

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025

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. In order to provide for the necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 2024 and June 30, 2025, the following sums as designated in the following tabulations are appropriated or allocated out of money not otherwise appropriated or allocated.

PART B

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

PART C

Sec. C-1. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2023-24 is 7.29

Sec. C-2. 20-A MRSA §15688-A, sub-§8 is amended to read;

8. ~~Pilot~~ Projects for middle school career and technical education exploration. ~~Beginning in fiscal year 2018-19 and for the 2 subsequent fiscal years,~~ The commissioner may expend and disburse funds to career and technical education centers and career and technical education regions for ~~pilot~~ projects for middle school level plans approved pursuant to chapter 313 to create career and technical education exploration programs for middle school level students. The commissioner, in collaboration with career and technical education directors, also may contract for services to implement ~~pilot~~ projects for middle school level plans. A middle school level plan must demonstrate to the commissioner a partnership between a school administrative unit and a career and technical education center or career and technical education region.

Sec. C-3. 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 2023-24 is as follows:

	2023-24 TOTAL
Total Operating Allocation	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$1,566,469,714
Total operating allocation for public charter schools pursuant to the Maine Revised Statutes, Title 20-A, section 15683-B	30,466,261
Total adjustments to state subsidy pursuant to Title 20-A, section 15689 included in subsidizable costs and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$616,136,771
Total Operating Allocation and Subsidizable Costs	
Total operating allocation pursuant to Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$2,213,072,746
Total Debt Service Allocation	
Total debt service allocation pursuant to Title 20-A, section 15683-A	\$104,788,669

Total Adjustments and Targeted Education Funds

Adjustments pursuant to Title 20-A, section 15689	
Audit adjustments pursuant to Title 20-A, section 15689, subsection 4	\$225,000
Educating students in long-term drug treatment center adjustments pursuant to Title 20-A, section 15689, subsection 5	\$249,607
Minimum teacher salary adjustment pursuant to Title 20-A, section 15689, subsection 7-A	\$0
Regionalization, consolidation, and efficiency assistance adjustments pursuant to Title 20-A, section 15689, subsection 9	\$5,977,208
Maine Care seed payments adjustments pursuant to Title 20-A, section 15689, subsection 14	\$1,334,776
Special Education Hardship adjustment pursuant to Title 20-A, section 15689, subsection 15	\$500,000
English Learner budgetary hardship adjustment pursuant to Title 20-A, section 15689, subsection 16	\$1,000,000
Total adjustments to the state share of total allocation pursuant to Title 20-A, section 15689	\$9,286,591
Targeted Education Funds pursuant to Title 20-A, section 15689-A	
Special education costs for state agency clients and state wards pursuant to Title 20-A, section 15689-A, subsection 1	\$33,398,180
Essential programs and services components contract pursuant to Title 20-A, section 15689-A, subsection 3	\$250,000
Data management and support services for essential programs and services pursuant to Title 20-A, section 15689-A, subsection 10	\$11,684,776

Postsecondary course payments pursuant to Title 20-A, section 15689-A, subsection 11	\$5,500,000
National board certification salary supplement pursuant to Title 20-A, section 15689-A, subsection 12	\$0
Learning through technology program pursuant to Title 20-A, section 15689-A, subsection 12-A	\$14,000,000
Jobs for Maine's Graduates including college pursuant to Title 20-A, section 15689-A, subsection 13	\$3,881,379
Maine School of Science and Mathematics pursuant to Title 20-A, section 15689-A, subsection 14	\$3,615,347
Maine Educational Center for the Deaf and Hard of Hearing pursuant to Title 20-A, section 15689-A, subsection 15	\$8,712,565
Transportation administration pursuant to Title 20-A, section 15689-A, subsection 16	\$666,220
Special education for juvenile offenders pursuant to Title 20-A, section 15689-A, subsection 17	\$407,999
Comprehensive early college programs funding (bridge year program) pursuant to Title 20-A, section 15689-A, subsection 23	\$1,000,000
Community schools pursuant to Title 20-A, section 15689-A, subsection 25	\$250,000
Maine School for Marine Science, Technology, Transportation and Engineering pursuant to Title 20-A, section 15689-A, subsection 26	\$0
Instruments and Professional Development in rural schools pursuant to Title 20-A, section 15689-A, subsection 28	\$50,000
Total targeted education funds pursuant to Title 20-A, section 15689-A	\$83,416,466
Enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A and section 15672, subsection 1-D	

Career and technical education costs pursuant to Title 20-A, section 15688-A, subsection 1	\$66,704,126
College transitions programs through adult education college readiness programs pursuant to Title 20-A, section 15688-A, subsection 2	\$450,000
National industry standards for career and technical education pursuant to Title 20-A, section 15688-A, subsection 6	\$2,000,000
Career and technical education middle school grant program pursuant to Title 20-A, section 15688, subsection 8	\$500,000
Career and technical education early childhood education program expansion support pursuant to Title 20-A, section 15688-A, subsection 10	\$100,000
Total enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A and section 15672, subsection 1-D	\$69,754,126
Total Cost of Funding Public Education from Kindergarten to Grade 12	
Total cost of funding public education from kindergarten to grade 12 for fiscal year pursuant to Title 20-A, chapter 606-B, not including normal retirement costs	\$2,480,318,598
Total normal cost of teacher retirement	\$64,953,243
Total cost of funding public education from kindergarten to grade 12 for fiscal year pursuant to Title 20-A, chapter 606-B, including normal retirement costs	\$2,545,271,841
Total cost of state contribution to unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teacher health insurance and retired teacher life insurance for fiscal year 2022-23 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement	\$264,776,991
Total cost of funding public education from kindergarten to grade 12, plus state contributions to the unfunded actuarial liabilities of	\$2,810,048,832

the Maine Public Employees Retirement System that are attributable to teachers, retired teacher health insurance and retired teacher life insurance for fiscal year 2022-23 pursuant to Title 5, chapters 421 and 423

Sec. C-4. 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, 2023 and ending June 30, 2024 is calculated as follows:

	2023-24	2023-24
	LOCAL	STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subject to statewide distributions required by law	\$1,145,097,328	\$1,400,174,513
State contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, teacher retirement health insurance and teacher retirement life insurance for fiscal year 2022-23 pursuant to Title 5, chapters 421 and 423 excluding the normal cost of teacher retirement		\$264,776,991
State contribution to the total cost of funding public education from kindergarten to grade 12 plus state contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, teacher retirement health insurance and teacher retirement life insurance pursuant to Title 5, chapters 421 and 423		\$1,664,951,504

Sec. C-5. Authorization of payments. If the State's continued obligation for any individual component contained in those sections of this Act that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from this Act may not lapse but must be carried forward for the same purpose.

Sec. C-6. Limit of State's obligation. Those sections of this Act that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

PART C SUMMARY

This Part establishes the Total Cost of Education from Kindergarten to Grade 12, the state contribution, the annual target state share percentage, and the mill expectation for the local contribution for fiscal year 2023-2024. This section also makes permanent a career and technical education middle school grant program.

PART D

Sec. D-1. 2 MRSA §6, sub-§3 is 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, Bureau of Forestry;
Director, Governor's Office of Policy Innovation and Management the Future;
Director, Energy Resources Office;
~~Director of Human Resources~~ State Human Resources Officer;
Director, Bureau of Parks and Lands;
Director of the Governor's Office of Communications;
Director, Bureau of Agriculture, Food and Rural Resources;
Director, Bureau of Resource Information and Land Use Planning; and
Director, Office of Marijuana Policy.

Sec. D-2. 5 MRSA §947-B is amended to read:

1. Major policy-influencing positions. The following positions are major policy-influencing positions within the Department of Administrative and Financial Services. Notwithstanding any other provision of law, these positions and their successor positions are subject to this chapter:

- A.
- B. ~~Director, Bureau of Human Resources~~ State Human Resources Officer
- C.
- D. Director, Bureau of Alcoholic Beverages and Lottery Operations;

- E. Director, Bureau of General Services;
- F. Deputy Commissioners, Department of Administrative and Financial Services;
- G. State Controller;
- H. State Tax Assessor;
- I. State Budget Officer;
- J. Chief Information Officer;
- K. Associate Commissioner, Administrative Services;
- L. Associate Commissioner for Tax Policy within the Bureau of Revenue Services; ~~and~~
- M. Director, Legislative Affairs and Communications; and
- N. Director, Office of Marijuana Policy

Sec. D-3. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the title "Director of Human Resources" or "Director, Bureau of Human Resources" appears, it is amended to read "State Human Resources Officer" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. D-4. Rules, forms, policies and publications. On or after the effective date of this section, when adopting or amending rules and developing or publishing forms, policies and publications, the Department of Administrative and Financial Services shall replace "Director of Human Resources" or "Director, Bureau of Human Resources" with "State Human Resources Officer".

PART D SUMMARY

This Part updates the title of the Director of Human Resources to the State Human Resources Officer within the major policy influencing position of the Department of Administrative and Financial Services and in the list of positions with salaries set by the Governor. Sections 3 and 4 direct the Revisor of Statutes and Department of Administrative and Financial Services to update this title when updating, publishing or republishing the statutes or when adopting or amending rules and developing or publishing forms, policies and publications.

PART E

Sec. E-1. 4 MRSA §1610-O is enacted to read:

§1610-O. Additional securities

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$39,500,000 outstanding at any one time for the purposes of paying the costs associated with the planning, design, renovation, abatement, construction, financing, furnishing, and equipping, of new and existing facilities to serve as a headquarters for the Department of Inland Fisheries and Wildlife.

Sec. E-2. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-O, and

notwithstanding the limitation contained in Maine Revised Statutes, Title 4, section 1606, subsection 2 regarding the amount of securities that may be issued, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$39,500,000. Proceeds must be used for the purpose of paying the costs associated with the planning, design, renovation, abatement, construction, financing, furnishing, and equipping, of new and existing facilities to serve as a headquarters for the Department of Inland Fisheries and Wildlife. Proceeds must be used for the purpose of paying the costs associated as designated by the Commissioner of Administrative and Financial Services.

PART E SUMMARY

This Part authorizes the Maine Governmental Facilities Authority to issue additional securities up to an amount of \$39,500,000 to pay for the costs associated with the planning, design, renovation, abatement, construction, financing, furnishing, and equipping, of new and existing facilities to serve as a headquarters for the Department of Inland Fisheries and Wildlife.

PART F

Sec. F-1. 4 MRSA §1610-P is enacted to read:

§1610-P. Additional securities

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$34,050,000 outstanding at any one time for capital repairs and improvements to state-owned facilities and hazardous waste cleanup on state-owned properties.

Sec. F-2. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-P, and notwithstanding the limitation contained in Maine Revised Statutes, Title 4, section 1606, subsection 2 regarding the amount of securities that may be issued, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$34,050,000. Proceeds must be used for the purpose of paying the costs associated with capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties as designated by the Commissioner of Administrative and Financial Services.

PART F SUMMARY

This Part authorizes the Maine Governmental Facilities Authority to issue additional securities up to an amount of \$34,050,000 to pay for the costs of capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties.

PART G

Sec. G-1. 4 MRSA §1610-Q is enacted to read:

§1610-Q. Additional securities

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$37,000,000 outstanding at any one time for capital repairs and improvements to state-owned facilities and hazardous waste cleanup on state-owned properties.

