

Amend LD 1001 Part U by deleting the current Part and replacing with the following:

PART U

Sec. U-1. 8 MRSA §299-A, sub-§1, as enacted by PL 2017, c. 371, §5 is amended to read:

1. Fund created. The Harness Racing Promotional Fund, referred to in this section as "the fund," is established as a separate unit operating within the Harness Racing Commission program to be used solely for the marketing and promotion of harness racing in the State. The fund consists of any money received through the commission on wagers pursuant to section 286 and any contributions, grants or appropriations from private and public sources. The fund, to be accounted for within the commission, must be held separate and apart from all other money, ~~funds and accounts~~. Any balance remaining in the fund at the end of a fiscal year does not lapse but must be carried forward to the next fiscal year.

Sec. U-2. Transfer balances. Notwithstanding any other provision of law, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Harness Racing Promotional Fund account, Other Special Revenue Funds to the Operating Account, Other Special Revenue Funds, within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

**PART U
SUMMARY**

This Part consolidates accounts to recognize administrative efficiencies and authorizes a transfer of residual cash remaining in the Harness Racing Promotional Fund account that is being consolidate with the Operating Account within the Harness Racing Commission program.

Amend LD 1001 Part OO by deleting the current Part and leaving it blank:

Amend LD 1001 Part RR as follows:

Current

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

**ECONOMIC AND COMMUNITY DEVELOPMENT. DEPARTMENT OF
Administration – Economic and Community Development 0069**

Initiative: Provides one-time funding to encourage and support economic and business growth.

GENERAL FUND	2019-20	2020-21
Personal Services	<u>\$2,500,000</u>	<u>\$2,500,000</u>
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000

Revised

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

**ECONOMIC AND COMMUNITY DEVELOPMENT. DEPARTMENT OF
Administration – Economic and Community Development 0069**

Initiative: Provides one-time funding to encourage and support economic and business growth.

GENERAL FUND	2019-20	2020-21
All Other	<u>\$2,500,000</u>	<u>\$2,500,000</u>
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000

**PART RR
SUMMARY**

Section RR-2 is revised to change appropriation request to the All Other line category rather than Personal Services line category.

Amend LD 1001 Part BBBB by deleting the current Part and replacing with the following:

PART BBBB

Sec. BBBB-1. Transfer to the MaineCare Stabilization Fund. The State Controller shall transfer \$14,500,000 from the Fund for a Healthy Maine dedicated revenue, excluding slot machine income credited to the Fund for a Healthy Maine in Title 8, section, 1036, to the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK on or before June 30, 2019.

Sec. BBBB-2. Transfer to the MaineCare Stabilization Fund. The State Controller shall transfer \$14,500,000 from the Unappropriated Surplus of the General Fund, to the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK on or before June 30, 2019.

Sec. BBBB-3. Transfer for MaineCare payments. The State Controller shall transfer from the balance available in the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, chapter 3174-KK, for MaineCare payments in the Department of Health and Human Services up to \$29,000,000. Amounts transferred may be expended based on allotment established by financial order approved by the Governor. The amounts transferred are considered adjustments to appropriations. The Governor shall inform the Legislative Council and the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and health and human services immediately upon such a transfer from the MaineCare Stabilization Fund and the Unappropriated Surplus of the General Fund.

**PART BBBB
SUMMARY**

This Part transfers \$14,500,000 from the Fund for a Healthy Maine dedicated revenue and \$14,500,000 from the Unappropriated Surplus of the General Fund to the MaineCare Stabilization Fund during fiscal year 2018-19. This Part also authorizes a transfer from the MaineCare Stabilization Fund for MaineCare payments. The amount transferred from the MaineCare Stabilization Fund may not exceed \$29,000,000.

Amend LD 1001 by adding a new Part DDDD:

PART DDDD

Sec. DDDD-1. Department of Administrative and Financial Services, Central Administrative Applications program, General Fund account carry-forward. Notwithstanding any other provision of law to the contrary, any balance remaining in the Department of Administrative and Financial Services, Central Administrative Applications program, General Fund account at the close of fiscal year 2018-19, fiscal year 2019-20, and fiscal year 2020-21 may not lapse and must be carried forward in the same program.

