

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

Kennebec Journal
Augusta, Maine
1979

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND NINTH LEGISLATURE
1979

General Fund'' as follows:

TOTAL GENERAL FUND \$~~898,315~~ \$908,315

Sec. 76. Resolves, 1979, c. 12, § 4 is amended to read:

Sec. 4. Summary. Resolved: That the figures appearing in this resolve represent the total amount of taxes and the total specific expenditures authorized for the year 1979.

Total Appropriations \$1,063,315 \$1,073,315

Available Credits:

Estimated Revenue \$150,000
\$160,000

Transfer from Surplus 65,000

Federal Revenue Sharing 165,000

Total Available Credits 380,000
\$390,000

Amount to be raised by taxation \$683,315

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

Effective June 22, 1979

CHAPTER 542

S. P. 600 — L. D. 1673

AN ACT Making Supplemental Appropriations and Other Necessary Adjustments from the General Fund for the Fiscal Years Ending June 30, 1980 and June 30, 1981.

Emergency preamble. Whereas, Acts 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 after July 1, 1979; 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. 1. Appropriations from General Fund. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 1980, and June 30, 1981, the following sums as designated in the following tabulations are appropriated out of any moneys in the General Fund not otherwise appropriated.

Sec. 2. Allotments required. Upon receipt of allotments duly approved by the Governor based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures of these appropriations, together with expenditures for other purposes necessary to the conduct of State Government on the basis of such allotments and not otherwise. Allotments for personal services, capital expenditures and amounts for all other departmental expenses shall not exceed the amounts shown in the budget document or as they may be revised by the Joint Standing Committee on Appropriations and Financial Affairs unless recommended by the State Budget Officer and approved by the Governor in accordance with established law.

Sec. 3. Personal services appropriation. The figures in parentheses shown above each dollar amount provided for personal services in this Act, or as adjusted by legislative action, shall represent the total number of permanent positions at any one time. The appropriations made for personal services are made with the provision that the total number of permanent positions in any account shall not be increased during either year of the biennium over the total numbers shown in parentheses and used by the Legislature in computing the total dollars to be made available for personal services.

Savings accruing within appropriations made for permanent positions may be used for nonrecurring personal services or retirement costs when recommended by the department head and approved by the State Budget Officer.

The amounts appropriated for personal services include funds for the state's share of state employees retirement. The State Controller shall transfer the state's share to the Maine State Retirement System as soon as practicable after each payroll is paid.

Sec. 4. Personal services policy and review. The Budget Office, during this biennium, shall continually review with all departments the status of their manpower levels and staffing patterns for the purpose of determining whether funds and positions are being utilized and managed in the most economical and efficient manner to accomplish the intent of the Legislature. Permanent positions for which funds are appropriated or allocated shall be classified positions, unless specifically designated otherwise by the Legislature. It shall be the responsibility of the Commissioner of Personnel and the State Budget Officer to ensure that classified and unclassified positions are assigned to a proper pay grade within authorized funds.

Sec. 5. Personal services flexibility. Any classification or reclassification of a position and any allocation or reallocation of a position within the compensation plan made by the Commissioner of Personnel pursuant to the Personnel Law and rules shall become effective on the first day of the fiscal year following approval by the State Budget Officer, and the appropriation of funds therefor, except that the State Budget Officer may, if he determines that sufficient funds exist, authorize an effective date prior to the first day of the ensuing fiscal year. Copies of all actions and certifications shall be furnished to the Legislative Finance Officer.

Sec. 6. Merit rating required. It is hereby declared to be the policy of the State that in those instances where annual merit increases are earned and warranted, as evidenced by the performance appraisals, they shall be awarded. In those instances where such increases are not earned and warranted, they shall be denied.

In furtherance of this policy, the Commissioner of Personnel, utilizing a form or forms prescribed by the commissioner, is directed to require annual merit ratings on all employees regardless of whether or not any such employee is eligible or recommended for a merit increase. The form or forms prescribed by the commissioner, in addition to a performance appraisal section, shall include a section wherein each probationary employee's supervisor shall indicate the extent to which such employee has been oriented to the duties and responsibilities of his position. Further, in every instance where an employee is not awarded a merit increase, a record of the reasons therefor and the actions recommended by the employee's supervisor to correct deficiencies, if any, shall be recorded in the performance appraisal.

The Commissioner of Personnel is also directed to develop and install a training program for supervisory personnel, including appropriate guides and manuals, which shall ensure that all evaluators charged with the responsibility of doing employee merit ratings shall do so fairly and equitably, one employee to the next and one organizational unit to another.

The Commissioner of Personnel shall supply to the State Personnel Board all data necessary to monitor and evaluate the performance appraisal system,

including date regarding the percentage and distribution of merit increases. The board pursuant to its powers under the Revised Statutes, Title 5, section 592, shall review the operation of the performance evaluation system and make such recommendations and render such advice to the Commissioner of Personnel as may be necessary to carry out the purposes of this Act.

The Commissioner of Personnel shall forward to the Joint Standing Committee on State Government of the Legislature the findings and recommendations of the State Personnel Board, annually, prior to the start of the legislative session.

Sec. 7. Number of necessary employees. The Governor and the State Budget Officer when next preparing budget proposals for the Legislature may at their discretion adjust the figures in parentheses, representing numbers of permanent positions, to reflect the number of positions, which in their opinion are necessary to the proper operation of each department, institution or agency.

Sec. 8. New or expanded programs. No department shall establish new programs or expand existing programs beyond the scope of those programs already established, recognized and approved by the Legislature, until such program and the method of financing shall be submitted to the Bureau of the Budget for evaluation and recommendation to the Legislature, and until funds are made available therefor by the Legislature.

Sec. 9. Federally funded programs. It is the intent of the Legislature that in the event federal funds are not available as anticipated for programs in this Act, there is no obligation to provide state funds in excess of the appropriations listed in this Act. Positions entirely or partially funded by federal or other than state sources of funds shall be considered as limited period positions, notwithstanding the figures in parentheses representing numbers of employees, should such funds be withdrawn or reduced.

Sec. 10. Travel limitations. It is the intent of the Legislature that out-of-state travel be limited. Any state employee who travels out-of-state on state business, such as law enforcement, collecting, bidding, industrial development, loans, etc., may continue to do so. The Legislature directs that department heads hold down cost of all travel where it is not absolutely needed. Any state employee who travels in-state shall not be reimbursed for noon meals, unless the meal is part of an organized meeting or program or overnight travel.

Sec. 11. Equipment to be reviewed. The Commissioner of Finance and Administration, through the State Purchasing Agent or such other agent as he may choose, shall conduct a thorough review of all types of equipment, owned, leased or otherwise available to the several departments and agencies of the State, regardless of the source of supporting funds, combining their use, providing centralized facilities or eliminating existing equipment and facilities, as he believes to be in the most economical, most efficient and best interests of the State. The Commissioner of Finance and Administration is empowered to develop

and institute such review and control mechanisms as are necessary to insure that capital equipment purchases authorized by the Legislature are consistent with the intent for which funds were recommended and made available.

Sec. 12. Motor vehicle replacement policy. The State Purchasing Agent is directed to require that requisitions for replacement motor vehicles include the age and total mileage of the motor vehicle being replaced. For the purposes of this section, motor vehicles are defined as passenger cars, panel and pickup trucks, excluding those vehicles authorized and assigned for pursuit purposes. Under no circumstances are any state vehicles to be used primarily for commuting purposes. It is the intent of the Legislature that motor vehicles shall have been in service for at least 5 years or 75,000 miles before they are replaced. This policy shall also be adopted by the State Budget Officer when next preparing a budget document. Exceptions to the established replacement policy shall require the prior approval of the Commissioner of Finance and Administration. The Commissioner of Finance and Administration shall also have the authority to set appropriate standards with regard to motor vehicle type, size and equipment and direct that all motor vehicles be purchased in accordance with an established commodity calendar.

Sec. 13. Significant action recommended by Budget Officer. The Bureau of the Budget shall inform the Joint Standing Committee on Appropriations and Financial Affairs, through the Legislative Finance Office, of significant action recommended by it in the performance of the budget responsibilities assigned.

Sec. 14. State Cost Allocation Program. The State Cost Allocation Program shall annually identify the kind and cost of central services furnished to each state agency from General Fund appropriations. The nongeneral fund portion of each agency shall be assessed for these services as determined by the State Cost Allocation Program procedures to the extent such payments are not expressly prohibited by state or federal law or by the terms of a gift or donation made to the State from private sources. These payments shall be credited to the General Fund as undedicated revenue. The State Budget Officer may adjust this assessment to any individual account.

Sec. 15. Year-end closing. The State Controller is authorized to close the books as soon as practicable after the close of the fiscal years ending June 30, 1980, and June 30, 1981. Any bills presented after those dates may be paid from appropriations for the ensuing year on recommendation of the State Controller if within the amounts of approved allotments.

Sec. 16. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state moneys, except those that carry forward as provided by law, shall lapse to Unappropriated Surplus as

provided by the Revised Statutes, Title 5, section 1544. At the end of each fiscal year, all encumbered appropriation balances shall not be carried more than once, except in those accounts which carry forward from year to year by law.

