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Date: (Filing No. H- )

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

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

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “A” to H.P. 1405, L.D. 1903, Bill, “An Act To Make Additional Supplemental Appropriations and Allocations and To Change Certain Provisions of the Law for the Fiscal Years Ending June 30, 2012 and June 30, 2013”

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

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

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

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

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

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

**PART A**

**Sec. A-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 Public Service Manager I position from range 25 to range 28 and one Public Service Coordinator I position from range 22 to range 25 and transfers All Other to Personal Services to fund the reorganization.

**COMMITTEE AMENDMENT**

1	<b>ACCIDENT, SICKNESS AND HEALTH</b>	<b>2011-12</b>	<b>2012-13</b>
2	<b>INSURANCE INTERNAL SERVICE FUND</b>		
3	Personal Services	\$0	\$16,607
4	All Other	\$0	(\$16,607)
5			
6	ACCIDENT, SICKNESS AND HEALTH	<u>\$0</u>	<u>\$0</u>
7	INSURANCE INTERNAL SERVICE FUND TOTAL		

8       **Administration - Human Resources 0038**

9       Initiative: Transfers one Office Associate II position from the Administration - Human  
 10       Resources program to the Purchases - Division of program to align workflow in the  
 11       Department of Administrative and Financial Services.

12	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
13	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
14	Personal Services	(\$10,550)	(\$41,811)
15			
16	GENERAL FUND TOTAL	<u>(\$10,550)</u>	<u>(\$41,811)</u>

17       **Buildings and Grounds Operations 0080**

18       Initiative: Transfers one Space Management Specialist position and related All Other  
 19       costs from the Revenue Services - Bureau of program to the Buildings and Grounds  
 20       Operations program.

21	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
23	Personal Services	\$0	\$72,430
24	All Other	\$0	\$1,735
25			
26	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$74,165</u>

27       **Buildings and Grounds Operations 0080**

28       Initiative: Provides funding for fuel for state-owned buildings due to the increase in the  
 29       contracted price.

30	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	All Other	\$646,454	\$0
32			
33	GENERAL FUND TOTAL	<u>\$646,454</u>	<u>\$0</u>

34       **Capital Construction/Repairs/Improvements - Administration 0059**

1 Initiative: Provides one-time funds to renovate office space for the Department of Audit.

2	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
3	All Other	\$0	\$57,680
4			
5	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$57,680</u>

6 **Departments and Agencies - Statewide 0016**

7 Initiative: Adjusts funding to reflect projected savings to be achieved through a retirement  
8 incentive program.

9	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
10	Personal Services	\$420,154	(\$583,432)
11			
12	GENERAL FUND TOTAL	<u>\$420,154</u>	<u>(\$583,432)</u>

13 **Financial and Personnel Services - Division of 0713**

14 Initiative: Transfers one vacant Marine Resources Scientist I position from the Bureau of  
15 Resource Management program in the Department of Marine Resources to the Financial  
16 and Personnel Services - Division of program in the Department of Administrative and  
17 Financial Services and reorganizes the position to one Senior Staff Accountant position.

18	<b>FINANCIAL AND PERSONNEL SERVICES</b>	<b>2011-12</b>	<b>2012-13</b>
19	<b>FUND</b>		
20	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
21	Personal Services	\$18,434	\$68,913
22			
23	FINANCIAL AND PERSONNEL SERVICES FUND	<u>\$18,434</u>	<u>\$68,913</u>
24	TOTAL		

25 **Purchases - Division of 0007**

26 Initiative: Transfers one Office Associate II position from the Administration - Human  
27 Resources program to the Purchases - Division of program to align workflow in the  
28 Department of Administrative and Financial Services.

29	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
30	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
31	Personal Services	\$10,550	\$41,811
32			
33	GENERAL FUND TOTAL	<u>\$10,550</u>	<u>\$41,811</u>

34 **Revenue Services, Bureau of 0002**

1 Initiative: Transfers one Space Management Specialist position and related All Other  
 2 costs from the Revenue Services - Bureau of program to the Buildings and Grounds  
 3 Operations program.

4	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
6	Personal Services	\$0	(\$72,430)
7	All Other	\$0	(\$1,735)
8			
9	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$74,165)</u>

10 **Revenue Services, Bureau of 0002**

11 Initiative: Reduces funding for database storage for the Maine Revenue Integrated Tax  
 12 System as a result of a reduced storage requirement for user acceptance testing.

13	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	All Other	\$0	(\$120,000)
15			
16	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$120,000)</u>

17 **Revenue Services, Bureau of 0002**

18 Initiative: Eliminates one Office Assistant II position and related All Other savings in the  
 19 Revenue Services - Bureau of program resulting from internal reorganization efforts by  
 20 the bureau.

21	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
23	Personal Services	\$0	(\$48,269)
24	All Other	\$0	(\$11,796)
25			
26	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$60,065)</u>

27 **Revenue Services, Bureau of 0002**

28 Initiative: Reduces funding through the conversion of 3 physical servers to virtual servers  
 29 in the Revenue Services - Bureau of program.

30	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	All Other	\$0	(\$20,236)
32			
33	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$20,236)</u>

34 **Revenue Services, Bureau of 0002**

1 Initiative: Reduces All Other funding as a result of the repeal of the annual pass-through  
 2 entity information return filing requirement.

3	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
4	All Other	\$0	(\$42,000)
5			
6	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$42,000)</u>

7 **Revenue Services, Bureau of 0002**

8 Initiative: Eliminates one Office Assistant II position and related All Other costs as a  
 9 result of discontinuing the printing and mailing of a sales tax form related to vehicle and  
 10 equipment sales transactions.

11	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
12	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
13	Personal Services	\$0	(\$46,932)
14	All Other	\$0	(\$17,216)
15			
16	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$64,148)</u>

17 **ADMINISTRATIVE AND FINANCIAL**  
 18 **SERVICES, DEPARTMENT OF**  
 19 **DEPARTMENT TOTALS**

20		<b>2011-12</b>	<b>2012-13</b>
21	<b>GENERAL FUND</b>	<b>\$1,066,608</b>	<b>(\$832,201)</b>
22	<b>FINANCIAL AND PERSONNEL SERVICES</b>	<b>\$18,434</b>	<b>\$68,913</b>
23	<b>FUND</b>		
24	<b>ACCIDENT, SICKNESS AND HEALTH</b>	<b>\$0</b>	<b>\$0</b>
25	<b>INSURANCE INTERNAL SERVICE FUND</b>		
26			
27	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$1,085,042</b></u>	<u><b>(\$763,288)</b></u>

28 **Sec. A-2. Appropriations and allocations.** The following appropriations and  
 29 allocations are made.

30 **AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**  
 31 **Certified Seed Fund 0787**

32 Initiative: Continues one intermittent Agricultural Worker II position and reduces All  
 33 Other to fund the position. This position was previously authorized in Financial Order  
 34 005933 F0.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - FTE COUNT	0.000	0.188
3	Personal Services	\$0	\$11,249
4	All Other	\$0	(\$11,249)
5			
6	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

7 **Certified Seed Fund 0787**

8 Initiative: Provides funding to increase the hours of one Office Associate II position from  
 9 64 hours to 80 hours biweekly and reduces All Other to fund the increased hours. Also  
 10 reallocates the cost of the position from 100% Certified Seed Fund program, Other  
 11 Special Revenue Funds to 50% Certified Seed Fund program, Other Special Revenue  
 12 Funds and 50% Division of Quality Assurance and Regulation program, Federal  
 13 Expenditures Fund.

14	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
15	Personal Services	\$0	(\$16,538)
16	All Other	\$0	(\$762)
17			
18	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$17,300)</b>

19 **Division of Agricultural Resource Development 0833**

20 Initiative: Transfers one Agricultural Promotional Coordinator position and related All  
 21 Other from the Office of the Commissioner program to the Division of Agricultural  
 22 Resource Development program.

23	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
24	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
25	Personal Services	\$0	\$76,592
26	All Other	\$0	\$10,000
27			
28	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$86,592</b>

29	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
30	All Other	\$0	\$99,359
31			
32	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$99,359</b>

33 **Division of Agricultural Resource Development 0833**

34 Initiative: Transfers one Agricultural Promotional Specialist position and related All  
 35 Other from the Harness Racing Commission program to the Division of Agricultural  
 36 Resource Development program.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
3	Personal Services	\$0	\$57,088
4	All Other	\$0	\$15,487
5			
6	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$72,575</u>

7 **Division of Agricultural Resource Development 0833**

8 Initiative: Establishes one Consumer Protection Inspector position in the Division of  
 9 Quality Assurance and Regulation program funded 50% General Fund and 50% Federal  
 10 Expenditures Fund. Eliminates one Planning and Research Associate II position in the  
 11 Division of Agricultural Resource Development program funded 50% General Fund and  
 12 50% Federal Expenditures Fund to partially fund this action.

13	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	Personal Services	\$0	(\$28,462)
15			
16	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$28,462)</u>

17	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
18	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
19	Personal Services	\$0	(\$28,463)
20			
21	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$28,463)</u>

22 **Division of Plant Industry 0831**

23 Initiative: Reallocates the cost of one Entomologist II position from 100% Federal  
 24 Expenditures Fund to 74% Federal Expenditures Fund and 26% General Fund in the  
 25 same program. Eliminates one intermittent Entomologist I position and uses a portion of  
 26 the General Fund savings to fund the reallocation.

27	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
28	POSITIONS - FTE COUNT	0.000	(0.481)
29	Personal Services	\$0	(\$3,513)
30			
31	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$3,513)</u>

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$0	(\$18,449)
3	All Other	\$0	(\$849)
4			
5	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$19,298)

6	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
7	Personal Services	\$0	(\$8,311)
8	All Other	\$0	(\$382)
9			
10	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$8,693)

11 **Division of Quality Assurance and Regulation 0393**

12 Initiative: Establishes one Consumer Protection Inspector position in the Division of  
 13 Quality Assurance and Regulation program funded 50% General Fund and 50% Federal  
 14 Expenditures Fund. Eliminates one Planning and Research Associate II position in the  
 15 Division of Agricultural Resource Development program funded 50% General Fund and  
 16 50% Federal Expenditures Fund to partially fund this action.

17	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
18	Personal Services	\$0	\$29,329
19			
20	GENERAL FUND TOTAL	\$0	\$29,329

21	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
23	Personal Services	\$0	\$29,332
24			
25	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$29,332

26 **Division of Quality Assurance and Regulation 0393**

27 Initiative: Provides funding to increase the hours of one Office Associate II position from  
 28 64 hours to 80 hours biweekly and reduces All Other to fund the increased hours. Also  
 29 reallocates the cost of the position from 100% Certified Seed Fund program, Other  
 30 Special Revenue Funds to 50% Certified Seed Fund program, Other Special Revenue  
 31 Funds and 50% Division of Quality Assurance and Regulation program, Federal  
 32 Expenditures Fund.

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$0	\$27,095
3	All Other	\$0	(\$27,095)
4			
5	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

6       **Harness Racing Commission 0320**

7       Initiative: Transfers one Agricultural Promotional Specialist position and related All  
 8       Other from the Harness Racing Commission program to the Division of Agricultural  
 9       Resource Development program.

10	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
11	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
12	Personal Services	\$0	(\$57,088)
13	All Other	\$0	(\$15,487)
14			
15	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$72,575)

16       **Harness Racing Commission 0320**

17       Initiative: Adjusts funding to align allocations with projected available resources  
 18       approved by the Revenue Forecasting Committee on March 1, 2012.

19	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
20	All Other	(\$52,646)	(\$89,201)
21			
22	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$52,646)	(\$89,201)

23       **Harness Racing Commission 0320**

24       Initiative: Reduces funding to align allocations with projected available resources  
 25       approved by the Revenue Forecasting Committee on December 1, 2011.

26	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
27	All Other	(\$103,467)	(\$134,128)
28			
29	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$103,467)	(\$134,128)

30       **Office of the Commissioner 0401**

31       Initiative: Transfers one Agricultural Promotional Coordinator position and related All  
 32       Other from the Office of the Commissioner program to the Division of Agricultural  
 33       Resource Development program.

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
3	Personal Services	\$0	(\$76,592)
4	All Other	\$0	(\$10,000)
5			
6	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$86,592)</u>
7	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
8	All Other	\$0	(\$99,359)
9			
10	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$99,359)</u>
11	<b>AGRICULTURE, FOOD AND RURAL</b>		
12	<b>RESOURCES, DEPARTMENT OF</b>		
13	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
14			
15	GENERAL FUND	\$0	(\$2,646)
16	FEDERAL EXPENDITURES FUND	\$0	(\$18,429)
17	OTHER SPECIAL REVENUE FUNDS	(\$156,113)	(\$249,322)
18			
19	DEPARTMENT TOTAL - ALL FUNDS	<u>(\$156,113)</u>	<u>(\$270,397)</u>

20 **Sec. A-3. Appropriations and allocations.** The following appropriations and  
 21 allocations are made.

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

24 Initiative: Establishes one part-time Assistant Attorney General position to serve as an  
 25 ombudsman and assist in compliance with the State's freedom of access laws in  
 26 accordance with the Maine Revised Statutes, Title 5, section 200-I.

27	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
28	POSITIONS - LEGISLATIVE COUNT	0.000	0.500
29	Personal Services	\$0	\$36,531
30			
31	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$36,531</u>

32 **Administration - Attorney General 0310**

33 Initiative: Adjusts funding to align allocations with projected available resources  
 34 approved by the Revenue Forecasting Committee on March 1, 2012.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$17,110)	(\$17,110)
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$17,110)</u>	<u>(\$17,110)</u>
5	<b>FHM - Attorney General 0947</b>		
6	Initiative: Provides funding to address an attrition and fringe benefit shortfall.		
7	<b>FUND FOR A HEALTHY MAINE</b>	<b>2011-12</b>	<b>2012-13</b>
8	Personal Services	\$3,992	\$0
9			
10	<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<u>\$3,992</u>	<u>\$0</u>
11	<b>Human Services Division 0696</b>		
12	Initiative: Continues one Secretary Specialist position assigned to the United States Food		
13	and Drug Administration tobacco enforcement program that was originally established by		
14	financial order.		
15	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
16	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
17	Personal Services	\$0	\$68,980
18	All Other	\$0	\$1,984
19			
20	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$70,964</u>
21	<b>Victims' Compensation Board 0711</b>		
22	Initiative: Adjusts funding to align allocations with projected available resources		
23	approved by the Revenue Forecasting Committee on March 1, 2012.		
24	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
25	All Other	(\$25,371)	(\$18,637)
26			
27	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$25,371)</u>	<u>(\$18,637)</u>
28	<b>ATTORNEY GENERAL, DEPARTMENT OF</b>		
29	<b>THE</b>		
30	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
31			
32	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$36,531</b>
33	<b>FUND FOR A HEALTHY MAINE</b>	<b>\$3,992</b>	<b>\$0</b>
34	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$42,481)</b>	<b>\$35,217</b>
35			
36	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>(\$38,489)</b></u>	<u><b>\$71,748</b></u>

1           **Sec. A-4. Appropriations and allocations.** The following appropriations and  
 2 allocations are made.

3           **CHARTER SCHOOL COMMISSION, STATE**

4           **State Charter School Commission Z137**

5 Initiative: Provides funding to reimburse the State Charter School Commission members  
 6 for travel expenses. The cost of this change is offset with savings from General Fund  
 7 accounts in the Department of Education.

8	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
9	All Other	\$10,000	\$20,000
10			
11	<b>GENERAL FUND TOTAL</b>	<u>\$10,000</u>	<u>\$20,000</u>

12           **State Charter School Commission Z137**

13 Initiative: Provides funding to cover costs for overseeing public charter schools.

14	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
15	All Other	\$0	\$500
16			
17	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$500</u>

18           **CHARTER SCHOOL COMMISSION, STATE**  
 19           **DEPARTMENT TOTALS**

20		<b>2011-12</b>	<b>2012-13</b>
21	<b>GENERAL FUND</b>	<b>\$10,000</b>	<b>\$20,000</b>
22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$500</b>
23			
24	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$10,000</b></u>	<u><b>\$20,500</b></u>

25           **Sec. A-5. Appropriations and allocations.** The following appropriations and  
 26 allocations are made.

27           **COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE**

28           **Maine Community College System - Board of Trustees 0556**

29 Initiative: Adjusts funding to align allocations with projected available resources  
 30 approved by the Revenue Forecasting Committee on March 1, 2012.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$2,507)	(\$9,615)
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$2,507)</u>	<u>(\$9,615)</u>

5 **Maine Community College System - Board of Trustees 0556**

6 Initiative: Reduces funding to align allocations with projected available resources  
7 approved by the Revenue Forecasting Committee on December 1, 2011.

8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
9	All Other	(\$11,603)	\$0
10			
11	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$11,603)</u>	<u>\$0</u>

12 **COMMUNITY COLLEGE SYSTEM, BOARD OF**  
13 **TRUSTEES OF THE MAINE**  
14 **DEPARTMENT TOTALS**

15		<b>2011-12</b>	<b>2012-13</b>
16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$14,110)</b>	<b>(\$9,615)</b>
17			
18	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>(\$14,110)</b></u>	<u><b>(\$9,615)</b></u>

19 **Sec. A-6. Appropriations and allocations.** The following appropriations and  
20 allocations are made.

21 **CONSERVATION, DEPARTMENT OF**

22 **Floodplain Management N140**

23 Initiative: Transfers one Planner II position and 2 Senior Planner positions and All Other  
24 funds for general operations and technical assistance from the Planning Office program in  
25 the Executive Department to the Floodplain Management program in the Department of  
26 Conservation to support floodplain management.

27			
28	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
29	Personal Services	\$0	\$41,250
30	All Other	\$0	\$10,000
31			
32	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$51,250</u>

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	3.000
3	Personal Services	\$0	\$184,532
4	All Other	\$0	\$64,472
5			
6	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$249,004</u>

7			
8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
9	All Other	\$0	\$500
10			
11	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$500</u>

12 **Geological Survey 0237**

13 Initiative: Transfers one Public Service Manager II position, one Public Service  
 14 Coordinator I position, 2 Senior Planner positions, one Secretary Associate position and  
 15 one Business Manager I position from the Planning Office program in the Executive  
 16 Department to the Geological Survey program and Office of the Commissioner program  
 17 in the Department of Conservation.

18			
19	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
20	POSITIONS - LEGISLATIVE COUNT	0.000	5.000
21	Personal Services	\$0	\$355,941
22	All Other	\$0	\$1,006,242
23			
24	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$1,362,183</u>

25			
26	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
27	All Other	\$0	\$500
28			
29	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$500</u>

30 **Natural Areas Program 0821**

31 Initiative: Transfers one Public Service Manager I position from the Planning Office  
 32 program in the Executive Department to the Office of the Commissioner program in the  
 33 Department of Conservation and 3 Senior Planner positions and related All Other from  
 34 the Planning Office program in the Executive Department to the Natural Areas Program  
 35 in the Department of Conservation.

36			
37	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
38	All Other	\$0	\$183,516
39			
40	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$183,516</u>

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<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	3.000
Personal Services	\$0	\$228,315
All Other	\$0	\$291,901
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$520,216</b>

**Natural Areas Program 0821**

Initiative: Transfers one Senior Planner position from the Land for Maine's Future Fund program in the Executive Department and 2 Senior Planner positions from the Planning Office program in the Executive Department to the Natural Areas Program in the Department of Conservation. Also transfers related All Other to the Natural Areas Program.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$145,755
All Other	\$0	\$13,462
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$159,217</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$71,185
All Other	\$0	\$5,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$76,185</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$49,707
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$49,707</b>

**Office of the Commissioner 0222**

Initiative: Transfers one Public Service Manager I position from the Planning Office program in the Executive Department to the Office of the Commissioner program in the Department of Conservation and 3 Senior Planner positions and related All Other from the Planning Office program in the Executive Department to the Natural Areas Program in the Department of Conservation.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
3	Personal Services	\$0	\$87,508
4			
5	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$87,508</b>

6 **Office of the Commissioner 0222**

7 Initiative: Transfers one Public Service Manager II position, one Public Service  
 8 Coordinator I position, 2 Senior Planner positions, one Secretary Associate position and  
 9 one Business Manager I position from the Planning Office program in the Executive  
 10 Department to the Geological Survey program and the Office of the Commissioner  
 11 program in the Department of Conservation. Also transfers All Other funding for the  
 12 Maine Coastal Program function from the Planning Office program in the Executive  
 13 Department to the Geological Survey program and the Office of Commissioner program  
 14 in the Department of Conservation.

15			
16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
17	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
18	Personal Services	\$0	\$65,861
19	All Other	\$0	\$244,820
20			
21	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$310,681</b>

22			
23	<b>CONSERVATION, DEPARTMENT OF</b>		
24	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
25			
26	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$393,983</b>
27	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$2,207,588</b>
28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$448,896</b>
29			
30	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$3,050,467</b>

31 **Sec. A-7. Appropriations and allocations.** The following appropriations and  
 32 allocations are made.

33 **CORRECTIONS, DEPARTMENT OF**

34 **Administration - Corrections 0141**

35 Initiative: Reduces funding on a one-time basis for contracted housing and professional  
 36 contracts.

37

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$250,000)	\$0
3			
4	GENERAL FUND TOTAL	<u>(\$250,000)</u>	<u>\$0</u>

5 **Adult Community Corrections 0124**

6 Initiative: Reduces funding on a one-time basis for vehicle rentals, general operations and  
 7 contracted crisis intervention services.

8			
9	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
10	All Other	(\$138,000)	\$0
11			
12	GENERAL FUND TOTAL	<u>(\$138,000)</u>	<u>\$0</u>

13 **Correctional Center 0162**

14 Initiative: Eliminates 6 medical positions from the State Prison program, 3 medical  
 15 positions from the Mountain View Youth Development Center program, 6 medical  
 16 positions from the Long Creek Youth Development Center program and one Clinical  
 17 Social Worker position from the Correctional Center program effective in fiscal year  
 18 2012-13 and transfers savings to All Other in the Correctional Medical Services Fund  
 19 program. Details of the eliminated positions are on file with the Bureau of the Budget.

20			
21	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
23	Personal Services	\$0	(\$93,293)
24			
25	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$93,293)</u>

26 **Correctional Medical Services Fund 0286**

27 Initiative: Eliminates one Correctional LPN position, one Public Service Manager III  
 28 position, one Nurse II position, one Nurse III position and 2 Clinical Social Worker  
 29 positions from the State Prison program and one Psychiatric Social Worker II position  
 30 effective in fiscal year 2011-12 and one Nurse III position effective in fiscal year 2012-13  
 31 from the Long Creek Youth Development Center program and transfers the savings to All  
 32 Other in the Correctional Medical Services Fund program.

33			
34	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
35	All Other	\$545,234	\$671,692
36			
37	GENERAL FUND TOTAL	<u>\$545,234</u>	<u>\$671,692</u>

38 **Correctional Medical Services Fund 0286**

1 Initiative: Eliminates 6 medical positions from the State Prison program, 3 medical  
 2 positions from the Mountain View Youth Development Center program, 6 medical  
 3 positions from the Long Creek Youth Development Center program and one Clinical  
 4 Social Worker position from the Correctional Center program effective in fiscal year  
 5 2012-13 and transfers savings to All Other in the Correctional Medical Services Fund  
 6 program. Details of the eliminated positions are on file with the Bureau of the Budget.

7

8	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
9	All Other	\$0	\$1,512,321
10			
11	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$1,512,321</u>

12 **Juvenile Community Corrections 0892**

13 Initiative: Reduces funding on a one-time basis for minor equipment purchases, for social  
 14 aid for juveniles in the community and for contracted services that were initiated later  
 15 than anticipated.

16

17	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
18	All Other	(\$112,000)	\$0
19			
20	<b>GENERAL FUND TOTAL</b>	<u>(\$112,000)</u>	<u>\$0</u>

21 **Long Creek Youth Development Center 0163**

22 Initiative: Eliminates one Correctional LPN position, one Public Service Manager III  
 23 position, one Nurse II position, one Nurse III position and 2 Clinical Social Worker  
 24 positions from the State Prison program and one Psychiatric Social Worker II position  
 25 effective in fiscal year 2011-12 and one Nurse III position effective in fiscal year 2012-13  
 26 from the Long Creek Youth Development Center program and transfers the savings to All  
 27 Other in the Correctional Medical Services Fund program.

28

29	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
30	POSITIONS - LEGISLATIVE COUNT	(1.000)	(2.000)
31	Personal Services	(\$63,539)	(\$148,314)
32			
33	<b>GENERAL FUND TOTAL</b>	<u>(\$63,539)</u>	<u>(\$148,314)</u>

34 **Long Creek Youth Development Center 0163**

35 Initiative: Eliminates 6 medical positions in the State Prison program, 3 medical positions  
 36 in the Mountain View Youth Development Center program and 6 medical positions in the  
 37 Long Creek Youth Development Center program and transfers savings to All Other in the  
 38 Correctional Medical Services Fund program. Details of the eliminated positions are on  
 39 file with the Bureau of the Budget.

40

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	(6.000)
3	Personal Services	\$0	(\$579,697)
4			
5	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$579,697)</u>

6 **Mountain View Youth Development Center 0857**

7 Initiative: Eliminates 6 medical positions in the State Prison program, 3 medical positions  
 8 in the Mountain View Youth Development Center program and 6 medical positions in the  
 9 Long Creek Youth Development Center program and transfers savings to All Other in the  
 10 Correctional Medical Services Fund program. Details of the eliminated positions are on  
 11 file with the Bureau of the Budget.

12			
13	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
15	Personal Services	\$0	(\$365,966)
16			
17	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$365,966)</u>

18 **State Prison 0144**

19 Initiative: Eliminates one Correctional LPN position, one Public Service Manager III  
 20 position, one Nurse II position, one Nurse III position and 2 Clinical Social Worker  
 21 positions from the State Prison program and one Psychiatric Social Worker II position  
 22 effective in fiscal year 2011-12 and one Nurse III position effective in fiscal year 2012-13  
 23 from the Long Creek Youth Development Center program and transfers the savings to All  
 24 Other in the Correctional Medical Services Fund program.

25			
26	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27	POSITIONS - LEGISLATIVE COUNT	(6.000)	(6.000)
28	Personal Services	(\$481,695)	(\$523,378)
29			
30	GENERAL FUND TOTAL	<u>(\$481,695)</u>	<u>(\$523,378)</u>

31 **State Prison 0144**

32 Initiative: Eliminates 6 medical positions in the State Prison program, 3 medical positions  
 33 in the Mountain View Youth Development Center program and 6 medical positions in the  
 34 Long Creek Youth Development Center program and transfers savings to All Other in the  
 35 Correctional Medical Services Fund program. Details of the eliminated positions are on  
 36 file with the Bureau of the Budget.

37

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	(6.000)
3	Personal Services	\$0	(\$473,365)
4			
5	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$473,365)</u>

6			
7	<b>CORRECTIONS, DEPARTMENT OF</b>		
8	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
9			
10	GENERAL FUND	(\$500,000)	\$0
11			
12	DEPARTMENT TOTAL - ALL FUNDS	<u>(\$500,000)</u>	<u>\$0</u>

13        **Sec. A-8. Appropriations and allocations.** The following appropriations and  
 14 allocations are made.

15        **CORRECTIONS, STATE BOARD OF**

16        **State Board of Corrections Investment Fund Z087**

17 Initiative: Continues one Public Service Executive I position created by Financial Order  
 18 006420F1 and reduces All Other to fund the position.

19			
20	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
21	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
22	Personal Services	\$0	\$93,864
23	All Other	\$0	(\$93,864)
24			
25	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>

26        **State Board of Corrections Investment Fund Z087**

27 Initiative: Adjusts funding to align allocations with projected available resources  
 28 approved by the Revenue Forecasting Committee on March 1, 2012.

29			
30	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
31	All Other	(\$135,000)	(\$135,000)
32			
33	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$135,000)</u>	<u>(\$135,000)</u>

34        **State Board of Corrections Investment Fund Z087**

35 Initiative: Adjusts funding to align allocations with projected available resources  
 36 approved by the Revenue Forecasting Committee on December 1, 2011.

37

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$48,000)	(\$48,000)
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$48,000)</u>	<u>(\$48,000)</u>

5			
6	<b>CORRECTIONS, STATE BOARD OF</b>		
7	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
8			
9	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$183,000)</b>	<b>(\$183,000)</b>
10			
11	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>(\$183,000)</b></u>	<u><b>(\$183,000)</b></u>

12       **Sec. A-9. Appropriations and allocations.** The following appropriations and  
 13 allocations are made.

14 **DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT**  
 15 **OF**

16 **Disaster Assistance 0841**

17 Initiative: Provides funding for the State's share of disaster assistance for previously  
 18 declared disasters: Aroostook April and May Flood 2008, February and March Floods  
 19 2010, December Rains Flood 2010 and Tropical Storm Irene 2011.

20			
21	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	All Other	\$700,000	\$0
23			
24	<b>GENERAL FUND TOTAL</b>	<u>\$700,000</u>	<u>\$0</u>

25 **Military Training and Operations 0108**

26 Initiative: Continues one Maintenance Mechanic position created by Financial Order  
 27 006400F1 and continued through Financial Order 000219F2.

28			
29	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
30	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
31	Personal Services	\$0	\$60,300
32			
33	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$60,300</u>

34 **Military Training and Operations 0108**

35 Initiative: Transfers funding from the All Other line category to the Personal Services line  
 36 category to fund additional use of active duty personnel.

37

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$0	\$28,000
3	All Other	\$0	(\$28,000)
4			
5	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>
6	<b>Military Training and Operations 0108</b>		
7	Initiative: Establishes one Teacher, BS position.		
8			
9	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
10	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
11	Personal Services	\$28,164	\$91,200
12			
13	FEDERAL EXPENDITURES FUND TOTAL	<u>\$28,164</u>	<u>\$91,200</u>
14	<b>Military Training and Operations 0108</b>		
15	Initiative: Establishes one Teacher Aide position.		
16			
17	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
18	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
19	Personal Services	\$13,758	\$55,378
20			
21	FEDERAL EXPENDITURES FUND TOTAL	<u>\$13,758</u>	<u>\$55,378</u>
22	<b>Military Training and Operations 0108</b>		
23	Initiative: Establishes one Maintenance Mechanic position funded 25% General Fund and		
24	75% Federal Expenditures Fund. The General Fund cost in fiscal year 2011-12 will be		
25	funded through salary and benefits savings in the department.		
26			
27	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
28	Personal Services	\$0	\$15,476
29			
30	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$15,476</u>
31			
32	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
33	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
34	Personal Services	\$11,542	\$46,437
35			
36	FEDERAL EXPENDITURES FUND TOTAL	<u>\$11,542</u>	<u>\$46,437</u>
37	<b>Veterans Services 0110</b>		

1 Initiative: Provides funding for leased space in Machias.

2

3	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
4	All Other	\$0	\$6,600
5			
6	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$6,600</u>

7 **Veterans Services 0110**

8 Initiative: Provides funding for the approved reclassification of one Office Assistant II  
 9 position to an Office Associate II position. Funding for fiscal year 2011-12 will be  
 10 through salary and benefits savings in the department.

11

12	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
13	Personal Services	\$0	\$2,412
14			
15	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,412</u>

16

17 **DEFENSE, VETERANS AND EMERGENCY**  
 18 **MANAGEMENT, DEPARTMENT OF**  
 19 **DEPARTMENT TOTALS**

20		<b>2011-12</b>	<b>2012-13</b>
21	GENERAL FUND	\$700,000	\$24,488
22	FEDERAL EXPENDITURES FUND	\$53,464	\$253,315
23	OTHER SPECIAL REVENUE FUNDS	\$0	\$0
24			
25	DEPARTMENT TOTAL - ALL FUNDS	<u>\$753,464</u>	<u>\$277,803</u>

26 **Sec. A-10. Appropriations and allocations.** The following appropriations and  
 27 allocations are made.

28 **DIRIGO HEALTH**

29 **Dirigo Health Fund 0988**

30 Initiative: Provides funding for a federal grant anticipated to support continued progress  
 31 toward the planning and establishment of a state health insurance exchange.

32

33	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
34	All Other	\$5,877,676	\$0
35			
36	FEDERAL EXPENDITURES FUND TOTAL	<u>\$5,877,676</u>	<u>\$0</u>

37 **Sec. A-11. Appropriations and allocations.** The following appropriations and  
 38 allocations are made.

1 **ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**  
 2 **Business Development 0585**

3 Initiative: Reallocates the cost of one Development Project Officer position from 50%  
 4 Business Development program, General Fund and 50% Community Development Block  
 5 Grant Program, General Fund to 100% Business Development program, General Fund to  
 6 recognize the duties assigned to this position.

7

8	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
9	Personal Services	\$0	\$37,415
10			
11	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$37,415</u>

12 **Community Development Block Grant Program 0587**

13 Initiative: Reallocates the cost of one Development Project Officer position from 50%  
 14 Business Development program, General Fund and 50% Community Development Block  
 15 Grant Program, General Fund to 100% Business Development program, General Fund to  
 16 recognize the duties assigned to this position.

17

18	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
19	Personal Services	\$0	(\$37,415)
20			
21	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$37,415)</u>

22 **Community Development Block Grant Program 0587**

23 Initiative: Transfers one Public Service Coordinator I position and related All Other  
 24 funding to oversee the operation of state-owned landfills from the Planning Office  
 25 program in the Executive Department to the Community Development Block Grant  
 26 Program in the Department of Economic and Community Development.

27

28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
29	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
30	Personal Services	\$0	\$87,691
31	All Other	\$0	\$81,215
32			
33	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$168,906</u>

34 **Community Development Block Grant Program 0587**

35 Initiative: Transfers one Planner II position and All Other funds for general operation  
 36 from the Maine Code Enforcement Training and Certification Fund program in the  
 37 Executive Department to the Community Development Block Grant Program in the  
 38 Department of Economic and Community Development.

39

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
3	Personal Services	\$0	\$61,210
4	All Other	\$0	\$41,256
5			
6	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$102,466</b>

7 **Office of Tourism 0577**

8 Initiative: Reorganizes one Public Service Manager II position to a Public Service  
 9 Coordinator II position and reduces All Other to fund the reorganization.

10

11	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
12	Personal Services	\$891	\$3,566
13	All Other	(\$891)	(\$3,566)
14			
15	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

16

17 **ECONOMIC AND COMMUNITY**  
 18 **DEVELOPMENT, DEPARTMENT OF**  
 19 **DEPARTMENT TOTALS**

20		<b>2011-12</b>	<b>2012-13</b>
21	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$271,372</b>
23			
24	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$271,372</b>

25 **Sec. A-12. Appropriations and allocations.** The following appropriations and  
 26 allocations are made.

27 **EDUCATION, DEPARTMENT OF**

28 **Child Development Services 0449**

29 Initiative: Transfers funding from the General Purpose Aid for Local Schools program to  
 30 the Child Development Services program in order to provide services to children from  
 31 birth to 5 years of age.

32

33	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
34	All Other	\$3,500,000	\$4,500,000
35			
36	<b>GENERAL FUND TOTAL</b>	<b>\$3,500,000</b>	<b>\$4,500,000</b>

37 **General Purpose Aid for Local Schools 0308**

1 Initiative: Transfers the head count for one Director of Planning and Management  
 2 Information position from the General Purpose Aid for Local Schools program to the  
 3 Leadership Team program in order to reflect the position in the appropriate account.

4			
5	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
6	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
7			
8	GENERAL FUND TOTAL	\$0	\$0

9 **General Purpose Aid for Local Schools 0308**

10 Initiative: Transfers funding from the General Purpose Aid for Local Schools program to  
 11 the Child Development Services program in order to provide services to children from  
 12 birth to 5 years of age.

13			
14	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
15	All Other	(\$3,500,000)	(\$4,500,000)
16			
17	GENERAL FUND TOTAL	(\$3,500,000)	(\$4,500,000)

18 **Leadership Team Z077**

19 Initiative: Reallocates 5% of the cost of one Public Service Manager II position and  
 20 related All Other funding from the Leadership Team program to the PK-20, Adult  
 21 Education and Federal Programs Team program to complete the reorganization included  
 22 in Public Law 2011, chapter 380.

23			
24	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
25	Personal Services	\$0	(\$5,109)
26	All Other	\$0	(\$675,110)
27			
28	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$680,219)

29 **Leadership Team Z077**

30 Initiative: Transfers the head count for one Director of Planning and Management  
 31 Information position from the General Purpose Aid for Local Schools program to the  
 32 Leadership Team program in order to reflect the position in the appropriate account.

33			
34	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
35	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
36			
37	GENERAL FUND TOTAL	\$0	\$0

38 **Leadership Team Z077**

1 Initiative: Transfers one Regional Education Representative position from the PK-20,  
 2 Adult Education and Federal Programs Team program to the Leadership Team program  
 3 in order to reflect the position in the appropriate program.

4

5	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
6	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
7	Personal Services	\$95,013	\$95,045
8			
9	GENERAL FUND TOTAL	<u>\$95,013</u>	<u>\$95,045</u>

10 **Maine Community Services Z134**

11 Initiative: Transfers one Public Service Manager I position, 3 Senior Planner positions  
 12 and one Planning and Research Associate I position from the Planning Office program in  
 13 the Executive Department to the Maine Community Services program in the Department  
 14 of Education.

15

16	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	POSITIONS - LEGISLATIVE COUNT	0.000	5.000
18	Personal Services	\$0	\$327,549
19	All Other	\$0	\$976,963
20			
21	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$1,304,512</u>

22

23	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
24	All Other	\$0	\$100,000
25			
26	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$100,000</u>

27 **PK-20, Adult Education and Federal Programs Team Z081**

28 Initiative: Eliminates funding in the Learning Connections account in the PK-20, Adult  
 29 Education and Federal Programs Team program. The department no longer receives  
 30 funding from the learn and serve America school-based and community-based program  
 31 grant.

32

33	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
34	All Other	(\$425,289)	(\$425,289)
35			
36	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$425,289)</u>	<u>(\$425,289)</u>

37 **PK-20, Adult Education and Federal Programs Team Z081**

38 Initiative: Reallocates 5% of the cost of one Public Service Manager II position and  
 39 related All Other funding from the Leadership Team program to the PK-20, Adult

1 Education and Federal Programs Team program to complete the reorganization included  
 2 in Public Law 2011, chapter 380.

3

4	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	Personal Services	\$0	\$5,109
6	All Other	\$0	\$675,110
7			
8	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$680,219

9 **PK-20, Adult Education and Federal Programs Team Z081**

10 Initiative: Provides funding for the purpose of assisting homeless youth to attend school  
 11 through the federal McKinney-Vento Homeless Assistance Act grant.

12

13	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	All Other	\$0	\$32,792
15			
16	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$32,792

17 **PK-20, Adult Education and Federal Programs Team Z081**

18 Initiative: Transfers one Regional Education Representative position from the PK-20,  
 19 Adult Education and Federal Programs Team program to the Leadership Team program  
 20 in order to reflect the position in the appropriate program.

21

22	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
23	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
24	Personal Services	(\$95,013)	(\$95,045)
25			
26	GENERAL FUND TOTAL	(\$95,013)	(\$95,045)

27 **PK-20, Adult Education and Federal Programs Team Z081**

28 Initiative: Reallocates the cost of one Education Specialist III position from 75% Federal  
 29 Expenditures Fund and 25% PK-20 Adult Education and Federal Programs Team  
 30 program - General Fund to 85% PK-20 Adult Education and Federal Programs Team  
 31 program - General Fund. Further reallocates 75% of one Education Specialist III position  
 32 from PK-20 Adult Education and Federal Programs Team program - General Fund to the  
 33 Federal Expenditures Fund.

34

35	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
36	Personal Services	(\$2,194)	(\$2,196)
37			
38	GENERAL FUND TOTAL	(\$2,194)	(\$2,196)

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<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$2,194	\$2,196
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$2,194</u>	<u>\$2,196</u>

**School Finance and Operations Z078**

Initiative: Provides funding to match available federal funds in the National School Lunch Program under 7 Code of Federal Regulations, Part 210 (2007).

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$20,046
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$20,046</u>

**School Finance and Operations Z078**

Initiative: Establishes one Education Specialist II position in the School Nutrition program and associated All Other. The new position is 100% federally funded and performs duties associated with the federal nutrition program and reporting responsibilities.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$83,914
All Other	\$0	\$7,727
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$91,641</u>

<b>EDUCATION, DEPARTMENT OF</b>		
<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
<b>GENERAL FUND</b>	<b>(\$2,194)</b>	<b>\$17,850</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>(\$423,095)</b>	<b>\$1,005,852</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$100,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>(\$425,289)</b></u>	<u><b>\$1,123,702</b></u>

**Sec. A-13. Appropriations and allocations.** The following appropriations and allocations are made.

**EFFICIENCY MAINE TRUST**

**Efficiency Maine Trust Z100**

1 Initiative: Eliminates one Public Service Coordinator II position and one Public Service  
 2 Coordinator III position no longer needed since those Efficiency Maine Trust employees  
 3 who had elected to remain state employees in accordance with Public Law 2009, chapter  
 4 372, Part C have retired. Also adjusts Personal Services allocation to ensure funds are  
 5 available to meet remaining payroll obligations for fiscal year 2011-12. Transfers the  
 6 Personal Services savings to All Other.

7

8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
9	POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
10	Personal Services	(\$107,696)	(\$180,749)
11	All Other	\$107,696	\$180,749
12			
13	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$0</u>

14 **Efficiency Maine Trust Z100**

15 Initiative: Provides funding to bring the All Other allocation up to the level of anticipated  
 16 transfers and revenues.

17

18	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
19	All Other	\$28,786	\$38,263
20			
21	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$28,786</u>	<u>\$38,263</u>

22 **Efficiency Maine Trust Z100**

23 Initiative: Provides funding for an increase on a one-time basis for alternative compliance  
 24 mechanism payments in fiscal year 2011-12.

25

26	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
27	All Other	\$12,537	\$0
28			
29	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$12,537</u>	<u>\$0</u>

30 **Efficiency Maine Trust Z100**

31 Initiative: Adjusts funding to fund a transfer of one Economic Analyst position from the  
 32 Public Advocate program in the Executive Department to the Governor's Energy Office  
 33 program in the Executive Department.

34

35	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
36	All Other	\$0	(\$124,613)
37			
38	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$124,613)</u>

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<b>EFFICIENCY MAINE TRUST</b>		
<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$41,323</b>	<b>(\$86,350)</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$41,323</b>	<b>(\$86,350)</b>

**Sec. A-14. Appropriations and allocations.** The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Administration - Environmental Protection 0251**

Initiative: Reorganizes one Office Specialist I position to an Office Specialist II position and transfers the position from the Remediation and Waste Management program, Other Special Revenue Funds to the Administration - Environmental Protection program, Other Special Revenue Funds. Reduces All Other to fund the position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$63,394	\$65,731
All Other	(\$63,394)	(\$65,731)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Performance Partnership Grant 0851**

Initiative: Provides funding for the reclassification of one Environmental Technician position to a Geology Technician II position and reduces All Other to fund the reclassification.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$294	\$1,255
All Other	(\$294)	(\$1,255)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Remediation and Waste Management 0247**

Initiative: Reorganizes one Office Specialist I position to an Office Specialist II position and transfers the position from the Remediation and Waste Management program, Other Special Revenue Funds to the Administration - Environmental Protection program, Other Special Revenue Funds. Reduces All Other to fund the position.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
3	Personal Services	(\$60,078)	(\$62,244)
4	All Other	(\$1,697)	(\$1,758)
5			
6	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$61,775)</b>	<b>(\$64,002)</b>

7 **Remediation and Waste Management 0247**

8 Initiative: Transfers funding for All Other costs from the Planning Office program in the  
 9 Executive Department to the Remediation and Waste Management program in the  
 10 Department of Environmental Protection for general operations and technical assistance  
 11 to support recycling and waste management functions.

12			
13	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
14	All Other	\$0	\$671,729
15			
16	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$671,729</b>

17			
18	<b>ENVIRONMENTAL PROTECTION,</b>		
19	<b>DEPARTMENT OF</b>		
20	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
21			
22	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>
23	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$61,775)</b>	<b>\$607,727</b>
24			
25	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$61,775)</b>	<b>\$607,727</b>

26 **Sec. A-15. Appropriations and allocations.** The following appropriations and  
 27 allocations are made.

28 **EXECUTIVE DEPARTMENT**

29 **Floodplain Mapping Fund Z116**

30 Initiative: Transfers one Planner II position and 2 Senior Planner positions and All Other  
 31 funds for general operations and technical assistance from the Planning Office program in  
 32 the Executive Department to the Floodplain Management program in the Department of  
 33 Conservation to support floodplain management.

34			
35	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
36	All Other	\$0	(\$500)
37			
38	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$500)</b>

39 **Governor's Energy Office Z122**

1 Initiative: Transfers one Senior Planner position and transfers and reallocates the cost of  
 2 one Senior Planner position from 60% General Fund and 40% Federal Expenditures Fund  
 3 to 100% Federal Expenditures Fund from the Planning Office program to the Governor's  
 4 Energy Office program.

5

6	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
7	POSITIONS - LEGISLATIVE COUNT	0.000	2.000
8	Personal Services	\$0	\$138,482
9	All Other	\$0	\$1,644,074
10			
11	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$1,782,556

12

13	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
14	All Other	\$0	\$100,000
15			
16	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$100,000

17 **Governor's Energy Office Z122**

18 Initiative: Transfers one Economic Analyst position from the Public Advocate program to  
 19 the Governor's Energy Office program and reorganizes the position to a Governor's  
 20 Special Assistant position.

21

22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
23	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
24	Personal Services	\$0	\$124,613
25			
26	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$124,613

27 **Land for Maine's Future Fund 0060**

28 Initiative: Transfers one Senior Planner position from the Land for Maine's Future Fund  
 29 program and 2 Senior Planner positions from the Planning Office program in the  
 30 Executive Department to the Natural Areas Program in the Department of Conservation.  
 31 Also transfers related All Other to the Natural Areas Program in the Department of  
 32 Conservation.

33

34	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
35	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
36	Personal Services	\$0	(\$72,650)
37	All Other	\$0	(\$4,962)
38			
39	GENERAL FUND TOTAL	\$0	(\$77,612)

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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$49,707)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$49,707)</u>

**Maine Code Enforcement Training and Certification Fund Z093**

Initiative: Transfers one Planner II position and All Other funds for general operations from the Maine Code Enforcement Training and Certification Fund program in the Executive Department to the Department of Conservation. Further eliminates one vacant Planner II position in the Maine Code Enforcement Training and Certification Fund program in the Executive Department.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
Personal Services	\$0	(\$127,041)
All Other	\$0	(\$8,922)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$135,963)</u>

**Office of Policy and Management Z135**

Initiative: Establishes one Director, Governor's Office of Policy and Management position in fiscal year 2011-12, transfers one Public Service Executive II position and one Economist position and transfers General Fund savings in Personal Services and All Other from the Planning Office program reorganization in the Executive Department to establish the new oversight agency, the Governor's Office of Policy and Management.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	1.000	3.000
Personal Services	\$21,696	\$559,834
All Other	\$5,000	\$113,641
<b>GENERAL FUND TOTAL</b>	<u>\$26,696</u>	<u>\$673,475</u>

**Planning Office 0082**

Initiative: Eliminates one Director, State Planning Office position, 3 Public Service Executive I positions and one Secretary Associate position in the Planning Office program. Additionally, transfers one Public Service Executive II position and one Economist position from the Planning Office program to the new oversight agency, the Governor's Office of Policy and Management. Further transfers General Fund savings in the elimination of positions and programs to establish the new oversight agency, the Governor's Office of Policy and Management.

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<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(7.000)
Personal Services	(\$21,696)	(\$615,801)
All Other	(\$5,000)	(\$113,641)
<b>GENERAL FUND TOTAL</b>	<u>(\$26,696)</u>	<u>(\$729,442)</u>

**Planning Office 0082**

Initiative: Transfers one Senior Planner position and transfers and reallocates the cost of one Senior Planner position from 60% General Fund, 40% Federal Expenditures Fund to 100% Federal Expenditures Fund from the Planning Office program to the Governor's Energy Office program.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$44,033)
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$44,033)</u>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$94,449)
All Other	\$0	(\$1,688,107)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$1,782,556)</u>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$100,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$100,000)</u>

**Planning Office 0082**

Initiative: Eliminates one Senior Planner position and 2 Planner II positions in the Planning Office program in the Executive Department and transfers one Public Service Coordinator I position from the Planning Office program in the Executive Department to the Community Development Block Grant Program in the Department of Economic and Community Development. Further transfers All Other funds for general operations and technical assistance to the Remediation and Waste Management program in the Department of Environmental Protection and the Community Development Block Grant Program in the Department of Economic and Community Development to support recycling and waste management functions and landfill oversight, respectively.

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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(4.000)
Personal Services	\$0	(\$315,254)
All Other	\$0	(\$361,616)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$676,870)</b>

**Planning Office 0082**

Initiative: Transfers one Public Service Manager I position, 3 Senior Planner positions and one Planning and Research Associate I position from the Planning Office program in the Executive Department to the Maine Community Services program in the Department of Education.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$40,000)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$40,000)</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(5.000)
Personal Services	\$0	(\$331,669)
All Other	\$0	(\$972,843)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$1,304,512)</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$100,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$100,000)</b>

**Planning Office 0082**

Initiative: Transfers one Planner II position and All Other funds for general operations from the Maine Code Enforcement Training and Certification Fund program in the Executive Department to the Department of Conservation. Further eliminates one vacant Planner II position in the Maine Code Enforcement Training and Certification Fund program in the Executive Department.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$0	(\$72,466)
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$72,466)</u>

5 **Planning Office 0082**

6 Initiative: Transfers one Planner II position and 2 Senior Planner positions and All Other  
 7 funds for general operations and technical assistance from the Planning Office program in  
 8 the Executive Department to the Floodplain Management program in the Department of  
 9 Conservation to support floodplain management.

10

11	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
12	Personal Services	\$0	(\$40,425)
13	All Other	\$0	(\$10,000)
14			
15	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$50,425)</u>

16

17

18	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
19	POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
20	Personal Services	\$0	(\$181,394)
21	All Other	\$0	(\$64,472)
22			
23	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$245,866)</u>

24 **Planning Office 0082**

25 Initiative: Transfers one Public Service Manager I position from the Planning Office  
 26 program in the Executive Department to the Office of the Commissioner program in the  
 27 Department of Conservation and 3 Senior Planner positions and related All Other from  
 28 the Planning Office program in the Executive Department to the Natural Areas Program  
 29 in the Department of Conservation.

30

31	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
33	Personal Services	\$0	(\$88,906)
34	All Other	\$0	(\$183,516)
35			
36	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$272,422)</u>

37

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
3	Personal Services	\$0	(\$230,217)
4	All Other	\$0	(\$283,218)
5			
6	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$513,435)

7 **Planning Office 0082**

8 Initiative: Transfers one Senior Planner position from the Land for Maine's Future Fund  
 9 program and 2 Senior Planner positions from the Planning Office program in the  
 10 Executive Department to the Natural Areas Program in the Department of Conservation.  
 11 Also transfers related All Other to the Natural Areas Program in the Department of  
 12 Conservation.

13			
14	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
15	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
16	Personal Services	\$0	(\$74,373)
17	All Other	\$0	(\$8,500)
18			
19	GENERAL FUND TOTAL	\$0	(\$82,873)

20			
21	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
23	Personal Services	\$0	(\$71,819)
24	All Other	\$0	(\$2,790)
25			
26	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$74,609)

27 **Planning Office 0082**

28 Initiative: Transfers one Public Service Manager II position, one Public Service  
 29 Coordinator I position, 2 Senior Planner positions, one Secretary Associate position and  
 30 one Business Manager I position from the Planning Office program in the Executive  
 31 Department to the Geological Survey program and the Office of the Commissioner  
 32 program in the Department of Conservation. Further transfers All Other funding for the  
 33 Maine Coastal program function from the Planning Office program in the Executive  
 34 Department to the Geological Survey program and the Office of the Commissioner  
 35 program in the Department of Conservation.

36

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	(5.000)
3	Personal Services	\$0	(\$359,111)
4	All Other	\$0	(\$598,646)
5			
6	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>(\$957,757)</u>

7			
8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
9	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
10	Personal Services	\$0	(\$66,495)
11	All Other	\$0	(\$170,176)
12			
13	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$236,671)</u>

14 **Planning Office 0082**

15 Initiative: Eliminates one vacant Senior Planner position, one Secretary Specialist  
 16 position and one vacant Development Program Manager position. Also eliminates  
 17 Planning Office program All Other funds.

18			
19	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
20	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
21	Personal Services	\$0	(\$79,725)
22			
23	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>(\$79,725)</u>

24			
25	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
26	POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
27	Personal Services	\$0	(\$146,808)
28	All Other	\$0	(\$838,299)
29			
30	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$985,107)</u>

31 **Public Advocate 0410**

32 Initiative: Transfers one Economic Analyst position from the Public Advocate program to  
 33 the Governor's Energy Office program and reorganizes it to a Governor's Special  
 34 Assistant position.

35			
36	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
37	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
38	Personal Services	\$0	(\$124,613)
39			
40	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$124,613)</u>

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<b>EXECUTIVE DEPARTMENT</b>		
<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
<b>GENERAL FUND</b>	\$0	(\$623,332)
<b>FEDERAL EXPENDITURES FUND</b>	\$0	(\$3,175,904)
<b>OTHER SPECIAL REVENUE FUNDS</b>	\$0	(\$2,257,284)
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>(\$6,056,520)</u>

**Sec. A-16. Appropriations and allocations.** The following appropriations and allocations are made.

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

**Developmental Services - Community 0122**

Initiative: Provides funding for contracted dental services through a transfer of resources from the Dorothea Dix Psychiatric Center program.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$500,000
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$500,000</u>

**Developmental Services Waiver - Supports Z006**

Initiative: Adjusts funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on March 1, 2012.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$26,792)	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$26,792)</u>	<u>\$0</u>

**Developmental Services Waiver - Supports Z006**

Initiative: Adjusts funding to reflect allocations for MaineCare matching funds in the correct account.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$139,230)	(\$184,225)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>(\$139,230)</u>	<u>(\$184,225)</u>

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

1 Initiative: Eliminates 91 positions effective May 1, 2012, eliminates outpatient  
 2 medication management services, transfers funding for contracted dental services to the  
 3 Developmental Services - Community program, reduces capacity, restructures Dorothea  
 4 Dix Psychiatric Center expenses to achieve \$2,500,000 in General Fund savings  
 5 identified in Public Law 2011, chapter 380, Part A and offsets the deappropriation  
 6 included in that law. Position detail is on file in the Bureau of the Budget.

7

8	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
9	Personal Services	(\$332,335)	(\$2,017,523)
10	Unallocated	\$0	\$2,500,000
11			
12	<b>GENERAL FUND TOTAL</b>	<u>(\$332,335)</u>	<u>\$482,477</u>

13 **Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

14 Initiative: Adjusts funding to reflect correct reimbursements to Riverview Psychiatric  
 15 Center and Dorothea Dix Psychiatric Center from MaineCare and to ensure that sufficient  
 16 resources are available to provide the appropriate level of General Fund match.

17

18	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
19	All Other	\$0	\$156,701
20			
21	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$156,701</u>

22 **Disproportionate Share - Riverview Psychiatric Center 0733**

23 Initiative: Transfers positions and adjusts funding based on the correct allocation of  
 24 positions.

25

26	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27	Personal Services	\$0	(\$35,406)
28			
29	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$35,406)</u>

30 **Disproportionate Share - Riverview Psychiatric Center 0733**

31 Initiative: Adjusts funding to reflect correct reimbursements to Riverview Psychiatric  
 32 Center and Dorothea Dix Psychiatric Center from MaineCare and to ensure that sufficient  
 33 resources are available to provide the appropriate level of General Fund match.

34

35	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
36	All Other	\$0	\$325,844
37			
38	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$325,844</u>

1 **Dorothea Dix Psychiatric Center 0120**

2 Initiative: Eliminates 91 positions effective May 1, 2012, eliminates outpatient  
 3 medication management services, transfers funding for contracted dental services to the  
 4 Developmental Services - Community program, reduces capacity, restructures Dorothea  
 5 Dix Psychiatric Center expenses to achieve \$2,500,000 in General Fund savings  
 6 identified in Public Law 2011, chapter 380, Part A and offsets the deappropriation  
 7 included in that law. Position detail is on file in the Bureau of the Budget.

8

9	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
10	All Other	\$150,000	(\$694,811)
11			
12	<b>GENERAL FUND TOTAL</b>	<u>\$150,000</u>	<u>(\$694,811)</u>

13

14	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
15	POSITIONS - LEGISLATIVE COUNT	(88,500)	(88,500)
16	POSITIONS - FTE COUNT	(0.240)	(0.240)
17	Personal Services	(\$312,947)	(\$3,475,927)
18	All Other	(\$2,600)	(\$945,282)
19			
20	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$315,547)</u>	<u>(\$4,421,209)</u>

21 **Dorothea Dix Psychiatric Center 0120**

22 Initiative: Adjusts funding to reflect correct reimbursements to Dorothea Dix Psychiatric  
 23 Center from Medicare and other 3rd-party payers and to ensure that sufficient resources  
 24 are available to provide the appropriate level of General Fund match.

25

26	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27	All Other	\$0	\$900,000
28			
29	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$900,000</u>

30

31	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
32	All Other	\$0	(\$900,000)
33			
34	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$900,000)</u>

35 **Dorothea Dix Psychiatric Center 0120**

36 Initiative: Adjusts funding to reflect correct reimbursements to Riverview Psychiatric  
 37 Center and Dorothea Dix Psychiatric Center from MaineCare and to ensure that sufficient  
 38 resources are available to provide the appropriate level of General Fund match.

39

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$0	(\$156,701)
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$156,701)</u>

5 **Forensic Services Z123**

6 Initiative: Transfers funding from the Office of Management and Budget program to the  
 7 Forensic Services program in the General Fund and provides funding for the Forensic  
 8 Services program in the Other Special Revenue Funds.

9			
10	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
11	All Other	\$0	\$70,914
12			
13	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$70,914</u>

14			
15	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
16	All Other	\$0	\$17,172
17			
18	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$17,172</u>

19 **Medicaid Services - Developmental Services 0705**

20 Initiative: Reduces funding to align allocations with projected available resources  
 21 approved by the Revenue Forecasting Committee on December 1, 2011.

22			
23	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
24	All Other	(\$192,266)	\$0
25			
26	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$192,266)</u>	<u>\$0</u>

27 **Medicaid Services - Developmental Services 0705**

28 Initiative: Adjusts funding to align allocations with projected available resources  
 29 approved by the Revenue Forecasting Committee on March 1, 2012.

30			
31	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
32	All Other	\$188,216	\$0
33			
34	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$188,216</u>	<u>\$0</u>

35 **Medicaid Services - Developmental Services 0705**

36 Initiative: Adjusts funding to reflect allocations for MaineCare matching funds in the  
 37 correct account.

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<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$80,376)	(\$106,948)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>(\$80,376)</u>	<u>(\$106,948)</u>

**Mental Health Services - Community Medicaid 0732**

Initiative: Reduces funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on December 1, 2011.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$268,333)	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$268,333)</u>	<u>\$0</u>

**Mental Health Services - Community Medicaid 0732**

Initiative: Adjusts funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on March 1, 2012.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$6,352	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$6,352</u>	<u>\$0</u>

**Office of Substance Abuse - Medicaid Seed 0844**

Initiative: Reduces funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on December 1, 2011.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$52,628)	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$52,628)</u>	<u>\$0</u>

**Office of Substance Abuse - Medicaid Seed 0844**

Initiative: Adjusts funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on March 1, 2012.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$1,431	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$1,431</u>	<u>\$0</u>

1 **Residential Treatment Facilities Assessment 0978**

2 Initiative: Reduces funding to align allocations with projected available resources  
3 approved by the Revenue Forecasting Committee on December 1, 2011.

4

5	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
6	All Other	\$204,998	\$0
7			
8	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$204,998</u>	<u>\$0</u>

9 **Residential Treatment Facilities Assessment 0978**

10 Initiative: Adjusts funding to align allocations with projected available resources  
11 approved by the Revenue Forecasting Committee on March 1, 2012.

12

13	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
14	All Other	(\$38,644)	\$0
15			
16	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$38,644)</u>	<u>\$0</u>

17 **Riverview Psychiatric Center 0105**

18 Initiative: Transfers positions and adjusts funding based on the correct allocation of  
19 positions.

20

21	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	Personal Services	\$0	\$102,468
23			
24	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$102,468</u>

25

26	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
27	Personal Services	\$0	(\$67,062)
28			
29	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$67,062)</u>

30 **Riverview Psychiatric Center 0105**

31 Initiative: Adjusts funding to reflect correct reimbursements to Riverview Psychiatric  
32 Center and Dorothea Dix Psychiatric Center from MaineCare and to ensure that sufficient  
33 resources are available to provide the appropriate level of General Fund match.

34

35	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
36	All Other	\$0	(\$325,844)
37			
38	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$325,844)</u>

1			
2	<b>HEALTH AND HUMAN SERVICES,</b>		
3	<b>DEPARTMENT OF (FORMERLY BDS)</b>		
4	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
5			
6	<b>GENERAL FUND</b>	<b>(\$182,335)</b>	<b>\$1,808,187</b>
7	<b>FEDERAL EXPENDITURES FUND</b>	<b>(\$219,606)</b>	<b>(\$291,173)</b>
8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$493,213)</b>	<b>(\$5,853,644)</b>
9			
10	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$895,154)</b>	<b>(\$4,336,630)</b>

11 **Sec. A-17. Appropriations and allocations.** The following appropriations and  
 12 allocations are made.

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

14 **Bureau of Family Independence - Regional 0453**

15 Initiative: Reallocates 50% of the cost of 15 limited-period Customer Service  
 16 Representative Associate II positions from the Federal Expenditures Fund in the Bureau  
 17 of Medical Services program to the Other Special Revenue Funds in the Bureau of  
 18 Family Independence - Regional program.

19			
20	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
21	Personal Services	\$0	\$305,431
22	All Other	\$0	\$41,453
23			
24	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$346,884</b>

25 **Bureau of Family Independence - Regional 0453**

26 Initiative: Transfers one Customer Representative Associate II - Human Services position  
 27 and related All Other from 50% General Fund and 50% Other Special Revenue Funds in  
 28 the Bureau of Family Independence - Regional program to 50% General Fund and 50%  
 29 Other Special Revenue Funds in the Office for Family Independence program.

30			
31	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	Personal Services	\$0	(\$20,845)
33	All Other	\$0	(\$1,803)
34			
35	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$22,648)</b>

36

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	(1,000)
3	Personal Services	\$0	(\$20,846)
4	All Other	\$0	(\$1,803)
5			
6	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$22,649)</b>

7 **Bureau of Medical Services 0129**

8 Initiative: Transfers funding for consulting services from the Bureau of Medical Services  
 9 program to the Division of Licensing and Regulatory Services program.

10

11	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
12	All Other	\$0	(\$114,312)
13			
14	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$114,312)</b>

15 **Bureau of Medical Services 0129**

16 Initiative: Reallocates 50% of the cost of 2 Auditor II positions and related All Other  
 17 funding from the Bureau of Medical Services program, Federal Expenditures Fund to the  
 18 Office of Management and Budget program, Other Special Revenue Funds.

19

20	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	Personal Services	\$0	(\$66,388)
22	All Other	\$0	(\$3,903)
23			
24	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$70,291)</b>

25 **Bureau of Medical Services 0129**

26 Initiative: Reallocates 50% of the cost of 15 limited-period Customer Service  
 27 Representative Associate II positions from the Federal Expenditures Fund in the Bureau  
 28 of Medical Services program to the Other Special Revenue Funds in the Bureau of  
 29 Family Independence - Regional program.

30

31	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	Personal Services	\$0	(\$305,431)
33	All Other	\$0	(\$41,453)
34			
35	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$346,884)</b>

36 **Bureau of Medical Services 0129**

37 Initiative: Reallocates 12.5% of the cost of one Social Services Program Specialist I  
 38 position from the Federal Expenditures Fund in the Bureau of Medical Services program

1 to the General Fund in the Office of Elder Services Central Office program and reduces  
 2 All Other to fund the reallocation.

3

4	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	Personal Services	(\$7,177)	(\$7,463)
6			
7	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$7,177)</u>	<u>(\$7,463)</u>

8 **Bureau of Medical Services 0129**

9 Initiative: Provides funding to allow staff time spent on the State Children's Health  
 10 Insurance Program to be charged to the appropriate funding source.

11

12	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
13	Personal Services	\$0	\$200,000
14			
15	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>\$200,000</u>

16 **Bureau of Medical Services 0129**

17 Initiative: Transfers funding for translation and interpretation services from the Medical  
 18 Care - Payment to Providers program to the Bureau of Medical Services program.

19

20	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	All Other	\$0	\$213,000
22			
23	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$213,000</u>

24

25	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
26	All Other	\$0	\$639,000
27			
28	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$639,000</u>

29 **Bureau of Medical Services 0129**

30 Initiative: Transfers funding for the patient-centered medical home incentive payment  
 31 program from the Medical Care - Payment to Providers program to the Bureau of Medical  
 32 Services program.

33

34	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
35	All Other	\$611,797	\$646,920
36			
37	GENERAL FUND TOTAL	<u>\$611,797</u>	<u>\$646,920</u>

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<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$1,059,780	\$1,114,365
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$1,059,780</u>	<u>\$1,114,365</u>

**Bureau of Medical Services 0129**

Initiative: Transfers one Office Assistant II position funded 50% General Fund and 50% Federal Expenditures Fund from the Bureau of Medical Services program to the Office for Family Independence program, funded 50% General Fund and 50% Other Special Revenue Funds and adjusts All Other for related overhead costs.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	(\$27,209)
All Other	\$0	(\$870)
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$28,079)</u>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$27,213)
All Other	\$0	(\$1,646)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$28,859)</u>

**Dental Disease Prevention 0486**

Initiative: Transfers one Health Program Manager position and one Public Health Educator III position from the Federal Block Grant Fund in the Dental Disease Prevention program to the Federal Expenditures Fund in the Health - Bureau of program.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
Personal Services	\$0	(\$152,791)
All Other	\$0	(\$7,085)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<u>\$0</u>	<u>(\$159,876)</u>

**Division of Data, Research and Vital Statistics Z037**

Initiative: Transfers one Planning and Research Assistant position and related All Other from the Health - Bureau of program to the Division of Data, Research and Vital Statistics program.

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
3	Personal Services	\$0	\$51,335
4	All Other	\$0	\$4,028
5			
6	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$55,363</b>

7 **Division of Data, Research and Vital Statistics Z037**

8 Initiative: Continues one limited-period Planning and Research Associate I position  
 9 originally established by financial order with an end date of June 15, 2013 and provides  
 10 related All Other funding.

11			
12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
13	Personal Services	\$0	\$62,436
14	All Other	\$0	\$1,725
15			
16	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$64,161</b>

17 **Division of Licensing and Regulatory Services Z036**

18 Initiative: Transfers funding for consulting services from the Bureau of Medical Services  
 19 program to the Division of Licensing and Regulatory Services program.

20			
21	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	All Other	\$0	\$114,312
23			
24	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$114,312</b>

25 **Division of Licensing and Regulatory Services Z036**

26 Initiative: Provides funding for a new grant award for the statewide program for national  
 27 and state background checks for direct patient access employees of long-term care  
 28 facilities and providers.

29			
30	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	All Other	\$0	\$625,000
32			
33	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$625,000</b>

34 **Division of Licensing and Regulatory Services Z036**

35 Initiative: Provides funding for travel and general operations.

36

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$382,710	\$765,420
3			
4	GENERAL FUND TOTAL	<u>\$382,710</u>	<u>\$765,420</u>

5 **Division of Purchased Services Z035**

6 Initiative: Transfers one Procurement Contract Specialist position and related All Other  
 7 from 100% General Fund in the Health - Bureau of program to 66% General Fund and  
 8 34% Other Special Revenue Funds in the Division of Purchased Services program.

9			
10	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
11	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
12	Personal Services	\$0	\$36,367
13	All Other	\$0	\$1,444
14			
15	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$37,811</u>

16			
17	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
18	Personal Services	\$0	\$18,732
19	All Other	\$0	\$746
20			
21	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$19,478</u>

22 **Drinking Water Enforcement 0728**

23 Initiative: Transfers one Environmental Specialist III position and one Assistant  
 24 Environmental Engineer position and related All Other from the Other Special Revenue  
 25 Funds in the Drinking Water Enforcement program to the Federal Expenditures Fund in  
 26 the Health - Bureau of program.

27			
28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
29	POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
30	Personal Services	\$0	(\$140,649)
31	All Other	\$0	(\$8,498)
32			
33	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$149,147)</u>

34 **FHM - Bureau of Health 0953**

35 Initiative: Reduces funding through salary and benefit savings.

36

1	<b>FUND FOR A HEALTHY MAINE</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	(\$154,000)	(\$48,000)
3			
4	<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>(\$154,000)</b>	<b>(\$48,000)</b>

5 **Food Supplement Administration Z019**

6 Initiative: Transfers funding for the Supplemental Nutrition Assistant Program nutrition  
 7 education grant from the Health - Bureau of program to the Food Supplement  
 8 Administration program.

9			
10	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
11	All Other	\$0	\$4,557,844
12			
13	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$4,557,844</b>

14 **Food Supplement Administration Z019**

15 Initiative: Continues one limited-period Family Independence Unit Supervisor position  
 16 originally established by Financial Order 00674 F12. This position will end September  
 17 30, 2013.

18			
19	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
20	Personal Services	\$0	\$69,396
21	All Other	\$0	\$2,740
22			
23	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$72,136</b>

24 **General Assistance - Reimbursement to Cities and Towns 0130**

25 Initiative: Provides funding for general assistance benefits.

26			
27	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
28	All Other	\$3,991,196	\$4,297,699
29			
30	<b>GENERAL FUND TOTAL</b>	<b>\$3,991,196</b>	<b>\$4,297,699</b>

31 **General Assistance - Reimbursement to Cities and Towns 0130**

32 Initiative: Provides funding in the General Assistance - Reimbursement to Cities and  
 33 Towns program to bring allocations into line with anticipated resources.

34			
35	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
36	All Other	\$0	\$449,846
37			
38	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$449,846</b>

1           **General Assistance - Reimbursement to Cities and Towns 0130**

2 Initiative: Allocates funds for 7 limited-period Family Independence Specialist positions  
 3 in the general assistance program and for other costs of the pilot program to maximize  
 4 and expedite the award of federal Supplemental Security Income program benefits for  
 5 recipients of general assistance and to identify and assist veterans who receive assistance  
 6 through programs administered by the Office for Family Independence who may be  
 7 eligible for federal Department of Veterans Affairs cash or medical assistance to access  
 8 those benefits. These positions are established through June 15, 2014. This initiative is  
 9 estimated to generate \$1,057,903 in 2012-13 in additional dedicated revenue for the  
 10 general assistance program. Any dedicated revenue in addition to this estimated level  
 11 must be used to offset the savings target of the general assistance working group  
 12 established in this Act.

13

14	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
15	Personal Services	\$0	\$469,104
16	All Other	\$0	\$976,874
17			
18	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$1,445,978</u>

19           **Health - Bureau of 0143**

20 Initiative: Transfers one Procurement Contract Specialist position and related All Other  
 21 from 100% General Fund in the Health - Bureau of program to 66% General Fund and  
 22 34% Other Special Revenue Funds in the Division of Purchased Services program.

23

24	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
25	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
26	Personal Services	\$0	(\$55,099)
27	All Other	\$0	(\$2,188)
28			
29	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$57,287)</u>

30           **Health - Bureau of 0143**

31 Initiative: Transfers funding for the Supplemental Nutrition Assistant Program nutrition  
 32 education grant from the Health - Bureau of program to the Food Supplement  
 33 Administration program.

34

35	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
36	All Other	\$0	(\$4,557,844)
37			
38	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$4,557,844)</u>

39           **Health - Bureau of 0143**

1 Initiative: Transfers one Planning and Research Assistant position and related All Other  
 2 from the Health - Bureau of program to the Division of Data, Research and Vital  
 3 Statistics program.

4

5	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
6	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
7	Personal Services	\$0	(\$51,335)
8	All Other	\$0	(\$4,028)
9		<hr/>	<hr/>
10	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$55,363)

11 **Health - Bureau of 0143**

12 Initiative: Transfers one Public Health Nurse Consultant position and related All Other  
 13 from the Federal Block Grant Fund in the Tuberculosis Control Program to the Federal  
 14 Expenditures Fund in the Health - Bureau of program.

15

16	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
18	Personal Services	\$0	\$89,769
19	All Other	\$0	\$4,029
20		<hr/>	<hr/>
21	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$93,798

22 **Health - Bureau of 0143**

23 Initiative: Transfers one Environmental Specialist III position and one Assistant  
 24 Environmental Engineer position and related All Other from the Other Special Revenue  
 25 Funds in the Drinking Water Enforcement program to the Federal Expenditures Fund in  
 26 the Health - Bureau of program.

27

28	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
29	POSITIONS - LEGISLATIVE COUNT	0.000	2.000
30	Personal Services	\$0	\$140,649
31	All Other	\$0	\$11,966
32		<hr/>	<hr/>
33	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$152,615

34 **Health - Bureau of 0143**

35 Initiative: Transfers one Health Program Manager position and one Public Health  
 36 Educator III position from the Federal Block Grant Fund in the Dental Disease  
 37 Prevention program to the Federal Expenditures Fund in the Health - Bureau of program.

38

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	2.000
3	Personal Services	\$0	\$152,791
4	All Other	\$0	\$8,056
5			
6	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$160,847</u>

7 **Health - Bureau of 0143**

8 Initiative: Transfers one Epidemiologist position and related All Other from the Federal  
 9 Block Grant Fund to the Federal Expenditures Fund and reallocates 50% of its cost from  
 10 the Federal Block Grant Fund to the Federal Expenditures Fund in the Health - Bureau of  
 11 program.

13	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
15	Personal Services	\$0	\$37,561
16	All Other	\$0	\$2,015
17			
18	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$39,576</u>

19			
20	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
22	Personal Services	\$0	(\$37,561)
23	All Other	\$0	(\$1,692)
24			
25	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>(\$39,253)</u>

26 **Health - Bureau of 0143**

27 Initiative: Transfers one Senior Health Program Manager position from 100% Federal  
 28 Block Grant Fund in the Risk Reduction program to 100% Federal Expenditures Fund in  
 29 the Health - Bureau of program and adjusts related All Other funding.

30			
31	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
33	Personal Services	\$0	\$90,478
34	All Other	\$0	\$6,538
35			
36	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$97,016</u>

37 **Health - Bureau of 0143**

38 Initiative: Transfers one Office Associate II position and related All Other from the  
 39 Federal Block Grant Fund in the Tuberculosis Control Program to the Federal  
 40 Expenditures Fund in the Health - Bureau of program and reallocates 55% of the cost

1 from the Federal Block Grant Fund in the Tuberculosis Control Program to the Federal  
 2 Expenditures Fund in the Health - Bureau of program.

3

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
4 POSITIONS - LEGISLATIVE COUNT	0.000	1.000
5 Personal Services	\$0	\$29,274
6 All Other	\$0	\$2,215
7		
8		
9 FEDERAL EXPENDITURES FUND TOTAL	\$0	\$31,489

10 **Health - Bureau of 0143**

11 Initiative: Reallocates 50% of the cost of one Planning and Research Associate I position  
 12 and related All Other from the Federal Expenditures Fund to the Other Special Revenue  
 13 Funds in the Health - Bureau of program.

14

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
15 Personal Services	\$0	(\$30,316)
16 All Other	\$0	(\$1,095)
17		
18		
19 FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$31,411)

20

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
21 Personal Services	\$0	\$30,316
22 All Other	\$0	\$2,015
23		
24		
25 OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$32,331

26 **Health - Bureau of 0143**

27 Initiative: Transfers one Comprehensive Health Planner II position and related All Other  
 28 from the Federal Block Grant Fund in the Risk Reduction program to the Federal  
 29 Expenditures Fund in the Health - Bureau of program and reallocates the cost from 100%  
 30 Federal Block Grant Fund in the Risk Reduction program to 65% Federal Expenditures  
 31 Fund and 35% Other Special Revenue Funds in the Health - Bureau of program.

32

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
33 POSITIONS - LEGISLATIVE COUNT	0.000	1.000
34 Personal Services	\$0	\$49,072
35 All Other	\$0	\$2,619
36		
37		
38 FEDERAL EXPENDITURES FUND TOTAL	\$0	\$51,691

39

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$0	\$26,425
3	All Other	\$0	\$1,410
4			
5	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$27,835</u>

6			
7	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
8	Personal Services	\$0	(\$18,872)
9			
10	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<u>\$0</u>	<u>(\$18,872)</u>

11 **Health - Bureau of 0143**

12 Initiative: Reallocates 10% of the cost of one Office Associate II position and related All  
 13 Other from the Federal Expenditures Fund to the Other Special Revenue Funds in the  
 14 Health - Bureau of program.

15			
16	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	Personal Services	\$0	(\$5,113)
18	All Other	\$0	(\$402)
19			
20	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$5,515)</u>

21			
22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
23	Personal Services	\$0	\$5,113
24	All Other	\$0	\$402
25			
26	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$5,515</u>

27 **Health - Bureau of 0143**

28 Initiative: Transfers one Comprehensive Health Planner II position and related All Other  
 29 from the Federal Block Grant Fund to the Federal Expenditures Fund in the Health -  
 30 Bureau of program and reallocates its costs to 75% Federal Expenditures Fund in the  
 31 Health - Bureau of program and 25% Federal Block Grant Fund in the Maternal and  
 32 Child Health program.

33			
34	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
35	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
36	Personal Services	\$0	\$56,343
37	All Other	\$0	\$3,022
38			
39	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$59,365</u>

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<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$75,121)
All Other	\$0	(\$2,702)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>(\$77,823)</b>

**Health - Bureau of 0143**

Initiative: Reallocates the cost of one Public Health Physician position and related All Other from 20% Federal Expenditures Fund and 80% Other Special Revenue Funds to 60% Federal Expenditures Fund and 40% Other Special Revenue Funds in the same program.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$51,631
All Other	\$0	\$2,418
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$54,049</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	(\$51,631)
All Other	\$0	(\$2,418)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$54,049)</b>

**Health - Bureau of 0143**

Initiative: Transfers one Office Associate I position and related All Other from the Plumbing - Control Over program to the Health - Bureau of program and reallocates 50% of its cost from the Plumbing - Control Over program to the Health - Bureau of program.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$50,843
All Other	\$0	\$2,015
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$52,858</b>

**Health - Bureau of 0143**

Initiative: Reallocates 50% of the cost of one Epidemiologist position and related All Other from Other Special Revenue Funds to the Federal Expenditures Fund in the same program.

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<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$37,692
All Other	\$0	\$2,015
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$39,707</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	(\$37,692)
All Other	\$0	(\$1,853)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$39,545)</b>

**Health - Bureau of 0143**

Initiative: Transfers and reallocates 25% of the cost of one Office Specialist Manager position and related All Other from the Federal Block Grant Fund in the Tuberculosis Control Program to the Federal Expenditures Fund in the Health - Bureau of program.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$16,493
All Other	\$0	\$1,008
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$17,501</b>

**Health - Bureau of 0143**

Initiative: Reallocates 50% of the cost of one Office Associate I position and related All Other from the Federal Expenditures Fund in the Health - Bureau of program to the Federal Block Grant Fund in the Special Children's Services program.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	(\$24,830)
All Other	\$0	(\$2,015)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$26,845)</b>

**Health - Bureau of 0143**

Initiative: Continues one Public Service Manager II position that was originally established by financial order and provides related All Other funding. The new legislative head count is offset by the elimination of one Office Assistant II position in the Federal Block Grant Fund in the same program.

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
3	Personal Services	\$37,396	\$88,149
4	All Other	\$0	\$2,189
5			
6	FEDERAL EXPENDITURES FUND TOTAL	<u>\$37,396</u>	<u>\$90,338</u>

7			
8	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
9	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
10	Personal Services	(\$19,901)	(\$46,919)
11			
12	FEDERAL BLOCK GRANT FUND TOTAL	<u>(\$19,901)</u>	<u>(\$46,919)</u>

13 **Health - Bureau of 0143**

14 Initiative: Continues one Planning and Research Associate II position originally  
 15 established by financial order and provides related All Other funding. The new  
 16 legislative head count is offset by the elimination of one Public Health Educator III  
 17 position in the Federal Expenditures Fund in the same program.

18			
19	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
20	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
21	Personal Services	\$0	\$64,183
22	All Other	\$0	\$2,189
23			
24	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$66,372</u>

25			
26	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
28	Personal Services	\$0	(\$66,392)
29	All Other	\$0	(\$2,189)
30			
31	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>(\$68,581)</u>

32 **Long Term Care - Human Services 0420**

33 Initiative: Transfers funding from the Medical Care - Payment to Providers program to  
 34 the Long Term Care - Human Services program based on the unbundling of rates as  
 35 required by the Maine Integrated Health Management Solution system.

36			
37	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
38	All Other	\$15,517	\$15,517
39			
40	GENERAL FUND TOTAL	<u>\$15,517</u>	<u>\$15,517</u>

1 **Maternal and Child Health 0191**

2 Initiative: Provides funding for new federal grant awards.

3

4	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	All Other	\$0	\$6,373,261
6			
7	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$6,373,261</u>

8 **Maternal and Child Health 0191**

9 Initiative: Transfers one Comprehensive Health Planner II position and related All Other  
 10 from the Federal Block Grant Fund to the Federal Expenditures Fund in the Health -  
 11 Bureau of program and reallocates its costs to 75% Federal Expenditures Fund in the  
 12 Health - Bureau of program and 25% Federal Block Grant Fund in the Maternal and  
 13 Child Health program.

14

15	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
16	Personal Services	\$0	\$18,778
17	All Other	\$0	\$1,008
18			
19	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>\$19,786</u>

20 **Maternal and Child Health 0191**

21 Initiative: Reorganizes one Health Program Manager position to a Public Service  
 22 Manager I position and provides All Other funding for STA-CAP expenses.

23

24	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
25	Personal Services	\$0	\$7,936
26	All Other	\$0	\$100
27			
28	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>\$8,036</u>

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

30 Initiative: Transfers funding for translation and interpretation services from the Medical  
 31 Care - Payment to Providers program to the Bureau of Medical Services program.

32

33	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
34	All Other	\$0	(\$213,000)
35			
36	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$213,000)</u>

37

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$0	(\$639,000)
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>(\$639,000)</u>

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

6 Initiative: Transfers funding for the patient-centered medical home incentive payment  
 7 program from the Medical Care - Payment to Providers program to the Bureau of Medical  
 8 Services program.

9			
10	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
11	All Other	(\$611,797)	(\$646,920)
12			
13	GENERAL FUND TOTAL	<u>(\$611,797)</u>	<u>(\$646,920)</u>

14			
15	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
16	All Other	(\$1,059,780)	(\$1,114,365)
17			
18	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$1,059,780)</u>	<u>(\$1,114,365)</u>

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

20 Initiative: Transfers funding from the Medical Care - Payment to Providers program to  
 21 the Long Term Care - Human Services program based on the unbundling of rates as  
 22 required by the Maine Integrated Health Management Solution system.

23			
24	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
25	All Other	(\$15,517)	(\$15,517)
26			
27	GENERAL FUND TOTAL	<u>(\$15,517)</u>	<u>(\$15,517)</u>

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

29 Initiative: Adjusts funding to align allocations with projected available resources  
 30 approved by the Revenue Forecasting Committee on March 1, 2012.

31			
32	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
33	All Other	(\$290,945)	\$0
34			
35	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$290,945)</u>	<u>\$0</u>

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

1 Initiative: Reduces funding to align allocations with projected available resources  
 2 approved by the Revenue Forecasting Committee on December 1, 2011.

3

4	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
5	All Other	(\$1,214,669)	\$0
6			
7	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$1,214,669)</u>	<u>\$0</u>

8 **Nursing Facilities 0148**

9 Initiative: Adjusts funding to align allocations with projected available resources  
 10 approved by the Revenue Forecasting Committee on March 1, 2012.

11

12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
13	All Other	(\$236,062)	\$0
14			
15	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$236,062)</u>	<u>\$0</u>

16 **Nursing Facilities 0148**

17 Initiative: Reduces funding to align allocations with projected available resources  
 18 approved by the Revenue Forecasting Committee on December 1, 2011.

19

20	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
21	All Other	(\$224,754)	\$0
22			
23	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$224,754)</u>	<u>\$0</u>

24 **Nursing Facilities 0148**

25 Initiative: Adjusts funding to reflect allocations for MaineCare matching funds in the  
 26 correct account.

27

28	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
29	All Other	\$219,606	\$291,173
30			
31	FEDERAL EXPENDITURES FUND TOTAL	<u>\$219,606</u>	<u>\$291,173</u>

32 **Office for Family Independence Z020**

33 Initiative: Transfers one Community Services Manager position and reallocates the cost  
 34 from 50% General Fund and 50% Other Special Revenue Funds in the Office for Family  
 35 Independence program to 60% General Fund and 40% Other Special Revenue Funds in  
 36 the Office of Management and Budget program and adjusts related All Other funding.

37

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	(1,000)
3	Personal Services	\$0	(\$52,610)
4	All Other	\$0	(\$1,851)
5			
6	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$54,461)</u>

7			
8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
9	Personal Services	\$0	(\$52,606)
10	All Other	\$0	(\$1,851)
11			
12	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$54,457)</u>

13 **Office for Family Independence Z020**

14 Initiative: Provides funding for food supplement bonus money.

15			
16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
17	All Other	\$900,000	\$900,000
18			
19	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$900,000</u>	<u>\$900,000</u>

20 **Office for Family Independence Z020**

21 Initiative: Transfers one Customer Representative Associate II - Human Services position  
 22 and related All Other from 50% General Fund and 50% Other Special Revenue Funds in  
 23 the Bureau of Family Independence - Regional program to 50% General Fund and 50%  
 24 Other Special Revenue Funds in the Office for Family Independence program.

25			
26	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27	Personal Services	\$0	\$20,845
28	All Other	\$0	\$1,803
29			
30	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$22,648</u>

31			
32	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
33	POSITIONS - LEGISLATIVE COUNT	0.000	1,000
34	Personal Services	\$0	\$20,846
35	All Other	\$0	\$1,965
36			
37	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$22,811</u>

38 **Office for Family Independence Z020**

1 Initiative: Reallocates the cost of all positions in the OMB Division of Regional Business  
 2 Operations program from 55% General Fund and 45% Other Special Revenue Funds to  
 3 64% General Fund and 36% Other Special Revenue Funds. The position detail is on file  
 4 in the Bureau of the Budget. The additional General Fund Personal Services cost will be  
 5 offset by reducing All Other in the Office for Family Independence program. These  
 6 adjustments to 2 of the department's cost-allocated programs are intended to ensure that  
 7 sufficient funds are available for the required state match for the federally approved cost  
 8 allocation plan for these programs.

9

10	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
11	All Other	\$0	(\$837,692)
12			
13	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$837,692)</u>

14 **Office for Family Independence Z020**

15 Initiative: Transfers one Office Assistant II position funded 50% General Fund and 50%  
 16 Federal Expenditures Fund from the Bureau of Medical Services program to the Office  
 17 for Family Independence program, funded 50% General Fund and 50% Other Special  
 18 Revenue Funds and adjusts All Other for related overhead costs.

19

20	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	Personal Services	\$0	\$27,209
22	All Other	\$0	\$870
23			
24	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$28,079</u>

25

26	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
27	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
28	Personal Services	\$0	\$27,213
29	All Other	\$0	\$1,646
30			
31	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$28,859</u>

32 **Office for Family Independence Z020**

33 Initiative: Continues one limited-period Social Services Program Specialist II position  
 34 originally established by Financial Order 00673 F12. This position ends August 17,  
 35 2013.

36

37	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
38	Personal Services	\$0	\$72,027
39	All Other	\$0	\$2,740

1  
2 FEDERAL EXPENDITURES FUND TOTAL \$0 \$74,767

3 **Office of Elder Services Central Office 0140**

4 Initiative: Continues one limited-period Public Service Coordinator I position originally  
5 established by financial order until March 19, 2016 and provides All Other for a new  
6 grant award from the federal Centers for Medicare and Medicaid Services.

7  
8 **FEDERAL EXPENDITURES FUND** **2011-12** **2012-13**  
9 Personal Services \$0 \$96,030  
10 All Other \$0 \$478,856  
11  
12 FEDERAL EXPENDITURES FUND TOTAL \$0 \$574,886

13 **Office of Elder Services Central Office 0140**

14 Initiative: Reallocates 12.5% of the cost of one Social Services Program Specialist I  
15 position from the Federal Expenditures Fund in the Bureau of Medical Services program  
16 to the General Fund in the Office of Elder Services Central Office program and reduces  
17 All Other to fund the reallocation.

18  
19 **GENERAL FUND** **2011-12** **2012-13**  
20 Personal Services \$7,180 \$7,462  
21 All Other (\$7,180) (\$7,462)  
22  
23 GENERAL FUND TOTAL \$0 \$0

24  
25 **FEDERAL EXPENDITURES FUND** **2011-12** **2012-13**  
26 Personal Services (\$3) \$1  
27  
28 FEDERAL EXPENDITURES FUND TOTAL (\$3) \$1

29 **Office of Elder Services Central Office 0140**

30 Initiative: Continues one limited-period Nursing Education Consultant position originally  
31 established by financial order and provides related All Other funding. This position will  
32 end on September 29, 2013.

33  
34 **FEDERAL EXPENDITURES FUND** **2011-12** **2012-13**  
35 Personal Services \$0 \$81,154  
36 All Other \$0 \$658,000  
37  
38 FEDERAL EXPENDITURES FUND TOTAL \$0 \$739,154

1 **Office of Elder Services Central Office 0140**

2 Initiative: Provides funding to increase the hours of a part-time Legal Services Consultant  
3 position to full time and for related All Other costs.

4

5	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
6	POSITIONS - LEGISLATIVE COUNT	0.000	0.500
7	Personal Services	\$0	\$32,763
8	All Other	\$0	\$1,277
9			
10	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$34,040</u>

11 **Office of Management and Budget 0142**

12 Initiative: Transfers funding from the Office of Management and Budget program to the  
13 Forensic Services program.

14

15	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
16	All Other	\$0	(\$70,914)
17			
18	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$70,914)</u>

19 **Office of Management and Budget 0142**

20 Initiative: Transfers one Community Services Manager position and reallocates the cost  
21 from 50% General Fund and 50% Other Special Revenue Funds in the Office for Family  
22 Independence program to 60% General Fund and 40% Other Special Revenue Funds in  
23 the Office of Management and Budget program and adjusts related All Other funding.

24

25	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
26	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
27	Personal Services	\$0	\$63,130
28	All Other	\$0	\$1,372
29			
30	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$64,502</u>

31

32	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
33	Personal Services	\$0	\$42,086
34	All Other	\$0	\$1,784
35			
36	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$43,870</u>

37 **Office of Management and Budget 0142**

1 Initiative: Reallocates the cost of 3 Public Service Coordinator I positions and one  
 2 Management Analyst II position and related All Other from 60% General Fund and 40%  
 3 Other Special Revenue Funds to 50% General Fund and 50% Other Special Revenue  
 4 Funds in the same program.

5

6	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
7	Personal Services	\$0	(\$33,744)
8	All Other	\$0	(\$875)
9			
10	GENERAL FUND TOTAL	\$0	(\$34,619)

11

12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
13	Personal Services	\$0	\$33,744
14	All Other	\$0	\$875
15			
16	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$34,619

17 **Office of Management and Budget 0142**

18 Initiative: Continues one limited-period Public Service Executive II position originally  
 19 established by financial order and provides related All Other funding to continue the  
 20 work necessary to coordinate statewide health information technology and health  
 21 information exchange policy. This position will end on February 7, 2014.

22

23	<b>FEDERAL EXPENDITURES FUND ARRA</b>	<b>2011-12</b>	<b>2012-13</b>
24	Personal Services	\$0	\$118,879
25	All Other	\$0	\$4,324
26			
27	FEDERAL EXPENDITURES FUND ARRA TOTAL	\$0	\$123,203

28 **Office of Management and Budget 0142**

29 Initiative: Reallocates 50% of the cost of 2 Auditor II positions and related All Other  
 30 funding from the Bureau of Medical Services program, Federal Expenditures Fund to the  
 31 Office of Management and Budget program, Other Special Revenue Funds.

32

33	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
34	Personal Services	\$0	\$66,388
35	All Other	\$0	\$3,903
36			
37	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$70,291

38 **OMB Division of Regional Business Operations 0196**

1 Initiative: Reallocates the cost of all positions in the OMB Division of Regional Business  
 2 Operations program from 55% General Fund and 45% Other Special Revenue Funds to  
 3 64% General Fund and 36% Other Special Revenue Funds. The position detail is on file  
 4 in the Bureau of the Budget. The additional General Fund Personal Services cost will be  
 5 offset by reducing All Other in the Office for Family Independence program. These  
 6 adjustments to 2 of the department's cost-allocated programs are intended to ensure that  
 7 sufficient funds are available for the required state match for the federally approved cost  
 8 allocation plan for these programs.

9

10	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
11	Personal Services	\$0	\$837,692
12			
13	GENERAL FUND TOTAL	\$0	\$837,692

14			
15	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
16	Personal Services	\$0	(\$837,692)
17			
18	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$837,692)

19 **Plumbing - Control Over 0205**

20 Initiative: Transfers one Office Associate I position and related All Other from the  
 21 Plumbing - Control Over program to the Health - Bureau of program and reallocates 50%  
 22 of its cost from the Plumbing - Control Over program to the Health - Bureau of program.

23

24	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
25	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
26	Personal Services	\$0	(\$50,843)
27	All Other	\$0	(\$2,015)
28			
29	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$52,858)

30 **Risk Reduction 0489**

31 Initiative: Transfers one Senior Health Program Manager position from 100% Federal  
 32 Block Grant Fund in the Risk Reduction program to 100% Federal Expenditures Fund in  
 33 the Health - Bureau of program and adjusts related All Other funding.

34

35	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
36	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
37	Personal Services	\$0	(\$90,478)
38	All Other	\$0	(\$3,250)
39			
40	FEDERAL BLOCK GRANT FUND TOTAL	\$0	(\$93,728)

1 **Risk Reduction 0489**

2 Initiative: Transfers one Comprehensive Health Planner II position and related All Other  
 3 from the Federal Block Grant Fund in the Risk Reduction program to the Federal  
 4 Expenditures Fund in the Health - Bureau of program and reallocates the cost from 100%  
 5 Federal Block Grant Fund in the Risk Reduction program to 65% Federal Expenditures  
 6 Fund and 35% Other Special Revenue Funds in the Health - Bureau of program.

7

8 <b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
9 POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
10 Personal Services	\$0	(\$56,625)
11 All Other	\$0	(\$2,927)
12		
13 <b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>(\$59,552)</b>

14 **Special Children's Services 0204**

15 Initiative: Reallocates 50% of the cost of one Office Associate I position and related All  
 16 Other from the Federal Expenditures Fund in the Health - Bureau of program to the  
 17 Federal Block Grant Fund in the Special Children's Services program.

18

19 <b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
20 Personal Services	\$0	\$24,830
21 All Other	\$0	\$2,015
22		
23 <b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$26,845</b>

24 **State-funded Foster Care/Adoption Assistance 0139**

25 Initiative: Provides funding for a new grant award for preventive intervention, foster care  
 26 placement, reunification and adoption assistance. The initiative also reduces funding in  
 27 the Personal Services line category to bring the allocation to zero.

28

29 <b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
30 Personal Services	(\$220)	(\$231)
31 All Other	\$495,620	\$1,176,147
32		
33 <b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$495,400</b>	<b>\$1,175,916</b>

34 **Tuberculosis Control Program 0497**

35 Initiative: Transfers one Public Health Nurse Consultant position and related All Other  
 36 from the Federal Block Grant Fund in the Tuberculosis Control Program to the Federal  
 37 Expenditures Fund in the Health - Bureau of program.

38

1	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	0.000	(1,000)
3	Personal Services	\$0	(\$89,769)
4	All Other	\$0	(\$3,706)
5			
6	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>(\$93,475)</u>

7 **Tuberculosis Control Program 0497**

8 Initiative: Transfers one Office Associate II position and related All Other from the  
 9 Federal Block Grant Fund in the Tuberculosis Control Program to the Federal  
 10 Expenditures Fund in the Health - Bureau of program and reallocates 55% of the cost  
 11 from the Federal Block Grant Fund in the Tuberculosis Control Program to the Federal  
 12 Expenditures Fund in the Health - Bureau of program.

13			
14	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
15	POSITIONS - LEGISLATIVE COUNT	0.000	(1,000)
16	Personal Services	\$0	(\$29,274)
17	All Other	\$0	(\$1,786)
18			
19	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>(\$31,060)</u>

20 **Tuberculosis Control Program 0497**

21 Initiative: Transfers and reallocates 25% of the cost of one Office Specialist Manager  
 22 position and related All Other from the Federal Block Grant Fund in the Tuberculosis  
 23 Control Program to the Federal Expenditures Fund in the Health - Bureau of program.

24			
25	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2011-12</b>	<b>2012-13</b>
26	Personal Services	\$0	(\$16,493)
27	All Other	\$0	(\$777)
28			
29	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>(\$17,270)</u>

30 **Wild Mushroom Harvesting Fund Z128**

31 Initiative: Provides funding for program operations.

32			
33	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
34	All Other	\$0	\$5,780
35			
36	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$5,780</u>

37

1	<b>HEALTH AND HUMAN SERVICES,</b>		
2	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
4			
5	<b>GENERAL FUND</b>	<b>\$4,373,906</b>	<b>\$5,014,523</b>
6	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$745,222</b>	<b>\$10,262,477</b>
7	<b>FUND FOR A HEALTHY MAINE</b>	<b>(\$154,000)</b>	<b>(\$48,000)</b>
8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$1,066,430)</b>	<b>\$2,340,719</b>
9	<b>FEDERAL BLOCK GRANT FUND</b>	<b>(\$19,901)</b>	<b>(\$383,161)</b>
10	<b>FEDERAL EXPENDITURES FUND ARRA</b>	<b>\$0</b>	<b>\$123,203</b>
11			
12	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b><u>\$3,878,797</u></b>	<b><u>\$17,309,761</u></b>

13       **Sec. A-18. Appropriations and allocations.** The following appropriations and  
 14 allocations are made.

15       **INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

16       **Maine Commission on Indigent Legal Services Z112**

17       Initiative: Provides funding for indigent legal services, including attorney fees, private  
 18 investigators and expert witness fees.

19			
20	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	All Other	\$750,000	\$0
22			
23	<b>GENERAL FUND TOTAL</b>	<b><u>\$750,000</u></b>	<b><u>\$0</u></b>

24       **Maine Commission on Indigent Legal Services Z112**

25       Initiative: Adjusts funding to align allocations with projected available resources  
 26 approved by the Revenue Forecasting Committee on March 1, 2012.

27			
28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
29	All Other	\$90,000	\$90,000
30			
31	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b><u>\$90,000</u></b>	<b><u>\$90,000</u></b>

32			
33	<b>INDIGENT LEGAL SERVICES, MAINE</b>		
34	<b>COMMISSION ON</b>		
35	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
36			
37	<b>GENERAL FUND</b>	<b>\$750,000</b>	<b>\$0</b>
38	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$90,000</b>	<b>\$90,000</b>
39			
40	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b><u>\$840,000</u></b>	<b><u>\$90,000</u></b>

1           **Sec. A-19. Appropriations and allocations.** The following appropriations and  
 2 allocations are made.

3           **INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

4           **Enforcement Operations - Inland Fisheries and Wildlife 0537**

5 Initiative: Transfers one Office Associate II position from the Licensing Services - Inland  
 6 Fisheries and Wildlife program to the Enforcement Operations - Inland Fisheries and  
 7 Wildlife program.

8

9 <b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
10           POSITIONS - LEGISLATIVE COUNT	0.000	1.000
11           Personal Services	\$0	\$53,657
12		
13           GENERAL FUND TOTAL	\$0	\$53,657

14           **Fisheries and Hatcheries Operations 0535**

15 Initiative: Reorganizes 2 seasonal Fish Culturist positions to 2 full-time Fish Culturist  
 16 positions and reallocates the cost from 100% General Fund to 50% General Fund and  
 17 50% Federal Expenditures Fund in the same program.

18

19 <b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
20           POSITIONS - LEGISLATIVE COUNT	0.000	2.000
21           POSITIONS - FTE COUNT	0.000	(1.154)
22           Personal Services	\$0	(\$7,492)
23		
24           GENERAL FUND TOTAL	\$0	(\$7,492)

25

26 <b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27           Personal Services	\$0	\$48,963
28		
29           FEDERAL EXPENDITURES FUND TOTAL	\$0	\$48,963

30           **Fisheries and Hatcheries Operations 0535**

31 Initiative: Reorganizes one Biologist III position to a Biologist II position and reallocates  
 32 the cost from 70% Federal Expenditures Fund and 30% General Fund to 35% Federal  
 33 Expenditures Fund and 15% General Fund in the Resource Management Services - Inland  
 34 Fisheries and Wildlife program and 35% Federal Expenditures Fund and 15% General  
 35 Fund in the Fisheries and Hatcheries Operations program. Reorganizes one Biologist III  
 36 position to a Biologist II position and reallocates the cost from 100% General Fund to  
 37 15% General Fund and 35% Federal Expenditures Fund in the Resource Management

1 Services - Inland Fisheries and Wildlife program and 35% Federal Expenditures Fund  
 2 and 15% General Fund in the Fisheries and Hatcheries Operations program.

3

4	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
6	Personal Services	\$0	\$51,343
7			
8	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$51,343

9 **Fisheries and Hatcheries Operations 0535**

10 Initiative: Reorganizes one Public Service Manager II position to a Biologist II position  
 11 and reallocates the cost from 65% Federal Expenditures Fund and 35% General Fund to  
 12 35% Federal Expenditures Fund and 15% General Fund in the Fisheries and Hatcheries  
 13 program and 35% Federal Expenditures Fund and 15% General Fund in the Resource  
 14 Management Services - Inland Fisheries and Wildlife program.

15

16	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
18			
19	GENERAL FUND TOTAL	\$0	\$0

20

21	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
23	Personal Services	\$0	(\$39,845)
24			
25	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$39,845)

26 **Licensing Services - Inland Fisheries and Wildlife 0531**

27 Initiative: Transfers one Office Associate II position from the Licensing Services - Inland  
 28 Fisheries and Wildlife program to the Enforcement Operations - Inland Fisheries and  
 29 Wildlife program.

30

31	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
33	Personal Services	\$0	(\$53,657)
34			
35	GENERAL FUND TOTAL	\$0	(\$53,657)

36 **Office of the Commissioner - Inland Fisheries and Wildlife 0529**

37 Initiative: Establishes one Public Service Coordinator II position in the Office of the  
 38 Commissioner - Inland Fisheries and Wildlife program to serve as an assistant to the  
 39 commissioner. Eliminates one Public Service Coordinator I position in the Public

1 Information and Education, Division of program that was established in Public Law 2011,  
 2 chapter 380 to deal with landowner relations.

3

4	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
5	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
6	Personal Services	\$0	\$86,606
7			
8	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$86,606

9 **Public Information and Education, Division of 0729**

10 Initiative: Establishes one Public Service Coordinator II position in the Office of the  
 11 Commissioner - Inland Fisheries and Wildlife program to serve as an assistant to the  
 12 commissioner. Eliminates one Public Service Coordinator I position in the Public  
 13 Information and Education, Division of program that was established in Public Law 2011,  
 14 chapter 380 to deal with landowner relations.

15

16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
17	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
18			
19	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

20 **Resource Management Services - Inland Fisheries and Wildlife 0534**

21 Initiative: Reorganizes one Biologist III position to a Biologist II position and reallocates  
 22 the cost from 70% Federal Expenditures Fund and 30% General Fund to 35% Federal  
 23 Expenditures Fund and 15% General Fund in the Resource Management Services - Inland  
 24 Fisheries and Wildlife program and 35% Federal Expenditures Fund and 15% General  
 25 Fund in the Fisheries and Hatcheries Operations program. Reorganizes one Biologist III  
 26 position to a Biologist II position and reallocates the cost from 100% General Fund to  
 27 15% General Fund and 35% Federal Expenditures Fund in the Resource Management  
 28 Services - Inland Fisheries and Wildlife program and 35% Federal Expenditures Fund  
 29 and 15% General Fund in the Fisheries and Hatcheries Operations program.

30

31	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
33			
34	GENERAL FUND TOTAL	\$0	\$0

35

36	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
37	Personal Services	\$0	(\$15,388)
38			
39	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$15,388)

1 **Resource Management Services - Inland Fisheries and Wildlife 0534**

2 Initiative: Reorganizes one Office Associate I position to a Biologist I position and  
 3 reallocates the cost from 60% General Fund and 40% Federal Expenditures Fund to  
 4 49.5% General Fund and 50.5% Federal Expenditures Fund in the same program.

5

6	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
7	Personal Services	\$0	\$10,740
8			
9	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$10,740</b>

10 **Resource Management Services - Inland Fisheries and Wildlife 0534**

11 Initiative: Reorganizes one Public Service Manager II position to a Biologist II position  
 12 and reallocates the cost from 65% Federal Expenditures Fund and 35% General Fund to  
 13 35% Federal Expenditures Fund and 15% General Fund in the Fisheries and Hatcheries  
 14 program and 35% Federal Expenditures Fund and 15% General Fund in the Resource  
 15 Management Services - Inland Fisheries and Wildlife program.

16

17	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
18	Personal Services	\$0	\$24,647
19			
20	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$24,647</b>

21

22	<b>INLAND FISHERIES AND WILDLIFE,</b>		
23	<b>DEPARTMENT OF</b>		
24	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
25			
26	<b>GENERAL FUND</b>	<b>\$0</b>	<b>(\$7,492)</b>
27	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$80,460</b>
28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$86,606</b>
29			
30	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$159,574</b>

31 **Sec. A-20. Appropriations and allocations.** The following appropriations and  
 32 allocations are made.

33 **JUDICIAL DEPARTMENT**

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

35 Initiative: Provides funding for the increase in contracted court security to provide entry  
 36 screening in the courthouses.

37

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$0	\$638,312
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$638,312</u>
5	<b>Courts - Supreme, Superior and District 0063</b>		
6	Initiative: Adjusts funding to align allocations with projected available resources		
7	approved by the Revenue Forecasting Committee on March 1, 2012.		
8			
9	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
10	All Other	(\$143,991)	(\$165,321)
11		<u>                    </u>	<u>                    </u>
12	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$143,991)	(\$165,321)
13	<b>Courts - Supreme, Superior and District 0063</b>		
14	Initiative: Adjusts funding to align allocations with projected available resources		
15	approved by the Revenue Forecasting Committee on December 1, 2011.		
16			
17	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
18	All Other	(\$63,900)	(\$63,900)
19		<u>                    </u>	<u>                    </u>
20	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$63,900)	(\$63,900)
21	<b>Courts - Supreme, Superior and District 0063</b>		
22	Initiative: Adjusts funding to align allocations with projected available resources.		
23			
24	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
25	All Other	(\$186,500)	(\$186,500)
26		<u>                    </u>	<u>                    </u>
27	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$186,500)	(\$186,500)
28			
29	<b>JUDICIAL DEPARTMENT</b>		
30	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
31			
32	GENERAL FUND	\$0	\$638,312
33	OTHER SPECIAL REVENUE FUNDS	(\$394,391)	(\$415,721)
34		<u>                    </u>	<u>                    </u>
35	DEPARTMENT TOTAL - ALL FUNDS	(\$394,391)	\$222,591

1           **Sec. A-21. Appropriations and allocations.** The following appropriations and  
 2 allocations are made.

3           **LABOR, DEPARTMENT OF**

4           **Administration - Bureau of Labor Standards 0158**

5 Initiative: Decreases funding to bring allocations in line with dedicated revenues and  
 6 transfers.

7

8	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
9	All Other	\$0	(\$185)
10			
11	FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$185)

12           **Administration - Bureau of Labor Standards 0158**

13 Initiative: Reduces funding to bring expenditures in line with anticipated federal grant  
 14 awards.

15

16	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	All Other	(\$210,581)	(\$210,581)
18			
19	FEDERAL EXPENDITURES FUND TOTAL	(\$210,581)	(\$210,581)

20           **Administration - Bureau of Labor Standards 0158**

21 Initiative: Transfers and reallocates the cost of 2 Statistician II positions from 100% in the  
 22 Administration - Bureau Labor Standards program, Federal Expenditures Fund to 55% in  
 23 the Safety Education and Training Programs program, Other Special Revenue Funds and  
 24 45% in the Administration - Bureau Labor Standards program, Federal Expenditures  
 25 Fund. Also, reallocates 15% of the cost of one Planning and Research Associate II  
 26 position and 45% of the cost of one Statistician III position from the Safety Education  
 27 and Training Programs program, Other Special Revenue Funds to the Administration -  
 28 Bureau Labor Standards program, Federal Expenditures Fund.

29

30	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
32	Personal Services	(\$23,046)	(\$24,599)
33			
34	FEDERAL EXPENDITURES FUND TOTAL	(\$23,046)	(\$24,599)

35           **Administration - Labor 0030**

36 Initiative: Reorganizes one Assistant to the Commissioner for Public Affairs position  
 37 from range 29 to range 35 and one Office Associate II position to a Public Service  
 38 Coordinator I position in the Administration - Labor program, transfers one Office  
 39 Associate II position and one Customer Representative Associate I - Employment

1 position from the Safety Education and Training Programs program, Other Special  
 2 Revenue Funds to the Administration - Labor program and reallocates a portion of the  
 3 cost of one Clerk IV position from the Safety Education and Training Programs program  
 4 to the Administration - Labor program. Position details are on file in the Bureau of the  
 5 Budget.

6			
7	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
8	Personal Services	\$12,808	\$20,416
9			
10	GENERAL FUND TOTAL	<u>\$12,808</u>	<u>\$20,416</u>

11			
12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
13	POSITIONS - LEGISLATIVE COUNT	2.000	2.000
14	Personal Services	\$112,097	\$154,584
15			
16	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$112,097</u>	<u>\$154,584</u>

17 **Administration - Labor 0030**

18 Initiative: Transfers 9 positions currently allocated in the General Fund, the Federal  
 19 Expenditures Fund and Other Special Revenue Funds in the Administration - Labor  
 20 program from the Federal Expenditures Fund to Other Special Revenue Funds. In  
 21 addition, the portion of the positions' costs currently funded in the Federal Expenditures  
 22 Fund is reallocated to Other Special Revenue Funds. The position allocation detail is on  
 23 file in the Bureau of the Budget. Also adjusts All Other funding between several Other  
 24 Special Revenue Funds and Federal Expenditures Fund programs related to implementing  
 25 the federally approved indirect cost allocation plan.

26			
27	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
28	POSITIONS - LEGISLATIVE COUNT	(9.000)	(9.000)
29	Personal Services	(\$662,790)	(\$668,993)
30	All Other	(\$2,481,072)	(\$2,480,296)
31			
32	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$3,143,862)</u>	<u>(\$3,149,289)</u>

33			
34	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
35	POSITIONS - LEGISLATIVE COUNT	9.000	9.000
36	Personal Services	\$662,790	\$668,993
37	All Other	\$2,114,084	\$2,114,189
38			
39	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,776,874</u>	<u>\$2,783,182</u>

40 **Administration - Labor 0030**

1 Initiative: Transfers funding for indirect costs from the Blind and Visually Impaired -  
 2 Division for the program, the Rehabilitation Services program and the Employment  
 3 Services Activity program to the Administration - Labor program.

4			
5	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
6	All Other	\$107,268	\$107,268
7			
8	GENERAL FUND TOTAL	<u>\$107,268</u>	<u>\$107,268</u>

9 **Administration - Labor 0030**

10 Initiative: Provides funding for indirect costs to meet the required percentage of the  
 11 federal indirect cost rate.

12			
13	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	All Other	\$16,796	\$16,796
15			
16	GENERAL FUND TOTAL	<u>\$16,796</u>	<u>\$16,796</u>

17 **Administration - Labor 0030**

18 Initiative: Adjusts funding to recognize additional information technology management  
 19 fees not currently budgeted and transfers funding for other information technology  
 20 management fees from various Federal Expenditures Fund and Other Special Revenue  
 21 Funds programs to the Administration - Labor program, Other Special Revenue Funds as  
 22 part of the implementation of an indirect cost allocation plan.

23			
24	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
25	All Other	\$288,224	\$288,224
26			
27	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$288,224</u>	<u>\$288,224</u>

28 **Blind and Visually Impaired - Division for the 0126**

29 Initiative: Transfers funding for indirect costs from the Blind and Visually Impaired -  
 30 Division for the program, the Rehabilitation Services program and the Employment  
 31 Services Activity program to the Administration - Labor program.

32			
33	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
34	All Other	(\$19,272)	(\$19,272)
35			
36	GENERAL FUND TOTAL	<u>(\$19,272)</u>	<u>(\$19,272)</u>

37 **Blind and Visually Impaired - Division for the 0126**

1 Initiative: Provides ongoing funds for one certified teacher of the visually impaired  
 2 contracted position to provide direct services to children in the classroom.

3

4	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	All Other	\$0	\$79,410
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$79,410</u>

8 **Blind and Visually Impaired - Division for the 0126**

9 Initiative: Provides ongoing funds for one Orientation and Mobility Specialist position  
 10 and related All Other to provide instruction in safe and independent travel to children and  
 11 adults.

12

13	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
15	Personal Services	\$0	\$66,312
16	All Other	\$0	\$5,000
17			
18	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$71,312</u>

19 **Blind and Visually Impaired - Division for the 0126**

20 Initiative: Allocates funds for one half-time Orientation and Mobility Specialist position  
 21 to work with children and adults in the classroom and in the community providing  
 22 instruction in safe and independent travel.

23

24	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
25	POSITIONS - LEGISLATIVE COUNT	0.000	0.500
26	Personal Services	\$0	\$37,657
27	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$37,657</u>

28

29 **Employment Security Services 0245**

30 Initiative: Decreases funding to bring allocations in line with dedicated revenues and  
 31 transfers.

32

33	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
34	All Other	(\$24)	(\$113)
35			
36	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$24)</u>	<u>(\$113)</u>

37 **Employment Security Services 0245**

1 Initiative: Continues the following limited-period positions through June 8, 2013: 5  
 2 Claims Adjudicator positions, 10 Customer Representative Associate I Employment  
 3 positions, 7 Customer Representative Specialist Benefits positions, 5 Hearings Examiner  
 4 positions, 4 Office Assistant II positions and one Secretary Legal position. These  
 5 positions were originally established by financial order and continued in Public Law  
 6 2011, chapter 380.

7

8	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
9	Personal Services	\$0	\$1,647,365
10	All Other	\$0	\$22,404
11			
12	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$1,669,769</b>

13 **Employment Security Services 0245**

14 Initiative: Continues 2 limited-period Office Associate II positions and 10 limited-period  
 15 Customer Representative Associate I positions, established by Financial Order 006308  
 16 F1, through June 8, 2013.

17

18	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
19	Personal Services	\$0	\$567,773
20	All Other	\$0	\$7,722
21			
22	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$575,495</b>

23 **Employment Security Services 0245**

24 Initiative: Provides funding for payment of unemployment benefits.

25

26	<b>EMPLOYMENT SECURITY TRUST FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27	All Other	\$0	\$76,171,120
28			
29	<b>EMPLOYMENT SECURITY TRUST FUND TOTAL</b>	<b>\$0</b>	<b>\$76,171,120</b>

30 **Employment Security Services 0245**

31 Initiative: Transfers 9 positions currently allocated in the General Fund, the Federal  
 32 Expenditures Fund and Other Special Revenue Funds in the Administration - Labor  
 33 program from the Federal Expenditures Fund to Other Special Revenue Funds. In  
 34 addition, the portion of the positions' costs currently funded in the Federal Expenditures  
 35 Fund is reallocated to Other Special Revenue Funds. The position allocation detail is on  
 36 file in the Bureau of the Budget. Also adjusts All Other funding between several Other  
 37 Special Revenue Funds and Federal Expenditures Fund programs related to implementing  
 38 the federally approved indirect cost allocation plan.

39

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$7,293)	(\$5,959)
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$7,293)</u>	<u>(\$5,959)</u>

5       **Employment Security Services 0245**

6       Initiative: Adjusts funding to recognize additional information technology management  
7       fees not currently budgeted and transfers funding for other information technology  
8       management fees from various Federal Expenditures Fund and Other Special Revenue  
9       Funds programs to the Administration - Labor program, Other Special Revenue Funds as  
10      part of the implementation of an indirect cost allocation plan.

11			
12	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
13	All Other	(\$126,680)	(\$126,680)
14			
15	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>(\$126,680)</u>	<u>(\$126,680)</u>

16			
17	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
18	All Other	(\$305)	(\$244)
19			
20	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$305)</u>	<u>(\$244)</u>

21      **Employment Security Services 0245**

22      Initiative: Reallocates the cost of one Principal Economic Research Analyst position for  
23      one-time only from 100% Federal Expenditures Fund to 70% Federal Expenditures Fund  
24      and 30% Other Special Revenue Funds in the same program and provides funding for All  
25      Other costs related to technology and rent.

26			
27	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
28	Personal Services	\$0	(\$28,447)
29			
30	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$28,447)</u>

31			
32	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
33	Personal Services	\$0	\$28,447
34	All Other	\$0	\$43,021
35			
36	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$71,468</u>

37      **Employment Services Activity 0852**

1 Initiative: Reduces the hours of one Program Manager Employment and Training position  
 2 from 80 hours to 58 hours biweekly in the Employment Services Activity program to  
 3 fund the cost of position reorganizations and reallocations in the Administration - Labor  
 4 program.

5

6	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
7	Personal Services	(\$12,808)	(\$21,640)
8		<hr/>	<hr/>
9	GENERAL FUND TOTAL	(\$12,808)	(\$21,640)

10 **Employment Services Activity 0852**

11 Initiative: Decreases funding to bring allocations in line with dedicated revenues and  
 12 transfers.

13

14	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
15	All Other	(\$231)	(\$320)
16		<hr/>	<hr/>
17	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$231)	(\$320)

18 **Employment Services Activity 0852**

19 Initiative: Transfers 9 positions currently allocated in the General Fund, the Federal  
 20 Expenditures Fund and Other Special Revenue Funds in the Administration - Labor  
 21 program from the Federal Expenditures Fund to Other Special Revenue Funds. In  
 22 addition, the portion of the positions' costs currently funded in the Federal Expenditures  
 23 Fund is reallocated to Other Special Revenue Funds. The position allocation detail is on  
 24 file in the Bureau of the Budget. Also adjusts All Other funding between several Other  
 25 Special Revenue Funds and Federal Expenditures Fund programs related to implementing  
 26 the federally approved indirect cost allocation plan.

27

28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
29	All Other	(\$6,850)	(\$6,886)
30		<hr/>	<hr/>
31	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$6,850)	(\$6,886)

32 **Employment Services Activity 0852**

33 Initiative: Transfers funding for indirect costs from Blind and Visually Impaired -  
 34 Division for the program, the Rehabilitation Services program and the Employment  
 35 Services Activity program to the Administration - Labor program.

36

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$45,092)	(\$45,092)
3			
4	GENERAL FUND TOTAL	<u>(\$45,092)</u>	<u>(\$45,092)</u>

5 **Employment Services Activity 0852**

6 Initiative: Adjusts funding to recognize additional information technology management  
 7 fees not currently budgeted and transfers funding for other information technology  
 8 management fees from various Federal Expenditures Fund and Other Special Revenue  
 9 Funds programs to the Administration - Labor program, Other Special Revenue Funds as  
 10 part of the implementation of an indirect cost allocation plan.

11			
12	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
13	All Other	(\$59,024)	(\$59,024)
14			
15	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$59,024)</u>	<u>(\$59,024)</u>

16			
17	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
18	All Other	(\$6,378)	(\$6,380)
19			
20	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$6,378)</u>	<u>(\$6,380)</u>

21			
22	<b>COMPETITIVE SKILLS SCHOLARSHIP FUND</b>	<b>2011-12</b>	<b>2012-13</b>
23	All Other	(\$860)	(\$860)
24			
25	COMPETITIVE SKILLS SCHOLARSHIP FUND	<u>(\$860)</u>	<u>(\$860)</u>
26	TOTAL		

27 **Labor Relations Board 0160**

28 Initiative: Provides funding to cover per diem payments to Maine Labor Relations Board  
 29 members.

30			
31	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	Personal Services	\$0	\$2,000
33			
34	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,000</u>

35 **Regulation and Enforcement 0159**

36 Initiative: Decreases funding to bring allocations in line with dedicated revenues and  
 37 transfers.

38

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$191)	\$0
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$191)</u>	<u>\$0</u>

5 **Regulation and Enforcement 0159**

6 Initiative: Transfers one Occupational Health Specialist position and one Occupational  
 7 Safety Engineer position from the Safety Education and Training Programs program,  
 8 Other Special Revenue Funds to the Regulation and Enforcement program, Federal  
 9 Expenditures Fund. Reallocates 50% of the cost of one Occupational Health and Safety  
 10 Program Supervisor position, one Office Associate II position and one Occupational  
 11 Safety Engineer position and 40% of the cost of one Director of Industrial Safety position  
 12 from the Safety Education and Training Programs program, Other Special Revenue Funds  
 13 to the Regulation and Enforcement program, Federal Expenditures Fund and reduces All  
 14 Other to align the budget with expected federal grant revenue.

15			
16	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	POSITIONS - LEGISLATIVE COUNT	2.000	2.000
18	Personal Services	\$268,759	\$273,575
19	All Other	(\$118,076)	(\$118,076)
20			
21	FEDERAL EXPENDITURES FUND TOTAL	<u>\$150,683</u>	<u>\$155,499</u>

22 **Regulation and Enforcement 0159**

23 Initiative: Transfers one Occupational Safety Engineer position from the Regulation and  
 24 Enforcement program, Federal Expenditures Fund to the Safety Education and Training  
 25 Programs program, Other Special Revenue Funds. Reallocates 50% of the cost of one  
 26 Occupational Health Specialist position from the Regulation and Enforcement program,  
 27 Federal Expenditures Fund to the Safety Education and Training Programs program,  
 28 Other Special Revenue Funds.

29			
30	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
32	Personal Services	(\$103,984)	(\$106,648)
33			
34	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$103,984)</u>	<u>(\$106,648)</u>

35 **Regulation and Enforcement 0159**

36 Initiative: Reallocates the cost of one Director, Bureau of Labor Standards position, one  
 37 Public Service Manager II position and one Office Specialist I position from 34.5%  
 38 Administration - Bureau of Labor Standards program, General Fund and 5.5% Federal  
 39 Expenditures Fund; and 9% Regulation and Enforcement program, Federal Expenditures  
 40 Fund and 51% Safety Education and Training Programs program, Other Special Revenue  
 41 Funds to 34.5% Administration - Bureau of Labor Standards, General Fund, 5.5% Federal

1 Expenditures Fund, and 60% Safety Education and Training Programs program, Other  
 2 Special Revenue Funds.

3

4	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	Personal Services	(\$24,162)	(\$23,760)
6			
7	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$24,162)</u>	<u>(\$23,760)</u>

8 **Rehabilitation Services 0799**

9 Initiative: Decreases funding to bring allocations in line with dedicated revenues and  
 10 transfers.

11

12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
13	All Other	(\$167)	(\$231)
14			
15	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$167)</u>	<u>(\$231)</u>

16 **Rehabilitation Services 0799**

17 Initiative: Transfers 9 positions currently allocated in the General Fund, the Federal  
 18 Expenditures Fund and Other Special Revenue Funds in the Administration - Labor  
 19 program from the Federal Expenditures Fund to Other Special Revenue Funds. In  
 20 addition, the portion of the positions' costs currently funded in the Federal Expenditures  
 21 Fund is reallocated to Other Special Revenue Funds. The position allocation detail is on  
 22 file in the Bureau of the Budget. Also adjusts All Other funding between several Other  
 23 Special Revenue Funds and Federal Expenditures Fund programs related to implementing  
 24 the federally approved indirect cost allocation plan.

25

26	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
27	All Other	(\$4,938)	(\$4,964)
28			
29	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$4,938)</u>	<u>(\$4,964)</u>

30 **Rehabilitation Services 0799**

31 Initiative: Transfers funding for indirect costs from Blind and Visually Impaired -  
 32 Division for the program, the Rehabilitation Services program and the Employment  
 33 Services Activity program to the Administration - Labor program.

34

35	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
36	All Other	(\$42,904)	(\$42,904)
37			
38	GENERAL FUND TOTAL	<u>(\$42,904)</u>	<u>(\$42,904)</u>

1       **Rehabilitation Services 0799**

2       Initiative: Adjusts funding to recognize additional information technology management  
 3       fees not currently budgeted and transfers funding for other information technology  
 4       management fees from various Federal Expenditures Fund and Other Special Revenue  
 5       Funds programs to the Administration - Labor program, Other Special Revenue Funds as  
 6       part of the implementation of an indirect cost allocation plan.

7

8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
9	All Other	(\$429)	(\$430)
10			
11	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$429)</u>	<u>(\$430)</u>

12       **Safety Education and Training Programs 0161**

13       Initiative: Reorganizes one Assistant to the Commissioner for Public Affairs position  
 14       from range 29 to range 35 and one Office Associate II position to a Public Service  
 15       Coordinator I position in the Administration - Labor program, transfers one Office  
 16       Associate II position and one Customer Representative Associate I - Employment  
 17       position from the Safety Education and Training Programs program, Other Special  
 18       Revenue Funds to the Administration - Labor program and reallocates a portion of the  
 19       cost of one Clerk IV position from the Safety Education and Training Programs program  
 20       to the Administration - Labor program. Position details are on file in the Bureau of the  
 21       Budget.

22

23	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
24	POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
25	Personal Services	(\$110,792)	(\$115,528)
26			
27	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$110,792)</u>	<u>(\$115,528)</u>

28       **Safety Education and Training Programs 0161**

29       Initiative: Reduces funding in order to align the budget with annual revenue collected.

30

31	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
32	All Other	(\$632,914)	(\$466,471)
33			
34	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$632,914)</u>	<u>(\$466,471)</u>

35       **Safety Education and Training Programs 0161**

36       Initiative: Transfers one Occupational Health Specialist position and one Occupational  
 37       Safety Engineer position from the Safety Education and Training Programs program,  
 38       Other Special Revenue Funds to the Regulation and Enforcement program, Federal  
 39       Expenditures Fund. Reallocates 50% of the cost of one Occupational Health and Safety  
 40       Program Supervisor position, one Office Associate II position and one Occupational

1 Safety Engineer position and 40% of the cost of one Director of Industrial Safety position  
 2 from the Safety Education and Training Programs program, Other Special Revenue Funds  
 3 to the Regulation and Enforcement program, Federal Expenditures Fund and reduces All  
 4 Other to align the budget with expected federal grant revenue.

5

6	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
7	POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
8	Personal Services	(\$268,759)	(\$273,575)
9			
10	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$268,759)</b>	<b>(\$273,575)</b>

11 **Safety Education and Training Programs 0161**

12 Initiative: Transfers and reallocates the cost of 2 Statistician II positions from 100% in the  
 13 Administration - Bureau Labor Standards program, Federal Expenditures Fund to 55% in  
 14 the Safety Education and Training Programs program, Other Special Revenue Funds and  
 15 45% in the Administration - Bureau Labor Standards program, Federal Expenditures  
 16 Fund. Also, reallocates 15% of the cost of one Planning and Research Associate II  
 17 position and 45% of the cost of one Statistician III position from the Safety Education  
 18 and Training Programs program, Other Special Revenue Funds to the Administration -  
 19 Bureau Labor Standards program, Federal Expenditures Fund.

20

21	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	2,000	2,000
23	Personal Services	\$23,046	\$24,599
24			
25	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$23,046</b>	<b>\$24,599</b>

26 **Safety Education and Training Programs 0161**

27 Initiative: Transfers one Occupational Safety Engineer position from the Regulation and  
 28 Enforcement program, Federal Expenditures Fund to the Safety Education and Training  
 29 Programs program, Other Special Revenue Funds. Reallocates 50% of the cost of one  
 30 Occupational Health Specialist position from the Regulation and Enforcement program,  
 31 Federal Expenditures Fund to the Safety Education and Training Programs program,  
 32 Other Special Revenue Funds.

33

34	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
35	POSITIONS - LEGISLATIVE COUNT	1,000	1,000
36	Personal Services	\$103,984	\$106,648
37			
38	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$103,984</b>	<b>\$106,648</b>

39 **Safety Education and Training Programs 0161**

1 Initiative: Reallocates the cost of one Director, Bureau of Labor Standards position, one  
 2 Public Service Manager II position and one Office Specialist I position from 34.5%  
 3 Administration - Bureau of Labor Standards program, General Fund and 5.5% Federal  
 4 Expenditures Fund; and 9% Regulation and Enforcement program, Federal Expenditures  
 5 Fund and 51% Safety Education and Training Programs program, Other Special Revenue  
 6 Funds to 34.5% Administration - Bureau of Labor Standards, General Fund, 5.5% Federal  
 7 Expenditures Fund, and 60% Safety Education and Training Programs program, Other  
 8 Special Revenue Funds.

9

10	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
11	Personal Services	\$24,162	\$23,760
12			
13	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$24,162</u>	<u>\$23,760</u>

14

15	<b>LABOR, DEPARTMENT OF</b>		
16	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
17			
18	<b>GENERAL FUND</b>	<b>\$16,796</b>	<b>\$168,294</b>
19	<b>FEDERAL EXPENDITURES FUND</b>	<b>(\$3,540,847)</b>	<b>(\$1,290,793)</b>
20	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,289,307</b>	<b>\$2,571,364</b>
21	<b>EMPLOYMENT SECURITY TRUST FUND</b>	<b>\$0</b>	<b>\$76,171,120</b>
22	<b>COMPETITIVE SKILLS SCHOLARSHIP</b>	<b>(\$860)</b>	<b>(\$860)</b>
23	<b>FUND</b>		
24			
25	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>(\$1,235,604)</b></u>	<u><b>\$77,619,125</b></u>

26       **Sec. A-22. Appropriations and allocations.** The following appropriations and  
 27 allocations are made.

28 **MARINE RESOURCES, DEPARTMENT OF**

29 **Bureau of Resource Management 0027**

30 Initiative: Reallocates the cost of one Office Associate I position from the Federal  
 31 Expenditures Fund to Other Special Revenue Funds and adjusts the All Other in the same  
 32 program.

33

34	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
35	Personal Services	\$0	(\$53,512)
36	All Other	\$0	(\$1,606)
37			
38	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$55,118)</u>

39

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$0	\$53,512
3	All Other	\$0	(\$25,954)
4			
5	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$27,558</b>

6 **Bureau of Resource Management 0027**

7 Initiative: Transfers one vacant Marine Resources Scientist I position from the Bureau of  
8 Resource Management program in the Department of Marine Resources to the Financial  
9 and Personnel Services - Division of program in the Department of Administrative and  
10 Financial Services and reorganizes the position to one Senior Staff Accountant position.

11			
12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
13	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
14	Personal Services	(\$17,684)	(\$61,798)
15			
16	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$17,684)</b>	<b>(\$61,798)</b>

17 **Bureau of Resource Management 0027**

18 Initiative: Transfers one Marine Resource Scientist I position funded 75% General Fund  
19 and 25% Federal Expenditures Fund to 100% Other Special Revenue Funds and transfers  
20 one Marine Resource Scientist I position funded 100% Other Special Revenue Funds to  
21 70% General Fund and 30% Federal Expenditures Fund in the same program.

22			
23	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
24	POSITIONS - LEGISLATIVE COUNT	1,000	1,000
25	Personal Services	\$3,918	\$2,096
26	All Other	(\$3,918)	(\$2,096)
27			
28	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

29			
30	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
32	Personal Services	\$6,220	\$5,616
33	All Other	(\$6,220)	(\$5,616)
34			
35	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

36			
37	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
38	Personal Services	(\$10,138)	(\$7,712)
39			
40	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$10,138)</b>	<b>(\$7,712)</b>

1 **Bureau of Resource Management 0027**

2 Initiative: Reallocates the cost of one Marine Resource Scientist II position from 75%  
 3 Other Special Revenue Funds and 25% Federal Expenditures Fund to 60% Other Special  
 4 Revenue Funds and 40% Federal Expenditures Fund in the same program.

5

6	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
7	Personal Services	\$11,484	\$11,488
8			
9	FEDERAL EXPENDITURES FUND TOTAL	\$11,484	\$11,488

10

11	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
12	Personal Services	(\$11,484)	(\$11,488)
13			
14	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$11,484)	(\$11,488)

15 **Bureau of Resource Management 0027**

16 Initiative: Provides funding to correct negative allocations in the program.

17

18	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
19	All Other	\$51,433	\$51,433
20			
21	OTHER SPECIAL REVENUE FUNDS TOTAL	\$51,433	\$51,433

22 **Bureau of Resource Management 0027**

23 Initiative: Reorganizes one Microbiologist II position to a Microbiologist III position and  
 24 reduces All Other to fund the reorganization.

25

26	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27	Personal Services	\$0	\$9,645
28	All Other	\$0	(\$9,645)
29			
30	GENERAL FUND TOTAL	\$0	\$0

31 **Marine Patrol - Bureau of 0029**

32 Initiative: Reorganizes one seasonal Marine Patrol Officer position to one full-time  
 33 Marine Patrol Officer position and transfers the position from the Marine Recreation  
 34 Fishing Conservation and Management Fund account, Other Special Revenue Funds to  
 35 the Lobster Management Fund account, Other Special Revenue Funds in the same  
 36 program.

37

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
3	POSITIONS - FTE COUNT	(0.500)	(0.500)
4	Personal Services	\$33,713	\$34,763
5	All Other	\$2,030	\$2,093
6			
7	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$35,743</b>	<b>\$36,856</b>

8 **Marine Patrol - Bureau of 0029**

9 Initiative: Reorganizes one Planning and Research Associate I position to a Management  
10 Analyst II position and reduces All Other to fund the reorganization.

11			
12	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
13	Personal Services	\$0	\$3,322
14	All Other	\$0	(\$3,322)
15			
16	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

17 **Office of the Commissioner 0258**

18 Initiative: Eliminates one Planning and Research Associate I position in the Office of the  
19 Commissioner program and reduces funding for related All Other costs.

20			
21	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
23	Personal Services	(\$45,288)	(\$60,591)
24	All Other	(\$1,358)	(\$1,817)
25			
26	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$46,646)</b>	<b>(\$62,408)</b>

27 **Office of the Commissioner 0258**

28 Initiative: Transfers one Office Associate II position from the Sea Run Fisheries and  
29 Habitat program to the Office of the Commissioner program.

30			
31	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
33	Personal Services	\$46,150	\$47,983
34			
35	<b>GENERAL FUND TOTAL</b>	<b>\$46,150</b>	<b>\$47,983</b>

36 **Sea Run Fisheries and Habitat Z049**

37 Initiative: Reallocates 100% of the cost of 2 seasonal Conservation Aide positions, one  
38 Marine Resource Scientist I position and one Marine Resource Specialist I position and  
39 50% of the cost of one Marine Resource Scientist IV position, one Marine Resource

1 Scientist III position and 2 Marine Specialist I positions from the Marine Recreation  
 2 Fishing Conservation and Management Fund account, Other Special Revenue Funds to  
 3 the Kennebec Fisheries account, Other Special Revenue Funds in the same program and  
 4 adjusts the All Other costs in the same program to partially fund the reallocation.

5

6	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
7	POSITIONS - LEGISLATIVE COUNT	0.000	0.000
8	POSITIONS - FTE COUNT	0.000	0.000
9	Personal Services	\$0	\$0
10	All Other	\$0	(\$188,168)
11			
12	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$188,168)</b>

13 **Sea Run Fisheries and Habitat Z049**

14 Initiative: Reallocates the cost of 2 seasonal Conservation Aide positions from 75% Other  
 15 Special Revenue Funds and 25% General Fund to 75% Federal Expenditures Fund and  
 16 25% General Fund in the same program.

17

18	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
19	POSITIONS - FTE COUNT	0.000	1.000
20	Personal Services	\$0	\$27,739
21			
22	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$27,739</b>

23

24	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
25	POSITIONS - FTE COUNT	0.000	(1.000)
26	Personal Services	\$0	(\$27,739)
27			
28	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$27,739)</b>

29 **Sea Run Fisheries and Habitat Z049**

30 Initiative: Transfers one Office Associate II position from the Sea Run Fisheries and  
 31 Habitat program to the Office of the Commissioner program.

32

33	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
34	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
35	Personal Services	(\$46,150)	(\$47,983)
36			
37	<b>GENERAL FUND TOTAL</b>	<b>(\$46,150)</b>	<b>(\$47,983)</b>

38 **Sea Run Fisheries and Habitat Z049**

1 Initiative: Reorganizes one Biologist I position to a Marine Resource Scientist II position  
 2 and transfers All Other to Personal Services to fund the reorganization.

3

4	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	Personal Services	\$1,902	\$6,309
6	All Other	(\$1,902)	(\$6,309)
7			
8	GENERAL FUND TOTAL	\$0	\$0

9

10	<b>MARINE RESOURCES, DEPARTMENT OF</b>		
11	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
12			
13	GENERAL FUND	\$0	\$0
14	FEDERAL EXPENDITURES FUND	\$11,484	(\$15,891)
15	OTHER SPECIAL REVENUE FUNDS	\$1,224	(\$243,466)
16			
17	DEPARTMENT TOTAL - ALL FUNDS	\$12,708	(\$259,357)

18 **Sec. A-23. Appropriations and allocations.** The following appropriations and  
 19 allocations are made.

20 **MUSEUM, MAINE STATE**

21 **Maine State Museum 0180**

22 Initiative: Provides one-time funds for 2 seasonal Museum Technician I positions and  
 23 related costs to support an additional year of a pilot project that will allow the Maine  
 24 State Museum to be open on Sundays through the summer and fall of 2012. This  
 25 initiative is expected to generate \$1,500 in General Fund revenue in fiscal year 2012-13.

26

27	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
28	POSITIONS - FTE COUNT	0.000	0.462
29	Personal Services	\$0	\$24,284
30	All Other	\$0	\$5,716
31			
32	GENERAL FUND TOTAL	\$0	\$30,000

33 **Sec. A-24. Appropriations and allocations.** The following appropriations and  
 34 allocations are made.

35 **BAXTER STATE PARK AUTHORITY**

36 **Baxter State Park Authority 0253**

37 Initiative: Reorganizes 4 Baxter Park Ranger I positions to 4 Baxter Park Enforcement  
 38 Ranger positions.

39

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$6,474	\$33,428
3			
4	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	\$6,474	\$33,428

5       **Sec. A-25. Appropriations and allocations.** The following appropriations and  
6 allocations are made.

7       **PUBLIC SAFETY, DEPARTMENT OF**

8       **Capitol Police - Bureau of 0101**

9 Initiative: Provides funding for the approved retroactive range change of 6 Capitol Police  
10 Officer positions from range 14 to range 17. Funding for fiscal year 2011-12 will be  
11 through salary and benefits savings in the department.

12			
13	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	Personal Services	\$0	\$28,084
15			
16	<b>GENERAL FUND TOTAL</b>	\$0	\$28,084

17       **Computer Crimes 0048**

18 Initiative: Increases expenditures in the General Fund account to add one Computer  
19 Forensic Analyst position and provides All Other funding for contracted detective  
20 services to be used primarily to investigate cases within the Computer Crimes Unit.

21			
22	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
23	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
24	Personal Services	\$0	\$76,722
25	All Other	\$0	\$285,813
26			
27	<b>GENERAL FUND TOTAL</b>	\$0	\$362,535

28       **Consolidated Emergency Communications Z021**

29 Initiative: Provides funding for building rental costs for the Regional Communications  
30 Center and the State Police troop currently in Orono.

31			
32	<b>CONSOLIDATED EMERGENCY</b>	<b>2011-12</b>	<b>2012-13</b>
33	<b>COMMUNICATIONS FUND</b>		
34	All Other	\$0	\$41,883
35			
36	<b>CONSOLIDATED EMERGENCY</b>	\$0	\$41,883
37	<b>COMMUNICATIONS FUND TOTAL</b>		

38       **Criminal Justice Academy 0290**

1 Initiative: Adjusts funding to align allocations with projected available resources  
 2 approved by the Revenue Forecasting Committee on March 1, 2012.

3

4	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
5	All Other	(\$12,019)	(\$14,111)
6			
7	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$12,019)</b>	<b>(\$14,111)</b>

8 **Fire Marshal - Office of 0327**

9 Initiative: Provides funding for premium overtime for Public Safety Inspector II positions  
 10 at the same level as other staff in this classification receive in the Fire Marshal - Office of  
 11 program.

12

13	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	Personal Services	\$0	\$15,000
15			
16	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$15,000</b>

17 **Fire Marshal - Office of 0327**

18 Initiative: Transfers one Forensic Chemist I position from the Fire Marshal - Office of  
 19 program to the State Police program.

20

21	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
22	POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
23	Personal Services	\$0	(\$73,482)
24	All Other	\$0	(\$755)
25			
26	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$74,237)</b>

27 **Fire Marshal - Office of 0327**

28 Initiative: Provides funding for ongoing federal grants.

29

30	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	All Other	\$0	\$101,675
32			
33	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$101,675</b>

34 **Fire Marshal - Office of 0327**

35 Initiative: Reduces funding by recognizing savings from organizational changes made to  
 36 bring the operational budget within available resources.

37

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$90,000)	(\$150,000)
3	Capital Expenditures	(\$73,775)	(\$112,066)
4			
5	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$163,775)</u>	<u>(\$262,066)</u>

6 **Fire Marshal - Office of 0327**

7 Initiative: Reduces funding by recognizing savings from leaving several positions vacant  
8 for part of fiscal year 2011-12 and all of fiscal year 2012-13.

9			
10	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
11	Personal Services	(\$331,220)	(\$597,721)
12	All Other	(\$3,000)	(\$19,722)
13			
14	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$334,220)</u>	<u>(\$617,443)</u>

15 **Gambling Control Board Z002**

16 Initiative: Establishes one State Police Detective position, one Office Assistant II  
17 position, one Auditor II position, 6 Public Safety Inspector I positions and one Public  
18 Safety Inspector III position; funds overtime for all inspector positions; and provides  
19 funds for licensing and monitoring software to provide adequate resources for the  
20 Gambling Control Board to regulate gambling in the State in light of the addition of a 2nd  
21 casino and the addition of table games.

22			
23	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
24	POSITIONS - LEGISLATIVE COUNT	10.000	10.000
25	Personal Services	\$111,069	\$769,279
26	All Other	\$44,849	\$26,952
27			
28	<b>GENERAL FUND TOTAL</b>	<u>\$155,918</u>	<u>\$796,231</u>

29 **Gambling Control Board Z002**

30 Initiative: Adjusts funding to align allocations with projected available resources  
31 approved by the Revenue Forecasting Committee on March 1, 2012.

32			
33	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
34	All Other	(\$2,507)	(\$9,615)
35			
36	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$2,507)</u>	<u>(\$9,615)</u>

37 **Gambling Control Board Z002**

38 Initiative: Reduces funding to align with projected available resources approved by the  
39 Revenue Forecasting Committee on December 1, 2011.

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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$4,927)	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$4,927)</u>	<u>\$0</u>

**Licensing and Enforcement - Public Safety 0712**

Initiative: Provides funding for the replacement of vehicles.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
Capital Expenditures	\$0	\$21,750
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$21,750</u>

**State Police 0291**

Initiative: Provides funding for overtime costs related to Maine State Police federal grants.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$950,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$950,000</u>

**State Police 0291**

Initiative: Provides funding for overtime costs for escort and construction details performed by the Maine State Police.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	\$0	\$500,000
All Other	\$0	\$6,985
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$506,985</u>

**State Police 0291**

Initiative: Transfers one Forensic Chemist I position from the Fire Marshal - Office of program to the State Police program.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$37,475
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$37,475</u>

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**State Police 0291**

Initiative: Provides funding for building rental costs for the Regional Communications Center and the State Police troop currently in Orono.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$64,802
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$64,802</b>

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Reallocates the cost of 11 Motor Carrier Inspector positions from 34% Federal Expenditures Fund and 66% Highway Fund to 37% Federal Expenditures Fund and 63% Highway Fund for 9 positions, 38% Federal Expenditures Fund and 62% Highway Fund for one position and 38.09% Federal Expenditures Fund and 61.91% Highway Fund for one position; and one Contract/Grant Specialist position from 34% Federal Expenditures Fund and 66% Highway Fund to 100% Highway Fund in the same program.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
Personal Services	(\$925)	(\$785)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$925)</b>	<b>(\$785)</b>

**Turnpike Enforcement 0547**

Initiative: Provides funding for the replacement of vehicles.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
Capital Expenditures	\$0	\$153,655
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$153,655</b>

<b>PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
<b>GENERAL FUND</b>	<b>\$155,918</b>	<b>\$1,304,127</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>(\$925)</b>	<b>\$1,050,890</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$517,448)</b>	<b>(\$295,082)</b>
<b>CONSOLIDATED EMERGENCY COMMUNICATIONS FUND</b>	<b>\$0</b>	<b>\$41,883</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$362,455)</b>	<b>\$2,101,818</b>

1           **Sec. A-26. Appropriations and allocations.** The following appropriations and  
 2 allocations are made.

3           **RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES**

4           **Retirement System - Retirement Allowance Fund 0085**

5 Initiative: Reduces funding for benefits for retired Governors and their surviving spouses  
 6 and retired pre-1984 judges to align the budget with projections provided by the Maine  
 7 Public Employees Retirement System.

8

9	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
10	All Other	(\$1,122,570)	(\$1,122,570)
11			
12	<b>GENERAL FUND TOTAL</b>	<u>(\$1,122,570)</u>	<u>(\$1,122,570)</u>

13           **Retirement System - Subsidized Military Service Credit Z094**

14 Initiative: Notwithstanding the Maine Revised Statutes, Title 5, section 17760, subsection  
 15 6, paragraph C, appropriates funds to allow a member whom the Maine Public  
 16 Employees Retirement System has determined is qualified to purchase military service  
 17 credit at a subsidized rate pursuant to Public Law 2003, chapter 693 based on a first date  
 18 of retirement eligibility of May 1, 2013.

19

20	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	All Other	\$116,617	\$0
22			
23	<b>GENERAL FUND TOTAL</b>	<u>\$116,617</u>	<u>\$0</u>

24

25	<b>RETIREMENT SYSTEM, MAINE PUBLIC</b>		
26	<b>EMPLOYEES</b>		
27	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
28			
29	<b>GENERAL FUND</b>	<b>(\$1,005,953)</b>	<b>(\$1,122,570)</b>
30			
31	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>(\$1,005,953)</b></u>	<u><b>(\$1,122,570)</b></u>

32           **Sec. A-27. Appropriations and allocations.** The following appropriations and  
 33 allocations are made.

34           **TREASURER OF STATE, OFFICE OF**

35           **Debt Service - Treasury 0021**

36 Initiative: Reduces funding for debt service to reflect updated interest costs for the  
 37 biennium.

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<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$1,755,232)
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$1,755,232)</u>

**Debt Service - Treasury 0021**

Initiative: Reduces funding to reflect reduced bond issuance and note interest.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$333,333)	(\$1,184,375)
<b>GENERAL FUND TOTAL</b>	<u>(\$333,333)</u>	<u>(\$1,184,375)</u>

**Disproportionate Tax Burden Fund 0472**

Initiative: Adjusts funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on March 1, 2012.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$196,848)	(\$147,243)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$196,848)</u>	<u>(\$147,243)</u>

**Disproportionate Tax Burden Fund 0472**

Initiative: Adjusts allocations for a sales tax exemption for positive airway pressure equipment used in respiratory ventilation and for supplies, repair parts and replacement parts for such equipment.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$959)	(\$2,349)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$959)</u>	<u>(\$2,349)</u>

**Disproportionate Tax Burden Fund 0472**

Initiative: Provides funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on December 1, 2011.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$374,972	\$117,603
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$374,972</u>	<u>\$117,603</u>

1       **State - Municipal Revenue Sharing 0020**

2       Initiative: Adjusts allocations for a sales tax exemption for positive airway pressure  
 3       equipment used in respiratory ventilation and for supplies, repair parts and replacement  
 4       parts for such equipment.

5

6	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
7	All Other	(\$4,684)	(\$10,701)
8			
9	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$4,684)</u>	<u>(\$10,701)</u>

10       **State - Municipal Revenue Sharing 0020**

11       Initiative: Provides funding to align allocations with projected available resources  
 12       approved by the Revenue Forecasting Committee on December 1, 2011.

13

14	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
15	All Other	\$869,663	(\$135,027)
16			
17	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$869,663</u>	<u>(\$135,027)</u>

18

19	<b>TREASURER OF STATE, OFFICE OF</b>		
20	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
21			
22	<b>GENERAL FUND</b>	<b>(\$333,333)</b>	<b>(\$2,939,607)</b>
23	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$1,042,144</b>	<b>(\$177,717)</b>
24			
25	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$708,811</b></u>	<u><b>(\$3,117,324)</b></u>

26       **Sec. A-28. Appropriations and allocations.** The following appropriations and  
 27       allocations are made.

28       **UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE**  
 29       **Debt Service - University of Maine System 0902**

30       Initiative: Reduces funding to reflect reduced debt service costs.

31

32	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
33	All Other	(\$850,000)	(\$82,050)
34			
35	<b>GENERAL FUND TOTAL</b>	<u>(\$850,000)</u>	<u>(\$82,050)</u>

36       **University of Maine Scholarship Fund Z011**

1 Initiative: Reduces funding to align allocations with projected available resources  
 2 approved by the Revenue Forecasting Committee on December 1, 2011.

3

4	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
5	All Other	(\$23,205)	\$0
6			
7	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$23,205)</u>	<u>\$0</u>

8 **University of Maine Scholarship Fund Z011**

9 Initiative: Adjusts funding to align allocations with projected available resources  
 10 approved by the Revenue Forecasting Committee on March 1, 2012.

11

12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
13	All Other	(\$5,014)	(\$19,229)
14			
15	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>(\$5,014)</u>	<u>(\$19,229)</u>

16

17	<b>UNIVERSITY OF MAINE SYSTEM, BOARD OF</b>		
18	<b>TRUSTEES OF THE</b>		
19	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
20			
21	<b>GENERAL FUND</b>	<b>(\$850,000)</b>	<b>(\$82,050)</b>
22	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$28,219)</b>	<b>(\$19,229)</b>
23			
24	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>(\$878,219)</u>	<u>(\$101,279)</u>

25 **PART B**

26 **Sec. B-1. Appropriations and allocations.** The following appropriations and  
 27 allocations are made.

28 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**  
 29 **Lottery Operations 0023**

30 Initiative: RECLASSIFICATIONS

31

31	<b>STATE LOTTERY FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	Personal Services	\$11,516	\$11,869
33	All Other	(\$11,516)	(\$11,869)
34			
35	<b>STATE LOTTERY FUND TOTAL</b>	<u>\$0</u>	<u>\$0</u>

1	<b>ADMINISTRATIVE AND FINANCIAL</b>		
2	<b>SERVICES, DEPARTMENT OF</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
4			
5	<b>STATE LOTTERY FUND</b>	<b>\$0</b>	<b>\$0</b>
6			
7	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>

8 **AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**  
 9 **Division of Animal Health and Industry 0394**  
 10 Initiative: RECLASSIFICATIONS

11	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
12	Personal Services	\$10,525	\$3,508
13	All Other	(\$10,525)	(\$3,508)
14			
15	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

16	<b>AGRICULTURE, FOOD AND RURAL</b>		
17	<b>RESOURCES, DEPARTMENT OF</b>		
18	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
19			
20	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
21			
22	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>

23 **ARTS COMMISSION, MAINE**  
 24 **Arts - Administration 0178**  
 25 Initiative: RECLASSIFICATIONS

26	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
27	Personal Services	\$6,409	\$6,410
28	All Other	(\$6,409)	(\$6,410)
29			
30	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

31 **Arts - Sponsored Program 0176**  
 32 Initiative: RECLASSIFICATIONS

1	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$1,205	\$1,205
3	All Other	(\$1,205)	(\$1,205)
4			
5	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
6	<b>ARTS COMMISSION, MAINE</b>		
7	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
8			
9	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
10	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>
11			
12	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
13	<b>CONSERVATION, DEPARTMENT OF</b>		
14	<b>Forest Policy and Management - Division of 0240</b>		
15	Initiative: RECLASSIFICATIONS		
16	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	Personal Services	\$1,414	\$4,649
18	All Other	(\$1,414)	(\$4,649)
19			
20	GENERAL FUND TOTAL	\$0	\$0
21	<b>Parks - General Operations 0221</b>		
22	Initiative: RECLASSIFICATIONS		
23	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
24	Personal Services	\$5,568	\$8,081
25	All Other	(\$5,568)	(\$8,081)
26			
27	GENERAL FUND TOTAL	\$0	\$0
28	<b>CONSERVATION, DEPARTMENT OF</b>		
29	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
30			
31	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
32			
33	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

1 **DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT**  
 2 **OF**

3 **Military Training and Operations 0108**

4 Initiative: RECLASSIFICATIONS

5	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
6	Personal Services	\$11,977	\$8,756
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>\$11,977</u>	<u>\$8,756</u>

9 **DEFENSE, VETERANS AND EMERGENCY**  
 10 **MANAGEMENT, DEPARTMENT OF**  
 11 **DEPARTMENT TOTALS**

12		<b>2011-12</b>	<b>2012-13</b>
13	FEDERAL EXPENDITURES FUND	\$11,977	\$8,756
14			
15	DEPARTMENT TOTAL - ALL FUNDS	<u>\$11,977</u>	<u>\$8,756</u>

16 **EDUCATION, DEPARTMENT OF**

17 **Special Services Team Z080**

18 Initiative: RECLASSIFICATIONS

19	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
20	Personal Services	\$3,666	\$3,667
21	All Other	(\$3,666)	(\$3,667)
22			
23	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$0</u>

24 **EDUCATION, DEPARTMENT OF**  
 25 **DEPARTMENT TOTALS**

26		<b>2011-12</b>	<b>2012-13</b>
27	FEDERAL EXPENDITURES FUND	\$0	\$0
28			
29	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>

30 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

31 **Administration - Environmental Protection 0251**

32 Initiative: RECLASSIFICATIONS

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$7,737	\$3,618
3	All Other	(\$7,737)	(\$3,618)
4			
5	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$0</u>
6	<b>Maine Environmental Protection Fund 0421</b>		
7	Initiative: RECLASSIFICATIONS		
8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
9	Personal Services	\$16,741	\$7,772
10	All Other	(\$16,741)	(\$7,772)
11			
12	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$0</u>
13	<b>Remediation and Waste Management 0247</b>		
14	Initiative: RECLASSIFICATIONS		
15	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
16	Personal Services	\$18,220	\$10,157
17	All Other	(\$18,220)	(\$10,157)
18			
19	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$0</u>
20	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
21	Personal Services	\$147,413	\$80,858
22	All Other	(\$147,413)	(\$80,858)
23			
24	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$0</u>
25	<b>ENVIRONMENTAL PROTECTION,</b>		
26	<b>DEPARTMENT OF</b>		
27	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
28			
29	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>
30	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>
31			
32	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$0</b></u>
33	<b>EXECUTIVE DEPARTMENT</b>		
34	<b>Planning Office 0082</b>		

1 Initiative: RECLASSIFICATIONS

2	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
3	Personal Services	\$6,237	\$6,239
4	All Other	(\$6,237)	(\$6,239)
5			
6	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$0</u>

7	<b>EXECUTIVE DEPARTMENT</b>		
8	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
9			
10	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>
11			
12	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$0</b></u>

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

14 **Child Support 0100**

15 Initiative: RECLASSIFICATIONS

16	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	Personal Services	\$2,683	\$1,117
18	All Other	(\$2,683)	(\$1,117)
19			
20	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>

21	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	Personal Services	\$6,005	\$2,236
23	All Other	\$166	\$61
24			
25	FEDERAL EXPENDITURES FUND TOTAL	<u>\$6,171</u>	<u>\$2,297</u>

26 **Division of Data, Research and Vital Statistics Z037**

27 Initiative: RECLASSIFICATIONS

28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
29	Personal Services	\$6,351	\$3,385
30	All Other	\$176	\$85
31			
32	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$6,527</u>	<u>\$3,470</u>

1 **Division of Licensing and Regulatory Services Z036**

2 Initiative: RECLASSIFICATIONS

3	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
4	Personal Services	\$30,125	\$9,586
5	All Other	(\$30,125)	(\$9,586)
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>

8	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
9	Personal Services	\$59,152	\$17,807
10	All Other	\$1,162	\$506
11			
12	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$60,314</u>	<u>\$18,313</u>

13 **Office of Elder Services Central Office 0140**

14 Initiative: RECLASSIFICATIONS

15	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
16	Personal Services	\$16,079	\$8,473
17	All Other	(\$16,079)	(\$8,473)
18			
19	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>

20	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	Personal Services	\$2,719	\$1,517
22	All Other	\$44	\$31
23			
24	FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,763</u>	<u>\$1,548</u>

25	<b>HEALTH AND HUMAN SERVICES,</b>		
26	<b>DEPARTMENT OF (FORMERLY DHS)</b>		
27	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
28			
29	GENERAL FUND	\$0	\$0
30	FEDERAL EXPENDITURES FUND	\$8,934	\$3,845
31	OTHER SPECIAL REVENUE FUNDS	\$66,841	\$21,783
32			
33	DEPARTMENT TOTAL - ALL FUNDS	<u>\$75,775</u>	<u>\$25,628</u>

1 **INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**  
 2 **Licensing Services - Inland Fisheries and Wildlife 0531**  
 3 Initiative: RECLASSIFICATIONS

4	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	Personal Services	\$3,415	\$3,420
6	All Other	(\$3,415)	(\$3,420)
7			
8	GENERAL FUND TOTAL	\$0	\$0

9 **Public Information and Education, Division of 0729**  
 10 Initiative: RECLASSIFICATIONS

11	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
12	Personal Services	\$5,807	\$5,808
13	All Other	(\$5,807)	(\$5,808)
14			
15	GENERAL FUND TOTAL	\$0	\$0

16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
17	Personal Services	\$7,710	\$3,632
18	All Other	\$88	\$42
19			
20	OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,798	\$3,674

21	<b>INLAND FISHERIES AND WILDLIFE,</b>		
22	<b>DEPARTMENT OF</b>		
23	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
24			
25	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
26	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$7,798</b>	<b>\$3,674</b>
27			
28	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$7,798</b>	<b>\$3,674</b>

29 **JUDICIAL DEPARTMENT**  
 30 **Courts - Supreme, Superior and District 0063**  
 31 Initiative: RECLASSIFICATIONS

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	Personal Services	\$61,611	\$62,217
3	All Other	(\$61,611)	(\$62,217)
4			
5	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>
6	<b>JUDICIAL DEPARTMENT</b>		
7	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
8			
9	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
10			
11	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>
12	<b>LABOR, DEPARTMENT OF</b>		
13	<b>Blind and Visually Impaired - Division for the 0126</b>		
14	Initiative: RECLASSIFICATIONS		
15	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
16	Personal Services	\$38,205	\$4,652
17	All Other	(\$38,205)	(\$4,652)
18			
19	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$0</u>
20	<b>Rehabilitation Services 0799</b>		
21	Initiative: RECLASSIFICATIONS		
22	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
23	Personal Services	\$33,606	\$7,357
24	All Other	(\$33,606)	(\$7,357)
25			
26	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$0</u>
27	<b>LABOR, DEPARTMENT OF</b>		
28	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
29			
30	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>
31			
32	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$0</u>
33	<b>MARINE RESOURCES, DEPARTMENT OF</b>		
34	<b>Bureau of Resource Management 0027</b>		

1 Initiative: RECLASSIFICATIONS

2	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
3	Personal Services	\$2,779	\$2,779
4	All Other	(\$2,779)	(\$2,779)
5			
6	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>

7	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
8	Personal Services	\$21,021	\$5,681
9	All Other	(\$21,021)	(\$5,681)
10			
11	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$0</u>

12	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
13	Personal Services	\$2,444	\$2,445
14			
15	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,444</u>	<u>\$2,445</u>

16 **Sea Run Fisheries and Habitat Z049**

17 Initiative: RECLASSIFICATIONS

18	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
19	Personal Services	\$20,441	\$6,388
20	All Other	(\$20,441)	(\$6,388)
21			
22	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$0</u>

23	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
24	Personal Services	\$19,620	\$6,081
25	All Other	(\$19,620)	(\$6,081)
26			
27	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>

1	<b>MARINE RESOURCES, DEPARTMENT OF</b>		
2	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
3			
4	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
5	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>
6	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,444</b>	<b>\$2,445</b>
7			
8	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,444</b>	<b>\$2,445</b>
9	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
10	<b>Drug Enforcement Agency 0388</b>		
11	Initiative: RECLASSIFICATIONS		
12	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
13	Personal Services	\$3,800	\$2,153
14	All Other	(\$3,800)	(\$2,153)
15			
16	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
17	<b>Licensing and Enforcement - Public Safety 0712</b>		
18	Initiative: RECLASSIFICATIONS		
19	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
20	Personal Services	\$2,420	\$970
21	All Other	(\$2,420)	(\$970)
22			
23	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>
24	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
25	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
26			
27	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
28	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>
29			
30	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>

1	<b>SECTION TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
2			
3	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
4	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$20,911</b>	<b>\$12,601</b>
5	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$77,083</b>	<b>\$27,902</b>
6	<b>STATE LOTTERY FUND</b>	<b>\$0</b>	<b>\$0</b>
7			
8	<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$97,994</b>	<b>\$40,503</b>

9  
10

11 **PART C**

12 **Sec. C-1. 20-A MRSA §1462, sub-§2**, as enacted by PL 2007, c. 240, Pt.  
13 XXXX, §13, is amended to read:

14 **2. Transfer.** The municipal officers and boards contacted pursuant to subsection 1  
15 shall make the transfer of property and assets notwithstanding any other provision in the  
16 charter of the school administrative unit or municipality. After the operational date of a  
17 regional school unit, if a transfer of property by a prior regional school unit, school  
18 administrative district or community school district has not occurred in accordance with  
19 the reorganization plan, the regional school unit board may act as the successor to the  
20 school board of the prior regional school unit, school administrative district or  
21 community school district for purposes of transferring the title to the property by deed to  
22 the regional school unit or other transferee in accordance with the terms of the  
23 reorganization plan.

24 **Sec. C-2. 20-A MRSA §15671, sub-§7, ¶A**, as amended by PL 2011, c. 380, Pt.  
25 C, §1, is further amended to read:

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

- 28 (1) For fiscal year 2005-06, the target is 84%.
- 29 (2) For fiscal year 2006-07, the target is 90%.
- 30 (3) For fiscal year 2007-08, the target is 95%.
- 31 (4) For fiscal year 2008-09, the target is 97%.
- 32 (5) For fiscal year 2009-10, the target is 97%.
- 33 (6) For fiscal year 2010-11, the target is 97%.
- 34 (7) For fiscal year 2011-12, the target is 97%.
- 35 (8) For fiscal year 2012-13 ~~and succeeding years~~, the target is ~~100%~~ 97%.
- 36 (9) For fiscal year 2013-14 and succeeding years, the target is 100%.

1           **Sec. C-3. 20-A MRSA §15671, sub-§7, ¶B**, as amended by PL 2011, c. 477, Pt.  
2 C, §1, is further amended to read:

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

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

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

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

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

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

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

11                (7) For fiscal year 2011-12, the target is ~~46.13%~~ 46.02%.

12                (8) For fiscal year 2012-13, the target is 46.60%.

13           **Sec. C-4. 20-A MRSA §15671, sub-§7, ¶C**, as amended by PL 2011, c. 477, Pt.  
14 C, §2, is further amended to read:

15           C. Beginning in fiscal year 2011-12, the annual targets for the state share percentage  
16 of the total cost of funding public education from kindergarten to grade 12 including  
17 the cost of the components of essential programs and services plus the state  
18 contributions to teacher retirement, retired teachers' health insurance and retired  
19 teachers' life insurance are as follows.

20                 (1) For fiscal year 2011-12, the target is ~~49.56%~~ 49.47%.

21                 (2) For fiscal year 2012-13, the target is ~~52.50%~~ 50%.

22                 (3) For fiscal year 2013-14 and succeeding years, the target is 55%.

23           **Sec. C-5. 20-A MRSA §15671-A, sub-§2, ¶B**, as amended by PL 2011, c. 477,  
24 Pt. C, §3, is further amended to read:

25           B. For property tax years beginning on or after April 1, 2005, the commissioner shall  
26 calculate the full-value education mill rate that is required to raise the statewide total  
27 local share. The full-value education mill rate is calculated for each fiscal year by  
28 dividing the applicable statewide total local share by the applicable statewide  
29 valuation. The full-value education mill rate must decline over the period from fiscal  
30 year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-  
31 06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill  
32 rate must be applied according to section 15688, subsection 3-A, paragraph A to  
33 determine a municipality's local cost share expectation. Full-value education mill  
34 rates must be derived according to the following schedule.

35                 (1) For the 2005 property tax year, the full-value education mill rate is the  
36 amount necessary to result in a 47.4% statewide total local share in fiscal year  
37 2005-06.

1 (2) For the 2006 property tax year, the full-value education mill rate is the  
2 amount necessary to result in a 46.14% statewide total local share in fiscal year  
3 2006-07.

4 (3) For the 2007 property tax year, the full-value education mill rate is the  
5 amount necessary to result in a 46.49% statewide total local share in fiscal year  
6 2007-08.

7 (4) For the 2008 property tax year, the full-value education mill rate is the  
8 amount necessary to result in a 47.48% statewide total local share in fiscal year  
9 2008-09.

10 (4-A) For the 2009 property tax year, the full-value education mill rate is the  
11 amount necessary to result in a 51.07% statewide total local share in fiscal year  
12 2009-10.

13 (4-B) For the 2010 property tax year, the full-value education mill rate is the  
14 amount necessary to result in a 54.16% statewide total local share in fiscal year  
15 2010-11.

16 (4-C) For the 2011 property tax year, the full-value education mill rate is the  
17 amount necessary to result in a ~~53.87%~~ 53.98% statewide total local share in  
18 fiscal year 2011-12.

19 (5) For the 2012 property tax year, the full-value education mill rate is the  
20 amount necessary to result in a ~~47.74%~~ 53.40% statewide total local share in  
21 fiscal year 2012-13.

22 (6) For the 2013 property tax year, the full-value education mill rate is the  
23 amount necessary to result in a 47.50% statewide total local share in fiscal year  
24 2013-14.

25 (7) For the 2014 property tax year and subsequent tax years, the full-value  
26 education mill rate is the amount necessary to result in a 45% statewide total  
27 local share in fiscal year 2014-15 and after.

28 **Sec. C-6. 20-A MRSA §15672, sub-§25-A**, as enacted by PL 2007, c. 668, §35,  
29 is amended to read:

30 **25-A. School administrative unit.** "School administrative unit" means a school  
31 administrative unit as defined by section 1, subsection 26 ~~except that for those school~~  
32 ~~administrative units that are members of an alternative organizational structure, the~~  
33 ~~alternative organizational structure is the school administrative unit for the purposes of~~  
34 ~~this chapter, paragraphs A to G.~~

35 **Sec. C-7. 20-A MRSA §15683-A**, as amended by PL 2009, c. 213, Pt. C, §7, is  
36 further amended to read:

37 **§15683-A. Total debt service allocation**

38 For each school administrative unit, that unit's total debt service allocation is that  
39 unit's debt service costs as defined in section 15672, subsection 2-A. ~~For the 2008-09 and~~

1 ~~2009-10 funding years only, for each school administrative unit, that unit's total debt~~  
2 ~~service allocation is that unit's debt service costs as defined in section 15672, subsection~~  
3 ~~2-A excluding 80% of the insured value factor pursuant to section 15672, subsection 2-A,~~  
4 ~~paragraph C. For the 2010-11 funding year only, each~~ Each school administrative unit's  
5 total debt service allocation must include the portion of the tuition cost applicable to the  
6 insured value factor for the base year computed under section 5806 limited to an insured  
7 value factor no greater than 5% for each eligible student.

8 **Sec. C-8. 20-A MRSA §15689, sub-§1, ¶A**, as amended by PL 2009, c. 571, Pt.  
9 E, §21, is further amended to read:

10 A. The sum of the following calculations:

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

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

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

26 **Sec. C-9. 20-A MRSA §15689, sub-§1, ¶B**, as repealed and replaced by PL  
27 2009, c. 571, Pt. E, §22, is amended to read:

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

30 (1) In fiscal year 2005-06, 84%;

31 (2) In fiscal year 2006-07, 84%;

32 (3) In fiscal year 2007-08, 84%;

33 (4) In fiscal year 2008-09, 45%;

34 (5) In fiscal year 2009-10, 40% including funds provided under Title XIV of the  
35 State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act  
36 of 2009;

37 (6) In fiscal year 2010-11, 35% including funds provided under Title XIV of the  
38 State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act  
39 of 2009; ~~and~~

40 (7) In fiscal year 2011-12 ~~and succeeding years~~, 30%; and

1                   (8) In fiscal year 2012-13 and succeeding years, 35%.

2                   **Sec. C-10. 20-A MRSA §15689, sub-§12** is enacted to read:

3                   **12. Adjustment of subsidy for statewide contract purchases.** The commissioner  
4 may expend and disburse funds on behalf of school administrative units for purchases of  
5 items available on statewide contracts. The school administrative unit's available state  
6 subsidy must be reduced based on the cost of the items purchased and upon prior  
7 agreement with the school administrative unit. If sufficient state subsidy funds are not  
8 available in the fiscal year in which the items were purchased, the reduction to the school  
9 administrative unit's available state subsidy may occur in the following fiscal year's state  
10 subsidy.

11                   **Sec. C-11. 20-A MRSA §15689-A, sub-§§21 and 22** are enacted to read:

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

15                   **22. MaineCare seed for school administrative units.** The commissioner may  
16 deduct from a school administrative unit's state subsidy and pay on behalf of the school  
17 administrative unit allowable school-based costs that represent the school administrative  
18 unit's portion of MaineCare payments. A transfer of payment by the department to the  
19 Department of Health and Human Services must be made pursuant to a schedule agreed  
20 upon by the Department of Health and Human Services and the department and based on  
21 documentation of payments made from MaineCare funds.

22                   **Sec. C-12. 20-A MRSA §15690, sub-§1, ¶D**, as enacted by PL 2009, c. 571, Pt.  
23 E, §25, is amended to read:

24                   D. Beginning in fiscal year 2010-11, in any fiscal year in which the sum of the  
25 State's contribution toward the cost of the components of essential programs and  
26 services, exclusive of federal funds that are provided and accounted for in the cost of  
27 the components of essential programs and services, plus any federal stimulus funds  
28 applied to the State's contribution, falls below the State's target of 55% of the cost of  
29 the components of essential programs and services, the commissioner shall calculate  
30 the percentage of the State's 55% share that is funded by state appropriations and  
31 federal stimulus funds and, notwithstanding any other provision of this paragraph, a  
32 school administrative unit that raises at least the same percentage of its required local  
33 contribution to the total cost of funding public education from kindergarten to grade  
34 12, including state-funded debt service, as the State's contribution plus federal  
35 stimulus funds toward its 55% share of the cost of the components of essential  
36 programs and services may not have the amount of its state subsidy limited or  
37 reduced under paragraph C.

38                   This paragraph is repealed June 30, ~~2012~~ 2013.

39                   **Sec. C-13. PL 2011, c. 380, Pt. C, §§8 and 9**, as amended by PL 2011, c. 477,  
40 Pt. C, §4, are further amended to read:

1           **Sec. C-8. Total cost of funding public education from kindergarten to**  
 2 **grade 12.** The total cost of funding public education from kindergarten to grade 12 for  
 3 fiscal year 2011-12 is as follows:

	<b>2011-12</b>
	<b>TOTAL</b>
<b>Total Operating Allocation</b>	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transitions percentage	\$1,390,771,314
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 97% transitions percentage	\$1,349,048,174
Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A	\$413,851,257
<b>Total Operating Allocation</b>	<hr/>
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	\$1,762,899,431
<b>Total Debt Service Allocation</b>	
Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A	\$104,575,834
<b>Total Adjustments and Miscellaneous Costs</b>	
Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, sections 15689 and 15689-A	<del>-\$67,593,846</del> <u>\$63,894,104</u>
<b>Total Cost of Funding Public Education from Kindergarten to Grade 12</b>	<hr/>
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2011-12 pursuant to the Maine Revised Statutes, Title 20-A, chapter 606-B	<del>-\$1,935,069,111</del> <u>\$1,931,369,369</u>

1	Total cost of the state contribution to teacher	\$172,592,848
2	retirement, teacher retirement health insurance and	
3	teacher retirement life insurance for fiscal year	
4	2011-12 pursuant to the Maine Revised Statutes, Title	
5	5, chapters 421 and 423	
6		
7	Adjustment pursuant to the Maine Revised Statutes,	\$41,723,140
8	Title 20-A, section 15683, subsection 2	
9		
10	Total cost of funding public education from	<del>\$2,149,385,099</del>
11	kindergarten to grade 12	<u>\$2,145,685,357</u>

12           **Sec. C-9. Local and state contributions to total cost of funding public**  
 13 **education from kindergarten to grade 12.** The local contribution and the state  
 14 contribution appropriation provided for general purpose aid for local schools for the fiscal  
 15 year beginning July 1, 2011 and ending June 30, 2012 is calculated as follows:

16		<b>2011-12</b>	<b>2011-12</b>
17		<b>LOCAL</b>	<b>STATE</b>
18	<b>Local and State Contributions to the</b>		
19	<b>Total Cost of Funding Public Education</b>		
20	<b>from Kindergarten to Grade 12</b>		
21			
22	Local and state contributions to the total	\$1,042,466,969	<del>\$892,602,142</del>
23	cost of funding public education from		<u>\$888,902,400</u>
24	kindergarten to grade 12 pursuant to the		
25	Maine Revised Statutes, Title 20-A,		
26	section 15683 - subject to statewide		
27	distributions required by law		
28			
29	State contribution to the total cost of		\$172,592,848
30	teacher retirement, teacher retirement		
31	health insurance and teacher retirement		
32	life insurance for fiscal year 2011-12		
33	pursuant to the Maine Revised Statutes,		
34	Title 5, chapters 421 and 423		
35			
36	State contribution to the total cost of		<del>\$1,065,194,990</del>
37	funding public education from		<u>\$1,061,495,248</u>
38	kindergarten to grade 12		

39           **Sec. C-14. Mill expectation.** The mill expectation pursuant to the Maine Revised  
 40 Statutes, Title 20-A, section 15671-A for fiscal year 2012-13 is 7.69.

1           **Sec. C-15. Total cost of funding public education from kindergarten to**  
 2 **grade 12.** The total cost of funding public education from kindergarten to grade 12 for  
 3 fiscal year 2012-13 is as follows:

	<b>2012-13</b>
	<b>TOTAL</b>
<b>Total Operating Allocation</b>	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transitions percentage	\$1,395,869,772
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 97% transitions percentage	\$1,353,993,679
Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A	\$429,737,826
<b>Total Operating Allocation</b>	<hr/>
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	\$1,783,731,505
<b>Total Debt Service Allocation</b>	
Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A	\$103,872,675
<b>Total Adjustments and Miscellaneous Costs</b>	
Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, sections 15689 and 15689-A	\$66,749,900
<b>Total Cost of Funding Public Education from Kindergarten to Grade 12</b>	<hr/>

1	Total cost of funding public education from	\$1,954,354,080
2	kindergarten to grade 12 for fiscal year 2012-13	
3	pursuant to the Maine Revised Statutes, Title 20-A,	
4	chapter 606-B	
5		
6	Total cost of the state contribution to teacher	\$174,932,892
7	retirement, teacher retirement health insurance and	
8	teacher retirement life insurance for fiscal year	
9	2012-13 pursuant to the Maine Revised Statutes, Title	
10	5, chapters 421 and 423	
11		
12	Adjustment pursuant to the Maine Revised Statutes,	\$41,876,093
13	Title 20-A, section 15683, subsection 2	
14		
15	Total cost of funding public education from	\$2,171,163,065
16	kindergarten to grade 12	

17           **Sec. C-16. Local and state contributions to total cost of funding public**  
 18 **education from kindergarten to grade 12.** The local contribution and the state  
 19 contribution appropriation provided for general purpose aid for local schools for the fiscal  
 20 year beginning July 1, 2012 and ending June 30, 2013 is calculated as follows:

21		<b>2012-13</b>	<b>2012-13</b>
22		<b>LOCAL</b>	<b>STATE</b>
23	<b>Local and State Contributions to the</b>		
24	<b>Total Cost of Funding Public Education</b>		
25	<b>from Kindergarten to Grade 12</b>		
26			
27	Local and state contributions to the total	\$1,043,692,866	\$910,661,214
28	cost of funding public education from		
29	kindergarten to grade 12 pursuant to the		
30	Maine Revised Statutes, Title 20-A,		
31	section 15683 - subject to statewide		
32	distributions required by law		
33			
34	State contribution to the total cost of		\$174,932,892
35	teacher retirement, teacher retirement		
36	health insurance and teacher retirement		
37	life insurance for fiscal year 2012-13		
38	pursuant to the Maine Revised Statutes,		
39	Title 5, chapters 421 and 423		
40			
41	State contribution to the total cost of		\$1,085,594,106
42	funding public education from		
43	kindergarten to grade 12		





1 Notwithstanding any other law, municipal school budgets developed after January 1,  
2 2008 must follow the same school budget requirements as regional school units pursuant  
3 to chapter 103-A, except as described in subsections 1 and 2. A municipal school unit is  
4 deemed to be a regional school unit solely for the purpose of developing a budget  
5 pursuant to chapter 103-A. A municipality has the same authority to commit property  
6 taxes as provided in section 1487.

7 **PART F**

8 **Sec. F-1. 20-A MRSA §15689, sub-§12** is enacted to read:

9 **12. Bus refurbishing program.** Beginning in fiscal year 2012-13 and in each  
10 subsequent year, the commissioner may increase the state share of the total allocation to a  
11 qualifying school administrative unit for the approved refurbishing of a bus.

12 A. Approval of bus refurbishing must be based on eligibility requirements  
13 established by the commissioner, including, but not limited to, the age, mileage and  
14 expected useful life of the bus.

15 B. Adjustment to the state share of the total allocation under this subsection must  
16 occur in the fiscal year following the school administrative unit's expenditure and be  
17 based on the total amount approved by the commissioner, or the actual expenditure  
18 by a school administrative unit if less, for bus refurbishing, multiplied by the school  
19 administrative unit's state share percentage except that if a school administrative  
20 unit's state share percentage is less than 30% the multiplication factor is 30% and if a  
21 school administrative unit's state share percentage is greater than 70% the  
22 multiplication factor is 70%.

23 **PART G**

24 **Sec. G-1. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title  
25 5, section 1585 or any other provision of law, for fiscal years 2011-12 and 2012-13, the  
26 Commissioner of Education is authorized to identify savings within existing General  
27 Fund programs of the Department of Education and transfer up to \$150,000 in available  
28 balances by financial order upon the recommendation of the State Budget Officer and  
29 approval of the Governor from existing General Fund program accounts to the State  
30 Charter School Commission program in order to provide start-up funding for the  
31 oversight of public charter schools.

32 **PART H**

33 **Sec. H-1. Department of Education; General Purpose Aid for Local**  
34 **Schools; lapsed balances.** Notwithstanding any other provision of law, \$10,009,774  
35 of unencumbered balance forward from the Department of Education, General Purpose  
36 Aid for Local Schools program, General Fund carrying account, All Other line category  
37 lapses to the General Fund no later than June 30, 2012.

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**PART I**

**Sec. I-1. 2 MRSA §6, sub-§2**, as amended by PL 2007, c. 539, Pt. N, §1 and affected by c. 695, Pt. A, §47, 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;
- Associate Commissioner for Adult Services, Department of Corrections;
- Associate Commissioner for Juvenile Services, Department of Corrections;
- Public Advocate;
- Deputy Commissioner, Department of Health and Human Services;
- Chief Information Officer;
- Associate Commissioner for Legislative and Program Services, Department of Corrections; and
- Chief of the State Police.

**Sec. I-2. 2 MRSA §6, sub-§3**, as amended by PL 2011, c. 380, Pt. WWW, §1, is further amended to read:

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

- Director, Bureau of General Services;
- Director, Bureau of Alcoholic Beverages and Lottery Operations;
- State Budget Officer;
- State Controller;
- Director of the Bureau of Forestry;
- Director, State Planning Office;
- Director, Energy Resources Office;
- Director of Human Resources;
- Director, Bureau of Parks and Lands; and
- ~~Director of Econometric Research; and~~

1 Director of the Governor's Office of Communications.

2 **Sec. I-3. 5 MRSA §282, 2nd ¶**, as amended by PL 1985, c. 785, Pt. B, §14, is  
3 further amended to read:

4 The commissioner may employ such other deputies, division heads, assistants and  
5 employees as may be necessary, subject to the Civil Service Law. In addition, the  
6 commissioner may employ a Director of Compliance to carry out departmental  
7 responsibilities related to: Labor relations and labor contract compliance; human rights  
8 and affirmative action compliance; and; audit guidelines and other 3rd-party compliance  
9 requirements. The Director of Compliance ~~shall serve~~ serves at the pleasure of the  
10 commissioner. In addition, the commissioner may employ an Associate Commissioner  
11 for Tax Policy to supervise and direct the tax policy analysis, guidance and  
12 communications activities of the Office of Tax Policy within the Bureau of Revenue  
13 Services. The Associate Commissioner for Tax Policy serves at the pleasure of the  
14 commissioner.

15 **Sec. I-4. 5 MRSA §931, sub-§1, ¶L-2**, as amended by PL 2005, c. 218, §2, is  
16 repealed.

17 **Sec. I-5. 5 MRSA §947-B, sub-§1**, as amended by PL 2007, c. 240, Pt. HH, §2,  
18 is further amended to read:

19 **1. Major policy-influencing positions.** The following positions are major policy-  
20 influencing positions within the Department of Administrative and Financial Services.  
21 Notwithstanding any other provision of law, these positions and their successor positions  
22 are subject to this chapter:

- 23 B. Director, Bureau of Human Resources;
- 24 D. Director, Bureau of Alcoholic Beverages and Lottery Operations;
- 25 E. Director, Bureau of General Services;
- 26 F. Deputy Commissioner, Department of Administrative and Financial Services;
- 27 G. State Controller;
- 28 H. State Tax Assessor;
- 29 I. State Budget Officer;
- 30 J. Chief Information Officer; ~~and~~
- 31 K. Associate Commissioner, Administrative Services; and
- 32 L. Associate Commissioner for Tax Policy within the Bureau of Revenue Services.

33 **Sec. I-6. 5 MRSA §1710-E**, as amended by PL 2001, c. 2, §1, is further amended  
34 to read:

35 **§1710-E. Revenue Forecasting Committee; established; membership**

36 There is established the Revenue Forecasting Committee, referred to in this chapter  
37 as the "committee," for the purpose of providing the Governor, the Legislature and the  
38 State Budget Officer with analyses, findings and recommendations relating to the

1 projection of revenues for the General Fund and the Highway Fund based on economic  
2 assumptions recommended by the Consensus Economic Forecasting Commission. The  
3 committee includes the State Budget Officer, the ~~State Tax Assessor~~ Associate  
4 Commissioner for Tax Policy, the State Economist, an economist on the faculty of the  
5 University of Maine System selected by the chancellor, the Director of the Office of  
6 Fiscal and Program Review and another member of the Legislature's nonpartisan staff  
7 familiar with revenue estimating issues appointed by the Legislative Council. One of the  
8 6 members must be selected by a majority vote of the committee members to serve as the  
9 chair of the committee.

10 **Sec. I-7. 36 MRSA §112, sub-§2**, as repealed and replaced by PL 1999, c. 127,  
11 Pt. A, §48, is amended to read:

12 **2. Organization.** The assessor may employ deputies, assistants and employees as  
13 necessary, subject to the Civil Service Law unless otherwise provided, and distribute the  
14 duties given to the assessor or to the bureau among those persons or divisions in that  
15 bureau the assessor considers necessary for economy and efficiency in administration.  
16 An officer within each division of the bureau must be designated by the assessor as  
17 director of that division. ~~Notwithstanding any other laws, the Director of Econometric~~  
18 ~~Research serves at the pleasure of the assessor.~~ The assessor, for enforcement and  
19 administrative purposes, may divide the State into a reasonable number of districts in  
20 which branch offices may be maintained.

21 The Office of Tax Policy, referred to in this paragraph as "the office," is established  
22 within the bureau. The head of the office is the Associate Commissioner for Tax Policy,  
23 who reports directly to, and serves at the pleasure of, the Commissioner of Administrative  
24 and Financial Services and who must have an advanced degree in economics, statistics,  
25 accounting, business, law or public policy. The office is responsible for: providing  
26 economic and legal policy analysis on tax issues; oversight of tax legislation review;  
27 providing revenue forecasting analysis to the Revenue Forecasting Committee under Title  
28 5, section 1710-E; the preparation of tax expenditure reports; the establishment of policy  
29 criteria reflected in bureau rules and advisory rulings; and related public relations.

30 **Sec. I-8. 36 MRSA §112, sub-§7**, as amended by PL 1997, c. 526, §7, is further  
31 amended to read:

32 **7. Evaluation of tax systems.** The assessor and the Office of Tax Policy shall  
33 investigate and examine the systems and methods of taxation of other states and make  
34 careful and constant inquiry into the practical operation and effect of the laws of this  
35 State, in comparison with the laws of other states, with the view of ascertaining wherein  
36 the tax laws of this State are defective, inefficient, inoperative or inequitable.

37 **Sec. I-9. 36 MRSA §191, sub-§2, ¶F**, as amended by PL 2003, c. 673, Pt. DD,  
38 §2 and c. 689, Pt. B, §6 and c. 705, §3, is further amended to read:

39 F. The transmission of information among employees of the Bureau of Revenue  
40 Services for the purposes of enforcing and administering the tax laws of this State  
41 and the delivery by a register of deeds to the State Tax Assessor or delivery by the  
42 State Tax Assessor to the appropriate municipal assessor or to the Maine Land Use  
43 Regulation Commission or the Department of Health and Human Services of  
44 "declarations of value" in accordance with section 4641-D. The State Tax Assessor

1 may require entities requesting information pursuant to this paragraph other than  
 2 municipal assessors to provide resources sufficient to cover the cost of providing the  
 3 forms;

4 **Sec. I-10. Appointment.** The Commissioner of Administrative and Financial  
 5 Services shall appoint the person holding the position of Director of Econometric  
 6 Research on December 9, 2011 to the Associate Commissioner for Tax Policy position  
 7 effective December 10, 2011.

8 **Sec. I-11. Retroactivity.** This Part applies retroactively to December 10, 2011.

9 **PART J**

10 **Sec. J-1. PL 2011, c. 428, §8** is amended to read:

11 **Sec. 8. Appropriations and allocations.** The following appropriations and  
 12 allocations are made.

13 **CORRECTIONS, STATE BOARD OF**

14 **State Board of Corrections Investment Fund ~~Z075~~ Z087**

15 Initiative: Provides funds to support the cost of an anticipated increase in the number of  
 16 incarcerations related to synthetic cannabinoids.

17	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
18	All Other	\$0	\$3,132
19			
20	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$3,132</u>

21 **CORRECTIONS, STATE BOARD OF**  
 22 **DEPARTMENT TOTALS**

23		<b>2011-12</b>	<b>2012-13</b>
24	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$3,132</b>
25			
26	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$0</b></u>	<u><b>\$3,132</b></u>

27 **INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

28 **Maine Commission on Indigent Legal Services Z112**

29 Initiative: Provides funds for an anticipated increase in the cost of court-appointed  
 30 counsel as a result of adding synthetic cannabinoids to the list of schedule Z drugs.

31	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
32	All Other	\$0	\$3,110
33			
34	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$3,110</u>

1	<b>INDIGENT LEGAL SERVICES, MAINE</b>		
2	<b>COMMISSION ON</b>		
3	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
4			
5	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$3,110</b>
6			
7	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$3,110</b>
8	<b>SECTION TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
9			
10	<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$6,242</b>
11			
12	<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$6,242</b>

13 **Sec. J-2. PL 2011, c. 448, §3** is amended to read:

14 **Sec. 3. Appropriations and allocations.** The following appropriations and  
 15 allocations are made.

16 **CORRECTIONS, STATE BOARD OF**

17 **State Board of Corrections Investment Fund ~~Z075~~ Z087**

18 Initiative: Provides funds to the State Board of Corrections for the costs associated with  
 19 establishing a new Class E offense.

