters "M.D." by an individual to that individual's name or the use of the title of doctor or physician in any way by an individual not licensed as described is prima facie evidence that that individual is purporting to practice medicine or surgery contrary to this section, except that nothing~~ Nothing contained in this section prevents an individual who has received the doctor's degree from a reputable college or university, other than the degree of "Doctor of Medicine" from prefixing the letters "Dr." to that individual's name, if that individual is not engaged, and does not engage, in the practice of medicine or surgery or the treatment of a disease or human ailment. ~~Nothing contained in this section prevents an individual who has received the degree "Doctor of Medicine" from a reputable college or university but who is not engaged in the practice of medicine or surgery or the treatment of a disease or human ailment, from prefixing the letters "Dr." or appending the letters "M.D." to that individual's name, as long as that individual's license to practice has never been revoked by the board.~~ Nothing in this chapter may be construed as to affect or prevent the practice of the religious tenets of a church in the ministrations to the sick or suffering by mental or spiritual means.

See title page for effective date.

CHAPTER 271
H.P. 658 - L.D. 955

**An Act To Make Changes to
Laws Governing
Condominiums Regarding the
Display of Signs**

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

Sec. 1. 33 MRSA §576, sub-§10, as enacted by PL 1965, c. 357, is amended to read:

10. Restrictions. Such restrictions on and requirements respecting the use and maintenance of the units and the use of the common areas and facilities not set forth in the declaration as are designed to prevent unreasonable interference with the use of their respective units and of the common areas and facilities by the several unit owners. An association of unit owners may not include in its bylaws or declaration, or any rule adopted pursuant to the bylaws or declaration, or any deed a restriction that prohibits a unit owner from displaying on that unit owner's private property a sign that supports or opposes a candidate for public office or a referendum question during the period from 6 weeks prior to the date that a primary or general election or special election is held regarding that candidate or referendum question to one week after the election for that political candidate or vote for that referendum question is held.

Sec. 2. 33 MRSA §1603-106, sub-§(c) is enacted to read:

(c) An association may not include in its bylaws or declaration, or any rule adopted pursuant to the bylaws or declaration, or any deed a restriction that prohibits a unit owner from displaying on that unit owner's unit a sign that supports or opposes a candidate for public office or a referendum question during the period from 6 weeks prior to the date that a primary or general election or special election is held regarding that candidate or referendum question to one week after the election for that political candidate or vote for that referendum question is held.

See title page for effective date.

CHAPTER 272
H.P. 753 - L.D. 1092

**An Act To Prevent Abusive
Debt Collection Practices**

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

Sec. 1. 32 MRSA §11002, sub-§1-A is enacted to read:

1-A. Collection action. "Collection action" means a lawsuit or arbitration proceeding initiated to collect a debt from a consumer.

Sec. 2. 32 MRSA §11013, sub-§§6 to 8 are enacted to read:

6. Written requirement for payment schedule or settlement agreement. A debt collector may not enter into a payment schedule or settlement agreement regarding a debt unless the payment schedule or settlement agreement is either documented in open court, approved by the court and included in a court order or otherwise reduced to writing. If a payment schedule or settlement agreement is not included in a court order, the debt collector shall provide a written copy of the payment schedule or settlement agreement to the consumer within 10 business days of entering into the payment schedule or settlement agreement and the consumer need not make a payment on the payment schedule or settlement agreement until the written copy has been provided in accordance with this subsection.

7. Acting on time-barred debt. A debt collector may not initiate a collection action when the debt collector knows or reasonably should know that the collection action is barred by the limitations period as set forth in subsection 8.

8. Limitations period for debt collectors. A debt collector may not commence a collection action more than 6 years after the date of the consumer's last activity on the debt. This limitations period applies notwithstanding any other applicable statute of limitations, unless a shorter limitations period is provided under the laws of this State. Notwithstanding any other provision of law, when the applicable limitations period expires, any subsequent payment toward, written or oral affirmation of or other activity on the debt does not revive or extend the limitations period.

See title page for effective date.

CHAPTER 273
H.P. 895 - L.D. 1317

**An Act To Provide Expedited
Court Review of Child
Visitation Provisions for
Military Personnel on Duty out
of State**

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

Sec. 1. 19-A MRSA §1768, sub-§5 is enacted to read:

5. Military members; expedited enforcement of visitation provisions. Notwithstanding any other

provision of law, upon 2 days' notice to a custodial parent or upon such shorter notice as the court may order, a person who is subject to a child custody determination, is a resident of this State, is on active duty serving in the United States Armed Forces or in the National Guard and is either permanently stationed at a military, naval or National Guard post, station or base outside this State or deployed for military or National Guard service may appear and move for enforcement of visitation provisions of a child custody determination and, in that event, the court shall proceed to determine the motion as expeditiously as the ends of justice require.

See title page for effective date.

CHAPTER 274 H.P. 911 - L.D. 1342

An Act To Prohibit Unauthorized Custody Transfers of Children

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

Sec. 1. 17-A MRSA §553, sub-§1, as amended by PL 2001, c. 383, §68 and affected by §156, is further amended to read:

1. A person is guilty of abandonment of a child if, being a parent, guardian or other person legally charged with the long-term care and custody of a child ~~under 14 years of age~~, or being a person to whom the long-term care and custody of a child ~~under 14 years of age~~ has been expressly delegated:

A. The person leaves the child who is less than 14 years of age in a place with the intent to abandon the child. Violation of this paragraph is a Class D crime; ~~or~~

B. The person leaves the child who is less than 6 years of age in a place with the intent to abandon the child. Violation of this paragraph is a Class C crime;

C. The person, with the intent to avoid or divest the person of permanent parental responsibility, places the child who is less than 18 years of age with or transfers the physical custody of the child to a nonrelative without court approval. Violation of this paragraph is a Class D crime; or

D. The person, with the intent to avoid or divest the person of permanent parental responsibility, places the child who is less than 6 years of age with or transfers the physical custody of the child to a nonrelative without court approval. Violation of this paragraph is a Class C crime.

Sec. 2. 17-A MRSA §553, sub-§5 is enacted to read:

5. It is an affirmative defense to a prosecution under subsection 1, paragraph C or D that the person, due to the incarceration, military service, medical treatment or incapacity of the person, temporarily placed the child or transferred the physical custody of the child for a designated short-term period with a specific intent and time period for the return of the child.

Sec. 3. 18-A MRSA §9-303, sub-§(a), as enacted by PL 1995, c. 694, Pt. C, §7 and affected by Pt. E, §2, is amended to read:

(a). A petition for adoption must be sworn to by the petitioner and must include:

- (1). The full name, age and place of residence of the petitioner and, if married, the place and date of marriage;
- (2). The date and place of birth of the adoptee, if known;
- (3). The birth name of the adoptee, any other names by which the adoptee has been known and the adoptee's proposed new name, if any;
- (4). The residence of the adoptee at the time of the filing of the petition;
- (5). The petitioner's intention to establish a parent and child relationship between the petitioner and the adoptee and a statement that the petitioner is a fit and proper person able to care and provide for the adoptee's welfare;
- (6). The names and addresses of all persons or agencies known to the petitioner that affect the custody, visitation or access to the adoptee;
- (7). The relationship, if any, of the petitioner to the adoptee;
- (8). The names and addresses of the department and the licensed child-placing agency, if any; ~~and~~
- (9). The names and addresses of all persons known to the petitioner at the time of filing from whom consent to the adoption is required; ~~and~~
- (10). A statement that the petitioner acknowledges that after the adoption is finalized, the transfer of the long-term care and custody of the child without a court order is prohibited under Title 17-A, section 553, subsection 1, paragraphs C and D.

Sec. 4. 18-A MRSA §9-304, sub-§(h) is enacted to read:

(h). Before the adoption is decreed, the court shall ensure that the petitioners are informed that the transfer of the long-term care and custody of the child

without a court order is prohibited under Title 17-A, section 553, subsection 1, paragraphs C and D.

Sec. 5. 18-A MRSA §9-308, sub-§(a), as amended by PL 2013, c. 137, §1, is further amended to read:

(a). The court shall grant a final decree of adoption if the petitioner who filed the petition has been heard or has waived hearing and the court is satisfied from the hearing or record that:

- (1). All necessary consents, relinquishments or terminations of parental rights have been duly executed and filed with the court;
- (2). An adoption study, when required by section 9-304, has been filed with the court;
- (3). A list of all disbursements as required by section 9-306 has been filed with the court;
- (4). The petitioner is a suitable adopting parent and desires to establish a parent and child relationship with the adoptee;
- (5). The best interests of the adoptee are served by the adoption; and

(5-A). The petitioner has acknowledged that the petitioner understands that the transfer of the long-term care and custody of the child without a court order is prohibited under Title 17-A, section 553, subsection 1, paragraphs C and D; and

- (6). All other requirements of this article have been met.

Sec. 6. 18-A MRSA §9-313, as enacted by PL 1995, c. 694, Pt. C, §7 and affected by Pt. E, §2, is repealed and the following enacted in its place:

§9-313. Advertisement

1. Definitions. As used in this section, the following terms have the following meanings.

A. "Advertise" means to communicate by any public medium that originates within this State, including by newspaper, periodical, telephone book listing, outdoor advertising sign, radio or television or by any computerized communication system, including by e-mail, website, Internet account or any similar medium of communication provided via the Internet.

B. "Internet account" means an account created within a bounded system established by an Internet-based service that requires a user to input or store access information in an electronic device in order to view, create, use or edit the user's account information, profile, display, communications or stored data.

2. Advertising prohibited. A person may not:

A. Advertise for the purpose of finding a child to adopt or to otherwise take into permanent physical custody;

B. Advertise that the person will find an adoptive home or any other permanent physical placement for a child or arrange for or assist in the adoption, adoptive placement or any other permanent physical placement of a child;

C. Advertise that the person will place a child for adoption or in any other permanent physical placement; or

D. Advertise for the purpose of finding a person to adopt or otherwise take into permanent custody a particular child.

3. Exceptions. This section does not prohibit:

A. The department or a child placing agency from advertising in accordance with rules adopted by the department; or

B. An attorney licensed to practice in this State from advertising the attorney's availability to practice or provide services relating to the adoption of children.

4. Violation. A person who violates subsection 2 commits a civil violation for which a fine of not more than \$5,000 may be adjudged.

Sec. 7. 22 MRSA §4011-A, sub-§8 is enacted to read:

8. Required report of residence with non-family. A person required to make a report under subsection 1 shall report to the department if the person knows or has reasonable cause to suspect that a child is not living with the child's family. Although a report may be made at any time, a report must be made immediately if there is reason to suspect that a child has been living with someone other than the child's family for more than 6 months or if there is reason to suspect that a child has been living with someone other than the child's family for more than 12 months pursuant to a power of attorney or other nonjudicial authorization.

See title page for effective date.

CHAPTER 275

S.P. 180 - L.D. 451

An Act To Improve Disclosure Procedures

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

Sec. 1. 14 MRSA §3126-A, sub-§8 is enacted to read:

8. Order to Department of Labor. When it is shown upon ex parte motion and affidavit that the judgment debtor has failed to make 2 or more payments required by an installment payment order under this section, the court shall order the Department of Labor to provide the judgment creditor with the name and address of the current or most recent employer of the judgment debtor, if any, together with the date the employer last reported wage information concerning the judgment debtor. The affidavit must specify the manner of application of all payments made pursuant to the installment payment order. An order directed to the Department of Labor under this section may be served by the judgment creditor by ordinary mail, accompanied by a reasonable fee set by the Department of Labor calculated to cover the full labor, overhead and other costs of administering the order pursuant to state rules and federal regulations. The Department of Labor shall respond to the judgment creditor within 20 days after receipt of the court order.

Sec. 2. 14 MRSA §3134, sub-§2, as repealed and replaced by PL 2013, c. 150, §1, is amended to read:

2. Alternative methods. ~~Prior to February 15, 2016, instead~~ Instead of requesting a civil order of arrest pursuant to subsection 1:

A. The judgment creditor may request the court to issue an order for appearance, and the court shall order the debtor to appear in court at a certain date and time for further disclosure proceedings. This order must be served upon the debtor in hand by the sheriff, who shall obtain from the debtor a personal recognizance bond to appear in court at the specified date and time; or

B. The creditor may proceed by way of a motion for contempt for failure to appear. This motion must be served upon the debtor with a contempt subpoena in the manner set forth in section 3136. If the debtor, after being duly served with a contempt subpoena, fails to appear at the time and place named in the contempt subpoena, the court may find the debtor in civil contempt and shall issue a civil order of arrest under section 3136, subsection 4 or, at the creditor's request, shall issue an order for appearance pursuant to paragraph A.

~~Beginning February 15, 2016, instead of requesting a civil order of arrest, the creditor may proceed by way of a motion for contempt for failure to appear. This motion must be served upon the debtor with a contempt subpoena in the manner set forth in section 3136. If the debtor, after being duly served with a contempt subpoena, fails to appear at the time and place named in the contempt subpoena, the court may find the debtor in civil contempt and shall issue a civil order of arrest under section 3136, subsection 4 or, at the creditor's request, shall issue an order for the debtor to appear in court at a certain date and time for~~

~~further proceedings. The order must be served upon the debtor in hand by the sheriff, who shall obtain from the debtor the debtor's personal recognizance bond to appear in court at the specified date and time.~~

Sec. 3. 14 MRSA §3135, 4th ¶, as amended by PL 2013, c. 150, §2, is further amended to read:

If the debtor fails to appear at the time and place specified in a notice of disclosure hearing in a small claims action or in a disclosure subpoena or contempt subpoena issued pursuant to section 3134, subsection 2 or in a personal recognizance bond obtained by the sheriff, clerk or court, and upon request of the judgment creditor, the court shall order the Department of Labor to provide the judgment creditor with the name and address of the current or most recent employer of the debtor, if any, together with the date the employer last reported wage information concerning the debtor and issue an additional civil order of arrest pursuant to section 3134 directing the sheriff to cause the debtor named in the order to be arrested and delivered to the District Court without obtaining from the debtor a personal recognizance bond. ~~This paragraph is repealed February 15, 2016.~~

Sec. 4. 14 MRSA §3135, 5th ¶, as enacted by PL 2011, c. 177, §1, is amended to read:

An order directed to the Department of Labor under this section may be served by the judgment creditor by ordinary mail, accompanied by a reasonable fee set by the Department of Labor calculated to cover the full labor, overhead and other costs of administering the order pursuant to state rules and federal regulations. The Department of Labor shall respond to the judgment creditor within 20 days after receipt of the court order.

Sec. 5. 14 MRSA §3135, 6th ¶, as amended by PL 2013, c. 150, §2, is further amended to read:

A debtor admitted to personal recognizance bond under this section or section 3134 shall date and sign the bond and provide the following information: date of birth, hair color, eye color, height, weight, gender, race, telephone number, name of employer, address of employer and days and hours of employment. ~~This paragraph is repealed February 15, 2016.~~

Sec. 6. 14 MRSA §3135, 9th ¶, as enacted by PL 2013, c. 150, §3, is repealed.

Sec. 7. 14 MRSA §3135, last ¶, as enacted by PL 2013, c. 150, §3, is repealed.

Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Employment Security Services 0245

Initiative: Transfers and reallocates the cost of one Office Associate II position from the Federal Expenditures Fund to Other Special Revenues Funds within the same program to support the increase in the volume of work related to court-ordered disclosures.

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$96,489)	(\$101,189)
FEDERAL EXPENDITURES FUND TOTAL	(\$96,489)	(\$101,189)

Employment Security Services 0245

Initiative: Transfers and reallocates the cost of one Office Associate II position from the Federal Expenditures Fund to Other Special Revenues Funds within the same program to support the increase in the volume of work related to court-ordered disclosures.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$96,489	\$101,189
OTHER SPECIAL REVENUE FUNDS TOTAL	\$96,489	\$101,189

Employment Security Services 0245

Initiative: Allocates funds associated with the All Other costs to support the increase in the volume of work related to court-ordered disclosures.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$15,175	\$15,649
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,175	\$15,649

LABOR, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
FEDERAL EXPENDITURES FUND	(\$96,489)	(\$101,189)
OTHER SPECIAL REVENUE FUNDS	\$111,664	\$116,838

DEPARTMENT TOTAL - \$15,175 \$15,649
ALL FUNDS

See title page for effective date.

CHAPTER 276

S.P. 430 - L.D. 1203

An Act To Address the Detrimental Effects of Abandoned Property

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

Sec. 1. 30-A MRSA §3106-A is enacted to read:

§3106-A. Municipal authority to manage abandoned properties

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

A. "Property defects" means the conditions that, in the judgment of the municipality, contribute to blight as a result of the continued lack of care, maintenance or security of a property.

B. "Responsible parties" means the owner or owners of record.

2. Municipal authority. In accordance with this section, the municipal officers or the officers' designee may regulate the care, maintenance and security of property determined to be abandoned under subsection 4, if the responsible parties fail to address the property defects after notice and an opportunity to comply. The municipality may recover its costs from the responsible parties. The authorities established by this section may not be construed to replace or supplant any municipal authority to provide for basic necessities under Title 14, section 6026-A or address dangerous properties under Title 17, chapter 91, subchapter 4. Municipal action under this section may not be interpreted to bestow any responsibility on the municipality to safeguard or otherwise preserve or protect abandoned property.

3. Notice of foreclosure; designation of representative. When initiating a foreclosure action on a property, a foreclosing mortgagee shall notify the municipality where the property is situated and designate an in-state representative responsible for the property.

4. Determination of abandonment. Before a municipality may initiate corrective action measures to address property defects pursuant to this section, either a court or the municipal officers must have determined that the property has been abandoned according to the evidence of abandonment described in Title 14, sec-

tion 6326, subsection 2, paragraph A, C, D, E, F, G or H.

A. The municipal officers shall provide notice to the responsible parties and hold a hearing before making a determination that a property has been abandoned. The notice of hearing must:

(1) State the scheduled date, time and location of the hearing; and

(2) Inform the responsible parties that, upon a finding of abandonment, the municipality may require the responsible parties to correct any property defects within 30 days of the issuance of a notice to correct or, if a permit is required to correct property defects, the municipality may require the responsible parties to promptly seek a permit and to correct the defects within 30 days of the issuance of the permit.

B. A hearing under paragraph A may be held no less than 7 days after receipt or publication of the notice.

C. An order issued by the municipality determining that a property is abandoned may be combined with the notice to correct set forth in subsection 5.

5. Notice to correct. Upon a finding of abandonment, the municipal officers may give written notice to the responsible parties to correct identified property defects. The municipal notice to correct under this section must:

A. Identify the property defects;

B. State the municipality's intention to take appropriate preventive or corrective measures to address the property defects;

C. Identify the measures the municipality will take if the responsible parties have not remedied the property defects identified within 30 days of the notice to correct;

D. State the municipality's intention to subsequently recover the municipality's direct, legal and administrative costs from the responsible parties; and

E. Inform the responsible parties of their ability to avert the municipality's actions by remedying the property defects as identified in the notice.

6. Notice process. A notice required to be given under this section is governed by the following.

A. Notice must be hand-delivered or mailed by certified mail, return receipt requested, to the responsible parties. Notice is sufficient if the signed receipt is returned or the certified mail is returned as refused by the recipient.

B. If the address of the responsible parties cannot be determined with reasonable diligence, the notice is sufficient if it is published twice consecutively in a daily or weekly newspaper having general circulation in the municipality in which the property is located.

7. In-state representatives. Mortgagees who have initiated a foreclosure on a property shall designate a representative whose place of business is within this State to be responsible for responding to municipal inquiries regarding the property. The foreclosing mortgagee shall provide the municipality in which the property is located with the contact information for the mortgagee's in-state representative. For the purposes of this subsection, "contact information" means both a mailing address and a direct telephone number with a functioning voice mailbox, as well as the responsible party's direct e-mail address when available.

8. Recovery of costs. All responsible parties are jointly and severally liable to a municipality for its direct, legal and administrative costs incurred while remedying or attempting to remedy the property defects pursuant to this section. The responsible parties shall reimburse the municipality for its costs within 30 days after demand, or a special tax may be assessed against the property in the amount of those costs and may be collected in the same manner as other state, county and municipal taxes are collected.

9. Appeals. An appeal from a finding of abandonment by the municipal officers pursuant to this section is to the Superior Court, pursuant to the provisions of the Maine Rules of Civil Procedure, Rule 80B.

See title page for effective date.

CHAPTER 277

H.P. 899 - L.D. 1321

An Act To Expand the Landowner Relations Program at the Department of Inland Fisheries and Wildlife

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

Sec. 1. 12 MRSA §10108, sub-§4-B is enacted to read:

4-B. Keep Maine Clean program. The commissioner shall develop and implement a Keep Maine Clean program to recruit volunteers to pick up trash in fields and forests while engaging in outdoor recreation. The commissioner shall recruit volunteers for the program from outdoor recreationists, the media and other for-profit and nonprofit organizations, and shall build a database of volunteers and encourage their

participation in the program. The commissioner shall promote the program through a publicly accessible website, e-mail and a monthly e-mail newsletter to volunteers, including stories about the program's sponsors, volunteers, contests, good landowner relations and other helpful information.

The commissioner shall seek sponsorship of the Keep Maine Clean program from businesses, groups representing outdoor recreationists and other individuals and groups. The commissioner may accept money, goods or services donated to the department for the program. Money, goods and services accepted by the commissioner under this subsection may be used only for program activities, including providing gifts to program volunteers and promoting and marketing the program. Money accepted by the commissioner under this subsection must be deposited in the Landowner Relations Fund established in section 10265.

Sec. 2. 12 MRSA §10157, sub-§1, as amended by PL 2013, c. 405, Pt. D, §11, is repealed.

Sec. 3. 12 MRSA §10157, sub-§1-A is enacted to read:

1-A. Appointment and composition. The Landowners and Sportsmen Relations Advisory Board, referred to in this chapter as "the advisory board" and established by Title 5, section 12004-I, subsection 49-C, consists of the following members:

A. Eleven members, appointed by the Commissioner of Inland Fisheries and Wildlife:

- (1) One representative of a statewide small woodland owners association;
- (2) One representative of a large landowners association;
- (3) One representative of a statewide farmers organization;
- (4) Three representatives of sportsmen;
- (5) Two representatives of outdoor recreationists;
- (6) Two representatives of environmentalist organizations; and
- (7) One representative of land trust organizations.

Sec. 4. 12 MRSA §10157, sub-§§2 and 3, as enacted by PL 2003, c. 655, Pt. B, §36 and affected by §422, are amended to read:

2. Terms. ~~Members of the advisory board, including the ad hoc members, serve for 3 years, except that, initially, the first 3 landowner representative members appointed and the first 3 land user representative members appointed serve 3 years; the next 3 landowner representative members appointed and the next 3 land user representative members appointed~~

~~serve 2 years; and the remaining landowner and land user representative members appointed serve for one year. When a vacancy occurs, the Governor Commissioner of Inland Fisheries and Wildlife shall fill the vacancy by appointing a member from the same category as the member who vacated the advisory board and that new member continues to serve for the remainder of the term.~~

3. Chair; election of board officers. The members of the advisory board shall annually elect one of its members as chair and one of its members as vice-chair. The chair is responsible for scheduling at least 3 advisory board meetings a year and for preparing the agenda for each meeting.

Sec. 5. 12 MRSA §10157, sub-§§5 and 6, as enacted by PL 2003, c. 655, Pt. B, §36 and affected by §422, are amended to read:

5. Staffing of advisory board. The department shall provide administrative and staff support to the advisory board. Department staff shall attend all meetings of the advisory board.

6. Meetings. The advisory board shall hold ~~quarterly~~ 3 meetings each year. Additional meetings may be held as necessary to conduct the business of the advisory board. At least once per year, the advisory board and the department shall convene a group of stakeholders to discuss any landowner and outdoor recreationist issues and to provide recommendations to the department and the advisory board for improvements to the landowner relations program.

Sec. 6. 12 MRSA §10157, sub-§7, ¶E, as amended by PL 2011, c. 208, §2, is further amended to read:

E. Conduct an organizational review of the advisory board every 5 years. This review must be designed to provide the information necessary to ascertain whether the advisory board has the membership required by subsection ~~4~~ 1-A and the advisory board is fulfilling its duties. If the review indicates that the advisory board does not have the correct representational membership, a subcommittee of the members of the advisory board must be convened to recommend to the commissioner appropriate changes. At any time, the advisory board may recommend to the commissioner ways to improve the advisory board's membership or function, and the commissioner shall act upon those recommendations; ~~and~~

Sec. 7. 12 MRSA §10157, sub-§7, ¶F, as enacted by PL 2011, c. 208, §3, is amended to read:

F. Establish a protocol to contact and work with the courts to identify public service opportunities for a person who has violated a litter law under Title 17, section 2264-A; and

Sec. 8. 12 MRSA §10157, sub-§7, ¶G is enacted to read:

G. Issue an annual report that includes the following:

- (1) A summary of the major accomplishments of the program over the last year and plans for the coming year;
- (2) A summary of how the department administrative and staff support time was spent, including any time spent by the landowner relations coordinator on matters unrelated to landowner relations;
- (3) A summary of landowner-related complaints received and any resulting action on behalf of the department or advisory board;
- (4) An accounting of income and expenses of the Landowner Relations Fund established in section 10265; and
- (5) An explanation of what the advisory board accomplished pursuant to each of its statutory duties.

Sec. 9. 12 MRSA §10265, as enacted by PL 2011, c. 576, §5, is amended to read:

§10265. Landowner Relations Fund

The Landowner Relations Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund or assist in funding the landowner relations program established pursuant to section 10108, subsection 4-A and the Keep Maine Clean program established in section 10108, subsection 4-B. All funds from fees collected under section 10108, subsection 3 and subsection 4-A, paragraph C and money accepted by the commissioner pursuant to section 10108, subsection 4-B must be deposited in the fund. The fund receives any other funds appropriated or allocated to the fund. The commissioner may accept and deposit into the fund monetary gifts, donations or other contributions from public or private sources for the purposes specified in this section. The fund must be held separate and apart from all other money, funds and accounts.

Sec. 10. Transition. Current members of the Landowners and Sportsmen Relations Advisory Board that fit within the new membership criteria, as determined by the Commissioner of Inland Fisheries and Wildlife, may continue to serve the terms for which they were originally appointed under the former Maine Revised Statutes, Title 12, section 10157, subsection 1.

See title page for effective date.

CHAPTER 278

H.P. 927 - L.D. 1365

An Act Regarding Licensed Children's Programs

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

Sec. 1. 22 MRSA §7701, sub-§§4 and 5 are enacted to read:

4. Division. As used in section 7707, "division" means the Department of Health and Human Services, Division of Licensing and Regulatory Services.

5. Reportable incident. As used in section 7707, "reportable incident" means:

A. A child's death that occurs while the child is in the care of an entity required to report under section 7707, subsection 1; and

B. An injury or trauma to a child that occurs while the child is in the care of an entity required to report under section 7707, subsection 1 and results in the transportation of the child to a hospital by emergency medical services personnel.

Sec. 2. 22 MRSA §7707 is enacted to read:

§7707. Reportable incidents

1. Reporting requirements. A child care facility licensed pursuant to section 8301-A, subsection 2; a family child care provider certified pursuant to section 8301-A, subsection 3; and a nursery school licensed pursuant to section 8402 shall report reportable incidents in accordance with this section.

2. Notification by next business day. An entity required to report pursuant to subsection 1 shall submit a division-approved reportable incident form to the division by the next business day after a reportable incident occurred. The form must include at least the following information:

- A. The date of the reportable incident;
- B. The time the reportable incident occurred;
- C. The name of the entity;
- D. The name of the entity's contact person;
- E. A description of the reportable incident;
- F. The condition of the child;
- G. The name of the child;
- H. The action taken by the entity; and
- I. The involvement of a fire or police department, emergency medical services or other entity.

3. Rules. The department may adopt rules necessary to implement the reporting of reportable incidents. Rules adopted pursuant to this subsection are

routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 279 H.P. 934 - L.D. 1379

An Act To Establish Transportation Network Company Insurance

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

Whereas, transportation network companies that are currently operating in this State are not subject to state regulation; and

Whereas, this legislation establishes requirements for the operation of transportation network companies in the State; and

Whereas, immediate enactment of this legislation is necessary to ensure that transportation network companies are subject to state regulation as soon as possible for the protection of those individuals who use their services; and

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

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

Sec. 1. 24-A MRSA c. 93 is enacted to read:

CHAPTER 93

TRANSPORTATION NETWORK COMPANY INSURANCE

§7301. Short title

This chapter may be known and cited as "the Transportation Network Company Insurance Act."

§7302. Definitions

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

1. Digital network. "Digital network" means any online-enabled application, software, website or system offered or used by a transportation network company that enables the provision of prearranged rides by transportation network company drivers.

2. Personal vehicle. "Personal vehicle" means a vehicle that:

A. Is used by a transportation network company driver;

B. Is owned, leased or otherwise authorized for use by the transportation network company driver; and

C. Is not a taxicab, as defined in Title 29-A, section 101, subsection 79, a limousine, as defined in Title 29-A, section 101, subsection 32 or for-hire transportation as defined in Title 29-A, section 101, subsection 25.

3. Prearranged ride. "Prearranged ride" means transportation provided by a transportation network company driver to a transportation network company rider, beginning when the driver accepts a transportation request through a digital network and ending when the rider departs from the driver's personal vehicle. "Prearranged ride" does not include transportation provided using a taxi, limousine or other for-hire vehicle or transportation through a shared-expense carpool or vanpool arrangement that does not generate income or profit or accept a transportation request through a digital network.

4. Transportation network company. "Transportation network company" means a corporation, partnership, sole proprietorship or other entity operating in the State that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. "Transportation network company" does not include a transportation broker arranging non-emergency medical transportation for Medicaid or Medicare members pursuant to a contract with the State or a managed care organization.

5. Transportation network company driver; driver. "Transportation network company driver" or "driver" means an individual who:

A. Receives information regarding potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

B. Uses a personal vehicle to offer or provide prearranged rides to a transportation network company rider in return for compensation or payment of a fee.

6. Transportation network company rider; rider. "Transportation network company rider" or "rider" means an individual or person who uses a transportation network company's digital network to connect with a transportation network company driver for a ride between locations chosen by the rider.

§7303. Financial responsibility

1. Insurance coverage required. A transportation network company driver or a transportation network company on the driver's behalf shall maintain primary automobile liability insurance that recognizes that the driver is a transportation network company driver or otherwise uses a vehicle to transport riders for compensation and that covers the driver in accordance with this section.

2. Minimum insurance requirements for driver while on digital network. While a transportation network company driver is logged into the transportation network company digital network but is not engaged in a prearranged ride, primary automobile liability insurance must be maintained in the following amounts:

A. For death and bodily injury, \$50,000 per person; for death and bodily injury per incident, \$100,000; and for property damage, \$25,000;

B. The minimum amounts of insurance coverage for medical payments under Title 29-A, section 1605-A; and

C. Uninsured vehicle and underinsured motor vehicle coverage required pursuant to section 2902.

The coverage requirements of this subsection may be satisfied by automobile insurance maintained by the transportation network company driver, automobile insurance maintained by the transportation network company or a combination of automobile insurance maintained by the transportation network company driver and the transportation network company.

3. Minimum insurance requirements while engaged in prearranged ride. While a transportation network company driver is engaged in a prearranged ride, primary automobile liability insurance must be maintained in the following amounts:

A. For death, bodily injury and property damage, \$1,000,000;

B. The minimum amounts of insurance coverage for medical payments under Title 29-A, section 1605-A; and

C. Uninsured vehicle and underinsured motor vehicle coverage required pursuant to section 2902.

The coverage requirements of this subsection may be satisfied by automobile insurance maintained by the transportation network company driver, automobile insurance maintained by the transportation network company or a combination of automobile insurance maintained by the transportation network company driver and the transportation network company.

4. Lapse of coverage; duty to defend. When automobile insurance maintained by a transportation network company driver to fulfill the insurance obliga-

tions of this section has lapsed or does not provide the coverage required by this section, the transportation network company shall provide the coverage required by this section beginning with the first dollar of a claim, and the transportation network company's insurer has a duty to defend the claim.

5. Coverage not dependent on denial of claim. Coverage under an automobile insurance policy maintained by a transportation network company may not be dependent on the denial of the claim under a personal automobile insurance policy.

6. Insurer. Insurance required by this section may be placed with an insurer that is licensed under the provisions of this Title or is authorized as a surplus lines insurer pursuant to chapter 19.

7. Satisfaction of financial responsibility requirements. Insurance satisfying the requirements of this section is deemed to satisfy the financial responsibility requirement for a motor vehicle set forth in section 2902 and Title 29-A, section 1605.

8. Evidence of coverage for transportation network company insurance. A transportation network company driver shall carry at all times evidence of coverage satisfying this section during the driver's use of a vehicle in connection with a transportation network company's digital network. A transportation network company driver shall provide evidence of insurance coverage to a law enforcement officer upon request and, in the event of an accident, a transportation network company driver shall provide insurance coverage information to the directly interested parties, automobile insurers and investigating police officers, upon request pursuant to Title 29-A, section 1601. Upon request, a transportation network company driver shall also disclose to directly interested parties, automobile insurers and investigating police officers whether the driver was logged into the transportation network company's digital network or engaged in a prearranged ride at the time of an accident.

9. Claims payments. If a transportation network company's insurer makes a payment for a claim covered under comprehensive coverage or collision coverage, the transportation network company shall cause its insurer to issue the payment directly to the business repairing the vehicle or jointly to the owner of the vehicle and the primary lienholder on the covered vehicle.

§7304. Disclosure

Before a transportation network company driver may accept a request for a prearranged ride through the transportation network company's digital network, the transportation network company shall disclose in writing to the driver:

1. Coverage provided. The insurance coverage, including the types of coverage and the limits for each

coverage, that the transportation network company provides while the transportation network company driver uses a personal vehicle in connection with a transportation network company's digital network;

2. Personal policy may not cover. That the transportation network company driver's own automobile insurance policy, depending on the policy's terms, might not provide any coverage while the driver is logged into the transportation network company's digital network and is available to receive transportation requests or while the driver is engaged in a prearranged ride;

3. Contact insurer or agent. That the transportation network company driver must contact the driver's personal automobile insurer or insurance producer to advise the insurer or producer that the driver will be providing transportation network services and to determine the coverage, if any, that may be available from the driver's personal automobile insurance policy; and

4. Potential impact on lien. That, if the motor vehicle that the transportation network company driver uses to provide transportation network services has a lien against it, using the motor vehicle for transportation network services without physical damage coverage may violate the terms of the contract with the lienholder.

§7305. Automobile insurance provisions

1. Exclude coverage. Notwithstanding section 2902 or Title 29-A, section 1605, an insurer that writes automobile insurance in this State may exclude coverage afforded under the policy issued to an owner or operator of a personal vehicle for any loss or injury that occurs while a transportation network company driver is logged into a transportation network company's digital network or while a driver is engaged in a prearranged ride. The authority to exclude coverage applies to any coverage included in an automobile insurance policy, including, but not limited to:

- A. Liability coverage for bodily injury and property damage;
- B. Uninsured vehicle and underinsured motor vehicle coverage;
- C. Medical payments coverage;
- D. Comprehensive physical damage coverage; and
- E. Collision physical damage coverage.

Nothing in this section requires that a personal automobile insurance policy provide coverage while the driver is logged into the transportation network company's digital network, the driver is engaged in a prearranged ride or the driver otherwise uses a vehicle to transport riders for compensation.

Nothing in this section may be construed to preclude an insurer from entering into a contract to provide coverage for a transportation network company driver's personal vehicle.

2. No duty to indemnify. If an insurer has excluded coverage described in section 7303, the insurer has no duty to defend or indemnify any claim expressly excluded. Nothing in this chapter may be construed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in this State prior to the effective date of this chapter, that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public.

3. Right of contribution. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy has a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of section 7303 at the time of loss.

4. Cooperation. In a claims coverage investigation, a transportation network company and any insurer potentially providing coverage under section 7303 shall cooperate to facilitate the exchange of relevant information with directly involved parties and any insurer of the transportation network company driver if applicable, including but not limited to:

A. The precise times that a transportation network company driver logged into and off of the transportation network company's digital network in the 12-hour period immediately preceding and in the 12-hour period immediately following the accident; and

B. A clear description of the coverage, exclusions and limits provided under any automobile insurance maintained under this chapter.

Sec. 2. 29-A MRSA c. 13, sub-c. 4 is enacted to read:

SUBCHAPTER 4

TRANSPORTATION NETWORK COMPANIES

§1671. Definitions

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

1. Digital network. "Digital network" has the same meaning as in Title 24-A, section 7302, subsection 1.

2. Personal vehicle. "Personal vehicle" has the same meaning as in Title 24-A, section 7302, subsection 2.

3. Prearranged ride. "Prearranged ride" has the same meaning as in Title 24-A, section 7302, subsection 3.

4. Transportation network company. "Transportation network company" has the same meaning as in Title 24-A, section 7302, subsection 4.

5. Transportation network company driver; driver. "Transportation network company driver" or "driver" has the same meaning as in Title 24-A, section 7302, subsection 5.

6. Transportation network company rider; rider. "Transportation network company rider" or "rider" has the same meaning as in Title 24-A, section 7302, subsection 6.

§1672. Transportation network company permit

1. Permit required. A person may not operate a transportation network company without a permit issued by the Secretary of State, subject to the following conditions.

A. A transportation network company shall pay an annual fee of \$10,000 for a permit under this section.

B. A transportation network company shall maintain insurance in accordance with section 1673.

2. Application; validity of permit. An application for a permit under this section must be made on a form provided or approved by the Secretary of State. A permit under this section is valid for a period of one year.

3. Termination of permit. The Secretary of State shall terminate a permit under this section for failure to maintain insurance required by section 1673 or to otherwise comply with the requirements of this subchapter. The Secretary of State may not reissue a permit terminated under this subsection until:

A. A reinstatement fee of \$1,000 is paid to the Secretary of State; and

B. Subsequent to the termination, the transportation network company pays the annual permit fee under subsection 1 and demonstrates compliance with the requirements of this subchapter.

4. Penalty. The following provisions apply to violations under this section.

A. Operation without a permit as required by subsection 1 is a Class D crime.

B. Failure to maintain insurance as required by subsection 1, paragraph B is a Class D crime.

§1673. Insurance requirements

1. Insurance required. A transportation network company shall maintain insurance pursuant to this section.

2. Proof of insurance. The Secretary of State shall certify proof of insurance prior to issuing a permit under section 1672. The Secretary of State may not certify an insurance policy as proof of insurance unless the policy meets the requirements of subsection 4 and until a copy of the form of policy has been on file with the Superintendent of Insurance for at least 30 days or the Superintendent of Insurance has approved in writing the form of the policy under subsection 3.

3. Form. The form of policy under this section must contain:

A. The name and address of the insured;

B. The conditions of coverage sufficient to identify whether or not a given vehicle is covered at a given time;

C. The policy period;

D. The limits of liability; and

E. An agreement that insurance is provided pursuant to this section.

4. Required provisions. An insurance policy under this section must:

A. Provide coverage in accordance with the requirements of Title 24-A, section 7303; and

B. Comply with section 1606, subsections 2 to 6.

§1674. Other requirements

The following provisions apply to a transportation network company operating in this State.

1. Not a motor carrier, taxicab, limousine or for-hire vehicle. A transportation network company or a transportation network company driver is not a motor carrier, a taxicab, a limousine or a provider of for-hire transportation service.

2. Agent. A transportation network company shall designate an agent for service of process in this State.

3. Fare for services. On behalf of a transportation network company driver, a transportation network company may charge a fare for the services provided to riders; if a fare is collected from a rider, the transportation network company shall disclose to the rider the fare calculation method on its website or through the digital network. The transportation network company shall also provide a rider with the applicable rate being charged and the option to receive an estimated fare before the rider enters the transportation network company driver's vehicle.

4. Identification of transportation network company vehicles and drivers. The transportation network company's digital network or website must display to a rider a picture of the transportation network company driver and the license plate number of

the personal vehicle used for providing the prearranged ride before the rider enters the transportation network company driver's vehicle.

5. Electronic receipt. Within a reasonable period of time following the completion of a prearranged ride, a transportation network company shall transmit an electronic receipt to the rider that lists:

- A. The point of origin and destination of the prearranged ride;
- B. The total time and distance of the prearranged ride; and
- C. An itemization of the total fare paid, if any.

6. No cash. A transportation network company shall adopt a policy prohibiting the solicitation or acceptance of a cash payment from a rider and notify transportation network company drivers of that policy. A transportation network company driver may not solicit or accept a cash payment from a rider. Any payment for a prearranged ride may be made only electronically using the transportation network company's digital network.

7. Policy on discrimination; accessibility. A transportation network company shall adopt a policy addressing discrimination and accessibility that:

- A. Prohibits discrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation or gender identity with respect to riders and potential riders;
- B. Requires a transportation network company driver to comply with all applicable laws regarding discrimination against riders or potential riders on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation or gender identity;
- C. Requires a transportation network company driver to comply with all applicable laws relating to accommodation of service animals;
- D. Prohibits the imposition of additional charges for providing services to persons with physical disabilities because of those disabilities;
- E. Provides a rider an opportunity to indicate whether the rider requires a wheelchair accessible vehicle. If a transportation network company cannot arrange for wheelchair accessible transportation in any instance, the transportation network company driver shall direct the rider to an alternate provider of wheelchair accessible service, if available; and
- F. Provides notice of the policy to each driver.

8. Records. A transportation network company shall maintain individual prearranged ride records for

at least one year from the date each prearranged ride was provided and transportation network company driver records for at least one year from the date on which a transportation network company driver's activation on the transportation network company's digital network has ended.

§1675. Driver requirements

A transportation network company must meet the following requirements with respect to drivers.

1. Driver qualifications. Before allowing a driver to accept prearranged ride requests through a digital network, a transportation network company shall:

A. Require the individual to submit an application, which includes information regarding the individual's address, age, driver's license, driving history, registration of the personal vehicle, automobile liability insurance and any other information required by the transportation network company;

B. Conduct, or have a 3rd party conduct, a local and national criminal background check for each applicant that must include a review of:

(1) A multistate and multijurisdiction criminal records database or a commercial nationwide criminal records database; and

(2) The United States Department of Justice national sex offender registry database and the state sex offender registry database in the state that issued the individual's driver's license; and

C. Obtain and review a driving history report for the individual.

2. Grounds for disqualification. A transportation network company may not permit an individual to act as a driver if the individual:

A. Is not at least 19 years of age;

B. Has had more than 3 moving violations in the prior 3-year period or one major violation in the prior 3-year period, including, but not limited to, attempting to evade the police, reckless driving or driving on a suspended or revoked license;

C. Has been convicted, within the past 7 years, of driving under the influence of drugs or alcohol, fraud, a sexual offense, use of a motor vehicle to commit a felony, a crime involving property damage or theft, an act of violence or an act of terror;

D. Is a match in the national sex offender registry database or is required to register in the state that issued the individual's driver's license pursuant to that state's sex offender registration laws;

E. Does not possess a valid driver's license;

F. Does not possess proof of registration for the motor vehicle to be used to provide a prearranged ride; or

G. Does not possess proof of automobile liability insurance for the motor vehicle to be used to provide a prearranged ride.

3. Prohibition of drug or alcohol use. A transportation network company shall adopt and implement a policy regarding a driver's use of drugs or alcohol while accessing the transportation network company's digital network in accordance with this subsection.

A. The policy adopted under this subsection must prohibit the use of drugs or alcohol while a driver is providing a prearranged ride and address such use while a driver is logged into the digital network, but is not providing a prearranged ride. The transportation network company shall provide notice of the policy on its website, as well as procedures to report a complaint about a driver who the rider reasonably suspects was under the influence of drugs or alcohol during the course of the prearranged ride.

B. Upon receipt of a rider complaint under paragraph A, the transportation network company shall immediately suspend the driver's access to the digital network and shall conduct an investigation into the reported incident. The suspension must last the duration of the investigation.

C. A transportation network company shall maintain records relevant to the enforcement of its policy under this subsection for a period of at least 2 years from the date that a rider complaint is received by the transportation network company.

4. Vehicle safety and emissions. A transportation network company shall require that any motor vehicle used by a driver to provide a prearranged ride meets any safety and emissions requirements of the state in which the vehicle is registered.

5. No street hails. A transportation network company driver may not solicit or accept street hails.

§1676. No application to workers' compensation

This subchapter does not apply to claims or proceedings involving workers' compensation.

§1677. Municipal action

Notwithstanding any other provision of law, a municipality or other political subdivision may not adopt an ordinance, regulation or procedure governing the operations of a transportation network company, driver or motor vehicle used by a transportation network company driver to provide a prearranged ride or impose a tax or fee on or require a license for a transportation network company, driver or motor vehicle used by a transportation network company driver to provide a prearranged ride.

Sec. 3. Issuance of permit. Notwithstanding the Maine Revised Statutes, Title 29-A, section 1673, subsection 2, the Secretary of State shall certify proof of insurance filed by a transportation network company operating in this State on the effective date of this Act upon a determination that the policy meets the requirements of Title 29-A, section 1673, subsection 4.

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

Effective June 30, 2015.

CHAPTER 280

H.P. 773 - L.D. 1112

An Act To Make Technical Changes to the Sex Offender Registration and Notification Acts of 1999 and 2013

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

Sec. 1. 34-A MRSA §11202-A, sub-§1, ¶¶A, E and F, as amended by PL 2009, c. 570, §1, are further amended to read:

A. The person was sentenced in the State on or after January 1, 1982 and prior to June 30, 1992 and was finally discharged from the correctional system at least 10 years prior to submitting documentation to the bureau under this section; the person was sentenced in the State on or after June 30, 1992 and prior to September 18, 1999 and was finally discharged from the correctional system at least 10 years prior to submitting documentation to the bureau under this section; the person was sentenced in another jurisdiction prior to September 18, 1999, was finally discharged from the correctional system at least 10 years prior to submitting documentation to the bureau under this section and has been in compliance with the registration duties as a resident required under subchapter 2 since September 12, 2009; or the person was sentenced in the State on or after September 18, 1999 and prior to July 30, 2004 for a violation of former Title 17-A, section 252 and was finally discharged from the correctional system at least 10 years prior to submitting documentation to the bureau under this section. For purposes of this paragraph, "finally discharged from the correctional system" includes completion of probation;

E. Subsequent to the conviction for the sex offense or sexually violent offense, the person has not been convicted of and sentenced for a crime under Title 17 or Title 17-A in this State that is

punishable by imprisonment for a term of one year or more; and

F. Subsequent to the conviction for the sex offense or sexually violent offense, the person has not been convicted of and sentenced for a crime under the laws of any other jurisdiction ~~of a crime~~ that is punishable by a term of imprisonment exceeding one year. This paragraph does not include a crime under the laws of another jurisdiction that is classified by the laws of that jurisdiction as a misdemeanor and is punishable by a term of imprisonment of 2 years or less.

Sec. 2. 34-A MRSA §11222, sub-§§2-A and 2-B, as amended by PL 2009, c. 365, Pt. B, §15 and affected by §22, are further amended to read:

2-A. Duty of registrant sentenced from June 30, 1992 to September 17, 1999 to register. Notwithstanding subsection 1 ~~and except as provided in subsection 2-B,~~ a person coming within the definition of a 10-year registrant or lifetime registrant who has been sentenced on or after June 30, 1992 but before September 18, 1999 for a sex offense or a sexually violent offense shall register either as a 10-year registrant or lifetime registrant, whichever is applicable, if the duty to register has been triggered under subsection 1-A, paragraph A, B or C and the offender has been notified of the duty to register by a court of jurisdiction, the department, the bureau or a law enforcement agency. The offender shall register with the bureau within 5 days of notice.

2-B. Duty to register for new crimes. For a person ~~otherwise subject to subsection 2-A~~ who has been sentenced for a crime added by an amendment to the definition of sex offense or sexually violent offense in section 11203 since September 1, 2002, if the duty to register has been triggered under subsection 1-A, paragraph A, B or C and the offender has been notified of the duty to register by a court of jurisdiction, the department, the bureau or a law enforcement agency, that person shall register as a 10-year registrant or a lifetime registrant, whichever is applicable. The offender shall register with the bureau within 5 days of notice.

Sec. 3. 34-A MRSA §11222, sub-§4, as amended by PL 2009, c. 570, §2, is further amended to read:

4. Verification for persons sentenced on or after September 18, 1999. During the period a registrant sentenced on or after September 18, 1999 is required to register, the bureau shall require the registrant to verify registration information including domicile, residence, mailing address, place of employment and college or school being attended. The Unless verifications are suspended, the bureau shall verify the registration information of a 10-year registrant on each anniversary of the 10-year registrant's initial registra-

tion date and shall verify a lifetime registrant's registration information every ~~90 days~~ 3 months after that lifetime registrant's initial registration date. Verification of the registration information of a 10-year registrant or lifetime registrant occurs as set out in this subsection.

A. At least 10 days prior to the required verification date, the bureau shall mail a nonforwardable verification form to the last reported mailing address of the registrant. The verification form is deemed received 3 days after mailing unless returned by postal authorities.

C. The registrant shall take the completed verification form and a current photograph of the registrant to the law enforcement agency having jurisdiction within 5 days of receipt of the form.

D. The law enforcement agency having jurisdiction shall verify the registrant's identity, have the registrant sign the verification form, take the registrant's fingerprints, complete the law enforcement portion of the verification form and immediately forward the fingerprints, photograph and form to the bureau.

Sec. 4. 34-A MRSA §11222, sub-§4-A, as amended by PL 2011, c. 420, Pt. C, §4, is further amended to read:

4-A. Verification for person sentenced on or after January 1, 1982 and prior to September 18, 1999 who is a 10-year registrant. During the period a 10-year registrant sentenced on or after January 1, 1982 and prior to September 18, 1999 is required to register, the bureau shall require the 10-year registrant to verify registration information including domicile, residence, mailing address, place of employment and college or school being attended. The Unless verifications are suspended, the bureau shall verify the registration information of a 10-year registrant in writing as provided by the bureau on each anniversary of the 10-year registrant's initial registration date and once every 5 years in person. Verification of the registration information of a 10-year registrant occurs as set out in this subsection.

A. At least 10 days prior to the required verification date, the bureau shall mail a nonforwardable verification form to the last reported mailing address of the 10-year registrant. The verification form is deemed received 3 days after mailing unless returned by postal authorities.

B. The 10-year registrant shall mail to the bureau the completed written verification form and a current photograph on each anniversary of the 10-year registrant's initial registration date within 5 days of receipt of the form, except as provided in paragraph C.

C. In lieu of mailing the completed verification form under paragraph B, the 10-year registrant shall take the completed verification form and a current photograph of the 10-year registrant to the law enforcement agency having jurisdiction once every 5 years ~~after~~ on the anniversary of the 10-year registrant's initial registration or, if there is a reason to believe the offender's appearance has changed significantly, the law enforcement agency having jurisdiction or the bureau may instruct the 10-year registrant in writing:

- (1) To appear in person at the law enforcement agency having jurisdiction with a current photograph or to allow a photograph to be taken; or
- (2) If authorized in writing by the law enforcement agency having jurisdiction or the bureau, to submit a new photograph without appearing in person.

D. Whenever in-person verification is mandated pursuant to paragraph C, the law enforcement agency having jurisdiction shall verify the 10-year registrant's identity, have the 10-year registrant sign the verification form, take the registrant's fingerprints, complete the law enforcement portion of the verification form and immediately forward the fingerprints, photograph and form to the bureau.

Sec. 5. 34-A MRSA §11222, sub-§4-B, as amended by PL 2011, c. 420, Pt. C, §5, is further amended to read:

4-B. Verification for person sentenced on or after January 1, 1982 and prior to September 18, 1999 who is a lifetime registrant. During the period a lifetime registrant sentenced on or after January 1, 1982 and prior to September 18, 1999 is required to register, the bureau shall require the lifetime registrant to verify registration information including domicile, residence, mailing address, place of employment and college or school being attended. ~~The Unless verifications are suspended, the bureau shall verify the registration information of a lifetime registrant in writing as provided by the bureau every 90 days 3 months after that lifetime registrant's initial registration date and once every 5 years in person. Verification of the registration information of a lifetime registrant occurs as set out in this subsection.~~

A. At least 10 days prior to the required verification date, the bureau shall mail a nonforwardable verification form to the last reported mailing address of the lifetime registrant. The verification form is deemed received 3 days after mailing unless returned by postal authorities.

B. The lifetime registrant shall mail to the bureau the completed written verification form and a current photograph every ~~90 days~~ 3 months after that

lifetime registrant's initial registration date within 5 days of receipt of the form, except as provided in paragraph C.

C. In lieu of mailing the completed verification form under paragraph B, the lifetime registrant shall take the completed verification form and a current photograph of the lifetime registrant to the law enforcement agency having jurisdiction once every 5 years ~~after~~ on the anniversary of the lifetime registrant's initial registration or, if there is a reason to believe the lifetime registrant's appearance has changed significantly, the law enforcement agency having jurisdiction or the bureau may instruct the lifetime registrant in writing:

- (1) To appear in person at the law enforcement agency having jurisdiction with a current photograph or to allow a photograph to be taken; or
- (2) If authorized in writing by the law enforcement agency having jurisdiction or the bureau, to submit a new photograph without appearing in person.

D. Whenever in-person verification is mandated pursuant to paragraph C, the law enforcement agency having jurisdiction shall verify the lifetime registrant's identity, have the lifetime registrant sign the verification form, take the lifetime registrant's fingerprints, complete the law enforcement portion of the verification form and immediately forward the fingerprints, photograph and form to the bureau.

Sec. 6. 34-A MRSA §11222, sub-§4-C is enacted to read:

4-C. Verification for person sentenced in another jurisdiction before January 1, 1982 who is a lifetime registrant. During the period a lifetime registrant sentenced in another jurisdiction before January 1, 1982 is required to register, the bureau shall require the lifetime registrant to verify registration information including domicile, residence, mailing address, place of employment and college or school being attended. Unless verifications are suspended, the bureau shall verify the registration information of a lifetime registrant in writing as provided by the bureau every 3 months after that lifetime registrant's initial registration date and once every 5 years in person. Verification of the registration information of a lifetime registrant occurs as set out in this subsection.

A. At least 10 days prior to the required verification date, the bureau shall mail a nonforwardable verification form to the last reported mailing address of the lifetime registrant. The verification form is deemed received 3 days after mailing unless returned by postal authorities.

B. The lifetime registrant shall mail to the bureau the completed written verification form and a current photograph every 3 months after that lifetime registrant's initial registration date within 5 days of receipt of the form, except as provided in paragraph C.

C. In lieu of mailing the completed verification form under paragraph B, the lifetime registrant shall take the completed verification form and a current photograph of the lifetime registrant to the law enforcement agency having jurisdiction once every 5 years on the anniversary of the lifetime registrant's initial registration or, if there is a reason to believe the lifetime registrant's appearance has changed significantly, the law enforcement agency having jurisdiction or the bureau may instruct the lifetime registrant in writing:

(1) To appear in person at the law enforcement agency having jurisdiction with a current photograph or to allow a photograph to be taken; or

(2) If authorized in writing by the law enforcement agency having jurisdiction or the bureau, to submit a new photograph without appearing in person.

D. Whenever in-person verification is mandated pursuant to paragraph C, the law enforcement agency having jurisdiction shall verify the lifetime registrant's identity, have the lifetime registrant sign the verification form, take the lifetime registrant's fingerprints, complete the law enforcement portion of the verification form and immediately forward the fingerprints, photograph and form to the bureau.

Sec. 7. 34-A MRSA §11225-A, sub-§1, ¶B, as amended by PL 2009, c. 570, §5, is further amended to read:

B. A 10-year registrant sentenced in this State shall register for a period of 10 years. The 10-year period is calculated as follows.

(1) If the 10-year registrant was sentenced prior to September 18, 1999 to a wholly suspended sentence with probation or administrative release or to a punishment alternative not involving imprisonment, the 10-year period is treated as having begun at the time the person commenced an actual execution of the wholly suspended sentence or at the time of sentence imposition when no punishment alternative involving imprisonment was imposed, unless the court ordered a stay of execution, in which event the 10-year period is treated as having begun at the termination of the stay.

(2) If the 10-year registrant was sentenced prior to September 18, 1999 to a straight term of imprisonment or to a split sentence, the 10-year period is treated as having begun at the time of discharge or conditional release.

(3) If the 10-year registrant was committed under Title 15, section 103 prior to September 18, 1999, the 10-year period is treated as having begun at the time of discharge or conditional release under Title 15, section 104-A.

(4) If the 10-year registrant was sentenced prior to September 18, 1999 and the person's duty to register has not yet been triggered, the 10-year period commences upon registration by the person in compliance with section 11222, subsection 1-A, paragraph A, B or C.

(5) If the 10-year registrant was sentenced on or after September 18, 1999, the 10-year period commences from the date the person in fact initially registers once the legal duty to register arises under section 11222.

Sec. 8. 34-A MRSA §11225-A, sub-§5, as enacted by PL 2005, c. 423, §22, is repealed and the following enacted in its place:

5. Suspending verifications. Notwithstanding subsections 1 and 3, the bureau, pursuant to any rules the bureau may adopt, may suspend the requirement that the 10-year registrant or lifetime registrant verify registration information during any period in which the 10-year registrant or lifetime registrant:

A. Leaves this State, establishes a domicile or residence in another state and remains physically absent from this State;

B. Is incarcerated; or

C. Is incapacitated or hospitalized.

Sec. 9. 34-A MRSA §11228, as amended by PL 2009, c. 365, Pt. B, §21 and affected by §22, is repealed and the following enacted in its place:

§11228. Certification by record custodian

1. Certificate admissible. Notwithstanding any other law or rule of evidence, a certificate by the custodian of the records of the bureau, when signed and sworn to by that custodian, or the custodian's designee, is admissible in a judicial or administrative proceeding as prima facie evidence of any fact stated in the certificate or in any documents attached to the certificate.

2. Qualified witness. With 10 days' written notice to the prosecution, the defendant may request that a qualified witness testify to the matters of which the certificate under subsection 1 constitutes prima facie evidence. The notice must specify those matters concerning which the defendant requests testimony. The certificate is not prima facie evidence in those matters.

Sec. 10. 34-A MRSA §11273, sub-§15, ¶A, as enacted by PL 2011, c. 663, §3, is amended to read:

A. Title 17-A, chapter 11 including the following:

- (1) Title 17-A, section 253, subsection 2, paragraph J, ~~if the victim had attained 18 years of age at the time of the offense regardless of the age of the victim;~~
- (2) Title 17-A, section 253, subsection 2, paragraph K, regardless of the age of the victim;
- (3) Title 17-A, section 253, subsection 2, paragraph L, regardless of the age of the victim;
- (4) Title 17-A, section 255-A, subsection 1, paragraph J, regardless of the age of the victim;
- (5) Title 17-A, section 255-A, subsection 1, paragraph R-1, regardless of the age of the victim;
- (6) Title 17-A, section 255-A, subsection 1, paragraph R-2, regardless of the age of the victim; and
- (7) Title 17-A, section 258, subsection 1-A, if the victim had not attained 12 years of age;

Sec. 11. 34-A MRSA §11273, sub-§16, ¶¶D and E, as enacted by PL 2011, c. 663, §3, are amended to read:

D. Title 17-A, section 852, subsection 1; ~~and~~

E. A military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151; ~~and~~

Sec. 12. 34-A MRSA §11273, sub-§16, ¶F is enacted to read:

F. Title 17-A, section 556, subsection 1, paragraph B, regardless of the age of the victim.

Sec. 13. 34-A MRSA §11281, sub-§1, as enacted by PL 2011, c. 663, §3, is amended to read:

1. Maintenance of registry. The bureau shall establish and maintain a registry of persons required to register pursuant to this subchapter, referred to in this section as "the registry." ~~The~~ After initial registration, the registry must include the following information on each registrant:

A. The registrant's name, aliases, date of birth, sex, race, height, weight, eye color, land line and cellular telephone numbers, Internet identifiers, mailing address and physical location of expected domicile and residence. For purposes of this

paragraph, "Internet identifiers" means e-mail addresses and other designations used for self-identification or routing in Internet communication or posting;

B. Place of employment and college or school being attended, if applicable, and the corresponding mailing address and physical location;

C. Offense history;

D. A current photograph and set of fingerprints;

E. A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed;

F. Whether the registrant is a Tier I registrant, Tier II registrant or Tier III registrant;

G. A copy of any driver's license information and copy of the driver's license;

H. A copy of any professional license;

I. Passport and immigration documents and social security number;

J. Temporary lodging and dates of travel;

K. Information about motor vehicles owned, leased or used and registration and location of those motor vehicles. For purposes of this paragraph, "lease" means a transfer of the right to possession and use of a motor vehicle for a term of 30 days or more in return for consideration; and

L. Any other information the bureau determines important.

Sec. 14. 34-A MRSA §11281, sub-§7, as enacted by PL 2011, c. 663, §3, is amended to read:

7. Public access to registrant information. ~~The~~ After initial registration, the bureau shall provide information to the public as follows.

A. The bureau shall post on the Internet for public inspection the following information concerning a registrant who is a Tier I registrant, Tier II registrant or Tier III registrant:

- (1) The registrant's name, aliases and date of birth and a current photograph;
- (2) The registrant's city or town of domicile and residence;
- (3) The registrant's place of employment and college or school being attended, if applicable, and the corresponding mailing address and physical location;
- (4) The statutory citation and name of the offense for which the registrant was convicted;
- (5) Whether the registrant is a Tier I registrant, a Tier II registrant or a Tier III registrant;

(6) Verification requirements and date of last verification; and

(7) The registrant's address and its location on a map.

B. The bureau shall establish an e-mail notification system to alert a member of the public who has subscribed annually to the e-mail notification system when a registrant moves into the subscriber's geographic area.

C. Upon receiving a written request that includes the name and date of birth of a registrant, the bureau shall provide the following information concerning a registrant to the requestor:

(1) The registrant's name, aliases, date of birth, sex, race, height, weight, eye color, mailing address and physical location of domicile and residence;

(2) The registrant's place of employment and college or school being attended, if applicable, and the corresponding mailing address and physical location;

(3) A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed; and

(4) The registrant's photograph.

Sec. 15. 34-A MRSA §11282, sub-§6, as enacted by PL 2011, c. 663, §3, is amended to read:

6. Verification. During the period a registrant is required to register, the bureau shall require the registrant to verify all registration information unless verifications are suspended. The following provisions govern the verification of registration information.

A. At least 10 days prior to the required verification date, the bureau shall mail a nonforwardable verification form to the last reported mailing address of the registrant. The verification form is deemed received 3 days after mailing unless returned by postal authorities.

B. The registrant shall bring the completed verification form and a current photograph of the registrant to the law enforcement agency having jurisdiction within 5 days of receipt of the form.

C. The law enforcement agency having jurisdiction shall verify the registrant's identity, have the registrant sign the verification form, take the registrant's fingerprints, complete the law enforcement portion of the verification form and immediately forward the fingerprints, photograph and form to the bureau.

Sec. 16. 34-A MRSA §11282, sub-§7, ¶¶A and B, as enacted by PL 2011, c. 663, §3, are amended to read:

A. A Tier III registrant shall register for the duration of the registrant's life and shall verify registration information every ~~90 days~~ 3 months after the registrant's initial registration date.

B. A Tier II registrant shall register for 25 years and shall verify registration information every ~~180 days~~ 6 months after the registrant's initial registration date.

Sec. 17. 34-A MRSA §11285, sub-§8, as enacted by PL 2011, c. 663, §3, is repealed and the following enacted in its place:

8. Suspending verifications. Notwithstanding any other provision of this section, the bureau, pursuant to any rules the bureau may adopt, may suspend the requirement that the registrant or offender verify registration information during any period in which a registrant or offender:

A. Leaves this State, establishes a domicile or residence in another state and remains physically absent from this State;

B. Is incarcerated; or

C. Is incapacitated or hospitalized.

Sec. 18. 34-A MRSA §11288, sub-§§2 and 3, as enacted by PL 2011, c. 663, §3, are amended to read:

2. Failure to comply; 2nd offense. A person who has one prior conviction under this section or section 11227 and who in fact fails to comply with any duty imposed under this chapter or a rule adopted pursuant to this chapter commits a Class C crime.

3. Failure to comply; 3rd offense. A person who has 2 or more prior convictions under this section or section 11227 and who in fact fails to comply with any duty imposed under this chapter or a rule adopted pursuant to this chapter commits a Class B crime.

Sec. 19. 34-A MRSA §11289, as enacted by PL 2011, c. 663, §3, is repealed and the following enacted in its place:

§11289. Certification by record custodian

1. Certificate admissible. Notwithstanding any other law or rule of evidence, a certificate by the custodian of the records of the bureau, when signed and sworn to by that custodian, or the custodian's designee, is admissible in a judicial or administrative proceeding as prima facie evidence of any fact stated in the certificate or in any documents attached to the certificate.

2. Qualified witness. With 10 days' written notice to the prosecution, the defendant may request that a qualified witness testify to the matters of which the certificate under subsection 1 constitutes prima facie

evidence. The notice must specify those matters concerning which the defendant requests testimony. The certificate is not prima facie evidence in those matters.

See title page for effective date.

CHAPTER 281

H.P. 958 - L.D. 1409

An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws

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

PART A

Sec. A-1. 12 MRSA §10756, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by Pt. D, §7 and c. 614, §9, is amended by adding before the last paragraph a new paragraph to read:

A license or permit under this section may be on paper or in electronic format.

Sec. A-2. 12 MRSA §10757, as amended by PL 2011, c. 253, §10, is further amended to read:

§10757. Fraudulently obtaining or possessing license or permit

A person may not obtain or possess a paper or electronic license or permit authorized in this Part through fraud, misstatement or misrepresentation. A person who violates this section commits a Class E crime.

Sec. A-3. 12 MRSA §10758, first ¶, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A person may not possess a paper or electronic license or permit issued under this Part that has been altered, tampered with or mutilated in any manner.

Sec. A-4. 12 MRSA §11109, sub-§1, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

1. License required. Except as otherwise authorized pursuant to this Part, a person may not engage in an activity for which a license may be issued under this section unless that person has a valid license issued under this section. An electronic license or permit fulfills the requirement under this subsection that a person must have a physical paper license or permit if the electronic license or permit can be displayed upon request to a game warden or other law enforcement officer, an employee of the department, a registered Maine guide or the owner of the land on which the licensed activity is taking place. Each day a person

violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

PART B

Sec. B-1. 12 MRSA §13155, sub-§9, as amended by PL 2009, c. 340, §23, is further amended to read:

9. Display of registration numbers. Each new ATV sold in the State must have a space 6 inches in width by 3 1/2 inch by 6 inch spaces inches in height provided on the front and rear of the machine, as high above the tires as possible, for the vertical display of the registration numbers. A person may not operate an ATV that is required to be registered under this section unless registration numbers in the form of stickers are displayed in these spaces or as otherwise required by the department. A person may operate an ATV registered online without displaying a registration number until that person receives the registration certificate from the department or for 30 days after registering the ATV online, whichever occurs first.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

PART C

Sec. C-1. 12 MRSA §10851, sub-§1, ¶D, as amended by PL 2011, c. 253, §12, is further amended to read:

D. For a resident 70 years of age or older. For a person who holds a valid senior lifetime license under this section at any time during the calendar year that person turns 70 years of age, that lifetime license includes all hunting permits and licenses authorized in this Part and may renew at no cost a guide license under section 12853. A license holder under this paragraph who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 must be issued one antlerless deer permit and one either-sex permit. A person who is 70 years of age or older may purchase a senior lifetime license that entitles the holder to all the privileges described in this paragraph for a one-time \$8 fee.

Sec. C-2. 12 MRSA §10853, sub-§1, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

1. Residents over 70 years of age. A complimentary license to hunt, trap or fish, including an

archery license under section 11109, subsection 7, a pheasant hunting permit under section 11156, a muzzle-loading ~~hunting license permit~~ under section 11109, subsection 4, a migratory waterfowl permit under section 11157 and a bear hunting permit under section 11151 must be issued to a resident who is 70 years of age or older upon application to the commissioner.

A. A resident who applies for a complimentary license under this section at any time during the calendar year of that resident's 70th birthday must be issued a license upon application, regardless of the actual date during that calendar year in which that resident attains 70 years of age. A guide license may be renewed without charge for a resident who is 70 years of age or older upon application to the commissioner. The application must be accompanied by a birth certificate or other certified evidence of the applicant's date of birth and residency.

B. Beginning January 1, 2006, the department may not issue a complimentary license to a resident over 70 years of age. A complimentary license issued to a resident over 70 years of age prior to January 1, 2006 is valid as long as the license holder satisfies the residency requirements set out in section 10001, subsection 53.

C. A complimentary license issued under this subsection remains valid for the remainder of the life of the license holder, as long as the license holder continues to satisfy the residency requirements set out in section 10001, subsection 53 and the license is not revoked or suspended.

Sec. C-3. 12 MRSA §10853, sub-§4, as amended by PL 2013, c. 145, §1 and c. 404, §1, is further amended to read:

4. Disabled veteran. A resident disabled veteran or a nonresident disabled veteran who is a resident of New Hampshire or Vermont may obtain upon application, at no cost, all hunting, trapping and fishing licenses, including permits, stamps and other permission needed to hunt, trap and fish, and, upon meeting the qualifications as established in section 12853, subsection 4, a guide license. A license holder under this subsection who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 must be issued one antlerless deer permit and one either-sex permit. The commissioner shall issue all fishing, trapping and hunting licenses and permits requested under this subsection if the commissioner determines the applicant is a disabled veteran and is not otherwise ineligible to hold that permit or license. For the purposes of this subsection, "disabled veteran" means a person who:

A. Is a resident as defined in section 10001, subsection 53 or is a resident of New Hampshire or Vermont;

B. Is a veteran as defined in Title 37-B, section 505, subsection 2, paragraph A, subparagraph (3); and

C. Has a service-connected disability evaluated at 50% or more.

Each application must be accompanied by satisfactory evidence that the applicant meets the requirements of this subsection. An applicant for a license or permit under this section is subject to the provisions of this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit. A permit or license issued under this subsection remains valid for the life of the permit or license holder, as long as the permit or license holder continues to satisfy the residency requirement in section 10001, subsection 53 and the permit or license is not revoked or suspended. For a resident of New Hampshire or Vermont to be eligible under this subsection, that resident's state must have a reciprocal agreement with this State.

Sec. C-4. 12 MRSA §10853, sub-§8, as amended by PL 2015, c. 136, §1 and affected by §12, is further amended to read:

8. Members of federally recognized nation, band or tribe. The commissioner shall issue a hunting, trapping and fishing license, including an archery hunting license under this chapter, and including all permits, stamps and other permission needed to hunt, trap and fish, to a person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs that is valid for the life of that person without any charge or fee pursuant to section 11109, if the person presents certification from the respective reservation governor or the Aroostook Micmac Council stating that the person described is an enrolled member of a federally recognized nation, band or tribe listed in this subsection. Holders of these licenses are subject to this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit. Members of a federally recognized nation, band or tribe listed in this subsection are exempt from the trapper evaluation program required for a license under section 12201 and the archery hunter education course under section 11106. A license holder under this subsection who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 must be issued one antlerless deer permit and one either-sex permit.

Sec. C-5. 12 MRSA §11153, sub-§1, as amended by PL 2005, c. 12, Pt. III, §8, is further amended to read:

1. Special season deer hunting permits; authority to issue for special season. The commissioner may implement a permit system to regulate hunter participation in a special season established by the commissioner pursuant to section 11402, subsection 4, paragraph B and the number, sex and age of deer harvested. A person may hunt or possess a deer of either sex during a special season on deer if that person has a valid permit issued by the commissioner. If permits are issued, the fee for ~~a deer permit other than an antlerless deer~~ an either-sex permit is \$32 and the fee for an antlerless deer permit is \$12.

PART D

Sec. D-1. 12 MRSA §11106, sub-§1, as amended by PL 2015, c. 136, §3 and affected by §12, is further amended to read:

1. Age requirement. A person is eligible to obtain an archery hunting license as provided in this section.

A. A resident or nonresident 16 years of age or older who has satisfied the requirements of subsection 2 or holds an apprenticeship hunter license, or who is exempt under subsection 3, may obtain an archery hunting license to hunt with bow and arrow from the commissioner or the commissioner's authorized agent.

B. A resident or nonresident under 16 years of age may hunt with bow and arrow if that person holds a valid junior hunting license.

Beginning January 1, 2016, for those persons who obtain a junior hunting license and turn 16 years of age during the same calendar year, the archery hunting license is included even after the person has turned 16 years of age as long as that person is hunting on that person's valid junior hunting license and not longer than the remainder of the calendar year for which the license is issued.

Sec. D-2. 12 MRSA §11108-C, sub-§5, as enacted by PL 2013, c. 538, §20, is amended to read:

5. Expiration of junior hunting license issued to person 15 years of age. A junior hunting license issued to a person who is 15 years of age is valid through the calendar year for which the license is issued. Beginning January 1, 2016, for those persons who obtain a junior hunting license and turn 16 years of age during the same calendar year, a pheasant hunting permit, an archery hunting license and a migratory waterfowl permit are included even after the person has turned 16 years of age as long as that person is hunting on that person's valid junior hunting license and not longer than the remainder of the calendar year for which the license is issued. In addition to the requirements of subsection 4, all other permit requirements applicable to a person who is 16 years of age or older apply to a person who continues to hunt with a

junior hunting license under this subsection after reaching that person's 16th birthday.

Sec. D-3. 12 MRSA §11156, sub-§3, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

3. Issuance. The commissioner or the commissioner's authorized agent may issue a pheasant hunting permit to an applicant 16 years of age or older permitting the applicant to hunt or possess pheasants in Cumberland County and York County. A person under 16 years of age may hunt or possess pheasants in accordance with this Part, except that a person under 16 years of age is not required to purchase or carry a pheasant hunting permit in order to hunt or possess pheasants.

Beginning January 1, 2016, for those persons who obtain a junior hunting license and turn 16 years of age during the same calendar year, the pheasant hunting permit is included even after the person has turned 16 years of age as long as that person is hunting on that person's valid junior hunting license and not longer than the remainder of the calendar year for which the license is issued.

Sec. D-4. 12 MRSA §11157, sub-§2, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

2. Issuance of permit. The commissioner or the commissioner's authorized agent shall issue a migratory waterfowl hunting permit to an applicant 16 years of age or older permitting the applicant to hunt or possess migratory waterfowl. A person under 16 years of age may, without a permit, hunt or possess migratory waterfowl in accordance with this Part.

Beginning January 1, 2016, for those persons who obtain a junior hunting license and turn 16 years of age during the same calendar year, the migratory waterfowl hunting permit is included even after the person has turned 16 years of age as long as that person is hunting on that person's valid junior hunting license and not longer than the remainder of the calendar year for which the license is issued.

PART E

Sec. E-1. 12 MRSA §11106-A, as amended by PL 2015, c. 136, §4 and affected by §12, is repealed.

Sec. E-2. 12 MRSA §11107, sub-§1, as amended by PL 2013, c. 588, Pt. A, §14, is further amended to read:

1. Hunting license. A person 16 years of age or older at the beginning of the special season established under section 11404, subsection 1-A may obtain a muzzle-loading permit from the commissioner or the commissioner's authorized agent if the person possesses a valid license to hunt ~~big game~~ with firearms.

Sec. E-3. 12 MRSA §11108, sub-§1, as amended by PL 2015, c. 136, §6 and affected by §12, is further amended to read:

1. On certain land. Notwithstanding section 11109, subsection 1 as it applies to this subchapter, a resident and a member of the resident's immediate family, as long as the hunter's license to hunt is not under suspension or revocation, may hunt without a license, including, but not limited to, an archery hunting license, a crossbow ~~hunting license permit~~ and a muzzle-loading ~~license permit~~, on a single plot of land:

- A. To which they are legally entitled to possession;
- B. On which they are actually domiciled;
- C. That is used exclusively for agricultural purposes; and
- D. That is in excess of 10 acres.

Sec. E-4. 12 MRSA §11109, sub-§3, as amended by PL 2015, c. 90, §1; c. 127, §§1 and 2 and affected by §6; and amended by c. 136, §§9 and 10 and affected by §12, is further amended to read:

3. Hunting licenses; combination licenses; fees. Hunting licenses, combination licenses and fees are as follows.

- A. A resident junior hunting license, for a person under 16 years of age, is \$7 and permits hunting of all legal species, subject to the permit requirements in subchapter 3. Notwithstanding the permit fees established in subchapter 3, a resident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost. A license holder under this paragraph who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 must be issued one antlerless deer permit and one either-sex permit. A resident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.
- B. A resident hunting license, for a person 16 years of age or older, is \$25 and permits hunting of all legal species, subject to the permit requirements in subchapter 3.
- C. A resident small game hunting license, for a person 16 years of age or older, which permits hunting for all legal species except deer, bear, moose, raccoon and bobcat, is \$14.
- D. A resident combination hunting and fishing license is \$42 and permits hunting of all legal species, subject to the permit requirements in subchapter 3.

E. A resident combination archery hunting and fishing license is \$42 and permits hunting of all legal species, subject to the permit requirements in subchapter 3.

E-1. A resident apprenticeship hunter license, which includes a bear hunting permit and a wild turkey hunting permit under sections 11151 and 11155, respectively, is \$25 and permits hunting of all legal species, subject to the permit requirements in subchapter 3.

F. A nonresident junior hunting license, for a person under 16 years of age, is \$34 and permits hunting of all legal species, subject to the permit requirements in subchapter 3. Notwithstanding the permit fees established in subchapter 3, a nonresident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost. A license holder under this paragraph who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 must be issued one antlerless deer permit and one either-sex permit. A nonresident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

G. A nonresident small game hunting license, which permits hunting of all legal species except deer, bear, moose, raccoon and bobcat, is \$74.

H. A nonresident 3-day small game hunting license, valid for 3 consecutive hunting days, which permits hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat for the 72-hour period specified on the license, is \$49.

I. A nonresident ~~big game~~ hunting license, which permits hunting of all legal species subject to the permit requirements in subchapter 3, is \$114.

J. A nonresident combination hunting and fishing license is \$149.

K. An alien small game hunting license, which permits hunting of all species except deer, bear, moose, raccoon and bobcat, is \$79.

L. An alien ~~big game~~ hunting license, which permits hunting of all legal species subject to the permit requirements in subchapter 3, is \$139.

M. An alien combination hunting and fishing license is \$190.

O. A nonresident small game apprenticeship hunter license, which permits the hunting of all legal species except deer, bear, turkey, moose, raccoon and bobcat, is \$74.

P. A nonresident ~~big game~~ apprenticeship hunter license, which permits the hunting of all legal species and includes a bear hunting permit and a

wild turkey hunting permit under sections 11151 and 11155, respectively, is \$114.

Sec. E-5. 12 MRSA §11109, sub-§8, as enacted by PL 2005, c. 419, §5 and affected by §12, is amended to read:

8. Issuance of crossbow permit; agent's fee. Clerks or other agents appointed by the commissioner to issue crossbow ~~hunting licenses permits~~ must charge a fee of \$1 for each crossbow ~~hunting license permit~~ issued. The commissioner shall charge a fee of \$1 for each crossbow ~~hunting license permit~~ issued by department employees.

Sec. E-6. 12 MRSA §11109, sub-§9, as amended by PL 2009, c. 213, Pt. OO, §5, is further amended to read:

9. Crossbow permits and fees. Crossbow ~~hunting licenses permits~~ and fees are as follows:

- A. A resident crossbow ~~hunting license permit~~ is \$25;
- B. A nonresident crossbow ~~hunting license permit~~ is \$55; and
- C. An alien crossbow ~~hunting license permit~~ is \$79.

Sec. E-7. 12 MRSA §11151, sub-§2, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

2. Eligibility; hunting or archery license required. A person who possesses a valid ~~hunting or archery hunting license to hunt big game~~ may obtain a permit to hunt for bear from the commissioner or an authorized agent.

Sec. E-8. 12 MRSA §11151-A, sub-§2, as enacted by PL 2007, c. 168, §4 and affected by §8, is amended to read:

2. Eligibility; nonresident late season bear hunting permit. A person who possesses a valid nonresident ~~hunting or archery hunting license to hunt big game~~ may obtain a permit to hunt for bear from the commissioner or the commissioner's authorized agent.

Sec. E-9. 12 MRSA §11154, sub-§4, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §126 and affected by §422, is further amended to read:

4. Hunting license required. While hunting moose, the permittee and the subpermittee shall each have in that person's possession a valid Maine resident, nonresident or alien ~~big game hunting or archery hunting license~~, whichever is applicable.

Each day a person violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

Sec. E-10. 12 MRSA §11155, sub-§1-A, as amended by PL 2015, c. 127, §3 and affected by §6, is further amended to read:

1-A. Eligibility; hunting or archery license required. A person who possesses a valid ~~hunting or archery hunting license to hunt big game or small game~~ may obtain a permit to hunt for wild turkey from the commissioner or an authorized agent.

Sec. E-11. 12 MRSA §11161 is enacted to read:

§11161. Eligibility for crossbow hunting permit

1. Hunting or archery license. A resident or nonresident 16 years of age or older who has satisfied the requirements of subsection 3 or who is exempt under subsection 4 and who holds a valid hunting or archery hunting license or an apprenticeship hunter license or archery hunting license may obtain a crossbow permit to hunt with a crossbow from the commissioner or the commissioner's authorized agent.

2. Junior license. A resident or nonresident and under 16 years of age may hunt with a crossbow if that person holds a valid junior hunting license.

3. Crossbow hunter education requirements. Except as provided in paragraph A, a person who applies for a crossbow permit other than a junior hunting license or an apprenticeship hunter license must submit proof of having successfully completed an archery hunting education course and a crossbow hunting course as described in section 10108 or equivalent crossbow and archery hunting education courses or satisfactory evidence of having previously held a valid adult archery hunting license and a valid crossbow permit issued specifically for the purpose of hunting with a crossbow or bow and arrow in this State or any other state, province or country in any year after 1979.

When proof or evidence cannot be otherwise provided, the applicant may substitute a signed affidavit that the applicant has previously held the required adult crossbow and archery hunting license or has successfully completed the required crossbow and archery hunting education courses.

A. A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs who presents certification from the respective reservation governor or the Aroostook Micmac Council stating that the person is an enrolled member of a federally recognized nation, band or tribe listed in this paragraph is exempt from the requirements of this subsection.

4. Crossbow hunter education course exemption for members of armed forces domiciled in State. A member of the Armed Forces of the United States on active duty who is permanently stationed

outside of the United States and home on leave is exempt from crossbow hunter education course requirements under subsection 3 if that member shows proof at the time of application for the license that that member's home state of record, as recorded in that person's military service records, is Maine. A person who no longer meets the requirements of this subsection must satisfy the conditions for exemption under subsection 3.

PART F

Sec. F-1. 12 MRSA §12953, sub-§3, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. The application must be accompanied by a nonrefundable fee of ~~\$40~~ \$50.

Sec. F-2. 12 MRSA §12953, sub-§§4 and 5, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, are amended to read:

4. Examination. An applicant for a license shall appear at a time and place designated by the commissioner to be examined by means of written, practical and oral tests as the commissioner determines. The commissioner shall determine the form and content of examinations. The examination fee is \$50 and is non-refundable. An applicant may retake the examination once without paying an additional examination fee.

5. Reexamination. The commissioner may require a taxidermist to be reexamined if the commissioner receives a written complaint and, upon investigation, finds that the taxidermist no longer meets the qualifications to be licensed as a taxidermist. Beginning January 1, 2016, an examination is also required for any person who has not held a valid taxidermist license within the previous 3 years.

Sec. F-3. 12 MRSA §12953, sub-§6, as amended by PL 2005, c. 12, Pt. III, §34, is further amended to read:

6. License and fee. License applicants who successfully meet the qualifications set forth in this section must be issued a license upon payment of a ~~\$67~~ \$77 fee for a 3-year license. This fee is in addition to the ~~\$42~~ \$50 examination fee.

Sec. F-4. 12 MRSA §12953, sub-§7, as amended by PL 2005, c. 12, Pt. III, §35, is further amended to read:

7. Renewal of license; fees. Licenses issued pursuant to this section run for a period of 3 years, from the current year of issuance until the 30th 31st day of June following the date of the December in the 3rd year after issuance, on which date the license terminates unless it is revoked sooner. Subject to any revocation or suspension, A taxidermist whose license is not suspended or revoked may renew the license or permit may be renewed annually every 3 years upon

application by the licensee accompanied by a \$77 license fee.

Sec. F-5. Transition. Notwithstanding the Maine Revised Statutes, Title 12, section 12953, subsection 7, a license issued under Title 12, section 12953 after June 30, 2015 and before December 31, 2015 is valid until December 31, 2016.

See title page for effective date.

CHAPTER 282

H.P. 960 - L.D. 1413

An Act To Allow an Attorney To Speak or Provide a Written Statement for a Victim at Sentencing

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

Sec. 1. 17-A MRSA §1174, sub-§1, as enacted by PL 1995, c. 680, §5, is amended to read:

1. The victim must be provided the opportunity to participate at sentencing by:

- A. Making an oral statement in open court; or
- B. Submitting a written statement to the court either directly or through the attorney for the State. A written statement must be made part of the record.

An attorney for the victim may submit a written statement or make an oral statement on the victim's behalf.

See title page for effective date.

CHAPTER 283

H.P. 977 - L.D. 1432

An Act To Consolidate the Investigation of Out-of-home Child Abuse and Neglect

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

Sec. 1. 22 MRSA §4021, sub-§3, ¶C, as amended by PL 2007, c. 132, §1, is further amended to read:

C. Upon the request of a department employee, school officials shall permit the department to meet with and interview the child when the child is present at the school.

- (1) School officials may require that the department employee requesting to interview the child provide a written certification that in

the department's judgment the interview is necessary to carry out the department's duties under this chapter.

(2) The department caseworker shall discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child's teacher or guidance counselor or the school's nurse, social worker or principal, as the caseworker determines is necessary for the provision of any needed emotional support to the child prior to and following the interview.

(3) In order for the department to be able to conduct interviews in a manner consistent with good forensic practice, except as provided in subparagraph (1), school officials may not place any conditions on the department's ability to conduct the interview. Without limiting the generality of this subparagraph, school officials are specifically prohibited from:

- (a) Requiring that certain persons be present during the interview;
- (b) Prohibiting certain persons from being present during the interview; and
- (c) Requiring notice to or consent from a parent or guardian.

(4) School officials shall provide an appropriate, quiet and private place for the interview to occur.

(5) That the department intends to interview the child is confidential information and may not be disclosed to any person except those school officials, including an attorney for the school, who need the information to comply with the provisions of this paragraph.

(6) School personnel who assist the department in making the child available for the interview or who otherwise comply with this paragraph are "participating in a related child protection investigation or proceeding" for purposes of section 4014.

Violation of this paragraph subjects any person involved in the violation, including individual school personnel, to the penalty provided in section 4009. This section does not apply to out-of-home abuse and neglect allegations as covered under ~~section 4088~~ chapter 1674.

Sec. 2. 22 MRSA §4088, as amended by PL 2013, c. 368, Pt. CCCC, §3, is repealed.

Sec. 3. 22 MRSA c. 1674 is enacted to read:

CHAPTER 1674

INVESTIGATION OF OUT-OF-HOME CHILD ABUSE AND NEGLECT

§8351. Short title

This chapter may be known and cited as "the Investigation of Out-of-home Child Abuse and Neglect Act."

§8352. Definitions

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

1. Abuse or neglect. "Abuse or neglect" means a threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these, failure to ensure compliance with school attendance requirements under Title 20-A, section 3272, subsection 2, paragraph B or Title 20-A, section 5051-A, subsection 1, paragraph C by a person responsible for the child.

2. Child. "Child" means any person who is less than 18 years of age.

3. Custodian. "Custodian" means the person who has legal custody and power over the person of a child.

4. Division. "Division" means the division of licensing and regulatory services within the department.

5. Family foster home. "Family foster home" has the same meaning as set out in section 8101, subsection 3.

6. Jeopardy. "Jeopardy" means serious abuse or neglect, as evidenced by:

A. Serious harm or threat of serious harm;

B. Deprivation of adequate food, clothing, shelter, supervision or care or education when the child is at least 7 years of age and has not completed grade 6;

C. Deprivation of necessary health care when the deprivation places the child in danger of serious harm;

D. Abandonment of the child or absence of any person responsible for the child, which creates a threat of serious harm; or

E. Other situations of serious abuse or neglect.

7. Licensed. "Licensed" means holding the whole or any part of any permit, certificate, approval, registration, charter or similar form of permission required by law that represents an exercise of the State's regulatory or police powers.

8. Office. "Office" means the Office of Child and Family Services in the department.

9. Out-of-home child abuse or neglect investigation team; investigation team. "Out-of-home child abuse or neglect investigation team" or "investigation team" means individuals employed by the division to investigate allegations of out-of-home child abuse or neglect.

10. Out-of-home child abuse or neglect. "Out-of-home child abuse or neglect" means child abuse or neglect that occurs in a facility or by a person subject to licensure or inspection by the department, the Department of Education or the Department of Corrections or in a facility operated by any of these departments.

11. Person. "Person" means an individual, corporation, facility, institution, public or private agency or similar entity.

12. Person responsible for the child. "Person responsible for the child" means a person with responsibility for a child's health or welfare including a licensed facility that as part of its function provides for the care of the child.

13. Resource family. "Resource family" has the same meaning as in section 4002, subsection 9-D.

14. Runaway. "Runaway" has the same meaning as in section 4099-D, subsection 3.

15. Serious harm. "Serious harm" means:

A. Serious injury;

B. Serious mental or emotional injury or impairment that now or in the future is likely to be evidenced by serious mental, behavioral or personality disorder, including severe anxiety, depression or withdrawal, untoward aggressive behavior, seriously delayed development or similar serious dysfunctional behavior; or

C. Sexual abuse or exploitation.

16. Serious injury. "Serious injury" means serious physical injury or impairment.

17. Suspicious child death. "Suspicious child death" means the death of a child under circumstances in which there is reasonable cause to suspect that abuse or neglect was a cause of or factor contributing to the child's death.

§8353. Investigation team

1. Investigation team established. The investigation team is established within the division to investigate reports of suspected abuse or neglect of children by persons or in facilities subject to department licensure in accordance with this chapter.

2. Participation with other departments. The investigation team, on its own or upon request, may

assist and participate with another department or agency charged with the responsibility to investigate child abuse or neglect, including the Department of Education or the Department of Corrections.

3. Addition of relevant professionals. The investigation team shall include, as appropriate, relevant professionals to participate as members of the investigation team for investigations of residential treatment centers, group homes, certified family child care providers or child care facilities.

4. Assistance by licensing staff. Upon the request of the division, department staff that performs general licensing functions may assist the investigation team in conducting out-of-home child abuse or neglect investigations.

5. Consultation with law enforcement and others. The investigation team may consult with law enforcement personnel, advocates and others in the investigation of out-of-home child abuse or neglect.

6. Results. The investigation team shall provide the results of its investigation to the applicable department for appropriate action.

7. Investigation team training. The investigation team shall receive training in the following:

A. Child development;

B. Identification of abuse and neglect;

C. Interview techniques, including but not limited to techniques for interviewing children who are nonverbal or have limited verbal ability;

D. Licensing laws and rules applicable to facilities or persons subject to this chapter; and

E. Remedies available to prevent, correct or eliminate abuse and neglect in out-of-home settings.

§8354. Duties of the investigation team

The duties of the investigation team include but are not limited to the following.

1. Receive reports of alleged abuse or neglect. The investigation team shall receive reports of alleged out-of-home abuse, neglect or suspicious child death under circumstances set out in this chapter.

A. When the investigation team receives a report that alleges abuse or neglect in facilities or by persons not subject to licensure by the department, the investigation team shall immediately refer the report to the agency or department charged with the responsibility to investigate such a report.

B. When the investigation team receives a report that alleges out-of-home abuse or neglect in a residential care facility, the team shall use the facility's name as the identifier.

C. Information that identifies, directly or indirectly, a reference, complainant or reporter of suspected abuse or neglect is confidential.

2. Investigate. The investigation team shall investigate reported out-of-home abuse or neglect or suspicious child death.

A. The investigation team shall complete an investigation within 90 days from the date that the investigation was initiated, except in circumstances when the information necessary to complete the investigation is unavailable to the investigation team.

B. The investigation team's investigation of a report that alleges jeopardy to a child in a residential care facility must be initiated within 3 business days of the date of receipt of the report. If the investigation team cannot initiate its investigation within 3 business days, the investigation team shall request a safety plan from the facility.

C. To minimize redundant department investigations in response to the same or related allegations of out-of-home abuse or neglect, the investigation team shall conduct a single investigation sufficient to determine whether abuse or neglect occurred and whether a licensing violation has occurred. The investigation team shall coordinate and consult with the department entity that performs general licensing functions.

D. The investigation team shall refer allegations of criminal activity to the office of the district attorney or the Office of the Attorney General when appropriate and shall coordinate its investigation with the office to which allegations are referred to minimize trauma to the child or children involved.

E. The investigation team's investigation of a suspicious child death is subject to and may not interfere with the authority and responsibility of the Office of the Attorney General to investigate and prosecute homicides pursuant to Title 5, section 200-A.

F. The investigation team shall conduct interviews as needed to investigate allegations and determine if abuse or neglect has occurred.

(1) The investigation team shall conduct interviews of a child involved in the alleged abuse or neglect in a manner that is in the best interest of the child.

(2) The investigation team shall notify the parent, guardian or legal custodian of a child prior to initiating an interview of the child except under circumstances in which prior notification is not in the child's best interest.

(3) The investigation team shall conduct an interview of a child without prior notification

in accordance with section 4021, subsection 3 and rules adopted pursuant to this chapter.

G. The investigation team, to the extent possible, shall record interviews using audio or video in accordance with applicable rules adopted by the department and pursuant to section 4021.

(1) Information collected in an interview that was not recorded may not be excluded from use in court proceedings solely because the interview was not recorded.

(2) A person being questioned or interviewed under this chapter may not be prohibited from recording the questioning or interview.

H. Notwithstanding Title 20-A, section 6101, subsection 2, when the investigation team is conducting an investigation of a person at the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf who is subject to licensure by the Department of Education, the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and the Department of Education shall disclose the following information to the investigation team:

(1) Background checks related to the person;

(2) The person's credentials;

(3) Any conduct on the part of the person related to the allegation; and

(4) Any action taken by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf or the Department of Education in response to conduct of any person at the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf that is similar to the allegation.

3. Investigative powers of commissioner. The following are investigative powers of the commissioner.

A. The commissioner may issue a subpoena requiring a person to disclose or provide to the department information or records in that person's possession that are necessary and relevant to an investigation of a report of suspected out-of-home child abuse or neglect or suspicious child death.

(1) The department may apply to the District Court to enforce a subpoena.

(2) A person who complies with a subpoena is immune from civil or criminal liability that might otherwise result from the act of turning over or providing information or records to the department.

(3) Information or records obtained by subpoena must be treated in accordance with section 7703.

B. The commissioner may obtain confidential criminal history record information and other criminal history record information under Title 16, chapter 7 that the commissioner considers relevant to an investigation of out-of-home child abuse or neglect or a suspicious child death.

4. Determination of harm. The investigation team shall determine whether or not a child has been harmed, in which case the investigation team shall determine the degree of harm or threatened harm by a person responsible for the care of that child.

A. In the case of a suspicious child death, the investigation team shall determine:

(1) Whether abuse or neglect was a cause or factor contributing to the child's death; and

(2) The degree of threatened harm to any other child for whom the person or persons responsible for the deceased child may be responsible now or in the future.

5. Issue a decision. The investigation team shall issue a written decision that an allegation of abuse or neglect is unsubstantiated, indicated or substantiated. Each allegation of abuse or neglect must be considered separately. The written decision must include at least the following:

A. The factors supporting an indicated or substantiated decision;

B. The identity of the person or persons responsible in the case of an indicated or substantiated decision; and

C. The person's right to appeal the department's indicated or substantiated decision pursuant to paragraph B.

§8355. Right to hearing; appeal

A person who is the subject of the decision in section 8354, subsection 4 has the right to a hearing to appeal an indicated or substantiated finding of out-of-home child abuse or neglect in accordance with the provisions of the Maine Administrative Procedure Act.

§8356. Entities subject to investigation

Reported child abuse or neglect that occurs in the following out-of-home entities is subject to investigation by the investigation team.

1. Facility or person licensed by department; facility operated or funded by department. Abuse or neglect that occurs in a facility or by a person licensed by the department or in a facility operated or funded by the department is subject to investigation by

the investigation team, including, but not limited to, abuse or neglect that occurs in the following:

A. A child care facility licensed pursuant to section 8301-A, subsection 2;

B. A family child care provider certified pursuant to section 8301-A, subsection 3;

C. A nursery school licensed pursuant to section 8402;

D. A children's residential care facility licensed pursuant to chapter 1669;

E. An emergency children's shelter licensed pursuant to chapter 1669;

F. A shelter for homeless children licensed pursuant to chapter 1669;

G. A licensed family foster home as defined in section 8101, subsection 3, including, but not limited to, the home of a resource family that provides foster care, kinship care or adoption or permanency guardianship services;

H. An unlicensed relative's home approved by the department as meeting licensing standards; and

I. An unlicensed provider for children with cognitive impairments and functional limitations that is funded by the department pursuant to rules adopted by the department.

2. Unlicensed person or facilities. The investigation team may investigate a person or facility described in subsection 1 if the person or facility is not licensed or certified.

§8357. Records; confidentiality; disclosure

Except as otherwise provided by law and the provisions of this chapter, records that are made, acquired or retained by the department in connection with its responsibilities under this chapter are subject to the provisions set out in section 7703.

1. Disclosure; report of abuse or neglect. Notwithstanding section 7703, subsection 2, paragraph B, the department may disclose a statement indicating whether or not a report of out-of-home child abuse or neglect has been received, the nature of the alleged abuse or neglect and the conclusion reached by the investigation team, upon the conclusion of the investigation.

2. Notification of parent, guardian or custodian of child reported to be abused. When a report is received of child abuse or neglect in a facility or program described in section 8356, the investigation team may notify the child's parent, guardian or custodian that it has been reported that the child has been allegedly abused or neglected, whether an investigation is being conducted and, upon conclusion of the

investigation, whether the investigation team determined that the allegations are supported or not supported.

3. Notification of parents, guardians or custodians of children in facility. When a report is received of child abuse or neglect in a facility or program described in section 8356, the investigation team, upon conclusion of the investigation, may notify a parent, guardian or custodian who has a child in the program or facility for whom there is no report of abuse or neglect whether the investigation team determined that a violation of law or rules adopted by the department has occurred.

4. Disclosure to facility or program. The investigation team shall notify a facility or program described in section 8356 when there is an indicated or substantiated finding of abuse or neglect against an employee of the facility or program.

5. Disclosure of investigation. The department may publish information regarding an investigation conducted pursuant to this chapter on the department's publicly accessible website upon the conclusion of an investigation in accordance with rules adopted by the department.

§8358. Rules

The department may adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. Rules may include but are not limited to establishing the factors that support unsubstantiated, indicated and substantiated findings.

See title page for effective date.

CHAPTER 284

H.P. 732 - L.D. 1063

An Act To Promote Community Broadband Planning and Strengthen Economic Opportunity throughout Maine

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

Sec. 1. 5 MRSA §12004-I, sub-§85-A, as enacted by PL 2005, c. 665, §2, is repealed.

Sec. 2. 35-A MRSA §9202, sub-§5, as enacted by PL 2005, c. 665, §3, is amended to read:

5. Unserved or underserved area. "Unserved or underserved area" means an area that the authority pursuant to section 9204 9204-A, subsection 2, paragraph B 1 determines to meet criteria established by

the authority by rule adopted pursuant to section 9205, subsection 3 in accordance with section 9204, subsection 1.

Sec. 3. 35-A MRSA §9202-A, as enacted by PL 2009, c. 586, §1, is repealed and the following enacted in its place:

§9202-A. State broadband policy

1. Goals. The goals of the State related to broadband service are that:

A. Broadband service be universally available in this State, including to all residential and business locations and community anchor institutions;

B. There be secure, reliable, competitive and sustainable forward-looking infrastructure that can meet future broadband needs; and

C. All residents, businesses and institutions in the State be able to take full advantage of the economic opportunities available through broadband service.

2. Policies. The policies of the State related to broadband service are to:

A. Maximize sustainable investment in broadband infrastructure in the State;

B. Maximize federal and private resources to support the deployment of broadband infrastructure in unserved and underserved areas of the State;

C. Prioritize the use of state resources to assist deployment of infrastructure to provide broadband service in unserved and underserved areas of the State;

D. Promote adoption of broadband service by residents, businesses and institutions; and

E. Leverage existing infrastructure to extend broadband service.

Sec. 4. 35-A MRSA §9203, sub-§§1 to 3, as enacted by PL 2005, c. 665, §3, are amended to read:

1. Establishment; membership. The ConnectME Authority is established to ~~stimulate investment in advanced communications technology infrastructure in unserved or underserved areas~~ further the goals and policies in section 9202-A. The authority is created as a body corporate and politic and a public instrumentality of the State. The exercise by the authority of powers conferred by this chapter is considered to be the performance of essential governmental functions. The authority consists of the following 5 7 voting members:

A. The chair of the Public Utilities Commission or the chair's designee;

B. The Chief Information Officer of the State, or the officer's designee;

C. One representative of consumers, appointed by the Governor; ~~and~~

D. Two members with significant knowledge of communications technology, appointed by the Governor;

E. The Commissioner of Economic and Community Development or the commissioner's designee; and

F. One member with significant knowledge of telemedicine as defined in Title 24-A, section 4316, subsection 1, appointed by the Governor.

Compensation of members is as provided in Title 5, section 12004-G, subsection 33-F.

2. Terms; chair; vacancies. All members are appointed for 3-year terms. The Governor shall appoint a chair from among the ~~3~~ 4 members appointed by the Governor. In the event of a vacancy in the membership, the Governor shall appoint a replacement member for the remainder of that vacated term. Each member of the authority serves until that member's successor is appointed and qualified. Any member of the authority is eligible for reappointment.

3. Officers; quorum. The authority may elect a secretary and a treasurer, who may, but need not, be members of the authority. ~~Three~~ Four members of the authority constitute a quorum, and the affirmative vote of ~~3~~ 4 members is necessary for any action taken by the authority.

Sec. 5. 35-A MRSA §9203, sub-§6, as enacted by PL 2005, c. 665, §3, is repealed.

Sec. 6. 35-A MRSA §9204, as amended by PL 2009, c. 63, §§1 and 2, is repealed.

Sec. 7. 35-A MRSA §9204-A is enacted to read:

§9204-A. Duties of authority

1. Establish criteria defining unserved and underserved areas. The authority, by rule adopted pursuant to section 9205, subsection 3, shall establish criteria to define unserved and underserved areas with respect to broadband service. Criteria established by the authority to define unserved and underserved areas must include the percentage of households with access to broadband service within a municipality or other appropriate geographic area. The authority shall use these criteria to determine those areas of the State that are unserved or underserved.

2. Promote use of broadband service. The authority shall promote use of broadband service by identifying and sharing best practices that encourage use of broadband service, eliminating barriers to use of broadband service and facilitating and supporting pub-

lic-private partnerships to increase use of broadband service.

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

4. Support broadband investment. The authority shall expand the availability of broadband service to residential and small business customers in unserved or underserved areas by identifying, developing and providing funding for broadband investments in unserved and underserved communities. Such investments may include infrastructure that is used by a single provider or by multiple providers.

5. Facilitate state support of deployment of broadband infrastructure. The authority shall review, recommend and facilitate changes in laws, rules, programs and policies of the State and its agencies to further deployment of broadband infrastructure to all unserved and underserved areas of the State. The authority shall assist in identifying opportunities to use broadband infrastructure to achieve the state policies and goals as set out in section 9202-A and support coordination between communications providers and state and local governmental entities, including coordination with the statewide emergency radio network.

6. Collect and disseminate information. The authority shall collect, aggregate, coordinate and disseminate information regarding the availability of and need for advanced communications technology infrastructure in the State and opportunities for funding for broadband infrastructure and education.

7. Administer funds. The authority shall administer the ConnectME Fund as established pursuant to section 9211.

8. Limitations on activities of the authority. The authority may not develop, acquire, fund, coordinate or otherwise undertake any project or make any grant, direct investment or loan under this chapter unless the authority determines that without the authority's action the installation of adequate advanced communications technology infrastructure in an unserved or underserved area would not occur within the same time period. When providing grants, direct investment or loans for broadband infrastructure investments, the authority shall give preference to those investments that provide the greatest relative improvement to existing broadband service in an unserved or underserved area. Notwithstanding any other provision of this chapter, the authority may not provide any wireline, wireless, satellite, voice, data or video service at retail or wholesale.

Sec. 8. 35-A MRSA §9206, as enacted by PL 2005, c. 665, §3, is repealed.

Sec. 9. 35-A MRSA §9208, sub-§2, as enacted by PL 2005, c. 665, §3, is amended to read:

2. Activities. Documents the activities of the authority, including ~~review of applications for funding received by the authority~~ a detailed description of the progress toward the goals and objectives established in the triennial strategic plan under section 9218;

Sec. 10. 35-A MRSA §9216, sub-§4, ¶A, as enacted by PL 2009, c. 612, §10, is amended to read:

A. Deposit 5% of the funds received under subsection 3 into the ConnectME Fund established under section 9211 and may use these funds to support the activities of the authority under this section and for the purposes of section 9204 9204-A; and

Sec. 11. 35-A MRSA §§9217 and 9218 are enacted to read:

§9217. Community broadband planning

The authority shall provide funds for broadband planning grants to municipalities, groups of municipalities or nonprofit local or regional community organizations that are providing local or regional economic development programs to develop plans to expand the availability of broadband services in unserved and underserved areas.

1. Requirements of plans. Plans funded through grants under this section must:

- A. Define local broadband needs and goals;
- B. Inventory existing broadband infrastructure assets within the municipality, municipalities or region;
- C. Include a gap analysis defining the additional broadband infrastructure necessary to meet identified needs and goals;
- D. Include one or more potential network designs, cost estimates, operating models and potential business models based on input from broadband providers operating within the municipality, municipalities or region and any other parties that submit a network design solution in the course of developing the plan to address any broadband gaps identified in paragraph C; and
- E. Include an assessment of all municipal procedures, policies, rules and ordinances that have the effect of delaying or increasing the cost of broadband infrastructure deployment.

The authority shall make all plans developed using grant funds under this section available on the authority's publicly accessible website.

2. Distribution of grants. The authority shall ensure that planning grants under this section are equitably distributed throughout the unserved and under-

served areas of the State and that the grants encourage collaboration between multiple communities.

3. Precertification. The authority may establish a precertification process to determine eligibility for planning grants under this section to encourage adoption of identified best practices by participating municipalities and organizations.

4. Limitations on matching funds. Matching funds provided by a municipality for planning grants under this section may not consist of in-kind contributions from the municipality or funds provided by a vendor or private business that proposes to build, operate or provide retail services using broadband infrastructure constructed pursuant to the planning grant.

§9218. Broadband service strategic plan

1. Broadband service strategic plan. The authority shall draft a detailed, triennial strategic plan for broadband service that includes quantifiable measures of performance to carry out the duties in section 9204-A and to further the goals and policies in section 9202-A. The strategic plan must include, but is not limited to, budget allocations, objectives, targets, measures of performance, implementation strategies, timelines, a definition of "broadband" and other relevant information.

2. Public input. The authority shall post the draft of the triennial strategic plan pursuant to subsection 1 on the authority's publicly accessible website 90 days before the date on which the plan will be voted on and provide opportunity for written comments and a public hearing at least 30 days prior to voting.

3. Approval of triennial strategic plan. The authority shall approve the triennial strategic plan pursuant to subsection 1 by affirmative vote of 2/3 of its members upon a finding that the plan is consistent with the policies, duties and requirements of the authority as set forth in this chapter.

Sec. 12. Triennial strategic plan for broadband service. By February 15, 2016, the ConnectME Authority shall establish and approve the first triennial strategic plan for broadband service pursuant to the Maine Revised Statutes, Title 35-A, section 9218.

See title page for effective date.

CHAPTER 285

H.P. 700 - L.D. 1005

**An Act To Amend the Law
Regarding Medical Examiners**

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

Sec. 1. 22 MRSA §3023, first ¶, as amended by PL 2013, c. 113, §1, is further amended to read:

The Chief Medical Examiner shall appoint medical examiners, who have statewide jurisdiction and serve at the pleasure of the Chief Medical Examiner, subject to the Chief Medical Examiner's control and the rules adopted by the Chief Medical Examiner. Medical examiners are appointed for a term of no more than 5 years, and such terms may be renewed indefinitely. The medical examiners must be learned in the science of medicine and anatomy, licensed as physicians in this State and residents of this State. Each medical examiner before entering upon the duties of the office and before each period of renewal must be duly sworn to the faithful performance of the medical examiner's duty.

See title page for effective date.

CHAPTER 286

H.P. 516 - L.D. 763

An Act To Change the Budget Approval Process for Alternative Organizational Structures

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

Sec. 1. 20-A MRSA §1461-B, sub-§3, ¶D, as enacted by PL 2011, c. 485, §2, is amended to read:

D. The governing body of an alternative organizational structure, by majority vote, may authorize a change in the alternative organizational structure budget approval procedures in paragraph C to require a budget approval by the governing body of the alternative organizational structure instead of a meeting of the voters of all of the member entities of the alternative organizational structure. The change in procedure must be authorized by a majority of the total number of voters of all of the member entities in the alternative organizational structure at the next statewide election the next regular election or at a special referendum election of the voters called for that purpose by a majority vote of the governing body of the alternative organizational structure. The article to be voted ~~upon~~ on at the next regular or special election must be in substantially the following form:

"Article: Do you favor changing the (name of alternative organizational structure) budget approval procedure from a meeting of the voters to a vote by the governing body of the alternative organizational structure?

Yes No"

If approved by the voters, the budget approval procedure changes to a majority vote of the governing body of the alternative organizational structure at a budget meeting. This procedure must remain in effect for at least 3 budget years before the alternative organizational structure may return to the requirement that a budget be approved at a meeting of the voters of all of the member entities of the alternative organizational structure.

An article to consider reinstatement of the budget approval procedure in which the budget is approved at a meeting of the voters of all of the member entities may be placed on a warrant for referendum vote by either a majority vote of the governing body of the alternative organizational structure or by a written petition to the governing body of the alternative organizational structure signed by a number of voters of member entities of the alternative organizational structure equal to at least 10% of the voters who voted in the last gubernatorial election in the member entities of the alternative organizational structure. The governing body of the alternative organizational structure shall place the article on the next scheduled warrant or an earlier one if determined appropriate by the governing body of the alternative organizational structure. The article to be voted upon must be in substantially the following form:

"Article: Do you favor changing the (name of alternative organizational structure) budget approval procedure from a vote by the governing body of the alternative organizational structure to a meeting of the voters?

Yes No"

If approved by a majority of the total number of voters of all of the member entities in the alternative organizational structure, the budget approval procedure changes to a meeting of the voters of all of the member entities of the alternative organizational structure beginning in the next budget year or the following budget year if the approval occurs less than 90 days before the start of the next budget year. Once approved by the voters, this procedure may not be changed for at least 3 budget years.

A referendum authorized by this section must be called and conducted in accordance with the procedures for calling and conducting a referendum in a regional school unit under section 1502, but not including subsection 2, and section 1503, except that the duties of the board of directors of the regional school unit must be performed by the

governing body of the alternative organizational structure.

See title page for effective date.

CHAPTER 287

H.P. 413 - L.D. 600

An Act To Prohibit a Person Convicted of a Crime of Domestic Violence from Possessing a Firearm for a Period of 5 Years and To Bet- ter Align Maine Law with Federal Law Regarding Persons Prohibited from Possessing Firearms

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

Sec. 1. 15 MRSA §393, sub-§1, ¶D, as amended by PL 2007, c. 670, §5, is further amended to read:

D. Is subject to an order of a court of the United States or a state, territory, commonwealth or tribe that restrains that person from harassing, stalking or threatening an intimate partner, as defined in 18 United States Code, Section 921(a), of that person or a child of the intimate partner of that person, or from engaging in other conduct that would place the intimate partner in reasonable fear of bodily injury to the intimate partner or the child, except that this paragraph applies only to a court order that was issued after a hearing for which that person received actual notice and at which that person had the opportunity to participate and that:

- (1) Includes a finding that the person represents a credible threat to the physical safety of an intimate partner or a child; or
- (2) By its terms, explicitly prohibits the use, attempted use or threatened use of physical force against an intimate partner or a child that would reasonably be expected to cause bodily injury; ~~or~~

Sec. 2. 15 MRSA §393, sub-§1, ¶E, as amended by PL 2009, c. 651, §1, is further amended to read:

E. Has been:

- (1) Committed involuntarily to a hospital pursuant to an order of the District Court under Title 34-B, section 3864 because the person was found to present a likelihood of serious harm, as defined under Title 34-B, section 3801, subsection 4-A, paragraphs A to C;

(2) Found not criminally responsible by reason of insanity with respect to a criminal charge; or

(3) Found not competent to stand trial with respect to a criminal charge;

Sec. 3. 15 MRSA §393, sub-§1, ¶¶F to J are enacted to read:

F. Is a fugitive from justice. For the purposes of this paragraph, "fugitive from justice" has the same meaning as in section 201, subsection 4;

G. Is an unlawful user of or is addicted to any controlled substance and as a result is prohibited from possession of a firearm under 18 United States Code, Section 922(g)(3);

H. Is an alien who is illegally or unlawfully in the United States or who was admitted under a non-immigrant visa and who is prohibited from possession of a firearm under 18 United States Code, Section 922(g)(5);

I. Has been discharged from the United States Armed Forces under dishonorable conditions; or

J. Has, having been a citizen of the United States, renounced that person's citizenship.

Sec. 4. 15 MRSA §393, sub-§1-A, as amended by PL 2007, c. 194, §2, is further amended to read:

1-A. Limited prohibition for nonviolent juvenile offenses. A person who has been adjudicated in this State or under the laws of the United States or any other state to have engaged in conduct as a juvenile that, if committed by an adult, would have been a disqualifying conviction under subsection 1, paragraph A-1 or subsection 1-B, paragraph A but is not an adjudication under subsection 1, paragraph C or an adjudication under subsection 1-B, paragraph B in which bodily injury to another person was threatened or resulted may not own or have in that person's possession or control a firearm for a period of 3 years following completion of any disposition imposed or until that person reaches 18 years of age, whichever is later.

Sec. 5. 15 MRSA §393, sub-§1-B is enacted to read:

1-B. Prohibition for domestic violence offenses. A person may not own, possess or have under that person's control a firearm if that person:

A. Has been convicted of committing or found not criminally responsible by reason of insanity of committing;

(1) A Class D crime in this State in violation of Title 17-A, section 207-A, 209-A, 210-B, 210-C or 211-A; or

(2) A crime under the laws of the United States or any other state that in accordance with the laws of that jurisdiction is elementally substantially similar to a crime in subparagraph (1); or

B. Has been adjudicated in this State or under the laws of the United States or any other state to have engaged in conduct as a juvenile that, if committed by an adult, would have been a disqualifying conviction under this subsection.

Except as provided in subsection 1-A, the prohibition created by this subsection for a conviction or adjudication of an offense listed in paragraph A or B expires 5 years from the date the person is finally discharged from the sentence imposed as a result of the conviction or adjudication if that person has no subsequent criminal convictions during that 5-year period. If a person is convicted of a subsequent crime within the 5-year period, the 5-year period starts anew from the date of the subsequent conviction. In the case of a deferred disposition, the 5-year period begins at the start of the deferred disposition period.

For the purposes of this subsection, a person is deemed to have been convicted or adjudicated upon the acceptance of a plea of guilty or nolo contendere or a verdict or finding of guilty, or of the equivalent in a juvenile case, by a court of competent jurisdiction.

For the purposes of this subsection, a person is deemed to have been found not criminally responsible by reason of insanity upon the acceptance of a plea of not criminally responsible by reason of insanity or a verdict or finding of not criminally responsible by reason of insanity, or of the equivalent in a juvenile case, by a court of competent jurisdiction.

The provisions of this subsection apply only to a person convicted, adjudicated or placed on deferred disposition on or after the effective date of this subsection.

See title page for effective date.

CHAPTER 288

H.P. 290 - L.D. 423

An Act To Require Child-resistant Packaging for Nicotine Liquid Containers

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

Sec. 1. 22 MRSA §1560-B is enacted to read:

§1560-B. Liquid nicotine

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

A. "Child-resistant packaging" means packaging meeting the specifications in 16 Code of Federal Regulations, Section 1700.15(b) (2015) and tested by the method described in 16 Code of Federal Regulations, Section 1700.20 (2015).

B. "Electronic nicotine delivery device" means any noncombustible device containing or delivering nicotine or any other substance intended for human consumption that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means and that may be used to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen. "Electronic nicotine delivery device" does not include any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act.

C. "Nicotine liquid container" means a container used to hold a liquid, gel or other substance containing nicotine that is sold, marketed or intended for use as or with an electronic nicotine delivery device. "Nicotine liquid container" does not include a cartridge or other container that contains a liquid or other substance containing nicotine and is sold, marketed or intended for use as long as the cartridge or other container is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.

2. Prohibition. Beginning January 1, 2016, a person may not sell, furnish, give away or offer to sell, furnish or give away a nicotine liquid container unless the container is child-resistant packaging.

3. Penalties. This subsection applies to violations of subsection 2.

A. A person who violates subsection 2 commits a civil violation for which a fine of \$500 may be adjudged.

B. A person who violates subsection 2 after having previously violated subsection 2 commits a civil violation for which a fine of \$1,000 may be adjudged.

C. A person who violates subsection 2 after having previously violated subsection 2 more than once commits a civil violation for which a fine of \$5,000 may be adjudged.

4. Repeal. The commissioner shall monitor the status of any effective date of final regulations issued by the United States Food and Drug Administration or by any other federal agency that mandate child-resistant packaging standards for nicotine liquid containers. The commissioner shall notify the joint standing committee of the Legislature having jurisdiction over health and human services matters when the final regulations have been adopted. The joint standing committee, upon receiving this notification, may report out a bill repealing this section.

See title page for effective date.

CHAPTER 289

H.P. 215 - L.D. 321

An Act To Protect Consumers against Residential Real Estate Title Defects

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

Sec. 1. 33 MRSA §508 is enacted to read:

§508. Nominee mortgagees

1. Authority presumed. A person or entity that is named as nominee to hold a mortgage for another person or entity, in an instrument creating or assigning the mortgage, is presumed to have the authority to execute an assignment, partial release, discharge or other instrument that affects the title to the mortgaged property unless the person or entity on whose behalf the nominee is named:

A. Explicitly negates such authority within the instrument in which the nominee is named; or

B. Executes a separate instrument that explicitly negates such authority and that is recorded in the registry of deeds within the county or district in which the mortgaged property is located.

2. Instrument valid. An assignment, partial release, discharge or other instrument affecting the title to mortgaged property or any interest in the property that is otherwise valid and that is executed by a nominee mortgagee with authority as provided in subsection 1 is valid even if the assignment, partial release, discharge or other instrument does not state the authority of the nominee mortgagee to take the action.

3. Statement not a limitation of authority. A statement in an instrument described in this section to the effect that, for purposes of recording, the nominee mortgagee is the mortgagee of record, or any statement of similar meaning, may not be considered to be a limitation upon the authority of the nominee mortgagee.

4. Application. This section applies exclusively to any discharge or partial release issued prior to the effective date of this section, whether made by a nominee mortgagee or by a subsequent assignee; to discharges or partial releases issued on or subsequent to the effective date of this section, whether made by a nominee mortgagee or by a subsequent assignee; and to any assignment or other instrument affecting title to a mortgaged property that is the subject of a foreclosure judgment or other legal judgment affecting title to a mortgaged property for which, as of the effective date of this section, either the period for appeal has run with no appeal having been filed or all rights of appeal have been exhausted.

See title page for effective date.

CHAPTER 290

H.P. 247 - L.D. 360

An Act To Clarify That the Information Gathered during Investigations of Attorneys by the Maine Commission on Indigent Legal Services Is Confidential

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

Sec. 1. 4 MRSA §1806, sub-§2, ¶F, as enacted by PL 2011, c. 260, §1, is amended to read:

F. Any information obtained or gathered by the commission when performing an evaluation or investigation of an attorney is confidential, except that it may be disclosed to the attorney being evaluated or investigated.

See title page for effective date.

CHAPTER 291

S.P. 542 - L.D. 1440

An Act To Amend the Laws Regarding the Department of Corrections and Correctional Services

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

Whereas, current laws relating to the Department of Corrections and correctional services create significant difficulties in the administration of the De-

partment of Corrections and place the department at risk of noncompliance with federal law; and

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

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

Sec. 1. 17-A MRSA §1259, as amended by PL 2013, c. 28, §9, is further amended to read:

§1259. Commitments to the Department of Corrections of bound-over juveniles who have not attained 18 years of age at the time of sentence imposition

A juvenile who has been bound over, pursuant to Title 15, section 3101, subsection 4, ~~for a juvenile crime for which the juvenile had the burden of proof with respect to the finding of appropriateness~~, who is subsequently, as to the juvenile crime's adult counterpart, convicted and sentenced to a sentence alternative involving imprisonment and who has not attained 18 years of age at the time of sentence imposition must be committed to a Department of Corrections juvenile correctional facility for an indeterminate period not to extend beyond the juvenile's 18th birthday to serve the term of imprisonment or any unsuspended portion until discharge from the juvenile correctional facility and once discharged must be transferred to a correctional facility in which adult offenders are confined to serve out the remainder of the imprisonment term or unsuspended portion, if any.

Sec. 2. 30-A MRSA §1561, sub-§1, ¶D, as enacted by PL 1995, c. 201, §1, is amended to read:

D. Is seriously mentally ill or developmentally disabled. For the purposes of this paragraph, "seriously mentally ill" or "developmentally disabled" means a prisoner who, as a result of a mental disorder or developmental disability, exhibits emotional or behavioral functioning that is so impaired as to interfere substantially with the prisoner's capacity to remain in the general prison population without supportive treatment or services of a long-term or indefinite duration, as determined by the facility's psychiatrist or psychologist. The exemption under this paragraph applies only to supportive treatment or services being provided to improve the prisoner's emotional or behavioral functioning;

Sec. 3. 34-A MRSA §1403, sub-§2, ¶D, as enacted by PL 2013, c. 491, §3, is repealed.

Sec. 4. 34-A MRSA §3001, sub-§1, as amended by PL 2013, c. 491, §5, is further amended to read:

1. Appointment. The commissioner may appoint chief administrative officers as necessary for the proper performance of the functions of the department, subject to the Civil Service Law. An appointment is for an indeterminate term and until a successor is appointed and qualified or during the pleasure of the commissioner.

A. To be eligible for appointment as a chief administrative officer, a person must be experienced in correctional management.

B. Chief administrative officers shall report directly to the commissioner or to the deputy commissioner or an associate commissioner if so directed by the commissioner.

Sec. 5. 34-A MRSA §3031, sub-§2, as amended by PL 2011, c. 542, Pt. A, §59, is further amended to read:

2. Medical care. Adequate professional medical care and adequate professional mental health care, which do not include medical treatment or mental health treatment requested by the client that the facility's treating physician or treating psychiatrist or psychologist determines unnecessary. The commissioner may establish medical and dental fees not to exceed \$5 for the medical and dental services that are provided pursuant to this subsection and a fee not to exceed \$5 for prescriptions, medication or prosthetic devices. Except as provided in paragraph A, every client may be charged a medical or dental services fee for each medical or dental visit, prescription, medication or prosthetic device. The facility shall collect the fee. All money received by the department under this subsection is retained by the facility to offset the cost of medical and dental services, prescriptions, medication and prosthetic devices.

A. A client is exempt from payment of medical and dental services fees and fees for prescriptions, medication or prosthetic devices when the client:

- (1) Receives treatment initiated by facility staff;
- (2) Is a juvenile;
- (3) Is pregnant;
- (4) Is a person with a serious mental illness or developmental disability. For the purposes of this paragraph, "a person with a serious mental illness or developmental disability" means a client who, as a result of a mental disorder or developmental disability, exhibits emotional or behavioral functioning that is so impaired as to interfere substantially with the client's capacity to remain in the general prison population without supportive treatment or services of a long-term or indefinite duration, as determined by the facility's psychiatrist or psychologist. The exemption un-

der this paragraph applies only to supportive treatment or services being provided to improve the client's emotional or behavioral functioning;

(5) Is an inpatient at a state-funded mental health facility or is a resident at a state-funded facility for individuals with adult developmental disabilities;

(6) Is undergoing follow-up treatment;

(7) Receives emergency treatment as determined by the facility's medical or dental staff; or

(8) Has less than \$15 in the client's facility account and did not receive additional money from any source for 6 months following the medical or dental service or provision of the prescription, medication or prosthetic device.

B. Notwithstanding paragraph A, the State may bring a civil action in a court of competent jurisdiction to recover the cost of medical, dental, psychiatric or psychological expenses incurred by the State on behalf of a client incarcerated in a facility. The following assets are not subject to judgment under this paragraph:

(1) Joint ownership, if any, that the client may have in real property;

(2) Joint ownership, if any, that the client may have in any assets, earnings or other sources of income; and

(3) The income, assets, earnings or other property, both real and personal, owned by the client's spouse or family.;

~~A person who has not attained 18 years of age but who is residing in a correctional facility pursuant to a conviction as an adult may consent to necessary medical care as if the person had attained 18 years of age.~~

Sec. 6. 34-A MRSA §5402, sub-§3, ¶A-1, as enacted by PL 2013, c. 491, §7, is amended to read:

A-1. Appoint regional correctional administrators as necessary for the proper performance of the functions of the department, subject to the Civil Service Law. An appointment is for an indeterminate term and until a successor is appointed and qualified or during the pleasure of the commissioner.

(1) To be eligible for appointment as a regional correctional administrator, a person must be experienced in correctional management.

(2) A regional correctional administrator shall report directly to the commissioner or to the deputy commissioner or an associate

commissioner if so directed by the commissioner.

Sec. 7. 34-A MRSA §5404, sub-§2, as amended by PL 2013, c. 133, §31, is further amended to read:

2. Arrest. Arrest, after completing the entry level and orientation training course prescribed by the commissioner, in the following circumstances:

A. Arrest violators of probation or supervised release for sex offenders and parole violators and return parole violators upon request of the commissioner;

B. Arrest and return to a correctional facility persons released from the correctional facility under section 3035 or transferred from the facility under section 3036-A; ~~and~~

C. If the officer has probable cause to believe that a person under the supervision of the department has violated a condition of that person's probation, supervised release for sex offenders or parole, the officer may arrest that person; and

D. Arrest and return to a correctional or detention facility persons who have escaped from the official custody of the department. For the purposes of this paragraph, "official custody" has the same meaning as set out in Title 17-A, section 755, subsection 3;

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

Effective June 30, 2015.

CHAPTER 292

H.P. 813 - L.D. 1180

An Act To Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 20-A MRSA §254, sub-§18 is enacted to read:

18. Model policy; child sexual abuse prevention. The commissioner shall develop a model policy for child sexual abuse prevention education and response that may be used for public preschool programs operated in compliance with chapter 203, subchapter 3 and for all students enrolled in kindergarten to grade 5.

A. No later than July 1, 2016, the commissioner, in consultation with the Department of Health and Human Services, organizations that have expertise in child sexual abuse prevention education and organizations representing school boards, administrators, teachers and parents, shall develop a model policy based on nationally recognized best practices that includes:

- (1) Child sexual abuse response and reporting procedures;
- (2) Child sexual abuse awareness training and prevention education for school personnel;
- (3) Age-appropriate child sexual abuse prevention education for students, aligned to the system of learning results established pursuant to section 6209 and delivered by qualified instructors;
- (4) School response and reporting procedures; and
- (5) Resources a victim of child sexual abuse or nonoffending caregivers of a victim of child sexual abuse may access for services and support.

B. The department shall offer technical assistance to school administrative units that operate a public preschool program or an elementary school to aid in the establishment of a local child sexual abuse prevention education and response policy that is consistent with the model policy developed under paragraph A.

C. The department shall send a copy of the model policy developed under paragraph A to each school administrative unit in the State and post the model policy on the publicly accessible portion of the department's website along with any related resources that the commissioner determines necessary.

Sec. 2. 20-A MRSA §4502, sub-§5-C is enacted to read:

5-C. Child sexual abuse prevention education and response. Beginning in the 2017-2018 school year, a school administrative unit that operates a public preschool program or an elementary school shall adopt a written local policy for child sexual abuse prevention education and response that is consistent with the model policy developed by the commissioner pursuant to section 254, subsection 18.

See title page for effective date.

CHAPTER 293

S.P. 305 - L.D. 861

An Act To Protect Victims of Domestic Violence, Sexual Assault or Stalking

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

Sec. 1. 14 MRSA §6000 is enacted to read:

§6000. Definitions

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

1. Domestic violence. "Domestic violence" means conduct described in Title 17-A, chapters 9, 11, 12 and 13; Title 17-A, sections 432, 433, 506, 506-A, 506-B, 758, 805, 806, 852 and 853; and Title 19-A, section 4002, subsection 1, when the victim of that conduct or threat is a family or household member, as defined in Title 19-A, section 4002, subsection 4 or dating partner, as defined in Title 19-A, section 4002, subsection 3-A.

2. Sexual assault. "Sexual assault" means any conduct described under Title 17-A, chapters 11, 12 and 35 and Title 17-A, sections 852 and 853.

3. Stalking. "Stalking" means any conduct described in Title 17-A, section 210-A.

4. Victim. "Victim" means an individual who has been subject to domestic violence, sexual assault or stalking.

Sec. 2. 14 MRSA §6001, sub-§3, ¶C, as amended by PL 1989, c. 484, §1, is further amended to read:

C. Complained in writing or made a written request, in good faith, to the landlord or the landlord's agent to make repairs on the premises as required by any applicable building, housing or sanitary code, or by section 6021, or as required by the rental agreement between the parties; or

Sec. 3. 14 MRSA §6001, sub-§3, ¶E, as amended by PL 2011, c. 405, §1, is further amended to read:

E. Prior to being served with an eviction notice, filed, in good faith, a fair housing complaint for which there is a reasonable basis with the Maine Human Rights Commission or filed, in good faith, a fair housing complaint for which there is a reasonable basis with the United States Department of Housing and Urban Development concerning acts affecting that individual's tenancy; or

Sec. 4. 14 MRSA §6001, sub-§3, ¶F is enacted to read:

F. Prior to being served with an eviction notice, provided the landlord or the landlord's agent with notice that the tenant or tenant's minor child is a victim.

Sec. 5. 14 MRSA §6001, sub-§6 is enacted to read:

6. Domestic violence, sexual assault and stalking. This subsection applies to incidents involving domestic violence, sexual assault or stalking.

A. A victim may not be evicted based on an incident or incidents of actual or threatened domestic violence, sexual assault or stalking occurring at the premises or reporting to any agency such incidents that otherwise may be construed as:

- (1) A nuisance under section 6002;
- (2) Damage to property under section 6002; or
- (3) A lease violation arising from a nuisance, a disturbance or damage to premises.

B. A victim may not be held liable for damage to the property related to an incident or incidents of actual or threatened domestic violence, sexual assault or stalking beyond the value of the victim's security deposit, as long as the alleged perpetrator is a tenant and the victim provides written notice of the damage and documentation required pursuant to paragraph H within 30 days of the occurrence of the damage.

C. A landlord may bifurcate a lease or tenancy without regard to whether a household member who is a victim is a signatory to the lease in order to evict or terminate the tenancy of a perpetrator of domestic violence, sexual assault or stalking. In bifurcating a tenancy, a landlord may not interfere with a victim's property rights as allocated in a valid court order. Nothing in this section may be construed to create a tenancy that previously did not exist.

D. A victim may terminate a lease early due to an incident or threat of domestic violence, sexual assault or stalking by providing:

- (1) Seven days' written notice and documentation required pursuant to paragraph H, in the case of a lease of less than one year; or
- (2) Thirty days' written notice and documentation required pursuant to paragraph H, in the case of a lease with a term of one year or more.

A victim is not liable for any unpaid rent under the victim's lease.

E. Nothing in this section prohibits a landlord from evicting a tenant for reasons unrelated to domestic violence, sexual assault or stalking.

F. Nothing in this section prohibits a landlord from instituting a forcible entry and detainer action against the tenant of the premises who perpetuated the domestic violence, sexual assault or stalking or obtaining a criminal no trespass order against a nontenant who perpetuates such violence or abuse at the premises.

G. Nothing in this section limits the rights of a landlord to hold a perpetrator of the domestic violence, sexual assault or stalking liable for damage to the property.

H. When a victim asserts any of the provisions contained within this chapter specifically available to a victim, except for changing locks according to section 6025, subsection 1, a victim shall provide to the landlord documentation of the alleged conduct by the perpetrator, including the perpetrator's name. Acceptable documentation includes, but is not limited to:

- (1) A statement signed by a Maine-based sexual assault counselor as defined in Title 16, section 53-A, subsection 1, paragraph B, an advocate as defined in Title 16, section 53-B, subsection 1, paragraph A or a victim witness advocate as defined in Title 16, section 53-C, subsection 1, paragraph C;
- (2) A statement signed by a health care provider, mental health care provider or law enforcement officer, including the license number of the health care provider, mental health care provider or law enforcement officer if licensed;
- (3) A copy of a protection from abuse complaint or a temporary order or final order of protection;
- (4) A copy of a protection from harassment complaint or a temporary order or final order of protection from harassment;
- (5) A copy of a police report prepared in response to an investigation of an incident of domestic violence; and
- (6) A copy of a criminal complaint, indictment or conviction for a domestic violence charge.

Sec. 6. 14 MRSA §6002, first ¶, as amended by PL 2009, c. 171, §1, is further amended to read:

Tenancies at will must be terminated by either party by a minimum of 30 days' notice, except as provided in ~~subsection~~ subsections 2 and 4, in writing for that purpose given to the other party, but if the landlord or the landlord's agent has made at least 3 good

faith efforts to serve the tenant, that service may be accomplished by both mailing the notice by first class mail to the tenant's last known address and by leaving the notice at the tenant's last and usual place of abode. In cases when the tenant has paid rent through the date when a 30-day notice would expire, the notice must expire on or after the date through which the rent has been paid. Either party may waive in writing the 30 days' notice at the time the notice is given, and at no other time prior to the giving of the notice. A termination based on a 30-day notice is not affected by the receipt of money, whether previously owed or for current use and occupation, until the date a writ of possession is issued against the tenant during the period of actual occupancy after receipt of the notice. When the tenancy is terminated, the tenant is liable to the process of forcible entry and detainer without further notice and without proof of any relation of landlord and tenant unless the tenant has paid, after service of the notice, rent that accrued after the termination of the tenancy. These provisions apply to tenancies of buildings erected on land of another party. Termination of the tenancy is deemed to occur at the expiration of the time fixed in the notice. A 30-day notice under this paragraph and a 7-day notice under subsection 2 may be combined in one notice to the tenant.

Sec. 7. 14 MRSA §6002, sub-§1, ¶¶B and C, as enacted by PL 2009, c. 171, §2, are further amended to read:

B. The tenant, the tenant's family or an invitee of the tenant caused or permitted a nuisance within the premises, has caused or permitted an invitee to cause the dwelling unit to become unfit for human habitation or has violated or permitted a violation of the law regarding the tenancy; ~~or~~

C. The tenant is 7 days or more in arrears in the payment of rent; ~~and~~

Sec. 8. 14 MRSA §6002, sub-§1, ¶D is enacted to read:

D. The tenant is a perpetrator of domestic violence, sexual assault or stalking and the victim is also a tenant.

Sec. 9. 14 MRSA §6002, sub-§4 is enacted to read:

4. Victims of domestic violence, sexual assault or stalking. A victim may terminate the victim's tenancy in a tenancy-at-will or a lease with a term of less than one year with 7 days' written notice and documentation required pursuant to section 6001, subsection 6, paragraph H due to an incident or threat of domestic violence, sexual assault or stalking. A victim of domestic violence, sexual assault or stalking may terminate the victim's tenancy in a lease with a term of one year or more with 30 days' written notice and documentation required pursuant to section 6001, subsection 6, paragraph H. When written notice is pro-

vided to the landlord, the victim is not liable for any rent due beyond the date the notice expires or the date the victim vacates the unit, whichever is later, unless the victim has prepaid rent for the month, in which case the landlord is not required to refund the rent for that month.

Sec. 10. 14 MRSA §6010 as corrected by RR 2013, c. 2, §26, is amended by adding at the end 2 new paragraphs to read:

A perpetrator of domestic violence, sexual assault or stalking that occurs in a residential rental property against a tenant of the property, household member or a tenant's guest is liable to the tenant for the tenant's damages as a result of the domestic violence, sexual assault or stalking regardless of whether or not the perpetrator is also a tenant. Such damages include, but are not limited to, moving costs, back rent, current rent, damage to the unit, court costs and attorney's fees.

Nothing in this section relating to damages as a result of domestic violence, sexual assault or stalking creates liability on behalf of a landlord.

Sec. 11. 14 MRSA §6025, sub-§1, as amended by PL 1999, c. 204, §1, is further amended to read:

1. Tenant obligations. A tenant may not unreasonably withhold consent to the landlord to enter into the dwelling unit in order to inspect the premises, make necessary or agreed repairs, decorations, alterations or improvements, supply necessary or agreed services or exhibit the dwelling unit to prospective or actual purchasers, mortgagees, tenants, workers or contractors.

A tenant may not change the lock to the dwelling unit without giving notice to the landlord and giving the landlord a duplicate key within 48 hours of the change. A victim may change the locks to the unit at the victim's expense. If the victim changes the locks to the unit, the victim shall provide the landlord with a duplicate key within 72 hours of changing the locks. For the purposes of this subsection, "victim" has the same meaning as in section 6000, subsection 4.

See title page for effective date.

CHAPTER 294

S.P. 307 - L.D. 862

An Act To Clarify Who May Authorize Repairs in a Burying Ground

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

Sec. 1. 13 MRSA §1371, as amended by PL 1997, c. 193, §1, is further amended to read:

§1371. Approval for repair, maintenance and removal

1. Prior authorization or approval for repair, maintenance or removal. Any person may repair, maintain or remove, subject to the restrictions of subsection 2 or 3, any tomb, monument, gravestone, marker or other structure placed or designed as a memorial to the dead, or any portion or fragment of any such memorial, or any fence, railing, curb or other enclosure for the burial of the dead, after obtaining: written approval of the owner or operator of the cemetery or burial ground, if an owner or operator exists, and one of the following, in the following order of priority.

A. The person must first seek the authorization of the owner of the burial lot or a lineal descendant of the deceased buried there, if the owner or a lineal descendant is reasonable to locate and notify; or,

A-1. If an owner or lineal descendant listed in paragraph A cannot reasonably be located and notified, the person shall seek the authorization of a next of kin, if reasonable to locate and notify, of the deceased buried there.

B. The If none of the persons listed in paragraph A or A-1 can reasonably be located and notified, the person shall obtain the written approval of the municipality or, in the case of unorganized territory, the county in which the cemetery or burial ground is located.

2. Conditions on removal for repair, restoration or preservation. Removal of a tomb, monument, gravestone, marker or other structure placed or designed as a memorial to the dead, or a portion or fragment of a memorial, is permitted only for the purpose of preservation. A tomb, monument, gravestone, marker or other structure placed or designed as a memorial to the dead, or a portion or fragment of a memorial, may not be removed from the confines of the cemetery or burial ground, except that a person who has obtained authorization or approval described in subsection 1, ~~paragraph A or B~~, may remove all or a portion of a memorial for a period of no longer than 6 months for the purpose of repair, restoration or preservation, but only when repair, restoration or preservation can not reasonably be accomplished on the site of the cemetery or burial ground. Prior to removal of the memorial, a notice must be submitted to the municipality, or to the county in the case of an unorganized territory, stating the location of the burial ground, the identification of the memorial, the authority requesting the removal, the site to which the memorial will be temporarily removed, the proposed date of removal

and the proposed date of replacement in the burial ground.

3. Permanent removal of memorial. If a tomb, monument, gravestone, marker or other structure placed or designed as a memorial to the dead is in such poor condition that it cannot be preserved in its original location, that memorial may be removed by a person who has obtained authorization or approval described in subsection 1 to another location accessible to the public. Prior to removal of the memorial, a notice must be submitted to the municipality, or to the county in the case of a memorial in unorganized territory, stating the location and identification of the memorial, the authority requesting the removal and the site to which the memorial will be moved and providing documentation of the reason the memorial cannot be preserved in its original location.

When possible, a replacement or replica of the removed memorial must be placed in the original location along with information as to the location of the original memorial. If such placement is not possible, a sign must be placed recording the new location of the memorial.

All costs associated with actions taken pursuant to this section must be paid by the person or entity that requests the repair, maintenance or removal of a tomb, monument, gravestone, marker or other structure placed or designed as a memorial to the dead, or any portion or fragment of any such memorial, or any fence, railing, curb or other enclosure in the burial lot or cemetery.

The owner, operator or caretaker of a burial lot or a cemetery association that authorizes removal of a memorial pursuant to this section is not responsible or liable for the location or care of the memorial.

See title page for effective date.

CHAPTER 295

S.P. 354 - L.D. 1014

**An Act To Ensure
Confidentiality of Personally
Identifying Information for
Professional Investigators,
Investigative Assistants and
Dependents of Deployed
Members of the Military**

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

Sec. 1. 32 MRSA §8124 is enacted to read:

§8124. Confidential information

The home address and home telephone number of a professional investigator or investigative assistant obtained by the State under this chapter are confidential and may not be disclosed by the board except by written consent of the subject of the information, by court order, for criminal justice purposes or for permitting purposes by law enforcement agencies or permitting authorities.

Sec. 2. 37-B MRSA §11 is enacted to read:

§11. Information of dependents

1. Confidentiality; exceptions. Any personally identifying information obtained by the State under this Title concerning a dependent of a member of the United States Armed Forces or state military forces who is deployed out of state is confidential and may not be disclosed except:

A. By written consent of the subject of the information or, if the subject of the information is less than 18 years of age, a parent or guardian of the subject;

B. By court order;

C. For criminal justice purposes; or

D. For official purposes of the department or the United States Department of Veterans Affairs.

2. Dependent. For the purposes of this section, "dependent" has the same meaning as in 10 United States Code, Section 1072.

See title page for effective date.

CHAPTER 296**S.P. 358 - L.D. 1017****An Act To Update Maine's
Family Law**

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

PART A

Sec. A-1. 19-A MRSA c. 61 is enacted to read:

CHAPTER 61**MAINE PARENTAGE ACT****SUBCHAPTER 1****SHORT TITLE, SCOPE, DEFINITIONS AND
GENERAL PROVISIONS****§1831. Short title**

This chapter may be known and cited as "the Maine Parentage Act."

§1832. Definitions

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

1. Acknowledged father. "Acknowledged father" means a man who has established parentage under subchapter 3.

2. Adjudicated parent. "Adjudicated parent" means a person who has been adjudicated by a court of competent jurisdiction to be the parent of a child.

3. Assisted reproduction. "Assisted reproduction" means a method of causing pregnancy other than sexual intercourse and includes but is not limited to:

A. Intrauterine or vaginal insemination;

B. Donation of gametes;

C. Donation of embryos;

D. In vitro fertilization and transfer of embryos; and

E. Intracytoplasmic sperm injection.

4. Child. "Child" means an individual of any age whose parentage may be determined under this chapter.

5. Donor. "Donor" means a person who contributes a gamete or gametes or an embryo or embryos to another person for assisted reproduction or gestation, whether or not for consideration.

6. Embryo. "Embryo" means a cell or group of cells containing a diploid complement of chromosomes or a group of such cells, not including a gamete, that has the potential to develop into a live born human being if transferred into the body of a woman under conditions in which gestation may be reasonably expected to occur.

7. Gamete. "Gamete" means a cell containing a haploid complement of deoxyribonucleic acid that has the potential to form an embryo when combined with another gamete. "Gamete" includes:

A. Sperm;

B. Eggs; and

C. Deoxyribonucleic acid from one human being combined with the cytoplasm, including without limitation cytoplasmic deoxyribonucleic acid, of another human being.

8. Genetic population group. "Genetic population group" means, for purposes of genetic testing, a recognized group that an individual identifies as all or part of the individual's ancestry or that is so identified by other information.

9. Genetic testing. "Genetic testing" means an analysis of genetic markers to exclude or identify a

man as the genetic father or a woman as the genetic mother of a child. "Genetic testing" includes an analysis of one or a combination of the following:

- A. Deoxyribonucleic acid;
- B. Blood group antigens, red cell antigens, human leukocyte antigens, serum enzymes, serum proteins or red cell enzymes; or
- C. Genetic markers other than those in paragraphs A and B.

10. Gestational carrier. "Gestational carrier" means an adult woman who is not an intended parent and who enters into a gestational carrier agreement to bear a child conceived using the gametes of other persons and not her own, except that a woman who carries a child for a family member using her own gametes and who fulfills the requirements of subchapter 8 is a gestational carrier.

11. Gestational carrier agreement. "Gestational carrier agreement" means a contract between an intended parent or parents and a gestational carrier intended to result in a live birth.

12. Intended parent. "Intended parent" means a person, married or unmarried, who manifests the intent to be legally bound as the parent of a child resulting from assisted reproduction or a gestational carrier agreement. In the case of a married couple, any reference to an intended parent includes both spouses for all purposes of this chapter.

13. Parent. "Parent" means an individual who has established parentage that meets the requirements of this chapter.

14. Parentage. "Parentage" means the legal relationship between a child and a parent as established in this chapter.

15. Paternity or maternity index. "Paternity or maternity index" means, with respect to a person who has undergone genetic testing, the likelihood of genetic paternity or maternity calculated by computing the ratio between:

- A. The likelihood that the tested person is the genetic father or genetic mother based on the genetic markers of the tested person, birth mother and child and conditioned on the hypothesis that the tested person is the father or mother of the child; and
- B. The likelihood that the tested person is not the genetic father or genetic mother based on the genetic markers of the tested person, birth mother and child and conditioned on the hypothesis that the tested person is not the genetic father or genetic mother of the child.

16. Presumed parent. "Presumed parent" means a person who pursuant to section 1881 is recognized as the parent of a child.

17. Probability of paternity; probability of maternity. "Probability of paternity" and "probability of maternity" mean the measure, for the genetic population group to which the alleged genetic father or genetic mother belongs, of the probability that the person in question is the genetic father or genetic mother of the child compared with a random, unrelated person of the same genetic population group and expressed as a percentage incorporating the paternity or maternity index and a prior probability.

18. Record. "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

19. Sign. "Sign" means, with the intent to authenticate or adopt a record, to:

- A. Execute or adopt a tangible symbol; or
- B. Attach to or logically associate with the record an electronic symbol, sound or process.

20. Signatory. "Signatory" means an individual who signs a record and is bound by its terms.

§1833. Scope and application

1. Scope. This chapter applies to determination of parentage in this State.

2. Choice of law. The court shall apply the law of this State to adjudicate parentage. The applicable law does not depend on:

- A. The place of birth of the child; or
- B. The past or present residence of the child.

3. Effect on parental rights. This chapter does not create, enlarge or diminish parental rights or duties under other laws of this State or the equitable powers of the courts, except as provided in this chapter.

§1834. Parentage proceeding

1. Proceeding authorized. A proceeding to adjudicate the parentage of a child may be maintained in accordance with this chapter and applicable rules of procedure.

2. Original actions. Original actions to adjudicate parentage may be commenced only in District Court.

3. Other proceedings. The District Court and the Probate Court are authorized to adjudicate parentage under this chapter when parentage is an issue in any other pending proceeding.

4. No right to jury. There is no right to demand a jury trial in an action to determine parentage.

5. Disclosure of social security numbers. A person who is a party to a parentage action shall disclose that person's social security number to the court. The social security number of a person subject to a parentage adjudication must be placed in the court records relating to the adjudication. The record of a person's social security number is confidential and is not open to the public. The court shall disclose a person's social security number to the department for child support enforcement purposes.

§1835. Standing to maintain proceeding

Subject to other provisions of this chapter, a proceeding to adjudicate parentage may be maintained by:

- 1. Child.** The child;
- 2. Woman giving birth.** The woman who gave birth to the child;
- 3. Person whose parentage to be adjudicated.** A person whose parentage is to be adjudicated;
- 4. Department of Health and Human Services.** The department; or

5. Representative of individual. A representative authorized by law to act for an individual who would otherwise be entitled to maintain a proceeding but who is deceased, incapacitated or a minor.

§1836. Parties to proceeding

In addition to a child whose parentage is to be adjudicated, all parents of the child must be joined as parties in a proceeding to adjudicate parentage.

§1837. Personal jurisdiction

1. Personal jurisdiction. An individual may not be adjudicated to be a parent unless the court has personal jurisdiction over the individual.

2. Personal jurisdiction over nonresident. A court of this State having jurisdiction to adjudicate parentage may exercise personal jurisdiction over a nonresident individual, or the guardian or conservator of the individual, if the conditions prescribed in section 2961 are fulfilled.

3. Adjudication. Lack of jurisdiction over one individual does not preclude the court from making an adjudication of parentage binding on another individual over whom the court has personal jurisdiction.

§1838. Venue

Venue for a proceeding to adjudicate parentage is in the county or division in which:

- 1. Child.** The child resides or is present or, for purposes of subchapter 7 or 8, is or will be born;
- 2. Parent.** The parent or intended parent resides;
- 3. Respondent.** The respondent resides or is present if the child does not reside in this State;

4. Estate proceeding. A proceeding for probate or administration of the parent or alleged parent's estate has been commenced; or

5. Child protection proceeding. A child protection proceeding with respect to the child has been commenced.

§1839. Joinder of proceedings

1. Joinder permitted. Except as otherwise provided in subsection 2, a proceeding to adjudicate parentage may be joined with a proceeding for parental rights and responsibilities, child support, child protection, termination of parental rights, child custody or visitation, divorce, annulment, legal separation, guardianship, probate or administration of an estate or other appropriate proceeding or a challenge or rescission of acknowledgment of paternity.

2. Joinder not permitted. A respondent may not join a proceeding described in subsection 1 with a proceeding to adjudicate parentage brought as part of an interstate child support enforcement action under chapter 67.

§1840. Orders

1. Interim order for support. In a proceeding under this subchapter, the court may issue an interim order for support of a child in accordance with the child support guidelines under chapter 63 with respect to a person who is:

- A.** A presumed, acknowledged or adjudicated parent of the child;
- B.** Petitioning to have parentage adjudicated;
- C.** Identified as the genetic parent through genetic testing under subchapter 6;
- D.** An alleged parent who has declined to submit to genetic testing; or
- E.** The woman who gave birth to the child.

2. Interim order for parental rights and responsibilities. In a proceeding under this subchapter, the court may order an initial allocation of parental rights and responsibilities. The order of the court must provide notice that if either party objects to the allocation, that party may file a complaint pursuant to section 1654 and that an order from that action supersedes this initial allocation of parental rights and responsibilities. In resolving parental rights and responsibilities issues, the court may not delay entering a determination of parentage and an initial order concerning child support.

3. Final orders. Final orders concerning child support or parental rights and responsibilities are governed by chapters 51 and 55, respectively.

§1841. Admission of parentage authorized

1. Admission of parentage. A respondent in a proceeding to adjudicate parentage may admit to the parentage of a child by filing a pleading to that effect or by admitting parentage under penalty of perjury when making an appearance or during a hearing.

2. Order adjudicating parentage. If the court finds that an admission of parentage satisfies the requirements of this section and finds that there is no reason to question the admission, and no other party contests it, the court may issue an order adjudicating the child to be the child of the person admitting parentage.

§1842. Order on default

The court may issue an order adjudicating the parentage of a person who is in default, as long as:

1. Served with notice. The person was served with notice of the proceeding; and

2. Found to be parent. The person is found by the court to be the parent of the child.

§1843. Order adjudicating parentage

1. Issuance of order. In a proceeding under this subchapter, the court shall issue a final order adjudicating whether a person alleged or claiming to be a parent is the parent of a child.

2. Identify child. A final order under subsection 1 must identify the child by name and date of birth.

3. Change of name. On request of a party and for good cause shown, the court may order that the name of the child be changed.

4. Amended birth registration. If the final order under subsection 1 is at variance with the child's birth certificate, the State Registrar of Vital Statistics shall issue an amended birth registration.

§1844. Binding effect of determination of parentage

1. Determination binding; signatories and parties. Except as otherwise provided in subsection 2, a determination of parentage is binding on:

A. All signatories to an acknowledgment of paternity or denial of parentage as provided in subchapter 3; and

B. All parties to an adjudication by a court acting under circumstances that satisfy the jurisdictional requirements of section 2961.

2. Adjudication in proceeding to dissolve marriage. In a proceeding to dissolve a marriage, the court is deemed to have made an adjudication of the parentage of a child if the court acts under circumstances that satisfy the jurisdictional requirements of section 2961 and the final order:

A. Expressly identifies a child as a "child of the marriage" or "issue of the marriage" or by similar words indicates that the parties are the parents of the child; or

B. Provides for support of the child by the parent or parents.

3. Determination a defense. Except as otherwise provided in this chapter, a determination of parentage may be a defense in a subsequent proceeding seeking to adjudicate parentage by an individual who was not a party to the earlier proceeding.

4. Challenge to adjudication. A party to an adjudication of parentage may challenge the adjudication only by appeal or in a manner otherwise consistent with the Maine Rules of Civil Procedure.

§1845. Full faith and credit

A court of this State shall give full faith and credit to a determination of parentage, including but not limited to an acknowledgment of paternity, from another state if the determination is valid and effective in accordance with the law of the other state.

SUBCHAPTER 2**ESTABLISHMENT OF PARENTAGE****§1851. Establishment of parentage**

Parentage may be established by:

1. Birth. Giving birth to the child, except as otherwise provided in subchapter 8;

2. Adoption. Adoption of the child pursuant to Title 18-A, Article 9;

3. Acknowledgment. An effective voluntary acknowledgment of paternity under subchapter 3;

4. Presumption. An un rebutted presumption of parentage under subchapter 4;

5. De facto parentage. An adjudication of de facto parentage, under subchapter 5;

6. Genetic parentage. An adjudication of genetic parentage under subchapter 6;

7. Assisted reproduction. Consent to assisted reproduction under subchapter 7; and

8. Gestational carrier agreement. Consent to a gestational carrier agreement under subchapter 8 by the intended parent or parents.

§1852. Nondiscrimination

Every child has the same rights under law as any other child without regard to the marital status or gender of the parents or the circumstances of the child's birth.

§1853. Consequences of establishment of parentage

1. All purposes. Unless parental rights are terminated, parentage established under this chapter applies for all purposes, except as otherwise specifically provided by other law of this State.

2. Preservation of parent-child relationship. Consistent with the establishment of parentage under this chapter, a court may determine that a child has more than 2 parents.

§1854. Determination of maternity

Provisions of this chapter relating to determination of paternity may apply to determination of maternity as needed to determine parentage consistent with this chapter.

§1855. No limitation on child

Nothing in this subchapter limits the right of a child to bring an action to adjudicate parentage.

SUBCHAPTER 3**VOLUNTARY ACKNOWLEDGMENT OF PATERNITY****§1861. Acknowledgment of paternity**

The woman who gives birth to a child and a man, not her spouse, claiming to be the genetic father of the child may sign an acknowledgment of paternity with intent to establish paternity.

§1862. Execution of acknowledgment of paternity

1. Requirements. An acknowledgment of paternity under section 1861 must:

A. Be in a record;

B. Be signed, or otherwise authenticated, under penalty of perjury by the woman giving birth and by the man seeking to establish his paternity;

C. State that:

(1) There is no other presumed parent of the child or, if there is another presumed parent, state that parent's full name; and

(2) There is no other acknowledged father and no adjudicated parent of the child other than the woman giving birth;

D. State whether there has been genetic testing and, if so, that the acknowledging man's claim of paternity is consistent with the results of the testing;

E. State that the man signing the acknowledgment believes himself to be the biological father; and

F. State that the signatories understand that the acknowledgment is the equivalent of a court de-

termination of paternity of the child and that a challenge to the acknowledgment is permitted only under limited circumstances and is barred after 2 years.

2. Notice. Before the woman giving birth or alleged father may sign an acknowledgment of paternity under section 1861, the woman giving birth and the putative father must be given oral and written notice of the alternatives to, the legal consequences of and the rights and responsibilities that arise from signing the acknowledgment.

3. Acknowledgment voidable. An acknowledgment of paternity under section 1861 is voidable if it:

A. States that another person is a presumed parent, unless a denial of parentage signed or otherwise authenticated by the presumed parent is filed with the State Registrar of Vital Statistics;

B. States that another person is an acknowledged father or adjudicated parent; or

C. Falsely denies the existence of a presumed parent, acknowledged father or adjudicated parent of the child.

4. Presumed parent. A man who is a presumed parent under section 1881, subsection 3 may sign or otherwise authenticate an acknowledgment of paternity in accordance with the requirements of this subchapter.

§1863. Denial of parentage

A person presumed to be a parent under section 1881 may execute a denial of parentage only in the limited circumstances set forth in this section. A denial of parentage is valid only if:

1. Acknowledgment. An acknowledgment of paternity signed or otherwise authenticated by another man is filed pursuant to this subchapter;

2. Under penalty of perjury. The denial is in a record and is signed or otherwise authenticated under penalty of perjury; and

3. Person executing. The person executing the denial has not previously:

A. Acknowledged paternity, unless the previous acknowledgment has been rescinded pursuant to section 1867 or successfully challenged pursuant to section 1868; or

B. Been adjudicated to be the parent of the child.

§1864. Filing of an acknowledgment of paternity and related denial of parentage

1. Acknowledgment and denial. An acknowledgment of paternity and related denial of parentage under this subchapter must be filed with the State Registrar of Vital Statistics and may be contained in a sin-

gle document or may be signed in counterparts and may be filed separately or simultaneously. If the acknowledgment and denial are both necessary, neither is valid until both are filed.

2. Effective date. Subject to subsection 1, an acknowledgment of paternity or denial of parentage takes effect on the filing of the document with the State Registrar of Vital Statistics, whichever occurs later.

3. Signed by minor. An acknowledgment of paternity or denial of parentage signed by a minor is valid if it is otherwise in compliance with this chapter.

§1865. Equivalent to adjudication

1. Acknowledgment. Except as otherwise provided in sections 1867 and 1868, a valid acknowledgment of paternity under section 1861 filed with the State Registrar of Vital Statistics is equivalent to an adjudication of parentage of a child and confers upon the acknowledged father all of the rights and duties of a parent.

2. Denial. Except as otherwise provided in section 1867 and section 1868, subsection 1, a valid denial of parentage under section 1863 filed with the State Registrar of Vital Statistics in conjunction with a valid acknowledgment of paternity under section 1861 is equivalent to an adjudication of the nonparentage of the presumed parent and discharges the presumed parent from all rights and duties of a parent.

§1866. No filing fee

The State Registrar of Vital Statistics may not charge a fee for filing an acknowledgment of paternity or denial of parentage under section 1864.

§1867. Proceeding for rescission

A signatory may rescind an acknowledgment of paternity or denial of parentage under this subchapter by commencing a proceeding to rescind before the earlier of:

1. Sixty days after effective date. Sixty days after the effective date of the acknowledgment or denial, as provided in section 1864; and

2. Date of first hearing. The date of the first hearing, in a proceeding to which the signatory is a party, before a court to adjudicate an issue relating to the child, including a proceeding seeking child support.

§1868. Challenge to acknowledgment

1. Challenge by signatory. After the period for rescission under section 1867 has expired, a signatory of an acknowledgment of paternity or denial of parentage may commence a proceeding to challenge the acknowledgment or denial only:

A. On the basis of fraud, duress or material mistake of fact; and

B. Within 2 years after the acknowledgment or denial is filed with the State Registrar of Vital Statistics.

2. Challenge by person not a signatory. If an acknowledgment of paternity has been made in accordance with this subchapter, an individual who is neither the child nor a signatory to the acknowledgement of paternity and who seeks to challenge the validity of the acknowledgment and adjudicate parentage must commence a proceeding not later than 2 years after the effective date of the acknowledgment, as provided in section 1864, unless the individual did not know and could not reasonably have known of the individual's potential genetic parentage on account of material misrepresentation or concealment, in which case the proceeding must be commenced no later than 2 years after discovery.

3. Burden of proof. A party challenging an acknowledgment of paternity or denial of parentage pursuant to this section has the burden of proof.

§1869. Procedure for rescission or challenge

1. Every signatory party. Every signatory to an acknowledgment of paternity and any related denial of parentage under this subchapter must be made a party to a proceeding under section 1867 or 1868 to rescind or challenge the acknowledgment or denial.

2. Submission to personal jurisdiction. For the purpose of rescission of or challenge to an acknowledgment of paternity or denial of parentage, a signatory submits to personal jurisdiction of this State by signing the acknowledgment or denial, effective upon the filing of the document with the State Registrar of Vital Statistics pursuant to section 1864.

3. Suspension of legal responsibilities. Except for good cause shown, during the pendency of a proceeding under section 1867 or 1868 to rescind or challenge an acknowledgment of paternity or denial of parentage, the court may not suspend the legal responsibilities of a signatory arising from the acknowledgment, including the duty to pay child support.

4. Proceeding to rescind or challenge. A proceeding under section 1867 or 1868 to rescind or challenge an acknowledgment of paternity or denial of parentage must be conducted as a proceeding to adjudicate parentage under subchapter 1.

5. Amendment to birth record. At the conclusion of a proceeding under section 1867 or 1868 to rescind or challenge an acknowledgment of paternity or denial of parentage, the court shall order the State Registrar of Vital Statistics to amend the birth record of the child, if appropriate.

§1870. Ratification not permitted

A court or administrative agency conducting a judicial or administrative proceeding may not ratify an unchallenged acknowledgment of paternity under section 1861.

§1871. Forms for acknowledgment and denial of paternity

To facilitate compliance with this subchapter, the State Registrar of Vital Statistics shall prescribe forms for the acknowledgment of paternity and the denial of parentage. A valid acknowledgment of paternity or denial of parentage is not affected by a later modification of the prescribed form.

§1872. Release of information

The State Registrar of Vital Statistics may release information relating to an acknowledgment of paternity under section 1861 as provided in Title 22, section 2706.

§1873. Adoption of rules

The State Registrar of Vital Statistics may adopt rules to implement this subchapter. Rules adopted pursuant to this section are routine technical rules for the purposes of Title 5, chapter 375, subchapter 2-A.

SUBCHAPTER 4**PRESUMED PARENTAGE****§1881. Presumption of parentage**

1. Marital presumption established. A person is presumed to be the parent of a child if:

A. The person and the woman giving birth to the child are married to each other and the child is born during the marriage;

B. The person and the woman giving birth to the child were married to each other and the child is born within 300 days after the marriage is terminated by death, annulment, divorce or declaration of invalidity or after a decree of separation; or

C. Before the birth of the child, the person and the woman giving birth to the child married each other in apparent compliance with law, even if the attempted marriage is or could be declared invalid, and the child is born during the invalid marriage or within 300 days after its termination by death, annulment, divorce or declaration of invalidity or after a decree of separation.

2. Equivalent status in other jurisdictions. The marital presumption in subsection 1 applies to a legal relationship that provides substantially the same rights, benefits and responsibilities as marriage and is recognized as valid in the state or jurisdiction in which it was entered.

3. Nonmarital presumption established. A person is presumed to be a parent of a child if the person resided in the same household with the child and openly held out the child as that person's own from the time the child was born or adopted and for a period of at least 2 years thereafter and assumed personal, financial or custodial responsibilities for the child.

4. Rebuttal of presumption. A presumption established under this subchapter may be rebutted only by a court determination.

§1882. Challenge to presumed parent

1. Two-year limitation. Except as provided in subsection 2, a proceeding to challenge the parentage of an individual whose parentage is presumed under section 1881 must be commenced not later than 2 years after the birth of the child; otherwise the presumption cannot be rebutted.

2. Later than 2 years. A proceeding to challenge the parentage of an individual whose parentage is presumed under section 1881 may be commenced more than 2 years after the birth of the child in the following situations.

A. A presumed parent under section 1881, subsection 1 who is not the genetic parent of a child and who could not reasonably have known about the birth of the child may commence a proceeding under this subsection within 2 years after learning of the child's birth.

B. An alleged genetic parent who did not know of the potential genetic parentage of a child, and who could not reasonably have known on account of material misrepresentation or concealment, may commence a proceeding under this subsection within 2 years after discovering the potential genetic parentage. If the individual is adjudicated to be the genetic parent of the child, the court may not disestablish a presumed parent and, consistent with section 1853, subsection 2, the court shall determine parental rights and responsibilities of the parents in accordance with section 1653.

C. A mother or a presumed parent under section 1881, subsection 3 disputing the validity of the presumption may commence a proceeding under this subsection at any time.

§1883. Multiple presumptions

If 2 or more conflicting presumptions arise under this subchapter, the court shall adjudicate parentage and determine parental rights and responsibilities in accordance with section 1653.

SUBCHAPTER 5

DE FACTO PARENTAGE

§1891. De facto parentage

1. De facto parentage. The court may adjudicate a person to be a de facto parent.

2. Standing to seek de facto parentage. A person seeking to be adjudicated a de facto parent of a child under this subchapter must establish standing to maintain the action in accordance with the following.

A. A person seeking to be adjudicated a de facto parent of a child shall file with the initial pleadings an affidavit alleging under oath specific facts to support the existence of a de facto parent relationship with the child as set forth in subsection 3. The pleadings and affidavit must be served upon all parents and legal guardians of the child and any other party to the proceeding.

B. An adverse party, parent or legal guardian who files a pleading in response to the pleadings in paragraph A shall also file an affidavit in response, serving all parties to the proceeding with a copy.

C. The court shall determine on the basis of the pleadings and affidavits under paragraphs A and B whether the person seeking to be adjudicated a de facto parent has presented prima facie evidence of the requirements set forth in subsection 3. The court may in its sole discretion, if necessary and on an expedited basis, hold a hearing to determine disputed facts that are necessary and material to the issue of standing.

D. If the court's determination under paragraph C is in the affirmative, the party claiming de facto parentage has standing to proceed to adjudication under subsection 3.

3. Adjudication of de facto parent status. The court shall adjudicate a person to be a de facto parent if the court finds by clear and convincing evidence that the person has fully and completely undertaken a permanent, unequivocal, committed and responsible parental role in the child's life. Such a finding requires a determination by the court that:

A. The person has resided with the child for a significant period of time;

B. The person has engaged in consistent caretaking of the child;

C. A bonded and dependent relationship has been established between the child and the person, the relationship was fostered or supported by another parent of the child and the person and the other parent have understood, acknowledged or accepted that or behaved as though the person is a parent of the child;

D. The person has accepted full and permanent responsibilities as a parent of the child without expectation of financial compensation; and

E. The continuing relationship between the person and the child is in the best interest of the child.

4. Orders. The court may enter the following orders as appropriate.

A. The court may enter an interim order concerning contact between a person with standing seeking adjudication under this subchapter as a de facto parent and the child.

B. Adjudication of a person under this subchapter as a de facto parent establishes parentage, and the court shall determine parental rights and responsibilities in accordance with section 1653. The court shall make appropriate orders for the financial support for the child in accordance with the child support guidelines under chapter 63. An order requiring the payment of support to or from a de facto parent does not relieve any other parent of the obligation to pay child support unless otherwise ordered by a court.

5. Other parents. The adjudication of a person under this subchapter as a de facto parent does not disestablish the parentage of any other parent.

SUBCHAPTER 6

GENETIC PARENTAGE

§1901. Scope of subchapter

This subchapter governs procedures and requirements of genetic testing and genetic testing results of an individual to determine parentage and adjudication of parentage based on genetic testing, whether the individual voluntarily submits to testing or is tested pursuant to an order of the court or the department.

§1902. Requirements for genetic testing

1. Type of genetic testing. Genetic testing must be of a type reasonably relied upon by experts in the field of genetic testing and performed in a testing laboratory accredited by:

A. A national association of blood banks approved by the department; or

B. An accrediting body designated by the federal Secretary of Health and Human Services.

2. Specimen. A specimen used in genetic testing may consist of one or more samples, or a combination of samples, of blood, buccal cells, bone, hair or other body tissue or fluid. The specimen used in the testing need not be of the same kind for each individual undergoing genetic testing.

3. Selection of databases; objections. Based on the genetic population group of an individual, a testing

laboratory shall determine the databases from which to select frequencies for use in calculation of the probability of genetic parentage. If there is disagreement as to the testing laboratory's choice, the following provisions apply.

A. The court, upon motion, may require the testing laboratory, prior to adjudication, to recalculate the test results using a different database for genetic population groups from that used by the laboratory.

B. The individual objecting to the testing laboratory's initial choice shall:

(1) If the frequencies are not available to the testing laboratory for the genetic population groups requested, provide the requested frequencies compiled in a manner recognized by an accrediting body under subsection 1; or

(2) Engage another accredited testing laboratory to perform the calculations.

C. The testing laboratory may use its own statistical estimate if there is a question regarding which database for genetic population groups is appropriate. The testing laboratory shall calculate the frequencies using statistics, if available, for any other database requested.

4. Additional genetic testing. If, after recalculation under subsection 3 using a different database for genetic population groups, genetic testing does not rebuttably identify the genetic parent of a child under section 1904, an individual who has been tested may be required to submit to additional genetic testing.

§1903. Report of genetic testing

1. Report; self-authenticating. A report of genetic testing must be in a record and signed under penalty of perjury by a designee of the testing laboratory. A report made under the requirements of this subchapter is self-authenticating.

2. Documentation. Documentation from the testing laboratory of the following information is sufficient to establish a reliable chain of custody that allows the results of genetic testing to be admissible without testimony:

A. The names and photographs of the individuals whose specimens have been taken;

B. The names of the individuals who collected the specimens;

C. The places and dates the specimens were collected;

D. The names of the individuals who received the specimens in the testing laboratory; and

E. The dates the specimens were received.

§1904. Genetic testing results

1. Results identify as genetic parent. Under this chapter, a person is rebuttably identified as the genetic parent of a child if the genetic testing of the person complies with this subchapter and the results disclose:

A. In the case of paternity:

(1) That the man has at least a 99% probability of paternity, using a prior probability of 0.50, as calculated by using the paternity index obtained in the testing; and

(2) A paternity index of at least 100 to 1; and

B. In the case of maternity:

(1) That the woman has at least a 99% probability of maternity, using a prior probability of at least 0.50, as calculated by using the maternity index obtained in the testing; and

(2) A maternity index of at least 100 to 1.

2. Identification of genetic parent. Identification of a genetic parent through genetic testing does not establish parentage absent adjudication under this chapter.

3. Rebuttal. A person identified under subsection 1 as the genetic father or genetic mother of the child may rebut the genetic testing results only by other genetic testing satisfying the requirements of this subchapter that:

A. Excludes the person as a genetic father or genetic mother of the child; or

B. In the case of a genetic father, identifies another man as the possible genetic father of the child or, in the case of a genetic mother, identifies another woman as the possible genetic mother of the child.

4. Further genetic testing. Except as otherwise provided in section 1909, if more than one person is identified by genetic testing as the possible genetic father or genetic mother of the child, the court shall order them to submit to further genetic testing to identify the sole genetic father or genetic mother.

§1905. Costs of genetic testing

1. Payment for the costs advanced. The payment for the costs, if any, of initial genetic testing must be advanced:

A. By the department in a proceeding in which the department is providing services;

B. By the individual who made the request;

C. As agreed by the parties; or

D. As ordered by the court.

2. Reimbursement. In cases in which the payment for the costs of initial genetic testing is advanced pursuant to subsection 1, paragraph A, the department may seek reimbursement from a person who is rebuttably identified through the genetic testing as the genetic father or genetic mother.

§1906. Additional genetic testing

The court shall order additional genetic testing upon the request of a party who contests the result of the initial testing. If the initial genetic testing identified a person as the genetic father or genetic mother of the child under section 1904, the court or agency may not order additional testing unless the party provides advance payment for the testing.

§1907. Genetic testing when specimens not available

1. Specimen not available; submission of specimens. Subject to subsection 2, if a genetic testing specimen is not available from a person who may be the genetic father or genetic mother of a child, for good cause and under circumstances the court considers to be just, the court may order the following individuals to submit specimens for genetic testing:

- A. The parents of the person;
- B. Brothers and sisters of the person;
- C. Other children of the person and their mothers; and
- D. Relatives of the person necessary to complete genetic testing.

2. Finding required. Issuance of an order under this section requires a finding that a need for genetic testing outweighs the legitimate interests of the individual sought to be tested.

§1908. Deceased person

For good cause shown, the court may order genetic testing of a deceased person.

§1909. Identical sibling

1. Genetic testing of sibling. The court may order genetic testing of a sibling of a person if the person is commonly believed to have an identical sibling and evidence suggests that the sibling may be the genetic father or genetic mother of the child.

2. Nongenetic evidence. If a person and a sibling of the person tested pursuant to subsection 1 satisfy the requirements as the identified genetic father or genetic mother of the child under section 1904 without consideration of another identical sibling being identified as the genetic father or genetic mother of the child, the court may rely on nongenetic evidence to adjudicate parentage under this chapter.

§1910. Confidentiality of genetic testing

1. Release of report. A report of genetic testing for parentage is confidential and may not be released except as provided in this subchapter.

2. Intentional release of identifiable specimen. An individual who intentionally releases an identifiable specimen of another individual for any purpose other than that relevant to a proceeding regarding parentage without a court order or the written permission of the individual who furnished the specimen commits a Class E crime.

§1911. Court order for testing

1. Order to submit to genetic testing. Except as provided in section 1912 or as otherwise provided in this chapter, the court may order a child and other designated individuals to submit to genetic testing if the request for testing is supported by the sworn statement of a party to a proceeding setting forth a reasonable, good faith basis for alleging or denying genetic parentage.

2. Presumption of genetic maternity. Genetic testing of the woman who gave birth to a child is not required and may not be ordered to prove that she is the genetic mother, unless there is a reasonable, good faith basis to dispute genetic maternity.

3. No presumed, acknowledged or adjudicated parent. The department may seek an order for genetic testing only if there is no presumed parent, acknowledged father, adjudicated parent or intended parent who consented to assisted reproduction pursuant to this chapter. Genetic testing may not be ordered if the person who is the subject of the request for order is a donor.

4. In utero testing. If a request for genetic testing of a child is made before birth, the court may not order in utero testing.

5. Concurrent or sequential testing. If 2 or more individuals are subject to court-ordered genetic testing, the testing may be ordered concurrently or sequentially.

§1912. Authority to deny requested order for genetic testing or admission of test results

1. Grounds for denial. In a proceeding to adjudicate parentage, the court may deny a motion seeking an order for genetic testing or deny admissibility of the test results at trial if the court determines that:

- A. The conduct of the parties estops a party from denying parentage; or
- B. It would be an inequitable interference to the relationship between the child and a parent or otherwise contrary to the best interest of the child.

2. Factors. In determining whether to deny a motion seeking an order for genetic testing under this

chapter or a request for admission of such test results at trial, the court shall consider the best interest of the child, including the following factors, if relevant:

A. The length of time between the proceeding to adjudicate parentage and the time that a parent was placed on notice that genetic parentage is at issue;

B. The length of time during which the parent has assumed a parental role for the child;

C. The facts surrounding discovery that genetic parentage is at issue;

D. The nature of the relationship between the child and the parent;

E. The age of the child;

F. Any adverse effect on the child that may result if parentage is successfully disproved;

G. The nature of the relationship between the child and any alleged parent;

H. The extent to which the passage of time reduces the chances of establishing the parentage of another person and a child support obligation in favor of the child; and

I. Factors in addition to those in paragraphs A to H that may affect the equities arising from the disruption of the relationship between the child and the parent or the chance of other adverse effect to the child.

3. Guardian ad litem. In a proceeding involving the application of this section, a minor or incapacitated child may be represented by a guardian ad litem.

4. Order. In cases involving an acknowledged or presumed parent, if the court denies a motion seeking an order for genetic testing, the court shall issue an order adjudicating the acknowledged or presumed parent to be the parent of the child.

§1913. Admissibility of results of genetic testing; expenses

1. Record admissible; objection. Except as otherwise provided in subsection 3, a record of a genetic testing expert is admissible as evidence of the truth of the facts asserted in the report unless a party objects to its admission within 14 days after its receipt by the objecting party and cites specific grounds for exclusion. The admissibility of the report is not affected by whether the testing was performed:

A. Voluntarily or pursuant to an order of the court; or

B. Before or after the commencement of the proceeding.

2. Testimony of experts. A party objecting to the results of genetic testing may call one or more ge-

netic testing experts to testify in person or by telephone, videoconference, deposition or another method approved by the court. Unless otherwise ordered by the court, the party offering the testimony bears the expense for the expert's testifying.

3. Results inadmissible; exceptions. If a child has a presumed parent, acknowledged father or adjudicated parent, the results of genetic testing are admissible to adjudicate parentage only:

A. With the consent of each person who is a parent of the child under this chapter, unless the court otherwise orders under section 1912; or

B. Pursuant to an order of the court under section 1911.

4. Copies of bills and records as evidence. Copies of bills and records of expenses paid for prenatal care, childbirth, postnatal care and genetic testing are admissible as evidence without requiring 3rd-party foundation testimony and are prima facie evidence of amounts incurred for those expenses or testing on behalf of the child.

§1914. Consequences of declining genetic testing

1. Adjudication contrary to position. If an individual whose paternity is being determined under this chapter declines to submit to genetic testing ordered by the court, the court for that reason may adjudicate parentage contrary to the position of that individual.

2. Testing of woman giving birth; unavailable or declines. Genetic testing of the woman who gave birth to a child is not a condition precedent to testing the child and a man whose paternity is being determined under this chapter. If the woman who gave birth is unavailable or declines to submit to genetic testing, the court may order the testing of the child and every person whose genetic parentage is being adjudicated.

§1915. Adjudication of parentage based on genetic testing

1. Parentage based on genetic testing. If the court adjudicates parentage based on genetic testing, the following apply.

A. Unless the results of genetic testing are admitted to rebut other results of genetic testing:

(1) If genetic testing results pursuant to section 1904 exclude a person as the genetic parent of a child, the court shall find that person is not a genetic parent of the child and may not adjudicate the person as the child's parent on the basis of genetic testing; and

(2) If genetic testing results pursuant to section 1904 identify a person as the genetic parent of a child, the court shall find that person

to be the genetic parent and may adjudicate the person as the child's parent, unless otherwise provided by this chapter.

B. If the court finds that genetic testing under section 1904 neither identifies nor excludes a person as the genetic parent of a child, the court may not dismiss the proceeding. In that event, the results of genetic testing and other evidence are admissible to adjudicate the issue of parentage.

2. Inadmissible evidence. Testimony relating to sexual relations or possible sexual relations of the woman giving birth at a time other than the probable time of conception of the child is inadmissible in evidence.

3. Adjudication consistent with this chapter. An adjudication of parentage based on genetic testing is subject to the requirements and limitations of this chapter.

SUBCHAPTER 7

PARENTAGE BY ASSISTED REPRODUCTION

§1921. Scope of subchapter

This subchapter does not apply to the birth of a child conceived by means other than assisted reproduction.

§1922. Parental status of donor

1. Donor not a parent. A donor is not a parent of a child conceived through assisted reproduction.

2. Exceptions. Notwithstanding subsection 1:

A. A person who provides a gamete or gametes or an embryo or embryos to be used for assisted reproduction for the person's spouse is a parent of the resulting child; and

B. A person who provides a gamete or gametes or an embryo or embryos for assisted reproduction is a parent of the resulting child if the person has a written agreement or agreements with the person giving birth and any intended parent that the person will be a parent.

§1923. Parentage of child of assisted reproduction

A person who provides gametes for and consents to or a person who consents to assisted reproduction by a woman as provided in section 1924 with the intent to be the parent of a resulting child is a parent of the resulting child.

§1924. Consent to assisted reproduction

1. Written consent. Consent by a person who intends to be a parent of a child born through assisted reproduction must be set forth in a signed record that is executed by each intended parent and provides that the signatories consent to use of assisted reproduction to conceive a child with the intent to parent the child.

2. Lack of written consent; parentage. Failure of a person to sign a consent required by subsection 1 before or after birth of the child does not preclude a finding of parentage:

A. If consent can be proved by other means and the consenting individual resided with the child after birth and undertook to develop a parental relationship with the child; or

B. As provided in this chapter.

3. Consent form. Consent under subsection 1 executed via a consent form adopted by the Office of Data, Research and Vital Statistics must be accepted and relied upon for purposes of issuing a birth record.

§1925. Challenge by spouse to consent

1. Challenge by spouse to consent. The spouse of a person who gives birth to a child through assisted reproduction may challenge the spouse's own parentage of the child only if:

A. The spouse did not provide gametes or embryos for the assisted reproduction;

B. The spouse did not before or after the birth of the child consent to the assisted reproduction by the person who gave birth;

C. The spouse and the person who gave birth to the child have not cohabitated since the time of the child's birth; and

D. The spouse did not openly hold out the child as the spouse's own.

§1926. Effect of dissolution of marriage or withdrawal of consent

1. Dissolution of marriage prior to transfer or implantation. If a marriage is dissolved before transfer or implantation of gametes or embryos, the former spouse is not a parent of the resulting child unless the former spouse consented in a signed record with notice to the other spouse and the woman giving birth that, if assisted reproduction were to occur after a divorce, the former spouse would be a parent of the child.

2. Withdrawal of consent prior to transfer or implantation. The consent of a person to assisted reproduction under section 1924 may be withdrawn by that person in a signed record with notice to the person giving birth and any other intended parent before transfer or implantation of gametes or embryos. A person who withdraws consent under this subsection is not a parent of the resulting child.

§1927. Parent status of deceased person

If a person who consented in a signed record under section 1924 to be a parent by assisted reproduction dies before transfer or implantation of gametes or embryos, the deceased person is not a parent of the resulting child unless the deceased person consented in

a signed record that, if assisted reproduction were to occur after death, the deceased person would be a parent of the child.

§1928. Birth orders

1. Proceeding for birth order. Before or after the birth of the resulting child, a party consenting to assisted reproduction, a person who has a written agreement to be a parent pursuant to section 1922, subsection 2, paragraph B, the intended parent or parents or the person giving birth may commence a proceeding in District Court to obtain an order:

A. Declaring that the intended parent or parents are the parent or parents of the resulting child and ordering that parental rights and responsibilities vest exclusively in the intended parent or parents immediately upon the birth of the child;

B. Sealing the record from the public to protect the privacy of the child and the parties; or

C. For any relief that the court determines necessary and proper.

2. State not a necessary party. Neither this State nor the State Registrar of Vital Statistics is a necessary party to a proceeding under subsection 1.

§1929. Laboratory error

If due to a laboratory error the resulting child is not genetically related to either of the intended parents, the intended parents are the parents of the child unless otherwise determined by the court.

SUBCHAPTER 8

GESTATIONAL CARRIER AGREEMENT

§1931. Eligibility to enter gestational carrier agreement

1. Eligibility of gestational carrier. In order to execute an agreement to act as a gestational carrier, a woman must:

A. Be at least 21 years of age;

B. Have previously given birth to at least one child;

C. Have completed a medical evaluation that includes a mental health consultation;

D. Have had independent legal representation of her own choosing and paid for by the intended parent or parents regarding the terms of the gestational carrier agreement and have been advised of the potential legal consequences of the gestational carrier agreement; and

E. Not have contributed gametes that will ultimately result in an embryo that she will attempt to carry to term, unless the gestational carrier is entering into an agreement with a family member.

2. Eligibility of intended parent or parents. Prior to executing a gestational carrier agreement, a person or persons intending to become a parent or parents, whether genetically related to the child or not, must:

A. Complete a medical evaluation and mental health consultation; and

B. Retain independent legal representation regarding the terms of the gestational carrier agreement and have been advised of the potential legal consequences of the gestational carrier agreement.

§1932. Gestational carrier agreement authorized

1. Written agreement. A prospective gestational carrier who is eligible pursuant to section 1931, her spouse if she is married and the intended parent or parents may enter into a written agreement that:

A. The prospective gestational carrier agrees to pregnancy by means of assisted reproduction;

B. The prospective gestational carrier and her spouse, if she is married, have no rights and duties as the parents of a child conceived through assisted reproduction; and

C. The intended parent or parents will be the parents of any resulting child.

2. Intended parents. The intended parent or parents must be parties to a gestational carrier agreement.

3. Enforceable. A gestational carrier agreement is enforceable only if it meets the following requirements.

A. The agreement must be in writing and signed by all parties.

B. The agreement must require no more than a one-year term to achieve pregnancy.

C. At least one of the parties must be a legal resident of the State.

D. The agreement must be executed before the commencement of any medical procedures other than the medical evaluations required by section 1931 and, in every instance, before transfer of embryos.

E. The gestational carrier and the intended parent or parents must meet the eligibility requirements of section 1931.

F. If any party is married, the party's spouse also must be required to execute the agreement.

G. The gestational carrier and the intended parent or parents must be represented by independent legal counsel in all matters concerning the agreement and each counsel shall affirmatively so state

in a written declaration attached to the agreement. The declarations must state that the agreement meets the requirements of this chapter and must be solely relied upon by health care providers and staff at the time of birth and by the Office of Data, Research and Vital Statistics for birth registration and certification purposes.

H. The gestational carrier and each intended parent must sign a written acknowledgment of having received a copy of the agreement.

I. The signature of each party to the agreement must be notarized, acknowledged or attested by a person authorized to take oaths in accordance with the laws of the jurisdiction where it is executed.

J. The agreement must expressly provide that:

(1) The gestational carrier:

(a) Must undergo assisted reproduction and attempt to carry and give birth to any resulting child;

(b) Has no claim to parentage of all resulting children to the intended parent or parents immediately upon the birth of the child or children regardless of whether a court order has been issued at the time of birth; and

(c) Must acknowledge the exclusive parentage of the intended parent or parents of all resulting children;

(2) If the gestational carrier is married, her spouse:

(a) Must acknowledge and agree to abide by the obligations imposed on the gestational carrier by the terms of the gestational carrier agreement;

(b) Has no claim to parentage of any resulting children to the intended parent or parents immediately upon the birth of the children regardless of whether a court order has been issued at the time of birth; and

(c) Must acknowledge the exclusive parentage of the intended parent or parents of all resulting children;

(3) The gestational carrier has the right to use the services of a health care provider of her choosing to provide her care during her pregnancy;

(4) The intended parent or parents must:

(a) Be the exclusive parent or parents and accept parental rights and responsibilities of all resulting children immediately upon birth regardless of the num-

ber, gender or mental or physical condition of the child or children; and

(b) Assume responsibility for the financial support of all resulting children immediately upon the birth of the children; and

(5) All parties must provide records related to the medical evaluations conducted pursuant to section 1931, subsection 2, paragraph A.

4. Reasonable expenses. A gestational carrier agreement may provide for payment of reasonable expenses, which, if paid to a prospective gestational carrier, must be negotiated in good faith between the parties.

5. Decision of gestational carrier. A gestational carrier agreement may not limit the right of the gestational carrier to make decisions to safeguard her health.

§1933. Parentage; parental rights and responsibilities

If a gestational carrier agreement satisfies the requirements of this chapter:

1. Parentage. The intended parent or parents are by operation of law the parent or parents of the resulting child immediately upon the birth of the child, and the resulting child is considered the child of the intended parent or parents immediately upon the birth of the child.

A. Neither the gestational carrier nor her spouse, if any, is the parent of the resulting child.

B. A person who is determined to be a parent of the resulting child is obligated to support the child. The breach of the gestational carrier agreement by the intended parent or parents does not relieve the intended parent or parents of the obligation to support the resulting child;

2. Parental rights and responsibilities. Parental rights and responsibilities vest exclusively in the intended parent or parents immediately upon the birth of the resulting child; and

3. Laboratory error. If due to a laboratory error the resulting child is not genetically related to either the intended parent or parents or any donor who donated to the intended parent or parents, the intended parent or parents are considered the parent or parents of the child.

§1934. Birth orders

1. Action for birth order. Pursuant to a valid gestational carrier agreement under this subchapter, before or after the birth of the resulting child a party to the gestational carrier agreement may commence a proceeding in District Court to obtain an order:

A. Designating the contents of the birth certificate in accordance with Title 22, section 2761 and directing the Office of Data, Research and Vital Statistics to designate the intended parent or parents as the parent or parents of the child. The State Registrar of Vital Statistics may charge a reasonable fee for the issuance of a birth certificate;

B. Declaring that the intended parent or parents are the parent or parents of the resulting child and ordering that parental rights and responsibilities vest exclusively in the intended parent or parents immediately upon the birth of the child;

C. Sealing the record from the public to protect the privacy of the child and the parties; or

D. For any relief that the court determines necessary and proper.

2. State not a necessary party. Neither this State nor the State Registrar of Vital Statistics is a necessary party to a proceeding under subsection 1.

§1935. Exclusive, continuing jurisdiction

Subject to the jurisdictional standards of section 1745, the court conducting a proceeding under this subchapter has exclusive, continuing jurisdiction of all matters arising out of the gestational carrier agreement until a child born to the gestational carrier during the period governed by the agreement attains the age of 180 days.

§1936. Termination of gestational carrier agreement

1. Termination of agreement; parties. A party to a gestational carrier agreement may withdraw consent to any medical procedure and may terminate the gestational carrier agreement at any time prior to any embryo transfer or implantation by giving written notice of termination to all other parties.

2. Obligations upon termination; no liability to gestational carrier. Upon termination of the gestational carrier agreement under subsection 1, the parties are released from all obligations recited in the agreement except that the intended parent or parents remain responsible for all expenses that are reimbursable under the agreement incurred by the gestational carrier through the date of termination. The gestational carrier is entitled to keep all payments she has received and obtain all payments to which she is entitled. Neither a prospective gestational carrier nor her spouse, if any, is liable to the intended parent or parents for terminating a gestational carrier agreement.

§1937. Effect of subsequent marriage

1. Agreement valid. The subsequent marriage of the gestational carrier does not affect the validity of a gestational carrier agreement.

2. Subsequent consent not required. The consent of the subsequent spouse of the gestational carrier to the agreement is not required.

3. No marital presumption. The subsequent spouse of the gestational carrier is not presumed to be a parent of the resulting child.

§1938. Effect of noncompliance; standard of review; remedies

1. Not enforceable. Except as otherwise provided, a gestational carrier agreement that does not meet the requirements of this subchapter is not enforceable.

2. Standard of review. In the event of noncompliance with the requirements of this subchapter or with a gestational carrier agreement, a court shall determine the respective rights and obligations of the parties to the gestational carrier agreement, including evidence of the intent of the parties at the time of execution.

3. Remedies. Except as expressly provided in a gestational carrier agreement and in subsection 4, in the event of a breach of the gestational carrier agreement by the gestational carrier or the intended parent or parents, the gestational carrier or the intended parent or parents are entitled to all remedies available at law or in equity.

4. Genetic testing. If the parentage of a child born to a gestational carrier is alleged to not be the result of assisted reproduction, and this question is relevant to the determination of parentage, the court may order genetic testing.

5. Specific performance. Specific performance is not an available remedy for a breach by the gestational carrier of any term in a gestational carrier agreement that requires the gestational carrier to be impregnated or to terminate a pregnancy. Specific performance is an available remedy for a breach by the gestational carrier of any term that prevents the intended parent or parents from exercising the full rights of parentage immediately upon birth of the child.

PART B

Sec. B-1. 19-A MRSA §1551, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. B-2. 19-A MRSA §1552, as amended by PL 2005, c. 323, §10, is further amended to read:

§1552. Obligations of father

The father of a child ~~who is or may be born out of wedlock~~ is liable to the same extent as the father of a child born in wedlock, ~~whether or not the child is born alive~~, for the reasonable expense of the mother's pregnancy and confinement and for the education, support and funeral expenses of the child.

Sec. B-3. 19-A MRSA §1553, first ¶, as amended by PL 1997, c. 537, §16 and affected by §62, is further amended to read:

~~Paternity may be determined upon the complaint of the mother, the alleged father, the child or the public authority chargeable by law with the support of the child.~~ If paternity has been determined or has been acknowledged according to the laws of this State, the liabilities of the father may be enforced in the same or other proceedings by the mother, the child or the public authority that has furnished or may furnish the reasonable expenses of pregnancy, confinement, education, support or funeral expenses, and by other persons, including private agencies, to the extent that they have furnished the reasonable expenses of pregnancy, confinement, education, support or funeral expenses. Bills and records of expenses paid for pregnancy, ~~child birth~~ childbirth and genetic testing are admissible as evidence without requiring 3rd-party foundation testimony and are prima facie evidence of amounts incurred for those services or for testing on behalf of the child. Chapter 63 applies to an award of past support, which is calculated by applying the current child support guidelines to the period for which past support is owed.

Sec. B-4. 19-A MRSA §1556, as repealed and replaced by PL 2001, c. 471, Pt. A, §23, is amended to read:

§1556. Remedies

~~The District Court has jurisdiction over an action to determine parentage. There is no right to demand a jury trial in an action to determine parentage.~~ The District Court has jurisdiction for the enforcement of judgments for expenses of pregnancy and confinement for a wife or for education, support or funeral expenses for legitimate children and all remedies for the enforcement of these judgments apply. The court has continuing jurisdiction to modify or revoke a judgment for future education and support. All remedies under the Uniform Interstate Family Support Act are available for enforcement of duties of support under this subchapter.

Sec. B-5. 19-A MRSA §1558, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. B-6. 19-A MRSA §1559, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§1559. Selection of experts

The tests required by the court order under ~~section 1558~~ chapter 61, subchapter 6 must be made by experts qualified as examiners of blood or tissue types who are appointed by the court. The experts may be called by the court as witnesses to testify to their findings and may be subject to cross-examination by the

parties. A party or person at whose suggestion the tests have been ordered may demand that other experts, qualified as examiners of blood or tissue types, perform independent tests under order of court, the results of which may be offered in evidence. The court shall determine the number and qualifications of those experts.

Sec. B-7. 19-A MRSA §1560, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. B-8. 19-A MRSA §1561, as amended by PL 1997, c. 537, §18 and affected by §62, is further amended to read:

§1561. Effect of test results

1. Effect of results. The results of the tests required pursuant to ~~section 1558~~ chapter 61, subchapter 6 are evidence to be used in determining paternity as follows.

~~A. If the court finds that the conclusion of all the experts, as disclosed by the evidence based upon the tests, is that the alleged father is not the parent of the child, the question of paternity must be resolved accordingly.~~

B. If the experts disagree in their findings or conclusions, the question must be submitted upon all the evidence.

~~C. If the experts conclude that the blood or tissue tests show that the alleged father is not excluded and that the probability of the alleged father's paternity is less than 97%, this evidence must be admitted by the court and weighed with other competent evidence of paternity.~~

~~D. If the experts conclude that the blood or tissue tests show that the alleged father is not excluded and that the probability of the alleged father's paternity is 97% or higher, the alleged father is presumed to be the father, and this evidence must be admitted.~~

~~The court shall admit as evidence the results of any genetic test that is of a type generally acknowledged as reliable by accreditation bodies designated by the federal Secretary of the Department of Health and Human Services and performed by a laboratory approved by such an accredited body.~~

2. Chain of custody; evidence. ~~Notarized documentation of the chain of custody of the blood and tissue samples is competent evidence to establish the chain of custody.~~

3. Notarized reports; challenges. A notarized report of the blood and tissue tests, prepared by the appointed experts, must be admitted at trial, unless a written challenge to the testing procedure or the results of the blood and tissue tests has been filed with the court and delivered to opposing counsel at least 30

days before a hearing set to determine the issue of paternity. Failure to make that timely challenge constitutes a waiver of the right to have the experts appear in person and is not grounds for a continuance of the hearing to determine paternity.

Sec. B-9. 19-A MRSA §1562, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. B-10. 19-A MRSA §1563, sub-§2, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. B-11. 19-A MRSA §1564, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. B-12. 19-A MRSA §1565, as amended by PL 2007, c. 164, §1, is further amended to read:

§1565. Judgment

1. Support. Judgments under this subchapter may be for periodic payments that may vary in amount. The court may order payments to be made to the person to whom the support is owed or to the person, corporation or agency designated to administer payments under the supervision of the court.

2. Parental rights and responsibilities. ~~The court may order an initial allocation of parental rights and responsibilities. The order of the court must provide notice that if either party objects to the allocation, that party may file a complaint pursuant to section 1654 and that an order from that action supersedes this initial allocation of parental rights and responsibilities. It is within the court's discretion to award or allocate parental rights and responsibilities under this subchapter and the department is not a party to this issue. In resolving parental rights and responsibilities issues, the court may not delay entering a determination of paternity and an initial order concerning child support. After a final paternity order has been entered, the department may file a motion to withdraw. Whether or not the department has withdrawn, a party or a parent may file a motion to modify pursuant to section 1653 or section 2009. A copy of the motion must be served in accordance with the Maine Rules of Civil Procedure on the other parent and the department, if the department has not withdrawn. A showing of substantial change in circumstances is not required if the moving party has not previously appeared in the action.~~

3. Temporary support order. ~~Upon motion by a party to a contested paternity action, the court shall issue a temporary child support order if the alleged father is presumed to be the father as a result of genetic testing, as provided by Title 19-A, section 1561, subsection 1, paragraph D. The order must be determined according to the child support guidelines as provided under chapter 63.~~

4. Disclosure and recording of social security numbers. ~~A person who is a party to a paternity action shall disclose that person's social security number to the court. The social security number of a person who is subject to a judgment of paternity must be placed in the court records relating to the judgment of paternity. The record of a person's social security number is confidential and is not open to the public. The court shall disclose a person's social security number to the department for child support enforcement purposes.~~

Sec. B-13. 19-A MRSA §1568, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. B-14. 19-A MRSA §1570, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§1570. Dismissals

1. Procedure. ~~The rules of civil procedure apply to this subchapter in all cases of birth out of wedlock when the birth occurs after October 7, 1967.~~

2. Dismissal without prejudice. Dismissals of paternity actions must be without prejudice in all cases except:

- A. When an adjudication on the merits has occurred; or
- B. When the department is a party to the action and the department consents to the dismissal with prejudice.

Sec. B-15. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 19-A, chapter 53, subchapter 1, in the subchapter headnote, the words "uniform act on paternity" are amended to read "paternity" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

PART C

Sec. C-1. 4 MRSA §183, sub-§1, ¶D, as amended by PL 2005, c. 384, §1, is further amended to read:

D. Family law magistrates shall employ appropriate case management techniques and have jurisdiction to hear and dispose of the following matters:

- (1) Interim orders in actions involving the establishment, modification or enforcement of child support;
- (2) Interim orders in actions involving divorce, legal separation, paternity parentage or parental rights, including interim orders in postjudgment proceedings arising out of these actions, except that a contested motion concerning interim parental rights and responsi-

bilities, excluding interim child support orders, may be determined by the family law magistrate only if both parties consent to determination of the issue or issues in dispute by the family law magistrate;

(2-A) Parental rights and responsibilities and parent-child contact orders entered pursuant to Title 19-A, section 4006, subsection 5 and section 4007, subsection 1, paragraph G to make such orders consistent with subsequently entered orders in matters included in subparagraphs (1), (2) and (3);

(3) Final orders in any of the matters included in subparagraphs (1) and (2) when the proceeding is uncontested;

(4) Final orders in a contested proceeding when child support is the only contested issue;

(4-A) Applications for writs of habeas corpus to facilitate the attendance of proceedings by and return of a party who is incarcerated;

(4-B) Requests for access to confidential Department of Health and Human Services child protective records in accordance with Title 22, section 4008. The family law magistrate may review records in camera to determine whether to grant access; and

(5) Other actions assigned by the Chief Judge of the District Court.

Sec. C-2. 14 MRSA §704-A, sub-§2, ¶E, as amended by PL 1995, c. 694, Pt. D, §14 and affected by Pt. E, §2, is further amended to read:

E. Conception resulting in ~~paternity parentage~~ within the meaning of Title 19-A, chapter 53, ~~subchapter I~~ chapter 61;

Sec. C-3. 18-A MRSA §2-109, sub-§(2), as amended by PL 1987, c. 736, §37, is further amended to read:

(2). In cases not covered by ~~paragraph subsection~~ (1), ~~a person born out of wedlock is a child of the mother; that person is also a child of the father if: legal parentage of a child is determined under Title 19-A, chapter 61.~~

(i). ~~The natural parents participated in a marriage ceremony before or after the birth of the child, even though the attempted marriage is void; or~~

(ii). ~~The father adopts the child into his family; or~~

(iii). ~~The father acknowledges in writing before a notary public that he is the father of the child, or the paternity is established by an adjudication before the death of the father or is established thereafter by clear and convincing proof, but the paternity established under this subparagraph is ineffective to qualify the father or his kindred to inherit from or through the child unless the father has openly treated the child as his and has not refused to support the child.~~

~~ffective to qualify the father or his kindred to inherit from or through the child unless the father has openly treated the child as his and has not refused to support the child.~~

Sec. C-4. 18-A MRSA §5-101, sub-§(1-D) is enacted to read:

(1-D). "Parent" means a person who has established a parent-child relationship with the child under Title 19-A, chapter 61.

Sec. C-5. 18-A MRSA §9-102, sub-§(h), as enacted by PL 1995, c. 694, Pt. C, §7 and affected by Pt. E, §2, is amended to read:

(h). "Parent" means ~~the legal parent or the legal guardian when no legal parent exists;~~ a person who:

(1). Has established a parent-child relationship with the child under Title 19-A, chapter 61; or

(2). When no person described in paragraph (1) exists, is the legal guardian of the child.

Sec. C-6. 19-A MRSA §251, sub-§2, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

2. Required mediation. Except as provided in paragraph B, prior to a contested hearing under chapter 27, chapter 29, chapter 55, ~~chapter 61~~ or chapter 63 when there are minor children of the parties, the court shall refer the parties to mediation.

A. For good cause shown, the court, prior to referring the parties to mediation, may hear motions for temporary relief, pending final judgment on an issue or combination of issues for which good cause for temporary relief has been shown.

B. Upon motion supported by affidavit, the court may, for extraordinary cause shown, waive the mediation requirement under this subsection.

Sec. C-7. 19-A MRSA §606, first ¶, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

Except as otherwise provided in this section, an effective premarital agreement is void 18 months after the parties to the agreement become ~~biological or adoptive~~ parents or guardians of a minor. The premarital agreement is not void if, within the 18-month period, the parties sign a written amendment to the agreement either stating that the agreement remains in effect or altering the agreement. Sections 607 and 608 apply to any amendment under this section.

Sec. C-8. 19-A MRSA §1503, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

Sec. C-9. 19-A MRSA §1601, sub-§1, ¶B, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

B. A man who is presumed to be a child's father under ~~the Maine Rules of Evidence, Rule 302 chapter 61.~~

Sec. C-10. 19-A MRSA §1605, sub-§2, ¶G, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

G. An allegation that the alleged father engaged in sexual intercourse with the child's mother during a possible time of conception of the child or is a man who is presumed to be the child's father under state law, and that the alleged father is or may be the ~~biological~~ genetic father of the child;

Sec. C-11. 19-A MRSA §1605, sub-§2, ¶J, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

J. A statement that if the alleged father files a written denial of paternity:

(1) The department will provide an expert examiner of blood or tissue types to conduct blood or tissue-typing tests on the mother, child and alleged father and the tests will be conducted as follows.

(a) The alleged father is required to submit to tests, which may include, but are not limited to, tests of red cell antigens, red cell isoenzymes, human leukocyte antigens and serum proteins.

(b) The department will pay the initial cost of the tests.

(c) An indigent alleged father is not liable for reimbursement of the cost of the tests;

(2) If the alleged father refuses to submit to tests under subparagraph (1), the proceeding will be filed in a court as a paternity proceeding;

(3) If the alleged father is not excluded by the test results and he does not, within 15 days of the ordinary mailing to him of a report and copy of the blood or tissue-typing results, execute and deliver to the department an acknowledgment of paternity of the child in accordance with the laws of the state in which the child was born, the proceeding will be filed in a court as a paternity proceeding; and

(4) If the alleged father is excluded by the test results as the ~~biological~~ genetic father of the child, the proceeding will be filed in a court ~~as a paternity proceeding for disposition under section 1561, subsection 1, paragraph A chapter 61;~~

Sec. C-12. 19-A MRSA §1606, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. Establish as genetic father. Establish the alleged father as the ~~biological~~ genetic father of the child;

Sec. C-13. 19-A MRSA §1606, sub-§8, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

8. Other relief. Grant such other relief as the court determines just and proper, including an initial allocation of parental rights and responsibilities as allowed by section ~~1565~~ 1840.

Sec. C-14. 19-A MRSA §1611, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§1611. Refusal of alleged father to submit to blood or tissue-typing tests

1. Filing of record in court. If the alleged father denies paternity and subsequently fails to submit to blood or tissue-typing testing, the record may be filed in court as a paternity action and the department may seek an adjudication of paternity pursuant to section ~~1558~~ 1914. The alleged father's refusal to submit to a blood or tissue-typing test constitutes a refusal to submit under section ~~1558~~ 1914. The filing of the record, along with proof of service pursuant to section 1604, constitutes compliance with the Maine Rules of Civil Procedure, Rule 3(1).

2. Notice of filing. The department shall send to the alleged father by ordinary mail notice of the filing of the paternity proceeding and a request under section ~~1558~~ 1911. Within 20 days of the mailing of this notice, the alleged father may assert any defense, in law or fact.

3. Request for default judgment or order. The department shall forward to the alleged father by ordinary mail a copy of any request for a default judgment or an order pursuant to section ~~1558~~ 1911 or 1914. If the alleged father does not notify the court in writing within 20 days of the date the department's request was mailed that he opposes the relief requested by the department, the court may grant the relief requested without a hearing. Any notice mailed must contain the substance of this section.

Sec. C-15. 19-A MRSA §1612, sub-§§2 and 3, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, are amended to read:

2. Exclusion of alleged father. If the alleged father is excluded by the test results as the ~~biological~~ genetic father of the child, the department may file the record of the proceeding in a court ~~as a paternity proceeding for disposition under section 1561, subsection 1, paragraph A 1915.~~

3. Nonexclusion of alleged father. If the alleged father is not excluded by the test results and he does not, within 15 days of the mailing to him of a copy of the blood or tissue-typing test results and report, execute and deliver to the department by ordinary mail an acknowledgment of paternity of the child in accordance with the laws of the state in which the child was born, the department may file the record of the proceeding, including the blood or tissue-typing test results, in a court as a paternity proceeding. ~~Section 1561 applies~~ Sections 1903, 1904 and 1913 apply to the action even though the tests were performed and the results prepared as part of an administrative proceeding. The alleged father's participation in the tests may not prejudice any application by the alleged father under section ~~4559~~ 1906 for an order appointing an additional examiner of blood or tissue types.

Sec. C-16. 19-A MRSA §1616, as reallocated by RR 1997, c. 1, §15, is repealed.

Sec. C-17. 19-A MRSA §1651, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§1651. Parents joint natural guardians of children

The ~~father and mother~~ parents are the joint natural guardians of their minor children and are jointly entitled to the care, custody, control, services and earnings of their children. Neither parent has any rights paramount to the rights of the other with reference to any matter affecting their children.

Sec. C-18. 19-A MRSA §1654, first ¶, as amended by PL 1999, c. 731, Pt. ZZZ, §34 and affected by §42, is further amended to read:

If the ~~father and mother~~ parents of a minor child are living apart, the Probate Court or District Court in the county or division where either resides, upon complaint of either and after notice to the other as the court may order, may make an order awarding parental rights and responsibilities with respect to the child in accordance with this chapter.

Sec. C-19. 19-A MRSA §1802, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. Grandparent. "Grandparent" is a ~~biological or adoptive~~ parent of a child's ~~biological or adoptive~~ parent. "Grandparent" includes a ~~biological or adoptive~~ parent of a child's ~~biological or adoptive~~ parent whose parental rights have been terminated pursuant to Title 18-A, section 9-204 or Title 22, chapter 1071, subchapter ~~V4~~ 6, but only until the child's adoption.

Sec. C-20. 19-A MRSA §2101, sub-§§3 and 12, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, are amended to read:

3. Custodial parent. "Custodial parent" means a ~~natural or adoptive~~ parent, caretaker relative or legal

custodian of a dependent child who is the child's primary residential care provider.

12. Responsible parent. "Responsible parent" means the ~~natural or adoptive~~ parent of a dependent child.

Sec. C-21. 19-A MRSA §2202, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. Purpose. The Legislature finds and declares that child support is a basic legal right of the State's parents and children, that ~~mothers and fathers~~ parents have a legal obligation to provide financial support for their children and that child support payments can have a substantial impact on child poverty and state welfare expenditures. It is therefore the Legislature's intent to encourage payment of child support to decrease overall costs to the State's taxpayers while increasing the amount of financial support collected for the State's children. The department is authorized to initiate action under this section against individuals who are not in compliance with an order of support.

Sec. C-22. 19-A MRSA §2253, sub-§2, ¶B, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

B. Conception resulting in paternity parentage within the meaning of chapter ~~53, subchapter 4~~ 61.

Sec. C-23. 19-A MRSA §3051, sub-§2, ¶F, as enacted by PL 2003, c. 436, §28, is amended to read:

F. An acknowledged father of the child as provided in Title 19-A, ~~section 1616~~ chapter 61, subchapter 3;

Sec. C-24. 19-A MRSA §4002, sub-§4, as amended by PL 2013, c. 478, §7, is further amended to read:

4. Family or household members. "Family or household members" means spouses or domestic partners or former spouses or former domestic partners, individuals presently or formerly living together as spouses, ~~natural~~ parents of the same child, adult household members related by consanguinity or affinity or minor children of a household member when the defendant is an adult household member and, for the purposes of Title 15, section 1023, subsection 4, paragraph B-1 and Title 15, section 1094-B, this chapter and Title 17-A, sections 15, 207-A, 209-A, 210-B, 210-C, 211-A, 1201, 1202 and 1253 only, includes individuals presently or formerly living together and individuals who are or were sexual partners. Holding oneself out to be a spouse is not necessary to constitute "living as spouses." For purposes of this subsection, "domestic partners" means 2 unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare.

Sec. C-25. 22 MRSA §2761, sub-§3-A, as enacted by PL 1995, c. 260, §6, is amended to read:

3-A. Parentage. For the purposes of birth registration, the mother is deemed to be the woman who gives birth to the child, unless otherwise determined by a court of competent jurisdiction prior to the filing of the birth certificate or unless an attested copy of a gestational carrier agreement as defined in Title 19-A, section 1832, subsection 11 is presented that provides otherwise. If the mother was married at the time of either conception or birth, or between conception and birth, the name of the ~~husband~~ spouse must be entered on the certificate as the ~~father~~ parent of the child, unless ~~paternity~~ parentage has been determined otherwise by a court of competent jurisdiction or unless an attested copy of a gestational carrier agreement is presented that provides otherwise.

Sec. C-26. 22 MRSA §4002, sub-§7, as enacted by PL 1979, c. 733, §18, is amended to read:

7. Parent. "Parent" means a natural or adoptive parent or a parent established under Title 19-A, chapter 61, unless parental rights have been terminated.

Sec. C-27. 22 MRSA §4005-F, first ¶, as enacted by PL 2007, c. 257, §1, is amended to read:

As part of a child protection proceeding, the District Court may determine parentage of the child. Title 19-A, ~~sections 1558 to 1564 apply~~ chapter 61 applies to determinations of parentage in a child protection proceeding.

Sec. C-28. 22 MRSA §4031, sub-§3, as corrected by RR 1999, c. 1, §29, is amended to read:

3. Scope of authority. The court shall consider and act on child protection petitions regardless of other decrees regarding a child's care and custody. The requirements and provisions of Title 19-A, chapter 58 do not apply to child protection proceedings. If custody or parentage is an issue in another pending proceeding, the proceedings may be consolidated in the District Court with respect to the issue of custody issue, parentage or both. In any event, the court shall make an order on the child protection petition in accordance with this chapter. That order takes precedence over any prior order regarding the child's care and custody.

Sec. C-29. 22 MRSA §4036, sub-§2-A is enacted to read:

2-A. Determination of parentage. In a protection order or in a judicial review order, the court may determine the parentage of the child. The court's determination of the child's parentage must be made pursuant to Title 19-A, chapter 61 and has the same legal effect as a determination of parentage made pursuant to that chapter.

PART D

Sec. D-1. Effective date. This Act takes effect July 1, 2016.

Effective July 1, 2016.

CHAPTER 297

S.P. 391 - L.D. 1119

An Act To Amend the Laws Governing the Filing of Wage Statements and Other Laws under the Maine Workers' Compensation Act of 1992

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

Sec. 1. 2 MRSA §6-E, sub-§6, as enacted by PL 1993, c. 145, §1, is amended to read:

6. Administrative law judges. The salary of the ~~hearing officers~~ administrative law judges is within salary range 90.

Sec. 2. 39-A MRSA §105, sub-§4, as amended by PL 2013, c. 63, §5, is further amended to read:

4. Hearing. A hearing, if requested by a party within 10 days of the board's decision on a petition, must be conducted under the Maine Administrative Procedure Act. A ruling by the board or ~~hearing officer~~ administrative law judge under this section is final and not subject to review by the Superior Court.

Sec. 3. 39-A MRSA §152, sub-§5, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

5. Employment of and contracts with administrative law judges and mediators. The board shall obtain the services of persons qualified by background and training to serve as ~~hearing officers~~ administrative law judges, who are authorized to take action and enter orders consistent with this Act in all cases assigned to them by the board, and mediators. In the exercise of its discretion, the board may obtain the services of ~~hearing officers~~ administrative law judges and mediators by either of the 2 following methods:

A. The board may contract for the services of ~~hearing officers~~ administrative law judges and mediators, in which case they must be paid reasonable per diem fees for their services plus reimbursement of their actual, necessary and reasonable expenses incurred in the performance of their duties, consistent with policies established by the board; or

B. The board may employ ~~hearing officers~~ administrative law judges and mediators to serve at

the pleasure of the board and who are not subject to the Civil Service Law. They are entitled to receive reimbursement of their actual, necessary and reasonable expenses incurred in the performance of their duties, consistent with policies established by the board.

Sec. 4. 39-A MRSA §153, sub-§9, as amended by PL 2005, c. 603, §3, is further amended to read:

9. Audit and enforcement. The executive director shall establish an audit, enforcement and monitoring program by July 1, 1998, to ensure that all obligations under this Act are met, including the requirements of section 359. The functions of the audit and enforcement program include, but are not limited to, auditing timeliness of payments and claims handling practices of insurers, self-insurers, the Maine Insurance Guaranty Association and 3rd-party administrators; determining whether insurers, self-insurers, the Maine Insurance Guaranty Association and 3rd-party administrators are unreasonably contesting claims; and ensuring that all reporting requirements to the board are met. When auditing the Maine Insurance Guaranty Association, the program shall consider when the Maine Insurance Guaranty Association obtained the records of an insolvent insurer. The program must be coordinated with the abuse investigation unit established by section 153, subsection 5 as appropriate. The program must monitor activity and conduct audits pursuant to a schedule developed by the deputy director of benefits administration. Audit working papers are confidential and may not be disclosed to any person outside of the board except the audited entity. For purposes of this subsection "audit working papers" means all documentary and other information acquired, prepared or maintained by the board during the conduct of an audit or investigation, including all intra-agency and interagency communications relating to an audit or investigation and draft reports or any portion of a draft report. The final audit report, including the underlying reconciled information, is not confidential. At the end of each calendar quarter, the executive director shall prepare a compliance report summarizing the results of the audits and reviews conducted pursuant to this subsection. The executive director shall submit the quarterly compliance reports to the board, the Bureau of Insurance and the Director of the Bureau of Labor Standards within the Department of Labor. An annual summary must be provided to the Governor and to the joint standing committees of the Legislature having jurisdiction over labor and banking and insurance matters by February 15th of each year. The quarterly compliance reports and the annual summaries must be made available to the public following distribution.

Within 180 days of notice of insolvency to the board or its designee and the Maine Insurance Guaranty Association, the executive director of the board or the

executive director's designee shall meet with the Maine Insurance Guaranty Association, pursuant to rules established by the board, to review the insolvency.

Sec. 5. 39-A MRSA §205, sub-§9, ¶B, as amended by PL 2011, c. 647, §2, is further amended to read:

B. In all circumstances other than the return to work or increase in pay of the employee under paragraph A, if the employer, insurer or group self-insurer determines that the employee is not eligible for compensation under this Act, the employer, insurer or group self-insurer may discontinue or reduce benefits only in accordance with this paragraph.

(1) If no order or award of compensation or compensation scheme has been entered, the employer, insurer or group self-insurer may discontinue or reduce benefits by sending a certificate by certified mail to the employee and to the board, together with any information on which the employer, insurer or group self-insurer relied to support the discontinuance or reduction. The employer may discontinue or reduce benefits no earlier than 21 days from the date the certificate was mailed to the employee, except that benefits paid pursuant to section 212, subsection 1 or section 213, subsection 1 may be discontinued or reduced based on the amount of actual documented earnings paid to the employee during the 21-day period if the employer files with the board the documentation or evidence that substantiates the earnings and the employer only reduces or discontinues benefits for any week for which it possesses evidence of such earning. The certificate must advise the employee of the date when the employee's benefits will be discontinued or reduced, as well as other information as prescribed by the board, including the employee's appeal rights.

(2) If an order or award of compensation or compensation scheme has been entered, the employer, insurer or group self-insurer shall petition the board for an order to reduce or discontinue benefits and may not reduce or discontinue benefits until the matter has been resolved by a decree issued by ~~a hearing officer~~ an administrative law judge. The employer, insurer or group self-insurer may reduce or discontinue benefits pursuant to such a decree pending a motion for findings of fact and conclusions of law or pending an appeal from that decree. Upon the filing of a petition, the employer may discontinue or reduce the weekly benefits being paid pursuant to section 212, subsection 1 or section 213, sub-

section 1 based on the amount of actual documented earnings paid to the employee after filing the petition. The employer shall file with the board the documentation or evidence that substantiates the earnings and the employer may discontinue or reduce weekly benefits only for weeks for which the employer possesses evidence of such earnings.

Sec. 6. 39-A MRSA §206, sub-§2, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

2. Employee selection. After 10 days from the inception of health care under subsection 1, the employee may select a different health care provider by giving to the employer the name of the health care provider and a statement of intention to treat with the health care provider. The employer may file a petition objecting to the named health care provider selected by the employee and setting forth reasons for the objection. The issue of the health care provider must be set for mediation pursuant to section 313. If the objection is not resolved through mediation, after notice to all parties and a prompt hearing by ~~a hearing officer~~ an administrative law judge, the ~~hearing officer~~ administrative law judge may order one of the following:

A. If the employer can not show cause why the employee should not commence or continue treatment with the health care provider of the employee's choice, the ~~hearing officer~~ administrative law judge shall order that the employer is responsible for payment for treatment received from the health care provider; or

B. If the employer can show cause why the employee should not commence or continue treatment with the health care provider of the employee's choice, the ~~hearing officer~~ administrative law judge shall order that the employer is not responsible and that the employee is responsible for payment for treatment received from the health care provider from the date the order is mailed.

Sec. 7. 39-A MRSA §207, first ¶, as amended by PL 2001, c. 278, §1, is further amended to read:

An employee being treated by a health care provider of the employee's own choice shall, after an injury and at all reasonable times during the continuance of disability if so requested by the employer, submit to an examination by a physician, surgeon or chiropractor authorized to practice as such under the laws of this State, to be selected and paid by the employer. The physician, surgeon or chiropractor must have an active practice of treating patients. For purposes of this section, "active practice" may be demonstrated by having active clinical privileges at a hospital. A physician or surgeon must be certified in the field of practice that treats the type of injury complained of by the em-

ployee. Certification must be by a board recognized by the American Board of Medical Specialties or the American Osteopathic Association or their successor organizations. A chiropractor licensed by the Board of Chiropractic Licensure, who has an active practice of treating patients may provide a 2nd opinion when the initial opinion was given by a chiropractor. Once an employer selects a health care provider to examine an employee, the employer may not request that the employee be examined by more than one other health care provider, other than an independent medical examiner appointed pursuant to section 312, without prior approval from the employee or ~~a hearing officer~~ an administrative law judge. This provision does not limit an employer's right to request that the employee be examined by a specialist upon referral by the health care provider. Once the employee is examined by the specialist, the employer may not request that the employee be examined by a different specialist in the same specialty, other than an independent medical examiner appointed pursuant to section 312, without prior approval from the employee or the board. The employee has the right to have a physician, surgeon or chiropractor of the employee's own selection present at such an examination, whose costs are paid by the employer. The employer shall give the employee notice of this right at the time the employer requests an examination.

Sec. 8. 39-A MRSA §213, sub-§1, as repealed and replaced by PL 2011, c. 647, §7, is amended to read:

1. Benefit and duration. While the incapacity for work is partial, the employer shall pay the injured employee a weekly compensation as follows.

A. If the injured employee's date of injury is prior to January 1, 2013, the weekly compensation is equal to 80% of the difference between the injured employee's after-tax average weekly wage before the personal injury and the after-tax average weekly wage that the injured employee is able to earn after the injury, but not more than the maximum benefit under section 211. Compensation must be paid for the duration of the disability if the employee's permanent impairment, determined according to subsection 1-A and the impairment guidelines adopted by the board pursuant to section 153, subsection 8, resulting from the personal injury is in excess of 15% to the body. In all other cases an employee is not eligible to receive compensation under this paragraph after the employee has received a total of 260 weeks of compensation under section 212, subsection 1, this paragraph or both. The board may in the exercise of its discretion extend the duration of benefit entitlement beyond 260 weeks in cases involving extreme financial hardship due to inability to return to gainful employment. This authority may be delegated by the board, on a case-by-case basis, to ~~a hearing of-~~

~~ficer~~ an administrative law judge or a panel of 3 hearing officers administrative law judges. Decisions made under this paragraph must be made expeditiously. A decision under this paragraph made by ~~a hearing officer~~ an administrative law judge or a panel of 3 ~~hearing officers~~ administrative law judges may not be appealed to the board under section 320, but may be appealed pursuant to section 322.

B. If the injured employee's date of injury is on or after January 1, 2013, the weekly compensation is equal to 2/3 of the difference, due to the injury, between the employee's average gross weekly wages, earnings or salary before the injury and the average gross weekly wages, earnings or salary that the employee is able to earn after the injury, but not more than the maximum benefit under section 211. An employee is not eligible to receive compensation under this paragraph after the employee has received a total of 520 weeks of compensation under section 212, subsection 1-A, this paragraph or both. The board may in the exercise of its discretion extend the duration of benefit entitlement beyond 520 weeks in cases involving extreme financial hardship due to inability to return to gainful employment. This authority may be delegated by the board, on a case-by-case basis, to ~~a hearing officer~~ an administrative law judge or a panel of 3 hearing officers administrative law judges. The board, ~~hearing officer~~ administrative law judge or panel shall make a decision under this paragraph expeditiously. A decision under this paragraph made by ~~a hearing officer~~ an administrative law judge or a panel of 3 ~~hearing officers~~ administrative law judges may not be appealed to the board under section 320, but may be appealed pursuant to section 321-A.

Orders extending benefits beyond 520 weeks are not subject to review more often than every 2 years from the date of the board order or request allowing an extension.

Sec. 9. 39-A MRSA §303, as amended by PL 2013, c. 63, §8, is further amended to read:

§303. Reports to board

When any employee has reported to an employer under this Act any injury arising out of and in the course of the employee's employment that has caused the employee to lose a day's work, or when the employer has knowledge of any such injury, the employer shall report the injury to the board within 7 days after the employer receives notice or has knowledge of the injury. An insured employer that has notice or knowledge of any such injury and fails to give timely notice to its insurer shall reimburse the insurer for any penalty that is due as a result of the late filing of the report of injury. The employer shall also report the average weekly wages or earnings of the employee, as defined

in section 102, subsection 4, together with any other information required by the board, within 30 days after the employer receives notice or has knowledge of a claim for compensation under section 212, 213 or 215, unless a wage statement has previously been filed with the board. The wage statement must report the earnings or wages of the employee on a weekly basis, unless the employee is paid on other than a weekly basis, in which case the employer may report the earnings or wages in the same manner as earnings or wages are paid. A copy of the wage information must be mailed to the employee. The employer shall report when the injured employee resumes the employee's employment and the amount of the employee's wages or earnings at that time. The employer shall complete a first report of injury form for any injury that has required the services of a health care provider within 7 days after the employer receives notice or has knowledge of the injury. The employer shall provide a copy of the form to the injured employee and retain a copy for the employer's records but is not obligated to submit the form to the board unless the injury later causes the employee to lose a day's work. The employer is also required to submit the form to the board if the board has finally adopted a major substantive rule pursuant to Title 5, chapter 375, subchapter 2-A to require the form to be filed electronically.

If an employee has had an incapacity beyond the 14-day period established in section 204 and subsequently returns to work and attends medical appointments related to the injury, the employer is not required to report the lost time for such appointments to the board if the employee did not lose wages for attending such appointments.

Sec. 10. 39-A MRSA §309, sub-§3, as amended by PL 2005, c. 99, §1, is further amended to read:

3. Witnesses; discovery. All witnesses must be sworn. Sworn written evidence may not be admitted unless the author is available for cross-examination or subject to subpoena; except that sworn statements by a medical doctor or osteopathic physician relating to medical questions, by a psychologist relating to psychological questions, by a chiropractor relating to chiropractic questions, by a certified nurse practitioner who qualifies as an advanced practice registered nurse relating to advanced practice registered nursing questions or by a physician's assistant relating to physician assistance questions are admissible in workers' compensation hearings only if notice of the testimony to be used is given and service of a copy of the letter or report is made on the opposing counsel 14 days before the scheduled hearing.

Depositions or subpoenas of health care practitioners who have submitted sworn written evidence are permitted only if the ~~hearing officer~~ administrative law

judge finds that the testimony is sufficiently important to outweigh the delay in the proceeding.

The board may establish procedures for the prefiling of summaries of the testimony of any witness in written form. In all proceedings before the board or its designee, discovery beyond that specified in this section is available only upon application to the board, which may approve the application in the exercise of its discretion.

Sec. 11. 39-A MRSA §312, sub-§9, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

9. Annual review. The board shall create a review process to oversee on an annual basis the quality of performance and the timeliness of the submission of medical findings by the independent medical examiners and shall develop rules in relation to timeliness and procedures applicable to this section.

Sec. 12. 39-A MRSA §315, first ¶, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

Upon filing of the mediator's report indicating that mediation has not resolved all issues in dispute, the matter must be referred to the board, which shall fix a time for hearing upon at least a 5-day notice given to all the parties or to the attorney of record of each party. All hearings must be held before ~~a hearing officer~~ an administrative law judge employed by the board at such towns and cities geographically distributed throughout the State as the board designates. If the designated place of hearing is more than 10 miles from the place where the injury occurred, the employer shall provide transportation or reimburse the employee for reasonable mileage in traveling within the State to and from the hearing. The amount allowed for travel is determined by the board and awarded separately in the decree.

Sec. 13. 39-A MRSA §318, as amended by PL 2013, c. 63, §10 and affected by §16, is further amended to read:

§318. Hearing and decision

The ~~hearing officer~~ administrative law judge shall hear those witnesses as may be presented or, by agreement, the claims of both parties as to the facts may be presented by affidavits. If the facts are not in dispute, the parties may file with the ~~hearing officer~~ administrative law judge an agreed statement of facts for a ruling on the applicable law. From the evidence or statements furnished, the ~~hearing officer~~ administrative law judge shall in a summary manner decide the merits of the controversy. The ~~hearing officer's~~ administrative law judge's decision must be filed in the office of the board and a copy, attested by the clerk of the board, mailed promptly to all parties interested or to the attorney of record of each party. The ~~hearing~~

~~officer's~~ administrative law judge's decision, in the absence of fraud, on all questions of fact is final; but if the ~~hearing officer~~ administrative law judge expressly finds that any party has or has not sustained the party's burden of proof, that finding is considered a conclusion of law and is reviewable in accordance with section 322.

The ~~hearing officer~~ administrative law judge, upon motion by the petitioning party, may include a finding in the decree that the employer's refusal to pay the benefits at issue was not based on any rational grounds developed between the claim and formal hearing. Upon such a finding, the employer shall pay interest to the employee under section 205, subsection 6 at a rate of 25% per annum from the date each payment was due, instead of 10% per annum.

The ~~hearing officer~~ administrative law judge, upon the motion of a party made within 20 days after notice of the decision or upon its own motion, may find the facts specially and state separately the conclusions of law and file the appropriate decision if it differs from the decision filed before the request was made. Those findings and conclusions and the revised decision must be filed in the office of the board and a copy, attested by the clerk of the board, must be mailed promptly to all parties interested. The running of the time for appeal is terminated by a timely motion made pursuant to this section and the full time for appeal commences to run from the filing of those findings and conclusions and the revised decision.

Clerical mistakes in decrees, orders or other parts of the record and errors arising from oversight or omission may be corrected by the board at any time of its own initiative, at the request of the ~~hearing officer~~ administrative law judge or on the motion of any party and after notice to the parties. During the pendency of an appeal, these mistakes may be corrected before the appeal is filed with the division and thereafter, while the appeal is pending, may be corrected with leave of the division.

Sec. 14. 39-A MRSA §320, as amended by PL 2013, c. 63, §§11 and 12 and affected by §16, is further amended to read:

§320. Review by full board

~~A hearing officer~~ An administrative law judge may request that the full board review a decision of the ~~hearing officer~~ administrative law judge if the decision involves an issue that is of significance to the operation of the workers' compensation system. Except when a motion is filed to find the facts specially and state separately the conclusions of law, the request must be made within 25 days of the issuance of a decision. If a motion is filed to find the facts specially and state separately the conclusions of law, the request must be made within 5 days of the issuance of a decision on the motion. There may be no such review of

findings of fact made by ~~a hearing officer~~ an administrative law judge.

If ~~a hearing officer~~ an administrative law judge asks for review, the time for appeal is stayed and no further action may be taken until a decision of the board has been made. If the board reviews a decision of ~~a hearing officer~~ an administrative law judge, any appeal must be from the decision of the board and must be made to the Law Court in accordance with section 322. The time for appeal begins upon the board's issuance of a written decision on the merits of the case or written notice that the board denies review.

The board shall vote on whether to review the decision. If a majority of the board's membership fails to vote to grant review or the board fails to act within 60 days after receiving the initial request for review, the decision of the ~~hearing officer~~ administrative law judge stands, and any appeal must be made to the division in accordance with section 321-B. If the board votes to review the decision, the board may delegate responsibility for reviewing the decision of the ~~hearing officer~~ administrative law judge under this section to panels of board members consisting of equal numbers of representatives of labor and management. Review must be on the record and on written briefs only. Upon a vote of a majority of the board's membership, the board shall issue a written decision affirming, remanding, vacating or modifying the ~~hearing officer's~~ administrative law judge's decision. The written decision of the board must be filed with the board and mailed to the parties or their counsel. If the board fails to adopt a decision by majority vote, the decision of the ~~hearing officer~~ administrative law judge stands and is subject to direct appellate review in the same manner as if the board had not voted to review the decision.

Sec. 15. 39-A MRSA §321-A, sub-§§2 and 3, as enacted by PL 2011, c. 647, §20, are amended to read:

2. Composition. The division is composed of full-time ~~hearing officers~~ administrative law judges who are appointed by the executive director of the board to serve on panels to review decisions under section 318. The executive director of the board shall appoint no fewer than 3 full-time ~~hearing officers~~ administrative law judges to serve as members of a panel. ~~A hearing officer~~ An administrative law judge may not serve as a member of a panel that reviews a decision of that ~~hearing officer~~ administrative law judge. ~~A hearing officer~~ An administrative law judge may be a member of more than one panel at the discretion of the executive director of the board.

3. Rules. The board shall adopt rules of procedure designed to provide a prompt and inexpensive review of a decision by ~~a hearing officer~~ an administrative law judge. Rules adopted pursuant to this sub-

section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 16. 39-A MRSA §321-B, as amended by PL 2013, c. 63, §§13 and 14 and affected by §16, is further amended to read:

§321-B. Appeal from administrative law judge decision

1. Procedure. An appeal of a decision by ~~a hearing officer~~ an administrative law judge pursuant to section 318 to the division must be conducted pursuant to this subsection.

A. A party in interest may file with the division a notice of intent to appeal a decision by ~~a hearing officer~~ an administrative law judge pursuant to section 318 within 20 days after receipt of notice of the filing of the decision by the ~~hearing officer~~ administrative law judge.

B. At the time of filing an appeal under this section, the appellant shall file with the division a copy of the decision appealed. The failure of an appellant who timely files an appeal in accordance with paragraph A to provide a copy of the decision does not affect the jurisdiction of the division to determine the appeal on its merits unless the appellee shows substantial prejudice from that failure.

2. Basis. A finding of fact by ~~a hearing officer~~ an administrative law judge is not subject to appeal under this section.

3. Action. The division, after due consideration, may affirm, vacate, remand or modify a decree of ~~a hearing officer~~ an administrative law judge and shall issue a written decision. The written decision of the division must be filed with the board and mailed to the parties or their counsel.

4. Publication of decisions. The division shall publish the decisions issued under subsection 3 and make them available to the public at such cost as is required to pay for suitable publication. The division shall distribute copies of all written decisions to the State Law Library and the county law libraries.

Sec. 17. 39-A MRSA §322, as amended by PL 2011, c. 647, §21, is further amended to read:

§322. Appeal from decision of appellate division or board

1. Appeals. Any party in interest may present a copy of the decision of the division or ~~a decision~~ of the board, if the board has reviewed a decision pursuant to section 320, to the clerk of the Law Court within 20 days after receipt of notice of the filing of the decision by the division or the board. Within 20 days after the copy is filed with the Law Court, the party seeking review by the Law Court shall file a petition seeking appellate review with the Law Court that sets forth a

brief statement of the facts, the error or errors of law that are alleged to exist and the legal authority supporting the position of the appellant.

2. Procedures. The Law Court shall establish and publish procedures for the review of petitions for appellate review of decisions of the board.

3. Discretionary appeal; action. Upon the approval of 3 or more members of a panel consisting of no fewer than 5 Justices of the Law Court, the petition for appellate review may be granted. If the petition for appellate review is denied, the decision of the board is final. The petition must be considered on written briefs only.

If the petition for appellate review is granted, the clerk of the Law Court shall notify the parties of the briefing schedule consistent with the Maine Rules of Civil Procedure and in all respects the appeal before the Law Court must be treated as an appeal in an action in which equitable relief has been sought, except that there may be no appeal upon findings of fact. The Law Court may, after due consideration, reverse, modify or affirm any decision of the board.

Sec. 18. 39-A MRSA §324, sub-§1, as amended by PL 2013, c. 63, §15, is further amended to read:

1. Order or decision. The employer or insurance carrier shall make compensation payments within 10 days after the receipt of notice of an approved agreement for payment of compensation or within 10 days after any order or decision of the board awarding compensation. If the board enters a decision awarding compensation, and a motion for findings of fact and conclusions of law is filed with the ~~hearing officer~~ administrative law judge or an appeal is filed with the division pursuant to section 321-B or the Law Court pursuant to section 322, payments may not be suspended while the motion for findings of fact and conclusions of law or appeal is pending. The employer or insurer may recover from an employee payments made pending a motion for findings of fact and conclusions of law or appeal to the division or the Law Court if and to the extent that the ~~hearing officer~~ administrative law judge, division or the Law Court has decided that the employee was not entitled to the compensation paid. The board has full jurisdiction to determine the amount of overpayment, if any, and the amount and schedule of repayment, if any. The board, in determining whether or not repayment should be made and the extent and schedule of repayment, shall consider the financial situation of the employee and the employee's family and may not order repayment that would work hardship or injustice. The board shall notify the Commissioner of Health and Human Services within 10 days after the receipt of notice of an approved agreement for payment of compensation or within 10 days after any order or decision of the board awarding compensation identifying the employee who is to re-

ceive the compensation. For purposes of this subsection, "employer or insurance carrier" includes the Maine Insurance Guaranty Association under Title 24-A, chapter 57, subchapter 3.

Sec. 19. 39-A MRSA §329, as enacted by PL 1999, c. 202, §1, is amended to read:

§329. Interpreter required

An employee whose native language is not English and who does not understand the English language to the degree necessary to reasonably understand and participate in proceedings that affect the employee's rights is entitled to have an interpreter present at all proceedings before the board or ~~a hearing officer~~ an administrative law judge relating to that employee's rights. The board shall provide and pay the cost of the interpreter. To the extent possible, the board shall seek advice from the Department of Labor in locating appropriate interpreters to meet the needs of employees in the workers' compensation system.

Sec. 20. 39-A MRSA §353, first ¶, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

An employee may not be discriminated against by any employer in any way for testifying or asserting any claim under this Act. Any employee who is so discriminated against may file a petition alleging a violation of this section. The matter must be referred to ~~a hearing officer~~ an administrative law judge for a formal hearing under section 315, but any ~~hearing officer~~ administrative law judge who has previously rendered any decision concerning the claim must be excluded. If the employee prevails at this hearing, the ~~hearing officer~~ administrative law judge may award the employee reinstatement to the employee's previous job, payment of back wages, reestablishment of employee benefits and reasonable attorney's fees.

Sec. 21. 39-A MRSA §355-C, sub-§3, as enacted by PL 2001, c. 448, §5, is amended to read:

3. Determinations. The committee shall review requests for reimbursement within 14 days of receipt of the request or within a longer period of time if mutually acceptable to the parties. The committee shall issue a final determination, designated as such, to each insurer or self-insurer that has requested reimbursement. An insurer or self-insurer may petition the board for a hearing before ~~a hearing officer~~ an administrative law judge within 30 days of notice of the determination. Review by the board is limited to errors of law and abuse of discretion.

Sec. 22. 39-A MRSA §358-A, sub-§1, ¶¶F and G, as enacted by PL 1997, c. 486, §8, are amended to read:

F. The number of penalties assessed and the reasons for the assessments pursuant to section 205, subsection 3; section 313, subsection 4; section

324, subsections 2 and 3; section 359, subsection 2; and section 360; ~~and~~

G. The results of the monitoring program giving side-by-side information compilations for the past 5 years pursuant to section 359, subsection 3; ~~and~~

Sec. 23. 39-A MRSA §358-A, sub-§1, ¶H is enacted to read:

H. The timeliness of examinations conducted pursuant to section 312 and any other data regarding independent medical examiners and examinations.

Sec. 24. Transition. A Workers' Compensation Board hearing officer serving on the effective date of this Act who is admitted to the practice of law in Maine becomes an administrative law judge on the same terms and conditions of employment as existed on the day prior to the effective date of this Act and has the same authority to hear and decide cases as existed prior to the effective date of this Act. A Workers' Compensation Board hearing officer serving on the effective date of this Act who is not admitted to the practice of law in Maine remains a hearing officer on the same terms and conditions of employment as existed on the day prior to the effective date of this Act and, notwithstanding any provision of law to the contrary, is considered an administrative law judge for all purposes under the Maine Revised Statutes, Title 39-A and has all of the rights, responsibilities, duties and authority that existed prior to the effective date of this Act. The term "hearing officer," as used in Title 39-A prior to the effective date of this Act, is coextensive with the term "administrative law judge," used subsequent to the effective date of this Act.

See title page for effective date.

CHAPTER 298

S.P. 525 - L.D. 1410

An Act To Strengthen Maine's Fisheries Laws

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

Sec. 1. 12 MRSA §10001, sub-§6, ¶¶E and M, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, are repealed.

Sec. 2. 12 MRSA §10001, sub-§6, ¶T, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

T. White sucker, (*Catostomus commersoni*); and

Sec. 3. 12 MRSA §10001, sub-§6, ¶U, as amended by PL 2007, c. 159, §1, is repealed.

Sec. 4. 12 MRSA §10001, sub-§§16 and 18, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, are amended to read:

16. Eel. "Eel" means a member of the species *Anguilla rostrata* in that stage of its life cycle when it is ~~6~~ 9 inches or more in length.

18. Elver. "Elver" means a member of the species *Anguilla rostrata* in that stage of its life cycle when it is less than ~~6~~ 9 inches in length.

Sec. 5. 12 MRSA §10001, sub-§36-A is enacted to read:

36-A. Lamprey eel. "Lamprey eel" means the species *Petromyzon marinus* (sea lamprey).

Sec. 6. 12 MRSA §10001, sub-§59-A is enacted to read:

59-A. Sucker. "Sucker" means only the species *Catostomus commersoni* (white sucker) and the species *Catostomus catostomus* (longnose sucker).

Sec. 7. 12 MRSA §12258, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by Pt. D, §7 and c. 614, §9 and amended by c. 655, Pt. B, §§219 and 220 and affected by §422, is repealed.

Sec. 8. 12 MRSA §12506, as amended by PL 2013, c. 148, §§1 and 2, is further amended to read:

§12506. Eel, sucker, lamprey and yellow perch harvesting method permit; elver prohibition; limitations on alewife harvesting

1. Permit required. Except as otherwise authorized pursuant to this Part and except as provided in subsection 5-A, a person may not fish for or possess the following fish using the harvesting methods listed in subsection 2 without a valid permit issued under this section:

- B. Eels;
- C. Suckers;
- D. Lampreys; or
- E. Yellow perch.

Each day a person violates this subsection, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

2. Issuance. The commissioner may adopt rules providing for the issuance of permits to fish for or possess the following fish using the following harvesting methods in the inland waters of the State, provided the permits do not interfere with any rights granted under section 6131:

- A. Eels using eel pots or weirs;
- B. Suckers and yellow perch using trap nets, dip nets or spears;

C. Lampreys by hand or using hand-held dip nets; and

E. Yellow perch using seines.

The commissioner may place conditions on the use of gear allowed under this subsection and may prohibit or restrict the use of any gear used to concentrate species for harvest under this subsection.

Each day a person violates a condition or restriction placed on the use of gear allowed under this subsection, that person commits a Class E crime.

3. Fees; transfer of permit. The minimum fee for an individual permit for suckers, lampreys and yellow perch is \$44. A The holder of an individual permit for suckers, lampreys or yellow perch may purchase a crew permit may be sold for suckers, lampreys and yellow perch for \$102, authorizing up to 3 persons to engage in the permitted activity. The annual fee for an eel pot or weir permit is \$102. An eel pot or eel weir permit is not transferable.

4. Five-year limited entry; eel weirs. A person is ineligible to receive an eel weir permit unless that person possessed a valid eel weir permit for calendar year 1995. The department shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A regarding the issuance of eel weir permits. The number of weirs and the number of square miles of watersheds in this State fished by eel weirs may be no more than those permitted in calendar year 1995.

5-A. Limitations on alewife harvesting. Except as provided in this subsection a person may not harvest alewives.

A. A person may fish for alewives by use of a dip net or single hook and line for consumption by that person or members of that person's family, as long as the person takes or possesses no more than 25 fish in any day and as long as the alewives are taken downstream from any location where a municipality or other person has been granted exclusive rights under section 6131; and

B. A person may fish for or possess alewives from inland waters if that person has been granted fishing rights under section 6131.

A person that violates this subsection commits a Class E crime.

5-B. Harvesting suckers for bait without a permit. Notwithstanding subsection 1, a person may take suckers for use as bait for fishing in inland waters as provided in section 12551-A without a permit under subsection 2.

6. Eels and elvers prohibitions. The following prohibitions apply to the harvesting of eels and elvers in inland waters.

A. A person may not fish for or take elvers from inland waters.

B. A person other than the owner of a weir used to fish for or take eels in inland waters may not tend that weir while the weir is immersed unless that person has in the person's possession written permission from the owner to tend the weir or is in the presence of the owner and has the owner's permission to tend the weir.

A person who violates this subsection commits a Class E crime.

7. Other harvesting methods for suckers. Notwithstanding subsection 1, a person licensed or otherwise entitled to fish in Maine waters may take suckers for that person's use in all rivers, brooks and streams that are open to fishing between April 1st and June 30th of each calendar year by the use of a hand spear, by bow and arrow or by snagging.

A. A person may not use a bow and arrow to harvest suckers unless the arrow used has a barbed or pronged point and the arrow is attached to the bow with a line.

B. The following penalties apply to violations of paragraph A.

(1) A person who violates paragraph A commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates paragraph A after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

8. Reports required. A person issued a permit under this section shall submit a completed report on forms provided by the department with the following information: water name and location, including the town and county of waters fished; date fished; total catch; gear type and quantity; number of crew; amount of time the gear is set; total gear in the water; water depth; total time the boat is on the water; species and pounds harvested; license number of the dealer the catch was sold to or the disposition of the catch; town where the catch was brought to shore; boat registration number; vessel name; and the harvester's name, telephone number and permit number. A holder of an eel permit must submit the report by the date specified on the permit. A holder of a sucker, lamprey or yellow perch permit must submit the report by December 31st of each year. All data submitted as part of the report are for scientific purposes only and are confidential and not part of a public record within the meaning of Title 1, chapter 13, subchapter 1, except that the commissioner may disclose data collected under this sub-

section if that data are released in a form that is statistical or general in nature.

If a person issued a permit under this section fails to provide information required under this section, the commissioner may refuse to renew or may revoke that person's permit. If a person becomes ineligible for a permit as a result of a violation of this section, that person may request a hearing in accordance with section 10905.

Sec. 9. 12 MRSA §12551-A, sub-§2-A is enacted to read:

2-A. License required. The holder of a license issued under this section may not receive, possess for resale, sell or offer to sell gift baitfish or gift smelts.

See title page for effective date.

CHAPTER 299

S.P. 541 - L.D. 1439

An Act To Establish a Secure Internet-based Background Check Center for Providers of Long-term Care, Child Care and In-home and Community-based Services

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

Sec. 1. 22 MRSA §1717, sub-§1, ¶¶A-1 to A-3 are enacted to read:

A-1. "Direct access" means access to the property, personally identifiable information, financial information or resources of an individual or physical access to an individual who is a Medicare or Medicaid beneficiary or other individual served by a provider subject to this chapter.

A-2. "Direct access personnel" means individuals employed in positions that have direct access.

A-3. "Direct care worker" means an individual who by virtue of employment generally provides to individuals direct contact assistance with personal care or activities of daily living or has direct access to provide care and services to clients, patients or residents regardless of setting. "Direct care worker" does not include a certified nursing assistant employed in that person's capacity as a certified nursing assistant.

Sec. 2. 22 MRSA §1717, sub-§1, ¶C, as amended by PL 2007, c. 324, §2, is further amended to read:

C. "Personal care agency" means a business entity or subsidiary of a business entity that is not otherwise licensed by the Division of Licensing

and Regulatory Services and that hires and employs ~~unlicensed assistive direct access~~ personnel or individuals who work in direct contact with clients, patients or residents to provide assistance with activities of daily living and related tasks to individuals in the places in which they reside, either permanently or temporarily. An individual who hires and employs ~~unlicensed assistive direct access~~ personnel or individuals who work in direct contact with clients, patients or residents to provide care for that individual is not a personal care agency, except when permitted by rule of the department.

Sec. 3. 22 MRSA §1717, sub-§1, ¶D, as amended by PL 2007, c. 324, §2, is repealed.

Sec. 4. 22 MRSA §1717, sub-§2, as amended by PL 2007, c. 324, §2, is further amended to read:

2. Registration of personal care agencies and placement agencies. Beginning August 1, 1998, a personal care agency not otherwise licensed by the department shall register with the department. Beginning January 1, 2008, a placement agency not otherwise licensed by the department shall register with the department. The department shall adopt rules establishing the annual registration fee, which must be at least between \$25 and \$250. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 22 MRSA §1717, sub-§3, as amended by PL 2011, c. 257, §1, is repealed and the following enacted in its place:

3. Prohibited employment based on disqualifying offenses. A personal care agency or a placement agency shall conduct a comprehensive background check for direct access personnel in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including, but not limited to, a certified nursing assistant or a direct care worker.

Sec. 6. 22 MRSA §1717, sub-§3-A is enacted to read:

3-A. Verification of listing on the registry. Prior to hiring a certified nursing assistant or a direct care worker, a personal care agency or a placement agency shall check the Maine Registry of Certified Nursing Assistants and Direct Care Workers established pursuant to section 1812-G and verify that a certified nursing assistant or direct care worker listed on the registry has no disqualifying notations.

The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. 22 MRSA §1717, sub-§4, ¶B, as amended by PL 2007, c. 324, §2, is further amended to read:

B. A person who operates a personal care agency or placement agency in violation of the employment prohibitions in subsection 3 or 3-A commits a civil violation for which a fine of not less than \$500 per day of operation in violation but not more than \$10,000 per day may be adjudged, beginning on the first day that a violation occurs. Each day of violation constitutes a separate offense.

Sec. 8. 22 MRSA §1724, first ¶, as reallocated by RR 2009, c. 2, §49, is amended to read:

Beginning October 1, 2010, a facility or health care provider subject to the licensing or certification processes of chapter 405, 412 or 419 shall obtain, prior to hiring an individual who will work in direct contact with a consumer, criminal history record information on that individual, including, at a minimum, criminal history record information from the Department of Public Safety, State Bureau of Identification. A facility or provider subject to licensing under chapter 419 shall conduct a comprehensive background check for individuals employed in positions that have direct access to a consumer's property, personally identifiable information, financial information or resources in accordance with applicable federal and state laws. The comprehensive background check must be conducted in accordance with state law and rules adopted by the department. The facility or health care provider shall pay for the comprehensive or criminal background check required by this section as applicable.

Sec. 9. 22 MRSA §1812-G, sub-§6, as amended by PL 2009, c. 215, §1, is repealed and the following enacted in its place:

6. Prohibited employment based on disqualifying offenses. An individual with a disqualifying offense, including a substantiated complaint or a disqualifying criminal conviction, may not work as a certified nursing assistant or a direct care worker, and an employer is subject to penalties for employing a disqualified or otherwise ineligible person in accordance with applicable federal or state laws.

Sec. 10. 22 MRSA §1812-G, sub-§6-A is enacted to read:

6-A. Background check. Certified nursing assistants and direct care workers are subject to a background check as defined by rules adopted by the department and according to the following:

A. A training program for certified nursing assistants or direct care workers must secure or pay for a background check on each individual who applies for enrollment. The individual's current name and all previous names are subject to the

background check. A copy of the background check is given to the individual who, upon successful completion of the training, submits it with an application to be listed on the registry as a certified nursing assistant or a registered direct care worker.

(1) Prior to enrolling an individual, a training program for certified nursing assistants or direct care workers must notify individuals that a background check will be conducted and that certain disqualifying offenses, including criminal convictions, may prohibit an individual from working as a certified nursing assistant or a direct care worker.

B. Pursuant to sections 1717, 1724, 2137, 2149-A, 7706, 8606 and 9005 and Title 34-B, section 1225, licensed, certified or registered providers shall secure and pay for a background check prior to hiring an individual who will work in direct contact with clients, patients or residents, including a certified nursing assistant or a direct care worker.

C. The department may secure a background check on certified nursing assistants and registered direct care workers on the registry every 2 years.

D. A person or other legal entity that is not otherwise licensed by the department and that employs or places a certified nursing assistant or direct care worker to provide services allowing direct access shall secure and pay for a background check in accordance with state law or rules adopted by the department.

Sec. 11. 22 MRSA §1812-J, sub-§1, ¶¶A-2 and A-3, as enacted by PL 2011, c. 257, §3, are amended to read:

A-2. "Disqualifying criminal conviction offense" means a substantiation of abuse, neglect or exploitation or a criminal conviction identified in rules adopted by the department that prohibit employment as an unlicensed assistive person.

A-3. "Health care and direct care access services settings" means settings in which individuals receive services that require direct access by a certified nursing assistant or unlicensed assistive person or other employee in providing direct care in that assistant's or person's capacity as a certified nursing assistant or an unlicensed assistive person and related services.

Sec. 12. 22 MRSA §1812-J, sub-§1, ¶B, as amended by PL 2011, c. 257, §3, is further amended to read:

B. "Registry" means the Maine Registry of Certified Nursing Assistants and Direct Care Workers, which is a list of certified nursing assistants, with

notations if applicable, and a list of direct care workers registered for training, education or compliance purposes, or unlicensed assistive persons with notations and is established under section 1812-G.

Sec. 13. 22 MRSA §1812-J, sub-§1, ¶D, as amended by PL 2011, c. 257, §3, is further amended to read:

D. "Unlicensed assistive person" ~~or "direct care worker"~~ means an unlicensed individual employed who by virtue of employment has direct access to provide hands-on and provides direct care or direct contact assistance with activities of daily living or other services to individuals in homes, assisted living programs, residential care facilities, hospitals and other health care and direct ~~care~~ access services settings. "Unlicensed assistive person" ~~and "direct care worker" include~~ includes but ~~are~~ is not limited to a direct support professional, residential care specialist, personal support specialist, mental health support specialist, mental health rehabilitation technician, behavior specialist, other qualified mental health professional, certified residential medication aide and registered medical assistant and other direct access workers or direct care workers as described in rules adopted by the department. "Unlicensed assistive person" ~~and "direct care worker" do~~ does not include a certified nursing assistant employed in the capacity of a certified nursing assistant.

Sec. 14. 22 MRSA §1812-J, sub-§1, ¶F is enacted to read:

F. "Direct care worker" means an individual who by virtue of employment generally provides to individuals direct contact assistance with personal care or activities of daily living or has direct access to provide care and services to clients, patients or residents regardless of setting. "Direct care worker" ~~does not include a certified nursing assistant employed in that person's capacity as a certified nursing assistant.~~

Sec. 15. 22 MRSA §1812-J, sub-§2, as enacted by PL 2009, c. 215, §2, is amended to read:

2. Complaint investigation. The department may investigate complaints and allegations of abuse, neglect, exploitation or misappropriation of property of a client, patient or resident in a home or health care setting against unlicensed assistive persons ~~employed or placed by a licensed, certified or registered agency or facility.~~

Sec. 16. 22 MRSA §1812-J, sub-§4, as enacted by PL 2009, c. 215, §2, is amended to read:

4. Registry listing. The registry listing for department shall list an unlicensed assistive person employed as a direct care worker with a disqualifying

offense notation and may register an unlicensed assistive person or direct care worker for training, education and compliance purposes. Disqualifying notations must include but is are not limited to the following information:

A. Documentation of the department's investigation, including the nature of the allegation and the evidence that led the department to substantiate the allegation of abuse, neglect, exploitation or misappropriation of property;

B. The date of the hearing, if the unlicensed assistive person chose to appeal the department finding that the complaint was substantiated; ~~and~~

C. The unlicensed assistive person's statement to the department disputing the allegation, if the unlicensed assistive person chose to submit one; and

D. Notations indicating the listed unlicensed assistive person is not in compliance with training or educational requirements.

Sec. 17. 22 MRSA §1812-J, sub-§7, as amended by PL 2011, c. 257, §8, is repealed and the following enacted in its place:

7. Prohibited employment based on disqualifying offenses. An employer who employs an unlicensed assistive person to provide direct access services shall conduct a comprehensive background check in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws. The employer is subject to penalties for employing a disqualified or otherwise ineligible person in accordance with applicable federal or state laws.

An employment ban based on a disqualifying offense is a lifetime employment ban.

Sec. 18. 22 MRSA §2137, first ¶, as enacted by PL 2009, c. 621, §5, is amended to read:

Beginning October 1, 2010, a temporary nurse agency ~~shall obtain~~, prior to hiring, employing or placing an individual who will work in direct contact with a consumer, ~~criminal history record information on that individual, including,~~ or who has direct access to a consumer's property, personally identifiable information, financial information or resources, shall obtain a comprehensive background check in accordance with applicable federal and state laws. The comprehensive background check must include, at a minimum, criminal history record information from the Department of Public Safety, State Bureau of Identification. The temporary nurse agency shall pay for the criminal background check required by this section.

Sec. 19. 22 MRSA §2138, as amended by PL 2011, c. 257, §16, is repealed and the following enacted in its place:

§2138. Prohibited employment based on disqualifying offenses

A temporary nurse agency shall conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including a certified nursing assistant or a direct care worker.

The department may adopt rules necessary to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 20. 22 MRSA §2149-A, sub-§2, as amended by PL 2011, c. 257, §17, is repealed and the following enacted in its place:

2. Prohibited employment based on disqualifying offenses. A home health care provider shall conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including a certified nursing assistant or a direct care worker.

The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 21. 22 MRSA §7706, first ¶, as reallocated by RR 2009, c. 2, §61, is amended to read:

Beginning October 1, 2010, a facility or health care provider subject to the licensing or certification processes of chapter 1663, a nursery school subject to chapter 1675 or a hospice provider subject to chapter 1681 ~~shall obtain~~, prior to hiring an individual who will work in direct contact with a consumer, ~~criminal history record information on that individual, including, or who has direct access to a consumer's property,~~ personally identifiable information, financial information or resources, shall obtain a comprehensive background check in accordance with applicable federal and state laws. The comprehensive background check must include, at a minimum, criminal history record information from the Department of Public Safety, State Bureau of Identification. The entity seeking to employ the individual shall pay for the criminal background check required by this section.

Sec. 22. 22 MRSA §7851, sub-§4, as enacted by PL 2003, c. 634, §6, is amended to read:

4. Prohibited employment based on disqualifying offenses. A licensed assisted housing program may not hire as unlicensed assistive personnel as defined in section 1717, subsection 1, paragraph D an individual who is prohibited from employment as a certified nursing assistant pursuant to section 1812-G, subsection 6 or 7 must conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including a certified nursing assistant or a direct care worker.

The department may adopt rules necessary to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 23. 22 MRSA §8606, as amended by PL 2011, c. 257, §18, is repealed and the following enacted in its place:

§8606. Prohibited employment based on disqualifying offenses

1. Prohibited employment based on disqualifying offenses. An adult day care program shall conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access personnel, including, but not limited to, a certified nursing assistant or a direct care worker.

The department may adopt rules necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 24. 22 MRSA §9005, as enacted by PL 2011, c. 444, §1, is repealed and the following enacted in its place:

§9005. Prohibited employment based on disqualifying offenses

1. Prohibited employment based on disqualifying offenses. A veterans' adult day health care program shall conduct a comprehensive background check for direct access personnel, as defined in section 1717, subsection 1, paragraph A-2, in accordance with state law and rules adopted by the department and is subject to the employment restrictions set out in section 1812-G and other applicable federal and state laws when hiring, employing or placing direct access

personnel, including, but not limited to, a certified nursing assistant or a direct care worker.

The department may adopt rules necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 25. 22 MRSA c. 1691 is enacted to read:

CHAPTER 1691

MAINE BACKGROUND CHECK CENTER ACT

§9051. Short title

This chapter may be known and cited as "the Maine Background Check Center Act."

§9052. Background Check Center

In order to promote and protect the health and safety of children and adults in need of support and care, the Background Check Center is established within the department to operate an Internet-based system that employers use to access criminal records and other background information to determine the eligibility of individuals to work in direct access positions with vulnerable Maine citizens including children, elderly persons, dependent adults and persons with disabilities. The online system is maintained by the Background Check Center in coordination with the Department of Public Safety, State Bureau of Identification and with other state and federal agencies.

§9053. Definitions

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

1. Adult day care program. "Adult day care program" means an adult day care program licensed pursuant to chapter 1663 or 1679.

2. Assisted housing program "Assisted housing program" means a program or facility licensed pursuant to chapter 1663.

3. Background check. "Background check" means the collection of personally identifiable information and data for comparison with criminal record repositories and registry databases that are relevant to an individual's identity and background, including monitoring for future offenses through a rap back monitoring program.

4. Background Check Center. "Background Check Center" means the entity established under section 9052 to operate the Internet-based system maintained by the department pursuant to section 9054 that is designed to integrate and analyze data streams from various sources and is used by providers when conducting background checks on potential or current direct access workers.

5. Background check report. "Background check report" means a comprehensive report generated by the Background Check Center based on a search and analysis of data stored in federal and state criminal record repositories, registry databases or agencies, including, but not limited to, the Federal Bureau of Investigation; the Department of Public Safety, State Bureau of Identification; abuse and neglect, sex offender and employment-related registries; professional licensing authorities; and Medicare and Medicaid exclusion databases. The background check report informs a provider when an offense appears in an individual's record that may disqualify the individual from employment as a direct access worker.

6. Bureau. "Bureau" means the Department of Public Safety, State Bureau of Identification.

7. Child care facility. "Child care facility" means a child care facility licensed pursuant to chapters 1661 and 1673.

8. Child placing agency. "Child placing agency" means a child placing agency licensed pursuant to chapter 1663.

9. Children's residential care facility. "Children's residential care facility" means a children's home licensed pursuant to chapter 1663.

10. Contingent offer of employment. "Contingent offer of employment" means an offer of employment as a direct access worker that is based upon receipt of a final nondisqualifying background check report and that may be withdrawn if a disqualifying final background check report is issued.

11. Criminal charge without disposition. "Criminal charge without disposition" means a charge that appears on an individual's criminal history record that has not been finally disposed at the time the criminal record is reviewed.

12. Direct access. "Direct access" means access to the property, personally identifiable information, financial information and resources of an individual or physical access to an individual who is a Medicare or Medicaid beneficiary or other protected individual served by a provider subject to this chapter.

13. Direct access employment. "Direct access employment" or "employment" means any activity involving direct access services including employment for wages, contracting for temporary staff or use of unsupervised volunteers or students who perform functions similar to those performed by direct access workers.

14. Direct access worker. "Direct access worker" means an individual who by virtue of employment has direct access to a Medicare or Medicaid beneficiary or other protected individual served by a provider subject to this chapter. "Direct access worker" does not include an individual performing

repairs, deliveries, installations or similar services who does not have direct access without supervision. "Direct access worker" includes but is not limited to the following individuals:

A. An individual seeking employment as a direct access worker;

B. An employee who is employed upon the effective date of this chapter and who is required to have a background check in accordance with section 9058;

C. A former employee who consents, prior to leaving employment, to periodic review of that employee's criminal background for a fixed time;

D. An independent contractor pursuant to Title 26, section 1043, subsection 11, paragraph E or Title 39-A, section 102, subsection 13-A or a worker who is placed with a provider by a temporary nurse agency or a personal care agency or a placement agency registered pursuant to section 1717; and

E. A volunteer, student or other person with direct access who routinely performs unsupervised functions similar to those performed by a direct access worker for a provider.

15. Disqualifying offense. "Disqualifying offense" means an event in a person's background that has resulted in a database or registry notation or criminal record report that is relevant to the health and safety of protected individuals and that is included on the list of disqualifying offenses adopted in rules pursuant to this chapter that mandate a prohibition or exclusion from direct access employment.

16. Drug treatment center. "Drug treatment center" means a facility licensed pursuant to chapter 1663.

17. Employer. "Employer" means a person or other legal entity that employs or places a direct access worker or otherwise provides direct access services. "Employer" includes a provider, a temporary nurse agency, a personal care agency and a placement agency.

18. Family child care provider. "Family child care provider" means a child care provider certified pursuant to chapter 1673.

19. Grandfathered employee. "Grandfathered employee" means an individual subject to the requirements of this chapter who has been employed prior to the effective date of this chapter and is subject to section 9058.

20. Home health care provider. "Home health care provider" means an entity licensed pursuant to chapter 419.

21. Hospice provider. "Hospice provider" means an entity licensed pursuant to chapter 1681.

22. Intermediate care facility for individuals with intellectual disabilities. "Intermediate care facility for individuals with intellectual disabilities" means a facility licensed pursuant to chapter 405.

23. Medicare or Medicaid beneficiary. "Medicare or Medicaid beneficiary" means a person enrolled in the Medicare or Medicaid program.

24. Mental health services facility or provider. "Mental health services facility or provider" means a facility or agency licensed pursuant to Title 34-B, section 1203-A.

25. Nursery school. "Nursery school" means a nursery school licensed pursuant to chapter 1675.

26. Nursing facility. "Nursing facility" means a facility licensed pursuant to chapter 405.

27. Personal care agency and placement agency. "Personal care agency" and "placement agency" mean an entity registered pursuant to section 1717.

28. Personally identifiable information. "Personally identifiable information" means information that permits the identity of an individual to whom the information applies to be able to be reasonably inferred or known by either direct or indirect means.

29. Provider. "Provider" means a licensed, certified or registered entity that employs direct care workers to provide long-term care, child care and in-home and community-based services under this chapter.

30. Protected individual. "Protected individual" means a person who is in need of support, who is vulnerable to abuse, neglect and exploitation and who receives services offered by providers subject to this chapter. A protected individual requires special protective measures by criminal justice, social services and health care agencies; may be a patient, consumer, beneficiary or resident; and is typically elderly, a child or an individual with disabilities in need of assistance.

31. Rap back monitoring program. "Rap back monitoring program" means a coordinated system used by federal and state agencies to monitor and generate reports for new criminal record events appearing subsequent to an initial background check pursuant to section 9056.

32. Residential care facility. "Residential care facility" means a residential care facility licensed pursuant to chapter 1663.

33. Supervision. "Supervision" means a supervisor is physically present and immediately able to respond to the needs of protected individuals through an ongoing and verifiable process for the duration of conditional employment.

34. Temporary nurse agency. "Temporary nurse agency" means an agency registered pursuant to chapter 417 or an agency that places temporary health care professionals in direct access positions in the State that is not otherwise required to register in the State.

35. Waiver. "Waiver" means an exemption granted by the department to a specific individual who is banned from employment as a direct access worker for a disqualifying offense.

§9054. Background Check Center; procedures

1. Bureau responsibilities. The bureau is responsible for working with the Background Check Center and federal and state agencies to facilitate background checks.

2. Employer obligations. An employer subject to this chapter shall use the Background Check Center to conduct a comprehensive background check that includes a criminal history records check for all direct access workers. The employer shall comply with the requirements of this chapter when making employment-related decisions for direct access workers.

3. Direct access worker information. An employer seeking to hire, place or continue to employ an individual as a direct access worker shall:

A. Obtain personally identifiable information for the individual that is sufficient to secure the required components of the background check using the Background Check Center;

B. Obtain the individual's executed consent to release information to all entities as needed to conduct the background check investigation, analysis and monitoring process;

C. Secure a release executed by an individual seeking placement through a temporary nurse agency, personal care agency, placement agency or other agency to obtain the results of existing background checks conducted at the direction and expense of the temporary nurse agency, personal care agency, placement agency or other agency; and

D. Use and distribute department-approved forms as required for all pre-hire and post-employment background checks.

4. Placed or temporary direct access workers. A temporary nurse agency, personal care agency or placement agency engaged in the business of securing or attempting to secure direct access employment for individuals or of securing or attempting to secure a direct access worker for placement with another provider shall:

A. Conduct and pay for the background check process required by this chapter;

B. Upon request, provide the background check record to the provider seeking to fill a position where the direct access employment will take place; and

C. Repeat the background check process for placed direct access workers after placement as mandated by rules adopted pursuant to this chapter, until the employment status shifts away from the placing entity to another entity, in which case the other entity then acquires the burden of paying for and conducting periodic background checks for the direct access workers who remain employed.

5. Subsequent background check; 5 years. An employer shall conduct a periodic subsequent background check in accordance with rules adopted pursuant to this chapter. Criminal history record checks for all direct access workers must be completed every 5 years subsequent to the date of hire or the anniversary date of a previous background check completed through use of the Background Check Center.

6. Notice. An employer shall provide a department-approved notice to each individual who is required to participate in a background check.

7. Providers; mandatory use. Use of the Background Check Center is mandatory for the following providers:

A. Child care facilities;

B. Child placing agencies;

C. Children's residential care facilities;

D. Family child care providers;

E. Nursery schools;

F. Hospice providers;

G. Home health care providers;

H. Nursing facilities;

I. Personal care agencies and placement agencies;

J. Temporary nurse agencies;

K. Adult day care programs;

L. Assisted housing programs;

M. Residential care facilities;

N. Intermediate care facilities for individuals with intellectual disabilities;

O. Mental health services facilities or providers; and

P. Drug treatment centers.

8. Background Check Center responsibilities. The Background Check Center's responsibilities include, but are not limited to, the following:

A. Operating an online portal used by employers to secure background checks for individuals employed as direct access workers;

B. Coordinating with the bureau and other federal or state agencies as applicable to obtain data regarding criminal record information and notations that represent disqualifying offenses on relevant databases and registries;

C. Generating background check reports for employers regarding the presence of disqualifying offenses, including criminal charges without disposition, in a direct access worker's background;

D. Monitoring and enforcing compliance with the requirements of this chapter;

E. Providing for a process by which an individual subject to actions taken by the Background Check Center may challenge the accuracy of information in a background check report and correct the information in accordance with rules adopted pursuant to this chapter;

F. Specifying offenses, including offenses that may appear in publicly available criminal record information, that disqualify an individual from employment as a direct access worker, including, but not limited to, convictions and other events or notations;

G. Coordinating with federal and state criminal justice agencies as required to facilitate a criminal record rap back monitoring program; and

H. Providing for an independent process for a waiver based on a criminal conviction that gives an individual with a disqualifying offense who has been banned from employment pursuant to this chapter the opportunity to demonstrate that the ban should be waived because the individual does not pose a risk to patients, facilities, property or others.

9. Background check reports. A background check report under this chapter is considered preliminary until the individual subject to the background check has had the opportunity to challenge or decline to challenge the accuracy of the records obtained, after which the report is considered final.

10. Background check report content. The background check report must inform employers whether the individual submitted for a background check has offenses that disqualify the individual for employment as a direct access worker. The background check report must include information specific to the individual along with information about the source and type of offense sufficient to allow the individual named in the report to challenge the information. The content of the background check report must include, but is not limited to, notice that the individual submitted for a background check has:

A. No disqualifying offenses;

B. A disqualifying offense; or

C. A criminal charge without disposition that upon final disposition may result in a disqualifying offense.

11. List of disqualifying offenses. The department shall adopt rules under section 9065 in accordance with the requirements of this chapter and other federal and state laws to create and maintain a list of disqualifying offenses that adversely affect an individual's eligibility for employment as a direct access worker. Disqualifying offenses that prohibit employment as a direct access worker include, but are not limited to:

A. Convictions or notations involving crimes or abuse related to a federally funded health care program or a state-funded health care program that mandate a disqualification from participation or employment with the program;

B. Substantiated findings that the individual has committed an act of patient or resident abuse or neglect, exploitation or a misappropriation of patient or resident property or other types of acts that the department may specify for purposes of protecting vulnerable individuals receiving care or services;

C. Convictions under federal or state law of a criminal offense relating to neglect or abuse of patients in connection with the delivery of a health care item or service;

D. Convictions under federal or state law of a criminal offense relating to the health and safety of vulnerable individuals receiving care or services;

E. Convictions relating to health care fraud in connection with the delivery of a health care item or service or with respect to any act or omission in a health care program operated by or financed in whole or in part by any federal, state or local government agency or convictions of a criminal offense consisting of a felony relating to fraud, theft, embezzlement, breach of fiduciary responsibility or other financial misconduct;

F. Convictions for a Class A, B or C crime in this State or similar crime in another jurisdiction for an offense relating to the unlawful manufacture, distribution, prescription or dispensing of a controlled substance; and

G. Convictions relating to other federal or state laws, provisions of this chapter or rules adopted under this chapter that otherwise mandate an employment prohibition.

12. Appeal by individual. The department shall establish procedures in accordance with the provisions

of the Maine Administrative Procedure Act to ensure that each individual submitted for a background check in compliance with this chapter has the opportunity to challenge and correct errors in records created and generated by the Background Check Center.

