

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

CHAPTER 103

AN ACT Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1976 and June 30, 1977.

Emergency preamble. Whereas, Acts and resolves passed by 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 departments and institutions will become due and payable on or immediately after July 1, 1975; and

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

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

Sec. 1. Appropriations from General Fund. In order to provide for necessary expenditures of government and other purposes for the 2 fiscal years — from July 1, 1975 to June 30, 1976 and from July 1, 1976 to June 30, 1977 — the following sums or as much thereof as shall severally be found necessary, as designated in the following tabulations, are appropriated out of any moneys in the General Fund not otherwise appropriated.

SECTION A

	1975-76	1976-77
BUSINESS REGULATION, DEPARTMENT OF		
Consumer Protection		
Unallocated	25,000	—
Provides additional operating funds.		
EDUCATIONAL AND CULTURAL SERVICES		
Teachers Retirement		
All Other	102,285	—
Provides the estimated amount of interest due the fund due to transfer of funds from 1975-76 to 1976-77.		

HEALTH AND WELFARE, DEPARTMENT OF

Bureau of Health

All Other	(29,000)	(29,000)
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Reduces appropriation in the department due to passage of L. D. 299. This L. D. dedicates the fees that were previously undedicated revenue. General fund revenue loss \$29,000 each year.

Bureau of Social Welfare

All Other	62,000	62,000
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Bureau of Human Services

All Other	(62,000)	(62,000)
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To correct error in L. D. 1909. Funds removed from Bureau of Social Welfare in error.

SACO RIVER CORRIDOR COMMISSION

All Other	25,000	—
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Provides operating funds.

TRANSPORTATION, DEPARTMENT OF

Unallocated	7,500	7,500
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Provides funds for repairs to Matinicus Island Ferry "Mary A".

L. D. 1547 AN ACT to Exempt Lobster Fishing Boat Operators from Withholding State Income Taxes from Sternman's Share of Proceeds and to Provide that a Sternman will be considered Self-employed for Purposes of Maine Income Tax.	—	14,300
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Also reduces undedicated revenue \$10,000 in 1975-76 and \$12,500 in 1976-77.

L. D. 1891 AN ACT Relating to School Administrative District 53.	63,000	63,000
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TOTAL SECTION A	\$603,577	\$ 55,800
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SECTION B

The salary increases provided by public laws of 1973, chapter 509, section 6, shall, on the effective date of this Act, apply to any District Court Judge who was a member of the 106th Legislature prior to being appointed and who was appointed during the 1973-74 biennium.

SECTION C

22 MRSA § 3802 is enacted to read:

§ 3802. Payments for care of children

1. Payments made by the department, pursuant to section 3792, section 3794 or pursuant to other provisions of law, for the care of children committed to the custody of the State shall be in accordance with this section. Within the limits of available funds, the department shall take action to assure that state payments for care of a child, when combined with such other resources as may be available to share the costs of such care, shall provide monthly payments.

A. For foster home board care at a rate which is at least equal to, but not less than the rate in the following schedule:

For care of a child who is	Rate Per Month
Normal	\$120
Mildly Handicapped	140
Moderately Handicapped	160
Severely Handicapped	190

B. For residential child care facilities in an amount equal to but not exceeding 80% of audited unit cost and based on actual expenditures.

C. For boarding care in so called private schools in an amount equal to 80% of audited unit cost up to \$175 per month, except where a child has unusual needs in an amount equal to 80% of audited cost up to \$300 per month.

D. For a clothing allowance at a rate which is at least equal to, but not less than, the rate in the following schedule:

For A Child Age	Rate Per Month
0-4 years	\$11
4 years 1 day to 11 years	19
11 years 1 day or older	27

2. The department may utilize a unit cost method. Audited costs shall be based on actual expenditures through a 12-month period, or in the case of a newly established facility or school the department may utilize another similar basis of cost to establish a payment rate.

3. Appropriations available for payments provided in subsection 1 shall be budgeted and authorized for expenditure by the department in a priority

sequence. First, the available appropriation shall be budgeted and expended to provide payments specified in subsection 1, paragraphs A and D; and 2nd any balance of the appropriation remaining after such budgeting, shall be budgeted and expended to provide payments specified in subsection 1, paragraphs B and C.

4. Any unexpended balance of this account shall not be transferred to another account and shall not lapse, but shall be carried forward in the same account from year to year to be expended for the same purpose.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1975.

Effective July 1, 1975

CHAPTER 104

AN ACT Relating to General Fund Aid to Local School Units.

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

Whereas, certain administrative units have received less than their computed allocation payments for fiscal year 1975; and

Whereas, legislation is vitally necessary to allow the Department of Educational and Cultural Services to expend from the 1975-76 appropriation an amount to reimburse such administrative units; and

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

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

General fund aid to local school units. Notwithstanding any statute to the contrary, the Department of Educational and Cultural Services is authorized to expend from its 1975-76 appropriation for general purpose aid for local schools an amount not to exceed \$1,674,045 to reimburse administrative units that received less than their computed allocation payments for fiscal year 1975.

Emergency clause. In view of the emergency cited in the preamble, this Act shall become effective when approved.

Effective July 2, 1975

CHAPTER 105

AN ACT Appropriating Funds to Move an Indian Dwelling on the Penobscot Indian Reservation.

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

Appropriation. There is appropriated from the General Fund to the Department of Indian Affairs the sum of \$7,000 to be expended, if needed, to move a dwelling on the Penobscot Indian Reservation. The breakdown shall be as follows: