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Public Law
123rd Legislature
First Regular Session

Chapter 240
H.P. 383 - L.D. 499

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

PART B

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made to provide funding for approved reclassifications and range changes.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: Reclassifications

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2007-08	2008-09
Personal Services	\$14,503	\$17,372
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ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	\$14,503	\$17,372

Buildings and Grounds Operations 0080

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$41,166	\$44,141
All Other	(\$41,166)	(\$44,141)
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GENERAL FUND TOTAL	\$0	\$0

Central Services - Purchases 0004

Initiative: Reclassifications

POSTAL, PRINTING AND SUPPLY FUND	2007-08	2008-09
Personal Services	\$366	\$371
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POSTAL, PRINTING AND SUPPLY FUND TOTAL	\$366	\$371

Information Services 0155

Initiative: Reclassifications

OFFICE OF INFORMATION SERVICES FUND	2007-08	2008-09
Personal Services	\$65,826	\$79,374
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OFFICE OF INFORMATION SERVICES FUND TOTAL	\$65,826	\$79,374

Revenue Services - Bureau of 0002

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$9,019	\$11,237
All Other	(\$9,019)	(\$11,237)
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GENERAL FUND TOTAL	\$0	\$0

Workers' Compensation Management Fund Program 0802

Initiative: Reclassifications

WORKERS' COMPENSATION MANAGEMENT FUND	2007-08	2008-09
Personal Services	\$27,314	\$27,564
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WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$27,314	\$27,564

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

	2007-08	2008-09
GENERAL FUND	\$0	\$0

POSTAL, PRINTING AND SUPPLY FUND	\$366	\$371
OFFICE OF INFORMATION SERVICES FUND	\$65,826	\$79,374
WORKERS' COMPENSATION MANAGEMENT FUND	\$27,314	\$27,564
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	\$14,503	\$17,372

DEPARTMENT TOTAL - ALL FUNDS	\$108,009	\$124,681
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AUDIT, DEPARTMENT OF

Audit - Unorganized Territory 0075

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$19,970	\$2,983

OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,970	\$2,983
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AUDIT, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
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OTHER SPECIAL REVENUE FUNDS	\$19,970	\$2,983
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DEPARTMENT TOTAL - ALL FUNDS	\$19,970	\$2,983
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BAXTER STATE PARK AUTHORITY

Baxter State Park Authority 0253

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$14,640	\$15,451

OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,640	\$15,451
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BAXTER STATE PARK AUTHORITY DEPARTMENT TOTALS	2007-08	2008-09
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OTHER SPECIAL REVENUE FUNDS	\$14,640	\$15,451
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DEPARTMENT TOTAL - ALL FUNDS	\$14,640	\$15,451
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CONSERVATION, DEPARTMENT OF

Boating Facilities Fund 0226

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$11,894	\$14,280
All Other	(\$11,894)	(\$14,280)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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Division of Forest Protection 0232

Initiative: Reclassification

GENERAL FUND	2007-08	2008-09
Personal Services	\$2,264	\$2,400
All Other	(\$2,264)	(\$2,400)

GENERAL FUND TOTAL	\$0	\$0
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Forest Policy and Management - Division of 0240

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$5,044	\$5,201
All Other	(\$5,044)	(\$5,201)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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Geological Survey 0237

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$5,336	\$5,386
All Other	(\$5,336)	(\$5,386)

GENERAL FUND TOTAL	\$0	\$0
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Parks - General Operations 0221

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$2,595	\$1,415
All Other	(\$2,595)	(\$1,415)
GENERAL FUND TOTAL	\$0	\$0

CONSERVATION, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

CORRECTIONS, DEPARTMENT OF

Administration - Corrections 0141

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$9,677	\$12,031
All Other	(\$9,677)	(\$12,031)
GENERAL FUND TOTAL	\$0	\$0

Correctional Center 0162

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$22,111	\$23,750
All Other	(\$22,111)	(\$23,750)

GENERAL FUND TOTAL \$0 \$0

Justice - Planning, Projects and Statistics 0502

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$4,340	\$2,292
All Other	(\$4,340)	(\$2,292)
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GENERAL FUND TOTAL	\$0	\$0

Juvenile Community Corrections 0892

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$4,341	\$2,291
All Other	(\$4,341)	(\$2,291)
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GENERAL FUND TOTAL	\$0	\$0

Long Creek Youth Development Center 0163

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$8,626	\$10,081
All Other	(\$8,626)	(\$10,081)
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GENERAL FUND TOTAL	\$0	\$0

Mountain View Youth Development Center 0857

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$4,986	\$5,031
All Other	(\$4,986)	(\$5,031)
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GENERAL FUND TOTAL	\$0	\$0

State Prison 0144

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$45,762	\$51,362
All Other	(\$45,762)	(\$51,362)
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GENERAL FUND TOTAL	\$0	\$0

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Military Training and Operations 0108

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	(\$16,872)	(\$17,028)
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GENERAL FUND TOTAL	(\$16,872)	(\$17,028)

Veterans Services 0110

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$16,872	\$17,028
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GENERAL FUND TOTAL	\$16,872	\$17,028

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09

GENERAL FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Business Development 0585

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$18,144	\$22,855
All Other	(\$18,144)	(\$22,855)
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GENERAL FUND TOTAL	\$0	\$0

Maine State Film Office 0590

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$5,638	\$5,692
All Other	(\$5,638)	(\$5,692)
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GENERAL FUND TOTAL	\$0	\$0

**ECONOMIC AND COMMUNITY DEVELOPMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2007-08	2008-09
GENERAL FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

EDUCATION, DEPARTMENT OF

Learning Systems 0839

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$7,715	\$8,842

FEDERAL EXPENDITURES FUND TOTAL	\$7,715	\$8,842
EDUCATION, DEPARTMENT OF		
DEPARTMENT TOTALS	2007-08	2008-09
FEDERAL EXPENDITURES FUND	\$7,715	\$8,842
DEPARTMENT TOTAL - ALL FUNDS	\$7,715	\$8,842

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land and Water Quality 0248

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$3,619	\$3,652
All Other	(\$3,619)	(\$3,652)
GENERAL FUND TOTAL	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$4,347	\$4,388
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,347	\$4,388

Maine Environmental Protection Fund 0421

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$25,502	\$28,617
All Other	\$530	\$596
OTHER SPECIAL REVENUE FUNDS TOTAL	\$26,032	\$29,213

Performance Partnership Grant 0851

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$26,431	\$30,440
All Other	\$438	\$520
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$26,869	\$30,960

Remediation and Waste Management 0247

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$2,245	\$2,664
All Other	(\$2,245)	(\$2,664)
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GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$10,469	\$10,821
All Other	\$218	\$225
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,687	\$11,046

ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$26,869	\$30,960
OTHER SPECIAL REVENUE FUNDS	\$41,066	\$44,647
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DEPARTMENT TOTAL - ALL FUNDS	\$67,935	\$75,607

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Bureau of Child and Family Services - Regional 0452

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$2,496	\$2,517
All Other	(\$2,496)	(\$2,517)

GENERAL FUND TOTAL	\$0	\$0
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Bureau of Medical Services 0129

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$3,981	\$4,013
All Other	(\$3,981)	(\$4,013)
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$11,951	\$12,043
FEDERAL EXPENDITURES FUND TOTAL	\$11,951	\$12,043

Drinking Water Enforcement 0728

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$7,875	\$8,505
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,875	\$8,505

Elder and Adult Services - Bureau of 0140

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$5,323	\$5,777
FEDERAL EXPENDITURES FUND TOTAL	\$5,323	\$5,777

Health - Bureau of 0143

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$9,586	\$9,614
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FEDERAL EXPENDITURES FUND TOTAL	\$9,586	\$9,614

Maternal and Child Health 0191

Initiative: Reclassifications

FEDERAL BLOCK GRANT FUND	2007-08	2008-09
Personal Services	\$4,499	\$5,249
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FEDERAL BLOCK GRANT FUND TOTAL	\$4,499	\$5,249

Office of Integrated Access and Support - Central Office Z020

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$6,642	\$6,702
All Other	(\$6,642)	(\$6,702)
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GENERAL FUND TOTAL	\$0	\$0

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

	2007-08	2008-09
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$26,860	\$27,434
OTHER SPECIAL REVENUE FUNDS	\$7,875	\$8,505
FEDERAL BLOCK GRANT FUND	\$4,499	\$5,249
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DEPARTMENT TOTAL - ALL FUNDS	\$39,234	\$41,188

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Endangered Nongame Operations 0536

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$6,225	\$6,418

FEDERAL EXPENDITURES FUND TOTAL	\$6,225	\$6,418
OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$2,073	\$2,136
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,073	\$2,136

Public Information and Education, Division of 0729

Initiative: Reclassifications

GENERAL FUND	2007-08	2008-09
Personal Services	\$4,289	\$4,330
All Other	(\$4,289)	(\$4,330)
GENERAL FUND TOTAL	\$0	\$0

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS

	2007-08	2008-09
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$6,225	\$6,418
OTHER SPECIAL REVENUE FUNDS	\$2,073	\$2,136
DEPARTMENT TOTAL - ALL FUNDS	\$8,298	\$8,554

LABOR, DEPARTMENT OF

Employment Security Services 0245

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$4,174	\$7,551
All Other	(\$4,174)	(\$7,551)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Safety Education and Training Programs 0161

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$2,873	\$2,900
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,873	\$2,900
LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
FEDERAL EXPENDITURES FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$2,873	\$2,900
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DEPARTMENT TOTAL - ALL FUNDS	\$2,873	\$2,900

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: Reclassification

GENERAL FUND	2007-08	2008-09
Personal Services	\$24,467	\$16,531
All Other	(\$24,467)	(\$16,531)
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GENERAL FUND TOTAL	\$0	\$0

LIBRARY, MAINE STATE DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

MARINE RESOURCES, DEPARTMENT OF

Sea Run Fisheries and Habitat Z049

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2007-08	2008-09
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Personal Services	\$3,088	\$3,498
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FEDERAL EXPENDITURES FUND TOTAL	\$3,088	\$3,498
MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
FEDERAL EXPENDITURES FUND	\$3,088	\$3,498
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DEPARTMENT TOTAL - ALL FUNDS	\$3,088	\$3,498

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Insurance - Bureau of 0092

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$5,475	\$5,529
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,475	\$5,529

Licensing and Enforcement 0352

Initiative: Reclassification

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$4,778	\$5,009
All Other	(\$4,778)	(\$5,009)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Nursing - Board of 0372

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$7,087	\$7,154
All Other	\$101	\$102
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,188	\$7,256

Office of Consumer Credit Regulation 0091

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$3,465	\$5,609
All Other	(\$3,465)	(\$5,609)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
OTHER SPECIAL REVENUE FUNDS	\$12,663	\$12,785
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DEPARTMENT TOTAL - ALL FUNDS	\$12,663	\$12,785

PUBLIC SAFETY, DEPARTMENT OF

Fire Marshal - Office of 0327

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$2,400	\$3,202
All Other	(\$2,400)	(\$3,202)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

SECTION TOTALS	2007-08	2008-09
GENERAL FUND	\$0	\$0

FEDERAL EXPENDITURES FUND	\$70,757	\$77,152
OTHER SPECIAL REVENUE FUNDS	\$101,160	\$89,407
FEDERAL BLOCK GRANT FUND	\$4,499	\$5,249
POSTAL, PRINTING AND SUPPLY FUND	\$366	\$371
OFFICE OF INFORMATION SERVICES FUND	\$65,826	\$79,374
WORKERS' COMPENSATION MANAGEMENT FUND	\$27,314	\$27,564
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	\$14,503	\$17,372
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SECTION TOTAL - ALL FUNDS	\$284,425	\$296,489

PART C

Sec. C-1. 20-A MRSA §253, sub-§8 is enacted to read:

8. Statewide support for efficiencies. The commissioner may expend and disburse funds for the statewide support of operational efficiencies for school administrative units.

Sec. C-2. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2005, c. 2, Pt. D, §34 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

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

- (1) For fiscal year 2005-06, the target is 52.6%.
- (2) For fiscal year 2006-07, the target is 53.86%.
- (3) For fiscal year 2007-08, the target is ~~54.44%~~53.51%.
- (4) For fiscal year 2008-09 and succeeding years, the target is 55%.

Sec. C-3. 20-A MRSA §15689, sub-§1, ¶B, as affected by PL 2005, c. 12, Pt. WW, §18 and amended by c. 457, Pt. I, §1, is further amended to read:

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

- (1) In fiscal year 2005-06, 84%;
- (2) In fiscal year 2006-07, 84%;
- (3) In fiscal year 2007-08, ~~95%~~84%; and

(4) In fiscal year 2008-09 and succeeding years, 100%.

Sec. C-4. 20-A MRSA §15689-A, sub-§13 is enacted to read:

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

Sec. C-5. 20-A MRSA §15689-A, sub-§14 is enacted to read:

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

Sec. C-6. 20-A MRSA §15689-A, sub-§15 is enacted to read:

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

Sec. C-7. 20-A MRSA §15689-D, as enacted by PL 2005, c. 2, Pt. D, §61 and affected by §§72 and 74 and affected by c. 12, Pt. WW, §18, is amended to read:

§ 15689-D. Governor's recommendation for funding levels

The Department of Administrative and Financial Services, Bureau of the Budget shall annually certify to the Legislature the funding levels that the Governor recommends under sections 15683, 15683-A, 15689 and 15689-A. The Governor's recommendations must be transmitted to the Legislature within the time schedules set forth in Title 5, section 1666. The commissioner may adjust, consistent with the Governor's recommendation for funding levels, per-pupil amounts not related to staffing pursuant to section 15680 and targeted funds pursuant to section 15681.

Sec. C-8. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2007-08 is 7.44.

Sec. C-9. Limitation of increases. Notwithstanding any other provision of law, for fiscal year 2007-08 a school administrative unit may not receive more than a 15% increase in general purpose aid for local schools from 2006-07 to 2007-08 including transition adjustments and excluding any decline in total debt service allocation. For fiscal year 2007-08, the maximum state and local spending target pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A must exclude the amount resulting from the 15% limitation of increases for those school administrative units affected by this limitation.

Sec. C-10. Total cost of funding public education from kindergarten to grade 12. The total cost of funding public education from kindergarten to grade 12 for fiscal year 2007-08 is as follows:

	2007-08
	TOTAL
Total Operating Allocation	

Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 without transition percentage	\$1,351,740,918
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 95% transition percentage	\$1,284,153,872
Transition adjustments pursuant to the Maine Revised Statutes, Title 20-A, section 15686	\$3,264,728
Total other subsidizable costs pursuant to the Maine Revised Statutes, Title 20-A, section 15681-A	\$377,071,968
Total Operating Allocation	<hr/>
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 with 95% transition percentage plus transition adjustment pursuant to Title 20-A, section 15686 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$1,664,490,568
Total Debt Service Allocation	
Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A	\$90,484,971
Total Adjustments and Miscellaneous Costs	
Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, sections 15689 and 15689-A	\$72,648,239
Total Cost of Funding Public Education from Kindergarten to Grade 12	<hr/>
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2007-08 pursuant to the Maine Revised Statutes, Title 20-A, chapter 606-B	\$1,827,623,778

Sec. C-11. Local and state contributions to total cost of funding public education from kindergarten to grade 12. The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2007 and ending June 30, 2008 is calculated as follows:

	2007-08 LOCAL	2007-08 STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		

Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$846,003,440	\$981,620,338
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Limitation of Increases to the State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12

Limitation of increases to the state contributions to the total cost of funding public education from kindergarten to grade 12	\$0	(\$3,661,953)
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Adjusted Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12

Adjusted local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$0	\$977,958,385
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Sec. C-12. Limit of State's obligation. If the State's continued obligation for any individual component contained in sections 10 and 11 of this Part exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from sections 10 and 11 of this Part do not lapse but must be carried forward for the same purpose.

Sec. C-13. Authorization of payments. Sections 1 to 11 of this Part may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2007 and ending June 30, 2008.

PART D

Sec. D-1. 20-A MRSA §13013-A, sub-§2, as enacted by PL 2005, c. 519, Pt. AAAA, §1, is amended to read:

2. Local filing; certification. On or before October 15th annually, the superintendent of schools of a school administrative unit or the chief administrative officer of a career and technical education region shall file with the commissioner a certified list of national board-certified teachers eligible to receive the salary supplement pursuant to subsection 1.

Sec. D-2. 20-A MRSA §13013-A, sub-§4, as enacted by PL 2005, c. 683, Pt. H, §1, is amended to read:

4. Expend funds. ~~For fiscal year 2006-07 only, a~~ school administrative unit may expend funds received through the salary supplement under subsection 1 without calling for a special meeting of the local legislative body.

Sec. D-3. 20-A MRSA §15689, sub-§1-A, as enacted by PL 2005, c. 519, Pt. AAAA, §14, is amended to read:

1-A. Adjustments to state contributions to member municipalities in certain school districts. Beginning in fiscal year 2007-08, the minimum state allocation provisions of subsection 1 are applicable for each case when one or more member municipalities, but not all the district's member municipalities, have a local contribution that is below the mill rate expectation established pursuant to section 15671-A and a member municipality's local contribution pursuant to section 15688 is 5% greater than that municipality's local share would have been under its existing local cost-sharing formula. For each school district eligible under this subsection, the minimum state allocation provisions of subsection 1 are applicable for each member municipality that has a local contribution that is below the mill rate expectation established pursuant to section 15671-A, except that the transition percentages in section 15689, subsection 1, paragraph B must be applied and the results must be multiplied by the percentage of calendar year resident pupils in the member municipality. A school administrative district or community school district that meets the eligibility criteria in this subsection must have its local contribution adjusted as follows.

A. The municipality's local contribution as determined pursuant to section 15688 must be reduced by an amount equal to the municipality's minimum special education allocation as determined in this subsection.

Sec. D-4. 20-A MRSA §15689, sub-§7, ¶A, as enacted by PL 2005, c. 635, §9, is amended to read:

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

(1) "Qualifying school administrative unit" means a school administrative unit or a career and technical education region that the commissioner has determined has a locally established salary schedule with a minimum teacher salary of less than \$30,000 in school year 2008-2009.

Sec. D-5. 20-A MRSA §15689, sub-§7, ¶D, as enacted by PL 2005, c. 683, Pt. H, §2, is amended to read:

D. ~~For fiscal year 2006-07 only, a~~ school administrative unit may expend any funds received through the adjustment under this section without calling for a special meeting of the local legislative body.

Sec. D-6. 20-A MRSA §15689, sub-§9 is enacted to read:

9. Regionalization, consolidation and efficiency assistance adjustment. The commissioner may expend and disburse funds limited to the amount appropriated by the Legislature to carry out the purposes of promoting regionalization, consolidation and efficiency. These funds must be an adjustment to the qualifying school administrative unit's state allocation.

Sec. D-7. 20-A MRSA §15689-A, sub-§5, as enacted by PL 2005, c. 2, Pt. D, §61 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is repealed.

Sec. D-8. 20-A MRSA §15689-A, sub-§10, as amended by PL 2005, c. 519, Pt. J, §2, is further amended to read:

10. Data management and support services for essential programs and services.

The commissioner may pay costs attributed to system maintenance and staff support necessary to implement the requirements of the Essential Programs and Services Funding Act. A transfer of All Other funds from the General Purpose Aid for Local Schools account to Personal Services in the Management Information Systems account for 56.615 positions that provide professional and administrative support to general purpose aid for local schools in the department's management information systems program may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.

Sec. D-9. 20-A MRSA §15689-A, sub-§12-A is enacted to read:

12-A. Learning through technology. The commissioner may pay costs attributed to staff support and system maintenance for a program that promotes learning through technology. A transfer of All Other funds from the General Purpose Aid for Local Schools account to Personal Services and All Other line categories in the Learning Through Technology General Fund account sufficient to support the Personal Services and All Other costs of one Education Team and Policy Director position, one Education Specialist III position, one Planning and Research Associate I position and the agreement that provides one-to-one wireless computers for 7th grade, 8th grade and high school students and educators may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.

PART E

Sec. E-1. 20-A MRSA §15754, as amended by PL 2005, c. 386, Pt. E, §1, is repealed.

PART F

Sec. F-1. 21-A MRSA §1125, sub-§3, ¶A, as enacted by IB 1995, c. 1, §17, is amended to read:

A. For a gubernatorial candidate, at least 2,5003,250 verified registered voters of this State must support the candidacy by providing a qualifying contribution to that candidate;

Sec. F-2. General Fund transfer to Maine Clean Election Fund. Notwithstanding Title 21-A, section 1124, subsection 2, paragraph B, in lieu of the \$2,000,000 transfer authorized to be made on January 1, 2009, the State Controller shall transfer \$700,000 from the General Fund to the Maine Clean Election Fund on September 1, 2008 in order to ensure that adequate funds will be available to the Commission on Governmental Ethics and Election Practices.

PART G

Sec. G-1. Calculation and transfer; General Fund health insurance savings.

Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 2 that apply against each General Fund account for all departments and agencies except legislative branch departments and agencies from savings in the cost of health insurance and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2007-08 and 2008-09. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts no later than November 1, 2007.

Sec. G-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 to reflect savings to the State for the cost of health insurance.

GENERAL FUND	2007-08	2008-09
Personal Services	(\$782,570)	(\$1,668,244)
	<hr/>	
GENERAL FUND TOTAL	(\$782,570)	(\$1,668,244)

Departments and Agencies - Statewide 0016

Initiative: Savings achieved through changes to be adopted by the State Employee Health Commission.

GENERAL FUND	2007-08	2008-09
Personal Services	(\$500,000)	(\$500,000)
	<hr/>	
GENERAL FUND TOTAL	(\$500,000)	(\$500,000)

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

	2007-08	2008-09
GENERAL FUND	(\$1,282,570)	(\$2,168,244)
	<hr/>	
DEPARTMENT TOTAL - ALL FUNDS	(\$1,282,570)	(\$2,168,244)

PART H

Sec. H-1. 36 MRSA §4641-B, sub-§4, as amended by PL 2005, c. 644, §4, is further amended to read:

4. Distribution of State's share of proceeds. The State Tax Assessor shall pay all net receipts received pursuant to this section to the Treasurer of State, and shall at the same time provide the Treasurer of State with documentation showing the amount of revenues derived from the tax imposed by section 4641-A, subsection 1 and the amount of revenues derived from the tax imposed by section 4641-A, subsection 2. The Treasurer of State shall credit 1/2 of the revenues derived from the tax imposed by section 4641-A, subsection 1 to the General Fund and shall monthly pay the remaining 1/2 of such revenues to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853, except that in fiscal year 2003-04, fiscal year 2004-05 and fiscal year 2005-06, \$7,500,000 of the remaining 1/2 of those revenues must be transferred to the General Fund before any payments are made to the Maine State Housing Authority and, in fiscal year 2006-07, \$7,687,067 of the remaining 1/2 of those revenues must be transferred to the General Fund before any payments are made to the Maine State Housing Authority and in fiscal year 2007-08 and fiscal year 2008-09, \$5,000,000 of the remaining 1/2 of those revenues must be transferred to the General Fund before any payments are made to the Maine State Housing Authority. The Treasurer of State shall credit to the General Fund all of the revenues derived from the tax imposed by section 4641-A, subsection 2.

PART I

Sec. I-1. 5 MRSA §935, sub-§1, ¶H, as enacted by PL 1983, c. 729, §4, is repealed.

PART J

Sec. J-1. Transfer of funds; overtime expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Corrections, upon approval of the Governor, is authorized to transfer, by financial order, Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the purpose of paying overtime expenses.

PART K

Sec. K-1. 5 MRSA §13110, first ¶, as enacted by PL 2003, c. 673, Pt. M, §8, is amended to read:

The office, the University of Maine System and the ~~EPSCoR steering committee~~Governor's Maine Science and Technology Advisory Council are jointly responsible for the administration of the Maine Experimental Program to Stimulate Competitive Research, referred to in this chapter as "the Maine EPSCoR Program," which is established in this section as a partnership effort between the State Government and the Federal Government to strengthen the State's science and engineering infrastructure.

Sec. K-2. 5 MRSA §13110, sub-§2, as enacted by PL 2003, c. 673, Pt. M, §8, is amended to read:

2. Policy recommendation. Through the office, the University of Maine System and the ~~EPSCoR steering committee~~Governor's Maine Science and Technology Advisory Council, the Maine EPSCoR Program may recommend to the Governor and the Legislature policies and programs essential to the strengthening of the State's science and engineering infrastructure.

Sec. K-3. 5 MRSA §13110-A, sub-§1, ¶C, as enacted by PL 2003, c. 673, Pt. M, §8, is amended to read:

C. "Research capacity committee" means the ~~EPSCoR steering committee~~Governor's Maine Science and Technology Advisory Council referred to in section 13110.

PART L

Sec. L-1. Program name change. The Maine Small Business Commission program within the Department of Economic and Community Development is renamed the Maine Small Business and Entrepreneurship Commission program.

PART M

Sec. M-1. Voluntary employee incentive programs. Notwithstanding the Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of Administrative and Financial Services shall offer for use prior to July 1, 2009 special voluntary employee incentive programs for state employees, including a 50% workweek option, flexible position staffing and time off without pay. Employee participation in a voluntary employee incentive program is subject to the approval of the employee's appointing authority.

Sec. M-2. Continuation of health insurance. Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and section 903, the State shall continue to pay health and dental insurance benefits for state employees who apply prior to July 1, 2009 to participate in a voluntary employee incentive program under section 1 based upon the scheduled workweek in effect prior to the employee's participation in the voluntary employee incentive program.

Sec. M-3. Continuation of group life insurance. Notwithstanding the Maine Revised Statutes, Title 5, sections 903 and 18056 and the rules of the Maine State Retirement System, the life, accidental death and dismemberment, supplemental and dependent insurance amounts for a state employee who applies prior to July 1, 2009 to participate in a voluntary employee incentive program under section 1 are based upon the scheduled hours of the employee prior to the employee's participation in the voluntary employee incentive program.

Sec. M-4. General Fund savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall transfer the General Fund savings resulting from the voluntary employee incentive programs under section 1 to the General Fund Compensation and Benefit Plan account in the Department of Administrative and Financial Services. The State Budget Officer shall submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report of the transferred amounts no later than January 15, 2009.