20	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	All Other	\$0	\$3,132
22			
23	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$3,132</b>

24 **Sec. J-3. PL 2011, c. 455, §3** is amended to read:

25 **Sec. 3. Appropriations and allocations.** The following appropriations and  
 26 allocations are made.

27 **CORRECTIONS, STATE BOARD OF**

28 **State Board of Corrections Investment Fund ~~Z075~~ Z087**

29 Initiative: Provides funds for the State Board of Corrections for an anticipated increase in  
 30 county jail costs.

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$0	\$3,132
3			
4	GENERAL FUND TOTAL	\$0	\$3,132

5 **PART K**

6 **Sec. K-1. 5 MRSA §1667-B, sub-§§3 and 4**, as enacted by PL 2005, c. 12, Pt.  
 7 T, §7, are amended to read:

8 **3. Legislative review.** ~~Allotment~~ Excluding the State - Municipal Revenue Sharing  
 9 program, Other Special Revenue Funds account, the Disproportionate Tax Burden Fund  
 10 program, Other Special Revenue Funds account in the Office of the Treasurer of State  
 11 and accounts when allotting funds to pay death benefits pursuant to Title 25, chapter  
 12 195-A, allotment of the funds under subsection 1 is subject to review by the joint standing  
 13 committee of the Legislature having jurisdiction over appropriations and financial affairs;

14 **4. 30-day wait.** ~~Allotment~~ Excluding the State - Municipal Revenue Sharing  
 15 program, Other Special Revenue Funds account, the Disproportionate Tax Burden Fund  
 16 program, Other Special Revenue Funds account in the Office of the Treasurer of State  
 17 and accounts when allotting funds to pay death benefits pursuant to Title 25, chapter  
 18 195-A, allotment of the funds under subsection 1 does not take effect until 30 days after  
 19 the approval by the Governor; and

20 **PART L**

21 **Sec. L-1. 5 MRSA §1710-F, sub-§2**, as amended by PL 2009, c. 461, §1, is  
 22 further amended to read:

23 **2. Biennial revenue projections.** The committee shall submit recommendations for  
 24 state revenue projections for the next 2 fiscal biennia and analyze revenue projections for  
 25 the current fiscal biennium, which must be approved by a majority of the committee  
 26 members. No later than December 1st of each even-numbered year, the committee shall  
 27 submit to the Governor, the Legislative Council, the joint standing committee of the  
 28 Legislature having jurisdiction over appropriations and financial affairs and the State  
 29 Budget Officer a report that presents the analyses, findings and recommendations for  
 30 General Fund and Highway Fund revenue projections for the next 2 fiscal biennia. In its  
 31 report the committee shall fully describe the methodology employed in reaching its  
 32 recommendations. Revenue projections for other funds of the State may be included in  
 33 the report at the discretion of the committee. ~~Revenue projections for the General Fund~~  
 34 ~~may not include revenue that accrues pursuant to Title 30-A, section 5250-I, subsection~~  
 35 ~~14 and is deposited into the Pine Tree Development Zone Reserve Fund pursuant to Title~~  
 36 ~~30-A, section 5250-J, subsection 4-B that would not have accrued to the State but for the~~  
 37 ~~availability of Pine Tree Development Zone benefits as stated in Title 30-A, section~~  
 38 ~~5250-I, subsection 17, paragraph A.~~

39 **Sec. L-2. 30-A MRSA §5250-J, sub-§4-B**, as enacted by PL 2009, c. 461, §20,  
 40 is repealed.



1 the International Emergency Management Assistance Compact under Title 37-B, section  
2 935. These transfers are authorized only if the Legislature has adjourned sine die and  
3 only to the extent needed to meet the obligations of the department within that fiscal year  
4 that are in excess of available appropriations and any other funding sources. These funds  
5 must be allotted by financial order upon the recommendation of the State Budget Officer  
6 and approval of the Governor. Any amounts transferred from the stabilization fund must  
7 be returned to the stabilization fund upon receipt of reimbursement from the affected state  
8 or province.

9 **PART P**

10 **Sec. P-1. 35-A MRSA §1701, sub-§3**, as amended by PL 2001, c. 476, §1, is  
11 further amended to read:

12 **3. Salaries of certain employees.** The salaries of the following employees of the  
13 Public Advocate are within the following salary ranges:

- 14 A. Deputy Public Advocate, salary range 53;  
15 B. Senior Counsel, salary range 36;  
16 ~~C. Economic Analyst, salary range 36;~~  
17 D. Research Assistant, salary range 30;  
18 E. Business Services Manager, salary range 26; and  
19 F. Special Assistant to the Public Advocate, salary range 20.

20 The employees listed in this subsection serve at the pleasure of the Public Advocate and  
21 are confidential employees. All other employees of the Public Advocate are subject to  
22 the Civil Service Law.

23 ~~The Public Advocate may, at the Public Advocate's discretion, substitute an Economic~~  
24 ~~Analyst position at salary range 36 for any vacant Senior Counsel position.~~ The Public  
25 Advocate also may compensate one or more Senior Counsels at salary range 37 if, in the  
26 judgment of the Public Advocate, an increase is necessary to provide competitive salary  
27 levels.

28 **PART Q**

29 **Sec. Q-1. 5 MRSA §1591, sub-§5** is enacted to read:

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

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**PART R**

**Sec. R-1. 22 MRSA §4305, sub-§3-C** is enacted to read:

**3-C. Maximum level of assistance from July 1, 2012 to June 30, 2013.**  
Notwithstanding subsection 3-A or 3-B, for the period from July 1, 2012 to June 30, 2013, the maximum level of assistance is 90% of the maximum level of assistance in effect on April 1, 2012.

**Sec. R-2. 22 MRSA §4308, sub-§§1-A and 1-B** are enacted to read:

**1-A. Limit on housing assistance.** Except as provided in subsections 1-B and 2, housing assistance provided pursuant to this chapter is limited to a maximum of 9 months during the period from July 1, 2012 to June 30, 2013.

**1-B. Extension of housing assistance due to hardship.** An applicant is eligible for housing assistance under this chapter beyond the limit established in subsection 1-A if the applicant has a severe and persistent mental or physical condition warranting such an extension or has an application for assistance pending with the federal Social Security Administration.

**Sec. R-3. Temporary reduction in 90% general assistance reimbursement.** Notwithstanding the Maine Revised Statutes, Title 22, section 4311, subsection 1, for the period from July 1, 2012 to June 30, 2013, the state reimbursement rate pursuant to the Maine Revised Statutes, Title 22, section 4311, subsection 1 is reduced to 85% for a municipality that incurs net general assistance costs in a fiscal year in excess of .0003 of that municipality's most recent state valuation.

**Sec. R-4. General assistance working group.** The Commissioner of Health and Human Services or the commissioner's designee shall convene a working group to review and make recommendations related to the general assistance program under the Maine Revised Statutes, Title 22, chapter 1161, referred to in this section as "the general assistance program." The commissioner or the commissioner's designee shall convene the first meeting of the working group no later than June 1, 2012.

**1. Members.** The working group consists of 9 members, 7 of whom are voting members and 2 of whom are nonvoting members.

A. The commissioner, or the commissioner's designee, serves as a voting member of the working group. The commissioner shall appoint the following 6 additional voting members: the director of the Department of Health and Human Services, Office of Family Independence; one member of a statewide organization representing Maine municipalities; one member of a statewide organization representing Maine municipal welfare directors; one member from a municipality in the State that has a program to assist recipients of general assistance in applying for federal supplemental security income benefits; one member of an advocacy organization representing the interests of recipients of general assistance with expertise in policy and legal matters

1 related to public benefit programs; and the executive director of the Maine State  
2 Housing Authority or the executive director's designee.

3 B. The commissioner shall appoint the following 2 nonvoting members of the  
4 working group: one person with knowledge of cash or medical assistance benefits  
5 provided by the United States Department of Veterans Affairs; and one person with  
6 knowledge of affordable housing programs and other opportunities to increase the  
7 supply of affordable housing in Maine.

8 The working group may create subgroups to work on specific issues or initiatives and  
9 may include individuals who are not working group members.

10 **2. Duties.** In developing its recommendations under this section, the working group  
11 shall:

12 A. Review and propose suggestions for electronic data exchange between  
13 municipalities and the Department of Health and Human Services to increase  
14 efficiency in verifying general assistance program eligibility and improving program  
15 integrity;

16 B. Examine the structure of the general assistance program and recommend methods  
17 and standards to improve accountability, cost-effectiveness and uniformity in the  
18 program;

19 C. Review the role of the general assistance program in funding homeless shelter  
20 services and develop recommendations regarding whether the Department of Health  
21 and Human Services or the Maine State Housing Authority is the more appropriate  
22 state agency to operate and administer the general assistance program and to operate  
23 and administer housing assistance benefits under the general assistance program;

24 D. Evaluate the appropriateness and the necessity of limiting general assistance  
25 benefits to persons receiving Temporary Assistance for Needy Families program  
26 benefits and persons under sanction in that program;

27 E. Review the pilot program established by the commissioner pursuant to this Part  
28 and make any recommendations necessary to improve the success of the pilot  
29 program; and

30 F. Develop proposed legislation designed to achieve \$500,000 in General Fund  
31 savings from January 1, 2013 to June 30, 2013 and improve the efficiency,  
32 effectiveness, uniformity and financial accountability of the general assistance  
33 program.

34 **3. Report.** No later than December 1, 2012, the Commissioner of Health and  
35 Human Services shall submit the report and recommendations developed pursuant to this  
36 section, including any suggested legislation, to the Joint Standing Committee on  
37 Appropriations and Financial Affairs and the Joint Standing Committee on Health and  
38 Human Services.

39 **Sec. R-5. General assistance pilot program.** The Commissioner of Health and  
40 Human Services shall establish a pilot program designed to further the objectives of the  
41 working group established in this Part and to reduce General Fund costs and costs of the  
42 general assistance program under the Maine Revised Statutes, Title 22, chapter 1161 by  
43 maximizing access to federal assistance programs for which applicants for or recipients of

1 general assistance may be eligible. Under the pilot program, the 7 limited-period Family  
2 Independence Specialist positions established in Part A shall work to maximize and  
3 expedite the award of federal supplemental security income benefits for recipients of  
4 general assistance and to identify and assist veterans who receive assistance through  
5 programs administered by the Department of Health and Human Services, Office for  
6 Family Independence who may be eligible for cash or medical assistance from the United  
7 States Department of Veterans Affairs to obtain those benefits. On or before June 30,  
8 2013, the commissioner shall submit a report regarding the operations and effect of the  
9 pilot program to the joint standing committee of the Legislature having jurisdiction over  
10 appropriations and financial affairs and to the joint standing committee of the Legislature  
11 having jurisdiction over health and human services matters.

12 **PART S**

13 **Sec. S-1. 22 MRSA §3762, sub-§8, ¶D**, as enacted by PL 2007, c. 539, Pt. XX,  
14 §2, is repealed.

15 **Sec. S-2. 22 MRSA §3762, sub-§8, ¶F** is enacted to read:

16 F. The department may provide limited transitional food benefits to meet the needs  
17 of food supplement benefit recipients living with one or more dependent children  
18 under 18 years of age who are working at least 30 hours per week or who are working  
19 at least 20 hours per week if one or more dependent child is under 6 years of age.  
20 The benefit may not exceed \$50 per month per family.

21 **PART T**

22 **Sec. T-1. 22 MRSA §1708, sub-§4**, as enacted by PL 1991, c. 622, Pt. M, §8 and  
23 affected by §9, is repealed.

24 **PART U**

25 **Sec. U-1. 22 MRSA §3273, sub-§10** is enacted to read:

26 **10. Balances of funds not to lapse.** Any balances of funds appropriated for the  
27 program of state supplemental income benefits authorized under sections 3271 and 3274  
28 may not lapse but must be carried forward from year to year to be expended for the same  
29 purpose.

30 **PART V**

31 **Sec. V-1. 5 MRSA §1591, sub-§2**, as amended by PL 2011, c. 380, Pt. UUU, §§1  
32 to 3, is further amended to read:

33 **2. Department of Health and Human Services.** The Department of Health and  
34 Human Services must apply:

35 A. Any balance remaining in the accounts of the Department of Health and Human  
36 Services, Bureau of Elder and Adult Services appropriated for the purposes of

1 homemaker or home-based care services at the end of any fiscal year to be carried  
2 forward for use by either program in the next fiscal year;

3 B. Any balance remaining in the Traumatic Brain Injury Seed program, General  
4 Fund account at the end of any fiscal year to be carried forward for use in the next  
5 fiscal year; ~~and~~

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

10 D. Any balance remaining in the accounts of the Department of Health and Human  
11 Services, Mental Health Services - Community program appropriated for the  
12 purposes of rental assistance and shelter services at the end of any fiscal year to be  
13 carried forward for use in the next fiscal year for the same purpose.

14 **PART W**

15 **Sec. W-1. 4 MRSA §1, 4th ¶**, as enacted by PL 2009, c. 213, Pt. QQ, §1, is  
16 amended to read:

17 The Chief Justice, as head of the judicial branch, shall prepare the budget for the  
18 judicial branch. The Chief Justice may approve financial orders for transfers and  
19 revisions of and increases to allotment within the judicial branch in accordance with  
20 procedures for financial orders established in the executive branch. The Chief Justice  
21 shall provide a copy of each approved financial order to the Department of  
22 Administrative and Financial Services, Bureau of the Budget and the Office of Fiscal and  
23 Program Review.

24 **PART X**

25 **Sec. X-1. Personal Services balances authorized to carry; Department of**  
26 **Corrections.** Notwithstanding any other provision of law, the Department of  
27 Corrections is authorized to carry all fiscal year 2011-12 year-end balances in the  
28 Personal Services line category of General Fund accounts after all financial commitments  
29 and budgetary adjustments have been made to fiscal year 2012-13 to the Capital  
30 Expenditures line category in the Capital Construction/Repairs/Improvements -  
31 Corrections program, General Fund account in the Department of Corrections to be used  
32 for the purpose of making capital improvements to correctional facilities.

33 **PART Y**

34 **Sec. Y-1. Transfer of funds; Department of Public Safety; Criminal**  
35 **Justice Academy program.** Notwithstanding any other provision of law, the State  
36 Controller shall transfer \$600,000 from the unappropriated surplus of the General Fund to  
37 the Criminal Justice Academy program, Other Special Revenue Funds account within the  
38 Department of Public Safety no later than June 30, 2012.

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**PART Z**

**Sec. Z-1. Transfer of funds; Department of Public Safety, Fire Marshal - Office of account.** Notwithstanding any other provision of law, the State Controller shall transfer \$700,000 from the unappropriated surplus of the General Fund to the Fire Marshal - Office of program, Other Special Revenue Funds account within the Department of Public Safety no later than June 30, 2012.

**PART AA**

**Sec. AA-1. Transfer of funds; Commission on Governmental Ethics and Election Practices program.** Notwithstanding any other provision of law, the State Controller shall transfer \$1,300,000 on or before June 30, 2012 and \$950,000 on or before June 30, 2013 from the Commission on Governmental Ethics and Election Practices program, Other Special Revenue Funds account to the unappropriated surplus of the General Fund.

**PART BB**

**Sec. BB-1. Department of Labor; lapsed balances.** Notwithstanding any other provision of law, \$451,183 of unencumbered balance forward from the Department of Labor, Governor's Training Initiative Program, General Fund account, All Other line category, lapses to the General Fund no later than June 30, 2012.

**PART CC**

**Sec. CC-1. 2 MRSA §6, sub-§3,** as amended by PL 2011, c. 380, Pt. WWW, §1, is further amended to read:

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

- Director, Bureau of General Services;
- Director, Bureau of Alcoholic Beverages and Lottery Operations;
- State Budget Officer;
- State Controller;
- Director of the Bureau of Forestry;
- Director, ~~State Planning Office~~ Governor's Office of Policy and Management;
- Director, Energy Resources Office;
- Director of Human Resources;
- Director, Bureau of Parks and Lands;
- Director of Econometric Research; and
- Director of the Governor's Office of Communications.



1 1st, annually, by the ~~Director of the State Planning Office within the Executive~~  
2 ~~Department~~ Governor's Office of Policy and Management.

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

5 **§1710-D. Staffing**

6 The commission may receive staff support from the ~~State Planning Office~~ Governor's  
7 Office of Policy and Management.

8 **Sec. DD-4. 5 MRSA §1710-I**, as amended by PL 1997, c. 526, §14, is further  
9 amended to read:

10 **§1710-I. Staffing**

11 The committee may receive staff assistance from the Bureau of the Budget, the ~~State~~  
12 ~~Planning Office~~ Governor's Office of Policy and Management, the Bureau of Revenue  
13 Services and, at the discretion of the Legislature, the Office of Fiscal and Program  
14 Review. The committee may also utilize other professionals having revenue forecasting,  
15 economic and fiscal expertise.

16 **Sec. DD-5. 5 MRSA c. 310** is enacted to read:

17 **CHAPTER 310**

18 **GOVERNOR'S OFFICE OF POLICY AND MANAGEMENT**

19 **§3101. Definitions**

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

22 **1. Director.** "Director" means the Director of the Governor's Office of Policy and  
23 Management established by section 3102.

24 **2. Office.** "Office" means the Governor's Office of Policy and Management  
25 established by section 3102.

26 **§3102. Office established; purpose**

27 The Governor's Office of Policy and Management is established in the Executive  
28 Department to facilitate achievement of long-term state economic goals and objectives  
29 and identification and implementation of opportunities to improve the efficiency and  
30 effectiveness of the performance of the functions of and delivery of services by State  
31 Government.

32 **§3103. Director**

33 The Director of the Governor's Office of Policy and Management is appointed by the  
34 Governor and serves at the pleasure of the Governor.

1        **§3104. Powers and duties**

2            The director is authorized to exercise the powers and is responsible for fulfillment of  
3 the duties of the office provided for by this section.

4            **1. Duties.** The director shall:

5            A. Appoint, remove and prescribe the duties of staff of the office as necessary to  
6 implement the duties of the office. The director is authorized to hire as unclassified  
7 employees professional personnel competent by education, training and experience in  
8 such areas as economics, law, accounting and public policy. The director is  
9 authorized to hire as classified employees other personnel, who are subject to the  
10 Civil Service Law and personnel policies established for state employees generally,  
11 as required to support implementation of the duties of the office;

12           B. Prepare long-range economic projections to ensure that projected available state  
13 financial resources are commensurate with projected state expenditures needed to  
14 meet long-term state economic goals and policies;

15           C. Analyze the structure and functions of State Government and identify options and  
16 develop recommendations for consideration by the Governor regarding improvement  
17 of the efficiency and effectiveness of governmental functions and programs and  
18 delivery of governmental services. In carrying out duties under this paragraph, the  
19 director may:

20                (1) Prepare strategic and long-range plans and goals for reform of State  
21 Government through creation of efficiencies and streamlining of operations;

22                (2) Establish metrics for and further develop systems for ongoing evaluation of  
23 the efficiency and effectiveness of state programs and delivery of state services;  
24 and

25                (3) Review and determine whether there is continuing need for state programs,  
26 boards and commissions, in part through consideration of whether their public  
27 benefit equals or exceeds their cost;

28           D. Recommend governmentwide policies to improve financial management for  
29 consideration by the Governor. In carrying out duties under this paragraph, the  
30 director may review state agencies' proposals for funding from public and private  
31 entities, including the Federal Government, for consistency with pertinent state law  
32 and fiscal policy;

33           E. Conduct studies and continuing economic analyses of the state economy,  
34 including economic forecasting, and collect, collate and analyze all pertinent data and  
35 statistics relating to those studies and analyses to assist the Governor, the Legislature  
36 and the various state departments in formulating economic goals and programs and  
37 policies to achieve such goals. The office shall make these data and statistics  
38 available to the Legislature upon request. All state agencies shall cooperate with the  
39 office regarding implementation of the provisions of this paragraph. In implementing  
40 this paragraph, the office may use secondary data made available to the office by  
41 other state agencies or other organizations;

1 F. At the Governor's request, advise on the risks, costs, benefits and effects on job  
2 creation and job retention in the State of proposed legislation or other policy  
3 initiatives;

4 G. Conduct research, reviews and studies to fulfill the office's duties as the director  
5 determines appropriate;

6 H. Facilitate intergovernmental and intragovernmental coordination, relations and  
7 communications and provide general coordination and review of plans in functional  
8 areas of State Government as may be necessary for receipt of federal funds; and

9 I. Perform other duties related to the purposes of the office under section 3102 as  
10 assigned by the Governor or as directed by statute.

11 **2. Powers.** The director may, in connection with the performance of the duties of  
12 the office, apply to the Superior Court for a subpoena to compel the attendance of  
13 witnesses and the production of books, papers, records and documents of individuals,  
14 firms, associations and corporations and all officers, boards, commissions and  
15 departments of State Government. The court, before issuing the subpoena, shall provide  
16 adequate opportunity for the director and the party against whom the subpoena is  
17 requested to be heard. The court may issue the subpoena only on a showing by the  
18 director and specific findings of fact by the court that the attendance of the witness or the  
19 production of the books, papers, records or documents is reasonably necessary to carry  
20 out specific duties of the office that are related to the operations and finances of State  
21 Government and that the director has made reasonable efforts to secure the attendance or  
22 the books, papers, records or documents without recourse to compulsory process. Any  
23 materials or information turned over to the director that is of a confidential or proprietary  
24 nature is confidential under section 3108.

25 **§3105. Acceptance and administration of funds**

26 The office may accept, administer and expend funds, including but not limited to  
27 funds from the Federal Government or from private sources, for purposes consistent with  
28 this chapter. The director shall provide a report of the amount of any outside funding  
29 received from private sources and its designated purpose to the joint standing committee  
30 of the Legislature having jurisdiction over appropriations and financial affairs no later  
31 than 30 days after receiving the funds.

32 **§3106. Contracts**

33 The office may contract with public and private entities for research and analysis and  
34 other services as the director determines necessary to address the office's duties under this  
35 chapter. The director shall provide a report of the contracts awarded to the joint standing  
36 committee of the Legislature having jurisdiction over appropriations and financial affairs  
37 no later than 30 days after awarding the contract.

38 **§3107. Governmental cooperation; temporary reassignment of governmental**  
39 **employees**

40 All departments, agencies, authorities, boards, commissions and other  
41 instrumentalities of the State shall, at the director's request, assist the office in the  
42 gathering of information, reports and data that relate to the performance of the duties of

1 the office. Subject to approval by the Governor, at the request of the director a state  
2 agency shall, as provided in chapter 309, assign qualified personnel to the office for a  
3 period of up to 6 months to assist the office in the performance of its duties.

4 **§3108. Confidential or proprietary information**

5 **1. Access to records.** Upon the request of the director, a department, commission or  
6 agency shall provide access to records necessary to carry out the duties of the office.

7 **2. Confidential information available to the director.** Notwithstanding any state  
8 law relating to the confidentiality of information, all information in the files of any  
9 department, commission or agency of the State must be made available when necessary to  
10 the director in connection with the performance of the duties of the office related to the  
11 operations and finances of State Government.

12 **3. Consultation; limited access.** Before beginning a study, a review or research that  
13 may require access to records containing confidential or privileged information, the  
14 director shall consult with representatives of the department, commission or agency to  
15 discuss methods of identifying and protecting privileged or confidential information in  
16 those records. During that consultation, the department, commission or agency shall  
17 inform the director of all standards and procedures set forth in department, commission or  
18 agency policies or agreements to protect information considered by the department,  
19 commission or agency to be confidential or privileged. The director shall limit access to  
20 information that is privileged or confidential by appropriate methods, which may include  
21 examining records without copying or removing them from the department, commission  
22 or agency.

23 **4. Removal of identifying information.** In making information available to the  
24 director, the department, commission or agency that is subject to the study, review or  
25 research or that provides the information may remove information that identifies  
26 individuals or institutions to protect privileged or confidential information, as long as the  
27 information necessary for the director to fulfill the duties of the office is disclosed to the  
28 director.

29 **5. Confidentiality, privilege apply to director.** Documentary or other information  
30 obtained by the director during the course of a study, review or research is privileged or  
31 confidential to the same extent under law that that information would be privileged or  
32 confidential in the possession of the department, commission or agency providing the  
33 information. Any privilege or statutory provision, including penalties, concerning the  
34 confidentiality or obligation not to disclose information in the possession of any  
35 department, commission or agency or their officers or employees applies equally to the  
36 director. Privileged or confidential information obtained by the director during the course  
37 of a study, review or research may be disclosed only as provided by law and with the  
38 agreement of the department, commission or agency that provided the information.

39 **6. Compliance with policy.** If the director accesses information classified as  
40 privileged or confidential pursuant to department, commission or agency policy or  
41 procedures or by agreement, the director shall comply with the department, commission  
42 or agency standards or procedures for handling that information.

1           **Sec. DD-6. 5 MRSA §13056, sub-§3**, as enacted by PL 1987, c. 534, Pt. A, §§17  
2 and 19, is amended to read:

3           **3. Conduct planning and research.** Conduct planning, research and analysis for  
4 department needs, but not macroeconomic forecasting, which ~~shall be~~ is the responsibility  
5 of the ~~State Planning Office~~ Governor's Office of Policy and Management. The  
6 department shall gather, maintain and have access to all economic and other information  
7 necessary to the performance of its duties;

8           **Sec. DD-7. 5 MRSA §13120-Q, first ¶**, as enacted by PL 2001, c. 703, §6, is  
9 amended to read:

10           The authority, with the advice of the department, the Department of Labor, ~~the State~~  
11 ~~Planning Office~~ and such other agencies it determines appropriate, may waive the  
12 requirements of section 13120-P, subsection 2, paragraph E and section 13120-P,  
13 subsection 3, paragraph E if the municipality has experienced a historical lack of private  
14 investment and it is reasonably expected that private investment will not be available to  
15 assist with project financing and one of the following conditions is met:

16           **Sec. DD-8. 10 MRSA §363, sub-§2-A**, as amended by PL 1999, c. 728, §2, is  
17 further amended to read:

18           **2-A. Recommendation of Governor and issuers.** At any time action of the  
19 Legislature under subsection 1-A is necessary or desirable, the Governor shall  
20 recommend to the appropriate committee of the Legislature a proposed allocation or  
21 reallocation of all or part of the state ceiling. To assist the Governor in making a  
22 recommendation of proposed allocations of the state ceiling on private activity bonds, the  
23 group of 7 representatives described in subsection 1-A shall make a recommendation  
24 regarding allocation or reallocation of the state ceiling. In order to assist the group in  
25 making its recommendation and to assist the Governor and the Legislature, the ~~State~~  
26 ~~Planning Office~~ Department of Administrative and Financial Services, in consultation  
27 with the Governor's Office of Policy and Management, shall prepare an annual analysis of  
28 the State's economic outlook, prevailing interest rate forecasts related to tax-exempt  
29 financing by the issuers specifically identified in subsections 4 to 8, the availability to  
30 those issuers of alternative financing from sources that do not require an allocation of the  
31 state ceiling and the relationship of these factors and various public policy considerations  
32 to the allocation or reallocation of the state ceiling. In recommending any allocation or  
33 reallocation of the state ceiling to the Legislature, the Governor shall consider the  
34 requests and recommendations of those issuers of bonds within the State designated in  
35 this section, the recommendations of the group of representatives described in subsection  
36 1-A and the annual analysis of the ~~State Planning Office~~ Department of Administrative  
37 and Financial Services.

38           **Sec. DD-9. 12 MRSA §8876, sub-§2**, as amended by PL 1997, c. 720, §9, is  
39 further amended to read:

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

1           **Sec. DD-10. 26 MRSA §3**, as amended by PL 1997, c. 132, §1, is further  
2 amended to read:

3           **§3. Records confidential**

4           All information and reports recorded by the director or the director's authorized  
5 agents under this Title are confidential, and no names of individuals, firms or  
6 corporations may be used in any reports of the director nor made available for public  
7 inspection. The director may release information and reports to other government  
8 agencies if the director believes that the information will serve to further the protection of  
9 the public or assist in the enforcement of local, state and federal laws. The director may  
10 also release information and reports to the public pertaining to final bureau action taken  
11 under the authority of this Title. Records pertaining to the work force, employment  
12 patterns, wage rates, poverty and low-income patterns, economically distressed  
13 communities and regions and other similar information and data must be made available  
14 to the Department of Economic and Community Development and to the ~~State Planning~~  
15 ~~Office~~ Governor's Office of Policy and Management for the purposes of analysis and  
16 evaluation, measuring and monitoring poverty and economic and social conditions  
17 throughout the State and to promote economic development with the understanding that  
18 the confidentiality of the information will be maintained.

19           **Sec. DD-11. 30-A MRSA §5652, sub-§2**, as enacted by PL 2007, c. 405, §2, is  
20 amended to read:

21           **2. Funding municipal education foundations.** A municipality may accept  
22 endowment funds from citizens, estates, municipal contributions and bond money to fund  
23 a municipal education foundation to support local education pursuant to section 5724,  
24 subsection 10. The foundation may not spend the funds until it meets certain growth  
25 standards recommended by the ~~Executive Department, State Planning Office~~ Department  
26 of Administrative and Financial Services.

27           **Sec. DD-12. 30-A MRSA §5724, sub-§10**, as enacted by PL 2007, c. 405, §3, is  
28 amended to read:

29           **10. Municipal education foundations.** A municipal education foundation is  
30 established with the assistance of the ~~Executive Department, State Planning Office~~  
31 Department of Administrative and Financial Services and must contain the following  
32 provisions.

33           A. The endowment of a municipal education foundation is funded by contributions  
34 by citizens, estates, municipalities and bond money if the foundation meets ~~the~~  
35 ~~Executive Department, State Planning Office~~ standards pursuant to section 5652,  
36 subsection 2.

37           B. Trustees of a municipal education foundation must be citizens of the municipality  
38 and contain at least one member who is a teacher or administrator in the  
39 municipality's education system to be a liaison between the school system and the  
40 municipal education foundation.

41           **Sec. DD-13. 30-A MRSA §5903, sub-§6-A**, as enacted by PL 1989, c. 48, §§14  
42 and 31, is amended to read:

1           **6-A. Median household income.** "Median household income" means the income  
2 computed based on the most current census information available, as provided by the  
3 ~~State Planning Office~~ Governor's Office of Policy and Management.

4           **Sec. DD-14. 35-A MRSA §3454, first ¶**, as enacted by PL 2007, c. 661, Pt. A,  
5 §7, is amended to read:

6           In making findings pursuant to Title 12, section 685-B, subsection 4 or Title 38,  
7 section 484, subsection 3, the primary siting authority shall presume that an expedited  
8 wind energy development provides energy and emissions-related benefits described in  
9 section 3402 and shall make additional findings regarding other tangible benefits  
10 provided by the development. The Department of Labor, the ~~Executive Department,~~  
11 ~~State Planning Office~~ Governor's Office of Policy and Management, the Governor's  
12 Energy Office and the Public Utilities Commission shall provide review comments if  
13 requested by the primary siting authority.

14           **Sec. DD-15. 35-A MRSA §3454, sub-§5**, as enacted by PL 2009, c. 642, Pt. A,  
15 §7, is amended to read:

16           **5. Promoting economic development and resource conservation; assistance to**  
17 **host communities.** To the extent practicable within existing resources, the Department  
18 of Economic and Community Development, the Governor's Energy Office and the  
19 ~~Executive Department, State Planning Office,~~ Governor's Office of Policy and  
20 Management shall provide, upon the request of a host community, assistance for the  
21 purpose of helping the host community maximize the economic development and  
22 resource conservation benefits from tax payments and payments made pursuant to a  
23 community benefit agreement or a community benefits package in connection with  
24 expedited wind energy developments. As part of this assistance, the department and the  
25 ~~office~~ Department of Economic and Community Development shall support host  
26 communities in identifying additional funding and developing regional economic and  
27 natural resource conservation strategies.

28           **Sec. DD-16. 36 MRSA §6759**, as enacted by PL 1995, c. 669, §5, is amended to  
29 read:

30           **§6759. Program administration**

31           The commissioner shall administer this Act. The commissioner and the State Tax  
32 Assessor may adopt rules pursuant to the Maine Administrative Procedure Act for  
33 implementation of the program, including, but not limited to, rules for determining and  
34 certifying eligibility. The commissioner may also by rule establish fees, including fees  
35 payable to the State Tax Assessor ~~and the State Planning Office~~ for obligations under this  
36 chapter. Any fees collected pursuant to this chapter must be deposited into a special  
37 revenue account administered by the State Tax Assessor and those fees may be used only  
38 to defray the actual costs of administering this Act.

39           **Sec. DD-17. 36 MRSA §7302**, as enacted by PL 2005, c. 2, Pt. H, §2, is amended  
40 to read:

1       **§7302. Progress reporting and data**

2           **1. Assessment and report.** The ~~State Planning Office~~ Governor's Office of Policy  
3 and Management shall separately assess and report on the progress made by the State,  
4 municipalities, counties and school administrative units, respectively, in achieving the tax  
5 burden reduction goals established in section 7301.

6           **2. Indicators; annual report.** With reference to Title 5, chapter 142; Title 20-A,  
7 section 15671, subsection 1; and Title 30-A, sections 706-A and 5721-A, the ~~State~~  
8 Planning Office Governor's Office of Policy and Management shall develop and apply  
9 specific, quantifiable performance indicators against which the progress in achieving the  
10 tax burden reduction goals established in section 7301 can be measured. On January 15,  
11 ~~2006~~ 2013 and annually thereafter, the ~~State Planning Office~~ Governor's Office of Policy  
12 and Management shall report to the Governor and to the joint standing committee of the  
13 Legislature having jurisdiction over taxation matters on the progress made by the State,  
14 counties, municipalities and school administrative units, respectively, in achieving the tax  
15 burden reduction goals. The report required by this subsection must be comprised of 4  
16 distinct parts reporting on the progress made by the State, municipalities, counties and  
17 school administrative units, respectively. The ~~State Planning Office~~ Governor's Office of  
18 Policy and Management may also include in its report recommendations on alternative  
19 strategies to achieve the tax burden reduction goals established in section 7301 that  
20 reflect the best practices in this State, other states and other countries.

21           **3. Data.** The ~~State Planning Office~~ Governor's Office of Policy and Management  
22 shall annually collect and analyze data regarding spending and revenues for  
23 municipalities, counties and school administrative units. The ~~State Planning Office~~  
24 Governor's Office of Policy and Management shall submit an annual report that provides  
25 information and analysis regarding government spending and revenue behavior and  
26 trends to the Governor and the joint standing committee of the Legislature having  
27 jurisdiction over taxation matters. The report must include information that identifies  
28 spending and revenue behavior by individual municipalities, counties and school  
29 administrative units. Upon request, other departments of State Government shall  
30 cooperate and assist the ~~State Planning Office~~ Governor's Office of Policy and  
31 Management in the preparation of the report.

32           **Sec. DD-18. 38 MRSA §484, sub-§10**, as amended by PL 2009, c. 615, Pt. E,  
33 §18, is further amended to read:

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

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

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

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

7 **Sec. DD-19. Resolve 1997, c. 36, §1** is repealed.

8 **Sec. DD-20. Maine Revised Statutes headnote amended; revision clause.**

9 In the Maine Revised Statutes, Title 5, Part 8, in the part headnote, the words "state  
10 planning" are amended to read "policy and management" and the Revisor of Statutes shall  
11 implement this revision when updating, publishing or republishing the statutes.

12 **Sec. DD-21. Initial recommendations.** No later than December 1, 2012, the  
13 Governor's Office of Policy and Management shall develop and recommend to the  
14 Governor and the Legislature changes in the structure, functions or operations of State  
15 Government to achieve General Fund savings of at least \$1,000,000 during fiscal year  
16 2013-14 and at least \$1,000,000 during fiscal year 2014-15.

17 **Sec. DD-22. Creation of Governor's Office of Policy and Management;  
18 elimination of the Executive Department, State Planning Office; transition  
19 provisions.** The following transition provisions govern the creation of the Governor's  
20 Office of Policy and Management and the elimination of the Executive Department, State  
21 Planning Office.

22 1. The Governor's Office of Policy and Management, referred to in this section as  
23 "the office," is created as of May 1, 2012. The Governor shall appoint the Director of the  
24 Governor's Office of Policy and Management at any time on or after that date. The  
25 director shall organize the office, including creation of up to 4 temporary positions by  
26 financial order pursuant to this Act, to be hired on or after July 1, 2012. The director  
27 shall provide a report to the chairs of the Joint Standing Committee on Appropriations  
28 and Financial Affairs within 30 days of creating the temporary positions by financial  
29 order. Of the temporary positions created, only one of the positions may be an attorney  
30 position performing the usual and customary functions of an attorney admitted to the bar.  
31 The director shall submit a request to continue the positions in the biennial budget for  
32 2014-2015.

33 2. The Executive Department, State Planning Office is eliminated on July 1, 2012.  
34 All transfers of Executive Department, State Planning Office responsibilities to the  
35 Governor's Office of Policy and Management under this Act are effective on July 1,  
36 2012.

37 3. All records, property and equipment previously belonging to or allocated for the  
38 use of the Executive Department, State Planning Office that have not otherwise been  
39 provided for under this Act become the property of the Governor's Office of Policy and  
40 Management.

41 **Sec. DD-23. Transition provisions; economics and demographics matters.**

42 The following provisions apply to the reassignment of duties, responsibilities and

1 activities of the Executive Department, State Planning Office regarding economics and  
2 demographics.

3 1. Two authorized positions and incumbent personnel in the Executive Department,  
4 State Planning Office that are assigned to that office's economics and demographics  
5 program are transferred to the Governor's Office of Policy and Management. These  
6 employees must retain their accrued fringe benefits, including but not limited to vacation  
7 and sick leave, health and life insurance and retirement benefits.

8 2. If so designated by the Governor, the Department of Labor is authorized to serve as  
9 the State Data Center for purposes of the State Data Center Program administered by the  
10 United States Department of Commerce, United States Census Bureau and to develop a  
11 memorandum of agreement with the bureau that outlines responsibilities of the  
12 department and bureau under the State Data Center Program.

13 **Sec. DD-24. Effective date.** This Part takes effect May 1, 2012.

14 **PART EE**

15 **Sec. EE-1. 5 MRSA §2003, sub-§2, ¶D,** as enacted by PL 2005, c. 12, Pt. SS,  
16 §16, is amended to read:

17 D. Eight representatives as follows:

18 (1) A representative of the University of Maine System, appointed by the  
19 Chancellor of the University of Maine System;

20 (2) Two representatives of a statewide association of municipalities, one  
21 representative appointed by the President of the Senate from nominations made  
22 by the association's governing body and one representative appointed by the  
23 Speaker of the House from nominations made by the association's governing  
24 body;

25 (3) One representative of a statewide association of regional councils, appointed  
26 by the Speaker of the House from nominations made by the ~~Executive~~  
27 ~~Department, State Planning Office~~ Department of Conservation;

28 (4) One representative of a statewide association of counties, appointed by the  
29 Governor from nominations made by the association's governing body;

30 (5) One representative of a statewide association representing real estate and  
31 development interests, appointed by the President of the Senate;

32 (6) One representative of a statewide association representing environmental  
33 interests, appointed by the Speaker of the House; and

34 (7) One member representing public utilities, appointed by the Governor;

35 **Sec. EE-2. 5 MRSA §3331,** as amended by PL 2009, c. 652, Pt. A, §1, is  
36 repealed.

37 **Sec. EE-3. 5 MRSA Pt. 16-A,** as amended, is repealed.

1           **Sec. EE-4. 5 MRSA §12004-G, sub-§29-C**, as enacted by PL 2009, c. 483, §2,  
2 is repealed.

3           **Sec. EE-5. 5 MRSA §12004-I, sub-§24-F**, as enacted by PL 2001, c. 648, §1, is  
4 repealed.

5           **Sec. EE-6. 5 MRSA §12004-I, sub-§68-B**, as enacted by PL 2007, c. 192, §1, is  
6 repealed.

7           **Sec. EE-7. 5 MRSA §13056-D, sub-§2, ¶C**, as enacted by PL 2009, c. 414, Pt.  
8 G, §1 and affected by §5, is amended to read:

9           C. ~~The Director of the State Planning Office within the Executive Department~~  
10 Commissioner of Conservation or the commissioner's designee; and

11           **Sec. EE-8. 5 MRSA §13083-T, sub-§2, ¶B**, as enacted by PL 2007, c. 39, Pt. F,  
12 §1 and affected by §2, is amended to read:

13           B. The Commissioner of Conservation; and

14           **Sec. EE-9. 5 MRSA §13083-T, sub-§2, ¶C**, as enacted by PL 2007, c. 39, Pt. F,  
15 §1 and affected by §2, is repealed.

16           **Sec. EE-10. 5 MRSA §13107, sub-§1**, as enacted by PL 2003, c. 673, Pt. M, §8,  
17 is amended to read:

18           **1. Outcome measures.** Establish outcome measures considered appropriate by  
19 public and private practitioners inside and outside of the State in the fields of research  
20 and development and economic development. Practitioners in this State must include, but  
21 are not limited to, a representative from the University of Maine System, a representative  
22 of the targeted technology sectors, a representative of the Executive Department, ~~State~~  
23 ~~Planning Office~~ Governor's Office of Policy and Management and representatives of  
24 other state agencies having economic development responsibility;

25           **Sec. EE-11. 5 MRSA §15302, sub-§3, ¶C**, as amended by PL 2005, c. 425, §19,  
26 is further amended to read:

27           C. The Director of the ~~State Planning Office~~ Governor's Office of Policy and  
28 Management or the director's designee is an ex officio nonvoting director.

29           **Sec. EE-12. 7 MRSA §214, sub-§3**, as amended by PL 2005, c. 382, Pt. C, §2, is  
30 further amended to read:

31           **3. Advisory committee.** The commissioner shall establish an advisory committee to  
32 discuss possibilities and review proposals for expanding purchases of local foodstuffs.  
33 The commissioner shall invite one or more representatives from each of the following  
34 agencies to serve on the advisory committee: the Department of Education; the  
35 Department of Marine Resources; the Department of Corrections; the Department of  
36 Administrative and Financial Services, Bureau of Purchases; ~~the Executive Department,~~  
37 ~~State Planning Office~~; the Department of Health and Human Services; the University of  
38 Maine System; and the Maine Community College System.

39           **Sec. EE-13. 10 MRSA §918, sub-§3**, as corrected by RR 2003, c. 2, §14, is  
40 amended to read:

1           **3. Ex officio corporators.** Ex officio corporators consist of the heads of the major  
2 state departments and agencies and the Chancellor of the University of Maine System.  
3 State department and agency heads include the following:

4           Treasurer of State;

5           Director of the ~~State Planning Office~~ Governor's Office of Policy and Management;

6           Commissioner of Economic and Community Development;

7           Commissioner of Agriculture, Food and Rural Resources;

8           Commissioner of Professional and Financial Regulation;

9           Commissioner of Conservation;

10          Commissioner of Education;

11          Commissioner of Environmental Protection;

12          Commissioner of Administrative and Financial Services;

13          Commissioner of Health and Human Services;

14          Commissioner of Inland Fisheries and Wildlife;

15          Commissioner of Labor;

16          Commissioner of Marine Resources;

17          Commissioner of Transportation;

18          Chief Executive Officer of the Finance Authority of Maine;

19          Executive Director of the Maine Municipal Bond Bank; and

20          Executive Director of the Maine State Housing Authority.

21           **Sec. EE-14. 10 MRSA §945-B, sub-§1**, as enacted by PL 1995, c. 648, §5 and  
22 amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

23           **1. Members.** Members are the private individuals, partnerships, firms, corporations,  
24 governmental entities and other organizations who pay dues to the center. For the  
25 purposes of this chapter, members may include, but are not limited to, municipal and  
26 county government, councils of government, local and area development corporations,  
27 regional planning commissions, development districts, state agencies, higher educational  
28 facilities, including the components of the University of Maine System, the Maine  
29 Maritime Academy, private colleges and postsecondary schools and community colleges,  
30 and other public or quasi-public entities. The following 8 public organizations are  
31 granted membership by virtue of the State's contribution to the organization, are exempt  
32 from dues requirements and each is entitled to designate one individual to exercise its  
33 voting right: the Department of Agriculture, Food and Rural Resources, the ~~State~~  
34 ~~Planning Office~~, Governor's Office of Policy and Management, the Finance Authority of  
35 Maine, the Department of Labor, the Department of Conservation, the Department of  
36 Marine Resources, the Department of Economic and Community Development and the  
37 Department of Transportation.

38           **Sec. EE-15. 10 MRSA §1063, sub-§2, ¶J**, as amended by PL 1989, c. 501, Pt.  
39 DD, §20, is further amended to read:

1 J. In the case of an energy generating system, an energy distribution system or an  
2 industrial-commercial project, any of which includes hydroelectric facilities deemed  
3 necessary for the production of electricity:

4 (1) The Public Utilities Commission has certified that all required licenses have  
5 been issued or that none are required; and

6 (2) The Director of the ~~State Planning Office~~ Governor's Office of Policy and  
7 Management has reviewed and commented upon the project proposal. The  
8 Director of the ~~State Planning Office~~ Governor's Office of Policy and  
9 Management shall make comments within 30 days after receipt of a notification  
10 and copy of the project proposal from the authority. The authority shall take the  
11 comments into consideration in its consideration of the project; and

12 **Sec. EE-16. 12 MRSA §406**, as enacted by PL 1983, c. 458, §1, is repealed.

13 **Sec. EE-17. 12 MRSA §407**, as amended by PL 1989, c. 878, Pt. A, §29, is  
14 further amended to read:

15 **§407. Comprehensive river resource management plans**

16 The ~~State Planning Office~~ Department of Conservation, with assistance from the  
17 Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the  
18 Department of Environmental Protection, the Governor's Energy Office and other state  
19 agencies as needed, shall develop, subject to the Maine Administrative Procedure Act,  
20 Title 5, chapter 375, a comprehensive river resource management plan for each watershed  
21 with a hydropower project licensed under the Federal Power Act or to be licensed under  
22 the Federal Power Act. These plans ~~shall~~ must provide a basis for state agency  
23 comments, recommendations and permitting decisions and ~~shall~~ at a minimum include, as  
24 applicable, minimum flows, impoundment level regimes, upstream and downstream fish  
25 passage, maintenance of aquatic habitat and habitat productivity, public access and  
26 recreational opportunities. These plans ~~shall~~ must update, complement and, after public  
27 notice, comment, and hearings in the watershed, be adopted as components of the State's  
28 comprehensive rivers management plan.

29 **Sec. EE-18. 26 MRSA §2006, sub-§7, ¶C**, as amended by PL 2003, c. 20, Pt.  
30 OO, §2 and affected by §4 and amended by c. 114, §13; c. 545, §4; and c. 689, Pt. B, §6,  
31 is further amended to read:

32 C. The Governor shall appoint members to a technical support group to assist the  
33 council in the performance of its duties and responsibilities. The Governor shall  
34 appoint persons to serve on the technical support group for 3-year terms. The  
35 services provided by the State's various workforce organizations must be fairly  
36 represented in the technical support group with consideration given to a balance  
37 between rural and urban interests. Organizations with representation on the technical  
38 support group may include, but are not limited to:

39 (1) The local areas;

40 (2) Adult education;

41 (3) School-to-work;

- 1 (4) Providers that specialize in women's workforce issues;  
2 (5) Rehabilitation providers;  
3 (6) Welfare-to-work;  
4 (7) The University of Maine System;  
5 (8) The Maine Community College System;  
6 (9) Career and technical education; and  
7 (10) The Department of Economic and Community Development, the  
8 Department of Education, the Department of Health and Human Services, and the  
9 Department of Labor ~~and the State Planning Office~~.

10 **Sec. EE-19. 30-A MRSA §2343**, as enacted by PL 2009, c. 483, §3, is repealed.

11 **Sec. EE-20. 30-A MRSA §6208, sub-§1, ¶A**, as enacted by PL 2005, c. 266, §2,  
12 is repealed.

13 **Sec. EE-21. 36 MRSA §305, sub-§2, ¶C**, as enacted by PL 1973, c. 620, §10, is  
14 amended to read:

15 C. Establishment of a coordinate grid system in connection with the ~~State Planning~~  
16 ~~Office~~ Department of Conservation for the purpose of uniform identification of  
17 property parcels;

18 **Sec. EE-22. 38 MRSA §410-M, last ¶**, as enacted by PL 1997, c. 643, Pt. YY,  
19 §1, is repealed.

20 **Sec. EE-23. 38 MRSA §470-G**, as repealed and replaced by PL 2007, c. 619, §6,  
21 is repealed.

22 **Sec. EE-24. 38 MRSA §1803**, as enacted by PL 1985, c. 794, Pt. A, §11, is  
23 repealed.

24 **Sec. EE-25. 38 MRSA §2013, sub-§2, ¶A**, as enacted by PL 1997, c. 519, Pt. B,  
25 §1 and affected by §3, is repealed.

26 **Sec. EE-26. 38 MRSA §2123-C**, as enacted by PL 2007, c. 192, §4, is repealed.

27 **Sec. EE-27. PL 2011, c. 205, §4** is amended to read:

28 **Sec. 4. Statewide aquatic restoration plan for stream crossings.** The  
29 Department of Environmental Protection, the Department of Inland Fisheries and  
30 Wildlife, the Department of Marine Resources and the Department of Transportation, in  
31 conjunction with the ~~Executive Department, State Planning Office~~ Department of  
32 Conservation and other interested stakeholders, shall work collaboratively to develop a  
33 statewide aquatic conservation and restoration strategy plan, referred to in this section as  
34 "the plan," designed to maintain and restore the ecological health of the State's aquatic  
35 ecosystems and focusing on maintaining and restoring dynamic ecological processes  
36 responsible for creating and sustaining habitats over broad landscapes as opposed to  
37 individual projects or small watersheds. The plan must improve upon best management

1 practices for public and private roads by including consideration of the Department of  
2 Transportation's Waterway and Wildlife Crossing Policy and Design Guide, the Maine  
3 Interagency Stream Connectivity Work Group's 2010 final report, Maine's Atlantic  
4 salmon recovery plan and any other technical, policy and financial information that may  
5 help the process. The plan must include, but not be limited to, using scientific data from  
6 stakeholders, establishing active restoration priorities, refining existing and proposing  
7 additional best management practices, reviewing statutory exemptions and regulatory  
8 standards to inform regulatory decision making, establishing performance measures,  
9 proposing funding alternatives for passive and active restoration, identifying gaps and  
10 overlaps with other pertinent issues such as climate change and flood management and  
11 providing for education and outreach. The Department of Environmental Protection, in  
12 cooperation with the Department of Inland Fisheries and Wildlife, the Department of  
13 Marine Resources and the Department of Transportation, shall present the final draft of  
14 the plan, which may include suggested legislation, to the joint standing committee of the  
15 Legislature having jurisdiction over natural resources matters no later than January 31,  
16 2013. The committee may report out a bill to the First Regular Session of the 126th  
17 Legislature.

18 **Sec. EE-28. P&SL 1999, c. 58, §2, sub-§7** is repealed.

19 **Sec. EE-29. P&SL 1999, c. 58, §4, sub-§1, ¶B** is repealed.

20 **Sec. EE-30. Effective date.** This Part takes effect July 1, 2012.

## 21 PART FF

22 **Sec. FF-1. 5 MRSA §13056, sub-§6, ¶B**, as amended by PL 2003, c. 159, §2, is  
23 further amended to read:

24 B. Other community planning technical assistance and training and development  
25 assistance programs of the former State Planning Office;

26 **Sec. FF-2. 5 MRSA §13072, sub-§7**, as amended by PL 1995, c. 395, Pt. D, §7,  
27 is further amended to read:

28 **7. Oversee community development resources and programs.** The director shall  
29 oversee the implementation of community development programs to include at a  
30 minimum:

31 A. The Community Development Block Grant Program; and

32 G. Training and certification for municipal code enforcement officers under Title  
33 30-A, chapter 187, subchapter 5.

34 **Sec. FF-3. 10 MRSA §9723, sub-§2**, as enacted by PL 2007, c. 699, §6, is  
35 amended to read:

36 **2. Training program standards; implementation.** The committee shall direct the  
37 training coordinator of the Bureau of Building Codes and Standards, established in Title  
38 25, section 2372, to develop a training program for municipal building officials, local  
39 code enforcement officers and 3rd-party inspectors. The ~~Executive Department, State~~  
40 ~~Planning Office~~ Department of Economic and Community Development, Office of

1 Community Development, pursuant to Title 30-A, section 4451, subsection 3-A, shall  
2 implement the training and certification program established under this chapter.

3 **Sec. FF-4. 25 MRSA §2374**, as amended by PL 2009, c. 213, Pt. M, §3, is further  
4 amended to read:

5 **§2374. Uniform Building Codes and Standards Fund**

6 The Uniform Building Codes and Standards Fund, referred to in this section as "the  
7 fund," is established within the Department of Public Safety to fund the activities of the  
8 bureau under this chapter and the activities of the board under Title 10, chapter 1103 and  
9 the ~~Executive Department, State Planning Office~~ Department of Economic and  
10 Community Development, Office of Community Development under Title 30-A, section  
11 4451, subsection 3-A. Revenue for this fund is provided by the surcharge established by  
12 section 2450-A. The Department of Public Safety and the ~~Executive Department, State~~  
13 ~~Planning Office~~ Department of Economic and Community Development, Office of  
14 Community Development shall together determine an amount to be transferred annually  
15 from the fund for training and certification under Title 30-A, section 4451, subsection  
16 3-A to the Maine Code Enforcement Training and Certification Fund established in Title  
17 30-A, section 4451, subsection 3-B. Any balance of the fund may not lapse, but must be  
18 carried forward as a continuing account to be expended for the same purpose in the  
19 following fiscal year.

20 **Sec. FF-5. 25 MRSA §2450-A**, as enacted by PL 2007, c. 699, §13, is amended  
21 to read:

22 **§2450-A. Surcharge on plan review fee for Uniform Building Codes and Standards**  
23 **Fund**

24 In addition to the fees established in section 2450, a surcharge of 4¢ per square foot  
25 of occupied space must be levied on the existing fee schedule for new construction,  
26 reconstruction, repairs, renovations or new use for the sole purpose of funding the  
27 activities of the Technical Building Codes and Standards Board with respect to the Maine  
28 Uniform Building and Energy Code, established pursuant to the Title 10, chapter 1103,  
29 the activities of the Bureau of Building Codes and Standards under chapter 314 and the  
30 activities of the ~~Executive Department, State Planning Office~~ Department of Economic  
31 and Community Development, Office of Community Development under Title 30-A,  
32 section 4451, subsection 3-A, except that the fee for review of a plan for the renovation of  
33 a public school, including the fee established under section 2450, may not exceed \$450.  
34 Revenue collected from this surcharge must be deposited into the Uniform Building  
35 Codes and Standards Fund established by section 2374.

36 **Sec. FF-6. 30-A MRSA §4215, sub-§4**, as amended by PL 2009, c. 213, Pt. M,  
37 §4, is further amended to read:

38 **4. Fees.** The plumbing inspector shall issue any permit under this section upon  
39 receipt and approval of a completed application form as prescribed by the commissioner  
40 and payment by the applicant of the fee established by the municipality. The fee must be  
41 at least the minimum amount determined by rule of the department. One-quarter of the  
42 amount of the minimum fee must be paid through the department to the Treasurer of State  
43 to be maintained as a permanent fund and used by the department to implement its

1 subsurface wastewater disposal rules, to administer the receipt and collation of completed  
2 permits and to issue plumbing permit labels to the municipality and by the ~~State Planning~~  
3 ~~Office~~ Department of Economic and Community Development, Office of Community  
4 Development for training and certification of local plumbing inspectors. The department  
5 and the ~~State Planning Office~~ Department of Economic and Community Development,  
6 Office of Community Development shall together determine an amount to be transferred  
7 annually by the Treasurer of State for training and certification of local plumbing  
8 inspectors to the Maine Code Enforcement Training and Certification Fund established in  
9 section 4451, subsection 3-B. The remainder of the fee must be paid to the treasurer of  
10 the municipality.

11 **Sec. FF-7. 30-A MRSA §4221, sub-§1**, as amended by PL 1997, c. 296, §3, is  
12 further amended to read:

13 **1. Appointment; compensation; removal.** In every municipality, the municipal  
14 officers shall appoint one or more inspectors of plumbing, who need not be residents of  
15 the municipality for which they are appointed. Plumbing inspectors are appointed for a  
16 term of one year or more and must be sworn and the appointment recorded as provided in  
17 section 2526, subsection 9. An individual properly appointed as plumbing inspector and  
18 satisfactorily performing the duties may continue in that capacity after the term has  
19 expired until replaced. The municipal officers shall notify the department and the ~~State~~  
20 ~~Planning Office~~ Department of Economic and Community Development, Office of  
21 Community Development of the appointment of a plumbing inspector in writing within  
22 30 days of the appointment.

23 Compensation of plumbing inspectors is determined by the municipal officers and paid  
24 by the respective municipalities.

25 The municipal officers may remove a plumbing inspector for cause, after notice and  
26 hearing.

27 **Sec. FF-8. 30-A MRSA §4221, sub-§2**, as amended by PL 1997, c. 683, Pt. B,  
28 §15 and PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

29 **2. Certification requirements.** A person may not hold the office of plumbing  
30 inspector unless currently certified as qualified ~~by the State Planning Office~~ pursuant to  
31 section 4451. Certification is effective for a period of 5 years unless sooner revoked or  
32 suspended by the District Court as provided for in section 4451.

33 **Sec. FF-9. 30-A MRSA §4451**, as amended by PL 2009, c. 213, Pt. M, §§5 to 9  
34 and c. 261, Pt. A, §14, is further amended to read:

35 **§4451. Training and certification for code enforcement officers**

36 **1. Certification required; exceptions.** A municipality may not employ any  
37 individual to perform the duties of a code enforcement officer who is not certified by the  
38 ~~office~~ former State Planning Office or the Department of Economic and Community  
39 Development, Office of Community Development, except that:

40 A. An individual other than an individual appointed as a plumbing inspector has 12  
41 months after beginning employment to be trained and certified as provided in this  
42 section;

1 B. Whether or not any extension is available under paragraph A, the ~~office~~  
2 Department of Economic and Community Development, Office of Community  
3 Development may waive this requirement for up to one year if the certification  
4 requirements cannot be met without imposing a hardship on the municipality  
5 employing the individual;

6 C. An individual may be temporarily authorized in writing by the Department of  
7 Health and Human Services, Division of Health Engineering to be employed as a  
8 plumbing inspector for a period not to exceed 12 months; and

9 D. An individual whose certification has expired or is about to expire may be  
10 temporarily authorized in writing by the ~~office~~ Department of Economic and  
11 Community Development, Office of Community Development to extend that  
12 individual's certification for a period not to exceed 12 months in cases where the  
13 necessary training or examination is suspended under subsection 3-B, paragraph E.

14 **2. Penalty.** Any municipality that violates this section commits a civil violation for  
15 which a forfeiture of not more than \$100 may be adjudged. Each day in violation  
16 constitutes a separate offense.

17 **2-A. Code enforcement officer; definition and duties.** As used in this subchapter,  
18 "code enforcement officer" means a person certified under this section and employed by a  
19 municipality to enforce all applicable laws and ordinances in the following areas:

- 20 A. Shoreland zoning under Title 38, chapter 3, subchapter ~~I~~ 1, article 2-B;
- 21 B. Comprehensive planning and land use under Part 2, Subpart ~~VI-A~~ 6-A;
- 22 C. Internal plumbing under chapter 185, subchapter ~~III~~ 3;
- 23 D. Subsurface wastewater disposal under chapter 185, subchapter ~~III~~ 3; and
- 24 E. Building standards under chapter 141; chapter 185, subchapter 1; beginning June  
25 1, 2010, Title 10, chapter 1103; and Title 25, chapters 313 and 331.

26 **3. Training and certification of code enforcement officers.** In cooperation with  
27 code enforcement officer professional associations, the Maine Community College  
28 System, the Department of Environmental Protection, the Department of Health and  
29 Human Services and the Department of Public Safety, except as otherwise provided in  
30 paragraph H, the ~~office~~ Department of Economic and Community Development, Office  
31 of Community Development shall establish a continuing education program for  
32 individuals engaged in code enforcement. This program must provide basic training in  
33 the technical and legal aspects of code enforcement necessary for certification. The basic  
34 training program must include training to provide familiarity with the laws and  
35 ordinances related to the structure and practice of the municipal code enforcement office,  
36 municipal planning board and appeals board procedures, application review and  
37 permitting procedures, inspection procedures and enforcement techniques.

38 H. If funding is not available to support the training and certification program  
39 authorized under this subsection, the ~~office~~ Department of Economic and Community  
40 Development, Office of Community Development shall discontinue training and  
41 certification activities related to laws and ordinances referenced in subsection 2-A,  
42 paragraphs A and B and shall adopt by routine technical rules under Title 5, chapter

1 375, subchapter 2-A a program to register code enforcement officers that meet  
2 training and education qualifications. The ~~office~~ Department of Economic and  
3 Community Development, Office of Community Development shall publish the list  
4 of persons registered for code enforcement who have submitted evidence of required  
5 qualifications. Persons registered under this paragraph must meet the requirements  
6 for training and certification under this subchapter. The ~~office~~ Department of  
7 Economic and Community Development, Office of Community Development shall  
8 consult with the Department of Health and Human Services for the purposes of  
9 carrying out training and certification activities related to laws and ordinances  
10 referenced in subsection 2-A, paragraphs C and D. Within one month of  
11 discontinuation of training and certification under this paragraph, the ~~office~~  
12 Department of Economic and Community Development, Office of Community  
13 Development shall report to the joint standing committee of the Legislature having  
14 jurisdiction over appropriations and financial affairs and the joint standing committee  
15 of the Legislature having jurisdiction over state and local government matters a  
16 recommendation for funding the training and certification program or for further  
17 changes in program requirements.

18 **3-A. Training and certification of inspectors in the Maine Uniform Building and**  
19 **Energy Code.** In accordance with the training and certification requirements developed  
20 pursuant to Title 10, section 9723, the ~~office~~ Department of Economic and Community  
21 Development, Office of Community Development shall provide the training necessary to  
22 certify municipal building officials, local code enforcement officers and 3rd-party  
23 inspectors.

24 **3-B. Maine Code Enforcement Training and Certification Fund.** The Maine  
25 Code Enforcement Training and Certification Fund, referred to in this section as "the  
26 fund," is established as a nonlapsing fund to support training and certification programs  
27 administered by the ~~office~~ Department of Economic and Community Development,  
28 Office of Community Development for code enforcement officers, local plumbing  
29 inspectors, municipal building officials and 3rd-party inspectors in accordance with this  
30 subchapter.

31 A. Beginning July 1, 2009, and each year thereafter on July 1st, the funds identified  
32 in section 4215, subsection 4 for training and certifying local plumbing inspectors  
33 must be transferred to the fund.

34 B. Beginning July 1, 2009, and each year thereafter on July 1st, the funds identified  
35 in Title 25, section 2374 for training and certifying municipal building officials, local  
36 code enforcement officers and 3rd-party inspectors must be transferred to the fund.