13. Waiver; disqualifying offense. In the event that no other federal or state law mandates an employment prohibition by an employer subject to this chapter, an individual who is banned from employment because of a disqualifying offense may initiate a request for a waiver under subsection 8, paragraph H in accordance with a process established by rules adopted pursuant to this chapter under the following circumstances:

A. The individual is seeking to be employed or is currently employed by an employer subject to the requirements of this chapter;

B. The employer has chosen to sponsor the individual's request for the removal of the ban in order to create or maintain an employment relationship; and

C. The employer must attest to the department that the decision to sponsor the waiver request occurred after the employer considered the objectively reasonable factors under subsection 15 and the following factors:

(1) The nature and gravity of the disqualifying offense or offenses;

(2) The time that has passed since the disqualifying offense or offenses;

(3) The nature of the employment held or sought;

(4) Whether the criminal conduct was employment-related; and

(5) A reasonable conclusion that the individual does not pose a threat of harm to a protected individual or others in the care and support of the individual.

The waiver must be sought with respect to the prospective or continued employment by a specific employer that is willing to sponsor the individual's request. An employee seeking a waiver may be conditionally employed in accordance with section 9057, subsection 4 and section 9058, subsection 3 until the waiver is denied.

14. Approval of waiver. The department shall specify in rule the criteria for issuing a waiver for a disqualifying offense. The waiver determination is based on a consideration of the facts and circumstances of the specific individual's conviction that include the passage of time, extenuating circumstances, a demonstration of rehabilitation and the relevancy of the particular disqualifying offense with respect to the current or prospective employment with a sponsoring

employer. All waivers are contingent on a final determination by the department that the employer has reasonably determined that the health and safety of a protected individual is not in jeopardy and a denial of a waiver request is not otherwise warranted in accordance with federal or state law.

15. Waivers; factors. The department shall specify in rule the minimum factors that an employer must consider when sponsoring a waiver under subsection 13. Any factors that an employer chooses to consider must be objectively reasonable in supporting the attestation that the individual to whom the waiver would apply is unlikely to cause harm to a protected individual or others in the employer's care. Objectively reasonable factors include:

A. The age of the individual applying for a waiver at the time of the disqualifying offense;

B. The amount of time that has passed since the disqualifying offense occurred;

C. The total number and type of disqualifying offenses;

D. Any proven mitigating circumstances surrounding the disqualifying offense;

E. Objective evidence that the individual has successfully completed a criminal rehabilitation program;

F. The relevance of the circumstances pertaining to the disqualifying offense with respect to the nature of the proposed employment;

G. The length and consistency of similar employment post-conviction if applicable;

H. Whether the individual is bonded under federal or state law; and

I. Personal references or recommendations from employers on behalf of the individual.

16. Denial or revocation of waiver. The department shall establish by rule informal and formal review procedures for denial or revocation of a waiver. Denial or revocation of waiver procedures must comply with the Maine Administrative Procedures Act and final determinations may be appealed pursuant to the Maine Administrative Procedures Act in Title 5, Part 18, Chapter 375, subchapter 4. Rules concerning the denial or revocation of waiver procedures include, but are not limited to, the following:

A. The process of filing a waiver request;

B. The time frame for filing a waiver request;

C. The time frame for issuing a waiver request decision;

D. The rules for employment during the waiver request process; and

E. A written determination stating the objectively reasonable factors under subsection 15 explaining the department's determination to grant, deny or revoke a waiver.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

17. Immunity. A provider that denies employment for an individual selected for hire or continued employment as a direct access worker, including during any period of conditional employment, and that reasonably relies upon information obtained through a final background check report regarding the individual is not liable in an action brought by the individual based on an employment determination resulting from the information.

18. Presumption of good faith. In a proceeding regarding immunity from liability, there is a rebuttable presumption of good faith.

§9055. Background Check Center funding and fees

After the initial construction and operational phase, the Background Check Center is funded through user fees as provided in this section.

1. User fee. The department shall adopt rules to establish Background Check Center user fees. The user fee must reasonably reflect the necessary costs to maintain, operate and develop the Background Check Center. The user fee must be no less than \$25 and no more than \$150. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Special revenue account. Revenue generated pursuant to this section must be deposited in a special revenue account in the Division of Licensing and Regulatory Services and dedicated for Background Check Center operations.

§9056. New event monitoring; rap back monitoring program

1. New disqualifying offenses. A direct access worker's data must be searched and monitored for new events that may disqualify the individual from employment as a direct access worker.

A. The department shall establish procedures regarding the exchange of data among federal or state criminal justice agencies and the Background Check Center, including criminal offenses not reported in earlier background check reports that upon final disposition disqualify the individual from employment as a direct access worker.

B. The department shall establish procedures to search and monitor applicable registries and databases for notations or new information not reported in earlier background check reports that

prohibit or disqualify employment as a direct access worker.

2. Rap back monitoring program. The bureau is authorized to initiate and provide services pursuant to federal or state rap back monitoring to report new criminal record events to the Background Check Center for noncriminal justice purposes.

3. Collection of identifier data. The bureau shall coordinate with the Background Check Center to collect the personally identifiable information and relevant data of individuals as needed to meet the requirements of the rap back monitoring program or as otherwise required by this chapter and other laws.

4. Dissemination and storage of data. The Background Check Center and the bureau shall follow protocols established by federal or state law for the use and exchange of information with the rap back monitoring program, the Background Check Center and criminal justice agencies as applicable. The bureau shall:

A. Maintain the personally identifiable information in the criminal history records repository;

B. Compare the personally identifiable data or other data or both to criminal records to conduct a criminal record check and disseminate the results of this record check to authorized entities;

C. Exchange data through the rap back monitoring program with the Background Check Center for noncriminal justice purposes;

D. Disseminate criminal record event information, including notifications from the rap back monitoring program, to an authorized entity or in a manner consistent with the requirements of this chapter and federal and state laws; and

E. Secure and coordinate services as needed to effect the provisions and purposes of this chapter.

§9057. Employment

1. Contingent offer of employment. An employer that has made a contingent offer of employment to a direct access worker shall secure a background check and receive a final background check report prior to allowing the individual to commence employment as a direct access worker, except where the individual is conditionally employed as described in this chapter.

2. Opportunity to challenge inaccurate records. An employer that has made a contingent offer of employment under subsection 1 shall provide the individual subject to a background check a copy of the background check report and afford the individual a reasonable amount of time up to the 60th calendar day of conditional employment as described in subsection 4 to allow that individual an opportunity to chal-

lenge inaccurate information in the background check report.

3. Employment determination. An employer that has made a contingent offer of employment under subsection 1 shall obtain a final nondisqualifying background check report after an individual has been allowed an opportunity to correct or update that individual's record prior to making an employment determination.

4. Conditional employment. In accordance with subsection 2, an employer may employ an individual as a direct access worker on a conditional basis for up to 60 calendar days before the employer receives a final background check report or from the date the employer receives a disqualifying background report on the following conditions:

A. The employer initiates the background check by entering the individual into the Background Check Center database as a conditionally employed worker;

B. The individual is not identified in the Background Check Center database as a disqualified person based on an earlier background check;

C. The individual has agreed to submit to the steps necessary to comply with this chapter, including taking substantial steps toward correcting inaccurate data in the disqualifying background check report if applicable;

D. The individual signs a statement declaring that a background check will not reveal a disqualifying offense or that an offense that appears is inaccurate;

E. The employer verifies and documents that the individual has submitted the mandatory identity verification and employment eligibility documents required by rules adopted in accordance with this chapter; and

F. The individual is subject to direct personal supervision during the course of the conditional employment as described in rules adopted pursuant to this chapter.

§9058. Grandfathered employees

1. Background check. An employer employing direct access workers on the effective date of this chapter shall use the Background Check Center to secure a background check and a background check report for each direct access worker within 365 calendar days after the Background Check Center becomes operational.

2. Gradual implementation of grandfathered employee background checks. The department shall adopt rules under section 9065 describing a staged and orderly process based on the type of provider and the number of direct access workers employed that em-

ployers must follow to implement the background checks for grandfathered employees consistent with this chapter. The department may grant an employer a deadline extension for good cause shown, which may not be unreasonably withheld.

3. Initial background check deadline. A grandfathered employee may continue to work in direct access employment for up to 60 calendar days from the date the grandfathered employee's first background check is initiated in accordance with subsection 2 and if:

A. The grandfathered employee signs a consent to release information and agrees in writing to submit to the background check process;

B. The grandfathered employee signs a statement declaring that a background check will not reveal any disqualifying offenses or that an offense that appears is inaccurate;

C. The employer verifies and documents that the grandfathered employee has submitted the mandatory identity verification and employment eligibility documents required by rules adopted in accordance with section 9065;

D. The employer initiates the background check by entering the individual into the Background Check Center database as a grandfathered employee; and

E. The grandfathered employee is not identified in the Background Check Center database as a disqualified person.

4. Disqualified grandfathered employees. A grandfathered employee who receives a disqualifying background check report is subject to the provisions of subsection 3 and must be able to correct disqualifying offense information that appears in the background check report through the inaccurate records corrections process within 60 calendar days after the disqualifying report is issued. The grandfathered employee is subject to direct personal supervision during the conditional employment period as described in rules adopted pursuant to this chapter until a final background check report indicates that no disqualifying offenses appear in the updated records.

5. Termination; disqualified grandfathered employees. An employer shall terminate or remove from direct access employment any grandfathered employee who has not submitted the documents required in subsection 3 or who fails to receive a final nondisqualifying background check report in accordance with subsection 4.

§9059. Prohibitions

1. Prohibited employment. An employer is subject to the penalties imposed by this chapter for hiring, placing or continuing to employ, other than condition-

ally as described in this chapter or by rule, an unsupervised direct access worker who has a known disqualifying offense or who has not been subject to a background check and issued a nondisqualifying report from the Background Check Center or who has not been granted a waiver as described in this chapter.

2. Refusal to participate; employer. The Background Check Center shall issue a disqualifying background check report for individuals who refuse to participate in the background check reporting process as described in this chapter, and the employer is subject to the penalties imposed by this chapter for allowing the individual to commence or continue direct access employment.

3. Good cause termination. A disqualifying offense that appears in the record of an individual submitted for a background check or a disqualifying offense that was not reported in an earlier background check report or an offense that an individual concealed from the employer or a failure to obtain or maintain a waiver constitutes good cause for termination of the individual's direct access employment.

4. Refusal to participate; employee. An employee's refusal to participate in the background check reporting process under this chapter constitutes good cause for termination of direct access employment.

§9060. Documentation

1. Employer documentation. An employer subject to this chapter shall conduct and document the background check process in accordance with the requirements of this chapter and rules adopted pursuant to this chapter.

2. Data storage. An employer shall manage and store, electronically or on paper, the data provided by the Background Check Center in a manner that allows for verification that the employer conducted the background check in compliance with this chapter and other relevant state and federal laws. Employer documentation must be made available to the department upon request.

§9061. Confidentiality

A criminal background check record and other personally identifiable information provided to an employer in compliance with this chapter are confidential. An employer may use this information only to determine the eligibility of an individual for new or continued employment, and the personally identifiable information or background check record may not be disseminated in any way that does not comply with this chapter or other applicable laws.

§9062. Penalties

1. Conduct subject to penalties. An employer may be subject to the penalties under this chapter for any of the following:

A. Failure to conduct a mandatory background check;

B. Failure or refusal to terminate or remove from direct access employment an employee who is disqualified for employment based on the requirements of this chapter; and

C. Substantial noncompliance with the procedures established by this chapter.

2. Fines. An employer who fails to comply with the provisions of this chapter is subject to the penalties set out under this subsection.

A. An employer who fails to secure a background check in accordance with this chapter or knowingly employs a disqualified individual for direct access employment commits a civil violation for which a fine of not less than \$500 but not more than \$10,000 per day may be adjudged, beginning on the first day the violation occurs and for each day of continued violation. Each day constitutes a separate offense.

B. An employer is subject to the penalties under paragraph A if that employer conditionally employs an individual before receiving verification that the individual has met the requirements of conditional employment described in this chapter.

C. An employer who fails to comply with the confidentiality requirements and conditional employment requirements of this chapter commits a civil violation for which a fine of not less than \$500 but not more than \$5,000 may be adjudged for each violation.

§9063. Administrative penalties

1. Licensing actions. The penalties and fines described in this chapter do not limit the State's licensing authority to pursue an adverse action against an employer who fails to comply with or who commits a civil violation described in this chapter.

2. Licensing penalties. An employer's failure to comply with the requirements of this chapter may be subject to the following administrative penalties in addition to any other remedies authorized by law:

A. Denial of a license or certification or registration needed to provide services to protected individuals;

B. Termination or revocation of the license or certification or registration relied upon to provide services to protected individuals; and

C. Revocation of rate agreements or service contracts with the State relevant to services authorized by the license or certification.

§9064. Appeal by employer

The imposition of sanctions, other than licensing sanctions, pursuant to this chapter may be appealed by an employer pursuant to Title 5, chapter 375.

§9065. Rules; contracts

1. Rules. The Department of Public Safety and the Department of Health and Human Services shall each adopt rules necessary to achieve the purposes of this chapter. As appropriate, each department shall keep the other department informed regarding rule-making activity. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Contract for services. In accordance with state laws and rules governing contracting for services, the Department of Public Safety and the Department of Health and Human Services may contract with federal and state agencies and nongovernmental entities as necessary to carry out the purposes of this chapter.

Sec. 26. 34-A MRSA §11221, sub-§13, ¶A, as enacted by PL 2011, c. 299, §3, is amended to read:

A. Except as made available to the public through the bureau's Internet website pursuant to subsection 9, the The bureau may not disseminate in electronic form information about a registrant that is created, collected or maintained in electronic form by or for the bureau, except as made available to the public through the bureau's Internet website pursuant to subsection 9 and made available to the Background Check Center established pursuant to Title 22, chapter 1691; and

Sec. 27. 34-A MRSA §11281, sub-§12, ¶A, as enacted by PL 2011, c. 663, §3, is amended to read:

A. Except for information provided pursuant to subsection 2 and made available to the public through the bureau's website pursuant to subsection 7, paragraph A, the The bureau may not disseminate in electronic form information about a registrant that is created, collected or maintained in electronic form by or for the bureau, except for the information provided pursuant to subsection 2 and made available to the public through the bureau's website pursuant to subsection 7, paragraph A and made available to the Background Check Center established pursuant to Title 22, chapter 1691; and

Sec. 28. 34-B MRSA §1225, first ¶, as reallocated by RR 2009, c. 2, §94, is amended to read:

Beginning October 1, 2010, a facility or health care provider subject to the licensing provisions of section 1203-A shall obtain, prior to hiring an individual who will work in direct contact with a consumer, criminal history record information on that individual, including, or who has direct access to a consumer's

property, personally identifiable information, financial information or resources, shall obtain a comprehensive background check in accordance with applicable federal and state laws. The comprehensive background check must include, at a minimum, criminal history record information from the Department of Public Safety, State Bureau of Identification. A facility or provider licensed under section 1203-A is subject to the employment restrictions set out in Title 22, section 1812-G and other applicable federal and state laws when employing direct access personnel, as defined in Title 22, section 1717, subsection 1, paragraph A-2. The facility or health care provider shall pay for the criminal background check required by this section.

Sec. 29. Appropriations and allocations. The following appropriations and allocations are made.

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

Division of Licensing and Regulatory Services Z036

Initiative: Provides funding for the criminal portion of background checks.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$228,584	\$308,161
OTHER SPECIAL REVENUE FUNDS TOTAL	\$228,584	\$308,161

Division of Licensing and Regulatory Services Z036

Initiative: Provides funding for technology costs for additional background checks.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$242,370	\$278,697
OTHER SPECIAL REVENUE FUNDS TOTAL	\$242,370	\$278,697

Division of Licensing and Regulatory Services Z036

Initiative: Provides funding for one Social Services Manager I position and 2 Identification Specialist II positions to determine applicant employment eligibility and provide guidance and assistance to agencies and facilities.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$157,254	\$216,681
All Other	\$43,703	\$56,628

OTHER SPECIAL	\$200,957	\$273,309
REVENUE FUNDS TOTAL		
HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)		
DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL	\$671,911	\$860,167
REVENUE FUNDS		
DEPARTMENT TOTAL - ALL FUNDS	\$671,911	\$860,167

See title page for effective date.

CHAPTER 300

S.P. 526 - L.D. 1411

An Act To Amend the Tax Laws

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

PART A

Sec. A-1. 10 MRSA §1100-Z, sub-§3, ¶G, as amended by PL 2011, c. 548, §4, is further amended to read:

G. Upon receipt of notice that a qualified community development entity has issued its qualified equity investments or long-term debt securities, the authority shall certify the entity's qualified equity investments or long-term debt securities as qualified equity investments and eligible for tax credits under Title 36, section 5219-HH. The authority shall provide written notice, sent by certified mail or any other means considered feasible by the authority, of the certification to the qualified community development entity, the Department of Administrative and Financial Services, Bureau of Revenue Services and the Commissioner of Administrative and Financial Services. The notice must include the names of persons eligible to claim the tax credits and their respective tax credit amounts. If the names of the persons that are eligible to claim the tax credits change due to a transfer of a qualified equity investment or a change in an allocation pursuant to this subchapter, the qualified community development entity shall notify the authority and the Department of Administrative and Financial Services, Bureau of Revenue Services of that transfer or change.

Sec. A-2. 10 MRSA §1100-Z, sub-§5, as amended by PL 2011, c. 548, §6, is further amended to read:

5. Reporting and disclosure of information.

The authority shall require annual reports of a qualified community development entity granted tax credit allocation authority pursuant to subsection 3. Reports ~~may~~ must be shared with the Department of Administrative and Financial Services, Bureau of Revenue Services and the Commissioner of Administrative and Financial Services. Notwithstanding section 975-A, the authority may disclose any information to the Department of Administrative and Financial Services, Bureau of Revenue Services and the Commissioner of Administrative and Financial Services that it considers necessary for the administration of the program pursuant to this section, Title 36, section 2533 or Title 36, section 5219-HH.

Sec. A-3. 12 MRSA §13003, sub-§2, ¶A, as amended by PL 2013, c. 86, §1 and affected by §5, is repealed.

Sec. A-4. 20-A MRSA §12541, sub-§4-A, as repealed and replaced by PL 2013, c. 525, §3, is amended to read:

4-A. Financial aid package. "Financial aid package" means financial aid obtained by a student ~~after December 31, 2007~~ for attendance at an accredited Maine community college, college or university ~~after December 31, 2007~~. For purposes of a qualified individual claiming an educational opportunity tax credit for tax years beginning on or after January 1, 2013, "financial aid package" may include financial aid obtained for up to 30 credit hours of course work at an accredited non-Maine community college, college or university earned prior to transfer to an accredited Maine community college, college or university, if the 30 credit hours were earned after December 31, 2007 and the transfer occurred after December 31, 2012. For purposes of an employer claiming an educational opportunity tax credit for tax years beginning on or after January 1, 2013, "financial aid package" may include financial aid obtained by a qualified employee ~~after December 31, 2007~~ for attendance at an accredited non-Maine community college, college or university ~~after December 31, 2007~~. The financial aid package may include private loans or less than the full amount of loans under federal programs, depending on the practices of the accredited Maine or non-Maine community college, college or university. Loans are includable in the financial aid package only if entered into prior to July 1, 2023.

Sec. A-5. 36 MRSA §191, sub-§2, ¶HH, as amended by PL 2007, c. 328, §2, is repealed.

Sec. A-6. 36 MRSA §191, sub-§2, ¶¶XX and YY, as enacted by PL 2013, c. 331, Pt. B, §5, are amended to read:

XX. The disclosure of information by the assessor to the board, except that such disclosure is limited to information that is pertinent to an appeal or other action or proceeding before the board; ~~and~~

YY. The inspection and disclosure of information by the board to the extent necessary to conduct appeals procedures pursuant to this Title and issue a decision on an appeal to the parties. The board may make available to the public redacted decisions that do not disclose the identity of a taxpayer or any information made confidential by state or federal statute; and

Sec. A-7. 36 MRSA §191, sub-§2, ¶ZZ is enacted to read:

ZZ. The disclosure by the State Tax Assessor to a qualified Pine Tree Development Zone business that has filed a claim for reimbursement under section 2016 of information related to any insufficiency of the claim, including records of a contractor or subcontractor that assigned the claim for reimbursement to the qualified Pine Tree Development Zone business and records of the vendors of the contractor or subcontractor.

Sec. A-8. 36 MRSA §193, sub-§2, ¶C is enacted to read:

C. Unless otherwise provided by a rule adopted pursuant to this subsection, in the case of an employer that submits returns pursuant to Title 26, chapter 13, subchapter 5 or 7, the assessor may require that the returns be filed by electronic data submission.

Sec. A-9. 36 MRSA §841, sub-§4, as amended by PL 2005, c. 218, §10, is further amended to read:

4. Veteran's widow or widower or minor child. Notwithstanding failure to comply with section 706 ~~or section 1181~~, the assessors, on written application within one year from the date of commitment, may make such abatement as they think proper in the case of the unmarried widow or widower or the minor child of a veteran, if the widow, widower or child would be entitled to an exemption under section 653, subsection 1, paragraph D, except for ~~her or his~~ the failure of the widow, widower or child to make application and file proof within the time set by section 653, subsection 1, paragraph G, ~~provided that if~~ the veteran died during the 12-month period preceding the April 1st for which the tax was committed.

Sec. A-10. 36 MRSA §1752, sub-§2-D, as enacted by PL 2007, c. 658, §1, is repealed.

Sec. A-11. 36 MRSA §1752, sub-§2-E, as enacted by PL 2007, c. 658, §2, is repealed.

Sec. A-12. 36 MRSA §1752, sub-§6-A, as amended by PL 2007, c. 627, §41, is repealed and the following enacted in its place:

6-A. Manufacturing facility. "Manufacturing facility" means a site at which are located machinery and equipment used directly and primarily in either:

A. The production of tangible personal property intended to be sold or leased ultimately for final use or consumption; or

B. The production of tangible personal property pursuant to a contract with the Federal Government or any agency of the Federal Government.

"Manufacturing facility" includes the machinery and equipment and all machinery, equipment, structures and facilities located at the site and used in support of production or associated with the production. "Manufacturing facility" does not include a site at which a retailer is primarily engaged in making retail sales of tangible personal property that is not produced by the retailer.

Sec. A-13. 36 MRSA §1752, sub-§14, ¶B, as amended by PL 2011, c. 211, §22, is further amended to read:

B. "Sale price" does not include:

- (1) Discounts allowed and taken on sales;
- (2) Allowances in cash or by credit made upon the return of merchandise pursuant to warranty;
- (3) The price of property returned by customers, when the full price is refunded either in cash or by credit;
- (4) The price received for labor or services used in installing or applying or repairing the property sold, if separately charged or stated;
- (5) Any amount charged or collected, in lieu of a gratuity or tip, as a specifically stated service charge, when that amount is to be disbursed by a hotel, restaurant or other eating establishment to its employees as wages;
- (6) The amount of any tax imposed by the United States on or with respect to retail sales, whether imposed upon the retailer or the consumer, except any manufacturers', importers', alcohol or tobacco excise tax;
- (7) The cost of transportation from the retailer's place of business or other point from which shipment is made directly to the purchaser, provided that those charges are separately stated and the transportation occurs by means of common carrier, contract carrier or the United States mail;

~~(8) The fee imposed by Title 10, section 1169, subsection 11;~~

~~(9) The fee imposed by section 4832, subsection 1;~~

~~(10) The lead acid battery deposit imposed by Title 38, section 1604, subsection 2-B;~~

(11) Any amount charged or collected by a person engaged in the rental of living quarters as a forfeited room deposit or cancellation fee if the prospective occupant of the living quarters cancels the reservation on or before the scheduled date of arrival;

~~(12) The premium imposed on motor vehicle oil by Title 10, section 1020, subsection 6-A; or~~

(13) Any amount charged for the disposal of used tires; or

(14) Any charge, deposit, fee or premium imposed by a law of this State.

Sec. A-14. 36 MRSA §1760, sub-§9, as amended by PL 2011, c. 670, §1, is further amended to read:

9. Coal, oil and wood. Coal, oil, wood and all other fuels, except gas and electricity, when bought for cooking and heating in buildings designed and used for both human habitation and sleeping. ~~Kerosene~~ The sale of kerosene or home heating oil that is prepackaged or dispensed from a tank for retail sale in containers a container with a capacity of 5 gallons or less, or the sale of any amount of wood pellets or any 100% compressed wood product intended for use in a wood stove or fireplace, or of any amount of firewood, is presumed to meet the requirements of this subsection when the product is received by the purchaser at the retail location. Until September 30, 2013, a purchase of 1,000 pounds or less of wood pellets or of any 100% compressed wood product intended for use in a wood stove or fireplace is presumed to meet the requirements of this subsection. Beginning October 1, 2013, a purchase of any amount of wood pellets is presumed to meet the requirements of this subsection. A purchase of less than one cord of wood is presumed to meet the requirements of this subsection. For purposes of this subsection, "cord" has the same meaning as in Title 10, section 2302, subsection 1.

Sec. A-15. 36 MRSA §1760, sub-§18-A, as amended by PL 1975, c. 293, §4 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

18-A. Certain residential child care facilities. Sales to incorporated private nonprofit residential child ~~caring institutions which~~ care facilities that are licensed by the Department of Health and Human Services as child ~~caring institutions~~ care facilities.

Sec. A-16. 36 MRSA §1760, sub-§23-C, ~~¶A,~~ as amended by PL 2013, c. 86, §2 and affected by §5, is repealed and the following enacted in its place:

A. Motor vehicles other than those that are being leased for a period of less than one year;

Sec. A-17. 36 MRSA §1760, sub-§23-C, ~~¶E,~~ as enacted by PL 1999, c. 759, §2 and affected by §5, is amended to read:

E. Camper trailers, including truck campers, other than those that are being leased for a period of less than one year.

Sec. A-18. 36 MRSA §1760, sub-§25, ¶C, as enacted by PL 2009, c. 620, §1 and affected by §2, is amended to read:

C. If, for a purpose other than temporary storage, a watercraft is present in the this State for more than 30 days during the 12-month period following its date of purchase, the exemption is applies only to 60% of the sale price of the watercraft or materials for the construction, repair, alteration, refitting, reconstruction, overhaul or restoration of the watercraft, as specified in paragraph A.

Sec. A-19. 36 MRSA §1760, sub-§25-C is enacted to read:

25-C. Snowmobile; all-terrain vehicle. The sale of a snowmobile, as defined in Title 12, section 13001, subsection 25, or an all-terrain vehicle, as defined in Title 12, section 13001, subsection 3, to an individual who is not a resident of this State, unless the seller is a retailer in this State.

Sec. A-20. 36 MRSA §1760, sub-§43, as amended by PL 1983, c. 828, §6, is further amended to read:

43. Child care facilities. Sales to licensed, incorporated nonprofit ~~nursery schools and day care centers~~ child care facilities.

Sec. A-21. 36 MRSA §1760, sub-§44, as reallocated by PL 1983, c. 562, is amended to read:

44. Certain church-affiliated residential homes. Sales to any church-affiliated an incorporated, church-affiliated nonprofit organization which that operates, ~~under a charter granted by the Legislature,~~ a residential home for adults.

Sec. A-22. 36 MRSA §1760, sub-§54, as amended by PL 2001, c. 396, §23 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

54. SNAP and WIC purchases. Sales of items purchased with ~~federal food stamps~~ instruments distributed by the Department of Health and Human Services pursuant to the Supplemental Nutrition Assistance Program or the Women, Infants and Children; WIC, Special Supplemental Food Program food in

struments distributed by the Department of Health and Human Services.

Sec. A-23. 36 MRSA §1760, sub-§73, as enacted by PL 1989, c. 871, §15, is amended to read:

73. Seedlings for commercial forestry use. Sales of tree seedlings for use in commercial forestry. ~~This subsection takes effect September 1, 1990.~~

Sec. A-24. 36 MRSA §1764, as amended by PL 2013, c. 331, Pt. C, §9, is further amended to read:

§1764. Tax against certain casual sales

The tax imposed by this Part must be levied upon all casual rentals of living quarters in a hotel, rooming house, tourist camp or trailer camp and upon all casual sales involving the sale of trailers, truck campers, motor vehicles, special mobile equipment, watercraft or aircraft unless the property is sold for resale at retail sale or to a corporation, partnership, trust, limited liability company or limited liability partnership when the seller is the owner of 50% or more of the common stock of the corporation or of the ownership interests in the partnership, trust, limited liability company or limited liability partnership. This section does not apply to the rental of living quarters rented for a total of fewer than 15 days in the calendar year, except that a person who owns and offers for rental more than one property in the State during the calendar year is liable for collecting sales tax with respect to the rental of each unit regardless of the number of days for which it is rented. For purposes of this section, "special mobile equipment" does not include farm tractors and lumber harvesting vehicles or loaders.

Sec. A-25. 36 MRSA §1811, 3rd ¶, as repealed and replaced by PL 2003, c. 510, Pt. C, §12 and affected by §13, is amended to read:

~~Rental~~ The value of the rental or lease of an automobile for one year or more ~~must be taxed at the time of the lease or rental transaction at 5% of~~ is the following: the total monthly lease payment multiplied by the number of payments in the lease or rental, the amount of equity involved in any trade-in and the value of any cash down payment. Collection and remittance of the tax is the responsibility of the person that negotiates the lease transaction with the lessee.

Sec. A-26. 36 MRSA §1812, sub-§1, as amended by PL 2013, c. 368, Pt. M, §3, is further amended to read:

1. Computation. Every retailer shall add the sales tax imposed by chapters 211 to 225, or the average equivalent of that tax, to ~~his~~ the sale price, except as otherwise provided, and when added the tax ~~shall constitute~~ constitutes a part of the price, ~~shall be~~ is a debt of the purchaser to the retailer until paid and ~~shall be~~ is recoverable at law in the same manner as the purchase price. When the sale price ~~shall involve in-~~ volves a fraction of a dollar, the ~~tax~~ retailer shall be

~~added~~ add the tax to the sale price upon the following schedules:

A-1. If the tax rate is 5%:

Amount of Sale Price	Amount of Tax
\$0.01 to \$0.10, inclusive	0¢
.11 to .20, inclusive	1¢
.21 to .40, inclusive	2¢
.41 to .60, inclusive	3¢
.61 to .80, inclusive	4¢
.81 to 1.00, inclusive	5¢

A-2. If the tax rate is 5 1/2%:

Amount of Sale Price	Amount of Tax
\$0.01 to \$0.09, inclusive	0¢
.10 to .18, inclusive	1¢
.19 to .36, inclusive	2¢
.37 to .54, inclusive	3¢
.55 to .72, inclusive	4¢
.73 to .90, inclusive	5¢
.91 to 1.09, inclusive	6¢
1.10 to 1.27, inclusive	7¢
1.28 to 1.45, inclusive	8¢
1.46 to 1.63, inclusive	9¢
1.64 to 1.81, inclusive	10¢
1.82 to 2.00, inclusive	11¢

B. If the tax rate is 7%:

Amount of Sale Price	Amount of Tax
\$0.01 to \$0.07, inclusive	0¢
.08 to .21, inclusive	1¢
.22 to .35, inclusive	2¢
.36 to .49, inclusive	3¢
.50 to .64, inclusive	4¢
.65 to .78, inclusive	5¢
.79 to .92, inclusive	6¢
.93 to 1.00, inclusive	7¢

D. If the tax rate is 10%:

Amount of Sale Price	Amount of Tax
\$0.01 to \$0.10, inclusive	0¢
.11 to .20, inclusive	2¢
.21 to .40, inclusive	4¢
.41 to .60, inclusive	6¢
.61 to .80, inclusive	8¢
.81 to 1.00, inclusive	10¢

E. If the tax rate is 8%:

Amount of Sale Price	Amount of Tax
\$0.01 to \$0.06, inclusive	0¢
.07 to .13, inclusive	1¢
.14 to .25, inclusive	2¢
.26 to .38, inclusive	3¢
.39 to .50, inclusive	4¢
.51 to .63, inclusive	5¢
.64 to .75, inclusive	6¢
.76 to .88, inclusive	7¢
.89 to 1.00, inclusive	8¢

When the sale price exceeds \$1, the tax to be added to the price ~~shall be~~ is the scheduled amount for each whole dollar plus the scheduled amount for each fractional part of \$1.

Sec. A-27. 36 MRSA §2012, as amended by PL 1967, c. 88, is repealed and the following enacted in its place:

§2012. Refund of sales tax on goods removed from State

A business that operates both within and without this State may request a refund of Maine sales tax paid at the time of purchase on tangible personal property that is placed in inventory in this State and subsequently withdrawn from inventory for:

1. Use outside the State. Use at a fixed location of the business in another taxing jurisdiction;

2. Fabrication, attachment or incorporation outside the State. Fabrication, attachment or incorporation into other tangible personal property for use at a fixed location of the business in another taxing jurisdiction; or

3. Incorporation into real property. Incorporation into real property located in another taxing jurisdiction.

In order to be eligible for the refund, the tangible personal property on which sales tax was paid may not be used by the business prior to its withdrawal from inventory for any purpose other than storage or the fabrication, attachment or incorporation described in subsection 2. The business must also maintain inventory records by which the acquisition and disposition of such tangible personal property may be traced. A refund may not be made when the taxing jurisdiction to which the tangible personal property is removed levies a sales or use tax. Refunds under this section must be requested in accordance with section 2011.

Sec. A-28. 36 MRSA §2019, as enacted by PL 2007, c. 658, §3, is repealed.

Sec. A-29. 36 MRSA §2521-A, first ¶, as repealed and replaced by PL 2007, c. 627, §54 and affected by §96, is amended to read:

Every insurance company, association, producer or attorney-in-fact of a reciprocal insurer subject to the tax imposed by this chapter shall make payment of estimated tax on or before the last day of each April, the 25th day of each June and the last day of each October ~~file with the State Tax Assessor, on forms prescribed by the assessor, a return for the quarter ending on the last day of the preceding calendar month, except for the return due on the 25th day of June, which is for the quarter ending June 30th. A final return must be filed on or before March 15th, covering the prior calendar year. The 3 quarterly returns may be on an estimated basis, as long as each~~ Each April and June installment equals estimated tax payment must equal 35% of the total tax paid for the preceding calendar year or at least 35% of the total tax to be paid for the current calendar year and each October ~~installment equals estimated tax payment must equal~~ 15% of the total tax paid for the preceding calendar year or at least 15% of the total tax to be paid for the current calendar year. A final return must be filed on or before March 15th covering the prior calendar year.

Sec. A-30. 36 MRSA §2551, sub-§10, as amended by PL 2013, c. 331, Pt. C, §12, is further amended to read:

10. Private nonmedical institution. "Private nonmedical institution ~~or personal home care~~" means a person licensed by the Department of Health and Human Services to provide private nonmedical institution ~~or personal home care~~ services to 4 or more MaineCare-eligible and other residents in single or multiple facilities under a written agreement with the Department of Health and Human Services. "Private nonmedical institution ~~or personal home care~~" does not include a health insurance organization, hospital, nursing home or community health care center.

Sec. A-31. 36 MRSA §2551, sub-§11, as amended by PL 2013, c. 331, Pt. C, §13, is further amended to read:

11. Private nonmedical institution. "Private nonmedical institution ~~or personal home care~~ services" means services, including food, shelter and treatment, that are provided by a private nonmedical institution ~~or personal home care~~.

Sec. A-32. 36 MRSA §2552, sub-§1, ¶G, as amended by PL 2013, c. 331, Pt. C, §14, is further amended to read:

G. Private nonmedical institution ~~or personal home care~~ services;

Sec. A-33. 36 MRSA §2556, sub-§5, as enacted by PL 2003, c. 673, Pt. V, §25 and affected by §29, is repealed.

Sec. A-34. 36 MRSA §2557, sub-§§9 and 10, as enacted by PL 2003, c. 673, Pt. V, §25 and affected by §29, are amended to read:

9. Child care facilities. Sales to licensed, incorporated nonprofit ~~nursery schools and day care centers~~ child care facilities;

10. Certain church-affiliated residential homes. Sales to ~~any an incorporated~~ church-affiliated nonprofit organization that operates, ~~under a charter granted by the Legislature,~~ a residential home for adults;

Sec. A-35. 36 MRSA §2559, as amended by PL 2011, c. 542, Pt. A, §141, is further amended to read:

§2559. Application of revenues

Revenues derived by the tax imposed by this chapter must be credited to a General Fund suspense account. On or before the last day of each month, the State Controller shall transfer a percentage of the revenues received by the State Tax Assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs A to F and L to the Local Government Fund as provided by Title 30-A, section 5681, subsection 5. The balance remaining in the General Fund suspense account must be transferred to service provider tax General Fund revenue. On or before the 15th day of each month, the State Controller shall transfer all revenues received by the assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs G to J and M to the Medical Care Services Other Special Revenue Funds account, the Other Special Revenue Funds Mental Health Services - Community Medicaid program, the Medicaid Services - Adult Developmental Services program and the Office of Substance Abuse - Medicaid Seed program within the Department of Health and Human Services.

Sec. A-36. 36 MRSA §4362-A, sub-§1, as enacted by PL 1997, c. 458, §3, is amended to read:

1. Generally. A distributor doing business in this State shall obtain a license from the assessor. A license must be obtained for each wholesale outlet maintained by the distributor. A distributor's license must be prominently displayed on the premises covered by the license. A distributor's license issued pursuant to this section is not a license within the meaning of that term in the Maine Administrative Procedure Act.

Sec. A-37. 36 MRSA §4402, sub-§1, as enacted by PL 2005, c. 627, §7, is amended to read:

1. Generally. Every distributor shall obtain a license from the State Tax Assessor before engaging in business. A retailer required to be licensed as a distributor pursuant to this chapter must also hold a current retail tobacco license issued under Title 22, sec-

tion 1551-A. A distributor's license issued pursuant to this section is not a license within the meaning of that term in the Maine Administrative Procedure Act.

Sec. A-38. 36 MRSA §5102, sub-§8, as amended by PL 1997, c. 24, Pt. C, §9 and affected by §16, is further amended to read:

8. Maine net income. "Maine net income" means, for any taxable year for any corporate taxpayer, the taxable income of that taxpayer for that taxable year under the laws of the United States as modified by section 5200-A and apportionable to this State under chapter 821. ~~To the extent that it derives from~~ With respect to a unitary business carried on by 2 or more members of an affiliated group, the "Maine net income of a corporation is determined by apportioning that part of the federal taxable income of the entire group that derives from" means the taxable income of the unitary business under the laws of the United States as modified by section 5200-A and apportionable to this State under chapter 821. If a taxable corporation is an S corporation, "Maine net income" means the amount taxable at the federal level pursuant to the Code, Sections 1374 and 1375.

Sec. A-39. 36 MRSA §5122, sub-§2, ¶X, as amended by PL 2013, c. 546, §14, is further amended to read:

X. The taxpayer's pro rata share of an amount that was previously added back to federal taxable income pursuant to section 5200-A, subsection 1, paragraph N; section 5200-A, subsection 1, paragraph T; section 5200-A, subsection 1, paragraph Y, subparagraph (2); ~~or~~ section 5200-A, subsection 1, paragraph AA, subparagraph (2); ~~or~~ section 5200-A, subsection 1, paragraph BB by a corporation of which the taxpayer is a shareholder and by which, absent an S corporation election, the corporation could have reduced its federal taxable income for the taxable year pursuant to section 5200-A, subsection 2, paragraph M, R, V ~~or~~ Y ~~or~~ Z;

Sec. A-40. 36 MRSA §5122, sub-§2, ¶BB, as amended by PL 2011, c. 240, §31, is further amended to read:

BB. The amount of pension benefits to the extent included in federal adjusted gross income under a military retirement plan as defined in paragraph M ~~or M-1~~ that exceed the amount of military retirement plan pension benefits deducted under paragraph M ~~or M-1~~ and that are received by a person who practices as a licensed dentist in this State for an average of at least 20 hours per week during the tax year and who accepts patients who receive benefits under the MaineCare program administered under Title 22, chapter 855;

Sec. A-41. 36 MRSA §5216-B, sub-§2, as amended by PL 2013, c. 438, §6, is further amended to read:

2. Credit. An investor is entitled to a credit against the tax otherwise due under this Part equal to the amount of the tax credit certificate issued by the Finance Authority of Maine in accordance with Title 10, section 1100-T and as limited by this section. Except with respect to tax credit certificates issued under Title 10, section 1100-T, subsection 2-C, in the case of partnerships, limited liability companies, S corporations, nontaxable trusts and any other entities that are treated as flow-through entities for tax purposes under the Code, the individual partners, members, stockholders, beneficiaries or equity owners of such entities must be treated as the investors under this section and are allowed a credit against the tax otherwise due from them under this Part in proportion to their respective interests in those partnerships, limited liability companies, S corporations, trusts or other flow-through entities. Except as limited or authorized by subsection 3 or 4, 25% of the credit must be taken in the taxable year in which the investment is made and 25% per year must be taken in each of the next 3 taxable years. With respect to tax credit certificates issued under Title 10, section 1100-T, subsection 2-C, the credits are fully refundable and the investor ~~may~~ shall file a return requesting a refund for an investment for which it has received a tax credit certificate ~~on or after January 1st of in~~ after following the calendar year ~~in~~ during which the investment was made.

Sec. A-42. 36 MRSA §5217-D, sub-§1, ¶B-1, as enacted by PL 2013, c. 525, §15, is amended to read:

B-1. "Financial aid package" means financial aid obtained by a student ~~after December 31, 2007~~ for attendance at an accredited Maine community college, college or university ~~after December 31, 2007~~. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2013, the financial aid package may include financial aid obtained for up to 30 credit hours of course work at an accredited non-Maine community college, college or university earned prior to transfer to an accredited Maine community college, college or university, if the 30 credit hours were earned after December 31, 2007 and the transfer occurred after December 31, 2012. For purposes of an employer claiming a credit under this section for tax years beginning on or after January 1, 2013, the financial aid package may include financial aid obtained by a qualified employee ~~after December 31, 2007~~ for attendance at an accredited non-Maine community college, college or university ~~after December 31, 2007~~. The financial aid package may include private loans or less than the full amount of loans under federal programs, depend-

ing on the practices of the accredited Maine or non-Maine community college, college or university. Loans are includable in the financial aid package only if entered into prior to July 1, 2023.

PART B

Sec. B-1. 25 MRSA §1542-A, sub-§1, ¶I, as amended by PL 2013, c. 546, §2, is further amended to read:

I. Who is a prospective adoptive parent not the biological parent as required under Title 18-A, section 9-304, subsection (a-1); ~~or~~

Sec. B-2. 25 MRSA §1542-A, sub-§1, ¶J, as enacted by PL 2013, c. 546, §3, is amended to read:

J. Who has applied for employment with the Department of Administrative and Financial Services, Bureau of Revenue Services and whose fingerprints have been required by the State Tax Assessor pursuant to Title 36, section 194-B-;

Sec. B-3. 25 MRSA §1542-A, sub-§1, ¶¶K and L are enacted to read:

K. Who has applied for employment with the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy and whose fingerprints have been required by the Associate Commissioner for Tax Policy pursuant to Title 36, section 194-B; or

L. Who is assigned to provide services to the Department of Administrative and Financial Services, Bureau of Revenue Services pursuant to a contract or subcontract for services to the bureau and whose fingerprints have been required by the State Tax Assessor pursuant to Title 36, section 194-C.

Sec. B-4. 25 MRSA §1542-A, sub-§3, ¶K is enacted to read:

K. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph K or L at the request of that person and upon payment of the expenses by the Department of Administrative and Financial Services, Bureau of Revenue Services as required by Title 36, section 194-C, subsection 2.

Sec. B-5. 25 MRSA §1542-A, sub-§4, as amended by PL 2013, c. 546, §5, is further amended to read:

4. Duty to submit to State Bureau of Identification. It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5 may not be submitted to the State Bureau of Identifica-

tion unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J, K or L must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services, Bureau of Revenue Services.

Sec. B-6. 36 MRSA §194-B, first ¶, as enacted by PL 2013, c. 546, §7, is amended to read:

As part of the process of evaluating an applicant for employment with the bureau ~~on or after January 1, 2015,~~ the assessor shall perform a national criminal history record check in accordance with this section, except the Associate Commissioner for Tax Policy shall perform a national criminal history record check for an applicant for employment with the Office of Tax Policy.

Sec. B-7. 36 MRSA §194-B, sub-§1, as enacted by PL 2013, c. 546, §7, is amended to read:

1. Criminal history record information obtained from the Federal Bureau of Investigation. The assessor shall obtain national criminal history record information from the Federal Bureau of Investigation for any person not then employed with the Bureau of Revenue Services who has applied for and may be offered employment, except that for a person who has applied for and may be offered employment with the bureau's Office of Tax Policy, the Associate Commissioner for Tax Policy shall obtain the national criminal history record information.

Sec. B-8. 36 MRSA §194-B, sub-§3, as enacted by PL 2013, c. 546, §7, is amended to read:

3. Confidentiality. All information obtained by the assessor or the Associate Commissioner for Tax Policy pursuant to this section is confidential and not a public record pursuant to Title 1, chapter 13.

Sec. B-9. 36 MRSA §194-C is enacted to read:

§194-C. National criminal history record information of providers of contract services

The assessor shall perform a national criminal history record check of all the bureau's contractors and their respective employees, subcontractors and subcontractors' employees who provide services to the bureau under an identified contract. For purposes of this section, "identified contract" means a contract that the assessor determines involves access or the substantial possibility of access to the bureau's information technology systems or to confidential taxpayer information.

1. Criminal history record information obtained from the Federal Bureau of Investigation. The assessor shall obtain national criminal history record information from the Federal Bureau of Investigation for any individual who provides or is assigned to provide services to the Bureau of Revenue Services pursuant to an identified contract.

2. Fingerprinting. An individual who is assigned to provide services to the Bureau of Revenue Services pursuant to an identified contract must consent to having fingerprints taken for use in accordance with this section before the individual may provide these services. The State Police shall take or cause to be taken the individual's fingerprints and shall forward the fingerprints to the Department of Public Safety, State Bureau of Identification so that the State Bureau of Identification can conduct the state and national criminal history record checks. The State Police may charge the Bureau of Revenue Services for the expenses incurred in processing state and national criminal history record checks. The full fee charged under this subsection must be deposited in a dedicated revenue account for the State Bureau of Identification with the purpose of paying costs associated with the maintenance and replacement of its criminal history record systems.

3. Confidentiality. All information obtained by the assessor pursuant to this section is confidential and not a public record pursuant to Title 1, chapter 13.

4. Individual's access to criminal history record information. The Bureau of Revenue Services shall provide an individual who provides fingerprints pursuant to subsection 2 with access to information obtained pursuant to this section, if requested, by providing a paper copy of the criminal history record information directly to the individual, but only after the Bureau of Revenue Services confirms that the individual is the subject of the record. In addition, the Bureau of Revenue Services shall publish guidance on requesting such information from the Federal Bureau of Investigation.

5. Application to other state agencies. This section does not apply to services provided by another agency of this State.

Sec. B-10. Effective date. That section of this Part that enacts the Maine Revised Statutes, Title 36, section 194-C takes effect March 1, 2016.

See title page for effective date, unless otherwise indicated.

CHAPTER 301

S.P. 423 - L.D. 1196

An Act To Correct and Clarify Maine's Fish and Wildlife Laws

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

Sec. 1. 7 MRSA §3911-A, as amended by PL 2011, c. 100, §5, is further amended to read:

§3911-A. Abandonment of wolf hybrid

A person who abandons a wolf hybrid licensed under section 3922 commits a civil violation for which a fine not to exceed \$1,000 may be adjudged. A person who abandons a wolf hybrid not licensed under section 3922 commits a civil violation for which a fine of \$1,000 must be adjudged ~~and may also be subject to a penalty under Title 12, section 12153.~~ For the purposes of this section "abandon" means to desert. For enforcement purposes a wolf hybrid is abandoned if the animal is found a distance of more than 5 miles from the premises of the owner and is not under the control of any person.

Sec. 2. 12 MRSA §10108, sub-§12 is enacted to read:

12. Camp North Woods program. The Camp North Woods program, referred to in this subsection as "the program," is established to provide youth opportunities to learn outdoors skills about conservation of the State's natural resources. Department staff shall mentor in the program, which may include, but is not limited to, instruction and training in recreational vehicle operation, paddle sports, hunting, fishing, trapping, outdoor survival, navigation, firearm and archery training and wildlife and fish identification. The program is funded solely from the Camp North Woods fund, established under section 10266.

Sec. 3. 12 MRSA §10152, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §32 and affected by §422, is repealed.

Sec. 4. 12 MRSA §10266 is enacted to read:

§10266. Camp North Woods fund

The Camp North Woods fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund the Camp North Woods program established under section 10108, subsection 12. All funds collected by the department from the operation of the Camp North Woods program and any donations, grants or other funds presented to the department for the benefit of the Camp North Woods program must be deposited into the fund. All money deposited in the fund and the earnings on the money remain in the fund to be used for the operation of the Camp North Woods program. Unexpended balances in the fund at the end of the fiscal year are nonlapsing and must be carried forward to the next fiscal year to be used for the same purposes.

Sec. 5. 12 MRSA §10658 is enacted to read:

§10658. Unlawful possession of wild animals or wild birds

1. Prohibition. A person may not possess a wild animal or wild bird or any parts of a wild animal or wild bird that the person does not possess by any lawful means in the State or any other jurisdiction.

2. Penalty. A person who violates subsection 1 commits a Class E crime for which a minimum fine of \$500 must be imposed.

Sec. 6. 12 MRSA §10853, sub-§11, as amended by PL 2013, c. 408, §8, is further amended to read:

11. Permits to accommodate permanent physical disabilities. The commissioner may issue a special permit to a person with a permanent physical disability that includes special authorization that allows that person to hunt, trap or fish at times or in a manner otherwise prohibited by this Part in order to enhance access to hunting, trapping and fishing opportunities. No laws or rules may be waived except as are necessary to effect this subsection. A permit may be issued under this subsection only if:

A. The applicant provides the commissioner with a letter signed by a licensed physician clearly stating the nature of that person's disability, the permanence of the disability and the extent to which the disability affects that person's ambulatory ability or endurance; use of one or both hands, arms or legs; or sight or hearing;

B. The commissioner determines that the permanent physical disability prevents that person from safely accessing hunting, trapping or fishing opportunities at the times or in the manner allowed by this Part or by rules adopted pursuant to this Part; and

C. The person meets all other requirements for issuance of that permit and related licensing requirements and is not otherwise ineligible for that permit.

Each applicant's disability and needs must be reviewed ~~in consultation with the disabled hunter, trapper and angler advisory committee established in section 10152 by the department~~ and a determination made regarding the special authorization that may be made to enhance the applicant's access to fishing, hunting and trapping opportunities. A permit issued under this subsection must be signed by the commissioner and include a clear and specific description of the activities authorized by that permit. ~~The disabled person with a disability~~ shall carry the permit whenever that person is hunting, trapping or fishing, and the permit must be presented to a game warden or other law enforcement officer upon request. No laws or rules may be waived except as are necessary to effect this subsection.

The commissioner may authorize only the minimum special exceptions necessary to overcome the applicant's disability and allow that applicant to safely hunt, trap or fish. This does not authorize the commissioner to issue special exceptions that endanger public safety. A permit issued under this subsection does not authorize a person to exceed the allowable bag or size limits for any fish or wildlife species; to fish for or take a fish or wildlife species for which a license is not otherwise issued; to fish for, trap or hunt a fish or wildlife species more than 7 days before the opening or more than 7 days after the closing of the regular open season for that species; or to fish, trap or hunt in any area permanently closed to those activities by state law or rule.

Sec. 7. 12 MRSA §10952, sub-§1, as amended by PL 2013, c. 236, §1, is further amended to read:

1. Hunting with a bow and arrow or a crossbow. A person may, except as otherwise provided in this Part, hunt any wild bird or wild animal with a hand-held bow and arrow ~~or a crossbow~~ during any open season on that bird or animal if the person holds a valid archery hunting license and may, except as otherwise provided in this Part, hunt any wild bird or wild animal with a crossbow during any open season on that bird or animal if the person holds a valid archery license or hunting license and a valid crossbow hunting license.

Sec. 8. 12 MRSA §10953, sub-§2, as enacted by PL 2005, c. 419, §2 and affected by §12, is repealed.

Sec. 9. 12 MRSA §10953, sub-§3 is enacted to read:

3. Crossbow requirements. A person may not hunt with a crossbow unless the crossbow meets the following requirements.

A. The crossbow must have a shoulder-type stock. A hand-held pistol-type crossbow may not be used.

B. The draw weight of the crossbow may not be less than 100 pounds.

C. The arrowhead, including a mechanical broadhead when open, must be at least 7/8 inch in width.

D. A crossbow arrow that has an explosive or poisonous tip may not be used.

E. The crossbow must be equipped with a mechanical trigger safety device in working condition.

F. The crossbow may be equipped with a scope or sight.

A person who violates this subsection commits a Class E crime.

Sec. 10. 12 MRSA §11106, sub-§1, ¶A, as amended by PL 2013, c. 139, §2, is further amended to read:

A. A resident or nonresident 16 years of age or older who has satisfied the requirements of subsection 2 or holds an apprenticeship hunter license, or who is exempt under subsection 3, may obtain an archery hunting license to hunt with bow and arrow in accordance with section 10952 from the commissioner or the commissioner's authorized agent.

Sec. 11. 12 MRSA §11108, sub-§1, as amended by PL 2015, c. 136, §6 and affected by §12, is further amended to read:

1. On certain land. Notwithstanding section 11109, subsection 1 as it applies to this subchapter, and subject to all other applicable laws and rules, a resident and a member of the resident's immediate family, as long as the hunter's license to hunt is not under suspension or revocation, may hunt without a license, including, but not limited to, an archery hunting license, a crossbow hunting license and a muzzle-loading license, on a single plot of land:

A. To which they are legally entitled to possession;

B. On which they are actually domiciled;

C. That is used exclusively for agricultural purposes; and

D. That is in excess of 10 acres.

Sec. 12. 12 MRSA §11108-B, sub-§1-A, **¶A**, as enacted by PL 2013, c. 538, §19, is amended to read:

A. "Adult supervisor" means a person who is 18 years of age or older and holds a valid ~~Maine adult~~ hunting license under this subchapter.

Sec. 13. 12 MRSA §11109, sub-§3, ¶F, as amended by PL 2015, c. 136, §10 and affected by §12, is further amended to read:

F. A nonresident junior hunting license, for a person under 16 years of age, is \$34. Notwithstanding the permit fees established in subchapter 3, a nonresident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost. A nonresident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

Sec. 14. 12 MRSA §11110, as amended by PL 2005, c. 74, §1, is repealed and the following enacted in its place:

§11110. Transfer of hunting areas or zones

1. Transfer permitted. A person who has been assigned a designated hunting area, zone or season by the department for purposes of hunting a game animal may exchange that designated zone, area or season with another person assigned a different hunting zone, area or season for the same game animal for purposes of hunting that same game animal. The commissioner may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Transfer of moose permit for consideration prohibited. Notwithstanding subsection 1, the holder of a moose permit who has been assigned a designated hunting area, zone or season by the department may not exchange that designated zone, area or season with another person assigned a different hunting zone, area or season for any consideration other than the other person's different hunting zone, area or season. A person who violates this subsection commits a Class D crime.

Sec. 15. 12 MRSA §11214, sub-§1, ¶G, as amended by PL 2013, c. 538, §27, is further amended to read:

G. Hunt a wild animal or wild bird with a set bow ~~or, except as provided in section 10953, hunt a wild animal or wild bird with a crossbow;~~

Sec. 16. 12 MRSA §11214, sub-§1, ¶¶N and O, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, are amended to read:

N. Hunt a wild animal or wild bird by any method other than by the usual method of shooting with a firearm not larger than number 10-gauge ~~or~~, shooting with a hand-held bow and ar-

row ~~or~~ shooting with a crossbow or by falconry; ~~or~~

O. Possess a wild animal or wild bird taken in violation of this section, except as otherwise provided in this Part; ~~or~~

Sec. 17. 12 MRSA §11214, sub-§1, ¶P is enacted to read:

P. Use a bow and arrow to hunt deer, bear or moose unless:

(1) For hunting deer and bear, the minimum draw weight of the bow is 35 pounds;

(2) For hunting moose, the minimum draw weight of the bow is 45 pounds; and

(3) The arrowhead, including mechanical broadheads when open, is at least 7/8 inch in width.

Sec. 18. 12 MRSA §11227, sub-§1-A is enacted to read:

1-A. Prohibited bait. Notwithstanding any authorization to use or place bait or bear bait under this Part, a person may not place a medicinal, poisonous or stupefying substance to entice an animal to that place. A person who violates this subsection commits a Class E crime.

Sec. 19. 12 MRSA §11305 is enacted to read:
§11305. Unlawful firearms for hunting bear

1. Prohibition. A person may not use a .17 or .22 caliber rimfire firearm or a shotgun using shot loads to hunt bear.

2. Penalty. A person who violates subsection 1 commits a Class E crime.

Sec. 20. 12 MRSA §11403, sub-§1, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

Sec. 21. 12 MRSA §11403, sub-§2, ¶A, as amended by PL 2007, c. 163, §2 and affected by §3, is further amended to read:

A. A person may not take a deer during a regular archery-only season unless that person uses a hand-held bow and broadhead arrow ~~with the following specifications in accordance with section 11214, subsection 1, paragraph P.~~

(1) ~~Bows must have a minimum draw weight of 35 pounds.~~

(2) ~~Arrowheads, including mechanical broadheads when open, must be at least 7/8 inch in width.~~

Sec. 22. 12 MRSA §11605, sub-§1, as enacted by PL 2011, c. 253, §20, is amended to read:

1. Prohibitions. ~~A From September 1st to December 15th a person may not, during open hunting season on moose:~~

A. Place salt or any other bait or food in a place to entice moose to that place; or

B. Hunt from an observation stand or blind overlooking salt, grain, fruit, nuts or other foods known to be attractive to moose. This prohibition does not apply to hunting ~~from an observation stand or blind overlooking over:~~

(1) Standing crops; or

(2) Foods that are left as a result of normal agricultural operations or as a result of a natural occurrence; ~~or,~~

~~(3) Bear bait that is placed at a bear hunting stand or blind in accordance with section 11301, subsection 1.~~

Sec. 23. 12 MRSA §11801, sub-§2, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. Engage in an organized drive of any manner while hunting wild turkeys; or

Sec. 24. 12 MRSA §11801, sub-§2, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

Sec. 25. 12 MRSA §11802 is enacted to read:

§11802. Baiting wild turkeys

1. Prohibitions. From September 1st to December 15th and during the spring wild turkey hunting season established pursuant to section 11701, subsection 1, a person may not:

A. Place any bait or food in a place to entice a wild turkey to that place; or

B. Hunt from an observation stand or blind overlooking bait or food known to be attractive to wild turkey. This prohibition does not apply to hunting from an observation stand or blind overlooking:

(1) Standing crops; or

(2) Foods that are left as a result of normal agricultural operations or as a result of a natural occurrence.

2. Penalty. A person who violates subsection 1 commits a Class E crime.

Sec. 26. 12 MRSA §11851, as amended by PL 2013, c. 280, §8, is further amended to read:

§11851. Hunting or trapping wild birds

1. Unlawfully hunting or trapping wild birds. A person may not hunt or trap a wild bird, other than the English or European house sparrow, the rock dove

pigeon and the European starling, except as provided in this Part.

2. Unlawful possession of wild birds. A person may not possess, alive or dead, a wild bird, other than the English or European house sparrow, the rock dove pigeon and the European starling, except as provided in this Part.

3. Penalty. A person who violates this section commits a Class E crime.

Sec. 27. 12 MRSA §12152, sub-§3, as amended by PL 2005, c. 117, §2, is further amended to read:

3. Issuance. The commissioner may issue a permit to a person permitting the possession and use of wildlife with the following exceptions.

A. A propagation, rearing and sale permit does not authorize the permittee to possess, propagate or sell deer, bear, moose, wild turkey, hybrid wild turkey or wild turkey-domestic turkey cross nor does it authorize the permittee to possess, propagate or sell any wild animal taken in accordance with section ~~11601~~ 12401, 12402 or ~~11602~~ 12404.

B. A commercial exhibition permit does not authorize the permittee to import any species of wild turkey, hybrid wild turkey or wild turkey-domestic turkey cross or the eggs of these species.

C. A general possession permit does not authorize the permittee to possess, propagate or sell deer, bear, moose, wild turkey, hybrid turkey or wild turkey-domestic turkey cross nor does it authorize the permittee to possess, propagate or sell any wild animal taken in accordance with section ~~11601~~ 12401, 12402 or ~~11602~~ 12404.

D. A rehabilitation permit does not authorize the permittee to possess, propagate or sell any wild animal taken in accordance with section ~~11601~~ 12401, 12402 or ~~11602~~ 12404.

Sec. 28. 12 MRSA §12153, as repealed and replaced by c. 655, Pt. B, §202 and affected by §422, is repealed.

Sec. 29. 12 MRSA §12202, first ¶, as amended by PL 2013, c. 408, §18, is further amended to read:

A Notwithstanding section 12201, subsection 1 and subject to all other applicable laws and rules, a resident and a member of the resident's immediate family, as long as the trapper's license to trap is not under suspension or revocation, may trap for wild animals without a trapping license issued under section 12201 on land:

Sec. 30. 12 MRSA §12204, sub-§1, ¶B, as amended by PL 2013, c. 538, §34, is further amended to read:

B. "Adult supervisor" means a person who is 18 years of age or older and ~~holds or has held a valid adult trapping license under this subchapter for the prior 3 consecutive years or has successfully completed a trapper education course of the type described in section 10108, subsection 7.~~

Sec. 31. 12 MRSA §12252, sub-§2, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. Deposit any medicinal, poisonous or stupefying substance for the purpose of killing, taking, catching, wounding, harming or molesting any wild animal or wild bird, except that a landowner or member of the landowner's immediate family may use gas cartridges on the landowner's own land for woodchuck control; or

Sec. 32. 12 MRSA §12255, sub-§1, ¶A, as amended by PL 2003, c. 655, Pt. B, §217 and affected by §422, is further amended to read:

A. While trapping in an organized or incorporated place:

(1) Check each trap, except killer-type traps or drowning sets, at least once in every calendar day; and

(2) Check each killer-type trap or drowning set at least once in every 3 calendar days, except that a drowning set placed within 1/2 mile of a city, town or village center must be checked at least once in every calendar day; and

Sec. 33. 12 MRSA §12456, sub-§1-A, ¶A, as enacted by PL 2009, c. 214, §5, is amended to read:

A. The open-water fishing season on boundary waters between Maine and New Brunswick is from April ~~15th~~ 1st to September 30th, inclusive.

Sec. 34. 12 MRSA §12502, as amended by PL 2009, c. 211, Pt. B, §7, is repealed.

Sec. 35. 12 MRSA §12503, sub-§2, as amended by PL 2003, c. 655, Pt. B, §249 and affected by §422, is further amended to read:

2. Land used for agricultural purposes; domicile. ~~Any~~ Notwithstanding section 12503, subsection 1 and subject to all other applicable laws and rules, ~~any~~ resident and any member of the resident's immediate family, as long as the angler's license to fish is not under suspension or revocation, may fish without a license in open inland waters from land:

- A. To which they are legally entitled to possession;
- B. On which they are actually domiciled; and
- C. That is used exclusively for agricultural purposes.

Sec. 36. 12 MRSA §12551-A, sub-§7, ¶A, as amended by PL 2009, c. 340, §16, is further amended to read:

A. The holder of a smelt wholesale dealer's license may:

(1) Take live smelts for resale from inland waters or private ponds. The taking of live smelts from inland waters must be in accordance with general rules adopted by the commissioner in regard to the taking of smelts. Except as provided in paragraph B, the holder of a smelt wholesaler's license shall comply with the same daily bag limit and the same tackle restrictions that apply to all other anglers and is subject to the same penalties for violations of those limits and restrictions. This subparagraph does not apply to a holder of a fish cultivator license as provided under section 12507;

(2) Use Beginning on the date the body of water on which the smelts are taken is open to ice fishing and ending March 31st annually, use a drop net, a lift net or hook and line to take up to 8 quarts of smelts through man-made openings in the ice while fishing on the ice from specific inland waters designated by the commissioner. A dip net may be used in conjunction with the above methods to assist with the handling and transporting of smelts. A licensee may keep the daily bag limit alive. The daily bag limit established under this subparagraph is for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day;

(2-A) In waters naturally free of ice, take smelts from noon to 2:00 a.m. by the use of a dip net in the usual and ordinary way. The commissioner may establish the daily bag limit by rule and a licensee may keep the daily bag limit of smelts alive. The daily bag limit established under this subparagraph is for a 24-hour period, beginning at noon on a given day and ending at 11:59 a.m. the following day. The commissioner may shorten the noon to 2:00 a.m. smelt fishing ~~time frame~~ time frame by rule for enforcement or conservation purposes;

(3) Use artificial light for the purpose of luring smelts to a drop net or a lift net;

(4) Transport or possess at the holder's business facility more than the daily bag limit of smelts provided that the smelts were taken by the license holder in accordance with this section or acquired from a person licensed under this section to deal in live smelts;

(5) Designate others to assist in selling live smelts at the holder's business facility; and

(6) Transport or designate others to transport on the license holder's behalf live smelts in accordance with this subsection.

Sec. 37. 12 MRSA §12553, sub-§1-A, as enacted by PL 2003, c. 655, Pt. B, §263 and affected by §422, is amended to read:

1-A. Unlawfully selling, using or possessing baitfish. Except as provided in this subsection and for baitfish as defined in section 10001, subsection 6, a person may not:

A. Sell or offer for sale fish as bait for the purpose of fishing; or

B. Use or possess fish as bait for the purpose of fishing.

Nothing in this Title prohibits the use of commercially prepared eggs from species that do not naturally occur in the State for bait. A person may take baitfish from all inland waters of the State during the period that those waters are open to fishing ~~and the commissioner may grant permits in accordance with section 12513 to take baitfish from certain waters at any time.~~

A person who violates this subsection commits a Class E crime. The court shall, in addition, impose a fine of \$20, none of which may be suspended, for each fish illegally possessed.

Sec. 38. 12 MRSA §12611, as enacted by PL 2003, c. 655, Pt. B, §273 and affected by Pt. B, §422, is amended to read:

§12611. Illegal possession of live fish

Except as otherwise provided in this Part, a person who ~~legally~~ takes a fish, other than baitfish or smelt, from inland waters pursuant to this Part shall immediately release that fish alive into the waters from which it was taken or immediately kill that fish. Any fish killed pursuant to this section becomes part of the daily bag limit. A person who possesses a fish in violation of this section commits a Class E crime.

Sec. 39. 12 MRSA §12661, sub-§1, ¶A, as amended by PL 2009, c. 214, §11, is further amended to read:

A. ~~May not leave or allow~~ Must remove or cause to be removed the shack or structure ~~to remain~~ on the ice of any inland waters ~~after April 1st prior to the earlier of the date of ice out or 3 days after the close of the ice fishing season established pursuant to section 12454; or~~

Sec. 40. 12 MRSA §12804, sub-§5 is enacted to read:

5. Confidential information. Specific information concerning the location of a threatened or endan-

gered species is confidential and not a public record under Title 1, chapter 13 if, in the judgment of the commissioner, disclosure of that information would threaten the continued existence of the threatened or endangered species. If the commissioner determines that information is confidential under this subsection, the commissioner may not disclose the information except to the landowner whose property is the location of the threatened or endangered species.

Sec. 41. 12 MRSA §12952, sub-§2-A, ¶A, as enacted by PL 2003, c. 655, Pt. B, §343 and affected by §422, is amended to read:

A. The holder of a taxidermist license shall:

(1) Keep a true and complete record, in such form as required by the commissioner, of all activities conducted by virtue of the taxidermist license; ~~and~~

(2) File a copy of the record with the commissioner no later than 10 days after the end of the year during which the license is valid; ~~and~~

(3) Retain a record of taxidermy work completed for a period of 4 years after the date of completion of the work.

Sec. 42. 12 MRSA §12952, sub-§3, as repealed and replaced by PL 2003, c. 655, Pt. B, §344 and affected by §422, is amended to read:

3. Records inspection. Records retained under subsection 2-A must be open for inspection by any agent of the commissioner during normal business hours ~~for the period the person holds a taxidermist license and 30 days after the effective date of a revocation or the expiration of that license.~~

Sec. 43. 12 MRSA §13051, sub-§2, ¶C, as amended by PL 2011, c. 533, §7, is further amended to read:

C. An agent is delinquent if that agent fails to forward to the commissioner funds collected by that agent by the date established in rules adopted under this subsection. Failure to remit the funds as provided in this subsection results in the following sanctions, in addition to any other provided by law.

~~(2) If the agent has not paid the amount owed by the 60th day after the agent becomes delinquent, the commissioner shall assess a surcharge of 5% of the principal amount owed.~~

(3) If an agent is delinquent for more than 150 days or is delinquent 3 or more times in one year, the commissioner shall:

(a) Terminate the agency for the balance of the year; and

(b) Order that the agency not be renewed for the next year;

Sec. 44. 12 MRSA §13069-B, sub-§1, as enacted by PL 2005, c. 436, §4, is amended to read:

1. Provide information. The operator of a watercraft involved in a collision or accident that results in property damage ~~estimated to be in an amount of \$1,000 or more~~ shall provide the owner or operator of that property:

- A. The operator's name and address; and
- B. The registration number of the operator's watercraft.

Sec. 45. 12 MRSA §13069-C, sub-§2, as enacted by PL 2005, c. 436, §4, is amended to read:

2. Damage to watercraft. Accidents involving only damage to watercraft or other property to the estimated amount of ~~\$1,000~~ \$2,000 or more must be reported within 72 hours on forms provided by the commissioner.

Sec. 46. 12 MRSA §13105, sub-§1, ¶C, as amended by PL 2011, c. 533, §10, is further amended to read:

C. An agent is delinquent if that agent fails to forward to the commissioner funds collected by that agent by the date established in rules adopted under this subsection. Failure to remit the funds as provided in this subsection results in the following sanctions, in addition to any other provided by law.

~~(2) If the agent has not paid the amount owed by the 60th day after the agent becomes delinquent, the commissioner shall assess a surcharge of 5% of the principal amount owed.~~

(3) If an agent is delinquent for more than 150 days or is delinquent 3 or more times in one year, the commissioner shall:

- (a) Terminate the agency for the balance of the year; and
- (b) Order that the agency not be renewed for the next year.

Sec. 47. 12 MRSA §13156, sub-§2, ¶B, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

Sec. 48. 12 MRSA §13157-A, sub-§5, as enacted by PL 2003, c. 655, Pt. B, §414 and affected by §422, is repealed.

Sec. 49. 12 MRSA §13157-A, sub-§15, as enacted by PL 2003, c. 655, Pt. B, §414 and affected by §422, is repealed.

Sec. 50. 12 MRSA §13157-A, sub-§25, ¶A, as amended by PL 2009, c. 340, §24, is further amended to read:

A. Except as provided in section 13159, a person may not:

(1) Operate an ATV that is not equipped at all times with an effective and suitable muffling device on its engine to effectively deaden or muffle the noise of the exhaust;

(2) Operate or modify an ATV with an exhaust system that has been modified in any manner that will increase the noise emitted above the following emission standard:

(a) Each ATV must meet noise emission standards of the United States Environmental Protection Agency and in no case exceed 96 decibels of sound pressure when measured from a distance of 20 inches using test procedures established by the commissioner; or

(3) Operate an ATV without a working spark arrester.

Sec. 51. 12 MRSA §13159, as repealed and replaced by PL 2005, c. 397, Pt. E, §27, is amended to read:

§13159. Racing meets

Notwithstanding section 13155 and section 13157-A, ~~subsection 15~~, subsection 16, paragraph A, subsection 17 and subsection 25, ATVs used exclusively for scheduled racing meets and operated solely on predefined race courses are exempt from the provisions of this chapter concerning registration, mufflers, snorkel kits and lights during the time of operation at these meets and at all prerace practices at the location of the meets.

Sec. 52. Appropriations and allocations. The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Camp North Woods Fund N216

Initiative: Provides allocations to establish the Camp North Woods Fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

CHAPTER 302

H.P. 404 - L.D. 580

An Act To Extend the Funding Period for Landfill Closure Costs

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

Sec. 1. 38 MRSA §1310-F, sub-§1-B, ¶E, as enacted by PL 2011, c. 435, §1, is amended to read:

E. Notwithstanding paragraphs B, C and D, the state cost share is 75% of closure costs, including landfill cover costs, incurred on or after July 1, 1994 and before December 31, ~~2015~~ 2025, if:

- (1) The commissioner originally issued a license on or before September 1, 1989 for operation of the landfill and found that the landfill met the design requirements and environmental protection standards at the time of licensing; and
- (2) The commissioner has since determined that the landfill or portion of the landfill must be closed based on the finding that the landfill is contaminating groundwater and that corrective actions have not been successful.

See title page for effective date.

CHAPTER 303

H.P. 202 - L.D. 284

An Act To Amend the Law Concerning Overwidth Farm Tractors on Public Ways

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

Sec. 1. 29-A MRSA §2381, sub-§2, ¶B, as amended by PL 2005, c. 314, §14, is further amended to read:

B. Overwidth mowing machines, ~~light~~ farm tractors or ~~other lightweight~~ farming vehicles and

equipment not customarily operated over public ways, if equipped with lights pursuant to section 1906, subsection 1, or reflectors at least 12 inches by 12 inches, to the front and rear adequately warning, during nighttime, other highway users of the extreme width; or

See title page for effective date.

CHAPTER 304

S.P. 475 - L.D. 1307

An Act To Fund the Maine Diversion Alert Program

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

Whereas, the Maine Diversion Alert Program requires additional funding in fiscal year 2015-16 and beyond to maintain the program statewide; and

Whereas, this legislation provides funds for the Maine Diversion Alert Program during fiscal year 2015-16; and

Whereas, in order for the funds to be available in fiscal year 2015-16 this legislation needs to take effect before adjournment; and

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

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Provides one-time funds for the Maine Diversion Alert Program.

GENERAL FUND	2015-16	2016-17
All Other	\$95,000	\$0
GENERAL FUND TOTAL	\$95,000	\$0

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

Effective July 1, 2015.

CHAPTER 305

S.P. 530 - L.D. 1415

An Act To Authorize Two General Fund Bond Issues To Improve Highways, Bridges and Multimodal Facilities

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds as described in this Act,

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

Sec. 1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$85,000,000 for the purposes described in section 5 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds.

Sec. 2. Records of bonds issued; Treasurer of State. The Treasurer of State shall ensure that an account of each bond is kept showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Part. Any unencumbered balances remaining at the completion of the project in this Part lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Part and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds from General Fund bond issue. The proceeds of

the sale of the bonds authorized under this Part must be expended as designated in the following schedule under the direction and supervision of the agencies and entities set forth in this section.

TRANSPORTATION, DEPARTMENT OF

Provides funds to construct, reconstruct or rehabilitate Priority 1, Priority 2 and Priority 3 state highways under the Maine Revised Statutes, Title 23, section 73, subsection 7 and associated improvements, for the municipal partnership initiative and to replace and rehabilitate bridges.

Total	\$68,000,000

Provides funds for facilities and equipment related to ports, harbors, marine transportation, aviation, freight and passenger railroads, transit and bicycle and pedestrian trails that preserve public safety or otherwise have demonstrated high transportation economic value, including property acquisition.

Total	\$17,000,000

Sec. 6. Contingent upon ratification of bond issue. Sections 1 to 5 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Part.

Sec. 7. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but not issued within 5 years of ratification of this Part are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

Sec. 9. Referendum for ratification; submission at election; form of question; effective date. This Part must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor an \$85,000,000 bond issue for construction, reconstruction and rehabilitation of highways and

bridges and for facilities and equipment related to ports, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails, to be used to match an estimated \$121,500,000 in federal and other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purposes of this referendum.

Effective pending referendum.

CHAPTER 306

S.P. 454 - L.D. 1272

An Act To Strengthen the Protections for Senior Citizens in the State

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order for the protections it provides for senior citizens to be in place as soon as possible; and

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

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

Sec. 1. 17-A MRSA §555, sub-§1, as repealed and replaced by PL 2005, c. 431, §1, is amended to read:

1. A person is guilty of endangering the welfare of a dependent person if:

A. The person recklessly endangers the health, safety or mental welfare of a dependent person ~~who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect~~. Violation of this paragraph is a Class D crime; or

B. The person intentionally or knowingly endangers the health, safety or mental welfare of a dependent person ~~who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect~~. Violation of this paragraph is a Class C crime.

Sec. 2. 17-A MRSA §555, sub-§2, as repealed and replaced by PL 2005, c. 431, §1, is repealed and the following enacted in its place:

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

A. "Endanger" includes a failure to act only when the defendant has a legal duty to protect the health, safety or mental welfare of the dependent person. For purposes of this paragraph, a legal duty may be inferred if the defendant has assumed responsibility in whole or in part for the care of the dependent person.

B. "Dependent person" means a person, regardless of where that person resides, who is wholly or partially dependent upon one or more other persons for care or support because the person suffers from a significant limitation in mobility, vision, hearing or mental functioning or is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect.

Sec. 3. 17-A MRSA §1151, sub-§8, ¶A, as enacted by PL 1995, c. 149, §1, is amended to read:

A. The age of the victim, particularly of a victim of an advanced age or of a young age who has a reduced ability to self-protect or who suffers more significant harm due to age; and

Sec. 4. 22 MRSA §3472, sub-§1, as amended by PL 2003, c. 653, §2, is further amended to read:

1. Abuse. "Abuse" means the infliction of injury, unreasonable confinement, intimidation or cruel punishment that causes or is likely to cause physical harm or pain or mental anguish; sexual abuse or sexual exploitation; financial exploitation; or the intentional, knowing or reckless deprivation of essential needs. "Abuse" includes acts and omissions.

Sec. 5. 22 MRSA §3472, sub-§9-A is enacted to read:

9-A. Financial exploitation. "Financial exploitation" means the use of deception, intimidation, undue influence, force or other unlawful means to obtain

control over the property of a dependent adult for another's profit or advantage.

Sec. 6. 22 MRSA §3472, sub-§16 is enacted to read:

16. Undue influence. "Undue influence" means the misuse of real or apparent authority or the use of manipulation by a person in a trusting, confidential or fiduciary relationship with a person who is a dependent adult or an incapacitated adult.

Sec. 7. Funding. The Attorney General may accept any funds available to fund on a limited-period basis positions within the Department of the Attorney General to investigate and prosecute the financial exploitation of dependent adults in accordance with this Act.

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

Effective July 6, 2015.

CHAPTER 307

H.P. 24 - L.D. 25

An Act To Regulate Domestic Unmanned Aerial Vehicle Use

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

Sec. 1. 25 MRSA Pt. 12 is enacted to read:

PART 12

UNMANNED AERIAL VEHICLES

CHAPTER 551

REGULATION OF UNMANNED AERIAL VEHICLES

§4501. Regulation of unmanned aerial vehicles

1. Findings. The Legislature finds that evolving technology regarding unmanned aerial vehicles presents a potential economic driver for the State, an opportunity for research and development and a very real benefit for security, for search and rescue efforts and for disaster prevention and relief, as well as a tool for the investigation of serious crimes, but the technology also presents a potential threat to the privacy of citizens of this State if used by law enforcement in the conduct of criminal investigations without appropriate guidelines and supervision.

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

A. "Law enforcement agency" has the same meaning as in section 3701, subsection 1.

B. "Unmanned aerial vehicle" means an aircraft operated without a physical human presence within or on the aircraft that, in the manner in which the aircraft is used or the manner in which it is equipped, is capable of performing audio or visual surveillance.

3. Acquisition of unmanned aerial vehicles.

The acquisition of an unmanned aerial vehicle by a law enforcement agency must be approved by the governing body of the governmental unit overseeing the law enforcement agency seeking to make such an acquisition or, in the case of a state agency, by the commissioner of that agency.

4. Law enforcement agency operation of unmanned aerial vehicles. A law enforcement agency's operation of an unmanned aerial vehicle must fully comply with all Federal Aviation Administration requirements and guidelines, including the acquisition of a certificate of authorization or waiver from the Federal Aviation Administration. Additionally, a law enforcement agency's use of an unmanned aerial vehicle is governed by the following provisions.

A. A law enforcement agency may not use an unmanned aerial vehicle before adopting standards that meet, at a minimum, the standards set forth in subsection 5.

B. Except as permitted by a recognized exception to the requirement for a warrant under the Constitution of Maine or the United States Constitution, a law enforcement agency may not use an unmanned aerial vehicle for criminal investigations without a warrant.

C. Notwithstanding paragraph A, a law enforcement agency may use an unmanned aerial vehicle for the purpose of a search and rescue operation when the law enforcement agency determines that use of an unmanned aerial vehicle is necessary to alleviate an immediate danger to any person or for training exercises related to such uses.

D. Notwithstanding paragraph A, a law enforcement agency may use an unmanned aerial vehicle for purposes other than the investigation of crime, including, but not limited to, aerial photography for the assessment of accidents, forest fires and other fire scenes, flood stages and storm damage.

E. In no case may a weaponized unmanned aerial vehicle be used or its use facilitated by a state or local law enforcement agency in this State.

F. A law enforcement agency may not use an unmanned aerial vehicle to conduct surveillance of private citizens peacefully exercising their constitutional rights of free speech and assembly.

G. Notwithstanding paragraph A, a law enforcement agency may use an unmanned aerial vehicle

for an emergency use approved by the chief administrative officer of the agency or the Governor.

5. Minimum standards for law enforcement.

The Board of Trustees of the Maine Criminal Justice Academy, in consultation with the Office of the Attorney General, shall establish minimum standards for written policies and protocols for use of unmanned aerial vehicles by law enforcement agencies. The standards must include at a minimum:

A. Training and certification requirements for a person operating an unmanned aerial vehicle;

B. Requirements for prior authorization for the use of an unmanned aerial vehicle by the chief administrative officer of the law enforcement agency seeking to use such a vehicle;

C. Approval by the Attorney General or chief prosecuting attorney for the appropriate jurisdiction for the deployment of an unmanned aerial vehicle for criminal investigation purposes;

D. Restrictions on the use of night vision technology, high-powered zoom lenses, video analytics, facial recognition technology, thermal imaging and other such enhancement technology;

E. Procedures to minimize the inadvertent audio or visual recording of private spaces of 3rd parties who are not under investigation;

F. Procedures for destroying any unnecessary audio or visual recordings without further duplication or dissemination;

G. Recommended minimum altitudes and speeds at which an unmanned aerial vehicle may be flown in order to minimize the invasion of privacy of 3rd parties who are not under investigation;

H. Methods to minimize the number of unmanned aerial vehicles deployed at any one time in any one area or at any one event;

I. Procedures to avoid hazards to persons and property on land and in the air due to the operation of unmanned aerial vehicles;

J. Methods for tracking and recording the flight of each unmanned aerial vehicle;

K. Requirements for regular statistical reporting of all uses of unmanned aerial vehicles, including the purposes, the results and the duration of such uses, to the appropriate governmental bodies; and

L. Accountability of a law enforcement agency for any mistake in deployment or misuse of an unmanned aerial vehicle, including sanctions as provided in section 2803-C or section 2806-A, as applicable.

6. Data collection. On or before July 1, 2016 and July 1st of each subsequent year, the Commis-

sioner of Public Safety shall submit to the Legislature a report containing the number of instances in which an unmanned aerial vehicle has been deployed by any law enforcement agency in the State with summary descriptions of the number of deployments for investigative purposes, the general nature of those investigations and the number of search warrants sought and the number of search warrants obtained for the deployment of unmanned aerial vehicles.

See title page for effective date.

CHAPTER 308

S.P. 46 - L.D. 113

An Act To Reduce the Penalties for Certain Drug Offenses

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

Sec. 1. 17-A MRSA §1107-A, sub-§1, ¶A, as enacted by PL 2001, c. 383, §127 and affected by §156, is amended to read:

A. A schedule W drug ~~that~~ and at the time of the offense the person had one or more convictions for violating this chapter or for engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction and the drug is:

- (1) Cocaine and the quantity possessed is more than 14 grams;
- (2) Cocaine in the form of cocaine base and the quantity possessed is more than 4 grams; or
- (3) Methamphetamine and the quantity possessed is more than 14 grams.

Section 9-A governs the use of prior convictions when determining a sentence, except that, for the purposes of this paragraph, the date of a prior conviction may precede the commission of the offense by more than 10 years.

Violation of this paragraph is a Class B crime;

Sec. 2. 17-A MRSA §1107-A, sub-§1, ¶B, as amended by PL 2007, c. 476, §43, is further amended to read:

B. A schedule W drug ~~that~~ and at the time of the offense the person had one or more convictions for violating this chapter or for engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction and the drug contains:

- (1) Heroin (diacetylmorphine);

(2) Cocaine in the form of cocaine base ~~and at the time of the offense the person has one or more prior convictions for any offense under this chapter or for engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction. For the purposes of this paragraph, a person has been convicted of an offense on the date the judgment of conviction was entered by the court;~~

- (3) Methamphetamine;
- (4) Oxycodone;
- (5) Hydrocodone; or
- (6) Hydromorphone.

Section 9-A governs the use of prior convictions when determining a sentence, except that, for the purposes of this paragraph, the date of a prior conviction may precede the commission of the offense by more than 10 years.

Violation of this paragraph is a Class C crime;

Sec. 3. 17-A MRSA §1152, sub-§2-D is enacted to read:

2-D. In choosing the appropriate punishment for every natural person convicted of a Class D drug offense, the court shall consider imposing a sentencing alternative that includes medical and mental health treatment for addiction, when appropriate.

See title page for effective date.

CHAPTER 309

H.P. 783 - L.D. 1145

An Act To Improve Maine's Involuntary Commitment Processes

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to facilitate the appropriate treatment of patients with mental illness; and

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

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

Sec. 1. 34-B MRSA §3861, sub-§4 is enacted to read:

4. Emergency involuntary treatment. Nothing in this section precludes a medical practitioner from administering involuntary treatment to a person who is being held or detained by a hospital against the person's will under the provisions of this subchapter, if the following conditions are met:

A. As a result of mental illness, the person poses a serious and immediate risk of harm to that person or others;

B. The person lacks the decisional capacity either to provide informed consent for treatment or to make an informed refusal of treatment;

C. A person legally authorized to provide consent for treatment on behalf of the person is not reasonably available under the circumstances;

D. The treatment being administered is a currently recognized standard of treatment for treating the person's mental illness and is the least restrictive form of treatment appropriate in the circumstances;

E. For purposes of evaluation for emergency involuntary treatment, the medical practitioner considers available history and information from other sources, including, but not limited to, family members, that are considered reliable by the examiner; and

F. A reasonable person concerned for the welfare of the person would conclude that the benefits of the treatment outweigh the risks and potential side effects of the treatment and would consent to the treatment under the circumstances.

Sec. 2. 34-B MRSA §3863, sub-§2, as amended by PL 2009, c. 651, §14, is further amended to read:

2. Certifying examination. The written application must be accompanied by a dated certificate, signed by a medical practitioner stating:

A. That the practitioner has examined the person on the date of the certificate;

B. That the medical practitioner is of the opinion that the person is mentally ill and, because of that illness, poses a likelihood of serious harm. The written certificate must include a description of the grounds for that opinion. The opinion may be based on personal observation or on history and information from other sources considered reliable by the examiner, including, but not limited to, family members; and

C. That adequate community resources are unavailable for care and treatment of the person's mental illness; ~~and.~~

~~D. The grounds for the practitioner's opinion, which may be based on personal observation or on history and information from other sources considered reliable by the examiner.~~

Sec. 3. 34-B MRSA §3863, sub-§3, ¶¶D and E are enacted to read:

D. A person who has been held against that person's will for no more than 24 hours pursuant to paragraph B may be held for a reasonable additional period of time, not to exceed 48 hours, if:

(1) The hospital has had an evaluation of the person conducted by an appropriately designated individual and that evaluation concludes that the person poses a likelihood of serious harm due to mental illness;

(2) The hospital, after undertaking its best efforts, has been unable to locate an available inpatient bed at a psychiatric hospital or other appropriate alternative; and

(3) The hospital has notified the department of the name of the person, the location of the person, the name of the appropriately designated individual who conducted the evaluation pursuant to subparagraph (1) and the time the person first presented to the hospital.

E. If a person remains in a hospital for the full 48 hours allowed under paragraph D, the person may be held for one additional 48-hour period, if:

(1) The hospital satisfies again the requirements of paragraph D; and

(2) The department provides its best efforts to find an inpatient bed at a psychiatric hospital or other appropriate alternative.

Sec. 4. 34-B MRSA §3863, sub-§4, ¶B, as amended by PL 2007, c. 319, §9, is further amended to read:

B. The Department of Health and Human Services is responsible for any reasonable transportation expenses under this section, including return from the psychiatric hospital if admission is declined. The department shall utilize any 3rd-party payment sources that are available.

Sec. 5. 34-B MRSA §3863, sub-§7-A is enacted to read:

7-A. Post-admission discharge. If it is necessary to discharge a person because findings required for admission under subsection 2 are not certified in a 2nd opinion by a staff physician or licensed clinical psychologist after examination in accordance with subsection 7, the staff physician or licensed clinical psychologist shall record the discharge on the written application, which must contain a statement that the

findings required for the person's admission specified under subsection 2 were not met.

Sec. 6. 34-B MRSA §3864, sub-§2, ¶C, as amended by PL 1995, c. 496, §3, is further amended to read:

C. A court orders release or discharge upon a writ of habeas corpus under section 3804; ~~or~~

Sec. 7. 34-B MRSA §3864, sub-§2, ¶D, as amended by PL 2007, c. 319, §10, is further amended to read:

D. Upon request of the commissioner, the District Court orders the transfer of a patient in need of more specialized treatment to another psychiatric hospital. In the event of a transfer, the court shall transfer its file to the District Court having territorial jurisdiction over the receiving psychiatric hospital; or

Sec. 8. 34-B MRSA §3864, sub-§2, ¶E is enacted to read:

E. The person has capacity to make an informed decision for informal voluntary admission, agrees to informal voluntary admission and the chief administrative officer of the hospital determines that informal voluntary admission is suitable.

Sec. 9. 34-B MRSA §3868, sub-§1, ¶C is enacted to read:

C. For a patient transferred under this subsection, the order of involuntary commitment and the order of involuntary treatment, if any, remain in effect and are transferred to the receiving hospital.

Sec. 10. 34-B MRSA §3874 is enacted to read:

§3874. Medical examinations conducted via telemedicine technologies

Notwithstanding any other provision in this subchapter, any medical examination or consultation required or permitted to be conducted under this subchapter may be conducted using telemedicine or other similar technologies that enable the medical examination or consultation to be conducted in accordance with applicable standards of care. As used in this section, "telemedicine" has the same meaning as in Title 24-A, section 4316, subsection 1.

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

Effective July 2, 2015.

CHAPTER 310
S.P. 26 - L.D. 78

**An Act Regarding Limitations
on Certain Storm Water Fees**

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

Sec. 1. 38 MRSA §420-E is enacted to read:

**§420-E. Municipal storm water ordinances;
transportation systems**

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

A. "Adjunct facility" includes, but is not limited to, an intermodal transportation facility, freight yard, railroad station and toll facility.

B. "Commercial property" includes retail service plazas, tourist information centers and other property whose primary function is commercial activity.

C. "Transportation system" includes, but is not limited to, a roadway; bridge; bike path, sidewalk or weighing station adjacent to a roadway or bridge; railroad line; pier; port; airport; trail; and adjunct facility to move persons or goods. "Transportation system" does not include an office building, commercial property, maintenance facility or park and ride lot.

2. Transportation system not subject to fee or tax. The transportation system under the jurisdiction of the Department of Transportation or the Maine Turnpike Authority is not subject to any fee or tax imposed pursuant to a municipal storm water ordinance.

Sec. 2. PL 2007, c. 306, §11 is repealed.

See title page for effective date.

CHAPTER 311
S.P. 114 - L.D. 299

**An Act To Protect Children in
School Facilities by Requiring
Boiler Inspections**

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 32 MRSA §15102, sub-§1, ¶E, as amended by PL 2013, c. 595, Pt. U, §11, is further amended to read:

E. Steam heating boilers, hot water heating boilers and hot water supply boilers ~~constructed and installed in accordance with the rules adopted by the director~~, with the exception of boilers located in schoolhouses; or

See title page for effective date.

CHAPTER 312
S.P. 252 - L.D. 722

**An Act To Strengthen Penalties
for Abuse of General
Assistance**

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

Sec. 1. 22 MRSA §4315, first ¶, as amended by PL 1993, c. 410, Pt. AAA, §9, is further amended to read:

Whoever knowingly and willfully makes any false representation of a material fact to the overseer of any municipality or to the department or its agents for the purpose of causing that or any other person to be granted assistance by the municipality or by the State is guilty of a Class E crime and shall reimburse the municipality for that assistance. Further assistance may be denied until that person reimburses the municipality for the assistance or enters into a written agreement, which must be reasonable under the circumstances, to reimburse the municipality or that person has been ineligible for assistance for a period of 120 days and is guilty of a Class E crime, whichever period is longer.

Sec. 2. 22 MRSA §4315, 3rd ¶, as amended by PL 1993, c. 410, Pt. AAA, §9, is further amended to read:

If the overseer of any municipality or the fair hearing officer finds that a recipient made a false representation to the overseer in violation of this section, that recipient is required to reimburse the municipality for any assistance rendered for which that recipient was ineligible ~~and~~. The recipient is ineligible from receiving further assistance for a period of 120 days or until that person reimburses the municipality for the assistance or enters into a written agreement, which must be reasonable under the circumstances, to reimburse that municipality, whichever period is longer.

See title page for effective date.

CHAPTER 313
H.P. 509 - L.D. 756

**An Act To Enhance the
Address Confidentiality
Program Regarding Property
Records**

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

Sec. 1. 5 MRSA §90-B, sub-§4, as amended by PL 2013, c. 478, §1, is further amended to read:

4. Use of designated address. Upon demonstration of a program participant's certification in the program, state and local government agencies and the courts shall accept and use only the designated address as a program participant's address unless the secretary has determined that: approved an exemption pursuant to subsection 5-A.

~~A. The agency has a bona fide statutory or administrative requirement for the use of the program participant's address or mailing address, such that it is unable to fulfill its statutory duties and obligations without the residential address; and~~

~~B. The program participant's address or mailing address will be used only for those statutory and administrative purposes.~~

Sec. 2. 5 MRSA §90-B, sub-§5, as amended by PL 2013, c. 478, §1, is repealed.

Sec. 3. 5 MRSA §90-B, sub-§5-A is enacted to read:

5-A. Disclosure to law enforcement and to other state and local agencies. If the secretary determines it appropriate, the secretary may make a program participant's address or mailing address available for use by granting an exemption under the following circumstances:

A. Upon request to the secretary by:

(1) A law enforcement agency in the manner provided for by rule; or

(2) A commissioner or other chief administrator of a state or local government agency or the commissioner's or administrator's designee in the manner provided for by rule; and

B. Upon a finding by the secretary that:

(1) An agency under paragraph A has a bona fide statutory, administrative or law enforcement requirement for use of the program participant's address or mailing address such that the agency is unable to fulfill its statutory duties and obligations without the address or mailing address; and

(2) The program participant's address or mailing address will be used only for those statutory, administrative or law enforcement purposes and otherwise will be kept under seal and excluded from public inspection.

Sec. 4. 36 MRSA §191, sub-§2, ¶K, as amended by PL 2009, c. 361, §11, is further amended to read:

K. The disclosure by a municipal assessor, or by the State Tax Assessor with regard to the unorganized territory, of information contained on a declaration of value filed pursuant to section 4641-D or the Internet publication by the State Tax Assessor of information, other than taxpayer identification numbers, obtained from declarations of value filed pursuant to section 4641-D, except that, upon request by an individual who is certified by the Secretary of State as a participant in the Address Confidentiality Program pursuant to Title 5, section 90-B, the municipal assessor shall redact the name of that individual on the declaration of value form prior to disclosure;

See title page for effective date.

CHAPTER 314
S.P. 315 - L.D. 870

**An Act To Amend the Maine
Spruce Budworm Management
Laws**

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

Sec. 1. 12 MRSA §8422, sub-§§1, 2 and 4, as enacted by PL 1979, c. 737, §12, are amended to read:

1. Supply of wood. ~~The protection of an adequate~~ Monitoring the status of and reporting on the present and future supply of wood to support the long-term economic needs of the State and of its forest products industries;

2. Development of program. The development and utilization in both the public and private sectors of forest protection and management programs ~~which~~ that are cost-effective, biologically sound and responsive to the public's environmental and health concerns ~~of the public;~~

4. Private efforts; pest management. The encouragement of private efforts to undertake a variety of integrated pest management techniques ~~which~~ that result in a long-term reduction in the susceptibility vulnerability of the ~~state's~~ State's forests to spruce budworm infestation and loss;

Sec. 2. 12 MRSA §8422, sub-§4-A is enacted to read:

4-A. Presalvage and salvage harvesting. The regulation of presalvage and salvage harvesting designed to reduce losses of timber while protecting public trust resources and supporting the protection of wildlife habitat through the retention of non-susceptible tree species where silviculturally and ecologically appropriate;

Sec. 3. 12 MRSA §8422, sub-§§5 to 7, as enacted by PL 1979, c. 737, §12, are amended to read:

5. Implementation. ~~The implementation of equitable methods for determining private and public participation in, and financing of, spruce budworm suppression and prevention management programs, including provision for voluntary participation in future insecticide spray projects;~~

6. Regulatory review. ~~The provision for adequate regulatory review of any proposed insecticide spray projects by an independent state agency the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control; and~~

7. Management options. ~~The provision of management and utilization assistance programs options for small forest landowners designed to minimize impacts of spruce budworm infestation and loss.~~

Sec. 4. 12 MRSA §8423-A, sub-§§2 and 4, as enacted by PL 1981, c. 278, §2, are repealed.

Sec. 5. 12 MRSA §8423-A, sub-§5, as enacted by PL 1981, c. 278, §2, is amended to read:

5. Forest land owners. ~~"Forest land owners" means persons who own forest lands within the district, including, without limitation, persons owning or claiming timber and grass rights in public reserved land located within the district.~~

Sec. 6. 12 MRSA §8423-A, sub-§6, as enacted by PL 1981, c. 278, §2 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §23, is further amended to read:

6. Management program. ~~"Management program" means all activities undertaken by the Bureau of Forestry in connection with the short-term and long-term suppression, control and prevention management of spruce budworm infestations, including, without limitation, any activities undertaken in connection with spray projects, spruce budworm survey and detection activities, targeting silvicultural, marketing and integrated pest management programs, research, methods development and related activities and any involvement in any spray activities.~~

Sec. 7. 12 MRSA §8423-A, sub-§7-A is enacted to read:

7-A. Presalvage and salvage harvesting. "Presalvage and salvage harvesting" means the harvesting of trees vulnerable to damage.

Sec. 8. 12 MRSA §8423-A, sub-§§8 and 10, as enacted by PL 1981, c. 278, §2, are repealed.

Sec. 9. 12 MRSA §8423-A, sub-§11, as enacted by PL 1981, c. 278, §2 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §23, is repealed.

Sec. 10. 12 MRSA §8423-A, sub-§13 is enacted to read:

13. Spruce budworm timber harvesting standards. "Spruce budworm timber harvesting standards" means standards for presalvage and salvage harvesting of spruce and fir stands vulnerable to and subject to spruce budworm damage.

Sec. 11. 12 MRSA §8423-B, as enacted by PL 1981, c. 278, §3, is repealed.

Sec. 12. 12 MRSA §8423-C is enacted to read:

§8423-C. Presalvage and salvage harvesting

1. Regulation. The Department of Agriculture, Conservation and Forestry shall regulate the presalvage and salvage harvesting of forest stands in areas that, based on the proportion of balsam fir, white spruce, red spruce, black spruce, other softwood and hardwood components present, have significant risk of damage from spruce budworm and are subject to a credible threat of imminent spruce budworm damage.

A. The assessments of risk and vulnerability of a specific forest stand must be supported by adequate data, including but not limited to:

(1) Forest stand type information; and

(2) A documented history of recent elevated spruce budworm moth presence or foliage damage from spruce budworm feeding.

B. The director shall designate areas for presalvage and salvage harvesting subject to rules adopted pursuant to subsection 5 no later than January 1st of each year. Areas designated for presalvage and salvage harvesting must be inspected and verified by a licensed forester in the employ of the bureau. The director shall seek public comment for a 30-day period prior to designating such areas.

C. A forest stand that is identified for presalvage and salvage harvesting must be located within the areas designated pursuant to paragraph B.

2. Notification. Prior to beginning timber harvesting pursuant to this subchapter, a landowner or designated agent shall notify the bureau in accordance

with the notification requirements set forth in chapter 805, subchapter 5.

3. Reporting. Timber harvests conducted pursuant to this subchapter are subject to the same reporting requirements set forth in chapter 805, subchapter 5, except that the director may require additional information to be reported to satisfy the requirements of this subchapter.

4. Confidentiality. Reports filed in accordance with subsection 3 are confidential. The director may publish summary reports that use aggregated data that do not reveal the activities of an individual person or firm. Reports submitted pursuant to subsection 3 must be available for the use of the State Tax Assessor for the administration of Title 36.

5. Rules. The commissioner shall adopt rules to implement this subchapter, including rules establishing spruce budworm timber harvesting standards. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

A. The rules must:

- (1) Exclude presalvage and salvage harvesting in protection subdistricts within the jurisdiction of the Maine Land Use Planning Commission and in areas subject to timber harvesting regulation under section 8867-B;
- (2) Identify the areas subject to a credible threat of imminent spruce budworm damage and the forest stand criteria needed for pre-salvage and salvage harvesting; and
- (3) Define the size and scope of presalvage and salvage harvesting projects that will require additional review by the bureau.

B. The Commissioner of Agriculture, Conservation and Forestry shall consult with the Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife to ensure that rules adopted under this subsection are consistent with wildlife habitat and environmental protection.

C. Except as otherwise provided in this subchapter or in rules developed pursuant to this subsection, the provisions of chapter 805, subchapter 3-A do not apply to presalvage and salvage harvesting regulated under this subchapter.

D. The rules must provide that regeneration requirements adopted by rule pursuant to section 8869, subsection 1 apply to spruce budworm timber harvesting conducted pursuant to this subchapter.

6. Penalties. A person who violates this section or a rule adopted pursuant to this section commits a civil violation and is subject to the following penalties:

A. A person who violates this section or a rule adopted pursuant to this section commits a civil violation for which a fine of not less than \$100 and not more than \$1,000 may be adjudged for each day of that violation; and

B. A person who violates this section or a rule adopted pursuant to this section after having previously been adjudicated of a violation of this section within the previous 5-year period commits a civil violation for which a fine of not less than \$1,000 but not more than \$2,000 may be adjudged for each day of that violation.

If the economic benefit resulting from the violation exceeds the applicable penalties under paragraphs A and B, the maximum fines may be increased. The maximum fine may not exceed an amount equal to twice the economic benefit resulting from the violation. The bureau shall consider as economic benefit, without limitation, the costs avoided or the enhanced value accrued at the time of the violation by the violator as a result of not complying with the applicable legal requirements.

Sec. 13. 12 MRSA §8424, sub-§1, as enacted by PL 1979, c. 737, §12 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §23, is further amended to read:

1. General authority. In accordance with the provisions of this subchapter, the Bureau of Forestry, acting under the supervision of the director, ~~shall be empowered to~~ may plan for and undertake activities related to ~~spruce budworm~~ and spruce budworm management programs on behalf of the State.

Sec. 14. 12 MRSA §8424, sub-§2, as amended by PL 2011, c. 657, Pt. W, §7; c. 662, §10; and PL 2013, c. 405, Pt. A, §23, is repealed.

Sec. 15. 12 MRSA §8424, sub-§3, as amended by PL 1985, c. 58, §1, is repealed.

Sec. 16. 12 MRSA §8424, sub-§§4 and 5, as enacted by PL 1979, c. 737, §12, are repealed.

Sec. 17. 12 MRSA §8424, sub-§6, as amended by PL 1983, c. 623, is repealed.

Sec. 18. 12 MRSA §8424, sub-§§7 and 8, as enacted by PL 1979, c. 737, §12 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §23, are further amended to read:

7. Technical assistance programs. The Bureau of Forestry shall ~~undertake to develop and implement budworm management~~ use its authorized technical assistance programs for small wood lot owners to assist landowners with spruce budworm management issues.

8. Supply-demand analyses. The Bureau of Forestry shall conduct or cause to be conducted an ~~analysis~~ analyses of future supply and demand for the

spruce and fir resources of the State. ~~The purpose of such analysis shall be to determine the types and levels of future spruce budworm protection needs and strategies for such spruce and fir resources.~~

Sec. 19. 12 MRSA §8424, sub-§9, as enacted by PL 1979, c. 737, §12 and amended by PL 2011, c. 657, Pt. W, §§5 and 7 and PL 2013, c. 405, Pt. A, §23, is repealed.

Sec. 20. 12 MRSA §8425, as enacted by PL 1979, c. 737, §12 and amended by PL 2011, c. 657, Pt. W, §§5 and 7 and PL 2013, c. 405, Pt. A, §23, is repealed.

Sec. 21. 12 MRSA §8426, as amended by PL 1985, c. 664, §1; PL 2011, c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §23, is repealed.

Sec. 22. 12 MRSA §8427, as corrected by RR 2013, c. 2, §19, is repealed.

Sec. 23. 12 MRSA §8428, sub-§§2 and 3, as enacted by PL 1979, c. 737, §12, are repealed.

Sec. 24. 12 MRSA §8428, sub-§4, as enacted by PL 1979, c. 737, §12 and amended by PL 2011, c. 657, Pt. W, §6, is repealed.

Sec. 25. 12 MRSA §8428, sub-§5, as enacted by PL 1979, c. 737, §12, is amended to read:

5. Entry on lands. ~~The director or his the director's~~ representatives may enter, ~~upon reasonable advance notice to the landowner, at any reasonable time and in a reasonable manner, any tract of land for on which application pursuant to section 8424, subsection 2, has been made in order to inspect the same free of any charge or cost imposed by the owner or his agents~~ a spruce budworm management program is being conducted or is proposed to be conducted.

Sec. 26. 12 MRSA §8428, sub-§6, as enacted by PL 1979, c. 737, §12, is repealed.

Sec. 27. 12 MRSA §8428, sub-§7, as enacted by PL 1979, c. 737, §12, is amended to read:

7. Contractual authority. ~~The director, with the approval of the commissioner, shall have the authority to may enter into contracts for the acquisition of insecticides, aircraft, personnel and other goods and services necessary or appropriate for management programs and for other purposes related to this subchapter.~~

Sec. 28. 12 MRSA §8428, sub-§8, as enacted by PL 1979, c. 737, §12, is repealed.

Sec. 29. 12 MRSA §8428, sub-§10, as corrected by RR 2013, c. 1, §24, is amended to read:

10. Report. The director shall, at the end of each calendar year, undertake a ~~complete financial~~ review of any spruce budworm management program activities undertaken that year and shall make a full report

on the activities to the joint standing committee of the Legislature having jurisdiction over forestry management matters during the next session of the Legislature. The report ~~shall~~ must include, but is not be limited to, sources of funding, private, state or federal and total expenditures broken down in the following categories: Insecticides, aircraft, monitoring, research and other appropriate categories. ~~Also to be included shall be a statement of any remaining balance by source, private, state or federal~~ spruce budworm survey and monitoring activities and findings, outcomes of any research or methods development activities, levels and outcomes of harvest monitoring for harvests conducted under rules adopted pursuant to this subchapter, scopes of landowner assistance activities conducted and other issues as appropriate. The Department of Agriculture, Conservation and Forestry, Board of Pesticides Control must report information on spray activities related to spruce budworm management and outcomes annually to the bureau no later than March 1st. Reports required under this subsection must use aggregated data that do not reveal the activities of an individual person or firm.

Sec. 30. 12 MRSA §8428, sub-§11, as enacted by PL 1985, c. 664, §3, is repealed.

Sec. 31. 12 MRSA §8430, as amended by PL 1987, c. 183, §4; PL 2011, c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §23, is further amended to read:

§8430. Research

1. Authority. The Bureau of Forestry, acting through its director, with the approval of the commissioner, may make grants of funds and enter into contracts for purposes of research related to forest management strategies, effects on wildlife and wildlife habitat, insecticide and spray application technologies, integrated pest management techniques, forest product marketing and utilization and other issues pertinent to the purposes of this subchapter. This research may be funded with any funds available, ~~provided that as long as~~ as the cost of environmental and health monitoring of spray projects ~~shall be~~ are part of annual spray project costs and not paid out of General Fund moneys.

2. Research on public lands. The commissioner, director or other chief executive officer of any state agency having jurisdiction over any public land may make that land over which the commissioner, director or officer has jurisdiction available on such terms and conditions as ~~he deems the commissioner, director or officer considers~~ reasonable to any public or private nonprofit entity engaged in spruce budworm control research and related silvicultural control research. The director shall likewise encourage private landowners within the State to make their lands available for the same purposes.

Sec. 32. 12 MRSA §8431 is enacted to read:
§8431. Effect of other laws

This subchapter does not exempt any presalvage and salvage harvesting on public reserved lands and nonreserved public lands from any other law governing management of those lands, including but not limited to management of deer wintering areas.

Sec. 33. 36 MRSA §112, sub-§8, ¶C, as amended by PL 2011, c. 548, §10, is repealed.

See title page for effective date.

**CHAPTER 315
S.P. 353 - L.D. 1013**

**An Act To Prevent the
Shackling of Pregnant
Prisoners and Pregnant
Juveniles**

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

Sec. 1. 30-A MRSA §1510 is enacted to read:
§1510. Definitions

For the purposes of this chapter, "prisoner" or "inmate" means an adult sentenced and committed to, transferred to or detained in the custody of a jail, including an adult in a community confinement monitoring program pursuant to section 1659-A.

Sec. 2. 30-A MRSA c. 13, sub-c. 2-A is enacted to read:

**SUBCHAPTER 2-A
PREGNANT PRISONERS AND PREGNANT
JUVENILES**

§1581. Definitions

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

1. Corrections officer. "Corrections officer" means a person who is responsible for the custody or direct supervision of a person confined in a jail, prison or state correctional facility pursuant to an order of a court or as a result of an arrest and who possesses a current and valid certificate issued by the Board of Trustees of the Maine Criminal Justice Academy pursuant to Title 25, section 2803-A.

2. Labor. "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity and duration to bring about effacement and progressive dilation of the cervix.

3. Postpartum recovery. "Postpartum recovery" means, as determined by a woman's physician, the period immediately following delivery, including the entire period the woman is in the hospital or infirmary after giving birth.

4. Restraints. "Restraints" means any physical restraint or mechanical device used to control the movement of a prisoner's or juvenile's body or limbs, including, but not limited to, disposable or soft restraints, handcuffs, a security restraint system that combines handcuffs with a rigid component, leg irons, belly chains, a security or tether chain and a convex shield.

§1582. Restraint of pregnant prisoners and pregnant juveniles

1. Restraints prohibited. A jail may not use restraints on a prisoner or juvenile known to be pregnant, including during transport to a medical facility or birthing center, labor, delivery and postpartum recovery, unless the jail administrator or the designee of the jail administrator makes a determination that the prisoner or juvenile presents an extraordinary circumstance as described in subsection 2.

2. Exceptions. Use of restraints on a pregnant prisoner or a pregnant juvenile for an extraordinary circumstance is permitted only if a jail administrator or designee of the jail administrator makes a determination that there is a substantial flight risk or other extraordinary medical or security circumstance that requires restraints to be used to ensure the safety and security of the pregnant prisoner or pregnant juvenile, the staff of the jail or medical facility, other prisoners or juveniles or the public, except that:

A. If a doctor, nurse or other health professional treating the prisoner or juvenile requests that restraints not be used, the corrections officer accompanying the prisoner or juvenile shall immediately remove all restraints; and

B. Notwithstanding this subsection, leg or waist restraints may not be used at any time, and restraints may not be used on a prisoner or juvenile in labor or childbirth.

3. Procedures. If restraints are used on a pregnant prisoner or pregnant juvenile pursuant to subsection 2:

A. The corrections officer must apply the least restrictive type of restraints in the least restrictive manner necessary; and

B. The jail administrator or designee of the jail administrator shall make written findings within 10 days as to the extraordinary circumstance that required the use of the restraints. These findings must be kept on file by the jail for at least 5 years and must be made available for public inspection, except that individually identifying information of

any prisoner or juvenile may not be made public under this paragraph without the prior written consent of the prisoner or juvenile.

4. Privacy. When a prisoner or juvenile is admitted to a medical facility or birthing center for labor or childbirth, a corrections officer may not be present in the room during labor or childbirth unless specifically requested by medical personnel. If a corrections officer's presence is requested by medical personnel, the corrections officer must be female if practicable.

§1583. Standards; notice to female prisoners and juveniles

1. Mandatory minimum standards for pregnant prisoners and juveniles. The Commissioner of Corrections shall adopt rules to establish mandatory minimum standards necessary to implement this subchapter and must enforce those standards as provided under Title 34-A, section 1208. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Notice. The jail administrator or the jail administrator's designee shall inform all female prisoners and female juveniles upon admission to the jail of the mandatory minimum standards adopted pursuant to subsection 1.

Sec. 3. 30-A MRSA §1660, sub-§4 is enacted to read:

4. Information on pregnant prisoners and pregnant juveniles. The report required in this section must include the following information for each jail about pregnant prisoners and pregnant juveniles restrained pursuant to subchapter 2-A during the prior calendar year:

- A. The total number of pregnant prisoners and pregnant juveniles;
- B. The total number of pregnant prisoners and pregnant juveniles who were restrained;
- C. The length of time each pregnant prisoner or pregnant juvenile was restrained; and
- D. The reasons for each instance of restraining a pregnant prisoner or pregnant juvenile.

Sec. 4. 34-A MRSA c. 3, sub-c. 1, art. 4 is enacted to read:

ARTICLE 4

PREGNANT PRISONERS AND PREGNANT JUVENILES

§3101. Definitions

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

1. Corrections officer. "Corrections officer" means a person who is responsible for the custody or direct supervision of a person confined in a jail, prison or state correctional facility pursuant to an order of a court or as a result of an arrest and who possesses a current and valid certificate issued by the Board of Trustees of the Maine Criminal Justice Academy pursuant to Title 25, section 2803-A.

2. Juvenile. "Juvenile" means juvenile client or juvenile detainee.

3. Labor. "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity and duration to bring about effacement and progressive dilation of the cervix.

4. Postpartum recovery. "Postpartum recovery" means, as determined by a woman's physician, the period immediately following delivery, including the entire period the woman is in the hospital or infirmary after giving birth.

5. Restraints. "Restraints" means any physical restraint or mechanical device used to control the movement of a prisoner's or juvenile's body or limbs, including, but not limited to, disposable or soft restraints, handcuffs, a security restraint system that combines handcuffs with a rigid component, leg irons, belly chains, a security or tether chain and a convex shield.

§3102. Restraint of pregnant prisoners and pregnant juveniles

1. Restraints prohibited. A correctional facility or a detention facility may not use restraints on a prisoner or juvenile known to be pregnant, including during transport to a medical facility or birthing center, labor, delivery and postpartum recovery, unless the chief administrative officer or the designee of the chief administrative officer makes a determination that the prisoner or juvenile presents an extraordinary circumstance as described in subsection 2.

2. Exceptions. Use of restraints on a pregnant prisoner or a pregnant juvenile for an extraordinary circumstance is permitted only if the chief administrative officer or the designee of the chief administrative officer makes a determination that there is a substantial flight risk or other extraordinary medical or security circumstance that requires restraints to be used to ensure the safety and security of the pregnant prisoner or pregnant juvenile, the staff of the correctional facility, detention facility or medical facility, other prisoners or juveniles or the public, except that:

- A. If a doctor, nurse or other health professional treating the prisoner or juvenile requests that restraints not be used, the corrections officer accompanying the prisoner or juvenile shall immediately remove all restraints; and

B. Notwithstanding this subsection, leg or waist restraints may not be used at any time, and restraints may not be used on a prisoner or juvenile in labor or childbirth.

3. Procedures. If restraints are used on a pregnant prisoner or pregnant juvenile pursuant to subsection 2:

A. The corrections officer must apply the least restrictive type of restraints in the least restrictive manner necessary; and

B. The chief administrative officer or the designee of the chief administrative officer shall make written findings within 10 days as to the extraordinary circumstance that required the use of the restraints. These findings must be kept on file by the correctional facility or detention facility for at least 5 years and must be made available for public inspection, except that individually identifying information of any prisoner or juvenile may not be made public under this paragraph without the prior written consent of the prisoner or juvenile.

4. Privacy. When a prisoner or juvenile is admitted to a medical facility or birthing center for labor or childbirth, a corrections officer may not be present in the room during labor or childbirth unless specifically requested by medical personnel. If a corrections officer's presence is requested by medical personnel, the corrections officer must be female if practicable.

§3103. Rulemaking

The department shall adopt rules necessary to implement this article. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

§3104. Notice

A correctional facility or detention facility shall inform all female prisoners and juveniles of the rules developed pursuant to section 3103 upon admission to the correctional facility or detention facility and shall include the rules in any handbook provided to female prisoners or juveniles.

Sec. 5. Commissioner to establish standards. Pursuant to the Maine Revised Statutes, Title 30-A, section 1583, subsection 1, the Commissioner of Corrections shall establish minimum standards to implement Title 30-A, chapter 13, subchapter 2-A within 60 days of the effective date of that subchapter. Pursuant to Title 30-A, section 1583, subsection 2, within 30 days of establishing the standards under Title 30-A, section 1583, subsection 1, all jails shall inform all female prisoners and all female juveniles in custody of the standards.

Sec. 6. Commissioner to adopt rules. Pursuant to the Maine Revised Statutes, Title 34-A, section 3103, the Commissioner of Corrections shall

adopt rules necessary to implement Title 34-A, chapter 3, subchapter 1, article 4 and shall notify all female prisoners and all female juveniles in custody of the rules within 30 days of the effective date of that article.

See title page for effective date.

CHAPTER 316

S.P. 365 - L.D. 1039

An Act To Amend the Polygraph Examiners Act

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

Sec. 1. 32 MRSA §7352, sub-§§2-A and 5-A are enacted to read:

2-A. Criminal justice agency. "Criminal justice agency" has the same meaning as in Title 16, section 803, subsection 4.

5-A. Polygraph examination. "Polygraph examination" means an examination conducted by a polygraph examiner that consists of a pre-test phase, an in-test phase and a post-test phase.

Sec. 2. 32 MRSA §7365, sub-§1, as enacted by PL 2013, c. 316, §3 and affected by §5, is amended to read:

1. Disclosure prohibited. A polygraph examiner, ~~intern or employee of a polygraph examiner~~ may not disclose information acquired from a polygraph examination, or records resulting from a polygraph examination, to another person other than:

A. The subject of the examination or the subject's attorney;

B. Any other person specifically designated in writing by the subject of the examination;

C. A member or agent of the department that licenses a polygraph ~~examiner or law enforcement agency that supervises or controls a polygraph examiner's activities~~ examiners;

C-1. A member or agent of a criminal justice agency that employs or contracts with the polygraph examiner.

C-2. A member or agent of a criminal justice agency, if the polygraph examiner conducts a polygraph examination in the course of a criminal investigation;

D. Another licensed polygraph examiner in private, professional consultation; ~~or~~

D-1. A person employed by or working as an intern with the polygraph examiner;

D-2. The Maine Criminal Justice Academy and its board of trustees, if the subject of the polygraph examination is an applicant for admission to the academy or for law enforcement certification that is being considered by the academy or board;

E. The Department of Health and Human Services pursuant to section 7361, subsection 1, paragraph F; or

F. As otherwise required or authorized by law.

Sec. 3. 32 MRSA §7365, sub-§§2 and 4, as enacted by PL 2013, c. 316, §3 and affected by §5, are amended to read:

2. Further disclosure prohibited. A polygraph examiner or other person to whom information acquired from a polygraph examination is disclosed under subsection 1 may not further disclose the information or records, except as otherwise required or authorized by law.

4. Records in custody of commissioner. Records in the custody of the commissioner pursuant to this chapter are confidential if those records contain:

A. Personal medical information of an applicant or licensee under this chapter; or

B. Personally identifying information of a minor to whom a polygraph examination has been administered.

Nothing in this chapter prohibits the use of statements or disclosures voluntarily made by the subject of a polygraph examination from being used in the course of a criminal investigation or prosecution, to the fullest extent permitted by law.

Sec. 4. 32 MRSA §7367 is enacted to read:

§7367. Examination considered complete

A person to whom a polygraph examination is administered is considered to have taken the polygraph examination if the person participates to any extent in the formalities of the pre-test phase of the polygraph examination.

Sec. 5. 32 MRSA §7381, sub-§1, ¶B, as enacted by PL 2013, c. 316, §3 and affected by §5, is repealed and the following enacted in its place:

B. Be accompanied by a nonrefundable fee in the amount of:

(1) For an initial polygraph examiner license, \$100;

(2) For a renewal of a polygraph examiner license, \$100; and

(3) For a polygraph examiner intern license, \$50.

Sec. 6. 32 MRSA §7381, sub-§2, as enacted by PL 2013, c. 316, §3 and affected by §5, is amended to read:

2. Term of initial and renewal polygraph examiner license. A An initial polygraph examiner license is issued valid for a 2-year term period of 2 years and may be renewed. Each renewal polygraph examiner license is valid for a period of 4 years.

Sec. 7. 32 MRSA §7382, sub-§1, as enacted by PL 2013, c. 316, §3 and affected by §5, is amended to read:

1. Qualifications. A person is qualified for a polygraph examiner license if the person:

A. Has not been convicted of a crime for which a license may be denied under Title 5, chapter 341;

B. Either:

(1) Holds a baccalaureate degree from a an accredited college or university accredited by an organization recognized by the commissioner; or

(2) Has at least 5 years of active investigative experience with , including 3 years on a full-time basis, as a sworn member of an investigative service of the United States as a sworn member of a branch of the United States Armed Forces, a federal investigative agency or a law enforcement agency immediately preceding the date of application;

C. Is a graduate of a commissioner-approved polygraph examiner course and has satisfactorily completed at least 6 months of a polygraph examiner internship; and

D. Has passed an examination approved by the commissioner to determine the person's competency for a license knowledge relevant to being a licensed polygraph examiner in the State.

See title page for effective date.

CHAPTER 317

H.P. 746 - L.D. 1085

**An Act To Implement the
Recommendations of the Right
To Know Advisory Committee
Concerning Receipt of a
Request for Public Records**

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

Sec. 1. 1 MRSA §408-A, sub-§3, as amended by PL 2013, c. 350, §1, is further amended to read:

3. Acknowledgment; clarification; time estimate; cost estimate. The agency or official having custody or control of a public record shall acknowledge receipt of a request made according to this section within 5 working days of receiving the request and may request clarification concerning which public record or public records are being requested. Within a reasonable time of receiving the request, the agency or official shall provide a good faith, nonbinding estimate of the time within which the agency or official will comply with the request, as well as a cost estimate as provided in subsection 9. The agency or official shall make a good faith effort to fully respond to the request within the estimated time. For purposes of this subsection, the date a request is received is the date a sufficient description of the public record is received by the agency or official at the office responsible for maintaining the public record. An agency or official that receives a request for a public record that is maintained by that agency but is not maintained by the office that received the request shall forward the request to the office of the agency or official that maintains the record, without willful delay, and shall notify the requester that the request has been forwarded and that the office to which the request has been forwarded will acknowledge receipt within 5 working days of receiving the request.

Sec. 2. 1 MRSA §413, sub-§1, as enacted by PL 2011, c. 662, §8, is amended to read:

1. Designation; responsibility. Each agency, county, municipality, school administrative unit and regional or other political subdivision shall designate an existing employee as its public access officer to serve as the contact person for that agency, county, municipality, school administrative unit ~~and~~ or regional or other political subdivision with regard to requests for public records under this subchapter. The public access officer is responsible for ensuring that each public record request is acknowledged within a ~~reasonable period of time~~ 5 working days of the receipt of the request by the office responsible for maintaining the public record requested and that a good faith estimate of when the response to the request will be complete is provided according to section 408-A. The public access officer shall serve as a resource within the agency, county, municipality, school administrative unit and regional or other political subdivision concerning freedom of access questions and compliance.

See title page for effective date.

CHAPTER 318

H.P. 769 - L.D. 1108

An Act To Protect Children and the Public from Vapor from Electronic Smoking Devices

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

Sec. 1. 22 MRSA §1541, sub-§1-A is enacted to read:

1-A. Electronic smoking device. "Electronic smoking device" means a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person to simulate smoking through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen.

Sec. 2. 22 MRSA §1541, sub-§6, as enacted by PL 1993, c. 342, §1 and affected by §9, is amended to read:

6. Smoking. "Smoking" includes carrying or having in one's possession a lighted or heated cigarette, cigar, or pipe or other object giving off tobacco smoke a lighted or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or in any form. "Smoking" includes the use of an electronic smoking device.

See title page for effective date.

CHAPTER 319

S.P. 468 - L.D. 1303

An Act To Stabilize and Streamline the Department of Environmental Protection's Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund

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

Whereas, the statutorily established Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund support activities related to the cleanup of spills and discharges of oil and other hazardous materials in the State; and

Whereas, these funds are funded primarily through fees on the imports of oil into Maine, which have declined in recent years and are projected to decline further; and

Whereas, the timely integration of these 2 funds, as proposed in this legislation, will streamline and stabilize the State's oil clean-up programs, allowing the Department of Environmental Protection to effectively manage its prevention, response and remediation activities; and

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

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

Sec. 1. 5 MRSA §12004-G, sub-§11-A, as enacted by PL 1993, c. 363, §1 and affected by §21, is amended to read:

11-A.

Environment/ Natural Resources	<u>Clean-up</u> <u>and</u> <u>Response</u> Fund ~~Insurance~~ Review Board	Expenses Only for Certain Members	38 MRSA §568-B

Sec. 2. 5 MRSA §12004-I, sub-§24-B, as enacted by PL 1991, c. 698, §1, is repealed.

Sec. 3. 10 MRSA §1024, sub-§1, as amended by PL 2003, c. 537, §29 and affected by §53, is further amended to read:

1. Request for funds. If at any time the money in the Mortgage Insurance Fund and the money in the Loan Insurance Reserve Fund, exclusive of the money pledged or assigned as security for specific obligations of the authority, is insufficient to meet expenses and obligations of the authority, as these expenses and obligations are projected by the authority to become due and payable, the authority shall in writing request the Governor to provide the necessary money. The Governor shall transfer sufficient money to the Mortgage Insurance Fund or Loan Insurance Reserve Fund, as directed by the authority, from the State Contingent Account or the proceeds of bonds of the State issued pursuant to subsection 2. If at any time the money in the Underground Oil Storage Replacement Fund, exclusive of any amounts reserved by law for direct loans pursuant to section 1023-D, subsection 3, is insufficient to meet the expenses and obligations of the authority incurred pursuant to section 1026-A, subsection 1, paragraph A, subparagraph (1), division (b), as

these expenses and obligations are projected by the authority to become due and payable, the authority shall in writing request the Governor to provide the necessary money. Within 30 days of receipt of the request, the Governor shall transfer sufficient money to the Underground Oil Storage Replacement Fund from the Maine Ground Water-Oil and Surface Waters Clean-up and Response Fund or the proceeds of bonds of the State issued pursuant to subsection 2.

Sec. 4. 32 MRSA §10012, sub-§2, as amended by PL 2007, c. 497, §1, is further amended to read:

2. Disposal of fees and civil penalties. All fees received by the board under subsection 1 and civil penalties imposed under sections 10015 or 10016 must be paid to the Treasurer of State to be deposited into the Maine Ground Water-Oil and Surface Waters Clean-up and Response Fund and used for the purpose of carrying out all applicable provisions of this chapter. Any balance of fees and civil penalties does not lapse but must be carried forward as a continuing account to be expended for the same purposes in the following fiscal years.

Sec. 5. 32 MRSA §10015, first ¶, as amended by PL 2005, c. 330, §2, is further amended to read:

The jurisdiction to suspend or revoke certificates conferred by this section is concurrent with that of the Superior Court. Civil penalties accrue to the Maine Ground Water-Oil and Surface Waters Clean-up and Response Fund. Any nonconsensual action under subsection 2-A taken under authority of this section may be imposed only after a hearing conforming to the requirements of Title 5, chapter 375, subchapter 4, and is subject to judicial review exclusively in the Superior Court in accordance with Title 5, chapter 375, subchapter 7, notwithstanding any other provision of law.

Sec. 6. 32 MRSA §10016, sub-§5, as enacted by PL 2007, c. 497, §2, is further amended to read:

5. Injunctions. The Attorney General may bring an action in District Court or Superior Court to enjoin a person from violating subsection 4 and to restore to a person who has suffered any ascertainable loss by reason of that violation any money or personal or real property that may have been acquired by means of that violation and to compel the return of compensation received for engaging in that unlawful conduct.

A person who violates the terms of an injunction issued under this subsection shall pay to the State a fine of not more than \$10,000 for each violation. In an action under this subsection, when a permanent injunction has been issued, the court may order the person against whom the permanent injunction is issued to pay to the Maine Ground Water-Oil and Surface Waters Clean-up and Response Fund under Title 38, chapter 3, subchapter ~~2-B~~ 2-A the costs of the investi-

gation of that person by the Attorney General and the costs of suit, including attorney's fees. In an action by the Attorney General brought against a person for violating the terms of an injunction issued under this subsection, the court may make the necessary orders or judgments to restore to a person who has suffered any ascertainable loss any money or personal or real property or to compel the return of compensation received by reason of such conduct found to be in violation of an injunction.

Sec. 7. 38 MRSA §341-G, sub-§1, as amended by PL 1991, c. 817, §8, is further amended to read:

1. Transfer funds. The amount transferred from each fund must be proportional to that fund's contribution to the total special revenues received by the department under chapter 2, subchapter 2; ~~sections section 551, 569-A and 569-B~~; and chapter 13, subchapter 4. Any funds received by the board from the General Fund must be credited towards the amount owed by the Maine Environmental Protection Fund, chapter 2, subchapter 2.

Sec. 8. 38 MRSA §342-B, sub-§5, as enacted by PL 1993, c. 355, §4, is amended to read:

5. Relationship to ground water fund claims. The exemption provided in subsection 2, paragraph B from liability under section 570 does not exempt lenders who apply to the Maine Ground Water-Oil and Surface Waters Clean-up and Response Fund for coverage pursuant to section 568-A from the obligation to pay the full amount of deductible determined by the commissioner.

Sec. 9. 38 MRSA §542, sub-§4, as enacted by PL 1969, c. 572, §1, is amended to read:

4. Discharge. "Discharge" means any spilling, leaking, pumping, pouring, emitting, escaping, emptying or dumping.

Sec. 10. 38 MRSA §542, sub-§5, as amended by PL 1985, c. 496, Pt. A, §6, is further amended to read:

5. Fund. "Fund" means the Maine ~~Coastal Ground and Inland Surface Oil Waters~~ Coastal Ground and Inland Surface Oil Waters Clean-up and Response Fund.

Sec. 11. 38 MRSA §542, sub-§6, as amended by PL 2011, c. 206, §12, is further amended to read:

6. Oil. "Oil" means oil, oil additives, petroleum products and their by-products of any kind and in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, oil mixed with other wastes, crude oils and all other liquid hydrocarbons regardless of specific gravity. "Oil" does not include liquid natural gas.

Sec. 12. 38 MRSA §542, sub-§8, as enacted by PL 1969, c. 572, §1, is amended to read:

8. Owner or operator. "~~Operate~~ Owner or operator" ~~shall mean means~~ any person owning or operating an oil terminal facility whether by lease, contract or any other form of agreement or a person in control of, or having responsibility for, the daily operation of an oil storage facility.

Sec. 13. 38 MRSA §542, sub-§9-C, as enacted by PL 1997, c. 364, §25, is amended to read:

9-C. Responsible party. "Responsible party" means any person who could be held liable under section 552 or as defined in section 562-A, subsection 17.

Sec. 14. 38 MRSA §548, 2nd ¶, as amended by PL 1991, c. 817, §10, is further amended to read:

Any unexplained discharge of oil within state jurisdiction or discharge of oil occurring in waters beyond state jurisdiction that for any reason penetrates within state jurisdiction must be removed by or under the direction of the commissioner. Any expenses involved in the removal or cleanup of discharges, including the restoration of water supplies contaminated by discharges from interstate pipelines and other discharges prohibited by section 543, whether by the person reporting the discharge, the commissioner or the commissioner's agents or contractors, must be paid in the first instance from the Maine ~~Coastal Ground and Inland Surface Oil Waters~~ Coastal Ground and Inland Surface Oil Waters Clean-up and Response Fund and any reimbursements due that fund must be collected in accordance with section 551.

Sec. 15. 38 MRSA §549, as amended by PL 2013, c. 405, Pt. C, §23, is further amended to read:

§549. Personnel and equipment

The commissioner shall establish and maintain at such ports within the State, and other places as the commissioner determines, employees and equipment necessary to carry out this subchapter. The commissioner, subject to the Civil Service Law, may employ personnel necessary to carry out the purposes of this subchapter, and shall prescribe the duties of those employees. The salaries of those employees and the cost of that equipment must be paid from the Maine ~~Coastal Ground and Inland Surface Oil Waters~~ Coastal Ground and Inland Surface Oil Waters Clean-up and Response Fund established by this subchapter. The commissioner and the Director of the Division of Geology, Natural Areas and Coastal Resources shall periodically consult with each other relative to procedures for the prevention of oil discharges into the coastal waters of the State from offshore drilling production facilities. Inspection and enforcement employees of the department in their line of duty under this subchapter have the powers of a constable.

Sec. 16. 38 MRSA §551, as amended by PL 2013, c. 349, §1, is further amended to read:

§551. Maine Ground and Surface Waters Clean-up and Response Fund

The Maine ~~Coastal Ground and Inland~~ Surface Oil Waters Clean-up and Response Fund is established to be used by the department as a nonlapsing, revolving fund for carrying out the purposes of this subchapter. The ~~balance in the fund is limited to \$6,000,000, the sum of which includes all funds credited under this section~~ \$18,500,000. The Department of Environmental Protection shall collect fees in accordance with subsection 4. To this fund are credited all license and registration fees, fees for late payment or failure to register, penalties, transfer fees, reimbursements, assessments and other fees and charges related to this subchapter, ~~and to and subchapter 2-B.~~ To this fund are charged any and all expenses of the department related to this subchapter, including administrative expenses, costs of removal of discharges of pollutants, 3rd-party damages, costs of cleanup of discharges of oil and oil by-products, including, but not limited to, restoration of water supplies and 3rd-party damages covered by this subchapter any obligations of the State pursuant to Title 10, section 1024, subsection 1.

Money in the fund, not needed currently to meet the obligations of the department in the exercise of its responsibilities under this subchapter must be deposited with the Treasurer of State to the credit of the fund, and may be invested in such manner as is provided for by statute. Interest received on that investment must be credited to the ~~Maine Coastal and Inland Surface Oil Clean-up Fund~~ fund.

1-A. ~~Sensitive area data management and mapping.~~ The Legislature may allocate ~~no more than \$350,000 per year of the amount then currently in the fund until fiscal year 1994 95 to mapping, data management and computerization related to the protection of sensitive areas and similar activities required under section 546 B. This limitation does not include personnel costs. The allocations must be made in accordance with section 555. After fiscal year 1993 94, the Legislature must review the need for these activities before allocating additional funds.~~

1-B. Research and development. The Legislature may allocate not more than ~~\$250,000~~ \$100,000 per annum of the amount currently in the fund to be devoted to research and development in the causes, effects and removal of pollution caused by oil, ~~petroleum products and their by-products on waters of the State. Researchers receiving funds under this subsection shall use vessels based in this State as platforms when practicable.~~ Such allocations must be made in accordance with section 555.