**PART DDDD
SUMMARY**

This Part authorizes balances within the Department of Administrative and Financial Services, Central Administrative Applications program to carry in fiscal year 2018-19, fiscal year 2019-20, and fiscal year 2020-21.

Amend LD 1001 adding a new Part EEEE:

PART EEEE

Sec. EEEE-1 Personal Services Review. The Department of Administrative and Financial Services, Bureau of the Budget shall conduct a review of Personal Services balances in executive branch departments and agencies for the purpose of identifying total General Fund savings in the Personal Services line category equal to \$1,046,580 and Highway Fund savings in the Personal Services line category equal to \$31,578 in fiscal years 2018-19, 2019-20 and 2020-21.

Sec. EEEE-2. Calculation and transfer. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of the savings in associated with section 1 of this Part that applies against each General Fund and Highway 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 2018-19, 2019-20 and 2021-21.

Sec. EEEE-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: Adjusts funding to reflect correct savings included in Public Law 2017, chapter 284, Part ZZZZZZ.

GENERAL FUND	2018-19	2019-20	2020-21
Personal Services	<u>(\$1,046,580)</u>	<u>(\$1,046,580)</u>	<u>(\$1,046,580)</u>
GENERAL FUND TOTAL	(\$1,046,580)	(\$1,046,580)	(\$1,046,580)

HIGHWAY FUND	2018-19	2019-20	2020-21
Personal Services	<u>(\$31,578)</u>	<u>(\$31,578)</u>	<u>(\$31,578)</u>
HIGHWAY FUND TOTAL	(\$31,578)	(\$31,578)	(\$31,578)

Accident - Sickness - Health Insurance 0455

Initiative: Adjusts funding to reflect correct savings included in Public Law 2017, chapter 284, Part ZZZZZZ.

GENERAL FUND	2018-19	2019-20	2020-21
All Other	<u>\$1,046,580</u>	<u>\$1,046,580</u>	<u>\$1,046,580</u>
GENERAL FUND TOTAL	\$1,046,580	\$1,046,580	\$1,046,580

HIGHWAY FUND	2018-19	2019-20	2020-21
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All Other	<u>\$31,578</u>	<u>\$31,578</u>	<u>\$31,578</u>
HIGHWAY FUND TOTAL	\$31,578	\$31,578	\$31,578

**PART EEEE
SUMMARY**

This Part corrects the budgeted deappropriation included in Public Law 2017, chapter 284, Part ZZZZZZ and authorizes the State Budget Officer to identify and transfer Personal Services savings to the Executive Branch Departments and Independent Agencies – Statewide program.

Amend LD 1001 by adding a new Part FFFF:

PART FFFF

Sec. FFFF-1. Personal Services balances; Maine Health Data Organization; transfers authorized. Notwithstanding any other provision of law, in the 2020-2021 biennium, the Maine Health Data Organization upon recommendation of the State Budget Officer and approval of the Governor is authorized to transfer by financial order up to \$290,000 in each fiscal year, available balances of Personal Services allocations, after all salary, benefit and other obligations are met, to the All Other line category in the Maine Health Data Organization, Other Special Revenue Funds account.

**PART FFFF
SUMMARY**

This Part authorizes the Maine Health Data Organization to transfer available Personal Services balances up to a specified amount to All Other by financial order in the Maine Health Data Organization, Other Special Revenue Funds account during the 2020-2021 biennium.

Amend LD 1001 by adding a new Part GGGG:

PART GGGG

Sec. GGGG-1. Department of Health and Human Services; Departmentwide All Other. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of All Other savings that applies to each General Fund account 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 General Fund account to the Departmentwide program, General Fund account for the purposes of achieving All Other savings in each fiscal year. These transfers are considered adjustments to appropriations in fiscal years 2019-20 and 2020-21.

**PART GGGG
SUMMARY**

This Part authorizes the State Budget Officer to calculate All Other savings in Department of Health and Human Services General Fund account and transfer by financial order, All Other appropriation from each General Fund account to the Departmentwide program, General Fund account.