37 C. The ~~office~~ Department of Economic and Community Development, Office of  
38 Community Development shall place in the fund any money it receives from grants to  
39 support the requirements of this subchapter.

40 D. Funds related to code enforcement training and certification may be expended  
41 only in accordance with allocations approved by the Legislature and solely for the  
42 administration of this subchapter. Any balance remaining in the fund at the end of  
43 any fiscal year may not lapse but must be carried forward to the next fiscal year.

1 E. If the fund does not contain sufficient money to support the costs of the training  
2 and certification provided for in this subchapter, the ~~office~~ Department of Economic  
3 and Community Development, Office of Community Development may suspend all  
4 or reduce the level of training and certification activities.

5 **4. Examination.** The ~~office~~ Department of Economic and Community  
6 Development, Office of Community Development shall conduct at least one examination  
7 each year to examine candidates for certification at a time and place designated by it.  
8 The ~~office~~ Department of Economic and Community Development, Office of Community  
9 Development may conduct additional examinations to carry out the purposes of this  
10 subchapter.

11 **5. Certification standards.** The ~~office~~ Department of Economic and Community  
12 Development, Office of Community Development shall adopt routine technical rules  
13 under Title 5, chapter 375, subchapter 2-A to establish the qualifications, conditions and  
14 licensing standards and procedures for the certification and recertification of individuals  
15 as code enforcement officers. A code enforcement officer need only be certified in the  
16 areas of actual job responsibilities. The rules established under this subsection must  
17 identify standards for each of the areas of training under subsection 2-A, in addition to  
18 general standards that apply to all code enforcement officers.

19 **6. Certification; terms; revocation.** The ~~office~~ Department of Economic and  
20 Community Development, Office of Community Development shall certify individuals as  
21 to their competency to successfully enforce ordinances and other land use regulations and  
22 permits granted under those ordinances and regulations and shall issue certificates  
23 attesting to the competency of those individuals to act as code enforcement officers.  
24 Certificates issued by the former State Planning Office or the Department of Economic  
25 and Community Development, Office of Community Development are valid for 6 years  
26 unless revoked by the District Court. An examination is not required for recertification of  
27 code enforcement officers. The ~~office~~ Department of Economic and Community  
28 Development, Office of Community Development shall recertify a code enforcement  
29 officer if the code enforcement officer successfully completes at least 12 hours of  
30 approved training in each area of job responsibility during the 6-year certification period.

31 A. The District Court may revoke the certificate of a code enforcement officer, in  
32 accordance with Title 4, chapter 5, when it finds that:

- 33 (1) The code enforcement officer has practiced fraud or deception;
- 34 (2) Reasonable care, judgment or the application of a duly trained and  
35 knowledgeable code enforcement officer's ability was not used in the  
36 performance of the duties of the office; or
- 37 (3) The code enforcement officer is incompetent or unable to perform properly  
38 the duties of the office.

39 B. Code enforcement officers whose certificates are invalidated under this subsection  
40 may be issued new certificates provided that they are newly certified as provided in  
41 this section.

42 **7. Other professions unaffected.** This subchapter may not be construed to affect or  
43 prevent the practice of any other profession.

1           **Sec. FF-10. 30-A MRSA §4452, sub-§7**, as amended by PL 2007, c. 569, §1, is  
2 further amended to read:

3           **7. Natural resources protection laws.** A code enforcement officer, authorized by a  
4 municipality to represent that municipality in District Court and certified by the former  
5 State Planning Office or the Department of Economic and Community Development,  
6 Office of Community Development under section 4453 as familiar with court procedures,  
7 may enforce the provisions of Title 38, section 420-C, Title 38, chapter 3, subchapter 1,  
8 article 5-A and Title 38, chapter 13-D by instituting injunctive proceedings or by seeking  
9 civil penalties in accordance with Title 38, section 349, subsection 2.

10           **Sec. FF-11. 30-A MRSA §4453**, as amended by PL 2009, c. 213, Pt. M, §§10 to  
11 12, is further amended to read:

12           **§4453. Certification for representation in court**

13           The ~~office~~ Department of Economic and Community Development, Office of  
14 Community Development shall establish certification standards and a program to certify  
15 familiarity with court procedures for the following individuals:

16           **1. Code enforcement officers.** Code enforcement officers as set forth in sections  
17 4451 and 4452 and Title 38, section 441;

18           **2. Plumbing inspectors.** Plumbing inspectors as set forth in sections 4221 and  
19 4451;

20           **3. Department of Environmental Protection.** Department of Environmental  
21 Protection employees as set forth in Title 38, section 342, subsection 7; and

22           **4. Maine Land Use Regulation Commission.** Maine Land Use Regulation  
23 Commission employees as set forth in Title 12, section 685-C, subsection 9.

24           **Sec. FF-12. 38 MRSA §480-F, sub-§1, ¶B**, as repealed and replaced by PL  
25 1997, c. 364, §19, is amended to read:

26           B. Adopted a comprehensive plan and related land use ordinances determined by the  
27 former State Planning Office or the Department of Economic and Community  
28 Development, Office of Community Development to be consistent with the criteria  
29 set forth in Title 30-A, chapter 187, subchapter ~~H~~ 2 and determined by the  
30 commissioner to be at least as stringent as criteria set forth in section 480-D;

31           **Sec. FF-13. 38 MRSA §480-F, sub-§1, ¶F**, as amended by PL 2003, c. 688, Pt.  
32 A, §43, is further amended to read:

33           F. Appointed a code enforcement officer, certified ~~by the Executive Department,~~  
34 ~~State Planning Office pursuant to Title 30-A, section 4451.~~

35           **Sec. FF-14. 38 MRSA §488, sub-§19**, as amended by PL 2001, c. 626, §11, is  
36 further amended to read:

37           **19. Municipal capacity.** A structure, as defined in section 482, subsection 6, that is  
38 from 3 acres up to and including 7 acres or a subdivision, as defined in section 482,  
39 subsection 5, that is made up of 15 or more lots for single-family, detached, residential  
40 housing, common areas or open space with an aggregate area of from 30 acres up to and

1 including 100 acres is exempt from review under this article if it is located wholly within  
2 a municipality or municipalities meeting the criteria in paragraphs A to D as determined  
3 by the department and it is located wholly within a designated growth area as identified in  
4 a comprehensive plan adopted pursuant to Title 30-A, chapter 187, subchapter ~~H~~ 2. The  
5 planning board of the municipality in which the development is located or an adjacent  
6 municipality may petition the commissioner to review such a structure or subdivision if it  
7 has regional environmental impacts. This petition must be filed within 20 days of the  
8 receipt of the application by the municipality. State jurisdiction must be exerted, if at all,  
9 within 30 days of receipt of the completed project application by the commissioner from  
10 the municipality or within 30 days of receipt of any modification to that application from  
11 the municipality. Review by the department is limited to the identified regional  
12 environmental impacts. The criteria are as follows:

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

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

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

25 D. ~~The State Planning Office~~ Department of Economic and Community  
26 Development, Office of Community Development has determined that the  
27 municipality has a comprehensive land use plan and land use ordinances or zoning  
28 ordinances that are consistent with Title 30-A, chapter 187 in providing for the  
29 protection of wildlife habitat, fisheries, unusual natural areas and archaeological and  
30 historic sites.

31 The department, in consultation with the ~~State Planning Office~~ Department of Economic  
32 and Community Development, Office of Community Development, shall publish a list of  
33 those municipalities determined to have capacity pursuant to this subsection. This list  
34 need not be established by rule and must be published by January 1st of each year. The  
35 list must specify whether a municipality has capacity to review structures or subdivisions  
36 of lots for single-family, detached, residential housing, common areas or open space or  
37 both types of development. The department may recognize joint arrangements among  
38 municipalities and regional organizations in determining whether the requirements of this  
39 subsection are met. The department may review municipalities that are determined to  
40 have capacity pursuant to this subsection for compliance with the criteria in paragraphs A  
41 to D, and if the department determines that a municipality does not meet the criteria, the  
42 department may modify or remove the determination of capacity.

43 A modification to a development that was reviewed by a municipality and exempted  
44 pursuant to this subsection is exempt as long as the modification will not cause the total  
45 area of the development to exceed the maximum acreage specified in this subsection for

1 that type of development or, based upon information submitted by the municipality  
2 concerning the development and modification, the department determines that the  
3 modification may be adequately reviewed by the municipality.

4 **Sec. FF-15. Transition provisions; code enforcement training and**  
5 **certification-related matters.** The following provisions apply to the reassignment of  
6 duties, responsibilities and activities of the Executive Department, State Planning Office  
7 regarding code enforcement training and certification to the Department of Economic and  
8 Community Development, Office of Community Development.

9 1. One authorized position and incumbent personnel in the State Planning Office that  
10 is assigned to that office's code enforcement training and certification program is  
11 transferred to the Department of Economic and Community Development, Office of  
12 Community Development. This employee retains accrued fringe benefits, including but  
13 not limited to vacation and sick leave, health and life insurance and retirement benefits.

14 2. Notwithstanding the provisions of the Maine Revised Statutes, Title 5, the State  
15 Controller, upon request of the State Budget Officer and with the approval of the  
16 Governor, shall transfer to the proper account in the Department of Economic and  
17 Community Development, Office of Community Development all accrued expenditures,  
18 assets and liabilities, including but not limited to any contractual obligations, balances,  
19 appropriations, allocations, transfers, revenues and other available funds, in any account  
20 or subdivision of an account of the State Planning Office established for funds provided  
21 to the office under Title 25, section 2374 and Title 30-A, section 4215, subsection 4.  
22 Nothing in this section changes or is intended to change or otherwise affect the purposes  
23 or uses for which any funds transferred pursuant to this section may be expended.

24 **Sec. FF-16. Report on implementation.** The Commissioner of Economic and  
25 Community Development and the Commissioner of Conservation shall report to the Joint  
26 Standing Committee on Appropriations and Financial Affairs no later than November 15,  
27 2012 on the status of the integration of the training and certification of code enforcement  
28 officers into the Department of Economic and Community Development. The report  
29 must include any recommended changes to the original implementation plans and any  
30 necessary implementing legislation.

31 **Sec. FF-17. Effective date.** This Part takes effect July 1, 2012.

32 **PART GG**

33 **Sec. GG-1. 5 MRSA §1742, sub-§28** is enacted to read:

34 **28. State landfills.** To own, design, develop or operate, or contract with private  
35 parties to operate, solid waste disposal facilities, as provided in Title 38, chapter 24,  
36 subchapter 4.

37 **Sec. GG-2. 5 MRSA §12004-D, sub-§4,** as enacted by PL 1989, c. 585, Pt. A,  
38 §5, is repealed.

39 **Sec. GG-3. 5 MRSA §12006, sub-§3, ¶B,** as enacted by PL 2003, c. 643, §6, is  
40 repealed.

1           **Sec. GG-4. 10 MRSA §1023-G, sub-§3, ¶D**, as amended by PL 1995, c. 656,  
2 Pt. A, §2, is further amended to read:

3           D. The project will contribute to achieving the goals identified in the state waste  
4 management and recycling plan adopted under Title 38, chapter 24 and is determined  
5 by the ~~State Planning Office~~ Department of Environmental Protection to be consistent  
6 with that plan. Prior to adopting the state waste management and recycling plan, the  
7 fund may be used for projects that help achieve the goals identified in the state  
8 recycling plan approved under former Title 38, section 1310-M.

9           **Sec. GG-5. 10 MRSA §1041, sub-§18**, as amended by PL 1995, c. 656, Pt. A,  
10 §3, is further amended to read:

11           **18. Recycling and waste reduction.** Provide financial assistance to businesses for  
12 recycling and waste reduction projects that are consistent with the management goals and  
13 objectives outlined in the state waste management and recycling plan under Title 38,  
14 chapter 24. The ~~State Planning Office~~ Department of Environmental Protection shall  
15 provide assistance to the authority in determining consistency, technical eligibility and  
16 merit of application for recycling loans.

17           **Sec. GG-6. 10 MRSA §1063, sub-§2, ¶I-1**, as amended by PL 1995, c. 656, Pt.  
18 A, §4, is further amended to read:

19           I-1. In the case of recycling and waste reduction projects, the proposed facility is  
20 consistent with and will contribute to the management goals and objectives outlined  
21 in the state waste management and recycling plan under Title 38, chapter 24 and will  
22 reduce the amount of solid or hazardous waste requiring disposal. The ~~State Planning~~  
23 ~~Office~~ Department of Environmental Protection shall provide assistance to the  
24 authority in determining consistency, technical eligibility and merit of applications  
25 for assistance under this subchapter.

26           **Sec. GG-7. 38 MRSA §1303-C, sub-§6, ¶D**, as amended by PL 2005, c. 612,  
27 §2, is further amended to read:

28           D. Beginning January 1, 2007, a solid waste facility owned and controlled by the  
29 ~~office~~ Department of Administrative and Financial Services, Bureau of General  
30 Services under chapter 24;

31           **Sec. GG-8. 38 MRSA §1303-C, sub-§19-C**, as enacted by PL 1995, c. 656, Pt.  
32 A, §21, is repealed.

33           **Sec. GG-9. 38 MRSA §1303-C, sub-§35**, as amended by PL 1997, c. 393, Pt. B,  
34 §9, is further amended to read:

35           **35. State waste management and recycling plan.** "State waste management and  
36 recycling plan" means the plan adopted by the former Maine Waste Management Agency  
37 pursuant to chapter 24, subchapter ~~H~~ and 2, subsequent plans developed by the former  
38 State Planning Office pursuant to Title 5, former section 3305, subsection 1, paragraph N  
39 and the department pursuant to section 2122 and may also be referred to as "state plan."

40           **Sec. GG-10. 38 MRSA §1304, sub-§4**, as amended by PL 1995, c. 656, Pt. A,  
41 §22, is further amended to read:

1           **4. Technical assistance.** The commissioner is authorized to establish guidelines for  
2 effective waste management, to provide technical assistance to persons planning,  
3 constructing or operating waste facilities; and to conduct applied research activities in the  
4 field of waste management, disposal technology and environmental effects, including  
5 methods of recycling hazardous or solid waste, sludge or septage. ~~The commissioner~~  
6 ~~shall cooperate with the office in the design and delivery of this assistance.~~

7           **Sec. GG-11. 38 MRSA §1304, sub-§13,** as amended by PL 1995, c. 656, Pt. A,  
8 §23, is further amended to read:

9           **13. Innovative disposal and utilization.** Recognizing that environmentally suitable  
10 sites for waste disposal are in limited supply and represent a critical natural resource, the  
11 commissioner may investigate and implement with the approval of the board innovative  
12 programs for managing, utilizing and disposing of solid waste. Innovative programs may  
13 include agricultural and forest land spreading of wood-derived ash, utilization of ash  
14 resulting from combustion of municipal solid waste, paper mill sludges, municipal waste  
15 water treatment plant sludges and the composting of yard wastes. ~~The office~~  
16 commissioner shall first determine that the proposed innovative disposal and waste  
17 management programs are consistent with the state plan. The commissioner shall review  
18 proposed innovative programs for each waste category and shall apply all controls  
19 necessary to ensure the protection of the environment and public health consistent with  
20 this chapter. The board may adopt application review procedures designed to review  
21 individual applications and their individual waste sources with prior approval of classes  
22 of disposal or utilization sites. The board shall adopt provisions for municipal  
23 notification prior to use of individual utilization sites.

24           **Sec. GG-12. 38 MRSA §1304-B, sub-§4-A, ¶D,** as amended by PL 1995, c.  
25 656, Pt. A, §24, is further amended to read:

26           D. A municipality that anticipates that it will be unable to meet its contract  
27 obligation to supply a minimum BTU content level or minimum tonnage due to waste  
28 reduction or recycling programs and is unable to reach an agreement with the  
29 incinerator for the anticipated reduction may request the ~~office~~ department  
30 to intercede. ~~The office~~ department shall assist the incinerator in soliciting solid waste  
31 to mitigate any anticipated shortfall in minimum BTU content level or minimum  
32 tonnage. If no agreement on mitigation of an anticipated shortfall is reached, the  
33 terms of the original contract prevail, except as otherwise provided in this chapter.

34           **Sec. GG-13. 38 MRSA §1309,** as amended by PL 2001, c. 22, §1, is further  
35 amended to read:

36           **§1309. Interstate cooperation**

37           The Legislature encourages cooperative activities by the department ~~and the office~~  
38 with other states for the improved management of hazardous and solid waste; for  
39 improved, and as far as is practicable, uniform state laws relating to the management of  
40 hazardous and solid waste; and compacts between this and other states for the improved  
41 management of hazardous and solid waste.

42           **Sec. GG-14. 38 MRSA §1310-S, sub-§1,** as amended by PL 1995, c. 656, Pt. A,  
43 §25, is further amended to read:

1           **1. Notification.** A person applying for a license under this article or giving notice to  
2 the commissioner pursuant to section 485-A shall give, at the same time, written notice ~~to~~  
3 ~~the office and~~ to the municipal officers of the municipality in which the proposed facility  
4 may be located and shall publish notice of the application in a newspaper of general  
5 circulation in the area.

6           **Sec. GG-15. 38 MRSA §1310-U, first ¶**, as amended by PL 1995, c. 656, Pt. A,  
7 §26, is further amended to read:

8           Municipalities are prohibited from enacting stricter standards than those contained in  
9 this chapter and in the solid waste management rules adopted pursuant to this chapter  
10 governing the hydrogeological criteria for siting or designing solid waste disposal  
11 facilities or governing the engineering criteria related to waste handling and disposal  
12 areas of a solid waste disposal facility. Except as provided in section 2173,  
13 municipalities are further prohibited from enacting or applying ordinances that regulate  
14 solid waste disposal facilities owned by the ~~office~~ State or a state agency or a regional  
15 association.

16           **Sec. GG-16. 38 MRSA §1316-G, first ¶**, as enacted by PL 1995, c. 578, §1, is  
17 amended to read:

18           The State shall undertake a program to eliminate tire stockpiles. The program is  
19 under the direction of the department with assistance from other agencies including ~~the~~  
20 ~~State Planning Office~~, the Department of the Attorney General, the Maine State Police,  
21 the Maine National Guard and the Department of Corrections.

22           **Sec. GG-17. 38 MRSA §1316-G, sub-§§2 and 3**, as enacted by PL 1995, c.  
23 578, §1, are amended to read:

24           **2. Market development.** The ~~State Planning Office~~ department shall, as available  
25 resources allow, assist ~~the department generally in implementation of subsection 1. The~~  
26 ~~assistance may include, but is not limited to, encouraging with market development to~~  
27 encourage the beneficial reuse of whole tires and processed tires inside or outside the  
28 State. The ~~office~~ department may also make recommendations to the Legislature  
29 regarding legislation that would enhance the beneficial reuse of waste tires or processed  
30 tires.

31           **3. Business retention and new technology.** The Department of Economic and  
32 Community Development, as available resources allow, shall lead a cooperative effort  
33 involving the department, ~~the State Planning Office~~ and the Finance Authority of Maine  
34 to identify measures the State can take to provide a favorable environment for the  
35 retention of businesses assisting in the processing of waste tires. This cooperative effort  
36 must also provide for the introduction of viable new technologies to cost-effectively  
37 convert waste tires to commodities that can be utilized for beneficial reuse and for energy  
38 production.

39           **Sec. GG-18. 38 MRSA §1652, sub-§2**, as amended by PL 1997, c. 195, §1, is  
40 further amended to read:

41           **2. Schools.** A school or school administrative district shall comply with the  
42 provisions of this section except that a food service providing such services to satellite  
43 facilities at the school or school administrative district serviced by central kitchen

1 facilities not at the same location is exempt. A school or school administrative district  
2 may submit a request to the ~~Executive Department, State Planning Office~~ department for  
3 a 3-year waiver from the provisions of this section. The ~~State Planning Office~~  
4 department may grant the requested waiver as long as:

5 A. The request includes an explanation of the district's financial hardship and a waste  
6 reduction plan. The plan must be designed to achieve the goal of using durable  
7 containers in place of disposable containers, unless it is shown that the use of durable  
8 containers is not feasible and alternative goals are proposed. The plan must include a  
9 proposed capital plan for the acquisition of necessary equipment; and

10 B. The school or school administrative district has held a public hearing on the  
11 proposal to use polystyrene containers and the waste reduction plan.

12 The ~~State Planning Office~~ department may renew the waiver for 2-year periods if it finds  
13 that the school or school administrative district has made reasonable progress toward  
14 implementing the waste reduction plan. The ~~State Planning Office~~ department, within  
15 available resources, may provide technical and financial assistance to schools and school  
16 administrative districts to assist them with meeting the goal of using durable containers.

17 **Sec. GG-19. 38 MRSA §1668**, as enacted by PL 1999, c. 779, §2, is amended to  
18 read:

19 **§1668. Education program**

20 The department ~~and the Executive Department, State Planning Office~~ shall  
21 implement an education program relating to mercury-added products no later than  
22 January 1, 2001. The program must provide information to the public about labeled  
23 mercury-added products, the requirements of the law regarding the source separation of  
24 waste mercury-added products and collection programs that are available to the public.

25 **Sec. GG-20. 38 MRSA §1669**, as enacted by PL 1999, c. 779, §2, is amended to  
26 read:

27 **§1669. Technical assistance to municipalities**

28 The department shall ~~coordinate with the Executive Department, State Planning~~  
29 ~~Office to~~ assist interested municipalities and regional associations in developing  
30 collection programs for mercury-added products.

31 **Sec. GG-21. 38 MRSA §1705, sub-§9-B**, as enacted by PL 1995, c. 656, Pt. A,  
32 §28, is repealed.

33 **Sec. GG-22. 38 MRSA §1721**, as amended by PL 1995, c. 656, Pt. A, §29, is  
34 further amended to read:

35 **§1721. Formation**

36 The formation of a disposal district is accomplished as follows.

37 **1. Application by municipal officers.** The municipal officers of the municipality or  
38 municipalities that desire to form a disposal district shall file an application with the  
39 ~~office~~ department, after notice and hearing in each municipality, on a form or forms  
40 prepared by the ~~office~~ department, setting forth the name or names of the municipality or

1 municipalities and furnishing such other data as the office department determines  
2 necessary and proper. The application must contain, but is not limited to, a description of  
3 the territory of the proposed district, the name proposed for the district that includes the  
4 words "disposal district," a statement showing the existence in that territory of the  
5 conditions requisite for the creation of a disposal district as prescribed in section 1702;  
6 and other documents and materials required by the office department. The office  
7 department may adopt rules under this chapter.

8 **2. Public hearing.** Upon receipt of the application, the office department shall hold  
9 a public hearing on the application within 60 days of the date of receipt of the application,  
10 at some convenient place within the boundaries of the proposed district. At least 14 days  
11 prior to the date of the hearing, the office department shall publish notice of the hearing at  
12 least once in a newspaper of general circulation in the area encompassed by the proposed  
13 district.

14 **3. Approval of application.** After the public hearing, on consideration of the  
15 evidence received, the office department shall, in accordance with section 1702 and rules  
16 adopted by the office department, make findings of fact and a determination of record  
17 whether or not the conditions requisite for the creation of a disposal district exist in the  
18 territory described in the application. If the office department finds that the conditions do  
19 exist, it shall issue an order approving the proposed district as conforming to the  
20 requirements of this chapter and designating the name of the proposed district. The office  
21 department shall give notice to the municipal officers within the municipality or  
22 municipalities involved of a date, time and place of a meeting of the representative of the  
23 municipality or municipalities involved. The municipal officers shall elect a  
24 representative to attend the meeting who may represent the municipality in all matters  
25 relating to the formation of the district. A return receipt properly endorsed is evidence of  
26 the receipt of notice. The notice must be mailed at least 10 days prior to the date set for  
27 the meeting.

28 **4. Denial of application.** If the office department determines that the creation of a  
29 disposal district in the territory described in the application is not warranted for any  
30 reason, it shall make findings of fact and enter an order denying its approval. The office  
31 department shall give notice of the denial by mailing certified copies of the decision and  
32 order to the municipal officers of the municipality or municipalities involved. An  
33 application for the creation of a disposal district, consisting of exactly the same territory,  
34 may not be entertained within one year after the date of the issuance of an order denying  
35 approval of the formation of that disposal district, but this provision does not preclude  
36 action on an application for the creation of a disposal district embracing all or part of the  
37 territory described in the original application, ~~provided that~~ as long as another  
38 municipality or fewer municipalities are involved.

39 **5. Joint meeting.** The persons selected by the municipal officers, to whom the  
40 notice described in subsection 3 is directed, shall meet at the time and place appointed.  
41 When more than one municipality is involved, they shall organize by electing a chair and  
42 a secretary. An action may not be taken at any such meeting unless, at the time of  
43 convening, there are present at least a majority of the total number of municipal  
44 representatives eligible to attend and participate at the meeting, other than to report to the  
45 office department that a quorum was not present and to request the office department to  
46 issue a new notice for another meeting. A quorum is a simple majority of representatives

1 eligible to attend the meeting. The purpose of the meeting is to determine the number of  
2 directors, subject to section 1724, to be appointed by and to represent each participating  
3 municipality and to determine the duration of terms to be served by the initial directors so  
4 that, in ensuing years, 1/3 of the directors and their alternates are appointed or  
5 reappointed each year, to serve until their respective successors are duly appointed and  
6 qualified. Subject to section 1724, the number of directors to represent each municipality  
7 is subject for negotiation among the municipal representatives. When a decision has been  
8 reached on the number of directors and the number to represent each municipality and the  
9 initial terms of the directors, subject to the limitations provided, this decision must be  
10 reduced to writing by the secretary and must be approved by a 2/3 vote of those present.  
11 The vote so reduced to writing and the record of the meeting must be signed by the chair,  
12 attested by the secretary and filed with the office department. Any agreements among the  
13 municipal representatives that are considered essential prerequisites to the formation of  
14 the district, whether concerning payments in lieu of taxes to a municipality in which a  
15 waste facility is to be located, or any other matter, must be in writing and included in the  
16 record filed with the office department. Subsequent to district formation, the board of  
17 directors of the district shall execute all documents necessary to give full effect to the  
18 agreements reached by the municipal representatives and filed with the office department.  
19 When a single municipality is involved, a copy of the vote of the municipal officers, duly  
20 attested by the clerk of the municipality, must be filed with the office department.

21 **6. Submission.** When the record of the municipality, or the record of the joint  
22 meeting, when municipalities are involved, is received by the office department and  
23 found to be in order, the office department shall order the question of the formation of the  
24 proposed disposal district and other questions relating to the formation to be submitted to  
25 the legal voters residing within the municipalities, except as provided in subsection 7, in  
26 which case the municipal officers may determine the questions. The order must be  
27 directed to the municipal officers of the municipality or municipalities that propose to  
28 form the disposal district, directing them to call, within 60 days of the date of the order,  
29 town meetings or city elections for the purpose of voting in favor of or in opposition to  
30 each of the following articles or questions, as applicable, in substantially the following  
31 form:

32 A. Whether the town (or city) of (name of town or city) will vote to incorporate as a  
33 disposal district to be called (name) Disposal District;

34 B. Whether the residents of (name of town or city) will vote to join with the residents  
35 of the (name of town or city) to incorporate as a disposal district to be called (name)  
36 Disposal District: (legal description of the bounds of the proposed disposal district).  
37 At a minimum, the district must consist of (names of essential municipalities); and

38 C. Whether the residents of (name of town or city) will vote to approve the total  
39 number of directors and the allocation of representation among the municipalities on  
40 the board of directors, as determined by the municipal officers and listed as follows:  
41 Total number of directors is (number of directors) and the residents of (town or  
42 city) are entitled to ( ) directors. (The number of directors to which each  
43 municipality is entitled must be listed.)

44 Directors must be chosen to represent municipalities in the manner provided in section  
45 1725.

1           **7. Determination by municipal officers.** In the event that the charters of the  
2           respective municipalities, or any one of them, consistent with such state laws as may  
3           otherwise be applicable, permit the municipal officers of the municipality or  
4           municipalities that propose to form the disposal district to vote to join such a district, the  
5           municipal officers may determine the question of the formation of the proposed disposal  
6           district and other questions relating to the formation without submission to the legal  
7           voters residing within the municipality.

8           **Sec. GG-23. 38 MRSA §1722**, as amended by PL 1995, c. 656, Pt. A, §30, is  
9           further amended to read:

10           **§1722. Approval and organization**

11           When the residents of the municipality, or each municipality when more than one is  
12           involved, or the municipal officers, as the case may be, have voted upon the formation of  
13           a proposed disposal district and all of the other questions submitted, the clerk of each of  
14           the municipalities shall make a return to the ~~office~~ department in such form as the ~~office~~  
15           department may determine. If the ~~office~~ department finds from the returns that each of  
16           the municipalities involved, voting on each of the articles and questions submitted to  
17           them, has voted in the affirmative, and that the municipalities have appointed the  
18           necessary directors and listed the names of the directors to represent each municipality,  
19           and that all other steps in the formation of the proposed disposal district are in order and  
20           in conformity with law, the ~~office~~ department shall make a finding to that effect and  
21           record the finding upon its records. When 3 or more municipalities are concerned in the  
22           voting, and at least 2 have voted to approve each of the articles and questions submitted,  
23           appointed the necessary directors and listed the names of the directors to represent each  
24           municipality, rejection of the proposed disposal district by one or more does not defeat  
25           the creation of a district composed of the municipalities voting affirmatively on the  
26           question, if the ~~office~~ department determines and issues an order stating that it is feasible  
27           or practical to constitute the district as a geographic unit composed of the municipalities  
28           voting affirmatively, unless the vote submitted to the municipalities provided that specific  
29           participants or a minimum number of participants must approve the formation of the  
30           district.

31           The ~~office~~ department, immediately after making its findings, shall issue a certificate  
32           of organization in the name of the disposal district in such form as the ~~office~~ department  
33           determines. The original certificate must be delivered to the directors on the day that they  
34           are directed to organize and a copy of the certificate duly attested by the ~~executive~~  
35           ~~director of the office~~ commissioner must be filed and recorded in the office of the  
36           Secretary of State. The issuance of the certificate by the ~~office~~ department is conclusive  
37           evidence of the lawful organization of the disposal district. The disposal district is not  
38           operative until the date set by the directors under section 1726.

39           **Sec. GG-24. 38 MRSA §1725, first ¶**, as amended by PL 1995, c. 656, Pt. A,  
40           §31, is further amended to read:

41           Directors are appointed by the municipal officers of the municipality they represent.  
42           Alternate directors may be appointed by the municipal officers to act in the absence of a  
43           director. To the extent possible, the board of directors must include a mix of individuals  
44           with sufficient managerial, technical, financial or business experience to execute their

1 duties efficiently and effectively. Appointments must be by vote of the municipal  
2 officers, attested to by the municipal clerk and presented to the clerk of the district. The  
3 municipal officers, by majority vote, may remove their appointed representatives during  
4 their term for stated reasons, but directors may not be removed except for neglect of duty,  
5 misconduct or other acts that indicate an unfitness to serve. Upon receipt of the names of  
6 all the directors, the ~~office~~ department shall set a time, place and date for the first meeting  
7 of the directors, notice of the meeting to be given to the directors by certified or  
8 registered mail, return receipt requested and mailed at least 10 days prior to the date set  
9 for the meeting.

10 **Sec. GG-25. 38 MRSA §1726-A, sub-§4, ¶A**, as amended by PL 1995, c. 656,  
11 Pt. A, §32, is further amended to read:

12 A. When the question is submitted prior to the issuance of any indebtedness by the  
13 district, the directors may decide that approval of such an assessment article by the  
14 voters of a municipality is a condition of each municipality's continuance as a  
15 member of the district, in which case the ballots must include a statement that  
16 municipalities that fail to vote in favor of the proposed assessment article are no  
17 longer members of the district if the board determines that it is feasible or practical to  
18 constitute a district as a geographic unit made up of the municipalities voting in favor  
19 of the proposed assessment article. The ballots must also state the method to be used  
20 to allocate assessments among the member municipalities if the article is approved.  
21 The ballot may not contain a specific fractional share of the assessment to be borne  
22 by each member municipality. The votes must be counted in each municipality and  
23 the affirmative vote of a simple majority of votes cast in each municipality is required  
24 to grant the district assessment powers over all of the municipalities in the district.  
25 When 3 or more municipalities are involved in the voting and at least 2 have voted to  
26 approve the assessment article submitted to them, rejection of the proposed  
27 assessment article by one or more municipalities does not defeat the assessment  
28 power with respect to the municipalities voting in favor of it if the board determines  
29 that it is feasible or practical to constitute a district made up of the municipalities  
30 voting in favor of the article as a geographic unit. In that event, the board,  
31 immediately after making its findings, shall issue an amended certificate of  
32 organization in the name of the district for a district composed only of the  
33 municipalities voting in favor of the assessment article. Upon the issuance of a  
34 certificate the municipalities not approving the assessment article are no longer  
35 members of the district. The original of the amended certificate must be delivered to  
36 the directors of the district and a copy of the certificate attested by the ~~Director of the~~  
37 ~~State Planning Office~~ commissioner must be filed and recorded in the office of the  
38 Secretary of State. The issuance of the certificate by the board is conclusive evidence  
39 of the lawful reorganization of the district. If the board determines that it is not  
40 feasible or practical to constitute the district as a geographic unit composed of the  
41 municipalities voting affirmatively on the article, the district continues to exist with  
42 no assessment power and the municipalities that did not approve the assessment  
43 article remain members of the district.

44 **Sec. GG-26. 38 MRSA §1727**, as amended by PL 1995, c. 656, Pt. A, §33, is  
45 further amended to read:

1       **§1727. Admission of new member municipalities**

2           The board of directors may authorize the inclusion of additional member  
3 municipalities in the district upon the terms and conditions as the board, in its sole  
4 discretion, determines to be fair, reasonable and in the best interest of the district, except  
5 that on proper application any municipality that is host to a waste facility of the district  
6 must be admitted on equal terms with existing members, ~~provided that if~~ the new member  
7 municipality assumes or becomes responsible for a proportionate share of liabilities of the  
8 district in a manner similar to that of existing municipalities. The legislative body of any  
9 nonmember municipality that desires to be admitted to the district shall make application  
10 for admission to the board of directors of the district. The directors shall determine the  
11 effects and impacts that are likely to occur if the municipality is admitted and shall either  
12 grant or deny authority for admission of the petitioning municipality. If the directors  
13 grant the authority, they shall also specify any terms and conditions, including, but not  
14 limited to, financial obligations upon which the admission is predicated. The petitioning  
15 municipality shall comply with the voting procedures specified in section 1721. The  
16 vote, if in the affirmative, must be certified by the clerk of that municipality to the board  
17 of directors and to the ~~office~~ department. Upon satisfactory performance of the terms and  
18 conditions of admission, the municipality by resolution of the board of directors becomes  
19 and thereafter is a member municipality of the district. The clerk of the district shall  
20 promptly certify to the agency and the Secretary of State that the municipality has  
21 become a member of the district. The certification is conclusive evidence that the  
22 municipality is a lawful member of the district. Upon admission of a municipality to a  
23 district, the provisions of section 1724 determine the number of votes to be cast by the  
24 director or directors representing that municipality.

25           **Sec. GG-27. 38 MRSA §2101-A, sub-§2**, as enacted by PL 1995, c. 465, Pt. A,  
26 §28 and affected by Pt. C, §2, is repealed.

27           **Sec. GG-28. 38 MRSA §2101-A, sub-§3** is enacted to read:

28           **3. Bureau.** "Bureau" means the Bureau of General Services within the Department  
29 of Administrative and Financial Services as authorized pursuant to Title 5, section 1742.

30           **Sec. GG-29. 38 MRSA §2122**, as repealed and replaced by PL 1995, c. 465, Pt.  
31 A, §34 and affected by Pt. C, §2 and amended by c. 588, §2, is further amended to read:

32       **§2122. State waste management and recycling plan**

33           The ~~office~~ department shall prepare an analysis of, and a plan for, the management,  
34 reduction and recycling of solid waste for the State. The plan must be based on the  
35 priorities and recycling goals established in sections 2101 and 2132. The plan must  
36 provide guidance and direction to municipalities in planning and implementing waste  
37 management and recycling programs at the state, regional and local levels.

38           **1. Consultation.** In developing the state plan, ~~the office shall consult with the~~  
39 ~~department. The office~~ the department shall solicit public input and may hold hearings in  
40 different regions of the State.

41           **2. Revisions.** The ~~office~~ department shall revise the analysis by January 1, ~~1998~~  
42 2014 and every 5 years after that time to incorporate changes in waste generation trends,  
43 changes in waste recycling and disposal technologies, development of new waste

1 generating activities and other factors affecting solid waste management as the ~~office~~  
2 department finds appropriate.

3 **Sec. GG-30. 38 MRSA §2124**, as amended by PL 1995, c. 465, Pt. A, §37 and  
4 affected by Pt. C, §2, is further amended to read:

5 **§2124. Reports**

6 The ~~office~~ department shall submit the plan and subsequent revisions to the  
7 Governor, ~~the department~~ and the joint standing committee of the Legislature having  
8 jurisdiction over natural resource matters.

9 **Sec. GG-31. 38 MRSA §2124-A**, as amended by PL 2007, c. 583, §8, is further  
10 amended to read:

11 **§2124-A. Solid waste generation and disposal capacity report**

12 By January 1, ~~2008~~ 2013 and annually thereafter, the ~~office~~ department shall submit a  
13 report to the joint standing committee of the Legislature having jurisdiction over natural  
14 resources matters; and the Governor ~~and the department~~ setting forth information on  
15 statewide generation of solid waste, statewide recycling rates and available disposal  
16 capacity for solid waste.

17 The report submitted under this section must include an analysis of how changes in  
18 available disposal capacity have affected or are likely to affect disposal prices. When the  
19 ~~office~~ department determines that a decline in available landfill capacity has generated or  
20 has the potential to generate supracompetitive prices, the ~~office~~ department shall include  
21 this finding in its report and shall include recommendations for legislative or regulatory  
22 changes as necessary.

23 Beginning on January 1, ~~2009~~ 2013 and every odd-numbered year thereafter, the  
24 report submitted under this section must include an analysis of how the rate of fill at each  
25 solid waste landfill has affected the expected lifespan of that solid waste landfill. ~~The~~  
26 ~~January 2009 report must also include an analysis of the solid waste disposal needs of the~~  
27 ~~State as of January 1, 2009 for the next 3, 5 and 10 years.~~

28 Beginning on January 1, ~~2010~~ 2014 and every even-numbered year thereafter, the  
29 report submitted under this section must include an analysis of consolidation of  
30 ownership in the disposal, collection, recycling and hauling of solid waste.

31 The joint standing committee of the Legislature having jurisdiction over solid waste  
32 matters may report out legislation related to the report submitted pursuant to this section.

33 **Sec. GG-32. 38 MRSA §2132**, as amended by PL 2005, c. 220, §§2 to 4, is  
34 further amended to read:

35 **§2132. State goals**

36 **1. State recycling goal.** It is the goal of the State to recycle or compost, by January  
37 1, ~~2009~~ 2014, 50% of the municipal solid waste tonnage generated each year within the  
38 State.

39 **1-A. State waste reduction goal.** It is the goal of the State to reduce the biennial  
40 generation of municipal solid waste tonnage by 5% ~~by~~ beginning on January 1, 2009 and

1 by an additional 5% every subsequent 2 years. This reduction in solid waste tonnage,  
2 after January 1, 2009, is a biennial goal. The baseline for calculating this reduction is the  
3 2003 solid waste generation data gathered by the ~~office~~ former State Planning Office.

4 **2. Goal revision.** The ~~office~~ department shall recommend revisions, if appropriate,  
5 to the state recycling goal and waste reduction goal established in this section. The ~~office~~  
6 department shall submit its recommendations and any implementing legislation to the  
7 joint standing committee of the Legislature having jurisdiction over natural resource  
8 matters.

9 **3. Beneficial use of waste.** The use of waste paper, waste plastics, waste wood,  
10 including wood from demolition debris, used motor vehicle tires or corrugated cardboard  
11 as a fuel in industrial boilers or waste-to-energy facilities for the generation of heat, steam  
12 or electricity constitutes recycling only for the purposes of determining whether the goals  
13 in subsection 1 are met and for determining municipal progress as provided in section  
14 2133. In order for the use of waste under this subsection to constitute recycling, the  
15 ~~office~~ department must determine that there is no reasonably available market in the State  
16 for recycling that waste and the wastes must be incinerated as a substitute for, or  
17 supplement to, fossil or biomass fuels incinerated in the industrial boiler or  
18 waste-to-energy facility.

19 **4. Reduction in dioxin.** It is the policy of the State to reduce the total release of  
20 dioxin and mercury to the environment with the goal of its continued minimization and,  
21 where feasible, ultimate elimination.

22 **Sec. GG-33. 38 MRSA §2133**, as amended by PL 2003, c. 567, §§1 and 2, is  
23 further amended to read:

24 **§2133. Municipal recycling**

25 **1-A. Recycling progress.** Municipalities are not required to meet the state recycling  
26 goal in section 2132, but they must demonstrate reasonable progress toward that goal.  
27 The ~~office~~ department shall determine reasonable progress.

28 **2-A. Assistance with managing solid waste.** ~~A program of technical and financial~~  
29 ~~assistance for waste reduction and recycling is established in the office to~~ In accordance  
30 with section 343-C, the department shall assist municipalities with managing solid waste.  
31 The ~~office~~ department may also provide planning assistance to municipalities and  
32 regional organizations for managing municipal solid waste. Planning assistance may  
33 include cost and capacity analysis and education and outreach activities. The ~~director~~  
34 department shall ~~administer the program~~ provide assistance pursuant to this subsection in  
35 accordance with the waste management hierarchy in section 2101. Preference in  
36 allocating resources under this section must be given to municipalities that take advantage  
37 of regional economies of scale.

38 **2-B. Household hazardous waste collection.** The ~~office~~ department may, within  
39 available resources, award grants to eligible municipalities, regional associations, sanitary  
40 districts and sewer districts for household hazardous waste collection and disposal  
41 programs. In implementing this program, the ~~office~~ department shall attempt to:

42 A. Coordinate the household hazardous waste collection programs with overall  
43 recycling and waste management;

- 1 B. Encourage regional economies of scale;
- 2 C. Coordinate programs between private and public institutions;
- 3 D. Maximize opportunities for federal grants and pilot programs; and
- 4 E. By January 1, 2002 and as necessary thereafter, fund capital improvements and
- 5 operating expenses to facilitate the development of collection programs throughout
- 6 the State for hazardous waste that is universal waste, as identified in board rules,
- 7 generated by households, small-quantity generators, public schools and
- 8 municipalities.

9 Preference in allocating resources under this subsection must be given to municipalities  
10 that participate in a household hazardous waste collection region as defined in subsection  
11 2-D.

12 At a minimum, the ~~office~~ department shall award grants to public schools and  
13 municipalities for reasonable costs incurred as a result of managing waste mercury-added  
14 products generated by those public schools and municipalities, in compliance with the  
15 requirements in sections 1663 and 1664, that would not otherwise be incurred by  
16 complying with existing laws, rules or regulations as of July 15, 2002.

17 **2-C. Business technical assistance program.** The ~~office~~ department may, as  
18 resources allow, assist the business community to develop state programs and services  
19 that are designed to promote the solid waste hierarchy and that are desired by and  
20 financially supported by the business community. The ~~office~~ department shall coordinate  
21 these efforts in conjunction with the department.

22 **2-D. Preference for other state grants and investments.** When awarding grants or  
23 making a discretionary investment under any of the programs under paragraphs A and B,  
24 a state agency shall give preference to a municipality that is part of a household  
25 hazardous waste collection region. For purposes of this subsection, "household  
26 hazardous waste collection region" means a region made up of 2 or more municipalities  
27 that work together to establish a collection center to accept the household hazardous  
28 waste of residents of each municipality for disposal on a year-round basis. This  
29 subsection applies to:

30 A. Programs that assist in the acquisition of land for conservation, natural resource  
31 protection, open space or recreational facilities under Title 5, chapter 353; and

32 B. Programs intended to:

33 (1) Accommodate or encourage additional growth and development;

34 (2) Improve, expand or construct public facilities; or

35 (3) Acquire land for conservation or management of specific economic and  
36 natural resource concerns.

37 This subsection does not apply to state grants or other assistance for sewage treatment  
38 facilities, public health programs or education.

1 The ~~office~~ department shall work with state agencies to prepare mechanisms for  
2 establishing preferences in specific investment and grant programs as described in  
3 paragraphs A and B.

4 **3. Recycling capital investment grants.** The ~~office~~ department may make grants to  
5 eligible municipalities, regional associations, sanitary districts and sewer districts for the  
6 construction of public recycling and composting facilities and the purchase of recycling  
7 and composting equipment. The ~~office~~ department may establish requirements for local  
8 cost sharing of up to 50% of the total grant amount.

9 **4. Recycling incentives.** The ~~office~~ department shall develop and implement a  
10 program of incentives to encourage public recycling programs to reach maximum feasible  
11 levels of recycling and to meet the recycling goal of section 2132.

12 **6. Recycling demonstration grants.** The ~~office~~ department may make  
13 demonstration grants to eligible municipalities, regional associations or other public  
14 organizations to pilot waste reduction, recycling and composting programs and to test  
15 their effectiveness and feasibility.

16 **7. Recycling progress reports.** Municipalities shall report annually, on forms  
17 provided by the ~~office~~ department, on their solid waste management and recycling  
18 practices. The annual report must include how much of each type of solid waste is  
19 generated and how that solid waste is managed. The ~~office~~ department shall assist  
20 municipal reporting by developing a municipal waste stream assessment model. The  
21 model must rely on actual waste data whenever possible, but incorporate default  
22 generation estimates when needed. Default generation estimates must incorporate factors  
23 such as commercial activity, geographical differences and municipal population.

24 **Sec. GG-34. 38 MRSA §2134, first ¶**, as amended by PL 1995, c. 656, Pt. A,  
25 §39, is further amended to read:

26 The ~~office~~ department shall provide marketing assistance, which may include the  
27 following elements:

28 **Sec. GG-35. 38 MRSA §2134, sub-§3**, as amended by PL 1995, c. 656, Pt. A,  
29 §39, is further amended to read:

30 **3. Information clearinghouse.** An information clearinghouse on recycling markets  
31 to improve the marketing of materials to be recycled. The ~~office~~ department shall  
32 maintain a current list of municipal recycling programs, together with a description of the  
33 recyclable materials available through the programs. The ~~office~~ department shall also  
34 maintain listings of brokers, handlers, processors, transporters and other persons  
35 providing services and potential markets for recyclable materials. The ~~office~~ department  
36 shall actively promote the services of the clearinghouse and shall seek to match programs  
37 with appropriate recycling businesses. The ~~office~~ department shall make its information  
38 on recycling services available to public and private solid waste generators seeking  
39 markets or services for recyclable materials. The ~~office~~ department shall make its  
40 technical reports and planning documents available to municipalities and regional  
41 associations on a timely basis; and

42 **Sec. GG-36. 38 MRSA §2138, sub-§1**, as amended by PL 1995, c. 656, Pt. A,  
43 §41, is further amended to read:

1           **1. Office paper recycling mandated.** Any person employing 15 or more people at a  
2 site within the State shall implement an office paper and corrugated cardboard recycling  
3 program.

4           The ~~office~~ department may provide technical and marketing assistance and direction to  
5 entities within the State to assist with meeting this requirement. Municipalities and  
6 regional associations may assist employers in attaining the objectives of this section.

7           **Sec. GG-37. 38 MRSA §2140**, as amended by PL 1995, c. 656, Pt. A, §43, is  
8 further amended to read:

9           **§2140. Interstate and national initiatives**

10           The ~~office~~ department may participate in interstate and national initiatives to adopt  
11 uniform state laws when practicable, and to enter compacts between the State and other  
12 states for the improved management, recycling and reduction of solid waste.

13           **Sec. GG-38. 38 MRSA §2151-A**, as enacted by PL 1995, c. 465, Pt. A, §60 and  
14 affected by Pt. C, §2, is amended to read:

15           **§2151-A. Indemnification**

16           The ~~office~~ department shall defend and indemnify any employee of the ~~office~~, bureau  
17 and any former employee of the former State Planning Office including the director; and  
18 any member of the former Facility Siting Board against expenses actually and necessarily  
19 incurred by the person in connection with the defense of any action or proceeding in  
20 which the person is made party by reason of past or present association with the ~~office~~  
21 bureau or former State Planning Office with regard to the powers and duties set forth in  
22 this article.

23           **Sec. GG-39. 38 MRSA §2152**, as amended by PL 2001, c. 352, §16, is repealed.

24           **Sec. GG-40. 38 MRSA §2153, sub-§1**, as amended by PL 1995, c. 465, Pt. A,  
25 §62 and affected by Pt. C, §2, is further amended to read:

26           **1. Siting criteria.** With regard to state-owned facilities, the ~~office~~ bureau shall  
27 administer rules adopted by the former Maine Waste Management Agency, Office of  
28 Siting and Disposal Operations; and subsequently administered by the former State  
29 Planning Office pursuant to this subsection for siting criteria for solid waste disposal  
30 facilities. The ~~office~~ bureau may revise rules as necessary based on the following factors.

31           A. A site may be located anywhere within the State and need not be in proximity to  
32 the site of waste generation.

33           A-1. Sites for the disposal of special waste may not be located within a 5-mile radius  
34 of an existing commercial special waste landfill or a commercial incineration facility.

35           B. To the extent possible, a site must be located in proximity to the transportation  
36 systems, including existing or potential railroad systems, that are used to convey  
37 waste to the site or to convey residuals and materials to be recycled from the site.

38           C. The capacity or size of a site must be consistent with the projected demand as  
39 determined in the state plan.

1 D. A site and its considered use must be consistent with, and actively support, other  
2 waste management objectives, including waste reduction and recycling.

3 E. The projected price for site development, construction and operation must be fair  
4 and reasonable.

5 F. A site must meet preliminary environmental standards developed jointly by the  
6 department and the Maine Land Use Regulation Commission, including ground water  
7 standards, geological standards and standards to protect public drinking water  
8 supplies.

9 G. Existing uses on adjacent properties, including public or private schools, may not  
10 be in significant conflict with or significantly jeopardized by the use of a site.

11 **Sec. GG-41. 38 MRSA §2154**, as amended by PL 1995, c. 465, Pt. A, §63 and  
12 affected by Pt. C, §2 and amended by c. 656, Pt. A, §§44 and 45, is further amended to  
13 read:

14 **§2154. Site selection**

15 **1. Initial site screening.** The ~~Facility Siting Board~~ bureau shall conduct a site  
16 screening and selection process to identify solid waste disposal capacity sufficient to meet  
17 the projected needs identified in the state planning process under section 2123-A,  
18 subsection 4. The ~~Facility Siting Board~~ bureau shall consider the need for geographic  
19 distribution of facilities to adequately serve all regions of the State. The ~~Facility Siting~~  
20 ~~Board~~ bureau also shall consider in its site selection process the need for landfill capacity  
21 to dispose of incinerator ash resulting from the combustion of domestic and commercial  
22 solid waste generated within its jurisdiction. Prior to recommending a site, the ~~Facility~~  
23 ~~Siting Board~~ bureau shall hold a public hearing in every municipality or plantation  
24 identified in the screening process as a potential site. For potential sites within an  
25 unincorporated township, the ~~Facility Siting Board~~ bureau shall hold a public hearing  
26 within the vicinity of the proposed site. Prior to submitting a recommended site to the  
27 department for review, the ~~Facility Siting Board~~ bureau must find that the recommended  
28 site meets the standards adopted under section 2153.

29 **2. Siting; general.** Subsequent to the siting process under subsection 1, the ~~Facility~~  
30 ~~Siting Board~~ bureau shall identify additional sites as requested by the ~~office~~ department  
31 and as capacity needs are identified in the state plan. The ~~Facility Siting Board~~ bureau  
32 shall employ the same criteria and considerations employed under subsection 1. The  
33 ~~Facility Siting Board~~ bureau shall hold a public hearing in each municipality within  
34 which the ~~office~~ bureau may recommend the location of any solid waste disposal or  
35 refuse-derived fuel processing facility.

36 **3. Municipal reimbursement.** At the conclusion of proceedings before the ~~Facility~~  
37 ~~Siting Board~~ bureau conducted pursuant to subsection 1, the ~~office~~ bureau shall reimburse  
38 a municipality for eligible expenses incurred as a result of that municipality's direct,  
39 substantive participation in proceedings before the ~~Facility Siting Board~~ bureau. The  
40 amount reimbursed under this subsection may not exceed \$50,000 for any municipality.  
41 For the purposes of this subsection, "eligible expenses" has the same meaning as  
42 "expenses eligible for reimbursement" under section 1310-S, subsection 4, and any rules  
43 adopted by the Board of Environmental Protection pursuant to that section.

1           **Sec. GG-42. 38 MRSA §2155**, as enacted by PL 1989, c. 585, Pt. A, §7, is  
2 amended to read:

3           **§2155. Notification**

4           The ~~office~~ bureau shall notify the municipal officers of any municipality within  
5 which a waste disposal facility site is recommended under this subchapter of that  
6 recommendation. The ~~office~~ bureau shall notify the municipal officers by certified mail  
7 within 30 days of making the recommendation. If the proposed site is located within the  
8 jurisdiction of the Maine Land Use Regulation Commission, the ~~office~~ bureau shall notify  
9 the Maine Land Use Regulation Commission and the county commissioners in lieu of the  
10 municipal officers.

11           **Sec. GG-43. 38 MRSA §2156-A**, as amended by PL 2007, c. 192, §6, is further  
12 amended to read:

13           **§2156-A. Facility development**

14           **1. Planning for development.** The ~~office~~ bureau, in consultation with the  
15 department, shall plan for the development of facilities sufficient to meet needs for  
16 municipal solid waste identified in the state plan and any revisions to the plan and to  
17 serve all geographic areas of the State. The ~~office~~ bureau, in consultation with the  
18 department, may plan for the development of facilities sufficient to meet needs for special  
19 waste identified in the state plan and any revisions to the plan and to serve all geographic  
20 areas of the State.

21           **2. Recommendation for development.** When the ~~office~~ bureau finds that 6 years or  
22 less of licensed and available disposal capacity for municipal solid waste or special waste  
23 remains within the State, the ~~office~~ bureau shall submit a report recommending the  
24 construction and operation of a state-owned solid waste disposal facility for the disposal  
25 of the type of waste for which capacity is needed to the joint standing committee of the  
26 Legislature having jurisdiction over natural resource matters. The report must  
27 recommend which state agency or department will own the facility and how it will be  
28 operated. The report must also include a review of disposal options outside of the State; a  
29 review of existing efforts to reduce, reuse, recycle, compost and incinerate the affected  
30 municipal solid waste and special waste streams and the impact of these efforts on  
31 capacity requirements; a thorough economic analysis of the facility's expected costs; and  
32 commitments from entities to utilize the facility and projected revenues. It is the intent of  
33 the Legislature that the facility be operated by a private contractor. A state-owned solid  
34 waste disposal facility may not be constructed or operated unless authorized by  
35 legislation pursuant to subsection 3.

36           **3. Authorization for development.** The joint standing committee of the Legislature  
37 having jurisdiction over natural resource matters may report out legislation authorizing  
38 construction and operation of a state-owned solid waste disposal facility in response to a  
39 report submitted pursuant to subsection 2.

40           **4. Ownership, construction and operation.** The ~~office~~ bureau shall maintain  
41 ownership of a site acquired for construction and operation of a state-owned solid waste  
42 disposal facility until the Legislature authorizes transfer of the site to another state  
43 department or agency, except that this subsection does not prohibit any lease or transfer

1 of the site pursuant to an agreement entered into before the effective date of this  
2 subsection or pursuant to any amendment to such an agreement entered into before or  
3 after the effective date of this subsection.

4 **5. Development by others.** This section does not preclude a municipality or  
5 regional association from developing and operating solid waste disposal facilities on its  
6 own initiative.

7 **Sec. GG-44. 38 MRSA §2159**, as amended by PL 1995, c. 656, Pt. A, §46, is  
8 further amended to read:

9 **§2159. Real and personal property; right of eminent domain**

10 The ~~office~~ bureau may acquire and hold real and personal property that it considers  
11 necessary for its purposes, is granted the right of eminent domain and, for those purposes,  
12 may take and hold, either by exercising its right of eminent domain or by purchase, lease  
13 or otherwise, for public use, any land, real estate, easements or interest therein, necessary  
14 for constructing, establishing, maintaining, operating and the closure of solid waste  
15 disposal facilities.

16 **Sec. GG-45. 38 MRSA §2160, sub-§1**, as amended by PL 1995, c. 646, Pt. A,  
17 §47, is further amended to read:

18 **1. Notice to owner.** The ~~office~~ bureau shall provide to the owner or owners of  
19 record notice of the following:

- 20 A. The determination of the ~~office~~ bureau that it proposes to exercise the right of  
21 eminent domain;
- 22 B. A description and scale map of the land or easement to be taken;
- 23 C. The final amount offered for the land or easement to be taken, based on the fair  
24 value as estimated by the ~~office~~ bureau; and
- 25 D. Notice of the time and place of the hearing provided in subsection 4.

26 Notice may be made by personal service in hand by an officer duly qualified to serve civil  
27 process in this State or by certified mail, return receipt requested, to the last known  
28 address of the owner or owners. If the owner or owners are not known or can not be  
29 notified by personal service or certified mail, notice may be given by publication in the  
30 manner provided in subsection 4.

31 **Sec. GG-46. 38 MRSA §2160, sub-§4**, as amended by PL 1995, c. 656, Pt. A,  
32 §47, is further amended to read:

33 **4. Hearing.** The ~~office~~ bureau shall hold a public hearing on the advisability of its  
34 proposed exercise of the right of eminent domain. Notice of the hearing must be made by  
35 publication in a newspaper of general circulation in the area of the taking and published  
36 once a week for 2 successive weeks, the last publication to be at least 2 weeks before the  
37 time appointed in the hearing. The hearing notice must include:

- 38 A. The time and place of the hearing;
- 39 B. A description of the land or easement to be taken; and

1 C. The name of the owners, if known.

2 **Sec. GG-47. 38 MRSA §2161**, as amended by PL 1995, c. 656, Pt. A, §48, is  
3 further amended to read:

4 **§2161. Condemnation proceedings**

5 At the time the ~~office~~ bureau sends the notice in section 2160, the ~~office~~ bureau shall  
6 file in the county commissioner's office in which the property to be taken is located and  
7 cause to be recorded in the registry of deeds in the county plans of the location of all  
8 lands, real estate, easements or interest therein, with an appropriate description and the  
9 names of the owners thereof, if known. When for any reason the ~~office~~ bureau fails to  
10 acquire property that it is authorized to take, which is described in that location, or if the  
11 location so recorded is defective and uncertain, it may, at any time, correct and perfect the  
12 location and file a new description. In that case, the ~~office~~ bureau is liable in damages  
13 only for property for which the owner had not previously been paid, to be assessed as of  
14 the time of the original taking, and the ~~office~~ bureau is not liable for any acts that would  
15 have been justified if the original taking had been lawful. No entry may be made on any  
16 private lands, except to make surveys, until the expiration of 10 days from the filing,  
17 whereupon, possession may be had of all the lands, real estate, easements or interests  
18 therein and other property and rights as aforesaid to be taken, but title may not vest in the  
19 ~~office~~ bureau until payment for the property is made.

20 **Sec. GG-48. 38 MRSA §2162**, as repealed and replaced by PL 1999, c. 736, §2,  
21 is amended to read:

22 **§2162. Assistance in regional association siting**

23 **1. Technical assistance.** Upon request by a regional association, the ~~office~~ bureau  
24 may provide technical assistance to that regional association in the establishment of  
25 approved waste facilities, including assistance in planning, location, acquisition,  
26 development and operation of the site. The regional association shall describe fully the  
27 need and justification for the request. The ~~office~~ bureau may request information from  
28 the regional association necessary to provide assistance.

29 **2. Submission of report recommending construction of state-owned facility.**  
30 When the ~~office~~ bureau, in consultation with a regional association, finds that disposal  
31 capacity is projected to be needed for bulky wastes, construction or demolition waste or  
32 land-clearing debris and that the regional association is not able to pursue the siting,  
33 establishment and operation of a waste facility, the ~~office~~ bureau may submit a report  
34 recommending the construction and operation of a state-owned solid waste disposal  
35 facility that will fulfill the disposal need to the joint standing committee of the Legislature  
36 having jurisdiction over natural resources matters. The report must include a review of  
37 disposal options outside of the State; a review of existing efforts to reduce, reuse, recycle,  
38 compost and incinerate the affected waste streams and the impact of these efforts on  
39 capacity requirements; a thorough economic analysis of the facility's expected costs; and  
40 commitments from entities to utilize the facility and projected revenues. The joint  
41 standing committee of the Legislature having jurisdiction over natural resources matters  
42 may report out legislation authorizing the construction and operation of a state-owned  
43 solid waste disposal facility in response to a report submitted pursuant to this subsection.

1           **Sec. GG-49. 38 MRSA §2170**, as amended by PL 1995, c. 656, Pt. A, §51, is  
2 further amended to read:

3           **§2170. Host community benefits; application limited to facilities owned or operated**  
4           **by the bureau**

5           This subchapter applies only to solid waste disposal facilities owned or operated by  
6 the ~~office~~ bureau. Wherever in this subchapter the term "solid waste disposal facility" or  
7 "facility" is used, those terms may be construed only to mean a solid waste disposal  
8 facility owned or operated by the ~~office~~ bureau.

9           **Sec. GG-50. 38 MRSA §2170-A, first ¶**, as enacted by PL 2007, c. 406, §3, is  
10 amended to read:

11           The provisions of this section apply to a solid waste disposal facility owned or  
12 operated by the ~~office~~ bureau.

13           **Sec. GG-51. 38 MRSA §2171, first ¶**, as amended by PL 1993, c. 310, Pt. B, §3,  
14 is further amended to read:

15           The municipal officers of each municipality identified by the ~~Facility Siting Board~~  
16 bureau as a potential site for a waste disposal facility and each contiguous municipality  
17 that may be affected by the construction or operation of that facility shall jointly establish  
18 a single citizen advisory committee within 60 days of notification pursuant to section  
19 2155.

20           **Sec. GG-52. 38 MRSA §2172, first ¶**, as repealed and replaced by PL 2007, c.  
21 406, §4, is amended to read:

22           In the event that the ~~office~~ bureau and a host community cannot agree on the terms of  
23 a host community agreement pursuant to section 2170-A, the parties shall submit the  
24 dispute for resolution in accordance with this section.

25           **Sec. GG-53. 38 MRSA §2172, sub-§2, ¶A**, as enacted by PL 2007, c. 406, §4,  
26 is amended to read:

27           A. Both the ~~office~~ bureau and the host community will be bound by the decision of  
28 the arbitrator.

29           **Sec. GG-54. 38 MRSA §2173**, as amended by PL 1995, c. 656, Pt. A, §53, is  
30 further amended to read:

31           **§2173. Municipal jurisdiction over regional association disposal facilities**

32           A municipality may adopt a local ordinance authorizing the municipal officers to  
33 issue a local permit containing the same findings, conclusions and conditions contained in  
34 the license issued by the department for a solid waste disposal facility located within the  
35 municipality's jurisdiction. The municipal officers may also attach to the permit  
36 additional conditions for the operation of the solid waste disposal facility on any issues  
37 not specifically addressed in any condition of the department's license. These conditions  
38 may not unreasonably restrict the operation of the facility and must be attached to the  
39 local permit by the municipal officers within 90 days of issuance of the department's  
40 license or within 30 days of a final decision by the department to relicense the facility.