2. Third-party damages. Any person claiming to have suffered property damage or actual economic damages, including, but not limited to, loss of income and medical expenses arising from physical bodily injury, directly or indirectly as a result of a discharge

of oil prohibited by section 543 including all discharges of oil from interstate pipelines, in this subsection called "the claimant," may apply within 12 months after the occurrence of a discharge to coastal waters and for other ~~surface~~ discharges within 2 years after the occurrence or discovery of the injury or damage, whichever date is later, to the commissioner stating the amount of damage alleged to have been suffered as a result of that discharge. The commissioner shall prescribe appropriate forms and details for the applications. The commissioner may contract with insurance professionals to process claims. The commissioner may, upon petition and for good cause shown, waive the time limitation for filing damage claims. All 3rd-party damage claims for which no determination of award has been made must be processed in accordance with the substantive and procedural provisions of this section.

A. When a responsible party is known, the commissioner shall send by certified mail to the responsible party notice of claim and written notice of the right to join the 3rd-party damage claim process as an interested party. A responsible party shall provide written notification to the department of the responsible party's intent to join within 10 working days of receipt of this notice. If the responsible party joins as an interested party and formally agrees in writing to the amount of the damage claim, the determination of the amount of the claim and award is binding in any subsequent action for reimbursement to the fund. If a claimant has not been compensated for 3rd-party damages by the responsible party or the expenses are above the responsible party's deductible and the claimant, the responsible party and the commissioner agree as to the amount of the damage claim, or if the responsible party does not join as an interested party or when the responsible party is not known after the commissioner has exercised reasonable efforts to ascertain the responsible party, and the claimant and the commissioner agree as to the amount of the damage claim, the commissioner shall certify the amount of the claim and the name of the claimant to the Treasurer of State and the Treasurer of State shall pay the amount of the claim from the ~~Maine Coastal and Inland Surface Oil Clean-up Fund~~ fund.

B. If the claimant, the responsible party and the commissioner are not able to agree as to the amount of the damage claim, or if the responsible party does not join as an interested party or when the responsible party is not known after the commissioner has exercised reasonable efforts to ascertain the responsible party, and the claimant and the commissioner are not able to agree as to the amount of the damage claim, the claim is subject to subsection 3-A.

C. Third-party damage claims must be stated in their entirety in one application. Damages omitted from any claim at the time the award is made are waived unless the damage or injury was not known at the time of the claim.

D. Damage claims arising under this subchapter that are a result of a prohibited discharge to coastal waters are recoverable only in the manner provided under this subchapter, it being the intent of the Legislature that the remedies provided in this subchapter for discharges to coastal waters are exclusive.

E. Awards from the fund on damage claims may not include any amount the claimant has recovered, on account of the same damage, by way of settlement with the responsible party or the responsible party's representatives or judgment of a court of competent jurisdiction against the responsible party to the extent these amounts are duplicative.

F. A claimant shall take all reasonable measures to prevent and minimize damages suffered by the claimant as a result of a discharge of oil. Reasonable measures include title searches and site assessments for the acquisition of commercial or industrial properties.

G. The remedies provided for 3rd-party damage claims compensated under this subchapter are nonexclusive for damages that are not a result of prohibited discharges to coastal waters. A court awarding damages to a claimant as a result of a discharge of oil to surface waters prohibited by section 543 shall reduce damages awarded by any amounts received from the fund to the extent these amounts are duplicative.

H. Payments from the fund for 3rd-party damage claims may not exceed \$200,000 per claimant except when the damages are a result of a discharge to coastal waters or when the claimant is a publicly owned or operated public water system.

I. A 3rd-party damage claim for damages to real estate may not include the devaluation of the real estate associated with the loss of a water supply if the commissioner finds under section 548 or section 568, subsection 2 that a public or private water supply is available and if that water supply best meets the criteria of that section and the property owner did not agree to be served by that public or private water supply. If a water supply well is installed after October 1, 1994 to serve a location that immediately before the well installation was served by a viable community public water system, and the well is or becomes contaminated with oil:

(1) A 3rd party may not recover damages under this subchapter for expenses incurred in

treating or replacing the well if the well is installed in an area delineated as contaminated as provided in section 548, subsection 1; and

(2) A 3rd-party damage claim under this subchapter with regard to treatment or replacement of the well is limited to reimbursement of the expense of installing the well and its proper abandonment if the well is installed in any other area.

For purposes of this paragraph, "viable community public water system" has the same meaning as in section 548.

J. A claimant is not eligible for compensation under this subsection for costs, expenses or damages related to a discharge if the commissioner determines that the claimant is a responsible party ~~as defined under section 542, subsection 9-C.~~

K. Prior to forwarding a claim to the hearing examiner under subsection 3-A, the commissioner may require that the amount of the claim be finalized.

L. Third-party damage claims may not include expenditures for the preparation and prosecution of the damage claim, such as legal fees or real estate appraisal fees.

M. The commissioner may dismiss a 3rd-party damage claim for untimely filing, for failure by the claimant to provide the information necessary to process the claim within 60 days after the claimant receives written notice that the claim is insufficient for processing or for ineligibility as determined by the commissioner under paragraph J. A dismissal may be appealed to Superior Court in accordance with Title 5, chapter 375, subchapter 7.

2-B. Claimant contact. When the commissioner becomes aware of a claimant under subsection 2, the commissioner shall send a letter by certified mail to inform that person of the 3rd-party damage claims process under subsection 2. The letter must contain the name and telephone number of a contact person available to explain the claims procedure.

3-A. Determination of disputed 3rd-party damage claims. The commissioner shall establish a disputed claims processing capability within the department to hear and determine claims filed under this subchapter that are not agreed upon by the claimant and the commissioner and any responsible party who has joined as an interested party.

A. An independent hearing examiner appointed by the commissioner shall hear and determine any disputed 3rd-party damage claims. The parties to the hearing are the commissioner and the claimant.

B. To the extent practical, all claims arising from or related to a common discharge must be heard and determined by the same hearing examiner.

C. Hearings before the hearing examiner are informal and the rules of evidence applicable to judicial proceedings are not binding. The hearing examiner may administer oaths and require by subpoena the attendance and testimony of witnesses and the production of books, records and other evidence relative or pertinent to the issues presented to the hearing examiner for determination.

D. Determinations made by the hearing examiner are final and those determinations may be subject to review by a Justice of the Superior Court, but only as to matters related to abuse of discretion by the hearing examiner. The party seeking review of a hearing examiner's determination must file an appeal in the Superior Court within 30 days of the determination. Determinations made by the hearing examiner must be accorded a presumption of regularity and validity in a subsequent reimbursement action, but this presumption may be rebutted by responsible parties.

E. The commissioner shall certify the amount of the damage award, if any, after determination by the hearing examiner and shall certify the name of the claimant to the Treasurer of State.

4. Funding. The ~~Maine Coastal and Inland Surface Oil Clean-up Fund~~ fund is funded pursuant to this subsection.

~~A. License fees are 3¢ per barrel of unrefined crude oil and all other refined oil, including #6 fuel oil, #2 fuel oil, kerosene, gasoline, jet fuel and diesel fuel, transferred by the licensee during the licensing period and A fee is assessed on the first transfer of products listed in this subsection by oil terminal facility licensees and on a person required to register with the commissioner under section 545-B who first transports oil into the State. These fees must be paid monthly by the licensee on the basis of records certified to the commissioner. License fees must be paid to the department and upon receipt by it credited to the Maine Coastal and Inland Surface Oil Clean-up Fund fund.~~

A-1. A fee is assessed of:

- (1) Three cents per barrel of unrefined crude oil and liquid asphalt;
- (2) Seven cents per barrel of #6 fuel oil;
- (3) Twenty-two cents per barrel of #2 fuel oil, kerosene, jet fuel, diesel fuel and other refined products and their by-products not otherwise specified in this subsection, excluding liquid asphalt; and

(4) Forty-one cents per barrel of gasoline.

This paragraph does not apply to waste oil transported into the State in any motor vehicle that has a valid license issued by the department for the transportation of waste oil pursuant to section 1319-O, subsection 1, paragraph C and is subject to fees established under section 1319-I.

~~D. Any A person required to register under section 545-B and who first transports oil in Maine shall pay 3¢ per barrel for all crude and refined oil, including #6 fuel oil, #2 fuel oil, kerosene, gasoline, jet fuel, diesel fuel and liquid asphalt transported by the registrant during the period of registration. Fees must be paid monthly by the registrant on the basis of records certified to the commissioner. Fees must be paid to the department and upon receipt by it credited to the Maine Coastal and Inland Surface Oil Clean-up Fund. The registrant subject to this subsection shall make available to the commissioner and the commissioner's authorized representatives all documents relating to the oil the person transported by the registrant or transferred during the period of registration or the licensed period. This paragraph does not apply to waste oil transported into Maine in any motor vehicle that has a valid license issued by the department for the transportation of waste oil pursuant to section 1319-O and is subject to fees established under section 1319-I.~~

E. When the commissioner projects that the fund balance will reach ~~\$6,000,000~~ \$18,500,000, the commissioner shall provide a 15-day notice that the per barrel fees assessed under this subsection will be suspended. The ~~\$6,000,000~~ \$18,500,000 fund limit may be exceeded to accept transfer fees assessed or received after the 15-day notice has been issued. Following any suspension of fees assessed under this subsection, the commissioner shall provide a 15-day advance notice to licensees before fees are reimposed.

F. If the fund balance is reduced to \$6,000,000 or less, the Clean-up and Response Fund Review Board under section 568-B may adopt rules increasing the fees imposed under paragraph A-1 by up to 20¢ per barrel for gasoline and up to 10¢ per barrel for other petroleum products, except unrefined crude oil, liquid asphalt and #6 fuel oil, as necessary to avoid a shortfall in the fund. The Clean-up and Response Fund Review Board may use the emergency rule-making procedures under Title 5, section 8054 if necessary to ensure that the fee increase is instituted in time to avoid a shortfall. Any fee increase adopted pursuant to this paragraph terminates and the fees imposed under paragraph A-1 apply when the fund balance reaches \$10,000,000.

4-A. Penalty for late payment of fees. Fees assessed under subsection 4 are due to the department on or before the last day of the month immediately following the month in which the oil was transferred or first transported in this State. Licensees or registrants who fail to pay the fee by that date shall pay an additional amount equal to 10% of the amount assessed under subsection 4. The department may waive the penalty for good cause shown by the licensee or registrant. Good cause may include, without limitation, events that may not be reasonably anticipated or events that were not under the control of the licensee or registrant.

4-B. Reimbursement for fees imposed on transfers out of state. Any person who paid a fee under subsection 4, paragraph A-1, subparagraph (2), (3) or (4) on petroleum products that were exported from this State must be reimbursed by the department in the following amounts upon presentation of documentation of that payment and transfer:

A. Four cents per barrel of #6 fuel oil;

B. Nineteen cents per barrel of #2 fuel oil, kerosene, jet fuel, diesel fuel and other refined products and their by-products not otherwise specified in this subsection, excluding liquid asphalt; and

C. Thirty-eight cents per barrel of gasoline.

A fee paid on a transfer out of state is eligible for reimbursement under this subsection only if documentation of that payment and transfer are presented to the department within 12 months of the transfer.

5. Disbursements from fund. Money in the ~~Maine Coastal and Inland Surface Oil Clean-up Fund~~ shall fund may be disbursed for the following purposes and no others:

A. Administrative expenses, ~~personnel expenses~~ personal services and equipment costs of the ~~commissioner~~ department related to the administration and enforcement of this subchapter and subchapter 2-B, except that total disbursements for personal services may not exceed \$7,000,000 per fiscal year;

B. All costs, including without limitation personnel undertaking oil spill response and clean-up activities and equipment expenses, involved in the removal of oil, the abatement of pollution and the implementation of remedial measures including restoration of water supplies, related to the discharge of oil, petroleum products and their by-products covered by this subchapter, including the discharge of oil from an oil storage facility not paid by a responsible party or an applicant for coverage by the fund, and all discharges from interstate pipelines and other discharges prohibited by section 543;

C. Sums allocated to research and development in accordance with this section;

D. Payment of ~~3rd-party~~ 3rd-party claims awarded in accordance with this section that are not paid by the responsible party or applicant for coverage by the fund and payment of 3rd-party damage claims that are paid to owners or operators pursuant to section 568-A, subsection 6;

E. Payment of costs of hearings, independent hearing examiners and independent claims adjusters for 3rd-party damage claims;

F. Payment of costs of insurance by the State to extend or implement the benefits of the fund;

H. Sums, up to \$50,000 each year, that have been allocated by the Legislature on a contingency basis in accordance with section 555 for payment of costs for damage assessment for specific spills and site-specific studies of the environmental impacts of a particular discharge prohibited by section 543 that may have adverse economic effects and occur subsequent to such an allocation, when those studies are determined necessary by the commissioner; ~~and~~

I. Payment of costs for the collection of overdue reimbursements-;

J. All costs associated with the Board of Underground Oil Storage Tank Installers, not to exceed \$100,000;

K. Payments to or on behalf of applicants eligible for coverage by the fund under section 568-A, subsection 1 for expenses above the deductible specified in section 568-A, subsection 2 incurred in commissioner-approved clean-up activities and specified in an agreement under section 568-A, subsection 4;

L. All costs associated with the Clean-up and Response Fund Review Board, not to exceed \$200,000;

M. Costs incurred by the Office of the State Fire Marshal to implement the duties assigned to the State Fire Marshal in this chapter, not to exceed \$150,000;

N. Sums up to \$500,000 annually to retrofit, repair, replace or remove aboveground oil storage tanks or facilities when the commissioner determines that action is necessary to abate an imminent threat to a groundwater restoration project, a public water supply or a sensitive geologic area, including coastal islands and peninsulas. Money available under this paragraph may be disbursed by the department to pay reasonable costs actually incurred by municipalities in assisting the department in taking actions under this paragraph. Money available under this paragraph may also be

used by the department to fund educational efforts that encourage the retrofit, repair, replacement or removal of aboveground oil storage tanks or facilities. Money may not be disbursed from the fund for the purposes of this paragraph until the department has presented a plan for such disbursements to the Clean-up and Response Fund Review Board. Money may not be disbursed from the fund under this paragraph unless the department has adopted a written policy in accordance with the Maine Administrative Procedure Act establishing:

(1) Criteria for determining those instances when funds should be disbursed under this paragraph, including criteria for determining what constitutes a sensitive geologic area;

(2) Guidelines that ensure that money disbursed from the fund under this paragraph will be used in the most cost-effective manner, considering the likelihood of actual contamination of water supplies absent action taken pursuant to this paragraph, the costs of remediation of such contamination and the possibility that the owner of an aboveground oil storage tank or facility would retrofit, repair, replace or remove the tank at the owner's own expense;

(3) Guidelines for payments to municipalities for reasonable administrative costs actually incurred by municipalities in assisting the department in taking actions under this paragraph;

(4) A means test for eligibility for disbursements from the fund;

(5) A deductible that is adjusted according to the financial means of the person receiving a disbursement; and

(6) Limits for eligibility to residents of this State; and

O. Sums up to \$2,000,000 annually to distribute to community action agencies as defined in Title 22, section 5321, subsection 2 for loans and grants to retrofit, repair, replace or remove aboveground and underground oil storage tanks and associated piping at single-family residences. Money may not be disbursed from the fund for the purposes of this paragraph until the department has presented a plan for such disbursements to the Clean-up and Response Fund Review Board. A community action agency shall administer the funds in accordance with program operating standards, including the allocation formula established by the Maine State Housing Authority for its weatherization program. Sums available under this paragraph may be disbursed by the department to pay reasonable costs actually incurred by a community

action agency in providing services pursuant to this paragraph. Money may not be disbursed from the fund under this paragraph unless the department has adopted a written policy in accordance with the Maine Administrative Procedure Act establishing guidelines for payments to community action agencies for reasonable administrative costs actually incurred by community action agencies in providing services pursuant to this paragraph.

6. Reimbursements to Maine Ground and Surface Waters Clean-up and Response Fund. For the use of the fund, the commissioner shall seek recovery of all disbursements from the fund for the following purposes, including overdrafts and interest computed at 15% a year from the date of expenditure, unless the department finds the amount involved too small, the likelihood of success too uncertain or that recovery of costs is unlikely due to the inability of the responsible party to pay those costs, ~~provided except~~ that recoveries resulting from damage due to an oil pollution disaster declared by the Governor pursuant to section 547 must be apportioned between the ~~Maine Coastal and Inland Surface Oil Clean-up Fund~~ fund and the General Fund so as to repay the full costs to the General Fund of any bonds issued as a result of the disaster:

A. All disbursements made by the fund pursuant to subsection 5, paragraphs A, B, D, E, H and I in connection with a prohibited discharge; ~~and~~

B. In the case of a licensee promptly reporting a discharge as required by this subchapter, disbursements made by the fund pursuant to subsection 5, paragraphs B, D and E in connection with any single prohibited discharge including 3rd-party claims in excess of \$15,000, except to the extent that the costs are covered by payments received under any federal program;

E. Disbursements made by the fund greater than \$750,000 per occurrence expended from the fund pursuant to subsection 5, paragraph K for an applicant for coverage by the fund found by the commissioner to be eligible under section 568-A, subsection 1, excluding occurrences at underground oil storage facilities; and

F. Disbursements made by the fund greater than \$1,000,000 per occurrence at an underground oil storage facility expended from the fund pursuant to subsection 5, paragraph K for an applicant for coverage by the fund found by the commissioner to be eligible under section 568-A, subsection 1.

Requests for reimbursement to the fund, if not paid within 30 days of demand, may be turned over to the Attorney General for collection or may be submitted to a collection agency or agent or an attorney retained by the department with the approval of the Attorney General in conformance with Title 5, section 191, or the

department may file suit in District Court. The commissioner may file claims with appropriate federal agencies to recover for the use of the fund all disbursements from the fund in connection with a prohibited discharge.

Requests for reimbursement to the fund for disbursements pursuant to subsection 5, paragraph B, if not paid within 60 days of demand, are subject to a penalty not to exceed twice the total amount of reimbursement requested. This penalty is in addition to the reimbursement requested and any other fines or civil penalties authorized by this Title.

6-A. Lien. All costs incurred by the State in the removal, abatement and remediation of a prohibited discharge of oil, all costs incurred by the State in the abandonment of an underground oil storage facility or tank under section 566-A, subsection 4 and interest are a lien against the real estate of the responsible party. The lien does not apply to the real estate of a licensee if the discharge was caused or suffered by a carrier destined for the licensee's facilities. For a responsible party determined eligible for coverage under section 568-A, subsection 1, the lien is for the amount of any unpaid deductible assigned under section 568-A, subsection 2 and any eligible clean-up costs and 3rd-party damage claims above \$750,000, or above \$1,000,000 for underground oil storage facilities.

A certificate of lien signed by the commissioner must be sent by certified mail to the responsible party prior to being recorded and may be filed in the office of the clerk of the municipality in which the real estate is located. The lien is effective when the certificate is recorded with the registry of deeds for the county in which the real estate is located. The certificate of lien must include a description of the real estate, the amount of the lien and the name of the owner as grantor.

When the amount for which a lien has been recorded under this subsection has been paid or reduced, the commissioner, upon request by any person of record holding interest in the real estate that is the subject of the lien, shall issue a certificate discharging or partially discharging the lien. The certificate must be recorded in the registry in which the lien was recorded. Any action of foreclosure of the lien must be brought by the Attorney General in the name of the State in the Superior Court for the judicial district in which the real estate subject to the lien is located.

7. Waiver of reimbursement. Upon petition of any licensee, the board may, after hearing, waive the right to reimbursement to the fund if it finds that the occurrence was the result of any of the following:

- A. An act of war;
- B. An act of government, either state, federal or municipal, except insofar as the act was pursuant to section 548; or

C. An act of God, which means an unforeseeable act exclusively occasioned by the violence of nature without the interference of any human agency.

Upon such finding by the board, immediate credit therefor must be entered for the party involved. The findings of the board are conclusive as it is the legislative intent that waiver provided in this subsection is a privilege conferred, not a right granted.

8. Disbursements to state agencies. A state agency that seeks reimbursement from the ~~Maine Coastal and Inland Surface Oil Clean-up Fund~~ fund for costs incurred in undertaking oil spill response activities shall keep time records demonstrating the amount of spill response activities performed for which reimbursement is sought. A state agency may establish a dedicated account for receipt of disbursements from the fund. Disbursements from the fund to a state agency pursuant to subsection 5, paragraph B must be deposited in that account, if it has been established, and may be used by the agency to support its activities.

Sec. 17. 38 MRSA §551-A, as amended by PL 2007, c. 292, §§30 to 32, is repealed.

Sec. 18. 38 MRSA §562-A, sub-§4-A is enacted to read:

4-A. Clean-up and Response Fund Review Board. "Clean-up and Response Fund Review Board" or "review board" means the board created in section 568-B.

Sec. 19. 38 MRSA §562-A, sub-§9, as enacted by PL 1989, c. 865, §2, is amended to read:

9. Fund. "Fund" means the ~~Maine Ground Water Oil and Surface Waters Clean-up and Response Fund~~.

Sec. 20. 38 MRSA §562-A, sub-§9-A, as enacted by PL 1993, c. 363, §4 and affected by §21, is repealed.

Sec. 21. 38 MRSA §562-A, sub-§17, ¶E, as amended by PL 2007, c. 655, §3, is further amended to read:

E. With regard to sections ~~551~~, 568, 568-A, ~~569-A~~ and 570, persons described in paragraphs A to D with regard to aboveground oil storage facilities.

Sec. 22. 38 MRSA §566-A, sub-§4, as amended by PL 2009, c. 121, §11, is further amended to read:

4. Commissioner role. If the owner of an underground oil storage facility or tank fails to properly abandon the facility or tank within a reasonable time period, the commissioner may undertake the abandonment. The commissioner shall seek recovery of costs incurred to undertake the abandonment, whether

from state or federal funds, in accordance with the procedures set forth in section ~~569-A~~ 551, subsection ~~10~~ 6. Costs incurred by the commissioner to undertake the abandonment are a lien against the real estate of the owner as provided under section ~~569-A~~ 551, subsection ~~10-A~~ and section ~~569-B~~, subsection 6-A.

Sec. 23. 38 MRSA §568, sub-§1, as amended by PL 2009, c. 121, §12, is further amended to read:

1. Removal. Any person discharging or suffering a discharge of oil from an underground oil storage facility or an aboveground oil storage facility in the manner prohibited by section 543 and any other responsible party shall immediately undertake to remove that discharge to the commissioner's satisfaction. Notwithstanding this requirement, the commissioner may order the removal of that discharge pursuant to subsection 3 or may undertake the removal of that discharge and retain agents and contractors for that purpose, who shall operate under the direction of the commissioner. Any unexplained discharge of oil within state jurisdiction must be removed by or under the direction of the commissioner. Any expenses involved in the removal of discharges, whether by the person causing the discharge, the person reporting the discharge, the commissioner or the commissioner's agents or contractors, may be paid in the first instance from the ~~Ground Water Oil Clean-up Fund fund~~, including any expenses incurred by the State under subsection 3, and any reimbursements due that fund must be collected in accordance with section ~~569-A or 569-B~~ 551, subsection 6.

Sec. 24. 38 MRSA §568, sub-§6, as enacted by PL 1991, c. 763, §7, is amended to read:

6. Reimbursement. If the commissioner requires an underground oil storage facility owner or operator to remove or close an underground oil storage facility upon evidence of a leak and if after investigation that facility is found not to be the source of a leak, the commissioner shall immediately reimburse that facility owner or operator from the fund for the documented costs of that removal. The facility owner or operator may be reimbursed for damages resulting from the removal, such as loss of income, through the 3rd-party damage claim process in section ~~569~~ 551.

Sec. 25. 38 MRSA §568-A, sub-§1, ¶A, as amended by PL 1995, c. 361, §4, is further amended to read:

A. The applicant must submit within 180 days of reporting the discharge a written request to the commissioner to be covered by the fund. The request must include:

- (1) A description of the discharge and the locations threatened or affected by the discharge, to the extent known;

- (2) An agreement that the applicant shall pay the deductible amount specified in subsection 2;

- (3) For underground storage facilities, documentation regarding the applicant's compliance with the requirements of subsection 2, paragraph B; and

- (4) For aboveground facilities, documentation required by the Clean-up and Response Fund Insurance Review Board.

The commissioner with respect to a claim involving an underground oil storage facility, or the State Fire Marshal with respect to a claim involving an aboveground oil storage facility, may waive the 180-day filing requirement for applicants for coverage of clean-up costs for discharges discovered after April 1, 1990 when the applicant has cooperated in a timely manner with the department in cleaning up the discharge.

Sec. 26. 38 MRSA §568-A, sub-§1, ¶H, as enacted by PL 1995, c. 361, §4, is amended to read:

H. The Clean-up and Response Fund Insurance Review Board shall develop, in consultation with the State Fire Marshal, the documentation requirements for claims submitted under this section by owners of aboveground oil storage facilities.

Sec. 27. 38 MRSA §568-A, sub-§2, as amended by PL 2013, c. 300, §11, is further amended to read:

2. Deductibles. Except as provided in subsection 2-A, applicants eligible for coverage by the fund under subsection 1 shall pay on a per occurrence basis the applicable standard deductible amount specified in paragraph A. In addition to the applicable standard deductible amount required under paragraph A, the applicant shall pay on a per occurrence basis one or more of the conditional deductible amounts specified in paragraphs B and C to the extent applicable.

A. Standard deductibles are calculated under this paragraph based on the number of underground storage facilities or the capacity of gallons owned by the aboveground storage facility owner at the time the covered discharge is discovered. Standard deductibles are as follows.

- (1) For expenses related to a leaking underground oil storage facility, the deductible amount is determined in accordance with the following schedule:

Number of underground storage facilities owned by the facility owner	Deductible
1	\$2,500

2 to 5	5,000
6 to 10	10,000
11 to 20	25,000
21 to 30	40,000
over 30	62,500

(2) For expenses related to a leaking above-ground oil storage facility, the deductible amount is determined in accordance with the following schedule:

Total aboveground oil storage capacity in gallons owned by the facility owner	Deductible
Less than 1,320	\$500
1,321 to 50,000	2,500
50,001 to 250,000	5,000
250,001 to 500,000	10,000
500,001 to 1,000,000	25,000
1,000,001 to 1,500,000	40,000
greater than 1,500,000	62,500

(3) For facilities with both aboveground and underground tanks when the source of the discharge can not be determined or when the discharge is from both types of tanks, the standard deductible is the applicable amount under subparagraph (1) or (2), whichever is greater.

(4) For aboveground tanks regulated by the Maine Fuel Board with less than 300 gallons' storage capacity, the standard deductible may be waived by the commissioner upon submission of documentation of a passing ultrasonic thickness test of the tank conducted within 12 months prior to the discharge.

B. Conditional deductibles for underground facilities and tanks are as follows.

(1) For nonconforming facilities and tanks, the deductible is \$10,000 for failure to meet the compliance schedule in section 563-A, except that those facilities or tanks required to be removed by October 1, 1989 have until October 1, 1990 to be removed before they are considered out of compliance.

(2) For failure to pay registration fees under section 563, subsection 4, the deductible is the total of all past due fees.

(3) For motor fuel storage and marketing and retail facilities, the deductibles are:

(a) Five thousand dollars for failure to comply with applicable design and installation requirements in effect at the time of the installation or retrofitting requirements for leak detection pursuant to section 564, subsections 1 and 1-A;

(b) Five thousand dollars for failure to comply with section 564, subsection 1-B and any rules adopted pursuant to that subsection;

(c) Five thousand dollars for failure to comply with section 564, subsection 2-A, paragraphs B to F and I, and any rules adopted pursuant to that subsection; and

(d) Ten thousand dollars for failure to comply with section 564, subsection 2-A, paragraph H, and any rules adopted pursuant to that subsection.

(4) For consumptive use heating oil facilities with an aggregate storage capacity of less than 2,000 gallons, the deductibles are:

(a) Two thousand dollars for failure to comply with section 565, subsection 1, if applicable;

(b) Two thousand dollars for failure to comply with section 565, subsection 2, regarding monitoring; and

(c) Two thousand dollars for failure to comply with section 565, subsection 2, regarding any requirement to report evidence of a possible leak or discharge.

(5) For consumptive use heating oil facilities with an aggregate storage capacity of 2,000 gallons or greater, the deductibles are:

(a) Five thousand dollars for failure to comply with section 565, subsection 1, if applicable;

(b) Five thousand dollars for failure to comply with section 565, subsection 2, regarding monitoring; and

(c) Ten thousand dollars for failure to comply with section 565, subsection 2, regarding any requirement to report evidence of a possible leak or discharge.

(6) For waste oil and heavy oil and airport hydrant facilities with discharges that are not contaminated with hazardous constituents, the deductibles for failure to comply with rules adopted by the board are:

(a) Five thousand dollars for rules regarding design and installation requirements in effect at the time of the installation;

- (b) Five thousand dollars for rules regarding retrofitting of leak detection and corrosion protection, if applicable;
- (c) Five thousand dollars for rules regarding overfill and spill prevention;
- (d) Five thousand dollars for rules regarding the monitoring of cathodic protection systems;
- (e) Five thousand dollars for rules regarding testing requirements for tanks and piping on evidence of a leak;
- (f) Five thousand dollars for rules regarding maintenance of a leak detection system; and
- (g) Ten thousand dollars for rules regarding the reporting of leaks.

C. Conditional deductibles for aboveground facilities and tanks are as follows.

(1) For aboveground tanks subject to the jurisdiction of the State Fire Marshal pursuant to 16-219 CMR, chapter 34, the deductibles are:

- (a) Five thousand dollars for failure to obtain a construction permit from the Office of the State Fire Marshal, when required under Title 25, chapter 318 and 16-219 CMR, chapter 34 or under prior applicable law;
- (b) Five thousand dollars for failure to design and install piping in accordance with section 570-K and rules adopted by the department;
- (c) Five thousand dollars for failure to comply with an existing consent decree, court order or outstanding deficiency statement regarding violations at the aboveground facility;
- (d) Five thousand dollars for failure to implement a certified spill prevention control and countermeasure plan, if required;
- (e) Five thousand dollars for failure to install any required spill control measures, such as dikes;
- (f) Five thousand dollars for failure to install any required overfill equipment;
- (g) Five thousand dollars if the tank is not approved for aboveground use; and
- (h) Ten thousand dollars for failure to report any leaks at the facility.

(2) For aboveground tanks subject to the jurisdiction of the Maine Fuel Board, the deductibles are:

- (a) One hundred and fifty dollars for failure to install the facility in accordance with rules adopted by the Maine Fuel Board and in effect at the time of installation;
- (b) Two hundred and fifty dollars for failure to comply with the rules of the Maine Fuel Board;
- (c) Two hundred and fifty dollars for failure to make a good faith effort to properly maintain the facility; and
- (d) Five hundred dollars for failure to notify the department of a spill.

The commissioner shall make written findings of fact when making a determination of deductible amounts under this subsection. The commissioner's findings may be appealed to the Clean-up and Response Fund Insurance Review Board, as provided in section 568-B, subsection 2-C. On appeal, the burden of proof is on the commissioner as to which deductibles apply.

After determining the deductible amount to be paid by the applicant, the commissioner shall pay from the fund any additional eligible clean-up costs and 3rd-party damage claims up to \$1,000,000 for underground oil storage facilities and up to \$750,000 for all other occurrences associated with activities under section ~~569-A~~ 551, subsection ~~8~~ 5, paragraphs B, D and ~~J~~ K. The commissioner shall pay the expenses directly, unless the applicant chooses to pay the expenses and seek reimbursement from the fund. The commissioner may pay from the fund any eligible costs above \$1,000,000 for underground oil storage facilities and above \$750,000 for all other occurrences, but the commissioner shall recover these expenditures from the responsible party pursuant to section ~~569-A~~ 551.

~~An applicant found ineligible for fund coverage for failure to achieve substantial compliance under former subsection 1, paragraph B or failure to apply within 180 days of reporting the discharge may, on or before July 1, 1996, make a new application for fund coverage of any discharge discovered after April 1, 1990, if the applicant agrees to pay all applicable deductible amounts in this subsection and the commissioner waives the 180-day filing requirement pursuant to subsection 1.~~

Sec. 28. 38 MRSA §568-A, sub-§6, as enacted by PL 1993, c. 553, §1 and affected by §7, is amended to read:

6. Reimbursement of 3rd-party damages paid.

If a person claiming to have suffered property damage or actual economic damage directly or indirectly as a result of a discharge of oil to groundwater prohibited

by section 543 files a claim for damages against the owner or operator of an underground or aboveground oil storage tank in a court of competent jurisdiction without simultaneously filing or previously having filed a 3rd-party damage claim pursuant to section ~~569-A 551~~, the owner or operator may file a claim with the commissioner to be reimbursed for damages paid or payable to that 3rd party under a settlement or judgment. Such a claim for reimbursement must be filed and processed as follows.

A. The claim for reimbursement must be filed with the commissioner. If the owner or operator has not previously filed an application for fund coverage pursuant to subsection 1, the person claiming reimbursement shall also make application. The application must comply with the requirements of subsection 1 and must be processed and judged by the standards set forth in that subsection except that it is not required to be filed within 180 days of reporting the discharge.

B. If the person is eligible for fund coverage, the commissioner shall calculate the amount of reimbursement to the owner or operator by determining whether each amount claimed would be eligible for payment had the 3rd party applied directly to the fund. Eligible amounts, minus any deductible that has not previously been met by the owner or operator, must be paid to that owner or operator.

C. Appeals of decisions made under this subsection may be made to the Clean-up and Response Fund Insurance Review Board.

Sec. 29. 38 MRSA §568-A, sub-§7, as amended by PL 2009, c. 319, §12, is repealed.

Sec. 30. 38 MRSA §568-B, as amended by PL 2013, c. 22, §§1 and 2, is further amended to read:

§568-B. Clean-up and Response Fund Review Board created

1. Clean-up and Response Fund Review Board. The Clean-up and Response Fund Insurance Review Board, as established by Title 5, section 12004-G, subsection 11-A, is created to hear and decide appeals from insurance claims-related decisions under section 568-A and monitor income and disbursements from the Ground Water Oil Clean-up Fund fund under section ~~569-A 551~~. The review board consists of ~~40~~ 14 members appointed for 3-year terms as follows:

A. Two persons representing the petroleum industry, appointed by the Governor, one of whom is a representative of a statewide association of energy dealers;

A-1. Two persons, appointed by the Governor, who have expertise in oil storage facility design and installation, oil spill remediation or environmental engineering;

B. Four members of the public, appointed by the Governor; ~~Of the 4 members, 2 of whom must~~ have expertise in biological science, earth science, engineering, insurance or law. The 4 members may not be employed in or have a direct and substantial financial interest in the petroleum industry;

C. The commissioner or the commissioner's designee; ~~and~~

D. The State Fire Marshal or the fire marshal's designee;

E. One member representing marine fisheries interests appointed by the President of the Senate;

F. One member familiar with oil spill technology appointed by the Speaker of the House of Representatives;

G. One member with expertise in coastal geology, fisheries biology or coastal wildlife habitat appointed by the President of the Senate; and

H. One member who is a licensed state pilot or a licensed merchant marine officer appointed by the Speaker of the House of Representatives.

Members other than those described in paragraphs ~~A, A-1 C~~ and ~~B D~~ are entitled to reimbursement for direct expenses of attendance at meetings of the review board or the appeals panel.

2. Powers and duties of review board. The Clean-up and Response Fund Insurance Review Board has the following powers and duties:

A. To hear appeals from insurance claims-related decisions of the commissioner and the State Fire Marshal under section 568-A;

B. To adopt rules in accordance with Title 5, chapter 375, subchapter 2 and guidelines necessary for the furtherance of the review board's duties and responsibilities under this subchapter;

~~C. To contract with the department for such assistance in fulfilling the review board's duties as the review board may require;~~

D. To monitor income and disbursements from the Ground Water Oil Clean-up Fund fund under section ~~569-A 551~~ and adjust fees pursuant to section ~~569-A 551~~, subsection ~~5~~ 4, paragraph ~~E~~ F, as required to avoid a shortfall in the fund;

E. To, at such times and in such amounts as it determines necessary, and in consultation with the department, direct the transfer of funds from the

Underground Oil Storage Replacement Fund to the ~~Ground Water Oil Clean-up Fund fund~~; and

F. To review department priorities for disbursements from the ~~Ground Water Oil Clean-up Fund fund~~ and make recommendations to the commissioner on how the fund should be allocated;

G. To review and comment on the State's marine oil spill contingency plan; and

H. To review and monitor issues for oil spill prevention and response and recommend to the commissioner any regulatory changes that are appropriate.

2-A. Meetings. The Clean-up and Response Fund Insurance Review Board shall meet 6 times per year unless the review board votes not to hold a meeting. Action may not be taken unless a quorum is present. A quorum is ~~6~~ 8 members.

2-B. Chair. The review board shall annually choose a member to serve as chair of the review board.

2-C. Appeals to review board. An applicant aggrieved by an insurance claims-related decision under section 568-A, including but not limited to decisions on eligibility for coverage, eligibility of costs and waiver and amount of deductible, may appeal that decision to the Clean-up and Response Fund Insurance Review Board. The appeals panel is composed of the public members appointed under subsection 1, paragraph B. The appeals panel shall hear and decide the appeal. Except as provided in review board rules, the appeal must be filed within 30 days after the applicant receives the decision made under section 568-A. The appeals panel must hear an appeal at its next meeting following receipt of the appeal unless the appeal petition is received less than 30 days before the meeting or unless the appeals panel and the aggrieved applicant agree to meet at a different time. If the appeals panel overturns the decision made under section 568-A, reasonable costs, including reasonable attorney's fees, incurred by the aggrieved applicant in pursuing the appeal to the review board must be paid from the fund. Reasonable attorney's fees include only those fees incurred from the time of an insurance claims-related decision forward. Decisions of the appeals panel are subject to judicial review pursuant to Title 5, chapter 375, subchapter 7.

2-D. Report; adequacy of fund. ~~On or before February 15th of each year~~ Beginning on April 15, 2015 and every other year thereafter, the Clean-up and Response Fund Insurance Review Board, with the cooperation of the commissioner, shall report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the department's and the review board's experience administering the ~~Ground Water Oil Clean-up Fund fund~~, clean-up activities and 3rd-party damage claims. The report must include an assessment of the adequacy of

the fund to cover anticipated expenses and any recommendations for statutory change. ~~The report also must include an assessment of the adequacy of the Underground Oil Storage Replacement Fund and the Waste Oil Clean-up Fund to cover anticipated expenses and any recommendations for statutory change.~~ To carry out its responsibility under this subsection, the review board may order an independent audit of disbursements from the ~~Ground Water Oil Clean-up Fund, the Underground Oil Storage Replacement Fund and the Waste Oil Clean-up Fund fund~~.

2-E. Staff support. The commissioner shall provide the Clean-up and Response Fund Review Board with staff support.

3. Repeal date. This section is repealed December 31, 2015.

Sec. 31. 38 MRSA §569-A, as amended PL 2013, c. 300, §12, is repealed.

Sec. 32. 38 MRSA §569-B, as amended by PL 2009, c. 501, §12, is repealed.

Sec. 33. 38 MRSA §570, first ¶, as repealed and replaced by PL 2009, c. 319, §16 and affected by §§22 and 23, is amended to read:

The intent of this subchapter is to provide the means for rapid and effective cleanup and to minimize direct and indirect damages and the proliferation of 3rd-party claims. Accordingly, each responsible party is jointly and severally liable for all disbursements made by the State pursuant to section ~~569-A~~ 551, subsection ~~8~~ 5, paragraphs ~~A, B, D, E, H I and J K~~, or other damage incurred by the State, except for costs found by the commissioner to be eligible for coverage under section 568-A. The term "other ~~damages~~ damage," as used in this paragraph, includes interest computed at 15% a year from the date of expenditure and damage for injury to, destruction of, loss of or loss of use of natural resources; and the reasonable State's costs of assessing natural resources damage and the costs of preparing and implementing a natural resources restoration plan. The commissioner shall demand reimbursement of costs and damages paid by the department from state or federal funds as provided under section ~~569-A~~ 551, subsection ~~10~~ 6 except for amounts that are eligible for coverage by the fund under this subchapter. Payment must be made promptly by the responsible party or parties upon whom the demand is made. If payment is not received by the State within 30 days of the demand, the Attorney General may file suit in the Superior Court or the department may file suit in District Court and, in addition to relief provided by other law, may seek punitive damages as provided in section 568. Notwithstanding the time limits stated in this paragraph, neither a demand nor other recovery efforts against one responsible party may relieve any other responsible party of liability. ~~This paragraph is repealed December 31, 2015.~~

Sec. 34. 38 MRSA §570, 2nd ¶, as enacted by PL 2009, c. 319, §17, is repealed.

Sec. 35. 38 MRSA §570-A, as amended by PL 2009, c. 319, §18, is repealed.

Sec. 36. 38 MRSA §570-B, as amended by PL 2009, c. 319, §19, is repealed.

Sec. 37. 38 MRSA §570-I, as amended by PL 2009, c. 319, §20, is further amended to read:

§570-I. Budget approval

The commissioner shall submit budget recommendations for disbursements from the fund in accordance with section ~~569-B~~ 551, subsection 5, paragraphs A, C, F and ~~G~~ H for each biennium. The budget must be submitted in accordance with Title 5, sections 1663 to 1666. The State Controller shall authorize expenditures from the fund as approved by the commissioner. Expenditures pursuant to section ~~569-B~~ 551, subsection 5, paragraphs B, D and ~~E~~ I to O may be made as authorized by the State Controller following approval by the commissioner.

~~This section takes effect December 31, 2015.~~

Sec. 38. 38 MRSA §570-J, as amended by PL 2009, c. 319, §21, is further amended to read:

§570-J. Personnel and equipment

The commissioner shall establish and maintain at appropriate locations employees and equipment that, in the commissioner's judgment, are necessary to carry out this subchapter. The commissioner, subject to the Civil Service Law, may employ personnel necessary to carry out the purposes of this subchapter and shall prescribe the duties of those employees. The salaries of those employees and the cost of that equipment must be paid from the ~~Ground Water Oil Clean-up Fund~~ fund established by this subchapter ~~2-A~~.

~~This section is effective December 31, 2015.~~

Sec. 39. 38 MRSA §570-L, as enacted by PL 1993, c. 363, §18 and affected by §21, is amended to read:

§570-L. Budget approval; aboveground tanks program

This section establishes a budget process for expenses of the State Fire Marshal and the Clean-up and Response Fund Insurance Review Board.

1. Clean-up and Response Fund Review Board. The chair of the Clean-up and Response Fund Insurance Review Board shall submit budget recommendations for disbursements from the fund in accordance with section ~~569-A~~ 551, subsection 8 ~~5~~, paragraph ~~K~~ L. The budget must be submitted in accordance with Title 5, sections 1663 to 1666.

2. State Fire Marshal. The State Fire Marshal shall submit budget recommendations for disburse-

ment from the fund in accordance with section ~~569-A~~ 551, subsection 8 ~~5~~, paragraph ~~L~~ M. The budget must be submitted at the time the State Fire Marshal's budget is otherwise presented.

Sec. 40. 38 MRSA §1396, as enacted by PL 2007, c. 569, §6, is amended to read:

§1396. Financial assistance for upgrading aboveground oil storage tanks or facilities

The commissioner may disburse money from the Maine Ground Water Oil and Surface Waters Clean-up and Response Fund to retrofit, repair or replace aboveground oil storage tanks or aboveground oil storage facilities in a wellhead protection zone when the commissioner determines that action is necessary to abate an imminent threat to the well. Disbursements must be made in the manner provided under section ~~569-A~~ 551, subsection 8 ~~5~~, paragraphs ~~M~~ and ~~N~~ and O and are subject to the annual disbursement limitations of those paragraphs.

Sec. 41. 38 MRSA §1398, as enacted by PL 2007, c. 569, §6, is amended to read:

§1398. Eligibility for clean-up funds

Clean-up costs and 3rd-party damages resulting from discharges from an aboveground oil storage facility or an underground oil storage facility installed in violation of section 1393 are not eligible for coverage by the Maine Ground Water Oil and Surface Waters Clean-up and Response Fund under sections 551 and ~~568-A~~ and 569-A.

Sec. 42. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Remediation and Waste Management 0247

Initiative: Transfers 20 positions, associated All Other and Capital Expenditures from the Maine Coastal and Inland Surface Oil Clean-up Fund to the Maine Ground and Surface Waters Clean-up and Response Fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
Personal Services	\$0	\$0
All Other	(\$250,000)	(\$250,000)
Capital Expenditures	\$0	\$0
OTHER SPECIAL	(\$250,000)	(\$250,000)
REVENUE FUNDS TOTAL		

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

Effective July 4, 2015.

CHAPTER 320

H.P. 166 - L.D. 234

An Act Regarding the Mountain View Youth Development Center

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

Whereas, the Mountain View Youth Development Center has excess bed capacity available to house adult offenders, which should be utilized as soon as possible; and

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

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

Sec. 1. 34-A MRSA §4117, as enacted by PL 2013, c. 28, §12, is amended to read:

§4117. Adult offenders

The commissioner may confine adults sentenced and committed to the custody of the department who have not attained 26 years of age, except that, until April 30, 2017, the commissioner may confine adults of any age who have been sentenced and committed to the department, in the Mountain View Youth Development Center as long as the housing facilities for adult offenders are fully separated from the housing facilities for juvenile clients and the commissioner maintains at all times full compliance with mandatory sight and sound separation standards established by federal law. All provisions of this Title that are applicable to prisoners apply to adult offenders confined in the Mountain View Youth Development Center as if they were confined in a correctional facility housing only adults.

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

Effective July 5, 2015.

CHAPTER 321

S.P. 191 - L.D. 522

An Act To Clarify a Recently Enacted Law Designed To Expand the Number of Qualified Educators

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

Sec. 1. 5 MRSA §17859, sub-§1-A, as enacted by PL 2013, c. 486, Pt. A, §1, is amended to read:

1-A. Restoration to work of classroom-based employees. Effective August 1, 2014, a classroom-based employee who has reached normal retirement age and who retires after September 1, 2011 may be restored to service as a classroom-based employee in a school in the unorganized territory or with a school administrative unit as defined in Title 20-A, section 1, subsection 26:

A. In one-year contracts, which may be nonconsecutive. The maximum time that a classroom-based employee may be restored to service with an individual school administrative unit pursuant to this paragraph is 5 years;

B. Subject to the 5-year restriction specified in subsection 1 and the 75% compensation limitation for retired state employees and retired teachers specified in subsection 2, paragraph A; or

C. In any combination of paragraphs A and B, as long as the total time the classroom-based employee is restored to service does not exceed 10 years with an individual school administrative unit.

The retired classroom-based employee must have had a bona fide termination of employment in accordance with state and federal laws and rules, may not return to employment after retirement with the same employer for at least 30 calendar days after the termination of employment and may not return to employment before the effective date of the person's retirement.

For purposes of this section, "classroom-based employee" means a teacher whose principal function is to introduce new learning to students in the classroom or to provide support in the classroom during the introduction of new learning to students.

See title page for effective date.

CHAPTER 322
H.P. 556 - L.D. 822

**An Act To Allow a Former
Spouse of a Member of the
Maine Public Employees
Retirement System To Begin
Collecting Benefits When the
Former Spouse Reaches the
Member's Retirement Age**

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

Sec. 1. 5 MRSA §17059, sub-§4, ¶H, as enacted by PL 1991, c. 746, §9 and affected by §10, is amended to read:

H. Does not require the payment of benefits to an alternate payee before the retirement of a member other than when the payee reaches the member's normal retirement age, the distribution of a withdrawal of contributions to a member or other distribution to a member required by law.

Sec. 2. 5 MRSA §17059, sub-§5, ¶E, as enacted by PL 1991, c. 746, §9 and affected by §10, is amended to read:

E. The order may not require any action on the part of the retirement system contrary to its governing laws or plan provisions other than the direct payment of the benefit awarded to an alternate payee or the direct payment of the benefit awarded to an alternate payee before the retirement of a member and when the payee reaches the member's normal retirement age.

See title page for effective date.

CHAPTER 323
H.P. 818 - L.D. 1185

**An Act To Establish the
Municipal Gigabit Broadband
Network Access Fund**

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

Sec. 1. 35-A MRSA §9211-A is enacted to read:

§9211-A. Municipal Gigabit Broadband Network Access Fund

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

A. "Applicant" means a community, regional partnership or municipality that applies for a grant under this section.

B. "Community" means a municipality with a population of at least 1,200 people, as determined by the authority in accordance with the United States Census data, or a municipality that has received a waiver from this population requirement from the authority upon a determination that the municipality is in an unserved or underserved area.

C. "Fund" means the Municipal Gigabit Broadband Network Access Fund established in this section.

D. "Regional partnership" means 2 or more municipalities that do not, on their own, meet the requirements of paragraph B and have joined together with one or more contiguous municipalities in the region to achieve the population requirements of paragraph B.

2. Fund established. The Municipal Gigabit Broadband Network Access Fund is established as a nonlapsing, revolving fund administered by the authority for the purposes of supporting the activities and projects of the authority under this section. All money in the fund must be continuously applied by the authority to carry out this section. The authority may receive and deposit in the fund funds from the following sources:

A. Federal funds and awards that may be used for the purposes of this section;

B. The proceeds of bonds issued for the purposes of this section; and

C. Any other funds from public or private sources received in support of the purposes for which the fund is established.

3. Purpose of the fund. The fund is established to address the need in the State for access to ultra high-speed broadband infrastructure that will enhance the State's competitiveness in national and international economies. To the extent funds are available, the fund must be used to provide grants to communities, regional partnerships and municipalities to support public-private partnerships to support a municipal gigabit fiber-optic broadband network in their regions with the following goals:

A. Provide high-speed broadband access to attract, create and grow the State's economy and market the products and services of businesses in the State in national and international markets with ultra high-speed symmetric connectivity and address challenges in geography;

B. Provide expanded health care services by facilitating access to telemedicine, as defined in Ti-

tle 24-A, section 4316, subsection 1, and state and local services for senior citizens and persons with disabilities;

C. Expand educational opportunities for students across the State through virtual and distance learning;

D. Facilitate broader access for the public to services provided by municipal and county governments, including, but not limited to, law enforcement entities, the judicial system and child, youth and family social services; and

E. Provide expanded residential services to support employment opportunities.

In order to facilitate the achievement of the goals and policies of this section, the authority shall establish and regularly update, after opportunity for public comment and taking into consideration relevant federal policies, definitions of "gigabit fiber-optic broadband network" and "ultra high-speed broadband infrastructure."

4. Implementation grants; maximum awards.

To the extent funds are available, the authority shall award implementation grants to achieve the purpose of the fund as described in subsection 3 as follows.

A. An implementation grant to an applicant may not exceed \$200,000 for each eligible project selected for funding.

B. An implementation grant may be awarded only to an applicant that has demonstrated to the satisfaction of the authority that it has participated in a planning grant process as described in subsections 5, 6 and 7.

C. Municipalities selected for funding must be required to provide a 25% cash match.

5. Planning grants; requirements for applicants. In order to assist applicants with completion of the planning process necessary to achieve the goals of this section, to the extent funds are available, the authority shall award planning grants of up to \$20,000 for community applicants and up to \$25,000 for regional partnerships and municipalities, which require a cash match. The authority shall establish application requirements for planning grants for community and regional applicants that require an applicant to demonstrate to the satisfaction of the authority participation with public and private institutions and local businesses in the development of the grant process. Municipal applicants must provide the authority with the following information:

A. A plan that identifies how the municipality will use ultra high-speed broadband access to fulfill the economic goals of the municipality;

B. A written commitment to nondiscriminatory open access to the broadband infrastructure by all parties involved in the grant;

C. A written summary of public forums used to gather information from the public in establishing the goals for the grant that serve the goals of this section;

D. Information gathered from local public and private institutions that identifies how the broadband services will expand access to state and local services identified under subsection 3; and

E. A summary of input received from the business community to identify the services that will be used in planning the implementation grant application.

6. Planning grant requirements. An applicant awarded a planning grant under subsection 5 must provide to the authority:

A. Identification of the local broadband needs and goals;

B. An inventory of existing broadband infrastructure assets within the municipality, municipalities or region;

C. The results of a gap analysis that defines the additional broadband infrastructure necessary to meet identified needs and goals;

D. One or more potential network designs, cost estimates, operating models and potential business models, based on input from broadband providers operating within the municipality, municipalities or region and any other parties that submit a network design solution, to address any broadband gaps identified in the analysis described in paragraph C; and

E. An assessment of all existing municipal procedures, policies, rules and ordinances that may have the effect of delaying or increasing the cost of broadband infrastructure deployment.

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

8. Technical assistance; contract for services. The authority may provide technical assistance to applicants that request assistance with the grant application process. The authority may contract for services to assist in the administration, management and evaluation of the fund.

9. Rules; application procedure. The authority shall adopt rules to implement this section, including rules governing the application process for the fund. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

10. Report. Beginning December 15, 2016, the authority shall provide an annual report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters on the grants distributed from the fund and an analysis of the fund's activities that have addressed the need for expansion of ultra high-speed broadband access in the State.

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

CONNECTME AUTHORITY

Municipal Gigabit Broadband Network Access Fund N185

Initiative: Provides a base allocation of \$500 to establish the Municipal Gigabit Broadband Network Access Fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

CHAPTER 324

S.P. 137 - L.D. 369

An Act To Clarify the Immigration Status of Noncitizens Eligible for General Assistance

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

Sec. 1. 22 MRSA §4301, sub-§3, as amended by PL 2013, c. 368, Pt. OO, §4, is further amended to read:

3. Eligible person. "Eligible person" means a person who is qualified to receive general assistance from a municipality according to standards of eligibility determined by the municipal officers whether or not that person has applied for general assistance. "Eligible person" does not include a person who is a fugitive from justice as defined in Title 15, section 201, subsection 4. Beginning July 1, 2015, in accor-

dance with 8 United States Code, Section 1621(d), "eligible person" means a person who is lawfully present in the United States or who is pursuing a lawful process to apply for immigration relief, except that assistance for such a person may not exceed 24 months.

See title page for effective date.

CHAPTER 325

H.P. 941 - L.D. 1391

An Act Regarding the Treatment of Forensic Patients

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

Whereas, this legislation needs to take effect as soon as possible in order to provide an environment that is safe and secure for hospital staff and to reduce costs associated with lost work time due to injuries to staff; and

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

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

Sec. 1. 15 MRSA §§106, 107 and 108 are enacted to read:

§106. Involuntary medication of incompetent defendant

1. Definition. As used in this section, "commissioner" means the Commissioner of Health and Human Services or the commissioner's designee.

2. Notice required; contents. At any time after a defendant has been found incompetent to proceed and has been committed to the custody of the commissioner under section 101-D, subsection 5, the commissioner shall notify the court, prosecuting attorney and attorney for the defendant if the commissioner has determined that the defendant is not consenting to or responding to treatment and is unlikely to be restored to competency without the administration of psychiatric medication over the defendant's objection. The commissioner shall provide this notice only if there is no basis for involuntarily medicating the defendant other than to restore the defendant's competency. The commissioner shall state in the notice whether the commissioner believes that:

A. Medication is necessary to render the defendant competent;

B. Medication is substantially likely to render the defendant competent;

C. Medication is substantially unlikely to produce side effects that would significantly interfere with the defendant's ability to assist in the defendant's defense;

D. No less intrusive means of treatment are available; and

E. Medication is medically appropriate and is in the defendant's best medical interest in light of the defendant's medical condition.

The commissioner shall also state in the notice whether less intrusive means of treatment have been attempted to render the defendant competent.

3. Court authorization. The following provisions govern court authorization for the involuntary medication of a defendant under this section.

A. Upon receipt of the notice under subsection 2, the prosecuting attorney shall assess whether important state interests are at stake in restoring the defendant's competency and shall promptly notify the commissioner of the result of that assessment. If the prosecuting attorney determines that important state interests are at stake, the prosecuting attorney shall file a motion seeking court authorization for involuntary medication of the defendant, and the court shall conduct a hearing within 30 days of the filing of the motion, unless the court extends the time for good cause.

B. The court, in determining whether a defendant should be medicated over the defendant's objection, shall consider whether:

(1) Important state interests are at stake in restoring the defendant's competency;

(2) Involuntary medication will significantly further important state interests, in that the medication proposed:

(a) Is substantially likely to render the defendant competent to proceed; and

(b) Is substantially unlikely to produce side effects that would significantly interfere with the defendant's ability to assist the defense counsel in conducting the defendant's defense;

(3) Involuntary medication is necessary to further important state interests;

(4) Any alternate less intrusive treatments are unlikely to achieve substantially the same results; and

(5) The administration of the proposed medication is medically appropriate, as it is in the defendant's best medical interest in light of the defendant's medical condition.

4. Findings; order. If the court finds by clear and convincing evidence that the involuntary administration of psychiatric medication to a defendant under this section is necessary and appropriate, it shall make findings addressing each of the factors in subsection 3, paragraph B and shall issue an order authorizing the administration of psychiatric medication to the defendant over the defendant's objection in order to restore the defendant to competency. When issuing the order, the court may order that medication may be administered by more intrusive methods only if the defendant has refused administration by less intrusive methods. The court may order that the commissioner report to the court within a reasonable period following entry of the order as to whether the authorized treatment remains appropriate.

5. Application. This section applies only if the prosecuting attorney seeks an order of involuntary medication for the purpose of rendering a defendant competent to proceed.

§107. Involuntary medication of patient

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

A. "Commissioner" means the Commissioner of Health and Human Services or the commissioner's designee.

B. "Department" means the Department of Health and Human Services.

C. "Patient" means a person held in a hospital under section 101-D or 103.

D. "Psychiatrist" includes a physician assistant working under the supervision of a psychiatrist and a psychiatric nurse practitioner.

2. Administration of psychiatric medication over objection prohibited; exceptions. A patient may not be administered psychiatric medication over the objection of the patient except:

A. As ordered by the court under section 106;

B. In accordance with an advance health care directive;

C. For a patient under guardianship, as authorized by the guardian; or

D. For a patient who is not under guardianship, for whom no advance health care directive is known to be in effect and for whom no administration of medication under section 106 has been ordered, as provided in subsection 3.

3. Involuntary medication on nonemergency basis. A hospital may seek to initiate involuntary medication of a patient under this section on a non-emergency basis only if all of the following conditions have been met:

A. A psychiatrist has determined that the patient has a mental illness or disorder;

B. A psychiatrist has determined that, as a result of the patient's mental illness or disorder, the patient poses a substantial risk of harm to self or others or there is a reasonable certainty that the patient will suffer severe physical or mental harm as manifested by recent behavior demonstrating an inability to avoid risk or to protect the patient adequately from impairment or injury;

C. A psychiatrist has determined that the patient should be treated with psychiatric medication and has prescribed one or more psychiatric medications for the treatment of the patient's mental illness or disorder, has considered the risks and benefits of and treatment alternatives to involuntary medication and has determined that the need for treatment outweighs the risks and side effects;

D. The patient has been advised of the risks and benefits of and treatment alternatives to the psychiatric medication and refuses or is unable to consent to the administration of the medication;

E. The patient is provided a hearing before a hearing officer. The hearing must be held not more than 14 days after the filing of the notice by the hospital pursuant to paragraph G with the department's office of administrative hearings, unless counsel for the patient agrees to extend the date of the hearing;

F. The patient is provided counsel at the department's expense at least 7 days prior to the hearing under paragraph E;

G. The patient and counsel are provided with written notice of the hearing under paragraph E by the hospital at least 7 days prior to the hearing. The written notice must:

(1) Set forth the patient's diagnosis, the factual basis for the diagnosis, the basis upon which psychiatric medication is recommended, the expected benefits, potential side effects and risks of the medication to the patient and treatment alternatives to medication, if any;

(2) Advise the patient of the right to be present at the hearing, the right to be represented by counsel, the right to present evidence and the right to cross-examine witnesses. Counsel for the patient must have access to all medical records and files of the patient; and

(3) Inform the patient of the patient's right to file an appeal in Superior Court of a decision of the commissioner authorizing involuntary treatment.

Failure of the hospital to provide timely or adequate notice pursuant to this paragraph may be excused only upon a showing of good cause and the absence of prejudice to the patient. In making this determination, the hearing officer may consider factors including, but not limited to, the ability of the patient's counsel to prepare the case adequately and to confer with the patient, the continuity of care and, if applicable, the need for protection of the patient or institutional staff that would be compromised by a procedural default;

H. The hearing officer at the hearing under paragraph E determines by clear and convincing evidence that:

(1) The patient has a mental illness or disorder;

(2) As a result of that illness or disorder the patient poses a substantial risk of harm to self or others or there is a reasonable certainty that the patient will suffer severe physical or mental harm as manifested by recent behavior demonstrating an inability to avoid risk or to protect the patient adequately from impairment or injury if not medicated;

(3) There is no less intrusive alternative to involuntary medication; and

(4) The need for treatment outweighs the risks and side effects;

I. The hearing officer at the hearing under paragraph E recommends to the commissioner that an order authorizing administration of involuntary medication be issued;

J. The commissioner issues an order authorizing administration of involuntary medication. The decision whether to issue an order authorizing administration of involuntary medication rests with the commissioner. An order authorizing administration of involuntary medication provides authority to undertake procedures and administer medication to monitor and manage side effects, all consistent with medical standards of care; and

K. The historical course of the patient's mental illness or disorder, as determined by available relevant information about the course of the patient's mental illness or disorder, is considered when it has direct bearing on the determination of whether the patient, as the result of a mental illness or disorder, poses a substantial risk of harm to self or others or there is a reasonable certainty that the patient will suffer severe physical or mental harm as manifested by recent behavior demon-

strating an inability to avoid risk or to protect the patient adequately from impairment or injury.

4. Emergency action. Nothing in this section prohibits a physician from taking appropriate action in an emergency, as defined by the department in rules adopted pursuant to Title 34-B, section 3003 and in accordance with procedures contained in those rules.

5. Effective date and expiration of order. An order authorizing involuntary medication pursuant to subsection 3 is effective 24 hours after it is issued and expires one year after the date of the order, unless a new authorization is given pursuant to the procedures set forth in subsection 7 or authorization is terminated early based on a significant change to the patient's medical condition such that the need for treatment no longer outweighs the risks and side effects pursuant to the procedures set forth in subsection 8.

6. Effect of subsequent consent. A patient's subsequent informed consent does not abrogate an order authorizing involuntary medication under this section.

7. Extension. To extend an authorization that is in effect allowing involuntary medication under this section, the hospital shall, no later than 21 days prior to the expiration of the authorization, file with the department's office of administrative hearings and provide the patient and the patient's counsel with a written notice indicating the hospital's intent to extend the authorization under the existing decision.

A. A patient who is the subject of a filing under this subsection must be given the same due process protections as specified in subsection 3. The hearing on any request to extend an order for involuntary medication must be conducted prior to the expiration of the authorization that is in effect. If the hospital wishes to add a basis to an existing decision authorizing involuntary medication, the notice required by subsection 3, paragraph G must also specify the additional basis and the conduct within the past year that supports that additional basis. The hospital must prove the additional basis and conduct at the hearing as specified in subsection 3, paragraph H. If the hearing officer determines that the requirements for the extension of an authorization described in paragraph B have been met, the hearing officer must recommend an extension of the authorization to the commissioner. While the hearing officer may consider evidence of behavior during the period of involuntary medication, no new acts necessarily need to be alleged or proven in order to support an extension of the authorization that is in effect.

B. The commissioner may order an extension of an authorization under this subsection. An order extending an authorization that is in effect must

be granted based on clear and convincing evidence that:

- (1) The patient has a mental illness or disorder;
- (2) As a result of that illness or disorder the patient poses a substantial risk of harm to self or others or there is a reasonable certainty that the patient will suffer severe physical or mental harm as manifested by recent behavior demonstrating an inability to avoid risk or to protect the patient adequately from impairment or injury if not medicated;
- (3) There is no less intrusive alternative to involuntary medication; and
- (4) The need for treatment outweighs the risks and side effects.

C. An extension under this subsection is valid for one year after the date of the hearing under paragraph A.

8. Early termination. To request early termination of an authorization allowing involuntary medication, the patient or the patient's designated representative shall file a request with the department's office of administrative hearings, along with copies of documents from the patient's hospital record, or from another medical source, demonstrating that there has been a significant change to the conditions leading to the original order or the patient's medical condition. The hearing officer shall determine within 14 days whether the documents are sufficient to show such a change, and, if so, shall schedule a hearing to determine whether the change in the conditions leading to the original order or the patient's medical condition is such that the benefits of the authorized treatment no longer outweigh the risks and side effects.

A. A hearing under this subsection must be held no more than 14 days after the hearing officer's determination, unless the patient or the patient's designated representative agrees to extend the date of the hearing. The authorization remains in effect unless it is terminated following the hearing.

B. The patient, the patient's designated representative, if any, and the hospital must be provided with written notice of the hearing under this subsection at least 7 days prior to the hearing. The written notice must:

- (1) Advise the patient of the right to be present at the hearing, the right to present evidence and the right to present and examine witnesses; and
- (2) Inform the patient of the patient's right to file an appeal in Superior Court of a decision of the commissioner determining that the

benefits of the authorized treatment continue to outweigh the risks and side effects.

C. For purposes of a request for early termination of an authorization under this subsection, the patient may name as the patient's designated representative a lay advisor provided by the hospital, a lawyer provided by the patient at the patient's own expense or another representative who is selected by the patient and who is willing and able to assist in the proceeding. If the hearing officer determines that a hearing is warranted, the patient must be provided counsel at the department's expense at least 7 days prior to the hearing.

D. If, following a hearing under this subsection, the hearing officer determines by clear and convincing evidence that the benefits of authorized treatment no longer outweigh the risks and side effects, the hearing officer must recommend termination of the authorization to the commissioner. The decision whether to terminate the authorization of involuntary treatment rests with the commissioner, who shall act within 48 hours upon the hearing officer's recommendation.

9. Final agency action. An order issued by the commissioner under subsection 3, paragraph J, subsection 7, paragraph B or subsection 8, paragraph D is a final agency action.

10. Rules. The department may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

§108. Court-ordered independent examinations

Before making a determination under section 106 or 107, a court may order an independent psychiatric or medical examination of the patient. The Department of Health and Human Services, within 30 days after receiving a request from the Administrative Office of the Courts, shall reimburse the Judicial Department for the full amount of fees paid by the Judicial Department to providers of psychiatric and medical examinations of forensic patients ordered by the court.

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

Effective July 7, 2015.

CHAPTER 326

H.P. 74 - L.D. 91

An Act To Allow Dental Hygienists To Prescribe Fluoride Dentifrice and Antibacterial Rinse

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

Sec. 1. 32 MRSA §1094-Q, sub-§1, ¶O, as amended by PL 2015, c. 2, §1, is further amended to read:

O. Apply topical antimicrobials, excluding antibiotics, including fluoride, for the purposes of bacterial reduction, caries control and desensitization in the oral cavity. The independent practice dental hygienist shall follow current manufacturer's instructions in the use of these medications; ~~and~~

Sec. 2. 32 MRSA §1094-Q, sub-§1, ¶P, as enacted by PL 2015, c. 2, §2, is amended to read:

P. Expose and process radiographs, including but not limited to vertical and horizontal bitewing films, periapical films, panoramic images and full-mouth series, under protocols developed by the board as long as the independent practice dental hygienist has a written agreement with a licensed dentist providing that the dentist will be available to interpret all dental radiographs within 21 days from the date the radiograph is taken and that the dentist will sign a radiographic review and findings form;

Sec. 3. 32 MRSA §1094-Q, sub-§1, ¶¶Q and R are enacted to read:

Q. Prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride; and

R. Prescribe, dispense or administer chlorhexidine gluconate oral rinse.

Sec. 4. 32 MRSA §1094-HH, sub-§§8 and 9, as enacted by PL 2013, c. 575, §7, are amended to read:

8. Radiographs. Administer radiographs; ~~and~~

9. Other related services and functions. Perform other related services and functions authorized by the supervising dentist and for which the dental hygiene therapist is trained;

Sec. 5. 32 MRSA §1094-HH, sub-§§10 and 11 are enacted to read:

10. Dentifrice; oral rinse. Prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride; and

11. Chlorhexidine gluconate. Prescribe, dispense or administer chlorhexidine gluconate oral rinse.

Sec. 6. 32 MRSA §1098-E, as enacted by PL 2005, c. 198, §1, is amended to read:

§1098-E. Temporary filling procedures; prescription authority

A dental hygienist with public health supervision status, as defined by rules adopted by the Board of Dental Examiners, may perform temporary filling procedures without a dentist present under protocols developed by the Board of Dental Examiners. A dental hygienist with public health supervision status may prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride, as well as chlorhexidine gluconate oral rinse. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. 32 MRSA §1098-F is enacted to read:

§1098-F. Prescription authority

A dental hygienist licensed under this subchapter may prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride, as well as chlorhexidine gluconate oral rinse.

Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

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

Office of MaineCare Services 0129

Initiative: Provides funding for a change to the point-of-sale application that pays for prescriptions at a pharmacy and oversight of vendor change management.

GENERAL FUND	2015-16	2016-17
All Other	\$6,750	\$0
GENERAL FUND TOTAL	\$6,750	\$0
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$20,250	\$0

FEDERAL EXPENDITURES	\$20,250	\$0
FUND TOTAL		

See title page for effective date.

CHAPTER 327

S.P. 245 - L.D. 652

**An Act To Authorize the
Carrying of Concealed
Handguns without a Permit**

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

Sec. 1. 12 MRSA §11212, sub-§1, ¶B, as amended by PL 2005, c. 477, §9, is further amended to read:

B. A person may not, while in or on a motor vehicle or in or on a trailer or other type of vehicle being hauled by a motor vehicle, have a cocked and armed crossbow or a firearm with a cartridge or shell in the chamber or in an attached magazine, clip or cylinder or a muzzle-loading firearm charged with powder, lead and a primed ignition device or mechanism, except that a person who ~~has a valid Maine permit to carry a concealed weapon~~ is 21 years of age or older and is not otherwise prohibited from possessing a firearm or is 18 years of age or older and under 21 years of age and is on active duty in the Armed Forces of the United States or the National Guard or is an honorably discharged veteran of the Armed Forces of the United States or the National Guard and is not otherwise prohibited from carrying a firearm may have in or on a motor vehicle or trailer or other type of vehicle a loaded pistol or revolver ~~covered by that permit.~~

Sec. 2. 25 MRSA §2001-A, sub-§2, ¶A-1 is enacted to read:

A-1. A handgun carried by a person who is 21 years of age or older and is not otherwise prohibited from carrying a firearm or is 18 years of age or older and under 21 years of age and is on active duty in the Armed Forces of the United States or the National Guard or is an honorably discharged veteran of the Armed Forces of the United States or the National Guard and is not otherwise prohibited from carrying a firearm;

Sec. 3. 25 MRSA §2001-A, sub-§3 is enacted to read:

3. Firearm safety brochure. Upon purchase of a handgun, a person exempt under subsection 2, paragraph A-1 shall sign in the presence of the firearm

dealer an acknowledgment that the person was provided a basic firearm safety brochure in accordance with section 2012, subsection 2, paragraph A. The purchaser shall retain the acknowledgment. The Department of Public Safety shall post on the department's publicly accessible website a basic firearm safety brochure, an acknowledgment form and a list of safety programs certified by a national nonprofit membership organization that provides a volunteer safety program, including the training of people in the safe handling and use of handguns.

Sec. 4. 25 MRSA §2003-A is enacted to read:

§2003-A. Duty to inform law enforcement

When an individual who is carrying a concealed handgun pursuant to the authority of this chapter and who does not have a valid permit to carry a concealed handgun that has been issued as provided in this chapter first comes into contact with any law enforcement officer of this State or its political subdivisions or a federal law enforcement officer during the course of any arrest, detainment or routine traffic stop, that individual shall immediately inform that law enforcement officer of the fact that the individual is carrying a concealed handgun.

Sec. 5. 25 MRSA §2004, sub-§5 is enacted to read:

5. Failure to inform law enforcement. A person who fails to comply with section 2003-A commits a civil violation for which a fine of not more than \$100 may be adjudged.

Sec. 6. 25 MRSA §2012, sub-§1, ¶A, as enacted by PL 1991, c. 127, is amended to read:

A. "Basic firearm safety brochure" means a brochure, produced by a national, nonprofit membership organization that provides a comprehensive voluntary safety program including the training of people in the safe handling and use of firearms or by any other organization, that contains the following information relating to firearms:

- (1) Rules for safe handling, storage and use of firearms;
- (2) Nomenclature and descriptions of various types of firearms; ~~and~~
- (3) Responsibilities of firearm ownership; ~~and~~
- (4) The following information developed by the Department of Public Safety:
 - (a) A list of locations where handguns are prohibited; and
 - (b) Information concerning the use of handguns for self-defense.

Sec. 7. Appropriations and allocations.

The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Licensing and Enforcement - Public Safety 0712

Initiative: Eliminates 2 Office Associate II positions, one State Police Detective position and related costs as a result of allowing certain people to carry a concealed handgun without a permit.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNCIL	(3,000)	(3,000)
Personal Services	(\$189,000)	(\$259,560)
All Other	(\$13,451)	(\$17,935)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$202,451)	(\$277,495)

See title page for effective date.

CHAPTER 328

S.P. 554 - L.D. 1452

**An Act To Make Technical
Changes to Recently Enacted
Legislation**

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

Sec. 1. 20-A MRSA §12545, as enacted by PL 2011, c. 665, §5, is amended to read:

§12545. Report

By February 1, 2021, each accredited Maine community college, college and university, as defined in section 12541, subsection 1, shall report to the department on efforts to promote ~~and enroll individuals in~~ the program and to train admissions and financial aid staff about the program. By March 1, 2021, the department shall report findings and recommendations regarding the program to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over taxation matters. By March 1, 2021, the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy shall report on implementation of the educational opportunity tax credit, including statistics on credits claimed, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over taxation matters.

tion over taxation matters. The Office of Tax Policy, in conjunction with the State Economist and the Department of Labor, shall include in its report an analysis of the costs of the credits claimed and the impact of the program on the State's labor force. After receipt and review of the information required under this section, the joint standing committee of the Legislature having jurisdiction over education and cultural affairs or the joint standing committee of the Legislature having jurisdiction over taxation matters may report out to the Legislature a bill regarding the program.

Sec. 2. 36 MRSA §199-C, sub-§3, as enacted by PL 2011, c. 665, §6, is amended to read:

3. Specific tax expenditure review. By June 1, 2021, the committee shall review the income tax credit under section 5217-D to determine whether the credit should be retained, repealed or modified. The committee shall consider information provided by the Office of Tax Policy within the bureau and the Department of Education pursuant to Title 20-A, section 12545.

Sec. 3. 36 MRSA §5122, sub-§2, ¶M-1, as amended by PL 2015, c. 267, Pt. DD, §9, is further amended to read:

M-1. For tax years beginning on or after January 1, 2014 but before January 1, 2016, for each individual who is a primary recipient of retirement plan benefits under an employee retirement plan or an individual retirement account, an amount that is the lesser of the aggregate of retirement plan benefits under employee retirement plans or individual retirement accounts included in the individual's federal adjusted gross income and the pension deduction amount reduced by the total amount of the individual's social security benefits and railroad retirement benefits paid by the United States, but not less than \$0.

For purposes of this paragraph, the following terms have the following meanings.

(1) "Employee retirement plan" means a state or federal retirement plan or any other retirement benefit plan established and maintained by an employer for the benefit of its employees under the Code, Section 401(a), Section 403 or Section 457(b), except that distributions made pursuant to a Section 457(b) plan are not eligible for the deduction provided by this paragraph if they are made prior to age 55 and are not part of a series of substantially equal periodic payments made for the life of the primary recipient or the joint lives of the primary recipient and that recipient's designated beneficiary. "Employee retirement plan" does not include a military retirement plan or survivor benefits under such a plan.

(2) "Individual retirement account" means an individual retirement account under Section

408 of the Code, a Roth IRA under Section 408A of the Code, a simplified employee pension under Section 408(k) of the Code or a simple retirement account for employees under Section 408(p) of the Code.

(3) "Military retirement plan" means retirement plan benefits received as a result of service in the active or reserve components of the Army, Navy, Air Force, Marines or Coast Guard.

(4) "Pension deduction amount" means \$10,000 for tax years beginning on or after January 1, 2014.

(5) "Primary recipient" means the individual upon whose earnings or contributions the retirement plan benefits are based or the surviving spouse of that individual.

(6) "Retirement plan benefits" means employee retirement plan benefits, except pick-up contributions for which a subtraction is allowed under paragraph E, reported as pension or annuity income for federal income tax purposes and individual retirement account benefits reported as individual retirement account distributions for federal income tax purposes. "Retirement plan benefits" does not include distributions that are subject to the tax imposed by the Code, Section 72(t);

Sec. 4. 36 MRSA §5213-A, sub-§1, ¶A, as enacted by PL 2015, c. 267, Pt. DD, §19, is amended to read:

A. "Base credit" means:

(1) For an individual income tax return claiming one personal exemption, \$100 for tax years beginning in 2016 and \$125 for tax years beginning on or after January 1, 2017;

(2) For an individual income tax return claiming 2 personal exemptions, \$140 for tax years beginning in 2016 and \$175 for tax years beginning on or after January 1, 2017;

(3) For an individual income tax return claiming 3 personal exemptions, \$160 for tax years beginning in 2016 and \$200 for tax years beginning on or after January 1, 2017; and

(4) For an individual income tax return claiming 4 or more personal exemptions, \$180 for tax years beginning in 2016 and \$225 for tax years beginning on or after January 1, 2017.

For the purposes of this paragraph, personal exemption does not include a personal exemption for an individual who is incarcerated.

Sec. 5. 36 MRSA §5217-D, sub-§1, ¶B-1, as amended by PL 2015, c. 267, Pt. QQQ, §2, is further amended to read:

B-1. "Financial aid package" means financial aid obtained by a student after December 31, 2007 for attendance at an accredited Maine community college, college or university after December 31, 2007. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2013, the financial aid package may include financial aid obtained for up to 30 credit hours of course work at an accredited non-Maine community college, college or university earned prior to transfer to an accredited Maine community college, college or university, if the 30 credit hours were earned after December 31, 2007 and the transfer occurred after December 31, 2012. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2016, who is eligible for a credit under paragraph G, subparagraph (1), division (b), the financial aid package may include financial aid obtained by a student for attendance at an accredited non-Maine community college, college or university after December 31, 2007. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2016, who is eligible for a credit under paragraph G, subparagraph (1), division (c), the financial aid package may include financial aid obtained by a student for attendance at an accredited Maine college or university after December 31, 2007. For purposes of an employer claiming a credit under this section for tax years beginning on or after January 1, 2013, the financial aid package may include financial aid obtained by a qualified employee after December 31, 2007 for attendance at an accredited non-Maine community college, college or university after December 31, 2007. The financial aid package may include private loans or less than the full amount of loans under federal programs, depending on the practices of the accredited Maine or non-Maine community college, college or university. Loans are includable in the financial aid package only if entered into prior to July 1, 2023.

Sec. 6. 36 MRSA §5217-D, sub-§1, ¶G, as amended by PL 2015, c. 267, Pt. QQQ, §3, is further amended to read:

G. "Qualified individual" means an individual, including the spouse filing a joint return with the individual under section 5221, who is eligible for the credit provided in this section. An individual is eligible for the credit if the individual:

- (1) Attended and obtained;

(a) An associate or bachelor's degree from an accredited Maine community college, college or university after December 31, 2007 but before January 1, 2016. The individual need not obtain the degree from the institution in which that individual originally enrolled as long as all course work toward the degree is performed at an accredited Maine community college, college or university, except that an individual who transfers to an accredited Maine community college, college or university after December 31, 2012 but before January 1, 2016 from outside the State and earned no more than 30 credit hours of course work toward the degree at an accredited non-Maine community college, college or university after December 31, 2007 and prior to the transfer is eligible for the credit if all other eligibility criteria are met. Program eligibility for such an individual must be determined as if the commencement of course work at the relevant accredited Maine community college, college or university was the commencement of course work for the degree program as a whole;

(b) An associate or bachelor's degree from an accredited Maine or non-Maine community college, college or university after December 31, ~~2007~~ 2015; or

(c) A graduate degree from an accredited Maine college or university after December 31, ~~2007~~ 2015;

(4) During the taxable year, was a resident individual; and

(5) Worked during the taxable year:

(a) For tax years beginning prior to January 1, 2015, at least part time for an employer located in this State or, for tax years beginning on or after January 1, 2013, was, during the taxable year, deployed for military service in the United States Armed Forces, including the National Guard and the Reserves of the United States Armed Forces; or

(b) For tax years beginning on or after January 1, 2015, at least part time in this State for an employer or as a self-employed individual or was, during the taxable year, deployed for military service in the United States Armed Forces, including the National Guard and the Reserves of the United States Armed Forces.

As used in this subparagraph, "deployed for military service" has the same meaning as in Title 26, section 814, subsection 1, paragraph A.

Sec. 7. 36 MRSA §5217-D, sub-§3, as amended by PL 2013, c. 525, §15, is further amended to read:

3. Calculation of the credit; qualified individuals. Subject to subsection 2 and except as provided in this subsection, the credit with respect to a qualified individual is equal to the amount determined under paragraph A or paragraph B, whichever is less, multiplied by the proration factor:

A. The benchmark loan payment multiplied by the number of months during the taxable year in which the taxpayer made loan payments; or

B. The monthly loan payment amount multiplied by the number of months during the taxable year in which the taxpayer made loan payments.

The credit under this subsection for ~~an individual a~~ qualified individual under subsection 1, paragraph G, subparagraph (1), division (a) who transferred to an accredited Maine community college, college or university from an accredited non-Maine community college, college or university after December 31, 2012 but before January 1, 2016 and who earned no more than 30 credit hours of course work toward the degree at an accredited non-Maine community college, college or university is equal to 50% of the amount otherwise determined under this section in the case of an associate degree and equal to 75% of the amount otherwise determined under this section in the case of a bachelor's degree.

Notwithstanding subsection 2, paragraph C, the credit under this subsection is refundable to the extent the credit is based on loans included in the financial aid package acquired to obtain a bachelor's degree or associate degree in science, technology, engineering or mathematics. For tax years beginning on or after January 1, 2016, the credit under this subsection is refundable to the extent the credit is based on loans included in the financial aid package acquired to obtain an associate degree.

For purposes of this subsection, the proration factor is the amount derived by dividing the total number of academic credit hours earned for a bachelor's or associate degree after December 31, 2007 by the total number of academic credit hours earned for the bachelor's or associate degree.

Sec. 8. 36 MRSA §5219-S, sub-§4, as amended by PL 2015, c. 267, Pt. DD, §31, is further amended to read:

4. Limitation. The credit allowed by this section may not reduce the Maine income tax to less than zero, except that for tax years beginning on or after

January 1, 2016, the credit allowed under subsections 1 and 3 is refundable.

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Deappropriates funds no longer needed for the Homestead Property Tax Exemption Reimbursement program as a result of changes made in the 2016-2017 biennial budget.

GENERAL FUND	2015-16	2016-17
All Other	\$0	(\$27,975,000)
GENERAL FUND TOTAL	\$0	(\$27,975,000)

Revenue Services, Bureau of 0002

Initiative: Provides funding for one Tax Examiner position effective January 1, 2017 and related All Other costs to review and process additional claims for the educational opportunity tax credit.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$36,005
All Other	\$0	\$3,895
GENERAL FUND TOTAL	\$0	\$39,900

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$0	(\$27,935,100)
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$27,935,100)

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Office of Tourism 0577

Initiative: Deallocates funds no longer needed as a result of changes made in the 2016-2017 biennial budget.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

All Other	\$0	(\$1,710,535)
OTHER SPECIAL	\$0	(\$1,710,535)
REVENUE FUNDS TOTAL		
ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS	2015-16	2016-17
OTHER SPECIAL	\$0	(\$1,710,535)
REVENUE FUNDS		
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$1,710,535)
SECTION TOTALS	2015-16	2016-17
GENERAL FUND	\$0	(\$27,935,100)
OTHER SPECIAL	\$0	(\$1,710,535)
REVENUE FUNDS		
SECTION TOTAL - ALL FUNDS	\$0	(\$29,645,635)

See title page for effective date.

CHAPTER 329 H.P. 936 - L.D. 1381

An Act To Correct Errors and Inconsistencies in the Laws of Maine

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

Whereas, acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

Whereas, these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of

the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. 12 MRSA §6728, sub-§3, as repealed and replaced by PL 2007, c. 557, §9 and repealed by c. 607, Pt. A, §10, is repealed.

Sec. A-2. 12 MRSA §6728, sub-§3-A, as enacted by PL 2007, c. 607, Pt. A, §11, is amended to read:

3-A. Violation. ~~A~~ Notwithstanding section 6174, a person who violates this section commits a civil violation. The following penalties apply:

A. For the first offense, a mandatory fine of \$500 is imposed and all scallops on board may be seized; ~~and~~

B. For the 2nd offense, a mandatory fine of \$750 is imposed and all scallops on board may be seized; and

C. For the 3rd and subsequent offenses, a mandatory fine of \$750 is imposed and all scallops on board may be seized and the scallop dragging license may be suspended for one year. ~~This~~ The penalty is imposed pursuant to this paragraph in addition to the penalty imposed under section 6728-B.

Sec. A-3. 20-A MRSA §2902, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Immunization. Comply with the immunization provisions under ~~section 6351~~ chapter 223, subchapter 2;

Sec. A-4. 20-A MRSA §5161, sub-§§1, 3, 5, 7 and 8, as enacted by PL 2007, c. 451, §6, are repealed.

Sec. A-5. 22 MRSA §1714-E, sub-§§1 and 7, as reallocated by RR 2011, c. 2, §25, are amended to read:

1. Suspension of payments. The department shall suspend payment in whole or in part to a Maine-Care provider when a suspension is necessary to comply with Section 6402(h)(2) of the federal Patient Protection and Affordable Care Act ~~of 2010~~, Public Law 111-148 and 42 Code of Federal Regulations, Part 455.

7. Repeal. This section is repealed if Section 6402(h)(2) of the federal Patient Protection and Affordable Care Act ~~of 2010~~, Public Law 111-148 and

42 Code of Federal Regulations, Part 455 are invalidated by the United States Supreme Court.

Sec. A-6. 22 MRSA §2511, sub-§41-A, as enacted by PL 2013, c. 252, §2 and c. 323, §1, is repealed and the following enacted in its place:

41-A. Registered establishment. "Registered establishment" means a person registered under section 2514-A.

Sec. A-7. 22 MRSA §2514, sub-§1, ¶G-1, as enacted by PL 2013, c. 252, §3 and c. 323, §3, is repealed.

Sec. A-8. 22 MRSA §2514-A, as enacted by PL 2013, c. 252, §4, is amended to read:

§2514-A. Registration

1. Registration permitted. A person that is not licensed under section 2514 may engage in intrastate commerce in the business of buying, selling, preparing, processing, packing, storing, transporting or otherwise handling meat, meat food products or poultry products if that person is registered under this section. A person may register under this section if the person is a:

A. Custom slaughterer, except that itinerant custom slaughterers who slaughter solely at a customer's home or farm and who do not own, operate or work at a slaughtering plant are exempt from the registration provisions of this section;

B. Custom processor;

C. Poultry producer who processes fewer than 1,000 birds annually under section 2517-C; and or

D. Person in any other category that the commissioner may by rule establish.

Sec. A-9. 22 MRSA §2515, as enacted by PL 2013, c. 323, §4, is repealed.

Sec. A-10. 22 MRSA §2517-C, as amended by PL 2013, c. 304, §§5 to 7; c. 323, §5; and c. 567, §1, is repealed and the following enacted in its place:

§2517-C. Slaughter and inspection; producer exemptions for poultry

1. Exemption for processing fewer than 1,000 birds annually. Notwithstanding section 2512 and whether or not the poultry are intended for human consumption, inspection is not required for the slaughter of poultry or the preparation of poultry products as long as the poultry are slaughtered by the producer that raised the poultry and the poultry products are prepared on the farm where the poultry were raised and:

A. Fewer than 1,000 birds are slaughtered annually on the farm;

B. No birds are offered for sale or transportation in interstate commerce;

C. Any poultry products sold are sold only as whole birds;

D-1. The poultry producer is registered under section 2514-A;

F. The poultry producer assigns a lot number to all birds sold and maintains a record of assigned lot numbers and the point of sale;

G. The poultry are sold in accordance with the restrictions in subsection 2;

H. The poultry are sold at the farm on which the poultry were raised or delivered to a consumer's home by the poultry producer; and

I. The poultry products are labeled with:

(1) The name of the farm, the name of the poultry producer and the address of the farm including the zip code;

(2) The statement "Exempt under the Maine Revised Statutes, Title 22, section 2517-C NOT INSPECTED"; and

(3) Safe handling and cooking instructions as follows: "SAFE HANDLING INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or microwave. Keep raw poultry separate from other foods. Wash working surfaces, including cutting boards, utensils and hands, after touching raw poultry. Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers immediately or discard."

1-A. Exemption for processing fewer than 20,000 birds annually. A poultry producer may slaughter and process that producer's own poultry without an inspector being present during processing if all the following criteria are met; a producer that does not meet these criteria does not qualify for this exemption and shall seek state or United States Department of Agriculture inspection of poultry products intended to be sold:

A. The producer is licensed as a commercial processor pursuant to section 2514;

B. The producer's facilities conform to the rules of the department governing food processing and manufacturing, including a:

(1) Separate area for slaughter, bleeding and defeathering;

(2) Separate area for evisceration and cooling; and

(3) Water supply that is tested twice annually for nitrates, nitrites and coliforms;

C. The producer raises, slaughters and processes, on that producer's premises, no more than 20,000 poultry in a calendar year. The producer must declare to the Department of Agriculture, Conservation and Forestry that it is exempt under this subsection at the beginning of each calendar year. Records must demonstrate numbers of birds raised. A producer that does not maintain accurate records does not qualify for the exemption under this subsection;

D. The producer's facility is not used to slaughter or process poultry by any other person or business without prior approval from the commissioner in accordance with the requirements of the federal Food Safety and Inspection Service Administrator;

E. The producer does not purchase birds for resale that have been processed under any exemption under this section;

F. Poultry are healthy when slaughtered;

G. Slaughter and processing are conducted using sanitary standards, practices and procedures to produce poultry products that are not adulterated;

H. The producer does not engage in Internet or interstate sales;

I. The shipping containers of the poultry bear the following labeling:

(1) Producer's name, address and zip code;

(2) Common name of product or list of ingredients;

(3) Weight of product in shipping container or immediate container;

(4) Lot number, which must consist of a coded number in some combination of the number of the day of the year on which the poultry was slaughtered;

(5) The statement "Exempt P.L. 90-492"; and

(6) Safe handling and cooking instructions as follows: "SAFE HANDLING INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or microwave. Keep raw poultry separate from other foods. Wash working surfaces, including cutting boards, utensils and hands, after touching raw poultry. Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers immediately or discard."

The producer may further process poultry carcasses into parts and other products. The producer may sell retail poultry products to the household consumer and may sell wholesale poultry products to retail stores, hotels, restaurants and institutions, with the appropriate licenses.

1-B. Small enterprise exemption. A small enterprise may slaughter, dress and cut up poultry without an inspector being present during processing if all the following criteria are met; a small enterprise that does not meet these criteria does not qualify for the exemption and shall seek state or United States Department of Agriculture inspection of poultry products intended to be sold:

A. The small enterprise is licensed as a commercial processor pursuant to section 2514;

B. The small enterprise's facilities conform to the rules of the department governing food processing and manufacturing, including a:

(1) Separate area for slaughter, bleeding and defeathering;

(2) Separate area for evisceration and cooling; and

(3) Water supply that is tested twice annually for nitrates, nitrites and coliforms;

C. The small enterprise raises, slaughters and dresses poultry, or purchases live poultry to slaughter and dress, or purchases dressed poultry, in a combination of no more than 20,000 birds in a calendar year. The small enterprise must declare to the Department of Agriculture, Conservation and Forestry that it is exempt under this subsection at the beginning of each calendar year. Records must show numbers of birds raised, purchased or purchased as dressed. A small enterprise that does not maintain accurate records does not qualify for the exemption under this subsection;

D. The small enterprise's further processing is limited to whole and cut up poultry only;

E. The facility is not used to slaughter or process poultry by any other person or business without prior approval from the commissioner in accordance with the requirements of the federal Food Safety and Inspection Service Administrator;

F. Slaughter and processing are conducted using sanitary standards, practices and procedures to produce poultry products that are not adulterated;

G. Poultry are healthy when slaughtered;

H. The small enterprise does not engage in Internet or interstate sales;

I. The small enterprise does not cut up and distribute poultry products to a business operating under any exemption under this section;

J. The shipping or immediate containers of the poultry bear the following labeling:

- (1) Business name, address and zip code;
- (2) Common name of product;
- (3) Weight of product in shipping container or immediate container;
- (4) Lot number, which must consist of a coded number in some combination of the number of the day of the year on which the poultry was slaughtered;
- (5) The statement "Processed by a Licensed Commercial Food Processor/Small Enterprise Exempt from state or United States Department of Agriculture continuous bird-by-bird inspection"; and
- (6) Safe handling and cooking instructions as follows: "SAFE HANDLING INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or microwave. Keep raw poultry separate from other foods. Wash working surfaces, including cutting boards, utensils and hands, after touching raw poultry. Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers immediately or discard."

The small enterprise may sell poultry products wholesale to hotels, restaurants and institutions, prepackaged products to retail stores and retail products to household consumers, with the appropriate licenses.

2. Restrictions on point of sale. Except as provided in subsections 1-A and 1-B, poultry products sold under this section may be sold only by the poultry producer and in the following locations or manner:

- A. At the farm on which the poultry were raised;
- B. At a farmers' market as defined in Title 7, section 415;
- C. Delivered to a consumer's home by the poultry producer whose name and address appear on the label under subsection 1 or whose name and license number appear on the label under subsection 1-A or 1-B;
- D. Received by a person who is a member of a community supported agriculture farm that has a direct marketing relationship with the poultry producer. For the purposes of this section, "community supported agriculture" means an arrangement whereby individual consumers have agree-

ments with a farmer to be provided with food or other agricultural products produced on that farm;

E. To a locally owned grocery store; or

F. To a locally owned restaurant.

3. Mobile poultry processing unit operators. A mobile poultry processing unit operator may not sell poultry products that have not been inspected at a farmers' market, to a locally owned grocery store or to a locally owned restaurant unless the poultry products are labeled with:

A. The name of the farm, the name of the poultry producer and the address of the farm including the zip code;

B. The number of the license issued to the poultry producer in accordance with section 2514 and the lot number for the poultry products pursuant to subsection 1, paragraph F;

C. The statement "Exempt under the Maine Revised Statutes, Title 22, section 2517-C NOT INSPECTED." The statement must be prominently displayed with such conspicuousness that it is likely to be read and understood; and

D. Safe handling and cooking instructions as follows: "SAFE HANDLING INSTRUCTIONS: Keep refrigerated or frozen. Thaw in refrigerator or microwave. Keep raw poultry separate from other foods. Wash working surfaces, including cutting boards, utensils and hands, after touching raw poultry. Cook thoroughly to an internal temperature of at least 165 degrees Fahrenheit maintained for at least 15 seconds. Keep hot foods hot. Refrigerate leftovers immediately or discard."

4. Rules. The commissioner shall adopt rules to establish requirements for the physical facilities and sanitary processes used by poultry producers whose products are exempt from inspection under this section. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

5. Enforcement. The commissioner shall enforce the provisions of this section.

6. Violation; penalty. A person who violates this section is subject to penalties under section 2524.

Sec. A-11. 22 MRSA §2518, as amended by PL 2013, c. 252, §6 and c. 323, §6, is repealed and the following enacted in its place:

§2518. Periodic review of noninspected licensed and registered establishments

1. Review by inspector. The commissioner may require establishments that are required to be licensed under section 2514 or registered under section 2514-A but are exempt from inspection under section 2512, subsection 2, paragraph K to be periodically reviewed

by inspectors to ensure that the provisions of this chapter and the rules adopted under this chapter are satisfied and that the public health, safety and welfare are protected. The commissioner shall require establishments that are required to be licensed under section 2514 or registered under section 2514-A but are exempt from inspection under section 2517-C to be reviewed annually by inspectors to ensure that the provisions of this chapter and the rules adopted under this chapter are satisfied and that the public health, safety and welfare are protected.

2. Review of certain slaughter or preparation establishments. Inspection may not be provided under this chapter at any establishment for the slaughter of livestock or poultry or the preparation of any livestock products or poultry products that are not intended for use as human food, but these products must, prior to their offer for sale or transportation in intrastate commerce, unless naturally inedible by humans, be denatured or otherwise identified, as prescribed by rules of the commissioner, to deter their use for human food. These licensed or registered establishments are subject to periodic review.

3. Subject to review. A periodic review under this section must include an examination of:

- A. The licensed or registered establishment's sanitation practices;
- B. Sanitation in the areas where meat and poultry products are prepared, stored and displayed;
- C. The adequacy of a refrigeration system used for meat food products and poultry products;
- D. Labeling; and
- E. Meat food products or poultry products for wholesomeness or adulteration.

In addition, the inspector conducting the periodic review may conduct any other examination necessary to ensure compliance with this chapter and the rules adopted pursuant to this chapter.

4. Access. For purposes of a periodic review of a licensed or registered establishment, inspectors have access during normal business hours to every part of a licensed or registered establishment required to have inspection under this chapter, whether the licensed or registered establishment is operated or not.

Sec. A-12. 24 MRSA §2317-B, sub-§7, as amended by PL 1999, c. 790, Pt. A, §27, is further amended to read:

7. Title 24-A, section 2729. Renewability, Title 24-A, section 2729-A 2729;

Sec. A-13. 24-A MRSA §2604-A, first ¶, as enacted by PL 1981, c. 150, §5 and c. 175, §2, is repealed and the following enacted in its place:

The lives of a group of individuals may be insured under a policy issued to a creditor or its parent holding company or to a trustee or trustees or agent designated by 2 or more creditors, which creditor, holding company, affiliate, trustee, trustees or agent is considered the policyholder, to insure debtors of the creditor or creditors, subject to the following requirements.

Sec. A-14. 25 MRSA §2803-B, sub-§1, ¶D, as amended by PL 2011, c. 640, Pt. D, §1 and c. 680, §4, is repealed and the following enacted in its place:

D. Domestic violence, which must include, at a minimum, the following:

- (1) A process to ensure that a victim receives notification of the defendant's release from jail;
- (2) A process for the collection of information regarding the defendant that includes the defendant's previous history, the parties' relationship, whether the commission of an alleged crime included the use of strangulation as defined in Title 17-A, section 208, subsection 1, paragraph C, the name of the victim and a process to relay this information to a bail commissioner before a bail determination is made;
- (3) A process for the safe retrieval of personal property belonging to the victim or the defendant that includes identification of a possible neutral location for retrieval, the presence of at least one law enforcement officer during the retrieval and giving the victim the option of at least 24 hours' notice to each party prior to the retrieval;
- (4) Standard procedures to ensure that protection from abuse orders issued under Title 19-A, section 4006 or 4007 are served on the defendant as quickly as possible; and
- (5) A process for the administration of a validated, evidence-based domestic violence risk assessment recommended by the Maine Commission on Domestic and Sexual Abuse, established in Title 5, section 12004-I, subsection 74-C, and approved by the Department of Public Safety and the conveyance of the results of that assessment to the bail commissioner, if appropriate, and the district attorney for the county in which the domestic violence occurred.

Sec. A-15. 26 MRSA §1043, sub-§24, as repealed and replaced by PL 1979, c. 515, §5-A, is amended to read:

24. Insured worker. An "insured worker" is an individual who has been paid wages of at least \$250 for insured work in each of 2 different quarters in his that individual's base period and has been paid total

wages of at least \$900 in ~~his~~ the base period for insured work. For each individual establishing a benefit year on or after January 1, 1980, an "insured worker" is an individual who has been paid wages equal to or exceeding 2 times the annual average weekly wage for insured work in each of 2 different quarters in ~~his~~ that individual's base period and has been paid total wages equal to or exceeding 6 times the annual average weekly wage in ~~his~~ the base period for insured work. The annual average weekly wage amount to be used for purposes of this subsection ~~shall~~ must be that which is applicable at the time the individual files a request for determination of ~~his~~ insured status.

Sec. A-16. 26 MRSA §1329, as amended by PL 2011, c. 559, Pt. A, §30 and repealed by c. 565, §1, is repealed.

Sec. A-17. 29-A MRSA §2451, sub-§3, as amended by PL 2013, c. 459, §5 and c. 604, §4, is repealed and the following enacted in its place:

3. Suspension period. Unless a longer period of suspension is otherwise provided by law and imposed by the court, the Secretary of State shall suspend the license of a person convicted of OUI for the following minimum periods:

A. One hundred fifty days, if the person has one OUI conviction within a 10-year period;

B. Three years, if the person has 2 OUI offenses within a 10-year period;

C. Six years, if the person has 3 OUI offenses within a 10-year period; or

E. Eight years, if the person has 4 or more OUI offenses within a 10-year period.

For the purposes of this subsection, a conviction or suspension has occurred within a 10-year period if the date of the new conduct is within 10 years of a date of suspension or imposition of sentence.

Sec. A-18. 30-A MRSA §1671, sub-§3, ¶A, as amended by PL 2007, c. 653, Pt. A, §18, is further amended to read:

A. Developing and adopting a mission statement consistent with the purposes of the State Board of Corrections ~~established in~~ under Title 34-A, section ~~1209-A~~ 1801;

Sec. A-19. 34-A MRSA §3406, as amended by PL 1995, c. 502, Pt. E, §30 and PL 2011, c. 657, Pt. W, §§5 and 7; and PL 2013, c. 405, Pt. A, §24, is further amended to read:

§3406. Land grants to the Department of Agriculture, Conservation and Forestry

The following lands of the former Women's Correctional Center at Skowhegan are granted to ~~the divisions of~~ the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands as follows:;

1. Land grant to Bureau of Parks and Lands.

All of the open land and timberland north of Norridgewock Avenue, excluding the land immediately adjacent to the institutional buildings, is transferred to the Bureau of Parks and Lands, which shall actively manage the timberlands as a working forest; and

2. Land grant to Bureau of Parks and Lands.

All the land lying between Norridgewock Avenue and the Kennebec River, with the exception of the ~~sewerage~~ sewage treatment plant and access thereto, is transferred to the Bureau of Parks and Lands to be managed by the ~~division~~ bureau.

Sec. A-20. 34-A MRSA §5802, sub-§2, as amended by PL 2013, c. 508, §9, is further amended to read:

2. Custody and control. While on parole, the parolee is under the custody of the warden of the institution from which the parolee was released, but under the immediate supervision of and subject to the rules of the ~~division~~ department or any special conditions of parole imposed by the board.

Sec. A-21. 34-B MRSA §1207, sub-§1, ¶B, as amended by PL 2013, c. 132, §1 and c. 434, §7, is repealed and the following enacted in its place:

B. Information may be disclosed if necessary to carry out the statutory functions of the department; the hospitalization provisions of chapter 3, subchapter 4; the provisions of section 1931; the purposes of section 3608; the purposes of Title 5, section 19506; the purposes of United States Public Law 99-319, dealing with the investigatory function of the independent agency designated with advocacy and investigatory functions under United States Public Law 88-164, Title I, Part C or United States Public Law 99-319; the investigation and hearing pursuant to Title 15, section 393, subsection 4-A; or the provision of mental health services by the Department of Corrections pursuant to Title 34-A, section 3031, 3069-A or 3069-B. This paragraph is repealed August 1, 2017;

Sec. A-22. 34-B MRSA §1207, sub-§1, ¶B-3, as enacted by PL 2013, c. 434, §8, is amended to read:

B-3. Information may be disclosed if necessary to carry out the statutory functions of the department; the hospitalization provisions of chapter 3, subchapter 4; the provisions of section 1931; the purposes of ~~sections 3607-A and section 3608~~; the purposes of Title 5, section 19506; the purposes of United States Public Law 99-319, dealing with the investigatory function of the independent agency designated with advocacy and investigatory functions under United States Public Law 88-164, Title I, Part C or United States Public Law 99-319; or the investigation and hearing pursuant to Title

15, section 393, subsection 4-A. This paragraph takes effect August 1, 2017;

Sec. A-23. 38 MRSA §451-A, sub-§2, as amended by PL 1975, c. 700, §1, is further amended to read:

2. Exemptions. Any person, other than a municipality, maintaining a discharge subject to the requirements of ~~section~~ sections 413, 414 and 414-A ~~shall be~~ is exempt from the requirements of section 414-A, subsection 1, paragraph D, ~~Effluent Limitations and Best Practicable Treatment~~, if, by July 1, 1976 or on the commencement of a licensed discharge, whichever occurs later, such discharger presents to the Department of Environmental Protection and receives approval of a contract agreeing to connect to the existing or planned municipal sewage system immediately upon completion of construction and commencement of operation of such treatment plant. Such contract must insure that, in the case of a new discharge, such new discharge will not cause serious water quality problems, including but not limited to downgrading the receiving waters so as to make them unsuitable for currently existing uses. For the purpose of this section, a "new discharge" is a discharge ~~which~~ which that commences or a discharge ~~which~~ which that changes characteristics or increases licensed volume by more than 10% on or after ~~the effective date of this Act~~ October 1, 1975.

Sec. A-24. PL 2013, c. 368, Pt. YY, §1, as amended by PL 2013, c. 538, §42 and c. 595, Pt. I, §1 and affected by §2, is repealed and the following enacted in its place:

Sec. 1. Transfer of funds from Carrying Balances - Inland Fisheries and Wildlife, General Fund account. Notwithstanding any other provision of law, the State Controller shall transfer \$150,000 on or before August 1, 2013 from the Carrying Balances - Inland Fisheries and Wildlife, General Fund account to the Administrative Services - Inland Fisheries and Wildlife, General Fund account to fund permitting and development costs related to the construction of a new headquarters facility in Gray.

Sec. A-25. Retroactivity. That section of this Part that repeals and replaces Public Law 2013, chapter 368, Part YY, section 1 applies retroactively to June 26, 2013.

PART B

Sec. B-1. 17-A MRSA §1057, sub-§3, as amended by PL 2011, c. 298, §2 and repealed by c. 394, §2, is repealed and the following enacted in its place:

3. It is not a defense to a prosecution under subsection 1 that the person holds a permit to carry a concealed handgun issued under Title 25, chapter 252.

Sec. B-2. 24-A MRSA §2604-A, sub-§3, as enacted by PL 1981, c. 150, §5 and c. 175, §2, is repealed and the following enacted in its place:

3. An insurer may exclude any debtors as to whom evidence of individual insurability is not satisfactory to the insurer.

Sec. B-3. 24-A MRSA §3310, sub-§3, as amended by PL 2013, c. 299, §5, is further amended to read:

3. Upon adoption of an amendment under subsection 1 or 2, the insurer shall make in triplicate a certificate, sometimes referred to as a "certificate of amendment", setting forth the amendment and the date and manner of the adoption of the amendment. The certificate must be executed by the insurer's president or vice-president and secretary or assistant secretary and duly sworn to by one of them. The insurer shall deliver to the superintendent the triplicate originals of the certificate for review, certification and approval or disapproval by the Attorney General and the superintendent, and filing and recording, all as provided for original articles of incorporation under section 3307. The Secretary of State shall charge and collect for the use of the State a fee of \$20 for filing and recording the certificate of amendment of a mutual insurer. The amendment is effective when duly approved and filed with the Secretary of State.

Sec. B-4. PL 2013, c. 368, Pt. S, §9, as amended by PL 2013, c. 451, §2 and repealed by c. 595, Pt. X, §1, is repealed.

PART C

Sec. C-1. 10 MRSA §1174, sub-§3, ¶U, as corrected by RR 2013, c. 1, §19, is amended to read:

U. To cancel, terminate, fail to renew or refuse to continue any franchise relationship with a licensed new motor vehicle dealer not less than 180 days prior to the effective date of such termination, cancellation, noncontinuance or nonrenewal that occurs in whole or in part as a result of any change in ownership, operation or control of all or any part of the business of the manufacturer, whether by sale or transfer of assets, corporate stock or other equity interest, assignment, merger, consolidation, combination, joint venture, redemption, operation of law or otherwise; or the termination, suspension or cessation of a part or all of the business operations of the manufacturer; or discontinuance of the sale of the product line or a change in distribution system by the manufacturer, whether through a change in distributors or the manufacturer's decision to cease conducting business through a distributor altogether.

In addition to any other payments or requirements in this chapter, if a termination, cancellation, noncontinuance or nonrenewal was premised in

whole or in part upon any of the occurrences set forth in this paragraph, the manufacturer is liable to the licensed new motor vehicle dealer in an amount at least equivalent to the fair market value of the franchise arising from the termination, cancellation, noncontinuance or nonrenewal of the franchise.

(1) If liability is based on the fair market value of the franchise, which must include diminution in value of the facilities leased or owned by the dealer as a result of the loss of the franchise to operate in the facilities, the fair market value must be computed on the date in divisions (a) to (c) that yields the highest fair market value:

- (a) The date the manufacturer announces the action that results in termination, cancellation, noncontinuance or nonrenewal;
- (b) The date the action that results in termination, cancellation, noncontinuance or nonrenewal first becomes general knowledge; or
- (c) The date 12 months prior to the date on which the notice of termination, cancellation, noncontinuance or nonrenewal is issued.

If the termination, cancellation, noncontinuance or nonrenewal is due to the manufacturer's change in distributors, the manufacturer may avoid paying fair market value to the licensed new motor vehicle dealer if the new distributor or the manufacturer offers the dealer a franchise agreement with terms acceptable to the dealer.

If an entity other than the original manufacturer of a line make becomes the manufacturer for the line make and intends to distribute motor vehicles of that line make in this State, that entity shall honor the franchise agreements of the original manufacturer and its licensed new motor vehicle dealers or offer those dealers of that line make, or of motor vehicles historically of that line make that are substantially similar in their design and specifications and are manufactured in the same facility or facilities, a new franchise agreement with substantially similar terms and conditions; or

Sec. C-2. 10 MRSA §1174, sub-§3, ¶V, as corrected by RR 2013, c. 2, §14, is amended to read:

V. Except as expressly authorized in this paragraph, to require a motor vehicle dealer to provide its customer lists, customer information, consumer contact information, transaction data or service files.

(1) The following definitions apply to this paragraph.

(a) "Dealer management computer system" means a computer hardware and software system that is owned or leased by the dealer, including a dealer's use of web applications, software or hardware, whether located at the dealership or provided at a remote location, and that provides access to customer records and transactions by a motor vehicle dealer and that allows the motor vehicle dealer timely information in order to sell vehicles, parts or services through that motor vehicle dealership.

(b) "Dealer management computer system vendor" means a seller or reseller of dealer management computer systems, a person that sells computer software for use on dealer management computer systems or a person that services or maintains dealer management computer systems, but only to the extent the seller, reseller or other person listed is engaged in such activities.

(c) "Security breach" means an incident of unauthorized access to and acquisition of records or data containing dealership or dealership customer information through which unauthorized use of the dealership or dealership customer information has occurred or is reasonably likely to occur or that creates material risk of harm to a dealership or a dealership's customer. An incident of unauthorized access to and acquisition of records or data containing dealership or dealership customer information, or an incident of disclosure of dealership customer information to one or more 3rd parties that was not specifically authorized by the dealer or customer, constitutes a security breach.

(2) Any requirement by a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof that a new motor vehicle dealer provide its customer lists, customer information, consumer contact information, transaction data or service files as a condition of the dealer's participation in any incentive program or contest, for a customer or dealer to receive any incentive payments otherwise earned under an incentive program or contest, for the dealer to obtain customers or customer leads or for the dealer to receive any other benefits, rights, merchandise or services that the dealer would otherwise be entitled to obtain under the franchise or any other contract

or agreement or that are customarily provided to dealers is voidable at the option of the dealer, unless all of the following conditions are satisfied:

- (a) The customer information requested relates solely to the specific program requirements or goals associated with such manufacturers' or distributors' own new vehicle makes or specific vehicles of their own make that are certified pre-owned vehicles and the dealer is not required to provide general customer information or other information related to the dealer;
 - (b) The requirement is lawful and would not require the dealer to allow any customer the right to opt out under the federal Gramm-Leach-Bliley Act, 15 United States Code, Chapter 94, Subchapter I; and
 - (c) The dealer is not required to allow the manufacturer, distributor or a 3rd party to have direct access to the dealer's dealer management computer system, but the dealer is instead permitted to provide the same dealer, consumer or customer data or information specified by the manufacturer or distributor by timely obtaining and pushing or otherwise furnishing the required data in a widely accepted file format in accordance with subparagaph (11).
- (3) Nothing contained in this section limits the ability of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof to require that the dealer provide, or use in accordance with law, customer information related solely to that manufacturer's or distributor's own vehicle makes to the extent necessary to:
- (a) Satisfy any safety or recall notice obligations;
 - (b) Complete the sale and delivery of a new motor vehicle to a customer;
 - (c) Validate and pay customer or dealer incentives; or
 - (d) Submit to the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof claims under section 1176.

(4) At the request of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof, a dealer may be required to provide customer information related solely to that manufacturer's, distributor's, wholesaler's, distributor branch's or division's, factory branch's or division's or wholesale branch's or division's own vehicle makes for reasonable marketing purposes, market research, consumer surveys, market analysis and dealership performance analysis, except that the dealer is required to provide such customer information only if the provision of the information is lawfully permissible, the requested information relates solely to specific program requirements or goals associated with the manufacturer's or distributor's own vehicle makes and does not require the dealer to provide general customer information or other information related to the dealer and the requested information can be provided without requiring that the dealer allow any customer the right to opt out under the federal Gramm-Leach-Bliley Act, 15 United States Code, Chapter 94, Subchapter I.

(5) A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent, dealer management computer system vendor or other representative thereof, or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agency, dealer management computer system vendor or other representative thereof, may not access or obtain dealer or customer data from or write dealer or customer data to a dealer management computer system used by a motor vehicle dealer or require or coerce a motor vehicle dealer to use a particular dealer management computer system, unless the dealer management computer system allows the dealer to reasonably maintain the security, integrity and confidentiality of the data maintained in the system. A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent, dealer management computer system vendor or other representative thereof, or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agency, dealer management computer system vendor or other representative thereof, may not prohibit a

dealer from providing a means to regularly and continually monitor the specific data accessed from or written to the dealer's dealer management computer system or from complying with applicable state and federal laws, rules and regulations. Nothing in this subparagraph imposes an obligation on a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent, dealer management computer system vendor or other representative thereof, or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agency, dealer management computer system vendor or other representative thereof, to provide such capability.

(6) A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor, or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor may not access or use customer or prospect information maintained in a dealer management computer system used by a motor vehicle dealer for purposes of soliciting a customer or prospect on behalf of, or directing a customer or prospect to, any other dealer. The limitations in this subsection do not apply to:

- (a) A customer that requests a reference to another dealership;
- (b) A customer that moves more than 60 miles away from the dealer whose data were accessed;
- (c) Customer or prospect information that was provided to the dealer by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof; or
- (d) Customer or prospect information obtained by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof in which the dealer agrees to allow the manufac-

turer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor the right to access and use the customer or prospect information maintained in the dealer's dealer management computer system for purposes of soliciting a customer or prospect of the dealer on behalf of or directing a customer or prospect to any other dealer in a separate, stand-alone written instrument dedicated solely to such an authorization.

(7) A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor may not provide access to customer or dealership information maintained in a dealer management computer system used by a motor vehicle dealer without first obtaining the dealer's prior express written consent, revocable by the dealer upon 5 days' written notice, to provide such access. Prior to obtaining such consent and prior to entering into an initial contract or renewal of a contract with a dealer, the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor shall provide to the dealer a written list of all specific 3rd parties to whom any data obtained from the dealer have actually been provided within the 12-month period ending November 1st of the prior year. The list must describe the scope and specific fields of the data provided. In addition to the

initial list, a dealer management computer system vendor or a 3rd party acting on behalf of or through a dealer management computer system vendor must provide to the dealer an annual list of 3rd parties to whom such data are actually being provided on November 1st of each year and to whom the data have actually been provided in the preceding 12 months and describe the scope and specific fields of the data provided. Lists required pursuant to this subparagraph must be provided to the dealer by January 1st of each year. A dealer management computer system vendor's contract that directly relates to the transfer or accessing of dealer or dealer customer information must conspicuously state: "NOTICE TO DEALER: THIS AGREEMENT RELATES TO THE TRANSFER AND ACCESSING OF CONFIDENTIAL INFORMATION AND CONSUMER-RELATED DATA." Consent in accordance with this subparagraph does not change any such person's obligations to comply with the terms of this section and any additional state or federal laws, rules and regulations. A dealer management computer system vendor may not refuse to provide a dealer management computer system to a motor vehicle dealer if the dealer refuses to provide consent under this subparagraph.

(8) A dealer management computer system vendor or 3rd party acting on behalf of or through a dealer management computer system vendor may not access or obtain data from or write data to a dealer management computer system used by a motor vehicle dealer unless the dealer management computer system allows the dealer to reasonably maintain the security, integrity and confidentiality of customer and dealer information maintained in the system. A dealer management computer system vendor or 3rd party acting on behalf of or through a dealer management computer system vendor may not prohibit a dealer from providing a means to regularly and continually monitor the specific data accessed from or written to the dealer management computer system and from complying with applicable state and federal laws, rules and regulations. This subparagraph does not impose on a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division,

wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor an obligation to provide such capability.

(9) A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor that has electronic access to customer or motor vehicle dealership data in a dealer management computer system used by a motor vehicle dealer shall provide notice to the dealer of any security breach of dealership or customer data obtained through that access, which at the time of the security breach was in the possession or custody of the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party. The disclosure notification must be made without unreasonable delay by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party following discovery by the person, or notification to the person, of the security breach. The disclosure notification must describe measures reasonably necessary to determine the scope of the security breach and corrective actions that may be taken in an effort to restore the integrity, security and confidentiality of the data; these measures and corrective actions must be implemented as soon as practicable by all persons responsible for the security breach.

(10) Nothing in this section precludes, prohibits or denies the right of the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof to receive customer or dealership information from a motor vehicle dealer for the purposes of complying with federal or state safety requirements or implement any steps related to manufacturer recalls at such times as necessary in order to comply with federal and state requirements or

manufacturer recalls as long as receiving this information from the dealer does not impair, alter or reduce the security, integrity and confidentiality of the customer and dealership information collected or generated by the dealer.

(11) Notwithstanding any of the terms or provisions contained in this subparagraph or in any consent, authorization, release, novation, franchise or other contract or agreement, whenever any manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor requires that a new motor vehicle dealer provide any dealer, consumer or customer data or information through direct access to a dealer's dealer management computer system, the dealer is not required to provide, and may not be required to consent to provide in a written agreement, that direct access to its dealer management computer system. The dealer may instead provide the same dealer, consumer or customer data or information specified by the requesting party by timely obtaining and furnishing the requested data to the requesting party in a widely accepted file format except that, when a dealer would otherwise be required to provide direct access to its dealer management computer system under the terms of a consent, authorization, release, novation, franchise or other contract or agreement, a dealer that elects to provide data or information through other means may be charged a reasonable initial setup fee and a reasonable processing fee based on actual incremental costs incurred by the party requesting the data for establishing and implementing the process for the dealer. A term or provision contained in a consent, authorization, release, novation, franchise or other contract or agreement that is inconsistent with this subsection is voidable at the option of the dealer.

(12) Notwithstanding the terms or conditions of any consent, authorization, release, novation, franchise or other contract or agreement, a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or

dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor that has electronic access to consumer or customer data or other information in a dealer management computer system used by a new motor vehicle dealer, or who has otherwise been provided consumer or customer data or other information by the dealer, shall fully indemnify and hold harmless a dealer from whom it has acquired that consumer or customer data or other information from all damages, costs and expenses incurred by that dealer, including, but not limited to, judgments, settlements, fines, penalties, litigation costs, defense costs, court costs and attorney's fees arising out of complaints, claims, civil or administrative actions and, to the fullest extent allowable under the law, governmental investigations and prosecutions to the extent caused by the access, storage, maintenance, use, sharing, disclosure or retention of that dealer's consumer or customer data or other information by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor; ~~or~~.

Sec. C-3. 10 MRSA §1174, sub-§3, ¶W, as enacted by PL 2013, c. 534, §6, is repealed.

Sec. C-4. Retroactivity. This Part applies retroactively to August 1, 2014.

PART D

Sec. D-1. 28-A MRSA §460, sub-§1, as amended by PL 2015, c. 129, §1 and c. 184, §1, is repealed and the following enacted in its place:

1. Taste testing on agency liquor store premises. Subject to the conditions in subsection 2, the bureau may authorize an agency liquor store stocking at least 200 different codes of distilled spirits products to conduct taste testing of distilled spirits on that licensee's premises. An agency liquor store may request authority to conduct a taste testing using forms prescribed by the bureau. The request must indicate if a sales representative licensed under section 1502 will be pouring or providing samples, or both, for taste

testing and verification that the sales representative has successfully completed an alcohol server education course approved by the commissioner. Any other consumption of alcoholic beverages on an agency liquor store's premises is prohibited, except as permitted under section 1205 or 1207.

Sec. D-2. 28-A MRSA §1505, first ¶, as amended by PL 2015, c. 129, §9 and c. 184, §5, is repealed and the following enacted in its place:

A sales representative holding a license under section 1502 may participate in a tasting event permitted under section 460; section 1051, subsection 8; section 1205; or section 1207 subject to the provisions of this section.

Sec. D-3. 28-A MRSA §1505, sub-§4, as amended by PL 2015, c. 129, §10 and c. 184, §6, is repealed and the following enacted in its place:

4. Pour or distribute. A sales representative participating in a tasting event pursuant to this section may not pour or distribute to consumers the products being offered for tasting during the event unless the sales representative was listed on a request submitted to the bureau by a licensee to conduct a taste testing in accordance with section 460; section 1051, subsection 8; section 1205; or section 1207. A sales representative who pours or distributes products to consumers at a tasting event under section 460; section 1051, subsection 8; section 1205; or section 1207 must have successfully completed an alcohol server education course approved by the commissioner. A sales representative may purchase spirits for a consumer tasting event in compliance with section 460 if the sales representative has successfully completed an alcohol server education course approved by the commissioner.

Sec. D-4. Effective date. This Part takes effect 90 days after adjournment of the First Regular Session of the 127th Legislature.

PART E

Sec. E-1. 35-A MRSA §1904, sub-§1, ¶¶A and B, as enacted by PL 2013, c. 369, Pt. B, §1, are amended to read:

A. Pursue, in appropriate regional and federal forums, market and rule changes that will reduce the basis differential for gas coming into New England and increase the efficiency with which gas brought into New England and Maine is transmitted, distributed and used. If the commission concludes that those market or rule changes will, within the same time frame, achieve substantially the same cost reduction effects for Maine electricity and gas customers as the execution of an energy cost reduction ~~contract~~ contract, the commission may not execute an energy cost reduction contract;

B. Explore all reasonable opportunities for private participation in securing additional gas pipeline capacity that would achieve the objectives in subsection 2. If the commission concludes that private transactions, within the same time frame, achieve substantially the same cost reduction effects for Maine electricity and gas customers as the execution of an energy cost reduction ~~contract~~ contract, the commission may not execute an energy cost reduction contract; and

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective July 12, 2015, unless otherwise indicated.

CHAPTER 330

S.P. 259 - L.D. 729

An Act To Add Acetylfentanyl and Methylfentanyl Derivatives to the List of Schedule W Drugs

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

Whereas, law enforcement agencies have informed the Legislature that drugs that are harmful to the people of Maine, including acetylfentanyl and methylfentanyl derivatives, have recently been found in the State in increasing quantities and it is in the public interest that the criminal laws prohibiting acetylfentanyl and methylfentanyl derivatives be strengthened without delay; and

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

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

Sec. 1. 17-A MRSA §1102, sub-§1, ¶I, as repealed and replaced by PL 2007, c. 55, §1, is amended to read:

I. Unless listed or described in another schedule, any compound, mixture or preparation containing narcotic drugs, including, but not limited to, the following narcotic drugs or their salts, isomers or salts of isomers: heroin (diacetylmorphine), methadone, methadone hydrochloride, levo-alpha-acetyl-methadol, or LAAM, pethidine, morphine, oxycodone, hydrocodone, hydromorphone, fen-

tanyl, acetylfentanyl and any methylfentanyl derivatives and opium;

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

Effective July 12, 2015.

CHAPTER 331

S.P. 370 - L.D. 1044

An Act To Ensure That Collection Facilities Can Participate in the Architectural Paint Stewardship Program

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

Whereas, implementation of an architectural paint stewardship program in Maine will allow for the safe, cost-effective and convenient collection of unused architectural paint; and

Whereas, a producer-sponsored paint stewardship program plan has been submitted to the Department of Environmental Protection for approval with an implementation date of August 1, 2015; and

Whereas, the changes proposed in this legislation regarding the establishment of an architectural paint stewardship program in Maine must be implemented before the submitted plan can be approved; and

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

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

Sec. 1. 38 MRSA §2144, sub-§1, ¶A, as enacted by PL 2013, c. 395, §1, is amended to read:

A. "Architectural paint" or "paint" means interior and exterior architectural coatings sold in containers of 5 gallons or less and does not mean industrial, original equipment or specialty coatings, arts and crafts paints, 2-component coatings, deck cleaners, industrial maintenance coatings, original equipment manufacturer paints and finishes, paint additives, colorants, tints, resins, roof patch and repair, tar and bitumen-based products, traffic and road marking paints, wood preservatives, ignitable paint thinners or solvents used for cleaning paint-

related equipment or contaminated with architectural paint or paint thinners or solvents identified as hazardous waste in 40 Code of Federal Regulations, Section 261.31 that are used for cleaning paint-related equipment or contaminated with architectural paint.

Sec. 2. 38 MRSA §2144, sub-§1, ¶¶A-1, A-2 and A-3 are enacted to read:

A-1. "Collection container" means a container that is designed to store more than one individual container of architectural paint that meets federal Department of Transportation specifications for containing those items.

A-2. "Collection site" means an entity that collects post-consumer paint directly from consumers for end-of-life management and may include, but is not limited to, retailers, hardware and home improvement stores, transfer stations and operations that otherwise collect household hazardous waste. A collection site may also accept universal wastes under the rules of the department.

A-3. "Conditionally exempt small quantity generator" means a conditionally exempt small quantity generator as defined in 40 Code of Federal Regulations, Section 261.5.

Sec. 3. 38 MRSA §2144, sub-§1, ¶B, as enacted by PL 2013, c. 395, §1, is amended to read:

B. "Consumer" means a purchaser or user of architectural paint. "Consumer" includes a purchaser or user of architectural paint who also generates post-consumer paint.

Sec. 4. 38 MRSA §2144, sub-§1, ¶K-1 is enacted to read:

K-1. "Post-consumer paint that is a hazardous waste" means post-consumer paint that is a hazardous waste as defined in 40 Code of Federal Regulations, Part 261, Subparts C and D.

Sec. 5. 38 MRSA §2144, sub-§2, ¶¶H and I, as enacted by PL 2013, c. 395, §1, are amended to read:

H. An anticipated budget for operation of the paint stewardship program, including the suggested method of funding the program, which must include the method of calculating a paint stewardship assessment that meets the requirements of subsection 4; and

I. A description of how post-consumer paint collected under this section will be managed at each collection site, including how post-consumer paint will be labeled and, provisions for secondary containment; and protecting post-consumer paint from weather and a description of how subsection 5-A, paragraph G will be satisfied.

Sec. 6. 38 MRSA §2144, sub-§2, ¶¶J and K, as enacted by PL 2013, c. 395, §1, are repealed.

Sec. 7. 38 MRSA §2144, sub-§5, ¶E, as amended by PL 2013, c. 483, §2, is further amended to read:

E. By October 15, 2016, and annually thereafter, the operator of a paint stewardship program shall submit a report to the commissioner regarding the paint stewardship program. If implementation of a plan begins before December 31, 2014, the commissioner may establish an earlier date for submission of the initial report. The report must include, but is not limited to:

- (1) A description of the methods used to collect, transport, reduce, reuse and process post-consumer paint in the State;
- (2) The volume of post-consumer paint collected in the State;
- (3) The volume and type of post-consumer paint collected in the State by method of disposition, including reuse, recycling and other methods of processing;
- (4) The total cost of implementing the paint stewardship program, as determined by an independent financial audit funded from the paint stewardship assessment. The report of total cost must include a breakdown of administrative, collection, transportation, disposition and communication costs;
- (5) A summary of outreach and educational activities undertaken and samples of educational materials provided to consumers of architectural paint;
- (6) The total volume of post-consumer paint collected by the paint stewardship program and a breakdown of the volume collected at each collection site;
- (7) Based on the paint stewardship assessment collected by the paint stewardship program, the total volume of architectural paint sold in the State during the preceding year;
- (8) A list of all processors, including recyclers and disposers, used to manage post-consumer paint collected by the paint stewardship program in the preceding year up to the paint's final disposition, the volume each processor accepted and the disposition method used by each processor; and
- (9) An evaluation of the effectiveness of the paint stewardship program compared to prior years and anticipated steps, if any are needed, to improve performance throughout the State.

Sec. 8. 38 MRSA §2144, sub-§5-A is enacted to read:

5-A. Requirements for collection sites. This subsection applies to collection sites.

A. Within 30 days of commencement of an approved paint stewardship program, a producer or representative organization shall notify the department of the name and location of each collection site added to or deleted from the list of collection sites provided under subsection 2, paragraph D.

B. A collection site shall track all outgoing shipments of post-consumer paint on a manifest or a bill of lading. The collection site shall maintain these records for at least 3 years.

C. A collection site shall maintain a record for each drop-off of post-consumer paint that is a hazardous waste from an entity other than a household, including the name and address of the entity, the date of the drop-off and a description and quantity of the post-consumer paint that is a hazardous waste. The collection site shall maintain these records for at least 3 years.

D. A collection site shall store post-consumer paint in structurally sound collection containers that show no visible evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions, in a secure area, away from ignition sources, storm drains and floor drains. A collection container must be kept closed except when adding containers of post-consumer paint that have been collected from consumers. A collection container must be labeled with the words "Waste Paint." A collection site may not store more than 5,000 kilograms of post-consumer paint that is a hazardous waste at any one time. A collection site may store collected post-consumer paint that is a hazardous waste for up to one year.

E. A collection site may accept post-consumer paint that is a hazardous waste only from households and from conditionally exempt small quantity generators.

F. A collection site shall immediately contain and clean up any discharge or release of post-consumer paint that is a hazardous waste.

G. A collection site shall limit its activities to the collection and storage of post-consumer paint, except that transfer stations and operations that otherwise collect household hazardous waste may remove post-consumer paint that is a hazardous waste from the paint's original container and mix or consolidate that paint, as long as all transfer and mixing or consolidation activities are conducted over secondary containment and as long as

any discharges or releases of hazardous waste, as defined in 40 Code of Federal Regulations, Part 261, Subparts C and D, are contained and cleaned up to the department's satisfaction.

H. A collection site shall ensure that it receives training from the producer or representative organization that implements the paint stewardship program on how to properly inspect and store post-consumer paint and shall maintain training manuals issued by the producer or representative organization.

I. A collection site shall ship post-consumer paint that is a hazardous waste to a universal waste consolidation facility or to a recycling, treatment, storage or disposal facility that is authorized to receive universal waste.

J. A collection site that accepts only post-consumer paint and post-consumer paint that is a hazardous waste under an approved plan from households and from conditionally exempt small quantity generators is not a central accumulation facility and does not require a hazardous waste identification number from the federal Environmental Protection Agency. Nothing in this section is intended to exempt a collection site from being considered a central accumulation facility or from being required to obtain a hazardous waste identification number based on activities unrelated to a paint stewardship program.

Sec. 9. 38 MRSA §2144, sub-§6, as enacted by PL 2013, c. 395, §1, is amended to read:

6. Administration and enforcement of program. The department shall enforce this section and may adopt rules as necessary for the purposes of implementing, administering and enforcing this section. ~~The department shall charge a reasonable fee to be paid by an applicant for approval of a paint stewardship program for review of the plan. The department may establish a reasonable annual fee to cover the actual costs for annual report review, oversight, administration and enforcement. Fees established under this subsection may not exceed the greater of \$82,000 per year and 1% of total program costs as set forth in the independent financial auditing report required under subsection 5.~~

A. Except as may otherwise be required under federal law or by the producer or representative organization under an approved plan, the department may not impose a requirement by rule or otherwise on a collection site regarding the collection, handling, record-keeping, storage or shipping of post-consumer paint that is more stringent than the requirements of this section for collection sites.

B. A collection site that complies with the requirements of this section and that uses environ-

mentally sound management practices is not subject to penalties for violation of the department's rules related to post-consumer paint.

C. The department shall charge a reasonable fee to be paid by an applicant for approval of a paint stewardship program for review of the plan. The department may establish a reasonable annual fee to cover the actual costs for annual report review, oversight, administration and enforcement. Fees established under this paragraph may not exceed the greater of \$82,000 per year and 1% of total program costs as set forth in the independent financial auditing report required under subsection 5.

Sec. 10. Appropriations and allocations.

The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Remediation and Waste Management 0247

Initiative: Provides funding for rulemaking related to changes in the stewardship program for architectural paint.

GENERAL FUND	2015-16	2016-17
All Other	\$5,000	\$0
GENERAL FUND TOTAL	\$5,000	\$0

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

Effective July 12, 2015.

CHAPTER 332

H.P. 917 - L.D. 1348

An Act To Protect Older Adults from Financial Exploitation

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

Whereas, senior citizens are often the targets of fraudulent and exploitive financial schemes; and

Whereas, personal financial management assistance for those senior citizens who are no longer able to manage their finances could decrease the number of senior citizens who are taken advantage of financially and allow them to continue to live independently; and

Whereas, this legislation provides such assistance and needs to take effect as soon as possible to prevent further abuse; and

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

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

Sec. 1. 22 MRSA §5114, sub-§2, ¶¶F and G as enacted by PL 1973, c. 630, §1, are amended to read:

F. Services designed to assist older persons in avoiding institutionalization, including evaluation and screening and home health services; ~~or~~

G. Any other services; ~~if such services are necessary for the general well-being of older persons; or~~

Sec. 2. 22 MRSA §5114, sub-§2, ¶H is enacted to read:

H. Services designed to assist older persons with maintaining their financial independence and avoiding financial exploitation, including personal financial management assistance.

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

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Office of Aging and Disability Services Central Office 0140

Initiative: Provides funding to support personal financial management assistance programs for senior citizens.

GENERAL FUND	2015-16	2016-17
All Other	\$75,000	\$75,000
GENERAL FUND TOTAL	\$75,000	\$75,000

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

Effective July 12, 2015.

CHAPTER 333

S.P. 553 - L.D. 1451

An Act To Fund the Agreement with Certain Judicial Department Employees

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

Whereas, the Judicial Department has reached collective bargaining agreements with the 4 bargaining units representing Judicial Department employees; and

Whereas, this legislation authorizes funding of the agreements effective at the beginning of the pay week commencing closest to September 1, 2015; and

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

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

Sec. 1. Adjustment of salary schedules for fiscal year 2015-16. Effective at the beginning of the pay week commencing closest to September 1, 2015, the salary schedules for the Judicial Department employees in the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit and employees referred to in section 4 of this Act must be adjusted upward by 1%.