Sec. G-2. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-Q, and notwithstanding the limitation contained in Maine Revised Statutes, Title 4, section 1606, subsection 2 regarding the amount of securities that may be issued, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$37,000,000. Proceeds must be used for the purpose of paying the costs associated with capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties as designated by the Commissioner of Administrative and Financial Services.

PART G SUMMARY

This Part authorizes the Maine Governmental Facilities Authority to issue additional securities up to an amount of \$37,000,000 to pay for the costs of capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties.

PART H

Sec. H-1. 5 MRSA §285, sub-§7, ¶C is amended to read:

C. Beginning July 1, 2010 and ending June 30, 2023, except as provided in subsection 7-A, the State, through the commission, shall pay a share of the individual premium for the standard plan identified and offered by the commission as follows.

(1) For an employee whose base annual rate of pay is less than or equal to \$30,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 95% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

(2) For an employee whose base annual rate of pay is greater than \$30,000 and less than \$80,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 90% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

(3) For an employee whose base annual rate of pay is \$80,000 or greater on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 85% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

Sec. H-2. 5 MRSA §285, sub-§7, ¶C-1 is enacted to read:

C-1. Beginning July 1, 2023, except as provided in subsection 7-A, the State, through the commission, shall pay a share of the individual premium for the standard plan identified and offered by the commission as follows.

(1) For an employee whose base annual rate of pay is less than or equal to \$50,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 95% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

(2) For an employee whose base annual rate of pay is greater than \$50,000 and less than \$100,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 90% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

(3) For an employee whose base annual rate of pay is \$100,000 or greater on July 1st of the state fiscal year for which the premium contribution is being determined, the State shall pay 85% of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission.

Sec. H-3. 5 MRSA §285, sub-§7-A is amended to read:

7-A. Health credit premium program. Notwithstanding subsection 7, paragraph C, the State may pay a greater proportion of the total cost of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission. The commission shall develop a health credit premium program whereby employees are provided incentives to engage in healthy behaviors in an effort to improve the health status of the state employee population and to help reduce costs to the state employee health insurance program. The commission shall define benchmarks for healthy behaviors that, if met by an individual employee, result in the State's paying a greater share of the individual premium. Adjustments to the state share of the individual premium must be applied once each year in advance of the beginning of the plan year.

The benchmarks developed by the commission must provide 2 discrete levels for the state share of the individual premium as follows.

A. Prior to July 1, 2023, fFor employees whose base annual rate of pay is less than or equal to \$30,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual employee meeting the specified benchmarks with the opportunity to have the state share of the

individual premium paid at 100% or 95%. The state share is determined by the specific benchmarks met by the employee.

B. Prior to July 1, 2023, fFor employees whose base annual rate of pay is greater than \$30,000 and less than \$80,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual employee meeting the specified benchmarks with the opportunity to have the state share of the individual premium paid at 95% or 90%. The state share is determined by the specific benchmarks met by the employee.

C. Prior to July 1, 2023, fFor employees whose base annual rate of pay is \$80,000 or greater on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual employee meeting the specified benchmarks with the opportunity to have the state share of the individual premium paid at 90% or 85%. The state share is determined by the specific benchmarks met by the employee.

D. Beginning July 1, 2023, for employees whose base annual rate of pay is less than or equal to \$50,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual employee meeting the specified benchmarks with the opportunity to have the state share of the individual premium paid at 100% or 95%. The state share is determined by the specific benchmarks met by the employee.

E. Beginning July 1, 2023, for employees whose base annual rate of pay is greater than \$50,000 and less than \$100,000 on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual employee meeting the specified benchmarks with the opportunity to have the state share of the individual premium paid at 95% or 90%. The state share is determined by the specific benchmarks met by the employee.

F. Beginning July 1, 2023, for employees whose base annual rate of pay is \$100,000 or greater on July 1st of the state fiscal year for which the premium contribution is being determined, the health credit premium program must provide the individual employee meeting the specified benchmarks with the opportunity to have the state share of the individual premium paid at 90% or 85%. The state share is determined by the specific benchmarks met by the employee.

Sec. H-4. Costs to General Fund and Highway Fund. Costs to the General Fund and Highway Fund must be provided wholly or in part through a transfer of Personal Services appropriations within and between departments and agencies from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services up to \$2,400,000 for the fiscal year ending June 30, 2024 and up to \$2,300,000 for the fiscal year ending June 30, 2025 to implement this Part.

Sec. H-5. Transfer of Personal Services appropriations between programs and departments. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, available balances in the General Fund and Highway Fund for Personal Services in fiscal year 2023-24 and fiscal year 2024-25 may be transferred by financial order between programs and departments within the General Fund and the Highway Fund upon

recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with adjusting health insurance tiers for state employees.

Sec. H-6. Transfer from Salary Plan program and special account funding. The Salary Plan program, General Fund account in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation this Part in fiscal years 2023-24 and 2024-25. Positions supported from sources of funding other than the General Fund and the Highway Fund must be funded from those other sources.

PART H SUMMARY

This Part adjusts the annual rates of pay used to determine the State's contribution towards an employee's health insurance premium. This Part also authorizes the transfer of funds from the Salary Plan and between Department's Personal Services appropriations to support this Part.

PART I

Sec. I-1. 5 MRSA §1531 is amended to read:

1531. Definitions

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

1. Average population growth.

2. Average personal income growth. "Average personal income growth" means the average for the prior 10 calendar years, ending with the most recent calendar year for which data is available, of the percent change in personal income in this State, as estimated by the United States Department of Commerce, Bureau of Economic Analysis. The average personal income growth is determined by October 1st, annually, by the State Economist.:-

3. Baseline General Fund revenue. "Baseline General Fund revenue" means the recommended General Fund revenue forecast reported by the Revenue Forecasting Committee ~~in its December 1st report of even-numbered years, increased by the net reduction of General Fund revenue, if any, for all enacted changes affecting state and local tax burden since the previous December 1st report of even-numbered years of the Revenue Forecasting Committee.~~ in accordance with Title 5, Chapter 151-B, Section 1710-F.

4. Biennial base year appropriation. "Biennial base year appropriation" means:

A. For the 2018-2019 biennium, the General Fund appropriation enacted for fiscal year 2016-17 as of December 1, 2016. For the 2024-2025 biennium, ninety-nine percent of the Baseline General Fund revenue for fiscal year 2023-24 as of December 1, 2022; and

B. For subsequent fiscal years, the amount of the General Fund appropriation limitation calculated for the current year as of December 1st of even-numbered years pursuant to section 1534, sub-section 1 of this chapter.

5. Commissioner. "Commissioner" means the Commissioner of Administrative and Financial Services.

6. Forecasted inflation.

7. General Fund revenue shortfall. "General Fund revenue shortfall" means the amount by which the General Fund appropriation limitation established by section 1534 exceeds baseline General Fund revenue and other available resources in each state fiscal year.

8. Stabilization fund. "Stabilization fund" means the Maine Budget Stabilization Fund established in this chapter.

~~**9. State and local tax burden.** "State and local tax burden" means the total amount of state and local taxes paid by Maine residents, per \$1,000 of income, as determined annually by the State Tax Assessor based on data from the United States Department of Commerce, Bureau of Census and Bureau of Economic Analysis.~~

Sec. I-2. 5 MRSA §153, sub-§5 is amended to read:

5. Investment proceeds; exception. At the close of every month during which the stabilization fund is at the 18% limitation described in subsection 1, the State Controller shall transfer from the General Fund to the ~~Retirement Allowance Fund established in section 17251~~ Irrevocable Trust Funds for Other Post-Employment Benefits for the State Employee Plan established in section 286-B an amount equal to the investment earnings that otherwise would have been credited to the stabilization fund.

Sec. I-3. 5 MRSA §1533 is amended to read:

If the Legislature has adjourned sine die prior to the close of a fiscal year and the commissioner has provided notification as required by section 1668 that indicates that available General Fund resources, including any reserve for the stabilization fund under section 1535, will not be sufficient to meet General Fund expenditures, the commissioner may declare a budget emergency. At the close of the fiscal year, the State Controller may transfer from the available balance in the stabilization fund to the General Fund Unappropriated Surplus up to the amount necessary to increase total General Fund resources for that fiscal year to be equal to General Fund expenditures. For the purposes of this section, the Governor may reduce the stabilization fund below the 1% minimum threshold established by section 1532. The Governor shall inform the Legislative Council and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs immediately upon such transfers from the stabilization fund.

Sec. I-4. 5 MRSA §1534, §1 is amended to read:

§1534. General Fund appropriation limitation

1. Establishment of General Fund appropriation limitation. As of December 1st of each even-numbered year, the State Budget Officer shall ~~there must be established~~ a General Fund appropriation limitation for each fiscal year of the ensuing biennium. The General Fund appropriation limitation applies to all General Fund appropriations and shall be calculated as: ~~, except that the additional cost for essential programs and services for kindergarten to grade 12 education under Title 20-A, chapter 606-B over the fiscal year 2004-05 appropriation for general purpose aid for local schools is excluded from the General Fund appropriation limitation until the state share of that cost reaches 55% of the total state and local cost.~~

A. For the 2024-2025 biennium, the General Fund appropriation limitation for the first fiscal year is equal to the biennial base year appropriation. For subsequent biennia, the General Fund appropriation limitation for the first fiscal year of the biennium, ~~For the first fiscal year of the biennium, the General Fund appropriation limitation~~ is equal to the biennial base year appropriation multiplied by one plus the growth limitation factor in subsection 2.

B. For the ~~2nd~~ second fiscal year of the biennium, the General Fund appropriation limitation is equal to the General Fund appropriation limitation of the first fiscal year of the biennium ~~biennial base year appropriation~~ multiplied by one plus the growth limitation factor in subsection 2.

Sec. I-5. 5 MRSA §1535 is amended to read:

§1535. General Fund transfers to stabilization fund

~~Baseline General Fund revenue, as recommended by the Revenue Forecasting Committee and authorized in accordance with chapter 151-B, and other available budgeted General Fund resources that exceed the General Fund appropriation limitation established by section 1534 plus the additional cost for essential programs and services for kindergarten to grade 12 education under Title 20-A, chapter 606-B over the fiscal year 2004-05 appropriation for general purpose aid for local schools until the state share of that cost reaches 55% of the total state and local cost must be transferred to the stabilization fund.~~

Baseline General Fund revenue that exceeds the General Fund appropriation limitation established by section 1534 for any fiscal year must be reserved for the stabilization fund. The reserved amount shall be adjusted each time Baseline General Fund revenue changes. At the close of each fiscal year, the State Controller shall transfer to the stabilization fund the lesser of the reserved amount or the amount of actual General Fund revenues that exceed the General Fund appropriation limit for that fiscal year and the reserve for that fiscal year shall be reset to zero. If the stabilization fund is at its limit of 18% of General Fund revenue of the immediately preceding year, then amounts that would otherwise have been transferred to the stabilization fund shall be transferred as follows:

A. Eighty percent to the Highway and Bridge Capital program, Other Special Revenue Funds account;

- B. Ten percent to the Maine Municipal Bond Bank, School Revolving Renovation Fund established in the Maine Revised Statutes, Title 30-A, section 6006-F; and
- C. Ten percent to the Irrevocable Trust Funds for Other Post-Employment Benefits for the State Employee Plan established in section 286-B.