Sec. M-5. Lapsed balances. Notwithstanding any other provision of law, \$350,000 in fiscal year 2007-08 and \$350,000 in fiscal year 2008-09 of savings identified from the voluntary employee incentive programs in this Part lapse to the General Fund.

PART N

Sec. N-1. Transfer of Personal Services appropriation. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, available balances of General Fund appropriations for Personal Services in fiscal year 2007-08 and fiscal year 2008-09 may be transferred by financial order between programs and departments within the General Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees.

PART O

Sec. O-1. 12 MRSA §10202, sub-§9, as amended by PL 2005, c. 12, Pt. Z, §1, is further amended to read:

9. Fiscal Stability Program. The Fiscal Stability Program is established to ensure that the general public and hunters and anglers share the cost of the fish and wildlife conservation programs of the department. To achieve this goal, beginning with the ~~2008-2009~~2010-2011 biennial budget and for each biennial budget thereafter, the biennial budget submitted by the executive branch must include an additional General Fund appropriation of 18% in excess of the department's requested biennial budget.

PART P

Sec. P-1. 35-A MRSA §116, sub-§4, as amended by PL 1997, c. 586, §4, is further amended to read:

4. Use of funds. The Public Utilities Commission may use the revenues provided in accordance with this section ~~to fund 65 employees and~~ to defray the costs incurred by the commission pursuant to this Title, including administrative expenses, general regulatory expenses, consulting fees and all other reasonable costs incurred to administer this Title.

PART Q

Sec. Q-1. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$11,000,000 in fiscal year 2007-08 and \$6,000,000 in fiscal year 2008-09 for the purpose of paying the cost, including preliminary planning costs, including but not limited to needs assessments and space planning, master planning, capital asset assessments, concept design, design development and final design including construction drawings, associated with capital repairs and improvements to state-owned facilities throughout the State as designated by the Commissioner of Administrative and Financial Services. The authority may also issue additional securities in its own name in an amount up to \$750,000 in fiscal year 2007-08 for preconstruction costs and capital improvements for a Department of Corrections project at the Bangor campus and for other capital improvements at the correctional facilities within the Department of Corrections any part or all of which may be advanced by the Department of Administrative and Financial Services, Bureau of General Services with reimbursement upon issuance of the additional securities.

Sec. Q-2. Proceeds. The proceeds from the sale of the securities issued by the Maine Governmental Facilities Authority pursuant to the Maine Revised Statutes, Title 4, section 1606 must be used solely for the purpose for which the securities were authorized.

Sec. Q-3. Debt Service - Governmental Facilities Authority account; balance carried forward. Notwithstanding any other provision of law, any unexpended balance in the Debt Service - Governmental Facilities Authority, General Fund account in the Department of Administrative and Financial Services on June 30, 2007 must be carried forward for the same purpose until June 30, 2009.

PART R

Sec. R-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing arrangements in fiscal years 2007-08 and 2008-09 for the acquisition of motor vehicles for the Central Fleet Management Division. The financing agreements entered into in each fiscal year may not exceed \$5,000,000 in principal costs, and a financing arrangement may not exceed 4 years in duration. The interest rate may not exceed 8%. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Fleet Management Division account.

Sec. R-2. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, may enter into financing arrangements in fiscal years 2007-08 and 2008-09 for the acquisition of motor vehicles for the State Police. The financing arrangements entered into each fiscal year may not exceed \$1,800,000 in principal costs, and a financing arrangement may not exceed 3 years in duration. The interest rate may not exceed 8%, and total interest costs with respect to the financing arrangements entered into in each fiscal year may not exceed \$300,000. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the Department of Public Safety General Fund and Highway Fund accounts.

Sec. R-3. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, Office of Information Technology may enter into financing arrangements on or after January 1, 2009 for the acquisition of hardware, software and systems to support the operations of the Statewide Radio and Network System Reserve Fund, established in Title 5, section 1520. The financial agreements may not exceed 7 years in duration and \$15,000,000 in principal costs. The interest rate may not exceed 7% and interest costs may not exceed \$4,230,000. Annual principal and interest costs must be paid from the Office of Information Technology, Statewide Radio and Network System Reserve Fund.

PART S

Sec. S-1. 30-A MRSA §5681, sub-§5, ¶A, as amended by PL 2005, c. 12, Pt. E, §1, is further amended to read:

A. For months beginning before July 1, ~~2007~~2009, 5.1%; and

Sec. S-2. 30-A MRSA §5681, sub-§5, ¶B, as amended by PL 2005, c. 12, Pt. E, §1, is further amended to read:

B. For months beginning on or after July 1, ~~2007~~2009, 5.2%.

PART T

Sec. T-1. Prepayment of the annual cost of teachers' retirement. The State Controller shall pay the annual cost of teachers' retirement for fiscal year 2008-09 on or before July 15, 2008 if the State Controller determines, after consultation with the State Treasurer, that there is sufficient cash flow in the General Fund to pay the entire amount due. If the State Controller determines insufficient cash flow exists to make the entire payment of the annual cost on or before July 15, 2008, the State Controller shall submit a plan to the Joint Standing Committee on Appropriations and Financial Affairs by January 1, 2008 to accelerate payments in a manner that does not adversely affect the General Fund's operating cash or adversely affect the State Treasurer's cash pool.

Sec. T-2. Savings calculated. The Maine State Retirement System shall calculate the annualized savings to the State by moving the payment date in accordance with any plan developed by the State Controller related to payment of the annual cost of teacher's retirement for fiscal year 2008-09.

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

EDUCATION, DEPARTMENT OF

Teacher Retirement 0170

Initiative: Deappropriates funds due to prepaying of retirement benefits on or before July 15, 2008 for fiscal year 2008-09.

GENERAL FUND	2007-08	2008-09
All Other	\$0	(\$6,794,273)
	\$0	(\$6,794,273)
GENERAL FUND TOTAL	\$0	(\$6,794,273)

PART U

Sec. U-1. 3 MRSA §753, as enacted by PL 1985, c. 507, §1, is repealed and the following enacted in its place:

§ 753. Expenses

All administrative operating expenses of the Maine Legislative Retirement System must be charged to the assets of the Maine Legislative Retirement System.

Sec. U-2. 3 MRSA §803, sub-§4, as enacted by PL 1985, c. 507, §1, is amended to read:

4. Minimum amount of employer contribution. The aggregate payment by the State into the fund ~~shall~~must be at least sufficient to provide the benefits payable out of the fund and the administrative operating expenses of the Maine Legislative Retirement System during the current year.