Amend LD 1001 by adding a new Part HHHH:

PART HHHH

Sec. HHHH-1. 22 MRSA §3104, sub§-11, as amended by PL 2009, c. 291, §2 is further amended to read:

11. **Food supplement program overpayment recovery.** Any allowable portion of money recovered by the department as a result of the overpayment of food supplement benefits must be deposited into the General Fund, including any money up to a maximum of \$81,475 recovered prior to March 14, 1991 Other Special Revenue Funds, Food Supplemental Administration account.

**PART HHHH
SUMMARY**

This part repeals and replaces language to allow the State portion of funds that are recovered as a result of food supplement overpayments to be deposited into the Other Special Revenue Funds, Food Supplement Administration account.

Amend LD 1001 by adding a new Part III:

PART III

Sec. III-1. 5 MRSA §1531, sub-§2, as amended by PL 2015, c. 267, Pt. L, §3, is further amended to read:

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~~Governor's Office of Policy and Management~~.

Sec. III-2. 5 MRSA §1710-D, as amended by PL 2011, c. 655, Pt. DD, §3, is further amended to read:

The commission may receive staff support from the Department of Administrative and Financial Services and the Department of Labor~~Governor's Office of Policy and Management~~.

Sec. III-3. 5 MRSA §1710-I, as amended by PL 2011, c. 655, Pt. DD, §4, is further amended to read:

The committee may receive staff assistance from the Department of Administrative and Financial Services~~Bureau of the Budget, the Governor's Office of Policy and Management, the Bureau of Revenue Services~~ and, at the discretion of the Legislature, the Office of Fiscal and Program Review. The committee may also utilize other professionals having revenue forecasting, economic and fiscal expertise.

Sec. III-4. 5 MRSA §13056, sub-§3, amended by PL 2011, c. 655, Pt. DD, §6, is further amended to read:

3. Conduct planning and research. Conduct planning, research and analysis for department needs, but not macroeconomic forecasting, which is the responsibility of the Department of Administrative and Financial Services~~Governor's Office of Policy and Management~~. The department shall gather, maintain and have access to all economic and other information necessary to the performance of its duties;

Sec. III-5. 10 MRSA §363, sub-§2-A, as amended by PL 2011, c. 655, Pt. DD, §8, is further amended to read:

2-A. Recommendation of Governor and issuers. At any time action of the Legislature under subsection 1-A is necessary or desirable, the Governor shall recommend to the appropriate committee of the Legislature a proposed allocation or reallocation of all or part of the state ceiling. To assist the Governor in making a recommendation of proposed allocations of the state ceiling on private activity bonds, the group of 7 representatives described in subsection 1-A shall make a recommendation regarding allocation or reallocation of the state ceiling. In order to assist the group

in making its recommendation and to assist the Governor and the Legislature, the Department of Administrative and Financial Services, ~~in consultation with the Governor's Office of Policy and Management~~, shall prepare an annual analysis of the State's economic outlook, prevailing interest rate forecasts related to tax-exempt financing by the issuers specifically identified in subsections 4 to 8, the availability to those issuers of alternative financing from sources that do not require an allocation of the state ceiling and the relationship of these factors and various public policy considerations to the allocation or reallocation of the state ceiling. In recommending any allocation or reallocation of the state ceiling to the Legislature, the Governor shall consider the requests and recommendations of those issuers of bonds within the State designated in this section, the recommendations of the group of representatives described in subsection 1-A and the annual analysis of the Department of Administrative and Financial Services.

Sec. III-6. 12 MRSA §8876, sub-§2, as amended by PL 2011, c. 655, Pt. DD, §9, is further amended to read:

2. Future demand. Project future demand for forest resources based on a common economic forecast developed by the Consensus Economic Forecasting Commission~~Governor's Office of Policy and Management~~ and on other appropriate economic projections;

Sec. III-7. 26 MRSA §3, sub-§3, ¶B, as enacted by PL 2015, c. 250, Pt. C, §2, is amended to read:

B. Information and records pertaining to the workforce, employment patterns, wage rates, poverty and low-income patterns, economically distressed communities and regions and other similar information and data to the Department of Administrative and Financial Services, the Department of Economic and Community Development and to the Governor's Office of Policy and Management for the purposes of analysis and evaluation, measuring and monitoring poverty and economic and social conditions throughout the State, and promoting economic development.