1 An enforcement action brought by the municipality to enforce local permit conditions  
2 ~~shall~~ does not preclude the State from bringing an action to enforce the conditions of any  
3 license issued by the State or any other provision of law. In addition, the State ~~shall have~~  
4 has a right to intervene in any enforcement action brought by a municipality under this  
5 section. A municipality that has adopted local permit conditions described in this section  
6 shall employ an inspector certified under section 2174 to enforce permit conditions.

7 **Sec. GG-55. 38 MRSA §2174, sub-§2**, as amended by PL 1995, c. 656, Pt. A,  
8 §54, is further amended to read:

9 **2. Information.** The host municipality of a solid waste disposal facility has a right  
10 to all information from the department and the ~~office, bureau~~ pursuant to Title 1, chapter  
11 13, subchapter ~~F~~ 1. All information provided under this subsection must be made  
12 available to the citizen advisory committee and the public by the host municipality.

13 A. The commissioner shall provide all of the following information to the municipal  
14 officers of the host municipality:

15 (1) Copies of any inspection report of the facility within 5 working days of the  
16 preparation of the report;

17 (2) Prompt notification of all enforcement or emergency orders for those  
18 facilities, including, but not limited to, abatement orders, cessation orders, final  
19 civil penalty assessments, consent orders and decrees and notices of violation;

20 (3) Copies of all air, soil and water quality monitoring data collected by the  
21 commissioner at such facilities, including leachate and ash testing results, within  
22 5 working days after complete laboratory analysis becomes available to the  
23 commissioner; and

24 (4) Copies of all analyses of the data under subparagraph (3).

25 B. The operator of the facility shall provide the host municipality copies of all air,  
26 soil and water quality monitoring data, including leachate and ash testing results,  
27 conducted by or on behalf of the operator, within 5 days after that information  
28 becomes available to the operator.

29 C. The municipality shall provide all of the following information to the  
30 commissioner:

31 (1) Copies of any inspection report of the facility within 5 working days of the  
32 preparation of the report;

33 (2) Prompt notification of all enforcement or emergency orders for those  
34 facilities, including, but not limited to, abatement orders, cessation orders, final  
35 civil penalty assessments, consent orders and decrees and notices of violation;

36 (3) Copies of all air, soil and water quality monitoring data collected by the  
37 municipality at such facilities, including leachate and ash testing results, within 5  
38 working days after complete laboratory analysis becomes available to the  
39 municipality; and

40 (4) Copies of all analyses of the data under subparagraph (3).

1           **Sec. GG-56. 38 MRSA §2175-A**, as amended by PL 1995, c. 656, Pt. A, §55, is  
2 further amended to read:

3           **§2175-A. Property value offset**

4           Owners of property, the value of which has been affected by a solid waste disposal  
5 facility, are eligible for reimbursement from the ~~office~~ bureau for loss in property value  
6 directly attributable to the construction and operation of the facility. The ~~office~~ bureau  
7 shall adopt rules to establish the formula and procedure for reimbursement, including,  
8 without limitation, definition of the impact area, a process for establishing baseline real  
9 estate values, a time frame within which the property value offset program will be in  
10 effect and an accounting of real estate trends in the area.

11           **Sec. GG-57. 38 MRSA §2175-B**, as enacted by PL 1995, c. 465, Pt. A, §70 and  
12 affected by Pt. C, §2, is amended to read:

13           **§2175-B. Payment in lieu of taxes**

14           The ~~office~~ bureau shall annually pay a municipality an amount in lieu of taxes equal  
15 to the amount of property taxes on a solid waste disposal facility owned or operated by  
16 the ~~office~~ bureau not paid to that municipality during the previous calendar year. In the  
17 case of an unorganized territory, the ~~office~~ bureau shall annually pay the amount to the  
18 State Tax Assessor who shall deposit that amount in the Unorganized Territory Education  
19 and Services Fund established in Title 36, chapter 115. If the ~~office~~ bureau disagrees  
20 with the amount determined to be due in lieu of taxes under this section, it may appeal to  
21 the State Board of Property Tax Review as provided in Title 36, section 271.

22           **Sec. GG-58. 38 MRSA §2176, first ¶**, as amended by PL 1995, c. 656, Pt. A,  
23 §56, is further amended to read:

24           In addition to payment in lieu of taxes provided in section 2175-B, the ~~office~~ bureau  
25 shall make impact payments to a municipality in which a solid waste disposal facility is  
26 located or, in the case of an unorganized territory, to the State Tax Assessor upon request  
27 by the community involved or by the State Tax Assessor. The ~~office~~ bureau shall base its  
28 impact payments on measurable criteria including, without limitation:

29           **Sec. GG-59. 38 MRSA §2176, sub-§4**, as enacted by PL 2007, c. 406, §7, is  
30 amended to read:

31           **4. Other issues.** Other issues determined on a case-specific basis by the applicant  
32 and ~~office~~ bureau to be appropriate given the nature of the proposed facility.

33           **Sec. GG-60. 38 MRSA §2177**, as amended by PL 1995, c. 656, Pt. A, §57, is  
34 further amended to read:

35           **§2177. Water supply monitoring and protection**

36           Upon written request from persons owning land contiguous to a solid waste disposal  
37 facility, the ~~office~~ bureau shall have quarterly sampling and analysis conducted of private  
38 water supplies used by the requestors for drinking water. The sampling and analysis must  
39 be conducted in a manner specified by and that meets criteria developed by the  
40 department.

1 If a facility adversely affects a public or private water supply by pollution,  
2 degradation, diminution or other means that result in a violation of the state drinking  
3 water standards as determined by the commissioner, the ~~office~~ bureau shall restore the  
4 affected supply at no cost to the consumer or replace the affected supply with an  
5 alternative source of water that is of like quantity and quality to the original supply at no  
6 cost to the consumer.

7 **1. Extent of analysis.** Water supplies must be analyzed for all parameters or  
8 chemical constituents determined by the commissioner to be indicative of typical  
9 contamination from solid waste disposal facilities. The laboratory performing the  
10 sampling and analysis shall provide written copies of sample results to the ~~office~~ bureau,  
11 the landowner and to the commissioner.

12 **2. Additional sampling required.** If the analysis indicates possible contamination  
13 from a solid waste disposal facility, the commissioner shall conduct, or require the ~~office~~ bureau  
14 bureau to conduct, additional sampling and analysis to determine more precisely the  
15 nature, extent and source of contamination. The commissioner shall, if necessary, require  
16 this sampling beyond the boundaries of the contiguous property.

17 **3. Written notice of rights.** On or before December 1, 1989, for permits issued  
18 under this chapter prior to October 1, 1989, and at or before the time of permit issuance  
19 for permits issued under this chapter after October 1, 1989, the ~~office~~ bureau shall  
20 provide owners of contiguous land with written notice of their rights under this section on  
21 a form prepared by the commissioner.

22 **Sec. GG-61. 38 MRSA §2191**, as amended by PL 1995, c. 656, Pt. A, §58, is  
23 further amended to read:

24 **§2191. Fees**

25 The ~~office~~ bureau shall establish reasonable fees for waste disposal services provided  
26 by the ~~office~~ bureau.

27 **Sec. GG-62. 38 MRSA §2192**, as amended by PL 1995, c. 656, Pt. A, §§59 and  
28 60, is further amended to read:

29 **§2192. Purposes of the fees**

30 The fees charged to users of ~~office-owned~~ state-owned facilities and established by  
31 the ~~office~~ bureau under this article, by rule, provide revenue for the following purposes:

32 **1. Current expenses.** To pay the current expenses, either incurred directly or  
33 through contractual agreements with another party or parties, for operating and  
34 maintaining a facility or delivering a service and to provide for normal maintenance and  
35 replacement of equipment. Current expenses also include costs incurred under  
36 subchapter ~~V~~ 5;

37 **2. Interest.** To provide for the payment of interest on the indebtedness created or  
38 assumed by the ~~office~~ bureau;

39 **3. Indebtedness.** To provide an annual sum equal to not less than 2% nor more than  
40 10% of the term indebtedness represented by the issuance of bonds created or assumed by  
41 the ~~office~~ bureau, which sum must be turned into a sinking fund and there maintained to

1 provide for the extinguishment of term indebtedness. The money set aside in this sinking  
2 fund must be devoted to the retirement of the term obligations of the ~~office~~ bureau and  
3 may be invested in such securities as savings banks in the State are allowed to hold;

4 **4. Principal payments.** To provide for annual principal payments on serial  
5 indebtedness created or assumed by the ~~office~~ bureau;

6 **5. Contingency reserve fund allowance.** To provide for a contingency reserve fund  
7 allowance by providing rates to reflect up to a 5% addition to yearly revenues over that  
8 required to operate the facility;

9 **6. Closing reserve fund.** To provide for a closing and monitoring reserve fund by  
10 providing rates which, over the expected life span of the facility including the post-  
11 closure monitoring period, will generate the amount determined to be necessary by the  
12 department in its licensing process under chapter 13; and

13 **7. Compliance costs.** To provide for the costs associated with licensing, compliance  
14 and enforcement efforts of the department.

15 **Sec. GG-63. 38 MRSA §2193**, as amended by PL 1995, c. 656, Pt. A, §61, is  
16 further amended to read:

17 **§2193. Host municipality fees**

18 The ~~office~~ bureau may set fees under this article for the host municipality at a level  
19 lower than the fees charged to other municipalities or users, ~~provided that as long as~~ the  
20 lower fees are set in a manner consistent with the rules ~~promulgated~~ adopted by the ~~office~~  
21 bureau.

22 **Sec. GG-64. 38 MRSA §2201**, as amended by PL 2011, c. 544, §1, is further  
23 amended to read:

24 **§2201. Maine Solid Waste Management Fund established**

25 The Maine Solid Waste Management Fund, referred to in this section as the "fund," is  
26 established as a nonlapsing fund to support programs administered by the ~~State Planning~~  
27 ~~Office~~ bureau and the Department of Environmental Protection. The fund must be  
28 segregated into 2 subsidiary accounts. The first subsidiary account, called operations,  
29 receives all fees established and received under article 1. The 2nd subsidiary account,  
30 called administration, receives all fees established under this article and under Title 36,  
31 chapter 719 and all funds recovered by the department as reimbursement for departmental  
32 expenses incurred to abate imminent threats to public health, safety and welfare posed by  
33 the illegal disposal of solid waste.

34 Money in the fund not currently needed to meet the obligations of the ~~office~~  
35 department or bureau must be deposited with the Treasurer of State to the credit of the  
36 fund and may be invested as provided by law. Interest on these investments must be  
37 credited to the fund.

38 Funds related to administration may be expended only in accordance with allocations  
39 approved by the Legislature for administrative expenses directly related to the ~~office's~~  
40 bureau's and the department's programs, including actions by the department necessary to  
41 abate threats to public health, safety and welfare posed by the disposal of solid waste.

1 Funds related to fees imposed on the disposal of construction and demolition debris and  
2 residue from the processing of construction and demolition debris may be expended only  
3 for the state cost share to municipalities under the closure and remediation cost-sharing  
4 program for solid waste landfills established in section 1310-F. Funds related to  
5 operations may be expended only in accordance with allocations approved by the  
6 Legislature and solely for the development and operation of publicly owned facilities  
7 owned or approved by the ~~office bureau~~ and for the repayment of any obligations of the  
8 ~~office bureau~~ incurred under article 3. These allocations must be based on estimates of  
9 the actual costs necessary for the ~~office bureau~~ and the department to administer their  
10 programs, to provide financial assistance to regional associations and to provide other  
11 financial assistance necessary to accomplish the purposes of this chapter. Beginning in  
12 the fiscal year ending on June 30, 1991 and thereafter, the fund must annually transfer to  
13 the General Fund an amount necessary to reimburse the costs of the Bureau of Revenue  
14 Services incurred in the administration of Title 36, chapter 719. Allowable expenditures  
15 include "Personal Services," "All Other" and "Capital Expenditures" associated with all  
16 ~~office bureau~~ activities other than those included in the operations account.

17 **Sec. GG-65. 38 MRSA §2232, first ¶**, as amended by PL 1995, c. 656, Pt. A,  
18 §65, is further amended to read:

19 An incineration facility shall submit an annual report to the ~~office department~~ no later  
20 than 90 days after the end of the incineration facility's fiscal year. For reasonable cause  
21 shown and upon written application by an incineration facility, the ~~office department~~ may  
22 grant an extension of the 90-day period. The report must be certified by an appropriate  
23 executive officer of the incineration facility as being complete and accurate. The ~~office~~  
24 ~~department~~ may prescribe the form of the annual report and the number of copies that  
25 must be submitted. The report must include the following information:

26 **Sec. GG-66. 38 MRSA §2232, sub-§§4 and 5**, as amended by PL 1995, c. 656,  
27 Pt. A, §66, are further amended to read:

28 **4. Expenditures.** The total expenditures of the incineration facility during the last  
29 completed fiscal year including details of those expenditures as required by the ~~office~~  
30 ~~department~~; and

31 **5. Other information.** Any other information required by the ~~office department~~.

32 **Sec. GG-67. 38 MRSA §2235**, as amended by PL 1995, c. 656, Pt. A, §67, is  
33 further amended to read:

34 **§2235. Use of files**

35 The ~~office department~~ shall keep on file for public inspection and use all reports  
36 submitted under this subchapter.

37 **Sec. GG-68. 38 MRSA §2236**, as corrected by RR 1993, c. 1, §138 and amended  
38 by PL 1995, c. 656, Pt. A, §68, is further amended to read:

1        **§2236. Limitation**

2            Nothing in this subchapter may be construed to create or expand any ~~office~~ authority  
3        of the department over financial, organizational or rate regulation of incineration  
4        facilities.

5            **Sec. GG-69. Transition provisions; waste management-related and**  
6        **recycling-related matters.** The following provisions apply to the reassignment of  
7        waste management-related and recycling-related duties, responsibilities and activities of  
8        the Executive Department, State Planning Office to the Department of Environmental  
9        Protection, the Department of Administrative and Financial Services, Bureau of General  
10       Services and the Department of Economic and Community Development, Office of  
11       Community Development.

12           1. One authorized, unclassified position and incumbent personnel in the Executive  
13       Department, State Planning Office assigned to that office's waste management and  
14       recycling program are transferred to the Department of Economic and Community  
15       Development, Office of Community Development. Those employees retain their accrued  
16       fringe benefits, including but not limited to vacation and sick leave, health and life  
17       insurance and retirement benefits. The Department of Economic and Community  
18       Development, Office of Community Development and the Department of Administrative  
19       and Financial Services, Bureau of General Services shall enter into a memorandum of  
20       agreement under which personnel transferred to the Office of Community Development  
21       by this section shall assist the Bureau of General Services in the performance of its  
22       functions and duties under the Maine Revised Statutes, Title 38, chapter 24.

23           2. All rights, duties, authorities, responsibilities and related assets and liabilities, if  
24       any, assigned to the Executive Department, State Planning Office pursuant to Resolve  
25       2003, chapter 93 and Resolve 2011, chapter 90 are assigned to and must be exercised by  
26       the Department of Administrative and Financial Services, Bureau of General Services.

27           3. All real property acquired by the Executive Department, State Planning Office  
28       pursuant to Public Law 1995, chapter 464, Resolve 2003, chapter 93 and Resolve 2011,  
29       chapter 90 is transferred to the Department of Administrative and Financial Services,  
30       Bureau of General Services.

31           4. Notwithstanding any other provision of law, the Department of Environmental  
32       Protection shall approve transfer of all licenses, permits and other authorizations issued  
33       by the department to the Executive Department, State Planning Office for construction  
34       and operation of state-owned waste disposal facilities referenced in subsection 2 to the  
35       Department of Administrative and Financial Services, Bureau of General Services.  
36       Within 60 days of the effective date of this section, the Department of Administrative and  
37       Financial Services, Bureau of General Services shall submit to the Department of  
38       Environmental Protection applications for transfer of all licenses, permits and other  
39       authorizations for the state-owned solid waste disposal facilities referenced in subsection  
40       2. Notwithstanding any other provision of law, until the Department of Environmental  
41       Protection has approved the transfers required by this section, the Department of  
42       Administrative and Financial Services, Bureau of General Services is deemed to be the  
43       licensee or permittee of all licenses, permits and other authorizations for the state-owned  
44       solid waste disposal facilities referenced in subsection 2.



1           **Sec. HH-4. 37-B MRSA §1119, sub-§3**, as amended by PL 2009, c. 561, §36, is  
2 further amended to read:

3           **3. Review conference.** After receiving the inspector's report and prior to issuing any  
4 dam safety order, the commissioner shall hold a review conference and shall invite the  
5 emergency management director of the county in which the dam is located to the review  
6 conference as well as representatives from appropriate state agencies, which may include  
7 the Department of Conservation, the Department of Environmental Protection, the  
8 Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the  
9 Department of Public Safety, the Department of Transportation, and the Maine Land Use  
10 Regulation Commission ~~and the State Planning Office~~, to discuss the public safety,  
11 environmental, economic and other concerns relating to the dam and the necessary  
12 remedial measures under consideration. A state dam inspector shall attend the review  
13 conference. The commissioner shall maintain a written record of the conference and shall  
14 make a copy of this record available to all parties participating in the conference.

15           **Sec. HH-5. 37-B MRSA §1131, sub-§2, ¶G**, as enacted by PL 2001, c. 662,  
16 §99, is repealed.

17           **Sec. HH-6. Transition provisions; floodplain management matters.** The  
18 following provisions apply to the reassignment of floodplain management duties,  
19 responsibilities and activities of the Executive Department, State Planning Office to the  
20 Department of Conservation.

21           1. The Governor shall, pursuant to 44 Code of Federal Regulations, Part 60,  
22 designate the Department of Conservation as the state coordinating agency for purposes  
23 of the National Flood Insurance Program.

24           2. Three authorized positions and incumbent personnel in the State Planning Office  
25 assigned to that office's floodplain management program are transferred to the  
26 Department of Conservation's floodplain management program established in the Maine  
27 Revised Statutes, Title 12, section 408. Those employees retain their rights as  
28 unclassified employees as well as their accrued fringe benefits, including but not limited  
29 to vacation and sick leave, health and life insurance and retirement benefits.

30           3. Notwithstanding the provisions of Title 5 and except as otherwise provided in  
31 subsection 4, the State Controller, upon request of the State Budget Officer and with the  
32 approval of the Governor, shall transfer to the proper account in the Department of  
33 Conservation all accrued expenditures, assets and liabilities, including but not limited to  
34 any contractual obligations, balances, appropriations, allocations, transfers, revenues or  
35 other available funds in any account or subdivision of an account of the State Planning  
36 Office established for administration of floodplain management-related grant funds from  
37 the Federal Emergency Management Agency. Transfers authorized under this subsection  
38 do not change or otherwise affect the purposes or uses for which any funds transferred  
39 pursuant to this subsection may be expended.

40           4. On the effective date of this section, the State Controller shall transfer any  
41 unexpended and unencumbered balance in the Floodplain Mapping Fund established by  
42 former Title 5, section 3307-G to the State Floodplain Mapping Fund established by Title  
43 12, section 409.



- 1           A. The permit conforms to the municipality's shellfish conservation program.
- 2           B. The permit will not cause the total area under all municipal shellfish aquaculture  
3 permits in the municipality to exceed 1/4 of the entire municipal intertidal zone that is  
4 open to the taking of shellfish.
- 5           C. Issuing the permit is in the best interests of the municipality.
- 6           D. The permit will not unreasonably interfere with ingress and egress of riparian  
7 owners.
- 8           E. The permit will not unreasonably interfere with navigation.
- 9           F. The permit will not unreasonably interfere with fishing or other uses of the area.  
10 For purposes of this paragraph, "fishing" includes public access to a redeemable  
11 shellfish resource, as defined by the department, for the purpose of harvesting,  
12 provided that the resource is commercially significant and is subject to a pollution  
13 abatement plan that predates the permit application, that includes verifiable activities  
14 in the process of implementation and that is reasonably expected to result in the  
15 opening of the area to the taking of shellfish within 3 years.
- 16           G. The permit will not unreasonably interfere with significant wildlife habitat and  
17 marine habitat or with the ability of the site affected by the permit and surrounding  
18 marine and upland areas to support existing ecologically significant flora and fauna.
- 19           H. The applicant has demonstrated that there is an available source of organisms to  
20 be cultured for the site affected by the permit.
- 21           I. The permit does not unreasonably interfere with public use or enjoyment within  
22 1,000 feet of a beach, park or docking facility owned by the Federal Government, the  
23 State Government or a municipal government or conserved lands. For purposes of  
24 this paragraph, "conserved lands" means land in which fee ownership has been  
25 acquired by the municipal government, State Government or Federal Government in  
26 order to protect the important ecological, recreational, scenic, cultural or historic  
27 attributes of that property.

28 A municipality shall review the ~~Executive Department, State Planning Office's~~  
29 Department of Conservation's list of conserved lands compiled pursuant to section 6072,  
30 subsection 7-A, paragraph F prior to issuing a municipal shellfish aquaculture permit.

31 A municipality shall put its findings on each of the criteria listed in this subsection in  
32 writing and make those findings available to the public.

33           **Sec. II-6. 33 MRSA §132, sub-§4**, as enacted by PL 2005, c. 574, §1, is  
34 amended to read:

35           **4. Filing.** A working waterfront covenant must be recorded in the County Registry  
36 of Deeds, and a copy of the covenant must be filed with the ~~Executive Department, State~~  
37 Planning Office Department of Conservation together with a map showing with  
38 specificity the location of the affected real estate on the form or forms that the ~~State~~  
39 Planning Office department requires.

40           **Sec. II-7. 33 MRSA §479-C**, as enacted by PL 2007, c. 412, §10, is amended to  
41 read:

1       **§479-C. Conservation easement registry**

2           A holder of a conservation easement that is organized or doing business in the State  
3 shall annually report to the ~~Executive Department, State Planning Office~~ Department of  
4 Conservation the book and page number at the registry of deeds for each conservation  
5 easement that it holds, the municipality and approximate number of acres protected under  
6 each easement and such other information as the ~~State Planning Office~~ Department of  
7 Conservation determines necessary to fulfill the purposes of this subchapter. The filing  
8 must be made by a date and on forms established by the ~~State Planning Office~~  
9 Department of Conservation to avoid duplicative filings when possible and otherwise  
10 reduce administrative burdens. The annual filing must be accompanied by a \$30 fee.  
11 The ~~State Planning Office~~ Department of Conservation shall maintain a permanent record  
12 of the registration and report to the Attorney General any failure of a holder disclosed by  
13 the filing or otherwise known to the ~~State Planning Office~~ Department of Conservation.  
14 The fees established under this section must be held by the ~~State Planning Office~~  
15 Department of Conservation in a nonlapsing, special account to defray the costs of  
16 maintaining the registry and carrying out its duties under this section.

17       **Sec. II-8. 36 MRSA §305, sub-§6**, as enacted by PL 2001, c. 564, §4, is  
18 amended to read:

19       **6. Report on changes in land ownership.** On or before September 1st of each year,  
20 report to the Commissioner of Conservation, the Commissioner of Inland Fisheries and  
21 Wildlife, ~~the Director of the State Planning Office within the Executive Department~~ and  
22 the joint standing committee of the Legislature having jurisdiction over public lands on  
23 the transfer in ownership of parcels of land 10,000 acres or greater within the  
24 unorganized territory of the State. Using information maintained by the State Tax  
25 Assessor under section 1602 and section 4641-D, the bureau shall provide information for  
26 each transfer that includes:

- 27           A. Name of the seller;
- 28           B. Name of the buyer;
- 29           C. Number of acres transferred;
- 30           D. Classification of land;
- 31           E. Location by township and county;
- 32           F. Sale price; and
- 33           G. A brief description of the property.

34       **Sec. II-9. 36 MRSA §1140-B, sub-§1**, as enacted by PL 2007, c. 466, Pt. A, §58,  
35 is amended to read:

36       **1. Analysis.** The State Tax Assessor, in consultation with municipal assessors, the  
37 ~~director of the Land for Maine's Future Program within the Executive Department, State~~  
38 ~~Planning Office~~ Commissioner of Conservation or the commissioner's designee,  
39 representatives of working waterfront organizations and other interested parties, shall  
40 collect and analyze the sales prices of all actual sales that occur in the State of waterfront  
41 land that is subject to restrictions on that land's use that are legally enforceable and

1 prohibit or substantially restrict development that is not commercial fishing activity or  
2 commercial activity that is the functional equivalent of commercial fishing activity.

3 **Sec. II-10. Transition provisions; Land for Maine's Future Board**  
4 **matters.** The following provisions apply to the reassignment of duties, responsibilities  
5 and activities of the Executive Department, State Planning Office related to the Land for  
6 Maine's Future Board established in the Maine Revised Statutes, Title 5, chapter 353 to  
7 the Department of Conservation, Natural Areas Program established by Title 12, section  
8 544.

9 1. Three authorized positions and incumbent personnel in the State Planning Office  
10 assigned to provide staff assistance to the Land for Maine's Future Board are transferred  
11 to the Natural Areas Program. Those employees retain their rights as unclassified  
12 employees as well as their accrued fringe benefits, including but not limited to vacation  
13 and sick leave, health and life insurance and retirement benefits.

14 2. Notwithstanding the provisions of Title 5, the State Controller, upon request of the  
15 State Budget Officer and with the approval of the Governor, shall transfer from the State  
16 Planning Office to the proper account in the Department of Conservation all accrued  
17 expenditures, assets and liabilities, including but not limited to any contractual  
18 obligations, balances, appropriations, allocations, transfers, revenues and other available  
19 funds, in any account or subdivision of any account of the Land for Maine's Future Fund,  
20 established by Title 5, section 6203. Nothing in this section changes or is intended to  
21 change or otherwise affect the purposes or uses for which any funds transferred pursuant  
22 to this section may be expended.

23 **Sec. II-11. Effective date.** This Part takes effect July 1, 2012.

24 **PART JJ**

25 **Sec. JJ-1. 5 MRSA §298, sub-§1,** as enacted by PL 1977, c. 513, §1, is repealed  
26 and the following enacted in its place:

27 **1. Commissioner of Conservation.** The Commissioner of Conservation, or the  
28 commissioner's designee;

29 **Sec. JJ-2. 5 MRSA §13056-E, sub-§4,** as enacted by PL 2009, c. 414, Pt. G, §2  
30 and affected by §5, is amended to read:

31 **4. Coordination.** The department shall coordinate the grants made under this  
32 section with community assistance loans and grants administered by the department and  
33 with other state assistance programs designed to accomplish similar objectives, including  
34 those administered by the Department of Education, the Department of Transportation,  
35 ~~the Executive Department, State Planning Office,~~ the Finance Authority of Maine, the  
36 Maine State Housing Authority, the Maine Historic Preservation Commission, the  
37 Department of Administrative and Financial Services, the Department of Conservation  
38 and the Department of Environmental Protection.

39 **Sec. JJ-3. 5 MRSA §13058, sub-§19,** as enacted by PL 2003, c. 498, §1, is  
40 amended to read:

1           **19. Coordinate assessment of transportation needs related to economic**  
2 **development projects.** The commissioner shall coordinate the activities of the  
3 department, ~~the State Planning Office within the Executive Department~~ the Department  
4 of Conservation, the Department of Transportation and regional planning and economic  
5 development organizations to ensure that the location of rail lines, potential use of  
6 passenger and freight rail and costs of transportation improvements related to  
7 development are considered during initial planning and locating of projects reviewed by  
8 the commissioner in administering economic development programs under this chapter.

9           **Sec. JJ-4. 5 MRSA §13073-B** is enacted to read:

10           **§13073-B. Maine Downtown Center**

11           **1. Establishment.** The Maine Downtown Center, referred to in this section as "the  
12 center," is established to encourage downtown revitalization in the State.

13           **2. Purpose.** The center serves the following functions:

14           A. To advocate for downtown revitalization;

15           B. To promote awareness about the importance of vital downtowns;

16           C. To serve as a clearinghouse for information relating to downtown development;  
17 and

18           D. To provide training and technical assistance to communities that demonstrate a  
19 willingness and ability to revitalize their downtowns.

20           **3. Collaboration.** The Department of Conservation shall work collaboratively with  
21 the Commissioner of Economic and Community Development, the Maine Development  
22 Foundation and other state agencies to coordinate the programs of the center.

23           **4. Funding.** The center shall develop a plan for the ongoing funding of the center.

24           **5. Definition.** For the purposes of this section, "downtown" has the same meaning as  
25 in Title 30-A, section 4301, subsection 5-A.

26           **Sec. JJ-5. 12 MRSA §212, sub-§3**, as amended by PL 1979, c. 541, Pt. A, §116  
27 and PL 1995, c. 532, §17, is further amended to read:

28           **3. Interdepartmental cooperation.** The Department of Agriculture, Food and Rural  
29 Resources shall consult with other state resource agencies ~~and the State Planning Office~~  
30 in setting priorities of soils mapping and the publication of interim soils reports.

31           **Sec. JJ-6. 12 MRSA §685-C, sub-§1, ¶B**, as amended by PL 2009, c. 375, §1, is  
32 repealed.

33           **Sec. JJ-7. 12 MRSA §685-C, sub-§1, ¶C**, as amended by PL 2009, c. 375, §1,  
34 is further amended to read:

35           C. The commission has considered all comments submitted under ~~paragraphs~~  
36 paragraph A and B; and

37           **Sec. JJ-8. 12 MRSA §1847, sub-§2**, as amended by PL 1999, c. 556, §19, is  
38 further amended to read:

1           **2. Management plans.** The director shall prepare, revise from time to time and  
2 maintain a comprehensive management plan for the management of the public reserved  
3 lands in accordance with the guidelines in this subchapter. The plan must provide for a  
4 flexible and practical approach to the coordinated management of the public reserved  
5 lands. In preparing, revising and maintaining such a management plan the director, to the  
6 extent practicable, shall compile and maintain an adequate inventory of the public  
7 reserved lands, including not only the timber on those lands but also the other multiple  
8 use values for which the public reserved lands are managed. In addition, the director  
9 shall consider all criteria listed in section 1858 for the location of public reserved lands in  
10 developing the management plan. The director is entitled to the full cooperation of the  
11 Bureau of Geology ~~and~~ Natural Areas and Coastal Resources, the Department of Inland  
12 Fisheries and Wildlife, and the Maine Land Use Regulation Commission ~~and the State~~  
13 ~~Planning Office~~ in compiling and maintaining the inventory of the public reserved lands.  
14 The director shall consult with those agencies as well as other appropriate state agencies  
15 in the preparation and maintenance of the comprehensive management plan for the public  
16 reserved lands. The plan must provide for the demonstration of appropriate management  
17 practices that will enhance the timber, wildlife, recreation, economic and other values of  
18 the lands. All management of the public reserved lands, to the extent practicable, must be  
19 in accordance with this management plan when prepared.

20           Within the context of the comprehensive management plan, the commissioner, after  
21 adequate opportunity for public review and comment, shall adopt a specific action plan  
22 for each unit of the public reserved lands system. Each action plan must include  
23 consideration of the related systems of silviculture and regeneration of forest resources  
24 and must provide for outdoor recreation including remote, undeveloped areas, timber,  
25 watershed protection, wildlife and fish. The commissioner shall provide adequate  
26 opportunity for public review and comment on any substantial revision of an action plan.  
27 Management of the public reserved lands before the action plans are completed must be  
28 in accordance with all other provisions of this section.

29           **Sec. JJ-9. 23 MRSA §73, sub-§4**, as amended by PL 2003, c. 22, §1, is further  
30 amended to read:

31           **4. Rulemaking.** The Department of Transportation shall adopt a rule within one  
32 year of the effective date of this Act, in coordination with the Maine Turnpike Authority  
33 and state agencies including the Department of Economic and Community Development,  
34 the ~~State Planning Office~~ Department of Conservation and the Department of  
35 Environmental Protection, to implement the statewide comprehensive transportation  
36 policy. The rule must incorporate a public participation process that provides  
37 municipalities and other political subdivisions of the State and members of the public  
38 notice and opportunity to comment on transportation planning decisions, capital  
39 investment decisions, project decisions and compliance with the statewide transportation  
40 policy.

41           The Department of Transportation shall adopt a rule, in coordination with the ~~State~~  
42 ~~Planning Office~~ Department of Conservation, that establishes linkage between the  
43 planning processes outlined in this section and those promoted by Title 30-A, chapter  
44 187, subchapter 2 and that promotes investment incentives for communities that adopt  
45 and implement land use plans that minimize over-reliance on the state highway network.  
46 This rule is a major substantive rule as defined in Title 5, chapter 375, subchapter 2-A.

1           **Sec. JJ-10. 23 MRSA §7105, sub-§3, ¶A**, as amended by PL 1989, c. 600, Pt.  
2 A, §§11 and 12 and c. 626, is further amended to read:

3           A. Before dismantling any track that results in a cessation of rail service upon all or  
4 part of a railroad line, or offering any railroad property for sale, or upon the  
5 abandonment of service along all or a portion of a railroad line, the department ~~shall~~  
6 must be given the first option to lease or purchase, on just and reasonable terms, the  
7 railroad line, any part of the railroad line or other property. In the event that a lease is  
8 negotiated for the rights-of-way, the department shall consult with municipal officials  
9 and officers in the municipalities affected by the abandonment of service along the  
10 line to determine the need for preserving the rights-of-way along the abandoned  
11 portion of the line for rail transportation. If the department finds that the welfare of  
12 the State would be significantly and adversely affected by the loss of the line for  
13 railroad transportation purposes, the department shall seek to negotiate the purchase  
14 of the abandoned portion of the line. In making this determination, the department  
15 shall consider, among other criteria ~~deemed~~ considered significant by the department,  
16 future economic development activities and opportunities in the area served by the  
17 abandoned railroad service. In addition, the department shall consult with the  
18 Department of Economic and Community Development, and the Department of  
19 Conservation ~~and the State Planning Office~~ in making the determination required in  
20 this section.

21           The department shall, in good faith, seek to lease the railroad rights-of-way until it  
22 finds that the preservation of the rights-of-way is not necessary for the welfare of the  
23 State or until the voters of the State approve or disapprove, at a statewide election, the  
24 issue of bonds to purchase the rights-of-way along the abandoned portion of the line.

25           Nothing in this paragraph may require the department to lease or purchase the  
26 railroad rights-of-way to an entire railroad line or any portion of the line for which  
27 railroad service has been abandoned if the railroad corporation owner does not intend  
28 to sell, lease or in any other way dispose of the rights-of-way by which railroad  
29 service could be easily restored along the abandoned service portion of the line.

30           **Sec. JJ-11. 30-A MRSA §2303**, as enacted by PL 1987, c. 737, Pt. A, §2, and Pt.  
31 C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further  
32 amended to read:

33           **§2303. Lead agency**

34           **1. Department of Conservation.** ~~The State Planning Office~~ Department of  
35 Conservation shall serve as the coordinator between regional councils and the State. ~~The~~  
36 ~~State Planning Office,~~ shall administer state funds supporting regional council tasks and  
37 may provide technical assistance to regional councils as appropriate.

38           **2. Rulemaking.** ~~The Director of the State Planning Office~~ Department of  
39 Conservation may adopt rules to create standardized contracts and administrative and  
40 audit requirements for state funds received by regional councils.

41           **Sec. JJ-12. 30-A MRSA §4301, sub-§5-C** is enacted to read:

42           **5-C. Department.** "Department" means the Department of Conservation.

1           **Sec. JJ-13. 30-A MRSA §4301, sub-§13**, as amended by PL 1995, c. 395, Pt. D,  
2 §12, is repealed.

3           **Sec. JJ-14. 30-A MRSA §4301, sub-§14-A**, as enacted by PL 2001, c. 90, §1, is  
4 amended to read:

5           **14-A. Service center community.** "Service center community" means a  
6 municipality or group of municipalities identified by the ~~office~~ department according to a  
7 methodology established by rule that includes 4 basic criteria, including level of retail  
8 sales, jobs-to-workers ratio, the amount of federally assisted housing and the volume of  
9 service sector jobs. Rules adopted pursuant to this subsection are major substantive rules  
10 as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

11           **Sec. JJ-15. 30-A MRSA §4312, sub-§4**, as amended by PL 2001, c. 406, §2, is  
12 further amended to read:

13           **4. Limitation on state rule-making authority.** The ~~office~~ department is authorized  
14 to adopt rules necessary to carry out the purposes of this subchapter. Rules adopted  
15 pursuant to this section are routine technical rules as defined in Title 5, chapter 375,  
16 subchapter ~~H-A~~ 2-A. This section may not be construed to grant any separate regulatory  
17 authority to any state agency beyond that necessary to implement this subchapter.

18           **Sec. JJ-16. 30-A MRSA §4314, sub-§3**, as amended by PL 2007, c. 247, §1, is  
19 further amended to read:

20           **3. Rate of growth, zoning and impact fee ordinances.** After January 1, 2003, any  
21 portion of a municipality's or multimunicipal region's rate of growth, zoning or impact fee  
22 ordinance must be consistent with a comprehensive plan adopted in accordance with the  
23 procedures, goals and guidelines established in this subchapter. The portion of a rate of  
24 growth, zoning or impact fee ordinance not directly related to an inconsistency identified  
25 by a court or during a comprehensive plan review by the ~~office~~ department in accordance  
26 with section 4347-A, subsection 3-A remains in effect. For purposes of this subsection,  
27 "zoning ordinance" does not include an ordinance that applies townwide that is a cluster  
28 development ordinance or a design ordinance prescribing the color, shape, height,  
29 landscaping, amount of open space or other comparable physical characteristics of  
30 development. The portion of a rate of growth, zoning or impact fee ordinance that is not  
31 consistent with a comprehensive plan is no longer in effect unless:

32           C. The ordinance or portion of the ordinance is exempted under subsection 2;

33           D. The municipality or multimunicipal region is under contract with the ~~office~~  
34 department to prepare a comprehensive plan or implementation program, in which  
35 case the ordinance or portion of the ordinance remains valid for up to 4 years after  
36 receipt of the first installment of its first planning assistance grant or for up to 2 years  
37 after receipt of the first installment of its first implementation assistance grant,  
38 whichever is earlier;

39           E. The ordinance or portion of the ordinance conflicts with a newly adopted  
40 comprehensive plan or plan amendment adopted in accordance with the procedures,  
41 goals and guidelines established in this subchapter, in which case the ordinance or  
42 portion of the ordinance remains in effect for a period of up to 24 months  
43 immediately following adoption of the comprehensive plan or plan amendment;

1 F. The municipality or multimunicipal region applied for and was denied financial  
2 assistance for its first planning assistance or implementation assistance grant under  
3 this subchapter due to lack of state funds on or before January 1, 2003. If the ~~office~~  
4 department subsequently offers the municipality or multimunicipal region its first  
5 planning assistance or implementation assistance grant, the municipality or  
6 multimunicipal region has up to one year to contract with the ~~office~~ department  
7 to prepare a comprehensive plan or implementation program, in which case the  
8 municipality's or multimunicipal region's ordinances will be subject to paragraph D;  
9 or

10 G. The ordinance or portion of an ordinance is an adult entertainment establishment  
11 ordinance, as defined in section 4352, subsection 2, that has been adopted by a  
12 municipality that has not adopted a comprehensive plan.

13 **Sec. JJ-17. 30-A MRSA §4326, sub-§3-A, ¶A**, as amended by PL 2007, c. 247,  
14 §3, is further amended to read:

15 A. Except as otherwise provided in this paragraph, identify and designate  
16 geographic areas in the municipality or multimunicipal region as growth areas and  
17 rural areas, as defined in this chapter.

18 (1) Within growth areas, each municipality or multimunicipal region shall:

19 (a) Establish development standards;

20 (b) Establish timely permitting procedures;

21 (c) Ensure that needed public services are available; and

22 (d) Prevent inappropriate development in natural hazard areas, including  
23 flood plains and areas of high erosion.

24 (2) Within rural areas, each municipality or multimunicipal region shall adopt  
25 land use policies and ordinances to discourage incompatible development. These  
26 policies and ordinances may include, without limitation, density limits, cluster or  
27 special zoning, acquisition of land or development rights, transfer of development  
28 rights pursuant to section 4328 and performance standards. The municipality or  
29 multimunicipal region should also identify which rural areas qualify as critical  
30 rural areas as defined in this chapter. Critical rural areas must receive priority  
31 consideration for proactive strategies designed to enhance rural industries,  
32 manage wildlife and fisheries habitat and preserve sensitive natural areas.

33 (3) A municipality or multimunicipal region may also designate as a transitional  
34 area any portion of land area that does not meet the definition of either a growth  
35 area or a rural area. Such an area may be appropriate for medium-density  
36 development that does not require expansion of municipal facilities and does not  
37 include significant rural resources.

38 (4) A municipality or multimunicipal region is not required to identify growth  
39 areas within the municipality or multimunicipal region for residential,  
40 commercial or industrial growth if it demonstrates, in accordance with rules  
41 adopted by the ~~office~~ department pursuant to this article, that:

1 (a) It is not possible to accommodate future residential, commercial or  
2 industrial growth within the municipality or multimunicipal region because  
3 of severe physical limitations, including, without limitation, the lack of  
4 adequate water supply and sewage disposal services, very shallow soils or  
5 limitations imposed by protected natural resources;

6 (b) The municipality or multimunicipal region has experienced minimal or no  
7 residential, commercial or industrial development over the past decade and  
8 this condition is expected to continue over the 10-year planning period;

9 (c) The municipality or multimunicipal region has identified as its growth  
10 areas one or more growth areas identified in a comprehensive plan adopted or  
11 to be adopted by one or more other municipalities or multimunicipal regions  
12 in accordance with an interlocal agreement adopted in accordance with  
13 chapter 115 with one or more municipalities or multimunicipal regions; or

14 (d) The municipality or multimunicipal region has no village or densely  
15 developed area.

16 (6) A municipality or multimunicipal region exercising the discretion afforded  
17 by subparagraph 4 shall review the basis for its demonstration during the periodic  
18 revisions undertaken pursuant to section 4347-A;

19 **Sec. JJ-18. 30-A MRSA §4331**, as amended by PL 2001, c. 578, §17, is further  
20 amended to read:

21 **§4331. Evaluation process**

22 The ~~office~~ department shall conduct an ongoing evaluation process to determine the  
23 effectiveness of state, regional and local efforts under this chapter to achieve the purposes  
24 and goals of this chapter. Working through the Land and Water Resources Council, the  
25 ~~office~~ department shall seek the assistance of other state agencies. If requested, all state  
26 agencies shall render assistance to the ~~office~~ department in this effort.

27 **1. Criteria.** In conducting the evaluation, the ~~office~~ department shall develop  
28 criteria based on the goals of this chapter. The criteria must be objective, verifiable and,  
29 to the extent practicable, quantifiable.

30 **2. Baseline conditions.** The ~~office~~ department shall establish a baseline of land use  
31 conditions at a level of detail sufficient to permit general comparison of state and regional  
32 trends in future land use development patterns.

33 **3. Public input.** The ~~office~~ department shall incorporate opportunities for public  
34 input and comment into the evaluation process.

35 **4. Level of analysis.** The ~~office~~ department shall evaluate the program generally at a  
36 regional and statewide level. To illustrate the impact of the program, the ~~office~~ department  
37 shall compare land use development trends and patterns in a sample of towns  
38 that have participated in the program with a matched sample of towns that have not  
39 participated. The evaluation performed by the ~~office~~ department must include an analysis  
40 of the State's financial commitment to growth management.

1           **5. Periodic reports.** Beginning on January 1, ~~1995~~ 2015, the ~~office~~ department shall  
2 report in writing on the results of its evaluation process every 4 years and more frequently  
3 if necessary. The ~~office~~ department shall submit its report to the joint standing committee  
4 of the Legislature having jurisdiction over natural resources matters and the joint standing  
5 committee of the Legislature having jurisdiction over appropriations and financial affairs.

6           **Sec. JJ-19. 30-A MRSA §4345**, as amended by PL 2003, c. 641, §9, is further  
7 amended to read:

8           **§4345. Purpose; department to administer program**

9           Under the provisions of this article, a municipality or multimunicipal region may  
10 request financial or technical assistance from the ~~office~~ department for the purpose of  
11 planning and implementing a growth management program. A municipality or  
12 multimunicipal region that requests and receives a financial assistance grant shall develop  
13 and implement its growth management program in cooperation with the ~~office~~  
14 department and in a manner consistent with the procedures, goals and guidelines  
15 established in this subchapter.

16           To accomplish the purposes of this article, the ~~office~~ department shall develop and  
17 administer a technical and financial assistance program for municipalities or  
18 multimunicipal regions. The program must include direct financial assistance for  
19 planning and implementation of growth management programs, standards governing the  
20 review of growth management programs by the ~~office~~ department, technical assistance to  
21 municipalities or multimunicipal regions and a voluntary certification program for growth  
22 management programs.

23           **Sec. JJ-20. 30-A MRSA §4346**, as amended by PL 2003, c. 641, §§10 to 12 and  
24 c. 689, Pt. B, §6, is further amended to read:

25           **§4346. Technical and financial assistance program**

26           The technical and financial assistance program for municipalities, regional councils  
27 and multimunicipal regions is established to encourage and facilitate the adoption and  
28 implementation of local, regional and statewide growth management programs.

29           The ~~office~~ department may enter into financial assistance grants only to the extent  
30 that funds are available. In making grants, the ~~office~~ department shall consider the need  
31 for planning in a municipality or multimunicipal region, the proximity of the municipality  
32 or multimunicipal region to other areas that are conducting or have completed the  
33 planning process and the economic and geographic role of the municipality or  
34 multimunicipal region within a regional context. The ~~office~~ department may consider  
35 other criteria in making grants, as long as the criteria support the goal of encouraging and  
36 facilitating the adoption and implementation of local and multimunicipal growth  
37 management programs consistent with the procedures, goals and guidelines established in  
38 this subchapter. In order to maximize the availability of the technical and financial  
39 assistance program to all municipalities, multimunicipal regions and regional councils,  
40 financial assistance programs administered competitively under this article are exempt  
41 from rules adopted by the Department of Administrative and Financial Services pursuant  
42 to Title 5, section 1825-C for use in the purchase of services and the awarding of grants

1 and contracts. The ~~office~~ department shall publish a program statement describing its  
2 grant program and advertising its availability to eligible applicants.

3 **2-A. Financial assistance grants.** A contract for a financial assistance grant must:

4 A. Provide for the payment of a specific amount for the purposes of planning and  
5 preparing a comprehensive plan;

6 B. Provide for the payment of a specific amount for the purposes of implementing  
7 that plan; and

8 C. Include specific timetables governing the preparation and submission of products  
9 by the municipality or multimunicipal region.

10 The ~~office~~ department may not require a municipality or multimunicipal region to provide  
11 matching funds in excess of 25% of the value of that municipality's or multimunicipal  
12 region's financial assistance contract for its first planning assistance grant and  
13 implementation assistance grant. The ~~office~~ department may require a higher match for  
14 other grants, including, but not limited to, grants for the purpose of updating  
15 comprehensive plans. This match limitation does not apply to distribution of federal  
16 funds that the ~~office~~ department may administer.

17 **2-B. Use of funds.** A municipality or multimunicipal region may expend financial  
18 assistance grants for:

19 A. The conduct of surveys, inventories and other data-gathering activities;

20 B. The hiring of planning and other technical staff;

21 C. The retention of planning consultants;

22 D. Contracts with regional councils for planning and related services;

23 E. Assistance in the development of ordinances;

24 F. Retention of technical and legal expertise;

25 G. The updating of growth management programs or components of a program;

26 G-1. Evaluation of growth management programs; and

27 H. Any other purpose agreed to by the ~~office~~ department and the municipality or  
28 multimunicipal region that is directly related to the preparation of a comprehensive  
29 plan or the implementation of a comprehensive plan adopted in accordance with the  
30 procedures, goals and guidelines established in this subchapter.

31 **2-C. Program evaluation.** Any recipient of a financial assistance grant shall  
32 cooperate with the ~~office~~ department in performing program evaluations required under  
33 section 4331.

34 **2-D. Encumbered balances at year-end.** Notwithstanding Title 5, section 1589, at  
35 the end of each fiscal year, all encumbered balances accounts for financial assistance and  
36 regional planning grants may be carried forward for 2 years beyond the year in which  
37 those balances are encumbered.

38 **3. Technical assistance.** Using its own staff, the staff of other state agencies,  
39 contractors and the resources of the regional councils, the ~~office~~ department shall provide

1 technical assistance to municipalities or multimunicipal regions in the development,  
2 administration and enforcement of growth management programs. The technical  
3 assistance component of the program must include a set of model land use ordinances or  
4 other implementation strategies developed by the ~~office~~ department that are consistent  
5 with this subchapter.

6 **4. Regional council assistance.** As part of the technical and financial assistance  
7 program, the ~~office~~ department may develop and administer a program to develop  
8 regional education and training programs, regional policies to address state goals and  
9 regional assessments. Regional assessments may include, but are not limited to, public  
10 infrastructure, inventories of agricultural and commercial forest lands, housing needs,  
11 recreation and open space needs, and projections of regional growth and economic  
12 development. The program may include guidelines to ensure methodological consistency  
13 among the State's regional councils. To implement this program, the ~~office~~ department  
14 may contract with regional councils to assist the ~~office~~ department in reviewing growth  
15 management programs, to develop necessary planning information at a regional level or  
16 to provide support for local planning efforts.

17 **5. Coordination.** State agencies with regulatory or other authority affecting the  
18 goals established in this subchapter shall conduct their respective activities in a manner  
19 consistent with the goals established under this subchapter, including, but not limited to,  
20 coordinating with municipalities, regional councils and other state agencies in meeting  
21 the state goals; providing available information to regions and municipalities as described  
22 in section 4326, subsection 1; cooperating with efforts to integrate and provide access to  
23 geographic information system data; making state investments and awarding grant money  
24 as described in section 4349-A; and conducting reviews of growth management programs  
25 as provided in section 4347-A, subsection 3, paragraph A. Without limiting the  
26 application of this section to other state agencies, the following agencies shall comply  
27 with this subchapter. The Land and Water Resources Council shall periodically, but in no  
28 event less than biannually, review the effectiveness of agency coordination efforts,  
29 including, but not limited to, those in section 4349-A:

- 30 ~~A. Department of Conservation;~~
- 31 B. Department of Economic and Community Development;
- 32 C. Department of Environmental Protection;
- 33 D. Department of Agriculture, Food and Rural Resources;
- 34 E. Department of Inland Fisheries and Wildlife;
- 35 F. Department of Marine Resources;
- 36 G. Department of Transportation;
- 37 G-1. Department of Health and Human Services;
- 38 ~~G-2. Executive Department, State Planning Office;~~
- 39 H. Finance Authority of Maine; and
- 40 I. Maine State Housing Authority.

1           **Sec. JJ-21. 30-A MRSA §4347-A**, as amended by PL 2003, c. 641, §§13 to 15  
2 and PL 2007, c. 247, §§4 and 5, is further amended to read:

3           **§4347-A. Review of programs by department**

4           **1. Comprehensive plans.** A municipality or multimunicipal region that chooses to  
5 prepare a growth management program and receives a planning grant under this article  
6 shall submit its comprehensive plan to the ~~office~~ department for review. A municipality  
7 or multimunicipal region that chooses to prepare a growth management program without  
8 receiving a planning grant under this article may submit its comprehensive plan to the  
9 ~~office~~ department for review. The ~~office~~ department shall review plans for consistency  
10 with the procedures, goals and guidelines established in this subchapter. A contract for a  
11 planning assistance grant must include specific timetables governing the review of the  
12 comprehensive plan by the ~~office~~ department. A comprehensive plan submitted for  
13 review more than 12 months following a contract end date may be required to contain  
14 data, projections and other time-sensitive portions of the plan or program that are in  
15 compliance with the ~~office's~~ department's most current review standards.

16           **2. Growth management programs.** A municipality or multimunicipal region may  
17 at any time request a certificate of consistency for its growth management program.

18           A. Upon a request for review under this section, the ~~office~~ department shall review  
19 the program and determine whether the program is consistent with the procedures,  
20 goals and guidelines established in this subchapter.

21           B. Certification by the ~~office~~ former State Planning Office or the department of a  
22 municipality's or multimunicipal region's growth management program under this  
23 article is valid for 10 years. To maintain certification, a municipality or  
24 multimunicipal region shall periodically review its growth management program and  
25 submit to the ~~office~~ department in a timely manner any revisions necessary to account  
26 for changes, including changes caused by growth and development. Certification  
27 does not lapse in any year in which the Legislature does not appropriate funds to the  
28 ~~office~~ department for the purposes of reviewing programs for recertification.

29           C. Upon a request for review under this section, the ~~office~~ department may review  
30 rate of growth, impact fee and zoning ordinances to determine whether the ordinances  
31 are consistent with a comprehensive plan that has been found consistent under this  
32 section without requiring submission of all elements of a growth management  
33 program. An affirmative finding of consistency by the ~~office~~ department is required  
34 for a municipality or multimunicipal region to assert jurisdiction as provided in  
35 section 4349-A.

36           **3. Review of growth management program.** In reviewing a growth management  
37 program, the ~~office~~ department shall:

38           A. Solicit written comments on any proposed growth management program from  
39 regional councils, state agencies, all municipalities contiguous to the municipality or  
40 multimunicipal region submitting a growth management program and any interested  
41 residents of the municipality or multimunicipal region or of contiguous  
42 municipalities. The comment period extends for 45 days after the ~~office~~ department  
43 receives the growth management program.

1 (1) Each state agency reviewing the proposal shall designate a person or persons  
2 responsible for coordinating the agency's review of the growth management  
3 program.

4 (2) Any regional council commenting on a growth management program shall  
5 determine whether the program is compatible with the programs of other  
6 municipalities that may be affected by the program and with regional policies or  
7 needs identified by the regional council;

8 B. Prepare all written comments from all sources in a form to be forwarded to the  
9 municipality or multimunicipal region;

10 C. Within 90 days after receiving the growth management program, send all written  
11 comments on the growth management program to the municipality or multimunicipal  
12 region and any applicable regional council. If warranted, the ~~office~~ department shall  
13 issue findings specifically describing how the submitted growth management  
14 program is not consistent with the procedures, goals and guidelines established in this  
15 subchapter and the recommended measures for remedying the deficiencies.

16 (1) In its findings, the ~~office~~ department shall clearly indicate its position on any  
17 point on which there are significant conflicts among the written comments  
18 submitted to the ~~office~~ department.

19 (2) If the ~~office~~ department finds that the growth management program was  
20 adopted in accordance with the procedures, goals and guidelines established in  
21 this subchapter, the ~~office~~ department shall issue a certificate of consistency for  
22 the growth management program.

23 (3) Notwithstanding paragraph D, if a municipality or multimunicipal region  
24 requests a certificate of consistency for its growth management program, any  
25 unmodified component of that program that has previously been reviewed by the  
26 former State Planning Office or the ~~office~~ department and has received a finding  
27 of consistency will retain that finding during program certification review by the  
28 ~~office~~ department as long as the finding of consistency is current as defined in  
29 rules adopted by the ~~office~~ department;

30 D. Provide ample opportunity for the municipality or multimunicipal region  
31 submitting a growth management program to respond to and correct any identified  
32 deficiencies in the program. A finding of inconsistency for a growth management  
33 program may be addressed within 24 months of the date of the finding without  
34 addressing any new review standards that are created during that time interval. After  
35 24 months, the program must be resubmitted in its entirety for state review under the  
36 ~~office's~~ department's most current review standards; and

37 E. Provide an expedited review and certification procedure for those submissions  
38 that represent minor amendments to certified growth management programs.

39 The ~~office's~~ department's decision on consistency of a growth management program  
40 constitutes final agency action.

41 **3-A. Review of comprehensive plan.** In reviewing a comprehensive plan, the ~~office~~  
42 department shall:

- 1 A. Solicit written comments on any proposed comprehensive plan from regional  
2 councils, state agencies, all municipalities contiguous to the municipality or  
3 multimunicipal region submitting a comprehensive plan and any interested residents  
4 of the municipality or multimunicipal region or of contiguous municipalities. The  
5 comment period extends for 25 business days after the office department receives the  
6 comprehensive plan. Each state agency reviewing the proposal shall designate a  
7 person or persons responsible for coordinating the agency's review of the  
8 comprehensive plan;
- 9 B. Prepare all written comments from all sources in a form to be forwarded to the  
10 municipality or multimunicipal region;
- 11 C. Within 35 business days after receiving the comprehensive plan, notify the  
12 municipality or multimunicipal region if the plan is complete for purposes of review.  
13 If the office department notifies the municipality or multimunicipal region that the  
14 plan is not complete for purposes of review, the office department shall indicate in its  
15 notice necessary additional data or information;
- 16 D. Within 10 business days of issuing notification that a comprehensive plan is  
17 complete for purposes of review, issue findings specifically describing whether the  
18 submitted plan is consistent with the procedures, goals and guidelines established in  
19 this subchapter and identify which inconsistencies in the plan, if any, may directly  
20 affect rate of growth, zoning or impact fee ordinances.
- 21 (1) In its findings, the office department shall clearly indicate its position on any  
22 point on which there are significant conflicts among the written comments  
23 submitted to the office department.
- 24 (2) If the office department finds that the comprehensive plan was developed in  
25 accordance with the procedures, goals and guidelines established in this  
26 subchapter, the office department shall issue a finding of consistency for the  
27 comprehensive plan.
- 28 (3) A finding of inconsistency must identify the goals under this subchapter not  
29 adequately addressed, specific sections of the rules relating to comprehensive  
30 plan review adopted by the office department not adequately addressed and  
31 recommendations for resolving the inconsistency;
- 32 E. Send all written findings and comments on the comprehensive plan to the  
33 municipality or multimunicipal region and any applicable regional council; and
- 34 F. Provide ample opportunity for the municipality or multimunicipal region  
35 submitting a comprehensive plan to respond to and correct any identified deficiencies  
36 in the plan. A finding of inconsistency for a comprehensive plan may be addressed  
37 within 24 months of the date of the finding without addressing any new review  
38 standards that are created during that time interval. After 24 months, the plan must be  
39 resubmitted in its entirety for state review under the office's department's most  
40 current review standards.
- 41 If the office department finds that a plan is not consistent with the procedures, goals and  
42 guidelines established in this subchapter, the municipality or multimunicipal district that  
43 submitted the plan may appeal that finding to the office department within 20 business

1 days of receipt of the finding in accordance with rules adopted by the ~~office~~ department,  
2 which are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

3 The ~~office's~~ department's decision on consistency of a comprehensive plan constitutes  
4 final agency action.

5 A finding by the ~~office~~ department pursuant to paragraph D that a comprehensive plan is  
6 consistent with the procedures, goals and guidelines established in this subchapter is valid  
7 for 12 years from the date of its issuance. A finding by the ~~office~~ former State Planning  
8 Office issued pursuant to this subchapter prior to December 31, 2000 that a  
9 comprehensive plan is consistent with the procedures, goals and guidelines established in  
10 this subchapter is valid until December 31, 2012. For purposes of section 4314,  
11 subsection 3 and section 4352, subsection 2, expiration of a finding of consistency  
12 pursuant to this subsection does not itself make a comprehensive plan inconsistent with  
13 the procedures, goals and guidelines established in this subchapter.

14 **4. Updates and amendments.** A municipality or multimunicipal region may submit  
15 proposed amendments to a comprehensive plan or growth management program to the  
16 ~~office~~ department for review in the same manner as provided for the review of new plans  
17 and programs. Subsequent to voluntary certification under this subsection, the  
18 municipality or multimunicipal region shall file a copy of an amendment to a growth  
19 management program with the ~~office~~ department within 30 days after adopting the  
20 amendment and at least 60 days prior to applying for any state grant program that offers a  
21 preference for consistency or certification.

22 **5. Regional councils.** Subject to the availability of funding and pursuant to the  
23 conditions of a contract, each regional council shall review and submit written comments  
24 on the comprehensive plan or growth management program of any municipality or  
25 multimunicipal region within its planning region. The comments must be submitted to  
26 the ~~office~~ department and contain an analysis of:

27 A. Whether the comprehensive plan or growth management program is compatible  
28 with identified regional policies and needs; and

29 B. Whether the comprehensive plan or growth management program is compatible  
30 with plans or programs of municipalities or multimunicipal regions that may be  
31 affected by the proposal.

32 **Sec. JJ-22. 30-A MRSA §4349-A, sub-§1, ¶C**, as amended by PL 2001, c. 613,  
33 §2, is further amended to read:

34 C. Areas other than those described in paragraph A or B for the following projects:

35 ~~(1) A project certified to the Land and Water Resources Council established in~~  
36 ~~Title 5, section 3331 by the head of the agency funding the project as necessary~~  
37 ~~to remedy a threat to public health or safety or to comply with environmental~~  
38 ~~clean up laws;~~

39 (2) A project related to a commercial or industrial activity that, due to its  
40 operational or physical characteristics, typically is located away from other  
41 development, such as an activity that relies on a particular natural resource for its  
42 operation;

1 (3) An airport, port or railroad or industry that must be proximate to an airport, a  
2 port or a railroad line or terminal;

3 (4) A pollution control facility;

4 (5) A project that maintains, expands or promotes a tourist or cultural facility  
5 that is required to be proximate to a specific historic, natural or cultural resource  
6 or a building or improvement that is related to and required to be proximate to  
7 land acquired for a park, conservation, open space or public access or to an  
8 agricultural, conservation or historic easement;

9 (6) A project located in a municipality that has none of the geographic areas  
10 described in paragraph A or B and that prior to January 1, 2000 formally  
11 requested but had not received from the ~~office~~ former State Planning Office funds  
12 to assist with the preparation of a comprehensive plan or that received funds from  
13 the department to assist with the preparation of a comprehensive plan within the  
14 previous 2 years. This exception expires for a municipality 2 years after such  
15 funds are received; or

16 (7) A housing project serving the following: individuals with mental illness,  
17 mental retardation, developmental disabilities, physical disabilities, brain injuries,  
18 substance abuse problems or a human immunodeficiency virus; homeless  
19 individuals; victims of domestic violence; foster children; or children or adults in  
20 the custody of the State. A nursing home is not considered a housing project  
21 under this paragraph; ~~or.~~

22 ~~(8) A project certified to the Land and Water Resources Council established in~~  
23 ~~Title 5, section 3331 by the head of the agency funding the project as having no~~  
24 ~~feasible location within an area described in paragraph A or B if, by majority~~  
25 ~~vote of all members, the Land and Water Resources Council finds that~~  
26 ~~extraordinary circumstances or the unique needs of the agency require state funds~~  
27 ~~for the project. The members of the Land and Water Resources Council may not~~  
28 ~~delegate their authority under this subparagraph to the staffs of their member~~  
29 ~~agencies.~~

30 **Sec. JJ-23. 30-A MRSA §4349-A, sub-§3-A, ¶¶A and D,** as enacted by PL  
31 2003, c. 604, §2 and affected by §3, are amended to read:

32 A. When awarding a grant or making a discretionary investment under any of the  
33 programs under paragraph B, subparagraphs (1) and (2) or when undertaking its own  
34 capital investment programs other than for projects identified in section 4301,  
35 subsection 5-B, a state agency shall respect the primary purpose of its grant or  
36 investment program and, to the extent feasible, give preference:

37 (1) First, to a municipality that has received a certificate of consistency for its  
38 growth management program under section 4347-A;

39 (2) Second, to a municipality that has adopted a comprehensive plan that the  
40 ~~office~~ former State Planning Office or the department has determined is  
41 consistent with the procedures, goals and guidelines of this subchapter and has

1           adopted zoning ordinances that the ~~office~~ former State Planning Office or the  
2           department has determined are consistent with the comprehensive plan; and

3           (3) Third, to a municipality that has adopted a comprehensive plan that the ~~office~~  
4           former State Planning Office or the department has determined is consistent with  
5           the procedures, goals and guidelines of this subchapter.