Sec. 17. Other appropriation measures. It is intended that the language in the preceding sections of this Act shall apply to all other appropriation measures enacted by the Legislature.

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Department of Agriculture		
Inspection Services		
Positions	(1)	(1)
Personal Services	10,328	10,817
All Other	2,500	2,500
<p>Provides funds for 1 produce inspector II to carry out requirements of Maine Meat Inspection Act.</p>		
Positions	(1)	(1)
Personal Services	10,500	10,950
All Other	3,000	3,200
Capital Expenditures	6,000	
<p>Provides funds for 1 weights and measures inspector and related funds for travel, supplies and equipment for administering and enforcing the wood measurement statute enacted by the 108th Legislature.</p>		
TOTAL DEPARTMENT OF AGRICULTURE	32,328	27,467
DEPARTMENT OF ATTORNEY GENERAL		
Operations		
Positions	(1)	1)
<p>To provide a position count for 1 mental health and corrections attorney.</p>		
Chief Medical Examiner		
Positions	(1)	(1)
Personal Services	11,000	11,500
All Other	7,000	7,500
Capital	2,150	---

POLICY AREA
UMBRELLA
PROGRAM

APPROPRIATIONS FROM
GENERAL FUND
1979-80 **1980-81**

To fund new position: One medical secretary. "All Other" represents funds to increase fees to medical examiners and for a new phone system.

TOTAL DEPARTMENT OF ATTORNEY GENERAL	20,150	19,000
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DEPARTMENT OF CONSERVATION

Forest Fire Control

Positions	(1)	(1)
Personal Services	14,050	14,750
All Other	3,000	3,000
Capital	6,000	----

Provides funds for 1 auto mechanic foreman for the southern region to service more than 100 vehicles and related costs.

Planning, Evaluation and Research

All Other	100,000	100,000
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Provides funds to augment the United States Forest Service resurvey of Maine's forest resource. Resurvey done every 10 years.

Maine Geological Survey

All Other	111,000	118,000
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Provides funds for responsibilities for management of the state's cooperative contracts for surface and ground water investigation and topographic survey with the United States Geological Survey, United States Department of the Interior. This responsibility is transferred from the Public Utilities Commission.

TOTAL DEPARTMENT OF CONSERVATION	234,050	235,750
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DEPARTMENT OF DEFENSE AND VETERANS SERVICES

Military Training and Operations

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Positions	(3)	(3)
Personal Services	-----	-----
<p>Provides 3 buildings custodian positions to augment the full-time force to cover the armories at critical times cause by newly imposed hourly restrictions on "intermittent" positions.</p>		
Positions	(2)	(2)
Personal Services	17,514	18,346
<p>To provide funds for 1 electrician II and for 1 Plumber II</p>		
Veterans Memorial Cemetary		
Positions	(2)	(2)
Personal Services	20,094	21,009
Capital	30,175	-----
<p>Provides funds for 1 auto mechanic, 1 groundskeeper I, seasonal laborers and funds to purchase a tractor with cab and front-end bucket for grave digging.</p>		
Service to Veterans		
Personal Services	14,892	14,892
<p>Provides for a range change for veterans counselor classification, veterans claims specialist and supervisor of veterans services.</p>		
TOTAL DEPARTMENT OF DEFENSE AND VETERANS SERVICES		
	82,675	54,247
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES		
General Purpose Aid for Local Schools		
All Other	-----	6,122,626
<p>Provides funds for adjustment of the subsidy index for basic education allocation in order to maintain state participation at approximately 53.5% of these costs.</p>		

POLICY AREA	APPROPRIATIONS FROM	
UMBRELLA	GENERAL FUND	
PROGRAM	1979-80	1980-81

Central Maine Vocational-Technical Institute

Positions	(4-1/2)	(7-1/2)
Personal Services	60,353	105,355
All Other	71,780	82,900
Capital	18,500	12,400

Provides funds for staff for new wing to teach 3 new programs: Sheet metal technology, power engineering technology and property tax assessment.

Personal Services	19,159	26,480
All Other	20,855	38,905
Capital	30,000	50,000

Provides funds to maintain current services and to replace needed equipment.

Eastern Maine Vocational-Technical Institute

Positions	(6)	(6)
Personal Services	117,723	118,053
All Other	95,700	104,480
Capital	162,100	-----

Provides funds for new training programs in welding for 96 day school students and 300 evening division people, funds for new training programs in heating technology for 48 day school and 200 evening students, funds for training programs in refrigeration and air conditioning for 48 day and 150 evening students.