Sec. U-3. 4 MRSA §1253, as enacted by PL 1983, c. 853, Pt. C, §§15 and 18, is repealed and the following enacted in its place:

§ 1253. Expenses

All administrative operating expenses of the Maine Judicial Retirement System must be charged to the assets of the funds of the Maine Judicial Retirement System.

Sec. U-4. 4 MRSA §1303, sub-§4, as enacted by PL 1983, c. 853, Pt. C, §§15 and 18, is amended to read:

4. Minimum amount of employer contribution. The aggregate payment by the State into the fund ~~shall~~must be at least sufficient to provide the benefits payable out of the fund and the administrative operating expenses of the Maine Judicial Retirement System during the current year.

Sec. U-5. 5 MRSA §17102, sub-§7, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

7. Expenses. The necessary expenses incurred by the board in the operation of the retirement system ~~shall~~must be paid ~~from the funds so allocated~~according to the purpose for which they are incurred from the assets of the fund or funds established in section 17152.

Sec. U-6. 5 MRSA §17154, sub-§6, as amended by PL 2005, c. 2, Pt. D, §1 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

6. Payment of employer charges for teachers. For teachers, percentage rates to be predetermined by the actuary and approved by the board ~~shall~~must be applied to the total earnable compensation of members covering the most recent school year preceding the preparation of the biennial budget.

A. The resulting amount ~~shall~~must be appropriated and credited to the appropriate funds.

B. Notwithstanding this section, the employer retirement costs and administrative operating expenses related to the retirement ~~system~~plans applicable to those teachers whose funding is provided from federal grants or through federal reimbursement ~~shall~~must be paid by local school systems from those federal funds.

C. Notwithstanding this section, the employer retirement ~~cost~~costs and administrative operating expenses related to the retirement ~~system~~plan applicable to those teachers who are permitted to continue to accrue service credit while on a one-year leave of absence and participating in the education of prospective teachers by teaching and supervising students enrolled in college-level teacher preparation programs in this State ~~shall~~must be paid from funds provided by the college employing the teacher during that year.

D. Notwithstanding this section, the employer retirement ~~cost~~costs and administrative operating expenses related to the retirement ~~system~~plan applicable to a teacher who is permitted to continue to accrue service credit while on a leave of absence and serving as President of the Maine Education

Association must be paid from funds provided by the Maine Teachers Association. For purposes of this paragraph, in computing the employer cost, "earnable compensation" means the amount that the teacher would have earned if the teacher had remained in a teaching position.

E. Notwithstanding this section, the employer retirement costs and administrative operating expenses related to the retirement systemplans applicable to those teachers whose funding is provided directly or through reimbursement from private or public grants must be paid by local school systems from those funds. "Public grants" does not include state or local funds provided to school administrative units under Title 20-A, chapters 315 and 606-B.

F. Notwithstanding this section, effective September 1, 1993, the employer retirement ~~costs~~ and administrative operating expenses related to the retirement systemplans, less the unfunded liability, that are applicable to a teacher who is permitted to continue to accrue service credit while on released time and serving as president of a recognized or certified collective bargaining agent representing teachers must be paid from funds provided by the collective bargaining agent or school administrative unit. For purposes of this paragraph, in computing the employer cost, "earnable compensation" means the amount that the teacher would have earned if the teacher had remained in a teaching position.

Sec. U-7. 5 MRSA §17254, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

§ 17254. Minimum state contribution

The aggregate payment by the State into the Retirement Allowance Fund for state employees and teachers ~~shall~~must be at least sufficient, when combined with the amount in the Retirement Allowance Fund, to provide the benefits payable out of the fund and the administrative operating expenses of the Maine State Retirement System during the current year.

Sec. U-8. Retirement administrative costs. Beginning July 1, 2007, administrative costs and expenses attributable to the administrative operating budget of the Maine State Retirement System's state employee, teacher, legislative and judicial pension funds must be charged against the assets of the applicable fund.

Sec. U-9. Calculation and transfer; General Fund savings; retirement administrative costs. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 10 of this Part that applies against each General Fund account for all departments and agencies from reducing funding for the administrative costs of the Maine State Retirement System for state employees and state-funded teachers and shall transfer amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2007-08 and 2008-09. The State Budget Officer shall provide the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts no later than November 1, 2007. The following General Fund accounts are exempt from these calculations: Disproportionate Share - Riverview and Disproportionate Share - Dorothea Dix Psychiatric Center within the Department of Health and Human Services, all General Fund accounts within the Department of Inland Fisheries and Wildlife and the Education Unorganized Territory account within the Department of Education.

Sec. U-10. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Deappropriates funds to reflect a different methodology for funding the administrative costs of the Maine State Retirement System.

GENERAL FUND	2007-08	2008-09
Personal Services	(\$1,210,050)	(\$1,210,187)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$1,210,050)	(\$1,210,187)

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	(\$1,210,050)	(\$1,210,187)
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	(\$1,210,050)	(\$1,210,187)

EDUCATION, DEPARTMENT OF

Teacher Retirement 0170

Initiative: Deappropriates funds to reflect a different methodology for funding the administrative costs of the Maine State Retirement System.

GENERAL FUND	2007-08	2008-09
All Other	(\$5,031,551)	(\$5,031,551)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$5,031,551)	(\$5,031,551)

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	(\$5,031,551)	(\$5,031,551)
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	(\$5,031,551)	(\$5,031,551)

PART V

Sec. V-1. 36 MRSA §5142, sub-§3-A, as enacted by PL 2005, c. 12, Pt. MMMM, §1 and as affected by §3, is amended to read:

3-A. Gain or loss on sale of partnership interest. Notwithstanding subsection 3, the gain or loss on the sale of a partnership interest is sourced to this State in an amount equal to the gain or loss multiplied by the ratio obtained by dividing the original cost of partnership tangible property located in Maine by the original cost of partnership tangible property everywhere, determined at the time of the sale. Tangible property includes property owned or rented and is valued in accordance with section 5211, former subsection 10. If more than 50% of the value of the partnership's assets consist of intangible property, gain or loss from the sale of the partnership interest is sourced to this State in accordance with the sales factor of the partnership for its first full tax period immediately preceding the tax period of the partnership during which the partnership interest was sold. For purposes of this subsection, the sales factor of a partnership is determined in accordance with section 5211, subsections 14, 15 and ~~16-A~~. This subsection does not apply to the sale of a limited partner's interest in an investment partnership where more than 80% of the value of the partnership's total assets consists of intangible personal property held for investment, except that such property cannot include an interest in a partnership unless that partnership is itself an investment partnership.

If the apportionment provisions of this section do not fairly represent the extent of the partnership's business activity in this State, the taxpayer may petition for, or the State Tax Assessor may require, in respect to all or any part of the partnership's business activity the employment of any other method to effectuate an equitable apportionment to this State of the partner's income from the sale of the partnership interest.