Sec I-6. 5 MRSA §1536, sub-§1 is amended to read:

1. Final priority reserves. After the transfers to the stabilization fund pursuant to section 1535, the transfers to the State Contingent Account pursuant to section 1507, the transfers to the Loan Insurance Reserve pursuant to section 1511, the transfers pursuant to section 1522, a transfer of \$2,500,000 for the Reserve for General Fund Operating Capital and the transfers to the Retiree Health Insurance Internal Service Fund pursuant to section 1519, the State Controller shall transfer at the close of each fiscal year from the unappropriated surplus of the General Fund an amount equal to the amount available from the unappropriated surplus after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made as follows:

- A. ~~Eighty~~ Seventy percent to the stabilization fund; ~~and~~
- G. Twenty percent to the Highway and Bridge Capital program, Other Special Revenue Funds account; and
- H. Ten percent to the Maine Municipal Bond Bank, School Revolving Renovation Fund established in the Maine Revised Statutes, Title 30-A, section 6006-F.

Sec. I-7. Suspension of transfers to Maine Budget Stabilization Fund. Notwithstanding any provision of law to the contrary, the requirement in the Maine Revised Statutes, Title 5, section 1535 that certain baseline General Fund revenue and other available budgeted General Fund resources that exceed the General Fund appropriation limit be transferred to the Maine Budget Stabilization Fund is suspended for the duration of fiscal year 2023-24 and fiscal year 2024-25.

PART I SUMMARY

This Part updates statutes relevant to the General Fund appropriation limit to rebase the limit, simplify, and clarify the calculation. For the 2024-2025 biennium, the base for the appropriation limit calculation is reset at 98% of the baseline General Fund revenue projected by the Revenue Forecasting Committee as of December 1, 2022. Additionally, amendments are made to clarify how transfers to the Budget Stabilization Fund are to be handled when revenues exceed the appropriation limit or when the Budget Stabilization Fund has reached its statutory maximum.

PART J

Sec. J-1. 30-A MRSA §5250-J, sub-§5, as amended by PL 2021, c. 398, Pt. IIII, §1, is further amended to read:

5. Termination. A qualified Pine Tree Development Zone business located in a tier 1 location may not be certified under this subchapter after December 31, ~~2023~~ 2028, and a

qualified Pine Tree Development Zone business located in a tier 2 location may not be certified under this subchapter after December 31, 2013. All Pine Tree Development Zone benefits provided under this subchapter are terminated on December 31, ~~2033~~ 2038.

Sec. J-2. 35-A MRSA §3210-E, sub-§6, as amended by PL 2021, c. 398, Pt. III, §2, is further amended to read:

6. Repeal. This section is repealed December 31, ~~2033~~ 2038.

Sec. J-3. 36 MRSA §1760, sub-§87, as amended by PL 2021, c. 398, Pt. III, §3, is further amended to read:

87. Sales of tangible personal property and transmission and distribution of electricity to qualified development zone businesses. Beginning July 1, 2005, sales of tangible personal property, and of the transmission and distribution of electricity, to a qualified Pine Tree Development Zone business, as defined in Title 30-A, section 5250-I, subsection 17, for use directly and primarily in one or more qualified business activities, as defined in Title 30-A, section 5250-I, subsection 16. The exemption provided by this subsection is limited for each qualified Pine Tree Development Zone business to sales occurring within a period of 10 years in the case of a business located in a tier 1 location, as defined in Title 30-A, section 5250-I, subsection 21-A, and 5 years in the case of a business located in a tier 2 location, as defined in Title 30-A, section 5250-I, subsection 21-B, from the date the business is certified pursuant to Title 30-A, section 5250-O or until December 31, ~~2033~~ 2038, whichever occurs first. For a business that applies for certification as a qualified Pine Tree Development Zone business with the Commissioner of Economic and Community Development on or after January 1, 2019, the exemption provided by this subsection requires a qualified Pine Tree Development Zone business to obtain a certificate of qualification issued by the Commissioner of Economic and Community Development pursuant to Title 30-A, section 5250-O. As used in this subsection, "primarily" means more than 50% of the time during the period that begins on the date on which the property is first placed in service by the purchaser and ends 2 years from that date or at the time the property is sold, scrapped, destroyed or otherwise permanently removed from service by the purchaser, whichever occurs first.

Sec. J-4. 36 MRSA §2016, sub-§4, ¶A, as amended by PL 2021, c. 398, Pt. III, §4, is further amended to read:

A. Reimbursements made by the assessor pursuant to subsection 2, paragraph A are limited to taxes paid in connection with sales of tangible personal property that occur within a period of 10 years in the case of a qualified Pine Tree Development Zone business located in a tier 1 location, as defined in Title 30-A, section 5250-I, subsection 21-A, and 5 years in the case of a qualified Pine Tree Development Zone business located in a tier 2 location, as defined in Title 30-A, section 5250-I, subsection 21-B, from the date the qualified Pine Tree Development Zone business receiving the property is certified pursuant to Title 30-A, section 5250-O or by December 31, ~~2033~~ 2038, whichever occurs first.

Sec. J-5. 36 MRSA §2529, sub-§3, as amended by PL 2021, c. 398, Pt. III, §5, is further amended to read:

3. Limitation. The credit provided by this section may not be claimed for calendar years beginning on or after January 1, ~~2034~~ 2039.

Sec. J-6. 36 MRSA §5219-W, sub-§4, as amended by PL 2021, c. 398, Pt. III, §6, is further amended to read:

4. Limitation. The credit provided by this section may not be claimed for tax years beginning on or after January 1, ~~2034~~ 2039.

Sec. J-7. 36 MRSA §6754, sub-§1, ¶D, as amended by PL 2021, c. 398, Pt. III, §7, is further amended to read:

D. For qualified Pine Tree Development Zone employees, as defined in Title 30-A, section 5250-I, subsection 18, employed directly in the qualified business activity of a qualified Pine Tree Development Zone business, as defined in Title 30-A, section 5250-I, subsection 17, for whom a certificate of qualification has been issued in accordance with Title 30-A, section 5250-O, the reimbursement under this subsection is equal to 80% of the benefit base each year for which reimbursement is requested and attributed to those qualified employees for a period of no more than 10 years for a tier 1 location as defined in Title 30-A, section 5250-I, subsection 21-A and no more than 5 years for a tier 2 location as defined in Title 30-A, section 5250-I, subsection 21-B. Reimbursement under this paragraph may not be paid for years beginning after December 31, ~~2033~~ 2038.

PART J SUMMARY

This Part changes the date after which a qualified Pine Tree Development Zone business in a tier 1 location may not be certified from December 31, 2023 to December 31, 2028. It changes the date that all Pine Tree Development Zone benefits are terminated from December 31, 2033 to December 31, 2038 and makes corresponding changes in several sections of law.

PART K

Sec. K-1. 22-A MRSA §216 is repealed.

Sec. K-2. 30-A MRSA, §6054, sub-§2 is amended to read:

2. Funding. Beginning July 1, 2014 and ending June 30, 2023, there must be deposited directly into the fund any amounts received pursuant to Title 28-A, section 90 and Title 22-A, section 216 and any other money or funds transferred or made available to the bond bank only for the purposes of the fund from any other source including without limitation amounts required to be deposited in the fund by the terms of any ancillary obligation or other agreement related to liquor operation revenue bonds.

Sec. K-3. 30-A MRSA, §6054, sub-§5 is amended to read:

5. Use of fund after bond retirement. After all liquor operation revenue bonds and any ancillary obligations secured by the fund have been retired, the first \$7,000,000 of any amounts received pursuant to Title 28-A, section 90 must be deposited as undedicated revenue to the General Fund and any amount in excess of \$7,000,000 must be deposited as undedicated revenue to the Highway Fund. ~~additional proceeds credited to the fund from Title 22-A, section 216 and Title 28-A, section 90 must be disbursed on a quarterly basis to the State, after payment of costs of administering the fund, and credited by the State Controller as follows:~~

~~A. Thirty percent to the State Water and Wastewater Infrastructure Fund established pursuant to section 6006-H and divided as follows:~~

~~(1) Forty five percent to an account within the State Water and Wastewater Infrastructure Fund for drinking water purposes divided as follows:~~

~~(a) Up to the maximum amount allowed for the state match for federal funds provided to the safe drinking water revolving loan fund established under section 6006-B to an account within the Department of Health and Human Services for revolving loan funds for drinking water systems; and~~

~~(b) The remainder to the Maine Drinking Water Fund established pursuant to Title 22, section 2610; and~~

~~(2) Fifty five percent to an account within the State Water and Wastewater Infrastructure Fund for wastewater purposes divided as follows:~~

~~(a) Up to the maximum amount allowed for the state match for federal funds provided to the revolving loan fund established under section 6006-A to an account within the Department of Environmental Protection for revolving loans for wastewater treatment; and~~

~~(b) The remainder to the Maine Clean Water Fund established pursuant to Title 38, section 411-C; [~~

~~B. Thirty five percent to an account within the Department of Transportation for construction of highways and bridges; and~~

~~C. The remainder to the Maine Budget Stabilization Fund established in Title 5, section 1532.~~

Sec. K-4. Transfer from Liquor Operation Revenue Fund. Notwithstanding any provision of law to the contrary, at the close of fiscal year 2023, following the bond retirement, the Maine Municipal Bond Bank shall transfer any funds remaining in the liquor operation revenue fund to the unappropriated surplus of the General Fund. The State Controller shall transfer those funds to the TransCap Trust Fund established in Title 30-A, section 6006-G to pay towards the remaining debt service of the 2015A and 2021A bonds.

PART K SUMMARY

This Part amends the funding of the Liquor Operation Revenue Fund to reflect the retirement of the revenue bonds in fiscal year 2023 and directs the first \$7 million in profits received from

Title 28-A, section 90 be deposited as undedicated revenue in the General Fund, for purposes of continuing to support state match toward certain water programs in the Department of Health and Human Services and the Department of Environmental Protection, and any additional profits received from Title 28-A, section 90 be deposited as undedicated revenue in the Highway Fund. This Part also directs that any funds remaining in the Liquor Operations Revenue Fund, following the bond retirement, flow to the TransCap Trust Fund established in Title 30-A, section 6006-G to pay towards the remaining debt service of the 2015A and 2021A bonds.

PART L

Sec. L-1. 36 MRSA §112, sub-§2-A as enacted by P.L. 2017, c. 284, Pt. T, §1 is amended to read:

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

PART L SUMMARY

This Part authorizes the State Tax Assessor to implement a program to develop the expertise of Senior Revenue Agents. Upon successful completion of the program and demonstration of prescribed competencies, employees in this classification may immediately progress to the Principal Revenue Agent classification. Until achievement of these benchmarks, compensation will be at the Senior Revenue Agent level. The changes will improve the ability of the Bureau of Revenue Services to attract and retain capable agents in order to respond to the increasing complexity of tax administration and auditing.

PART M

Sec. M-1. 36 MRSA §151, sub-§2, ¶C, as enacted by PL 2011, c. 694, §3, is amended to read:

C. If the matter between the division and the petitioner is not resolved within the 90-day period, and any extension thereof, the petitioner may consider the petition for reconsideration denied. The petitioner may not consider the petition for reconsideration denied after either the reconsidered decision has been received by the petitioner or the expiration of 9 years following the filing of the petition for reconsideration, whichever occurs first. A petition for reconsideration considered denied pursuant to this paragraph

constitutes final agency action. A petitioner elects to consider the petition for reconsideration denied pursuant to this paragraph by:

(1) For a small claim request, filing a petition for review in Superior Court. For purposes of this subparagraph, "small claim request" has the same meaning as in paragraph E; or

(2) For all other requests:

(a) Filing a statement of appeal with the board where the amount of tax or refund request in controversy is \$500,000 or less; or

(b) Filing a petition for review in Superior Court.