Sec. 2. Adjustment of salary schedules for fiscal year 2016-17. Effective at the beginning of the pay week commencing closest to July 1, 2016, the salary schedules for the Judicial Department employees in the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit and employees referred to in section 4 of this Act must be adjusted upward by 1%.

Sec. 3. Addition of new step for fiscal year 2015-16. Effective at the beginning of the pay period commencing closest to April 1, 2016, the salary schedule for the employees of the Judicial Department in the administrative services bargaining unit, the supervisory bargaining unit, the law enforcement bargaining unit and the professional bargaining unit must be adjusted by eliminating the first step and adding a new top step so that employees are paid at the new rates to which they are assigned in the modified salary schedule, consistent with the terms of the applicable collective bargaining agreements.

Sec. 4. Other employees; similar and equitable treatment. Employees of the Judicial Department who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, D, E, F and G must be given treatment similar and equitable on a pro rata basis to that given employees covered by the collective bargaining agreements.

Sec. 5. Costs to General Fund. Costs to the General Fund must be provided in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in the amount of \$366,446 for the fiscal year ending June 30, 2016 and in the amount of \$1,442,719 for the fiscal year ending June 30, 2017 to implement the economic terms of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit and for the costs of those Judicial Department employees referred to in section 4, who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5.

Sec. 6. Contingent effective date. This Act takes effect only upon ratification of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit tentatively agreed to as of June 25, 2015.

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

Effective July 12, 2015, unless otherwise indicated.

CHAPTER 334

H.P. 69 - L.D. 86

An Act To Improve Retirement Security for Retired Public Employees

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

Whereas, cost-of-living adjustments are applied to the applicable portion of an eligible retiree's benefit amount beginning in September of each year; and

Whereas, the projections that provide the basis for the calculation of retirement costs for the 2016-

2017 biennium assumed that there would be a 2.55% cost-of-living adjustment awarded in September 2015 and September 2016; and

Whereas, this legislation may impact the percentage increase to be applied to the applicable portion of an eligible retiree's benefit amount beginning in September 2015; and

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

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

Sec. 1. 5 MRSA §17806, sub-§1, ¶A, as amended by PL 2013, c. 424, Pt. B, §1, is further amended to read:

A. Except as provided in ~~paragraph~~ paragraphs A-1 and A-2, whenever there is a percentage increase in the Consumer Price Index from July 1st to June 30th, the board shall automatically make an equal percentage increase in retirement benefits, beginning in September, up to a maximum annual increase of 3%. Effective July 1, 2011, the increase applies to that portion of the retirement benefit up to \$20,000, which amount must be indexed in subsequent years by the same percentage adjustments granted under this paragraph and paragraph A-2.

Sec. 2. 5 MRSA §17806, sub-§1, ¶A-2 is enacted to read:

A-2. Regardless of the amount of increase in the Consumer Price Index, for cost-of-living adjustments awarded in fiscal year 2015-16 and fiscal year 2016-17 only, the board shall automatically make a percentage increase in retirement benefits of no less than 2.55%. The increase applies to that portion of the retirement benefit that would otherwise be subject to an increase under subsection A.

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

Effective July 12, 2015.

CHAPTER 335
S.P. 61 - L.D. 186

**An Act To Reverse Jail
Consolidation**

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

Whereas, for the continued stable and effective operation of the jails of this State, the transition from control by the State Board of Corrections to control by the sheriffs of the counties must occur on July 1, 2015; and

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

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

Sec. 1. 1 MRSA §402, sub-§3, ¶Q, as amended by PL 2013, c. 339, §1, is further amended to read:

Q. Security plans, staffing plans, security procedures, architectural drawings or risk assessments prepared for emergency events that are prepared for or by or kept in the custody of the Department of Corrections or a county jail if there is a reasonable possibility that public release or inspection of the records would endanger the life or physical safety of any individual or disclose security plans and procedures not generally known by the general public. Information contained in records covered by this paragraph may be disclosed to state and county officials if necessary to carry out the duties of the officials; ~~or the Department of Corrections or members of the State Board of Corrections~~ under conditions that protect the information from further disclosure;

Sec. 2. 4 MRSA §1057, sub-§3-A, as amended by PL 2013, c. 598, §1, is further amended to read:

3-A. Reimbursement to counties. Monthly, the Treasurer of State shall transfer funds from the Government Operations Surcharge Fund to the ~~State Board of Corrections Operational Support Fund~~ County Jail Operations Fund program for the purpose of supporting the operation of the jails in an amount equal to 2% of the total fines, forfeitures and penalties, including the surcharge imposed pursuant to subsection 2-A, received by the Treasurer of State for deposit in the Government Operations Surcharge Fund. The balance remaining in the Government Operations Surcharge

Fund at the end of each month must accrue to the General Fund. Funds collected and deposited each month to the Government Operations Surcharge Fund must be transferred on the last day of the month in which the collections are made to the ~~State Board of Corrections Operational Support Fund~~ County Jail Operations Fund program ~~under Title 34-A, section 1405.~~

At the close of each month, the State Controller shall calculate the amount to be transferred to the ~~State Board of Corrections Operational Support Fund~~ County Jail Operations Fund program based on the collections made during the month. The State Controller shall transfer by journal entry the amount due to the ~~State Board of Corrections Operational Support Fund~~ County Jail Operations Fund program. ~~This subsection takes effect July 1, 2009.~~

Sec. 3. 5 MRSA §1591, sub-§4, as amended by PL 2013, c. 598, §2, is repealed.

Sec. 4. 5 MRSA §12004-G, sub-§6-C, as enacted by PL 2007, c. 653, Pt. A, §3, is repealed.

Sec. 5. 14 MRSA §5545, 2nd ¶, as amended by PL 2007, c. 653, Pt. A, §4, is further amended to read:

Whenever, under this section or under any other section in this chapter, a court issues a writ of habeas corpus ordering before it a prisoner confined in any penal or correctional institution under the control of ~~the Department of Health and Human Services or the~~ Department of Corrections, or confined in any county jail, its order as to the transportation of the prisoner to and from the court must be directed to the sheriff of the county in which the court is located. It is the responsibility of the sheriff or any one or more of the sheriff's authorized deputies pursuant to any such order to safely transport a prisoner to and from the court and to provide safe and secure custody of the prisoner during the proceedings, as directed by the court. At the time of removal of a prisoner from an institution, the transporting officer shall leave with the head of the institution an attested copy of the order of the court, and upon return of the prisoner shall note that return on the copy. ~~This paragraph as it relates to the responsibility for transportation is applicable to transfers from the county jail to any other county jail or to a state correctional facility under Title 34-A, section 1405.~~

Sec. 6. 30-A MRSA §101, sub-§6-B, as enacted by PL 2007, c. 653, Pt. A, §5, is repealed.

Sec. 7. 30-A MRSA §406, as amended by PL 2011, c. 374, §§1 to 3 and corrected by RR 2011, c. 1, §46, is repealed.

Sec. 8. 30-A MRSA §701, sub-§2, as repealed and replaced by PL 2009, c. 415, Pt. A, §14, is repealed and the following enacted in its place:

2. Preparation of estimates. In order to assess a county tax, the county commissioners, in accordance with the schedule established in the county charter or, if the county does not have a charter, by the end of the state fiscal year, shall prepare estimates of the sums necessary to pay the expenses that have accrued or may probably accrue for the coming year for correctional services. The estimates must be drawn so as to authorize the appropriations to be made for correctional services.

Sec. 9. 30-A MRSA §701, sub-§2-A, as amended by PL 2013, c. 598, §3, is repealed.

Sec. 10. 30-A MRSA §701, sub-§2-B, as enacted by PL 2007, c. 653, Pt. A, §9, is repealed.

Sec. 11. 30-A MRSA §701, sub-§2-C is enacted to read:

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

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

- A. A sum of \$4,287,340 in Androscoggin County;
- B. A sum of \$2,316,666 in Aroostook County;
- C. A sum of \$11,575,602 in Cumberland County;
- D. A sum of \$1,621,201 in Franklin County;
- E. A sum of \$1,670,136 in Hancock County;
- F. A sum of \$5,588,343 in Kennebec County;
- G. A sum of \$3,188,700 in Knox County;
- H. A sum of \$2,657,105 in Lincoln County;
- I. A sum of \$1,228,757 in Oxford County;
- J. A sum of \$5,919,118 in Penobscot County;
- K. A sum of \$878,940 in Piscataquis County;

L. A sum of \$2,657,105 in Sagadahoc County;

M. A sum of \$5,363,665 in Somerset County;

N. A sum of \$2,832,353 in Waldo County;

O. A sum of \$2,000,525 in Washington County; and

P. A sum of \$8,386,815 in York County.

Sec. 12. 30-A MRSA §706-A, sub-§1, as amended by PL 2007, c. 653, Pt. A, §10, is further amended to read:

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

A. "Average real personal income growth" has the same meaning as under Title 5, section 1531, subsection 2.

B. "County assessment" means: total annual county appropriations reduced by all resources available to fund those appropriations other than the county tax.

(1) ~~For the tax year of any county that began prior to January 1, 2009, total annual county appropriations reduced by all resources available to fund those appropriations other than the county tax; or~~

(2) ~~For the tax year of any county that begins on or after January 1, 2009, total annual county appropriations for noncorrectional-related services as established in section 701, reduced by all resources available to fund those appropriations other than the county tax.~~

C. "Forecasted inflation" has the same meaning as under Title 5, section 1531, subsection 6.

D. "Property growth factor" means the percentage equivalent to a fraction, established by a county, whose denominator is the total valuation of all municipalities, plantations and unorganized territory in the county, and whose numerator is the amount of increase in the assessed valuation of any real or personal property in those jurisdictions that became subject to taxation for the first time, or taxed as a separate parcel for the first time for the most recent property tax year for which information is available, or that has had an increase in its assessed valuation over the prior year's valuation as a result of improvements to or expansion of the property. ~~The State Tax Assessor shall provide to the counties forms and a methodology for the calculation of the property growth factor, and the counties shall use those forms and the methodology to establish the property growth factor.~~

E. "State and local tax burden" has the same meaning as under Title 5, section 1531, subsection 9.

Sec. 13. 30-A MRSA §709, as amended by PL 2011, c. 374, §4, is repealed.

Sec. 14. 30-A MRSA §710, as amended by PL 2013, c. 598, §§4 to 6, is repealed.

Sec. 15. 30-A MRSA §932, sub-§3, as amended by PL 2009, c. 391, §4, is repealed.

Sec. 16. 30-A MRSA §1557-B is enacted to read:

§1557-B. Transfer from a sending jail to a receiving jail

1. Transfer. A sheriff may transfer a prisoner from a jail to another jail upon the request of the sheriff of the sending jail and the approval of the sheriff of the receiving jail. A sheriff may transfer a prisoner to a correctional facility upon the request of the sheriff of the sending jail and the approval of the Commissioner of Corrections.

2. Transfer cost. The county of the sending jail shall pay the cost of the transfer or return of the prisoner under subsection 1.

3. Reimbursement. Reimbursement for the support of a prisoner who is transferred by a sending jail to a receiving jail or the Department of Corrections is subject to the provisions of this subsection.

A. During a state fiscal year in which at least \$12,202,104 has been appropriated to the County Jail Operations Fund and disbursements have been made equal to that amount to the counties as required by Title 34-A, section 1210-D, the receiving jail or the department may not charge the sending jail a per diem rate for the transferred prisoner.

B. During a state fiscal year in which less than \$12,202,104 has been appropriated to the County Jail Operations Fund or disbursements have not been made equal to that amount to the counties as required by Title 34-A, section 1210-D, the following provisions apply:

(1) The receiving jail may charge the sending jail a per diem rate for the transferred prisoner;

(2) The rate charged by the receiving jail must equal the per diem per prisoner amount calculated by the department in making the disbursement to the counties under Title 34-A, section 1210-D, subsection 4; and

(3) The department may charge the sending jail an amount that has been negotiated between the department and the jail that does not exceed \$108 per diem per prisoner.

C. The sending jail shall reimburse the receiving jail or the department for any costs incurred in the provision of extraordinary medical or surgical treatment for conditions of the prisoner that existed prior to transfer.

D. Payment amounts provided for in this subsection may be adjusted or dispensed with upon terms mutually agreeable to the sheriff of the sending jail and the sheriff of the receiving jail or the department.

4. Transferee subject to rules. A prisoner transferred under this section is subject to the general rules of the facility to which the prisoner is transferred, except that for a prisoner who has been sentenced:

A. The term of the original sentence remains the same unless altered by the court;

B. The prisoner becomes eligible for meritorious good time as provided in Title 17-A, section 1253 for a prisoner sentenced to imprisonment in a county jail;

C. The prisoner becomes eligible for release and discharge as provided in Title 17-A, section 1254 for a prisoner sentenced to imprisonment in a county jail;

D. The prisoner is entitled to have the time served in the facility under this section deducted from the sentence; and

E. The prisoner becomes eligible for furloughs, work or other release programs, participation in public works and charitable projects and home-release monitoring as authorized by sections 1556, 1605, 1606 and 1659-A and may apply pursuant to the rules governing the sending jail.

5. Return of prisoner. A prisoner transferred pursuant to this section must be returned to the sending jail upon the request of the sheriff of the sending jail, the sheriff of the receiving jail or the Commissioner of Corrections.

6. Commissioner of Corrections to determine temporary housing assignments. If a county that does not have a jail, has a jail that is not fully certified or has a jail that is unfit for occupation is unable to locate space in any other county facility for an adult or juvenile, the sheriff of that county may contact the Commissioner of Corrections for approval to obtain temporary housing in a correctional or detention facility operated by the Department of Corrections. The sheriff of the sending jail shall contact each other county facility in a continuing effort to locate placement in a county facility. When the sheriff of the sending jail locates available space in a county facility, the sheriff of the sending jail shall transfer the prisoner from the department's correctional or detention facility and place the prisoner in the county facility.

Sec. 17. 30-A MRSA §1558-A is enacted to read:

§1558-A. Transfer from state correctional facilities

A sheriff may accept custody of a prisoner transferred to the sheriff's jail from state correctional facilities under Title 34-A, section 3063-C.

Sec. 18. 30-A MRSA §1659-A, first ¶, as enacted by PL 2009, c. 391, §6, is amended to read:

The sheriff of each county shall establish a program to permit certain inmates to serve a portion of their sentence of imprisonment in community confinement monitored by the county or a contract agency or another county or its contract agency. The county may contract only with a community confinement monitoring agency approved by the ~~State Board Department~~ of Corrections.

Sec. 19. 30-A MRSA §1659-A, sub-§2, ¶D, as enacted by PL 2009, c. 391, §6, is amended to read:

D. The inmate has a verified security classification level of "medium" or "minimum" and scores "moderate" or "less" on a validated risk assessment tool as defined by the ~~State Board Department~~ of Corrections;

Sec. 20. 30-A MRSA §1659-A, sub-§§6 and 7, as enacted by PL 2009, c. 391, §6, are amended to read:

6. Minimum standards supervision of inmates in the community confinement monitoring program. The ~~State Board Department~~ of Corrections shall establish minimum policy standards for the monitoring of inmates in the community confinement monitoring program.

7. Program funding. Funds collected pursuant to this section must be forwarded to an account designated by the ~~State Board Department~~ of Corrections for the purpose of supporting pretrial, diversion or reentry activities. Community confinement monitoring program funds must be accounted for by the county through the normal budget process.

Sec. 21. 30-A MRSA §1661 is enacted to read:

§1661. Collaboration among counties

A county may collaborate with another county or counties to seek grants or establish community corrections programs or initiatives.

Sec. 22. 34-A MRSA §1208-B is enacted to read:

§1208-B. Standards, policies and procedures applicable to jails

1. Establishment. The commissioner shall establish mandatory standards, policies and procedures for jails. The standards, policies and procedures must

be established by rule and must be evidence-based and reflect best practices for the administration and operation of jails. The rules must include policies and procedures for assisting jails to achieve compliance and for imposing penalties for noncompliance.

A. The standards, policies and procedures must address record keeping and reporting of financial data, capital improvement planning, jail staffing, administration and management of prisoners, transfer of inmates, notification to prisoners of prohibition on contact with victims and other persons, pretrial assessments and services, evidence-based programming, literacy programs, mental health and substance abuse programs and correctional officer training.

B. In administering and distributing funding to the jails pursuant to section 1210-D, subsection 4, the commissioner shall:

(1) Require reporting of data that indicates average daily population of prisoners, that excludes federal prisoners, that indicates sending and receiving jails for transferred prisoners and that is useful in calculating the distributions to the counties pursuant to section 1201-D, subsection 4; and

(2) Consider the performance of each jail in meeting the standards established pursuant to this section. The commissioner shall work with the jails to assist them in achieving compliance with the standards. The commissioner shall enforce the standards by imposition of monetary penalties upon a county for noncompliance by the county jail or regional jail. A monetary penalty imposed under this subsection may not in any fiscal year exceed the County Jail Operations Fund distribution payable to a county for a fiscal year pursuant to section 1210-D, subsection 4.

2. Rulemaking. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. Rules adopted pursuant to this section must take effect January 1, 2016.

Sec. 23. 34-A MRSA §1210-D is enacted to read:

§1210-D. County Jail Operations Fund

1. County Jail Operations Fund. Notwithstanding any provision of law to the contrary, at least \$12,202,104 in state funding must be appropriated annually and used for the purposes of the County Jail Operations Fund, as established pursuant to this section and referred to in this section as "the fund." The department shall administer the fund and shall distribute funds to the jails in accordance with this section for the purposes set forth in subsections 2 and 3.

2. Community corrections. The fund must be used for the purpose of establishing and maintaining community corrections. For purposes of this subsection, "community corrections" means the delivery of correctional services for adults in the least restrictive manner that ensures the public safety by the county or for the county under contract with a public or private entity. "Community corrections" includes, but is not limited to, preventive or diversionary correctional programs, pretrial release or conditional release programs, alternative sentencing or housing programs, electronic monitoring, residential treatment and halfway house programs, community correctional centers and temporary release programs from a facility for the detention or confinement of persons convicted of crimes. The following provisions apply to community corrections funding.

A. Thirty percent of the funds distributed to the counties under this section must be used for the purpose of community corrections.

B. The county treasurer shall deposit 30% of the funds received under subsection 4 into an account for community corrections purposes.

C. Before distributing to a county that county's entire distribution under this section, the department shall require that county to submit appropriate documentation verifying that the county expended 30% of its prior distribution for the purpose of community corrections.

D. If a county fails to submit appropriate documentation verifying that the county expended 30% of its prior distribution for the purpose of community corrections under paragraph C, the department shall distribute to that county only 80% of its distribution. The department shall hold in escrow the 20% not distributed to a county to give the county jail an opportunity to comply with the requirement that 30% of the total distribution be used for community corrections purposes and qualify for disbursement of the withheld funds.

3. Prisoner support. The fund must be used to provide a portion of the counties' costs of the support of prisoners detained or sentenced to county jails. The following provisions apply to prisoner support funding.

A. Up to 70% of the funds distributed to a county under this section may be used for the purpose of support of prisoners detained or sentenced to county jails and for such other jail operations and correctional services purposes as the sheriff determines to be appropriate.

B. The county treasurer shall deposit 70% of the funds received under subsection 4 into an account for prisoner support, jail operations and correctional services purposes.

4. Formula; distribution. The department shall establish by rule a formula for the distribution of funds from the fund to the counties for jail operations. Beginning July 1, 2015 and annually thereafter, the department shall distribute to the counties from the fund amounts based on the formula. The formula must be based on the most recent fiscal year for which data is available and must:

A. Take into consideration total statewide county jail prisoner days for all jails;

B. Take into consideration and assign to a jail the number of county jail prisoner days attributable to each prisoner who was charged with committing a crime in that county or was committed to the custody of or detained by the sheriff of that county;

C. Determine the proportion of statewide county jail prisoner days attributable to each county;

D. Determine the per diem per prisoner reimbursement amount; and

E. Determine the reimbursement amount for each county based on the county's proportion of statewide county jail prisoner days multiplied by the per diem per prisoner rate.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

5. Surcharge imposed. In addition to the 14% surcharge collected pursuant to Title 4, section 1057, an additional 1% surcharge must be added to every fine, forfeiture or penalty imposed by any court in this State, which, for the purposes of collection and collection procedures, is considered a part of the fine, forfeiture or penalty. All funds collected pursuant to this subsection are nonlapsing and must be deposited monthly in the fund.

Sec. 24. 34-A MRSA §1402, sub-§§12 and 13 are enacted to read:

12. County and regional jails. The commissioner shall receive, administer and distribute to the county and regional jails funding provided through the General Fund, Other Special Revenue Funds and any federal and grant funds in accordance with section 1210-D and Title 30-A, section 1659-A. The department shall make distributions as required by section 1210-D to each jail on a quarterly basis and as may be adjusted pursuant to section 1208-B, subsection 1, paragraph B.

13. Report on jails. Beginning January 15, 2016 and annually thereafter, the department, in collaboration with a statewide association of sheriffs and a statewide association of county commissioners, shall submit a report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the mandatory standards,

policies and procedures for jails adopted pursuant to section 1208-B and the status of funding for the jails from the County Jail Operations Fund established in section 1210-D, county taxes and other sources. The department and representatives of the associations shall conduct a review of the funding provided to county jails pursuant to subsection 12 and section 1210-D and the distribution formula established by the department pursuant to section 1210-D, subsection 4. If the department and the associations find that changes are needed to the distribution method or procedures or the level of General Fund support, the department shall report that finding to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters and shall recommend changes in the formula determined pursuant to section 1210-D, subsection 4 and the level of General Fund support. After reviewing the report, the joint standing committee is authorized to submit legislation to address issues raised by the report and to improve the funding and operation of the jails.

Sec. 25. 34-A MRSA §1404, as amended by PL 2013, c. 598, §7, is repealed.

Sec. 26. 34-A MRSA §1405, as amended by PL 2009, c. 142, §15 and c. 391, §10, is repealed.

Sec. 27. 34-A MRSA c. 1, sub-c. 5, as amended, is repealed.

Sec. 28. 34-A MRSA §3063-B and 3063-C are enacted to read:

§3063-B. Transfer from jails

The commissioner may accept custody of prisoners transferred to the department from county jails under Title 30-A, section 1557-B.

§3063-C. Transfer to jails

1. Transfer of prisoner. The commissioner may transfer a prisoner serving a sentence in a correctional facility to a county jail, upon the request of the chief administrative officer and the approval of the sheriff of the jail.

2. Cost of transfer. The department shall pay the cost of the transfer or the return of the prisoner.

3. Reimbursement. By agreement between the commissioner and the sheriff of the receiving jail pursuant to this section, the department shall pay directly to the jail reimbursement in accordance with this subsection.

A. During a state fiscal year in which at least \$12,202,104 has been appropriated to the County Jail Operations Fund and disbursements have been made equal to the amount appropriated to the counties as required by section 1210-D, the receiving jail may charge the department for the transferred prisoner a rate to be negotiated be-

tween the sheriff of the jail and the department that is no higher than \$25 per diem per prisoner.

B. During a state fiscal year in which less than \$12,202,104 has been appropriated to the County Jail Operations Fund or disbursements have not been made equal to that amount to the counties as required by section 1210-D, the receiving jail may charge the department for the transferred prisoner a rate to be negotiated between the sheriff of the county jail and the department that is no higher than \$108 per diem per prisoner.

C. The department shall reimburse the receiving jail for any costs incurred in the provision of extraordinary medical or surgical treatment for conditions of the prisoner that existed prior to transfer.

D. Payment amounts provided for in this section may be adjusted or dispensed with upon terms mutually agreeable to the commissioner and the sheriff of the receiving jail.

4. Transferee subject to rules. A prisoner transferred under this section is subject to the general rules of the facility to which the prisoner is transferred, except that for a prisoner who has been sentenced:

A. The term of the original sentence remains the same unless altered by the court;

B. The prisoner becomes eligible for meritorious good time or deductions as provided in Title 17-A, section 1253 for a prisoner committed to the department;

C. The prisoner becomes eligible for release and discharge as provided in Title 17-A, section 1254 for a prisoner committed to the department;

D. The prisoner is entitled to have the time served in the jail under this section deducted from the sentence; and

E. The prisoner becomes eligible for furloughs, work or other release programs, and supervised community confinement as authorized by sections 3035 and 3036-A and may apply pursuant to the rules governing the correctional facility from which the prisoner was transferred.

5. Return of prisoner. A prisoner transferred pursuant to this section must be returned to the department upon the request of the commissioner or the sheriff.

Sec. 29. Balances. Notwithstanding any other provision of law, any balance remaining in the General Fund State Board of Corrections Operational Support Fund on June 30, 2015 may not lapse, but must be carried forward to the Department of Corrections, County Jail Operations Fund General Fund account to provide funds to county and multicounty jails.

Sec. 30. Appropriations and allocations.
The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

County Jail Operations Fund N220

Initiative: Transfers funds from the State Board of Corrections to the Department of Corrections.

GENERAL FUND	2015-16	2016-17
All Other	\$12,202,104	\$12,202,104
GENERAL FUND TOTAL	\$12,202,104	\$12,202,104
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$225,881	\$228,505
All Other	\$565,503	\$565,503
OTHER SPECIAL REVENUE FUNDS TOTAL	\$791,384	\$794,008
CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$12,202,104	\$12,202,104
OTHER SPECIAL REVENUE FUNDS	\$791,384	\$794,008
DEPARTMENT TOTAL - ALL FUNDS	\$12,993,488	\$12,996,112

CORRECTIONS, STATE BOARD OF State Board of Corrections Operational Support Fund Z087

Initiative: Transfers funds from the State Board of Corrections to the Department of Corrections.

GENERAL FUND	2015-16	2016-17
All Other	(\$12,202,104)	(\$12,202,104)
GENERAL FUND TOTAL	(\$12,202,104)	(\$12,202,104)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$225,881)	(\$228,505)

All Other	(\$565,503)	(\$565,503)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$791,384)	(\$794,008)
CORRECTIONS, STATE BOARD OF DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	(\$12,202,104)	(\$12,202,104)
OTHER SPECIAL REVENUE FUNDS	(\$791,384)	(\$794,008)
DEPARTMENT TOTAL - ALL FUNDS	(\$12,993,488)	(\$12,996,112)
SECTION TOTALS	2015-16	2016-17
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$0	\$0

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

Effective July 12, 2015.

CHAPTER 336

H.P. 76 - L.D. 93

An Act To Amend the Laws Governing Pine Tree Development Zone Benefits for the Town of Berwick and the City of Sanford

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

Sec. 1. 30-A MRSA §5250-J, sub-§3-A, ¶¶D and E, as enacted by PL 2009, c. 652, Pt. D, §1 and affected by §2, are amended to read:

D. Property within a military redevelopment zone as long as the property is classified by the department no later than December 31, 2018; ~~and~~

E. Washington County ~~and~~ the Downeast region; ~~and the City of Sanford,~~ including ~~2~~ 3 pilot projects to be established by the commissioner:

(1) A pilot project for the property of the former Cutler naval computer and telecommunications station and a pilot project for the City of Sanford, which may be excluded from the qualified business definitions established under section 5250-I, subsections 16 and 17 if a for-profit business is engaged in, or will engage in, tourism development including recreational tourism, experiential tourism, hotel development and theme park resort facility development; and

(2) A pilot project that allows seasonal employees in seasonal industries based on natural resources to be considered qualified Pine Tree Development Zone employees for the purposes of section 5250-I, subsection 18; and

Sec. 2. 30-A MRSA §5250-J, sub-§3-A, ¶F is enacted to read:

F. Beginning January 1, 2016, the Town of Berwick in York County.

See title page for effective date.

CHAPTER 337

H.P. 823 - L.D. 1205

An Act To Authorize a General Fund Bond Issue To Support the Independence of Maine's Seniors

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds as described in this Act,

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

Sec. 1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$15,000,000 for the purposes described in section 5 of this Act. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds.

Sec. 2. Records of bonds issued; Treasurer of State. The Treasurer of State shall ensure that an account of each bond is kept showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in this Act lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Act must be expended as designated in the following schedule under the direction and supervision of the agencies and entities set forth in this section.

MAINE STATE HOUSING AUTHORITY

Provides funds to be used to leverage an estimated \$22,600,000 in private and other funds for low-income households headed by a person 55 years of age or older for the construction of new energy-efficient affordable homes and the adaptive reuse of structures or homes. Preference must be given to homes in locations that have access to health care services and other essential goods and services. At least 4 homes must be located in counties having populations under 100,000.

Total	\$14,500,000

Provides funds to be used to match private and other funds for home repair and weatherization programs that assist low-income seniors.

Total	\$500,000

Sec. 6. Contingent upon ratification of bond issue. Sections 1 to 5 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Act.

Sec. 7. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds

lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but not issued within 5 years of ratification of this Act are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

Sec. 9. Referendum for ratification; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$15,000,000 bond issue for the construction of new energy-efficient affordable homes for low-income seniors, the adaptive reuse of structures for homes for low-income seniors and the repair and weatherization of existing homes for low-income seniors, which will create jobs and will be matched by an estimated \$22,600,000 in private and other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

Effective pending referendum.

CHAPTER 338

H.P. 163 - L.D. 231

An Act To Ensure That Schoolchildren with Dyslexia Receive the Assistance Needed

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 20-A MRSA §4710-B is enacted to read:

§4710-B. Dyslexia screening

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

A. "Alphabet knowledge" means the ability to name, distinguish shapes of, write and identify the sounds of the letters of the alphabet.

B. "Decoding" means the ability to apply knowledge of letter-sound relationships.

C. "Dyslexia" means a condition that is neurological in origin and characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities that typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and in relation to the provision of effective classroom instruction; the secondary consequences of dyslexia may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

D. "Encoding" means the ability to put ideas into messages to be delivered to and understood by other people.

E. "Phonological and phonemic awareness" means awareness of the phonological structure of words.

F. "Rapid naming" means the ability to connect visual and verbal information by giving appropriate names to common objects, colors, letters and digits.

G. "Sound-symbol recognition" means the ability to understand the relationship between symbols or combinations of symbols and the sounds they make.

2. Dyslexia screening. Beginning in the 2016-2017 school year, a school administrative unit shall screen for dyslexia students from kindergarten to grade 2 who have difficulty, as identified by a classroom teacher, in an area described in paragraphs A to F. The screening of a student must include an examination of the student's:

- A. Phonological and phonemic awareness;
- B. Sound-symbol recognition;
- C. Alphabet knowledge;
- D. Decoding skills;
- E. Rapid naming skills; and
- F. Encoding skills.

3. Dyslexia coordinator. There is created within the department the position of dyslexia coordinator to assist the department in complying with the provisions of this section and the general education interventions required in the department's special education rules as they pertain to students struggling with reading or showing early indicators of reading difficulty. The dyslexia coordinator must have a background in reading and language difficulties, including dyslexia, and in language and literacy. The dyslexia coordinator shall develop before March 1, 2016 and update annually thereafter a plan that:

- A. Implements dyslexia awareness training for teachers;
- B. Implements professional development in evidence-based screening practices; and
- C. Identifies needs of school administrative units for implementing evidence-based practices and response to scientific, research-based intervention strategies for reading and language-based learning difficulties.

Sec. 2. Appointment of dyslexia coordinator. The Commissioner of Education shall hire a dyslexia coordinator pursuant to the Maine Revised Statutes, Title 20-A, section 4710-B by October 1, 2015.

See title page for effective date.

CHAPTER 339

H.P. 460 - L.D. 679

An Act To Prohibit the Unauthorized Dissemination of Certain Private Images

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

Sec. 1. 17-A MRSA §511-A is enacted to read:

§511-A. Unauthorized dissemination of certain private images

1. A person is guilty of unauthorized dissemination of certain private images if the person, with the intent to harass, torment or threaten the depicted person or another person, knowingly disseminates, displays or publishes a photograph, videotape, film or digital recording of another person in a state of nudity or engaged in a sexual act or engaged in sexual contact in a manner in which there is no public or newsworthy purpose when the person knows or should have known that the depicted person:

- A. Is 18 years of age or older;
- B. Is identifiable from the image itself or information displayed in connection with the image; and
- C. Has not consented to the dissemination, display or publication of the private image.

2. This section does not apply to the following:

- A. Lawful and common practices of medical treatment;
- B. Images involving voluntary exposure in a public or commercial setting; or
- C. An interactive computer service, as defined in 47 United States Code, Section 230(f)(2), or an information service, as defined in 47 United States Code, Section 153, with regard to content provided by another person.

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

A. "Sexual act" has the same meaning as in section 251, subsection 1, paragraph C and also includes:

- (1) The transfer or transmission of semen upon any part of the clothed or unclothed body of the depicted person;
- (2) Urination within a sexual context;
- (3) Bondage or sadomasochism in any sexual context;
- (4) Simulated sexual acts; and
- (5) Masturbation.

B. "Sexual contact" has the same meaning as in section 251, subsection 1, paragraph D and includes simulated sexual contact.

C. "State of nudity" means the condition of displaying fully unclothed, partially unclothed or transparently clothed genitals, pubic area or anus or, if the person is female, a partially or fully exposed breast below a point immediately above the top of the areola.

4. Unauthorized dissemination of certain private images is a Class D crime.

Sec. 2. 19-A MRSA §4005, sub-§1, as amended by PL 2011, c. 201, §1, is further amended to read:

1. Filing. An adult who has been abused by a family or household member or a dating partner may seek relief by filing a complaint alleging that abuse.

When a minor child in the care or custody of a family or household member or a dating partner has been abused by a family or household member or a dating partner, a person responsible for the child, as defined in Title 22, section 4002, subsection 9, or a representative of the department may seek relief by filing a petition alleging that abuse.

An adult who has been a victim of conduct defined as stalking in Title 17-A, section 210-A or described as sexual assault in Title 17-A, chapter 11 or described as unauthorized dissemination of certain private images in Title 17-A, section 511-A, whether or not the conduct was perpetrated by a family or household member or dating partner, may seek relief by filing a complaint alleging that conduct without regard to whether criminal prosecution has occurred. When a minor has been a victim of such conduct, the minor's parent, other person responsible for the child or a representative of the department may seek relief by filing a petition alleging that conduct.

When an adult who is 60 years of age or older or a dependent adult, as defined in Title 22, section 3472, subsection 6, or an incapacitated adult, as defined in Title 22, section 3472, subsection 10, has been the victim of abuse as defined in section 4002, subsection 1 or Title 22, section 3472, subsection 1 by an extended family member or an unpaid care provider, the adult victim, the adult victim's legal guardian or a representative of the department may seek relief by filing a complaint alleging the abusive conduct. For the purposes of this subsection, "extended family member" includes, but is not limited to: a person who is related to the victim by blood, marriage or adoption, whether or not the person resides or has ever resided with the victim. "Unpaid care provider" includes, but is not limited to, a caretaker who voluntarily provides full, intermittent or occasional personal care to the adult victim in the victim's home similar to the way a family member would provide personal care.

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

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

**Maine Commission on Indigent Legal Services
Z112**

Initiative: Provides funds for an anticipated increase in indigent legal services.

GENERAL FUND	2015-16	2016-17
All Other	\$7,900	\$7,900
GENERAL FUND TOTAL	\$7,900	\$7,900

See title page for effective date.

CHAPTER 340

H.P. 536 - L.D. 787

An Act To Provide Tax Credits for Adult Day Care and Respite and Hospice Care

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

Sec. 1. 36 MRSA §5125, sub-§3, ¶D, as amended by PL 2011, c. 380, Pt. N, §8 and affected by §§19 and 20, is further amended to read:

D. Reduced by any amount attributable to interest or expenses incurred in the production of income exempt from tax under this Part; ~~and~~

Sec. 2. 36 MRSA §5125, sub-§3, ¶E, as amended by PL 2011, c. 380, Pt. N, §9 and affected by §§19 and 20, is further amended to read:

E. Reduced by the amount attributable to any contribution that qualified for and was actually utilized as a credit under section 5216-C; ~~and~~

Sec. 3. 36 MRSA §5125, sub-§3, ¶G is enacted to read:

G. Reduced by the amount of federal itemized deductions included in the base for calculating the credit under section 5218-A.

Sec. 4. 36 MRSA §5218-A is enacted to read:

§5218-A. Income tax credit for adult dependent care expenses

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

A. "Adult day care" has the same meaning as in Title 22, section 6202, subsection 1.

B. "Adult dependent care expenses" means expenses paid during the taxable year for adult day care, hospice services and respite care for a qualifying individual to the extent not used to calculate the credit under the Code, Section 21.

C. "Applicable percentage" has the same meaning as in the Code, Section 21(a)(2).

D. "Hospice services" has the same meaning as in Title 22, section 8621, subsection 11.

E. "Qualifying individual" has the same meaning as in the Code, Section 21(b)(1)(B) and Section 21(b)(1)(C), except that "qualifying individual" does not include an individual who has not attained 21 years of age as of the last day of the taxpayer's tax year.

F. "Respite care" has the same meaning as in Title 34-B, section 6201, subsection 2-A.

2. Credit for resident taxpayer. A resident individual is allowed a credit against the tax otherwise due under this Part in the amount of 25% of the applicable percentage of adult dependent care expenses paid during the taxable year.

3. Credit for nonresident taxpayer. A nonresident individual is allowed a credit against the tax otherwise due under this Part in the amount of 25% of the applicable percentage of adult dependent care expenses paid during the taxable year, multiplied by the ratio of the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, to the individual's entire federal adjusted gross income, as modified by section 5122.

4. Credit for part-year resident taxpayer. An individual who files a return as a part-year resident in accordance with section 5224-A is allowed a credit against the tax otherwise due under this Part in the amount of 25% of the applicable percentage of adult dependent care expenses paid during the taxable year, multiplied by a ratio, the numerator of which is the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph A for that portion of the taxable year during which the individual was a resident plus the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph B for that portion of the taxable year during which the individual was a nonresident and the denominator of which is the individual's entire federal adjusted gross income, as modified by section 5122.

5. Maximum expenses. Adult dependent care expenses allowed under this section may not exceed \$3,000 for one qualifying individual or \$6,000 for 2 or more qualifying individuals.

6. Refund. The credit allowed by this section may result in a refund of up to \$500. In the case of a nonresident individual, the refundable portion of the credit may not exceed \$500 multiplied by the ratio of the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, to the individual's entire federal adjusted gross income, as modified by section 5122. In the case of an individual who files a return as a part-year resident in accordance with section 5224-A, the refundable portion of the credit may not exceed \$500 multiplied by a ratio, the numerator of which is the individual's Maine

adjusted gross income as defined in section 5102, subsection 1-C, paragraph A for that portion of the taxable year during which the individual was a resident plus the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph B for that portion of the taxable year during which the individual was a nonresident and the denominator of which is the individual's entire federal adjusted gross income, as modified by section 5122.

Sec. 5. Effective date; application. This Act takes effect January 1, 2016 and applies to tax years beginning on or after January 1, 2016.

Effective January 1, 2016.

CHAPTER 341

H.P. 573 - L.D. 839

An Act To Increase Conservation District Funding

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Geological Survey Z237

Initiative: Provides ongoing funding starting in fiscal year 2015-16 for soil and water conservation districts.

GENERAL FUND	2015-16	2016-17
All Other	\$70,000	\$70,000
GENERAL FUND TOTAL	\$70,000	\$70,000

See title page for effective date.

CHAPTER 342

H.P. 587 - L.D. 853

An Act To Allow Secondary Schools To Grant Certificates of Academic Proficiency

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

Sec. 1. 20-A MRSA §4722-A, sub-§5 is enacted to read:

5. Certificates of content area proficiency. A school administrative unit may award a certificate of

content area proficiency to a student for each content area in the system of learning results established under section 6209 in which the student has demonstrated proficiency. A certificate of content area proficiency may be included in the student's permanent academic transcript, and a student may use a certificate of content area proficiency as an official credential of academic achievement for the purposes of employment and postsecondary education. If a school administrative unit awards certificates of content area proficiency, it shall report its issuance of certificates of content area proficiency to the department, and the department may collect and aggregate these data as evidence of intermediate progress towards high school graduation goals.

See title page for effective date.

CHAPTER 343

H.P. 640 - L.D. 921

An Act To Strengthen the Right of a Victim of Sexual Assault or Domestic Violence To Take Necessary Leave from Employment and To Promote Employee Social Media Privacy

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

PART A

Sec. A-1. 26 MRSA §850, sub-§3, as enacted by PL 1999, c. 435, §1, is amended to read:

3. Penalties. ~~The If notice of a violation of this section is given to the employer and the Department of Labor within 6 months of the occurrence, the Department of Labor may assess civil penalties of up to \$200 for each violation of this section, if notice of the violation was given to the employer and the department within 6 months of the occurrence, as follows:~~

A. For denial of leave in violation of this section, a fine of up to \$1,000 for each violation of this section may be assessed. A fine assessed under this paragraph must be paid to the Treasurer of State. Additionally, the employer shall pay liquidated damages to the affected individual in an amount equal to 3 times the amount of total assessed fines; and

B. For termination in connection with an individual exercising a right granted by this section, the affected individual may elect to receive:

(1) Liquidated damages pursuant to paragraph A; or

(2) Reemployment with the employer with back wages.

PART B

Sec. B-1. 26 MRSA c. 7, sub-c. 1-C is enacted to read:

SUBCHAPTER 1-C

EMPLOYEE SOCIAL MEDIA PRIVACY

§615. Definitions

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

1. Applicant. "Applicant" means an applicant for employment.

2. Employee. "Employee" means an individual who provides services or labor for an employer for wages or other remuneration.

3. Employer. "Employer" means a person in this State who employs individuals and includes the State and political subdivisions of the State. "Employer" includes a person acting in the interest of an employer directly or indirectly.

4. Social media account. "Social media account" means an account with an electronic medium or service through which users create, share and view user-generated content including but not limited to videos, still photographs, blogs, video blogs, podcasts, instant and text messages, e-mail, online service accounts and Internet website profiles and locations. "Social media account" does not include an account opened at an employer's behest or provided by an employer or intended to be used primarily on behalf of an employer.

§616. Prohibitions

An employer may not:

1. Passwords. Require or coerce an employee or applicant to disclose, or request that an employee or applicant disclose, the password or any other means for accessing a personal social media account;

2. Access in presence. Require or coerce an employee or applicant to access, or request that an employee or applicant access, a personal social media account in the presence of the employer or an agent of the employer;

3. Information. Require or coerce an employee or applicant to disclose any personal social media account information;

4. Contacts. Require or cause an employee or applicant to add anyone, including the employer or an agent of the employer, to the employee's or applicant's list of contacts associated with a personal social media account;

5. Settings. Require or cause an employee or applicant to alter, or request that an employee or applicant alter, settings that affect a 3rd party's ability to view the contents of a personal social media account;

6. Employees. Discharge, discipline or otherwise penalize or threaten to discharge, discipline or otherwise penalize an employee for the employee's refusal to disclose or provide access to information as specified in subsection 1, 2 or 3 or for refusal to add anyone to the employee's list of contacts associated with a personal social media account as specified in subsection 4 or to alter the settings associated with a personal social media account as specified in subsection 5; or

7. Applicants. Fail or refuse to hire an applicant as a result of the applicant's refusal to disclose or provide access to information specified in subsection 1, 2 or 3 or refusal to add anyone to the applicant's list of contacts associated with a personal social media account as specified in subsection 4 or to alter the settings associated with a personal social media account as specified in subsection 5.

§617. Exceptions

1. Publicly available information. This subchapter does not apply to information about an applicant or employee that is publicly available.

2. Duty to screen or supervise. This subchapter does not prohibit or restrict an employer from complying with a duty to screen employees or applicants before hiring or to monitor or retain employee communications that is established by a self-regulatory organization as defined by the federal Securities Exchange Act of 1934, 15 United States Code, Section 78c(a)(26) or under state or federal law, regulation or rule to the extent necessary to supervise communications of regulated financial institutions or insurance or securities licensees for banking-related, insurance-related or securities-related business purposes.

3. Investigation. This subchapter does not prohibit or restrict an employer from requiring an employee to disclose personal social media account information that the employer reasonably believes to be relevant to an investigation of allegations of employee misconduct or a workplace-related violation of applicable laws, rules or regulations if requiring the disclosure is not otherwise prohibited by law, as long as the information disclosed is accessed and used solely to the extent necessary for purposes of that investigation or a related proceeding.

§618. Workplace policies

This subchapter does not limit an employer's right to promulgate and maintain lawful workplace policies governing the use of the employer's electronic equipment, including a requirement that an employee disclose to the employer the employee's user name, pass-

word or other information necessary to access employer-issued electronic devices, including but not limited to cellular telephones and computers, or to access employer-provided software or e-mail accounts.

§619. Penalties for violation

An employer who violates this subchapter is subject to a fine imposed by the Department of Labor of not less than \$100 for the first violation, not less than \$250 for the 2nd violation and not less than \$500 for each subsequent violation.

PART C

Sec. C-1. Appropriations and allocations.

The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Regulation and Enforcement 0159

Initiative: Provides funds for a 1/2-time Labor and Safety Inspector position and related All Other costs for the additional enforcement requirements associated with the disclosure of personal social media account information and with employee rights regarding a leave of absence when the employee is a victim of violence.

GENERAL FUND	2015-16	2016-17
POSITIONS -	0.500	0.500
LEGISLATIVE COUNCIL		
Personal Services	\$23,867	\$32,372
All Other	\$22,600	\$22,600
GENERAL FUND TOTAL	\$46,467	\$54,972

See title page for effective date.

CHAPTER 344

S.P. 332 - L.D. 941

An Act To Improve Tax Expenditure Transparency and Accountability

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

Sec. 1. 3 MRSA §992, sub-§4-A is enacted to read:

4-A. Policy committee. "Policy committee" means the joint standing committee of the Legislature having jurisdiction over taxation matters.

Sec. 2. 3 MRSA §992, sub-§5, as amended by PL 2003, c. 673, Pt. GGGG, §3, is further amended to read:

5. Program evaluation. "Program evaluation" means an examination of any government program that includes performance audits, management analysis, inspections, operations, research or examinations of efficiency, effectiveness or economy or the evaluation of any tax expenditure required under this chapter.

Sec. 3. 3 MRSA §992, sub-§§6-A and 6-B are enacted to read:

6-A. Statistic. "Statistic" means a numerical value computed from a set of data. "Statistic" includes, but is not limited to, a sum, mean, median, maximum, minimum, range and variance.

6-B. Tax expenditure. "Tax expenditure" has the same meaning as under Title 5, section 1666.

Sec. 4. 3 MRSA §§998 to 1001 are enacted to read:

§998. Process for review of tax expenditures

1. Assignment of review categories. By October 1, 2015, the committee, in consultation with the policy committee, shall assign each tax expenditure to one of the following review categories:

A. Full evaluation for tax expenditures that are intended to provide an incentive for specific behaviors, that provide a benefit to a specific group of beneficiaries or for which measurable goals can be identified;

B. Expedited review for tax expenditures that are intended to implement broad tax policy goals that cannot be reasonably measured; and

C. No review for tax expenditures with an impact on state revenue of less than \$50,000 or that otherwise do not warrant either a full evaluation or expedited review.

2. Schedule. By October 1, 2015, the committee, in consultation with the policy committee, shall establish a schedule of ongoing review of the tax expenditures assigned to the full evaluation and expedited review categories pursuant to subsection 1, paragraphs A and B. To the extent practicable, the committee shall schedule the review of tax expenditures with similar goals during the same year.

3. Annual review of assignments and schedule. By October 1st of each year, beginning in 2016, the committee, in consultation with the policy committee, shall review and make any necessary adjustments to the review category assignments and schedule pursuant to subsections 1 and 2, including adjustments needed to incorporate tax expenditures enacted, amended or repealed during the preceding year.

4. Office responsibilities. The office shall maintain a current record of the review category assignments and the schedule under this section.

§999. Full evaluation of tax expenditures

1. Evaluation process. Beginning January 1, 2016, the office shall evaluate each tax expenditure identified under section 998, subsection 1, paragraph A in accordance with the schedule established in section 998, subsection 2.

A. By January 31st of each year, the committee, after consideration of recommendations from the office, shall approve the following for each tax expenditure subject to full evaluation review in that year:

(1) The purposes, intent or goals of the tax expenditure, as informed by original legislative intent as well as subsequent legislative and policy developments and changes in the state economy and fiscal condition;

(2) The intended beneficiaries of the tax expenditure;

(3) The evaluation objectives, which may include an assessment of:

(a) The fiscal impact of the tax expenditure, including past and estimated future impacts;

(b) The extent to which the design of the tax expenditure is effective in accomplishing the tax expenditure's purposes, intent or goals and consistent with best practices;

(c) The extent to which the tax expenditure is achieving its purposes, intent or goals, taking into consideration the economic context, market conditions and indirect benefits;

(d) The extent to which those actually benefiting from the tax expenditure are the intended beneficiaries;

(e) The extent to which it is likely that the desired behavior might have occurred without the tax expenditure, taking into consideration similar tax expenditures offered by other states;

(f) The extent to which the State's administration of the tax expenditure, including enforcement efforts, is efficient and effective;

(g) The extent to which there are other state or federal tax expenditures, direct expenditures or other programs that have similar purposes, intent or goals as the tax expenditure, and the extent to which such similar initiatives are coordinated, complementary or duplicative;

(h) The extent to which the tax expenditure is a cost-effective use of resources compared to other options for using the same resources or addressing the same purposes, intent or goals; and

(i) Any opportunities to improve the effectiveness of the tax expenditure in meeting its purposes, intent or goals; and

(4) The performance measures appropriate for analyzing the evaluation objectives. Performance measures must be clear and relevant to the specific tax expenditure and the approved evaluation objectives.

B. Before final approval pursuant to paragraph A, the committee shall seek and consider input from the policy committee and stakeholders and may seek input from experts.

2. Action by office; report. By December 31st of each year, beginning in 2016, the office shall complete the tax expenditure evaluations pursuant to subsection 1 scheduled for that year and submit a report on the results to the committee and the policy committee. The office shall seek stakeholder input as part of the report. For each tax expenditure evaluated, the report must include conclusions regarding the extent to which the tax expenditure is meeting its purposes, intent or goals and may include recommendations for continuation or repeal of the tax expenditure or modification of the tax expenditure to improve its performance.

3. Action by committee. The committee shall review the report submitted by the office under subsection 2, assess the report's objectivity and credibility and vote whether to endorse the report. By June 1st of each year, beginning in 2017, the committee shall submit a record of the vote on the report and any comments of or actions recommended by the committee to the policy committee for its review and consideration.

4. Action by policy committee. The policy committee shall review the results of the tax expenditure evaluations and of the committee's review based on materials submitted under subsections 2 and 3. By December 1st of each year, beginning in 2017, the policy committee shall submit to the Legislature a report documenting its activities under this chapter and any recommendations resulting from its review of the materials submitted under subsections 2 and 3. The policy committee may submit a bill to the next regular session of the Legislature to implement the policy committee's recommendations.

§1000. Expedited review of tax expenditures

1. Expedited review process. Beginning July 1, 2016, the policy committee shall conduct expedited reviews of tax expenditures and the associated tax

policies identified under section 998, subsection 1, paragraph B, in accordance with the schedule established in section 998, subsection 2.

A. For each tax policy subject to review, the policy committee shall assess the continued relevance of, or need for adjustments to, the policy, considering:

(1) The reasons the tax policy was adopted;

(2) The extent to which the reasons for the adoption still remain or whether the tax policy should be reconsidered;

(3) The extent to which the tax policy is consistent or inconsistent with other state goals; and

(4) The fiscal impact of the tax policy, including past and estimated future impacts.

B. For each tax expenditure related to the tax policy under review, the policy committee shall assess the continued relevance of, or need for adjustments to, the expenditure, considering:

(1) The fiscal impact of the tax expenditure, including past and estimated future impacts;

(2) The administrative costs and burdens associated with the tax expenditure;

(3) The extent to which the tax expenditure is consistent with the broad tax policy and with the other tax expenditures established in connection with the policy;

(4) The extent to which the design of the tax expenditure is effective in accomplishing its tax policy purpose;

(5) The extent to which there are adequate mechanisms, including enforcement efforts, to ensure that only intended beneficiaries are receiving benefits and that beneficiaries are compliant with any requirements;

(6) The extent to which the reasons for establishing the tax expenditure remain or whether the need for it should be reconsidered; and

(7) Any other reasons to discontinue or amend the tax expenditure.

2. Action by the office. By July 1st of each year, beginning in 2016, the office shall collect, prepare and submit to the policy committee the following information to support the expedited reviews under subsection 1:

A. A description of the tax policy under review;

B. Summary information on each tax expenditure associated with the tax policy under review, including:

(1) A description of the tax expenditure and the mechanism through which the tax benefit is distributed;

(2) The intended beneficiaries of the tax expenditure; and

(3) A legislative history of the tax expenditure; and

C. The fiscal impact of the tax policy and each related tax expenditure, including past and estimated future impacts.

3. Report by policy committee; legislation. By December 1st of each year, beginning in 2016, the policy committee shall submit to the Legislature a report on the results of the expedited reviews conducted pursuant to subsection 1 that year. The policy committee may submit a bill related to the report to the next regular session of the Legislature to implement the policy committee's recommendations.

§1001. Tax expenditure evaluation process details

1. Information requests; confidentiality; reporting. The following provisions apply to the performance of duties under sections 999 and 1000. These powers are in addition to the powers granted to the office and committee under this chapter.

A. The office may request confidential information from the Department of Administrative and Financial Services, Maine Revenue Services or other state agencies as necessary to address the evaluation objectives and performance measures approved under section 999, subsection 1. The office shall request any confidential information in accordance with section 997, subsection 4. The office shall request that confidential tax information, other than beneficiary contact information, be made accessible to the office as de-identified tax data. If Maine Revenue Services is unable to provide such data, the office and representatives of Maine Revenue Services shall determine appropriate methods for the office to access the requested information.

B. Upon request of the office and in accordance with section 997, subsection 4, the Department of Administrative and Financial Services, Maine Revenue Services or other state agencies shall provide confidential information to the office. The office shall maintain the confidentiality of the information provided, in accordance with section 997, subsections 3 and 4. This paragraph does not apply to federal tax information that is confidential under Title 36, section 191, subsection 3.

C. The office, the committee or the policy committee may consult with governmental agencies, other entities and experts, including members of the Consensus Economic Forecasting Commission under Title 5, section 1710.

D. The office may contract with other entities for the purpose of obtaining assistance in the review of tax expenditures. The office shall require a nondisclosure agreement as part of any contract entered into pursuant to this paragraph. The office may not disclose confidential taxpayer information to a contractor, except for:

(1) Contact information for specific beneficiaries of tax expenditures for the purpose of conducting interviews, surveys or other data collection; and

(2) Statistics classified so as to prevent the identification of specific taxpayers or the reports, returns or items of specific taxpayers.

The contractor shall retain physical control of any information obtained pursuant to this paragraph until the conclusion of the review for which the information was provided, after which the information must be immediately destroyed.

E. The office may report confidential information obtained under this section to Legislators, legislative committees, state agencies and the public only in the form of statistics classified so as to prevent the identification of specific taxpayers or the reports, returns or items of specific taxpayers.

F. Prior to the submission of a tax expenditure evaluation report under section 999, subsection 2, the office shall provide the State Tax Assessor an opportunity to review a draft of the report in accordance with the provisions of section 997, subsection 1. The State Tax Assessor may advise the office on compliance with paragraph E.

G. For purposes of this section, the following terms have the following meanings:

(1) "Beneficiary contact information" means the following information listed on a tax return or included in a tax return: the name, address, zip code, e-mail address and telephone number of the taxpayer, and of any related entity, officers, attorneys, personal representatives and other agents, tax preparers and shareholders of, partners of or members of the taxpayer or of a listed related entity.

(2) "De-identified tax data" means tax returns and other confidential tax information that are redacted or otherwise modified or restricted by Maine Revenue Services so as to exclude the following:

(a) Beneficiary contact information;

(b) Identification numbers including federal or state employer identification numbers, social security numbers and registration numbers; and

(c) Other information from which the State Tax Assessor determines that the identity of the taxpayer could reasonably be inferred.

2. Legislation. The committee may submit to the Legislature any legislation it considers necessary to improve the process or availability of data for the review of tax expenditures.

Sec. 5. 5 MRSA §1666, 3rd ¶, as amended by PL 2007, c. 1, Pt. P, §2, is further amended to read:

A budget document transmitted by the Governor or Governor-elect must include a part that asks the Legislature whether it wishes to continue funding each individual tax expenditure provided in the statutes. For purposes of this paragraph, "tax expenditures" means those state tax revenue losses attributable to provisions of Maine tax laws that allow a special exclusion, exemption or deduction or provide a special credit, a preferential rate of tax or a deferral of tax liability. The part must include for each tax expenditure a statutory section reference, a brief description of each tax expenditure and the loss of revenue estimated to be incurred by funding source and fiscal year. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs shall consider any reports regarding the evaluation of tax expenditures completed during the previous 2 years pursuant to Title 3, sections 999 and 1000 and shall hold at least one public hearing to receive public comment regarding those tax expenditures when reviewing the continuation of tax expenditures pursuant to this section. This paragraph applies with respect to the preparation of the budget document for the 2008-2009 biennium and thereafter.

Sec. 6. 36 MRSA §191, sub-§2, ¶¶XX and YY, as enacted by PL 2013, c. 331, Pt. B, §5, are amended to read:

XX. The disclosure of information by the assessor to the board, except that such disclosure is limited to information that is pertinent to an appeal or other action or proceeding before the board; ~~and~~

YY. The inspection and disclosure of information by the board to the extent necessary to conduct appeals procedures pursuant to this Title and issue a decision on an appeal to the parties. The board may make available to the public redacted decisions that do not disclose the identity of a taxpayer or any information made confidential by state or federal statute; ~~and~~

Sec. 7. 36 MRSA §191, sub-§2, ¶ZZ is enacted to read:

ZZ. The disclosure of information by the State Tax Assessor or the Associate Commissioner for Tax Policy to the Office of Program Evaluation

and Government Accountability under Title 3, section 991 for the review and evaluation of tax expenditures pursuant to Title 3, chapter 37.

Sec. 8. Lapsed balances; Office of Program Evaluation and Government Accountability; General Fund account. Notwithstanding any other provision of law, the State Controller shall lapse \$62,000 from the Personnel Services line category and \$106,884 from the All Other line category in the Office of Program Evaluation and Government Accountability, General Fund account to the unappropriated surplus of the General Fund no later than June 30, 2016.

Sec. 9. Lapsed balances; Legislature, General Fund account. Notwithstanding any other provision of law, \$237,280 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, 2016, 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 \$237,280 that the State Controller shall lapse to the unappropriated surplus of the General Fund no later than June 30, 2017.

Sec. 10. Appropriations and allocations. The following appropriations and allocations are made.

PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY, OFFICE OF

Office of Program Evaluation and Government Accountability 0976

Initiative: Establishes one Senior Analyst position and one Analyst position effective October 5, 2015 and provides funding for consultant services.

GENERAL FUND	2015-16	2016-17
POSITIONS -	2,000	2,000
LEGISLATIVE COUNCIL		
Personal Services	\$143,884	\$212,280
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$168,884	\$237,280

See title page for effective date.

CHAPTER 345
H.P. 800 - L.D. 1166

**An Act To Protect Taxpayers
by Regulating Personal
Services Contracts**

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

Sec. 1. 5 MRSA §1813-B is enacted to read:

**§1813-B. Cost-savings information available
through the Internet**

The Director of the Bureau of General Services shall make cost-savings information for the award winners of all competitively bid contracts for services for the State available through the department's publicly accessible site on the Internet. For a contract with a new contractor, the cost-savings information must, where applicable, include projected savings of the contract over the State's costs of providing the same service and include the amount of savings over the previous contractor's contract. For a contract with a contractor renewing or extending a contract for the first time, the cost-savings information must, where applicable, include details of cost-savings for the expiring contract over the previous contractor's costs and details of continued cost-savings at or below costs in the current contract adjusted for inflation. For a contract with a contractor renewing or extending a contract beyond a first renewal or extension, the cost-savings information must include details on continued cost-savings at or below costs in the current contract adjusted for inflation. The Director of the Bureau of General Services shall coordinate with all departments and agencies in the State to ensure the collection of the cost-savings information described in this section. The Director of the Bureau of General Services, with the approval of the Commissioner of Administrative and Financial Services, shall establish by rule practices and procedures to make the cost-savings information available on the department's publicly accessible site on the Internet. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

Purchases - Division of 0007

Initiative: Provides funds for one part-time Management Analyst II position and related costs to track contract information and make it available on a publicly accessible site on the Internet.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNCIL	0.500	0.500
Personal Services	\$27,403	\$37,273
All Other	\$1,866	\$2,490
GENERAL FUND TOTAL	\$29,269	\$39,763

See title page for effective date.

CHAPTER 346
S.P. 451 - L.D. 1246

**An Act To Strengthen Laws
Regarding the Manufacture
and Sale of Methamphetamine
and Other Drugs**

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

Sec. 1. 17-A MRSA §1101, sub-§17, as amended by PL 1999, c. 374, §1 and c. 453, §§1 to 3, is further amended to read:

17. "Traffick":

- A. To make, create, manufacture;
- B. To grow or cultivate, except for marijuana;
- C. To sell, barter, trade, exchange or otherwise furnish for consideration;
- D. To possess with the intent to do any act mentioned in paragraph C; ~~or~~
- E. To possess 2 grams or more of heroin or 90 or more individual bags, folds, packages, envelopes or containers of any kind containing heroin; ~~or~~
- F. To possess 2 grams or more of fentanyl powder or 90 or more individual bags, folds, packages, envelopes or containers of any kind containing fentanyl powder.

Sec. 2. 17-A MRSA §1101, sub-§18, as amended by PL 1999, c. 453, §§4 and 5, is further amended to read:

18. "Furnish":

- A. To furnish, give, dispense, administer, prescribe, deliver or otherwise transfer to another;
- B. To possess with the intent to do any act mentioned in paragraph A; ~~or~~
- C. To possess at least one gram but less than 2 grams of heroin or at least 45 but fewer than 90 individual bags, folds, packages, envelopes or containers of any kind containing heroin; ~~or~~

D. To possess at least one gram but less than 2 grams of fentanyl powder or at least 45 but fewer than 90 individual bags, folds, packages, envelopes or containers of any kind containing fentanyl powder.

Sec. 3. 17-A MRSA §1101, sub-§24 is enacted to read:

24. "Fentanyl powder" means any compound, mixture or preparation, in granular or powder form, containing fentanyl.

Sec. 4. 17-A MRSA §1103, sub-§3, ¶H, as enacted by PL 2001, c. 419, §13, is amended to read:

H. ~~Thirty~~ Fourteen grams or more of or 30 or more pills, capsules, tablets or units containing 3, 4 - methylenedioxymethamphetamine, MDMA, or any other drug listed in section 1102, subsection 1, paragraph O or P.

Sec. 5. 17-A MRSA §1105-E is enacted to read:

§1105-E. Aggravated unlawful operation of a methamphetamine laboratory

1. A person is guilty of aggravated unlawful operation of a methamphetamine laboratory if the person violates section 1124 and:

A. At the time of the offense, the person has one or more prior convictions for any Class A, B or C offense under this chapter or for engaging in substantially similar conduct to that of the Class A, B or C offenses under this chapter in another jurisdiction. Violation of this paragraph is a Class A crime.

Section 9-A governs the use of prior convictions when determining a sentence under this paragraph, except that, for the purposes of this paragraph, the date of each prior conviction may precede the commission of the offense being enhanced by more than 10 years;

B. At the time of the offense, the person possesses a firearm in the furtherance of the offense, uses a firearm, carries a firearm or is armed with a firearm. Violation of this paragraph is a Class A crime;

C. At the time of the offense, the person is within 1,000 feet of the real property comprising a private or public elementary or secondary school or a safe zone as defined in section 1101, subsection 23. Violation of this paragraph is a Class A crime;

D. At the time of the offense, the person enlists or solicits the aid of or conspires with a child who is in fact less than 18 years of age to operate a methamphetamine laboratory. Violation of this paragraph is a Class A crime;

E. Death or serious bodily injury is in fact caused by the methamphetamine laboratory. Violation of this paragraph is a Class A crime; or

F. At the time of the offense, the premises is the residence of a child who is in fact less than 18 years of age, the premises is a multi-unit residential building or the premises is a room offered to the public for overnight accommodations. Violation of this paragraph is a Class A crime.

Sec. 6. 17-A MRSA §1107-A, sub-§1, ¶B, as amended by PL 2007, c. 476, §43, is further amended to read:

B. A schedule W drug that contains:

- (1) Heroin (diacetylmorphine);
- (2) Cocaine in the form of cocaine base and at the time of the offense the person has one or more prior convictions for any offense under this chapter or for engaging in substantially similar conduct to that of the Maine offenses under this chapter in another jurisdiction. For the purposes of this paragraph, a person has been convicted of an offense on the date the judgment of conviction was entered by the court;
- (3) Methamphetamine;
- (4) Oxycodone;
- (5) Hydrocodone; ~~or~~
- (6) Hydromorphone;
- (7) Fentanyl powder;
- (8) Cocaine and the quantity possessed is 7 grams or more; or
- (9) Cocaine in the form of cocaine base and the quantity possessed is 2 grams or more.

Violation of this paragraph is a Class C crime;

Sec. 7. 17-A MRSA §1124 is enacted to read:

§1124. Unlawful operation of a methamphetamine laboratory

1. For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings:

A. "Methamphetamine catalyst" means any substance that has been used, is being used or is intended to be used to activate, accelerate, extend or improve a chemical reaction involved in the manufacture of methamphetamine.

B. "Methamphetamine precursor" means any substance that can be directly or indirectly transformed into methamphetamine by means of chemical synthesis, including, but not limited to, ephedrine, pseudoephedrine, benzyl methyl ke-

tone, phenylacetone, phenylacetic acid, phenyl-2-propanone (P2P) or any salt, isomer or salt of isomers of these chemicals.

C. "Methamphetamine reagent" means any substance other than a methamphetamine catalyst that has been used, is being used or is intended to be used to react with and chemically alter any methamphetamine precursor.

D. "Methamphetamine solvent" means any substance that has been used, is being used or is intended to be used as a medium in which any methamphetamine precursor, methamphetamine catalyst, methamphetamine reagent or any substance containing any of the foregoing is dissolved, diluted or washed during any part of the methamphetamine manufacturing process.

2. A person is guilty of unlawful operation of a methamphetamine laboratory if that person intentionally or knowingly produces, prepares, compounds, converts or processes any methamphetamine precursor, methamphetamine catalyst, methamphetamine reagent or methamphetamine solvent with the intent that methamphetamine be produced.

It is not a defense that the chemical reaction is not complete or that no scheduled drug was in fact created.

Violation of this subsection is a Class B crime.

3. If a person uses a motor vehicle to facilitate the unlawful operation of a methamphetamine laboratory, the court may, in addition to other authorized penalties, suspend the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license for a period not to exceed 5 years. A suspension may not begin until after any period of incarceration is served. If the court suspends a person's driver's license or permit, privilege to operate a motor vehicle or right to apply for or obtain a license, the court shall notify the Secretary of State of the suspension and the court shall take physical custody of the person's license or permit. The Secretary of State may not reinstate the person's driver's license or permit or privilege to operate a motor vehicle or right to apply for or obtain a license unless the person demonstrates that, after having been released and discharged from any period of incarceration that may have been ordered, the person has served the period of suspension ordered by the court.

Sec. 8. 17-A MRSA §1322, sub-§3, ¶C-2, as enacted by PL 1993, c. 305, §1, is amended to read:

C-2. "Expense of an emergency response" means reasonable costs incurred by a public agency in reasonably making an appropriate emergency response to the incident, including a response to a suspected unlawful methamphetamine laboratory under section 1124, but only includes those costs directly arising because of the response to the par-

ticular incident. Reasonable costs include the costs of providing police, firefighting, rescue and emergency medical services at the scene of the incident, as well as the compensation for the personnel, including trained laboratory personnel, responding to the incident. "Public agency" means the State or any county, municipality, district or public authority located, in whole or in part, within this State that provides or may provide laboratory services or police, firefighting, ambulance or other emergency services.

Sec. 9. Appropriations and allocations.

The following appropriations and allocations are made.

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative: Provides funds for an anticipated increase in indigent legal services.

GENERAL FUND	2015-16	2016-17
All Other	\$18,000	\$18,000
GENERAL FUND TOTAL	\$18,000	\$18,000

See title page for effective date.

CHAPTER 347

H.P. 877 - L.D. 1291

An Act To Promote Food Self-sufficiency for the People of the State

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

Sec. 1. 7 MRSA §219 is enacted to read:

§219. Food self-sufficiency

1. Farm labor link network. The department shall maintain an agricultural jobs network linking farms and facilities processing agricultural products grown in the State with available workers who wish to work on a farm or in a local food industry. An available worker under this subsection may include a person involved in raising, processing, preparing or preserving food or who is required to perform community service as a low-income recipient of state supplemental income benefits or under a court order. The department shall coordinate with the University of Maine Cooperative Extension to identify farms and food processing facilities willing to participate in the network and coordinate with the Department of Labor,

the Department of Health and Human Services, the Department of Economic and Community Development, the Department of Corrections and the Judicial Department in identifying available workers willing to participate in the network. If a worker participating in the network wishes to pursue additional training or a career in agriculture or food production, the department shall refer the person to available resources or programs that train workers or develop skills or business practices in farming, food production or food processing. A worker may meet the requirements for community service obligations under a state supplemental income benefits program, judicial order or alternative sentencing program by performing work on a farm or food processing facility through participation in the network under this subsection.

2. Educational marketing campaign. The department shall coordinate with the University of Maine Cooperative Extension, the Maine Community College System, the Department of Labor, the Department of Education, the Department of Health and Human Services and the Department of Economic and Community Development to conduct an educational marketing campaign to promote food self-sufficiency by encouraging the public to grow gardens, raise farm animals, preserve garden-grown food and engage in other local food cultivation initiatives through the use of multiple media including social media, radio advertising, posters, brochures and publicly accessible department websites.

3. Local purchases for food programs. If the department, as part of a public-private partnership, purchases food for an emergency or supplemental food program for elderly or low-income persons, the department to the extent practicable shall purchase food that is grown, harvested, prepared, processed or produced in the State.

4. Existing resources. The department shall use existing programs and resources in carrying out the purposes of this section.

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

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Division of Agricultural Resource Development 0833

Initiative: Provides funds for radio advertisements, website costs and posters and brochures.

GENERAL FUND	2015-16	2016-17
All Other	\$25,000	\$0
GENERAL FUND TOTAL	\$25,000	\$0

Food Assistance Program 0816

Initiative: Provides funding for a part-time Planning and Research Assistant position to begin on July 1, 2016.

GENERAL FUND	2015-16	2016-17
POSITIONS -	0.000	0.500
LEGISLATIVE COUNCIL		
Personal Services	\$0	\$15,330
GENERAL FUND TOTAL	\$0	\$15,330

Office of the Commissioner 0142

Initiative: Provides funding for technology costs related to a part-time Planning and Research Assistant position.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$1,810
GENERAL FUND TOTAL	\$0	\$1,810

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$0	\$335
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$335

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$25,000	\$17,140
OTHER SPECIAL REVENUE FUNDS	\$0	\$335
DEPARTMENT TOTAL - ALL FUNDS	\$25,000	\$17,475

See title page for effective date.

CHAPTER 348
H.P. 909 - L.D. 1337

**An Act To Fund the Family
Caregiver Support Program**

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

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

Office of Aging and Disability Services Central Office 0140

Initiative: Provides additional funds for the family caregiver support program within the department's office of aging and disability services.

GENERAL FUND	2015-16	2016-17
All Other	\$120,500	\$126,772
GENERAL FUND TOTAL	\$120,500	\$126,772

See title page for effective date.

CHAPTER 349
H.P. 930 - L.D. 1372

**An Act To Encourage the
Redevelopment of Upper
Floors of Buildings in
Downtowns and on Main
Streets**

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 30-A MRSA §4312, sub-§3, ¶¶I and J, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, are amended to read:

I. To preserve the State's historic and archeological resources; ~~and~~

J. To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters; ~~and~~

Sec. 2. 30-A MRSA §4312, sub-§3, ¶K is enacted to read:

K. To encourage municipalities to develop policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

Sec. 3. 30-A MRSA §4326, sub-§1, ¶H, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:

H. Residential housing stock, including affordable housing, and policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets;

Sec. 4. 30-A MRSA §4326, sub-§3-A, ¶G, as enacted by PL 2001, c. 578, §15, is amended to read:

G. Ensure that the municipality's or multimunicipal region's land use policies and ordinances encourage the siting and construction of affordable housing within the community and comply with the requirements of section 4358 pertaining to individual mobile home and mobile home park siting and design requirements. The municipality or multimunicipal region shall seek to achieve a level of at least 10% of new residential development, based on a 5-year historical average of residential development in the municipality or multimunicipal region, that meets the definition of affordable housing. A municipality or multimunicipal region is encouraged to seek creative approaches to assist in the development of affordable housing, including, but not limited to, cluster housing, reduced minimum lot and frontage sizes, increased residential densities ~~and~~, use of municipally owned land and establishment of policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets;

Sec. 5. 30-A MRSA §4326, sub-§3-A, ¶¶I and J, as enacted by PL 2001, c. 578, §15, are amended to read:

I. Encourage the availability of and access to traditional outdoor recreation opportunities, including, without limitation, hunting, boating, fishing and hiking, and encourage the creation of greenbelts, public parks, trails and conservation easements. Each municipality or multimunicipal region shall identify and encourage the protection of undeveloped shoreland and other areas identified in the local planning process as meriting that protection; ~~and~~

J. Develop management goals for great ponds pertaining to the type of shoreline character, intensity of surface water use, protection of resources of state significance and type of public access appropriate for the intensity of use of great ponds within the municipality's or multimunicipal region's jurisdiction; ~~and~~

Sec. 6. 30-A MRSA §4326, sub-§3-A, ¶K is enacted to read:

K. Encourage policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

See title page for effective date.

CHAPTER 350

S.P. 552 - L.D. 1449

An Act To Amend the State Election Laws

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

Sec. 1. 21-A MRSA §783, sub-§5, as enacted by PL 2009, c. 563, §9, is amended to read:

5. Electronic receipt of absentee ballots. Authorizing the electronic receipt of ~~an image of~~ voted absentee ballots ~~transmitted by e-mail or fax~~ from uniformed service voters or overseas voters by a method authorized by the Secretary of State.

Sec. 2. 21-A MRSA §809-A, sub-§1-A, as amended by PL 2007, c. 455, §50, is further amended to read:

1-A. Prohibition not applicable. For the purpose of providing a voting system equipped for individuals with disabilities as required by section 812-A,

subsection 1 and the federal Help America Vote Act of 2002, Public Law 107-252, the prohibition in subsection 1 does not apply to the connection of individual voting devices to a central server ~~using a wired, point-to-point telephone connection that is not Internet-enabled~~ when the central server is operated or managed by the Secretary of State.

Sec. 3. 21-A MRSA §809-A, sub-§3, as enacted by PL 2003, c. 651, §4, is amended to read:

3. Internet voting. Use of the Internet for the casting of votes ~~on-line~~ online is prohibited. This subsection does not apply to a ballot-marking system or software that is used for voters with disabilities, uniformed service voters or overseas voters to mark a ballot online and securely transmit the marked ballot to a central server operated or managed by the Secretary of State, as long as the system does not tabulate the votes marked on those ballots.

Sec. 4. 21-A MRSA §1013-A, sub-§1, ¶C, as amended by PL 2007, c. 443, Pt. A, §7, is further amended to read:

C. No later than 10 days after becoming a candidate, as defined in section 1, subsection 5, a candidate for the office of State House of Representatives or Senate ~~shall~~ may file in writing a statement declaring that the candidate agrees to accept voluntary limits on political expenditures or that the candidate does not agree to accept voluntary limits on political expenditures, as specified in section 1015, subsections 7 to 9. A candidate who has filed a declaration of intent to become certified as a candidate under the Maine Clean Election Act is not required to file the written statement ~~required by~~ described in this paragraph.

The statement filed by a candidate who voluntarily agrees to limit spending must state that the candidate knows the voluntary expenditure limitations as set out in section 1015, subsection 8 and that the candidate is voluntarily agreeing to limit the candidate's political expenditures and those made on behalf of the candidate by the candidate's political committee or committees, the candidate's party and the candidate's immediate family to the amount set by law. The statement must further state that the candidate does not condone and will not solicit any independent expenditures made on behalf of the candidate.

The statement filed by a candidate who does not agree to voluntarily limit political expenditures must state that the candidate does not accept the voluntary expenditure limits as set out in section 1015, subsection 8.

Sec. 5. 21-A MRSA §1017, sub-§7-A, as amended by PL 2009, c. 138, §1, is further amended to read:

7-A. Reporting exemption. A candidate seeking election to a county or municipal office or a legislative candidate seeking the nomination of a party in an uncontested primary election is exempt from reporting as provided by this subsection.

A. A candidate seeking election to a county or municipal office may, at the time the candidate registers under section 1013-A, notify the commission that the candidate and the candidate's agents, if any, will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy. The notification must be sworn and notarized. A candidate who provides this notice to the commission is not required to appoint a treasurer and is not subject to the filing requirements of this subchapter if the statement is true.

A-1. A legislative candidate seeking the nomination of a party in an uncontested primary election may, at the time the candidate registers under section 1013-A, notify the commission that the candidate and the candidate's agents, if any, will not personally accept contributions, make expenditures or incur obligations associated with that candidate's candidacy through the 35th day after the primary election. The notification must be sworn and notarized. A candidate who provides this notice to the commission is not required to appoint a treasurer or to file the campaign finance reports under subsection 3-A, paragraphs B and D with respect to the primary election.

B. The notice provided to the commission under paragraph A or A-1 may be revoked. Prior to revocation, the candidate must appoint a treasurer. The candidate may not accept contributions, make expenditures or incur obligations before the appointment of a treasurer and the filing of a revocation notice are accomplished. A revocation notice must be in the form of an amended registration, which must be filed with the commission no later than 10 days after the appointment of a treasurer. The candidate and the candidate's treasurer, as of the date the revocation notice is filed with the commission, may accept contributions, make expenditures and incur obligations associated with the candidate's candidacy. Any candidate who fails to file a timely revocation notice is subject to the penalties prescribed in section 1020-A, subsection 4-A, up to a maximum of \$5,000. Lateness is calculated from the day a contribution is received, an expenditure is made or an obligation is incurred, whichever is earliest.

Sec. 6. 21-A MRSA §1019-B, sub-§4, as amended by PL 2013, c. 334, §16, is further amended to read:

4. Report required; content; rules. A person, party committee, political committee or political ac-

tion committee that makes any independent ~~expenditures aggregating expenditure~~ in excess of ~~\$100~~ \$250 during any one candidate's election shall file a report with the commission. In the case of a municipal election, the report must be filed with the municipal clerk.

A. A report required by this subsection must be filed with the commission according to a reporting schedule that the commission shall establish by rule that takes into consideration existing campaign finance reporting requirements. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

B. A report required by this subsection must contain an itemized account of each expenditure ~~aggregating~~ in excess of ~~\$100~~ \$250 in any one candidate's election, the date and purpose of each expenditure and the name of each payee or creditor. The report must state whether the expenditure is in support of or in opposition to the candidate and must include, under penalty of perjury, as provided in Title 17-A, section 451, a statement under oath or affirmation whether the expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, the candidate or an authorized committee or agent of the candidate.

C. A report required by this subsection must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form. The commission may adopt procedures requiring the electronic filing of an independent expenditure report, as long as the commission receives the statement made under oath or affirmation set out in paragraph B by the filing deadline and the commission adopts an exception for persons who lack access to the required technology or the technological ability to file reports electronically. The commission may adopt procedures allowing for the signed statement to be provisionally filed by facsimile or electronic mail, as long as the report is not considered complete without the filing of the original signed statement.

This subsection takes effect August 1, 2011.

See title page for effective date.

CHAPTER 351
H.P. 98 - L.D. 140

**An Act To Expand Access To
Lifesaving Opioid Overdose
Medication**

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

Sec. 1. 22 MRSA §2353, sub-§2, as enacted by PL 2013, c. 579, §1, is amended to read:

2. Prescription; possession; administration. The prescription, possession and administration of naloxone hydrochloride is governed by this subsection.

A. A health care professional may directly or by standing order prescribe naloxone hydrochloride to an individual at risk of experiencing an opioid-related drug overdose.

B. An individual to whom naloxone hydrochloride is prescribed in accordance with paragraph A may provide the naloxone hydrochloride so prescribed to a member of that individual's immediate family to possess and administer to the individual if the family member believes in good faith that the individual is experiencing an opioid-related drug overdose.

C. A health care professional may directly or by standing order prescribe naloxone hydrochloride to a member of an individual's immediate family ~~for administration to the individual in the event of or a friend of the individual or to another person in a position to assist the individual if the individual is at risk of experiencing an opioid-related drug overdose if:~~

(1) ~~The health care professional has an established health care professional patient relationship with the individual; and~~

(2) ~~The individual is at risk of experiencing an opioid-related drug overdose.~~

~~A health care professional who prescribes naloxone hydrochloride to a member of an individual's immediate family in accordance with this paragraph shall document in the individual's patient medical record the name of each family member who receives such a prescription and the health care professional's intention that the naloxone hydrochloride be administered to the individual.~~

D. If a member of an individual's immediate family, friend of the individual or other person is prescribed naloxone hydrochloride in accordance with paragraph C, that family member, friend or other person may administer the naloxone hydrochloride to the individual if the family member,

friend or other person believes in good faith that the individual is experiencing an opioid-related drug overdose.

Nothing in this subsection affects the provisions of law relating to maintaining the confidentiality of medical records.

Sec. 2. 22 MRSA §2353, sub-§4 is enacted to read:

4. Community-based drug overdose prevention programs; standing orders for naloxone hydrochloride. Acting under standing orders from a licensed healthcare professional authorized by law to prescribe naloxone hydrochloride, a public health agency that provides services to populations at high risk for a drug overdose may establish an overdose prevention program in accordance with rules adopted by the department and the provisions of this subsection.

A. Notwithstanding any other provision of law, an overdose prevention program established under this subsection may store and dispense naloxone hydrochloride without being subject to the provisions of Title 32, chapter 117 as long as these activities are undertaken without charge or compensation.

B. An overdose prevention program established under this subsection may distribute unit-of-use packages of naloxone hydrochloride and the medical supplies necessary to administer the naloxone hydrochloride to a person who has successfully completed training provided by the overdose prevention program that meets the protocols and criteria established by the department, so that the person may possess and administer naloxone hydrochloride to an individual who appears to be experiencing an opioid-related drug overdose.

The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

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

Medical Care - Payments to Providers 0147

Initiative: Provides funding to allow for the prescription of naloxone hydrochloride by standing order to friends of and other persons in a position to assist an individual at risk of experiencing an opioid-related drug overdose in addition to immediate family members.

GENERAL FUND	2015-16	2016-17
All Other	\$28,448	\$28,296
GENERAL FUND TOTAL	\$28,448	\$28,296
 FEDERAL	 2015-16	 2016-17
EXPENDITURES FUND		
All Other	\$47,352	\$47,504
FEDERAL EXPENDITURES	\$47,352	\$47,504
FUND TOTAL		

See title page for effective date.

CHAPTER 352 H.P. 122 - L.D. 164

An Act To Establish the Maine Length of Service Award Program

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

Sec. 1. 5 MRSA §3372 is enacted to read:

§3372. Maine Length of Service Award Program

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

A. "Accrued service award" means the total value, as of a given date, of a participant's program account.

B. "Board" means the Maine Length of Service Award Program Board of Trustees.

C. "Bona fide volunteer" has the same meaning as in the United States Internal Revenue Code, Section 457(e)(11).

D. "Eligible volunteer" means a bona fide volunteer performing qualified services in a municipal fire department if that bona fide volunteer is:

(1) A firefighter who is an active part-time or on-call member of a municipal fire department or a volunteer firefighter; or

(2) An emergency medical services person who provides on-call, part-time or volunteer emergency medical treatment under the direction of the chief of a municipal fire department and who is duly licensed under rules and protocols established by the Emergency Medical Services' Board pursuant to Title 32, section 88.

E. "Emergency medical services person" means any person who routinely provides emergency medical treatment to the sick or injured.

F. "Emergency medical treatment" has the same meaning as in Title 32, section 83, subsection 13.

G. "Municipal fire department" has the same meaning as in Title 30-A, section 3151, subsection 1.

H. "Participant" means a person who participates in the program.

I. "Program" means the Maine Length of Service Award Program established in subsection 2.

J. "Program account" means a separate account maintained for each participant reflecting applicable contributions, applicable forfeitures, investment income or loss as well as administrative and investment expenses allocated to each participant and distributions paid from the account.

K. "Program trust fund" means a trust fund established by the board into which all contributions to the program are deposited.

L. "Qualified services" has the same meaning as in the United States Internal Revenue Code, Section 457(e)(11).

M. "Volunteer firefighter" has the same meaning as in Title 30-A, section 3151, subsection 4.

2. Program established. The Maine Length of Service Award Program is established to provide paid length of service awards to eligible volunteers. The program is administered by the board as set out in this section.

3. Board of trustees. The following provisions govern the Maine Length of Service Award Program Board of Trustees, which is established to oversee the program.

A. The board, as established in section 12004-G, subsection 30-E, is composed of 7 trustees, as follows:

(1) Four persons who are eligible volunteers, appointed by the Governor. Three of the persons appointed under this subparagraph must be selected from a list of 6 nominees submitted by a statewide federation of firefighters;

(2) A chief of a municipal fire department, appointed by the Governor and selected from a list of 3 nominees submitted by a statewide association of fire chiefs;

(3) A person who is qualified through training or experience in the field of investments, accounting, banking or insurance or who is an actuary, appointed by the Governor; and

(4) A person designated by a statewide municipal association.

B. The board shall elect from its membership a chair.

C. The terms of the trustees are determined as follows.

(1) Each trustee serves a term of 3 years.

(2) A trustee continues to serve after the expiration of that trustee's term until a successor is appointed and qualified, but the trustee's continuation as a trustee does not change the expiration date of the trustee's term.

(3) The term of a trustee appointed to succeed a trustee whose term has expired begins on the day after the expiration date of the 3-year term of the previous trustee, regardless of the effective date of the new appointment.

(4) An appointment to any vacancy caused by death, resignation or ineligibility is for the unexpired portion of the term.

D. The necessary expenses incurred by the board in the operation of the program must be paid according to the purpose for which they are incurred from the assets of the program trust fund.

E. The Attorney General or an assistant designated by the Attorney General is legal advisor to the board.

F. The board shall keep a record of all its proceedings, which:

(1) Must comply with the requirements of section 8056, subsection 5 and sections 9059 and 9061, to the extent those laws are applicable; and

(2) Must be open to public inspection.

4. Program administration. The program is administered by the board. The board shall contract with firms to provide administration, investment, custodial, trustee and auditing services for the program.

5. Participation eligibility. An eligible volunteer may participate in the program.

6. Participation commencement. Unless an eligible volunteer waives the right of participation pursuant to subsection 7, the eligible volunteer becomes a participant on the last day of the first calendar year during which the eligible volunteer meets the service credit requirements set forth in subsection 8 during a calendar year beginning after December 31, 2015.

7. Waiver of participation. An eligible volunteer may waive the right to participate in the program by filing with the board a written, signed and irrevocable waiver of participation that is signed by the fire chief, as described in Title 30-A, section 3153, of a

municipal fire department of which the eligible volunteer is a member.

8. Service credit. Service credit may be allowed in the program only for volunteer emergency service rendered as an eligible volunteer. The requirements to be met by an eligible volunteer to earn one year of service credit must be set forth in rules adopted by the board pursuant to subsection 21 and may be amended from time to time at the discretion of the board.

9. Procedure for reporting service credit. A municipal fire department shall submit a list of all persons who were eligible volunteers during a calendar year to the board for review and approval by May 1st following the end of that calendar year. The list must indicate which eligible volunteers earned service credit during the calendar year and must be prepared, certified under oath by the fire chief of the municipal fire department, posted in the fire department for at least 30 days and then submitted to and received by the board by May 1st. During the 30-day posting period, an eligible volunteer must be given the opportunity to dispute the service credit shown for the eligible volunteer in accordance with law. The fire chief shall indicate in writing to the board that the list was posted for at least 30 days and that all disputes regarding the service credit shown on the list as having been earned during the year have been resolved. The board, at its sole discretion, may audit a list prepared by a municipal fire department under this subsection. If the list is not received by the board by May 1st, a contribution may not be credited to the program account of any eligible volunteer whose name was or should have been reported on the list as having earned one year of service credit during the calendar year, except as provided in subsection 12.

10. Contributions to the program. For each calendar year beginning after December 31, 2015, the program trust fund must accept contributions, if any, from the following:

A. The State;

B. A municipality;

C. A municipal fire department or a fire company or volunteer organization associated with a municipal fire department;

D. The Federal Government; and

E. A participant, after the United States Internal Revenue Code is amended and any required rules and regulations are issued by the United States Internal Revenue Service to allow defined contribution length of service award programs to be treated as deferred compensation plans under the United States Internal Revenue Code, Section 457. Until the United States Internal Revenue Code is so amended, the board shall contract with

a firm to offer individual retirement accounts to participants.

The annual contributions, if any, for a given calendar year must be deposited into the program trust fund before the following July 1st.

The portion of the annual contributions credited to a program account of a participant who has attained the entitlement age as described in subsection 14 and has been paid the participant's accrued service award must be determined in the same manner as the portion of the annual contributions credited to a program account of a participant who has not attained the entitlement age.

Except for the limit on the amount of the annual contributions credited to a participant's program account set forth in the United States Internal Revenue Code, Section 457, there is no other limit or restriction on the amount credited to a participant's program account for any calendar year.

11. Subaccounts. A participant's program account consists of the following subaccounts:

A. A state subaccount, which is an account of a participant reflecting applicable state contributions, forfeitures, investment income or loss as well as administrative and investment expenses allocated to the subaccount and distributions paid from the subaccount. A participant's state subaccount is subject to the vesting schedule set forth in subsection 12.

(1) For a given calendar year, the total state contribution, if any, must be allocated equally to the state subaccounts of the participants who earned one year of service credit during that calendar year.

(2) Forfeitures from a participant's state subaccount must be added to and allocated as state contributions as designated by the State in the calendar year in which the forfeitures are determined to occur pursuant to subsection 13;

B. A municipal subaccount, which is an account of a participant derived from contributions from a specific municipality to the program. A participant's municipal subaccount must reflect the respective contributions from that municipality along with forfeitures, investment income or loss as well as administrative and investment expenses allocated to the subaccount and distributions paid from the subaccount. A participant's municipal subaccount is subject to the vesting schedule set forth in subsection 12.

(1) For a given calendar year, the total contribution from a specific municipality, if any, must be allocated equally to the municipal subaccounts of the participants who are eligible volunteers of that municipality and who

earned one year of service credit during that calendar year.

(2) Forfeitures from a participant's municipal subaccount must be added to and allocated as municipal contributions as designated by the municipality in the calendar year in which the forfeitures are determined to occur pursuant to subsection 13;

C. A municipal fire department subaccount, which is an account of a participant derived from contributions from a specific municipal fire department or a fire company or volunteer organization associated with a municipal fire department to the program. A participant's municipal fire department subaccount must reflect the respective contributions from that municipal fire department or fire company or volunteer organization associated with a municipal fire department along with forfeitures, investment income or loss as well as administrative and investment expenses allocated to the subaccount and distributions paid from the subaccount. A participant's municipal fire department subaccount is subject to the vesting schedule set forth in subsection 12.

(1) For a given calendar year, the total contribution from a specific municipal fire department or a fire company or volunteer organization associated with a municipal fire department, if any, must be allocated equally to the municipal fire department subaccounts of the participants who are eligible volunteers of that municipal fire department or fire company or volunteer organization associated with a municipal fire department and who earned one year of service credit during that calendar year.

(2) Forfeitures from a participant's municipal fire department subaccount must be added to and allocated as municipal fire department contributions as designated by the municipal fire department or fire company or volunteer organization associated with a municipal fire department in the calendar year in which the forfeitures are determined to occur pursuant to subsection 13;

D. A Federal Government subaccount, which is an account of a participant reflecting applicable Federal Government contributions, forfeitures, investment income or loss as well as administrative and investment expenses allocated to the subaccount and distributions from the subaccount. Unless otherwise specified in federal law, a participant's Federal Government subaccount is subject to the vesting schedule set forth in subsection 12.

(1) Unless otherwise specified in federal law, for a given calendar year, the total contribution from the Federal Government, if any, must be allocated equally to the Federal Government subaccounts of the participants who earned one year of service credit during that calendar year.

(2) Unless otherwise specified in federal law, forfeitures from a participant's Federal Government subaccount must be added to and allocated as Federal Government contributions as designated by the Federal Government in the calendar year in which the forfeitures are determined to occur pursuant to subsection 13; and

E. A participant contribution subaccount. If the United States Internal Revenue Code is amended and any required rules and regulations are issued by the United States Internal Revenue Service to allow defined contribution length of service award programs to be treated as deferred compensation plans under the United States Internal Revenue Code, Section 457, a participant may elect to make participant contributions to the program. A participant contribution subaccount must reflect the respective contributions from a participant along with investment income or loss as well as administrative and investment expenses allocated to the subaccount and distributions paid from the subaccount. A participant contribution subaccount must be 100% vested at all times.

12. Vesting schedule for a participant's accrued service award. A participant's accrued service award becomes vested as set out in this subsection.

A. If the participant has less than 5 years of service credit, the vested percentage is 0%.

B. If the participant has 5 or more years of service credit, the vested percentage is 100%.

In determining an individual participant's years of service credit for the purpose of vesting, all years of service credit earned as a participant in the program must be counted. Failure to submit the annual eligible volunteer listing to the board under subsection 9 by the required date for any calendar year does not result in the forfeiture of the certified service credit reported to the board for an eligible volunteer.

All calendar years, up to 5 years, ending before January 1, 2016 during which the participant was an eligible volunteer for the entire calendar year count for vesting service credit.

13. Forfeiture of a participant's accrued service award. The nonvested portion of a participant's accrued service award is permanently forfeited effective as of December 31st of the calendar year during which the participant has not been an eligible volun-

teer for 36 consecutive months. Service credit earned by a participant is never forfeited.

14. Entitlement age. The entitlement age for a participant is the earlier of:

A. Sixty-five years of age or the person's age on the next January 1st after becoming a participant in the program if the person is 65 years of age or older; and

B. The age of a participant as of the end of the calendar year after earning 20 years of service credit.

15. Payment to participant of accrued service award. The following provisions govern the payment to a participant of an accrued service award.

A. Upon the attainment of the entitlement age as described in subsection 14, a participant must be paid the vested portion of the participant's accrued service award. A participant who attains the entitlement age while an eligible volunteer and before attaining a 100% vested status must be paid the participant's accrued service award as of December 31st of the calendar year during which the participant achieved a 100% vested status. A participant who attains the entitlement age before 65 years of age may on or before attaining the entitlement age file a written election with the board to defer payment of the participant's accrued service award until attainment of 65 years of age.

B. As of the last day of the first calendar year during which a participant has no longer been an eligible volunteer for at least 36 consecutive months, the vested portion of the participant's accrued service award must be paid to the participant.

C. A participant who has been determined to be totally and permanently disabled by the United States Social Security Administration, any workers' compensation board, any insurance company, any state retirement system, any pension plan administrator or any other entity approved by the board must be paid that participant's accrued service award as soon as administratively feasible after all documentation required by the board to verify and determine total and permanent disablement is submitted to the board and the disability payment is awarded by the board.

D. Should a participant die before attaining the entitlement age, the participant's designated beneficiary or estate if no acceptable beneficiary designation form has been filed with the board by the participant must upon application to the board be paid the participant's accrued service award as soon as administratively feasible after all required documentation is submitted to the board.

E. The portion of the annual contribution credited to the program account of a post-entitlement age participant must be immediately paid to the participant if the participant has achieved a 100% vested status in the program. If the post-entitlement age participant has not achieved a 100% vested status in the program, that participant's accrued service award must be paid to the participant as soon as administratively feasible after December 31st of the calendar year during which the participant achieved a 100% vested status.

16. Investment of program funds. The board shall establish a program trust fund within which the funds paid into the program must be deposited. A participant shall select investments for the amounts credited to the participant's program account from a menu of investment options. Distributions of accrued service awards must be made from the program trust fund in accordance with the program provisions. The program trust fund must be established and maintained in accordance with applicable sections of the United States Internal Revenue Code. Subject to review and approval by the Treasurer of State, the program trust fund investment options made available to participants must be selected by the board.

17. Program audits. At the discretion of the State, either a state agency or a firm retained by the State shall audit the program at least once every 5 years.

18. Notice of changes to laws governing the program. Within 180 days after the effective date of legislation that changes the laws governing the program, a written notice and explanation of these changes must be distributed by the board to all persons who participate or are eligible to participate in the program. Copies of this written notice and explanation must be available upon request to the board to all other persons.

19. Program termination. Within 360 days after the effective date of legislation terminating the program, each program participant must be paid the participant's entire accrued service award to the date of payment in a single lump sum. Beneficiaries of deceased participants must be paid any amount owed to them under the program in the same manner within the same 360-day period.

20. Program trust fund governed by certain provisions. Until the United States Internal Revenue Code is amended to treat defined contribution length of service award programs as deferred compensation plans under the United States Internal Revenue Code, Section 457, the program trust fund must be governed by all required provisions to ensure that a participating eligible volunteer or the eligible volunteer's beneficiary is not subject to federal income taxation on an accrued service award until actual receipt of payment by

the participant or the beneficiary. After the United States Internal Revenue Code is so amended, the State and the board shall take all required actions to ensure the program complies with the United States Internal Revenue Code, Section 457 and the related United States Internal Revenue Service regulations.

21. Rules. The board shall adopt rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A, pertaining to the administration of the program.

Sec. 2. 5 MRSA §12004-G, sub-§30-E is enacted to read:

30-E.

Public	Maine	Expenses	5 MRSA
Safety	Length of	Only	§3372
	Service		
	Award		
	Program		
	Board of		
	Trustees		

See title page for effective date.

CHAPTER 353

H.P. 128 - L.D. 170

**An Act To Remove the 180-day
Active Duty Requirement for
the Property Tax Exemption
for Vietnam Veterans**

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

Sec. 1. 36 MRSA §653, sub-§1, ¶C, as amended by PL 2013, c. 471, §1, is further amended to read:

C. The estates up to the just value of \$6,000, having a taxable situs in the place of residence, of veterans who served in the Armed Forces of the United States:

(1) During any federally recognized war period, including the Korean Campaign, the Vietnam War, the Persian Gulf War, the periods from August 24, 1982 to July 31, 1984 and December 20, 1989 to January 31, 1990, Operation Enduring Freedom, Operation Iraqi Freedom and Operation New Dawn, or who were awarded the Armed Forces Expeditionary Medal, when they have reached the age of 62 years or when they are receiving any form of pension or compensation from the United States Government for total disability, service-connected or nonservice-connected, as a veteran. A veteran of the Vietnam War

must have served on active duty ~~for a period of more than 180 days, any part of which occurred~~ after February 27, 1961 and before May 8, 1975 ~~unless the veteran died in service or was discharged for a service-connected disability after that date.~~ "Persian Gulf War" means service on active duty on or after August 2, 1990 and before or on the date that the United States Government recognizes as the end of that war period; or

(2) Who are disabled by injury or disease incurred or aggravated during active military service in the line of duty and are receiving any form of pension or compensation from the United States Government for total, service-connected disability.

The exemptions provided in this paragraph apply to the property of that veteran, including property held in joint tenancy with that veteran's spouse or held in a revocable living trust for the benefit of that veteran.

Sec. 2. 36 MRSA §653, sub-§1, ¶D-1, as amended by PL 2013, c. 471, §2, is further amended to read:

D-1. The estates up to the just value of \$50,000, having a taxable situs in the place of residence, for specially adapted housing units, of veterans who served in the Armed Forces of the United States during any federally recognized war period, including the Korean Campaign, the Vietnam War, the Persian Gulf War, the periods from August 24, 1982 to July 31, 1984 and December 20, 1989 to January 31, 1990, Operation Enduring Freedom, Operation Iraqi Freedom and Operation New Dawn, or who were awarded the Armed Forces Expeditionary Medal, and who are paraplegic veterans within the meaning of 38 United States Code, Chapter 21, Section 2101, and who received a grant from the United States Government for any such housing, or of the unremarried widows or widowers of those veterans. A veteran of the Vietnam War must have served on active duty ~~for a period of more than 180 days, any part of which occurred~~ after February 27, 1961 and before May 8, 1975, ~~unless the veteran died in service or was discharged for a service-connected disability after that date.~~ "Persian Gulf War" means service on active duty on or after August 2, 1990 and before or on the date that the United States Government recognizes as the end of that war period. The exemption provided in this paragraph applies to the property of the veteran including property held in joint tenancy with a spouse or held in a revocable living trust for the benefit of that veteran.

See title page for effective date.

CHAPTER 354

S.P. 79 - L.D. 210

An Act To Provide for Special Restrictions on Dissemination and Use of Criminal History Record Information for Class E Crimes Committed by an Adult under 21 Years of Age

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

Sec. 1. 15 MRSA c. 310 is enacted to read:

CHAPTER 310

POST-JUDGMENT MOTION BY PERSON SEEKING TO SATISFY THE PREREQUISITES FOR OBTAINING SPECIAL RESTRICTIONS ON DISSEMINATION AND USE OF CRIMINAL HISTORY RECORD INFORMATION FOR CERTAIN CRIMINAL CONVICTIONS

§2251. Definitions

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

1. Administration of criminal justice. "Administration of criminal justice" has the same meaning as in Title 16, section 703, subsection 1.

2. Another jurisdiction. "Another jurisdiction" has the same meaning as in Title 17-A, section 2, subsection 3-B.

3. Criminal history record information. "Criminal history record information" has the same meaning as in Title 16, section 703, subsection 3.

4. Criminal justice agency. "Criminal justice agency" has the same meaning as in Title 16, section 703, subsection 4.

5. Dissemination. "Dissemination" has the same meaning as in Title 16, section 703, subsection 6.

6. Eligible criminal conviction. "Eligible criminal conviction" means a conviction for a current or former Class E crime, except a conviction for a current or former Class E crime under Title 17-A, chapter 11.

§2252. Statutory prerequisites for obtaining special restrictions on dissemination and use of criminal history record information for a criminal conviction

The special restrictions on dissemination and use of criminal history record information for a criminal conviction specified in section 2255 apply only if:

1. Eligible criminal conviction. The criminal conviction is an eligible criminal conviction;

2. Age of person at time of commission. At the time of the commission of the crime underlying the eligible criminal conviction, the person had in fact attained 18 years of age but not 21 years of age;

3. Time since sentence fully satisfied. At least 4 years have passed since the person has fully satisfied each of the sentencing alternatives imposed for the eligible criminal conviction;

4. Other state convictions. The eligible criminal conviction is the only criminal conviction of the person in this State, and the person has not had a criminal charge dismissed as a result of a deferred disposition pursuant to Title 17-A, chapter 54-F and has not been adjudicated as having committed a juvenile crime for which the hearing was open to the general public under section 3307;

5. Convictions in another jurisdiction. The person has no criminal convictions from another jurisdiction; and

6. Pending criminal charges. The person has no presently pending criminal charges in this State or in another jurisdiction.

§2253. Motion; persons who may file

A person may file a written motion in the underlying criminal proceeding seeking a court determination that the person satisfies the statutory prerequisites specified in section 2252 for obtaining the special restrictions on dissemination and use of criminal history record information relating to a criminal conviction as specified in section 2255. The written motion must briefly address each of the statutory prerequisites.

§2254. Motion and hearing; process

1. Filing motion. A motion filed pursuant to section 2253 must be filed in the underlying criminal proceeding. After a motion has been filed, the clerk shall set the motion for hearing.

2. Counsel. The person filing a motion pursuant to section 2253 has the right to employ counsel but is not entitled to assignment of counsel at state expense.

3. Representation of the State. The prosecutorial office that represented the State in the underlying criminal proceeding shall represent the State for purposes of this chapter. On a case-by-case basis, a different prosecutorial office may represent the State on agreement between the 2 prosecutorial offices.

4. Evidence. The Maine Rules of Evidence do not apply to a hearing on a motion under this section, and evidence presented at a hearing by the participants may include testimony, affidavits and other reliable hearsay evidence as permitted by the court.

5. Hearing; certification of results. The judge or justice shall hold a hearing on the motion under this section. At the conclusion of the hearing, if the court

determines that the person who filed the motion has established by a preponderance of the evidence each of the statutory prerequisites specified in section 2252, the court shall find the person entitled to the special restrictions on dissemination and use of the criminal history record information relating to the criminal conviction as specified in section 2255 and shall issue a written order certifying this determination. If, at the conclusion of the hearing, the court determines that the person has not established one or more of the statutory prerequisites specified in section 2252, the court shall deny the motion and issue a written order certifying this determination. The order must contain written findings of fact supporting the court's determination. A copy of the court's written order must be provided to the person and the prosecutorial office that represented the State pursuant to subsection 3.

6. Notice to State Bureau of Identification. If the court determines pursuant to subsection 5 that a person has established by a preponderance of the evidence each of the statutory prerequisites specified in section 2252, a copy of the court's written order certifying its determination must be provided to the Department of Public Safety, Bureau of State Police, State Bureau of Identification. The State Bureau of Identification upon receipt of the order shall promptly alter its records relating to the person's eligible criminal conviction to reflect that future dissemination of this criminal history record information must be pursuant to section 2255 rather than pursuant to Title 16, section 704. The State Bureau of Identification shall notify the person of compliance with that requirement.

7. Subsequent new criminal conviction; automatic loss of eligibility; person's duty to notify. Notwithstanding that a person has been determined by a court pursuant to subsection 5 to be entitled to the special restrictions on dissemination and use of criminal history record information relating to a criminal conviction specified in section 2255, if at any time subsequent to the court's determination the person is convicted of a new crime in this State or in another jurisdiction, the new conviction extinguishes that entitlement. In the event of a new criminal conviction, the person shall promptly file a written notice in the underlying criminal proceeding of the person's disqualification from entitlement identifying the new conviction, including the jurisdiction, court and docket number of the criminal proceeding. If the person fails to file the required written notice and the court learns of the existence of the new criminal conviction, the court shall notify the person of its apparent existence and offer the person an opportunity at a hearing to contest the fact of a new conviction. If a hearing is requested by the person, the court shall, after giving notice to the person and the appropriate prosecutorial office, hold a hearing. At the hearing, the person has the burden of proving by clear and convincing evidence that the person does not have the new conviction. At the conclu-

sion of the hearing, if the court determines that the person has not satisfied the burden of proof, it shall find that the person has been convicted of the new crime and as a consequence is no longer entitled to the special restrictions on dissemination and use of the criminal history record information relating to the criminal conviction as specified in section 2255 and shall issue a written order certifying this determination. If, at the conclusion of the hearing, the court determines that the person has satisfied the burden of proof, it shall find that the person has not been convicted of the new crime and issue a written order certifying this determination. The order must contain written findings of fact supporting the court's determination. A copy of the court's written order must be provided to the person and the prosecutorial office that represented the State.

8. Notice to State Bureau of Identification of new crime. If the court determines under subsection 7 that a person has been convicted of a new crime and as a consequence is no longer eligible for the special restrictions on dissemination and use of the criminal history record information relating to the criminal conviction as specified in section 2255, a copy of the court's written order certifying its determination must be provided to the Department of Public Safety, Bureau of State Police, State Bureau of Identification. The State Bureau of Identification upon receipt of the order shall alter its records relating to the person's criminal conviction to reflect that dissemination of this criminal history record information is pursuant to Title 16, section 704 rather than pursuant to section 2255. It shall notify the person of compliance with that requirement.

§2255. Special restrictions on dissemination and use of criminal history record information relating to criminal conviction

Notwithstanding Title 16, section 704, the criminal history record information relating to a criminal conviction for which the court has determined the person is entitled to special restrictions on dissemination and use is confidential and may not be disseminated by a criminal justice agency, whether directly or through any intermediary, except:

1. Subject of conviction. To the person who is the subject of the criminal conviction or that person's designee; and

2. Criminal justice agency. To a criminal justice agency for the purpose of the administration of criminal justice and criminal justice agency employment.

For the purposes of this section, dissemination to a criminal justice agency for the purpose of the administration of criminal justice includes dissemination and use of the criminal history record information relating to the qualifying criminal conviction by an at-

torney for the State or for another jurisdiction as part of a prosecution of the person for a new crime, including use in a charging instrument or other public court document and in open court.

§2256. Limited disclosure of eligible criminal conviction

A person who has a criminal conviction eligible for the special restrictions on dissemination and use of criminal history record information under section 2255 may respond to inquiries from other than criminal justice agencies by not disclosing its existence without being subject to any sanctions.

§2257. Unlawful dissemination

A person who intentionally disseminates criminal history record information relating to a criminal conviction in violation of section 2255 knowing it to be in violation is guilty of unlawful dissemination as provided in Title 16, section 707.

§2258. Review of determination of eligibility; review of determination of subsequent criminal conviction

A final judgment entered under section 2254, subsection 5 or 7 may be reviewed by the Supreme Judicial Court.

1. Appeal by the person. A person aggrieved by the final judgment under section 2254, subsection 5 or 7 may not appeal as of right. The time for taking the appeal and the manner and any conditions for the taking of the appeal are as the Supreme Judicial Court provides by rule.

2. Appeal by the State. If the State is aggrieved by the final judgment under section 2254, subsection 5 or 7, it may appeal as of right, and a certificate of approval by the Attorney General is not required. The time for taking the appeal and the manner and any conditions for the taking of the appeal are as the Supreme Judicial Court provides by rule.

§2259. Repeal

This chapter is repealed October 1, 2019.

Sec. 2. 16 MRSA §707, sub-§1, as enacted by PL 2013, c. 267, Pt. A, §2, is amended to read:

1. Offense. A person is guilty of unlawful dissemination of confidential criminal history record information if the person intentionally disseminates confidential criminal history record information knowing it to be in violation of any of the provisions of this chapter or if the person intentionally disseminates criminal history record information relating to a criminal conviction in violation of Title 15, section 2255 knowing it to be in violation.

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

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

Initiative: Provides funds for an anticipated increase in the number of motions filed, including funds for judge and clerk services and one-time computer programming costs.

GENERAL FUND	2015-16	2016-17
Personal Services	\$7,290	\$7,290
All Other	\$14,706	\$3,706
GENERAL FUND TOTAL	\$21,996	\$10,996

See title page for effective date.

CHAPTER 355**H.P. 154 - L.D. 222**

**An Act To Reduce Commercial
Shellfish License Fees for
Persons under 18 Years of Age**

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

Sec. 1. 12 MRSA §6601, sub-§5-A, as amended by PL 2009, c. 213, Pt. G, §14, is further amended to read:

5-A. Exception. The fee for a commercial shellfish license for applicants 70 years of age or older and applicants under 18 years of age is \$67.

Sec. 2. Effective date. This Act takes effect May 1, 2016.

Effective May 1, 2016.

CHAPTER 356**H.P. 213 - L.D. 319**

**An Act To Strengthen the
Economic Stability of Qualified
Maine Citizens by Expanding
Coverage of Reproductive
Health Care and Family
Services**

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

Sec. 1. 22 MRSA §3173-G is enacted to read:

§3173-G. Medicaid coverage for reproductive health care and family planning services

The department shall provide for the delivery of federally approved Medicaid services to a qualified adult or adolescent when the adult's or adolescent's individual income is equal to or below 209% of the nonfarm income official poverty line for reproductive health care and family planning services, including pregnancy prevention, testing and treatment for sexually transmitted infection or cancer and access to contraception, in accordance with the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152.

Sec. 2. Medicaid state plan amendment.

The Department of Health and Human Services shall prepare and submit a Medicaid state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services that, effective October 1, 2015, provides Medicaid coverage for reproductive health care and family planning services for adults and adolescents who have individual incomes less than or equal to 209% of the nonfarm income official poverty line, as defined by the federal Department of Health and Human Services and updated annually in the Federal Register under authority of 42 United States Code, Section 9902(2), and who are not otherwise eligible for Medicaid.

Sec. 3. Appropriations and allocations.

The following appropriations and allocations are made.

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

Medical Care - Payments to Providers 0147

Initiative: Provides funds for additional claims activity due to expanded eligibility for family planning services.

GENERAL FUND	2015-16	2016-17
All Other	\$158,778	\$479,325
GENERAL FUND TOTAL	\$158,778	\$479,325

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$1,429,001	\$4,313,926
FEDERAL EXPENDITURES FUND TOTAL	\$1,429,001	\$4,313,926

Medical Care - Payments to Providers 0147

Initiative: Deappropriates funds for savings achieved through a reduction in MaineCare costs for pregnancies.

GENERAL FUND	2015-16	2016-17
All Other	\$0	(\$1,900,844)

GENERAL FUND TOTAL	\$0	(\$1,900,844)

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$0	(\$3,191,156)

FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$3,191,156)

Office for Family Independence Z020

Initiative: Provides funds for Automated Client Eligibility System technology updates to handle the changes to eligibility and services due to expanded eligibility for family planning services.

GENERAL FUND	2015-16	2016-17
All Other	\$44,800	\$0

GENERAL FUND TOTAL	\$44,800	\$0

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$44,800	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$44,800	\$0

Office of Family Independence - District 0453

Initiative: Provides funds for 14 Eligibility Specialist positions and one Family Independence Supervisor position to handle the increased caseload for newly eligible individuals and services due to expanded eligibility for family planning services.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$374,318	\$510,007
All Other	\$35,315	\$47,087

GENERAL FUND TOTAL	\$409,633	\$557,094

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17

Personal Services	\$374,318	\$510,007
All Other	\$35,315	\$47,087

OTHER SPECIAL REVENUE FUNDS TOTAL	\$409,633	\$557,094

Office of MaineCare Services 0129

Initiative: Provides funds for Maine Integrated Health Management Solution technology updates to handle the changes to eligibility and services due to expanded eligibility for family planning services.

GENERAL FUND	2015-16	2016-17
All Other	\$23,731	\$0

GENERAL FUND TOTAL	\$23,731	\$0

FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$71,193	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$71,193	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2015-16	2016-17

GENERAL FUND	\$636,942	(\$864,425)

FEDERAL EXPENDITURES FUND	\$1,500,194	\$1,122,770

OTHER SPECIAL REVENUE FUNDS	\$454,433	\$557,094

DEPARTMENT TOTAL - ALL FUNDS	\$2,591,569	\$815,439

Sec. 4. Contingent effective date. That section of this Act that enacts the Maine Revised Statutes, Title 22, section 3173-G takes effect only if:

1. The Commissioner of Health and Human Services receives written approval of the state plan amendment submitted in accordance with section 2 from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services; and

2. The Commissioner of Health and Human Services notifies the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives

and the Revisor of Statutes that written approval of the state plan amendment has been received.

See title page for effective date, unless otherwise indicated.

CHAPTER 357

S.P. 160 - L.D. 431

An Act To Strengthen the Laws Prohibiting Stalking

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

Sec. 1. 17-A MRSA §210-A, sub-§1, ¶A, as amended by PL 2007, c. 685, §1, is further amended to read:

A. The actor intentionally or knowingly engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person:

- (1) To suffer serious inconvenience or emotional distress;
- (2) To fear bodily injury or to fear bodily injury to a close relation;
- (3) To fear death or to fear the death of a close relation;
- (4) To fear damage or destruction to or tampering with property; or
- (5) To fear injury to or the death of an animal owned by or in the possession and control of that specific person.

Violation of this paragraph is a Class D crime; ~~or~~

Sec. 2. 17-A MRSA §210-A, sub-§1, ¶C, as amended by PL 2009, c. 336, §11, is further amended to read:

C. The actor violates paragraph A and has ~~2~~ one or more prior convictions in this State or another jurisdiction. Notwithstanding section 2, subsection 3-B, as used in this paragraph, "another jurisdiction" also includes any Indian tribe.

Violation of this paragraph is a Class C crime. In determining the sentence for a violation of this paragraph the court shall impose a sentence of imprisonment by using a 2-step process. In the first step the court shall determine a base term of imprisonment of one year. In the 2nd step the court shall determine and impose a term of imprisonment for the defendant the length of which is appropriate for the defendant after consideration of the factors required by section 1252, subsection 5-D and aggravating and mitigating factors, including, but not limited to, the character of the de-

fendant and the defendant's criminal history, the effect of the offense on the victim and the protection of the public interest.

For the purposes of this paragraph, "prior conviction" means a conviction for a violation of this section; Title 5, section 4659; Title 15, section 321; former Title 19, section 769; Title 19-A, section 4011; Title 22, section 4036; any other temporary, emergency, interim or final protective order; an order of a tribal court of the Passamaquoddy Tribe or the Penobscot Nation; any similar order issued by any court of the United States or of any other state, territory, commonwealth or tribe; or a court-approved consent agreement. Section 9-A governs the use of prior convictions when determining a sentence;

Sec. 3. 17-A MRSA §210-A, sub-§1, ¶¶D and E are enacted to read:

D. The actor violates paragraph A and the course of conduct is directed at or concerning 2 or more specific persons that are members of an identifiable group.

Violation of this paragraph is a Class C crime; or

E. The actor violates paragraph C and at least one prior conviction was for a violation of paragraph D.

Violation of this paragraph is a Class B crime. In determining the sentence for a violation of this paragraph the court shall impose a sentence of imprisonment by using a 2-step process. In the first step the court shall determine a base term of imprisonment of 2 years. In the 2nd step the court shall determine and impose a term of imprisonment for the defendant the length of which is appropriate for the defendant after consideration of the factors required by section 1252, subsection 5-D and aggravating and mitigating factors, including, but not limited to, the character of the defendant and the defendant's criminal history, the effect of the offense on the victim and the protection of the public interest.

See title page for effective date.

CHAPTER 358

H.P. 351 - L.D. 512

An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code

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

Sec. 1. 17-A MRSA §208, as amended by PL 2011, c. 640, Pt. B, §2, is further amended to read:

§208. Aggravated assault

1. A person is guilty of aggravated assault if ~~he~~ that person intentionally, knowingly, or recklessly causes:

A. ~~Serious bodily~~ Bodily injury to another ~~that creates a substantial risk of death or extended convalescence necessary for recovery of physical health.~~ Violation of this paragraph is a Class B crime; ~~or~~

A-1. Bodily injury to another that causes serious, permanent disfigurement or loss or substantial impairment of the function of any bodily member or organ. Violation of this paragraph is a Class A crime;

B. Bodily injury to another with use of a dangerous weapon. Violation of this paragraph is a Class B crime; or

C. Bodily injury to another under circumstances manifesting extreme indifference to the value of human life. Such circumstances include, but are not limited to, the number, location or nature of the injuries, the manner or method inflicted, the observable physical condition of the victim or the use of strangulation. For the purpose of this paragraph, "strangulation" means the intentional impeding of the breathing or circulation of the blood of another person by applying pressure on the person's throat or neck. Violation of this paragraph is a Class B crime.

~~2. Aggravated assault is a Class B crime.~~

Sec. 2. 17-A MRSA §505, sub-§2, as enacted by PL 1975, c. 499, §1, is repealed and the following enacted in its place:

2. As used in this section, "public way" means a way, including a sidewalk, owned and maintained by the State, a county or a municipality over which the general public has a right to pass by foot or by vehicle or a way under the control of park commissioners or a body having like powers.

Sec. 3. 17-A MRSA §554, as amended by PL 2005, c. 373, §§1 and 2, is further amended to read:

§554. Endangering the welfare of a child

1. A person is guilty of endangering the welfare of a child if that person:

A. Knowingly permits a child ~~under 16 years of age~~ to enter or remain in a house of prostitution. Violation of this paragraph is a Class D crime;

B. Knowingly sells, furnishes, gives away or offers to sell, furnish or give away to a child under 16 years of age any intoxicating liquor, cigarettes,

tobacco, air rifles, gunpowder, smokeless powder or ammunition for firearms. Violation of this paragraph is a Class D crime;

~~B-1. Being the parent, foster parent, guardian or other person having the care and custody of the child, cruelly treats that child by abuse, neglect or extreme punishment;~~

B-2. Being a parent, foster parent, guardian or other person responsible for the long-term general care and welfare of a child ~~under 16~~, recklessly fails to take reasonable measures to protect the child from the risk of further bodily injury after knowing:

(1) That the child had, in fact, sustained serious bodily injury or bodily injury under circumstances posing a substantial risk of serious bodily injury; and

(2) That such bodily injury was, in fact, caused by the unlawful use of physical force by another person;

Violation of this paragraph is a Class C crime;

B-3. Being the parent, foster parent, guardian or other person having the care and custody of ~~the a~~ child, knowingly deprives the child of necessary health care, with ~~the a~~ result that the child is placed in danger of serious harm. Violation of this paragraph is a Class D crime; or

C. Otherwise recklessly endangers the health, safety or welfare of ~~a the child under 16 years of age~~ by violating a duty of care or protection. Violation of this paragraph is a Class D crime.

2. It is an affirmative defense to prosecution under this section that:

A. The defendant was the parent, foster parent, guardian or other similar person responsible for the long-term general care and welfare of ~~a the~~ child under 16 years of age who furnished the child cigarettes, tobacco or a reasonable amount of intoxicating liquor in the actor's home and presence;

B. The defendant was a person acting pursuant to authority expressly or impliedly granted in Title 22; or

C. The defendant was the parent, foster parent, guardian or an adult approved by the parent, foster parent or guardian who furnished ~~a the~~ child under 16 years of age an air rifle, gunpowder, smokeless powder or ammunition for a firearm for use in a supervised manner.

~~3. Endangering the welfare of a child is a Class D crime, except that a violation of subsection 1, paragraph B-2 is a Class C crime.~~

Sec. 4. 17-A MRSA §1201, sub-§1, ¶A-3 is enacted to read:

A-3. The court sentences the person to a term of imprisonment followed by a period of supervised release as authorized by chapter 50;

Sec. 5. 17-A MRSA §1206, sub-§7-B, as enacted by PL 1989, c. 728, §1, is repealed.

Sec. 6. 17-A MRSA §1231, sub-§6, as amended by PL 2007, c. 344, §4, is further amended to read:

6. The court may revoke a period of supervised release pursuant to section 1233 for any ground specified in subsection 7. If the court revokes a period of supervised release, the court shall require the person to serve time in prison under the custody of the Department of Corrections. This time in prison may equal all or part of the period of supervised release, without credit for time served on post-release supervision. The remaining portion of the period of supervised release that is not required to be served in prison ~~remains in effect to be served, if any, may not run during the time in prison and must resume again~~ after the person's release and is subject to revocation at a later date.

Sec. 7. 17-A MRSA §1252, sub-§4-E, as enacted by PL 2005, c. 673, §4, is amended to read:

4-E. If the State pleads and proves that a crime under section 253 was committed against a person who had not yet attained 12 years of age, the court, notwithstanding subsection 2, shall impose a definite term of imprisonment for any term of years. In determining the basic term of imprisonment as the first step in the sentencing process, the court shall select a term of at least 20 years. The court shall also impose as part of the sentence a period of supervised release to immediately follow that definite term of imprisonment as mandated by section 1231.

See title page for effective date.

CHAPTER 359

H.P. 406 - L.D. 582

An Act To Establish a State Educational Medicaid Officer

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

Sec. 1. 22 MRSA §3174-YY is enacted to read:

§3174-YY. State educational Medicaid officer

The commissioner shall designate an appropriate employee within the department as the state educational Medicaid officer to work in coordination with the Department of Education and school administra-

tive units to maximize reimbursement for Medicaid services provided by school administrative units.

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

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Office of MaineCare Services 0129

Initiative: Provides funding for a Comprehensive Health Planner II position to serve as a liaison between the State and school administrative units to help schools alleviate the challenges in navigating the complexity of MaineCare billing and improve communication.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$30,970	\$42,292
All Other	\$2,355	\$3,139
GENERAL FUND TOTAL	\$33,325	\$45,431

FEDERAL EXPENDITURES FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$30,970	\$42,292
All Other	\$2,355	\$3,139
FEDERAL EXPENDITURES FUND TOTAL	\$33,325	\$45,431

See title page for effective date.

CHAPTER 360

S.P. 244 - L.D. 651

An Act To Amend Maine's Sex Trafficking and Child Welfare Laws

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

Sec. 1. 17-A MRSA §853, sub-§1, ¶B, as enacted by PL 2013, c. 407, §3, is amended to read:

B. The person violates paragraph A and has 2 or more prior convictions in this State for any combination of the Maine offenses listed in this paragraph or for engaging in substantially similar con-

duct to that of the Maine offenses listed in this paragraph in another jurisdiction. The Maine offenses are any violation of this section or section 852, 853-A, 853-B or 855 or attempts to commit any of these crimes. Section 9-A governs the use of prior convictions when determining a sentence. Violation of this paragraph is a Class C crime.

Sec. 2. 22 MRSA §4002, sub-§1, as amended by PL 2007, c. 304, §10, is further amended to read:

1. Abuse or neglect. "Abuse or neglect" means a threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation including under Title 17-A, sections 282, 852, 853 and 855, deprivation of essential needs or lack of protection from these or failure to ensure compliance with school attendance requirements under Title 20-A, section 3272, subsection 2, paragraph B or section 5051-A, subsection 1, paragraph C, by a person responsible for the child.

Sec. 3. 22 MRSA §4002, sub-§1-B, ¶A, as amended by PL 2001, c. 696, §10, is further amended to read:

A. The parent has subjected any child for whom the parent was responsible to aggravated circumstances, including, but not limited to, the following:

- (1) Rape, gross sexual misconduct, gross sexual assault, sexual abuse, incest, aggravated assault, kidnapping, promotion of prostitution, sexual exploitation of a minor, sex trafficking or aggravated sex trafficking, abandonment, torture, chronic abuse or any other treatment that is heinous or abhorrent to society.

Sec. 4. 22 MRSA §4055, sub-§1-A, ¶B, as amended by PL 1995, c. 481, §3, is further amended to read:

B. The victim of any of the following crimes was a child for whom the parent was responsible or the victim was a child who was a member of a household lived in or frequented by the parent and the parent has been convicted of:

- (1) Murder;
- (2) Felony murder;
- (3) Manslaughter;
- (4) Aiding or soliciting suicide;
- (5) Aggravated assault;
- (6) Rape;
- (7) Gross sexual misconduct or gross sexual assault;
- (8) Sexual abuse of minors;

- (9) Incest;
- (10) Kidnapping;
- (11) Promotion of prostitution, sexual exploitation of a minor, sex trafficking or aggravated sex trafficking; or
- (12) A comparable crime in another jurisdiction;

See title page for effective date.

CHAPTER 361

S.P. 257 - L.D. 727

An Act To Allow the Retrofit of Underground Oil Storage Tanks

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

Sec. 1. 38 MRSA §564, sub-§6 is enacted to read:

6. Retrofit of existing underground tanks. The board's rules must allow a person to retrofit a single-walled underground oil storage tank with secondary containment as long as the retrofitted tank complies with Underwriters Laboratories Subject 1316 or 1856 and interstitial monitoring of the retrofitted tank is equal to or greater than interstitial monitoring of a new tank. The board shall require a site assessment of an underground oil storage facility when a tank is retrofitted in accordance with this subsection.

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

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Remediation and Waste Management 0247

Initiative: Provides a one-time appropriation in fiscal year 2015-16 of \$2,500 for rule-making costs related to retrofitting single-walled underground oil storage tanks.

GENERAL FUND	2015-16	2016-17
All Other	\$2,500	\$0
GENERAL FUND TOTAL	\$2,500	\$0

See title page for effective date.

CHAPTER 362
S.P. 481 - L.D. 1332

**An Act To Attract
Entrepreneurs to the State**

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

Sec. 1. 5 MRSA §13056-G is enacted to read:
§13056-G. Maine Coworking Development Fund

The Maine Coworking Development Fund is established within the department to strengthen opportunities for entrepreneurship, stimulate innovation in the State by increasing the availability of collaborative workspace environments and address a regional market demand for affordable work environments that support communication, information sharing and networking opportunities. The fund is established to match public and private funds to further the purposes of this section.

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

A. "Collaborative workspace" means coworking, shared working environments that promote collaboration, interaction, socialization and coordination among tenants through the clustering of multiple businesses or individuals within the shared work environment.

B. "Collaborative workspace business" means a corporation, partnership, limited liability corporation, professional corporation or other legal business entity recognized under the laws of the State engaging or proposing to engage in economic activity within the State.

C. "Fund" means the Maine Coworking Development Fund established in this section.

D. "Participant" means a sole proprietorship, business partnership or corporation operating a business for profit through which the owner accesses business development services in a collaborative workspace.

E. "Tenant" means a sole proprietorship, business partnership or corporation operating a business for profit and leasing or otherwise occupying collaborative workspace from a collaborative workspace business.

F. "Transformative development" means redevelopment on a scale and of a character capable of catalyzing significant follow-on private investment, leading over time to transformation of an entire downtown or urban neighborhood and consistent with local plans. Transformative development may involve major investment in new con-

struction, rehabilitation and adaptive reuse or multiple smaller investments on a sustained basis.

2. Organization. The department has all the powers and authority not explicitly prohibited by law necessary or convenient to carry out and effectuate the functions, duties and responsibilities of the fund, including, but not limited to:

A. Promoting transformative development by taking actions in partnership with private enterprise and the Federal Government to:

(1) Make equity investments and provide technical assistance to revitalize and support residential, commercial, industrial and institutional development, or any mix of such uses, in order to promote collaborative workspaces;

(2) Promote the creation of collaborative workspaces by providing financial assistance for capital investments in underutilized buildings;

(3) Foster collaboration and connections among innovative and creative enterprises by providing central locations for such businesses or individuals to work in an environment designed to promote sharing of resources, experience and expertise;

(4) Support partnerships between municipalities, property owners and collaborative workspace businesses to establish such collaborative workspaces; and

(5) Require such collaborative workspaces to provide shared space that promotes the interaction, socialization and coordination among tenants and participants through the clustering of multiple tenants and participants within the collaborative workspace;

B. Soliciting, borrowing, accepting and receiving money from a public or private source to augment state contributions to the fund;

C. Approving an annual budget for the fund and investing and expending money from the fund;

D. Contracting with public entities as necessary to further the purposes of this section;

E. Carrying forward any unexpended state appropriations and allocations into succeeding fiscal years;

F. Receiving and accepting allocations, appropriations, grants or contributions of money to be held, used or applied to carry out this subchapter, subject to the conditions upon which the grants and contributions may be made, including, but not limited to, appropriations, allocations, grants or gifts from any federal agency or governmental subdivision or the State and its agencies. The

amounts of the revenues generated by the investment of money contained in the fund may be used to pay the department's operating expenses associated with the operation of the fund;

G. Engaging in matching grants activities, including, but not limited to, federal, private and foundation awards that require state funding matches and are considered consistent with the purposes of the fund; and

H. Awarding collaborative workspace grants in an amount not to exceed \$25,000 per collaborative workspace. All awards must be tied to specific and demonstrated financial need to achieve the goals set forth under this section.

3. Guidelines. The department shall establish guidelines for the fund in accordance with this section.

A. Loans or grants made from the fund may be made to collaborative workspace businesses for building improvements used by the collaborative workspace tenants and participants as long as the use of the fund results in corresponding private investment that matches or exceeds the loans or grants from the fund. In the case of a grant, any participating collaborative workspace business shall at least match the investment of the fund. In the case of a loan, the department shall reasonably anticipate that its loan will leverage additional private investment in the property.

B. The department shall solicit applications for grants or loans from the fund through a request for proposals, which must include, at a minimum, the following criteria for the submission of applications:

- (1) A description of the parties involved in the project, including the professional expertise and qualifications of the principals;
- (2) A description of the scope of work that will be undertaken by each party involved in the project;
- (3) The proposed budget, including verification of funding from other sources;
- (4) A statement of the project objective, including specific information on how the project will promote the use of the space as a collaborative workspace;
- (5) A statement that sets forth the implementation plan, the facilities and resources available or needed for the project and the proposed commencement and termination dates of the project;
- (6) A description of the expected significance of the project, including a description of the market demand for the type of collaborative workspace proposed in the region in

which the space will be located and the number of tenants and participants that will be served as a result of the project;

(7) Guidelines for the review and approval of applications that include preferences for applications that propose to redevelop existing properties located in the downtown area of a municipality, dedicate at least 25% of accessible space to collaborative use and support a cluster of at least 5 separate tenants;

(8) A description of the ability of the collaborative workspace business to carry out the provisions of this section;

(9) A summary of the proposed economic impact of the collaborative workspace on the community;

(10) A description of plans for conformance with regional and local economic development plans, if such plans exist; and

(11) A statement of the proximity of the collaborative workspace to an accredited Maine community college, college or university, as defined in Title 20-A, section 12541, subsection 1.

C. The department shall enter into an agreement with each collaborative workspace business that receives a grant or loan under this section. The agreement must include performance measures and indicators to evaluate the performance of the collaborative workspace business in carrying out the activities described in its application and any other indicators determined to be necessary to evaluate the performance of the business. A collaborative workspace business shall submit an annual report for the department's review for the duration of the collaborative workspace project.

4. Duties of the collaborative workspace business. A collaborative workspace business that receives assistance under this section shall:

- A. Secure title on a facility for the collaborative workspace or a lease of a facility for the collaborative workspace;
- B. Manage the physical development of the collaborative workspace, including the provision of common conference or meeting space;
- C. Provide furnishings and equipment to the collaborative workspace to provide services to the tenants and participants;
- D. Market the collaborative workspace and secure tenants and participants;
- E. Provide financial consulting, marketing and management assistance services or arrange for the provision of these services for tenants and partici-

pants, including assistance in accessing private financial markets;

F. Set rental and service fees that would be revenue for the collaborative workspace business upon approval from the department;

G. Encourage the sharing of ideas between tenants and participants and otherwise aid the tenants and participants using innovative technology and facilities;

H. Establish policies and criteria for the acceptance of tenants and participants and for the termination of occupancy of tenants so as to maximize the opportunity to succeed for the greatest number of tenants and participants; and

I. Submit annual reports to the department that include a financial statement for the collaborative workspace business, a summary of the economic impact of the collaborative workspace on the local community and a list of tenants and participants in the collaborative workspace.

5. Report. Beginning February 1, 2016, the department shall annually provide a report to the Governor, the President of the Senate and the Speaker of the House of Representatives that must include, but is not limited to:

A. The number of applications for collaborative workspace submitted to the department;

B. The number of applications for collaborative workspace approved by the department;

C. The number of collaborative workspaces created through the fund;

D. The numbers of tenants and participants engaged in each collaborative workspace;

E. The number of jobs provided by each collaborative workspace;

F. The occupancy rate of each collaborative workspace; and

G. The number of tenants that have left collaborative workspace and that are operating in the State and the number of jobs they have provided.

Sec. 2. Appropriations and allocations.

The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Maine Coworking Development Fund N193

Initiative: Provides base allocations in the event funds are received from private or public sources.

	2015-16	2016-17
OTHER SPECIAL REVENUE FUNDS		
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Coworking Development Program N192

Initiative: Provides funds to support collaborative workspace businesses.

	2015-16	2016-17
GENERAL FUND		
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

	2015-16	2016-17
DEPARTMENT TOTALS		
GENERAL FUND	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$100,500	\$100,500

See title page for effective date.

CHAPTER 363

H.P. 873 - L.D. 1277

An Act To Establish a Magnet School for Marine Science, Technology, Transportation and Engineering

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

Sec. 1. 5 MRSA §285, sub-§1, ¶F-11 is enacted to read:

F-11. Any employee of the Maine School for Marine Science, Technology, Transportation and Engineering;

Sec. 2. 5 MRSA §12004-C, sub-§9 is enacted to read:

9.