Sec. V-2. 36 MRSA §5211, sub-§8, as amended by PL 1991, c. 502, §1 and as affected by §2, is further amended to read:

8. Formula for apportionment of income to State. All income shall be apportioned to this State by multiplying the income by a fraction, ~~the numerator of which is the property factor plus the payroll factor plus twice the sales factor, and the denominator of which is 4.~~

Sec. V-3. 36 MRSA §5211, sub-§9, as enacted by P&SL 1969, c. 154, §F, is repealed.

Sec. V-4. 36 MRSA §5211, sub-§10, as amended by PL 1999, c. 708, §43, is repealed.

Sec. V-5. 36 MRSA §5211, sub-§11, as enacted by P&SL 1969, c. 154, §F, is repealed.

Sec. V-6. 36 MRSA §5211, sub-§12, as amended by PL 2001, c. 439, Pt. D, §8 and affected by §9, is repealed.

Sec. V-7. 36 MRSA §5211, sub-§13, as enacted by P&SL 1969, c. 154, §F, is repealed.

Sec. V-8. 36 MRSA §5211, sub-§16, as amended by PL 2005, c. 12, Pt. MMMM, §2 and affected by §3, is repealed.

Sec. V-9. 36 MRSA §5211, sub-§16-A is enacted to read:

16-A. Other sales. Sales other than sales of tangible personal property are sourced as follows.

A. Except as otherwise provided by this subsection, receipts from the performance of services must be attributed to the state where the services are received. If the state where the services are received is not readily determinable, the services are deemed to be received at the home of the customer or, in the case of a business, the office of the customer from which the services were ordered in the regular course of the customer's trade or business. If the ordering location cannot be determined, the services are deemed to be received at the home or office of the customer to which the services are billed. In instances in which the purchaser of the service is the Federal Government or the receipts are otherwise attributable to a state in which the taxpayer is not taxable, the receipts are attributable to this State if a greater proportion of the income-producing activity is performed in this State than in any other state based on costs of performance.

B. Gross receipts from the license, sale or other disposition of patents, copyrights, trademarks or similar items of intangible personal property must be attributed to this State if the intangible property is used in this State by the licensee or if the taxpayer's commercial domicile is in this State and the taxpayer is not taxable in the state in which the property is used by the licensee. If the intangible personal property is used by the licensee in more than one state, the income must be apportioned to this State according to the portion of use in this State. In instances in which the purchaser or licensee of the intangible personal property is the Federal Government or the receipts are otherwise attributable to a state in which the taxpayer is not taxable, the receipts are attributable to this State if a greater proportion of the income-producing activity is performed in this State than in any other state based on costs of performance.

C. Receipts from the sale, lease, rental or other use of real property is sourced to this State if the real property is located in this State.

D. Receipts from the lease or rental of tangible personal property must be attributed to this State if the property is located in this State.

E. Receipts from items of income described in section 5206-E, subsection 2, paragraphs C to I must be sourced to this State as provided in those paragraphs. For purposes of this paragraph, section 5206-E, subsection 2, paragraphs G and H must include the related payment processing fees.

F. A sale of a partnership interest must be sourced in accordance with the provisions of section 5142, subsection 3-A.

Sec. V-10. 36 MRSA §5211, sub-§17, ¶A, as enacted by P&SL 1969, c. 154, §F, is amended to read:

A. Separate accounting; or

Sec. V-11. 36 MRSA §5211, sub-§17, ¶B, as enacted by P&SL 1969, c. 154, §F, is repealed.

Sec. V-12. 36 MRSA §5211, sub-§17, ¶C, as enacted by P&SL 1969, c. 154, §F, is repealed.

Sec. V-13. 36 MRSA §5212, sub-§2, ¶C, as enacted by PL 1999, c. 754, §1 and affected by §2, is amended to read:

C. Receipts other than from the provision of services described in paragraph B are Maine receipts if they would qualify as Maine sales under section 5211, subsection 15 or ~~1616-A~~.

Sec. V-14. 36 MRSA §5244, as amended by PL 1997, c. 24, Pt. C, §12 and affected by §16, is further amended to read:

§ 5244. Combined report

The combined report required by section 5220, subsection 5, must include, both in the aggregate and by corporation, a list of the federal taxable income, the modifications provided by section 5200-A, the ~~property, payroll and sales~~ in Maine and everywhere as defined in chapter 821 and the Maine net income of the unitary business. Neither the income nor the ~~property, payroll and sales~~ of a corporation that is not required to file a federal income tax return may be included in the combined report.

Sec. V-15. Application. Those sections of this Part that amend the Maine Revised Statutes, Title 36, sections 5211 and 5244 and apply to tax years beginning on or after January 1, 2007.

PART W

Sec. W-1. 36 MRSA §1861-A, as amended by PL 2003, c. 391, §1, is further amended to read:

§ 1861-A. Reporting use tax on individual income tax returns

The assessor shall provide that individuals report use tax on items with a purchasesale price of \$5,000 or less on their Maine individual income tax returns. Taxpayers are required to attest to the amount of their use tax liability for the period of the tax return. Alternatively, they may elect to report an amount that is ~~.04%~~.08% of their Maine adjusted gross income. ~~The table amount does not relate to items with a purchase price in excess of \$1,000. Liability arising from such items must be added to the table amount. A taxpayer electing to satisfy a use tax liability by estimating it shall calculate the liability in accordance with the use tax table. The estimated liability is applicable only to purchases of any individual items each having a sale price no greater than \$1,000. For each taxable item with a sale price greater than \$1,000 but no more than \$5,000, the actual use tax liability for each purchase must be added to the amount of the estimated liability derived from the use tax table. Upon subsequent review, if use tax liability for the period of the return exceeds the amount of liability arising from use tax paid with the return, a credit of the that amount of liability arising from the return paid relative to the item or items being supplementarily assessed is allowed subject to the limitation set out in this section. The credit is limited to the amount of liability arising from the return for items with a sale price of \$1,000 or less and may be applied only against a liability determined on review with regard to items with a sale price of \$1,000 or less. Use tax on any item with a purchasesale price of more than \$5,000 must be reported in accordance with section 1951-A.~~

Sec. W-2. Effective date; application. This Part takes effect January 1, 2008 and applies to tax years beginning on or after January 1, 2008.

PART X

Sec. X-1. Carrying balance; Bureau of Medical Services, General Fund account. Notwithstanding any other provision of law, any All Other line category balance in the Department of Health and Human Services, Bureau of Medical Services, General Fund account remaining on June 30, 2008 may not lapse but must be carried forward to June 30, 2009 to be used for the same purposes.