Sec. M-2. 36 MRSA §151, sub-§2, ¶E, as amended by PL 2013, c. 45, §4, is further amended to read:

E. A reconsidered decision rendered on any request other than a small claim request constitutes the assessor's final determination, subject to review either by the board or directly by the Superior Court, except that the board may review such a reconsideration decision rendered on any request other than a small claim request only if the amount of tax or refund request in controversy is \$500,000 or less. A reconsidered decision rendered on a small claim request constitutes the assessor's final determination and final agency action and is subject to de novo review by the Superior Court. For purposes of this paragraph, "small claim request" means a petition for reconsideration when the amount of tax or refund request in controversy is less than \$1,000.

PART M SUMMARY

This Part limits the jurisdiction of the Board of Tax Appeals, an independent board within the Department of Administrative and Financial Services, to matters where the amount in controversy is \$500,000 or less.

PART N

Sec. N-1. Carrying provision; Department of Administrative and Financial Services, Debt Service - Government Facilities Authority. Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining balances in the Department of Administrative and Financial Services, Debt Service - Government Facilities Authority program, General Fund account in each year of the 2024-2025 biennium into the following fiscal year.

PART N SUMMARY

This Part amends the statute to renew the authority for the Debt Service – Government Facilities Authority program to carry their funds in the following biennium.

PART O

Sec. O-1. Carrying provision; Department of Administrative and Financial Services, Central Administrative Applications Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining balances in the Department of Administrative and Financial Services, Central Administrative Applications program, General Fund account in each year of the 2024-2025 biennium into the following fiscal year.

PART O SUMMARY

This Part authorizes the Department of Administrative and Financial Services to carry forward any remaining balance in the Central Administrative Applications program for fiscal years 2023-24 and 2024-25.

PART P

Sec. P-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 agreements in fiscal years 2023-24 and 2024-25 for the acquisition of motor vehicles for the Central Fleet Management Division. The financing agreements entered into in each fiscal year may not exceed \$13,500,000 in principal costs, and a financing agreement may not exceed 6 years in duration. The interest rate may not exceed 7%. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Fleet Management Division account.

PART P SUMMARY

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2023-24 and 2024-25 for the acquisition of motor vehicles for the Central Fleet Management Division.

PART Q

Sec. Q-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing arrangements in fiscal years 2023-24 and 2024-25 for improvements to the State's technology infrastructure and data centers; purchase of enterprise software; modernization of databases, storage and other components; and improved security of personally identifiable information and other confidential data. The financing agreements entered into each fiscal year

may not exceed \$5,000,000 in principal costs, 7 years in duration and a 7% interest rate. The annual principal and interest costs must be paid from the appropriate line category appropriations in the Department of Administrative and Financial Services, Office of Information Technology accounts.

PART Q SUMMARY

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2023-24 and 2024-25 for improvements to the State's technology infrastructure and data centers; purchase of enterprise software; modernization of databases, storage and other components; and improved security of personally identifiable information and other confidential data.

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 2023-24 and 2024-25 for the acquisition of hardware, software and systems to support the operations of the Statewide Radio Network System Reserve Fund, established in Title 5, section 1520, specifically, for purchasing portables, ongoing upgrades of tower hardware, and the purchase of equipment in support of tower maintenance. The financing agreements entered into in each fiscal year may not exceed \$5,000,000 in principal costs, 7 years in duration and a 7% interest rate. The annual principal and interest costs must be paid from the appropriate line category appropriations in the Department of Administrative and Financial Services, Office of Information Technology accounts.

PART R SUMMARY

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2023-24 and 2024-25 for the acquisition of hardware, software and systems to support the operations of the Statewide Radio Network System Reserve Fund.

PART S

Sec. S-1. Attrition savings. Notwithstanding any provision of law to the contrary, the attrition rate for the 2024-2025 biennium is 5% for judicial branch and executive branch departments and agencies only. The attrition rate for subsequent biennia is 1.6%.

Sec. S-2. Calculation and transfer; attrition savings. The State Budget Officer shall calculate the amount of the savings in this Part that applies against each General Fund account for

all executive branch departments and agencies statewide and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2023-24 and 2024-25. The State Budget Officer shall submit to the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts no later than October 1, 2023.

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

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

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2023-24 and 2024-25.

GENERAL FUND	2023-24	2024-25
Personal Services	<u>(\$15,838,357)</u>	<u>(\$16,059,526)</u>
GENERAL FUND TOTAL	(\$15,838,357)	(\$16,059,526)

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

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2023-24 and 2024-25.

GENERAL FUND	2023-24	2024-25
Personal Services	<u>(\$1,737,645)</u>	<u>(\$1,772,515)</u>
GENERAL FUND TOTAL	(\$1,737,645)	(\$1,772,515)

**PART S
SUMMARY**

This Part sets the attrition rate for the 2024-2025 biennium from 1.6% to 5% for judicial branch and executive branch departments and agencies.

PART T

Sec. T-1. 5 MRSA §1591, sub-§8 is enacted to read:

8. Department of Agriculture, Conservation and Forestry. Any balance remaining in the of the Department of Agriculture, Conservation and Forestry, Division of Forest Protection program, General Fund account in All Other or Capital Expenditures line categories at the end of any fiscal year shall be carried forward for use in the next fiscal year for the same purpose;

PART T SUMMARY

This Part will clarify and codify the Forest Protection Division's carrying authority for this account. The carrying authority was originally granted in Public Law 1979, chapter 164 and has been exercised since that time.

PART U

Sec. U-1. 7 MRSA §1901 is amended to read:

The commissioner shall develop a State of Maine Animal Response Team, referred to in this section as "the team," to support a unifying network that protects human and animal health through preparation, response and recovery for animal emergencies in the State. The team shall facilitate a prompt, coordinated and effective response to a natural or man-made disaster affecting animals; decrease the health and safety threat to humans and animals during animal emergencies; and minimize the economic and environmental impacts of animal emergencies. Response activities undertaken may include but not be limited to providing adequate care for animals seized, recovered, or otherwise taken into custody by the state.

PART U SUMMARY

This Part will clarify that activities undertaken by the State of Maine Animal Response Team may include providing adequate care for animals in state custody.

PART V

Sec. V-1. 12 MRSA §1802 is amended to read:

2. Deputy director. The director is assisted in executive duties by a deputy director. The deputy director position will be a classified, confidential position.

4. Appointment. The director ~~and the deputy director are~~ is appointed by and will serve at the pleasure of the commissioner.

PART V SUMMARY

This Part changes the Deputy Director position from serving at the pleasure of the Commissioner to a classified, confidential position.

PART W

Sec. W-1. 12 MRSA §5012, ¶4 is amended to read:

The commissioner may, subject to the approval of the Governor, apply for and accept on behalf of the State any funds, other personal or real property, including grants, bequests, gifts, or contributions, or services and other intangible assets from any person, corporation or government, including the Government of the United States. Such funds shall be received by the Treasurer of State on behalf of the State and deposited in an appropriate new or existing account in the department. All such funds may, subject to the rules promulgated by the Governor, be expended by the Commissioner of Agriculture, Conservation and Forestry.

PART W SUMMARY

This Part clarifies that the Commissioner, with the Governor's approval, has the authority to accept gifts identified as services or other assets not readily identified as personal or real property.

PART X

Sec. X-1. 5 MRSA §6203, sub-§, ¶ F is enacted to read:

F. Unrestricted contributions to the Fund from private sources pursuant to this section may be used to cover administrative costs, including staff support, and consulting services, as determined necessary to carry out the duties under this chapter.

PART X SUMMARY

This Part authorizes the use of unrestricted funds in the Land for Maine's Future Fund to be used for administrative costs and consulting services.

PART Y

Sec. Y-1. 5 MRSA §12004-G, sub-§29 is amended to read:

29.

Natural Resources	Land for Maine's Future Board	Legislative Per Diem and Expenses for Appointed Members; <u>Notwithstanding any limitation on noontime meal expenses in section 12002, subsection 2, for each day in attendance at a Board meeting, each appointed member is entitled to a meal allowance not to exceed the U.S. General Service Administration (GSA) meal rates.</u>	5 MRSA §6202
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**PART Y
SUMMARY**

This Part changes the reimbursement rate for the Land for Maine’s Future Board to align with the U.S. General Services Administration (GSA) rates.

PART Z

Sec. Z-1. 12 MRSA §549-A is amended to read:

2. Director of the survey. “Director of the survey” ~~means the director of the Bureau of Resource Information and Land Use Planning as defined by 12 MRSA, §543 (1).~~

**PART Z
SUMMARY**

This Part revises the definition of the Director of the survey to be consistent with changes made to the requirements for the Maine Geological Survey in Public Law 2021, chapter 398 which removed the requirement that the Director of the Bureau of Resource Information and Land Use Planning be the Director of the survey.

PART AA

Sec. AA-1. Transfer of funds from unencumbered balance forward, Department of Agriculture, Conservation and Forestry, Division of Forest Protection. Notwithstanding any other provision of law to the contrary, the State Controller shall leave \$200,000 of unencumbered balance forward remaining in the Personal Services line category and \$300,000 of unencumbered balance forward remaining in the All Other line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account at the close of fiscal year 2022-23 and shall transfer all remaining money from the unencumbered balance forward in the Personal Services line category above \$200,000 and in the All Other line category above \$300,000 on or before August 1, 2023 to the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to carry out the mission of the Division of Forest Protection.

Sec AA-2. Transfer of funds from unencumbered balance forward, Department of Agriculture, Conservation and Forestry, Division of Forest Protection. Notwithstanding any other provision of law to the contrary, the State Controller shall leave \$200,000 of unencumbered balance forward remaining in the Personal Services line category and \$300,000 of unencumbered balance forward remaining in the All Other line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account at the close of fiscal year 2023-24 and shall transfer all remaining money from the unencumbered balance forward in the Personal Services line category above \$200,000 and in the All Other line category above \$300,000 on or before August 1, 2024 to the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to carry out the mission of the Division of Forest Protection.

PART AA SUMMARY

This Part authorizes a one-time transfer in each year of the biennium of all funds in excess of \$500,000 from unencumbered balance forward in the Personal Services and All Other line categories in the Division of Forest Protection, General Fund account to the Capital Expenditures line category in the Division of Forest Protection, General Fund account.

PART BB

Sec. BB-1. Transfer to the Department of Agriculture, Conservation and Forestry, Maine Healthy Soils Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$3,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Maine Healthy Soils Fund, Other Special Revenue Funds account for the purposes of improving the health, yield and profitability of the State's diverse agricultural soils and commodities; protecting native biological and microbiological diversity, vitality and health and increase the greenhouse gas

drawdown provided by the State's agricultural soils; promoting healthy soils agricultural practices based on indigenous knowledge, current understanding and emerging soil science as determined by the department; and promoting and expand the use of healthy soils best practices among farmers and farmland owners in the State.

PART BB SUMMARY

This Part requires the transfer of \$3,000,000 on or before June 30, 2024 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Maine Healthy Soils Fund, Other Special Revenue Funds account for the funding the Maine Healthy Soils program as outlined in Maine Revised Statutes, Title 12, chapter 7.