<u>Board of Trustees,</u>	<u>Expenses Only</u>	<u>20-A MRSA</u>
<u>Maine School for</u>		<u>\$8234</u>
<u>Marine Science,</u>		
<u>Technology, Trans-</u>		
<u>portation and Engi-</u>		
<u>neering</u>		

Sec. 3. 20-A MRSA §5205, sub-§11 is enacted to read:

11. Students attending the Maine School for Marine Science, Technology, Transportation and Engineering. For purposes of subsidy calculation only, students attending the Maine School for Marine Science, Technology, Transportation and Engineering are not considered residents of the sending school administrative unit.

Sec. 4. 20-A MRSA c. 312-A is enacted to read:

CHAPTER 312-A

**MAINE SCHOOL FOR MARINE SCIENCE,
TECHNOLOGY, TRANSPORTATION AND
ENGINEERING**

§8231. School established

The Maine School for Marine Science, Technology, Transportation and Engineering is established as a public magnet school pursuant to this chapter for the purpose of providing certain high-achieving high school students with a challenging educational experience focused on marine-related science, technology, engineering and mathematics. The school is a body politic and corporate and is an instrumentality and agency of the State. The exercise by the school of the powers conferred by this chapter is the performance of an essential public function by and on behalf of the State.

§8232. Intent; funding

The school is established as a public, residential school located in the Town of Searsport and the following provisions apply.

1. Curriculum. The school shall provide a curriculum designed to exceed existing state educational standards in the content areas of the system of learning results established in section 6209.

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

A. The amount must be paid in 4 equal quarterly payments during the year of attendance. The first payment must be made by July 31st. The amount of tuition and other costs paid for all students is

limited to the amount appropriated for this purpose. To be eligible for state funding under this paragraph, a student must have resided in Maine with a parent, other relative or guardian for at least 6 months immediately preceding application to the school.

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

3. Out-of-state tuition. Students from other states and countries and students pursuing a post-graduate high school year of education may attend the school on a space-available basis by paying the cost of tuition, fees and room and board as established by the board of trustees.

4. Scholarship fund. The school must demonstrate its ability to raise private funds to support a scholarship fund. Based on this ability, the Legislature may provide General Fund appropriations to the scholarship fund. Funds available in the scholarship fund may not be used to offset, reduce or eliminate the appropriation of state funds described in subsection 2. The existence of the scholarship fund may not reduce or eliminate the State's funding obligations described in subsection 2.

5. Educational enhancement fund. The school may raise private funds to support an educational enhancement fund to enrich the educational experience of students enrolled at the school. The Legislature may provide General Fund appropriations to the educational enhancement fund. Funds available in the educational enhancement fund may not be used to offset, reduce or eliminate the appropriation of state funds described in subsection 2. The existence of the educational enhancement fund may not reduce or eliminate the State's funding obligations described in subsection 2.

§8233. Definitions

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

1. Board of trustees. "Board of trustees" means the Board of Trustees of the Maine School for Marine Science, Technology, Transportation and Engineering.

2. School. "School" means the Maine School for Marine Science, Technology, Transportation and Engineering.

3. Sending school. "Sending school" means any school administrative unit that has a student in attendance at the Maine School for Marine Science, Technology, Transportation and Engineering.

4. Trustee. "Trustee" means a member of the Board of Trustees of the Maine School for Marine Science, Technology, Transportation and Engineering.

§8234. Board of trustees

The board of trustees as established in Title 5, section 12004-C, subsection 9 is the policy-making authority and the governing body of the school.

1. Membership. In appointing members to the board of trustees, the Governor shall give proper consideration to achieving statewide geographical representation and gender equity. The board of trustees consists of 17 voting members and 2 nonvoting members as follows:

A. The Commissioner of Education or the commissioner's designee;

B. The Chancellor of the University of Maine System or the chancellor's designee;

C. A member of the regional school unit board of the regional school unit in which the school is located, who must be from the community in which the school is located, or the member's designee, selected by that board;

D. One member who is a citizen of the Town of Searsport and has an active interest in education, appointed by the Governor;

E. Three members who are teachers, one of whom is a full-time teacher at the school who is a nonvoting member and is annually elected by members of the school's faculty and 2 of whom are teachers in the State representing different geographic regions of the State, appointed by the Governor. Both full-time and part-time teachers at the school may vote in the election of a faculty member to serve on the board of trustees, and the election must be by secret ballot;

F. Ten members of the general public appointed by the Governor, at least 4 of whom must be scientists, engineers or mathematicians and be employed within the marine business or industrial marine community and one of whom must be a parent of a student. All appointments under this paragraph are subject to review by the joint standing committee of the Legislature having jurisdiction

over education matters and subject to confirmation by the Legislature;

G. One student member who has been elected as the presiding officer of the student body of the school. The student member is a voting member, except that the student member may not participate as a board member in executive sessions and may not vote in a public proceeding on any matter that was discussed or considered during an executive session; and

H. The executive director of the school, who serves as the clerk of the board of trustees and is a nonvoting member.

2. Chair. The board of trustees shall choose annually one of its members to serve as chair.

3. Meetings. The board of trustees shall meet at least 4 times a year at regular intervals.

4. Quorum. A quorum for the transaction of business is constituted by the attendance of 5 voting members, and all official actions of the board of trustees require a majority vote of those members present and voting.

5. Compensation. Members are compensated pursuant to Title 5, section 12004-C, subsection 9.

6. Terms. The terms of the members of the board of trustees who are appointed by the Governor are for 4 years unless otherwise designated. The terms of the 2 teachers appointed by the Governor and the 10 members of the general public are staggered. Members may be appointed for consecutive terms.

7. Conflict of interest. A board of trustees member shall attempt to avoid conflicts of interest by disclosure or by abstention.

§8235. Powers and duties of the board of trustees

The powers and duties of the board of trustees include the following:

1. Policies and bylaws. To develop and establish policies and rules, including bylaws, necessary or useful for the operation of the school;

2. Administration. To oversee the administration of the school, including the hiring of teachers and administrative support staff;

3. Financial management. To appoint a treasurer, who need not be a member of the board of trustees, and to accept donations, bequests or other forms of financial assistance for any educational purpose from a public or private person or agency and to comply with rules and regulations governing grants from the Federal Government or from any other person or agency;

4. Budget development. To prepare and adopt an annual budget for the operation of the school and to

exercise budgetary responsibility and allocate for expenditure by the school and programs under its jurisdiction all the resources available for the operation of the school and its programs;

5. Indemnification. To indemnify the trustees, officers, teaching staff and employees affiliated with the school and to purchase and maintain insurance to indemnify any such person to the extent provided in Title 13-B, section 714;

6. Bonds. To require security for the faithful performance of duties by the officers, trustees, employees and other agents of the school who are entrusted with the custody of the school securities or authorized to disburse the funds of the school. The security must consist of a bond, either a blanket bond or individual bond with a surety bond, or bonds having a minimum limitation of \$100,000 coverage for each insured person. The expense of a bond is assumed by the school;

7. Property management. To lease and to acquire by purchase any property, lands, buildings, structures, facilities or equipment and make improvements to facilities necessary to fulfill the purposes of this chapter. Any lease or lease-purchase agreement must have a term not to exceed 10 years and must be subject to annual appropriation of funds. The regional school unit that includes the Town of Searsport retains ownership of the Searsport high school and shares those facilities with the school;

8. Certificates and diplomas. To offer courses of study and grant diplomas and certificates on completion of courses of study. This may be done in cooperation with the sending school;

9. Contracts and agreements. To enter into any contracts and agreements, to the extent that funds are available, in the execution of its powers under this chapter;

10. Delegation. To delegate duties and responsibilities as necessary for the efficient operation of this chapter;

11. Criteria for enrollment. To establish criteria to be used in determining eligibility of applicants for enrollment. The criteria must include methods of ensuring gender equity for students selected;

12. Student conduct. To prepare and adopt procedures and rules to ensure the smooth operation of student conduct standards;

13. Geographical basis. To develop and adopt an admissions policy to ensure that students from all over the State have an equal opportunity to attend the school;

14. Fees and charges. To establish and collect necessary fees and to set policies relating to other appropriate charges for students;

15. Benchmarks and assessments. To establish benchmarks and methods of assessing progress in the levels of academic achievement in marine science, technology, transportation and engineering for students who participate in school programs and to establish benchmarks and methods of assessing progress in the professional development of teachers who participate in school programs;

16. Report. To report annually to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on the results of the assessment in subsection 15 and the general status of the school and to provide a financial audit of the school conducted by an independent auditor;

17. Quarterly financial statements. To submit quarterly financial statements to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs;

18. Sue or be sued. To sue or be sued in the name of the school; and

19. Other. To do any other act necessary or useful for carrying out its powers, duties or purposes.

Notwithstanding any other provision of this Title, rules established by the board pursuant to this section may differ from rules adopted by the department.

§8236. Programs and operations

The programs and operations of the school must include:

1. School year. Operating on a calendar year that meets or exceeds the minimum number of statewide student instructional days;

2. Courses of study; programs; plan. A plan that outlines the statewide education programs provided by the school and guarantees opportunities and access to students and educators not residing full time at the school. The plan must include, but is not limited to, offering short courses, workshops, seminars, week-end instructional programs, distance learning and various other programs of short duration for teachers and students. The plan may include other innovative programs that meet the purpose of the school and assist in the professional development of the State's marine science, technology, transportation and engineering teachers;

3. School admission. Admittance of high school students and students pursuing a postgraduate high school year of education based on the enrollment criteria established by the board of trustees as provided in section 8235, subsection 11. Students who apply and

are accepted by the school are allowed to attend as provided in section 5205, subsection 6;

4. Extracurricular activities. Participation in all extracurricular activities offered at the middle school and high school serving the Town of Searsport; and

5. Telecommunications. Utilization of distance learning technologies to allow transmission of certain specialty courses conducted at the school for the benefit of high-achieving students attending school units throughout the State.

§8237. Financing authority

The board of trustees may borrow funds, issue bonds and negotiate notes and other evidences of indebtedness or obligations of the school for renovation and construction purposes to pay for costs as defined in Title 22, section 2053, subsection 3 and may issue temporary notes and renewal notes to pay for those costs. Bonds, notes or other evidences of indebtedness or obligations of the school are legal obligations of the school on behalf of the State and are payable solely from the school's revenues and other sources of funds, including funds obtained pursuant to Title 22, section 2053, subsection 4-B, paragraph C, and these borrowings by the school do not constitute debts or liabilities of, and are not includable in, any debt limitation of the State or any municipality or political subdivision of the State. The board of trustees has the discretion to fix the date, maturities, denomination, interest rate, place of payment, form and other details of the bonds or notes of the school. Unless otherwise provided in the vote authorizing their issuance, bonds or notes of the school are signed by the treasurer and countersigned by the chair of the board of trustees. The aggregate principal amount of outstanding bonds, notes or other evidences of indebtedness of the school may not exceed \$3,000,000 at any one time, excluding temporary notes and renewal notes. The board of trustees may pledge or assign its revenues, including any funds that have been or may be appropriated to the school by the Town of Searsport, and the proceeds of those revenues and its other property as security toward its bonds, notes, other evidences of indebtedness or other obligations of the school. The proceeds of bonds, notes or other evidences of indebtedness may be invested in accordance with Title 30-A, sections 5706 and 5712. Bonds, notes and other evidences of indebtedness issued under this section are not debts of the State, nor a pledge of the credit of the State, but are payable solely from the funds of the school. The board of trustees may also borrow funds in anticipation of revenues for current operating expenses for a term not exceeding 13 months. Indebtedness incurred and evidences of indebtedness issued under this chapter are deemed to constitute a proper public purpose, and all income derived is exempt from taxation in the State. The net earnings of the school may not inure to the benefit of any private person. If the school is dis-

solved, the distribution of all property owned by the school must be determined by the Legislature in accordance with this chapter and may not inure to the benefit of any private person.

§8238. Implementation; limited authorization

The school may implement the plan established for the statewide education programs pursuant to section 8236, subsection 2 during the 2017-2018 school year.

Notwithstanding any other provision of law, all powers, duties and authority of the school under this chapter and under any other law terminate 90 days after the adjournment of the First Regular Session of the 129th Legislature.

Sec. 5. 20-A MRSA §15689-A, sub-§25 is enacted to read:

25. Maine School for Marine Science, Technology, Transportation and Engineering. The commissioner may expend and disburse funds for the Maine School for Marine Science, Technology, Transportation and Engineering in accordance with the provisions of chapter 312-A.

Sec. 6. 22 MRSA §2053, sub-§4-B, as amended by PL 2003, c. 20, Pt. DDD, §1 and Pt. OO, §2 and affected by Pt. OO, §4, is further amended to read:

4-B. Institution for higher education. "Institution for higher education" means:

A. Any private, nonprofit, governmental or charitable institution or organization engaged in the operation of, or formed for the purpose of operating, an educational institution within this State, including the Maine Community College System and the University of Maine System, that, by virtue of law or charter, is an educational institution empowered to provide a program of education beyond the high school level; and

B. The Maine School of Science and Mathematics, as established in Title 20-A, chapter 312. ~~To repay any necessary outstanding construction bonds, the adjusted tuition and insured value factor amount defined in Title 20-A, section 5805, subsection 3, may be increased as specified in that definition. The adjustment may be used solely to repay bonds from the authority and expires when the bond is retired; and~~

C. The Maine School for Marine Science, Technology, Transportation and Engineering, as established in Title 20-A, chapter 312-A.

Sec. 7. 25 MRSA §2463-A, sub-§1, ¶D, as amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

D. "Public educational institution" means the University of Maine System, the Maine Community College System, the Maine Maritime Academy, the Maine School for Marine Science, Technology, Transportation and Engineering or the Maine School of Science and Mathematics.

Sec. 8. Plan. By February 15, 2017, the Maine School for Marine Science, Technology, Transportation and Engineering shall submit a plan under the Maine Revised Statutes, Title 20-A, section 8236, subsection 2 to the joint standing committee of the Legislature having jurisdiction over education matters that outlines the statewide education programs provided by the school and guarantees opportunities and access to students and educators not residing full time at the school.

The plan, to be implemented in September 2017, must include, but is not limited to, offering short courses, workshops, seminars, weekend instructional programs, distance learning and various other programs of short duration for teachers and students. The plan may include other innovative programs that meet the purpose of the school and assist in the professional development of the State's marine science, technology, transportation and engineering teachers.

Sec. 9. Report. By December 1, 2018, the Board of Trustees of the Maine School for Marine Science, Technology, Transportation and Engineering shall provide a report to the joint standing committee of the Legislature having jurisdiction over education matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on the commencement and operations of the school, including the number of students enrolled and the status of the school budget. The joint standing committee of the Legislature having jurisdiction over education matters may report out a bill relating to the school to the First Regular Session of the 129th Legislature, which may include but is not limited to a repeal of the provision of the Maine Revised Statutes, Title 20-A, section 8238 that terminates the powers, duties and authority of the school 90 days after the adjournment of the First Regular Session of the 129th Legislature.

Sec. 10. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 20-A, section 8234, subsection 6:

1. Of the 2 initial members who are teachers appointed by the Governor in accordance with Title 20-A, section 8234, subsection 1, paragraph E, one is appointed for a term of 2 years and one is appointed for a term of 4 years; and

2. Of the 10 initial members of the general public appointed by the Governor in accordance with Title 20-A, section 8234, subsection 1, paragraph F, 5 are

appointed for a term of 2 years and 5 are appointed for a term of 4 years.

See title page for effective date.

CHAPTER 364

S.P. 412 - L.D. 1160

An Act To Make Possession of a Firearm with an Altered or Obscured Serial Number a Class C Crime

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

Sec. 1. 17-A MRSA §705, as amended by PL 1979, c. 129, is further amended to read:

§705. Criminal simulation

1. A person is guilty of criminal simulation if:

A. With intent to defraud, ~~he the person~~ makes or alters any property so that it appears to have an age, rarity, quality, composition, source or authorship ~~which that~~ it does not in fact possess; or, with knowledge of its true character and with intent to defraud, ~~he the person~~ transfers or possesses property so simulated. A violation of this paragraph is a Class E crime; ♂

B. In return for a pecuniary benefit;

(1) ~~he The person~~ authors, prepares, writes, sells, transfers or possesses with intent to sell or transfer, an essay, term paper or other manuscript knowing that it will be, or believing that it probably will be, submitted by another person in satisfaction of a course, credit or degree requirement at a university or other degree, diploma or certificate-granting educational institution. A violation of this subparagraph is a Class E crime; or

(2) ~~he The person~~ takes an examination for another person in satisfaction of a course, credit or degree requirement at a university or other degree, diploma or certificate-granting educational institution. A violation of this subparagraph is a Class E crime;

C. ~~He The person~~ knowingly makes, gives or exhibits a false pedigree in writing of any animal. A violation of this paragraph is a Class E crime; ♂

D. With intent to defraud and to prevent identification:

(1) ~~He The person~~ alters, removes or obscures the manufacturer's serial number or any other distinguishing identification number, mark or symbol upon any automobile,

snowmobile, outboard motor, motorboat, aircraft or any other vehicle or upon any machine, ~~firearm~~ or other object, other than a firearm. A violation of this subparagraph is a Class E crime; or

(2) ~~He~~ The person possesses any such object or any such item after that number has been altered, removed or obscured. A violation of this subparagraph is a Class E crime; or

E. With intent to defraud or to prevent identification:

(1) The person alters, removes or obscures the manufacturer's make, model or serial number on any firearm. A violation of this subparagraph is a Class C crime; or

(2) The person possesses a firearm altered as set out in subparagraph (1) or intentionally or knowingly transports any such firearm. A violation of this subparagraph is a Class C crime.

~~2. Criminal simulation is a Class E crime.~~

See title page for effective date.

CHAPTER 365

S.P. 366 - L.D. 1040

An Act To Enhance Funding Opportunities for the Youth Conservation Corps

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

Sec. 1. 38 MRSA §480-II is enacted to read:

§480-II. Program to reduce erosion and protect lake water quality

1. Program. The commissioner shall contract with a private organization to establish and administer a program to reduce shoreline erosion and protect lake water quality, as described in subsections 2 and 3, as long as the commissioner determines that there are sufficient funds available to support the program and that a suitable private organization is available to establish and administer the program.

2. Informational material to be provided. The program established pursuant to this section may provide for the distribution of informational material on erosion control measures, including planting shrubs, bushes and other vegetation near the shoreline, spreading mulch on bare soil, placing rock riprap along shorelines and building infiltration steps and trenches to direct water into the ground or woods or away from the shoreline.

3. Erosion control measures to be implemented. The program established pursuant to this section must facilitate the performance of necessary erosion control measures on or near the shoreline of a lake, pond or great pond.

4. Program funding. The program established pursuant to this section is funded by sums that are appropriated by the Legislature or transferred from time to time by the State Controller.

Sec. 2. Department of Environmental Protection to contract with private organization in 2016 and 2017. For the years 2016 and 2017, the Department of Environmental Protection shall distribute the funds appropriated in section 3 through a competitive bid process to a private organization to establish and administer the program to reduce erosion and protect lake water quality under the Maine Revised Statutes, Title 38, section 480-II. The department shall ensure that any contract entered into with a private organization under this section requires that:

1. The erosion control measures described in Title 38, section 480-II, subsection 3 be performed in the summers of 2016 and 2017 with labor provided by a youth conservation corps organized or based in the State;

2. No more than 10% of the funds appropriated by the Legislature for the program in section 3 or received by the contracted organization as matching funding is used for the administration of the program by the contracted organization;

3. The scope of the program as implemented by the contracted organization is determined by the amount of funds appropriated in section 3; and

4. The contracted organization disburses to a youth conservation corps no more than \$1 from the funds appropriated for the program in section 3 for every \$2 in matching funds contributed to the program by that youth conservation corps. Federal and state funds may not be considered matching funds under the program.

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

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land and Water Quality 0248

Initiative: Provides ongoing funding to contract with a private organization to reduce shoreline erosion and protect lake water quality.

GENERAL FUND	2015-16	2016-17
All Other	\$20,000	\$20,000

GENERAL	\$20,000	\$20,000
FUND TOTAL		

See title page for effective date.

CHAPTER 366

S.P. 345 - L.D. 983

An Act To Clarify Wine Auction Licenses

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

Sec. 1. 28-A MRSA §1209 is enacted to read:

§1209. Sale of privately held wine by auction

Notwithstanding any provision to the contrary in section 1201, chapter 55 or chapter 57, this section governs wine auctions.

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

A. "Auction permittee" means a person licensed under Title 32, section 285 who is issued a permit pursuant to this section.

B. "Fine and rare wine" means a wine that is not available for purchase in this State through a licensed retailer or wholesaler.

C. "Privately held wine" means fine and rare wine owned for consumption or investment purposes by a person who is not licensed as a liquor manufacturer, retailer, distributor or wholesaler in any state or by the Federal Government.

D. "Wine auction" means an event at which an auction permittee auctions privately held wine owned by or consigned to the auction permittee.

2. Wine auctions. A wine auction may be held by an auction permittee only in accordance with this section. A person legally owning privately held wine may sell or commission for sale the privately held wine to an auction permittee by means of an auction pursuant to this section. Privately held wine may not be auctioned under this section to a person who holds a license under this subpart or subpart 3.

3. Permit; fee. Subject to the conditions in subsection 4, the bureau may issue a permit to conduct a wine auction to a person licensed under Title 32, section 285 who applies for a wine auction permit. A permit issued pursuant to this subsection is valid for the length of the auction, which may not exceed 2 days. The permit fee for a wine auction is \$250.

4. Conditions. The following conditions apply to a wine auction and a wine auction permit under this section.

A. The auction permittee shall submit to the bureau an inventory of the privately held wine to be sold at the auction on a form determined by the bureau. The inventory form must include the owner of the privately held wine and identifying information as to where the privately held wine was purchased by the owner. For the purposes of subsection 1, paragraph B, wine is considered fine and rare wine if it is not available for purchase in this State through a licensed retailer or wholesaler at the time the inventory is submitted to the bureau.

B. The auction permittee shall notify the bureau at least 30 days prior to the auction of the address, date and time scheduled for the wine auction.

C. The auction permittee shall obtain written verification of the identity of each successful bidder who purchases privately held wine at the wine auction. The information must include, at a minimum, the name and address of the person.

D. Privately held wine sold at the wine auction may not be opened or consumed on the premises of the wine auction.

E. The auction permittee shall notify the bureau of each sale of privately held wine at the wine auction.

F. The privately held wine to be sold at auction may not be stored on the premises where the wine auction is conducted except while the wine auction is being conducted.

G. The auction permittee shall ensure that each recipient of privately held wine sold at the wine auction is 21 years of age or older.

H. The auction permittee shall ensure that each bottle of privately held wine sold at the wine auction has a permanently affixed label stating that the wine is privately held wine.

5. Excise tax; sales tax. An auction permittee shall comply with the provisions of chapter 65 and Title 36, Part 3 including all requirements relating to the collection, reporting and remittance of the excise and sales and use taxes of the State on sales of privately held wine sold at a wine auction. The bureau may refuse to issue a wine auction permit to an auction permittee who has violated this subsection.

6. Beverage container deposit. A container of privately held wine auctioned under this section must comply with the provisions of Title 32, chapter 28.

7. Rules. The bureau shall adopt rules to implement this section. Rules adopted pursuant to this sub-

section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 32 MRSA §299-A is enacted to read:

§299-A. Wine auctions

A person licensed under section 285 may not auction privately held wine without a permit issued by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations according to Title 28-A, section 1209.

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Alcoholic Beverages - General Operation 0015

Initiative: Provides funds to establish a new Office Associate II position.

GENERAL FUND	2015-16	2016-17
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
Personal Services	\$44,647	\$60,981
All Other	\$3,734	\$4,979
GENERAL FUND TOTAL	\$48,381	\$65,960

See title page for effective date.

CHAPTER 367

H.P. 574 - L.D. 840

An Act To Collect and Report Data on the Implementation of Proficiency-based Diplomas and Standards-based Student Learning

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

Sec. 1. 20-A MRSA §4722-A, sub-§5 is enacted to read:

5. Implementation of proficiency-based diplomas. Beginning in the 2015-2016 school year, the department shall annually collect and report data on the progress of public schools and public charter schools towards the implementation of proficiency-based diplomas in relation to the ongoing transition plan required pursuant to section 4502, subsection 1, including the number of students graduating with proficiency-based diplomas and the number of students awarded proficiency in each of the content areas of the system of learning results established under

section 6209 and in each of the guiding principles set forth in department rules governing implementation of the system of learning results established pursuant to section 6209. By January 15, 2017, and annually thereafter, the department shall provide an annual report of the data collected for the prior school year to the joint standing committee of the Legislature having jurisdiction over education matters, and the department shall post the annual report on its publicly accessible website.

See title page for effective date.

CHAPTER 368

H.P. 520 - L.D. 767

An Act To Create Jobs in Aroostook and Washington Counties

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

Sec. 1. 30-A MRSA §5250-I, sub-§5-B is enacted to read:

5-B. Call center. "Call center" means a business enterprise that employs 50 or more full-time employees for the purpose of customer service.

Sec. 2. 30-A MRSA §5250-I, sub-§18, as amended by PL 2005, c. 351, §4 and affected by §26, is further amended to read:

18. Qualified Pine Tree Development Zone employees. "Qualified Except for employees in call centers in Aroostook and Washington counties, "qualified Pine Tree Development Zone employees" means new, full-time employees hired in this State by a qualified Pine Tree Development Zone business for work directly in one or more qualified business activities for whom a retirement program subject to the Employee Retirement Income Security Act of 1974, 29 United States Code, Sections 101 to 1461, as amended, and group health insurance are provided and whose income derived from employment within the Pine Tree Development Zone, calculated on a calendar year basis, is greater than the most recent annual per capita personal income in the county in which the qualified employee is employed. "Qualified Pine Tree Development Zone employees" does not include employees shifted to a qualified business activity from a non-qualified activity of the qualified Pine Tree Development Zone business or an affiliated business. The commissioner shall determine whether a shifting of employees has occurred.

For employees in call centers in Aroostook and Washington counties, "qualified Pine Tree Development Zone employees" means new, full-time employees hired in this State by a qualified Pine Tree Develop-

ment Zone business for work directly in one or more qualified business activities for whom a retirement program subject to the Employee Retirement Income Security Act of 1974, 29 United States Code, Sections 101 to 1461, as amended, and group health insurance are provided and whose income derived from employment within the Pine Tree Development Zone, calculated on a weekly basis, is greater than the average weekly wage for the most recent available calendar year as derived from the quarterly census of employment and wages and provided annually by the Department of Labor. The calculation of the average weekly wage must include data from the counties of Androscoggin, Aroostook, Franklin, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Sagadahoc, Somerset, Waldo and Washington. Notwithstanding this subsection, with respect to employees in call centers in Aroostook and Washington counties, in a county in which the average annual unemployment rate at the time of certification for the most recent calendar year is greater than the state average for the same year, the wage threshold is 90% of the average weekly wage as derived from the quarterly census of employment and wages. Notwithstanding this subsection, with respect to a call center in Aroostook or Washington county and upon approval of the commissioner, a qualified business located in a county in which the average annual unemployment rate at the time of certification for the most recent calendar year is greater than the state average for that same year qualifies for a phase-in of salary threshold requirements. A qualified business under this provision must meet 70% of the average weekly wage as derived from the quarterly census of employment and wages in the first year of certification, 80% of the average weekly wage as derived from the quarterly census of employment and wages in the 2nd year of certification and 90% of the average weekly wage as derived from the quarterly census of employment and wages in all following years of certification. Failure to meet any of these requirements results in automatic revocation of certification. "Qualified Pine Tree Development Zone employees" does not include employees shifted to a qualified business activity from a non-qualified activity of the qualified Pine Tree Development Zone business or an affiliated business. The commissioner shall determine whether a shifting of employees has occurred.

Sec. 3. 30-A MRSA §5250-I, sub-§18-A is enacted to read:

18-A. Quarterly census of employment and wages. "Quarterly census of employment and wages" means the comprehensive tabulation of employment and wage information for workers produced by the quarterly census of employment and wages program, a cooperative program involving the federal Department of Labor, Bureau of Labor Statistics and the state employment security agencies.

Sec. 4. 36 MRSA §6753, sub-§5-A is enacted to read:

5-A. Call center. "Call center" means a business enterprise that employs 50 or more full-time employees for the purpose of customer service.

Sec. 5. 36 MRSA §6753, sub-§12, as amended by PL 2009, c. 434, §82, is further amended to read:

12. Qualified employee. "Qualified Except for an employee in a call center in Aroostook County or Washington County, "qualified employee" means a new, full-time employee hired in this State by a qualified business, for whom a retirement program subject to the Employee Retirement Income Security Act of 1974, 29 United States Code, Chapter 18 and group health insurance are provided, and whose income derived from employment with the applicant, calculated on a calendar year basis, is greater than the most recent annual per capita personal income in the county in which the qualified employee is employed, as long as Maine income tax withholding attributed to the qualified employee is subject to reimbursement to the qualified business under this chapter. "Qualified employee" does not include an employee who is shifted to a qualified business from an affiliated business. The commissioner shall determine whether a shifting of employees has occurred.

For an employee in a call center in Aroostook County or Washington County, "qualified employee" means a new, full-time employee hired in this State by a qualified business, for whom a retirement program subject to the Employee Retirement Income Security Act of 1974, 29 United States Code, Chapter 18 and group health insurance are provided, and whose income derived from employment with the applicant, calculated on a weekly basis, is greater than the average weekly wage for the most recent available calendar year as derived from the quarterly census of employment and wages and provided annually by the Department of Labor, as long as Maine income tax withholding attributed to the qualified employee is subject to reimbursement to the qualified business under this chapter. "Qualified employee" does not include an employee who is shifted to a qualified business from an affiliated business. The commissioner shall determine whether a shifting of employees has occurred. The calculation of the average weekly wage must include data from the counties of Androscoggin, Aroostook, Franklin, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Sagadahoc, Somerset, Waldo and Washington. Notwithstanding this subsection, with respect to a call center in Aroostook or Washington county, in a county in which the average annual unemployment rate at the time of certification for the most recent calendar year is greater than the state average for the same year, the wage threshold is 90% of the average weekly wage as derived from the quarterly

census of employment and wages. Notwithstanding this subsection, with respect to a call center in Aroostook or Washington county and upon approval of the commissioner, a qualified business located in a county in which the average annual unemployment rate at the time of certification for the most recent calendar year is greater than the state average for that same year qualifies for a phase-in of salary threshold requirements. A qualified business under this provision must meet 70% of the average weekly wage as derived from the quarterly census of employment and wages in the first year of certification, 80% of the average weekly wage as derived from the quarterly census of employment and wages in the 2nd year of certification and 90% of the average weekly wage as derived from the quarterly census of employment and wages in all following years of certification. Failure to meet any of these requirements results in automatic revocation of certification.

Sec. 6. 36 MRSA §6753, sub-§12-A is enacted to read:

12-A. Quarterly census of employment and wages. "Quarterly census of employment and wages" means the comprehensive tabulation of employment and wage information for workers produced by the quarterly census of employment and wages program, a cooperative program involving the federal Department of Labor, Bureau of Labor Statistics and the state employment security agencies.

See title page for effective date.

CHAPTER 369

H.P. 381 - L.D. 557

An Act To Provide Reasonable Accommodations for School Attendance for Children Certified for the Medical Use of Marijuana

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

Sec. 1. 20-A MRSA §6306 is enacted to read:

§6306. Eligibility to attend school

A child who holds a written certification for the medical use of marijuana under Title 22, section 2423-B may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school.

Sec. 2. 22 MRSA §2426, sub-§1, ¶B, as enacted by IB 2009, c. 1, §5, is amended to read:

B. Possess Except as provided in subsection 1-A, possess marijuana or otherwise engage in the medical use of marijuana:

- (1) In a school bus;
- (2) On the grounds of any preschool or primary or secondary school; or
- (3) In any correctional facility;

Sec. 3. 22 MRSA §2426, sub-§1-A is enacted to read:

1-A. School exceptions. Notwithstanding subsection 1, paragraph B, a primary caregiver designated pursuant to section 2423-A, subsection 1, paragraph E may possess and administer marijuana in a nonsmokeable form in a school bus and on the grounds of the preschool or primary or secondary school in which a minor qualifying patient is enrolled only if:

A. A medical provider has provided the minor qualifying patient with a current written certification for the medical use of marijuana under this chapter; and

B. Possession of marijuana in a nonsmokeable form is for the purpose of administering marijuana in a nonsmokeable form to the minor qualifying patient.

See title page for effective date.

CHAPTER 370

H.P. 447 - L.D. 666

An Act To Allow a Patient To Designate a Caregiver in the Patient's Medical Record

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

Sec. 1. 22 MRSA §1711-B, sub-§3, ¶C, as amended by PL 1997, c. 793, Pt. A, §5 and affected by §10, is further amended to read:

C. The designee of a durable health care power of attorney executed by the person who is the subject of the record, at such time as the power of attorney is in effect; or

Sec. 2. 22 MRSA §1711-B, sub-§3, ¶D, as enacted by PL 1997, c. 793, Pt. A, §6 and affected by §10, is amended to read:

D. The agent, guardian or surrogate pursuant to the Uniform Health-care Decisions Act; or

Sec. 3. 22 MRSA §1711-B, sub-§3, ¶E is enacted to read:

E. The lay caregiver designated pursuant to section 1711-G by the person who is the subject of the record.

Sec. 4. 22 MRSA §1711-C, sub-§6, ¶¶R and S, as enacted by PL 1999, c. 512, Pt. A, §5 and affected by §7 and c. 790, Pt. A, §§58 and 60, are amended to read:

R. To a member of the media who asks a health care facility about an individual by name, of brief confirmation of general health status unless expressly prohibited by the individual or a person acting pursuant to subsection 3-B; ~~and~~

S. To a member of the public who asks a health care facility about an individual by name, of the room number of the individual and brief confirmation of general health status unless expressly prohibited by the individual or a person acting pursuant to subsection 3-B; ~~and~~

Sec. 5. 22 MRSA §1711-C, sub-§6, ¶T is enacted to read:

T. To a lay caregiver designated by an individual pursuant to section 1711-G.

Sec. 6. 22 MRSA §1711-G is enacted to read:

§1711-G. Designated lay caregivers

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

A. "Aftercare" means any assistance to a patient, after the patient's discharge, that is directly related to the content of the patient's hospital discharge plan and that is provided by a lay caregiver designated pursuant to subsection 2, including assistance with basic or instrumental activities of daily living, performance of medical and nursing tasks, assistance in administering medication and operation of medical equipment.

B. "Discharge" means a patient's exit or release from a hospital to the patient's residence or another health care setting following any medical care or treatment at the hospital or observation at the hospital for a period that includes midnight of at least one calendar day.

C. "Residence" means a dwelling that a person considers to be the person's home. "Residence" does not include a rehabilitation facility, hospital, nursing home, assisted living facility, group home or any other health care facility licensed by the State.

2. Designation of lay caregiver. In accordance with this subsection, a hospital licensed under chapter 405, but not a private mental hospital as described in chapter 404, shall allow for the designation of a lay caregiver to provide aftercare to a patient.

A. For a patient with capacity to make health-care decisions, as described in Title 18-A, Article 5, Part 8, the hospital shall provide the patient with at least one opportunity to designate a lay caregiver following the patient's admission to the hospital, or observation at the hospital for a period that includes midnight of at least one calendar day, and prior to the patient's discharge.

B. For a patient without capacity to make health-care decisions, as described in Title 18-A, Article 5, Part 8, the hospital shall provide the patient's legal guardian, agent or surrogate who is reasonably available and acting pursuant to Title 18-A, Article 5, Part 8 with at least one opportunity to designate a lay caregiver following the patient's admission to the hospital, or observation at the hospital for a period that includes midnight of at least one calendar day, and prior to the patient's discharge.

C. The hospital shall document the designation of a lay caregiver under this subsection in the patient's medical record, including the lay caregiver's name, relationship to the patient, telephone number, address and any other contact information as provided. If the patient or the patient's legal guardian, agent or surrogate who is reasonably available and acting pursuant to Title 18-A, Article 5, Part 8 declines to designate a lay caregiver, the hospital shall document that decision in the patient's medical record and that documentation constitutes compliance by the hospital with the requirements of this section. A designated lay caregiver may be removed or changed by the patient or the patient's legal guardian, agent or surrogate at any time, so long as the change or removal is documented by the hospital in the patient's medical record.

D. Designation of a lay caregiver under this subsection by the patient or the patient's legal guardian, agent or surrogate who is reasonably available and acting pursuant to Title 18-A, Article 5, Part 8 is optional. A designated lay caregiver is not obligated under this section to perform any aftercare tasks for the patient.

3. Written consent. If a lay caregiver is designated under subsection 2, the hospital shall request that the patient or the patient's legal guardian, agent or surrogate who is reasonably available and acting pursuant to Title 18-A, Article 5, Part 8 provide written consent to release medical information regarding the scope of care to the patient's designated lay caregiver to carry out the purposes of this section. Written consent under this subsection must be provided pursuant to the hospital's established procedures for releasing personal health information and in compliance with state and federal law.

4. Notice to designated lay caregiver. For a patient unable to effectively communicate with a lay caregiver designated under subsection 2, and for whom written consent is received under subsection 3, a hospital shall make reasonable efforts to notify the designated lay caregiver prior to the patient's discharge or transfer to another hospital licensed under chapter 405. The hospital may not withhold, delay or otherwise fail to deliver medical care to the patient or an appropriate discharge or transfer of the patient because the hospital is unable to notify the designated lay caregiver in accordance with this subsection prior to the patient's discharge or transfer. A hospital shall document in the patient's medical record its attempt to notify the designated lay caregiver under this subsection.

5. Discharge plan. If written consent is received under subsection 3, a hospital shall make reasonable efforts to communicate with a lay caregiver designated under subsection 2 regarding the development of a patient's discharge plan to help prepare the designated lay caregiver for the patient's aftercare needs at the patient's residence in accordance with the hospital's discharge policy.

6. Instruction to designated lay caregiver. If written consent is received under subsection 3, prior to a patient's discharge, the hospital shall make reasonable efforts to instruct the patient's lay caregiver designated under subsection 2, in a culturally competent manner, on how to meet the patient's aftercare needs and shall provide a meaningful opportunity for the designated lay caregiver to ask questions about the patient's discharge plan.

7. Noninterference with health care directives. The provisions of this section may not be construed to interfere with the rights of an agent of a patient operating under a valid health care directive under Title 18-A, Article 5, Part 8.

8. Rules. The department may adopt rules to carry out the purposes of this section, including defining the content and scope of any instruction given under subsection 5 or 6. In the development of any rules pursuant to this subsection, the department shall consult with representatives of hospitals, consumers and organizations that represent seniors. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 371

H.P. 638 - L.D. 919

An Act To Provide Access to Opioid Analgesics with Abuse-deterrent Properties

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

Sec. 1. 24-A MRSA §4320-J is enacted to read:

§4320-J. Coverage for abuse-deterrent opioid analgesic drug products

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

A. "Abuse-deterrent opioid analgesic drug product" means a brand or generic opioid analgesic drug product approved by the federal Food and Drug Administration with abuse-deterrent labeling claims that indicate the drug product is expected to result in a meaningful reduction in abuse.

B. "Cost sharing" means any coverage limit, co-payment, coinsurance, deductible or other out-of-pocket expense associated with a health plan.

C. "Opioid analgesic drug product" means a drug product in the opioid analgesic drug class prescribed to treat moderate to severe pain or other conditions, whether in immediate release or extended release, long-acting form and whether or not combined with other drug substances to form a single drug product or dosage form.

2. Required coverage. A carrier offering a health plan in this State shall provide coverage for abuse-deterrent opioid analgesic drug products listed on any formulary, preferred drug list or other list of drugs used by the carrier on a basis not less favorable than that for opioid analgesic drug products that are not abuse-deterrent and are covered by the health plan. An increase in enrollee cost sharing to achieve compliance with this section may not be implemented.

Sec. 2. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2016. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 372
S.P. 435 - L.D. 1230

**An Act To Create a Digital
Content Library for Education**

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

Whereas, there is not currently a digital content library for schools, colleges and universities to access digital educational content aligned to Maine's educational priorities, including assignments, learning resources and content;

Whereas, educational opportunities would be improved through easier access to digital content aligned with Maine's educational priorities;

Whereas, this legislation requires the establishment of an advisory group to design the digital content library and recommend to the Commissioner of Education an implementation plan and timeline in sufficient time for the commissioner to submit a report by January 15, 2016; and

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

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

Sec. 1. 20-A MRSA c. 805 is enacted to read:

CHAPTER 805

**DIGITAL CONTENT LIBRARY FOR
EDUCATION**

§19301. Digital content library

1. Digital content library established. The commissioner shall establish a digital content library to house a collection of high-quality digital educational content and learning resources aligned with the State's educational initiatives, delivered electronically by school administrative units, private schools, public and private postsecondary institutions and nonprofit or for-profit content providers for sharing with other school administrative units, private schools, public and private postsecondary institutions and individuals.

2. Content. Content included in the digital content library established pursuant to subsection 1 must further the State's educational initiatives, including learning through technology, proficiency-based diploma standards, college and career readiness and student achievement in the system of standards and assessment established under chapter 222.

3. Administration. The commissioner shall establish administrative specifications for the digital content library established pursuant to subsection 1, including:

A. Specifications and criteria in at least the following areas regarding digital educational content and learning resources to be included in the digital content library:

- (1) Alignment with the system of learning results established under section 6209;
- (2) Development of greater student depth of knowledge or complex reasoning;
- (3) Integration of technology;
- (4) Relevance to community involvement and employment in the State;
- (5) Level of interest to students; and
- (6) Quality of instruction;

B. A method for involving educators, educational organizations and institutions, school administrative units, private schools, public and private postsecondary institutions and nonprofit or for-profit content providers to create content for possible inclusion in the digital content library;

C. A method for reviewing digital educational content and learning resources to determine whether digital educational content and learning resources should be included in the digital content library;

D. A method for curating digital educational content and learning resources included in the digital content library to provide for continuous review of currency and consistency with the specifications and criteria adopted under this section; and

E. Technical specifications in at least the following areas:

- (1) Cataloguing available content, with information regarding each item of digital educational content or learning resource that includes:
 - (a) Identification of appropriate grade level;
 - (b) Subject area;
 - (c) Brief descriptions, including descriptions of the type of digital educational content or learning resource;
 - (d) Links to the digital educational content or learning resource; and

(e) Number of instructional hours required to complete the digital educational content or learning resource;

(2) A rating and recommendation system for students and educators to provide feedback on digital educational content and learning resources included in the digital content library;

(3) Tracking use of specific digital educational content or learning resources; and

(4) Accessibility of the digital content library from any device with Internet connectivity.

4. Review. The commissioner may convene an advisory group consisting of, at a minimum, a representative from the department, a public school educator from the State and a representative from a statewide educational association or organization to review and suggest modifications and updates to the digital content library established pursuant to subsection 1. The commissioner shall review and may approve or modify the recommendations of the advisory group regarding the requirements set forth in this section.

5. Training. The commissioner may provide professional development and training on the use of the digital content library.

6. Power to contract. The commissioner may enter into a contract with an entity to implement any recommendations of the advisory group under subsection 4.

7. Report. The commissioner shall report annually by January 15th to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs regarding the digital content library established pursuant to subsection 1, and specifically the items in this section.

Sec. 2. Digital content library advisory group. The Commissioner of Education shall convene an advisory group to design the digital content library established under the Maine Revised Statutes, Title 20-A, chapter 805. The advisory group must include a representative from the Department of Education, a public school educator in the State and a representative from a statewide educational association or organization. The advisory group shall recommend to the commissioner methods for fulfilling the requirements of Title 20-A, section 19301. In addition, the advisory group shall:

1. Recommend a business model that allows for competitive exchange of digital educational content and learning resources that maintains low costs for schools and rewards authors when their digital educational content and learning resources are accessed through the digital content library; and

2. Establish an implementation plan and timeline for the digital content library.

The recommendations of the advisory group must be included, in written form, in the report by the commissioner to the Joint Standing Committee on Education and Cultural Affairs required by January 15, 2016 under Title 20-A, section 19301, subsection 7.

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

Effective July 16, 2015.

CHAPTER 373

S.P. 59 - L.D. 125

An Act Extending Workers' Compensation Benefits to Certain Employees of the Office of the State Fire Marshal Who Contract Cancer

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

Sec. 1. 39-A MRSA §328-B, sub-§1, ¶¶B and C, as enacted by PL 2009, c. 408, §1, are amended to read:

B. "Employed" means to be employed as an active duty firefighter or by the Office of the State Fire Marshal or to be an active member of a volunteer fire association with no compensation other than injury and death benefits.

C. "Firefighter" means a member of a municipal fire department or volunteer fire association whose duties include the extinguishment of fires or an investigator or sergeant in the Office of the State Fire Marshal.

Sec. 2. 39-A MRSA §328-B, sub-§6, as enacted by PL 2009, c. 408, §1, is amended to read:

6. Length of service. In order to qualify for the presumption under subsection 2, the firefighter must have been employed as a firefighter for 5 years and, except for an investigator or sergeant in the Office of the State Fire Marshal, regularly responded to firefighting or emergency calls.

Sec. 3. 39-A MRSA §328-B, sub-§8 is enacted to read:

8. Safety equipment for investigators and sergeants in the Office of the State Fire Marshal. In order to qualify for the presumption under subsection 2, an investigator or sergeant in the Office of the State Fire Marshal must represent that the investigator or sergeant used protective equipment in compliance with the policies of the Office of the State Fire Marshal in

effect during the course of the investigator's or sergeant's employment.

See title page for effective date.

CHAPTER 374

S.P. 501 - L.D. 1369

An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity

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

Sec. 1. 12 MRSA §10503, sub-§6, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

6. Judgment against claimant. If the court finds the claimant entitled to no part of the articles seized, the court shall render judgment against that claimant for the libellant for costs, including costs incurred to remove or euthanize the fish or wildlife possessed without a permit, to be taxed as in civil cases before the court, and issue execution thereon, and declare the articles forfeited to the State;

Sec. 2. 12 MRSA §12151, sub-§1, as enacted by PL 2003, c. 655, Pt. B, §200 and affected by §422, is amended to read:

1. Prohibition. A person may not keep wildlife in captivity except as provided under sections section 10105, subsection 10, sections 12102, 12152, ~~12155~~, 12157, 12158 and 12704 and Title 7, section 1809 or except if the wild animal was purchased from a dealer or pet shop licensed under Title 7, section 3933.

Sec. 3. 12 MRSA §12151, sub-§2, ¶A, as enacted by PL 2003, c. 655, Pt. B, §200 and affected by §422, is amended to read:

A. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

Sec. 4. 12 MRSA §12151, sub-§2, ¶C is enacted to read:

C. The department may seize fish or wildlife in accordance with sections 10502 and 10503 from a person who violates subsection 1.

Sec. 5. 12 MRSA §12152, sub-§1-A is enacted to read:

1-A. Permit required. Except as otherwise provided in this Part, a person may not import wildlife into or possess wildlife in the State or receive or possess wildlife imported into the State. The department shall maintain a list of unregulated fish and wildlife species that is available to the public. Each day a per-

son violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable permit fee must be imposed. The commissioner may grant a permit to introduce, import, transport, receive or possess fish or gametes in accordance with the provisions of section 12509.

Sec. 6. 12 MRSA §12152, sub-§3, as amended by PL 2005, c. 117, §2, is repealed and the following enacted in its place:

3. Issuance. The commissioner may issue a permit to a person permitting the introduction, importation, possession and use of wildlife in accordance with the provisions of subsection 5.

Sec. 7. 12 MRSA §12152, sub-§§3-A, 3-B and 3-C are enacted to read:

3-A. Restrictions. A permit issued pursuant to this section does not authorize the permittee to:

A. Possess, propagate or sell deer, bear, moose, wild turkey, hybrid wild turkey or wild turkey-domestic turkey cross nor does it authorize the permittee to possess, propagate or sell any wild animal taken in accordance with section 11601, 11602, 12401, 12402 or 12404; or

B. Import any species of wild turkey, hybrid wild turkey or wild turkey-domestic turkey cross or the eggs of these species.

3-B. Application fees. Each applicant for a permit to introduce or import fish or wildlife into or possess fish or wildlife in the State shall submit a written application in the form required by the commissioner. The application must be accompanied by a nonrefundable application fee as follows:

A. Propagation, \$27;

B. Commercial exhibition or attracting trade, \$250;

C. Personal use, \$27;

D. Rehabilitation, no fee;

E. Importation, \$250;

F. Possession, \$250;

G. Professional or vocational husbandry, \$27; and

H. Therapy or aid to disabled persons, \$27.

3-C. Issuance for unpermitted wildlife. The commissioner may issue a permit under this section to a person who possesses wildlife without a permit for which a permit is required if the possession would have been allowed had the person applied for a permit before importing or possessing the wildlife. A person issued a permit under this subsection must pay a fee of \$500 in addition to the applicable application fee and

permit fee. A person issued a permit under this subsection may not be charged with a penalty under section 12151.

Sec. 8. 12 MRSA §12152, sub-§4, as amended by PL 2005, c. 12, Pt. III, §22, is further amended to read:

4. Permit fees. Permit fees and terms are as follows:

- A. Propagation, \$27 ~~for every~~ 2 calendar years;
- B. Commercial exhibition or attracting trade, \$147 every 2 calendar years ~~from July 1st to June 30th~~;
- C. Personal use, ~~professional or vocational husbandry, therapy or aid to disabled persons,~~ \$27 every 2 calendar years; ~~and~~
- D. Rehabilitation, renewable every 2 calendar years, no fee;
- E. Importation, \$27;
- F. Possession, \$27 every 2 calendar years;
- G. Professional or vocational husbandry, \$27 every 2 calendar years; and
- H. Therapy or aid to disabled persons, \$27 every 2 calendar years.

Sec. 9. 12 MRSA §12152, sub-§4-A is enacted to read:

4-A. Renewal. A permit holder who wishes to renew a permit issued under this section must renew the permit prior to its expiration date. The department may assess a late fee of \$25, in addition to the required permit fee, to a person who does not renew a permit prior to its expiration date.

Sec. 10. 12 MRSA §12152, sub-§5, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

5. Rules. The commissioner may adopt rules necessary for the administration of this section, including provisions to ensure that all wildlife possessed under these permits receives humane treatment and proper husbandry and security, and to safeguard the interests of the wildlife and citizens of the State. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Rules adopted may include but are not limited to rules that:

- A. Maintain updated inspection provisions for applicants attempting to acquire a permit to possess or introduce, import and possess fish or wildlife in captivity;
- B. Maintain a fee structure to establish fees for inspection provisions for regulated species;

C. Provide a process that allows authorized independent contractors to meet with permit applicants to educate applicants on minimum standard facility requirements and to inspect current facilities to recommend approval or denial of a permit; and

D. Charge a responsible party for the cost incurred to remove or euthanize unpermitted regulated fish or wildlife species.

Sec. 11. 12 MRSA §12155, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §204 and affected by §422, is repealed.

Sec. 12. 12 MRSA §12704, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

§12704. Permit to hunt, trap, possess, band and transport wild animals and wild birds for educational or scientific purposes

The commissioner may issue a permit to any person, permitting that person to hunt, trap, possess, band and transport wild animals and wild birds for educational or scientific purposes.

Sec. 13. 12 MRSA §12705, as affected by PL 2003, c. 614, §9 and repealed and replaced by c. 655, Pt. B, §292 and affected by §422, is amended to read:

§12705. Rule violations; educational or scientific collection permits

The following penalties apply to violations of rules regulating educational or scientific collection permits.

1. Civil violation. Notwithstanding section 10650, a person who violates a rule regulating educational or scientific collection permits commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

2. Criminal violation. A person who violates a rule regulating educational or scientific collection permits after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

CHAPTER 375

S.P. 216 - L.D. 623

An Act To Expand Maine's Carbon Monoxide Detectors Law

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

Sec. 1. 25 MRSA §2468, sub-§1, ¶A-1 is enacted to read:

A-1. "Educational facility" means a public or private postsecondary institution incorporated or chartered under the laws of this State or a child care facility as defined in Title 22, section 8301-A, subsection 1-A, paragraph B.

Sec. 2. 25 MRSA §2468, sub-§2, as amended by PL 2011, c. 553, §1, is further amended to read:

2. Carbon monoxide detectors required. The owner shall install, or cause to be installed, by the manufacturer's requirements at least one approved carbon monoxide detector in each area within, or giving access to, bedrooms in:

A. Each unit in any building of multifamily occupancy; a fraternity house, sorority house or dormitory that is affiliated with an educational facility; a children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home as defined in Title 22, section 8101; or a hotel, motel, inn or bed and breakfast licensed as an eating and lodging place or a lodging place under Title 22, chapter 562. The owner shall use a carbon monoxide detector that is powered by:

- (1) Both the electrical service in the building and a battery; or
- (2) A nonreplaceable 10-year battery;

B. Any addition to or restoration of:

- (1) An existing single-family dwelling that adds at least one bedroom to the dwelling unit; or,
- (2) A fraternity house, sorority house or dormitory established on or after August 1, 2012 that is affiliated with a private or public school or private or public postsecondary institution incorporated or chartered under the laws of this State; or

The owner shall use a carbon monoxide detector that is powered both by the electrical service in the building and by a battery; and

C. Any conversion of a building to:

- (1) A single-family dwelling; or
- (1-A) A structure listed in paragraph A.
- (2) A hotel, motel, inn or bed and breakfast upon initial licensure as an eating and lodging place or a lodging place under Title 22, chapter 562 on or after August 1, 2012; or
- (3) A fraternity house, sorority house or dormitory established on or after August 1, 2012 that is affiliated with a private or public school or private or public postsecondary in-

~~stitution incorporated or chartered under the laws of this State.~~

The owner shall use a carbon monoxide detector that is powered both by the electrical service in the building and by a battery.

~~A carbon monoxide detector must be powered both by the electrical service in the building or dwelling and by battery.~~

Sec. 3. 25 MRSA §2468, sub-§§11 to 13 are enacted to read:

11. Educational facilities. An educational facility shall install, or cause to be installed, by the manufacturer's requirements at least one approved carbon monoxide detector in each building of the educational facility that is used for educational purposes by at least 6 persons for at least 4 hours per day or more than 12 hours per week. The owner shall use a carbon monoxide detector that is powered by:

- A. Both the electrical service in the building and a battery; or
- B. A nonreplaceable 10-year battery.

12. Exemption. A dormitory or other building of an educational facility is exempt from the requirements of this section if the dormitory or other building meets the standards for the installation of carbon monoxide detection and warning equipment adopted by the National Fire Protection Association.

13. Compliance schedule. A public or private postsecondary institution shall, for each dormitory or other building that is not exempt from the requirements of this section pursuant to subsection 12, begin installation of carbon monoxide detectors as required by this section by August 1, 2016 and shall achieve full compliance by January 1, 2019.

Sec. 4. Transition provision. If on January 1, 2016 a person who is required to use a carbon monoxide detector by the Maine Revised Statutes, Title 25, section 2468 has already in use a carbon monoxide detector powered by a replaceable battery, that person may continue to use that detector until the recommended replacement date specified by the manufacturer of the carbon monoxide detector. By the manufacturer's recommended replacement date that person shall install a carbon monoxide detector that is in compliance with the provisions of Title 25, section 2468 governing carbon monoxide detector power sources.

Sec. 5. Effective date. This Act takes effect January 1, 2016.

Effective January 1, 2016.

CHAPTER 376
H.P. 995 - L.D. 1453

**An Act To Fund Agreements
with Bargaining Units for
Certain Executive Branch
Employees and Ensure
Equitable Treatment for Other
Executive Branch Employees**

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

Whereas, certain obligations and expenses incident to the operation of state collective bargaining agreements will become due and payable immediately; and

Whereas, it is the responsibility of the Legislature to act upon those portions of collective bargaining agreements negotiated by the executive branch that require legislative action; and

Whereas, the Governor and the Legislature share a desire to address in a timely manner the needs of certain state employees excluded from collective bargaining units; and

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

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

Sec. 1. Adjustment of salary schedules for fiscal year 2015-16. Effective at the beginning of the pay week commencing closest to September 1, 2015, the salary schedules for executive branch employees in bargaining units represented by the American Federation of State, County and Municipal Employees, the Maine State Troopers Association and the Maine State Law Enforcement Association must be adjusted upward according to the respective collective bargaining agreements. The salary schedules for executive branch employees in bargaining units represented by the Maine State Employees Association must be adjusted consistent with the terms of any tentative agreements ratified prior to September 30, 2015.

Sec. 2. Adjustment of salary schedules for fiscal year 2016-17. Effective at the beginning of the pay week commencing closest to July 1, 2016, the salary schedules for executive branch employees in bargaining units represented by the American Federation of State, County and Municipal Employees, the Maine State Troopers Association and the Maine State

Law Enforcement Association must be adjusted upward according to the respective collective bargaining agreements. The salary schedules for executive branch employees in bargaining units represented by the Maine State Employees Association must be adjusted consistent with the terms of any tentative agreements ratified prior to September 30, 2015.

Sec. 3. New, temporary and seasonal employees; similar and equitable treatment. Employees in classifications included in bargaining units subject to collective bargaining agreements described in section 6 of this Act who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F must be given treatment similar and equitable to that given employees covered by the collective bargaining agreements.

Sec. 4. Confidential employees; similar and equitable treatment. The salary schedules for confidential employees must be adjusted consistent with the salary schedule adjustment for employees in bargaining units represented by the Maine State Troopers Association and the Maine State Law Enforcement Association. For the purposes of this section, "confidential employees" means those employees within the executive branch, including probationary employees, who are in positions excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J.

Sec. 5. Employee salaries subject to Governor's adjustment or approval. The Governor is authorized to grant similar and equitable treatment consistent with this Act for those unclassified employees whose salaries are subject to the Governor's adjustment or approval.

Sec. 6. Costs to General Fund and Highway Fund. Costs to the General Fund and Highway Fund must be provided in all or part through a transfer of Personal Services appropriations within and between departments and agencies and in accordance with Public Law 2015, chapter 267, Part DDDD and from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services up to \$8,000,000 for the fiscal year ending June 30, 2016 and up to \$12,000,000 for the fiscal year ending June 30, 2017 to implement the economic terms of the collective bargaining agreements made in the months of June through September of calendar year 2015 by the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association and the Maine State Employees Association, to provide equitable treatment of employees excluded from bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F and, notwithstanding Title 26,

section 979-D, subsection 1, paragraph E, subparagraph (3), to implement equitable adjustments for confidential employees.

Sec. 7. Transfer of Personal Services appropriations between programs and departments. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, available balances in the General Fund for Personal Services in fiscal year 2015-16 and fiscal year 2016-17 may be transferred by financial order between programs and departments within the General Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees.

Sec. 8. Transfer from Salary Plan program and special account funding. The Salary Plan program, General Fund account in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of the collective bargaining agreements for state employees and for other economic items contained in this Act in fiscal years 2015-16 and 2016-17. Positions supported from sources of funding other than the General Fund and the Highway Fund must be funded from those other sources.

Sec. 9. Transfer of Personal Services allocations between programs and departments. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, available balances in the Highway Fund for Personal Services in fiscal year 2015-16 and fiscal year 2016-17 may be transferred by financial order between programs and departments within the Highway Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees.

Sec. 10. Authorization for reimbursement of costs associated with contract resolution. The Department of Administrative and Financial Services may be reimbursed from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services for the costs of contract resolution, administration and implementation and other costs required by the process of collective bargaining and negotiation procedures.

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

Effective July 17, 2015.

CHAPTER 377 S.P. 557 - L.D. 1455

An Act To Make a Technical Correction to a Recently Enacted Law Regarding the Appointment of District Court Judges

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

Whereas, Public Law 2015, chapter 267 increased the count and funding for District Court judges without amending the statutory count of District Court judges; and

Whereas, the statutory number should be corrected immediately to allow for the nomination and confirmation of the new judges as soon as possible; and

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

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

Sec. 1. 4 MRSA §157, sub-§1, ¶A, as amended by PL 2005, c. 519, Pt. III, §2, is further amended to read:

A. The Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary matters and to confirmation by the Legislature, shall appoint to the District Court ~~36~~ 38 judges. At least one judge must be appointed from each district who is a resident of a county in which the district lies, except that in District 3 there must be 2 judges appointed who are residents of a county in which the district lies; in District 6 there must be 2 judges appointed who are residents of a county in which the district lies; and in District 9 there must be 2 judges appointed who are residents of a county in which the district lies. Each District Court Judge has a term of office of 7 years.

To be eligible for appointment as a District Judge, a person must be a member of the bar of the State. The term "District Judge" includes the Chief Judge and Deputy Chief Judge.

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

Effective July 17, 2015.

CHAPTER 1 H.P. 160 - L.D. 228 An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2016		Be it enacted by the People of the State of Maine as follows:	
Sec. 1. Allocation. Gross revenues of the Maine Turnpike Authority for the calendar year end- ing December 31, 2016 must be segregated, appor- tioned and disbursed as designated in the following schedule.			
MAINE TURNPIKE	2016		
AUTHORITY			
Administration		Fare Collection	
Personal Services	\$1,174,693	Personal Services	\$9,901,756
All Other	1,544,411	All Other	3,673,678
TOTAL	\$2,719,104	TOTAL	\$13,575,434
Accounts and Controls		Public Safety and Special Ser- vices	
Personal Services	\$2,884,074	Personal Services	\$448,516
All Other	1,291,164	All Other	6,041,708
TOTAL	\$4,175,238	TOTAL	\$6,490,224
Highway Maintenance		Building Maintenance	
Personal Services	\$4,389,009	Personal Services	\$555,919
All Other	2,930,269	All Other	552,116
TOTAL	\$7,319,278	TOTAL	\$1,108,035
Equipment Maintenance		Subtotal of Line Items Budgeted	\$38,719,285
Personal Services	\$1,180,020	General Contingency - 5% of line items budgeted for 2015 (10% allowed)	\$1,935,964
		MAINE TURNPIKE	
		AUTHORITY	
		TOTAL REVENUE FUNDS	\$40,655,249
		Sec. 2. Transfer of allocations. Any balance of the allocation for "General Contingency" made by the Legislature for the Maine Turnpike Authority may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year. Any balance of any other allocation or subdivi- sion of any other allocation made by the Legislature	

for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. Financial statements describing the transfer, other than a transfer from "General Contingency," must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In the case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

Sec. 3. Encumbered balance at year-end.

At the end of each calendar year, encumbered balances may be carried to the next calendar year.

Sec. 4. Supplemental information. As required by the Maine Revised Statutes, Title 23, section 1961, subsection 6, the following statement of the revenues in 2016 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2016, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

Turnpike Revenue Bond Resolution Adopted April 18, 1991;
Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 1 and former subsection 2 2016

Debt Service Fund	\$35,089,696
Reserve Maintenance Fund	37,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	15,549,815

Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 2-A	3,700,613

TOTAL	\$91,340,124

See title page for effective date.

CHAPTER 2

S.P. 85 - L.D. 216

An Act To Amend the Charter of the Hampden Water District

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

Whereas, this legislation must take effect before the expiration of the 90-day period to provide for the filling of any vacancies on the board of trustees of the Hampden Water District; and

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

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

Sec. 1. P&SL 1937, c. 34, §8, 4th and 5th ¶¶, as enacted by P&SL 2001, c. 5, §3, are amended to read:

The terms of trustees of the district are for ~~5~~ 3 years. The trustees must be nominated and elected under the same procedure and at the same time as provided for the town councilors of the town.

The term of office of the trustees begins on the 3rd Thursday of January. In the event a vacancy arises in the membership of the board of trustees, the ~~unexpired term of the vacant office must be filled by the Town Council of the Town of Hampden~~ trustees may call and hold a special election to fill the vacancy in the same manner as elections are called and held for expired terms pursuant to this act or the trustees may appoint a person eligible to fill the vacancy. When any trustee ceases to be a resident of the district, the trustee shall vacate the office of trustee and the vacancy must be filled pursuant to this section. The trus-

tees may establish in bylaws particular circumstances under which a vacancy is deemed to be created, including, but not limited to, a trustee's ceasing to be a resident of the district. All trustees are eligible for reelection, but a person holding the office of town councilor or road commissioner in the Town of Hampden is not eligible for nomination or election as trustee. The trustees may procure an office and incur expenses as may be necessary. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 7, the compensation of the trustees and the treasurer of the board of trustees is determined by the board of trustees. At the close of each fiscal year, the trustees shall make a detailed report of their doings, of the receipts and expenditures of the water district, of its financial and physical condition and of any other matters and things pertaining to the district that will show the inhabitants of the district how the trustees are fulfilling the duties and obligations of their trust, such report to be made and filed with the Town Council of the Town of Hampden.

Sec. 2. Transition; modification of current terms. The terms of trustees of the Hampden Water District serving on the effective date of this Act are modified in accordance with this section. Before the 3rd Thursday of January 2016, the trustees shall determine by agreement or, failing to agree, they shall determine by lot new terms of office of each trustee as follows:

1. One trustee's term ends on the 3rd Thursday of January 2017;
2. Two trustees' terms end on the 3rd Thursday of January 2018; and
3. Two trustees' terms end on the 3rd Thursday of January 2019.

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

Effective April 16, 2015.

CHAPTER 3

H.P. 483 - L.D. 707

An Act To Correct an Error in the Law That Allows a Break in Control of Access on William L. Clarke Drive in the City of Westbrook

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

Whereas, in 2011, the 125th Legislature approved a break in access for a parcel of land in the City of Westbrook; and

Whereas, the approved law contained an error that has caused significant delays in the development of this parcel of land; and

Whereas, it is important that this error be corrected as soon as possible to prevent further delays; and

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

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

Sec. 1. P&SL 2011, c. 3, §1 is amended to read:

Sec. 1. Allow an entrance through control of access on William L. Clarke Drive in the City of Westbrook. At the request of the owner of the parcel on Westbrook Tax Map 32, Lot 52 53, the Department of Transportation shall allow an entrance to be built on William L. Clarke Drive in the City of Westbrook on the condition that the owner assume all costs for the repayment of federal funds used by the Department of Transportation to acquire control of access on William L. Clarke Drive in the City of Westbrook and for environmental permitting for the break in control of access to be built on William L. Clarke Drive in the City of Westbrook. The break in control of access must be no more than 75 feet in width and located between station 35+00 and 43+00 on William L. Clarke Drive as shown on the Maine Department of Transportation right-of-way map, S.H.C. File Number 3-189 sheets 6 and 7, September 1968, for the parcel on Westbrook Tax Map 32, Lot 52 53. Any break in access must be in accordance with the Department of Transportation's procedures for control of access modifications.

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

Effective April 29, 2015.

CHAPTER 4
H.P. 717 - L.D. 1048

**An Act To Allow School
Administrative District No. 27
To Transfer Ownership of the
St. Francis Elementary School
to the Town of St. Francis**

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

Whereas, School Administrative District No. 27 is the owner of the St. Francis Elementary School building and its site in the Town of St. Francis; and

Whereas, the board of directors of School Administrative District No. 27 and the municipal officers of the Town of St. Francis have agreed that it would be in the best interests of School Administrative District No. 27 and the Town of St. Francis for School Administrative District No. 27 to transfer the St. Francis Elementary School building and its site to the Town of St. Francis so that a portion of the property could be leased back to School Administrative District No. 27 for educational purposes for continued use as an elementary school; and

Whereas, the Maine Revised Statutes, Title 20-A, section 4103, subsection 3 provides for the transfer of control or ownership of a school building that has been closed for lack of need and that does not have any anticipated use as a school building to the municipal officers or inhabitants of the town, but does not authorize transfer of a school building to a municipality if the school administrative unit intends to continue to use a portion of the building for school purposes; and

Whereas, the 2015-2016 school year may begin before the expiration of the 90-day period; and

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

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

Sec. 1. Authority to convey. Notwithstanding the Maine Revised Statutes, Title 20-A, chapter 202, the board of directors of School Administrative District No. 27 may transfer to the Town of St. Francis ownership of the St. Francis Elementary School building and its site, subject to the approval of the voters of the Town of St. Francis. Following the transfer of ownership, the municipal officers of the Town of St.

Francis may lease a portion of the St. Francis Elementary School building and its site back to School Administrative District No. 27 for use for educational purposes. The initial term of the lease may be extended for any number of subsequent terms. Subject to applicable law, the municipal officers of the Town of St. Francis are authorized to renovate, use, lease, sell, mortgage or otherwise convey any portion of the St. Francis Elementary School building and its site, subject, however, to any rights and interests of School Administrative District No. 27 as lessee of a portion of the property for educational purposes. As long as School Administrative District No. 27 leases any portion of the property for educational purposes, the other uses of the property must be compatible with use of the property for educational purposes as reasonably determined by the board of directors.

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

Effective April 30, 2015.

CHAPTER 5
S.P. 243 - L.D. 650

**An Act To Amend the
Brunswick Sewer District
Charter**

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

Sec. 1. P&SL 1947, c. 77, §31, sub-§1, last sentence, as amended by P&SL 1987, c. 104, §2 and affected by §5, is further amended to read:

The total indebtedness at any time ~~shall~~ may not exceed ~~\$20,000,000~~ \$25,000,000.

Sec. 2. Referendum; effective date. This Act takes effect when approved only for the purpose of permitting its submission to the legal voters of the Brunswick Sewer District at an election called for that purpose and held by November 7, 2017. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the election. The subject matter of this Act is reduced to the following question:

"Do you favor changing the debt limit of the Brunswick Sewer District from \$20,000,000 to \$25,000,000?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Brunswick and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all other purposes immediately upon its approval by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, provided the referenda are held by November 7, 2017.

Effective pending referendum.

CHAPTER 6

S.P. 408 - L.D. 1139

An Act To Provide for the 2015 and 2016 Allocations of the State Ceiling on Private Activity Bonds

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

Whereas, the Maine Revised Statutes, Title 10, section 363 and Private and Special Law 2013, chapter 20 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2015 but leave a portion of the state ceiling unallocated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if not enacted on an emergency basis; and

Whereas, if these bond issues must be delayed due to the lack of available state ceiling, the rates and terms under which these bonds may be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; and

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

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

Sec. 1. Allocation to the Treasurer of State. The \$5,000,000 of the state ceiling on private activity bonds for calendar year 2015 previously allocated to the Treasurer of State remains allocated to the

Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2015. Five million dollars of the state ceiling for calendar year 2016 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The \$40,000,000 of the state ceiling on private activity bonds for calendar year 2015 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for calendar year 2015. Thirty-five million dollars of previously unallocated state ceiling for calendar year 2015 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6 for calendar year 2015. Forty million dollars of the state ceiling for calendar year 2016 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

Sec. 3. Allocation to the Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling on private activity bonds for calendar year 2015 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 2015. Ten million dollars of the state ceiling for calendar year 2016 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

Sec. 4. Allocation to the Maine Educational Loan Authority. The \$15,000,000 of the state ceiling on private activity bonds for calendar year 2015 previously allocated to the Maine Educational Loan Authority remains allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2015. Fifteen million dollars of the state ceiling for calendar year 2016 is allocated to the Maine Educational Loan Authority to be used or reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to the Maine State Housing Authority. The \$50,000,000 of the state ceiling on private activity bonds for calendar year 2015 previously allocated to the Maine State Housing Authority remains allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 for calendar year 2015. Fifty million dollars of the state ceiling for calendar year 2016 is allocated to the Maine State Housing Authority to be used

or reallocated in accordance with Title 10, section 363, subsection 4.

Sec. 6. Unallocated state ceiling. One hundred forty-one million eight hundred twenty-five thousand dollars of the state ceiling on private activity bonds for calendar year 2015 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred eighty-one million five hundred fifteen thousand dollars of the state ceiling for calendar year 2016 is unallocated and must be reserved for future allocation in accordance with applicable laws.

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

Effective May 24, 2015.

CHAPTER 7

H.P. 847 - L.D. 1247

An Act To Release a Restriction on 2 Parcels of Former State Land in Greenbush Currently Owned by Anita P. Haskell

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate authorized for conveyance by this Act is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; now, therefore,

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

Sec. 1. Department of Agriculture, Conservation and Forestry to release a restriction on former state land in Greenbush currently owned by Anita P. Haskell. The provision restricting the use to only agricultural or forestry purposes on the land in Greenbush currently owned by Anita P. Haskell, as required by Public Law 1993, chapter 335 and stated in a deed from the State of Maine to Anita P. Haskell and Leon L. Haskell dated February 11, 1994 and recorded in the Penobscot County Registry of Deeds, Book 5564, Page 244, must be released as provided in this section. The Department of Agriculture, Conservation and Forestry shall issue a deed to Anita P. Haskell releasing the restriction of only agricultural or forestry purposes on the land owned by Anita P. Haskell that is subject to the restriction stated in the deed from the State of Maine to Anita P. Haskell and Leon L. Haskell dated Febru-

ary 11, 1994 and recorded in the Penobscot County Registry of Deeds, Book 5564, Page 244. The restriction of use of the property only for agricultural or forestry purposes on the land owned by Anita P. Haskell may be released only after Anita P. Haskell and the Department of Agriculture, Conservation and Forestry have agreed that the State of Maine must be held harmless regarding any and all claims related to the property and the ownership of the property by the State of Maine and any predecessors in title. The release of the deed restriction and the hold harmless clause must be included in a single document constituting the deed to Anita P. Haskell and bind all successors in title. All legal costs related to the release of the deed restriction and the agreement regarding the hold harmless clause are the responsibility of Anita P. Haskell.

Sec. 2. Department of Agriculture, Conservation and Forestry to release a restriction on former state land in Greenbush currently owned by Anita P. Haskell. The provision restricting the use to only agricultural or forestry purposes on the land in Greenbush currently owned by Anita P. Haskell, as required by Public Law 1993, chapter 335 and stated in a deed from the State of Maine to Anita P. Haskell and Leon L. Haskell dated February 11, 1994 and recorded in the Penobscot County Registry of Deeds, Book 5564, Page 245, must be released as provided in this section. The Department of Agriculture, Conservation and Forestry shall issue a deed to Anita P. Haskell releasing the restriction of only agricultural or forestry purposes on the land owned by Anita P. Haskell that is subject to the restriction stated in the deed from the State of Maine to Anita P. Haskell and Leon L. Haskell dated February 11, 1994 and recorded in the Penobscot County Registry of Deeds, Book 5564, Page 245. The restriction of use of the property only for agricultural or forestry purposes on the land owned by Anita P. Haskell may be released only after Anita P. Haskell and the Department of Agriculture, Conservation and Forestry have agreed that the State of Maine must be held harmless regarding any and all claims related to the property and the ownership of the property by the State of Maine and any predecessors in title. The release of the deed restriction and the hold harmless clause must be included in a single document constituting the deed to Anita P. Haskell and bind all successors in title. All legal costs related to the release of the deed restriction and the agreement regarding the hold harmless clause are the responsibility of Anita P. Haskell.

See title page for effective date.

CHAPTER 8
S.P. 495 - L.D. 1362

**An Act Concerning
Membership on the Board of
Directors of the
Lewiston-Auburn Water
Pollution Control Authority**

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

Sec. 1. P&SL 1967, c. 92, §14, first ¶, as amended by P&SL 2011, c. 27, §1, is further amended to read:

Sec. 14. Lewiston-Auburn Water Pollution Control Board. The authority is under the management and direction of a board of directors, which is known as the Lewiston-Auburn Water Pollution Control Board, also referred to as "the board" or "the board of the authority." The board consists of 7 members. The director of the Lewiston Department of Public Works, the City Administrator or acting City Administrator of the City of Lewiston or another employee of the City of Lewiston designated by the City Administrator, the superintendent and the president of the Auburn Sewerage District and the City Manager or acting City Manager of the City of Auburn or another employee of the City of Auburn designated by the City Manager are members of the board by virtue of their respective offices. If the president of the Auburn Sewerage District Trustees declines to serve or resigns as a member of the board of the authority, the president shall select, subject to confirmation by the Auburn Sewerage District Trustees, another trustee or resident of Auburn to serve for the remainder of the term. Notice of the appointment must be given in writing by the clerk of the Auburn Sewerage District to the board of the authority. The Mayor of Lewiston shall appoint, subject to confirmation of the city council, a qualified voter of the City of Lewiston to serve for a 2-year term on the board of the authority and thereafter until a successor takes office. In the event that either the Lewiston resident so selected or the appointee of the president of the Auburn Sewerage District ceases to be a resident of that person's respective city, or dies, becomes incapacitated, or otherwise ceases to be a member of the Auburn Sewerage District Trustees, or if the president of the Auburn Sewerage District dies or becomes incapacitated while serving on the board of the authority, a successor must be elected to serve out the remainder of the term by the Mayor and City Council of Lewiston or the Auburn Sewerage District Trustees, as the case may be.

See title page for effective date.

CHAPTER 9
H.P. 841 - L.D. 1223

**An Act To Revise the Charter
of the Kennebunk Sewer
District**

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

Whereas, this legislation must take effect before the expiration of the 90-day period in order for necessary improvements to be made to the Kennebunk Sewer District system; and

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

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

Sec. 1. Territorial limits; corporate name; purposes. The inhabitants and territorial limits within that part of the Town of Kennebunk situated between the Atlantic Ocean and the southeasterly side of the Maine Turnpike and the territory of the Town of Kennebunk situated on the northwesterly side of the Maine Turnpike and described on the October 2004 Town of Kennebunk tax maps as follows: Map 020, Lot 001; P/O Map 020, Lot 002; Map 027, Lot 014; Map 020, Lot 018; P/O 018, Lot 071; P/O 018, Lot 067; Map 018, Lot 072; P/O 028, Lot 005; Map 027, Lot 005; Map 027, Lot 004; Map 027, Lot 011; P/O 029, Lot 010; P/O 021, Lot 098; Map 020, Lot 001; Map 020, Lot 002; Map 027, Lot 022; Map 027, Lot 020; Map 027, Lot 019; Map 020, Lot 003; and Map 020, Lot 024 are made and declared to be a public sewerage district and a quasi-municipal corporation under the name "Kennebunk Sewer District," referred to in this Act as "the district," and is a system of public sewerage constructed, maintained and operated for the public health and welfare and for the benefits of the inhabitants and property in the district served by the sewerage facilities, in the manner and with the rights, duties and immunities as described in this Act and all applicable statutes.

The district is authorized to provide services outside the territory of the district to school buildings and facilities owned by Maine Regional School Unit 21 or its successors and to municipal buildings and facilities owned by the Town of Kennebunk and may own such easements, rights of way, sewer lines and other facilities as are necessary or convenient to provide that service, but is not responsible for the costs of locating and constructing sewer facilities located outside the

boundaries of the district for that purpose. Any sewer facilities located outside the boundaries of the district for that purpose may be used only by Maine Regional School Unit 21 or its successors and the Town of Kennebunk.

Sec. 2. Authority to construct and maintain. Inside the territory and outside the territory to serve buildings and facilities owned by Maine Regional School Unit 21 or its successors and the Town of Kennebunk, the district has the authority to lay pipes, drains, sewers and conduits, and to take up, repair and maintain the pipes, drains, sewers and conduits or to contract for the pipes, drains, sewers and conduits to be done, in, along and through any public or private ways and public grounds, and in, along and through lands of any person or corporation as provided in this Act, to and into tidal waters, rivers, watercourses and treatment works or into any drain or sewer now or hereafter built that empties into tidal waters, rivers, watercourses and treatment works. The discharge from the pipes, drains, sewers and conduits must be at such points consistent with the requirements of public health as found convenient and reasonable for the district and the flow of existing watercourses. The district shall construct and maintain treatment works, pumping stations, basins, reservoirs, flush tanks and such other appliances for collecting, holding, purifying and disposing of sewerage matter and commercial and industrial waste as may be necessary or proper. The district has the authority to do any or all other things necessary or incidental to accomplish the purposes of the district.

Sec. 3. Exemption from taxation. The district is a public municipal corporation within the meaning of the Maine Revised Statutes, Title 36, section 651, and the property of the district is exempt from taxation to the extent provided in that section.

Sec. 4. Board of trustees. All affairs of the district are managed by a board of trustees composed of 5 members who must be residents of the district and elected as provided in this Act. The trustees holding office on the effective date of this Act shall continue to hold office until their terms expire.

1. Nominations and elections; vacancies; terms. Nominations and elections of trustees must be conducted in accordance with the laws relating to municipal elections in the Maine Revised Statutes, Title 30-A, chapter 121, and all elections must be conducted by secret ballot in accordance with Title 30-A, section 2528.

If a vacancy arises in the membership of the board of trustees, the district shall call a special election, except that, upon request by the board, the municipal officers may fill the vacancy by appointment.

The preparation and correction of lists of the persons qualified to vote in the district is the responsibility of

the registrar of the Town of Kennebunk as defined in Title 21-A, section 1, subsection 38 and must be performed under the same procedure governing the preparation and correction of lists of persons qualified to vote in town elections. All meetings of the district are presided over by a moderator chosen in the same manner and with the same authority as moderators of town meetings. All warrants issued for elections by the trustees must show that only the voters residing within the territorial limits of the district are entitled to vote.

At each annual municipal election of the Town of Kennebunk, the voters of the district shall elect a trustee for the term of 3 years. If the Town of Kennebunk does not hold an annual election, the district shall arrange for an annual election to fill the trustee position that ends in that year and to fill any vacancy in the office of trustee. When a trustee ceases to be a resident of the district, the trustee shall vacate the office of trustee and the vacancy is filled as provided in this subsection, as applicable. All trustees are eligible for reelection or reappointment, but a person who is a municipal officer, as defined in Title 30-A, section 2001, subsection 10, of any town located, in whole or in part, within the district is not eligible for appointment, nomination or election as a trustee of the district.

2. Organization; conduct of business. After each annual municipal election of the Town of Kennebunk, the trustees shall organize by electing a chair, vice-chair, treasurer and clerk. The trustees may adopt a corporate seal and, when necessary, may choose other needful officers and agents for the proper conduct and management of the affairs of the district and fix any compensation for such officers or agents, who serve at the pleasure of the board of trustees. The treasurer shall furnish bond or insurance in such a sum and with such sureties as the trustees approve, the cost of the bond or insurance to be paid by the district.

The trustees may adopt and establish bylaws and rules and regulations consistent with the laws of this State and necessary for the convenience and the proper management of the affairs of the district and perform other acts within the powers delegated by law to the trustees.

The trustees are sworn to the faithful performance of their duties, which include the duties of any member who serves as clerk or clerk pro tem.

At the close of each fiscal year, the trustees shall make a detailed report of their activities, of the receipts and expenditures of the district, of its financial and physical condition and of other matters and things pertaining to the district and shall file the report with the municipal authorities.

Business of the district must be conducted in accordance with the applicable provisions of the Freedom of Access Act.

3. Meetings of district. The trustees may call meetings of the district at any time. Notice of the meeting, signed by the chair or clerk of the board, must be conspicuously posted at the Kennebunk Town Hall not less than 7 days before the meeting and must state the business to be transacted at the meeting.

On written petition of 10% of the voters of the district, the trustees shall call a meeting of the district within 60 days.

All persons resident in the district and qualified to vote for Governor under the laws of this State are entitled to vote in any meeting of the district.

4. Meetings of trustees. The trustees may call meetings of the board of trustees at any time. Notice of the regularly scheduled meetings of the board, signed by the chair or clerk of the board, must be posted at the offices of the district and the Kennebunk Town Hall not less than 7 days before the meeting and must state the business to be transacted at any such meeting.

Special meetings of the board may be called as are regularly scheduled meetings, but on one day's notice.

In the event of an emergency meeting, local representatives of the media must be notified of the meeting, whenever practical. Notification must include time and location and must be in the same manner as used to notify the members of the board. The minutes of an emergency meeting must state the reason for the meeting.

5. Decisions of the board. All decisions of the board of trustees must be made by a majority of those present and voting, except that a vote to approve the issuing of any bond, note or other evidence of indebtedness payable within a period of more than 12 months after the date of issuance must be approved by a majority of the entire board. A quorum of the board consists of the total number of authorized trustees divided by 2 and, if necessary to obtain a whole number, the resulting number rounded up to the next whole number.

Trustees are subject to the conflict of interest provisions of Title 30-A, section 2605.

6. Trustee compensation. The trustees receive compensation as recommended by the trustees and approved by majority vote of the municipal officers of the Town of Kennebunk, including compensation for any duties they perform as officers as well as for their duties as trustees. Certification of the vote must be recorded with the Secretary of State and recorded in the bylaws. Compensation for duties as trustees must be based on an amount specified in the bylaws for each meeting actually attended plus reimbursement for travel and expenses, with the total not to exceed a specific amount as specified in the bylaws. Compensation

schedules in effect on January 1, 2013 continue in effect until changed.

7. Trustee retirement. A person who has not been a trustee prior to January 1, 1987, or who is not a full-time employee, is not eligible to become a member of the Maine Public Employees Retirement System as a result of the person's selection as a trustee.

8. Expenses. The trustees may obtain an office and incur necessary expenses.

9. Recall. The trustees may be recalled in accordance with the following provisions.

A. The qualified electors of the district may petition for the recall of a trustee after the first year of the term for which the trustee is elected by filing a petition with the municipal clerk demanding the recall of the trustee. A trustee may be subject to recall for misfeasance, malfeasance or nonfeasance in office. The petition must be signed by electors equal to at least 25% of the vote cast for the office of Governor at the last gubernatorial election within the district. The recall petition must state the reason for removal.

B. Within 3 business days after the petition is offered for filing, the municipal clerk shall determine by careful examination whether the petition is sufficient and so state in a certificate attached to the petition. If the petition is found to be insufficient, the certificate must state the particulars creating the insufficiency. The petition may be amended to correct an insufficiency within 5 days following the affixing of the original certificate. Within 2 days after the offering of the amended petition for filing, the petition must again be carefully examined to determine sufficiency and a certificate stating the findings must be attached. Immediately upon finding an original or amended petition sufficient, the municipal clerk shall file the petition and call a special election to be held not less than 45 days nor more than 90 days from the date the municipal clerk certifies the petition as sufficient. The municipal clerk shall notify the trustee against whom the recall petition is filed of the special election.

C. The trustee against whom the recall petition is filed is a candidate at the special election without nomination, unless the trustee resigns within 10 days after the original filing of the petition. There is no primary. Candidates for the office may be nominated under the usual procedure of nomination for trustees by filing nomination papers, not later than 5 p.m., 4 weeks preceding the election and having their names placed on the ballot at the special election.

D. The trustee against whom a recall petition has been filed shall continue to perform the duties of the trustee's office until the result of the special

election is officially declared. The person receiving the highest number of votes at the special election is declared elected for the remainder of the term. If the incumbent receives the highest number of votes, the incumbent continues in office. If another candidate receives the highest number of votes, the other person succeeds the incumbent within 10 days after receiving notification.

E. After one recall petition and special election, no further recall petition may be filed against the same trustee during the term for which the trustee was elected.

Sec. 5. Coordination with municipal planning. The following provisions facilitate coordination of municipal planning and sewer extension planning.

1. Growth management. The trustees shall cooperate with municipal officials in the development of municipal growth management and other land use plans and ordinances.

2. Development that affects the district. Municipal officers shall cooperate with the trustees during the consideration of development applications that may affect the operations of the district.

Sec. 6. Powers. Except as otherwise provided by law, for the purposes of its incorporation, the district may locate, construct and maintain pipes, drains, sewers, conduits, treatment plants, pumping stations and other necessary structures and equipment for the collection, interception and treatment of sewerage, commercial and industrial waste and storm and surface water for the health, welfare, comfort and convenience of the inhabitants of the district.

All incidental powers, rights and privileges necessary to accomplish the objectives of this chapter are granted to the district.

Sec. 7. Right of eminent domain. The authority and procedures for the exercise of eminent domain by the district must conform to the Maine Revised Statutes, Title 38, sections 1152, 1152-A, 1153 and 1154. In addition, the district may not take by right of eminent domain any of the property or facilities of any other public utility used or acquired for future use by the owner of the public utility in the performance of a public duty, unless expressly authorized by a special Act of the Legislature.

Sec. 8. Crossing other public utilities and railroad corporations. If the district, in constructing, maintaining or replacing any of its facilities, must cross property of another public utility or railroad corporation, the district must obtain the consent of the other public utility or railroad corporation and undertake the work in accordance with conditions established by agreement. If, within 30 days after requesting consent, the district fails to reach an agreement

with the public utility or railroad corporation, the district may petition as follows.

1. Public utility. In the case of crossing property of a public utility, the district may petition the Public Utilities Commission to determine the time, place and manner of crossing. All work done on the property of the public utility must be done under the supervision and to the satisfaction of the public utility or as prescribed by the Public Utilities Commission.

2. Railroad corporation. In the case of crossing the property of a railroad corporation, the district may petition the Department of Transportation to determine the time, place and manner of crossing. All work done on the property of the railroad corporation must be done under the supervision and to the satisfaction of the railroad corporation or as prescribed by the Department of Transportation.

All work under this section must be done at the expense of the district.

Sec. 9. Sewer extensions. Sewer extensions are governed by this section.

1. Written assurance from municipality. The district may not construct any sewer extension unless it acquires from the municipal officers or the designee of the municipal officers of any municipality through which the sewer extension will pass written assurance that:

A. Any development, lot or unit intended to be served by the sewer extension is in conformity with any adopted municipal plans and ordinances regulating land use; and

B. The sewer extension is consistent with adopted municipal plans and ordinances regulating land use.

If the municipal officers fail to issue a response to a written request from the district for written assurance within 45 calendar days of receiving the request in writing, the written assurance is deemed granted.

Not less than 7 days prior to the meeting at which the trustees will take final action on whether to proceed with the extension, the trustees shall publish notice of the proposed extension in a newspaper having a general circulation that includes all municipalities through which the sewer extension will pass.

2. Review of municipal decision. For an inter-municipal sewer extension, when written assurance is denied by municipal officers pursuant to subsection 1, an aggrieved party may appeal, within 15 days of the decision, to the Department of Agriculture, Conservation and Forestry for a review of the municipal officers' decision. Notwithstanding the Maine Revised Statutes, Title 5, chapter 375, subchapter 4, the following procedures apply to the review by the Department of Agriculture, Conservation and Forestry.

A. The Department of Agriculture, Conservation and Forestry may request any additional information from the sewer district, the municipality or the Department of Environmental Protection. All information requested must be submitted within 30 days of the request, unless an extension is granted by the Department of Agriculture, Conservation and Forestry.

B. Within a reasonable time, the Department of Agriculture, Conservation and Forestry shall hold a hearing. The Department of Agriculture, Conservation and Forestry shall give at least 7 days' written notice of the hearing to the district, the municipality and the party that requested the hearing. The hearing is informal and the Department of Agriculture, Conservation and Forestry may receive any information it considers necessary.

C. Within 15 days of the hearing and within 60 days of the request for review, the Department of Agriculture, Conservation and Forestry shall make a decision that must include findings of fact on whether the sewer extension proposal is inconsistent with adopted municipal plans and ordinances regulating land use. The decision of the Department of Agriculture, Conservation and Forestry constitutes final agency action.

D. Notwithstanding subsection 1, if the Department of Agriculture, Conservation and Forestry determines that the sewer extension proposal is not inconsistent with adopted municipal plans and ordinances regulating land use, the Department of Agriculture, Conservation and Forestry shall issue written assurance that the proposal is consistent with adopted municipal plans and ordinances regulating land use and the sewer district may construct the sewer extension.

Sec. 10. Conditions for carrying out work.

When the district enters, digs up or excavates a public way or other land for the purpose of laying its sewers, drains or pipes or constructing or maintaining manholes or catch basins or their appurtenances or for any other purpose, the work must be done expeditiously. Upon completion of the work, the district shall restore the way or land to the condition it was in prior to the work or to a condition equally as good. Whenever the character of the work is such that it endangers travel on a public way, the municipal officers of the Town of Kennebunk may order a temporary closing of the way and of any intersecting way upon request of the district. The way must remain closed to public travel until the municipal officers determine it restored to a condition safe for traffic.

Sec. 11. Contracts. The district, through its trustees, in order to carry out the purposes of its incorporation, may contract with a person, district, utility or corporation or with a municipality, the State or other

governmental entity whether located inside or outside the boundaries of the district.

Sec. 12. Lease of property. The district may enter into a lease and leaseback transaction with respect to some or all of its real or personal property, other than land, and may take all other necessary action, including, but not limited to, the granting of mortgages and liens, to effectuate the transaction. For purposes of this section, "lease" includes a lease of any length, including leases that may be defined as sales for income tax purposes.

Sec. 13. Enforcement. The district has enforcement powers as specified in this section.

1. Violation of standards by an industrial user. The district may seek in a civil action injunctive relief from an industrial user that violates a pretreatment standard or requirement, administered by the district. The district may seek a civil penalty of up to \$1,000 per day for each violation by an industrial user of a pretreatment standard or requirement.

2. Injury to property of the district. A person may not place, discharge or leave any offensive or injurious matter or material on or in the conduits, catch basins or receptacles of the district contrary to its regulations or knowingly injure any conduit, pipe, reservoir, flush tank, catch basin, manhole, outlet, engine, pump or other property held, owned or used by the district.

A person who violates this subsection is liable to pay twice the amount of the damages to the district to be recovered in any proper action and is subject to a civil penalty not to exceed \$2,500 for each violation, payable to the district. The civil penalty is recoverable in a civil action.

3. Required connection. Except as provided in subsection 4, upon receiving a request from the district to connect a building located in the territory of the district that is accessible to a sewer or drain of the district and that is intended for human habitation or occupancy or that has facilities for discharge or disposal of wastewater or commercial or industrial waste, the owner of that building shall arrange to have the building connected through a sanitary sewer or drainage system to the district's accessible sewer or drain in the most direct manner possible. If feasible, each building requiring connection must have its own separate connection. The connection must be completed within 90 days of the receipt by the owner of the request, or within any extended period requested by the owner and agreed to by the trustees. For purposes of this subsection, "owner" includes the owners of record or any person against whom property taxes on the building are assessed.

A person who receives a notice in accordance with this subsection to connect to a building and fails to connect to the building in accordance with this subsection is

subject to a civil penalty not to exceed \$2,500, payable to the district. This penalty is recoverable in a civil action.

4. Connections not required. An existing building that is already served by a private sewer system is not required to connect with a sewer or drain of the district as long as the private sewer or drainage system functions in a satisfactory and sanitary manner and does not violate applicable law or ordinance applicable to the connection with a sewer or drain or the district or any applicable requirements of the state plumbing code, as determined by the municipal plumbing inspector or the municipal plumbing inspector's alternate, or, in the event that both are trustees or employees of the sewer district, the division of health engineering within the Department of Health and Human Services.

5. Permissive connection. A person not otherwise required to connect a private sewer into a sewer of the district may connect to the district's sewer if that person obtains a permit from the district and pays any charges required by the district. The clerk of the district shall record the permit in the district records.

Sec. 14. Inspection of sewers. The officers or agents of the district have free access to all premises served by the district's sewers, at all reasonable hours, for inspection of plumbing and sewage fixtures, to ascertain the quality and quantity of sewage discharged and the manner of discharge and to enforce this Act and the rules prescribed by the trustees.

Sec. 15. Rights and obligations of abutters and others to enter. A person may not connect a private sewer to a district sewer until:

1. Inspection. The private sewer has been inspected by a designated agent of the district and that agent has certified in writing that the private sewer has been constructed in compliance with and meets all requirements and conditions of the district's regulations;

2. Payment. The person has paid or has made arrangements acceptable to the district to pay all assessments, impact fees or other charges the district imposes when a private sewer is connected to any of the district sewers; and

3. Permit. The person has obtained a permit in writing permitting the connection from the trustees. Before a permit is issued, the clerk or the clerk's designee of the district shall record the permit in the district's records.

Every building in the district intended for human habitation or occupancy or with facilities for discharge or disposal of sewage or commercial or industrial waste accessible to a sewer of the district must, in the most direct manner possible, connect to the district sewer within 90 days after receiving from the district a

request to connect or within such further time as the trustees of the district may grant. Whenever feasible, each building must have a separate connection to the district's sewer. A building is considered accessible to a sewer of the district if the building is at any point within 200 feet of a district sewer or if any private sewer or drain directly or indirectly connected to the building or carrying wastewater or commercial or industrial waste from the building comes within 200 feet of a district sewer. This section does not require the owner of a building to acquire any real property or easement for the sole purpose of making the connection.

Sec. 16. Rates and fees. A person, firm and corporation, whether public or private or municipal, shall pay to the treasurer of the district rates established by the trustees for the sewer or drainage service used or available with respect to their real estate so long as those rates are consistent with this section. For the purposes of this section, "rate" means a rate, toll, rent, assessment, impact fee, supplemental charge or other lawful charge established by the district.

1. Uniform rates. Rates must be uniform within the district whenever the cost to the district of installation and maintenance of sewers, treatment facilities or their appurtenances and the cost of service is substantially uniform, except that:

A. The district may establish a higher rate in sections where, for any reason, the cost to the district of construction and maintenance, or the cost of service, exceeds the average as long as the higher rates are uniform throughout the sections where the rates apply; and

B. Trustees may reduce the impact fee or connection fee, as those terms are defined in the Maine Revised Statutes, Title 30-A, section 5061, for sewer service to newly constructed affordable housing in accordance with Title 30-A, chapter 202-A.

2. Multidistrict rates. Notwithstanding any other provision of law, the district that shares, supplies or contracts for services with another district shall establish rates mutually agreeable to the trustees of each participating district.

3. Readiness to serve. The district's rates may include readiness to serve rates charged against owners of real estate abutting or accessible but not connected to sewers or drains of the district, whether or not the real estate is improved.

4. Interest on late payments. The district may charge and collect interest on delinquent accounts at a rate not to exceed the highest lawful rate set by the Treasurer of State for municipal taxes.

5. Adoption of rate schedule. Prior to the adoption of a new rate schedule, the trustees shall hold a

public hearing regarding the proposed rate schedule. The trustees shall publish the proposed rates and notice of the hearing not less than once in a newspaper having a general circulation in the district not less than 7 days prior to the hearing. The district shall mail to each ratepayer a notice of the public hearing and the proposed rate at least 14 days prior to the hearing.

6. Revenue from rates. The sewer rates, tolls, rents, impact fees, entrance charges and other lawful charges established by the board of trustees in accordance with this Act must be fixed and adjusted with respect to the aggregate of the rates, tolls, rents, impact fees and entrance charges so as to produce revenue at least sufficient, together with any other money available to produce revenue, to:

- A. Pay the current expenses of operating and maintaining the sewerage, drainage and treatment system of the district;
- B. Pay the principal of and premium, if any, and interest on all bonds and notes issued by the district as they become due and payable;
- C. Create and maintain such reserves as may be required by the trustees or any trust agreement or resolution securing bonds and notes;
- D. Provide funds for paying the cost of all necessary repairs, replacements and renewals of the sewerage, drainage and treatment systems of the district;
- E. Pay or provide for any amounts that the district may be obligated to pay or provide for by law or contract, including any resolution or contract with or for the benefit of the holders of its bonds and notes; and
- F. Provide revenue in order to pay all or part of the present or projected cost to improve, enlarge or expand the district's system, including payment of interest accruing on any indebtedness for such purposes.

7. Civil action for unpaid rates. If rates under this section are not paid, and the district does not collect unpaid rates pursuant to the Maine Revised Statutes, Title 38, section 1050, the district may maintain a civil action against the person who has not paid rates for the amount of the unpaid rates plus 10% interest.

Sec. 17. Waiver of sewer district lien foreclosure. The district may use the following provisions to waive a lien foreclosure.

1. Waiver. The treasurer of the district, when authorized by the trustees, may waive the foreclosure of the district lien mortgage created pursuant to this Act by recording in the York County Registry of Deeds a waiver of foreclosure before the period for the right of redemption from the lien mortgage has expired. The lien mortgage remains in full effect after the recording

of a waiver. Other methods established by law for the collection of any unpaid rates are not affected by the filing of a waiver under this section.

2. Form. The waiver of foreclosure under subsection 1 must be substantially in the following form.

The foreclosure of the sewer lien mortgage on real estate for charges against.....(NAME) to Kennebunk Sewer District dated.....and recorded in the York County Registry of Deeds in Book....., Page..... is hereby waived.

The form must be dated, signed by the treasurer of the district and notarized. A copy of the form must be provided to the party named on the lien mortgage and each record holder of a mortgage on the real estate.

Sec. 18. Collection of unpaid rates. The district may secure payment of the district's rates pursuant to this section.

1. Lien. There is a lien on real estate served or benefited by the sewers of the district to secure the payment of the district's rates. The lien established under this section takes precedence over all other claims on such real estate, except claims for taxes.

2. Collection. The treasurer of the district may collect rates and all rates must be committed to the treasurer. The treasurer may, after demand for payment, sue in the name of the district in a civil action in any court of competent jurisdiction for any rates remaining unpaid. In addition to other methods established by law for the collection of rates and without waiver of the right to sue for the collection of rates, the lien created under subsection 1 may be enforced in the following manner.

A. Notwithstanding the Maine Revised Statutes, Title 38, section 1050, subsection 3, when rates have been committed to the treasurer of the district for collection, the treasurer may, after the expiration of 3 months and within one year after the date when the rates became due and payable, give to the owner of the real estate served, send by certified mail, return receipt requested, to the owner's last known address or, upon exhausting these options, leave at the owner's last and usual place of abode a notice in writing signed by the treasurer or bearing the treasurer's facsimile signature, stating the amount of the rates due, describing the real estate upon which the lien is claimed and stating that a lien is claimed on the real estate to secure the payment of the rates and demanding the payment of the rates within 30 days after service or mailing, with \$1 added to the demanded rate for the treasurer and an additional fee to cover mailing the notice by certified mail, return receipt requested. The notice must contain a statement that the district is willing to arrange installment payments of the outstanding debt.

B. After the expiration of 30 days and within one year after giving notice pursuant to paragraph A, the treasurer of the district shall record in the York County Registry of Deeds a certificate signed by the treasurer setting forth the amount of the rates due, describing the real estate on which the lien is claimed and stating that a lien is claimed on the real estate to secure payment of the rates and that a notice and demand for payment has been given or made in accordance with this section and stating further that the rates remain unpaid. At the time of the recording of the certificate in the registry, the treasurer shall file in the office of the district a true copy of the certificate and shall mail a true copy of the certificate by certified mail, return receipt requested, to each record holder of any mortgage on the real estate, addressed to the record holder at the record holder's last and usual place of abode.

C. The filing of the certificate in the York County Registry of Deeds creates a mortgage held by the district on the real estate described in the certificate that has priority over all other mortgages, liens, attachments and encumbrances of any nature, except liens, attachments and claims for taxes, and gives to the district all the rights usually possessed by mortgagees, except that the district as mortgagee does not have any right to possession of that real estate until the right of redemption has expired.

D. If the mortgage created under paragraph C, together with interest and costs, has not been paid within 18 months after the date of filing the certificate in the York County Registry of Deeds in accordance with paragraph B, the mortgage is foreclosed and the right of redemption expires. The filing of the certificate in the registry is sufficient notice of the existence of the mortgage. In the event that the rate, with interest and costs, is paid within the period of redemption, the treasurer of the district shall discharge the mortgage in the same manner as provided for discharge of real estate mortgages.

E. The owner of the real estate shall pay the sum of the fees for receiving, recording and indexing the lien, or its discharge, as established by the Maine Revised Statutes, Title 33, section 751, plus \$13, plus all certified mail, return receipt requested, fees.

F. Not more than 45 days or less than 30 days before the foreclosing date of the mortgage created under paragraph C, the treasurer of the district shall notify the party named on the mortgage and each record holder of a mortgage on the real estate in a writing signed by the treasurer or bearing the treasurer's facsimile signature and left at the holder's last and usual place of abode or sent by

certified mail, return receipt requested, to the holder's last known address of the impending automatic foreclosure and indicating the exact date of foreclosure. For sending this notice, the district is entitled to receive \$3 plus all certified mail, return receipt requested, fees, which must be added to and become a part of the amount due under paragraph E. If notice is not given in the time period specified in this paragraph, the person not receiving timely notice has up to 30 days after the treasurer provides notice as specified in this paragraph in which to redeem the mortgage. The notice of impending automatic foreclosure must be substantially in the following form:

STATE OF MAINE
KENNEBUNK SEWER DISTRICT
NOTICE OF IMPENDING AUTOMATIC
FORECLOSURE
SEWER LIEN

M.R.S.A., Title 38, section 1050

**IMPORTANT: DO NOT DISREGARD THIS
NOTICE. YOU WILL LOSE YOUR
PROPERTY UNLESS YOU PAY THE
CHARGES, COSTS AND INTEREST FOR
WHICH A LIEN ON YOUR PROPERTY HAS
BEEN CREATED BY THE KENNEBUNK
SEWER DISTRICT.**

TO:.....

You are the party named on the Sewer Lien Certificate filed on....., 20.. and recorded in Book, Page in the York County Registry of Deeds. This Kennebunk Sewer District filing created a sewer lien mortgage on the real estate described in the Sewer Lien Certificate.

On, 20.., the sewer lien mortgage will be foreclosed and your right to redeem the mortgage and recover your property by paying the district's charges and interest that are owed will expire.

**IF THE LIEN FORECLOSES, THE
KENNEBUNK SEWER DISTRICT WILL OWN
YOUR PROPERTY, SUBJECT ONLY TO
MUNICIPAL TAX LIENS.**

If you cannot pay the outstanding charges, costs and interest that are the subject of this notice or the subject of installment payment arrangements that you have made with the district, please contact me immediately to discuss this notice.

.....
District Treasurer

G. The district shall pay the treasurer \$1 for the notice, \$1 for filing the lien certificate and the amount paid for certified mail, return receipt requested, fees. The fees for recording the lien certificate must be paid by the district to the register of deeds.

H. A discharge of the certificate given after the right of redemption has expired, which discharge has been recorded in the York County Registry of Deeds for more than one year, terminates all title of the district derived from that certificate or any other recorded certificate for which the right of redemption expired 10 years or more prior to the foreclosure date of this discharge lien, unless the district has conveyed any interest based upon the title acquired from any of the affected liens.

Sec. 19. District to bill only property owners. The district may bill only the owner of the property receiving service.

Sec. 20. Bonds and notes. The district may authorize bonds and notes.

1. Authorization of bonds. The district may provide by resolution of its board of trustees, without district vote, except as provided in subsection 10, for the borrowing of money and the issuance from time to time of bonds, subject to the debt limitation set in this section, for any of its corporate purposes, including, but not limited to:

A. Paying and refunding its indebtedness;

B. Paying any necessary expenses and liabilities, whether incurred by the district or the Town of Kennebunk, the district being authorized to reimburse the Town of Kennebunk for any such expenses incurred or paid by it;

C. Paying costs directly or indirectly associated with acquiring properties, paying damages, laying sewers, drains and conduits, constructing, maintaining and operating sewage and treatment plants or systems and making renewals, additions, extensions and improvements to the same and covering interest payments during the period of construction and for the period after construction as the trustees may determine;

D. Providing reserves for debt service, repairs and replacements or other capital or current expenses as may be required by a trust agreement or resolution securing bonds; and

E. Any combination of the purposes in paragraphs A to D.

Bonds may be issued as general obligations of the district or as special obligations payable solely from particular funds. The total outstanding and unpaid indebtedness of the district may not at any one time exceed the sum of \$30,000,000. The principal of and premium if any and interest on all bonds are payable solely from the funds provided for that purpose from revenues. "Revenues" means and includes the proceeds of bonds, all revenues, rates, fees, entrance charges, assessments, rents and other receipts derived by the district from the operation of its sewer system and other properties, including, but not limited to, in-

vestment earnings and the proceeds of insurance, condemnation and sale of or other disposition of properties. All bonds issued by the district are legal obligations of the district. The district is a quasi-municipal corporation within the meaning of the Maine Revised Statutes, Title 30-A, section 5701. Bonds may be issued without obtaining the consent of a commission, board, bureau or agency of the State or the Town of Kennebunk and without any proceedings, limitations or conditions to meet other than those specifically required under this Act. Bonds issued under this Act do not constitute a debt or liability of the State or the Town of Kennebunk or a pledge of the faith and credit of the State or the municipality, but the bonds are payable solely from the funds provided for that purpose, and a statement to that effect must be recited on the face of the bonds.

2. Notes. The district may also provide by resolution of its board, without district vote, for the issuance from time to time of notes in anticipation of bonds authorized under this section and of notes in anticipation of the revenues to be collected or received in any year or in anticipation of the receipt of federal or state grants or other aid. The issuance of these notes is governed by the applicable provisions of this section relating to the issuance of bonds, except that notes in anticipation of revenue must mature no later than one year from their respective dates and notes issued in anticipation of federal or state grants or other aid and renewals must mature no later than the expected date of receipt of those grants or aid. Notes in anticipation of revenue issued to mature less than one year from their dates may be renewed from time to time by the issuance of other notes, except that the period from the date of an original note to the maturity of any note issued to renew or pay the same or the interest on the note may not exceed one year.

The district is authorized to enter into agreements with the State or the United States, or any agency of either, or any municipality, corporation, commission or board authorized to grant or loan money to or otherwise assist in the financing of projects of the type the district is authorized to carry out and to accept grants and borrow money from the government, agency, municipality, corporation, commission or board necessary or desirable to accomplish the purposes of the district.

3. Maturity; interest; form, temporary bonds. The bonds issued under this section must be dated, mature at a time or times not exceeding 40 years from their date or dates and bear interest at a rate or rates determined by the board. The bonds may be made redeemable before maturity, at the option of the district, at a price or prices and under any terms and conditions as may be fixed by the board prior to the issuance of the bonds. The board shall determine the form of the bonds, including any interest coupons to be attached to the bonds, and the manner of execution of the bonds and shall fix the denomination or denomina-

tions of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company inside or outside the State. Bonds are executed in the name of the district by the manual or facsimile signature of the officer or officers authorized in the resolution to execute the bonds. One signature on each bond must be a manual signature. Coupons, if any, attached to the bonds must be executed with the facsimile signature of the officer or officers of the district designated in the resolution. If the officer whose signature or a facsimile of whose signature appears on any bonds or coupons ceases to be an officer before the delivery of the bonds, the signature or its facsimile is valid and sufficient for all purposes as if the officer had remained in office until the delivery.

Notwithstanding any of the other provisions in this Act or any recitals on any bonds issued under this section, all bonds are deemed to be negotiable instruments under the laws of this State. The bonds may be issued in coupon or registered form, or both, as the board may determine. Provision may be made for the registration of any coupon bonds as to principal alone and as to both principal and interest and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The board may sell bonds in that manner, either at public or private sale, at a price as it determines to be in the best interest of the district. The proceeds of the bonds of each issue must be used solely for the purpose for which those bonds are authorized and must be disbursed in such a manner and under such restrictions as the board provides in the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds. The resolution providing for the issuance of bonds and any trust agreement securing the bonds may contain such limitations upon the issuance of additional bonds as the board determines proper. The additional bonds must be issued under such restrictions and limitations prescribed by that resolution or trust agreement. Prior to the preparation of definitive bonds, the board may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when those bonds are executed and are available for delivery. The board may provide for the replacement of any bond that is mutilated, destroyed or lost.

4. Pledges and covenants; trust agreement.

The issuance of notes or bonds constitutes a pledge of net revenues of the district for the prompt payment of associated debt service or bonds when due.

In the discretion of the board, any issue of bonds may be secured by a trust agreement by and between the district and a corporate trustee that may be any trust company inside or outside the State.

A. The resolution authorizing the issuance of the bonds or the trust agreement must, unless for another specified source of revenue, pledge or as-

sign, in whole or in part, the revenues and other money held or to be received by the district and any account and contract or other rights to receive the same, whether then existing or coming into existence and whether then held or acquired by the district, and the proceeds from the bonds, but the resolution or trust agreement may not convey or mortgage the sewer system or any other properties of the district. The resolution may also contain provisions for protecting and enforcing the rights and remedies of the bondholders that are reasonable and proper and not in violation of law, including, but not limited to, covenants setting forth the duties of the district and the board of trustees in relation to the acquisition, construction, reconstruction, improvement, repair, maintenance, operation and assurance of its sewer system or any of its other properties; the fixing and revising of rates, fees and charges; the application of the proceeds of bonds; the custody, safeguarding and application of revenues; the defining of defaults and providing for remedies in the event of defaults, which may include the acceleration of maturities; the establishment of reserves; and the making and amending of contracts. The resolution or trust agreement may set forth the rights and remedies of the bondholders and of the corporate trustee, if any, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds or debentures of corporations. In addition, the resolution or trust agreement may contain such other provisions as the board of trustees determines reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the resolution or trust agreement may be treated as a part of the cost of operation. The pledge by any resolution or trust agreement is valid and binding and is deemed continuously perfected for the purposes of the Uniform Commercial Code from the time when the pledge is made. All revenues, money, rights and proceeds so pledged and received by the district are immediately subject to the lien of the pledge without any physical delivery or segregation of the pledge or further action under the Uniform Commercial Code or otherwise. The lien of the pledge is valid and binding against all parties having claims of any kind in tort, contract or otherwise against the district irrespective of whether those parties have notice of the lien of the pledge.

B. The resolution authorizing the issuance of bonds under this Act, or any trust agreement securing those bonds, must, unless for another specified source of revenue, provide that all or a sufficient amount of revenues, after providing for the payment of the cost of repair, maintenance and operation and reserves for the payment as may be provided in the resolution or trust agreement, is

set aside at such regular intervals as may be provided in the resolution or trust agreement and deposited in the credit of a fund for the payment of the interest on and the principal of bonds issued under this chapter as the principal becomes due and the redemption price or purchase price of bonds retired by call or purchase. The use and disposition of money to the credit of the fund is subject to such regulations as may be provided in the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds and, except as may otherwise be provided in the resolution or trust agreement, the fund is a fund for the benefit of all bonds without distinction or priority of one over another.

5. Trust funds. Notwithstanding any other provision of law, all money received pursuant to the authority provided under this Act is deemed to be trust funds, to be held and applied solely as provided in this Act. The resolution authorizing the issuance of bonds or the trust agreement securing the bonds must provide that any officer to whom, or bank, trust company or other fiscal agent to which, the money is paid acts as trustee of the money and shall hold and apply the same for the purposes of this Act, subject to such regulations as may be provided in the resolution or trust agreement or as may be required under this Act.

6. Remedies. A holder of bonds issued under this Act or of any of the coupons appertaining to the bonds or a corporate trustee under any trust agreement, except to the extent the rights given may be restricted by the resolution authorizing the issuance of those bonds or trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, including proceedings for the appointment of a receiver to take possession and control of the properties of the district, protect and enforce any and all rights under the laws of the State or granted under this Act or under the resolution or trust agreement. The holder of bonds and the trustee under any trust agreement may enforce and compel the performance of any duty required by this Act or by the resolution or trust agreement to be performed by the district or by any officer of the district, including the fixing, charging and collecting of rates, fees and charges for the use of or for the services and facilities furnished by the district.

7. Refunding bonds. The board by resolution, without district vote, may issue refunding bonds for the purpose of paying any of its bonds at maturity or upon acceleration or redemption. The refunding bonds may be issued at such time prior to the maturity or redemption of the refunded bonds as the board determines to be in the public interest. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium on the bonds, any interest accrued or to accrue to the date of payment of those bonds, the expenses of issue of the re-

funding bonds, the expenses of redeeming the bonds being refunded and such reserves for debt service, including costs of issuance, or other capital or current expenses from the proceeds of such refunding bonds as may be required by a trust agreement or resolution securing bonds. The issuance of refunding bonds, the maturities and other details of the refunding bonds, the security for refunding the bonds, the rights of the holders of the refunding bonds and the rights, duties and obligations of the district in respect of the same are governed by the applicable provisions of this section relating to the issuance of bonds other than refunding bonds.

8. Tax exemption. All bonds, notes or other evidences of indebtedness issued under this Act, their transfer and the income from the bonds, notes or other evidences of indebtedness, including any profit made on the sale of bonds, notes or other evidences of indebtedness, must at all times be free from taxation within the State.

9. Bonds declared legal investments. Bonds and notes issued by the district are securities in which all public officers and public bodies of the State and its political subdivisions, insurance companies and associations and other persons carrying on an insurance business; trust companies, banks, bankers and banking associations; savings banks and savings associations, including savings and loan associations; credit unions; building and loan associations; investment companies; executors, administrators, trustees and other fiduciaries; pension, profit-sharing and retirement funds; and other persons carrying on a banking business, and all other persons who are authorized to invest in bonds or other obligations of the State, may properly and legally invest funds, including capital in their control or belonging to them. The bonds and notes are securities that may properly and legally be deposited with and received by any state, municipal or public officer or any agency or political subdivision of the State for any purpose for which the deposit of bonds or other obligations of the State is authorized by law.

10. Certain bond issues; special meeting; vote. If the trustees vote to authorize bonds or notes for any of the corporate purposes of the district, excluding notes payable within one year, notes in anticipation of bonds authorized pursuant to this Act, notes in anticipation of the revenues to be collected or received in any year and notes in anticipation of the receipt of approved federal or state grants, the authorized amount of which singly or in aggregate included in any one financing is \$1,000,000 or more, the trustees must call a special district meeting for the purpose of permitting the collection of testimony from the public concerning the purpose and the amount of debt so authorized. Notice of the special district meeting, stating the approximate amount of the debt and the purpose for which it is being issued, must be published not less than 7 full days prior to the date of the meeting in a

newspaper having general circulation in the district and must be mailed to each ratepayer in the district not later than the date of the publication. A debt may not be incurred under the vote of the trustees until the expiration of 28 full days following the date of the special district meeting.

Except for debt to fund that part of any project that has been approved for grant financing by the State Government or Federal Government to meet the requirements of the United States Clean Water Act, including any related facilities not eligible for that financing but essential to the operation of the approved project as an integral system, for debts in excess of the amount specified in this section, the following petition and referendum procedure applies. If, on or before the 28th day following the date of the special district meeting, a petition signed by at least 5% of the registered voters of the district is filed with the clerk of the district requesting reference of the vote of the trustees to referendum, the clerk of the district shall call and hold a special election of the voters of the district for the purpose of submitting to referendum vote a question of approving the vote of the trustees. The vote of the trustees is suspended until it has received approval by vote of a majority of the voters of the district voting on the question at the special election.

Sec. 21. Authority to increase debt limits.

Notwithstanding any provision of this Act to the contrary, the district may increase its debt limit by referendum in accordance with this section. The district is not required to use the procedure provided by this section and may seek to increase its debt limit by any other lawful means, including pursuant to any other means described in this Act or by seeking legislative amendment to this Act.

1. Referendum. If the district chooses to increase its debt limit pursuant to this section, the board shall propose a new debt limit and submit the proposal for approval at a districtwide referendum. The referendum must be called, advertised and conducted according to the law relating to municipal elections in the Maine Revised Statutes, Title 30-A, chapter 121, except the registrar of voters is not required to prepare or the clerk to post a new list of voters. The referendum may be held outside the territory of the district if the usual voting place for persons located within the district is located outside the territory of the district. For the purpose of registering voters, the registrar of voters must be in session on the regular work day preceding the election. The question presented must conform to the following:

"Do you favor changing the debt limit of the Kennebunk Sewer District from (insert current debt limit) to (insert proposed debt limit)?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion on the question.

The results must be declared by the board and entered upon the district's records. Due certificate of results must be filed by the clerk with the Secretary of State.

2. Approval. A debt limit proposal becomes effective upon its acceptance by a majority of the legal voters within the district voting at the referendum. Failure of approval by the majority of legal voters voting at the referendum does not prevent subsequent referenda from being held for the same purpose. The cost of referenda are borne by the district.

Sec. 22. Mutual funds; sewer districts. The district may invest its funds, including sinking funds, reserve funds and trust funds, to the extent that the term of any instrument creating the funds does not prohibit the investment, in shares of an investment company registered under the federal Investment Company Act of 1940, whose shares are registered under the United States Securities Act of 1933, only if the investments of the investment company are limited to obligations of the United States or any agency or instrumentality, corporate or otherwise, of the United States or repurchase agreements secured by obligations of the United States or any agency or instrumentality, corporate or otherwise, of the United States. This section is in addition to, and not in limitation of, any power of the district to invest its funds.

Sec. 23. Competitive bidding. A contract in excess of \$2,000 between the district and a contractor for the construction of facilities located on private property for the exclusive use of a private individual and for which the private individual is required to pay the total cost directly to the district must be awarded by a system of competitive bidding. Unless there are valid reasons to the contrary, the contracts must be awarded to the lowest responsible bidder.

Sec. 24. District personnel records. The personnel records of the district are confidential to the same extent as municipal records pursuant to the Maine Revised Statutes, Title 30-A, section 2702, subsection 1. The records are reviewable by employees of the district to the same extent and in the same manner as provided for municipal personnel records pursuant to Title 30-A, section 2702, subsection 2.

Sec. 25. P&SL 2005, c. 13, as amended, is repealed.

Sec. 26. Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this Act takes effect when approved but only for the purpose of permitting its submission to the legal voters within the territory described in section 1 at the election called for that purpose by January 1, 2018. The election must be called, advertised and conducted according to the law relating to municipal

elections, except that the registrar of voters is not required to prepare or the town clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session on the secular day preceding the election. The subject matter of this Act is reduced to the following question:

"Do you favor adopting the Kennebunk Sewer District charter, 2015 revision?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Kennebunk and due certificate of the results filed by the town clerk with the Secretary of State.

This Act takes effect for all other purposes immediately upon its approval by a majority of the legal voters voting at the election.

Effective pending referendum.

CHAPTER 10

H.P. 872 - L.D. 1276

An Act To Improve Educational Assessments of Maine Students

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

Sec. 1. Department of Education to adopt educational assessment that does not collect personal student data. On the effective date of this section, the Department of Education shall terminate the State's membership in the Smarter Balanced Assessment Consortium and the use of the Smarter Balanced Assessment used to assess student achievement in the 2014-2015 school year. The department shall adopt a method of educational assessment pursuant to the Maine Revised Statutes, Title 20-A, section 6202 for the 2015-2016 school year and each school year thereafter that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes and feelings. The method of assessment must be selected with direct input from education stakeholders and must specifically address the needs of students and citizens of the State.

See title page for effective date.

CHAPTER 11

S.P. 436 - L.D. 1231

An Act To Create the Southwest Harbor Water and Sewer District

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

Sec. 1. Territorial limits and corporate name and purposes. The inhabitants and territory within the Town of Southwest Harbor constitute a utility district under the name of "Southwest Harbor Water and Sewer District," referred to in this Act as "the district," for the purpose of supplying the inhabitants of the district with potable water for domestic, commercial, sanitary and municipal purposes and for the purpose of providing in the district a system of public sewerage and drainage for the comfort, convenience and health of the inhabitants of the district.

Sec. 2. Powers of the Southwest Harbor Water and Sewer District. The district is authorized to take, hold, divert, use and distribute water from any source within the territory of the district, including but not limited to Long Pond in the Town of Southwest Harbor. The district has all the powers of a standard water district under the Maine Revised Statutes, Title 35-A, section 6404 and all the powers of a standard sewer district under Title 38, section 1039.

Sec. 3. Authority to lay mains, pipes, conduits and other water and sewerage conveyances through public ways and across private lands. The district is authorized to lay, maintain, repair and replace pipes, mains and other fixtures and appurtenances in, along and through the streets, roads, ways, highways, bridges, tidal waters, lakes, ponds, rivers and watercourses within the district and in, along and through private lands of any person or corporation within the district. When the district lays, maintains, repairs or replaces pipes, mains or any fixtures or appurtenances in any street, road, way or highway, it shall do so with as little obstruction as practicable to public travel and shall at its own expense and without unnecessary delay replace in proper condition the earth and pavement removed by it.

The district is authorized to lay, maintain, repair and replace pipes, mains and other fixtures and appurtenances to or into any drain or sewer now or hereafter built that empties into watercourses or treatment works, the discharge to be at such point or points consistent with the requirements of public health and as convenient and reasonable for the district and consistent with the requirements of applicable federal, state and local laws and the flow of existing watercourses.

Sec. 4. Sewer extensions. Sewer extensions are governed by the Maine Revised Statutes, Title 38, section 1042.

Sec. 5. Coordination with municipal planning. The trustees of the district shall cooperate with the Board of Selectmen of the Town of Southwest Harbor in the development of municipal growth management and other land use plans and ordinances.

The Board of Selectmen of the Town of Southwest Harbor shall cooperate with the trustees of the district during the consideration of development applications that may affect the operations of the district.

Sec. 6. Abutting owners have right to enter. The district shall permit the owners of premises abutting upon its lines of pipes and conduits to enter the same with all proper sewerage and to connect the same for potable water, if the owners of such premises conform to the rules and regulations of the district and pay the established rates, tolls, rents and other lawful charges.

Sec. 7. Inspection of sewers. The officers or agents of the district have free access to all premises served by the district's sewers, at all reasonable hours, for inspection of plumbing and sewage fixtures, to ascertain the quality and quantity of sewage discharged and the manner of discharge and to enforce the provisions of this Act and the rules prescribed by the trustees of the district.

Sec. 8. Injury to the property of the district. A person may not place, discharge or leave any offensive or injurious matter or material on or in the conduits, catch basins or receptacles of the district contrary to its regulations or knowingly injure any conduit, pipe, reservoir, flush tank, catch basin, manhole, outlet, engine, pump or other property held, owned or used by the district.

A person who violates this section is liable to pay twice the amount of the damages to the district to be recovered in any proper action and is subject to a civil penalty not to exceed \$2,500 for each violation, payable to the district. The civil penalty is recoverable in a civil action.

Sec. 9. Required connection. Upon receiving a request from the district to connect a building located in the territory of the district that is accessible to a sewer or drain of the district and that is intended for human habitation or occupancy or that has facilities for discharge or disposal of waste water or commercial or industrial waste, the owner of that building shall arrange to have the building connected through a sanitary sewer or drainage system to the district's accessible sewer or drain in the most direct manner possible. If feasible, each building requiring connection must have its own separate connection. The connection must be completed within 90 days of the receipt by the owner of the request, or within any extended period requested by the owner and agreed to by the trustees. For purposes of this section, "owner" in-

cludes the owners of record or any person against whom property taxes on the building are assessed.

A person who receives a notice in accordance with this section to connect to a building and fails to connect to the building in accordance with this section is subject to a civil penalty not to exceed \$2,500, payable to the district. This penalty is recoverable in a civil action.

Sec. 10. Connections not required. An existing building that is already served by a private sewer system is not required to connect with a sewer or drain of the district as long as the private sewer or drainage system functions in a satisfactory and sanitary manner and does not violate applicable law or ordinance applicable to the connection with a sewer or drain of the district or any applicable requirements of the state plumbing code, as determined by the municipal plumbing inspector or the municipal plumbing inspector's alternate, or, in the event that both are trustees or employees of the sewer district, the division of health engineering within the Department of Health and Human Services.

Sec. 11. Permissive connection. A person not otherwise required to connect a private sewer into a sewer of the district may connect to the district's sewer if that person obtains a permit from the district and pays any charges required by the district. The clerk of the district shall record the permit in the records of the district.

1. Construction complete. If construction of the district's sewer is complete at the proposed point of entry of the private sewer and the district has established an entrance charge for entry at that location, the person seeking to connect the private sewer at that location shall pay the entrance charge before the connection is undertaken.

2. Construction not complete. If the district's sewer is under construction and not completed at the point of the proposed entry of the private sewer, the person seeking to connect the private sewer at that location is not required to pay an entrance charge until construction is completed.

Sec. 12. Authority to acquire property; right of eminent domain conferred; procedures in exercising eminent domain. The district is authorized and empowered to acquire and hold real and personal property necessary or convenient for its purposes. The district is granted the right of eminent domain as specified in the Maine Revised Statutes, Title 38, section 1040 with respect to its sewer functions and is granted the right of eminent domain as specified in Title 35-A, section 6408 with respect to its water functions. The trustees of the district shall obtain the consent of the Board of Selectmen of the Town of Southwest Harbor prior to each exercise of its rights of eminent domain.

1. Procedures as to the exercise of right of eminent domain for sewer. With respect to the sewer functions of the district, the procedures for the exercise of eminent domain must conform to Title 38, section 1040.

2. Procedures as to the exercise of right of eminent domain for water. With respect to the water functions of the district, the procedures for the exercise of eminent domain must conform to Title 35-A, section 6409.

Sec. 13. Crossing property of other public utilities and railroad corporations. If the district, in constructing, maintaining or replacing any of its facilities, must cross property of another public utility or railroad corporation, the district shall obtain the consent of the other public utility or railroad corporation and undertake the work in accordance with conditions established by agreement. If, within 30 days after requesting consent, the district fails to reach an agreement with the public utility or railroad corporation, the district may petition as follows.

1. Public utility. In the case of crossing property of a public utility, the district may petition the Public Utilities Commission to determine the time, place and manner of crossing. All work done on the property of the public utility must be done under the supervision and to the satisfaction of the public utility or as prescribed by the Public Utilities Commission.

2. Railroad corporation. In the case of crossing property of a railroad corporation, the district may petition the Department of Transportation to determine the time, place and manner of crossing. All work done on the property of the railroad corporation must be done under the supervision and to the satisfaction of the railroad corporation or as prescribed by the Department of Transportation.

Sec. 14. Trustees, appointment; tenure of office; vacancies; first meeting and organization of board; annual report; transition provisions. All the affairs of the district must be managed by a board of 3 trustees. One of the trustees must be the town manager for the Town of Southwest Harbor. If the town manager position is vacated and in the absence of an acting town manager, the board of selectmen shall appoint a resident of the Town of Southwest Harbor to serve as a trustee until the town manager position is filled. The remaining 2 trustees must be residents of the Town of Southwest Harbor who are appointed by the board of selectmen. No member of the board of selectmen may, during the term for which the member is elected, be appointed as a trustee of the district. The appointed trustees shall hold office for terms of 3 years and until their respective successors are appointed and qualified. Upon appointment of the first board, the board of selectmen shall determine the terms of the 2 appointed trustees.

Within one week after their initial appointment, after the effective date of this Act, the trustees shall meet and elect from among their members a president and clerk, adopt a corporate seal and elect a treasurer, who may or may not be a trustee, and any other officers and agents as needed, who with the treasurer serve at the pleasure of the trustees. The treasurer shall furnish a bond in the sum and with sureties approved by the trustees. The district shall pay the cost of the bond. Members of the board of trustees may hold any office for the board, but may not receive any compensation, except as trustees, unless authorized by a vote of the Board of Selectmen of the Town of Southwest Harbor.

The trustees of the district shall receive compensation as recommended by the trustees and approved by majority vote of the Board of Selectmen of the Town of Southwest Harbor, including compensation for any duties they perform as officers as well as for their duties as trustees. Certification of the vote must be recorded with the Secretary of State and recorded in the bylaws. Compensation for duties as trustees must be based on an amount specified in the bylaws for each meeting actually attended plus reimbursement for travel and expenses, with the total not to exceed a specific amount as specified in the bylaws.

Whenever the term of office of an appointed trustee expires, the Board of Selectmen of the Town of Southwest Harbor shall appoint a successor to serve the full term of 3 years. If any other vacancy of an appointed trustee arises from any cause it must be filled in like manner for the unexpired term. All appointed trustees are eligible for reappointment. Trustees must be sworn to the faithful performances of their duties by the clerk of the Town of Southwest Harbor. When any appointed trustee ceases to be a resident of the Town of Southwest Harbor, that trustee vacates the office of trustee. The trustees may adopt and establish bylaws consistent with the laws of the State and necessary for the convenience and the proper management of the affairs of the district and perform other acts within the powers delegated by law to the trustees. The trustees shall publish an annual financial report.

A person who has not been a trustee of a sewer district prior to January 1, 1987 and who is not a full-time employee is not eligible to become a member of the Maine Public Employees Retirement System as a result of the person's appointment as a trustee.

Sec. 15. Removal of appointed trustees. An appointed trustee may be removed under the following provisions.

1. Vote of board of selectmen. An appointed trustee may be removed from the board of trustees with a majority vote of the Board of Selectmen of the Town of Southwest Harbor for misfeasance, malfeasance or nonfeasance in office. The selectmen must

state at a regularly scheduled meeting of the board of selectmen the reason for which removal is sought.

2. Appeal. Within 30 days after the vote by the board of selectmen pursuant to subsection 1, the trustee may appeal the decision to the Board of Appeals of the Town of Southwest Harbor.

3. Further appeals. Further appeals may be made to the Maine Superior Court under Rule 80B of the Maine Rules of Civil Procedure once all municipal procedures have been followed.

Sec. 16. Authority to make and assume contracts. The district, through its trustees, in order to carry out the purposes of its incorporation, may contract with a person, standard district, utility or corporation or with a municipality, the State or other governmental entity whether located inside or outside the boundaries of the district.

Sec. 17. Authority to acquire water utility property and franchises of the Town of Southwest Harbor. The Town of Southwest Harbor is authorized to sell to the district and the district is authorized and empowered to acquire by purchase or by the exercise of the right of eminent domain the entire water utility plant, property, franchise, property rights, privileges and assets owned by the Town of Southwest Harbor, including all land, waters, water rights, reservoirs, pipes, machinery, fixtures, hydrants, tools and all apparatus and appliances used or usable in supplying water facilities and drainage in the territory served by the municipal water department. Upon transfer by the Town of Southwest Harbor to the district of its plant, property, franchise, property rights, privileges and assets, the district assumes all the outstanding debts and liabilities of the municipal water department, including, without limitation, any outstanding bonds, notes or other evidence of indebtedness of the municipal water department that are due on or after the date of transfer.

The sale and transfer by the Town of Southwest Harbor of its water utility plant, property, franchise, property rights, privileges and assets; the assumption by the district of all the outstanding debts and liabilities of the municipal water department and the department assets; and all other water utility activities are subject to the approval of the Public Utilities Commission as may be required by the Maine Revised Statutes, Title 35-A.

Sec. 18. Authority to acquire sewer-related property and franchises of the Town of Southwest Harbor. The Town of Southwest Harbor is authorized to sell to the district and the district is authorized and empowered to acquire by purchase or by the exercise of the right of eminent domain the entire sewer plant, property, franchise, property rights, privileges and assets owned by the Town of Southwest Harbor, including all land, easements, mains, conduits,

fixtures, pumping stations, basins, treatment facilities and outlets used or usable in providing a public system of public sewerage and drainage in the territory served by the municipal sewer department. Upon transfer by the Town of Southwest Harbor to the district of its plant, property, franchise, property rights, privileges and assets, the district assumes all the outstanding debts and liabilities of the municipal sewer department, including, without limitation, any outstanding bonds, notes or other evidence of indebtedness of the municipal sewer department that are due on or after the date of transfer.

Sec. 19. Completion of transfer. Promptly after completion of the transfer and assumption of assets and liabilities pursuant to sections 17 and 18, the Town of Southwest Harbor shall cause to be filed with the Secretary of State notice that all sewer and water assets of the municipality and all debts and liabilities of the water and sewer departments of the Town of Southwest Harbor have been transferred to the district. The notice must be signed by the chair of the Board of Selectmen of the Town of Southwest Harbor and by the municipal clerk.

Sec. 20. Authorized to borrow money; to issue bonds and notes. For accomplishing the purposes of this Act, the district, by vote of its board of trustees, is authorized to borrow money temporarily and to issue for the borrowing of money its negotiable notes.

The district, by vote of its board of trustees, is authorized to issue bonds, notes or other evidences of indebtedness of the district, bearing interest at a rate or rates and having terms and provisions as the trustees determine. All notes and bonds with a maturity of more than one year and issued in connection with the water system only must first be approved by the Public Utilities Commission.

All bonds, notes and other evidences of indebtedness issued by the district must have inscribed upon their face the corporate name of the district and be signed by the treasurer and countersigned by the president of the board of trustees of the district.

All bonds, notes and other evidences of indebtedness issued by the district are legal obligations of the district, which is declared to be a quasi-municipal corporation within the Maine Revised Statutes, Title 30-A, section 5701. All bonds, notes and other evidences of indebtedness issued by the district are legal investments for savings banks and are exempt from state income tax.

Sec. 21. Property tax exempt. The property of the district is exempt from all taxation in the Town of Southwest Harbor.