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

Sec. X-3. Authorized MaineCare program transfers defined. The authority to transfer funds pursuant to section 2 of this Part is limited to the following General Fund programs:

1. Medical Care - Payments to Providers;
2. Nursing Facilities;
3. Medicaid Match - Mental Retardation;
4. Mental Health Services - Child Medicaid;
5. Mental Health Services - Community Medicaid;
6. Mental Retardation Waiver - MaineCare Waiver;
7. Office of Substance Abuse - Medicaid Seed;
8. Low-cost Drugs to Maine's Elderly; and
9. Bureau of Medical Services.

Sec. X-4. Available MaineCare balances defined. The authority to transfer funds pursuant to section 2 of this Part is limited to balances determined by the Commissioner of Health and Human Services to be available. Balances may not be determined available if the specific program or MaineCare program expenditures in aggregate are projected to exceed appropriated amounts during the fiscal year. For the purposes of this section, expenditures include expenditures, obligations and any other program costs intentionally deferred for financial reasons.

Sec. X-5. Weekly MaineCare reporting. Until June 30, 2009, the Commissioner of Health and Human Services shall issue a weekly financial summary and report on MaineCare program expenditures. The report must be submitted to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over human services matters and must be presented in a budget to actual format detailing amounts at the program level. This reporting requirement is in addition to the reporting requirements contained in the Maine Revised Statutes, Title 20-A, section 3174-B.

Sec. X-6. Quarterly MaineCare reporting. Until June 30, 2009, the Commissioner of Health and Human Services shall issue a quarterly financial summary and report on MaineCare program expenditures. The report must be submitted to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters within 14 days of certification of the quarterly CMS-64 report to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. This report must segregate expenditures by fund and by category of service. This reporting requirement is in addition to the reporting requirements contained in the Maine Revised Statutes, Title 22, section 3174-B.

PART Y

Sec. Y-1. Cost-of-living adjustments for nursing facilities. Notwithstanding any other provision of law, any unexpended balance in the Department of Health and Human Services, Nursing Facilities, Other Special Revenue Funds account as of June 30, 2007 and June 30, 2008 carries forward for the purpose of funding cost-of-living adjustments for nursing facilities licensed under the Maine Revised Statutes, Title 22, chapter 405 and residential care facilities as defined in Title 22, section 7852, subsection 14 in fiscal year 2007-08 and fiscal year 2008-09.

Sec. Y-2. Reimbursement rate. Notwithstanding any other provision of law, the Department of Health and Human Services shall provide cost-of-living adjustments to nursing facilities licensed under the Maine Revised Statutes, Title 22, chapter 405 and residential care facilities as defined in Title 22, section 7852, subsection 14 in fiscal year 2007-08 and fiscal year 2008-09 in the amount of 2%, as applied to all components of the reimbursement rate except the fixed cost component, per year per facility. If the Commissioner of Health and Human Services determines as of May 1, 2007, for fiscal year 2007-08, and May 1, 2008, for fiscal year 2008-09, that sufficient funds are not projected to be available pursuant to sections 1 and 4 of this Part to fund a 2% adjustment for fiscal year 2007-08 or fiscal year 2008-09, then the department may reduce the percentage adjustment for that fiscal year to the extent necessary to ensure that the amount available in the Nursing Facilities, Other Special Revenue Funds account is sufficient to fund the adjustment provided. In projecting the amount available, the commissioner shall consider the projected amount to be carried forward pursuant to section 1 of this Part and the department's best reasonable estimate of the expected tax revenue growth in the fiscal year for which the adjustment will be provided. The department shall publish its calculation of the projected available funds and the resulting cost-of-living adjustment no later than May 25, 2007 for fiscal year 2007-08 and May 26, 2008 for fiscal year 2008-09.

Sec. Y-3. Increase for frontline employees. Any facility that accepts the cost-of-living adjustment authorized under this Part for fiscal year 2007-08 and fiscal year 2008-09 must provide an equal percentage increase in wages and benefits to all frontline employees in each of those years in accordance with the Department of Health and Human Services' principles of reimbursement for nursing facilities. For the purposes of this section, "frontline employees" means all employees who work in the facility, excluding the administrator. Notwithstanding any other provision of law, the amount of the cost-of-living adjustment to be recouped for any failure to comply with this section is limited to the portion of the adjustment that:

1. Applies to wage and benefit expense; and
2. Exceeds the percentage increase in wages and benefits actually provided to frontline employees during the applicable fiscal period.

Sec. Y-4. Cost-of-living funding. Except as specifically allocated to other purposes under Part A, any unexpended balances in the Department of Health and Human Services, Nursing Facilities, Other Special Revenue Funds account as of June 30, 2007 and June 30, 2008 must first be used to the extent necessary to fund the cost-of-living adjustments granted in section 2 of this Part.

Sec. Y-5. Department of Health and Human Services quarterly report. The Commissioner of Health and Human Services shall prepare on a quarterly basis a report on balances available in the Nursing Facilities, Other Special Revenue Funds account as a result of nursing facility provider tax collections, and on updated projections of balances that will be available for the remainder of the 2008-2009 biennium. This report must be provided on a quarterly basis to the joint standing committee

of the Legislature having jurisdiction over health and human services matters and to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, beginning October 15, 2007.

PART Z

Sec. Z-1. Position transfers; transfer of funds; Department of Health and Human Services. Notwithstanding any other provision of law, in fiscal year 2007-08 and fiscal year 2008-09 the Department of Health and Human Services may transfer up to 30 Intensive Case Manager positions in the Mental Health Services - Community program, as those positions become vacant, to the Office of Integrated Access and Support program to be reorganized as Family Independence Specialist positions upon the recommendation of the State Budget Officer and approval of the Governor. Available balances of Personal Services appropriations resulting from those vacancies may be transferred within the Personal Services line category within the same fund from the Mental Health Services - Community program to the Office of Integrated Access and Support program by financial order upon the recommendation of the State Budget Officer and approval of the Governor. The department is authorized to increase the allocation in the Other Special Revenue Funds in order to allocate the cost of the Family Independence Specialist positions between the General Fund and Other Special Revenue Funds based on the permissible federal match rate. These transfers and allocation increases are considered adjustments to authorized position counts, appropriations and allocations in fiscal year 2007-08 and fiscal year 2008-09, except that General Fund amounts transferred that are not required for Personal Services costs must be transferred to the General Fund.

The Commissioner of Health and Human Services shall provide a report to the joint standing committees of the Legislature having jurisdiction over health and human services matters and appropriations and financial affairs no later than January 15, 2008 and January 15, 2009 on all legislative count and amounts transferred under this section.

Effective June 7, 2007, unless otherwise indicated.