PART CC

Sec. CC-1. Transfer to the Department of Agriculture, Conservation and Forestry, Farmer's Drought Relief Grant Program. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$2,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Farmers Drought Relief Grant program, Other Special Revenue Funds account for a grant program to assist farmers in the State to overcome the adverse effects of drought conditions by providing grants in accordance with Maine Revised Statutes, Title 7, section 220-A.

PART CC SUMMARY

This Part requires the transfer of \$2,000,000 on or before June 30, 2024 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Farmers Drought Relief Grant program, Other Special Revenue Funds account for funding the Farmer's Drought Relief Grant program as outlined in Maine Revised Statutes, Title 7, section 220-A.

PART DD

Sec. DD-1. Transfer from General Fund unappropriated surplus; Community-based Greenhouses. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$1,500,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Community-based Greenhouse-Bureau of Agriculture, Other Special Revenue Funds account for grants for durable (glass, polycarbonate, etc.) greenhouse structures and associated siting and installation costs to schools, community centers, and other eligible public entities as determined by the Department of Agriculture, Conservation and Forestry.

**PART DD
SUMMARY**

This Part requires the transfer of \$1,500,000 in fiscal year 2023-24 from the unappropriated surplus of the General Fund to Department of Agriculture, Conservation and Forestry, Community-based Greenhouse-Bureau of Agriculture, Other Special Revenue Funds account. The transfer provides funds for the Department to make grants for community-based greenhouses to schools, community centers, and other eligible public entities for shared and educational uses, and to enhance community-based opportunities for food production.

PART EE

Sec. EE-1. 5 MRSA §7-B is amended to read:

§7-B. Use of state vehicles for commuting

Notwithstanding section 7-A, a state-owned or state-leased vehicle may not be used by any employee to commute between home and work, except for those vehicles authorized and assigned to employees of the Baxter State Park Authority and of the Department of Defense, Veterans and Emergency Management, Military Bureau as designated by the Commissioner of Defense, Veterans and Emergency Management, to the director or deputy director or duty officer of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management and to law enforcement officials within the following organizational units: Bureau of State Police; Maine Drug Enforcement Agency; Office of the State Fire Marshal; the division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and collection of taxes on malt liquor and wine; Bureau of Motor Vehicles; Bureau of Marine Patrol; the forest protection unit within the Bureau of Forestry; Bureau of Warden Service; Bureau of Parks and Lands; and ~~the Office of Chief Medical Examiner~~, the investigation division and the Medicaid fraud control unit within the Office of the Attorney General.

**PART EE
SUMMARY**

This Part removes the Office of Chief Medical Examiner within the Office of the Attorney General from the commuting exclusion clause associated with the use of state vehicles. In the office, field workers are scheduled for on call duty on a staggered basis. As a result, one fleet vehicle was removed from the budget for savings purposes and the remaining vehicle is to be used for commuting by the employee on call only.

PART FF

Sec. FF-1. 22 MRSA §3022, sub-§2A is amended to read:

2-A. Appointment of office administrator. The Chief Medical Examiner may appoint one office administrator who shall serve at the pleasure of the Chief Medical Examiner. The office administrator shall perform such duties as may be delegated by the Chief Medical Examiner. Notwithstanding any other provisions of law, the compensation of the Chief Medical Examiner's office administrator must be fixed by the Chief Medical Examiner subject to the approval of the Attorney General.

PART FF SUMMARY

This Part requires that the Attorney General approve the compensation set for the Chief Medical Examiner's office administrator.

PART GG

Sec. GG-1. 5 MRSA §3360-I is amended to read:

§3360-I. Funding sources

As part of the sentence or fine imposed, the court shall impose an assessment of ~~\$35~~ \$70 on any person convicted of murder, a Class A crime, a Class B crime or a Class C crime and ~~\$20~~ \$40 on any person convicted of a Class D crime or a Class E crime, except that the court shall impose an assessment of ~~\$1,000~~ \$2,000 on any person convicted of aggravated sex trafficking as described in Title 17-A, section 852, an assessment of ~~\$500~~ \$1,000 on any person convicted of sex trafficking as described in Title 17-A, section 853, an assessment of ~~\$500~~ \$1,000 on any person for the first conviction and ~~\$1,000~~ \$2,000 for each subsequent conviction of engaging a prostitute as described in Title 17-A, section 853-B and an assessment of ~~\$500~~ \$1,000 on any person for the first conviction and ~~\$1,000~~ \$2,000 for each subsequent conviction of patronizing prostitution of a minor or patronizing prostitution of a mentally disabled person as described in Title 17-A, section 855. Notwithstanding any other law, the court may not waive the imposition of the assessment required by this section. For purposes of collection and collection procedures, this assessment is considered part of the fine. At the time of commitment, the court shall inform the Department of Corrections or the county sheriff of any unpaid balances on assessments owed by the offender to the Victims' Compensation Fund. All funds collected as a result of these assessments accrue to the Victims' Compensation Fund.

When compensation is awarded from the Victims' Compensation Fund, the amount of any restitution ordered and paid as part of a sentence imposed that, when added to the award from the fund, exceeds the victim's actual loss must be paid to the fund, in an amount not to exceed the amount of the award. Similarly, the amount of any insurance, 3rd-party payment or recovery in a successful civil action against a person responsible for the eligible expenses and losses that, when added to the award from the fund, exceeds the victim's actual loss must be paid to the fund, in an amount not to exceed the amount of the award.

The board may establish a reserve fund approved by the State Auditor and the Treasurer of State. At the end of every quarter, the Treasurer of State shall credit unreserved funds in excess of \$2,000,000 to the General Fund.

PART GG SUMMARY

This Part increases the fines assessed against perpetrators in support of the Victims' Compensation Fund.

PART HH

Sec. HH-1. Transfers and adjustments to position count. The Commissioner of Corrections shall review the current organizational structure of the Department of Corrections to improve organizational efficiency and cost-effectiveness and shall recommend transfers of positions and available balances. Notwithstanding any provision of law to the contrary, the State Budget Officer shall transfer the position counts and available balances by financial order, in order to achieve the purposes of this section, from July 1st to December 1st of each fiscal year of the 2024-2025 biennium. Position adjustments made after December 1st and before July 1st of each fiscal year may not be considered an adjustment to position count or appropriations. The transfer and adjustment authorized by this section must comply with the requirements of the Maine Revised Statutes, Title 5, section 1585. Any transfer or adjustment pursuant to this section that would result in a program or mission change or facility closure must be reported by the Bureau of the Budget to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters for review before the associated financial order is submitted to the Governor for approval; these transfers are considered adjustments to authorized position count, appropriations and allocations.

PART HH SUMMARY

This Part allows the Commissioner of the Department of Corrections to review the current organizational structure to improve organizational efficiency and authorizes the State Budget Officer to transfer positions and available balances by financial order. The ability to make these transfers is limited to the period of July 1st to December 1st of each fiscal year in the 2024-2025 biennium. Any transfers resulting in a mission change or facility closure must have legislative review.

PART II

Sec. II-1. Department of Corrections; transfer of funds for overtime expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any provision of law to the contrary, the Department of Corrections, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, may transfer Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the purposes of paying overtime expenses in fiscal years 2023-24 and 2024-25. These transfers are not considered adjustments to appropriations.

PART II SUMMARY

This Part authorizes the Department of Corrections to transfer funds in Personal Services, All Other or Capital Expenditure line categories between accounts within the same fund by financial order for the purpose of paying departmental overtime expenses in the fiscal year of 2023-24 and 2024-25.

PART JJ

Sec. JJ-1. Transfer of Personal Services balances to All Other; Department of Corrections. Notwithstanding any provision of law to the contrary, for fiscal year 2023-24 and 2024-25 only, the Department of Corrections is authorized to transfer available balances of Personal Services appropriations and allocations in the Long Creek Youth Development Center program after all salary, benefit and other obligations are met to the All Other line category of the Long Creek Youth Development Center program for the purposes of funding juvenile community programs and services. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART JJ SUMMARY

This Part authorizes the Department of Corrections to transfer, by financial order, unobligated balance from Personal Services to the All Other line category in the Long Creek Youth Development program for fiscal year 2023-24 and 2024-25.

PART KK

Sec. KK-1. Transfers of funds for food, heating and utility expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provisions of law, the Department of Corrections, upon recommendation of the State Budget Officer and approval of the Governor, is authorized to transfer, by financial order, All Other funding between accounts within the same fund for the purposes of paying food, heating and utility expenses in fiscal years 2023-2024 and 2024-2025.

PART KK SUMMARY

This Part authorizes the Department of Corrections to transfer, by financial order, between accounts within the same fund in the All Other line category for the purpose of paying food, heating and utility expenses in the fiscal year of 2023-24 and 2024-25.

PART LL

Sec. LL-1. Department of Corrections, Admin Corrections-Carrying account; lapsed balances. Notwithstanding any provision of law to the contrary, \$1,057,303 of unencumbered balance forward from the Department of Corrections, Admin Corrections-Carrying account, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

PART LL SUMMARY

This Part lapses \$1,057,303 of unencumbered balance forward from the Department of Corrections, Admin Corrections-Carrying account to the General Fund in fiscal year 2023-24.

PART MM

Sec. MM-1. Transfer of funds for fuel expenditures. Notwithstanding any other provision of law, the Department of Corrections may transfer available balances designated for fuel expenditures in facility accounts to the Department of Corrections, Corrections Fuel program, General Fund account by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are considered adjustments to appropriations.

PART MM SUMMARY

This Part authorizes the Department of Correction to transfer appropriations for fuel expenditures from all General Fund accounts within the Department into the new consolidated Corrections Fuel, General Fund account by financial order.

PART NN

Sec. NN-1. Maine State Cultural Affairs Council, State of Maine Bicentennial Celebration; lapsed balances. Notwithstanding any provision of law to the contrary, \$134,125 of unencumbered balance forward from the Maine State Cultural Affairs Council, State of Maine Bicentennial Celebration, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

PART NN SUMMARY

This Part lapses \$134,125 of unencumbered balance forward from the Maine State Cultural Affairs Council, State of Maine Bicentennial Celebration, General Fund account to the General Fund in fiscal year 2023-24.

PART OO

Sec. OO-1. 37-B MRSA §512 is amended to read:

1. Maine Veterans' Memorial Cemetery System Care Fund establishment; purpose. The Maine Veterans' Memorial Cemetery System Care Fund, an interest-bearing account, known in this section as "the fund," is established for the purpose of ensuring ongoing care and maintenance of veterans' graves within the Maine Veterans' Memorial Cemetery System after plot interment allowances for burials within the system are no longer received from the United States Department of Veterans Affairs. The fund is established from deposits of 1/3 of the funds received from the United States Department of Veterans Affairs for plot interment allowances and from annual deposits from the Coordinated Veterans Assistance Fund established by section 514. The fund may also accept private and public donations. The fund is separate from other perpetual care or cemetery maintenance funds that support veterans' cemeteries and were established prior to the effective date of this section. All money deposited in the fund and the earnings on that money remain in the fund to be used for ongoing care and maintenance of veterans' graves within the Maine Veterans' Cemetery System.

PART OO SUMMARY

This Part makes the Maine Veterans' Memorial Cemetery System Care Fund an interest-bearing account so that funds will continue to accumulate for ongoing care and maintenance of the cemetery system.

PART PP

Sec. PP-1. Carrying provision; Department of Defense, Veterans and Emergency Management Agency. Notwithstanding any provision of law to the contrary, the State Controller shall carry forward at the end of fiscal year 2022-23 to fiscal year 2023-24 any unexpended balance of the \$400,000 provided under Public Law 2021, chapter 398, in the Administration-Defense, Veterans and Emergency Management program, General Fund account, All Other line category to continue the environmental closure activities at the former Maine Military Authority site in Limestone.