Sec. III-8. 30-A, §5250-O, 1st ¶ as amended by PL 2017, c. 440, §4, is further amended to read:

A business may apply to the commissioner for certification as a qualified Pine Tree Development Zone business. Upon review and determination by the commissioner that a business is a qualified Pine Tree Development Zone business, the commissioner shall issue a letter of certification to the business that includes a description of the qualified business activity for which the letter is being issued. Prior to issuing a letter of certification, the commissioner must find that the business activity will not result in a substantial detriment to existing businesses in the State. In order to make this determination, the commissioner shall consider those factors the commissioner determines necessary to measure and evaluate the effect of the proposed business activity on existing businesses, including whether any adverse economic effect of the proposed business activity on existing businesses is outweighed by the contribution to the economic well-being of the State. ~~The State Economist must review applications under this section and provide an advisory~~

~~opinion to assist the commissioner in making findings under this section.~~ The commissioner shall provide a copy of the letter of certification to the State Tax Assessor.

Sec. III-9. 30-A MRSA §5903, sub-§6-A, as amended by PL 2011, c. 655, Pt. DD, §13, is further amended to read:

6-A. Median household income. "Median household income" means the income computed based on the most current census information available, as provided by the State Economist~~Governor's Office of Policy and Management~~.

Sec. III-10. 35-A MRSA §3454, first ¶ as repealed and replaced by PL 2013, c. 424, Pt. A, §21, is amended to read:

In making findings pursuant to Title 38, section 484, subsection 3, the primary siting authority shall presume that an expedited wind energy development provides energy and emissions-related benefits described in section 3402 and shall make additional findings regarding other tangible benefits provided by the development. The Department of Labor, ~~the Governor's Office of Policy and Management~~, the Governor's Energy Office and the Public Utilities Commission shall provide review comments if requested by the primary siting authority.

Sec. III-11. 36 MRSA §6756, sub-§3, second ¶ as enacted by PL 1995, c. 669, §5, is amended to read:

~~The State Economist shall review applications for employment tax increment financing and provide an advisory opinion to assist the commissioner in making findings under this section.~~

Sec. III-12. 38 MRSA §484, sub-§10, next to last ¶ as amended by PL 2011, c. 655, Pt. DD, §18, is further amended to read:

The Department of Labor, ~~the Governor's Office of Policy and Management~~, the Governor's Energy Office and the Public Utilities Commission shall provide review comments if requested by the primary siting authority.

PART III SUMMARY

This Part completes the changes necessary in the transfer of the State Economist to the Department of Administrative and Financial Services from the Governor's Office of Policy and Management, as enacted by PL 2017, c. 284.

Amend LD 1001 by adding a new Part JJJJ:

PART JJJJ

Sec. JJJJ-1. Transfer to Maine Budget Stabilization Fund for fiscal year 2018-19. On or before June 30, 2019, the State Controller shall transfer \$34,500,000 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund established in the Maine Revised Statutes, Title 5, section 1532.

**PART JJJJ
SUMMARY**

This Part requires the transfer of \$34,500,000 in fiscal year 2018-19 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund.

Amend LD 1001 by adding a new Part KKKK

PART KKKK

Sec. KKKK-1. PL 2017, c. 284, Pt EEEEEEE, §1 is amended to read:

Sec. EEEEEEE-1. Reserve for Riverview Psychiatric Center established. Notwithstanding any other provision of law to the contrary, the State Controller shall transfer up to ~~\$79,500,000~~~~\$65,000,000~~ from the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services to a General Fund reserve account established by the State Controller for the purpose of providing General Fund resources for the amounts in federal financial participation for Medicaid services and disproportionate share hospital payments related to the Riverview Psychiatric Center. Transfers from the reserve account may be made to the Department of Health and Human Services pending a notice and reconsideration of disallowance from the federal Centers for Medicare and Medicaid Services, dated June 7, 2017.