6           If a municipality has submitted a comprehensive plan, zoning ordinance or growth  
7           management program to the ~~office~~ former State Planning Office or the department for  
8           review, the time for ~~the office to respond~~ response as established in section 4347-A  
9           has expired and ~~the office has not provided its~~ comments or findings have not been  
10          provided to the municipality, a state agency when awarding a grant or making a  
11          discretionary investment under this subsection may not give preference over the  
12          municipality to another municipality.

13          D. The ~~office~~ department shall work with state agencies to prepare mechanisms for  
14          establishing preferences in specific investment and grant programs as described in  
15          paragraph B.

16          **Sec. JJ-24. 30-A MRSA §4353, sub-§2, ¶B**, as enacted by PL 1989, c. 104, Pt.  
17          A, §45 and Pt. C, §10, is amended to read:

18          B. Approve the issuance of a special exception permit or conditional use permit in  
19          strict compliance with the ordinance except that, if the municipality has authorized  
20          the planning board, agency or ~~office~~ department to issue these permits, an appeal  
21          from the granting or denial of such a permit may be taken directly to Superior Court  
22          if required by local ordinance; and

23          **Sec. JJ-25. 30-A MRSA §4353, sub-§3**, as enacted by PL 1989, c. 104, Pt. A,  
24          §45 and Pt. C, §10, is amended to read:

25          **3. Parties.** The board shall reasonably notify the petitioner, the planning board,  
26          agency or ~~office~~ department and the municipal officers of any hearing. These persons  
27          ~~shall~~ must be made parties to the action. All interested persons ~~shall~~ must be given a  
28          reasonable opportunity to have their views expressed at any hearing.

29          **Sec. JJ-26. 30-A MRSA §5226, sub-§2**, as enacted by PL 2001, c. 669, §1, is  
30          amended to read:

31          **2. Review by commissioner.** Before final designation of a tax increment financing  
32          district, the commissioner shall review the proposal to ensure that the proposal complies  
33          with statutory requirements. In the case of a downtown tax increment financing district,  
34          the ~~State Planning Office~~ Department of Conservation and the Department of  
35          Transportation shall review the proposal and provide advice to assist the commissioner in  
36          making a decision under this subsection.

37          **Sec. JJ-27. 30-A MRSA §5953-D, sub-§3, ¶D**, as amended by PL 2003, c. 288,  
38          §2, is further amended to read:

39          D. In the case of a grant or loan, the Department of Economic and Community  
40          Development affirms that the applicant has met the conditions of this paragraph.

1 (1) A municipality is eligible to receive a grant or a loan, or a combination of  
2 both, if that municipality has adopted a growth management program certified  
3 under section 4347-A that includes a capital improvement program composed of  
4 the following elements:

5 (a) An assessment of all public facilities and services, such as, but not  
6 limited to, roads and other transportation facilities, sewers, schools, parks and  
7 open space, fire and police;

8 (b) An annually reviewed 5-year plan for the replacement and expansion of  
9 existing public facilities or the construction of such new facilities as are  
10 required to meet expected growth and economic development. The plan  
11 must include projections of when and where those facilities will be required;  
12 and

13 (c) An assessment of the anticipated costs for replacement, expansion or  
14 construction of public facilities, an identification of revenue sources available  
15 to meet these costs and recommendations for meeting costs required to  
16 implement the plan.

17 (2) A municipality is eligible to receive a loan if that municipality:

18 (a) Has adopted a comprehensive plan that is determined by the Executive  
19 Department, former State Planning Office or the Department of Conservation  
20 to be consistent with section 4326, subsections 1 to 4.

21 (3) A municipality is eligible to receive a grant or a loan if that municipality is a  
22 service center community.

23 Subject to the limitations of this subsection, 2 or more municipalities that each meet  
24 the requirements of subparagraph (1), (2) or (3) may jointly apply for assistance  
25 under this section; and

26 **Sec. JJ-28. 30-A MRSA §5953-D, sub-§5**, as amended by PL 1999, c. 776, §13,  
27 is further amended to read:

28 **5. Coordination.** The bank shall coordinate the loans and grants made under this  
29 section with all other community assistance loans and grants administered by the  
30 Department of Economic and Community Development and with other state assistance  
31 programs designed to accomplish similar objectives, including those administered by the  
32 Department of Education, the Department of Transportation, ~~the State Planning Office~~  
33 ~~within the Executive Department~~, the Finance Authority of Maine, the Maine State  
34 Housing Authority, the Maine Historic Preservation Commission, the Department of  
35 Administrative and Financial Services, the Department of Conservation and the  
36 Department of Environmental Protection.

37 **Sec. JJ-29. 38 MRSA §420-D, sub-§6**, as enacted by PL 1995, c. 704, Pt. B, §2  
38 and affected by PL 1997, c. 603, §§8 and 9, is amended to read:

39 **6. Urbanizing areas.** The department shall work with the ~~State Planning Office~~  
40 Department of Conservation to identify urban bodies of water most at risk and

1 incorporate model ordinances protective of these bodies of water into assistance provided  
2 to local governments.

3 **Sec. JJ-30. 38 MRSA §420-D, sub-§11, ¶A**, as amended by PL 2011, c. 206,  
4 §10, is further amended to read:

5 A. The department may allow an applicant with a project in the direct watershed of a  
6 lake to address certain on-site phosphorus reduction requirements through  
7 implementation of a compensation project or payment of a compensation fee as  
8 provided in this paragraph. The commissioner shall determine the appropriate  
9 compensation fee for each project. The compensation fee must be paid either into a  
10 compensation fund or to an organization authorized by the department and must be a  
11 condition of the permit.

12 (1) The department may establish a storm water compensation fund for the  
13 purpose of receiving compensation fees, grants and other related income. The  
14 fund must be a nonlapsing fund dedicated to payment of the costs and related  
15 expenses of compensation projects. Income received under this subsection must  
16 be deposited with the Treasurer of State to the credit of the fund and may be  
17 invested as provided by statute. Interest on these investments must be credited to  
18 the fund. The department may make payments from the fund consistent with the  
19 purpose of the fund.

20 (2) The department may enter into a written agreement with a public, quasi-  
21 public or private, nonprofit organization for purposes of receiving compensation  
22 fees and implementing compensation projects. If the authorized agency is a state  
23 agency other than the department, it shall establish a fund meeting the  
24 requirements specified in subparagraph (1). The authorized organization shall  
25 maintain records of expenditures and provide an annual summary report to the  
26 department. If the organization does not perform in accordance with this section  
27 or with the requirements of the written agreement, the department may revoke the  
28 organization's authority to conduct activities in accordance with this paragraph.  
29 If an organization's authorization is revoked, any remaining funds must be  
30 provided to the department.

31 (3) The commissioner may set a fee rate of no more than \$25,000 per pound of  
32 available phosphorus.

33 (4) Except in an urbanized part of a designated growth area, best management  
34 practices must be incorporated on site that, by design, will reduce phosphorus  
35 export by at least 50%, and a phosphorus compensation project must be carried  
36 out or a compensation fee must be paid to address the remaining phosphorus  
37 reduction required to meet the parcel's phosphorus allocation. In an urbanized  
38 part of a designated growth area, an applicant may pay a phosphorus  
39 compensation fee in lieu of part or all of the on-site phosphorus reduction  
40 requirement. The commissioner shall identify urbanized parts of designated  
41 growth areas in the direct watersheds of lakes most at risk, in consultation with  
42 the ~~State Planning Office~~ Department of Conservation.

1 (5) Projects carried out or funded through compensation fees as provided in this  
2 paragraph must be located in the same watershed as the project with respect to  
3 which the compensation fee is paid.

4 **Sec. JJ-31. 38 MRSA §480-Z, sub-§3**, as amended by PL 2007, c. 527, §1, is  
5 further amended to read:

6 **3. Compensation fee program.** The department may develop a wetlands  
7 compensation fee program for the areas listed in subsection 7, paragraphs A and B in  
8 consultation with the ~~State Planning Office~~ Department of Conservation, the United  
9 States Army Corps of Engineers and state and federal resource agencies, including the  
10 United States Fish and Wildlife Service and the United States Environmental Protection  
11 Agency. The department may develop a compensation fee program for the areas listed in  
12 subsection 7, paragraphs C, D and E in consultation with the Department of Inland  
13 Fisheries and Wildlife.

14 A. The program may include the following:

15 (1) Identification of wetland management priorities on a watershed or  
16 biophysical region basis;

17 (1-A) Identification of management priorities for the areas listed in subsection 7,  
18 paragraphs C, D and E;

19 (2) Identification of the types of losses eligible for compensation under this  
20 subsection;

21 (3) Standards for compensation fee projects;

22 (4) Calculation of compensation fees based on the functions and values of the  
23 affected areas and the cost of compensation, taking into account the potential  
24 higher cost of compensation when a project is implemented at a later date; and

25 (5) Methods to evaluate the long-term effectiveness of compensation fee projects  
26 implemented under this subsection in meeting the management priorities  
27 identified pursuant to subparagraphs (1) and (1-A).

28 B. Any compensation fee may be paid into a compensation fund established by the  
29 department as provided in subparagraph (1) or to an organization authorized by the  
30 department as provided in subparagraph (2). A compensation project funded in  
31 whole or in part from compensation fees must be approved by the department.

32 (1) The department may establish compensation funds for the purpose of  
33 receiving compensation fees, grants and other related income. A compensation  
34 fund must be a fund dedicated to payment of costs and related expenses of  
35 restoration, enhancement, preservation and creation projects. The department  
36 may make payments from the fund consistent with the purpose of the fund.  
37 Income received under this subsection must be deposited with the State Treasurer  
38 to the credit of the compensation fund and may be invested as provided by law.  
39 Interest on these investments must be credited to the compensation fund.

40 (2) The department may enter into an enforceable, written agreement with a  
41 public, quasi-public or municipal organization or a private, nonprofit

1 organization for the protection of natural areas. Such an organization must  
2 demonstrate the ability to receive compensation fees, administer a compensation  
3 fund and ensure that compensation projects are implemented consistent with  
4 local, regional or state management priorities. If compensation fees are provided  
5 to an authorized organization, the organization shall maintain records of  
6 expenditures and provide an annual summary report as requested by the  
7 department. If the authorized agency is a state agency other than the department,  
8 the agency shall establish a fund meeting the requirements specified in  
9 subparagraph (1). If the organization does not perform in accordance with this  
10 subsection or with the requirements of the written agreement, the department may  
11 revoke the organization's authority to conduct activities in accordance with this  
12 subsection.

13 Rules adopted pursuant to this subsection are routine technical rules under Title 5, chapter  
14 375, subchapter 2-A.

15 **Sec. JJ-32. 38 MRSA §488, sub-§14, ¶A,** as amended by PL 2001, c. 406, §17,  
16 is further amended to read:

17 A. A development is exempt from review under flood plain, noise and  
18 infrastructure standards under section 484 if that development is located entirely  
19 within:

20 (1) A municipality that has adopted a local growth management program that ~~the~~  
21 ~~State Planning Office~~ has been certified under Title 30-A, section 4347-A; and

22 (2) An area designated in that municipality's local growth management program  
23 as a growth area.

24 An applicant claiming an exemption under this paragraph shall include with the  
25 application a statement from the ~~State Planning Office~~ Department of Conservation  
26 affirming that the location of the proposed development meets the provisions of  
27 subparagraphs (1) and (2).

28 An applicant claiming an exemption under this paragraph shall publish a notice of  
29 that application in a newspaper of general circulation in the region that includes the  
30 municipality in which the development is proposed to occur. That notice must  
31 include a statement indicating the standard or standards for which the applicant is  
32 claiming an exemption.

33 **Sec. JJ-33. 38 MRSA §489-D, sub-§2, ¶B,** as enacted by PL 1995, c. 704, Pt.  
34 A, §22 and affected by Pt. C, §2, is amended to read:

35 B. A municipality may also obtain technical assistance in the form of a peer review  
36 from a private consultant or regional council and may recover costs from the  
37 developer for a project of any size. The ~~State Planning Office~~ Department of  
38 Conservation has the authority to establish rules as necessary for this purpose.

39 **Sec. JJ-34. 38 MRSA §909,** as enacted by PL 1997, c. 789, §4 and affected by  
40 §5, is amended to read:

1       **§909. Technical assistance**

2           To the extent existing resources are available, when one or more municipalities ~~seeks~~  
3 ~~seek~~ ownership of a dam, the ~~State Planning Office~~ Department of Conservation may  
4 provide grants and technical assistance to the participating municipality or municipalities  
5 or to regional planning organizations.

6       **Sec. JJ-35. 38 MRSA §956, sub-§1**, as enacted by PL 1979, c. 663, §233, is  
7 amended to read:

8           **1. Guide for boundaries.** The comprehensive plan submitted to the 106th  
9 Legislature by the Saco River Environmental Advisory Committee ~~shall~~ must be used as  
10 a guide by the planning boards of the municipalities within the corridor in making  
11 recommendations for district boundaries and by the commission in establishing final  
12 boundaries. The comprehensive plan ~~shall~~ may not be regarded as a final and complete  
13 design for the future of the land and water areas within the corridor, but as the basis of a  
14 continuing planning process to be carried out by the commission in conjunction with  
15 local officials, regional planning districts, councils of government and the ~~State Planning~~  
16 ~~Office~~ Department of Conservation.

17       **Sec. JJ-36. 38 MRSA §956, sub-§2, ¶B**, as enacted by PL 1979, c. 663, §233, is  
18 amended to read:

19           B. The proposed amendment or revision has been submitted to the ~~State Planning~~  
20 ~~Office, pursuant to Title 5, section 3305, subsection 1, paragraph G~~ Department of  
21 Conservation, which shall forward its comments and recommendations, if any, to the  
22 commission within 30 days; and

23       **Sec. JJ-37. 38 MRSA §961**, as amended by PL 1989, c. 890, Pt. A, §40 and Pt. B,  
24 §204, is further amended to read:

25       **§961. Relation to municipal, state and federal regulations**

26           Nothing in this chapter prevents municipal, state or federal authorities from adopting  
27 and administering more stringent requirements regarding performance standards or  
28 permitted uses within use districts established by the commission or within districts  
29 overlapping the districts established pursuant to this chapter. Where there is a conflict  
30 between a provision adopted under this chapter and any other municipal, state or federal  
31 requirement applicable to the same land or water areas within the corridor, the more  
32 restrictive provision takes precedence. All performance standards, rules and regulations  
33 proposed for hearing by the commission must be submitted to the Commissioner of  
34 Environmental Protection, the ~~State Planning Office~~ Department of Conservation, the  
35 Greater Portland Council of Governments and the Southern Maine Regional Planning  
36 Commission at least 7 days prior to the hearing for review and comment. The  
37 commission ~~shall~~ may not ~~promulgate~~ adopt any rule establishing air or water quality  
38 standards within the corridor in conflict with the rules of the Department of  
39 Environmental Protection without the prior approval of the Board of Environmental  
40 Protection.

41       **Sec. JJ-38. 38 MRSA §1163, sub-§2**, as enacted by PL 1995, c. 636, §1, is  
42 amended to read:

1           **2. Appeal.** For an intermunicipal sewer extension, when written assurance is denied  
2 by municipal officers pursuant to subsection 1, an aggrieved party may appeal, within 15  
3 days of the decision, to the ~~State Planning Office, referred to in this subsection as the~~  
4 ~~"office,"~~ Department of Conservation for a review of the municipal officers' decision.  
5 Notwithstanding Title 5, chapter 375, subchapter ~~IV~~ 4, the following procedures apply to  
6 the review by the ~~office~~ Department of Conservation.

7           A. The ~~office~~ Department of Conservation may request any additional information  
8 from the sanitary district, the municipality or the department. All information  
9 requested by the ~~office~~ Department of Conservation must be submitted within 30  
10 days of the request, unless an extension is granted by the ~~office~~ Department of  
11 Conservation.

12           B. Within a reasonable time, the ~~office~~ Department of Conservation shall hold a  
13 hearing. The ~~office~~ Department of Conservation shall give at least 7 days' written  
14 notice of the hearing to the sanitary district, the municipality and the party that  
15 requested the hearing. The hearing is informal and the ~~office~~ Department of  
16 Conservation may receive any information it considers necessary.

17           C. Within 15 days of the hearing and within 60 days of the request for review, the  
18 ~~office~~ Department of Conservation shall make a decision that must include findings  
19 of fact on whether the sewer extension proposal is inconsistent with adopted  
20 municipal plans and ordinances regulating land use. The decision of the ~~office~~  
21 Department of Conservation constitutes final agency action.

22           D. Notwithstanding subsection 1, if the ~~office~~ Department of Conservation  
23 determines that the sewer extension proposal is not inconsistent with adopted  
24 municipal plans and ordinances regulating land use, the ~~office~~ Department of  
25 Conservation shall issue written assurance that the proposal is consistent with  
26 adopted municipal plans and ordinances regulating land use, and the sanitary district  
27 may construct the sewer extension.

28           **Sec. JJ-39. 38 MRSA §1252, sub-§7, ¶B,** as enacted by PL 1995, c. 636, §2, is  
29 amended to read:

30           B. For an intermunicipal sewer extension, when written assurance is denied by  
31 municipal officers pursuant to paragraph A, an aggrieved party may appeal, within 15  
32 days of the decision, to the ~~State Planning Office, referred to in this paragraph as the~~  
33 ~~"office,"~~ Department of Conservation for a review of the municipal officers' decision.  
34 Notwithstanding Title 5, chapter 375, subchapter ~~IV~~ 4, the following procedures  
35 apply to the review by the ~~office~~ Department of Conservation.

36           (1) The ~~office~~ Department of Conservation may request any additional  
37 information from the sewer district, the municipality or the department. All  
38 information requested by the ~~office~~ Department of Conservation must be  
39 submitted within 30 days of the request, unless an extension is granted by the  
40 ~~office~~ Department of Conservation.

41           (2) Within a reasonable time, the ~~office~~ Department of Conservation shall hold a  
42 hearing. The ~~office~~ Department of Conservation shall give at least 7 days' written  
43 notice of the hearing to the sewer district, the municipality and the party that

1 requested the hearing. The hearing is informal and the office may receive any  
2 information it considers necessary.

3 (3) Within 15 days of the hearing and within 60 days of the request for review,  
4 the ~~office~~ Department of Conservation shall make a decision that must include  
5 findings of fact on whether the sewer extension proposal is inconsistent with  
6 adopted municipal plans and ordinances regulating land use. The decision of the  
7 ~~office~~ Department of Conservation constitutes final agency action.

8 (4) Notwithstanding paragraph A, if the ~~office~~ Department of Conservation  
9 determines that the sewer extension proposal is not inconsistent with adopted  
10 municipal plans and ordinances regulating land use, the ~~office~~ Department of  
11 Conservation shall issue written assurance that the proposal is consistent with  
12 adopted municipal plans and ordinances regulating land use, and the sewer  
13 district may construct the sewer extension.

14 **Sec. JJ-40. Transition provisions; land use planning-related matters.** The  
15 following provisions apply to the reassignment of duties, responsibilities and activities of  
16 the Executive Department, State Planning Office regarding land use planning and related  
17 technical assistance to municipalities, including but not limited to those under the Maine  
18 Revised Statutes, Title 30-A, chapter 187, to the Department of Conservation.

19 1. Four authorized positions and incumbent personnel in the State Planning Office  
20 that are assigned to that office's land use planning program are transferred to the  
21 Department of Conservation. These employees retain their rights as unclassified  
22 employees as well as their accrued fringe benefits, including but not limited to vacation  
23 and sick leave, health and life insurance and retirement benefits.

24 2. The Commissioner of Conservation shall designate the Director of Land Use  
25 Planning within the Department of Conservation. The Director of Land Use Planning  
26 shall coordinate technical assistance and provide guidance for state agencies and local  
27 and regional comprehensive plans. Other duties and responsibilities of the Director of  
28 Land Use Planning must be established by the Commissioner of Conservation.

29 3. The Commissioner of Conservation shall designate the Director of the Land for  
30 Maine's Future Program within the office of the commissioner in the Department of  
31 Conservation. The commissioner shall establish the duties of the Director of the Land for  
32 Maine's Future Program.

33 **Sec. JJ-41. Effective date.** This Part takes effect July 1, 2012.

34 **PART KK**

35 **Sec. KK-1. 1 MRSA §25,** as amended by PL 1999, c. 556, §1, is further amended  
36 to read:

37 **§25. Topographic mapping**

38 The Bureau of Geology ~~and~~, Natural Areas and Coastal Resources has charge of  
39 topographic mapping on behalf of the State. The Bureau of Geology ~~and~~, Natural Areas  
40 and Coastal Resources is authorized and directed to enter into such agreements with the

1 Director of the United States Geological Survey as will ~~assure~~ ensure the progress of the  
2 work in an efficient and economical manner.

3 **Sec. KK-2. 2 MRSA §6, sub-§5**, as amended by PL 2005, c. 405, Pt. D, §4, is  
4 further amended to read:

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

7 Director of Labor Standards;

8 State Archivist;

9 Director, Bureau of Geology ~~and~~, Natural Areas and Coastal Resources;

10 Executive Director, Maine Land Use Regulation Commission;

11 Chair, Maine Unemployment Insurance Commission;

12 Child Welfare Services Ombudsman; and

13 Director of the Maine Drug Enforcement Agency.

14 **Sec. KK-3. 5 MRSA §935, sub-§1, ¶D**, as amended by PL 1999, c. 556, §3, is  
15 further amended to read:

16 D. Director, Bureau of Geology ~~and~~, Natural Areas and Coastal Resources;

17 **Sec. KK-4. 12 MRSA §541-A**, as enacted by PL 1999, c. 556, §12, is amended to  
18 read:

19 **§541-A. Bureau of Geology, Natural Areas and Coastal Resources**

20 The Bureau of Geology ~~and~~, Natural Areas and Coastal Resources is established  
21 within the Department of Conservation and is administered by the commissioner. The  
22 bureau consists of the Maine Geological Survey, referred to in this chapter as the  
23 "survey," ~~and~~ the Natural Areas Program and the Maine Coastal Program. The executive  
24 director of the bureau is the director of the survey.

25 **Sec. KK-5. 12 MRSA §544-D** is enacted to read:

26 **§544-D. Maine Coastal Program**

27 **1. Establishment.** The Maine Coastal Program is established within the Department  
28 of Conservation and is administered by the commissioner.

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

31 A. "Coastal area" has the same meaning as provided in Title 38, section 1802,  
32 subsection 1.

33 B. "Coastal management" has the same meaning as provided in Title 38, section  
34 1802, subsection 2.

35 C. "Coastal resources" has the same meaning as provided in Title 38, section 1802,  
36 subsection 3.

37 D. "Commissioner" means the Commissioner of Conservation.

1           E. "State coastal zone management program" means the coastal management  
2           program originally approved by the National Oceanic and Atmospheric  
3           Administration in September 1978 and as subsequently changed in accordance with  
4           the federal Coastal Zone Management Act of 1972, 16 United States Code, Sections  
5           1451 to 1466 (2012).

6           **3. Purpose.** The Maine Coastal Program is established to manage and administer and  
7           to coordinate implementation and ongoing development and improvement of the state  
8           coastal zone management program in accordance with and in furtherance of the  
9           requirements of the federal Coastal Zone Management Act of 1972, 16 United States  
10           Code, Sections 1451 to 1466 (2012) and the State's coastal management policies  
11           established in Title 38, section 1801.

12           **4. Authorities.** In order to and to the extent needed to carry out its responsibilities  
13           under subsection 3, the Maine Coastal Program is authorized to:

14           A. Receive and administer federal grants from the National Oceanic and  
15           Atmospheric Administration, as well as financial assistance from other public or  
16           private sources, for implementation of the state coastal zone management program;

17           B. At the request of the Governor or the Legislature, or on its own initiative, prepare  
18           or coordinate plans, studies, technical assistance and policies to identify immediate  
19           and long-range needs regarding coastal management, coastal resources and related  
20           human uses in the coastal area and to guide and carry forward the wise, coordinated  
21           and well-balanced development and conservation of coastal resources;

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

25           D. Act as the coordinating agency among the several officers, authorities, boards,  
26           commissions, departments and political subdivisions of the State on matters relative  
27           to management of coastal resources and related human uses in the coastal area.

28           Nothing in this section may be construed as limiting the powers and duties of any  
29           officer, authority, board, commission, department or political subdivision of the State.

30           **Sec. KK-6. 12 MRSA §549,** as amended by PL 1999, c. 556, §14, is further  
31           amended to read:

32           **§549. Jurisdiction**

33           The Bureau of Geology and, Natural Areas and Coastal Resources and the agencies  
34           having jurisdiction over state-owned lands have jurisdiction, as set forth in this  
35           subchapter, over all state-owned lands for the purpose of mineral development and  
36           mining on that land. The Bureau of Geology and, Natural Areas and Coastal Resources  
37           and the agencies having jurisdiction over state-owned lands may make such rules as each  
38           deems considers proper with respect to the authority delegated pursuant to this  
39           subchapter.

40           **Sec. KK-7. 12 MRSA §549-A, sub-§2,** as amended by PL 1999, c. 556, §15, is  
41           further amended to read:

1           **2. Director of the survey.** "Director of the survey" means the Director of the  
2 Bureau of Geology ~~and~~, Natural Areas and Coastal Resources.

3           **Sec. KK-8. 12 MRSA §550-B, sub-§3, ¶A**, as amended by PL 2003, c. 175, §3,  
4 is further amended to read:

5           A. Within 30 days after completion of any well or dry hole, or the enlarging or  
6 deepening of an existing well, a well drilling company shall submit a report to the  
7 Bureau of Geology ~~and~~, Natural Areas; and Coastal Resources on forms designed and  
8 provided by the Bureau of Geology ~~and~~, Natural Areas and Coastal Resources. The  
9 report must contain information as may be required by the Bureau of Geology ~~and~~,  
10 Natural Areas and Coastal Resources, including, but not limited to, location,  
11 construction and well yield.

12           **Sec. KK-9. 12 MRSA §550-B, sub-§6**, as amended by PL 2009, c. 567, §6, is  
13 further amended to read:

14           **6. Information use.** Information collected by the Bureau of Geology ~~and~~, Natural  
15 Areas and Coastal Resources, Maine Geological Survey under this section is subject to  
16 Title 1, chapter 13, subchapter 1, unless the well drilling company to whom the  
17 information belongs or pertains requests that it be designated as confidential and the  
18 bureau has determined it contains proprietary information. For the purposes of this  
19 subsection, "proprietary information" means information that is a trade secret or  
20 production, commercial or financial information the disclosure of which would impair the  
21 competitive position of the person submitting the information and would make available  
22 information not otherwise publicly available. The Bureau of Geology ~~and~~, Natural Areas  
23 and Coastal Resources, Maine Geological Survey shall make information collected under  
24 this chapter available to any federal, state or municipal entity or authorized agent of such  
25 entity.

26           **Sec. KK-10. 12 MRSA §1835, sub-§1, ¶A**, as amended by PL 1999, c. 556,  
27 §18, is further amended to read:

28           A. The first \$20,000 in the aggregate of any money accruing from the alienation of  
29 rights to mine upon nonreserved public land, or other income arising out of mining  
30 operations, that is actually received during any fiscal year, and every portion thereof  
31 accruing from these mining operations, must be paid into the Bureau of Geology ~~and~~,  
32 Natural Areas and Coastal Resources.

33           **Sec. KK-11. 12 MRSA §1849, sub-§1, ¶A**, as amended by PL 1999, c. 556,  
34 §20, is further amended to read:

35           A. The first \$20,000 in the aggregate of any money accruing from the alienation of  
36 rights to mine upon public reserved land, or other income arising out of mining  
37 operations, that is actually received during any fiscal year, and every portion thereof  
38 accruing from these mining operations, must be paid to the Bureau of Geology ~~and~~,  
39 Natural Areas and Coastal Resources.

40           **Sec. KK-12. 12 MRSA §1863-A, sub-§4, ¶A**, as enacted by PL 2009, c. 615,  
41 Pt. B, §3, is amended to read:

1           A. Fifty percent to fund research, monitoring and other efforts to avoid, minimize  
2           and compensate for potential adverse effects of renewable ocean energy projects, as  
3           defined in section 1862, subsection 1, paragraph F-1, on noncommercial fisheries,  
4           seabirds, marine mammals, shorebirds, migratory birds and other coastal and marine  
5           natural resources, including but not limited to development, enhancement and  
6           maintenance of map-based information resources developed to guide public and  
7           private decision making on siting issues and field research to provide baseline or  
8           other data to address siting issues presented by renewable ocean energy projects. The  
9           department shall consult with the Department of Inland Fisheries and Wildlife ~~and~~  
10          ~~the Executive Department, State Planning Office~~ in allocating funds it receives  
11          pursuant to this paragraph; and

12          **Sec. KK-13. 12 MRSA §1868, sub-§1**, as enacted by PL 2009, c. 270, Pt. C, §1,  
13          is amended to read:

14          **1. Site identification process.** No later than December 15, 2009, following  
15          consultation with the Department of Environmental Protection, the Public Utilities  
16          Commission, the Department of Inland Fisheries and Wildlife, the Maine Land Use  
17          Regulation Commission, the Department of Marine Resources, the Maine Historic  
18          Preservation Commission and the University of Maine System and opportunity for public  
19          comment, the department, ~~in conjunction with the Executive Department, State Planning~~  
20          ~~Office~~, shall identify and map up to 5 specific offshore wind energy test areas. An  
21          offshore wind energy test area identified under this subsection must be a geographic area  
22          on state-owned submerged lands suitable for offshore wind energy demonstration projects  
23          constructed and operated in accordance with Title 38, section 480-HH. In identifying  
24          each such area, the department must consider existing information regarding pertinent  
25          ecological, environmental, social and development-related factors, including but not  
26          limited to:

27                A. Potential adverse effects on a protected natural resource, as defined by Title 38,  
28                section 480-B, subsection 8, or a scenic resource of state or national significance, as  
29                defined by Title 35-A, section 3451, subsection 9;

30                B. Potential adverse effects on species listed as threatened or endangered under  
31                section 6975 or section 12803, subsection 3; avian species, including seabirds,  
32                passerines, raptors, shorebirds, water birds and waterfowl; bats; and marine  
33                mammals;

34                C. Potential adverse effects on commercial fishing, recreation, navigation, existing  
35                public access ways to intertidal and subtidal areas and other existing uses;

36                D. Proximity to deep water port facilities, rail transportation, transmission  
37                infrastructure facilities and existing ocean-based environmental monitoring devices;

38                E. Data regarding wind speed, ocean wave height and period, ocean currents and  
39                water depth;

40                F. Geology, including substrate type and other seafloor characteristics;

41                G. Public support in pertinent coastal communities; and

42                H. Historic sites and archaeological resources of state or national significance.

1           **Sec. KK-14. 12 MRSA §5013, sub-§5**, as amended by PL 1999, c. 556, §21, is  
2 further amended to read:

3           **5. Bureau of Geology, Natural Areas and Coastal Resources.** The Bureau of  
4 Geology ~~and~~, Natural Areas and Coastal Resources is under the direction and supervision  
5 of a director who is appointed by, and serves at the pleasure of, the commissioner.

6           **Sec. KK-15. 12 MRSA §6022, sub-§11**, as enacted by PL 1977, c. 661, §5, is  
7 amended to read:

8           **11. Interagency cooperation.** The commissioner shall consult with, offer advice to  
9 and cooperate with ~~the State Planning Office~~, the Department of Environmental  
10 Protection, the Department of Inland Fisheries and Wildlife and the Department of  
11 Conservation in carrying out ~~his~~ the commissioner's duties, and these agencies shall do  
12 the same in carrying out their duties. Cooperation ~~shall include~~ includes the exchange of  
13 information and the filing of copies of any application, petition, request, report or similar  
14 document ~~which~~ that may bear upon the responsibilities of any of these departments.  
15 Details of those exchanges ~~shall~~ must be worked out by the heads of the departments.

16           **Sec. KK-16. 12 MRSA §13001, sub-§12**, as enacted by PL 2003, c. 414, Pt. A,  
17 §2 and affected by c. 614, §9, is amended to read:

18           **12. Freshwater marshes and bogs.** "Freshwater marshes and bogs" means naturally  
19 occurring open areas with saturated soils or peat, often associated with standing water and  
20 dominated by low herbaceous vegetation, grasses, weeds and shrubs and including  
21 wetlands, as shown on the Freshwater Wetlands Map Series, Bureau of Geology ~~and~~,  
22 Natural Areas and Coastal Resources, Maine Geological Survey, or zoned as a Wetland  
23 Protection Subdistrict, P-WL, by the Maine Land Use Regulation Commission.

24           **Sec. KK-17. 22 MRSA §676, sub-§5**, as amended by PL 1999, c. 556, §26, is  
25 further amended to read:

26           **5. Geology.** The Bureau of Geology ~~and~~, Natural Areas and Coastal Resources,  
27 Maine Geological Survey within the Department of Conservation shall provide technical  
28 assistance for waste management.

29           **Sec. KK-18. 22 MRSA §679-B, sub-§8**, as amended by PL 1999, c. 556, §27, is  
30 further amended to read:

31           **8. Transfer of funds.** Notwithstanding Title 5, section 1585, funds allocated under  
32 this section must be transferred as necessary to accomplish the purposes of this section  
33 and Title 38, chapter 14-A from the department to other agencies, including the  
34 Department of Environmental Protection, ~~the State Planning Office~~, the Bureau of  
35 Geology ~~and~~, Natural Areas and Coastal Resources, Maine Geological Survey within the  
36 Department of Conservation and the Maine Land Use Regulation Commission.

37           **Sec. KK-19. 32 MRSA §4700-G, sub-§2**, as amended by PL 2009, c. 153, §8, is  
38 further amended to read:

39           **2. Membership.** The commission consists of the director of the division of  
40 environmental health within the Department of Health and Human Services or the  
41 director's designee; the Director of the Bureau of Geology ~~and~~, Natural Areas and Coastal  
42 Resources within the Department of Conservation or the director's designee; the

1 Commissioner of Transportation or the commissioner's designee; and 4 public members,  
2 3 of whom must be well drillers.

3 **Sec. KK-20. 32 MRSA §4700-G, sub-§6**, as amended by PL 1999, c. 556, §29,  
4 is further amended to read:

5 **6. Administrative provision.** The department shall administer the affairs and  
6 activities of the commission, keep all books and records, excluding data reports. All  
7 appropriations for use of the commission must be made to the department. The  
8 Department of Conservation, Bureau of Geology ~~and~~, Natural Areas and Coastal  
9 Resources shall keep all well data reports and work with the department in the  
10 administration of the commission's activities.

11 **Sec. KK-21. 33 MRSA §1213**, as enacted by PL 1973, c. 616, §1, is amended to  
12 read:

13 **§1213. Water boundaries**

14 For the purposes of this chapter, the ~~State Planning Office is directed to~~ Department  
15 of Conservation, Bureau of Geology, Natural Areas and Coastal Resources shall draw the  
16 water boundaries of the 8 coastal counties in order to determine in which registry of  
17 deeds the island ~~shall~~ must be registered. These lines ~~shall~~ must be drawn in accordance  
18 with the corporate charters of the counties as amended. In instances in which the charter  
19 does not clearly specify the seaward boundaries of the counties, the boundaries ~~shall~~ must  
20 be drawn in accordance with state law and the principles contained in the International  
21 Convention for the Contiguous and Territorial Sea in determining seaward boundaries  
22 between adjacent nation states.

23 **Sec. KK-22. 35-A MRSA §3451, sub-§9, ¶H**, as enacted by PL 2007, c. 661,  
24 Pt. A, §7, is amended to read:

25 H. Scenic viewpoints located in the coastal area, as defined by Title 38, section 1802,  
26 subsection 1, that are ranked as having state or national significance in terms of  
27 scenic quality in:

28 (1) One of the scenic inventories prepared for and published by the Executive  
29 Department, State Planning Office: "Method for Coastal Scenic Landscape  
30 Assessment with Field Results for Kittery to Scarborough and Cape Elizabeth to  
31 South Thomaston," Dominie, et al., October 1987; "Scenic Inventory Mainland  
32 Sites of Penobscot Bay," Dewan and Associates, et al., August 1990; or "Scenic  
33 Inventory: Islesboro, Vinalhaven, North Haven and Associated Offshore Islands,"  
34 Dewan and Associates, June 1992; or

35 (2) A scenic inventory developed by or prepared for the Executive Department,  
36 former State Planning Office or the Department of Conservation in accordance  
37 with section 3457.

38 **Sec. KK-23. 35-A MRSA §3457, sub-§2**, as enacted by PL 2007, c. 661, Pt. A,  
39 §7, is amended to read:

40 **2. Scenic inventory.** The ~~Executive Department, State Planning Office~~ Department  
41 of Conservation, Bureau of Geology, Natural Areas and Coastal Resources shall adopt

1 rules regarding the methodology for conducting a scenic inventory of scenic resources of  
2 state or national significance that are located in the coastal area, as defined by Title 38,  
3 section 1802, subsection 1, in a manner comparable to that used for an inventory listed in  
4 section 3451, subsection 9, paragraph H, subparagraph (1). The ~~office~~ Department of  
5 Conservation, Bureau of Geology, Natural Areas and Coastal Resources may contract  
6 with an outside entity for the preparation of a scenic inventory conducted pursuant to the  
7 methodology developed pursuant to this subsection.

8 **Sec. KK-24. 38 MRSA §361-A, sub-§1-D**, as amended by PL 1999, c. 556, §30,  
9 is further amended to read:

10 **1-D. Aquifer.** "Aquifer" means a geologic formation composed of rock or sand and  
11 gravel that stores and transmits significant quantities of recoverable water, as identified  
12 by the Bureau of Geology ~~and~~, Natural Areas and Coastal Resources, Maine Geological  
13 Survey within the Department of Conservation.

14 **Sec. KK-25. 38 MRSA §401, 7th ¶**, as enacted by PL 1979, c. 472, §12, is  
15 amended to read:

16 It is the intention of the Legislature that the Bureau of Geology, Natural Areas and  
17 Coastal Resources provide coordination and develop programs for the collection and  
18 analysis of information relating to the nature, extent and quality of aquifers and aquifer  
19 recharge areas.

20 **Sec. KK-26. 38 MRSA §402**, as amended by PL 1999, c. 556, §31, is further  
21 amended to read:

22 **§402. Research**

23 The Bureau of Geology, Natural Areas and Coastal Resources in cooperation with the  
24 Department of Environmental Protection, is authorized to conduct research and studies to  
25 determine recharge and cleansing rates of ground water in different sand and gravel and  
26 bedrock formations.

27 The Bureau of Geology ~~and~~, Natural Areas and Coastal Resources, Maine Geological  
28 Survey within the Department of Conservation in cooperation with other agencies as  
29 appropriate shall conduct a 3-year program to assess the impact of agricultural practices  
30 and chemicals on ground water quality in selected agricultural areas and selected  
31 aquifers. The program must evaluate the extent and level of contamination associated  
32 with pesticide use, the mechanisms by which pesticides move through the soil and into  
33 ground water supplies, the synergistic effects of these substances and their persistence in  
34 ground water.

35 The survey shall report annually its progress to the joint standing committee of the  
36 Legislature having jurisdiction over natural resources.

37 **Sec. KK-27. 38 MRSA §410-I, sub-§1**, as enacted by PL 1991, c. 345 and  
38 amended by PL 2003, c. 689, Pt. B, §7, is further amended to read:

39 **1. Agency cooperation.** The commissioner shall cooperate and coordinate with the  
40 Commissioner of Agriculture, Food and Rural Resources; the Commissioner of  
41 Conservation; the Commissioner of Transportation; the Commissioner of Economic and  
42 Community Development; the Commissioner of Health and Human Services; and the

1 Commissioner of Marine Resources; ~~and the Director of the State Planning Office~~ to  
2 ensure a coordinated approach to nonpoint source pollution control for agriculture,  
3 forestry, transportation and development.

4 **Sec. KK-28. 38 MRSA §546-B, sub-§1**, as enacted by PL 1991, c. 454, §6, is  
5 amended to read:

6 **1. Sensitive area identification and data management.** The commissioner, in  
7 consultation with the Department of Marine Resources, the Department of Inland  
8 Fisheries and Wildlife, the Department of Conservation, ~~the State Planning Office~~, the  
9 United States Fish and Wildlife Service and other appropriate agencies and organizations,  
10 both public and private, shall assess the nature and extent of sensitive areas and resources  
11 in the marine environment that may be threatened by oil spills and develop a system to  
12 collect and maintain the necessary data. The commissioner shall ensure that the  
13 duplication of effort among agencies and creation of incompatible data and ~~data bases~~  
14 databases are minimized.

15 **Sec. KK-29. 38 MRSA §549**, as amended by PL 1999, c. 556, §36, is further  
16 amended to read:

17 **§549. Personnel and equipment**

18 The commissioner shall establish and maintain at such ports within the State, and  
19 other places as the commissioner determines, employees and equipment necessary to  
20 carry out this subchapter. The commissioner, subject to the Civil Service Law, may  
21 employ personnel necessary to carry out the purposes of this subchapter, and shall  
22 prescribe the duties of those employees. The salaries of those employees and the cost of  
23 that equipment must be paid from the Maine Coastal and Inland Surface Oil Clean-up  
24 Fund established by this subchapter. The commissioner and the Director of the Bureau of  
25 Geology ~~and~~ Natural Areas and Coastal Resources shall periodically consult with each  
26 other relative to procedures for the prevention of oil discharges into the coastal waters of  
27 the State from offshore drilling production facilities. Inspection and enforcement  
28 employees of the department in their line of duty under this subchapter have the powers  
29 of a constable.

30 **Sec. KK-30. 38 MRSA §1804**, as enacted by PL 2001, c. 595, §1, is amended to  
31 read:

32 **§1804. Interagency review of coastal water access issues**

33 The ~~Executive Department, State Planning Office~~ of Conservation and the  
34 Department of Marine Resources, within existing budgeted resources, shall convene a  
35 working group of staff from all state agencies that deal with coastal water access issues to  
36 share data, program activities and areas for collaboration on coastal water access issues.  
37 Each agency shall identify the coastal water access data that the agency has, the coastal  
38 water access data that the agency needs and potential funding sources for the collection of  
39 the needed data. Other stakeholders may be included as appropriate. The ~~State Planning~~  
40 Office Department of Conservation and the Department of Marine Resources shall submit  
41 a report of the working group's activities, including how the agencies can work  
42 cooperatively to make creative use of available funds to address both recreational and  
43 commercial access needs and to optimize projects that are multiuse in nature to the joint

1 standing committee of the Legislature having jurisdiction over marine resources matters  
2 by January 15th of every odd-numbered year.

3 **Sec. KK-31. 38 MRSA §1905, sub-§1**, as amended by PL 1999, c. 556, §40, is  
4 further amended to read:

5 **1. Maps; coastal barriers identified.** Maine's coastal barriers are identified on  
6 maps, available for public review, at the Department of Conservation, Bureau of Geology  
7 ~~and~~, Natural Areas and Coastal Resources, Maine Geological Survey office in Augusta.  
8 They are referred to as the Maine Coastal Barrier Resources Systems and are numbered  
9 consistent with the United States Coastal Barriers Resource Act.

10 **Sec. KK-32. Transition provisions; Maine Coastal Program-related**  
11 **matters.** The following provisions apply to reassignment of duties, responsibilities and  
12 activities regarding management and administration and implementation of aspects of the  
13 State's federally approved coastal zone management program from the Executive  
14 Department, State Planning Office to the Department of Conservation, Bureau of  
15 Geology, Natural Areas and Coastal Resources.

16 1. The Governor shall designate the Department of Conservation to receive and  
17 administer implementation grants for and serve as the state agency for federal consistency  
18 review as provided by the Maine Coastal Program approved by the National Oceanic and  
19 Atmospheric Administration in September 1978 and as subsequently amended in  
20 accordance with the federal Coastal Zone Management Act of 1972, 16 United States  
21 Code, Sections 1451 to 1466 (2012). No later than one year following the effective date  
22 of this section, the Department of Conservation shall submit to the National Oceanic and  
23 Atmospheric Administration, Office of Ocean and Coastal Resource Management for its  
24 review and approval in accordance with 15 Code of Federal Regulations, Part 923 any  
25 changes to the Maine Coastal Program necessary to conform the program to the intent of  
26 this section.

27 2. Six authorized positions and incumbent personnel in the State Planning Office  
28 assigned to the Maine Coastal Program are transferred to the Department of  
29 Conservation, Bureau of Geology, Natural Areas and Coastal Resources. Those  
30 employees retain their accrued fringe benefits, including but not limited to vacation and  
31 sick leave, health and life insurance and retirement benefits.

32 3. Notwithstanding the provisions of the Maine Revised Statutes, Title 5, the State  
33 Controller, upon request of the State Budget Officer and with the approval of the  
34 Governor, shall transfer to the proper account in the Department of Conservation all  
35 accrued expenditures, assets and liabilities, including but not limited to any contractual  
36 obligations, balances, appropriations, allocations, transfers, revenues and other available  
37 funds, in any account or subdivision of an account of the State Planning Office  
38 established for administration of funds related to management of coastal resources,  
39 including but not limited to grant funds from the National Oceanic and Atmospheric  
40 Administration pursuant to the federal Coastal Zone Management Act of 1972, 16 United  
41 States Code, Sections 1451 to 1466 (2012). Nothing in this section changes or is intended  
42 to change or otherwise affect the purposes or uses for which any funds transferred  
43 pursuant to this section may be expended.





1 of the office, including, but not limited to, promoting energy efficiency, demand-side  
2 management and distributed generation;

3 **Sec. MM-4. 2 MRSA §9, sub-§§6 and 7** are enacted to read:

4 **6. Maine Energy Resources Development Program.** The Maine Energy  
5 Resources Development Program, referred to in this subsection as "the program," is  
6 established to promote energy research and demonstration activities related to both the  
7 use of indigenous, renewable resources and more efficient use of energy. The office, as  
8 funding allows, shall administer the program. The director may accept private money for  
9 the purpose of funding the program.

10 A. The director shall include, in the comprehensive state energy plan under  
11 subsection 3, paragraph C, a report that specifies, in regard to the program, the  
12 expenditure of program funds, the purposes for which the funds were used and the  
13 amount of the funds and the sources from which the funds were derived.

14 B. For all proposed program expenditures of \$10,000 or more, the director shall seek  
15 approval for those expenditures from the Governor. If the Governor approves, the  
16 director shall seek approval for those expenditures from the Legislature under the  
17 procedures authorizing the transfer of funds set forth in Title 5, section 1585.

18 **7. Reporting of petroleum inventories and deliveries.** The following provisions  
19 govern the reporting of petroleum inventories and deliveries.

20 A. As used in this subsection, unless the context otherwise indicates, the following  
21 terms have the following meanings:

22 (1) "Petroleum product" means propane; gasoline; unleaded gasoline; gasohol;  
23 kerosene; #2 heating oil; diesel fuel; kerosene-based jet fuel; aviation gasoline;  
24 #4, #5 and #6 residual oil for utility and nonutility uses; and Bunker C oil;

25 (2) "Primary storage facility" means a facility that receives petroleum products  
26 into the State by pipeline or by ship; and

27 (3) "Primary supplier" means a refiner, marketer, distributor, firm or person who  
28 makes the first sale of any petroleum product to resellers or consumers in this  
29 State.

30 B. Each owner or lessee of a primary storage facility in the State shall make an  
31 accurate report of petroleum inventories and deliveries on the first and 3rd Monday of  
32 each month to the office on a form provided by the director. The form must contain a  
33 conspicuous statement of the penalties provided in paragraph D and must require,  
34 with regard to the owner's or lessee's primary storage facility, the following  
35 information:

36 (1) The total inventory of each petroleum product stored in the State, as  
37 measured within not more than 3 working days prior to the reporting date; and

38 (2) The quantities of each petroleum product delivery expected into the State  
39 within 15 days of the reporting date or within any longer period established by  
40 the director.

1           C. Each primary supplier of petroleum products shall make an accurate report of  
2 actual and anticipated deliveries on the 3rd Monday of each month to the office on a  
3 form provided by the director, unless the report is already being submitted in  
4 accordance with federal regulations. The form must contain a conspicuous statement  
5 of the penalties provided in paragraph D and must require the following information:

6           (1) Actual deliveries of all petroleum products in this State during the preceding  
7 calendar month;

8           (2) Anticipated deliveries of all petroleum products in this State during the  
9 following calendar month or during any longer period established by the director;  
10 and

11           (3) Allocation fractions for all petroleum products for the following month or for  
12 any longer period established by the director.

13           D. A person who violates this subsection is subject to the following penalties.

14           (1) An owner or lessee of a primary storage facility or a primary supplier who  
15 fails to provide the information required by this subsection commits a Class D  
16 crime. Violation of this subparagraph is a strict liability crime as defined in Title  
17 17-A, section 34, subsection 4-A.

18           (2) An owner or lessee of a primary storage facility or a primary supplier who  
19 knowingly or recklessly supplies false or misleading information is guilty of a  
20 violation of Title 17-A, section 453. An owner or lessee of a primary storage  
21 facility who supplies false or misleading information commits a civil violation  
22 for which a fine of \$2,500 may be adjudged.

23           E. The office shall provide reports to the joint standing committee of the Legislature  
24 having jurisdiction over utilities and energy matters as follows:

25           (1) If the office determines, based on available information, that there is or may  
26 be a significant shortfall in supply inventories or anticipated deliveries into the  
27 State of home heating oil or kerosene, the office shall provide a report including:

28           (a) The information that suggests a supply shortfall;

29           (b) Current and anticipated inventories of home heating oil and kerosene  
30 storage supplies;

31           (c) Any recommendations of the office for actions by the State in response to  
32 the anticipated supply shortfall; and

33           (d) A report on inventories, deliveries, curtailments, shortfalls or other  
34 matters relating to the availability of petroleum products in this State, at the  
35 request of the joint standing committee of the Legislature having jurisdiction  
36 over utilities and energy matters.

37           **Sec. MM-5. 7 MRSA §2, 4th ¶**, as amended by PL 1991, c. 9, Pt. I, §6, is further  
38 amended to read:

1           In addition, the commissioner shall be concerned with the quality of life of Maine  
2 farmers and rural communities. The commissioner shall promote: farm financing and  
3 rural development proposals; conservation and preservation of agricultural lands;  
4 increased and improved production of beef, poultry, sheep, dairy beef and other livestock;  
5 expanded and improved production of potatoes, fruits and other vegetables and  
6 horticultural ventures; coordinated foreign and domestic marketing of Maine agricultural  
7 products; in conjunction with the university, crop development and integrated pest  
8 management; and conservation of nonrenewable energy resources and utilization of  
9 renewable energy resources in conjunction with the ~~State Planning Office~~ Governor's  
10 Energy Office. To accomplish these objectives, the commissioner is authorized for, or on  
11 behalf of, Maine's farmers and rural community: to engage in research and educational  
12 programs; to participate directly or indirectly in programs to encourage and enable  
13 individuals to enter agricultural or other rural enterprises; to institute litigation or upon  
14 request to represent farmers or other members of the rural community in litigation where  
15 the commissioner determines that such litigation may be beneficial to agricultural  
16 industry as a whole; and to exercise all other powers of an agency of State Government.  
17 The commissioner may study such issues and, consistent with statute, take such actions  
18 either individually, for, or on behalf of, the State's farmers or rural residents, or jointly  
19 with such other persons, agencies or organizations as the commissioner determines may  
20 benefit the State's farmers and rural communities. To further accomplish these objectives,  
21 the commissioner is authorized beginning July 1, 1991, on behalf of the State's rural  
22 community, to administer food assistance programs including the receipt, distribution and  
23 administration of federal and state funds, including block grants, for food assistance.

24           **Sec. MM-6. 10 MRSA §1023-K, sub-§1**, as amended by PL 2009, c. 124, §2, is  
25 further amended to read:

26           **1. Established; fund administration.** The Clean Fuel Vehicle Fund, referred to in  
27 this section as the "fund," is established under the jurisdiction of the authority to support  
28 production, distribution and consumption of clean fuels and biofuels. In administering  
29 the fund, the authority shall consult and provide opportunity for input from the  
30 Governor's ~~Office of Energy Independence and Security~~ Office within the Executive  
31 Department.

32           **Sec. MM-7. 10 MRSA §1023-K, sub-§3-B**, as enacted by PL 2009, c. 124, §2,  
33 is amended to read:

34           **3-B. Application of fund.** The fund may be used in accordance with this  
35 subsection.

36           A. The fund may be applied to carry out any power of the authority under or in  
37 connection with section 1026-A, subsection 1, paragraph A, subparagraph (1),  
38 division (c), including, but not limited to, the pledge or transfer and deposit of money  
39 in the fund as security for and the application of the fund to pay principal, interest and  
40 other amounts due on insured loans.

41           B. The fund may be used for direct loans to finance all or part of any clean fuel or  
42 sustainable biofuel vehicle project when the authority determines that:

43                   (1) The applicant demonstrates a reasonable likelihood that the applicant will be  
44                   able to repay the loan;

- 1                   (2) The project is technologically feasible; and  
2                   (3) The project will contribute to a reduction of or more efficient use of fossil  
3                   fuels.

4                   C. The fund may be used for grants to support clean fuel and sustainable biofuel  
5                   production, distribution and consumption. The authority, in consultation with the  
6                   Governor's ~~Office of Energy Independence and Security~~ Office within the Executive  
7                   Department, shall establish a formula and method for the awarding of grants under  
8                   this paragraph.

9                   D. The fund may be used for reasonable development and administration costs for an  
10                  online contribution process, in accordance with subsection 6.

11                  E. The fund may be used for reasonable initial and ongoing administrative costs of  
12                  the authority to implement this section.

13                  The authority, in consultation with the Governor's ~~Office of Energy Independence and~~  
14                  ~~Security~~ Office within the Executive Department, shall adopt rules for determining  
15                  eligibility, project feasibility, terms, conditions and security for loans under this section.  
16                  Rules adopted pursuant to this subsection are routine technical rules under Title 5, chapter  
17                  375, subchapter 2-A.

18                  **Sec. MM-8. 10 MRSA §1043, sub-§2, ¶O**, as amended by PL 2011, c. 586, §3,  
19                  is further amended to read:

20                  O. In the case of an energy distribution system project regulated by the Public  
21                  Utilities Commission with respect to rates or terms of service or that requires, for  
22                  construction or operation, authorization or certification from the commission, the  
23                  following conditions are met.

24                         (1) The energy distribution system project has received all authorizations or  
25                         certifications from the Public Utilities Commission necessary for construction  
26                         and operation of the project. The authority may issue a certificate of approval for  
27                         a project that has received conditional approvals or certifications from the  
28                         commission, except that the authority's certificate becomes legally effective only  
29                         upon fulfillment of the conditional provisions of the commission's certificates or  
30                         approvals. If the commission has approved rates to be charged by the project or  
31                         has issued a certificate of public convenience and necessity for the project, the  
32                         authority shall take into consideration any findings and conclusions of law of the  
33                         commission, including any findings and conclusions pertaining to the need for  
34                         the project and the financial viability of the project.

35                         (2) The authority has reviewed and considered any comments provided by the  
36                         Director of the Governor's ~~Office of Energy Independence and Security~~ Office  
37                         and the Public Advocate.

38                         (3) The authority has determined that the applicant is creditworthy and that there  
39                         is a reasonable likelihood that the revenue obligation securities will be repaid  
40                         through the revenues of the project and any other sources of revenues and  
41                         collateral pledged to the repayment of those securities. In order to make these  
42                         determinations, the authority shall consider such factors as it considers necessary

- 1 and appropriate in light of the special purpose or other nature of the business  
2 entity owning the project and the specific purposes of the project to measure and  
3 evaluate the project and the sufficiency of the pledged revenues to repay the  
4 obligations, including, but not limited to:
- 5 (a) Whether the individuals or entities obligated to repay the obligations  
6 have demonstrated sufficient revenues from the project or from other sources  
7 to repay the obligations and a reasonable probability that those revenues will  
8 continue to be available for the term of the revenue obligation securities;
- 9 (b) Whether the applicant demonstrates a reasonable probability that the  
10 project will continue to operate and provide the public benefits projected to  
11 be created for the term of the revenue obligation securities;
- 12 (c) Whether the applicant's creditworthiness is demonstrated by factors such  
13 as its historical financial performance, management ability, plan for  
14 marketing its product or service and ability to access conventional financing;
- 15 (d) Whether the applicant meets or exceeds industry average financial  
16 performance ratios commonly accepted in determining creditworthiness in  
17 that industry;
- 18 (e) Whether the applicant demonstrates that the need for authority assistance  
19 is due to the reduced cost and increased flexibility of the financing for the  
20 project that result from authority assistance and not from an inability to  
21 obtain necessary financing without the capital reserve fund security provided  
22 by the authority;
- 23 (f) Whether collateral securing the repayment obligation is reasonably  
24 sufficient under the circumstances;
- 25 (g) Whether the proposed project enhances the opportunities for economic  
26 development;
- 27 (h) The effect that the proposed project financing has on the authority's  
28 financial resources;
- 29 (i) The financial performance of similar projects;
- 30 (j) The need for the project, as determined by the Public Utilities  
31 Commission and as indicated by any comments provided by the Director of  
32 the Governor's ~~Office of Energy Independence and Security~~ Office, other  
33 public officials and members of the public;
- 34 (k) The nature and extent of customer commitment to use the project or the  
35 fuel or energy the project distributes or transmits;
- 36 (l) The cost advantages to end users of the fuel or energy to be distributed or  
37 transmitted by the project, to the extent those advantages may affect market  
38 penetration by the project; and

1 (m) The nature and extent of the applicant's equity contribution to payment  
2 of the costs of the project; such a contribution may not be less than 25% of  
3 the expected cost of the project.

4 This paragraph is repealed January 1, 2018.

5 **Sec. MM-9. 10 MRSA §1492, sub-§1**, as amended by PL 1989, c. 501, Pt. DD,  
6 §29, is further amended to read:

7 **1. Solar energy equipment.** "Solar energy equipment" means all controls, tanks,  
8 pumps, heat exchangers, collectors and all other equipment necessary for the collection,  
9 transfer and storage of solar energy, as determined by the ~~State Planning Office~~  
10 Governor's Energy Office. Passive solar energy systems or those systems using natural  
11 means to collect, store and transfer solar energy ~~shall~~ may not be included under this  
12 chapter.

13 **Sec. MM-10. 10 MRSA §9722, sub-§2, ¶I**, as enacted by PL 2007, c. 699, §6,  
14 is amended to read:

15 I. An energy efficiency representative, recommended by the ~~director~~ Director of the  
16 Governor's ~~Office of Energy Independence and Security~~ Office within the Executive  
17 Department, who has experience or expertise in the design or implementation of  
18 energy codes or in the application of energy efficiency measures in residential or  
19 commercial construction;

20 **Sec. MM-11. 12 MRSA §405-A, sub-§4**, as enacted by PL 1987, c. 635, is  
21 amended to read:

22 **4. Review.** The ~~State Planning Office~~ Governor's Energy Office shall review the  
23 status of hydropower development on the St. Croix River and shall report to the joint  
24 standing committee of the Legislature having jurisdiction over energy and natural  
25 resources by January 1, ~~1993~~ 2013 and every 5 years thereafter. The report ~~shall~~ must  
26 include any recommendations for changes in the provisions of this section together with  
27 the justification for the changes. If the St. Croix River is included in any legislative Act  
28 or regulation ~~which~~ that directly or indirectly has as its effect the essential prohibition of  
29 construction of new dams or development or redevelopment of existing dams on the St.  
30 Croix River, this section ~~shall be~~ is repealed on the effective date of that Act or  
31 regulation.

32 **Sec. MM-12. 22 MRSA §666, sub-§§1 and 2**, as reenacted by PL 2007, c. 539,  
33 Pt. KK, §5, are amended to read:

34 **1. Damages to public health and safety.** If the State Nuclear Safety Inspector has  
35 reason to believe that any activity poses a danger to public health and safety, and after  
36 notifying the facility licensee and the United States Nuclear Regulatory Commission, the  
37 inspector shall immediately notify the Governor, and the Commissioner of Health and  
38 Human Services ~~and the State Nuclear Safety Advisor within the State Planning Office~~.  
39 This subsection may not be construed as precluding the State Nuclear Safety Inspector  
40 from discussing the safety inspector's concerns with the United States Nuclear Regulatory  
41 Commission or others before making a determination that any activity poses a danger to  
42 public health and safety.

1           **2. Reports.** The State Nuclear Safety Inspector, with the cooperation of the Director  
2 of Health Engineering, shall prepare a report of the safety inspector's activities under this  
3 chapter to be submitted July 1st of each year to the ~~State Nuclear Safety Advisor~~  
4 Governor's Energy Office and the Legislature. The State Nuclear Safety Inspector shall  
5 prepare monthly reports for the ~~State Nuclear Safety Advisor~~ Governor's Energy Office,  
6 the President of the Senate and the Speaker of the House, with copies to the United States  
7 Nuclear Regulatory Commission and the facility licensee.

8           **Sec. MM-13. 22 MRSA §676, sub-§6**, as amended by PL 1989, c. 501, Pt. DD,  
9 §31, is further amended to read:

10           **6. Energy.** The ~~State Planning Office~~ Governor's Energy Office shall serve as  
11 liaison with the United States Department of Energy.

12           **Sec. MM-14. 35-A MRSA §122, sub-§1-B, ¶A**, as enacted by PL 2009, c. 655,  
13 Pt. A, §2, is amended to read:

14           A. The panel includes the following members:

15           (1) The Director of the Governor's ~~Office of Energy Independence and Security~~  
16 Office within the Executive Department or the director's designee;

17           (2) The Commissioner of Administrative and Financial Services or the  
18 commissioner's designee;

19           (3) The commissioner of each department or the director of any other state  
20 agency or authority that owns or controls land or assets within the statutory  
21 corridor under consideration or that commissioner's or director's designee; and

22           (4) Four members of the public appointed by the Governor in accordance with  
23 this subparagraph, subject to review by the joint standing committee of the  
24 Legislature having jurisdiction over utilities and energy matters and to  
25 confirmation by the Senate:

26           (a) One member with expertise in energy and utilities selected from  
27 candidates nominated by the President of the Senate;

28           (b) One member with expertise in real estate or finance selected from  
29 candidates nominated by the President of the Senate;

30           (c) One member representing industrial or commercial energy consumers  
31 selected from candidates nominated by the Speaker of the House; and

32           (d) One member representing residential energy consumers selected from  
33 candidates nominated by the Speaker of the House.