PART PP SUMMARY

This Part continues one-time funding for environmental closure activity costs at the former Maine Military Authority site in Limestone. Two sequential contracts are required to first, conduct a full background investigation and sampling plan and second, use the results of the first contract to develop remedial actions plans. Given the environmental and weather conditions of Northern Maine, the investigation and sampling plan will not be complete until late Spring. As the second contract “Statement of Work” is reliant on the results of the investigation and sampling, there will not be enough time left in FY23 to compete and award this portion of closure activity. Therefore, a portion of the \$400,000 provided under Public Law 2021, chapter 398 will be needed in FY24.

PART QQ

Sec. QQ-1. 30-A MRS §5953-G is amended to read:

1. Additional securities. The bond bank may issue additional securities in an aggregate amount not to exceed \$20,000,000 for equipment purchases or building infrastructure upgrades to career and technical education centers and career and technical education regions in accordance with this section, and the additional securities must be used for those purposes.

2. Issuance. The bond bank may not issue any additional securities pursuant to this section after June 30, ~~2024~~ 2025.

**PART QQ
SUMMARY**

This Part clarifies that the Maine Municipal Bond Bank may issue securities for equipment purchases or capital improvements to career and technical education centers and career and technical education regions and extends the date by which securities may be issued to June 30, 2025.

PART RR

This Part left intentionally blank.

PART SS

Sec. SS-1. Transfer from General Fund unappropriated surplus; Maine Healthcare Provider Loan Repayment Program. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$4,000,000 from the unappropriated surplus of the General Fund to the Finance Authority of Maine, Maine Health Care Provider Loan Repayment Program, Other Special Revenue Funds account to support loan repayment for health care professionals who commit to living and working in Maine. Under the program, the authority shall pay up to \$25,000 per year and, in aggregate, the lesser of \$75,000 and 50% of the recipient's outstanding loan balance. The program terminates when the funds allocated pursuant to this Part to the Maine Health Care Provider Loan Repayment Program Fund established in the Maine Revised Statutes, Title 20-A, section 12953 are fully expended unless other funding is made available to carry out the purpose of the program

**PART SS
SUMMARY**

This Part requires the transfer of \$4,000,000 in fiscal year 2023-24 from the unappropriated surplus of the General Fund to the Finance Authority of Maine, Maine Health Care Provider Loan Repayment Program, Other Special Revenue Funds account. The transfer provides funds for the Authority to continue funding the Health Care Provider Loan Repayment Program.

PART TT

Sec. TT-1. Transfer from General Fund unappropriated surplus; State Housing Authority program. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$30,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, State Housing Authority program, Other Special Revenue Funds account to expand rental housing options that are affordable to workers

and their families through equal funding to the Rural Affordable Rental Housing Program and the Low-income Housing Tax credit program.

PART TT SUMMARY

This Part requires the transfer of \$30,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, State Housing Authority program, Other Special Revenue account to expand rental housing options that are affordable to workers and their families through equal funding to the Rural Affordable Rental Housing Program and the Low-income Housing Tax credit program.

PART UU

Sec. UU-1. 22 MRSA §801, sub-§7 is amended to read:

7. Notifiable disease or condition. "Notifiable disease or condition" means any communicable disease, occupational disease or environmental disease, the occurrence or suspected occurrence of which is required to be reported to the department pursuant to sections 821 to 825 ~~or section 1493~~.

Sec. UU-2. 22 MRSA §801, sub-§8 is amended to read:

8. Occupational disease. "Occupational disease" ~~shall have the meaning set forth in section 1491~~ means any abnormal condition or disorder, including an occupational injury, caused by exposure to environmental factors associated with employment.

Sec. UU-3. 22 MRSA, c. 259-A is repealed.

PART UU SUMMARY

This Part repeals the mandate for the DHHS to establish, operate and maintain an occupational disease reporting system.

PART VV

Sec. VV-1. 22 MRSA §4305 is amended to read:

3-E. Maximum level of assistance for temporary housing assistance. Temporary housing assistance provided through a hotel or motel shall not exceed the federal per diem reimbursement rates established by the United States General Services Administration under authority of 5 U.S.C §5702.

Sec. VV-2. 22 MRSA §4308 is amended 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. Temporary housing assistance provided in a hotel or motel is limited to a maximum of 30 days. Municipalities may extend temporary housing assistance in a hotel or motel for individuals engaged in services that are expected to lead to permanent housing.

~~**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.~~

PART VV SUMMARY

This Part adds language which caps temporary housing assistance provided through a hotel or motel at the federal per diem rates and limits temporary housing assistance to a maximum of 30 days for individuals who are not connected to appropriate services.

PART WW

Sec. WW-1. 22-A MRSA §205, sub-§4 is amended to read:

4. Appointments. All deputy commissioners, all office directors, the Director Division of Licensing and Certification, the regional systems integration directors and the superintendents of any state institutions are appointed by the commissioner and serve at the pleasure of the commissioner.

PART WW SUMMARY

This Part makes the Director Division of Licensing and Certification appointed by the commissioner and serves at the pleasure of the commissioner.

PART XX

Sec. XX-1. 22-A MRSA §205, sub-§4 is amended to read:

4. Appointments. All deputy commissioners, all office directors, Maine Health Insurance Marketplace Executive Director, the regional systems integration directors and the superintendents of any state institutions are appointed by the commissioner and serve at the pleasure of the commissioner.

**PART XX
SUMMARY**

This Part makes the Executive Director of the State-Based Marketplace appointed by the commissioner and serves at the pleasure of the commissioner.

PART YY

Sec. YY-1. 36 MRSA §2892, 8th ¶ is amended to read:

For state fiscal years beginning on or after July 1, 2021 but before July 1, 2024, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2018.

Sec. YY-2. 36 MRSA §2892 is amended by adding at the end a new paragraph to read:

For state fiscal years beginning on or after July 1, 2024, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2020.

**PART YY
SUMMARY**

This Part updates the base year for the hospital tax.

PART ZZ

Sec. ZZ-1. Transfer of funds between MaineCare General Fund accounts.

Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, until June 30, 2025, available balances of appropriations in MaineCare General Fund accounts may be transferred between accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

**PART ZZ
SUMMARY**

This Part authorizes the Department of Health and Human Services to transfer available balances of appropriations between the MaineCare General Fund accounts for the 2024-2025 biennium.

PART AAA

Sec. AAA-1. Emergency rule-making authority; health and human services matters. The Department of Health and Human Services is authorized to adopt emergency rules under the Maine Revised Statutes, Title 5, sections 8054 and 8073 as necessary to implement those provisions of

this Act over which the department has subject matter jurisdiction for which specific authority has not been provided in any other Part of this Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.

PART AAA SUMMARY

This Part authorizes the Department of Health and Human Services to adopt emergency rules to implement any provisions of this Act over which it has specific authority that has not been addressed by some other Part of the Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or welfare.

PART BBB

Sec. BBB-1. Transfer of funds. Notwithstanding any provision of law to the contrary, for fiscal years 2023-24 and 2024-25 only, the Department of Health and Human Services is authorized to transfer available balances of All Other or Personal Services appropriations, after all salary, benefit and other obligations are met, in the Developmental Services - Community program, General Fund account to the Personal Services line category of the Crisis Outreach Program, General Fund account by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART BBB SUMMARY

This Part authorizes the Department of Health and Human Services to transfer by financial order available All Other and Personal Services balances in the Developmental Services – Community program account, General Fund to the Personal Services line category in the Crisis Outreach Program account.

PART CCC

Sec. CCC-1. Department of Health and Human Services; transfer of funds from All Other. Notwithstanding any provision of law to the contrary, for fiscal years 2023-24 and 2024-25 only, the Department of Health and Human Services may transfer from available balances of appropriations in the All Other line category after the deduction of all appropriations, financial commitments, other designated funds or any other transfer authorized by statute from any account within the Department of Health and Human Services, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, for the purpose of the information system modernization project in the Office of Aging and Disability Services, including the modernization of and merging of information systems within the Department of Health and Human Services, Office of Aging and Disability Services, by financial

order upon the recommendation of the State Budget Officer and approval of the Governor. This transfer is not considered an adjustment to appropriations.

PART CCC SUMMARY

This Part authorizes the transfer of All Other balances from any account within the Department of Health and Human Services, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, for the purpose of the information system modernization project in the Office of Aging and Disability Services.

PART DDD

Sec. DDD-1. Transfer of funds. Notwithstanding any other provision of law, for fiscal years 2023-24 and 2024-25, the Department of Health and Human Services may transfer available balances between the State-Funded Foster Care/Adoption Assistance program and the IV-E Foster Care/Adoption Assistance program in the All Other line category. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART DDD SUMMARY

This Part authorizes the Department of Health and Human Services to transfer appropriations within the Office of Child and Family Services related to the cost of administering the child welfare program.

PART EEE

Sec. EEE-1. Transfer of Personal Services balances to All Other; state psychiatric centers. Notwithstanding any provision of law to the contrary, for fiscal years 2023-24 and 2024-25 only, the Department of Health and Human Services is authorized to transfer available balances of Personal Services appropriations and allocations in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program, the Riverview Psychiatric Center program and the Dorothea Dix Psychiatric Center program after all salary, benefit and other obligations are met to the All Other line category of those programs. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART EEE SUMMARY

This Part authorizes the Department of Health and Human Services to transfer by financial order available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program in order to provide flexibility in the payment of operational expenses.

PART FFF

Sec. FFF-1. Department of Health and Human Services, Bridging Rental Assistance Program account; lapsed balances. Notwithstanding any provision of law to the contrary, \$1,500,000 of unencumbered balance forward from the Department of Health and Human Services, Bridging Rental Assistance Program, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

Sec. FFF-2. Department of Health and Human Services, Additional Support for People in Retraining and Employment account; lapsed balances. Notwithstanding any provision of law to the contrary, \$3,000,000 of unencumbered balance forward from the Department of Health and Human Services, Additional Support for People in Retraining and Employment, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

Sec. FFF-3. Department of Health and Human Services, Temporary Assistance for Needy Families account; lapsed balances. Notwithstanding any provision of law to the contrary, \$3,000,000 of unencumbered balance forward from the Department of Health and Human Services, Temporary Assistance for Needy Families, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

Sec. FFF-4. Department of Health and Human Services, Disproportionate Share - Riverview account; lapsed balances. Notwithstanding any provision of law to the contrary, \$2,180,000 of unencumbered balance forward from the Department of Health and Human Services, Disproportionate Share - Riverview, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

Sec. FFF-5. Department of Health and Human Services, Disproportionate Share – Dorothea Dix Psychiatric Center account; lapsed balances. Notwithstanding any provision of law to the contrary, \$708,655 of unencumbered balance forward from the Department of Health and Human Services, Disproportionate Share – Dorothea Dix Psychiatric Center, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

Sec. FFF-6. Department of Health and Human Services, Long Term Care – Office of Aging and Disability Services account; lapsed balances. Notwithstanding any provision of law to the contrary, \$3,543,396 of unencumbered balance forward from the Department of Health and Human Services, Long Term Care – Office of Aging and Disability Services, General Fund

carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

Sec. FFF-7. Department of Health and Human Services, Office of MaineCare Services account; lapsed balances. Notwithstanding any provision of law to the contrary, \$2,500,000 of unencumbered balance forward from the Department of Health and Human Services, Office of MaineCare Services, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

Sec. FFF-8. Department of Health and Human Services, Office of Substance Abuse and Mental Health Services account; lapsed balances. Notwithstanding any provision of law to the contrary, \$3,000,000 of unencumbered balance forward from the Department of Health and Human Services, Office of Substance Abuse and Mental Health Services, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.