Sec. 22. Sewer rates payable; adoption of new rates; application of revenue; collection of unpaid rates; authority to disconnect water for

nonpayment of sewer service. Notwithstanding the Maine Revised Statutes, Title 38, section 1048, this section governs the sewer rates of the district.

An individual, firm or corporation, whether public, private or municipal, shall pay to the treasurer the rates, tolls, rents, entrance charges and other lawful charges established by the trustees for the sewer or drainage service used or available with respect to its real estate, including rates for the district's readiness to serve, that are charged against owners of real estate abutting on or accessible to sewers or drains of the district, but not actually connected thereto, whether or not such real estate is improved. In this Act, "other lawful charges" and "other charges" include, but are not limited to, interest on delinquent accounts at a rate not to exceed the highest lawful rate set by the Treasurer of State for municipal taxes.

Rates, tolls, rents and entrance charges must be uniform within the district whenever the cost to the district of installation and maintenance of sewers or their appurtenances and the cost of service is substantially uniform, but nothing precludes the district from establishing a higher rate, toll, rent or entrance charge than the regular rates, tolls, rents and entrance charges in sections where, for any reason, the cost to the district of construction and maintenance, or the cost of service, exceeds the average, but such higher rates, tolls, rents and entrance charges must be uniform throughout the sections where they apply.

Prior to the adoption of a new rate schedule, the trustees shall hold a public hearing regarding the proposed rate schedule. The trustees shall publish the proposed rates and notice of the hearing at least once in a newspaper of general circulation in the district not less than 7 days prior to the hearing. The district shall mail to each ratepayer a notice of the public hearing and the proposed new rate at least 14 days prior to the hearing.

Notwithstanding any other provision of law, if the district shares, supplies or contracts for services with another sewer or sanitary district, the district shall establish rates, tolls, rents and entrance charges mutually agreeable to the trustees of each participating district.

The sewer rates, tolls, rents, entrance charges, assessments and other lawful charges established by the board of trustees in accordance with this Act must be fixed and adjusted to produce, in the aggregate, revenue at least sufficient, with any other funds available for the purpose, to:

1. Current operating expenses. Pay the current expenses of operating and maintaining the sewerage, drainage and treatment system of the district including the cost of depreciation;

2. Payment of interest and principal. Pay the principal of, premium, if any, and interest on all bonds

and notes issued by the district under this Act as the bonds and notes become due and payable;

3. Sinking fund for retirement of obligations. Create and maintain such reserves as may be required by any trust agreement or resolution securing bonds and notes;

4. Repairs, replacements and renewals. Provide funds for paying the cost of all necessary repairs, replacements and renewals of the sewerage, drainage and treatment systems of the district; and

5. Payment of obligations. Pay or provide for all amounts that the district may be obliged to pay or provide for by law including any resolution with or for the benefit of the holders of its bonds and notes.

Notwithstanding any other provision of law, in the event a user of the district's sewer system fails within a reasonable time to pay the district's rates, fees or charges for sewer service, the district may disconnect water service to the user, as long as the disconnection is accomplished in accordance with procedures established in applicable law or rules governing disconnection of utility services and terms and conditions approved by the Public Utilities Commission.

There is a lien issued on real estate served by the district to secure the payment of unpaid sewer rates and other lawful charges. The sewer lien takes precedence over all other claims on the real estate, except claims for taxes. The procedures for obtaining, enforcing and receiving payment on the lien are governed by Title 38, section 1050.

Sec. 23. Water rates; application of revenue; sinking fund. An individual, firm or corporation, whether public, private or municipal, shall pay to the treasurer of the district the rates and other lawful charges established by the trustees for the water used or made available to it. All water rates and other lawful charges of the district are governed by the Maine Revised Statutes, Title 35-A, chapter 61.

The water rates and other lawful charges are established to provide revenue for the following purposes:

1. Current operating expenses. To pay the current expenses for operating and maintaining the water system including depreciation;

2. Payment of interest. To provide for the payment of interest on the indebtedness created by the district for the benefit of its water system; and

3. Sinking fund. To provide each year a sum equal to not less than 1% nor more than 5% of the entire indebtedness created by the district for the benefit of its water system, which sum must be turned into a sinking fund to provide for the extinguishment of the indebtedness. The money set aside for the sinking fund must be devoted to the retirement of the obliga-

tions of the district or invested in such securities as savings banks are allowed to hold. The trustees may, in their discretion and in lieu of the establishment of a sinking fund, issue bonds of the district so that not less than 1% of the amount of the bonds so issued mature and are retired each year.

There is a lien issued on real estate served by the district to secure the payment of unpaid water rates and other lawful charges. The water lien takes precedence over all other claims on the real estate, except claims for taxes and sewer rates. The procedures of obtaining, enforcing and receiving payment on the water lien are governed by Title 35-A, section 6111-A.

Sec. 24. Incidental powers granted. All incidental powers, rights and privileges necessary to the accomplishment of the objectives set forth in the Act are granted to the district.

Sec. 25. Replacement of equipment; road openings. Upon the reconstruction of any public roadway by the Town of Southwest Harbor, the district shall coordinate the replacement of any sewer or water lines, equipment, valves or hydrants that have reached their maximum useful life. A rebuilt or resurfaced road may not be opened or excavated by the district except under emergency conditions, within 5 years of reconstruction or repavement of the road.

Sec. 26. Referendum; effective date. This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Town of Southwest Harbor at a referendum called for that purpose and held within 2 years of the effective date of this Act. The election must be called by the Board of Selectmen of the Town of Southwest Harbor and must be held at the regular voting place. The referendum must be called, advertised and conducted according to the law relating to municipal elections. The registrars shall make a complete list of all the eligible voters of the proposed district as described in this Act. The list prepared by the registrars governs the eligibility of a voter. For the purpose of registration of voters, the registrars of voters must be in session the regular workday preceding the referendum. The subject matter of this Act is reduced to the following question:

"Do you favor merging the Southwest Harbor water department and the Southwest Harbor sewer department to create the Southwest Harbor Water and Sewer District and transferring all municipal water and sewer assets to the Southwest Harbor Water and Sewer District?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the Board of Selectmen of the Town of Southwest Harbor and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all other purposes immediately upon its approval by a majority of the legal voters of the Town of Southwest Harbor voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section as long as the referenda are held within 2 years after the effective date of this Act.

Effective pending referendum.

**RESOLVES OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
2015**

**CHAPTER 1
H.P. 10 - L.D. 7**

**Resolve, Regarding Legislative
Review of Portions of Chapter
101, MaineCare Benefits
Manual, Chapter III, Section
21: Allowances for Home and
Community Benefits for
Adults with Intellectual
Disabilities or Autistic
Disorder, a Major
Substantive Rule of the
Department of Health and
Human Services**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 17, 2015.

**CHAPTER 2
S.P. 34 - L.D. 97**

**Resolve, Directing the
Department of Education To
Amend the School Emergency
Drill Rules**

Sec. 1. Amend school emergency evacuation rules to include lockdown drills. Resolved: That the Department of Education shall amend Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units in Section 10.02, paragraph A to require lockdown drills as well as emergency evacuation drills, while keeping the total number of required drills unchanged. Rules amended pursuant to this resolve are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 3
H.P. 49 - L.D. 55**

**Resolve, To Direct the
Department of
Transportation To Name the
Interstate 95 Rest Area in
Hampden the Joshua
Lawrence Chamberlain Rest
Area**

Sec. 1. Interstate 95 rest area in Hampden named. Resolved: That the Department of Transportation shall designate the rest area in Hampden on Interstate 95 North at mile marker 176 the Joshua Lawrence Chamberlain Rest Area.

See title page for effective date.

CHAPTER 4
H.P. 60 - L.D. 66

**Resolve, Naming the Bridges
That Span the Machias River
in Machias the Jeremiah
O'Brien Memorial Bridges**

Sec. 1. Bridges in Machias named. Resolved: That the Department of Transportation shall designate bridges numbered 1469, 1470 and 2191 on U.S. Route 1 that span the Machias River in the Town of Machias the Jeremiah O'Brien Memorial Bridges.

See title page for effective date.

CHAPTER 5
H.P. 145 - L.D. 202

**Resolve, Regarding
Legislative Review of
Portions of Chapter 22:
Standards for Outdoor
Application of Pesticides by
Powered Equipment in Order
To Minimize Off-target
Deposition, a Major
Substantive Rule of the
Department of Agriculture,
Conservation and Forestry,
Board of Pesticides Control**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equip-

ment in Order To Minimize Off-target Deposition, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 29, 2015.

CHAPTER 6
H.P. 146 - L.D. 203

**Resolve, Regarding
Legislative Review of
Portions of Chapter 28:
Notification Provisions for
Outdoor Pesticide
Applications, a Major
Substantive Rule of the
Department of Agriculture,
Conservation and Forestry,
Board of Pesticides Control**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Stat-

utes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 29, 2015.

CHAPTER 7

H.P. 4 - L.D. 1

Resolve, To Name the Route 11 Bridge over the Saco River in Standish and Limington the Veterans Memorial Bridge

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

Whereas, a ceremony to honor veterans is planned for Memorial Day, May 25, 2015 at the Route 11 bridge renamed in the legislation; and

Whereas, that date will pass before the 90-day period expires; and

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

Sec. 1. Route 11 bridge named. Resolved: That the Department of Transportation shall designate Bridge 3328 on Route 11 that crosses the Saco River between the Town of Standish and the Town of Limington the Veterans Memorial Bridge and shall erect an appropriate sign or signs to proclaim this designation.

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

Effective March 31, 2015.

CHAPTER 8

S.P. 48 - L.D. 115

Resolve, To Name Interstate 295 from Scarborough to West Gardiner the Richard A. Coleman Highway

Sec. 1. Interstate 295 named. Resolved: That the Department of Transportation shall designate

Interstate 295 from the tollbooth in the Town of Scarborough to the tollbooth in the Town of West Gardiner as the Richard A. Coleman Highway.

See title page for effective date.

CHAPTER 9

H.P. 143 - L.D. 200

Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 895: Underground Facility Damage Prevention Requirements, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following change is made.

1. The rule must be amended in section 6(C)(4) to provide a specific time frame, not to exceed 10 business days, for a non-member operator to notify the Public Utilities Commission that the non-member operator's contact person who receives excavation notifications has changed or that the contact information of the contact person has changed for purposes of maintaining the commission's OKTODIG database.

The Public Utilities Commission is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

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

Effective April 14, 2015.

CHAPTER 10

H.P. 239 - L.D. 352

Resolve, Regarding Legislative Review of Portions of Chapter 119: Motor Vehicle Fuel Volatility Limit, a Major Substantive Rule of the Department of Environmental Protection

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 119: Motor Vehicle Fuel Volatility Limit, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective April 16, 2015.

CHAPTER 11

H.P. 101 - L.D. 143

Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 4: Maine Motor Carrier Safety Regulation, a provisionally adopted major substantive rule of the Department of Public Safety, Bureau of State Police that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following change is made:

1. The rule must be amended in section 4, paragraph B-1 to provide that intrastate vehicles to which Chapter 4 applies that have a gross vehicle weight rating of 10,001 pounds to 26,000 pounds and that neither meet the definition of a "bus" nor transport hazardous materials are exempt from 49 Code of Federal Regulations, Sections 390.19 and 390.21.

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

Effective April 29, 2015.

CHAPTER 12
H.P. 105 - L.D. 147

**Resolve, Regarding
Legislative Review of
Portions of Chapter 500:
Stormwater Management, a
Major Substantive Rule of the
Department of
Environmental Protection**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 500: Stormwater Management, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in section 4, subsection E to clarify, for the purposes of the urban impaired stream standard, that where there is a department-approved management and monitoring plan in place and monitoring demonstrates that a stressor in the watershed, which may be either a pollutant or a failure to meet a water quality standard, is contributing to the impairment of the urban impaired stream, the department may require the applicant to use alternative or additional stormwater treatment measures to address the identified stressor; and

2. The rule must be amended in section 14 to extend the permit shield provision to the implementation of innovative measures to increase the probability that low-impact development measures will be installed.

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

Effective April 29, 2015.

CHAPTER 13
H.P. 410 - L.D. 597

**Resolve, Regarding
Legislative Review of
Portions of Chapter 101:
MaineCare Benefits Manual,
Chapter III, Section 29:
Allowances for Support
Services for Adults with
Intellectual Disabilities or
Autistic Disorder, a Major
Substantive Rule of the
Department of Health and
Human Services**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 10, 2015.

CHAPTER 14

H.P. 244 - L.D. 357

Resolve, To Study Options for a State Demand Response Program

Preamble. Whereas, there is significant value to individual consumers of electricity who participate in demand response programs that provide incentives to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized and to consumers who benefit from reduced peak electricity pricing and increased electrical grid stability; and

Whereas, such consumer and grid benefits are best obtained through formal demand response programs designed to encourage consumer participation; and

Whereas, the State's consumers and economy are being harmed by increased energy costs due to natural gas pipeline constraints and this harm may be reduced through participation in a state demand response program; and

Whereas, the United States Supreme Court is currently considering whether demand response programs are within the federal jurisdiction of the Federal Energy Regulatory Commission or are reserved to state jurisdiction and the resulting uncertainty has reduced participation in existing demand response programs; and

Whereas, the existing regional demand response program rules do not adequately address the needs of Maine electricity consumers; and

Whereas, it is important to the State's electrical consumers and economy that the State be prepared to implement a demand response program, if necessary, for either Maine alone or in conjunction with the other New England states; now, therefore, be it

Sec. 1. Study of options for a state demand response program. Resolved: That the Efficiency Maine Trust shall, using existing resources, study options for a state demand response program that will produce electricity consumer and electrical grid benefits and that will allow and encourage participation of Maine electricity consumers in the program. In conducting its study, the trust shall consult with the Governor's Energy Office, the Public Utilities Commission, the Office of the Public Advocate and ISO-New

England and shall survey other states in New England regarding their interest in demand response programs at the state or regional level and consider demand response program rules that do not unduly burden or discourage consumer participation. The trust shall solicit the involvement of transmission and distribution utilities and electricity consumers in the State and determine consumer preferences for demand response program elements and rules. The trust shall issue a draft report and accept comments from the public and other interested parties. The trust shall coordinate with the other state agencies involved in order to efficiently and effectively solicit such public comment. The trust shall submit a report of its study and conclusions, including recommended legislation, by February 1, 2016 to the Joint Standing Committee on Energy, Utilities and Technology, which may report out a bill to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 15

H.P. 108 - L.D. 150

Resolve, Requiring a Review of and a Report on Pretrial and Post-conviction Use of Batterers' Intervention Programs

Sec. 1. Review of pretrial and post-conviction use of batterers' intervention programs. Resolved: That the Maine Commission on Domestic and Sexual Abuse, as established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-C, shall review pretrial and post-conviction use of batterers' intervention programs. The review must include best practices for batterers' intervention programs, including the length of successful programs and sanctions and incentives to encourage full participation. The review must consider the potential for use of batterers' intervention programs before trial, during a period of deferred disposition and after conviction; and be it further

Sec. 2. Report on pretrial and post-conviction use of batterers' intervention programs. Resolved: That, after completing the review required under section 1, the Maine Commission on Domestic and Sexual Abuse shall report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 on the results of the review. The report may include recommendations and suggested legislation. Following receipt of the report the Joint Standing Committee on Criminal Justice and Public Safety may submit a bill on pretrial and post-

conviction use of batterers' intervention programs to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 16

H.P. 801 - L.D. 1170

Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

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

Effective May 26, 2015.

CHAPTER 17

S.P. 413 - L.D. 1161

Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley

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

Whereas, Resolve 1999, chapter 41 provided for the sale of approximately 1,203 acres of land to the Town of Carrabassett Valley; and

Whereas, the land was conveyed with certain restrictions; and

Whereas, these restrictions prevent the development of an outdoor recreational and educational center for persons with developmental and physical disabilities; and

Whereas, these restrictions need to be changed as quickly as possible to allow construction to begin on this center in time to allow for its use this year; and

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

Sec. 1. Resolve 1999, c. 41, §6, enacted. Resolved: That Resolve 1999, c. 41, §6 is enacted to read:

Sec. 6. Development for certain uses. Resolved: That, notwithstanding the conditions and restrictions specified in section 4, the Town of Carrabassett Valley is authorized to lease no more than 2 acres of land to a nonprofit corporation for development of an outdoor recreational and educational center for use by persons with developmental and physical disabilities, including persons who are blind or visually impaired or who have aphasia, Parkinson's disease or autism, and including residential and overnight accommodations and dining facilities for staff and guests. The nonprofit corporation may charge a fee for use of the center and its accommodations, including services provided at the center.

; and be it further

Sec. 2. Amendment of deed. Resolved: That the Director of the Bureau of Parks and Lands in the Department of Agriculture, Conservation and Forestry shall amend the deed conveyed to the Town of Carrabassett Valley pursuant to Resolve 1999, chapter 41 to reflect the changes made in this resolve.

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

Effective May 26, 2015.

CHAPTER 18

S.P. 194 - L.D. 525

Resolve, To Direct the Department of Health and Human Services To Report on Efforts To Reach in Rural Areas Persons Who Are Elderly, Disabled or Mentally Ill

Sec. 1. Department of Health and Human Services to report on efforts to reach in rural areas persons who are elderly, disabled or mentally ill. Resolved: That the Department of Health and Human Services shall report on its efforts to reach in rural areas persons who are elderly, disabled or mentally ill. The department shall particularly focus on elderly, disabled and mentally ill persons who are not able to use or who have no access to the Internet or other electronic forms of communication technology or who have limited contact with the department. In developing this report, the department shall hold at least one public meeting in Piscataquis County to which persons, parties and organizations interested in the health and well-being of persons who are elderly, disabled or mentally ill may attend to inform the department of the effectiveness of department efforts and any shortcomings in efforts to reach in rural areas persons who are elderly, disabled or mentally ill and the ability of those populations to access department services and personnel. The department shall submit its report to the Joint Standing Committee on Health and Human Services by January 1, 2016.

See title page for effective date.

CHAPTER 19

H.P. 68 - L.D. 74

Resolve, To Require the Director of the Bureau of Maine Veterans' Services To Make Recommendations To Ensure Equity in the Benefits Provided to Military Service Members

Sec. 1. Director of Bureau of Maine Veterans' Services to provide recommendations on streamlining of criteria for services and

benefits to veterans and military service members; legislation authorized. Resolved: That the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management shall provide recommendations to the Joint Standing Committee on Veterans and Legal Affairs regarding proposals considered during the First Regular Session of the 127th Legislature to streamline the criteria for the delivery and administration of state-established services and benefits to veterans and military service members in the State. The committee is authorized to introduce a bill to the Second Regular Session of the 127th Legislature regarding the streamlining of criteria for the delivery and administration of services and benefits to veterans and military service members. The committee shall consider recommendations made by the bureau and other groups or subcommittees regarding the simplification of the definition of "veteran" for the purpose of the delivery and administration of benefits and services provided to veterans and military service members in the State.

See title page for effective date.

CHAPTER 20

S.P. 47 - L.D. 114

Resolve, Authorizing the Bureau of General Services To Offer Certain Property to Kennebec County for 6 Months Prior to Listing the Property with Private Real Estate Brokers

Sec. 1. Authority to convey state property. Resolved: That, notwithstanding any other provision of law, the State, by and through the Commissioner of Administrative and Financial Services, may:

1. Convey by sale any or a portion of the interests of the State in the state property described in section 2, with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including machinery, equipment and supplies;
2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;
3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;
4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's dis-

cretion, may contribute to the value of a proposed sale of the State's interests; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

Sec. 2. Property interests that may be conveyed. Resolved: That the state property authorized to be sold is:

1. A parcel or parcels of land and buildings, or any portion of the parcel or parcels of land and buildings, in the City of Augusta, now or formerly known as "the Augusta District Court," located at 145 State Street, and any associated land and parking areas determined to be necessary by the Commissioner of Administrative and Financial Services, including but not limited to all or a portion of the properties described in deeds recorded in the Kennebec County Registry of Deeds, Book 1480, Page 752; and be it further

Sec. 3. Property to be offered to Kennebec County for 6 months. Resolved: That for 6 months following the effective date of this resolve the Commissioner of Administrative and Financial Services may negotiate with Kennebec County for the sale of the state property described in section 2 and may execute a purchase and sale agreement with Kennebec County upon terms the commissioner considers appropriate, except that the property must be sold "as is," with no representations or warranties and a requirement that Kennebec County use the property to house the Registry of Deeds and other county offices. The title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner. Kennebec County shall notify the commissioner in writing if the county determines prior to the end of the 6-month period that it does not want to purchase the property described in section 2. During this 6-month period, the commissioner may not negotiate or execute a purchase and sale agreement with any other party for the sale of the state property described in section 2 unless Kennebec County notifies the commissioner in writing that the county does not want to purchase the property; and be it further

Sec. 4. Property may be listed for sale or lease with private real estate brokers. Resolved: That if Kennebec County does not execute a purchase and sale agreement with the Commissioner of Administrative and Financial Services for the sale of the state property described in section 2 within 6 months following the effective date of this resolve, or if the county notifies the commissioner in writing prior to the end of the 6-month period that the county does not want to purchase the state property, as provided in section 3, the commissioner may list the property for sale or lease with private real estate brokers and may negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants

for the sale of the property. The title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner; and be it further

Sec. 5. Exemptions. Resolved: That any conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the state property described in section 2 first be offered to the Maine State Housing Authority or another state or local agency or offered through competitive bidding; and be it further

Sec. 6. Appraisal. Resolved: That the Commissioner of Administrative and Financial Services shall have the current market value of the state property described in section 2 determined by an independent appraiser; and be it further

Sec. 7. Proceeds. Resolved: That any proceeds from a sale pursuant to this resolve must be deposited in the Department of Administrative and Financial Services, Bureau of General Services' capital repair and improvement account for capital improvements as designated by the Commissioner of Administrative and Financial Services; and be it further

Sec. 8. Repeal. Resolved: That this resolve is repealed 4 years from its effective date.

See title page for effective date.

CHAPTER 21

H.P. 803 - L.D. 1172

Resolve, Regarding Legislative Review of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a Late-filed Major Substantive Rule of the Department of Transportation

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That, contingent upon the Maine Revised Statutes, Title 29-A, section 2354-D, subsection 1 being amended to repeal the exclusion from the commercial motor vehicle configurations that may be allowed to operate on specified routes of travel by the Commissioner of Transportation of truck tractor-semitrailer-semitrailer combination vehicles in which the 2 trailing units are connected with a B-train assembly, final adoption of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a provisionally adopted major substantive rule of the Department of Transportation that has been submitted to the Legislature for review pursuant to Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if the following changes are made:

1. The rule must be amended in Section 2 to provide that the process described in the rule for permitting overlimit commercial motor vehicles of specified configurations to travel designated routes, referred to as "special haul routes," is available to B-train double configurations, as defined in Title 29-A, section 2354-C, subsection 2; and

2. The rule must be amended in Section 9 to provide that B-train double configurations, as defined in Title 29-A, section 2354-C, subsection 2, are allowed.

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

Effective June 9, 2015.

CHAPTER 22

S.P. 535 - L.D. 1427

Resolve, Regarding the Department of Environmental Protection's Rule Chapter 500: Stormwater Management

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

Whereas, on January 8, 2015, the Department of Environmental Protection submitted for legislative review portions of Chapter 500: Stormwater Management, a major substantive rule of the department; and

Whereas, on April 29, 2015, the legislative instrument approving final adoption by the department of this major substantive rule submitted for legislative review became effective following approval by the Governor; and

Whereas, pursuant to the Maine Revised Statutes, Title 5, section 8072, subsection 8, final adoption by the department must occur within 60 days of the effective date of that legislative instrument; and

Whereas, the additional rule change directed in this legislation was inadvertently omitted from that enacted legislative instrument and must be incorporated in the rule prior to final adoption; and

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

Sec. 1. Resolve 2015, c. 12, §1, amended. Resolved: That Resolve 2015, c. 12, §1 is amended to read:

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 500: Stormwater Management, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in section 4, subsection E to clarify, for the purposes of the urban impaired stream standard, that where there is a department-approved management and monitoring plan in place and monitoring demonstrates that a stressor in the watershed, which may be either a pollutant or a failure to meet a water quality standard, is contributing to the impairment of the urban impaired stream, the department may require the applicant to use alternative or additional stormwater treatment measures to address the identified stressor; and

2. The rule must be amended in ~~section~~ sections 14 and 15 to extend the permit shield provision to the implementation of innovative measures to increase the probability that low-impact development measures will be installed.

; and be it further

Sec. 2. Department of Environmental Protection; stormwater management rule; final adoption. Resolved: That notwithstanding the

Maine Revised Statutes, Title 5, section 8072, subsection 8, the Department of Environmental Protection may finally adopt Rule Chapter 500 as authorized for final adoption by Resolve 2015, chapter 12 as amended by this resolve, as long as final adoption occurs within 60 days of the effective date of this resolve.

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

Effective June 9, 2015.

CHAPTER 23

S.P. 455 - L.D. 1273

Resolve, To Create a License Plate To Recognize the Bicentennial of the State

Sec. 1. State of Maine Bicentennial commemorative plate. Resolved: That the Secretary of State shall issue, at no cost to the Secretary of State, a reflectorized, commemorative simulated registration plate in recognition and celebration of the bicentennial of the State, which became the 23rd state on March 15, 1820. The Secretary of State shall design the plate, and the plate must bear the date of its expiration, which is December 31, 2020. Notwithstanding the Maine Revised Statutes, Title 29-A, section 454, the State of Maine Bicentennial commemorative plate may be displayed by covering, but not removing, the front registration plate on a motor vehicle, including a motor vehicle registered outside this State and operated within it, beginning January 1, 2018 to December 31, 2020. The plate may not be displayed on a truck tractor as defined in Title 29-A, section 101, subsection 90; and be it further

Sec. 2. Administrative fee; distribution. Resolved: That the Secretary of State shall develop a plan for the sale and distribution of the State of Maine Bicentennial commemorative plates. The fee for the State of Maine Bicentennial commemorative plate is \$25, which must be credited as follows:

1. Nine dollars per plate to the Secretary of State for the costs associated with the production and issuance of the plates; and
2. Sixteen dollars per plate to the Maine State Cultural Affairs Council established under the Maine Revised Statutes, Title 5, section 12004-G, subsection 7-A; and be it further

Sec. 3. Other uses prohibited. Resolved: That the State of Maine Bicentennial commemorative

plate may not be sold or displayed on a motor vehicle except as provided in this resolve.

See title page for effective date.

CHAPTER 24

S.P. 278 - L.D. 780

Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey the Parcel of Land in Kittery Known as John Paul Jones Memorial Park to the Town of Kittery

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may sell or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 12, section 1814 and section 1851, subsections 1 and 2; now, therefore, be it

Sec. 1. Director of the Bureau of Parks and Lands is authorized, but not directed, to convey certain land known as John Paul Jones Memorial Park in Kittery. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may gift by quitclaim deed without covenant, and on such other terms and conditions as the director may direct, the interests of the State in the property known as John Paul Jones Memorial Park, referred to in this resolve as "the property," situated between Hunter Avenue and Newmarch Street and between Water Street and Government Street in the Town of Kittery, County of York, with the buildings and improvements, together with all appurtenant rights and easements located on that property, to the Town of Kittery; and be it further

Sec. 2. Restrictions. Resolved: That the instrument transferring the interests of the State in the property must include the following terms and restrictions:

1. The property must continue to be used and managed for public noncommercial governmental purposes as a public park. If the property is used oth-

erwise, title to the property must automatically revert to the Department of Agriculture, Conservation and Forestry, but only on those terms and conditions as the Director of the Bureau of Parks and Lands within the department may direct;

2. In the event the Town of Kittery proposes to transfer an interest in the property, in whole or in part, to a 3rd party not affiliated with the Town of Kittery, the department has a right of first refusal to take back the property at no cost and upon those terms and conditions as the director may direct; and

3. Notwithstanding any decision by the department not to exercise its right of first refusal, the department shall continue to hold the right of first refusal in perpetuity, and such right is a servitude on the property and runs with the land and is binding upon the Town of Kittery, its successors and assigns forever.

See title page for effective date.

CHAPTER 25

H.P. 144 - L.D. 201

Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 101: Maine Unified Special

Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in Section II.19, Section IV.2.B and Section VI.2.A to strike the term "Individualized Educational Program (IEP) Service Coordinator" and restore the term "Individualized Educational Program (IEP) Case Manager" in alignment with federal regulations adopted for Part B of the federal Individuals with Disabilities Education Act;

2. The rule must be amended in Section IV.2.E, which concerns the local policy developed by an Intermediate Educational Unit (IEU) or a School Administrative Unit (SAU) on the referral of a child to an Individualized Education Program (IEP) Team, by amending the timeline for additional evaluations needed for a child to require that the IEU must send a consent to evaluate form to the IEP Team within 15 days;

3. The rule must be amended in Section V.1.A, which concerns the initial evaluation of whether a child age 3 to age 20 is a child with a disability, by adding language that indicates that the initial evaluation must consist of procedures to determine if the child is a child with a disability and to determine the educational needs of such child, and in Section V.1.A(3)(a)(ii) by deleting language that indicates that, following the completion of the initial evaluation, the SAU shall proceed to determine the educational needs of the child;

4. The rule must be amended in Section V.2.F, which concerns determination of eligibility and educational need, to strike subparagraph (3), which establishes a new timeline for completion of the determination of eligibility and development of the IEP;

5. The rule must be amended in Section V.4.B, which concerns the submission of a written evaluation report of whether a child age 3 to age 20 is a child with a disability, by restoring the original language to this section regarding the requirement that the person completing an evaluation submit a report no later than 40 school days, or 50 days for children in the Child Development Services System, recognizing the requirement that parents receive the report at least 3 days prior to the meeting; and

6. The rule must be amended in Section IX.3.B(2), which concerns the implementation of a child with a disability's IEP, by restoring the language that specifies that a meeting to develop an IEP is conducted within 30 days of a determination that the child needs special education and related services.

The Department of Education is not required to hold hearings or undertake further proceedings prior to

final adoption of the rule in accordance with this section.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 11, 2015.

CHAPTER 26

H.P. 957 - L.D. 1408

**Resolve, Regarding
Legislative Review of
Portions of Chapter 21:
Statewide Standards for
Timber Harvesting and
Related Activities in
Shoreland Areas, a Late-filed
Major Substantive Rule of the
Department of
Agriculture, Conservation and
Forestry, Bureau of
Forestry**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 16, 2015.

CHAPTER 27

S.P. 479 - L.D. 1327

**Resolve, Authorizing the State
Tax Assessor To
Convey the Interest of the State
in Certain Real Estate in the
Unorganized Territory**

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2016.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2012 State Valuation. Parcel descriptions are as follows:

2012 MATURED TAX LIENS

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Cross Lake TWP, Aroostook County

Map AR031, Plan 1, Lot 70 038990249-2

Lynch, Gene A. Heirs or
Devises Building on leased land

TAX LIABILITY	
2008	\$206.83
2009	824.26
2010	631.26
2011	560.55
2012	474.46
2013	474.46
2014	337.98
2015 (estimated)	337.98
Estimated Total	\$3,847.78
Taxes	
Interest	443.61
Costs	52.00
Deed	19.00
Total	\$4,362.39

Recommendation: Sell to Lynch, Gene A. Heirs or Devises for \$4,362.39. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$4,375.00.

Connor TWP, Aroostook County

Map AR105, Plan 2, Lot 43.3 038020368-3

Demilia, John J., Jr., and
Deborah J. 40.40 acres

TAX LIABILITY	
2012	\$117.22
2013	118.27
2014	117.74
2015 (estimated)	117.74
Estimated Total	\$470.97
Taxes	
Interest	17.82

Costs	32.00
Deed	19.00
Total	\$539.79

Recommendation: Sell to Demilia, John J., Jr., and Deborah J. for \$539.79. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$550.00.

Madrid TWP, Franklin County

Map FR029, Plan 5, Lot 35 071100131-1

Kurtz, Allen K. and Doris 0.34 acre

TAX LIABILITY	
2012	\$34.60
2013	42.34
2014	38.94
2015 (estimated)	38.94
Estimated Total	\$154.82
Taxes	
Interest	5.11
Costs	32.00
Deed	19.00
Total	\$210.93

Recommendation: Sell to Kurtz, Allen K. and Doris for \$210.93. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$225.00.

Fletchers Landing TWP, Hancock County

Map HA004, Plan 3, Lot 17 098040070-2

Madin, Constance 0.28 acre

TAX LIABILITY	
2012	\$51.15
2013	39.01

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2014	47.32
2015 (estimated)	47.32

Estimated Total	\$184.80
Taxes	
Interest	6.74
Costs	32.00
Deed	19.00

Total	\$242.54

Recommendation: Sell to Madin, Constance for \$242.54. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$250.00.

Milton TWP, Oxford County

Map OX018, Plan 1, Lot 31 178120076-2

Woolverton, Ralph B. 50 acres

TAX LIABILITY

2012	\$391.13
2013	379.08
2014	443.37
2015 (estimated)	443.37

Estimated Total	\$1,656.95
Taxes	
Interest	54.34
Costs	32.00
Deed	19.00

Total	\$1,762.29

Recommendation: Sell to Woolverton, Ralph B. for \$1,762.29. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,775.00.

Argyle TWP, Penobscot County

Map PE035, Plan 1, Lots 52 and 53 198010109-2

Hoff, Michael and Brian 28 acres

TAX LIABILITY

2012	\$142.27
2013	138.75
2014	138.91
2015 (estimated)	138.91

Estimated Total	\$558.84
Taxes	
Interest	19.79
Costs	32.00
Deed	19.00

Total	\$629.63

Recommendation: Sell to Hoff, Michael and Brian for \$629.63. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$650.00.

Argyle TWP, Penobscot County

Map PE035, Plan 1, Lot 54 198010111-2

Hoff, Michael and Brian 8 acres

TAX LIABILITY

2012	\$92.60
2013	90.31
2014	90.41
2015 (estimated)	90.41

Estimated Total	\$363.73
Taxes	
Interest	12.88
Costs	32.00
Deed	19.00

Total	\$427.61

Recommendation: Sell to Hoff, Michael and Brian for \$427.61. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$450.00.

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Prentiss TWP, Penobscot County
 Map PE038, Plan 4, Lot 13.11 195400508-3
 Fitzgerald, James Building on 48 acres

Recommendation: Sell to Mulloy, Wenda L. for \$4,298.79. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$4,300.00.

TAX LIABILITY	
2012	\$288.01
2013	280.87
2014	281.19
2015 (estimated)	281.19
Estimated Total	\$1,131.26
Taxes	
Interest	40.07
Costs	32.00
Deed	19.00
Total	\$1,222.33

Recommendation: Sell to Fitzgerald, James for \$1,222.33. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,225.00.

Prentiss TWP, Penobscot County
 Map PE038, Plan 9, Lot 46 195400178-1
 Mulloy, Wenda L. 60 acres

Greenfield TWP, Penobscot County
 Map PE039, Plan 8, Lot 52 192700308-4
 White, Tobin W. Building on 0.3 acre

TAX LIABILITY	
2012	\$201.35
2013	196.36
2014	196.58
2015 (estimated)	196.58
Estimated Total	\$790.87
Taxes	
Interest	28.01
Costs	32.00
Deed	19.00
Total	\$869.88

Recommendation: Sell to White, Tobin W. for \$869.88. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$875.00.

TAX LIABILITY	
2011	\$2,989.60
2012	204.01
2013	198.95
2014	199.18
2015 (estimated)	199.18
Estimated Total	\$3,790.92
Taxes	
Interest	443.87
Costs	45.00
Deed	19.00
Total	\$4,298.79

TA R13 WELS, Piscataquis County
 Map PI047, Plan 10, Lot 4 218092085-1
 Decoste, Paul J. 1.98 acres

TAX LIABILITY	
2012	\$838.73
2013	807.53
2014	831.53
2015 (estimated)	831.53
Estimated Total	\$3,309.32
Taxes	
Interest	116.33

FIRST REGULAR SESSION - 2015

RESOLVE, C. 27

Costs	32.00
Deed	19.00
Total	\$3,476.65

Recommendation: Sell to Decoste, Paul J. for \$3,476.65. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$3,500.00.

Orneville TWP, Piscataquis County

Map PI082, Plan 3, Lot 13.1 218210551-1

Shannon, Marvel 1.16 acres

TAX LIABILITY

2012	\$64.03
2013	61.65
2014	63.48
2015 (estimated)	63.48

Estimated Total	\$252.64
Taxes	
Interest	8.88
Costs	32.00
Deed	19.00

Total \$312.52

Recommendation: Sell to Shannon, Marvel for \$312.52. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$325.00.

T2 R3 BKP WKR, Somerset County

Map SO003, Plan 4, Lot 37 258150122-1

Boyd, Scott R. 42 acres

TAX LIABILITY

2012	\$542.66
2013	542.13
2014	42.42

2015 (estimated) 42.42

Estimated Total \$1,169.63

Taxes	
Interest	32.20
Costs	51.00
Deed	19.00

Total \$1,271.83

Recommendation: Sell to Boyd, Scott R. for \$1,271.83. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,275.00.

Trescott TWP, Washington County

Map WA032, Plan 2, Lot 39 298110083-9

Jay Dee Realty Trust 75 acres

TAX LIABILITY

2012	\$72.22
2013	75.70
2014	74.21
2015 (estimated)	74.21

Estimated Total \$296.34

Taxes	
Interest	10.23
Costs	32.00
Deed	19.00

Total \$357.57

Recommendation: Sell to Jay Dee Realty Trust for \$357.57. If it does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$375.00.

See title page for effective date.

CHAPTER 28
S.P. 262 - L.D. 732

**Resolve, Authorizing the
Commissioner of
Administrative and Financial
Services To Sell or Lease the
Interests of the State in
Certain Real Property
Located in Bangor, Orono and
Thomaston**

Sec. 1. Authority to convey state property.

Resolved: That, notwithstanding any other provision of law, the State, by and through the Commissioner of Administrative and Financial Services, may:

1. Enter into a lease or leases or convey by sale any or a portion of the interests of the State in the state property described in section 2, with the buildings and improvements, together with all appurtenant rights and easements, and all personal property located on that property, including vehicles, machinery, equipment and supplies;

2. Negotiate, draft, execute and deliver any documents necessary to settle any boundary line discrepancies;

3. Exercise, pursuant to the Maine Revised Statutes, Title 23, chapter 3, subchapter 3, the power of eminent domain to quiet for all time any possible challenges to ownership of the state property;

4. Negotiate, draft, execute and deliver any easements or other rights that, in the commissioner's discretion, may contribute to the value of a proposed sale or lease of the State's interests; and

5. Release any interests in the state property that, in the commissioner's discretion, do not contribute to the value of the remaining state property; and be it further

Sec. 2. Property interests that may be conveyed. Resolved: That the state property authorized to be sold or leased is:

1. A parcel or parcels of land and buildings, or any portion thereof, in Bangor, now or formerly known as the Elizabeth Levinson Center, located at 159 Hogan Road, and any associated land and parking areas as may be necessary in the determination of the Commissioner of Administrative and Financial Services, including but not limited to all or a portion of the property depicted on the City of Bangor Tax Map R71, Lot 9;

2. A parcel or parcels of land and buildings, or any portion thereof, in Thomaston, now or formerly known as the Ship Street Houses, at the site of the former Maine State Prison, located on the northerly and southerly sides of U.S. Route 1, including but not

limited to property described in the following deeds recorded at the Knox County Registry of Deeds: Book 16, Pg. 517; Book 22, Pg. 213; Book 23, Pg. 498; Book 27, Pg. 157; Book 31, Pg. 187; Book 172, Pg. 561; Book 358, Pg. 44; Book 399, Pg. 181; Book 457, Pg. 322; Book 18, Pg. 122; Book 28, Pg. 266; Book 250, Pg. 212; Book 442, Pg. 198; Book 445, Pg. 593; Book 475, Pg. 179; Book 6, Pg. 179; and Book 237, Pg. 429; and

3. A certain lot or parcel of land comprising approximately one acre, together with any buildings and improvements thereon, formerly known as the Maine State Police Barracks, situated on U.S. Route 2 in Orono, as shown on the Town of Orono Tax Map 31-1, Lot 56; and be it further

Sec. 3. Property to be sold as is. Resolved:

That the Commissioner of Administrative and Financial Services may negotiate and execute leases and purchase and sale agreements upon terms the commissioner considers appropriate, but the state property described in section 2 must be sold "as is," with no representations or warranties.

The title must be transferred by quitclaim deed without covenant or release deed and executed by the commissioner; and be it further

Sec. 4. Exemptions. Resolved: That any lease or conveyance pursuant to this resolve is exempt from any statutory or regulatory requirement that the state property described in section 2 first be offered to the Maine State Housing Authority or another state or local agency; and be it further

Sec. 5. Appraisal. Resolved: That the Commissioner of Administrative and Financial Services shall have the current market value of the state property described in section 2 determined by an independent appraiser. The commissioner may list the state property for sale or lease with private real estate brokers and negotiate any sales or leases, solicit bids, sell directly to purchasers or enter directly into leases with tenants. The commissioner may reject any offers; and be it further

Sec. 6. Proceeds. Resolved: That any proceeds from the sale or lease of the state property described in section 2 pursuant to this resolve must, as designated by the Commissioner of Administrative and Financial Services, be deposited into the Department of Administrative and Financial Services, Bureau of General Services capital repair and improvement account for capital improvements as designated by the commissioner; and be it further

Sec. 7. Repeal. Resolved: That this resolve is repealed 5 years from its effective date.

See title page for effective date.

CHAPTER 29
H.P. 970 - L.D. 1424

**Resolve, Authorizing Certain
Land Transactions by the
Department of Agriculture,
Conservation and Forestry,
Bureau of Parks and Lands**

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may sell or exchange lands or interests in lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 5, section 6209 and Title 12, sections 1814, 1837 and 1851; now, therefore, be it

Sec. 1. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in lands in Aroostook County in exchange for other interests or properties.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey or release all interests held by the bureau in the following properties to Prentiss and Carlisle Company, Inc. and Prentiss and Carlisle Management Company in exchange for conveyance of property or interests in properties or other consideration of equivalent value from Prentiss and Carlisle Company, Inc. and Prentiss and Carlisle Management Company.

1. The property interests to be conveyed by the Department of Agriculture, Conservation and Forestry, by and through the Bureau of Parks and Lands, to Prentiss and Carlisle Company, Inc. and to Prentiss and Carlisle Management Company on behalf of other minority interests are all of the State's minority common and undivided interest in forested acres without flowage easements in T.10 R.4 SE/4, which is approximately 1,329 equivalent acres.

2. The property interests to be conveyed by Prentiss and Carlisle Company, Inc. and Prentiss and Carlisle Management Company on behalf of other minority interests to the State by and through the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands are:

A. All of Prentiss and Carlisle Company, Inc.'s common and undivided interests in forested acres without flowage easements in T.10 R.4 SE/4 north of Scopan Lake and all of the remaining minority common and undivided interests in forested acres without flowage easements in T.10 R.4 SE/4 north of Scopan Lake by and through Prentiss and Carlisle Management Company, which is together approximately 16 equivalent acres;

B. All of Prentiss and Carlisle Company, Inc.'s minority common and undivided interests in forested acres without flowage easements in T.10 R.4 NE/4 by and through Prentiss and Carlisle Management Company, which is approximately 309 equivalent acres;

C. All of the minority common and undivided interests in T.11 R.4 E/2 by and through Prentiss and Carlisle Management Company, which is together approximately 254 equivalent acres; and

D. All or a portion of Prentiss and Carlisle Company, Inc.'s interests in T.13 R.5, T.13 R.13 and T.12 R.13, or other parcels or other consideration from Prentiss and Carlisle Company, Inc. as may be needed in combination with the foregoing to be of equivalent value, as determined by the director, to the conveyance of the State to Prentiss and Carlisle Company, Inc. in T.10 R.4 SE/4 as described in subsection 1; and be it further

Sec. 2. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in Aroostook County in exchange for other interests or properties.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may by quitclaim deed without covenant and on such other terms and conditions as the director may direct, convey to Smith's Farm, Inc. a certain parcel of land, situated in the Town of Westfield, on the Southern Bangor and Aroostook Rail Trail, being an average width of 119 feet and an approximate length of 2,000 feet, or about 5.47 acres, in exchange for a certain parcel of land located on Smith's Farm, Inc. property between the existing rail trail and the Prestile Stream, being an average width of 99 feet and an approximate length of 2,400 feet, or 5.47 acres; and be it further

Sec. 3. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in Washington County in exchange for other interests or properties.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may by quitclaim deed without covenant, for exchange of land or interests in land of comparable value as determined by an appraiser and on such other terms and conditions as the director may direct, convey to Cherryfield Foods, Inc. a certain par-

cel in T.24 MD BPP, being 320 acres more or less, in exchange for 320 acres more or less of land of comparable value in T.24 MD BPP; and be it further

Sec. 4. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in Oxford County in exchange for other interests or properties. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may by quitclaim deed without covenant, for exchange of land of comparable value and such other terms and conditions as the director may direct, convey to Six Rivers Limited Partnership a parcel of land of approximately 0.4 acre abutting Six Rivers Limited Partnership lands on Aziscohos Lake in Lincoln Plantation, in exchange for approximately 3.5 acres on the South Arm Road in Township C with access to Lower Richardson Lake, presently used as a boat launch; and be it further

Sec. 5. Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in Aroostook County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may convey the bureau's minority interest to the majority owners of 2 2-acre camp lot parcels on Scopan Lake, more specifically:

1. To convey by quitclaim deed without covenant the bureau's 28.817% interest in a certain 2-acre parcel, for fair market value, to Robert W. Sawyer, of Ashland, acting on behalf of majority owners Robert W. Sawyer V and Sawyer Family Limited Partnership, together owners of 71.183%; and

2. To convey by quitclaim deed without covenant the bureau's 28.817% interest in a certain 2-acre parcel, for fair market value, to Jacque Morneau, of Mapleton, majority owner of 71.183%; and be it further

Sec. 6. Director of Bureau of Parks and Lands authorized, but not directed, to convey Halfway Rock Island in Casco Bay, Cumberland County. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may convey, for fair market value and on such other terms and conditions as the director may direct, Halfway Rock Island in Casco Bay in the Town of Chebeague Island, being approximately 1.5 acres, to the United States General Services Administration or its assignee.

See title page for effective date.

CHAPTER 30

S.P. 242 - L.D. 649

Resolve, To Ensure That MaineCare-eligible Children Have Equal Access to Providers of Dental, Hearing and Vision Services

Sec. 1. Development of comprehensive strategy. Resolved: That the Department of Health and Human Services, referred to in this resolve as "the department," shall develop a comprehensive strategy to address inequality in access to providers of dental, hearing and vision services for children 17 years of age and under who are eligible for MaineCare and to ensure that children eligible for MaineCare have the same access to these services as have children who have health insurance coverage through the private market. As part of the development of the comprehensive strategy required by this section, the department shall identify:

1. By geographic area and type of service, the level and scope of disparity in access;
2. Impediments to access;
3. Options for equalizing access, including changes to reimbursement, administrative processes, education and outreach; and
4. Potential pilot projects in underserved geographic areas; and be it further

Sec. 2. Stakeholder input. Resolved: That, in developing the comprehensive strategy required in section 1, the department shall actively seek input from a broad range of interested parties, including, but not limited to, parents and caregivers; providers of dental, hearing and vision services; pediatric and family health care practitioners; representatives of the child advocacy community; and the statewide associations representing physicians, osteopathic physicians, hospitals, federally qualified health centers, audiologists, dentists, optometrists and eye physicians and surgeons; and be it further

Sec. 3. Recommendations. Resolved: That the department shall submit the comprehensive strategy developed pursuant to section 1, including any suggested legislation, to the Joint Standing Committee on Health and Human Services by January 15, 2016. The Joint Standing Committee on Health and Human Services may report out legislation to the Second Regular Session of the 127th Legislature based on the comprehensive strategy submitted by the department.

See title page for effective date.

CHAPTER 31
S.P. 381 - L.D. 1079

**Resolve, To Support and
Encourage the Development of
an Adult Family Care
Demonstration Project in
Washington County**

Preamble. Whereas, rural and coastal areas of Maine have experienced closures of nursing facilities, reducing the number of long-term care options and causing family stress; and

Whereas, Maine has an aging population and the State must develop strategies to allow the population to age in place; and

Whereas, residents of long-term care and residential care facilities want to age in place, remaining close to their families; and

Whereas, couples with different acuity levels want to continue living together despite having different requirements for support; now, therefore, be it

Sec. 1. Department of Health and Human Services to review reimbursement levels at residential care facilities. Resolved: That the Department of Health and Human Services shall review the reimbursement levels at residential care facilities and create a new level of reimbursement that takes into account the greater levels of care required by residents in those facilities who choose to age in place. The review must take into account the financial position of facilities in those areas of the State that have recently lost a significant number of nursing facility beds. The review may include other reviews that the department is currently undertaking with respect to the continuum of care, including, but not limited to, home-based and community-based services and residential care and future projections of need for nursing facility beds; and be it further

Sec. 2. Department of Health and Human Services to develop a demonstration project. Resolved: That the Department of Health and Human Services shall develop a plan for a demonstration project in Washington County to establish facilities with suite-type settings. The demonstration project must take into account the needs of couples in which one or both spouses have a diagnosis of dementia; and be it further

Sec. 3. Report. Resolved: That the Department of Health and Human Services shall submit a report regarding its findings, pursuant to this resolve, to the Joint Standing Committee on Health and Human Services no later than January 15, 2016. The Joint Standing Committee on Health and Human Services

may report out legislation related to the report to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 32
H.P. 726 - L.D. 1057

**Resolve, To Review and
Report Recommendations on
the Safety of Motorized Farm
Rides Provided for a Fee to the
Public**

Sec. 1. Review. Resolved: That the State Fire Marshal, or the State Fire Marshal's designee, and the Chief of the Maine State Police, or the chief's designee, shall work together as co-chairs to convene a broadly representative group of stakeholders to review methods of ensuring the safety of the public on motorized hayrides, pumpkin rides and other farm rides that are offered for a fee to the public on farms and rural land. The stakeholder group shall review requirements applicable to motorized vehicles that pull rides, trailers and wagons on which the public sits or stands. The stakeholder group shall review the requirements in effect in the State of Rhode Island, the status of proposed standards for hayrides developed by the American Society for Testing and Materials and the laws of this State that apply to motor vehicles; and be it further

Sec. 2. Report. Resolved: That the Office of the State Fire Marshal and the Maine State Police shall prepare a report and submit it to the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Standing Committee on Transportation by February 1, 2016. The report must contain a description of the work undertaken by the stakeholder group and any findings and recommendations agreed upon by the stakeholders. Following review of the report the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Standing Committee on Transportation may each separately submit legislation to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 33
S.P. 398 - L.D. 1129

**Resolve, To Change the
Requirements for Nursing
Services in Home Health Care**

Sec. 1. Amend the rules governing nursing services in home health care services. Resolved: That the Department of Health and Human

Services shall amend Rule Chapter 119, Regulations Governing the Licensing and Functioning of Home Health Care Services, in Chapter 7, Section 7.B.2 to allow nursing services to be provided by new nursing graduates who have successfully completed a home health care orientation program approved by the department prior to commencing independent home health care nursing practice. The orientation, provided by the agency employing the nursing graduate, must include all components of the home health agency core orientation and, in addition, a standard orientation curriculum that includes, but is not limited to, intravenous therapy including central and peripherally inserted central catheter line management, comprehensive health assessment, chronic disease self-management strategies, goal setting, patient-centered care, wound care assessment and techniques, evidence-based practice in clinical care, interprofessional collaborative practice, critical thinking and clinical judgment, health care ethics and medication assessment, reconciliation and administration and management in the community setting.

See title page for effective date.

CHAPTER 34

H.P. 70 - L.D. 87

Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the people of the State need and deserve a variety of well-planned and financially stable long-term care services in home-based and community-based care settings and in nursing facilities in their communities; and

Whereas, recent closures of nursing facilities, in particular in rural and underserved areas of the State, have had a significant impact on Maine families and communities; and

Whereas, in order to provide high-quality care to Maine's elderly and disabled persons and to maintain access to services across the State, the Legislature must take immediate action to continue a thoughtful and thorough planning process; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Amendment of Principles of Reimbursement for Nursing Facilities. Resolved: That the Department of Health and Human Services shall amend Rule Chapter 101, MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities as follows.

1. Continuing education for direct care staff. The rule must be amended so that the cost of continuing education for direct care staff is included as a direct care cost component rather than a routine cost component.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 23, 2015.

CHAPTER 35

H.P. 739 - L.D. 1076

Resolve, Directing the Department of Health and Human Services To Increase Public Awareness about and Access to Federal Resources Related to Vaccine Injuries

Sec. 1. Department of Health and Human Services directed to increase public awareness about and access to federal resources related to vaccine injuries. Resolved: That the Department of Health and Human Services shall create a link on the department's publicly accessible website to existing federal resources related to vaccine injuries, including but not limited to information about the:

1. National Vaccine Injury Compensation Program of the United States Department of Health and Human Services, Health Resources and Services Administration; and

2. Vaccine Adverse Event Reporting System co-sponsored by the United States Centers for Disease Control and Prevention and the United States Food and Drug Administration, agencies of the United States Department of Health and Human Services.

See title page for effective date.

CHAPTER 36
H.P. 591 - L.D. 872

**Resolve, Establishing a Task
Force To Ensure Integrity in
the Use of Service Animals**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve establishes a task force to study training and certification requirements of service animals, methods of disseminating information about service animals to the public and documentation of training and certification of service animals; and

Whereas, the business of the task force must be initiated before the 90-day period expires in order that it may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Task force to ensure integrity in the use of service animals. Resolved: That the Commissioner of Agriculture, Conservation and Forestry shall convene a task force of interested parties to study:

1. Training requirements for service animals;
2. Certifying organizations and existing certification requirements for service animals and development of new state-based certification requirements, if needed;
3. The necessity of educating the public about service animals and methods of disseminating information about service animals;
4. Documentation of training and certification of service animals and the development of additional documentation and proofs, if needed; and
5. Housing issues related to service animals; and be it further

Sec. 2. Task force membership. Resolved: That the Commissioner of Agriculture, Conservation and Forestry shall invite the following individuals to participate in the task force: 2 trainers of service or therapy animals, a restaurant owner or operator, a member of the business community, a member of the Maine Human Rights Commission or a designee selected by the commission, a member from the public education system, a member of the Maine Real Estate Managers Association, a representative of the Central

Maine Apartment Owners Association or the Maine Apartment Owners and Managers Association, a resident of the State with physical disabilities, a resident of the State with nonphysical disabilities, an attorney who specializes in disability law with experience in both state and federal laws governing service animals and the state accessibility coordinator from the Department of Labor, Bureau of Rehabilitation Services; and be it further

Sec. 3. Report. Resolved: That, no later than December 2, 2015, the Commissioner of Agriculture, Conservation and Forestry shall report the task force's recommendations, including any proposed legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit a bill related to the subject matter of the report to the Second Regular Session of the 127th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 27, 2015.

CHAPTER 37
H.P. 863 - L.D. 1263

**Resolve, To Create
Sustainable Growth in Maine's
Distributed Energy Sector
That Uses Market Forces To
Fairly Compensate Energy
Producers**

Preamble. Whereas, the Legislature finds that net energy billing is a simple mechanism that has supported the development of distributed generation in Maine, but net energy billing may not provide a suitable long-term foundation for distributed generation; and

Whereas, the Legislature finds that it is in the public interest to develop an alternative to net energy billing that fairly and transparently allocates the costs and benefits of distributed generation to all customers, allows participation by all customers and creates a sustainable platform for future growth of distributed generation to the benefit of all ratepayers; and

Whereas, the Legislature finds that the policy structure described within the Office of the Public Advocate's white paper entitled "A Ratepayer Focused Strategy for Distributed Solar in Maine" merits further exploration; now, therefore, be it

Sec. 1. Stakeholder discussions. Resolved: That the Public Utilities Commission shall, using existing resources, convene a stakeholder group to develop an alternative to net energy billing, as defined in

the Maine Revised Statutes, Title 35-A, section 3209-A. To the maximum extent possible, the recommendations from this group must reflect consensus among the stakeholders. In developing an alternative, the commission shall:

1. Ensure the alternative includes fixed, long-term compensation mechanisms for distributed generation that, when feasible, obtain the best price for ratepayers using market-based competition or capacity-based step downs, as described in the Office of the Public Advocate's white paper entitled "A Ratepayer Focused Strategy for Distributed Solar in Maine," and ensure the maximum level of compensation for a given technology does not exceed the ratepayer benefits as determined by a commission evaluation of the specific benefits of that technology;

2. Develop at least 3 aggregate market size scenarios representing low, medium and high estimates of the total installed capacity that would be developed under existing rate structures if net energy billing were to continue through 2021;

3. Ensure the alternative provides opportunities for meaningful participation by all market segments identified in the Office of the Public Advocate's white paper, including residential, commercial, industrial, community and wholesale or grid-scale solar distributed generation;

4. Include a method to aggregate, capture and monetize for ratepayers the benefits of distributed generation assets, including, but not limited to, benefits related to energy supply, capacity and renewable energy credits, in order to maximize revenues for aggregation to all ratepayers and identify the appropriate entity to initially serve as an aggregator, while providing for the opportunity for 3rd-party aggregation at a future date; and

5. Develop a process and timeline for transition from current net energy billing policies to the alternative that address the following:

- A. The continued availability of net energy billing pending an assessment of the alternative, or until such date as the commission may recommend;

- B. Options for participation by existing net energy billing customers in the alternative; and

- C. Continuing opportunities for self-consumption by distributed generation customers once the alternative is fully implemented; and be it further

Sec. 2. Report. Resolved: That the Public Utilities Commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology by January 30, 2016 that includes an overview of the stakeholder discussions; an overview of the alternative under section 1; any areas in which stakeholders were unable to reach consensus; technical

specifications, rules or policies needed to carry out the alternative; a proposed timeline for implementation of the alternative; technical or legal barriers to implementation of the alternative; and any other recommendations. The committee may report out a bill to the Second Regular Session of the 127th Legislature related to the report.

See title page for effective date.

CHAPTER 38

H.P. 582 - L.D. 851

Resolve, Regarding Legislative Review of Portions of Chapter 2: Standards for Qualifications of Assigned Counsel, a Late-filed Major Substantive Rule of the Maine Commission on Indigent Legal Services

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 2: Standards for Qualifications of Assigned Counsel, a provisionally adopted major substantive rule of the Maine Commission on Indigent Legal Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if the following change is made:

1. The rule must be amended in section 2, subsection 1, paragraph c) to provide that an attorney must

inform the commission in writing within 5 days of the filing of any criminal charge against the attorney.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 30, 2015.

CHAPTER 39

H.P. 649 - L.D. 946

Resolve, To Establish a Moratorium on the Assessment of Large Volume Consumers by Gas Utilities and To Evaluate Cost-effective Natural Gas Conservation and Efficiency Improvements for Large Volume Consumers

Preamble. Whereas, the Legislature, with Public Law 2013, chapter 369, established an expanded natural gas conservation program for consumers during the First Regular Session of the 126th Legislature; and

Whereas, all consumers benefit from investing in cost-effective energy efficiency projects and from other utility consumers investing in such projects; and

Whereas, questions have arisen during the planning for implementation of the expanded program regarding the most effective way of achieving energy efficiency for the largest consumers of Maine's natural gas utilities; and

Whereas, the largest of Maine's natural gas consumers use significantly greater volumes of natural gas than other consumers; and such uses include electricity generation and industrial process applications; and many of these consumers have only recently converted to, or invested in equipment for use of, natural gas; now, therefore, be it

Sec. 1. Moratorium on assessments by gas utilities of large volume consumers. Resolved: That, notwithstanding the Maine Revised Statutes, Title 35-A, section 10111, until 90 days after the adjournment of the Second Regular Session of the 127th Legislature:

1. Large volume consumers of a gas utility are not eligible to participate in any Efficiency Maine Trust natural gas conservation programs;

2. The Public Utilities Commission may not allow a gas utility to collect an assessment under Title 35-A, section 10111 through its rates from large vol-

ume consumers and may not make a final decision regarding the appropriateness of or size of such collections from large volume consumers; and

3. The commission may not order or authorize a gas utility assessed under Title 35-A, section 10111 to exempt any consumers other than large volume consumers from the collection of that assessment through its rates.

Notwithstanding Title 35-A, section 10111, prior to 90 days after the adjournment of the Second Regular Session of the 127th Legislature, any assessment by the commission under Title 35-A, section 10111 must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible under this section to receive funds from the natural gas conservation fund.

For the purposes of this section, "large volume consumer" means a consumer of a gas utility that uses 1,000,000 centum cubic feet or more of natural gas per year; and be it further

Sec. 2. Stakeholder discussions. Resolved:

That the Efficiency Maine Trust shall, using existing resources, meet with representatives of large volume consumers of gas utilities, as defined in section 1, and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. The trust shall submit a report of these meetings, together with any recommendations, by December 31, 2015 to the Joint Standing Committee on Energy, Utilities and Technology, which may report out a bill to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 40

H.P. 612 - L.D. 893

Resolve, Directing the Secretary of State, Maine State Library and Law and Legislative Reference Library To Make the Articles of Separation of Maine from Massachusetts More Prominently Available to Educators and the Inquiring Public

Sec. 1. Articles of Separation more prominently available. Resolved: That the Secretary of State, Maine State Library and Law and Legislative Reference Library, within existing resources, shall make the Articles of Separation of Maine from Massa-

chusetts, including the fifth subsection, more prominently available to educators and to the inquiring public.

See title page for effective date.

CHAPTER 41

S.P. 440 - L.D. 1235

Resolve, To Strengthen Standards-based Diplomas

Sec. 1. Maine Proficiency Education Council created. Resolved: That the Maine Proficiency Education Council, referred to in this section as "the council," is created to make recommendations regarding implementation of the proficiency-based graduation requirements under the Maine Revised Statutes, Title 20-A, section 4722-A to the Commissioner of Education and the Joint Standing Committee on Education and Cultural Affairs.

1. Members. The council consists of the Commissioner of Education or the commissioner's designee and the following 14 members, appointed by the Commissioner of Education:

- A. A member of the State Board of Education, nominated by the state board;
- B. Four public school teachers, at least one of whom is a special education teacher, appointed from a list of names provided by the Maine Education Association;
- C. Two public school administrators, appointed from a list of names provided by the Maine Principals' Association and the Maine School Superintendents Association;
- D. Two members of school boards, appointed from a list of names provided by the Maine School Boards Association;
- E. One faculty member representing the University of Maine;
- F. Two members of the business community; and
- G. Two members of the general public with interest and experience in education.

The council must be cochaired by the Commissioner of Education and one other member elected by the council. The council may establish subcommittees and may appoint persons who are not members of the council to serve on the subcommittees as needed to conduct the council's work.

2. Duties. The council shall study and provide recommendations for implementing proficiency-based graduation requirements leading to a diploma consis-

tent with the requirements of Title 20-A, section 4722-A. The council shall:

- A. Fully investigate and understand the current status of standards-based educational systems and proficiency-based graduation requirements in all of Maine's public high schools;
- B. Review proficiency-based graduation requirements to ensure that the requirements protect the rights of all students, including but not limited to special education and English language learners, to receive a high school diploma;
- C. Outline the key concerns with the development and implementation of proficiency-based graduation requirements and provide solutions, where possible, for the challenges schools face in developing standards-based educational systems and implementing requirements for awarding proficiency-based diplomas;
- D. Recommend a 5-year plan for full implementation of proficiency-based graduation requirements across the State, including, but not limited to, the resources and support necessary to develop proficiency-based graduation requirements in all of the State's public high schools, professional development systems for educators, data systems to track student proficiency information and appropriate communication tools for parents and students;
- E. Recommend best practices for adoption and implementation of standards-based educational systems and proficiency-based graduation requirements based upon the current experiences of schools that meet the criteria for proficiency-based graduation and other research and data; and
- F. Recommend assessment practices other than standardized or other commercially available testing to assess student proficiency in academic areas.

3. Report. The Commissioner of Education shall submit a report regarding the work of the council to the Joint Standing Committee on Education and Cultural Affairs no later than January 1, 2016. The report must include the council's recommendations regarding implementation of the requirements set forth in Title 20-A, section 4722-A and recommendations regarding the continuing work of the council.

4. Staff assistance; grant funding. The Department of Education shall provide staff assistance to the council. The department may seek and employ grant funds to provide additional assistance.

5. Council continuation. The council is authorized to continue meeting, if it so desires, 90 days after

adjournment of the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 42

S.P. 546 - L.D. 1445

Resolve, Reauthorizing the Balance of the 2009 Bond Issue for an Offshore Wind Energy Demonstration Project

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Treasurer of State may not sell the remaining \$6,085,000 in bonds authorized but not yet issued from the \$26,500,000 offshore wind energy demonstration site and related manufacturing bond issue authorized by the voters in June 2010 unless the Legislature reauthorizes the issuance of those bonds; and

Whereas, the University of Maine requires this \$6,085,000 in bonds to complete construction of its offshore wind energy demonstration project; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order for the construction to be completed on schedule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Extension for issuing. Resolved: That, pursuant to the provisions of the Constitution of Maine, Article IX, Section 14, the period for issuance of bonds or of bond anticipation notes authorized but unissued pursuant to Public Law 2009, chapter 414, as amended by Public Law 2009, chapter 645, and authorized by the voters in a statewide election held on June 8, 2010, in order to complete construction of the offshore wind energy demonstration site already under construction at the University of Maine, is further extended for a 5-year period.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 1, 2015.

CHAPTER 43

S.P. 98 - L.D. 260

Resolve, To Create a License Plate To Recognize the Centennial of the United States Navy Reserve

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the federal Naval Appropriations Act of 1916, dated March 3, 1915, established a United States Naval Reserve, and March 3, 2015 marks the centennial celebration of what is now called the United States Navy Reserve; and

Whereas, this legislation honors and recognizes this important anniversary and the men and women who serve and have served in the United States Navy Reserve; and

Whereas, the anniversary date of the United States Navy Reserve is prior to the effective date of nonemergency legislation; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Navy Reserve centennial plate. Resolved: That, notwithstanding the Maine Revised Statutes, Title 29-A, section 454, the Secretary of State shall issue, at no cost to the Secretary of State, a reflectorized, commemorative, simulated registration plate in recognition and celebration of the centennial of the United States Navy Reserve on March 3, 2015. The Secretary of State shall design the plate in consultation with the United States Navy Reserve, and the plate must bear the date of its expiration, which is March 3, 2016. The United States Navy Reserve centennial commemorative plate may be displayed by covering, but not removing, the front registration plate on a motor vehicle, including a motor vehicle registered outside this State and operated within it, until March 3, 2016. A truck tractor as defined in Title 29-A, section 101, subsection 90 may not display the plate under this section; and be it further

Sec. 2. Administrative fee; distribution. Resolved: That the Secretary of State shall develop a plan for the sale and distribution of the United States Navy Reserve centennial commemorative plate under section 1. The fee for the United States Navy Reserve centennial commemorative plate is \$15, which must be distributed as follows:

1. Five dollars per plate to the Secretary of State for the costs associated with production and issuance of the plates; and

2. Ten dollars per plate to the Maine Military Family Relief Fund established in the Maine Revised Statutes, Title 37-B, section 158; and be it further

Sec. 3. Other uses prohibited. Resolved: That a United States Navy Reserve centennial commemorative plate may not be sold or displayed except as provided in this resolve; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF
Administration - Motor Vehicles 0077**

Initiative: Provides funding for materials to manufacture 1,800 special commemorative license plates celebrating the United States Navy Reserve centennial.

HIGHWAY FUND	2015-16
All Other	\$4,000
HIGHWAY FUND TOTAL	\$4,000

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 4, 2015.

CHAPTER 44

H.P. 113 - L.D. 155

**Resolve, To Establish the
Commission To Study
Difficult-to-place Patients**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve establishes the Commission To Study Difficult-to-place Patients to study certain issues related to difficult-to-place patients with complex medical conditions and the feasibility of making policy changes to the long-term care system for those patients; and

Whereas, immediate enactment of this resolve is necessary to provide the commission adequate time to complete its work; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following

legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it,

Sec. 1. Commission established. Resolved: That, notwithstanding Joint Rule 353, the Commission To Study Difficult-to-place Patients, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 13 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;

3. The Commissioner of Health and Human Services or the commissioner's designee; and

4. Seven members appointed by the Governor who possess expertise in the subject matter of the study, as follows:

A. The director of the long-term care ombudsman program described under the Maine Revised Statutes, Title 22, section 5106, subsection 11-C;

B. An individual representing a statewide association of long-term care facilities;

C. An individual representing a statewide association of hospitals;

D. An individual representing an organization that represents people with disabilities;

E. An individual representing a statewide organization advocating for people with mental illness;

F. An individual representing an organization promoting independent living for individuals with disabilities; and

G. An individual or a family member of an individual with a complex medical condition; and be it further

Sec. 3. Chairs; subcommittees. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission. The chairs of the commission are authorized to establish subcommittees to work on the duties listed in section 5 and to assist the commission. Any subcommittees established by the chairs must be composed of members of the commission and interested persons who are not members of the commission and who volunteer to serve on the subcommittees without reimbursement.

Interested persons may include individuals with expertise in placing individuals with complex medical conditions in long-term care placements, individuals who provide long-term care to individuals with complex medical conditions, individuals affected by neurodegenerative diseases and individuals affected by mental illness; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members and after adjournment of the First Regular Session of the 127th Legislature, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

Sec. 5. Duties. Resolved: That the commission shall study the following issues and the feasibility of making policy changes to the long-term care system for patients with complex medical conditions:

1. Identification of categories of patients with complex medical and mental health conditions who are unable to be discharged from hospitals because there are no facilities or providers who are able to care for them or to accept them for care;

2. A description of how patients with complex medical and mental health conditions are placed currently, including the involvement of staff from the Department of Health and Human Services;

3. Identification of primary barriers to placement of patients with complex medical and mental health conditions currently;

4. A description of facilities in which patients with complex medical and mental health conditions are currently placed, including whether the facilities are in-state and the costs associated with the patients' care;

5. Options for increasing availability of residential care and long-term care facilities, including conversion of existing facilities such as hospitals, nursing homes and the Dorothea Dix Psychiatric Center to long-term care facilities for specialized populations that are difficult to place for care, such as ventilator-dependent patients, geropsychiatric patients and bariatric patients;

6. Rates of reimbursement necessary to operate facilities to manage patients with complex medical conditions, including psychiatric conditions and neurodegenerative diseases; and

7. Any other issue identified by the commission; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission; and be it further

Sec. 7. Information and assistance. Resolved: That the Commissioner of Health and Human Services shall provide information and assistance to the commission as required for its duties; and be it further

Sec. 8. Report. Resolved: That, no later than December 2, 2015, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Health and Human Services.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 12, 2015.

CHAPTER 45

H.P. 57 - L.D. 63

Resolve, To Require the Department of Health and Human Services To Provide Supplemental Reimbursement to Adult Family Care Homes and Residential Care Facilities in Remote Island Locations

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, residents of adult family care homes and residential care facilities in remote island locations should be allowed to age in place with familiar caregivers; and

Whereas, current MaineCare reimbursement to adult family care homes and residential care facilities in remote island locations does not take into account higher prices on islands compared to the mainland; and

Whereas, this legislation must take effect before the expiration of the 90-day period in order to preserve existing caregiver arrangements; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-

tion of the public peace, health and safety; now, therefore, be it

Sec. 1. Department of Health and Human Services to amend rules. Resolved: That, by October 1, 2015, the Department of Health and Human Services shall amend its rules in Chapter 101, MaineCare Benefits Manual, Chapter II, Section 2; Chapter III, Section 2; and Chapter III, Section 97, Appendix C and in Chapter 115, Principles of Reimbursement for Residential Care Facilities - Room and Board Costs in order to provide supplemental MaineCare reimbursement to both adult family care homes and residential care facilities in remote island locations. The rules must provide that eligible remote island adult family care homes and residential care facilities are those located on an island not connected to the mainland by a bridge. The rules must provide eligible homes and facilities with a supplemental payment of 15% to be added to their MaineCare rate. Eligible homes and facilities must be allowed to retain this supplemental payment in addition to the total allowable rate for private nonmedical institution direct care services, room and board and personal care services costs otherwise determined under those rules. The Department of Health and Human Services is authorized to adopt emergency rules under the Maine Revised Statutes, Title 5, section 8054 as necessary to implement this section without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare; and be it further

Sec. 2. Medicaid state plan amendment. Resolved: That the Department of Health and Human Services shall prepare and submit a Medicaid state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services that provides for supplemental reimbursement to adult family care homes and residential care facilities in remote island locations pursuant to section 1; and be it further

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF (FORMERLY DHS)**

Medical Care - Payments to Providers 0147

Initiative: Allocates the service provider tax received due to the 15% supplemental MaineCare reimbursement for both adult family care services and private nonmedical institution services in remote island locations and deappropriates a corresponding amount from the General Fund.

GENERAL FUND	2015-16	2016-17
All Other	(\$2,240)	(\$3,361)

GENERAL FUND TOTAL	(\$2,240)	(\$3,361)
OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$2,240	\$3,361
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,240	\$3,361

Medical Care - Payments to Providers 0147

Initiative: Appropriates funds and allocates federal matching money to the Department of Health and Human Services to increase MaineCare reimbursement by an additional 15% to adult family care homes and residential care facilities in remote island locations.

GENERAL FUND	2015-16	2016-17
All Other	\$14,922	\$22,382
GENERAL FUND TOTAL	\$14,922	\$22,382
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$25,051	\$37,576
FEDERAL EXPENDITURES FUND TOTAL	\$25,051	\$37,576

PNMI Room and Board Z009

Initiative: Provides funds to the Department of Health and Human Services to increase MaineCare reimbursement by an additional 15% to adult family care homes and residential care facilities in remote island locations.

GENERAL FUND	2015-16	2016-17
All Other	\$4,837	\$7,256
GENERAL FUND TOTAL	\$4,837	\$7,256

**HEALTH AND HUMAN
SERVICES,
DEPARTMENT OF
(FORMERLY DHS)**

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$17,519	\$26,277
FEDERAL EXPENDITURES FUND	\$25,051	\$37,576

OTHER SPECIAL REVENUE FUNDS	\$2,240	\$3,361
DEPARTMENT TOTAL - ALL FUNDS	\$44,809	\$67,214

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 12, 2015.

CHAPTER 46 S.P. 368 - L.D. 1042

Resolve, To Create the Task Force on School Leadership

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve establishes the Task Force on School Leadership to conduct a comprehensive study of excellence in school leadership; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Task force established. Resolved: That, notwithstanding Joint Rule 353, the Task Force on School Leadership, referred to in this resolve as "the task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of 17 members appointed as follows:

1. One member of the Senate appointed by the President of the Senate;
2. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
3. Seven members appointed by the President of the Senate as follows:
 - A. Two members with expertise in school leadership issues;

B. One member who is a secondary school principal;

C. One member who is an assistant principal;

D. One member who is a school special education director;

E. One member who is a teacher who has a school administrator certificate; and

F. One member who is a superintendent of a small rural school district;

4. Six members appointed by the Speaker of the House as follows:

A. Two members with expertise in school leadership issues;

B. Two members who are school principals, including one who is an elementary school principal and one who is a middle school principal;

C. One member who holds a staff position at the Maine Principals' Association; and

D. One member who is a superintendent of a large urban school district; and

5. The Commissioner of Education or the commissioner's designee.

Prior to making appointments to the task force pursuant to subsections 3 and 4, the President of the Senate and the Speaker of the House shall seek nominations from the Maine Principals' Association and the Maine School Superintendents Association. The President of the Senate and the Speaker of the House shall request the Maine Principals' Association and the Maine School Superintendents Association to survey their members for recommended nominations; and be it further

Sec. 3. Chairs. Resolved: That the Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the task force; and be it further

Sec. 4. Appointments; convening of task force. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business; and be it further

Sec. 5. Meetings; duties. Resolved: That the task force shall meet twice in order to conduct a comprehensive study on excellence in school leadership in

prekindergarten to grade 12 public schools. In performing its work, the task force shall research the various aspects of the issues related to excellence in school leadership and arrange presentations by recognized experts and practitioners in school leadership including an expert from a school administration preparation program at the University of Maine. The task force shall develop strategies to enhance the identification, recruitment, preparation, mentoring, evaluation, professional development and retention of effective public school principals and other public school leaders; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the task force; and be it further

Sec. 7. Report. Resolved: That, no later than December 2, 2015, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 127th Legislature. The Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 127th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 12, 2015.

CHAPTER 47

H.P. 624 - L.D. 905

Resolve, To Study Allocations of the Fund for a Healthy Maine

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve directs the Joint Standing Committee on Health and Human Services to meet to review the alignment of allocations from the Fund for a Healthy Maine with the State's current public health care and preventive health priorities and goals; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Study established. Resolved: That the Joint Standing Committee on Health and Human Services, referred to in this resolve as "the committee," shall study allocations of the Fund for a Healthy Maine as required in this resolve; and be it further

Sec. 2. Convening of committee. Resolved: That the chairs of the committee shall call and convene the first meeting of the committee for the purposes of this resolve no later than 30 days following the effective date of this resolve; and be it further

Sec. 3. Meetings. Resolved: That the committee may meet for the purposes of this resolve only when the Legislature is not in regular or special session. The committee is authorized to meet up to 4 times to accomplish its duties; and be it further

Sec. 4. Duties. Resolved: That the committee shall review the alignment of allocations from the Fund for a Healthy Maine, established in the Maine Revised Statutes, Title 22, section 1511, with the State's current public health care and preventive health priorities and goals. The committee shall gather information and data from public and private entities as necessary to:

1. Identify or review the State's current public health care and preventive health priorities and goals;
2. Identify or review strategies for addressing priorities and goals and potential effectiveness of those strategies;
3. Assess the level of resources needed to properly pursue the strategies identified in subsection 2;
4. Make recommendations for how Fund for a Healthy Maine funds should be allocated to most effectively support the State's current public health and preventive health priorities, goals and strategies; and
5. Make recommendations for processes to be used to ensure that Fund for a Healthy Maine allocations stay aligned with the State's health priorities and goals; and be it further

Sec. 5. Cooperation. Resolved: That the Commissioner of Administrative and Financial Services, the Commissioner of Education, the Commissioner of Health and Human Services and the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall provide information and data to the committee as necessary for its work; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the committee; and be it further

Sec. 7. Report. Resolved: That, no later than December 2, 2015, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 127th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 12, 2015.

CHAPTER 48

H.P. 497 - L.D. 721

Resolve, To Establish the Commission To Strengthen and Align the Services Provided to Maine's Veterans

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, a legislative study by a study commission needs sufficient time for the commission to properly do its work; and

Whereas, there is insufficient time after the 90-day period for a study commission to properly do its work before reporting to the Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission To Strengthen and Align the Services Provided to Maine's Veterans established. Resolved: That, notwithstanding Joint Rule 353, the Commission To Strengthen and Align the Services Provided to Maine's Veterans, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 11 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate who are either veterans of military service or members of the Joint Standing Committee on Veterans and Legal Affairs;

2. Three members of the House of Representatives appointed by the Speaker of the House of Representatives who are either veterans of military service or members of the Joint Standing Committee on Veterans and Legal Affairs;

3. The Commissioner of Defense, Veterans and Emergency Management or the commissioner's designee;

4. Three members appointed by the President of the Senate, representing both genders, including a

member who is 30 years of age or younger and a member who is 65 years of age or older. Members appointed under this subsection must have experience in:

A. Developing, implementing or advising on veterans' affairs policy;

B. Representing a veterans' service organization; or

C. Providing services to veterans as part of a nonprofit organization; and

5. Two members appointed by the Speaker of the House of Representatives, including a member who is between 30 and 40 years of age and a member who is between 41 and 64 years of age. Members appointed under this subsection must have experience in:

A. Developing, implementing or advising on veterans' affairs policy; or

B. Providing services to veterans as part of a nonprofit organization; and be it further

Sec. 3. Chairs. Resolved: That the Senate member is the Senate chair and the House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. The first meeting date must be set within 15 days after and be held within 30 days after all appointments have been made; and be it further

Sec. 5. Duties. Resolved: That the commission shall:

1. Review the services provided by the State to veterans for the purpose of identifying gaps, duplications and inefficiencies;

2. Consider methods and strategies for improving the State's engagement and communication with veterans of the conflicts in Afghanistan and Iraq;

3. Identify gaps and insufficiencies in the provision of health care and mental health care services to veterans through both state and federal programs and consider ways in which the State can improve health care and mental health care services for veterans where insufficiencies or gaps in federal resources or state services exist;

4. Study how to better align community, state and federal services and resources for veterans who are facing the problem of homelessness;

5. Study how the State can develop and implement a campaign and marketing strategy to better

communicate with veterans and military retirees regarding attending colleges in the State and to better attract veterans and military retirees to live and work in the State;

6. Study how the State can encourage partnerships with businesses, industry groups and nonprofit organizations to improve veterans' employment, career and volunteer opportunities;

7. Make recommendations to the Commissioner of Defense, Veterans and Emergency Management concerning practices or rules regarding services and programs for veterans;

8. Work with the Commissioner of Defense, Veterans and Emergency Management to develop a multi-year plan that identifies priorities and suggests initiatives to strengthen and align services provided to veterans in the State;

9. Make recommendations to the Joint Standing Committee on Veterans and Legal Affairs concerning changes to services and programs for veterans; and

10. Study other critical veterans' issues that arise as agreed upon by the commission; and be it further

Sec. 6. Staff assistance. Resolved: That the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission as approved by the Legislative Council; and be it further

Sec. 7. Report. Resolved: That, no later than January 15, 2016, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Veterans and Legal Affairs. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 127th Legislature based upon the report.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 12, 2015.

CHAPTER 49

H.P. 339 - L.D. 500

Resolve, To Create a Working Group To Develop Solutions To Meet the Needs for Municipal Volunteer Personnel

Sec. 1. Municipal Volunteer Working Group established. Resolved: That the Municipal Volunteer Working Group, referred to in this resolve as "the working group," is established; and be it further

Sec. 2. Working group membership. Resolved: That the working group consists of 7 members appointed as follows:

1. One member of the Senate, appointed by the President of the Senate;

2. Two members of the House of Representatives, appointed by the Speaker of the House, one of whom is from the party with the greatest number of members and one of whom is from the party with the 2nd greatest number of members;

3. One representative from the Maine State Federation of Firefighters, appointed by the President of the Senate;

4. One volunteer firefighter or emergency responder who may be active or nonactive, appointed by the Speaker of the House;

5. One chief of a volunteer fire department, appointed by the President of the Senate; and

6. One representative from the Maine Fire Chiefs' Association, appointed by the Speaker of the House; and be it further

Sec. 3. Chairs. Resolved: That the Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the working group; and be it further

Sec. 4. Appointments; convening of working group. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the working group. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the working group to meet and conduct its business; and be it further

Sec. 5. Meetings; duties. Resolved: That the working group shall meet 3 times in order to find solutions to the recruitment, training and retention problems facing volunteer fire departments and volunteer emergency medical services providers in Maine.

The working group shall solicit input from municipalities with volunteer fire departments and volunteer emergency medical services, volunteer firefighters and volunteer emergency medical services providers and members of the public. The working group shall identify the reasons for recruitment, training and retention problems and recommend solutions; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the working group; and be it further

Sec. 7. Report. Resolved: That, no later than December 2, 2015, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety. The committee may submit legislation related to the report to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 50

H.P. 920 - L.D. 1350

Resolve, To Increase the Reimbursement Rate for Direct-care Workers Serving Adults with Long-term Care Needs

Sec. 1. Reimbursement. Resolved: That the Department of Health and Human Services shall amend its rules to increase reimbursement rates for home-based and community-based services in accordance with this section. The department shall raise the hourly reimbursement rate for the following services:

1. Attendant Care Services provided under the provisions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 12, Consumer Directed Attendant Services; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase the reimbursement rates for Attendant Care Services provided under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 12, Consumer Directed Attendant Services.

GENERAL FUND	2015-16	2016-17
All Other	\$125,000	\$125,000
GENERAL FUND TOTAL	\$125,000	\$125,000
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$208,067	\$209,851

FEDERAL EXPENDITURES	\$208,067	\$209,851
FUND TOTAL		

See title page for effective date.

CHAPTER 51

S.P. 99 - L.D. 261

Resolve, Directing the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission To Study the Replacement of Statues in the National Statuary Hall Collection

Sec. 1. Maine Arts Commission, Maine Historic Preservation Commission and Maine State Museum Commission to study replacement of statues in the National Statuary Hall Collection. Resolved: That the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission, referred to in this resolve as "the cultural commissions," shall study and develop recommendations regarding the potential replacement of one or both statues currently in the National Statuary Hall Collection in the United States Capitol, including the following:

1. The public's interest in replacing one or both statues contributed by Maine currently in the National Statuary Hall Collection;

2. The public's interest in installing the statue of Governor William King, which is currently in the National Statuary Hall, in the Maine State House for Maine's bicentennial in 2020;

3. The public's interest in reinstalling the statue of Governor William King in the National Statuary Hall after Maine's bicentennial if the statue is installed in the Maine State House for Maine's bicentennial;

4. The necessary procedures for accomplishing the replacement of the statues in the National Statuary Hall;

5. The necessary procedures for accomplishing installation of the statue of Governor William King in the Maine State House and reinstallation of the statue in the National Statuary Hall after Maine's bicentennial; and

6. The feasibility of accomplishing the tasks recommended by the cultural commissions study as a result of this resolve, including potential costs and sources of outside funding.

The cultural commissions may invite input from Legislators and state agencies in fulfilling the requirements of this resolve; and be it further

Sec. 2. Reporting date established. Resolved: That the cultural commissions shall report their findings, including recommendations and any recommended legislation, to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2016. The Joint Standing Committee on Education and Cultural Affairs may report out a bill relating to the subject matter of this report to the Second Regular Session of the 127th Legislature; and be it further

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: Provides one-time funding for the cost to study and develop recommendations regarding replacement of one or both statues in the National Statuary Hall Collection in the United States Capitol.

GENERAL FUND	2015-16	2016-17
All Other	\$3,000	\$0
GENERAL FUND TOTAL	\$3,000	\$0

See title page for effective date.

CHAPTER 52

H.P. 285 - L.D. 418

Resolve, To Study the Use of Social Impact Bonds as a Funding Mechanism for Public Education Programs in Maine

Sec. 1. Education Research Institute to study use of social impact bonds to fund extended learning programs and prekindergarten programs. Resolved: That the Education Research Institute, as established in the Maine Revised Statutes, Title 20-A, section 10, shall study the use of social impact bonds to fund extended learning programs and prekindergarten programs. For purposes of this resolve, "social impact bond" means a performance-based bond that operates over a fixed period of time and for which repayment to an investor is contingent upon a specific social outcome being achieved and "extended learning program" means a program that creates educational opportunities for students whose educational needs and abilities exceed

those addressed by the general curriculum. A social impact bond generally involves a government entity partnering with a service provider or outside investor that provides the financing for the project or service that is the object of the bond with the government entity not being required to pay back the bond unless success is demonstrated by a measurable outcome; and be it further

Sec. 2. Report. Resolved: That the Education Research Institute shall submit a report with respect to the study under section 1 and any recommended legislation to the Joint Standing Committee on Education and Cultural Affairs by December 2, 2015. The Joint Standing Committee on Education and Cultural Affairs may report out a bill based upon the report to the Second Regular Session of the 127th Legislature.

See title page for effective date.

CHAPTER 53

S.P. 429 - L.D. 1202

Resolve, To Ensure the Stocking of Inland Waters in the State

Sec. 1. Engineering study; purchase fish for stocking. Resolved: That, notwithstanding any other law, during fiscal year 2015-16, the Department of Inland Fisheries and Wildlife may spend up to \$700,000 from the Inland Fisheries and Wildlife carrying account, General Fund account within the Department of Inland Fisheries and Wildlife to do the following:

1. Contract for an engineering study regarding upgrading the Grand Lake Stream Fish Hatchery. The study must include, but is not limited to, an analysis of the feasibility and cost of a new cold water supply to that hatchery to raise fall yearly brook trout;

2. Contract for an engineering study regarding the construction of a new fish hatchery in the State. The study must also include a comparative analysis on whether the State can best achieve its fish stocking objectives through the construction of a new fish hatchery or through upgrades to existing state-owned fish hatcheries; and

3. Use any funds authorized pursuant to this resolve in excess of the amount needed to conduct the engineering studies described in subsections 1 and 2 to purchase fish to stock the inland waters of the State; and be it further

Sec. 2. Report. Resolved: That, no later than February 1, 2016, the Department of Inland Fisheries and Wildlife shall submit a report regarding its progress on meeting the provisions of this resolve, includ-

ing any findings and recommendations, to the Joint Standing Committee on Inland Fisheries and Wildlife. The Joint Standing Committee on Inland Fisheries and Wildlife may introduce a bill during the Second Regular Session of the 127th Legislature regarding matters related to the report.

See title page for effective date.

CHAPTER 54

H.P. 565 - L.D. 831

Resolve, To Reduce MaineCare Spending through Targeted Prevention Services

Sec. 1. Home-delivered meals. Resolved:

That the Department of Health and Human Services shall file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request that home-delivered meals be a reimbursable covered service under Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 19. Individuals receiving the home-delivered meal services under the waiver must both qualify for Section 19 services and be experiencing a transition of care, have a debilitating or acute illness or be primarily homebound and unable to prepare nutritious meals.

See title page for effective date.

**CONSTITUTIONAL RESOLUTIONS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
2015**

(There were none.)

JOINT STUDY ORDERS

JOINT STUDY ORDER, ESTABLISHING THE MAINE HEALTH EXCHANGE ADVISORY COMMITTEE

S.P. 533

ORDERED, the House concurring, that, notwithstanding Joint Rule 353, the Maine Health Exchange Advisory Committee, referred to in this order as "the advisory committee," is established to advise the Legislature regarding the interests of individuals and employers with respect to any health benefit exchange, referred to in this order as "the exchange," that may be created for this State pursuant to the federal Patient Protection and Affordable Care Act.

1. Appointments; composition. The advisory committee consists of 19 members appointed as follows:

A. The following 5 members of the Legislature, of whom 3 members must serve on the Joint Standing Committee on Insurance and Financial Services and 2 members must serve on the Joint Standing Committee on Health and Human Services or the Joint Standing Committee on Appropriations and Financial Affairs:

(1) Two members of the Senate, appointed by the President of the Senate, including one member recommended by the Senate Minority Leader; and

(2) Three members of the House of Representatives, appointed by the Speaker of the House of Representatives, including one member recommended by the House Minority Leader;

B. Two persons representing health insurance carriers, one of whom is appointed by the President of the Senate and one of whom is appointed by the Speaker of the House of Representatives;

C. One person representing dental insurance carriers, appointed by the Speaker of the House of Representatives;

D. One person representing insurance producers, appointed by the President of the Senate;

E. One person representing Medicaid recipients, appointed by the Speaker of the House of Representatives;

F. Two persons representing health care providers and health care facilities, including one member representing federally qualified health centers, appointed by the Speaker of the House of Representatives;

G. One person who is an advocate for enrolling hard-to-reach populations, including individuals with mental health or substance abuse disorders, appointed by the President of the Senate;

H. One member representing a federally recognized Indian tribe, appointed by the President of the Senate;

I. One member who has expertise in tax matters, appointed by the President of the Senate; and

J. Four members representing individuals and small businesses, including:

(1) One person, appointed by the President of the Senate, who has purchased or can reasonably be expected to purchase individual coverage through an exchange with the assistance of a premium tax credit and who can reasonably be expected to represent the interests of consumers purchasing individual coverage through the exchange;

(2) One person, appointed by the Speaker of the House of Representatives, representing an employer that has purchased or can reasonably be expected to purchase group coverage through an exchange and who can reasonably be expected to represent the interests of such employers;

(3) One person, appointed by the President of the Senate, representing navigators or entities likely to be licensed as navigators; and

(4) One person, appointed by the Speaker of the House of Representatives, employed by an employer that has purchased or can reasonably be expected to purchase group coverage through an exchange and who can reasonably be expected to represent the interests of such employees.

The President of the Senate and the Speaker of the House of Representatives shall invite the Superintendent of Insurance, or the superintendent's designee, and the Commissioner of Health and Human Services,

or the commissioner's designee, to participate as ex officio nonvoting members.

2. Chairs. The first-named Senator is the Senate chair of the advisory committee and the first-named member of the House of Representatives is the House chair of the advisory committee.

3. Appointments; convening. All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the advisory committee shall call and convene the first meeting of the advisory committee. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the advisory committee to meet and conduct its business.

4. Duties. The advisory committee shall:

A. Advise the Legislature regarding the interests of individuals and employers with respect to any exchange that may be created for this State;

B. Serve as a liaison between any exchange and individuals and small businesses enrolled in the exchange;

C. Evaluate the implementation and operation of any exchange with respect to the following:

(1) Whether the State should transition from a federally facilitated exchange model to a state-based exchange or partnership model;

(2) The essential health benefits benchmark plan designated in this State under the federal Patient Protection and Affordable Care Act, including whether the State should change its designation;

(3) The impact of federal and state laws and regulations governing the health insurance rating for tobacco use on accessibility and affordability of health insurance;

(4) The consumer outreach and enrollment conducted by the exchange and whether the navigator program is effective and whether the navigators or other persons providing assistance to consumers are in compliance with any federal or state certification and training requirements;

(5) The coordination between the state Medicaid program and the exchange;

(6) Whether health insurance coverage through the exchange is affordable for individuals and small businesses, including whether individual subsidies are adequate;

(7) Whether the exchange is effective in providing access to health insurance coverage for small businesses;

(8) The implementation of rebates under the federal Patient Protection and Affordable Care Act and the Maine Revised Statutes, Title 24-A, section 4319;

(9) The coordination of plan management activities between the Department of Professional and Financial Regulation, Bureau of Insurance and the exchange, including the certification of qualified health plans and rate review;

(10) The potential for establishing a basic health program or seeking a Medicaid state plan amendment or state innovation waiver to provide alternative health coverage programs for individuals;

(11) Whether changes should be considered in federal law or regulations to address dental health coverage available through the marketplace, including, but not limited to, premiums and out-of-pocket costs;

(12) Whether the State should consider changes to its designated rating areas for geographic area to the extent permitted by federal law and regulations;

(13) The impact of so-called churn on the effective operation of the marketplace, public health programs and the private health insurance market;

(14) The impact of federal requirements to provide employer-sponsored health coverage;

(15) The impact of any change in the definition of "small group" for health insurance purposes;

(16) The impact of federal transitional risk adjustment programs and whether the State should consider ending the suspension of the Maine Guaranteed Access Reinsurance Association under Title 24-A, section 3953;

(17) The impact of health insurance policies continued in the State under the transitional relief granted by the federal Department of Health and Human Services; and

(18) Any issue relating to the implementation of the federal Patient Protection and Affordable Care Act agreed upon by a majority of the advisory committee; and

D. Based on the evaluations conducted by the advisory committee pursuant to this order, make recommendations for any changes in policy or law that would improve the operation of an exchange for consumers and small businesses in the State.

5. Compensation. The legislative members of the advisory committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the advisory committee. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the advisory committee.

6. Quorum. A quorum is a majority of the members of the advisory committee.

7. Meetings. The advisory committee shall meet twice a year at regular intervals. Meetings of the advisory committee are public proceedings as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

8. Records. Except for information designated as confidential under federal or state law, information obtained by the advisory committee is a public record as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

9. Staffing. The Legislative Council shall provide staff support for the operation of the advisory committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session or for more than 2 meetings annually between regular or special sessions of the Legislature. In addition, the advisory committee may contract for administrative, professional and clerical services if funding permits.

10. Funding for advisory committee activities.

The Legislative Council on behalf of the advisory committee may apply for and receive funds, grants or contracts from public and private sources to support its activities. Contributions to support the work of the advisory committee may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution shall certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the advisory committee's activities. Such a certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of those funds. The Executive Director of the Legislative Council shall administer any funds received by the advisory committee.

11. Reports. The advisory committee shall submit to the Joint Standing Committee on Insurance and Financial Services a preliminary report on its activities no later than December 4, 2015. The advisory committee shall submit to the Joint Standing Committee on Insurance and Financial Services a final report on its activities no later than November 5, 2016.

**Passed by the House of Representatives June 30,
2015 and the Senate June 30, 2015.**

**REVISOR'S REPORT
2013**

CHAPTER 2

Sec. 1. 1 MRSA §72, sub-§10 is corrected to read:

10. Land or lands. "Land" or "lands" ~~include in-~~
cludes lands and all tenements and hereditaments con-
nected therewith, and all rights thereto and interests
therein.

Sec. 2. 1 MRSA §72, sub-§§23 and 24 are
corrected to read:

23. Sworn. "Sworn," "duly sworn" or "sworn ac-
cording to law," used in a statute, record or certificate
of administration of an oath, ~~refer~~ refers to the oath
required by the Constitution or laws in the case speci-
fied, and ~~include~~ includes every necessary subscription
to such oath.

24. Timber and grass. "Timber and grass," when
used in reference to the public reserved lots, so called,
in unorganized territory in the State, ~~mean~~ means all
growth of every description on said lots.

EXPLANATION

These sections correct clerical errors.

Sec. 3. 3 MRSA §2, last ¶, as enacted by PL
1989, c. 68, Pt. C, §1, is corrected to read:

Legislators ~~can~~ may purchase one set of the
Maine Revised Statutes Annotated at the State's cost,
which ~~shall~~ may not be resold.

EXPLANATION

This section makes grammatical changes.

Sec. 4. 5 MRSA §7083, sub-§6, as enacted by
PL 1985, c. 785, Pt. B, §38, is corrected to read:

6. Procedure. Any member of the appeals board
may administer oaths and subpoena and require the
attendance of witnesses and the production of books,
papers, public records and other relevant documentary
evidence or certified copies of the evidence by the
department head pertinent to the dispute and shall do
so if requested in writing by any party to the dispute or
~~his~~ the party's representative. A witness summonsed
by subpoena ~~shall be~~ is entitled to witness fees and
travel allowance in the amount allowed for appearance
in District Court, the costs of which ~~shall~~ must be ad-
vanced by the party requesting the subpoena prior to
issuance of the subpoena. A state employee ~~sub-~~
~~poenaed~~ subpoenaed under this subsection ~~shall~~ may
not lose pay to which ~~he~~ the employee would other-
wise be entitled.

EXPLANATION

This section corrects a clerical error and gender-
specific language and makes grammatical changes.

Sec. 5. 5 MRSA §13051, first ¶, as enacted
by PL 1987, c. 534, Pt. A, §§17 and 19, is corrected to
read:

The Legislature finds that the State's economy is
linked to the national and international economies.
Economic changes and disruptions around the world
and in the nation have a ~~significate~~ significant impact
upon the State's economy. The rise of 3rd-world and
4th-world countries as manufacturers of commodities
for mass markets and the gradual evolution of the na-
tional economy to a technological, informational, spe-
cialty product-based economy have significantly af-
fected the State and its communities.

EXPLANATION

This section corrects a clerical error.

Sec. 6. 5 MRSA §17152, sub-§§2 and 3, as
enacted by PL 1985, c. 801, §§5 and 7, are corrected
to read:

2. Retirement Allowance Fund. The Retirement
Allowance Fund; and

3. Expense Fund. The Expense Fund; 2

EXPLANATION

This section makes technical corrections.

Sec. 7. 5 MRSA §17751, sub-§4, as enacted
by PL 1985, c. 801, §§5 and 7, is corrected to read:

**4. Special provision for certain legislative em-
ployees.** A legislative employee ~~shall receive~~ receives
a full year of service credit for the period of January 1,
1978; to January 1, 1984; for each year of the legisla-
tive biennium in a position that may be full-time under
Title 3, sections 22 and 42.

EXPLANATION

This section corrects clerical errors and makes a
grammatical change.

Sec. 8. 8 MRSA §407, as enacted by PL 1983,
c. 732, §1, is corrected to read:

§407. Organization of the commission

The commission ~~shall be~~ is composed of one
member from each of the party states. Each compact

member state lottery or sweepstakes commission shall appoint one ~~if~~ of its members to serve on the Tri-state Lotto Commission. Each member ~~shall hold~~ holds office at the pleasure of the appointing authority. The commission shall elect a ~~chairman~~ chair from among its members, annually.

EXPLANATION

This section corrects a clerical error and gender-specific language and makes grammatical changes.

Sec. 9. 9-A MRSA §5-102, as enacted by PL 1973, c. 762, §1, is corrected to read:

§5-102. Scope

This Part applies to actions or other proceedings to enforce rights arising from consumer credit transactions; and, in addition, to extortionate ~~extensions~~ extensions of credit, section 5-107.

EXPLANATION

This section corrects a clerical error.

Sec. 10. 9-B MRSA §1054, sub-§2, as amended by PL 1993, c. 257, §7, is corrected to read:

2. Governance. A mutual holding company must be governed by a board of corporators in accordance with the charter and bylaws of the mutual holding company, as adopted or amended, in connection with a reorganization authorized under this chapter or as amended by the corporators thereafter. The corporators shall elect a board of directors provided that the superintendent has the authority to comment upon the composition of the board. The corporators and the board of directors are governed by and authorized to undertake the activities as set forth in sections 325 and 326. With respect to a mutual holding company that has been formed through the reorganization of a savings bank, the board of corporators initially consists of the board of corporators of the ~~saving~~ savings bank as constituted pursuant to section 325. The corporators, after the formation of the mutual holding company, continue to serve as corporators for the balance of the terms to which they are elected under section 325.

EXPLANATION

This section corrects a clerical error.

Sec. 11. 10 MRSA §915, first ¶, as enacted by PL 1977, c. 548, §1, is corrected to read:

The State of Maine has long had serious conditions of unemployment, underemployment, low per ~~capital~~ capita income and resource underutilization ~~which that~~ cause substantial hardships to many individuals and families, impede the economic and physical development of various regions of the State, and

adversely affect the general welfare and prosperity of the State.

EXPLANATION

This section corrects a clerical error and makes a grammatical change.

Sec. 12. 10 MRSA §918, first ¶, as enacted by PL 1977, c. 548, §1, is corrected to read:

Corporators, who shall elect members of the board of directors as provided in section 919, ~~shall~~ must consist of individuals and organizations ~~classified~~ classified as private sector corporators, public sector corporators and ex officio corporators.

EXPLANATION

This section corrects a clerical error and makes a grammatical change.

Sec. 13. 10 MRSA §1171, sub-§9-A, as enacted by PL 1981, c. 331, §2, is corrected to read:

9-A. Good faith. "Good faith" means honesty in fact and the observation of reasonable commercial standards of fair dealing in the trade as is defined and interpreted in the Uniform Commercial Code, Title 11, section ~~2-403~~ 1-1201, subsection ~~1, paragraph B~~ (20).

EXPLANATION

This section corrects a cross-reference.

Sec. 14. 10 MRSA §1174, sub-§3, ¶V, as enacted by PL 2013, c. 534, §6, is corrected to read:

V. Except as expressly authorized in this paragraph, to require a motor vehicle dealer to provide its customer lists, customer information, consumer contact information, transaction data or service files.

(1) The following definitions apply to this paragraph:

(a) "Dealer management computer system" means a computer hardware and software system that is owned or leased by the dealer, including a dealer's use of web applications, software or hardware, whether located at the dealership or provided at a remote location, and that provides access to customer records and transactions by a motor vehicle dealer and that allows the motor vehicle dealer timely information in order to sell vehicles, parts or services through that motor vehicle dealership.

(b) "Dealer management computer system vendor" means a seller or reseller of dealer management computer systems, a

person that sells computer software for use on dealer management computer systems or a person that services or maintains dealer management computer systems, but only to the extent the seller, reseller or other person listed is engaged in such activities.

(c) "Security breach" means an incident of unauthorized access to and acquisition of records or data containing dealership or dealership customer information through which unauthorized use of the dealership or dealership customer information has occurred or is reasonably likely to occur or that creates material risk of harm to a dealership or a dealership's customer. An incident of unauthorized access to and acquisition of records or data containing dealership or dealership customer information, or an incident of disclosure of dealership customer information to one or more 3rd parties that was not specifically authorized by the dealer or customer, constitutes a security breach.

(2) Any requirement by a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof that a new motor vehicle dealer provide its customer lists, customer information, consumer contact information, transaction data or service files as a condition of the dealer's participation in any incentive program or contest, for a customer or dealer to receive any incentive payments otherwise earned under an incentive program or contest, for the dealer to obtain customers or customer leads or for the dealer to receive any other benefits, rights, merchandise or services that the dealer would otherwise be entitled to obtain under the franchise or any other contract or agreement or that are customarily provided to dealers is voidable at the option of the dealer, unless all of the following conditions are satisfied:

(a) The customer information requested relates solely to the specific program requirements or goals associated with such manufacturers' or distributors' own new vehicle makes or specific vehicles of their own make that are certified pre-owned vehicles and the dealer is not required to provide general customer information or other information related to the dealer;

(b) The requirement is lawful and would not require the dealer to allow any customer the right to opt out under the federal Gramm-Leach-Bliley Act, 15 United States Code, Chapter 94, Subchapter I; and

(c) The dealer is not required to allow the manufacturer, distributor or a 3rd party to have direct access to the dealer's dealer management computer system, but the dealer is instead permitted to provide the same dealer, consumer or customer data or information specified by the manufacturer or distributor by timely obtaining and pushing or otherwise furnishing the required data in a widely accepted file format in accordance with subparagraph (11).

(3) Nothing contained in this section limits the ability of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof to require that the dealer provide, or use in accordance with law, customer information related solely to that ~~manufacturer~~ manufacturer's or distributor's own vehicle makes to the extent necessary to:

(a) Satisfy any safety or recall notice obligations;

(b) Complete the sale and delivery of a new motor vehicle to a customer;

(c) Validate and pay customer or dealer incentives; or

(d) Submit to the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof claims under section 1176.

(4) At the request of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof, a dealer may be required to provide customer information related solely to that manufacturer's, distributor's, wholesaler's, distributor branch's or division's, factory branch's or division's or wholesale branch's or division's own vehicle makes for reasonable marketing purposes, market research, consumer surveys, market analysis and dealership performance analysis, except that the dealer is required to provide such customer information only if the provision of the information is lawfully permissi-

ble, the requested information relates solely to specific program requirements or goals associated with the manufacturer's or distributor's own vehicle makes and does not require the dealer to provide general customer information or other information related to the dealer and the requested information can be provided without requiring that the dealer allow any customer the right to opt out under the federal Gramm-Leach-Bliley Act, 15 United States Code, Chapter 94, Subchapter I.

(5) A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent, dealer management computer system vendor or other representative thereof, or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agency, dealer management computer system vendor or other representative thereof, may not access or obtain dealer or customer data from or write dealer or customer data to a dealer management computer system used by a motor vehicle dealer or require or coerce a motor vehicle dealer to use a particular dealer management computer system, unless the dealer management computer system allows the dealer to reasonably maintain the security, integrity and confidentiality of the data maintained in the system. A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent, dealer management computer system vendor or other representative thereof, or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agency, dealer management computer system vendor or other representative thereof, may not prohibit a dealer from providing a means to regularly and continually monitor the specific data accessed from or written to the dealer's dealer management computer system or from complying with applicable state and federal laws, rules and regulations. Nothing in this subparagraph imposes an obligation on a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent, dealer management computer system vendor or other representative thereof, or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agency, dealer man-

agement computer system vendor or other representative thereof, to provide such capability.

(6) A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor, or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor may not access or use customer or prospect information maintained in a dealer management computer system used by a motor vehicle dealer for purposes of soliciting a customer or prospect on behalf of, or directing a customer or prospect to, any other dealer. The limitations in this subsection do not apply to:

- (a) A customer that requests a reference to another dealership;
- (b) A customer that moves more than 60 miles away from the dealer whose data were accessed;
- (c) Customer or prospect information that was provided to the dealer by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof; or
- (d) Customer or prospect information obtained by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof in which the dealer agrees to allow the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor the right to access and use the customer or prospect information maintained in the dealer's dealer management computer system for purposes of soliciting a cus-

tomor or prospect of the dealer on behalf of or directing a customer or prospect to any other dealer in a separate, stand-alone written instrument dedicated solely to such an authorization.

(7) A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor may not provide access to customer or dealership information maintained in a dealer management computer system used by a motor vehicle dealer without first obtaining the dealer's prior express written consent, revocable by the dealer upon 5 days' written notice, to provide such access. Prior to obtaining such consent and prior to entering into an initial contract or renewal of a contract with a dealer, the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor shall provide to the dealer a written list of all specific 3rd parties to whom any data obtained from the dealer have actually been provided within the 12-month period ending November 1st of the prior year. The list must describe the scope and specific fields of the data provided. In addition to the initial list, a dealer management computer system vendor or a 3rd party acting on behalf of or through a dealer management computer system vendor must provide to the dealer an annual list of 3rd parties to whom such data are actually being provided on November 1st of each year and to whom the data have actually been provided in the preceding 12 months and describe the scope and specific fields of the data provided. Lists required pursuant to this subparagraph must be provided to the dealer by January 1st of each year. A dealer management computer system vendor's contract that directly relates to the transfer or accessing of dealer or dealer customer information must conspicuously state:

"NOTICE TO DEALER: THIS AGREEMENT RELATES TO THE TRANSFER AND ACCESSING OF CONFIDENTIAL INFORMATION AND CONSUMER-RELATED DATA." Consent in accordance with this subparagraph does not change any such person's obligations to comply with the terms of this section and any additional state or federal laws, rules and regulations. A dealer management computer system vendor may not refuse to provide a dealer management computer system to a motor vehicle dealer if the dealer refuses to provide consent under this subparagraph.

(8) A dealer management computer system vendor or 3rd party acting on behalf of or through a dealer management computer system vendor may not access or obtain data from or write data to a dealer management computer system used by a motor vehicle dealer unless the dealer management computer system allows the dealer to reasonably maintain the security, integrity and confidentiality of customer and dealer information maintained in the system. A dealer management computer system vendor or 3rd party acting on behalf of or through a dealer management computer system vendor may not prohibit a dealer from providing a means to regularly and continually monitor the specific data accessed from or written to the dealer management computer system and from complying with applicable state and federal laws, rules and regulations. This subparagraph does not impose on a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor an obligation to provide such capability.

(9) A manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system

tem vendor that has electronic access to customer or motor vehicle dealership data in a dealer management computer system used by a motor vehicle dealer shall provide notice to the dealer of any security breach of dealership or customer data obtained through that access, which at the time of the security breach was in the possession or custody of the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party. The disclosure notification must be made without unreasonable delay by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party following discovery by the person, or notification to the person, of the security breach. The disclosure notification must describe measures reasonably necessary to determine the scope of the security breach and corrective actions that may be taken in an effort to restore the integrity, security and confidentiality of the data; these measures and corrective actions must be implemented as soon as practicable by all persons responsible for the security breach.

(10) Nothing in this section precludes, prohibits or denies the right of the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof to receive customer or dealership information from a motor vehicle dealer for the purposes of complying with federal or state safety requirements or implement any steps related to manufacturer recalls at such times as necessary in order to comply with federal and state requirements or manufacturer recalls as long as receiving this information from the dealer does not impair, alter or reduce the security, integrity and confidentiality of the customer and dealership information collected or generated by the dealer.

(11) Notwithstanding any of the terms or provisions contained in this subparagraph or in any consent, authorization, release, novation, franchise or other contract or agreement, whenever any manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer

system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor requires that a new motor vehicle dealer provide any dealer, consumer or customer data or information through direct access to a dealer's dealer management computer system, the dealer is not required to provide, and may not be required to consent to provide in a written agreement, that direct access to its dealer management computer system. The dealer may instead provide the same dealer, consumer or customer data or information specified by the requesting party by timely obtaining and furnishing the requested data to the requesting party in a widely accepted file format except that, when a dealer would otherwise be required to provide direct access to its dealer management computer system under the terms of a consent, authorization, release, novation, franchise or other contract or agreement, a dealer that elects to provide data or information through other means may be charged a reasonable initial setup fee and a reasonable processing fee based on actual incremental costs incurred by the party requesting the data for establishing and implementing the process for the dealer. A term or provision contained in a consent, authorization, release, novation, franchise or other contract or agreement that is inconsistent with this subsection is voidable at the option of the dealer.

(12) Notwithstanding the terms or conditions of any consent, authorization, release, novation, franchise or other contract or agreement, a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor that has electronic access to consumer or customer data or other information in a dealer management computer system used by a new motor vehicle dealer, or who has otherwise been provided consumer or customer data or other information by the dealer, shall fully indemnify and hold harmless a dealer from whom it has acquired that consumer or customer data or other information from all dam-

ages, costs and expenses incurred by that dealer, including, but not limited to, judgments, settlements, fines, penalties, litigation costs, defense costs, court costs and attorney's fees arising out of complaints, claims, civil or administrative actions and, to the fullest extent allowable under the law, governmental investigations and prosecutions to the extent caused by the access, storage, maintenance, use, sharing, disclosure or retention of that dealer's consumer or customer data or other information by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor or a 3rd party acting on behalf of or through a manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division or officer, agent or other representative thereof or dealer management computer system vendor; or

EXPLANATION

This section corrects a clerical error and makes a technical correction.

Sec. 15. 10 MRSA §1361, sub-§7, as enacted by PL 1993, c. 195, §1, is corrected to read:

7. Good faith. "Good faith" means honesty in fact and the observance of reasonable commercial standards of fair dealing in the trade as defined and interpreted in the Uniform Commercial Code, Title 11, section ~~2-403~~ 1-1201, subsection ~~(1)~~, paragraph ~~(b)~~ (20).

EXPLANATION

This section corrects a cross-reference.

Sec. 16. 11 MRSA §1-1201, sub-§(20), as enacted by PL 2009, c. 325, Pt. A, §2 and affected by §4, is corrected to read:

(20). "Good faith," except as otherwise provided in Article ~~5~~ 5-A, means honesty in fact and the observance of reasonable commercial standards of fair dealing.

EXPLANATION

This section corrects a cross-reference.

Sec. 17. 12 MRSA §6749-O, sub-§5, as enacted by PL 2003, c. 200, §3, is corrected to read:

5. Protection from depletion. The commission may adopt rules for a sea urchin license limited entry system to prohibit a new entry in a year when it is necessary to protect or conserve the urchin fishery from imminent depletion.

essary to protect or conserve the urchin fishery from imminent depletion.

EXPLANATION

This section corrects a clerical error.

Sec. 18. 12 MRSA §6861-A, sub-§6, ¶C, as amended by PL 2013, c. 468, §35, is corrected to read:

C. Except as provided in paragraphs A and B, violation of this section is a civil violation for which a fine of not less than \$100 nor more than \$1,000 may be adjudged.

EXPLANATION

This section corrects a clerical error.

Sec. 19. 12 MRSA §8427, sub-§5, as enacted by PL 1979, c. 737, §12, is corrected to read:

5. Interest and penalty. Any tax assessed under this subchapter ~~which that~~ is not paid when due ~~shall accrue~~ accrues interest at the rate of 1 1/2% for each month, ~~or~~ or fraction thereof, that the tax remains unpaid; and a penalty equal to 20% of the unpaid tax ~~shall~~ must be added to the liability of any person who fails to pay a tax when due.

EXPLANATION

This section corrects a clerical error and makes grammatical changes.

Sec. 20. 12 MRSA §10851, last ¶, as amended by PL 2009, c. 404, §1, is corrected to read:

A person must be a resident to purchase a senior resident lifetime license under subsection 1, paragraphs C and D. Once purchased, a lifetime license is valid for the life of the holder without regard to subsequent changes in the legal residence of the holder. The license entitles the holder to all fishing or hunting privileges extended to residents or nonresidents as applicable of that same age who hold the equivalent annual license and subjects the holder to all limitations and prerequisites on those fishing or hunting privileges that apply to residents or nonresidents of that same age who hold the equivalent annual license.

EXPLANATION

This section corrects a cross-reference.

Sec. 21. 13 MRSA §1964, as enacted by PL 1973, c. 621, §1, is corrected to read:

§1964. Antitrust

The activities of qualified associations and handlers in bargaining with respect to the price, terms of sale, compensation for commodities produced under contract or other contract terms relative to agricultural

commodities produced by the members of such qualified associations ~~shall be~~ are deemed not to violate any antitrust law of this State. Nothing in this Article ~~shall~~ may be construed to permit ~~handler~~ handlers to contract, combine or conspire with one another in bargaining with qualified associations.

EXPLANATION

This section corrects a clerical error and makes grammatical changes.

Sec. 22. 13-B MRSA §1305, sub-§1, ¶B, as enacted by PL 1977, c. 525, §13, is corrected to read:

B. The minutes of the meetings or other proceedings of the members or any class thereof;

EXPLANATION

This section makes a technical correction.

Sec. 23. 13-C MRSA §724, sub-§2, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is corrected to read:

2. Procedure for recognition. The procedure under ~~subsection~~ subsection 1 may set forth:

- A. The types of nominees to which it applies;
- B. The rights or privileges that the corporation recognizes in a beneficial owner;
- C. The manner in which the procedure is selected by the nominee;
- D. The information that must be provided when the procedure is selected;
- E. The period for which selection of the procedure is effective; and
- F. Other aspects of the rights and duties created.

EXPLANATION

This section corrects a clerical error.

Sec. 24. 13-C MRSA §1523, sub-§2, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is corrected to read:

2. Conversion to foreign other entity; service of process. After the withdrawal under this section of a corporation that has converted to a foreign other entity is effective, service of process on the Secretary of State is service on the foreign other entity. Upon receipt of process, the Secretary of State shall mail a copy of the process to the foreign other entity at the mailing ~~address~~ address set forth under subsection 1, paragraph D.

EXPLANATION

This section corrects a clerical error.

Sec. 25. 14 MRSA §1253-A, as enacted by PL 1981, c. 705, Pt. G, §12, is corrected to read:

§1253-A. Drawing of names to determine qualified qualified jurors

From time to time and in a manner prescribed by the juror selection plan, the clerk shall draw, or cause to be drawn, at random, from the source or master list, as appropriate, the names or identifying numbers of as many prospective jurors as the court deems necessary for service on trials during the time period established by the court.

EXPLANATION

This section corrects a clerical error.

Sec. 26. 14 MRSA §6010, last ¶, as enacted by PL 1979, c. 127, §113, is corrected to read:

Then the court shall deduct from the amount of rent due and owing the difference between the rental price and the fair value of the use and ~~occupancy~~ occupancy of the premises from the time of written notice, as provided in subsection 1, to the time when the condition is repaired or remedied. In determining the fair value of the use and occupancy of the premises, there ~~shall be~~ is a rebuttable presumption that the rental price is the fair value of the rented premises free from any condition rendering it unfit for human habitation. Any agreement by a tenant to waive the rights or benefits provided by this section ~~shall be~~ is void. A written agreement whereby the tenant accepts specified conditions ~~which that~~ that may violate the warranty of fitness for human habitation in return for a stated reduction in rent or other specified fair consideration ~~shall be~~ is binding on the tenant and the landlord.

EXPLANATION

This section corrects a clerical error and makes grammatical changes.

Sec. 27. 14 MRSA §6322, 2nd ¶, as enacted by PL 1977, c. 618, is corrected to read:

If the court determines that such a breach exists, a judgment of foreclosure and sale ~~shall~~ must issue providing that if the mortgagor, ~~his or the mortgagor's~~ successors, heirs and assigns do not pay the sum that the court adjudges to be due and payable, with interest within the period of redemption, the mortgagee shall proceed with a sale as provided. If the mortgagor, ~~his or the mortgagor's~~ successors, heirs and assigns pay to the mortgagee the sum that the court adjudges to be due and payable to the mortgagee with interest within the period of redemption, then the mortgagee shall forthwith discharge the mortgage and file a dismissal of the action for ~~foreclosure~~ foreclosure with the clerk of the court.

EXPLANATION

This section corrects a clerical error and gender-specific language and makes grammatical changes.

Sec. 28. 14 MRSA §8701, sub-§4, as enacted by PL 2013, c. 543, §1, is corrected to read:

4. Remedies. The court may award the following remedies to a target who prevails in an action brought pursuant to this ~~subsection~~ section:

- A. Equitable relief;
- B. Damages;
- C. Costs and fees, including reasonable attorney's fees; and
- D. Punitive damages in an amount equal to \$50,000 or 3 times the total damages, costs and fees, whichever is greater.

EXPLANATION

This section corrects a cross-reference.

Sec. 29. 16 MRSA §53-A, sub-§1, ¶¶A and B, as enacted by PL 1983, c. 319, are corrected to read:

A. ~~Rape crisis center.~~ "Rape crisis center" means any publicly or privately funded agency, institution or facility existing in this State, having as its purpose to reduce the trauma of sexual assault to sexual assault victims and their families through crisis intervention, counseling, medical and legal information and dissemination of educational information pertaining to sexual assault.

B. ~~Sexual assault counselor.~~ "Sexual assault counselor" means a person who ~~has~~:

- (1) ~~Undergone~~ Has undergone a program of training from a rape crisis center ~~which shall include that includes~~, but is not be limited to: ~~Law law~~, medicine, societal attitudes, crisis intervention, counseling techniques and referral services; and
- (2) Is either a staff member, paid or unpaid, or under the supervision of a staff member of a rape crisis center.

EXPLANATION

This section corrects clerical errors and makes grammatical changes.

Sec. 30. 17 MRSA §1021, sub-§5, ¶A, as amended by PL 1997, c. 690, §64, is corrected to read:

A. Whenever a humane agent, a state veterinarian or a person authorized to make arrests has reason to believe that an animal may be disabled, dis-

eased, dehydrated or malnourished, ~~the~~ humane agent, state veterinarian or person shall apply to the District Court or Superior Court for authorization to take possession of the animal and turn it over to the applicant or other suitable person for examination and observation for a 30-day period. At the end of 30 days, the court must receive a report from the person in possession of the animal and either dissolve the possession order or set the matter for hearing within 30 days.

EXPLANATION

This section corrects a clerical error.

Sec. 31. 17-A MRSA §609, sub-§1, ¶A, as enacted by PL 1975, c. 499, §1, is corrected to read:

A. ~~Acquires~~ Acquires or divests himself of a pecuniary interest in any property, transaction or enterprise ~~which that~~ may be affected by such official action or information; ~~or~~

EXPLANATION

This section corrects a clerical error and makes a technical correction and a grammatical change.

Sec. 32. 18-A MRSA §3-404, as enacted by PL 1979, c. 540, §1, is corrected to read:

§3-404. Formal testacy ~~proceedings~~ proceedings; written objections to probate

Any party to a formal proceeding who opposes the probate of a will for any reason shall state in ~~his~~ that party's pleadings ~~his~~ that party's objections to probate of the will.

EXPLANATION

This section corrects a clerical error and gender-specific language.

Sec. 33. 22 MRSA §2425, sub-§8, ¶L, as amended by PL 2013, c. 595, Pt. J, §1 and affected by §4, is corrected to read:

L. Notwithstanding any provision of this subsection to the contrary, the department shall comply with Title 36, section 175. Information provided by the department pursuant to this paragraph may be used by the Department of Administrative and Financial Services, Bureau of Revenue Services only for the administration and enforcement of taxes imposed under Title 36.

EXPLANATION

This section corrects a clerical error.

Sec. 34. 23 MRSA §3027-A, sub-§2, as enacted by PL 1981, c. 683, §3, is corrected to read:

2. Rights of action. All persons are forever barred from maintaining any action at law or in equity to establish, recover, confirm or otherwise enforce any right claimed to or in a proposed or described vacated way by reason of the ownership by the claimant or by ~~an~~ a predecessor in title of a lot or parcel of land shown on a recorded subdivision plan, unless, within one year of the date of recordation of the order of vacation, the claimant files in the registry of deeds where the subdivision plan is recorded a statement under oath specifying the nature, basis and extent of the claimed interest in the way. The claim is forever barred unless, within 180 days after the recording of the statement, the claimant or any other person acting on behalf of the claimant commences an action in equity under Title 14, chapter 723, to establish the rights asserted to or in the way. These limitation periods are not tolled or interrupted by any disability, minority, lack of knowledge or absence from this State of any claimant. Upon the trial of an action, the court shall grant judgment for the claimant only if it finds that the claimant has acquired an interest in the proposed way and that the deprivation of rights in the proposed way unreasonably limits access from a public way, a public body of water or common land or facility to the land of the claimant shown on the recorded subdivision plan. Any judgment rendered by the court in the action may, in the discretion of the court, grant the claimant reasonable damages instead of establishment of the claimant's rights.

EXPLANATION

This section corrects a clerical error.

Sec. 35. 23 MRSA §5125, as enacted by PL 1987, c. 141, Pt. A, §4, is corrected to read:

§5125. Evading payment of fare or riding freight train

No person is entitled to transportation over a steam railroad or upon any ferry or in a taxicab or public automobile, who does not on demand first pay the established fare. Whoever, while being transported over any steam railroad, ferry or in a taxicab or public automobile, willfully refuses on demand to pay the established fare and whoever fraudulently evades payment of the established fare by giving a false answer, by traveling beyond the place to which ~~he~~ the person has paid or by leaving a train, ferry, taxicab or public automobile without paying the established fare, whether that fare is demanded or not, forfeits not less than \$5 nor more than \$20, to be recovered on complaint. No person, without right, may loiter or remain or place or cause to be placed any property or obstruction on the right-of-way of a railroad corporation or on land owned by a railroad corporation adjoining or adjacent to its right-of-way or, without right, may board or attempt to board or remain on any railroad freight train, freight car, caboose, locomotive or work equip-

ment. Any person violating this portion of this section is ~~guilty~~ guilty of a Class E crime.

EXPLANATION

This section corrects a clerical error and gender-specific language.

Sec. 36. 24-A MRSA §404, sub-§4, as enacted by PL 1969, c. 132, §1, is corrected to read:

4. Any insurer and any officer, director, agent, representative or employee of any insurer, who willfully authorizes, negotiates, makes or issues any insurance contract in violation of this section, ~~shall~~ is upon conviction thereof ~~be~~ subject to a fine ~~of~~ not to exceed \$5,000 or imprisonment for not over 2 years, or to both.

EXPLANATION

This section corrects a clerical error and makes grammatical changes.

Sec. 37. 24-A MRSA §2428, sub-§2, as enacted by PL 1969, c. 132, §1, is corrected to read:

2. Except in cases of transfers with intent to defraud creditors, if a contract of life, endowment, annuity or accident insurance, whether heretofore or hereafter issued, is effected by any person on ~~his~~ that person's own life or on another life, in favor of a person other than ~~himself~~ the person effecting that contract, or is assigned or in any way made payable to any other person, the lawful beneficiary or assignee thereof, other than the insured or the person so effecting such contract of insurance or executors or administrators of such insured or of the person so effecting such contract of insurance, ~~shall be~~ is entitled to its proceeds and avails against the creditors and representatives of the insured and of the person effecting the same, whether or not the right to change the beneficiary is reserved or permitted and whether or not the contract of insurance is made payable to the person whose life is insured or to the executor or administrator of such person if the beneficiary or assignee ~~shall predecease~~ predeceases such person, and such proceeds and avails ~~shall be~~ are exempt from all liability for any debt of the beneficiary existing at the time the proceeds and avails ~~is~~ are made available for ~~his~~ the beneficiary's use. Subject to the statutes of limitations, the amount of any premiums for such contract of insurance paid with intent to defraud creditors, with interest thereon, ~~shall inure~~ inures to the benefit of the creditors from the proceeds of the contract of insurance; but the insurer issuing the contract ~~shall must~~ must be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the insurer ~~shall have~~ has received written notice, by or in behalf of a creditor with specifications of the amount claimed along with such facts as will assist the

insurer to ascertain the particular policy, of a claim to recover for transfer made or premiums paid with intent to defraud creditors, and unless such insurer ~~shall have~~ has been served with trustee process for the cash surrender value of any such contract of insurance as required by law prior to making payment of the proceeds in accordance with the terms of the contract of insurance.

EXPLANATION

This section corrects a clerical error and gender-specific language and makes grammatical changes.

Sec. 38. 30-A MRSA §5047, sub-§2, as enacted by PL 2005, c. 380, Pt. A, §2, is corrected to read:

2. Term of office. Members of the council appointed jointly by the President of the Senate and the Speaker of the House serve 3-year terms ~~and~~ and serve at the pleasure of the President of the Senate and the Speaker of the House. Members of the council appointed by the Governor serve 2-year terms and serve at the pleasure of the Governor.

A. Members serve until their successors are appointed and qualified.

B. The appointing authorities shall fill a vacancy for the balance of an unexpired term in the same manner as the appointment was originally filled, except as otherwise provided.

EXPLANATION

This section corrects a clerical error.

Sec. 39. 32 MRSA §7053, last ¶, as amended by PL 1985, c. 736, §11, is corrected to read:

Any person having the necessary qualifications prescribed in this chapter to entitle ~~him~~ that person to licensure as a licensed clinical, licensed master or ~~license~~ licensed social worker ~~shall be~~ is eligible for that license though ~~he~~ that person may not be practicing ~~his~~ that person's profession at the time of making the application.

EXPLANATION

This section corrects a clerical error and gender-specific language and makes a grammatical change.

Sec. 40. 33 MRSA §1602-106, sub-§(b), as enacted by PL 1981, c. 699, is corrected to read:

(b) After the declaration for a leasehold condominium is recorded, neither the lessor nor ~~his~~ the lessor's successor in interest may terminate the leasehold interest of a unit owner who makes timely payment of ~~his~~ the unit owner's share of the rent and otherwise complies with all ~~covenants which~~ covenants that, if

violated, would entitle the lessor to terminate the lease. A unit owner's leasehold interest is not affected by failure of any other person to pay rent or fulfill any other ~~covenant~~ covenant.

EXPLANATION

This section corrects clerical errors and gender-specific language and makes a grammatical change.

Sec. 41. 34-A MRSA §1805, sub-§6, as enacted by PL 2013, c. 598, §25, is reallocated to 34-A MRSA §1805, sub-§7.

EXPLANATION

This section corrects a numbering problem created by Public Law 2013, chapter 598, section 25, which enacted a subsection using the same subsection number as a previously repealed subsection, by reallocating the subsection enacted by chapter 598.

Sec. 42. 34-A MRSA c. 3, sub-c. 8 headnote is corrected to read:

SUBCHAPTER 8

NORTHERN MAINE REGIONAL JUVENILE DETENTION FACILITY MOUNTAIN VIEW YOUTH DEVELOPMENT CENTER

EXPLANATION

This section corrects a subchapter headnote to implement the intent of the revision clause contained in Public Law 2001, chapter 439, Part G, section 8.

Sec. 43. 34-B MRSA §1220, sub-§2, as enacted by PL 1997, c. 422, §3, is corrected to read:

2. Mental health services inappropriate or unavailable. If, after completion of a report as required by subsection 1, paragraph A, the evaluator or the liaison is of the opinion, based upon ~~profession~~ professional judgment, that the mental health services necessary for an individual to meet the conditions of probation are inappropriate given the individual's clinical condition or that the mental health services are unavailable, then the liaison shall notify the court, the probation officer, the individual on probation and the individual's attorney, if known, that the mental health services are inappropriate or unavailable.

EXPLANATION

This section corrects a clerical error.

Sec. 44. 36 MRSA §381, as amended by PL 1983, c. 859, Pt. N, §4 and PL 1997, c. 526, §14, is corrected to read:

§381. State valuation; definition; to be filed with Bureau of Revenue Services annually; abatement

The term "state valuation" as used in reference to the unorganized territory in this Title, except in this chapter, means an annual valuation of all property subject to a Maine property tax but not taxable by a municipality. The annual valuation is to be completed by and on file in the office of the Bureau of Revenue Services prior to the assessment of the annual property tax in the unorganized territory. The annual valuation is to be based on the status of property on April 1st. In this chapter and outside of this Title, the term "state valuation" means the valuation filed with the Secretary of State pursuant to section 305, subsection 1.

EXPLANATION

This section corrects a headnote to reflect a change to the law.

Sec. 45. 36 MRSA §2856, sub-§2, ¶¶A and B, as enacted by PL 1981, c. 711, §10, are corrected to read:

A. If net proceeds ~~is~~ are greater than zero, the greater of the following:

- (1) 0.009; or
- (2) A number determined by subtracting from 0.045 the quotient obtained by dividing:
 - (a) Gross proceeds, by
 - (b) Net proceeds multiplied by 100.

B. If net proceeds ~~is~~ are equal to or less than zero, then 0.009.

EXPLANATION

This section corrects clerical errors.

Sec. 46. 36 MRSA §5219-KK, as enacted by PL 2013, c. 599, §1, is reallocated to 36 MRSA §5219-LL.

EXPLANATION

This section corrects a numbering problem created by Public Law 2013, chapters 551 and 599, which enacted 2 substantively different provisions with the same section number.

Sec. 47. 38 MRSA §414-A, sub-§4, as amended by PL 1997, c. 794, Pt. A, §24, is corrected to read:

4. License conditions affecting bypasses. In fashioning license decisions and conditions, the department shall consider the extent to which operation of the licensed facility will require an allowance for bypass of wastewater from any portion of a treatment

facility when necessary for essential maintenance to assure efficient operation of the licensed facility, when unavoidable to prevent loss of life, personal injury or severe property damage and otherwise subject to applicable effluent limitations and standards. When the applicant demonstrates to the department that, consistent with best practical treatment requirements and other applicable standards, reasonably controlled and infrequent bypasses will be necessary for this purpose, and there is no feasible alternative to the bypass, such as the use of ~~auxiliary~~ auxiliary treatment facilities, retention of untreated wastes or maintenance during normal equipment downtime, the department shall fashion appropriate license allowances and conditions.

EXPLANATION

This section corrects a clerical error.

Sec. 48. 38 MRSA §902, sub-§1-A, as enacted by PL 1997, c. 789, §1 and affected by §5, is corrected to read:

1-A. Extension of consultation period. The consultation period under subsection 1 must be extended for an additional 180 days if:

A. A municipality in which the dam or impoundment is located applies to the department for an extension and demonstrates that the municipality needs additional consultation time to facilitate an agreement for municipal ownership of the dam; or

B. The dam owner applies to the department for an extension.

The ~~consultation~~ consultation period under subsection 1 may not be extended for more than 180 days regardless of the number of applications for extension under this subsection.

EXPLANATION

This section corrects a clerical error.

Sec. 49. 38 MRSA §954-A, first ¶, as amended by PL 1983, c. 812, §295, is corrected to read:

The commission shall elect annually, from its own membership, a ~~chairman~~ chair and secretary and such other officers as it deems necessary. Meetings ~~shall~~ must be held at the call of the ~~chairman~~ chair or at the call of more than 1/2 of the membership. The meetings ~~shall~~ must be held no less frequently than 8 times a year. The minutes of all proceedings of the commission ~~shall be~~ are a public record available and on file in the office of the commission. Members of the commission must be compensated according to the provisions of Title 5, chapter 379.

EXPLANATION

This section corrects a clerical error and gender-specific language and makes grammatical changes.

Sec. 50. 38 MRSA §1036, sub-§8, as enacted by PL 2013, c. 555, §6, is corrected to read:

8. Trustees retirement; applicable to all sewer districts. A person who has not been a trustee of a sewer district prior to January 1, 1987, or who is not a full-time employee, is not eligible to become a member of the Maine Public Employees Retirement System as a result of the person's selection as a trustee.

This subsection is deemed to be incorporated into the private and special laws governing sewer ~~district dis-~~tricts, and any part of a sewer district charter not in conformity with this subsection is void, unless the sewer district's charter expressly references this subsection or former section 1252, subsection 6 and specifically provides that this subsection or former section 1252, subsection 6 does not apply.

EXPLANATION

This section corrects clerical errors.