34           Public members serve 3-year terms, except that a vacancy must be filled for the  
35 unexpired portion of the term. A public member serves until a successor is  
36 appointed. A public member may serve a maximum of 2 consecutive terms.  
37 Compensation of public members is as provided in Title 5, section 12004-G,  
38 subsection 30-D.

1           **Sec. MM-15. 35-A MRSA §122, sub-§2, ¶B**, as amended by PL 2009, c. 655,  
2 Pt. A, §2, is further amended to read:

3           B. The commission may commence a proceeding to designate a petitioned corridor  
4 only upon the filing of a petition for the designation of a petitioned corridor by the  
5 Office of the Public Advocate, the Executive Department, Governor's ~~Office of~~  
6 Energy ~~Independence and Security~~ Office or a potential developer.

7           **Sec. MM-16. 35-A MRSA §122, sub-§7, ¶C**, as amended by PL 2009, c. 655,  
8 Pt. A, §2, is further amended to read:

9           C. The commission may take and hold by right of eminent domain lands and  
10 easements within an energy infrastructure corridor in accordance with this paragraph,  
11 notwithstanding any transmission and distribution utility ownership of the lands or  
12 easements.

13           (1) The commission may exercise the authority under this paragraph only in an  
14 adjudicatory proceeding upon a petition by the Office of the Public Advocate or  
15 the Executive Department, Governor's ~~Office of~~ Energy ~~Independence and~~  
16 ~~Security~~ Office demonstrating that such action is urgently needed to avoid  
17 substantial harm to electricity consumers regarding anticipated activity associated  
18 with an energy infrastructure corridor. A determination by the commission that  
19 the exercise of eminent domain under this paragraph is urgently needed to avoid  
20 substantial harm to electricity consumers regarding anticipated activity associated  
21 with an energy infrastructure corridor constitutes reviewable final agency action.

22           (2) The amount of any lands or easements taken by the commission pursuant to  
23 this subsection may be no greater than is required to avoid the harm to electricity  
24 consumers identified under subparagraph (1).

25           (3) The right of eminent domain granted in this paragraph does not apply to  
26 personal property, fixtures or improvements that constitute transmission and  
27 distribution plant or an energy transport pipeline.

28           (4) The commission may exercise the right of eminent domain for the purposes of  
29 this paragraph in the same manner and under the same conditions as set forth in  
30 chapter 65. For the purposes of the exercise of eminent domain authorized by  
31 this paragraph, the commission is both a person and the State.

32           (5) The commission is authorized to assess transmission and distribution utilities  
33 to the extent necessary to obtain sufficient funds to pay for lands and easements  
34 taken pursuant to this subsection.

35           (6) The commission, in an adjudicatory proceeding upon petition by the Office of  
36 the Public Advocate or the Executive Department, Governor's ~~Office of~~ Energy  
37 ~~Independence and Security~~ Office, may transfer or convey to any person or state  
38 agency or authority lands and easements once acquired, except that a  
39 transmission and distribution utility or the owner of an energy transport pipeline  
40 whose lands or easements were taken pursuant to this paragraph must be given  
41 the first opportunity to acquire the lands or easements to the extent necessary or

1           useful in the performance of its duties as a transmission and distribution utility or  
2           an owner of an energy transport pipeline.

3           (7) The commission shall report on the circumstances of any taking by eminent  
4           domain to the joint standing committee of the Legislature having jurisdiction  
5           over utilities and energy matters during the next regular session of the Legislature  
6           following the acquisition of lands or easements by eminent domain.

7           **Sec. MM-17. 35-A MRSA §4131, sub-§3, ¶C**, as amended by PL 1995, c. 254,  
8           §12, is further amended to read:

9           C. The Director of the ~~State Planning Office~~ Governor's Energy Office, or another  
10          employee of ~~the State Planning Office~~ that office, as the director may from time to  
11          time designate in writing filed with the clerk of the agency, shall serve as a member  
12          of the board of directors.

13          **Sec. MM-18. 35-A MRSA §10103, sub-§2, ¶A**, as enacted by PL 2009, c. 372,  
14          Pt. B, §3, is amended to read:

15          A. The board consists of the following 9 voting members:

16                 (1) The ~~director~~ Director of the Governor's ~~Office of Energy Independence and~~  
17                 Security Office;

18                 (2) The director of the Maine State Housing Authority; and

19                 (3) Seven members appointed by the Governor, reviewed by the joint standing  
20                 committee of the Legislature having jurisdiction over energy matters and  
21                 approved by the Senate. Among these 7 members must be persons who  
22                 adequately represent the interests of commercial energy consumers, industrial  
23                 energy consumers, small business energy consumers, residential energy  
24                 consumers and low-income energy consumers; among these members must be  
25                 persons with knowledge of and experience in financial matters and consumer  
26                 advocacy and who possess substantial management expertise or knowledge of or  
27                 experience with conservation fund programs, carbon reduction programs or  
28                 energy efficiency or climate change policy. The requirements of this  
29                 subparagraph may be met through the appointment of one or more persons who  
30                 satisfy more than one of the requirements, as long as at any one time the 7  
31                 members include among them members who adequately represent the identified  
32                 interests and who ~~posses~~ possess the required knowledge, expertise and  
33                 experience.

34                 Appointed trustees serve 3-year terms. If an appointed trustee is unable to  
35                 complete the term, the Governor shall appoint a replacement for the remainder of  
36                 the unexpired term.

37          **Sec. MM-19. 37-B MRSA §742, sub-§2, ¶B**, as amended by PL 2005, c. 677,  
38          Pt. C, §2, is further amended to read:

39          B. Upon the issuance of an energy emergency proclamation and after consulting with  
40          the ~~Executive Department, State Planning Office~~ Governor's Energy Office, the  
41          Governor may exercise all the powers granted in this chapter, except as specifically

1 limited by paragraph C. The powers of the Governor include, without limitation, the  
2 authority to:

3 (1) Establish and implement programs, controls, standards, priorities and quotas  
4 for the allocation, conservation and consumption of energy resources;

5 (2) Regulate the hours and days during which nonresidential buildings may be  
6 open and the temperatures at which they may be maintained;

7 (3) Regulate the use of gasoline and diesel-powered land vehicles, watercraft and  
8 aircraft;

9 (4) After consulting, when appropriate, with the New England governors and  
10 upon the recommendations of the Public Utilities Commission, regulate the  
11 generation, distribution and consumption of electricity;

12 (5) Establish temporary state and local boards and agencies;

13 (6) Establish and implement programs and agreements for the purposes of  
14 coordinating the emergency energy response of the State with those of the  
15 Federal Government and of other states and localities;

16 (7) Temporarily suspend truck weight and size regulations, but not in conflict  
17 with federal regulations;

18 (8) Regulate the storage, distribution and consumption of home heating oil; and

19 (9) If the energy emergency was caused by a lack of electric grid reliability in  
20 this State resulting from insufficient capacity resources, take appropriate action,  
21 in consultation with the Public Utilities Commission, to procure sufficient  
22 capacity resources including generation capacity and interruptible, demand  
23 response or energy efficiency capacity resources.

24 **Sec. MM-20. 38 MRSA §480-HH, sub-§3, ¶H**, as enacted by PL 2009, c. 270,  
25 Pt. A, §2, is amended to read:

26 H. Documentation that, in developing each plan required under paragraphs E to G,  
27 the applicant consulted with: the Department of Marine Resources, the Department of  
28 Inland Fisheries and Wildlife and the Department of Conservation; the Maine Land  
29 Use Regulation Commission and the ~~Executive Department, State Planning Office~~  
30 Governor's Energy Office; the United States Army Corps of Engineers, the United  
31 States Coast Guard, the National Marine Fisheries Service, the National Park Service  
32 and the United States Fish and Wildlife Service; the lobster management policy  
33 council established under Title 12, section 6447 for the lobster management zone in  
34 which the offshore wind energy demonstration project is proposed; each municipality  
35 in which or adjacent to which the project is proposed; and any other local, state or  
36 federal agency the applicant considers appropriate. This documentation must include  
37 copies of these agencies' comments and recommendations on the plan, if any, and  
38 specific descriptions of how the agencies' comments are accommodated by the plan,  
39 including the applicant's reasons, based on project-specific information, for any  
40 agency recommendation not adopted. The applicant shall allow a minimum of 60  
41 days for the agencies to review and make comments and recommendations on each

1 draft plan before it is filed with the department. No more than 30 days prior to its  
2 initiation, the applicant shall notify each municipality within or adjacent to which it  
3 intends to site and operate an offshore wind energy demonstration project and invite  
4 its participation in the consultation required under this paragraph;

5 **Sec. MM-21. 38 MRSA §634, sub-§3**, as amended by PL 1989, c. 501, Pt. DD,  
6 §46 and affected by c. 890, Pt. A, §40 and amended by Pt. B, §183, is further amended to  
7 read:

8 **3. Application review.** Within 10 working days of receiving a completed  
9 application, the commissioner shall notify the applicant of the official date on which the  
10 application was accepted.

11 The commissioner shall circulate the application among the Department of  
12 Environmental Protection, Department of Conservation, Department of Inland Fisheries  
13 and Wildlife, Department of Marine Resources, Department of Transportation, Maine  
14 Historic Preservation Commission, ~~State Planning Office~~ Governor's Energy Office,  
15 Public Utilities Commission and the municipal officials of the municipality in which the  
16 project is located. The ~~State Planning Office~~ Governor's Energy Office and the Public  
17 Utilities Commission shall submit written comments on section 636, subsection 7,  
18 paragraph F. For projects within the jurisdiction of the Maine Land Use Regulation  
19 Commission, the director may request and obtain technical assistance and  
20 recommendations from the staff of the department. The Commissioner of Environmental  
21 Protection shall respond to the requests in a timely manner. The recommendations of the  
22 Commissioner of Environmental Protection must be considered by the commission in  
23 acting upon a project application.

24 **Sec. MM-22. 38 MRSA §640, first ¶**, as enacted by PL 1989, c. 453, §2, is  
25 amended to read:

26 Unless otherwise provided in accordance with regulations promulgated by the  
27 Federal Energy Regulatory Commission, for all existing hydropower projects located in  
28 Maine currently licensed under the Federal Power Act, and for all proposed hydropower  
29 projects requiring a license to operate under the Federal Power Act, all state agencies that  
30 review, comment on and consult in the proposed studies, plans, terms and conditions in  
31 the course of licensing or relicensing these projects, including the ~~State Planning Office~~  
32 Department of Conservation, the Governor's Energy Office, the Department of  
33 Environmental Protection, the Department of Inland Fisheries and Wildlife and the  
34 Department of Marine Resources, shall cooperatively take the following steps to ensure  
35 that interested members of the public are informed of, and allowed to participate in, the  
36 review and comment process.

37 **Sec. MM-23. 38 MRSA §1480-A**, as amended by PL 1995, c. 642, §19 and PL  
38 2003, c. 689, Pt. B, §6, is further amended to read:

39 **§1480-A. Joint hearings; intervention**

40 The Department of Health and Human Services or the ~~State Planning Office~~  
41 Governor's Energy Office may intervene in any federal licensing proceeding to carry out  
42 the purpose of this chapter.



1 Nothing in this section is intended to increase, diminish or otherwise affect the rule-  
2 making authority of any agency or other instrumentality of State Government.

3 3. All personal property and equipment previously belonging to or allocated for the  
4 use of a program of the State Planning Office must be transferred to the agency to which  
5 that program is transferred by this Act. The Department of Administrative and Financial  
6 Services shall oversee and resolve any questions regarding such transfer in accordance  
7 with the intent of this Act.

8 4. Records of the State Planning Office that are needed for continued performance of  
9 a duty or function previously assigned to the State Planning Office must be transferred to  
10 the agency to which that duty or function is assigned by this Act. Other essential records  
11 of the State Planning Office must be transferred to the Department of Administrative and  
12 Financial Services to be maintained and stored pursuant to standard procedure.

13 5. The transfer of all personal property, equipment, records and personnel under this  
14 Act, except where provided otherwise, is effective July 1, 2012.

15 **Sec. NN-2. Effective date.** This Part takes effect July 1, 2012.

16 **PART OO**

17 **Sec. OO-1. 20-A MRSA §7001, sub-§1-A,** as enacted by PL 2005, c. 662, Pt. A,  
18 §15, is amended to read:

19 **1-A. Child Development Services System.** "Child Development Services System"  
20 means ~~regional sites, or their successor sites, and~~ the state intermediate educational unit  
21 under section 7209, subsection 3, ~~or its successor, established~~ and any regional sites it  
22 chooses to establish and maintain, to ensure the provision of child find activities, early  
23 intervention services and free, appropriate public education services to eligible children.

24 **Sec. OO-2. 20-A MRSA §7001, sub-§2-B,** as enacted by PL 2005, c. 662, Pt. A,  
25 §15, is amended to read:

26 **2-B. Intermediate educational unit.** "Intermediate educational unit" means an  
27 entity that meets the definition of intermediate educational unit in the federal Individuals  
28 with Disabilities Education Act, 20 United States Code, Section 1402, (23) as in effect  
29 prior to June 4, 1997 and that is a public authority, other than a local educational agency,  
30 under the general supervision of the department, that is established for the purpose of  
31 providing free public education on a regional basis and that provides special education  
32 and related services to children with disabilities within the State. An intermediate  
33 educational unit is considered a local educational agency under federal law. ~~The Child~~  
34 ~~Development Services System regional sites are organized as intermediate educational~~  
35 ~~units.~~ In this State, a local educational agency is a school administrative unit. For  
36 purposes of this chapter all references to school administrative units include intermediate  
37 educational units.

38 **Sec. OO-3. 20-A MRSA §7001, sub-§4-A,** as enacted by PL 2005, c. 662, Pt. A,  
39 §15, is repealed.

40 **Sec. OO-4. 20-A MRSA §7209,** as amended by PL 2007, c. 530, §1 and c. 572,  
41 Pt. B, §§1 to 4, is further amended to read:

1       **§7209. General administration and supervision**

2               **1. Department of Education.** The department shall serve as the lead agency for the  
3 statewide system pursuant to 20 United States Code, Section 1435, including the  
4 identification and coordination of all available resources within the State for services to  
5 eligible children from birth to under 3 years of age, and shall exercise general supervisory  
6 authority over child find as provided in 20 United States Code, Section 1412 (a) (3) and  
7 the provision of a free, appropriate public education to children at least 3 years of age and  
8 under 6 years of age.

9               A. The commissioner ~~or the commissioner's designee~~ is responsible for developing  
10 and adopting rules necessary to carry out the provisions of the federal Individuals  
11 with Disabilities Education Act, Part B, Section 619 and Part C, 20 United States  
12 Code, Section 1400 et seq.

13               B-1. The commissioner or the commissioner's designee is responsible for developing  
14 and implementing a funding mechanism for the operation of the state intermediate  
15 educational unit established pursuant to subsection 3 and the delivery of services to  
16 eligible children with disabilities from birth to under 6 years of age.

17               C. The commissioner or the commissioner's designee is responsible for ensuring  
18 legal and policy compliance throughout the early childhood special education  
19 program by reviewing or performing regular audits of program records.

20               D. The commissioner or the commissioner's designee is responsible for ensuring  
21 fiscal compliance throughout the early childhood special education program by  
22 reviewing or performing regular audits of program records.

23               E. The department, ~~in consultation with regional sites,~~ shall develop an a corrective  
24 action plan with timelines to achieve compliance with federal or state law. The  
25 department may assume temporary responsibility for operations at a regional site that  
26 fails to meet compliance requirements. The department shall report at least quarterly  
27 to the state interagency coordinating council described in 20 United States Code,  
28 Section 1441, to the state advisory panel described in 34 Code of Federal  
29 Regulations, Sections 300.167 to 300.169 and to other advisory bodies that may be  
30 appropriate about individual regional sites that are under an a corrective action plan  
31 ~~and about individual regional sites for whose operations the department has taken~~  
32 ~~temporary responsibility.~~ These reports must describe any progress or slippage by  
33 individual regional sites in meeting compliance requirements. For an individual  
34 regional site under an a corrective action plan, the reports must describe how long the  
35 department expects the regional site to remain under an a corrective action plan. ~~For~~  
36 ~~an individual regional site for whose operation the department has taken temporary~~  
37 ~~responsibility, the reports must describe when the department expects to return~~  
38 ~~responsibility to the regional site.~~

39               **3. State intermediate educational unit establishment; administrative functions.**  
40 The commissioner shall establish and supervise the state intermediate educational unit.  
41 The state intermediate educational unit is established as a body corporate and politic and  
42 as a public instrumentality of the State for the purpose of conducting child find activities  
43 as provided in 20 United States Code, Section 1412 (a) (3) for children from birth to  
44 under 6 years of age, ensuring the provision of early intervention services for eligible

1 children from birth to under 3 years of age and ensuring a free, appropriate public  
2 education for eligible children at least 3 years of age and under 6 years of age. The state  
3 intermediate educational unit shall perform the following statewide coordination and  
4 administration functions:

5 A. Establish standard policies and procedures for a statewide salary and benefits  
6 administration system, including personnel classifications, position descriptions and  
7 salary ranges, and a standard package of health, retirement and other fringe benefits  
8 for Child Development Services System personnel, ~~which must be included in the~~  
9 ~~annual entitlement plan described in subsection 1~~ beginning in fiscal year 2006-07;

10 B. Develop a statewide salary and benefits administration system and perform the  
11 payroll functions for Child Development Services System personnel;

12 B-1. Bargain collectively under Title 26, chapter 9-A if the employees of the  
13 regional sites choose to be represented by an agent for purposes of collective  
14 bargaining. In such circumstances, the state intermediate educational unit must be  
15 considered the public employer for purposes of collective bargaining;

16 C. Establish a centralized system for statewide fiscal administration to be  
17 implemented by September 1, 2006. The state intermediate educational unit shall  
18 establish internal controls and implement accounting policies and procedures in  
19 accordance with standards set forth by the State Controller;

20 D. Develop and implement a centralized data management system to be fully  
21 operational beginning July 1, 2007;

22 E. Establish a standard, statewide template for regional site contracts with  
23 therapeutic service providers, including policies and procedures for the review of  
24 contracts, ~~that must be included in the annual entitlement plan described in subsection~~  
25 ~~1~~, beginning in fiscal year 2006-07;

26 F. Refine program accountability standards for compliance with federal mandates  
27 ~~that must be included in the annual entitlement plan described in subsection 1~~,  
28 including the development of a performance review system to monitor and improve  
29 regional site performance through the use of efficiency ratings aligned with the  
30 accountability standards and through a compliance plan that requires the regional site  
31 to address the unmet needs of eligible children in accordance with specific targets and  
32 time frames;

33 G. Design and implement a statewide plan to provide professional development and  
34 training to Child Development Services System personnel;

35 H. Employ professional and other personnel at the state level and at the regional  
36 sites, including those necessary to ensure the implementation of the centralized fiscal  
37 and data management systems. All state intermediate educational unit employees are  
38 employees for the purposes of the Maine Tort Claims Act; and

39 I. Enter into contracts, leases and agreements and any other instruments and  
40 arrangements that are necessary, incidental or convenient to the performance of its  
41 duties and the execution of its powers under this chapter.

1           **3-A. State intermediate educational unit; program functions.** The state  
2 intermediate educational unit established pursuant to subsection 3, through a network of  
3 regional sites as appropriate, shall:

4           A. Engage in child find activities as required by the federal Individuals with  
5 Disabilities Education Act, 20 United States Code, Section 1400 et seq.;

6           B. Engage in child count activities as required by the federal Individuals with  
7 Disabilities Education Act, 20 United States Code, Section 1400 et seq.;

8           C. Engage in appropriate data collection, training, staff development and direct  
9 service provision to eligible children with disabilities, from birth to under 3 years of  
10 age, in accordance with Part C of the federal Individuals with Disabilities Education  
11 Act, 20 United States Code, Section 1400 et seq.;

12           D. Ensure that eligible children with disabilities, from birth to under 3 years of age,  
13 receive early intervention services, in accordance with the payment provisions  
14 established by the State;

15           E. Ensure that eligible children with disabilities, from 3 years of age to under 6 years  
16 of age, receive free, appropriate public education services;

17           F. Coordinate with eligible families the development of individualized family service  
18 plans for children with disabilities from birth to 2 years of age or coordinate an  
19 individualized education program for a child 3 years of age to under 6 years of age;  
20 and

21           G. Ensure that children from birth until 6 years of age who are referred to the Child  
22 Development Services System also receive appropriate referrals for support outside  
23 of the system, including appropriate public and private programmatic resources,  
24 regardless of a child's eligibility for early intervention or free, appropriate public  
25 education.

26           **4. Director of early childhood special education.** The commissioner shall appoint  
27 and supervise a director of early childhood special education. The director has the  
28 following powers and duties:

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

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

34           B. To develop statewide policies and procedures for carrying out federal and state  
35 laws and rules relating to child find, early intervention services and the provision of a  
36 free, appropriate public education to children from birth to under 6 years of age;

37           C. To provide training in federal and state laws, regulations, rules and policies  
38 relating to child find as provided in 20 United States Code, Section 1412 (a) (3), early  
39 intervention services and the provision of a free, appropriate public education to  
40 children from birth to under 6 years of age and to conduct regular file reviews to  
41 determine compliance with federal and state laws, regulations, rules and policies and  
42 conduct training and provide technical assistance where deficiencies are found; and

1 D. To report annually to the council and to the joint standing committee of the  
2 Legislature having jurisdiction over education and cultural affairs on the performance  
3 of the Child Development Services System. This report may include information on  
4 any expansions of the connections of child find and service delivery with school  
5 administrative units, with the Department of Health and Human Services and with  
6 medical providers. This report may include information on any expansion of the  
7 connection of child find with nurse midwives. This report may include information  
8 on the number of children screened in the programs in Title 22, sections 1532, 8824  
9 and 8943, the number of such children referred to the Child Development Services  
10 System who were found eligible for early intervention and the number of such  
11 children referred to the Child Development Services System who were found  
12 ineligible for early intervention. This report may also include information on annual  
13 performance over at least a 5-year period of each individual regional site and of the  
14 entire Child Development Services System; may benchmark performance against  
15 state and national standards; may include information about performance in child  
16 find, service delivery, service coordination, eligibility and exit data for children  
17 leaving the Child Development Services System; and may describe strategies that the  
18 Child Development Services System has undertaken to maximize the usage of a  
19 broad base of community resources including private providers, public schools,  
20 resources from other agencies and other available resources serving children and  
21 families. The report must be publicly posted on the website of the department.

22 ~~**5. Regional site board of directors.** A board of directors of a regional site is~~  
23 ~~responsible for governance of its activities, including the management and oversight of its~~  
24 ~~general operations. Membership must include representatives of the regional offices of~~  
25 ~~the Department of Health and Human Services, representatives of participating school~~  
26 ~~administrative units, parents of children with disabilities and other community members~~  
27 ~~as determined appropriate. A regional site board member or a board member's employer~~  
28 ~~may not, during the term for which the member serves on the board, derive any revenue~~  
29 ~~from work performed for the Child Development Services System. A representative of a~~  
30 ~~participating school administrative unit whose participation in the Child Development~~  
31 ~~Services System is limited to work performed for the school administrative unit is exempt~~  
32 ~~from the requirements of this subsection. Terms of membership and methods of~~  
33 ~~appointment or election for each board of directors must be determined by the board of~~  
34 ~~directors' bylaws, subject to approval by the department.~~

35 ~~**6. Regional site board of directors; annual entitlement plan; site budget**~~  
36 ~~**approval.** A board of directors of a regional site is entitled to receive annual grant award~~  
37 ~~allocations that are approved by the department in accordance with the approval~~  
38 ~~provisions for the annual entitlement plan and the budget for a regional site pursuant to~~  
39 ~~subsection 1, paragraph B.~~

40 ~~**7. Regional site; administration.** A board of directors of a regional site shall:~~  
41 ~~A. Hire, fire and supervise the staff of the regional site according to the job~~  
42 ~~classifications, pay scales and personnel policies established by the state intermediate~~  
43 ~~educational unit established under subsection 3;~~  
44 ~~B. Enter into contracts, leases and agreements and any other instruments and~~  
45 ~~arrangements that are necessary, incidental or convenient to the performance of its~~

1 duties and the execution of its powers under this chapter, using forms and procedures  
2 developed by the department;

3 ~~C. Ensure data entry and reporting; and~~

4 ~~D. Provide fiscal management of money allocated to it, in compliance with federal~~  
5 ~~and state laws and subject to proof of an annual audit.~~

6 ~~**8. Regional site; duties and obligations.** A board of directors of a regional site~~  
7 ~~shall:~~

8 ~~A. Ensure provision of child find activities as required by the federal Individuals~~  
9 ~~with Disabilities Education Act, 20 United States Code, Section 1400 et seq.;~~

10 ~~B. Ensure provision of childcount activities as required by the federal Individuals~~  
11 ~~with Disabilities Education Act, 20 United States Code, Section 1400 et seq.;~~

12 ~~C. Ensure appropriate data collection, training, staff development and direct service~~  
13 ~~provision to eligible children with disabilities, from birth to under 3 years of age, in~~  
14 ~~accordance with Part C of the federal Individuals with Disabilities Education Act, 20~~  
15 ~~United States Code, Section 1400 et seq.;~~

16 ~~D. Ensure that eligible children with disabilities, from birth to under 3 years of age,~~  
17 ~~receive early intervention services, in accordance with the payment provisions~~  
18 ~~established by the State;~~

19 ~~E. Ensure that eligible children with disabilities, from 3 years of age to under 6 years~~  
20 ~~of age, receive free, appropriate public education services, in collaboration with~~  
21 ~~school administrative units when possible;~~

22 ~~F. Coordinate with eligible families the development of individualized family service~~  
23 ~~plans for children with disabilities from birth to 2 years of age or coordinate an~~  
24 ~~individualized education program for a child 3 years of age to under 6 years of age~~  
25 ~~unless an individualized family service plan is preferred;~~

26 ~~G. Designate local personnel for training to commit funds for free, appropriate public~~  
27 ~~education. Personnel who commit funds for free, appropriate public education must~~  
28 ~~be trained and certified by the state intermediate educational unit established under~~  
29 ~~subsection 3. The board of directors of a regional site shall determine and designate~~  
30 ~~which trained and certified personnel may commit funds; and~~

31 ~~H. Ensure that children from birth until 6 years of age who are referred to the Child~~  
32 ~~Development Services System also receive appropriate referrals for support outside~~  
33 ~~of the system, including appropriate public and private programmatic resources,~~  
34 ~~regardless of the child's eligibility for early intervention or free, appropriate public~~  
35 ~~education.~~

36 ~~All regional site employees and board of directors members of a regional intermediate~~  
37 ~~education unit are employees for purposes of the Maine Tort Claims Act.~~

38 **PART PP**

39 **Sec. PP-1. 36 MRSA §1752, sub-§8-C** is enacted to read:

1           **8-C. Positive airway pressure equipment and supplies.** "Positive airway pressure  
2 equipment and supplies" means continuous positive air pressure and bilevel positive air  
3 pressure equipment and supplies, and repair and replacement parts for such equipment,  
4 used in respiratory ventilation.

5           **Sec. PP-2. 36 MRSA §1752, sub-§11, ¶B,** as amended by PL 2011, c. 209, §1  
6 and affected by §5, is further amended to read:

7           B. "Retail sale" does not include:

8                   (1) Any casual sale;

9                   (2) Any sale by a personal representative in the settlement of an estate unless the  
10 sale is made through a retailer or the sale is made in the continuation or operation  
11 of a business;

12                   (3) The sale, to a person engaged in the business of renting automobiles, of  
13 automobiles, integral parts of automobiles or accessories to automobiles, for  
14 rental or for use in an automobile rented for a period of less than one year. For  
15 the purposes of this subparagraph, "automobile" includes a pickup truck or van  
16 with a gross vehicle weight of less than 26,000 pounds;

17                   (4) The sale, to a person engaged in the business of renting video media and  
18 video equipment, of video media or video equipment for rental;

19                   (5) The sale, to a person engaged in the business of renting or leasing  
20 automobiles, of automobiles for rental or lease for one year or more;

21                   (6) The sale, to a person engaged in the business of providing cable or satellite  
22 television services, of associated equipment for rental or lease to subscribers in  
23 conjunction with a sale of extended cable or extended satellite television services;

24                   (7) The sale, to a person engaged in the business of renting furniture or audio  
25 media and audio equipment, of furniture, audio media or audio equipment for  
26 rental pursuant to a rental-purchase agreement as defined in Title 9-A, section  
27 11-105;

28                   (8) The sale of loaner vehicles to a new vehicle dealer licensed as such pursuant  
29 to Title 29-A, section 953;

30                   (9) The sale of automobile repair parts used in the performance of repair services  
31 on an automobile pursuant to an extended service contract sold on or after  
32 September 20, 2007 that entitles the purchaser to specific benefits in the service  
33 of the automobile for a specific duration;

34                   (10) The sale, to a retailer that has been issued a resale certificate pursuant to  
35 section 1754-B, subsection 2-B or 2-C, of tangible personal property for resale in  
36 the form of tangible personal property, except resale as a casual sale;

37                   (11) The sale, to a retailer that has been issued a resale certificate pursuant to  
38 section 1754-B, subsection 2-B or 2-C, of a taxable service for resale, except  
39 resale as a casual sale;

1 (12) The sale, to a retailer that is not required to register under section 1754-B,  
2 of tangible personal property for resale outside the State in the form of tangible  
3 personal property, except resale as a casual sale;

4 (13) The sale, to a retailer that is not required to register under section 1754-B,  
5 of a taxable service for resale outside the State, except resale as a casual sale; ~~or~~

6 (14) The sale of repair parts used in the performance of repair services on  
7 telecommunications equipment as defined in section 2551, subsection 19  
8 pursuant to an extended service contract that entitles the purchaser to specific  
9 benefits in the service of the telecommunications equipment for a specific  
10 duration; or

11 (15) The sale of positive airway pressure equipment and supplies for rental for  
12 personal use to a person engaged in the business of renting positive airway  
13 pressure equipment.

14 **Sec. PP-3. 36 MRSA §1760, sub-§94** is enacted to read:

15 **94. Positive airway pressure equipment and supplies.** Positive airway pressure  
16 equipment and supplies sold or leased for personal use.

17 **Sec. PP-4. Retroactivity.** Those sections of this Part that enact the Maine  
18 Revised Statutes, section 1752, subsection 8-C and section 1760, subsection 94 and  
19 amend section 1752, subsection 11, paragraph B apply retroactively to sales occurring on  
20 or after January 1, 2012.

21 **PART QQ**

22 **Sec. QQ-1. 36 MRSA §111, sub-§7,** as amended by PL 1997, c. 526, §6, is  
23 further amended to read:

24 **7. Taxpayer.** "Taxpayer" means any person required to file a return under this Title  
25 or to pay, withhold and pay over or collect and pay over any tax imposed by this Title.  
26 For the purposes of sections 171, 175-A and 176-A, "taxpayer" also means any person  
27 obligated to the State for the payment of a fee, fine, penalty or other obligation to the  
28 State provided for by law, if this obligation is subject to collection by the assessor  
29 pursuant to an agreement entered into by the bureau and another agency of the State.  
30 "Taxpayer" also means any pass-through entity doing business in the State or having a  
31 Maine resident member, including an S corporation, general partnership, limited  
32 partnership, limited liability partnership, limited liability company or similar entity, that  
33 is not taxed as a C corporation for federal tax purposes.

34 **Sec. QQ-2. 36 MRSA §187-B, sub-§1-A,** as enacted by PL 2007, c. 437, §3 and  
35 affected by §22, is repealed.

36 **Sec. QQ-3. 36 MRSA §187-B, sub-§7,** as amended by PL 2011, c. 380, Pt. L,  
37 §1, is further amended to read:

38 **7. Reasonable cause.** The assessor shall waive or abate or, in the case of those  
39 penalties that do not accrue automatically under subsection 6, refrain from imposing any  
40 penalty imposed by subsection 1, ~~4-A~~, 2, 4-A, 4-B, 5-A or 5-B or by the terms of the

1 International Fuel Tax Agreement if grounds constituting reasonable cause are  
2 established by the taxpayer or if the assessor determines that grounds constituting  
3 reasonable cause are otherwise apparent. Reasonable cause includes, but is not limited to,  
4 the following circumstances:

5 A. The failure to file or pay resulted directly from erroneous information provided by  
6 the Bureau of Revenue Services;

7 B. The failure to file or pay resulted directly from the death or serious illness of the  
8 taxpayer or a member of the taxpayer's immediate family;

9 C. The failure to file or pay resulted directly from a natural disaster;

10 D. A return that was due monthly was filed and paid less than one month late and all  
11 of the taxpayer's returns and payments during the preceding 12 months were timely;

12 E. A return that was due other than monthly was filed and paid less than one month  
13 late and all of the taxpayer's returns and payments during the preceding 3 years were  
14 timely;

15 F. The taxpayer has supplied substantial authority justifying the failure to file or pay;  
16 or

17 G. The amount subject to a penalty imposed by subsection 1, 2, 4-A or 5-A is de  
18 minimis when considered in relation to the amount otherwise properly paid, the  
19 reason for the failure to file or pay and the taxpayer's compliance history.

20 Absent a determination by the assessor that grounds constituting reasonable cause are  
21 otherwise apparent, the burden of establishing grounds for waiver or abatement is on the  
22 taxpayer.

23 **Sec. QQ-4. 36 MRSA §5102, sub-§10**, as amended by PL 1999, c. 414, §39, is  
24 further amended to read:

25 **10. Taxable corporation.** "Taxable corporation" means, for any taxable year, a  
26 corporation that, at any time during that taxable year, realized Maine net income-  
27 "~~Taxable corporation~~" and includes any S corporation that is required by section 5241 to  
28 file a return and with realized Maine net income that is subject to federal tax under the  
29 Code, Section 1374 and 1375.

30 **Sec. QQ-5. 36 MRSA §5222, sub-§6**, as enacted by P&SL 1969, c. 154, §F, is  
31 repealed.

32 **Sec. QQ-6. 36 MRSA §5241**, as amended by PL 1997, c. 746, §23 and affected  
33 by §24, is repealed.

34 **Sec. QQ-7. 36 MRSA §5245**, as amended by PL 2011, c. 1, Pt. CC, §4 and  
35 affected by §5, is repealed.

36 **Sec. QQ-8. Application.** This Part applies to tax years beginning on or after  
37 January 1, 2012.

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**PART RR**

**Sec. RR-1. Calculation and transfer; General Fund; business communications lines savings.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 2 of this Part that applies against each General Fund account for executive branch departments and agencies statewide and the judicial branch as a result of lowered costs of business communications lines. The State Budget Officer shall transfer the savings by financial order upon approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2011-12 and 2012-13. 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, 2012.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF  
Departments and Agencies - Statewide 0016**

Initiative: Reduces funding based on savings achieved as a result of lowered costs of business communications lines.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$45,360)	(\$77,760)
<b>GENERAL FUND TOTAL</b>	(\$45,360)	(\$77,760)

**PART SS**

**Sec. SS-1. 5 MRSA §943, sub-§1, ¶E,** as amended by PL 1983, c. 862, §15, is further amended to read:

- E. ~~Assistant to the Commissioner for Public~~ Director of Legislative Affairs;

**Sec. SS-2. 26 MRSA §1401-B, sub-§1, ¶B,** as amended by PL 2007, c. 1, Pt. D, §4, is further amended to read:

- B. The commissioner shall appoint to serve at the commissioner's pleasure:
  - (2) ~~Assistant to the Commissioner for Public~~ Director of Legislative Affairs;
  - (3) Deputy Commissioner;
  - (4) Director, Bureau of Labor Standards;
  - (5) Beginning April 15, 1996, Executive Director, Bureau of Employment Services;
  - (6) Executive Director, Office of Operations; and

1 (7) Director, Bureau of Rehabilitation Services.

2 **PART TT**

3 **Sec. TT-1. Transfer of funds; Department of Inland Fisheries and**  
4 **Wildlife carrying account.** On or before August 1, 2012, the State Controller shall  
5 transfer \$32,555 from the Carrying Balances - Inland Fisheries and Wildlife program,  
6 General Fund account in the Department of Inland Fisheries and Wildlife to the Resource  
7 Management Services - Inland Fisheries and Wildlife program, General Fund account in  
8 the Department of Inland Fisheries and Wildlife and transfer \$32,555 from the Carrying  
9 Balances - Inland Fisheries and Wildlife program, General Fund account in the  
10 Department of Inland Fisheries and Wildlife to the Fisheries and Hatcheries Operations  
11 program, General Fund account in the Department of Inland Fisheries and Wildlife to  
12 partially fund the reorganization of 3 positions that are included in the retirement  
13 incentive program to Biologist II positions.

14 **PART UU**

15 **Sec. UU-1. Lapsed balances; Veterans' Organization Tax**  
16 **Reimbursement program; General Fund account.** Notwithstanding any other  
17 provision of law, \$55,798 of unencumbered balance forward in the All Other line  
18 category in the Veterans' Organization Tax Reimbursement program, General Fund  
19 account in the Department of Administrative and Financial Services lapses to the General  
20 Fund in fiscal year 2011-12.

21 **Sec. UU-2. Lapsed balances; Veterans' Organization Tax**  
22 **Reimbursement program; General Fund account.** Notwithstanding any other  
23 provision of law, \$5,766 of unencumbered balance forward in the All Other line category  
24 in the Veterans' Organization Tax Reimbursement program, General Fund account in the  
25 Department of Administrative and Financial Services lapses to the General Fund in fiscal  
26 year 2011-12.

27 **PART VV**

28 **Sec. VV-1. Calculation and transfer; General Fund savings; central**  
29 **administration.** Notwithstanding any other provision of law, the State Budget Officer  
30 shall calculate the amount of savings in the Statewide Service Center account in section 2  
31 of this Part that applies against each General Fund account for executive branch  
32 departments and independent agencies statewide from implementing a decrease in  
33 charges made by the Department of Administrative and Financial Services, Division of  
34 Financial and Personnel Services for its services. The State Budget Officer shall transfer  
35 the savings by financial order upon approval of the Governor. These transfers are  
36 considered adjustments to appropriations in fiscal years 2011-12 and 2012-13. The State  
37 Budget Officer shall provide a report of the transferred amounts to the Joint Standing  
38 Committee on Appropriations and Financial Affairs no later than October 1, 2012.



1 Department of Administrative and Financial Services to the unappropriated surplus of the  
2 General Fund at the close of fiscal year 2011-12 in the event that the total savings in  
3 section 1 of this Part are not achieved.

4 **PART YY**

5 **Sec. YY-1. Lapsed balances; Agricultural Vitality Program - Carrying**  
6 **Account; General Fund.** Notwithstanding any other provision of law, \$6,072 of  
7 unencumbered balance forward in the All Other line category in the Agricultural Vitality  
8 Program - Carrying Account, General Fund account in the Department of Agriculture,  
9 Food and Rural Resources lapses to the General Fund in fiscal year 2011-12.

10 **PART ZZ**

11 **Sec. ZZ-1. Attrition savings.** Notwithstanding any other provision of law, the  
12 attrition rate for fiscal year 2012-13 only is increased from 5% to 6% for executive  
13 branch departments and agencies and the judicial branch.

14 **Sec. ZZ-2. Calculation and transfer; General Fund; attrition savings.**  
15 Notwithstanding any other provision of law, the State Budget Officer shall calculate the  
16 amount of savings in section 3 of this Part that applies against each General Fund account  
17 for executive branch departments and agencies statewide and the judicial branch as a  
18 result of attrition savings. The State Budget Officer shall transfer the savings by financial  
19 order upon approval of the Governor. These transfers are considered adjustments to  
20 appropriations in fiscal year 2012-13. The State Budget Officer shall provide a report of  
21 the transferred amounts to the Joint Standing Committee on Appropriations and Financial  
22 Affairs no later than October 1, 2012.

23 **Sec. ZZ-3. Appropriations and allocations.** The following appropriations and  
24 allocations are made.

25 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

26 **Departments and Agencies - Statewide 0016**

27 Initiative: Reduces funding to reflect projected savings from the increase in the attrition  
28 rate from 5% to 6% for fiscal year 2012-13.

29	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
30	Personal Services	\$0	(\$3,454,047)
31			
32	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$3,454,047)</u>

33 **PART AAA**

34 **Sec. AAA-1. Department of Health and Human Services; state**  
35 **psychiatric centers; transfers and adjustments to position count.** The  
36 Commissioner of Health and Human Services shall review the current organizational

1 structure of the State's psychiatric centers to improve organizational efficiency and cost-  
 2 effectiveness within the centers. Notwithstanding any other provision of law, the State  
 3 Budget Officer is authorized to transfer position counts and available balances by  
 4 financial order in order to achieve the purposes of this section. In accordance with the  
 5 requirements of the Maine Revised Statutes, Title 5, section 1585, a financial order  
 6 describing such a transfer must be submitted by the Department of Administrative and  
 7 Financial Services, Bureau of the Budget to the Office of Fiscal and Program Review 30  
 8 days before a transfer is to be implemented. In the case of extraordinary emergency  
 9 transfers, the 30-day prior submission requirement may be waived by vote of the joint  
 10 standing committee of the Legislature having jurisdiction over appropriations and  
 11 financial affairs. Any transfer or adjustment pursuant to this section that would result in a  
 12 program or mission change must be reported to the joint standing committee of the  
 13 Legislature having jurisdiction over health and human services matters for review before  
 14 the associated financial order is submitted to the Governor for approval. These transfers  
 15 made prior to September 1, 2012 are considered adjustments to authorized position count,  
 16 appropriations and allocations in fiscal year 2012-13. On or before June 30, 2013, the  
 17 commissioner and the State Budget Officer shall provide the joint standing committees of  
 18 the Legislature having jurisdiction over health and human services matters and  
 19 appropriations and financial affairs a report on the authorized position count and  
 20 appropriations and allocations transferred.

21 **Sec. AAA-2. Riverview Psychiatric Center; calculation and transfer.**

22 Notwithstanding any other provision of law, the State Budget Officer shall calculate the  
 23 amount of Unallocated funding appropriated in section 3 of this Part that applies against  
 24 each line category in the Riverview Psychiatric Center program, General Fund account  
 25 and transfer those amounts by financial order upon the approval of the Governor. The  
 26 State Budget Officer shall determine the authorized position count related to the amount  
 27 transferred to the Personal Services line category and transfer those positions from the  
 28 Riverview Psychiatric Center program, Other Special Revenue Funds account to the  
 29 Riverview Psychiatric Center program, General Fund account by financial order upon the  
 30 approval of the Governor. These transfers are considered adjustments to authorized  
 31 position count and appropriations and allocations in fiscal year 2012-13. The State  
 32 Budget Officer shall submit a report on the authorized position count and amounts  
 33 transferred to the Joint Standing Committee on Appropriations and Financial Affairs on  
 34 September 1, 2012.

35 **Sec. AAA-3. Appropriations and allocations.** The following appropriations  
 36 and allocations are made.

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

38 **Riverview Psychiatric Center 0105**

39 Initiative: Provides funding to offset a reduction in disproportionate share payments for  
 40 individuals transferred from jails or prisons, for individuals for whom the court has  
 41 ordered evaluations and for individuals determined to be incompetent to stand trial.

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	Unallocated	\$0	\$3,176,972
3			
4	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$3,176,972</b>

5 **PART BBB**

6 **Sec. BBB-1. Review of Maine Public Broadcasting Network.** The  
 7 Commissioner of Administrative and Financial Services shall consult with the Maine  
 8 Public Broadcasting Network and the Department of Defense, Veterans and Emergency  
 9 Management, Maine Emergency Management Agency and other state agencies as needed  
 10 on the following matters:

11 1. A determination of the cost incurred by the Maine Public Broadcasting Network to  
 12 provide emergency broadcasting services to the State on a fee-for-service basis;

13 2. A survey of other ways in which Maine Public Broadcasting Network assets may  
 14 be available to the State for technical support, bandwidth and other data transmission  
 15 services on a contractual basis;

16 3. A report from the Maine Public Broadcasting Network on the status of its strategic  
 17 plan and the launch of a campaign to raise capital; and

18 4. A plan whereby, over the next 5 years, the appropriation provided by the State to  
 19 the Maine Public Broadcasting Network for the purpose of providing a statewide public  
 20 broadcasting network is gradually reduced and replaced by a fee-for-service contract to  
 21 be agreed upon by the State and the Maine Public Broadcasting Network.

22 **Sec. BBB-2. Report.** The Commissioner of Administrative and Financial Services  
 23 shall submit a report, together with any necessary implementing legislation, to the Joint  
 24 Standing Committee on Appropriations and Financial Affairs by September 15, 2012.  
 25 The joint standing committee of the Legislature having jurisdiction over appropriations  
 26 and financial affairs may report out a bill to the First Regular Session of the 126th  
 27 Legislature.

28 **PART CCC**

29 **Sec. CCC-1. Debt Service - Government Facilities Authority program;**  
 30 **balance transfer.** Notwithstanding any other provision of law, any balance remaining  
 31 in the Debt Service - Government Facilities Authority program at the end of fiscal year  
 32 2011-12 is transferred to the Capital Construction/Repairs/Improvements -  
 33 Administration program in the Department of Administrative and Financial Services.

34 **PART DDD**

35 **Sec. DDD-1. PL 2011, c. 380, Pt. JJJ, §1,** as amended by PL 2011, c. 477, Pt.  
 36 HH, §1, is further amended to read:



1 the Department of Education and the Department of Labor in order to support the cost of  
2 one full-time Blindness and Rehabilitation Specialist position in the Department of Labor,  
3 Division for the Blind and Visually Impaired; one Teacher of Visually Impaired Children  
4 contracted position; and 2 Vision Rehabilitation Therapist contracted positions to provide  
5 services to blind and visually impaired children and adults.

6 **Sec. FFF-2. Report.** No later than September 15, 2012, the Commissioner of  
7 Education and the Commissioner of Labor shall present their findings to the Joint  
8 Standing Committee on Appropriations and Financial Affairs, the Joint Standing  
9 Committee on Education and Cultural Affairs and the Joint Standing Committee on  
10 Labor, Commerce, Research and Economic Development along with a plan to apply the  
11 identified savings to support the positions identified in section 1.

12 **PART GGG**

13 **Sec. GGG-1. Health insurance premium payments for certain otherwise**  
14 **ineligible employees.** Notwithstanding any other provision of law, an employee who  
15 has less than 10 years of state service but who is otherwise eligible to retire under the  
16 Maine Public Employees Retirement System as a state employee, whose position is  
17 eliminated pursuant to Part A, section 7 and who is unable to find employment in another  
18 position in state service is entitled to continued coverage under the state employee health  
19 insurance program under the Maine Revised Statutes, Title 5, section 285, and the State  
20 shall continue to pay that employee's premium. Such an employee, for the sole purpose  
21 of receiving retiree health insurance under the state employee health insurance program,  
22 is deemed to have retired from state service.

23 **Emergency clause.** In view of the emergency cited in the preamble, this  
24 legislation takes effect when approved, except as otherwise indicated.'

25 **SUMMARY**

26 **PART A**

27  
28 This Part makes appropriations and allocations.

29 **PART B**

30  
31 This Part makes allocations of funds for approved reclassifications.

32 **PART C**

33  
34 This Part does the following.

35 1. It amends the law regarding general purpose aid for local schools to reflect the  
36 reduced appropriation for the state agency client budget. As a result of a spending trend  
37 analysis for state agency client special education services, a savings in the 2011-12 state  
38 agency client budget is expected because expenditures will be less than originally  
39 anticipated. The actual minimum teacher salary adjustment was less than anticipated.



1 It amends the membership of the Revenue Forecasting Committee by replacing the  
2 State Tax Assessor with the Associate Commissioner for Tax Policy.

3 It identifies the qualifications and duties of the new Associate Commissioner for Tax  
4 Policy.

5 It establishes a new Office of Tax Policy within the Bureau of Revenue Services.

6 It clarifies for purposes of authorized disclosures of confidential taxpayer information  
7 that the Bureau of Revenue Services's enforcement of the tax laws includes all aspects of  
8 administering the tax laws.

9 **PART J**

10  
11 This Part corrects the program number identified for the State Board of Corrections  
12 Investment Fund program in Public Law 2011, chapter 428, Public Law 2011, chapter  
13 448 and Public Law 2011, chapter 455.

14 **PART K**

15  
16 This Part exempts financial orders that allot funds to pay death benefits for law  
17 enforcement officers, firefighters and emergency medical services persons who die while  
18 in the line of duty from legislative review and from provisions requiring a 30-day wait  
19 before taking effect.

20 **PART L**

21  
22 This Part amends the consensus revenue forecasting process to eliminate the  
23 provision that requires the Revenue Forecasting Committee to exclude revenue that  
24 accrues from the Pine Tree Development Zone program from the revenue forecast and  
25 repeals the provision requiring that all revenue attributable to the Pine Tree Development  
26 Zone program be set aside in a separate fund to pay the benefits. This Part also repeals  
27 the law that establishes the Pine Tree Development Zone Reserve Fund and fixes a cross-  
28 reference.

29 **PART M**

30  
31 This Part authorizes the State Budget Officer to adjust allocations in Fund for a  
32 Healthy Maine program accounts to address Personal Services shortfalls that occur as a  
33 result of allocation reductions for projected vacancies. Funds available from balances in  
34 the Fund for a Healthy Maine program in the Department of Administrative and Financial  
35 Services or from accrued salary savings in other Fund for a Healthy Maine programs may  
36 be transferred by financial order subject to the review of the joint standing committee of  
37 the Legislature having jurisdiction over appropriations and financial affairs.

38 **PART N**

39  
40 This Part reduces the amount of funding required to be provided to the University of  
41 Maine System in its baseline budget for debt service to support a 10-year revenue bond.

42 **PART O**

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This Part authorizes the State Controller to transfer up to \$1,000,000 from the Maine Budget Stabilization Fund to the Department of Defense, Veterans and Emergency Management if necessary to allow the department to fulfill its responsibilities under the emergency management assistance compact or the International Emergency Management Assistance Compact. Any amounts transferred must be returned to the fund when reimbursement for services is received.

**PART P**

This Part eliminates the position of Economic Analyst from the Office of the Public Advocate.

**PART Q**

This Part requires any General Fund balances remaining in the Administration - Executive - Governor's Office, Blaine House, Governor's Office of Communications, Office of Policy and Management and Governor's Energy Office programs to be carried forward for use in the next fiscal year.

**PART R**

This Part does the following.

1. For the period from July 1, 2012 to June 30, 2013, it reduces general assistance maximum levels of assistance by 10% from levels in effect on April 1, 2012.
2. It restricts housing assistance in the municipal general assistance program to no more than 9 months during the calendar year for the period from July 1, 2012 to June 30, 2013.
3. For the period from July 1, 2012 to June 30, 2013, it reduces the state reimbursement rate for a municipality that incurs net general assistance costs in a fiscal year in excess of .0003 of that municipality's most recent state valuation to 85%.
4. It directs the Commissioner of Health and Human Services to convene and make appointments to a working group to review and make recommendations related to the general assistance program.
5. It directs the Commissioner of Health and Human Services to establish a pilot program to reduce General Fund costs and general assistance program costs by maximizing access to federal assistance programs for which applicants for or recipients of general assistance may be eligible.

**PART S**

This Part does the following.

It eliminates the requirement that the Department of Health and Human Services provide limited transitional food benefits to ASPIRE-TANF program recipients who lose TANF eligibility due to employment earnings.

1 It authorizes the Department of Health and Human Services to provide limited  
2 transitional food benefits to working families who are food supplement benefit recipients  
3 with dependent children.

4 **PART T**  
5

6 This Part repeals the provision of law that requires nursing facilities to submit  
7 payment to the Department of Health and Human Services equal to 50% of Medicaid  
8 savings due the State pursuant to the principles of reimbursement. The department no  
9 longer calculates these savings.

10 **PART U**  
11

12 This Part requires remaining balances of funds appropriated for state supplemental  
13 income benefits to be carried forward from year to year.

14 **PART V**  
15

16 This Part requires that any remaining funds in the Department of Health and Human  
17 Services, Mental Health Services - Community program appropriated for rental assistance  
18 and shelter services be carried forward to the next fiscal year to be used for the same  
19 purpose.

20 **PART W**  
21

22 This Part amends the law that authorizes the Chief Justice of the Supreme Judicial  
23 Court to approve financial orders to further authorize revisions of and increases to  
24 allotment within the judicial branch. The procedure for judicial financial orders must  
25 follow the same procedures as the executive branch.

26 **PART X**  
27

28 This Part authorizes the transfer of year-end balances in the Personal Services line  
29 category to the Capital Construction/Repairs/Improvements - Corrections program after  
30 all financial commitments and budgetary adjustments are made.

31 **PART Y**  
32

33 This Part transfers \$600,000 from the unappropriated surplus of the General Fund to  
34 the Criminal Justice Academy program, Other Special Revenue Funds account within the  
35 Department of Public Safety.

36 **PART Z**  
37

38 This Part directs the State Controller to transfer \$700,000 from the unappropriated  
39 surplus of the General Fund to the Fire Marshal - Office of program, Other Special  
40 Revenue Funds account within the Department of Public Safety.

41 **PART AA**  
42

1 This Part requires the State Controller to transfer \$1,300,000 on or before June 30,  
2 2012 and \$950,000 on or before June 30, 2013 from the Commission on Governmental  
3 Ethics and Election Practices program, Other Special Revenue Funds account to the  
4 unappropriated surplus of the General Fund.

5 **PART BB**

6  
7 This Part provides that the unencumbered balance forward from the Department of  
8 Labor, Governor's Training Initiative Program, General Fund account lapses to the  
9 General Fund in fiscal year 2011-12.

10 **PART CC**

11  
12 This Part implements the recommendations of the working group established by  
13 Public Law 2011, chapter 380, Part FF regarding transfer of duties and responsibilities of  
14 the State Planning Office to other state departments and agencies.

15 This Part abolishes the State Planning Office.

16 **PART DD**

17  
18 This Part establishes in the Executive Department the Governor's Office of Policy  
19 and Management whose primary mission is to facilitate achievement of long-term state  
20 economic goals and objectives and improvement of efficiency and effectiveness with  
21 which State Government performs its functions and delivers services. The office's duties  
22 include a number of economic policy-related functions for which the Executive  
23 Department, State Planning Office has been responsible.

24 This Part incorporates the recommendations of the Joint Standing Committee on  
25 Judiciary, but adds that the court may issue the subpoena requested by the Governor's  
26 Office of Policy and Management only with specific findings of fact. The committee's  
27 recommendations include removing references to investigations and audits from the  
28 responsibilities of the Director of the Governor's Office of Policy and Management and  
29 changing those responsibilities to conducting research, reviews and studies. These  
30 recommendations also include changing the access to confidential records provisions of  
31 the office to provisions consistent with that of the State Auditor.

32 It also limits the number of temporary positions that may be created by financial  
33 order in the new office to a maximum of 4. This Part also establishes reporting  
34 provisions on the creation of the temporary positions to the chairs of the Joint Standing  
35 Committee on Appropriations and Financial Affairs within 30 days of creation. Only one  
36 of the positions may be an attorney performing the duties of an attorney admitted to the  
37 bar.

38 It also requires the director to report to the joint standing committee of the  
39 Legislature having jurisdiction over appropriations and financial affairs on the receipt of  
40 any outside sources of funding received and on any contracts awarded. The reports are  
41 due within 30 days of the receipt of funding or the award of a contract.

42 **PART EE**

1 This Part amends laws regarding state boards and commissions and natural resources-  
2 related planning functions to reflect the elimination of the Executive Department, State  
3 Planning Office and eliminates several boards and commissions for which the State  
4 Planning Office has provided support.

5 **PART FF**

6  
7 This Part transfers the Executive Department, State Planning Office's duties and  
8 responsibilities regarding training and certification for municipal code enforcement  
9 officers to the Department of Economic and Community Development, Office of  
10 Community Development.

11 It also adds a requirement that the Commissioner of Economic and Community  
12 Development and the Commissioner of Conservation submit a report to the Joint  
13 Standing Committee on Appropriations and Financial Affairs by November 15, 2012 on  
14 the status of the integration of the training and certification of code enforcement officers  
15 into the Department of Economic and Community Development and recommend any  
16 necessary changes.

17 **PART GG**

18  
19 This Part transfers the Executive Department, State Planning Office's duties and  
20 responsibilities regarding solid waste management and recycling policy to the  
21 Department of Environmental Protection and transfers ownership of state-owned landfills  
22 and related management duties and responsibilities to the Department of Administrative  
23 and Financial Services, Bureau of General Services.

24 **PART HH**

25  
26 This Part transfers the Executive Department, State Planning Office's duties and  
27 responsibilities as the state coordinating agency for the National Flood Insurance  
28 Program to the Department of Conservation.

29 **PART II**

30  
31 This Part transfers the duties, responsibilities and activities of the Executive  
32 Department, State Planning Office regarding provision of staff support for the Land for  
33 Maine's Future program to the Department of Conservation, Natural Areas Program.

34 **PART JJ**

35  
36 This Part transfers the Executive Department, State Planning Office's duties and  
37 responsibilities regarding planning and land use regulation to the Department of  
38 Conservation.

39 This Part retains the requirement that the Department of Conservation work with the  
40 Land and Water Resources Council.

41 It also directs the Commissioner of Conservation to designate the Director of Land  
42 Use Planning to coordinate technical assistance and provide guidance for state agencies

1 and local and regional comprehensive plans. The director may be assigned other duties  
2 by the Commissioner of Conservation.

3 It also requires the Commissioner of Conservation to designate the Director of the  
4 Land for Maine's Future program within the office of the commissioner.

5 **PART KK**

6  
7 This Part transfers the Executive Department, State Planning Office's duties and  
8 responsibilities as lead agency for the Maine Coastal Program to the Department of  
9 Conservation's Bureau of Geology and Natural Areas, renamed, accordingly, the Bureau  
10 of Geology, Natural Areas and Coastal Resources.

11 **PART LL**

12  
13 This Part transfers the Executive Department, State Planning Office's duties,  
14 responsibilities and activities regarding provision of administrative support for the Maine  
15 Commission for Community Service to the Department of Education.

16 **PART MM**

17  
18 This Part transfers the Executive Department, State Planning Office's duties and  
19 responsibilities regarding various energy policy-related matters to the Governor's Energy  
20 Office.

21 This Part also changes the name of the Governor's Office of Energy Independence  
22 and Security to the Governor's Energy Office. It also fixes cross-references to reflect the  
23 name change.

24 This Part also specifies that the Governor's Energy Office is funded by federal funds  
25 that are available to and received by the office. If federal funds are inadequate to meet  
26 the office's funding needs, the office may receive funds from the Efficiency Maine Trust  
27 but only for that portion of the office's activities that support or reasonably relate to the  
28 programs or activities of the Efficiency Maine Trust. Any additional funding of the  
29 office must be provided from the General Fund or other available resources.

30 **PART NN**

31  
32 This Part contains general transition provisions regarding transfer of the Executive  
33 Department, State Planning Office's duties, responsibilities and property to the other units  
34 of State Government as provided in the bill.

35 **PART OO**

36  
37 This Part amends the special education laws by:

38 1. Giving the Commissioner of Education, or the commissioner's designee,  
39 responsibility for developing and implementing a funding mechanism for the operation of  
40 the state intermediate educational unit and the delivery of services to eligible children  
41 with disabilities from birth to under 6 years of age;





1 It requires the Commissioner of Health and Human Services to identify  
2 improvements to the organizational efficiency and cost-effectiveness of the state  
3 psychiatric centers. It provides the authority to transfer positions and funding by financial  
4 order and specifies that only transfers made before September 1, 2012 are considered  
5 adjustments to authorized position count, appropriations and allocations. It also includes a  
6 reporting requirement.

7 This Part appropriates Unallocated funds for the Riverview Psychiatric Center and  
8 provides authority for the State Budget Officer to make necessary transfers of the funds  
9 and any affected positions by financial order upon approval of the Governor. It also  
10 requires a report on position count and amounts transferred.

11 **PART BBB**

12  
13 This Part requires the Commissioner of Administrative and Financial Services to  
14 consult with the Maine Public Broadcasting Network and the Department of Defense,  
15 Veterans and Emergency Management, Maine Emergency Management Agency and  
16 other state agencies as needed regarding the costs incurred by the Maine Public  
17 Broadcasting Network to provide statewide emergency broadcasting services on a fee-  
18 for-service basis and a plan to reduce the appropriation provided by the State over the  
19 next 5 years, gradually shifting to a fee-for-service contract.

20 This Part requires the Commissioner of Administrative and Financial Services to  
21 submit a report, together with any necessary implementing legislation, to the Joint  
22 Standing Committee on Appropriations and Financial Affairs by September 15, 2012 and  
23 allows the joint standing committee to report out a bill to the First Regular Session of the  
24 126th Legislature.

25 **PART CCC**

26  
27 This Part transfers any balance in the Debt Service - Government Facilities Authority  
28 program at the end of fiscal year 2011-12 to the Capital  
29 Construction/Repairs/Improvements - Administration program in the Department of  
30 Administrative and Financial Services.

31 **PART DDD**

32  
33 This Part reduces the interfund advance from Other Special Revenue Funds to the  
34 General Fund unappropriated surplus required for one day at the end of fiscal year 2011-  
35 12 from \$103,500,000 to \$91,000,000.

36 **PART EEE**

37  
38 This Part establishes the Electronic Monitoring Fund within the Department of  
39 Corrections. It requires the Commissioner of Corrections to consult with the Maine  
40 Commission on Domestic and Sexual Abuse and other interested parties to develop a plan  
41 to expand the use of electronic monitoring in cases involving domestic violence, subject  
42 to the availability of donations made to the Electronic Monitoring Fund. It also includes  
43 a \$500 Other Special Revenue Funds allocation in fiscal year 2012-13.

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**PART FFF**

This Part requires the Commissioner of Education and the Commissioner of Labor to work together to identify \$287,541 in efficiencies and savings within existing General Fund programs of the Department of Education and the Department of Labor in order to support the cost of one full-time Blindness and Rehabilitation Specialist position within the Department of Labor, Division for the Blind and Visually Impaired; one Teacher of Visually Impaired Children contracted position; and 2 Vision Rehabilitation Therapist contracted positions to provide services to blind and visually impaired children and adults.

The Part also requires the Commissioner of Education and the Commissioner of Labor to present their findings no later than September 15, 2012 to the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Labor, Commerce, Research and Economic Development along with a plan to apply the identified savings to support the positions.

**PART GGG**

This Part provides that an employee whose position is eliminated pursuant to Part A who, but for having less than 10 years of state service, is eligible for retirement and who is unable to find employment in another position in state service is entitled to continued coverage under the state employee health insurance program and the State is required to continue to pay that employee's premium.

**FISCAL NOTE REQUIRED**

**(See attached)**