PART FFF SUMMARY

This Part lapses unencumbered balance forward from a number of the Department of Health and Human Services, General Fund accounts to the General Fund unappropriated surplus in fiscal year 2023-24. The accounts and amounts are:

- Bridging Rental Assistance Program, General Fund - \$1,500,000
- Additional Support for People in Retraining and Employment, General Fund - \$3,000,000
- Temporary Assistance for Needy Families, General Fund - \$3,000,000
- Disproportionate Share - Riverview, General Fund - \$2,180,000
- Disproportionate Share – Dorothea Dix Psychiatric Center, General Fund - \$708,655
- Long Term Care – Office of Aging and Disability Services, General Fund- \$3,543,396
- Office of MaineCare Services, General Fund - \$2,500,000
- Office of Substance Abuse and Mental Health Services, General Fund -\$3,000,000

PART GGG

Sec. GGG-1. Department of Health and Human Services; Departmentwide All Other. Notwithstanding any provision of law to the contrary, the State Budget Officer shall calculate the amount of All Other savings that applies to the MaineCare and MaineCare related General Fund accounts in the Department of Health and Human Services and shall transfer by financial order upon the recommendation of the State Budget Officer and approval of the Governor, the All Other funding from each MaineCare and MaineCare-related General Fund account to the Departmentwide program, General Fund account for the purpose of achieving All Other savings in each fiscal year. The fiscal year 2023-24 financial order shall be completed no later than September 30, 2023, and in the second year of the biennium no later than September 30, 2024. These transfers are considered adjustments to appropriations in fiscal years 2023-24 and 2024-25 only.

**PART GGG
SUMMARY**

This Part requires the Department of Health and Human Services to identify in savings each fiscal year from MaineCare and MaineCare-related General Fund accounts to transfer to the Departmentwide program to offset deappropriations in that program made in this Act.

PART HHH

Sec. HHH-1. 12 MRSA §10202, sub-§9 is 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 ~~2024-2025~~ 2026-2027 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 HHH
SUMMARY**

This Part amends the fiscal stability program to begin in the 2026-2027 biennium.

PART III

Sec. III-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before August 1, 2023, the State Controller shall transfer \$60,000 from the Inland Fisheries and Wildlife Carrying Balances – General Fund account to the Enforcement Operations program, General Fund account for the purchase of one replacement aircraft engine. On or before August 1, 2024, the State Controller shall transfer \$60,000 from the Inland Fisheries and Wildlife Carrying Balances – General Fund account to the Enforcement Operations program, General Fund account for the purchase of one replacement aircraft engine.

**PART III
SUMMARY**

This Part transfers funds from the Inland Fisheries and Wildlife Carrying Balances – General Fund account to the Enforcement Operations program, General Fund account to purchase one replacement aircraft engine in fiscal year 2023-24 and one replacement aircraft engine in fiscal year 2024-25.

PART JJJ

Sec. JJJ-1. Judges and Justice Salary Adjustment. Effective July 1, 2023, the State Court Administrator shall increase the salaries of each judge or justice on the Supreme Judicial, Superior, and Districts Courts by 4.5%. Funding shall be provided in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in the amount up to \$747,180 for the fiscal year ending June 30, 2024 and in the amount up to \$761,541 for the fiscal year ending June 30, 2025.

**PART JJJ
SUMMARY**

This Part provides for a raise of 4.5% for judges and justices of the state courts in fiscal years 2023-24 and 2024-25.

PART KKK

Sec. KKK-1. 4 MRSA §28 is amended to read:

§28. Additional fee revenue dedicated

The judicial branch may credit ~~4%~~ 6%, up to a maximum of ~~\$300,000~~ \$800,000 per fiscal year, of fee revenue collected pursuant to administrative orders of the court to a nonlapsing Other Special Revenue Funds account to support the capital expenses of the judicial branch. If the fee revenue from the judicial branch is less than the amount budgeted as undedicated fee revenue for the General Fund, the amount credited to the Other Special Revenue Funds account during the fiscal year must be reduced by a percentage equal to the percentage by which General Fund undedicated fee revenue is under budget.

**PART KKK
SUMMARY**

This Part amends the maximum per fiscal year fee revenue that can be credited to the Judicial Branch Other Special Revenue account for capital expenditures.

PART LLL

Sec. LLL-1. 4 MRSA §104-A is amended to read:

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

Any Active Retired Justice of the Superior Court who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court is compensated for those services at the rate of ~~\$350~~ \$500 per day or ~~\$200~~ \$300 per 1/2 day, as long as the total compensation received under this section by an Active Retired Justice of the Superior Court in any

calendar year does not exceed 75% of the annual salary of a Justice of the Superior Court set pursuant to section 102. An Active Retired Justice of the Superior Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.

Sec. LLL-2. 4 MRSA §104-A is amended to read:

§157-D. Active retired judges; compensation

Any Active Retired Judge of the District Court who performs judicial service at the direction and assignment of the Chief Judge of the District Court is compensated for those services at the rate of ~~\$350~~ \$500 per day or ~~\$200~~ \$300 per 1/2 day, as long as the total compensation received under this section by an Active Retired Judge of the District Court in any calendar year does not exceed 75% of the annual salary of an Associate Judge of the District Court set pursuant to section 157. An Active Retired Judge of the District Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.

**PART LLL
SUMMARY**

This Part amends the active retired judge and justice per diem rates from \$350 to \$500 per day and from \$250 to \$300 per half day.

PART MMM

Sec. MMM-1. 4 MRSA §1601-I is amended to read:

§1610-I. Additional securities; judicial branch

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities from time to time in an aggregate amount not to exceed \$95,600,000 outstanding at any one time for the purposes of paying the costs associated with the planning, purchasing, financing, acquiring, constructing, renovating, furnishing, equipping, improving, extending, enlarging and consolidating new and existing facilities and projects relating to the judicial branch in the counties of Oxford, Waldo and York, acquiring and improving property relating to the judicial branch in Hancock County and 55 Lisbon Street in Lewiston, replacing and upgrading ventilation systems in facilities relating to the judicial branch in Presque Isle, Lewiston, Rockland, Skowhegan and West Bath, acquiring and improving property adjacent to Capital Judicial Center for parking and acquiring and improving property in Skowhegan for future expansion, and planning for other court facilities.

**PART MMM
SUMMARY**

This Part amends the purpose of use for securities to include acquiring and improving properties in Lewiston, Skowhegan and Augusta.

PART NNN

Sec. NNN-1. 10 MRSA §8001, sub-§38 is amended to read:

MM. Board of Speech, Audiology and Hearing; ~~and~~
NN. Maine Fuel Board; ~~and~~
OO. Board of Dental Practice.

Sec. NNN-2. 10 MRSA §8001-A, sub-§3 is repealed.

Sec. NNN-3. 32 MRSA §18302, sub-§24 is repealed.

Sec. NNN-4. 32 MRSA §18302, sub-§38 is enacted to read:

38. Director. "Director" means the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation.

Sec. NNN-5. 32 MRSA §18304, sub-§4 is repealed.

Sec. NNN-6. 32 MRSA §18322, sub-§3 is repealed.

Sec. NNN-7. 32 MRSA §18323, sub-§1 is repealed.

Sec. NNN-8. 32 MRSA §18323, sub-§2 is repealed.

Sec. NNN-9. 32 MRSA §18323, sub-§3 is repealed.

Sec. NNN-10. 32 MRSA §18323, sub-§4 is repealed.

Sec. NNN-11. 32 MRSA §18323, sub-§5 is repealed.

Sec. NNN-12. 32 MRSA §18323, sub-§6 is amended to read:

6. Executive director; duties. The Commissioner, with the advice of the Board of Dental Practice and subject to the Civil Service Law, shall appoint an executive director ~~The power to appoint an executive director who serves at the pleasure of the board and~~ who shall assist the board in carrying out its duties and responsibilities under this chapter. The executive director is responsible for the management of the board's affairs, ~~including the authority to employ and prescribe the duties of personnel within the guidelines,~~ policies and rules established by the board;

Sec. NNN-13. 32 MRSA §18323, sub-§7 is repealed.

Sec. NNN-14. 32 MRSA §18323, sub-§10 is enacted to read:

10. Subpoena authority. In addition to the provisions of Maine Revised Statutes, Title 10, section 8003, sub-section 5-A, the board may issue subpoenas in accordance with the terms of Title 5, section 9060, except that the authority applies to any state of an investigation and is not limited to an adjudicatory proceeding.

Sec. NNN-15. 32 MRSA §18323, sub-§11 is enacted to read:

11. Assessment of costs. When there is a finding of a violation, the board may assess the licensee for all or part of the actual expenses incurred by the board or its agents for investigations and enforcement duties performed.

“Actual expenses” include, but are not limited to, travel expenses and the proportionate part of the salaries and other expenses of investigators or inspectors, hourly costs of hearing officers, costs associated with record retrieval and the costs of transcribing or reproducing the administrative record.

The board, as soon as feasible after finding a violation, shall give the licensee notice of the assessment. The licensee shall pay the assessment in the time specified by the board, which may not be less than 30 days.

Sec. NNN-16. 32 MRSA §18325, sub-§1 is amended to read:

1. Disciplinary action. In addition to the provisions of Maine Revised Statutes, Title 10, section 8003, sub-section 5-A, ~~the~~ board may suspend, revoke, refuse to issue or renew a license pursuant to Title 5, section 10004. The following are grounds for an action to refuse to issue, modify, suspend, revoke or refuse to renew the license of a person licensed under this chapter:

Sec. NNN-17. 32 MRSA §18325, sub-§1-A is repealed.

Sec. NNN-18. 32 MRSA §18325, sub-§2 is amended to read:

2. Judicial review. Notwithstanding Title 10, section 8003, subsection 5-A, any nonconsensual revocation pursuant to Title 10, section 8003, subsection 5-A of a license or authority issued by the board may be imposed only after a hearing conforming to the requirements of Title 5, chapter 375, subchapter 4 and is subject to judicial review exclusively in the Superior Court in accordance with Title 5, chapter 375, subchapter 7.

Sec. NNN-19. 32 MRSA §18326 is repealed.

Sec. NNN-20. 32 MRSA §18327 is repealed.

Sec. NNN-21. 32 MRSA §18341, sub-§1 is amended to read:

1. Application. An applicant seeking an initial or a renewed license must submit an application with the fee established ~~under section 18323~~ by the Director and any other materials required by the board.

Sec. NNN-22. 32 MRSA §18347-A is enacted to read:

Notwithstanding any other provision of law, the board may issue a temporary license for a period of 6 months and waive all licensing requirements, except for fees, to any applicant upon a showing of current, valid licensure in that profession in another state.

Sec. NNN-23. 32 MRSA §18349, sub-§2 is amended to read:

2. Late renewals. Licenses may be renewed up to 90 days after the date of expiration if the applicant meets the requirements of subsection 1 and pays a late fee established by the board Director ~~pursuant to section 18323, subsection 3.~~

Sec. NNN-24. 32 MRSA §18349, sub-§3 is amended to read:

3. Reinstatement. A person who submits an application for reinstatement more than 90 days after the license expiration date is subject to all requirements governing new applicants under this chapter, except that the board may, giving due consideration to the protection of the public, waive examination if that renewal application is received, together with the penalty fee established by the ~~board~~ Director pursuant to section 18323, subsection 3, within 2 years from the date of the license expiration.