Sec. 51. 38 MRSA §1048, sub-§6, ¶B, as enacted by PL 2013, c. 555, §6, is corrected to read:

B. Pay the ~~principle~~ principal of, premium, if any, and interest on all bonds and notes issued by the standard district under this chapter as they become due and payable;

EXPLANATION

This section corrects a clerical error.

Sec. 52. 38 MRSA §1201, sub-§4, as enacted by PL 1979, c. 696, §1, is corrected to read:

4. Pledges and covenants, trust agreement. In the discretion of the board of trustees of any district, each or any issue of bonds may be secured by a trust agreement by and between the district and a corporate trustee, which may be any trust company within or without the State.

The resolution authorizing the issuance of the bonds or the trust agreement may pledge or assign, in whole or in part, the revenues and other moneys held or to be received by the district and any accounts and contract or other rights to receive the same, whether then existing or thereafter coming into existence and whether then held or thereafter acquired by the district, and the proceeds thereof, but ~~shall~~ may not convey or mortgage the sewer system or any other properties of the district. The resolution may also contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including, but not

limited to, ~~covenants~~ covenants setting forth the duties of the district and the board of ~~trustees~~ trustees in relation to the acquisition, construction, reconstruction, improvement, repair, maintenance, operation and insurance of its sewer system or any of its other properties, the fixing and revising of rates, fees and charges, the application of the proceeds of bonds, the custody, safeguarding and application of revenues, defining defaults and providing for remedies in the event thereof, which may include the acceleration of maturities, the establishment of reserves and the making and amending of contracts. The resolution or trust agreement may set forth the rights and remedies of the bondholders and of the trustee, if any, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds or debentures of corporations. In addition, the resolution or trust agreement may contain such other provisions as the board of trustees may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the resolution or trust agreement may be treated as a part of the cost of operation. The pledge by any such resolution or trust agreement ~~shall be~~ is valid and binding and ~~shall be~~ is deemed continuously perfected for the purposes of the Uniform Commercial Code from the time when the pledge is made. All revenues, moneys, rights and proceeds so pledged and thereafter received by the district ~~shall be~~ are immediately ~~be~~ subject to the lien of the pledge without any physical delivery or segregation thereof or further action under the Uniform Commercial Code or otherwise, and the lien of the pledge ~~shall be~~ is valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the district irrespective of whether those parties have notice thereof.

The resolution authorizing the issuance of bonds under this chapter, or any trust agreement securing those bonds, may provide that all or a sufficient amount of revenues, after providing for the payment of the cost of repair, maintenance and operation and reserves therefor as may be provided in the resolution or trust agreement, ~~shall~~ must be set aside at such regular intervals as may be provided in the resolution or trust agreement and deposited in the credit of a fund for the payment of the interest on and the principal of bonds issued under this chapter as the same ~~shall~~ become due, and the redemption price or purchase price of bonds retired by call or purchase. The use and disposition of moneys to the credit of the fund ~~shall be~~ are subject to such regulations as may be provided in the resolution authorizing the issuance of the bonds or in the trust agreement securing the bonds and, except as may otherwise be provided in the resolution or trust agreement, the fund ~~shall be~~ is a fund for the benefit of all bonds without distinction or priority of one over another.

EXPLANATION

This section corrects clerical errors and makes grammatical changes.

Sec. 53. PL 2013, c. 486, Pt. B, §1 is corrected to read:

Sec. B-1. Working group. The Commissioner of Administrative and Financial Services or the commissioner's designee shall convene a working group to review the impact that the Maine Revised Statutes, Title ~~20-A~~ 5, section 17859 as originally enacted by Public Law 2011, chapter 380, Part MMM, section 1 has had on the State as an employer, local school administrative units and the Maine Community College System and invite interested parties including the Maine Community College System, statewide associations representing teachers, school boards, principals, superintendents and state employees to participate in the review. The working group shall identify the number of state employees and teachers who have retired and returned to work pursuant to Title ~~20-A~~ 5, section 17859 as originally enacted; the financial impact of that provision including any savings to the State and local school administrative units; and any unintended or unforeseen consequences that have occurred as a result of that provision.

EXPLANATION

This section corrects cross-references.

Sec. 54. PL 2013, c. 528, §12 is corrected to read:

Sec. 12. Contingent effective date. Those sections of this Act that ~~amend enact~~ the Maine Revised Statutes, Title 22, section 1711-C, subsection 6, paragraph F-3 ~~and, amend~~ Title 22, sections 8702 and 8705-A, repeal Title 22, section 8707 and enact Title 22, sections 8714 to 8717 take effect upon the final adoption of major substantive rules required to implement the provisions of this Act. The Board of Directors of the Maine Health Data Organization shall notify the Revisor of Statutes when the major substantive rules authorized under this Act are finally adopted.

EXPLANATION

This section corrects a clerical error.

Sec. 55. P&SL 2013, c. 23, §1 is corrected to read:

Sec. 1. State designee for National Housing Trust Fund. The Maine State Housing Authority is designated as the entity to receive and allocate funds from the National Housing Trust Fund established by the federal Housing and Economic Recovery Act of 2008.

EXPLANATION

This section corrects a clerical error.

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
MEMORIALIZING THE
PRESIDENT AND
CONGRESS OF THE
UNITED STATES TO
SUPPORT THE REFORM OF
THE SOCIAL SECURITY
OFFSETS OF THE
GOVERNMENT PENSION
OFFSET AND THE
WINDFALL ELIMINATION
PROVISION**

S.P. 382

WE, your Memorialists, the Members of the One Hundred and Twenty-seventh Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the Congress of the United States, as follows:

WHEREAS, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

WHEREAS, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

WHEREAS, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages are low to start; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

WHEREAS, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision

have a disproportionately adverse effect on women; and

WHEREAS, in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

WHEREAS, other participants in Social Security do not have their benefits reduced in this manner; and

WHEREAS, to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

WHEREAS, although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; now, therefore, be it

RESOLVED: That We, your Memorialists, request that the President of the United States and the United States Congress work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;
2. Protections permanently ensuring that level of benefit by indexing it to inflation; and
3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

**Read and adopted by the Senate March 24, 2015
and the House of Representatives March 25, 2015.**

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
RECOGNIZING THE 50TH
ANNIVERSARY OF THE
MARCH FROM SELMA TO
MONTGOMERY**

H.P. 765

WHEREAS, March 25, 2015 marks the 50th anniversary of the end of the 3rd of 3 marches from Selma, Alabama to Montgomery, Alabama in support of the voting rights movement, which in turn contributed to passage of the federal Voting Rights Act of 1965, a landmark achievement of the civil rights movement in the 1960s; and

WHEREAS, on March 7, 1965 approximately 600 civil rights marchers, led by John Lewis of the Student Nonviolent Coordinating Committee, who is now a member of the United States House of Representatives, and Reverend Hosea Williams of the Southern Christian Leadership Conference, headed east out of Selma, Alabama to the State Capitol in Montgomery, Alabama; and

WHEREAS, the civil rights activists sought to nonviolently protest discriminatory voter registration practices and the shooting of Jimmie Lee Jackson, who was shot after protecting his mother and grandfather in a civil rights demonstration on February 18, 1965 in a restaurant in Marion, Alabama and who died 8 days later on February 26, 1965; and

WHEREAS, the nonviolent marchers were met and attacked with clubs, whips, police dogs and tear gas by state troopers, local law enforcement officers and townspeople at the Edmund Pettus Bridge as they were leaving Selma; and

WHEREAS, dozens of peaceful marchers were injured by state troopers, local law enforcement officers and townspeople in the forced retreat; and

WHEREAS, images of innocent protestors brutally beaten and severely injured on March 7, 1965, remembered as "Bloody Sunday," were depicted on television screens and in newspaper articles across the country; and

WHEREAS, Bloody Sunday galvanized a generation of nonviolent civil rights activists and heightened support and awareness for the civil rights movement; and

WHEREAS, on March 9, 1965, 2 days later, Reverend Martin Luther King, Jr., led a nonviolent protest of reportedly as many as 2,500 people before turning around after crossing the Edmund Pettus Bridge due to a barricade of state troopers; and

WHEREAS, on March 15, 1965, despite pressure from political figures, United States District Court Judge Frank M. Johnson, Jr., issued an injunction al-

lowing the voting rights march from Selma to Montgomery to proceed, overturning Governor George Wallace's prohibition of the protest; and

WHEREAS, on March 21, 1965, with the protection of United States Army troops, the Alabama National Guard under federal command, the FBI and federal marshals, more than 3,000 people, led by Reverend Martin Luther King, Jr., set out from Selma to Montgomery, a 54-mile journey, marching an average of 10 miles a day along Route 80 and sleeping in fields; and

WHEREAS, the nonviolent protestors safely reached the steps of the State Capitol building on March 25, 1965, at which point their numbers had grown to 25,000, including many religious and community leaders of all denominations, races and backgrounds; and

WHEREAS, on March 17, 1965, with the Selma protestors at the forefront of the news, President Lyndon B. Johnson addressed a joint session of Congress, calling for federal voting rights legislation to dismantle the barriers that prevented African Americans from voting; and

WHEREAS, with the country captivated by the courage and conviction displayed by the civil rights marchers and activists, the United States Congress passed and President Lyndon B. Johnson enacted into law the landmark Voting Rights Act of 1965 on August 6, 1965; and

WHEREAS, many people from Maine, of all races and religions, were involved in not only the march from Selma to Montgomery, but the civil rights struggle as well; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to commemorate the 50th anniversary of the historic civil rights marches from Selma to Montgomery and to honor all those who struggled in search of equality and the freedom to participate in our democracy.

**Read and adopted by the House of Representatives
March 25, 2015 and the Senate March 26, 2015.**

**JOINT RESOLUTION
MEMORIALIZING THE
UNITED STATES
CONGRESS TO TAKE
ACTION TO HELP
VETERANS OF THE WARS
IN AFGHANISTAN AND
IRAQ
S.P. 474**

WE, your Memorialists, the Members of the One Hundred and Twenty-seventh Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

WHEREAS, military personnel from the State of Maine have answered the call to serve our Nation many times and Maine is estimated to be 3rd in the Nation per capita for military service. According to Veterans Administration records, Maine has had 11,531 military members serve since the tragic events of 9/11; and

WHEREAS, members of the Maine National Guard and Reservists have been deployed many times over and many have returned from the wars in Iraq and Afghanistan needing assistance and medical care; and

WHEREAS, 55 of Maine's services members have been killed in action in Iraq and Afghanistan; and

WHEREAS, more than 320 have received the Purple Heart for wounds received in combat; and

WHEREAS, many have returned home with post-traumatic stress disorder, traumatic brain injury, hearing problems and other physical and mental disabilities; and

WHEREAS, many communities in Maine need someone who can meet with veterans and survivors to explain benefits and to get the word out to veterans and their families concerning frequently changing Veterans Administration benefits and eligibility; and

WHEREAS, major issues for returning veterans concerning increasing suicide rates, homelessness, unemployment and education were brought before the 113th Congress with little or no substantive results; and

WHEREAS, as the 114th Congress begins, veterans and their families in Maine and across the Nation hope that the new Congress will be responsive and helpful and aggressively address the many issues facing the veterans of the wars in Iraq and Afghanistan; and

WHEREAS, the men and women who serve our State and Nation so faithfully deserve to have access to care, housing, medical treatment and mental and physical therapy; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to urge the United States Congress to take the lead in passing necessary legislation that will help all our veterans, from all our wars and conflicts, from World War II to present-day Iraq and Afghanistan to the extent necessary; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

**Read and adopted by the Senate April 9, 2015 and
the House of Representatives April 14, 2015.**

**JOINT RESOLUTION
MEMORIALIZING THE
PRESIDENT OF THE
UNITED STATES AND THE
UNITED STATES
CONGRESS TO REQUIRE
EXPANSION OF FISH
HATCHERY OPERATIONS
H.P. 933**

WE, your Memorialists, the Members of the One Hundred and Twenty-seventh Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

WHEREAS, the Atlantic salmon, *Salmo salar*, is a salmon found in the north Atlantic Ocean and in rivers that flow into the north Atlantic Ocean, and the fish has historically been an important economic asset to the State of Maine; and

WHEREAS, the major rivers of the State once ran thick with salmon traveling upstream to spawn; and

WHEREAS, salmon populations have been reduced to nearly undetectable numbers in most rivers in Maine; and

WHEREAS, the Federal Government has designated the Atlantic salmon as an endangered species; and

WHEREAS, the Federal Government spends millions of dollars annually to restore the species with no significant success; and

WHEREAS, there are specific hatchery operations that can improve upon the current results; and

SELECTED MEMORIALS AND JOINT RESOLUTIONS

WHEREAS, a significant number of salmon originating in Maine are being harvested in a commercial fishery off the west coast of Greenland; and

WHEREAS, this fishery is a major obstacle to the restoration of salmon in Maine rivers; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President and the United States Congress direct the United States Fish and Wildlife Service and the National Marine Fisheries Service to expand hatchery operations to rivers in Maine by partnering with the State and with the many non-government organizations that are focused on restoring Atlantic salmon to their historic natal rivers; and be it further;

RESOLVED: That We, your Memorialists, urge that additional resources be made available to the United States State Department that would assist its efforts through the North Atlantic Salmon Conservation Organization convention to help with the curtailment or suspension of the wild Atlantic salmon fishery off the west coast of Greenland; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

**Read and adopted by the House of Representatives
April 29, 2015 and the Senate May 5, 2015.**

**STATE OF THE STATE ADDRESS
OF
GOVERNOR PAUL R. LEPAGE
FEBRUARY 3, 2015**

Chief Justice Saufley, President Thibodeau, Speaker Eves, members of the 127th Legislature, distinguished guests, and fellow Mainers.

Tonight, I am here to update you, the people of Maine, about the condition of our great state.

First, I must recognize my wife, Ann. I would not be here tonight without you.

You have made Maine proud as our First Lady, especially through your support of our armed services and their families.

To my family and friends, I appreciate all you have done—and all you continue to do—to support me.

Staff Sergeant Sarah Cayia, the military herald this evening, thank you for your courageous service to our state and nation.

I ask that we all take a moment to remember, recognize and thank our men and women in uniform.

I would like to make a very important announcement. I am the only Republican that will not be running for President—yet.

I became Governor for one simple reason. I want prosperity—not poverty—for all Maine people.

Doing “business as usual” hurts our ability to be competitive. It favors poverty and prevents prosperity.

Mainers, it’s time to innovate. We need an efficient, effective and affordable government. But change is hard. It’s much easier to protect the status quo.

Studies sit on shelves, collecting dust. Politicians talk about tax reform every year. Nothing meaningful gets done.

We must make hard decisions today so we can have prosperity tomorrow for our future generations.

I made hard decisions all my life—the necessary decisions to help companies grow and expand.

I was a mayor. I understand the needs versus the wants for municipalities.

As Governor, I’ve listened to Mainers. They want to succeed and prosper.

My budget takes bold action. It is the first step—a big leap forward. Friends, I can’t do it alone. I need your help. We must do it together.

The Maine people want results, not rhetoric. They want action!

TAX REFORM

Washington, D.C. is broken. Our future depends now more than ever on the states. They are the 50 laboratories of democracy.

Our country has the highest income taxes in the world. This makes our nation uncompetitive.

Maine is currently not competitive nationally or globally. Our tax system is antiquated. We must modernize it.

My fellow Mainers, you work hard for your paycheck. The government takes your earnings, and you have no control over how it is spent.

You earned it. You should keep it!

An income tax cut puts money back in your pocket. It is a pay raise for all working Mainers.

With consumption taxes, you make the choice. You decide where you spend your money. And let me be clear: this plan does not tax funerals. It does not tax car repairs. It does not tax groceries or other necessities.

My plan makes sure more taxes are paid by tourists—not by Mainers. Approximately 650,000 Maine tax returns pay the income tax.

On the other hand, 29 million tourists a year pay sales taxes on almost every purchase they make.

Our refundable sales tax credit helps lower- and middle-income Mainers get their money back.

This plan is different from past plans. It is not a tax shift. It is a tax cut for all Mainers.

STATE OF THE STATE ADDRESS

My vision is a Maine with no income tax. But I'm no magician. It takes time.

When I took office, Maine's top income tax rate was 8.5 percent—one of the highest in the nation.

We reduced the rate to 7.95 percent—a baby step. This plan cuts it to 5.75 percent—a 40 percent decrease in the income tax since I took office. That's one big step.

A young married couple, both teachers with one child, claiming a standard deduction, would get a \$1,500 pay raise.

That's a mortgage payment. That's few tanks of heating oil. It's several car payments or back-to-school clothes for the kids. It's real money. It makes a real difference.

Other tax reform plans were "revenue neutral." They were created by politicians to serve special interests. My one special interest is the Maine people.

My plan cuts spending. It gives money back to you: the Maine people.

This plan reduces the tax burden on Maine families and small businesses by \$300 million. That's a real pay raise for the Maine people!

If Maine is to prosper, we must have courage.

There are 9 states with no income tax. 19 other states are working to reduce or eliminate the income tax. Maine is leading the nation with our bold plan. We're the first out of the chute.

Let's show the nation—and the world—that Maine is serious about job creation. The Tax Foundation says this plan would propel Maine's ranking from 33 to 23. That's not a jump, that's a leap.

But 23 is not good enough. Let's aim for the top 10.

Maine's corporate tax is a job killer. My plan cuts it. We also eliminate the Alternative Minimum Tax.

We will catapult Maine from 45th to 17th place in corporate tax rankings. And trust me, that's a big deal for job creators.

SELECTED ADDRESSES TO THE LEGISLATURE

Our past rankings said: "Stay away from Maine." My plan says: "Come to Maine. We want your jobs!"

REVENUE SHARING

Local officials care about municipal budgets. They take money from Mainers to grow the town office.

I care about the people who live in the town. I want to give Mainers their hard-earned money back. Someone must lobby for the Maine taxpayer.

The Maine Municipal Association is supposed to represent cities and towns. MMA is not a taxpayer-friendly organization. Its mission is to protect local officials—not local taxpayers.

Your local officials pay dues to MMA with your tax dollars. MMA uses those dues to fight for bigger and more expensive local government.

They should be called the Middle Man Association. They pit local taxpayers against local officials. They fight against any kind of tax reductions.

In Waterville, the city manager worries about a one-million-dollar loss in revenue sharing. Neighboring Winslow gets \$500,000 in revenue sharing.

But residents of Waterville and Winslow are paying 17-million-dollars in income taxes.

I ask them: Would you trade 1.5-million-dollars to keep 17-million-dollars in your pockets? I'll take that deal any day.

A number of property tax relief programs have passed—and all failed. It's time for state government to worry about state taxes. Local government should focus on local taxes.

Programs to lower property taxes should benefit homeowners—not government offices. My plan expands the Property Tax Fairness Credit. That helps low- and middle-income homeowners.

We double the Homestead Exemption for our senior citizens. They worked all of their lives for their homes. Let's make sure they can stay in them.

SELECTED ADDRESSES TO THE LEGISLATURE

We help local government identify other sources of revenue. We give them the telecommunications excise tax.

We allow local government to collect tax revenue from large non-profits. They provide valuable services.

However, they do use public services—just like everyone else. They must help ease the burden on all Maine people.

For our state to prosper, everyone has to pitch in. Working-class Mainers cannot do it alone.

RETIREEES, VETERANS AND ELDERLY

My budget is not a Band-Aid to get us through the next budget cycle.

It drives prosperity for decades to come. It looks past the next election and focuses on future generations.

We need to attract more young people and families. We need to keep our retirees here.

My plan reduces the tax burden on our families, our veterans and our retirees.

Family businesses are the backbone of our economy. We must keep them alive and well.

We will eliminate the estate tax. Only 19 other states impose this “death tax.” It punishes family businesses in Maine.

We end the tax on military pensions. Let’s attract military retirees to Maine. We want these highly trained men and women to live and work here.

Too many Mainers move to Florida or elsewhere for 6 months and a day. That’s why we cut taxes on all other retirement pensions.

This keeps our retirees in Maine. Even better, it keeps their assets here.

BUDGET PRIORITIES

My budget also ensures our most vulnerable get the care that they need and deserve.

STATE OF THE STATE ADDRESS

We have reformed Maine’s Medicaid program. We now prioritize our elderly, the disabled and those with intellectual disabilities.

My budget increases funding for nursing homes. I will continue to fight to keep our nursing homes open.

Maine needs commonsense welfare reforms. We are drug testing TANF recipients. Welfare dollars should not support a drug habit.

We are putting photos on EBT cards. We are sending the message that we do not support welfare fraud.

We are making sure our limited welfare dollars go to Mainers in need, not illegal aliens.

We are getting people off welfare. Our administration has helped more than 1,200 Mainers who were on welfare find full-time careers. Our welfare-to-work program is moving Mainers from poverty to prosperity.

Throwing money at poverty does not help people prosper—it never did and never will.

Instead, we are investing our time to teach needy Mainers how to succeed. We are giving them the skills and self-esteem they need to lead productive and satisfying lives.

My budget also addresses the drug epidemic facing Maine. We fund more agents in the Maine Drug Enforcement Agency. We add more prosecutors and judges.

More Mainers are dying from drug overdoses than traffic deaths. Too many babies are being born addicted to drugs. This has to stop.

We must save our children and families from the poison being sold on our streets.

We cannot allow vicious, out-of-state drug traffickers to use Maine as their marketplace. My plan will hunt down these criminals and hold them accountable.

ENERGY

High energy costs drive away business and raise rates for Mainers. We must lower electricity rates and home heating costs.

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Maine's renewable energy policies are broken—they are expensive and ineffective.

Look at the mills in Millinocket and Bucksport—look at the curtailment in other paper mills.

We have affordable natural gas right in our backyard and hydropower just over the border in Canada and right here in Maine. Let's use it!

We will seek to lift the 100 megawatt cap on all forms of renewable energy. I favor any kind of energy that lowers prices for Mainers now—not 20 years from now.

We need more affordable and efficient hydropower and access to more natural gas—not just high-priced, special-interest energy.

We should follow other states and return money from the regional cap-and-trade program to our businesses that are struggling with high energy costs. This will return millions of dollars to Maine rate payers.

We must help Mainers invest in more affordable heating options.

Once again, we will request to use \$5 million from the increased timber harvest to do this.

For four years, we fought for more affordable heating options for Mainers. Legislators and special interests stopped us cold.

This hurts Maine. This hurts Maine people. We must expose it for what it is.

No Mainer should be cold during the winter. Let's help them invest in heat pumps, install wood stoves or upgrade to highly efficient oil burners.

Furthermore, if we do nothing, our forest resources will be destroyed by invasive insects, as happened in the 1970s and '80s.

We are on the verge of another budworm epidemic on our forest in the next few years. We can shorten its devastation.

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DOMESTIC VIOLENCE

The First Lady's personal mission has been to serve our veterans and military families. My mission is the fight against domestic violence.

If you have not lived through this heinous crime, you cannot imagine how destructive it is or the unseen scars it leaves on its victims.

There were 21 homicides in Maine in 2014. That's down from 25 in 2013.

But 14 of these homicides were related to domestic violence. Even worse, 8 of those murders were children under 13.

Domestic violence is killing our children and our families. This is unconscionable. We must speak out to eradicate this heinous crime.

CONCLUSION

I want prosperity, not poverty, for all Mainers—even my adversaries.

My vision is an economy that allows all Maine families to thrive and succeed.

Every Mainer deserves the chance to achieve their American Dream.

My budget is just the start. I cannot do it alone. I need your help.

We must make sure the income tax keeps going down every year until it is gone.

I ask for a constitutional amendment that will direct all growth in revenue to go toward eliminating the income tax—once and for all.

We're not doing all this work just to let career politicians reverse it after I'm gone.

I want prosperity for all Mainers. We must work together to make it happen. We must take bold action now. The time for talk is over. Let's get to work.

**STATE OF THE JUDICIARY ADDRESS
OF
CHIEF JUSTICE LEIGH INGALLS SAUFLEY
FEBRUARY 24, 2015**

Efficiency and Innovation

Thank you, President Thibodeau. Good Morning, Governor LePage, Speaker Eves, Honorable Members of the 127th Maine Legislature, Probate Judge Dubois, and citizens of the great State of Maine.

My incredible husband, Bill Saufley, sometimes known as the “long-suffering” Bill Saufley, joins me today. And with him are my parents, Jan and Dick Ingalls, who taught me so much about the value of hard work and collaboration.

And, of course, with me today are the members of the Maine Supreme Judicial Court and the Trial Court Chiefs. It is an honor for me to work every day with this wonderful, dedicated group of judges.

It is also a particular honor to be presenting this report this year, in 2015.

Eight hundred years ago this year, in 1215, in a field in Runnymede, England, King John set his seal to the Magna Carta, the document that created some of the most important modern concepts of liberty and justice.

You may be aware that the Magna Carta is understood to have created the foundation of the Rule of Law. But you may not be aware that Justice Donald G. Alexander, the longest serving judge ever to grace the benches in Maine, was there when it was signed!

Many of you may not have had the opportunity to meet the newest member of the Supreme Judicial Court, so I want to take a minute to introduce Justice Jeffrey Hjelm.

Justice Hjelm served in both the District and Superior Courts. He was a trial judge for 22 years before his appointment last fall to the SJC. He has extensive experience with jury trials, and, given his earlier work in the Criminal Division of the Attorney General’s Office, he brings a wealth of experience in criminal process and sentencing. He is well known for his thoughtful and thorough work, and I am delighted to have the opportunity to work with him on the SJC.

The Chief

I also want to take just a minute to say goodbye to one of my heroes.

This past December, we lost Chief Justice Vincent McKusick, who died at the age of 93. The Chief, as we all called him, had a very full career in private practice before serving as the Chief Justice from 1977 to 1992. It is particularly fitting to salute him today because, as Chief Justice, he had a special focus on the relationships among the branches of government.

For those of you who are historians, we understand that the first Chief Justice to present a report regarding the State of the Judiciary in Maine to the Maine Legislature was Chief Justice Armand Dufresne, in 1977. CJ Dufresne was also our very first Franco-American Chief Justice.

Chief Justice McKusick, noting the value of communication among the branches, helped make that address a tradition. He was the first Chief who was regularly invited to speak to the Maine Legislature, eventually providing the annual presentation that brings us here today.

The Chief was a man of towering intellect, and more than that, he was a gentleman. His nonpartisan, collegial and respectful approach to cross-branch relationships helped make my presentation here today possible. Many of you remember his kind, warm style, and I will always be grateful for his support as I took on a job he had done so well.

The Past

And with that, I present to you—the State of the Judiciary in Maine.

I begin with a bit of context. For more than a dozen years, I have talked with Maine Legislators about the need to support a solid system of justice for Maine people. During that time, the Judicial Branch has had to address the chronic underfunding of justice in Maine.

Ten years ago, in 2005, the resource limitations on the provision of justice were so severe that I dispensed with the ordinary annual report and made a direct appeal to this august body. I told Legislators then that the resources for providing justice in Maine were “woefully inadequate.”

The result of that underfunding was evident throughout the system:

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Many courthouses were in disrepair;
Too many were physically inaccessible;
Court safety was nonexistent; and
Reduced budgets had resulted in vacancies
that created unconscionable delays.

The situation was truly dire.

The Efforts at Improvement

Given this background, I am particularly pleased to be presenting this report on the State of Maine's Judiciary, because today I bring you good news.

I am pleased to report that, with legislative support, and the support of Governor LePage, we are turning the corner.

Over the last several years, we have been able to improve facilities, accomplish consolidations, redirect resources and implement changes that make the Judicial Branch more efficient and more responsive to the public.

Although much remains to be done, and I will give you a road map for some of that work later this morning, I first want to take a moment today to celebrate the improvements that have been achieved.

Security

First and foremost, our courthouses are safer.

Entry screening has been instituted in courthouses throughout the State, and the final steps are at hand to make it available nearly every day in every court.

We must be able to tell everyone coming to court in tense and dangerous situations, including victims of domestic violence, that, at least within the courthouse, they are safe.

We are almost there. Your support for that aspect of the Governor's budget will make it a reality.

Facilities

Second, there have been substantial improvements in many courthouses.

In renovating and repairing Maine's courthouses, we have taken the opportunity to consolidate facilities.

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Ten court buildings in 4 cities have been consolidated into 4 buildings in Houlton, Dover-Foxcroft, Bangor and Augusta.

The resulting consolidations provide much more effective public service. The buildings require only one team of marshals for entry screening and one team of clerks, and they allow for greater collaboration among trial judges. Public confusion about which courthouse to go to has been eliminated.

In the last 12 years, we have reduced the number of court facilities from 47 to 39, without sacrificing access to justice in our rural regions. Every one of the consolidations improves efficiency and public service. Projects in Oxford, Franklin, York and Waldo Counties, where 3 of the county courthouses are more than 100 years old, are next on the drawing board. We will be talking to you about those needs soon.

Clerks

At the same time, we have consolidated most of our clerks' offices so that 42 formerly separate units are now organized into 27 units. This has allowed us to use existing positions more effectively.

Service center

We have been able to repurpose some of those existing positions to create a central phone bank of highly trained, customer-service oriented staff to respond to questions that come into the courts by phone. The public response has been uniformly positive, and the goal is to expand the service center statewide.

Technology: Case Management System and e-filing

And, with the support of the 126th Maine Legislature and the Governor, this year we will begin the digital upgrade to create e-filing for Maine's courts.

This has taken months of planning, including learning what other states have done right, and what they have done wrong. We have involved representatives of state government and other stakeholders to assure that we are creating a system that is integrated and effective throughout the State. And soon we will be ready to publish the RFP and issue the bond approved by the 126th Legislature.

Capital Judicial Center

Finally, regarding efficiencies, let me tell you about the extraordinary improvement in public service that

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will be demonstrated in the brand new Capital Judicial Center, which opens for business next Monday. Justice Jabar has taken the lead on guiding the work for this new building.

The Capital Judicial Center will consolidate all trial court functions in Augusta under one roof, replacing 3 facilities with one. And thanks to KVCAP, a new bus stop will provide public transportation right to the courthouse door.

In addition to the trial courts, all Augusta-based Judicial Branch administrative offices, including the technology center, will be in the new building.

Like the old Kennebec County Courthouse, which opened in 1830 (2 years before this very State House), the new courthouse, fit for the State's Capital, is designed to serve the public for generations to come.

It is filled with natural light, and, from the public spaces, the view of the Kennebec River, the lifeblood of the region, will be featured everywhere.

There are multiple mediation and conference rooms, wide corridors for safety and a more private space for filing domestic violence documents.

It is built, in great part, with Maine's natural resources: the beautiful granite is from Jay, much of the lumber is from Maine forests and the woodwork was milled in southern Maine.

Most of the businesses and individuals who worked on the building were from Maine. During the height of construction, more than 100 people were employed daily on site.

It will be LEED certified and energy efficient, taking advantage of new natural gas lines and a design that makes the best use of its southern exposure.

It is attached by a skybridge to the venerable county courthouse, so that the beautiful old courtroom, which will now be upgraded for ADA compliance and for technology, will be a seamless part of the new courthouse. Maintaining that historic courtroom, which we could never replicate today, was a high priority.

This project represents the best of bipartisan government collaboration. It was initially proposed in the 124th Legislature and approved by Governor Baldacci.

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Each successive Legislature and Governor LePage have continued to support the project.

The end result is a building that has been completed on time, and on budget, and that will stand as a symbol for justice in the State's Capital for the next two hundred years.

We will have a grand opening on Law Day, May 1st, and I hope that all of you will be able to join us.

As the Capital Judicial Center opens and the Washington County Courthouse addition and renovation in Machias are completed later this year, we are well on our way to a cost-efficient, solid facility infrastructure for the next century.

Process Improvements

At the same time that we have been laying the groundwork for a more efficient and productive infrastructure, we have undertaken several projects to reform court process.

Why are we focusing on improving process?

You have all heard the phrase:

Justice Delayed is Justice Denied.

Although it sounds like a platitude, it is truly a description of reality.

If you are a victim of crime who must wait for trial so long that the witnesses no longer recall events with accuracy,

If you are a ten-year-old child waiting to learn which school district you will attend while your parents' divorce remains pending,

If your plans to expand a business get tied up in court,

You know what Justice Delayed really means.

And I would add to that phrase:

Justice that is too expensive is no Justice at all.

Justice that is financially out of the reach of the litigants cannot be tolerated. Any court process that includes nonproductive trips to the courthouse creates impediments to achieving the Justice we all seek.

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Therefore, we are working on improving all court procedures to streamline the process.

The Business and Consumer Docket

A good example of improved process can be found in the Business and Consumer Docket, which now handles 100 or more complex business cases every year. As a result of intense judicial management, cases accepted into the Business and Consumer Docket benefit from an average completion time of less than 11 months—for case types that once required 3 to 5 years to complete!

The Unified Criminal Docket

The latest court project to streamline proceedings is the Unified Criminal Docket. We began the Unified Criminal Docket as a pilot project in 2009 in Cumberland County, and it was expanded to Bangor in 2011. In the last year, several more counties have streamlined their criminal process, and by July 1, 2015, the Unified Criminal Docket will be implemented statewide.

By eliminating the existing 2-tiered process, we have created a system where a schedule of every court event in a criminal case is produced on the first day that the defendant appears in court. This process respects the serious aspects of criminal law, while at the same time ending the practice of requiring crime victims, witnesses, lawyers and defendants to appear repeatedly without resolution.

This docketing change has substantially reduced the time for resolution of criminal cases. I am grateful for the skills of Justice Gorman, who has been the primary architect and judicial guide for this docketing innovation.

The focus on criminal process is critically important right now and leads me to address the challenges we face and where we need further improvement.

In fiscal year 2014, almost 56,000 new criminal cases were filed in the trial courts.

Domestic violence

Despite the consistent efforts of law enforcement, the victim advocates, the court system and the Governor, the Attorney General reports that 21 homicides occurred in Maine in 2014 and that 14 of those homicides involved domestic violence. As you heard during the

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State of the State, 8 of those who were murdered were children.

We must do better.

Drug addictions and drug-affected babies

And we also know from the Attorney General that there is another tragedy affecting Maine's children every day. In 2012, 779 babies were born into a world where their first experience was detoxifying from drugs.

In 2013, that number climbed to 927, and last year saw a new record of 961. This is almost 8% of the live births in our small State—one out of every 12 babies born in Maine is affected at birth by drug abuse, a tragedy of enormous proportions.

It is clear that our efforts to eliminate drug addiction and address family violence must be redoubled. The Drug Treatment Courts for families, veterans and people with mental illness will need your support this session. Please help.

In addition, the pending proposal for 4 new judge positions could not come at a better time.

The trial judges' ability to reach the relentless arrival of new criminal cases is strained to the maximum right now.

To assist the trial courts, the Supreme Court deferred its own caseload in January to allow Supreme Court judges to assist with the trial court caseload. Justice Alexander led the SJC in assisting the trial courts with the unceasing caseload. We are hopeful that these efforts will help the entire system, but more judges are necessary if we are to keep up with the demands.

Access to justice

Another impediment to accessing justice in Maine, as in every other state, is the inability of so many people, even those with modest incomes, to afford legal assistance.

Even the best, most efficient court proceedings require the expertise of lawyers to assist the litigants. We do not expect people to diagnose and treat their own illnesses, nor should it be acceptable that they are unassisted in critical, life-changing legal proceedings.

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We are very fortunate to have Justice Mead leading the efforts to improve access to justice and working with a legal profession that is among the most generous in the country.

Maine lawyers donated more than \$2 million dollars in free legal services to people in need in 2014, and Maine lawyers and judges reached deep into their own pockets to give more than half a million dollars to the Campaign for Justice, which provides funds for legal services for low-income and elderly people.

Justice Mead will be here next week in the Hall of Flags with the civil legal services lawyers to provide you with more information that may assist you in helping your constituents.

NEW INITIATIVES

Finally, in keeping with our efforts to reform process, I am very pleased today to launch a new initiative:

All three branches of government have come together to create

The Maine Task Force on Pretrial Justice Reform.

Context is helpful.

In 2005, the Legislature asked the Corrections Alternatives Advisory Committee to obtain a study of Maine's pretrial case processing. The committee reported back in 2006 with recommendations for changes and improvements throughout the criminal justice system: in the jails, with law enforcement, in the courts, with bail commissioners, with the lawyers.

Some changes were accomplished, and the reduction in criminal backlogs accomplished by the Unified Criminal Process is one significant improvement. But many recommendations have yet to be addressed.

At the same time, I don't need to tell you that the costs of Maine's jails have been ever increasing.

We know that more than 60% of the people held in county jails are in pretrial status.

Some are serious flight risks, others present a very real risk of danger in their communities; Some are there because they failed to appear in court to address an unpaid fine;

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Some are there because they failed to appear for a charge that would not have resulted in a jail sentence;

Some are there because they do not have the necessary funds to post cash bail;

Others are waiting for a bed in a treatment facility;

Many are mentally ill and unable to control their behaviors long enough to stay out of jail.

Defendants who present a risk of flight or violence need the attention and resources of the jails. But many others could be better addressed with the focused attention of less costly resources.

We are not the only state that is struggling with these challenges. In the last several years, there have been a number of efforts throughout the country to address overcrowding in community jails.

Information is emerging regarding a number of promising practices that may help turn this around.

The goals are simple:

Reduce the financial and human costs of unnecessary incarceration without compromising individual or community safety or the integrity of the criminal justice system.

There is a growing body of research that tells us that reaching these goals is possible.

The research supports the adoption of effective practices such as:

Enhanced risk assessment;

Diversion of nonviolent offenders into community-based programs;

Development of supervised, meaningful community services programs; and

Case management and diversion programs that require:

The acceptance of personal responsibility,

Sobriety and

Continued employment.

At the same time, these new evidence-based practices can help identify offenders who pose a serious risk of violence. This allows a critical focus on enhancing public and victim safety.

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In Kentucky, a pilot project demonstrated a 15% reduction in pretrial violence while achieving substantial reduction in the costs of local jails. The Kentucky study also demonstrated that improved risk assessment can be “highly accurate” at identifying the small group of defendants who are at an elevated risk of committing violence if released before trial.

The national research demonstrates the long-term benefits of risk assessments and better attention to suitability for pretrial release. Objective risk assessments provide an additional means for ensuring that neither a person’s poverty nor a person’s ethnicity leads to unnecessary pretrial incarceration.

And there is more emerging information:

The initial research demonstrates that the pretrial incarceration of low-risk offenders creates a higher risk of recidivism in later years.

But the pretrial incarceration of high-risk offenders, those who may be violent, appears to actually *reduce* recidivism after a conviction.

Put bluntly, without better up-front assessments, pretrial detention may make less dangerous people more dangerous, and we may be missing the need to detain people who currently present a serious threat for violence.

The Maine Legislature has already mandated risk assessment for domestic violence charges. Applying similar tools to other charges could be equally effective.

Therefore, in collaboration, the Judicial, Executive and Legislative Branches will bring together some of the best minds in Maine on issues of criminal justice. Justice Robert Mullen will Chair the Task Force, bringing a wealth of experience in both trial courts and in working with the bail commissioners.

We will ask the Task Force to study the research that has been undertaken nationally, look at what is working and what is not working in Maine and in other states, and make proposals for improvements in time for consideration in the Second Regular Session.

I am grateful for the support of Governor LePage, President Thibodeau, Speaker Eves and Minority Leaders Senator Alfond and Representative Fredette,

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and Attorney General Mills. They have each agreed to name members to serve on this Task Force.

We have also received commitments from the prosecutors, law enforcement, the Sheriffs’ Association, the Victims’ Advocates and the defense bar to join this effort.

It is time for us to take on this challenge.

Working together, we could make real, lasting improvements for Maine.

WE NEED YOUR HELP

Finally, as I said when I began, we are starting to turn the corner, but we have an enormous amount of work ahead of us.

Here are the things that you can do to make sure your constituents have safe, prompt access to justice when they need it:

1. Support the Governor’s budget proposed for the Judicial Branch
 - a. Safer courthouses are critical to these efforts.
 - b. More judges are desperately needed.
 - c. Jurors should be appropriately compensated for their time and for the miles they drive to perform their civic duties.
2. Visit courthouses
 - a. Mary Ann Lynch will make arrangements for you to shadow a judge, see a courthouse that serves your District and spend time watching justice in action.
 - b. Talk with us about High School Appellate Arguments.
 - i. Last year, we had terrific experiences at Presque Isle High School, Mattanawcook and Yarmouth.
 - ii. This year, in October, we will sit in Hermon, at Senator Gratwick’s invitation, and at Mt. Blue in Farmington, at the invitation of the very patient Senator Saviello. We have one opening still available. Contact Mary Ann Lynch.
 - iii. We hope that many of you will join us for those arguments.
3. Finally, keep working with us on innovations. While I will admit that the courts are not an institution that changes on a dime, we want to

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be responsive to the justice needs of your constituents. Keep talking to us.

Thank you for your time and attention, and your support for justice in the State of Maine.

CROSS REFERENCE TABLES

TABLE I

Sections of the Maine Revised Statutes affected by the laws of the First Regular Session of the 127th Legislature and the Revisor's Report 2013, Chapter 2.

TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC	TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC
1	72	10			COR RR 2		1	3	1001			NEW	PL 344		4
1	72	23			COR RR 2		2								
1	72	24			COR RR 2		2	4	8-C			NEW	PL 78		1
1	150-L				NEW PL 19		1	4	17-D			NEW	PL 238		1
1	228				NEW PL 70		1	4	157	1	A	AMD	PL 377		1
1	402	3	Q		AMD PL 335		1	4	163	1		AMD	PL 44		1
1	402	3	S		AMD PL 161		1	4	183	1	D	AFF	PL 296	D	1
1	402	3	T		AMD PL 161		2	4	183	1	D	AMD	PL 296	C	1
1	402	3	U		NEW PL 161		3	4	554			AMD	PL 44		2
1	408-A	3			AMD PL 317		1	4	807	3	S	AMD	PL 195		1
1	408-A	4			AMD PL 248		1	4	1057	3-A		AMD	PL 335		2
1	408-A	4			AMD PL 249		1	4	1610-H			NEW	PL 267	M	1
1	408-A	4-A			NEW PL 248		2	4	1806	2	F	AMD	PL 290		1
1	409	1			AMD PL 249		2								
1	411	2	L		AMD PL 250	A	1	5	21	2		AMD	PL 102		7
1	411	2	M		AMD PL 250	A	1	5	90-B	4		AMD	PL 313		1
1	411	2	N		NEW PL 250	A	2	5	90-B	5		RP	PL 313		2
1	413	1			AMD PL 317		2	5	90-B	5-A		NEW	PL 313		3
1	433	2			RP PL 250	D	1	5	90-F			NEW	PL 180		1
1	433	2-A			NEW PL 250	D	2	5	200-H	1	H-1	AMD	PL 267	GG	1
1	433	3			AMD PL 250	D	3	5	200-I	5		AMD	PL 250	B	1
1	814	2	A		AMD PL 168		1	5	200-J			AFF	PL 267	D	1
								5	241		2nd	AMD	PL 44		3
2	6	2			AMD PL 267	HHH	1	5	242		2nd	AMD	PL 44		4
2	6	2			AMD PL 267	RRR	1	5	285	1	F-11	NEW	PL 363		1
2	6	4			AMD PL 267	RRR	2	5	933	1	N	RP	PL 267	U	1
2	6	4			AMD PL 267	III	1	5	933	1	P	RP	PL 267	U	2
2	6	11			AMD PL 267	HHH	2	5	937	1		AMD	PL 267	NN	1
2	6-A	3	E		AMD PL 8		1	5	938	1-A	G	AMD	PL 267	III	2
2	6-E	6			AMD PL 297		1	5	938	1-A	H	AMD	PL 267	III	3
								5	938	1-A	I	NEW	PL 267	III	4
3	2		3rd		NEW PL 134		1	5	949	1	E	AMD	PL 8		2
3	2		last		COR RR 2		3	5	1519	6		NEW	PL 267	L	1
3	161				RPR PL 102		1	5	1531	1		RP	PL 267	L	2
3	162	6			AMD PL 102		2	5	1531	2		AMD	PL 267	L	3
3	162	6-A			RP PL 102		3	5	1531	4	A	AMD	PL 267	L	4
3	163	2			AMD PL 102		4	5	1531	6		RP	PL 267	L	5
3	163	2-A			AMD PL 102		5	5	1532	1		AMD	PL 267	L	6
3	163-A				AMD PL 102		6	5	1532	5		AMD	PL 267	L	6
3	314		2nd		AMD PL 267	F	1	5	1534	2		AMD	PL 267	L	7
3	316-A		last		AMD PL 267	F	2	5	1536			AMD	PL 267	L	8
3	320		1st		AMD PL 267	F	3	5	1547	3		AFF	PL 170		30
3	959	1	E		AFF PL 170		30	5	1547	3		AMD	PL 170		2
3	959	1	E		AMD PL 170		1	5	1591	2	F	AMD	PL 267	VV	1
3	992	4-A			NEW PL 344		1	5	1591	2	G	AMD	PL 267	VV	2
3	992	5			AMD PL 344		2	5	1591	2	H	NEW	PL 267	VV	3
3	992	6-A			NEW PL 344		3	5	1591	2	I	NEW	PL 267	VV	3
3	992	6-B			NEW PL 344		3	5	1591	4		RP	PL 335		3
3	998				NEW PL 344		4	5	1665	1		AMD	PL 267	L	9
3	999				NEW PL 344		4	5	1666		3rd	AMD	PL 344		5
3	1000				NEW PL 344		4	5	1741		1st	AMD	PL 5		1
								5	1813-B			NEW	PL 345		1

CROSS REFERENCE TABLE I

TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC	TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC
5	1817				AMD	PL 102	8	5	18058	6			NEW	PL 61	2
5	1821				RP	PL 141	1								
5	1822				RP	PL 141	2	6	151				RPR	PL 33	1
5	1823				RP	PL 141	3								
5	1824				RP	PL 141	4	7	152	2			AMD	PL 145	1
5	1825-A	1			AMD	PL 179	1	7	154				AMD	PL 145	2
5	1825-A	6			AMD	PL 179	1	7	155				AMD	PL 145	3
5	1825-A	8			AMD	PL 179	1	7	219				NEW	PL 347	1
5	1825-B				AMD	PL 179	2	7	742	9	A		AMD	PL 191	1
5	1825-C				AMD	PL 179	3	7	743				AMD	PL 191	2
5	1825-D		1st		AMD	PL 179	4	7	743-A	1			AMD	PL 191	3
5	1825-D	1			AMD	PL 179	5	7	743-A	2			RP	PL 191	4
5	1825-D	3			AMD	PL 179	5	7	743-A	3			AMD	PL 191	5
5	1825-D	4			AMD	PL 179	5	7	745		1st		AMD	PL 191	6
5	1825-E				AMD	PL 179	6	7	751	3			AMD	PL 191	7
5	1825-G				AMD	PL 179	7	7	765	2			AMD	PL 191	8
5	1825-I				AMD	PL 179	8	7	766	1			AMD	PL 191	9
5	1825-J				AMD	PL 179	9	7	2231				AMD	PL 202	1
5	2002	11			AMD	PL 267	1	7	3907	5-A			RPR	PL 223	1
5	2006	4			AMD	PL 267	2	7	3907	23-A			AMD	PL 223	2
5	3360-N				AMD	PL 267	2	7	3907	28			RP	PL 223	3
5	3360-P				AMD	PL 267	3	7	3911-A				AMD	PL 301	1
5	3372				NEW	PL 352	1	7	3919-A	4			AMD	PL 223	4
5	4594-D	11			RP	PL 102	9	7	3919-A	5			AMD	PL 223	5
5	7083	6			COR	RR 2	4	7	3919-C		1st		AMD	PL 223	6
5	7505				NEW	PL 94	1	7	3919-E	1	A		AMD	PL 223	7
5	12004-C	9			NEW	PL 363	2	7	3932-A	4			RP	PL 223	8
5	12004-F	15			AFF	PL 170	30	7	3939-A				AMD	PL 223	9
5	12004-F	15			RP	PL 170	3	7	3939-A	2			AMD	PL 209	1
5	12004-G	6-C			RP	PL 335	4	7	3939-B				AMD	PL 223	10
5	12004-G	11-A			AMD	PL 319	1	7	3942				AMD	PL 223	11
5	12004-G	30-E			NEW	PL 352	2	7	3972	1	E		AMD	PL 223	12
5	12004-I	4-C			NEW	PL 86	1	7	3972	1	F		AMD	PL 223	13
5	12004-I	12-B			NEW	PL 267	1	7	3972	1	G		NEW	PL 223	14
5	12004-I	24-B			RP	PL 319	2								
5	12004-I	47-I			NEW	PL 203	1	8	275-A	7-A			NEW	PL 200	1
5	12004-I	49-B			RP	PL 30	1	8	275-N				AMD	PL 200	2
5	12004-I	74-G			RP	PL 86	2	8	286	4			AMD	PL 200	3
5	12004-I	74-I			NEW	PL 30	2	8	374		1st		AMD	PL 96	1
5	12004-I	82-A			NEW	PL 182	1	8	407				COR	RR 2	8
5	12004-I	85-A			RP	PL 284	1	8	471				NEW	PL 148	1
5	12021	6	G		AFF	PL 170	30	8	472				NEW	PL 148	1
5	12021	6	G		RP	PL 170	4	8	473				NEW	PL 148	1
5	12023				AMD	PL 102	10	8	474				NEW	PL 148	1
5	12023	3			NEW	PL 253	1	8	475				NEW	PL 148	1
5	13051		1st		COR	RR 2	5	8	476				NEW	PL 148	1
5	13056-G				NEW	PL 362	1	8	658				AMD	PL 148	2
5	13090-K	2			AFF	PL 267	7	8	701				AMD	PL 148	3
5	13090-K	2			AMD	PL 267	1								
5	17059	4	H		AMD	PL 322	1	9-A	5-102				COR	RR 2	9
5	17059	5	E		AMD	PL 322	2								
5	17152	2			COR	RR 2	6	9-B	1054	2			COR	RR 2	10
5	17152	3			COR	RR 2	6								
5	17704-B				AMD	PL 267	1	10	363	8			AFF	PL 170	30
5	17751	4			COR	RR 2	7	10	363	8			AMD	PL 170	5
5	17806	1	A		AMD	PL 334	1	10	915		1st		COR	RR 2	11
5	17806	1	A-2		NEW	PL 334	2	10	918		1st		COR	RR 2	12
5	17859	1-A			AMD	PL 321	1	10	965	4-A			AFF	PL 170	30
5	18058	1	D		NEW	PL 61	1	10	965	4-A			AMD	PL 170	6

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10	1024	1			AMD	PL 319	3	12	1900	4			AMD	PL 252	2
10	1026-A	1			AFF	PL 38	3	12	1900	5			AMD	PL 252	2
10	1026-A	1			AMD	PL 38	1	12	6022	20			NEW	PL 172	1
10	1026-J	2			AFF	PL 224	2	12	6072	10	A		RP	PL 68	1
10	1026-J	2			AMD	PL 224	1	12	6074-A				AFF	PL 199	2
10	1026-N	3			AMD	PL 47	1	12	6074-A				NEW	PL 199	1
10	1100-Z	3	G		AMD	PL 300	A 1	12	6171	3			RPR	PL 80	1
10	1100-Z	5			AMD	PL 300	A 2	12	6173	3			NEW	PL 201	1
10	1171	9-A			COR	RR 2	13	12	6173	4			NEW	PL 201	1
10	1174	3	U		AFF	PL 329	C 4	12	6210	2			AMD	PL 172	2
10	1174	3	U		AMD	PL 329	C 1	12	6210	7			NEW	PL 172	3
10	1174	3	V		COR	RR 2	14	12	6301	2	U		RP	PL 68	2
10	1174	3	V		AFF	PL 329	C 4	12	6374	1			AMD	PL 172	4
10	1174	3	V		AMD	PL 329	C 2	12	6374	2			AMD	PL 172	5
10	1174	3	W		AFF	PL 329	C 4	12	6404				AMD	PL 172	6
10	1174	3	W		RP	PL 329	C 3	12	6412	3			AMD	PL 172	7
10	1308	6-A			NEW	PL 139	1	12	6421	3-A	E		AMD	PL 68	3
10	1308	6-B			NEW	PL 139	1	12	6439-A				RP	PL 68	4
10	1308	7-A			NEW	PL 139	1	12	6446	1-A			AMD	PL 68	5
10	1308	7-B			NEW	PL 139	1	12	6447	5			AMD	PL 68	6
10	1308	7-C			NEW	PL 139	1	12	6448	3			AMD	PL 68	7
10	1310	1	A		AMD	PL 139	2	12	6481	1			AMD	PL 68	8
10	1310	1-A			NEW	PL 139	3	12	6482	1	A		AMD	PL 50	1
10	1310	3			AMD	PL 139	4	12	6505-A	3-A			AMD	PL 131	1
10	1361	7			COR	RR 2	15	12	6535	2			AMD	PL 201	2
10	1457	4			NEW	PL 143	1	12	6575-K	1			AMD	PL 131	2
10	1461				RP	PL 43	1	12	6575-K	2			AMD	PL 131	2
10	1462				RP	PL 43	1	12	6575-L				NEW	PL 131	3
10	1463				RP	PL 43	1	12	6601	5-A			AFF	PL 355	2
10	1464				RP	PL 43	1	12	6601	5-A			AMD	PL 355	1
10	1465				RP	PL 43	1	12	6674				RPR	PL 225	1
10	1466				RP	PL 43	1	12	6701	2			AMD	PL 201	3
10	1471	2-B			NEW	PL 167	1	12	6728	3			RP	PL 329	A 1
10	1471	6-C			NEW	PL 167	1	12	6728	3-A			AMD	PL 329	A 2
10	1471	7-A			NEW	PL 167	1	12	6748	2			AMD	PL 201	4
10	1475	2-A	B		AMD	PL 167	2	12	6749-O	5			COR	RR 2	17
10	1475	2-A	G		AMD	PL 167	3	12	6851	2	A		AMD	PL 201	5
10	1475	2-A	H		AMD	PL 167	4	12	6851	2-E			NEW	PL 201	6
10	1475	2-A	I		NEW	PL 167	5	12	6851-A				RP	PL 68	9
10	1475	3			AMD	PL 167	6	12	6856	1			AMD	PL 68	10
10	3251				AMD	PL 56	1	12	6856	3-D	A		AMD	PL 68	11
10	4013				NEW	PL 210	1	12	6861-A	6	C		COR	RR 2	18
10	9722	6	L		AMD	PL 126	1	12	6864	1			AMD	PL 45	1
10	9722	6	M		AMD	PL 126	2	12	6864	2			AMD	PL 45	2
10	9722	6	N		NEW	PL 126	3	12	6864	3			AMD	PL 45	3
								12	6864	7-B			NEW	PL 45	4
11	1-1201	20			COR	RR 2	16	12	6864	9			AMD	PL 45	5
11	9-1516	2	f		AMD	PL 180	2	12	6864	11			AMD	PL 45	5
11	9-1516	2	g		AMD	PL 180	2	12	6865				NEW	PL 45	6
11	9-1516	2	h		NEW	PL 180	3	12	8422	1			AMD	PL 314	1
								12	8422	2			AMD	PL 314	1
12	685-A	13			AFF	PL 265	10	12	8422	4			AMD	PL 314	1
12	685-A	13			AMD	PL 265	1	12	8422	4-A			NEW	PL 314	2
12	685-B	1-A	B-1		AFF	PL 265	10	12	8422	5			AMD	PL 314	3
12	685-B	1-A	B-1		AMD	PL 265	2	12	8422	6			AMD	PL 314	3
12	1804	1			AMD	PL 267	X 1	12	8422	7			AMD	PL 314	3
12	1807				NEW	PL 267	FF 1	12	8423-A	2			RP	PL 314	4
12	1896				AMD	PL 252	1	12	8423-A	4			RP	PL 314	4
12	1900	3			AMD	PL 252	2	12	8423-A	5			AMD	PL 314	5

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12	8423-A	7-A		NEW	PL	314	7	12	10503	6		AMD	PL	374	1
12	8423-A	8		RP	PL	314	8	12	10658			NEW	PL	301	5
12	8423-A	10		RP	PL	314	8	12	10752	7		NEW	PL	226	1
12	8423-A	11		RP	PL	314	9	12	10756		2nd	NEW	PL	281	A 1
12	8423-A	13		NEW	PL	314	10	12	10757			AMD	PL	281	A 2
12	8423-B			RP	PL	314	11	12	10758		1st	AMD	PL	281	A 3
12	8423-C			NEW	PL	314	12	12	10851	1	D	AMD	PL	281	C 1
12	8424	1		AMD	PL	314	13	12	10851		last	COR	RR	2	20
12	8424	2		RP	PL	314	14	12	10853	1		AMD	PL	281	C 2
12	8424	3		RP	PL	314	15	12	10853	4		AMD	PL	281	C 3
12	8424	4		RP	PL	314	16	12	10853	8		AFF	PL	136	12
12	8424	5		RP	PL	314	16	12	10853	8		AMD	PL	136	1
12	8424	6		RP	PL	314	17	12	10853	8		AMD	PL	281	C 4
12	8424	7		AMD	PL	314	18	12	10853	11		AMD	PL	301	6
12	8424	8		AMD	PL	314	18	12	10952	1		AMD	PL	301	7
12	8424	9		RP	PL	314	19	12	10953	1-C		NEW	PL	42	1
12	8425			RP	PL	314	20	12	10953	2		RP	PL	301	8
12	8426			RP	PL	314	21	12	10953	3		NEW	PL	301	9
12	8427			RP	PL	314	22	12	11102			AFF	PL	136	12
12	8427	5		COR	RR	2	19	12	11102			RP	PL	136	2
12	8428	2		RP	PL	314	23	12	11106	1		AMD	PL	281	D 1
12	8428	3		RP	PL	314	23	12	11106	1	A	AMD	PL	301	10
12	8428	4		RP	PL	314	24	12	11106	1	B	AFF	PL	136	12
12	8428	5		AMD	PL	314	25	12	11106	1	B	AMD	PL	136	3
12	8428	6		RP	PL	314	26	12	11106-A			RP	PL	281	E 1
12	8428	7		AMD	PL	314	27	12	11106-A	2		AFF	PL	136	12
12	8428	8		RP	PL	314	28	12	11106-A	2		AMD	PL	136	4
12	8428	10		AMD	PL	314	29	12	11107	1		AMD	PL	281	E 2
12	8428	11		RP	PL	314	30	12	11107	2		AFF	PL	136	12
12	8430			AMD	PL	314	31	12	11107	2		AMD	PL	136	5
12	8431			NEW	PL	314	32	12	11108	1		AFF	PL	136	12
12	8842-A	1	A	AMD	PL	55	1	12	11108	1		AMD	PL	136	6
12	8901	1	A	NEW	PL	267	Z 1	12	11108	1		AMD	PL	281	E 3
12	10001	6	E	RP	PL	298	1	12	11108	1		AMD	PL	301	11
12	10001	6	M	RP	PL	298	1	12	11108-B	1-A	A	AMD	PL	301	12
12	10001	6	T	AMD	PL	298	2	12	11108-B	3		AFF	PL	136	12
12	10001	6	U	RP	PL	298	3	12	11108-B	3		AMD	PL	136	7
12	10001	16		AMD	PL	298	4	12	11108-C			AFF	PL	136	12
12	10001	18		AMD	PL	298	4	12	11108-C			AMD	PL	136	8
12	10001	36-A		NEW	PL	298	5	12	11108-C	5		AMD	PL	281	D 2
12	10001	59-A		NEW	PL	298	6	12	11109	1		AMD	PL	281	A 4
12	10105	17		NEW	PL	57	1	12	11109	3		AMD	PL	245	2
12	10108	4-B		NEW	PL	277	1	12	11109	3		AMD	PL	281	E 4
12	10108	12		NEW	PL	301	2	12	11109	3	A	AFF	PL	136	12
12	10152			RP	PL	301	3	12	11109	3	A	AMD	PL	136	9
12	10157	1		RP	PL	277	2	12	11109	3	C	AFF	PL	127	6
12	10157	1-A		NEW	PL	277	3	12	11109	3	C	AMD	PL	127	1
12	10157	2		AMD	PL	277	4	12	11109	3	F	AFF	PL	136	12
12	10157	3		AMD	PL	277	4	12	11109	3	F	AMD	PL	136	10
12	10157	5		AMD	PL	277	5	12	11109	3	F	AMD	PL	301	13
12	10157	6		AMD	PL	277	5	12	11109	3	G	AFF	PL	127	6
12	10157	7	E	AMD	PL	277	6	12	11109	3	G	AMD	PL	127	2
12	10157	7	F	AMD	PL	277	7	12	11109	3	K	AFF	PL	127	6
12	10157	7	G	NEW	PL	277	8	12	11109	3	K	AMD	PL	127	2
12	10202	9		AMD	PL	267	NNN 1	12	11109	3	N	RP	PL	90	1
12	10206	11		NEW	PL	245	1	12	11109	7		AMD	PL	245	3
12	10251	4		AMD	PL	267	MMM 1	12	11109	8		AMD	PL	281	E 5
12	10265			AMD	PL	277	9	12	11109	9		AMD	PL	245	4

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12	11109-A	5			AMD	PL 245	5	12	12204	1	B		AMD	PL 301	30
12	11110				RPR	PL 301	14	12	12252	2	C		AMD	PL 301	31
12	11111				RPR	PL 90	2	12	12255	1	A		AMD	PL 301	32
12	11151	2			AMD	PL 281 E	7	12	12258				RP	PL 298	7
12	11151-A	2			AMD	PL 281 E	8	12	12456	1-A	A		AMD	PL 301	33
12	11152	5-A			NEW	PL 219	1	12	12458	2			NEW	PL 234	1
12	11153	1			AMD	PL 281 C	5	12	12460-A				RP	PL 125	1
12	11154	4			AMD	PL 281 E	9	12	12502				RP	PL 301	34
12	11154	13			AFF	PL 136	12	12	12503	2			AMD	PL 301	35
12	11154	13			AMD	PL 136	11	12	12506				AMD	PL 298	8
12	11154	15			NEW	PL 95	1	12	12551-A	2-A			NEW	PL 298	9
12	11155	1-A			AFF	PL 127	6	12	12551-A	7	A		AMD	PL 301	36
12	11155	1-A			AMD	PL 127	3	12	12553	1-A			AMD	PL 301	37
12	11155	1-A			AMD	PL 281 E	10	12	12611				AMD	PL 301	38
12	11156	3			AMD	PL 281 D	3	12	12661	1	A		AMD	PL 301	39
12	11157	2			AMD	PL 281 D	4	12	12704				AMD	PL 374	12
12	11161				NEW	PL 262	1	12	12705				AMD	PL 374	13
12	11161				NEW	PL 281 E	11	12	12803	3	N		AMD	PL 121	1
12	11209				AMD	PL 71	1	12	12803	3	P		AMD	PL 121	2
12	11212	1	B		AMD	PL 327	1	12	12803	3	LL		AMD	PL 121	3
12	11214	1	C		AMD	PL 262	2	12	12803	3	TT		AMD	PL 121	4
12	11214	1	G		AMD	PL 301	15	12	12803	3	UU		AMD	PL 121	4
12	11214	1	K		AMD	PL 90	3	12	12803	3	VV		NEW	PL 121	5
12	11214	1	L		AMD	PL 90	3	12	12803	3	WW		NEW	PL 121	5
12	11214	1	M		AMD	PL 90	3	12	12803	3	XX		NEW	PL 121	5
12	11214	1	N		AMD	PL 301	16	12	12803	3	YY		NEW	PL 121	5
12	11214	1	O		AMD	PL 301	16	12	12803	3	ZZ		NEW	PL 121	5
12	11214	1	P		NEW	PL 301	17	12	12803	3	AAA		NEW	PL 121	5
12	11225				RP	PL 90	4	12	12804	5			NEW	PL 301	40
12	11227	1-A			NEW	PL 301	18	12	12862				NEW	PL 90	5
12	11251	2			NEW	PL 79	1	12	12952	2-A	A		AMD	PL 301	41
12	11305				NEW	PL 301	19	12	12952	3			AMD	PL 301	42
12	11403	1			RP	PL 301	20	12	12953	3	C		AMD	PL 281 F	1
12	11403	2	A		AMD	PL 301	21	12	12953	4			AMD	PL 281 F	2
12	11605	1			AMD	PL 301	22	12	12953	5			AMD	PL 281 F	2
12	11701	1	B		AFF	PL 127	6	12	12953	6			AMD	PL 281 F	3
12	11701	1	B		AMD	PL 127	4	12	12953	7			AMD	PL 281 F	4
12	11701	2			AFF	PL 127	6	12	13003	2	A		RP	PL 300 A	3
12	11701	2			AMD	PL 127	5	12	13051	2	C		AMD	PL 301	43
12	11801	2	B		AMD	PL 301	23	12	13069-B	1			AMD	PL 301	44
12	11801	2	C		RP	PL 301	24	12	13069-C	2			AMD	PL 301	45
12	11802				NEW	PL 301	25	12	13104	3			AMD	PL 237	1
12	11851				AMD	PL 301	26	12	13104	4			AMD	PL 237	2
12	12151	1			AMD	PL 374	2	12	13104	16	A		AMD	PL 130	1
12	12151	2	A		AMD	PL 374	3	12	13104	16	B		AMD	PL 130	1
12	12151	2	C		NEW	PL 374	4	12	13104	17			NEW	PL 237	3
12	12152	1-A			NEW	PL 374	5	12	13105	1	C		AMD	PL 301	46
12	12152	3			AMD	PL 301	27	12	13155	9			AMD	PL 281 B	1
12	12152	3			RPR	PL 374	6	12	13156	2	B		RP	PL 301	47
12	12152	3-A			NEW	PL 374	7	12	13157-A	5			RP	PL 301	48
12	12152	3-B			NEW	PL 374	7	12	13157-A	15			RP	PL 301	49
12	12152	3-C			NEW	PL 374	7	12	13157-A	25	A		AMD	PL 301	50
12	12152	4			AMD	PL 374	8	12	13159				AMD	PL 301	51
12	12152	4-A			NEW	PL 374	9								
12	12152	5			AMD	PL 374	10	13	1371				AMD	PL 294	1
12	12153				RP	PL 301	28	13	1964				COR	RR 2	21
12	12155				RP	PL 374	11								
12	12201	6			AMD	PL 245	6	13-B	1118				NEW	PL 254	1

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13-B	1401	35		AMD	PL	254	2	14	6203-A			AMD	PL	147	1
								14	6203-B			AMD	PL	147	2
13-C	102	32-A	B	AMD	PL	259	1	14	6203-D			AMD	PL	147	3
13-C	202	2	D	AMD	PL	259	2	14	6203-E			AMD	PL	147	4
13-C	202	2	E	AMD	PL	259	2	14	6203-G			NEW	PL	147	5
13-C	202	2	F	NEW	PL	259	3	14	6321		3rd	AMD	PL	229	1
13-C	202	2-A		NEW	PL	259	4	14	6321-B			NEW	PL	243	1
13-C	626	4		AMD	PL	259	5	14	6322		2nd	COR	RR	2	27
13-C	702	1	B	AMD	PL	259	6	14	7552	3	B	RPR	PL	241	1
13-C	723	3		AMD	PL	259	7	14	7552	3	B-1	NEW	PL	241	2
13-C	723	7		AMD	PL	259	7	14	7552	4	D	NEW	PL	241	3
13-C	724	2		COR	RR	2	23	14	7552	5		AMD	PL	241	4
13-C	725			AMD	PL	259	8	14	8701	4		COR	RR	2	28
13-C	731			AMD	PL	259	9								
13-C	732			NEW	PL	259	10	15	1	2	D	RP	PL	100	1
13-C	741			AMD	PL	259	11	15	106			NEW	PL	325	1
13-C	802			RPR	PL	259	12	15	107			NEW	PL	325	1
13-C	832	1	A	AMD	PL	259	13	15	108			NEW	PL	325	1
13-C	871	3		AMD	PL	259	14	15	393	1	D	AMD	PL	287	1
13-C	874	7		AMD	PL	259	15	15	393	1	E	AMD	PL	287	2
13-C	881			AMD	PL	259	16	15	393	1	F	NEW	PL	287	3
13-C	1426			NEW	PL	254	3	15	393	1	G	NEW	PL	287	3
13-C	1430	2		AMD	PL	259	17	15	393	1	H	NEW	PL	287	3
13-C	1523	2		COR	RR	2	24	15	393	1	I	NEW	PL	287	3
								15	393	1	J	NEW	PL	287	3
14	159-A	1	B	AMD	PL	20	1	15	393	1-A		AMD	PL	287	4
14	704-A	2	E	AFF	PL	296	1	15	393	1-B		NEW	PL	287	5
14	704-A	2	E	AMD	PL	296	2	15	1943			AMD	PL	44	5
14	1215			AMD	PL	267	1	15	2251			NEW	PL	354	1
14	1253-A			COR	RR	2	25	15	2252			NEW	PL	354	1
14	3126-A	8		NEW	PL	275	1	15	2253			NEW	PL	354	1
14	3128-A	3		AMD	PL	186	1	15	2254			NEW	PL	354	1
14	3134	2		AMD	PL	275	2	15	2255			NEW	PL	354	1
14	3135		4th	AMD	PL	275	3	15	2256			NEW	PL	354	1
14	3135		5th	AMD	PL	275	4	15	2257			NEW	PL	354	1
14	3135		6th	AMD	PL	275	5	15	2258			NEW	PL	354	1
14	3135		9th	RP	PL	275	6	15	2259			NEW	PL	354	1
14	3135		last	RP	PL	275	7	15	3401	1		AMD	PL	100	2
14	3147			AMD	PL	158	1	15	3402			AMD	PL	100	3
14	5545		2nd	AMD	PL	335	5	15	3403			AMD	PL	100	4
14	6000			NEW	PL	293	1	15	3405			AMD	PL	100	5
14	6001	3	C	AMD	PL	293	2	15	3407			RP	PL	100	6
14	6001	3	E	AMD	PL	293	3								
14	6001	3	F	NEW	PL	293	4	16	53-A	1	A	COR	RR	2	29
14	6001	6		NEW	PL	293	5	16	53-A	1	B	COR	RR	2	29
14	6002		1st	AMD	PL	293	6	16	707	1		AMD	PL	354	2
14	6002	1	B	AMD	PL	293	7								
14	6002	1	C	AMD	PL	293	7	17	314-A	4		AFF	PL	24	2
14	6002	1	D	NEW	PL	293	8	17	314-A	4		AMD	PL	24	1
14	6002	4		NEW	PL	293	9	17	1021	5	A	COR	RR	2	30
14	6004			AMD	PL	22	1	17	1836	4-A		NEW	PL	163	1
14	6010		3rd	COR	RR	2	26	17	1841	3		AMD	PL	166	1
14	6010		4th	NEW	PL	293	10	17	3521			RPR	PL	85	1
14	6010		5th	NEW	PL	293	10	17	3853-D	1		AMD	PL	258	1
14	6025	1		AMD	PL	293	11	17	3853-D	2	A-3	NEW	PL	258	2
14	6111	1-A	B	AMD	PL	36	1	17	3853-D	2	C	NEW	PL	258	3
14	6111	1-A	F	AMD	PL	36	1	17	3853-D	3	C	AMD	PL	258	4
14	6111	1-A	G	AMD	PL	36	1	17	3853-D	3	D	AMD	PL	258	4

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17	3853-D	3	E	NEW	PL	258	5	19-A	251	2		AFF	PL	296	D	1	
								19-A	251	2		AMD	PL	296	C	6	
17-A	208			AMD	PL	358	1	19-A	606		1st	AFF	PL	296	D	1	
17-A	210-A	1	A	AMD	PL	357	1	19-A	606		1st	AMD	PL	296	C	7	
17-A	210-A	1	C	AMD	PL	357	2	19-A	660			NEW	PL	193		1	
17-A	210-A	1	D	NEW	PL	357	3	19-A	1503			AFF	PL	296	D	1	
17-A	210-A	1	E	NEW	PL	357	3	19-A	1503			RP	PL	296	C	8	
17-A	354	2	A	AMD	PL	21	1	19-A	1551			AFF	PL	296	D	1	
17-A	363			NEW	PL	85	2	19-A	1551			RP	PL	296	B	1	
17-A	505	2		RPR	PL	358	2	19-A	1552			AFF	PL	296	D	1	
17-A	511-A			NEW	PL	339	1	19-A	1552			AMD	PL	296	B	2	
17-A	553	1		AMD	PL	274	1	19-A	1553		1st	AFF	PL	296	D	1	
17-A	553	5		NEW	PL	274	2	19-A	1553		1st	AMD	PL	296	B	3	
17-A	553-A			NEW	PL	233	1	19-A	1556			AFF	PL	296	D	1	
17-A	554			AMD	PL	358	3	19-A	1556			AMD	PL	296	B	4	
17-A	555	1		AMD	PL	306	1	19-A	1558			AFF	PL	296	D	1	
17-A	555	2		RPR	PL	306	2	19-A	1558			RP	PL	296	B	5	
17-A	609	1	A	COR	RR	2	31	19-A	1559			AFF	PL	296	D	1	
17-A	705			AMD	PL	364	1	19-A	1559			AMD	PL	296	B	6	
17-A	853	1	B	AMD	PL	360	1	19-A	1560			AFF	PL	296	D	1	
17-A	1055			RP	PL	23	1	19-A	1560			RP	PL	296	B	7	
17-A	1057	3		RPR	PL	329	B	1	19-A	1561		AFF	PL	296	D	1	
17-A	1101	17		AMD	PL	346	1	19-A	1561			AMD	PL	296	B	8	
17-A	1101	18		AMD	PL	346	2	19-A	1562			AFF	PL	296	D	1	
17-A	1101	24		NEW	PL	346	3	19-A	1562			RP	PL	296	B	9	
17-A	1102	1	I	AMD	PL	330	1	19-A	1563	2		AFF	PL	296	D	1	
17-A	1103	3	H	AMD	PL	346	4	19-A	1563	2		RP	PL	296	B	10	
17-A	1105-E			NEW	PL	346	5	19-A	1564			AFF	PL	296	D	1	
17-A	1107-A	1	A	AMD	PL	308	1	19-A	1564			RP	PL	296	B	11	
17-A	1107-A	1	B	AMD	PL	308	2	19-A	1565			AFF	PL	296	D	1	
17-A	1107-A	1	B	AMD	PL	346	6	19-A	1565			AMD	PL	296	B	12	
17-A	1124			NEW	PL	346	7	19-A	1568			AFF	PL	296	D	1	
17-A	1151	8	A	AMD	PL	306	3	19-A	1568			RP	PL	296	B	13	
17-A	1152	2-D		NEW	PL	308	3	19-A	1570			AFF	PL	296	D	1	
17-A	1174	1		AMD	PL	282	1	19-A	1570			AMD	PL	296	B	14	
17-A	1201	1	A-3	NEW	PL	358	4	19-A	1601	1	B	AFF	PL	296	D	1	
17-A	1206	7-B		RP	PL	358	5	19-A	1601	1	B	AMD	PL	296	C	9	
17-A	1231	6		AMD	PL	358	6	19-A	1605	2	G	AFF	PL	296	D	1	
17-A	1252	4-E		AMD	PL	358	7	19-A	1605	2	G	AMD	PL	296	C	10	
17-A	1259			AMD	PL	291	1	19-A	1605	2	J	AFF	PL	296	D	1	
17-A	1322	3	C-2	AMD	PL	346	8	19-A	1605	2	J	AMD	PL	296	C	11	
17-A	1330-C			NEW	PL	109	1	19-A	1606	1		AFF	PL	296	D	1	
17-A	1401			RP	PL	86	3	19-A	1606	1		AMD	PL	296	C	12	
17-A	1402			RP	PL	86	3	19-A	1606	8		AFF	PL	296	D	1	
17-A	1403			RP	PL	86	3	19-A	1606	8		AMD	PL	296	C	13	
17-A	1404			RP	PL	86	3	19-A	1611			AFF	PL	296	D	1	
17-A	1405			RP	PL	86	3	19-A	1611			AMD	PL	296	C	14	
								19-A	1612	2		AFF	PL	296	D	1	
18-A	2-109	2		AFF	PL	296	D	1	19-A	1612	2		AMD	PL	296	C	15
18-A	2-109	2		AMD	PL	296	C	3	19-A	1612	3		AFF	PL	296	D	1
18-A	3-404			COR	RR	2	32	19-A	1612	3		AMD	PL	296	C	15	
18-A	5-101	1-D		AFF	PL	296	D	1	19-A	1616			AFF	PL	296	D	1
18-A	5-101	1-D		NEW	PL	296	C	4	19-A	1616			RP	PL	296	C	16
18-A	9-102	h		AFF	PL	296	D	1	19-A	1651			AFF	PL	296	D	1
18-A	9-102	h		AMD	PL	296	C	5	19-A	1651			AMD	PL	296	C	17
18-A	9-303	a		AMD	PL	274	3	19-A	1654		1st	AFF	PL	296	D	1	
18-A	9-304	h		NEW	PL	274	4	19-A	1654		1st	AMD	PL	296	C	18	
18-A	9-308	a		AMD	PL	274	5	19-A	1768	5		NEW	PL	273		1	
18-A	9-313			RPR	PL	274	6	19-A	1802	1		AFF	PL	296	D	1	

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19-A	1802	1		AMD	PL 296	C	19	19-A	1870			AFF	PL 296	D	1
19-A	1831			AFF	PL 296	D	1	19-A	1870			NEW	PL 296	A	1
19-A	1831			NEW	PL 296	A	1	19-A	1871			AFF	PL 296	D	1
19-A	1832			AFF	PL 296	D	1	19-A	1871			NEW	PL 296	A	1
19-A	1832			NEW	PL 296	A	1	19-A	1872			AFF	PL 296	D	1
19-A	1833			AFF	PL 296	D	1	19-A	1872			NEW	PL 296	A	1
19-A	1833			NEW	PL 296	A	1	19-A	1873			AFF	PL 296	D	1
19-A	1834			AFF	PL 296	D	1	19-A	1873			NEW	PL 296	A	1
19-A	1834			NEW	PL 296	A	1	19-A	1881			AFF	PL 296	D	1
19-A	1835			AFF	PL 296	D	1	19-A	1881			NEW	PL 296	A	1
19-A	1835			NEW	PL 296	A	1	19-A	1882			AFF	PL 296	D	1
19-A	1836			AFF	PL 296	D	1	19-A	1882			NEW	PL 296	A	1
19-A	1836			NEW	PL 296	A	1	19-A	1883			AFF	PL 296	D	1
19-A	1837			AFF	PL 296	D	1	19-A	1883			NEW	PL 296	A	1
19-A	1837			NEW	PL 296	A	1	19-A	1891			AFF	PL 296	D	1
19-A	1838			AFF	PL 296	D	1	19-A	1891			NEW	PL 296	A	1
19-A	1838			NEW	PL 296	A	1	19-A	1901			AFF	PL 296	D	1
19-A	1839			AFF	PL 296	D	1	19-A	1901			NEW	PL 296	A	1
19-A	1839			NEW	PL 296	A	1	19-A	1902			AFF	PL 296	D	1
19-A	1840			AFF	PL 296	D	1	19-A	1902			NEW	PL 296	A	1
19-A	1840			NEW	PL 296	A	1	19-A	1903			AFF	PL 296	D	1
19-A	1841			AFF	PL 296	D	1	19-A	1903			NEW	PL 296	A	1
19-A	1841			NEW	PL 296	A	1	19-A	1904			AFF	PL 296	D	1
19-A	1842			AFF	PL 296	D	1	19-A	1904			NEW	PL 296	A	1
19-A	1842			NEW	PL 296	A	1	19-A	1905			AFF	PL 296	D	1
19-A	1843			AFF	PL 296	D	1	19-A	1905			NEW	PL 296	A	1
19-A	1843			NEW	PL 296	A	1	19-A	1906			AFF	PL 296	D	1
19-A	1844			AFF	PL 296	D	1	19-A	1906			NEW	PL 296	A	1
19-A	1844			NEW	PL 296	A	1	19-A	1907			AFF	PL 296	D	1
19-A	1845			AFF	PL 296	D	1	19-A	1907			NEW	PL 296	A	1
19-A	1845			NEW	PL 296	A	1	19-A	1908			AFF	PL 296	D	1
19-A	1851			AFF	PL 296	D	1	19-A	1908			NEW	PL 296	A	1
19-A	1851			NEW	PL 296	A	1	19-A	1909			AFF	PL 296	D	1
19-A	1852			AFF	PL 296	D	1	19-A	1909			NEW	PL 296	A	1
19-A	1852			NEW	PL 296	A	1	19-A	1910			AFF	PL 296	D	1
19-A	1853			AFF	PL 296	D	1	19-A	1910			NEW	PL 296	A	1
19-A	1853			NEW	PL 296	A	1	19-A	1911			AFF	PL 296	D	1
19-A	1854			AFF	PL 296	D	1	19-A	1911			NEW	PL 296	A	1
19-A	1854			NEW	PL 296	A	1	19-A	1912			AFF	PL 296	D	1
19-A	1855			AFF	PL 296	D	1	19-A	1912			NEW	PL 296	A	1
19-A	1855			NEW	PL 296	A	1	19-A	1913			AFF	PL 296	D	1
19-A	1861			AFF	PL 296	D	1	19-A	1913			NEW	PL 296	A	1
19-A	1861			NEW	PL 296	A	1	19-A	1914			AFF	PL 296	D	1
19-A	1862			AFF	PL 296	D	1	19-A	1914			NEW	PL 296	A	1
19-A	1862			NEW	PL 296	A	1	19-A	1915			AFF	PL 296	D	1
19-A	1863			AFF	PL 296	D	1	19-A	1915			NEW	PL 296	A	1
19-A	1863			NEW	PL 296	A	1	19-A	1921			AFF	PL 296	D	1
19-A	1864			AFF	PL 296	D	1	19-A	1921			NEW	PL 296	A	1
19-A	1864			NEW	PL 296	A	1	19-A	1922			AFF	PL 296	D	1
19-A	1865			AFF	PL 296	D	1	19-A	1922			NEW	PL 296	A	1
19-A	1865			NEW	PL 296	A	1	19-A	1923			AFF	PL 296	D	1
19-A	1866			AFF	PL 296	D	1	19-A	1923			NEW	PL 296	A	1
19-A	1866			NEW	PL 296	A	1	19-A	1924			AFF	PL 296	D	1
19-A	1867			AFF	PL 296	D	1	19-A	1924			NEW	PL 296	A	1
19-A	1867			NEW	PL 296	A	1	19-A	1925			AFF	PL 296	D	1
19-A	1868			AFF	PL 296	D	1	19-A	1925			NEW	PL 296	A	1
19-A	1868			NEW	PL 296	A	1	19-A	1926			AFF	PL 296	D	1
19-A	1869			AFF	PL 296	D	1	19-A	1926			NEW	PL 296	A	1
19-A	1869			NEW	PL 296	A	1	19-A	1927			AFF	PL 296	D	1

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19-A	1927			NEW	PL 296	A	1	20-A	1461-B	3	D	AMD	PL 286		1
19-A	1928			AFF	PL 296	D	1	20-A	1490	2	D	NEW	PL 181		1
19-A	1928			NEW	PL 296	A	1	20-A	2405	4		AMD	PL 54		1
19-A	1929			AFF	PL 296	D	1	20-A	2407	5	C	AMD	PL 54		2
19-A	1929			NEW	PL 296	A	1	20-A	2411	7		AMD	PL 54		3
19-A	1931			AFF	PL 296	D	1	20-A	2412	5	J	NEW	PL 40		1
19-A	1931			NEW	PL 296	A	1	20-A	2412	5	K	NEW	PL 40		1
19-A	1932			AFF	PL 296	D	1	20-A	2413	3		NEW	PL 54		4
19-A	1932			NEW	PL 296	A	1	20-A	2413-A			NEW	PL 54		5
19-A	1933			AFF	PL 296	D	1	20-A	2601	2	B	AMD	PL 251		1
19-A	1933			NEW	PL 296	A	1	20-A	2602			AMD	PL 251		2
19-A	1934			AFF	PL 296	D	1	20-A	2651	1		AMD	PL 251		3
19-A	1934			NEW	PL 296	A	1	20-A	2651	2		AMD	PL 251		4
19-A	1935			AFF	PL 296	D	1	20-A	2651	3	B-1	NEW	PL 251		5
19-A	1935			NEW	PL 296	A	1	20-A	2651	3	C	AMD	PL 251		6
19-A	1936			AFF	PL 296	D	1	20-A	2651	5		AMD	PL 251		7
19-A	1936			NEW	PL 296	A	1	20-A	2901	2	A	AMD	PL 40		2
19-A	1937			AFF	PL 296	D	1	20-A	2902	1		AMD	PL 329	A	3
19-A	1937			NEW	PL 296	A	1	20-A	2902	3		AMD	PL 40		3
19-A	1938			AFF	PL 296	D	1	20-A	4251			AMD	PL 267	C	1
19-A	1938			NEW	PL 296	A	1	20-A	4252	1		AMD	PL 267	C	2
19-A	2001	5	D	AMD	PL 186		2	20-A	4252	7		AMD	PL 183		1
19-A	2006	5	A	AMD	PL 186		3	20-A	4252	8		AMD	PL 183		1
19-A	2101	3		AFF	PL 296	D	1	20-A	4252	9		NEW	PL 183		2
19-A	2101	3		AMD	PL 296	C	20	20-A	4502	5-C		NEW	PL 292		2
19-A	2101	12		AFF	PL 296	D	1	20-A	4710-B			NEW	PL 338		1
19-A	2101	12		AMD	PL 296	C	20	20-A	4722-A	4		AMD	PL 267	C	3
19-A	2110			NEW	PL 212		1	20-A	4722-A	5		NEW	PL 342		1
19-A	2202	1		AFF	PL 296	D	1	20-A	4722-A	5		NEW	PL 367		1
19-A	2202	1		AMD	PL 296	C	21	20-A	4801	1	F	NEW	PL 60		1
19-A	2203	15	A	AMD	PL 212		2	20-A	5161	1		RP	PL 329	A	4
19-A	2203	15	B	AMD	PL 212		2	20-A	5161	3		RP	PL 329	A	4
19-A	2253	2	B	AFF	PL 296	D	1	20-A	5161	5		RP	PL 329	A	4
19-A	2253	2	B	AMD	PL 296	C	22	20-A	5161	7		RP	PL 329	A	4
19-A	2302	4		AMD	PL 186		4	20-A	5161	8		RP	PL 329	A	4
19-A	2652	6		AMD	PL 186		5	20-A	5205	11		NEW	PL 363		3
19-A	2961	1	B	AMD	PL 186		6	20-A	5401	17		AMD	PL 73		1
19-A	3051	2	F	AFF	PL 296	D	1	20-A	6001	1		AMD	PL 97		1
19-A	3051	2	F	AMD	PL 296	C	23	20-A	6103	3-A		AMD	PL 267	SSS	1
19-A	3101-E			RP	PL 186		7	20-A	6103	6		AMD	PL 267	SSS	2
19-A	3254		1st	AMD	PL 186		8	20-A	6103	10		AMD	PL 267	SSS	3
19-A	3311	4-A		NEW	PL 186		9	20-A	6202		1st	AMD	PL 40		4
19-A	4002	4		AFF	PL 296	D	1	20-A	6209		1st	AMD	PL 40		5
19-A	4002	4		AMD	PL 296	C	24	20-A	6304			AMD	PL 140		1
19-A	4005	1		AMD	PL 339		2	20-A	6306			NEW	PL 369		1
19-A	4006	2-A		AMD	PL 217		1	20-A	6602	12		AMD	PL 267	OOO	1
19-A	4007	1	A-1	AMD	PL 217		2	20-A	6602	13		NEW	PL 267	OOO	2
19-A	4007	1-A		AMD	PL 217		3	20-A	6602	14		NEW	PL 267	OOO	2
								20-A	6602	15		NEW	PL 267	OOO	2
20-A	9			RPR	PL 261		1	20-A	6663			NEW	PL 267	CCC	2
20-A	203	1		AMD	PL 267	NN	2	20-A	8231			NEW	PL 363		4
20-A	254	13		AMD	PL 64		1	20-A	8232			NEW	PL 363		4
20-A	254	18		NEW	PL 292		1	20-A	8233			NEW	PL 363		4
20-A	405	3	U	AMD	PL 72		1	20-A	8234			NEW	PL 363		4
20-A	405	3	V	AMD	PL 72		2	20-A	8235			NEW	PL 363		4
20-A	405	3	W	NEW	PL 72		3	20-A	8236			NEW	PL 363		4
20-A	951			NEW	PL 256		1	20-A	8237			NEW	PL 363		4
20-A	952			NEW	PL 256		1	20-A	8238			NEW	PL 363		4
20-A	953			NEW	PL 256		1	20-A	9921			NEW	PL 267	GGG	1

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20-A	9922			NEW	PL	267	GGG	1	20-A	11432			AMD	PL	170	26	
20-A	9923			NEW	PL	267	GGG	1	20-A	11433			AFF	PL	170	30	
20-A	11407	3		AFF	PL	170		30	20-A	11433			AMD	PL	170	26	
20-A	11407	3		AMD	PL	170		7	20-A	11434			AFF	PL	170	30	
20-A	11411			AFF	PL	170		30	20-A	11434			AMD	PL	170	26	
20-A	11411			RPR	PL	170		8	20-A	11435			AFF	PL	170	30	
20-A	11413	1		AFF	PL	170		30	20-A	11435			RP	PL	170	27	
20-A	11413	1		AMD	PL	170		9	20-A	11459	1-A		NEW	PL	103	1	
20-A	11413	2		AFF	PL	170		30	20-A	11459	1-B		NEW	PL	103	1	
20-A	11413	2		AMD	PL	170		9	20-A	11459	3-A		NEW	PL	103	1	
20-A	11413	4		AFF	PL	170		30	20-A	11460			AMD	PL	103	2	
20-A	11413	4		AMD	PL	170		9	20-A	11475	2		AFF	PL	267	DD	34
20-A	11413	7		AFF	PL	170		30	20-A	11475	2		AMD	PL	267	DD	1
20-A	11413	7		AMD	PL	170		10	20-A	12541	4-A		AMD	PL	300	A	4
20-A	11413	8		AFF	PL	170		30	20-A	12545			AMD	PL	328		1
20-A	11413	8		AMD	PL	170		10	20-A	12730			NEW	PL	267	AAAA	1
20-A	11413	9		AFF	PL	170		30	20-A	13201		2nd	AMD	PL	65		1
20-A	11413	9		AMD	PL	170		11	20-A	13704	3	A	AMD	PL	3		1
20-A	11413	10		AFF	PL	170		30	20-A	13705			AMD	PL	18		1
20-A	11413	10		AMD	PL	170		12	20-A	13706			AMD	PL	3		2
20-A	11413	12		AFF	PL	170		30	20-A	15671	1		AMD	PL	267	L	10
20-A	11413	12		AMD	PL	170		12	20-A	15671	1-A		AMD	PL	267	C	4
20-A	11414			AFF	PL	170		30	20-A	15671	5-A		AMD	PL	267	C	5
20-A	11414			RPR	PL	170		13	20-A	15671	7	B	AMD	PL	267	C	6
20-A	11415			AFF	PL	170		30	20-A	15671	7	C	AMD	PL	267	C	7
20-A	11415			RP	PL	170		14	20-A	15671-A	2	B	AMD	PL	267	C	8
20-A	11416			AFF	PL	170		30	20-A	15681-A	4		AMD	PL	267	C	9
20-A	11416			RP	PL	170		15	20-A	15683-B			NEW	PL	54		6
20-A	11417			AFF	PL	170		30	20-A	15688-A	1		AMD	PL	267	C	10
20-A	11417			AMD	PL	170		16	20-A	15688-A	5		NEW	PL	267	C	11
20-A	11418	1		AFF	PL	170		30	20-A	15688-A	6		NEW	PL	267	C	11
20-A	11418	1		AMD	PL	170		17	20-A	15688-A	7		NEW	PL	267	C	11
20-A	11419			AFF	PL	170		30	20-A	15689	2	C	NEW	PL	267	C	12
20-A	11419			RP	PL	170		18	20-A	15689-A	18		AMD	PL	267	C	13
20-A	11420			AFF	PL	170		30	20-A	15689-A	22		AMD	PL	63		1
20-A	11420			AMD	PL	170		19	20-A	15689-A	24		AMD	PL	267	C	14
20-A	11421			AFF	PL	170		30	20-A	15689-A	25		NEW	PL	267	GGG	2
20-A	11421			AMD	PL	170		20	20-A	15689-A	25		NEW	PL	363		5
20-A	11422			AFF	PL	170		30	20-A	15689-B	2-A		NEW	PL	54		7
20-A	11422			AMD	PL	170		20	20-A	15689-C	2	A	AMD	PL	54		8
20-A	11423	2		AFF	PL	170		30	20-A	15689-D			AMD	PL	54		9
20-A	11423	2		AMD	PL	170		21	20-A	15689-E	1	B	AMD	PL	54		10
20-A	11423	3		AFF	PL	170		30	20-A	15905	1	A	AMD	PL	267	C	15
20-A	11423	3		AMD	PL	170		21	20-A	19301			NEW	PL	372		1
20-A	11423	4		AFF	PL	170		30									
20-A	11423	4		AMD	PL	170		21	21-A	700			NEW	PL	146		1
20-A	11424	1		AFF	PL	170		30	21-A	783	5		AMD	PL	350		1
20-A	11424	1		AMD	PL	170		22	21-A	809-A	1-A		AMD	PL	350		2
20-A	11424	2		AFF	PL	170		30	21-A	809-A	3		AMD	PL	350		3
20-A	11424	2		AMD	PL	170		23	21-A	903-A		1st	AMD	PL	99		1
20-A	11424	4		AFF	PL	170		30	21-A	903-C	1		AMD	PL	99		2
20-A	11424	4		AMD	PL	170		24	21-A	1013-A	1	C	AMD	PL	350		4
20-A	11427			AFF	PL	170		30	21-A	1017	7-A		AMD	PL	350		5
20-A	11427			AMD	PL	170		25	21-A	1019-B	4		AMD	PL	350		6
20-A	11429			AFF	PL	170		30	21-A	1125	6-F		AFF	PL	116		2
20-A	11429			AMD	PL	170		26	21-A	1125	6-F		NEW	PL	116		1
20-A	11431			AFF	PL	170		30									
20-A	11431			AMD	PL	170		26	22	254-D	4	B	AMD	PL	267	TT	1
20-A	11432			AFF	PL	170		30	22	259	1		AMD	PL	267	JJJ	1

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22	1315	5-C			AMD	PL 267	LLLL	1	22	1724		1st	AMD	PL 196	8
22	1325				AMD	PL 267	LLLL	2	22	1724		1st	AMD	PL 299	8
22	1326				AMD	PL 267	LLLL	3	22	1726			NEW	PL 203	2
22	1444	2			AMD	PL 58		1	22	1726			NEW	PL 218	2
22	1471-C	5			AMD	PL 58		2	22	1812-G			AMD	PL 196	9
22	1471-C	11-A			RP	PL 58		3	22	1812-G	6		RPR	PL 299	9
22	1471-C	16-C			RP	PL 58		4	22	1812-G	6-A		NEW	PL 299	10
22	1471-C	23-A			RP	PL 58		4	22	1812-J	1	A-2	AMD	PL 299	11
22	1471-C	23-C			RP	PL 58		4	22	1812-J	1	A-3	AMD	PL 299	11
22	1471-D	2-A			RP	PL 58		5	22	1812-J	1	B	AMD	PL 299	12
22	1471-D	2-B			RP	PL 58		6	22	1812-J	1	D	AMD	PL 299	13
22	1471-D	5			AMD	PL 58		7	22	1812-J	1	F	NEW	PL 299	14
22	1471-D	6			AMD	PL 58		8	22	1812-J	2		AMD	PL 299	15
22	1471-M	1	A		AMD	PL 58		9	22	1812-J	4		AMD	PL 299	16
22	1471-M	1	E		AMD	PL 58		10	22	1812-J	7		RPR	PL 299	17
22	1471-M	1	F		RP	PL 58		11	22	1826	2	I	AMD	PL 247	1
22	1471-M	1	G		RP	PL 58		12	22	2053	4-B		AMD	PL 363	6
22	1471-R				RP	PL 58		13	22	2137		1st	AMD	PL 196	10
22	1471-S				RP	PL 58		14	22	2137		1st	AMD	PL 299	18
22	1471-T				RP	PL 58		14	22	2138			RPR	PL 196	11
22	1541	1-A			NEW	PL 318		1	22	2138			RPR	PL 299	19
22	1541	6			AMD	PL 318		2	22	2149-A	2		AMD	PL 196	12
22	1560-B				NEW	PL 288		1	22	2149-A	2		RPR	PL 299	20
22	1607				AMD	PL 148		4	22	2150-F			NEW	PL 231	1
22	1642				NEW	PL 269		1	22	2150-G			NEW	PL 231	1
22	1696-A				RP	PL 250	C	1	22	2353	2		AMD	PL 351	1
22	1696-B				RP	PL 250	C	1	22	2353	4		NEW	PL 351	2
22	1696-C				RP	PL 250	C	1	22	2383-B	6		AMD	PL 27	1
22	1696-D				RP	PL 250	C	1	22	2425	8	L	COR	RR 2	33
22	1696-E				RP	PL 250	C	1	22	2426	1	B	AMD	PL 369	2
22	1696-F				RP	PL 250	C	1	22	2426	1-A		NEW	PL 369	3
22	1711-B	3	C		AMD	PL 370		1	22	2511	41-A		RPR	PL 329	A 6
22	1711-B	3	D		AMD	PL 370		2	22	2514	1	G-1	RP	PL 329	A 7
22	1711-B	3	E		NEW	PL 370		3	22	2514-A			AMD	PL 329	A 8
22	1711-C	6	E-2		NEW	PL 218		1	22	2515			RP	PL 329	A 9
22	1711-C	6	R		AMD	PL 370		4	22	2517-C			RPR	PL 329	A 10
22	1711-C	6	S		AMD	PL 370		4	22	2518			RPR	PL 329	A 11
22	1711-C	6	T		NEW	PL 370		5	22	2594	3		AMD	PL 118	1
22	1711-G				NEW	PL 370		6	22	2702-B			NEW	PL 104	1
22	1714-E	1			AMD	PL 329	A	5	22	2761	3-A		AFF	PL 296	D 1
22	1714-E	7			AMD	PL 329	A	5	22	2761	3-A		AMD	PL 296	C 25
22	1717	1	A-1		NEW	PL 196		1	22	2843-A	1	D	AMD	PL 208	1
22	1717	1	A-1		NEW	PL 299		1	22	2843-A	8		AMD	PL 188	1
22	1717	1	A-2		NEW	PL 196		1	22	2848			NEW	PL 193	2
22	1717	1	A-2		NEW	PL 299		1	22	2900	3		AMD	PL 208	2
22	1717	1	A-3		NEW	PL 196		1	22	3023		1st	AMD	PL 285	1
22	1717	1	A-3		NEW	PL 299		1	22	3173-G			AFF	PL 356	4
22	1717	1	C		AMD	PL 196		2	22	3173-G			NEW	PL 356	1
22	1717	1	C		AMD	PL 299		2	22	3174-YY			NEW	PL 359	1
22	1717	1	D		RP	PL 196		3	22	3273	7-A		AMD	PL 267	XX 1
22	1717	1	D		RP	PL 299		3	22	3472	1		AMD	PL 306	4
22	1717	2			AMD	PL 196		4	22	3472	9-A		NEW	PL 306	5
22	1717	2			AMD	PL 299		4	22	3472	16		NEW	PL 306	6
22	1717	3			AMD	PL 196		5	22	3736	3		NEW	PL 267	RRRR 1
22	1717	3			RPR	PL 299		5	22	3762	3	B	AMD	PL 267	RRRR 2
22	1717	3-A			NEW	PL 196		6	22	3762	8	B	AMD	PL 267	RRRR 3
22	1717	3-A			NEW	PL 299		6	22	3769-D			NEW	PL 267	RRRR 4
22	1717	4	B		AMD	PL 196		7	22	4002	1		AMD	PL 360	2
22	1717	4	B		AMD	PL 299		7	22	4002	1-B	A	AMD	PL 360	3

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22	4002	7		AFF	PL 296	D	1	22	9055			NEW	PL 299		25
22	4002	7		AMD	PL 296	C	26	22	9056			NEW	PL 299		25
22	4005-F		1st	AFF	PL 296	D	1	22	9057			NEW	PL 299		25
22	4005-F		1st	AMD	PL 296	C	27	22	9058			NEW	PL 299		25
22	4008	2	J	AMD	PL 194		1	22	9059			NEW	PL 299		25
22	4008	2	J	AMD	PL 198		1	22	9060			NEW	PL 299		25
22	4008	2	K	AMD	PL 194		2	22	9061			NEW	PL 299		25
22	4008	2	K	AMD	PL 198		2	22	9062			NEW	PL 299		25
22	4008	2	L	NEW	PL 194		3	22	9063			NEW	PL 299		25
22	4008	2	L	NEW	PL 198		3	22	9064			NEW	PL 299		25
22	4008	6		AMD	PL 194		4	22	9065			NEW	PL 299		25
22	4011-A	1		AMD	PL 117		1								
22	4011-A	2		AMD	PL 117		2	23	1612		1st	AMD	PL 268	K	1
22	4011-A	7		AMD	PL 178		1	23	1961	3		RP	PL 5		2
22	4011-A	8		NEW	PL 274		7	23	1965	1	D	AMD	PL 5		3
22	4021	3	C	AMD	PL 283		1	23	1965	1	P	AMD	PL 5		4
22	4031	3		AFF	PL 296	D	1	23	1965-A			RP	PL 5		5
22	4031	3		AMD	PL 296	C	28	23	1966	4		RP	PL 5		6
22	4036	2-A		AFF	PL 296	D	1	23	1969	1	C	AMD	PL 5		7
22	4036	2-A		NEW	PL 296	C	29	23	1974	3		RP	PL 5		8
22	4037			RPR	PL 187		1	23	1980	2-A	C	AMD	PL 159		1
22	4055	1-A	B	AMD	PL 360		4	23	1980	2-A	G	AMD	PL 159		2
22	4088			RP	PL 283		2	23	3027-A	2		COR	RR 2		34
22	4301	3		AMD	PL 324		1	23	3360-A	3	E	AMD	PL 213		1
22	4307	4		AMD	PL 267	II	1	23	4209	1		AMD	PL 182		2
22	4311			AMD	PL 267	SSSS	1	23	4209	1-A		RP	PL 182		3
22	4315		1st	AMD	PL 312		1	23	4209	2		AMD	PL 182		4
22	4315		3rd	AMD	PL 312		2	23	4209	3		AMD	PL 182		5
22	5114	2	F	AMD	PL 332		1	23	4209	4		AMD	PL 182		6
22	5114	2	G	AMD	PL 332		1	23	4209	5		AMD	PL 182		7
22	5114	2	H	NEW	PL 332		2	23	4209-A			NEW	PL 182		8
22	7701	4		NEW	PL 278		1	23	4210-F			NEW	PL 268	I	1
22	7701	5		NEW	PL 278		1	23	4251	3		AMD	PL 263		1
22	7706		1st	AMD	PL 196		13	23	4251	7		AMD	PL 263		2
22	7706		1st	AMD	PL 299		21	23	4251	9		AMD	PL 263		2
22	7707			NEW	PL 278		2	23	5125			COR	RR 2		35
22	7802	2	B	AMD	PL 267	RR	1	23	7007	3		AMD	PL 204		1
22	7851	4		AMD	PL 196		14								
22	7851	4		AMD	PL 299		22	24	2317-B	7		AMD	PL 329	A	12
22	8003			RPR	PL 267	RR	2	24	2320-C	1		AFF	PL 227		5
22	8108			NEW	PL 240		1	24	2320-C	1		AMD	PL 227		1
22	8108			NEW	PL 267	RR	3	24	2988	3		AMD	PL 35		1
22	8351			NEW	PL 283		3								
22	8352			NEW	PL 283		3	24-A	404	4		COR	RR 2		36
22	8353			NEW	PL 283		3	24-A	601	31		NEW	PL 133		1
22	8354			NEW	PL 283		3	24-A	1413	9		NEW	PL 77		1
22	8355			NEW	PL 283		3	24-A	1416-A	2		AMD	PL 49		1
22	8356			NEW	PL 283		3	24-A	1419			AMD	PL 49		2
22	8357			NEW	PL 283		3	24-A	1420-F	1	H	RPR	PL 133		2
22	8358			NEW	PL 283		3	24-A	1420-F	1	K	AMD	PL 77		2
22	8606			AMD	PL 196		15	24-A	1420-F	1	L	AMD	PL 77		3
22	8606			RPR	PL 299		23	24-A	1420-F	1	M	NEW	PL 77		4
22	8615			NEW	PL 203		3	24-A	1420-H	3	B	AMD	PL 133		3
22	9005			AMD	PL 196		16	24-A	1420-H	3	D	AMD	PL 77		5
22	9005			RPR	PL 299		24	24-A	1420-H	3	E	AMD	PL 77		6
22	9051			NEW	PL 299		25	24-A	1420-H	3	F	NEW	PL 77		7
22	9052			NEW	PL 299		25	24-A	1477			NEW	PL 49		3
22	9053			NEW	PL 299		25	24-A	2428	2		COR	RR 2		37
22	9054			NEW	PL 299		25	24-A	2604-A		1st	RPR	PL 329	A	13

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24-A	2604-A	3		RPR	PL 329	B	2	25	1542-A	1	K	NEW	PL 300	B	3
24-A	2745-C	1		AFF	PL 227		5	25	1542-A	1	L	NEW	PL 300	B	3
24-A	2745-C	1		AMD	PL 227		2	25	1542-A	3	K	NEW	PL 300	B	4
24-A	2748	5		AFF	PL 111		4	25	1542-A	4		AMD	PL 300	B	5
24-A	2748	5		NEW	PL 111		1	25	2001-A	2	A-1	NEW	PL 327		2
24-A	2769			AFF	PL 93		2	25	2001-A	2	F	RPR	PL 144		1
24-A	2769			NEW	PL 93		1	25	2001-A	3		NEW	PL 327		3
24-A	2837-C	1		AFF	PL 227		5	25	2003	11		AMD	PL 144		2
24-A	2837-C	1		AMD	PL 227		3	25	2003	15	C	AMD	PL 123		1
24-A	2840-A	5		AFF	PL 111		4	25	2003	18		NEW	PL 123		2
24-A	2840-A	5		NEW	PL 111		2	25	2003-A			NEW	PL 327		4
24-A	3043			NEW	PL 77		8	25	2004	5		NEW	PL 327		5
24-A	3049	4-A		NEW	PL 69		1	25	2012	1	A	AMD	PL 327		6
24-A	3310	3		AMD	PL 329	B	3	25	2013			NEW	PL 262		3
24-A	4236	2		AFF	PL 111		4	25	2221			NEW	PL 26		1
24-A	4236	2		AMD	PL 111		3	25	2222			NEW	PL 26		1
24-A	4237	1		AFF	PL 227		5	25	2463-A	1	D	AMD	PL 363		7
24-A	4237	1		AMD	PL 227		4	25	2468	1	A-1	AFF	PL 375		5
24-A	4303	2		AMD	PL 84		1	25	2468	1	A-1	NEW	PL 375		1
24-A	4303	2-A		NEW	PL 84		2	25	2468	2		AFF	PL 375		5
24-A	4303	20		NEW	PL 260		1	25	2468	2		AMD	PL 375		2
24-A	4314	1	C	AFF	PL 171		4	25	2468	11		AFF	PL 375		5
24-A	4314	1	C	NEW	PL 171		1	25	2468	11		NEW	PL 375		3
24-A	4314	1	D	AFF	PL 171		4	25	2468	12		AFF	PL 375		5
24-A	4314	1	D	NEW	PL 171		1	25	2468	12		NEW	PL 375		3
24-A	4314	1	E	AFF	PL 171		4	25	2468	13		AFF	PL 375		5
24-A	4314	1	E	NEW	PL 171		1	25	2468	13		NEW	PL 375		3
24-A	4314	1	F	AFF	PL 171		4	25	2801-B	1	C	AMD	PL 267	CC	1
24-A	4314	1	F	NEW	PL 171		1	25	2803-B	1	D	RPR	PL 329	A	14
24-A	4314	1	G	AFF	PL 171		4	25	2927	3-C		NEW	PL 230		1
24-A	4314	1	G	NEW	PL 171		1	25	2929	1		AMD	PL 153		1
24-A	4314	1	H	AFF	PL 171		4	25	2929	2	B	AMD	PL 153		2
24-A	4314	1	H	NEW	PL 171		1	25	2929	4	B	AMD	PL 153		3
24-A	4314	1	I	AFF	PL 171		4	25	2929	4	C	AMD	PL 153		3
24-A	4314	1	I	NEW	PL 171		1	25	2929	4	C-1	NEW	PL 153		4
24-A	4314	3		AFF	PL 171		4	25	2932	1		AMD	PL 62		1
24-A	4314	3		AMD	PL 171		2	25	2932	2		AMD	PL 62		2
24-A	4314	6		AFF	PL 171		4	25	2932	5		AMD	PL 62		3
24-A	4314	6		NEW	PL 171		3	25	3501			AMD	PL 158		2
24-A	4314-A			AFF	PL 91		2	25	3831			NEW	PL 76		1
24-A	4314-A			NEW	PL 91		1	25	4201	1		AMD	PL 112		1
24-A	4320-J			AFF	PL 371		2	25	4201	2		AMD	PL 112		1
24-A	4320-J			NEW	PL 371		1	25	4201	3		NEW	PL 112		2
24-A	7051			NEW	PL 133		4	25	4501			NEW	PL 307		1
24-A	7052			NEW	PL 133		4								
24-A	7053			NEW	PL 133		4	26	2			AMD	PL 138		1
24-A	7054			NEW	PL 133		4	26	3			RPR	PL 250	C	2
24-A	7055			NEW	PL 133		4	26	44		1st	AMD	PL 138		2
24-A	7056			NEW	PL 133		4	26	615			NEW	PL 343	B	1
24-A	7301			NEW	PL 279		1	26	616			NEW	PL 343	B	1
24-A	7302			NEW	PL 279		1	26	617			NEW	PL 343	B	1
24-A	7303			NEW	PL 279		1	26	618			NEW	PL 343	B	1
24-A	7304			NEW	PL 279		1	26	619			NEW	PL 343	B	1
24-A	7305			NEW	PL 279		1	26	850	3		AMD	PL 343	A	1
								26	934		4th	AMD	PL 250	C	3
25	1505A			AFF	PL 267	D	1	26	1043	24		AMD	PL 329	A	15
25	1541	6		AMD	PL 267	SSS	4	26	1082	13		AMD	PL 39		1
25	1542-A	1	I	AMD	PL 300	B	1	26	1161			AMD	PL 39		2
25	1542-A	1	J	AMD	PL 300	B	2	26	1221	5		RPR	PL 107		1

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26	1329				RP	PL 329	16	28-A	1355-A	3	C		AMD	PL 166	4
26	1411-A	4			AMD	PL 141	5	28-A	1355-A	6	G		RP	PL 15	1
26	1411-A	6	C		AMD	PL 141	6	28-A	1355-A	6	G-1		NEW	PL 15	2
26	1411-C				AMD	PL 141	7	28-A	1355-A	7			NEW	PL 185	3
26	1411-D	8			AMD	PL 141	8	28-A	1355-B				NEW	PL 149	1
26	1411-D	9			AMD	PL 141	9	28-A	1403-A	15			AMD	PL 166	5
26	1411-E	1			AMD	PL 141	10	28-A	1501				AMD	PL 129	8
26	1411-F				AMD	PL 141	11	28-A	1501				AMD	PL 184	4
26	1411-H				AMD	PL 141	12	28-A	1505		1st		AMD	PL 129	9
26	1412-C				AMD	PL 141	13	28-A	1505		1st		AMD	PL 184	5
26	1412-E				AMD	PL 141	14	28-A	1505		1st		AFF	PL 329	D 4
26	1413-C		1st		AMD	PL 141	15	28-A	1505		1st		RPR	PL 329	D 2
26	1418-C				AMD	PL 141	16	28-A	1505	4			AMD	PL 129	10
26	2033	5-A			NEW	PL 257	1	28-A	1505	4			AMD	PL 184	6
26	3305	2	D		AMD	PL 156	1	28-A	1505	4			AFF	PL 329	D 4
								28-A	1505	4			RPR	PL 329	D 3
27	121				RPR	PL 81	1	28-A	1651	1	C		AMD	PL 166	6
								28-A	2051	6			NEW	PL 154	1
28-A	2	15	I		AMD	PL 214	1	28-A	2075	2-A			AMD	PL 166	7
28-A	2	32-B			NEW	PL 185	1	28-A	2077	2-A			AMD	PL 166	8
28-A	4	1			AMD	PL 74	1	28-A	2087	3			NEW	PL 154	2
28-A	4	5			RP	PL 74	2	28-A	2089				NEW	PL 205	1
28-A	4	6			RP	PL 74	2								
28-A	10	2-A			AMD	PL 162	1	29-A	101	55			AMD	PL 206	1
28-A	163	1			AMD	PL 106	1	29-A	101	91-A			NEW	PL 164	1
28-A	353				AMD	PL 74	3	29-A	154	6			AMD	PL 159	3
28-A	353-A				AMD	PL 74	4	29-A	257				RP	PL 250	C 4
28-A	453	2-A			AMD	PL 128	1	29-A	453	3-A			AMD	PL 206	2
28-A	453	2-A			AMD	PL 221	1	29-A	457	7			AMD	PL 206	3
28-A	453	2-D			AMD	PL 221	2	29-A	501	1			AMD	PL 206	4
28-A	460	1			AMD	PL 129	1	29-A	501	3			AMD	PL 267	BBBB 1
28-A	460	1			AMD	PL 184	1	29-A	517	4			AMD	PL 250	C 5
28-A	460	1			AFF	PL 329	D 4	29-A	521	9-A			AMD	PL 52	1
28-A	460	1			RPR	PL 329	D 1	29-A	521	9-B			AMD	PL 52	2
28-A	460	2	L		AMD	PL 129	2	29-A	524-B	1			AFF	PL 17	3
28-A	460	2	M		RP	PL 184	2	29-A	524-B	1			AMD	PL 17	1
28-A	460	2	M-1		NEW	PL 184	3	29-A	524-B	2			AFF	PL 17	3
28-A	605		1st		AMD	PL 185	2	29-A	524-B	2			AMD	PL 17	1
28-A	705	1-D			AMD	PL 166	2	29-A	524-B	4			NEW	PL 17	2
28-A	708-B				RP	PL 214	2	29-A	558-A	2	A		AMD	PL 176	1
28-A	708-C				NEW	PL 214	3	29-A	652	16			AMD	PL 88	1
28-A	709	2	J		AMD	PL 142	1	29-A	652	17			AMD	PL 88	2
28-A	709	2	J		AMD	PL 214	4	29-A	652	18			NEW	PL 88	3
28-A	709	2	K		AMD	PL 142	1	29-A	1258	7			AMD	PL 206	5
28-A	709	2	K		AMD	PL 214	4	29-A	1304	1	I		AMD	PL 113	1
28-A	709	2	L		NEW	PL 142	2	29-A	1304	1-A	C		AMD	PL 114	1
28-A	709	2	L		NEW	PL 214	5	29-A	1304	4-A	D		RP	PL 46	1
28-A	1051	8			AMD	PL 129	3	29-A	1307	4			AMD	PL 206	6
28-A	1055				NEW	PL 142	3	29-A	1311	1	C		AMD	PL 113	2
28-A	1070				AMD	PL 101	1	29-A	1311	3-A			NEW	PL 113	3
28-A	1071	6			AMD	PL 214	6	29-A	1351	4			RPR	PL 164	2
28-A	1077	2	C		AMD	PL 74	5	29-A	1405	3			RPR	PL 206	7
28-A	1205	1			AMD	PL 129	4	29-A	1671				NEW	PL 279	2
28-A	1205	2	J		AMD	PL 129	5	29-A	1672				NEW	PL 279	2
28-A	1207	1			AMD	PL 129	6	29-A	1673				NEW	PL 279	2
28-A	1207	2	J		AMD	PL 129	7	29-A	1674				NEW	PL 279	2
28-A	1209				NEW	PL 366	1	29-A	1675				NEW	PL 279	2
28-A	1355-A	2	E		AMD	PL 74	6	29-A	1676				NEW	PL 279	2

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29-A	1905-B			NEW	PL	176	2	30-A	1659-A	2	D	AMD	PL	335	19
29-A	1912	2		AMD	PL	206	8	30-A	1659-A	6		AMD	PL	335	20
29-A	1912	5		RP	PL	206	9	30-A	1659-A	7		AMD	PL	335	20
29-A	1921			AMD	PL	176	3	30-A	1660	4		NEW	PL	315	3
29-A	2054	1	I-1	NEW	PL	32	1	30-A	1661			NEW	PL	335	21
29-A	2054	2	C	AMD	PL	31	1	30-A	1671	3	A	AMD	PL	329	A 18
29-A	2054	2	C	AMD	PL	32	2	30-A	2203	9		NEW	PL	222	1
29-A	2054	2	F	AMD	PL	31	2	30-A	2501	3		NEW	PL	160	1
29-A	2054	2	G	AMD	PL	32	3	30-A	3106-A			NEW	PL	244	1
29-A	2054	9		AMD	PL	32	4	30-A	3106-A			NEW	PL	276	1
29-A	2056	4		AMD	PL	164	3	30-A	3406	2		AMD	PL	174	1
29-A	2057	10		AMD	PL	164	4	30-A	3515	1	A	AMD	PL	182	9
29-A	2057	10-A		AMD	PL	164	5	30-A	3771	1		AMD	PL	166	9
29-A	2061	1		AMD	PL	176	4	30-A	3772	3		AMD	PL	206	10
29-A	2063	7		AMD	PL	164	6	30-A	4312	3	I	AMD	PL	349	1
29-A	2063	10		NEW	PL	164	7	30-A	4312	3	J	AMD	PL	349	1
29-A	2063	11		NEW	PL	164	7	30-A	4312	3	K	NEW	PL	349	2
29-A	2063	12		NEW	PL	164	7	30-A	4326	1	H	AMD	PL	349	3
29-A	2063	13		NEW	PL	164	7	30-A	4326	3-A	G	AMD	PL	349	4
29-A	2067	1	A	AMD	PL	51	1	30-A	4326	3-A	I	AMD	PL	349	5
29-A	2069	3		AMD	PL	159	4	30-A	4326	3-A	J	AMD	PL	349	5
29-A	2076	2		AMD	PL	89	1	30-A	4326	3-A	K	NEW	PL	349	6
29-A	2104	1-B		NEW	PL	176	5	30-A	4353	4-A		AMD	PL	152	1
29-A	2116	1	B-1	NEW	PL	113	4	30-A	4353-A		2nd	NEW	PL	152	2
29-A	2116	1	C	AMD	PL	113	5	30-A	4910			AMD	PL	44	7
29-A	2311			AMD	PL	73	2	30-A	5047	2		COR	RR	2	38
29-A	2354-C	1	A	AMD	PL	119	1	30-A	5250-I	5-B		NEW	PL	368	1
29-A	2354-C	1	B	AMD	PL	119	2	30-A	5250-I	18		AMD	PL	368	2
29-A	2354-C	1	C	AMD	PL	119	2	30-A	5250-I	18-A		NEW	PL	368	3
29-A	2354-D	1		AMD	PL	119	3	30-A	5250-J	3-A	D	AMD	PL	336	1
29-A	2354-E			AFF	PL	119	6	30-A	5250-J	3-A	E	AMD	PL	336	1
29-A	2354-E			NEW	PL	119	4	30-A	5250-J	3-A	F	NEW	PL	336	2
29-A	2381	2	B	AMD	PL	303	1	30-A	5405	2	D	AMD	PL	174	2
29-A	2434	3		AMD	PL	158	3	30-A	5681	5		AMD	PL	267	K 1
29-A	2451	3		RPR	PL	329	17	30-A	5685	5	E	RP	PL	44	8
29-A	2458	2-A		AMD	PL	13	1	30-A	5706	1	A	AMD	PL	44	9
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30-A	101	6-B		RP	PL	335	6	30-A	5721-A	1	B	RP	PL	267	L 14
30-A	373	3	B	AMD	PL	41	1	30-A	5721-A	1	E	RP	PL	267	L 15
30-A	406			RP	PL	335	7	30-A	5721-A	3		AMD	PL	267	L 16
30-A	701	2		RPR	PL	335	8	30-A	5823		1st	AMD	PL	44	10
30-A	701	2-A		RP	PL	335	9	30-A	5823	1		AMD	PL	44	11
30-A	701	2-B		RP	PL	335	10	30-A	5823	4	A	RP	PL	44	12
30-A	701	2-C		NEW	PL	335	11	30-A	5825			RP	PL	44	13
30-A	706-A	1		AMD	PL	267	L 11	30-A	6006-G	3		AMD	PL	268	J 1
30-A	706-A	1		AMD	PL	335	12	30-A	6104	2		AMD	PL	44	14
30-A	706-A	3		AMD	PL	267	L 12								
30-A	709			RP	PL	335	13	31	1403			NEW	PL	254	4
30-A	710			RP	PL	335	14								
30-A	932	3		RP	PL	335	15	32	83	6		AMD	PL	82	1
30-A	1510			NEW	PL	315	1	32	83	13-A		AMD	PL	82	2
30-A	1557-B			NEW	PL	335	16	32	83	16-B		AMD	PL	82	3
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30-A	1561	1	D	AMD	PL	291	2	32	84	1	F	NEW	PL	82	4
30-A	1581			NEW	PL	315	2	32	84	4		AMD	PL	92	1
30-A	1582			NEW	PL	315	2	32	86	1		AMD	PL	82	5
30-A	1583			NEW	PL	315	2	32	87			AMD	PL	82	6
30-A	1654			AMD	PL	44	6	32	87-A	2		AMD	PL	30	3

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32	90-A	6		NEW	PL	6	3	32	2411	11		NEW	PL	173	1
32	90-C			NEW	PL	82	7	32	2417	4	A-1	AMD	PL	173	2
32	91-B	2	E	AMD	PL	82	8	32	2421	3		NEW	PL	173	3
32	92-B		1st	AMD	PL	82	9	32	2594-B			RP	PL	242	1
32	92-B	1		AMD	PL	82	10	32	2594-C			RP	PL	242	2
32	93-B			RP	PL	82	11	32	2594-E			NEW	PL	242	3
32	286	5		AMD	PL	147	6	32	3270		2nd	AMD	PL	270	1
32	299-A			NEW	PL	366	2	32	3270-B			RP	PL	242	4
32	1077	1		AMD	PL	135	1	32	3270-E			NEW	PL	242	5
32	1081	2	E	AMD	PL	155	1	32	3282-B			NEW	PL	235	1
32	1081	2	G	AMD	PL	155	2	32	3300-D			NEW	PL	137	1
32	1081	2	H	RP	PL	155	3	32	3300-D			NEW	PL	173	4
32	1081	7		NEW	PL	155	4	32	4851			AMD	PL	209	2
32	1094-Q	1	N	AMD	PL	2	1	32	4853	1-A		AMD	PL	209	3
32	1094-Q	1	O	AMD	PL	2	1	32	4853	4-A		AMD	PL	209	4
32	1094-Q	1	O	AMD	PL	326	1	32	4853	4-B		AMD	PL	209	5
32	1094-Q	1	P	NEW	PL	2	2	32	4853	5-A		NEW	PL	209	6
32	1094-Q	1	P	AMD	PL	326	2	32	4853	7		AMD	PL	209	7
32	1094-Q	1	Q	NEW	PL	326	3	32	4853	7-B		NEW	PL	209	8
32	1094-Q	1	R	NEW	PL	326	3	32	4853	8-A		AMD	PL	209	9
32	1094-HH	8		AMD	PL	326	4	32	4853	11		AMD	PL	209	10
32	1094-HH	9		AMD	PL	326	4	32	4859	2		AMD	PL	209	11
32	1094-HH	10		NEW	PL	326	5	32	4859	9		AMD	PL	209	12
32	1094-HH	11		NEW	PL	326	5	32	4860		1st	AMD	PL	209	13
32	1098-E			AMD	PL	326	6	32	4861			AMD	PL	209	14
32	1098-F			NEW	PL	326	7	32	4861-A			NEW	PL	209	15
32	1100-B	3	B	AMD	PL	155	5	32	4864	12		AMD	PL	209	16
32	1100-B	3	C	AMD	PL	155	6	32	4865			RP	PL	209	17
32	1100-B	3	D	NEW	PL	155	7	32	4866			AMD	PL	209	18
32	1100-E-2			NEW	PL	192	1	32	4869			AMD	PL	209	19
32	1100-J	3	C	AMD	PL	2	3	32	4870			AMD	PL	209	20
32	1100-J	3	D	AMD	PL	2	3	32	4877			NEW	PL	209	21
32	1100-J	3	E	NEW	PL	2	4	32	7053		last	COR	RR	2	39
32	1357			AFF	PL	228	2	32	7352	2-A		NEW	PL	316	1
32	1357			AMD	PL	228	1	32	7352	5-A		NEW	PL	316	1
32	1501-B			NEW	PL	246	1	32	7365	1		AMD	PL	316	2
32	1861			RP	PL	166	10	32	7365	2		AMD	PL	316	3
32	1862			RP	PL	166	10	32	7365	4		AMD	PL	316	3
32	1863-A			RP	PL	166	10	32	7367			NEW	PL	316	4
32	1864			RP	PL	166	10	32	7381	1	B	RPR	PL	316	5
32	1865			RP	PL	166	10	32	7381	2		AMD	PL	316	6
32	1866			RP	PL	166	10	32	7382	1		AMD	PL	316	7
32	1866-D			RP	PL	166	10	32	8124			NEW	PL	295	1
32	1866-E			RP	PL	166	10	32	10012	2		AMD	PL	319	4
32	1867			RP	PL	166	10	32	10015		1st	AMD	PL	319	5
32	1868			RP	PL	166	10	32	10016	5		AMD	PL	319	6
32	1869			RP	PL	166	10	32	11002	1-A		NEW	PL	272	1
32	1870			RP	PL	166	10	32	11013	6		NEW	PL	272	2
32	1871-A			RP	PL	166	10	32	11013	7		NEW	PL	272	2
32	1871-B			RP	PL	166	10	32	11013	8		NEW	PL	272	2
32	1871-C			RP	PL	166	10	32	12201	3-A		AMD	PL	110	1
32	1871-D			RP	PL	166	10	32	12201	6-A		AMD	PL	110	2
32	1872			RP	PL	166	10	32	12201	8		AMD	PL	110	3
32	1873			RP	PL	166	10	32	12201	10		RP	PL	110	4
32	2411	6		NEW	PL	173	1	32	12201	10-A		NEW	PL	110	5
32	2411	7		NEW	PL	173	1	32	12202	2		AMD	PL	110	6
32	2411	8		NEW	PL	173	1	32	12228	10		AMD	PL	110	7
32	2411	9		NEW	PL	173	1	32	12252	1	B	AMD	PL	110	8

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32	12252	8		AMD	PL	110	10	34-A	1811			RP	PL	335	27
32	12275	1		AMD	PL	110	11	34-A	1812			RP	PL	335	27
32	12275	10		AMD	PL	110	12	34-A	1813			RP	PL	335	27
32	12275	12		AMD	PL	110	13	34-A	1814			RP	PL	335	27
32	12275	13		AMD	PL	110	13	34-A	1815			RP	PL	335	27
32	12275	14	C	AMD	PL	110	14	34-A	1816			NEW	PL	16	I 2
32	13831	1		AMD	PL	211	1	34-A	1816	1		AMD	PL	267	V 2
32	14203	3		NEW	PL	132	1	34-A	1816			RP	PL	335	27
32	15102	1	E	AMD	PL	311	1	34-A	3001	1		AMD	PL	291	4
32	18101	6		AMD	PL	169	1	34-A	3031	2		AMD	PL	291	5
32	18101	7		AMD	PL	169	1	34-A	3063-B			NEW	PL	335	28
32	18101	10		AMD	PL	169	1	34-A	3063-C			NEW	PL	335	28
32	18102		1st	AMD	PL	169	2	34-A	3101			NEW	PL	315	4
32	18123	3		RP	PL	169	3	34-A	3102			NEW	PL	315	4
32	18132			AMD	PL	169	4	34-A	3103			NEW	PL	315	4
32	18133			AMD	PL	169	5	34-A	3104			NEW	PL	315	4
32	18134	1		RP	PL	169	6	34-A	3266			RP	PL	48	1
32	18134	1-A		NEW	PL	169	7	34-A	3406			AMD	PL	329	A 19
32	18134-A			NEW	PL	207	1	34-A	4117			AMD	PL	320	1
								34-A	4205			NEW	PL	48	2
33	352		1st	AMD	PL	157	1	34-A	5402	3	A-1	AMD	PL	291	6
33	353-A			AMD	PL	157	2	34-A	5404	2		AMD	PL	291	7
33	501-A			AMD	PL	147	7	34-A	5802	2		AMD	PL	329	A 20
33	508			NEW	PL	289	1	34-A	11202-A	1	A	AMD	PL	280	1
33	576	10		AMD	PL	271	1	34-A	11202-A	1	E	AMD	PL	280	1
33	1602-106	(b)		COR	RR	2	40	34-A	11202-A	1	F	AMD	PL	280	1
33	1603-103	(c)		AMD	PL	122	1	34-A	11221	13	A	AMD	PL	299	26
33	1603-103	(g)		NEW	PL	122	2	34-A	11222	2-A		AMD	PL	280	2
33	1603-106	(c)		NEW	PL	271	2	34-A	11222	2-B		AMD	PL	280	2
33	1603-108		1st	AMD	PL	122	3	34-A	11222	4		AMD	PL	280	3
33	1952	15-B		NEW	PL	215	1	34-A	11222	4-A		AMD	PL	280	4
33	1953	1	P	AMD	PL	215	2	34-A	11222	4-B		AMD	PL	280	5
33	1953	1	Q	AMD	PL	215	3	34-A	11222	4-C		NEW	PL	280	6
33	1953	1	R	NEW	PL	215	4	34-A	11225-A	1	B	AMD	PL	280	7
33	1954-B			NEW	PL	215	5	34-A	11225-A	5		RPR	PL	280	8
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34-A	1402	12		NEW	PL	335	24	34-A	11273	16	E	AMD	PL	280	11
34-A	1402	13		NEW	PL	335	24	34-A	11273	16	F	NEW	PL	280	12
34-A	1403	2	D	AMD	PL	267	VVV 1	34-A	11281	1		AMD	PL	280	13
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34-A	1404			RP	PL	335	25	34-A	11281	12	A	AMD	PL	299	27
34-A	1405			RP	PL	335	26	34-A	11282	6		AMD	PL	280	15
34-A	1801			RP	PL	335	27	34-A	11282	7	A	AMD	PL	280	16
34-A	1802			RP	PL	335	27	34-A	11282	7	B	AMD	PL	280	16
34-A	1803			RP	PL	335	27	34-A	11285	8		RPR	PL	280	17
34-A	1803	12		NEW	PL	16	I 1	34-A	11288	2		AMD	PL	280	18
34-A	1803	12		AMD	PL	267	V 1	34-A	11288	3		AMD	PL	280	18
34-A	1803-A			RP	PL	335	27	34-A	11289			RPR	PL	280	19
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34-A	1805	6		RAL	RR	2	41	34-A	11402			NEW	PL	86	4
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34-B	1953			NEW	PL 266		1	35-A	9202-A			RPR	PL 284		3
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34-B	3863	3	E	NEW	PL 309		3	35-A	9204			RP	PL 284		6
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34-B	3863	7-A		NEW	PL 309		5	35-A	9206			RP	PL 284		8
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36	1812	1	F		NEW	PL 267	OOOO 6	36	5122	2	Y		AFF	PL 267	DD 34
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36	2552	1			AFF	PL 267	TTTT 9	36	5125	3	D		AMD	PL 267	DD 16
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36	5215	6-C		NEW	PL	267	20	37-B	509	2	F	AMD	PL	175	2
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36	5217-D	1	D-1	AFF	PL	267	6	38	344	2-A	D	RPR	PL	264	1
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36	5217-D	2-A		AFF	PL	267	6	38	419-D			NEW	PL	4	1
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36	5218	4		AMD	PL	267	24	38	439-A	4-C		NEW	PL	11	1
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36	5218-A			NEW	PL	340	4	38	464	3	C	AMD	PL	124	6
36	5219-A			AFF	PL	267	34	38	467	15	E	AMD	PL	12	1
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36	5219-M	4	C	AMD	PL	267	27	38	488	19		AMD	PL	28	1
36	5219-M	7		NEW	PL	267	28	38	542	4		AMD	PL	319	9
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36	5219-LL	1	A	AMD	PL	108	1	38	562-A	9		AMD	PL	319	19
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38	902	1-A		COR	RR	2	48	39-A	206	2		AMD	PL	297	6
38	954-A		1st	COR	RR	2	49	39-A	207		1st	AMD	PL	297	7
38	1036	8		COR	RR	2	50	39-A	213	1		AMD	PL	297	8
38	1048	6	B	COR	RR	2	51	39-A	303			AMD	PL	297	9
38	1050	2		AMD	PL	174	3	39-A	309	3		AMD	PL	297	10
38	1201	4		COR	RR	2	52	39-A	312	9		AMD	PL	297	11
38	1208		1st	AMD	PL	174	4	39-A	315		1st	AMD	PL	297	12
38	1208		2nd	AMD	PL	174	5	39-A	318			AMD	PL	297	13
38	1208		3rd	AMD	PL	174	6	39-A	320			AMD	PL	297	14
38	1310-B	2		AMD	PL	250	10	39-A	321-A	2		AMD	PL	297	15
38	1310-F	1-B	E	AMD	PL	302	1	39-A	321-A	3		AMD	PL	297	15
38	1310-N	6-D		AMD	PL	124	8	39-A	321-B			AMD	PL	297	16
38	1319-O			AMD	PL	124	9	39-A	322			AMD	PL	297	17
38	1396			AMD	PL	319	40	39-A	324	1		AMD	PL	297	18
38	1398			AMD	PL	319	41	39-A	328-B	1	B	AMD	PL	373	1
38	1665-B	1	E	NEW	PL	83	1	39-A	328-B	1	C	AMD	PL	373	1
38	1665-B	2	E	AMD	PL	83	2	39-A	328-B	6		AMD	PL	373	2
38	1665-B	2	F	RP	PL	83	3	39-A	328-B	8		NEW	PL	373	3
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38	1774	1		AMD	PL	67	1	39-A	355-C	3		AMD	PL	297	21
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38	3107			NEW	PL	166	14								
38	3108			NEW	PL	166	14								
38	3109			NEW	PL	166	14								

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TABLE II

Public Laws not allocated to the Maine Revised Statutes affected by the laws of the First Regular Session of the 127th Legislature and the Revisor's Report 2013, Chapter 2.

YEAR	CHAP	SEC	AFFECTED BY		(TYPE)	YEAR	CHAP	SEC	YEAR	CHAP	SEC	AFFECTED BY		(TYPE)	YEAR	CHAP	SEC
1999	352	3	RP	PL		2015	267	Z2	2013	368	YY1	RPR	PL		2015	329	A24
1999	352	4	RP	PL		2015	267	Z2	2013	368	YY1	AFF	PL		2015	329	A25
2007	240	X2	AMD	PL		2015	267	BBB1	2013	486	B1	COR	RR		2013	2	53
2007	306	11	RP	PL		2015	310	2	2013	528	12	COR	RR		2013	2	54
2007	661	C6/1ST	AMD	PL		2015	265	9	2013	585	3	RP	PL		2015	267	D1
2007	661	C6/1ST	AFF	PL		2015	265	10	2013	585	4	RP	PL		2015	267	D1
2013	368	S9	RP	PL		2015	329	B4	2013	595	H1	AMD	PL		2015	267	JJJJ1
2013	368	JJ1	AMD	PL		2015	7	C1	2013	595	Q1	RP	PL		2015	16	J1

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