**PART KKKK
SUMMARY**

This Part authorizes an additional transfer amount of \$14,500,000 from the Maine Budget Stabilization Fund to a General Fund reserve account established by the State Controller for the purpose of providing funding for the amounts in federal financial participation for Medicaid services and disproportionate share hospital payments related to the Riverview Psychiatric Center. Transfers from the reserve account may be made to the Department of Health and Human Services.

Amend LD 1001 by adding a new Part LLLL:

PART LLLL

Sec. LLLL-1. 34-A MRSA, §3902 as enacted by PL 1983, c. 861, §1 is amended to read:

The purposes of the Downeast Correctional Facility include vocational training~~and academic education~~ and rehabilitative programs, including work release, and work with which may involve public restitution.

Sec. LLLL-2. 34-A MRSA, §3903 is repealed and the following enacted in its place:

§4303. Superintendent

1. Chief administrative officer. The chief administrative officer of the center is the superintendent of the Mountain View Correctional Facility and is responsible to the commissioner.

2. Duties. In addition to other duties set out in this Title, the superintendent the following duties.

A. The superintendent shall exercise proper supervision over the employees, grounds, buildings and equipment at the center.

B. The superintendent shall supervise and control the prisoners at the center in accordance with departmental rules.

PART LLLL

SUMMARY

This Part re-establishes the former Downeast Correctional Facility and revises its purpose and oversight structure.

Amend LD 1001 by adding a new Part MMMM:

PART MMMM

Sec. MMMM-1. PL 2017, c. 2, §5, is amended to read:

5. Cost recovery fund. There is established within the commission a nonlapsing cost recovery fund, referred to in this section as "the fund." The fund receives funds allocated or transferred by the Legislature from the unappropriated surplus of the General Fund in accordance with subsection 8. The commission shall use the fund to pay all above-market costs of any contract entered into under this section. No more than 50% of the fund may be awarded to facilities serving the NMISA region. After the close of fiscal year 2018-19, \$5,461,387.64 in the cost recovery fund that the commission has determined are not needed to pay above-market costs in accordance with subsection 6 must be transferred to the General Fund Unappropriated Surplus in fiscal year 2019-20. The commission by rule or order shall establish how above-market costs are determined and how payments from the fund are made. Amounts remaining in the cost recovery fund that are not needed to pay above-market costs in accordance with subsection 6 may not be transferred without legislative approval.

**PART MMMM
SUMMARY**

This Part transfers the remaining funds in the cost recovery fund, to the Unappropriated Surplus of the General Fund in fiscal year 2019-20.

Amend LD 1001 by adding a new Part NNNN:

PART NNNN

Sec. NNNN-1. 20-A MRSA §6602, sub-§1, ¶D is enacted to read:

D. A public school that serves lunch shall provide all students who are eligible for free and reduced-price meals under paragraph A a meal that meets the requirements of the federal National School Lunch Program set forth in 7 Code of Federal Regulations, Part 210 at no cost to the student. The State shall provide funding equal to the difference between the federal reimbursement for a free lunch and the federal reimbursement for a reduced-price lunch for each student eligible for a reduced-price lunch and receiving lunch.

**PART NNNN
SUMMARY**

This Part directs the State to fund the difference between federal reimbursements for reduced-price and free lunches in order to provide all children under 185% of the federal poverty level free lunch at school.

Amend LD 1001 by adding a new Part OOOO:

PART OOOO

Sec. OOOO-1. Transfer to School Revolving Renovation Fund, Maine Municipal Bond Bank. On or before June 30, 2019, the State Treasurer and State Controller shall transfer \$20,000,000 from the unappropriated surplus of the General Fund to the Maine Municipal Bond Bank for the School Revolving Renovation Fund established in the Maine Revised Statutes, Title 30-A, section 6006-F.

**PART OOOO
SUMMARY**

This Part requires a transfer of \$20,000,000 in fiscal year 2018-19 from the unappropriated surplus of the General Fund to the Maine Municipal Bond Bank.