Sec. NNN-25. 32 MRSA §18351 is amended to read:

A licensee who wants to retain licensure while not practicing may apply for an inactive status license. ~~The fee for inactive status licensure is set under section 18323, subsection 3.~~ During inactive status, the licensee must renew the license and pay the renewal fee set ~~under section 18323, subsection 3~~ by the Director, but is not required to meet the continuing education requirements under section 18350. The board shall adopt rules by which an inactive status license may be reinstated.

Sec. NNN-26. 32 MRSA §18352 is repealed.

Sec. NNN-27. Transition provisions.

1. All licenses, permits and registrations issued by the Maine Board of Dental Practice as an affiliated board that are in effect become, on the effective date of this Act, licenses, permits and registrations issued by the Maine Board of Dental Practice as a licensure program within the Office of Professional and Occupational Regulation.
2. Except to the extent that they conflict with the language of this Act, all rules adopted by the Maine Board of Dental Practice as an affiliated board that are in effect become, on the effective date of this Act, rules adopted by the Maine Board of Dental Practice as a licensure program within the Office of Professional and Occupational Regulation.
3. Except to the extent that they conflict with the language of this Act, all procedures and policies adopted by the Maine Board of Dental Practice as an affiliated board become, on the effective date of this Act, procedures and policies adopted by the Maine Board of Dental Practice as a licensure program within the Office of Professional and Occupational Regulation.
4. All contracts and agreements in effect immediately prior to the effective date of this Act with regarding to the Maine Board of Dental Practice as an affiliated board become, on the effective date of this Act, contracts and agreements of the Maine Board of Dental Practice as a licensure program within the Office of Professional and Occupational Regulation.
5. Any positions authorized and allocated subject to the personnel laws to the Maine Board of Dental Practice as an affiliated board become, on the effective date of this Act, positions authorized and allocated by the Maine Board of Dental Practice as a licensure program within the Office of Professional and Occupational Regulation.

6. All records, property and equipment previously belonging to or allocated for the use of the Maine Board of Dental Practice as an affiliated board become, on the effective date of this Act, the property of the Maine Board of Dental Practice as a licensure program within the Office of Professional and Occupational Regulation.
7. All forms, licenses, letterheads and similar items bearing the name of the Maine Board of Dental Practice as an affiliated board may be used until existing supplies of those items are exhausted.

PART NNN SUMMARY

This Part amends provisions of Title 10, Chapter 901 “Department of Professional and Financial Regulation” by moving the Board of Dental Professions identified in statute as an affiliated board into a licensure program within the Office of Professional and Occupational Regulation. This bill also amends several provisions of Title 32, Chapter 143 “Dental Professions” to make consistent statutory terms as part of the organizational restructuring.

PART OOO

Sec. OOO-1. Department of Administrative and Financial Services and Department of Public Safety; lease-purchase authorization for motor vehicles for State Police. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation within the Treasurer of State, on behalf of the Department of Public Safety, may enter into financing agreements in fiscal years 2023-24 and 2024-25 for the acquisition of motor vehicles for the State Police. The financing agreements entered into may not exceed \$3,814,110 in fiscal year 2023-24 and \$3,100,000 in fiscal year 2024-25 in principal costs, and a financing agreement may not exceed 6 years in duration. The interest rate may not exceed 7%. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the State Police accounts.

PART OOO SUMMARY

This Part authorizes the Department of Administrative and Financial Services and the Department of Public Safety to enter into financial arrangements in fiscal year 2023-24 and 2024-25 for the acquisition of motor vehicles for the State Police. The financing authority for fiscal year 2023-24 includes the purchase of an armored vehicle.

PART PPP

Sec. PPP-1. Rename Bureau of Administrative Services and Corporations. Notwithstanding any other provision of law, the Bureau of Administrative Services and Corporations program within the Department of Secretary of State is renamed the Bureau of Corporations, Elections and Commissions program.

Sec. PPP-2. Rename Elections and Commissions. Notwithstanding any other provision of law, the Elections and Commissions program within the Department of Secretary of State is renamed the Federal Elections Grant program.

Sec. PPP-3. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the program name “Bureau of Administrative Services and Corporations” appears, it is amended to read “Bureau of Corporations, Elections and Commissions” and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. PPP-4. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the program name “Elections and Commissions” appears, it is amended to read “Federal Elections Grant” and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

PART PPP SUMMARY

This Part renames two programs within the Department of the Secretary of State to reflect the functions performed. The Bureau of Administrative Services and Corporations program is renamed to the Bureau of Corporations, Elections and Commissions program. The Elections and Commissions program is renamed to the Federal Elections Grant program. Sections 3 and 4 direct the Revisor of Statutes to update these program names when updating, publishing or republishing the statutes.

PART QQQ

Sec. QQQ-1. Transfer from General Fund unappropriated surplus; Maine Community College System Free Community College - 2 Enrollment Years program. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$7,500,000 from the unappropriated surplus of the General Fund to the Maine Community College System Free Community College - 2 Enrollment Years program, Other Special Revenue Funds account within the Maine Community College System on or before June 30, 2024 to provide 2 years of free community college for all eligible students.

Sec. QQQ-2. Transfer from General Fund unappropriated surplus; Maine Community College System Free Community College - 2 Enrollment Years program. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$7,500,000 from the unappropriated surplus of the General Fund to the Maine Community College System Free Community College - 2 Enrollment Years program, Other Special Revenue Funds account within the Maine Community College System on or before June 30, 2025 to provide 2 years of free community college for all eligible students.

PART QQQ SUMMARY

This Part authorizes the State Controller to transfer to \$7,500,000 in fiscal year 2023-24 and fiscal year 2024-25 from unappropriated surplus of the General Fund to the MCCS Free Community College - Two Enrollment Years, Other Special Revenue Funds account within the Maine Community College System to provide 2 years of free community college for high school graduates in the classes of 2024 and 2025 who enroll in a Maine community college full-time.

PART RRR

Sec. RRR-1. Transfer from General Fund unappropriated surplus; Highway and Bridge Capital. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$50,000,000 from the unappropriated surplus of the General Fund to the Department of Transportation, Highway and Bridge Capital, Other Special Revenue Funds account for the purpose of supporting highway and bridge projects.

Sec. RRR-2. Transfer from General Fund unappropriated surplus; Multimodal Transportation. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$20,000,000 from the unappropriated surplus of the General Fund to the Department of Transportation, Multimodal Transportation Fund, Other Special Revenue Funds account.

Sec. RRR-3. Transfer from General Fund unappropriated surplus; Highway Light Capital. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$30,000,000 from the unappropriated surplus of the General Fund to the Department of Transportation, Highway Light Capital, Other Special Revenue Funds account for the purpose of supporting light capital paving projects in fiscal year 2023-24.

Sec. RRR-4. Transfer from General Fund unappropriated surplus; Highway and Bridge Capital. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$80,000,000 from the unappropriated surplus of the General Fund to the Department of Transportation, Highway and Bridge Capital, Other Special Revenue Funds account for the purpose of supporting highway and bridge projects.

Sec. RRR-5. Transfer from General Fund unappropriated surplus; Multimodal Transportation. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$20,000,000 from the unappropriated surplus of the General Fund to the Department of Transportation, Multimodal Transportation Fund, Other Special Revenue Funds account.

PART RRR SUMMARY

This Part requires the transfer of \$100,000,000 in fiscal years 2023-24 and 2024-25 from the unappropriated surplus of the General Fund to the Department of Transportation, Highway and Bridge Capital, Multimodal Transportation Fund and Highway Light Capital accounts.

PART SSS

Sec. SSS-1. Transfer of Interest Earnings; Maine Municipal Bond Bank TransCap Trust Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$9,186,703 from the interest earnings on the State Local Fiscal Recovery Funds to the TransCap Trust Fund established in Title 30-A, section 6006-G to pay towards the remaining debt service of the 2015A and 2021A bonds.

Sec. SSS-2. Transfer from General Fund unappropriated surplus; Maine Municipal Bond Bank TransCap Trust Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$6,797,514 from the unappropriated surplus of the General Fund to the TransCap Trust Fund established in Title 30-A, section 6006-G to pay towards the remaining debt service of the 2015A and 2021A bonds.

PART SSS SUMMARY

This Part authorizes the State Controller to transfer \$15,984,217 to the TransCap Trust Fund established in Title 30-A, section 6006-G to pay towards the remaining debt service of the 2015A and 2021A bonds.

PART TTT

Sec. TTT-1. Carry provision; Debt Service – Treasury. Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining balances in the Debt Service – Treasury program in the Department of Treasury in each year of the 2024-2025 biennium into the following fiscal year.

**PART TTT
SUMMARY**

This Part gives authority for the Debt Service – Treasury program to carry their funds in the following biennium.

PART UUU

Sec. UUU-1. 39-A MRSA §154, sub- §6, ¶A, is amended to read:

A. The assessments levied under this section may not be designed to produce more than \$10,000,000 beginning in the 2008-09 fiscal year, more than \$10,400,00 beginning in the 2009-10 fiscal year, more than \$10,800,000 beginning in the 2010-11 fiscal year, more than \$11,200,000 beginning in the 2011-12 fiscal year or, more than \$13,000,000 beginning in the 2017-18 fiscal year or more than \$14,700,000 beginning in the 2023-2024 fiscal year. Assessments collected that exceed the applicable limit by a margin of more than 10% must be used to reduce the assessment that is paid by insured employers pursuant to subsection 3. Any amount collected above the board's allocated budget and within the 10% margin must be used to create a reserve of up to 1/4 of the board's annual budget.

**PART UUU
SUMMARY**

This Part increases the Workers' Compensation Board's assessment cap to \$14,700,000 starting in fiscal year 2023-24 and is expected to cover the board's budgets in fiscal years 2023-24 and 2024-25. Nearly all of the funding for the Workers' Compensation Board comes from assessments charged to Maine employers. Assessment caps have been increased periodically to keep up with the board's increased funding needs. The most recent cap was set at \$13,000,000 beginning in the 2017-2018 fiscal year.

PART VVV

Sec. VVV-5. Designation as unclaimed property. Notwithstanding any provision of law to the contrary, for purposes of the COVID Disaster Relief Payment Program, relief payment checks that remain undeposited on January 1, 2023 are to be treated as unclaimed property, not subject to the notice and receipt provisions established in the Maine Revised Statutes, Title 33, section 2101 as applied to such checks. The Treasurer of State shall use unclaimed property systems and networks to find the proper recipients of such checks as quickly as possible.

**PART VVV
SUMMARY**

This Part clarifies that COVID Disaster Relief Payment checks will be treated as unclaimed property that is not subject to the notice and receipt provisions established in the Maine Revised Statutes, Title 33, section 2101.

PART WWW

Sec. WWW-1. Tax expenditures. In accordance with the Maine Revised Statutes, Title 5, section 1666 and to the extent not otherwise provided in this Act, funding is continued for each individual tax expenditure, as defined in Title 5, section 1666, reported in the budget document submitted to the Legislature by the Governor on January 11, 2023 in the first regular legislative session.

**PART WWW
SUMMARY**

This Part continues authorization for each individual tax expenditure provided by statute.