Personal Services	22,317	25,154
All Other	21,674	30,498
Capital	30,000	40,000

Provides funds to maintain current services and to replace needed equipment.

Kennebec Valley Vocational-Technical Institute

Positions	(20)	(20)
Personal Services	360,202	365,577
All Other	75,098	81,523

POLICY AREA
UMBRELLA
PROGRAMAPPROPRIATIONS FROM
GENERAL FUND
1979-80 1980-81

Provides funds and positions to establish Kennebec Valley Vocational-Technical Institute as a state operated vocational-technical institute.

All Other	(235,300)	(247,100)
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Reduces funds appropriated in Part I, chapter 164, public law 1979. Funds are covered in the appropriation in this Act.

Northern Maine Vocational-Technical Institute

Positions	(4)	(4)
Personal Services	70,452	71,325
All Other	500	-----
Capital	3,490	-----

Provides funds to staff new laboratory building, in statics, strength of materials and physics programs, funds for wood harvesting program for 40 students now funded through Comprehensive Employment and Training Act, funds for 1 licensed practical nurse instructor.

Personal Services	50,000	50,000
Capital	50,000	50,000

Provides funds to maintain current services and to replace needed equipment.

Southern Maine Vocational-Technical Institute

Positions	(5-½)	(5-½)
Personal Services	65,232	66,900
All Other	12,100	12,600
Capital	42,363	5,000

Provides funds for added staff for building construction. Program to be offered in new building to be occupied in fall of 1979 and increase students 20 to 30, funds for 3 building maintenance positions and related funds.

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Personal Services	46,994	50,372
All Other	30,000	40,000
Capital	100,000	125,000
<p>Provides funds to maintain current services and to replace needed equipment.</p>		
<p>Washington County Vocational-Technical Institute</p>		
Positions	(14)	(14)
Personal Services	207,384	218,010
All Other	86,000	90,200
<p>To fund the marine center at Eastport for 92 students, the program now is Comprehensive Employment and Training Act funded, funds for 1 custodian and funds for operations of a new building, funds for wood harvesting classes of 54 students now Comprehensive Employment and Training Act funded.</p>		
Personal Services	13,852	11,093
All Other	50,000	45,000
Capital	100,527	(50,527)
<p>Provides funds to maintain current services and adjust capital funds in 2nd year and to provide additional funds to replace capital equipment.</p>		
<p>Maine School of Practical Nursing</p>		
Positions	(1)	(1)
Personal Services	16,346	16,455
All Other	4,675	5,475
<p>Provides funds for an additional licensed practical nurse instructor and funds to maintain current services.</p>		
<p>Local School Services - Office of the Director</p>		
All Other	5,000	----
<p>Additional funds for repair and improvements at the Conservation Education Foundation of Maine program at Bryant Pond.</p>		

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Museum Bureau - Administration		
Positions	(2)	(2)
Personal Services	19,543	20,544
Provides funds to add staff: 1 museum technician and 1 watchman because of 50% increase in visitation.		
Museum - Research and Collections		
Positions	(1)	(1)
Personal Services	19,464	20,493
Provides funds for 1 position to implement a paper conservation program.		
Museum - Research and Collections		
All Other	(2,500)	(2,500)
Museum - Education and Public Service		
All Other	(7,000)	(7,000)
Museum - Exhibit Design and Preparation		
All Other	(1,000)	(1,000)
These reductions are to establish priorities in museum accounts.		
Governor Baxter School for the Deaf		
Personal Services	30,000	30,000
Provides funds to maintain current services at the present level.		
Education - General Purpose Aid for Indian Schools		
North American Indian Scholarships		
All Other	-----	50,000
Peter Dana Point School		
All Other	20,000	-----
Pleasant Point School		
All Other	15,000	-----

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81

Indian Island School	25,000	-----
All Other		

Provides 2nd year funding for the North American Indian Scholarship and additional funds in the first year, to maintain current services of the present level.

TOTAL DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES	1,943,583	7,874,291
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

Administration		
Personal Services	1,800	1,900

Provides funds to reclassify a publicity representative II to director of public information.

Bureau of Land Quality Control		
Positions	(3)	(3)
Personal Services	52,350	54,941
All Other	23,100	25,162
Capital	11,411	1,500

Provides funds to create 3 permanent full-time and 3 seasonal staff positions to cover numerous programs taken over from other agencies and since 1972 in review planning, enforcement and solid waste management plus related costs.

TOTAL DEPARTMENT OF ENVIRONMENTAL PROTECTION	88,661	83,503
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Executive Department

Division of Community Services		
All Other	200,000	200,000

Provides funds for the home winterization program.

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
All Other	50,000	50,000
Provides funds for the Young Adult Conservation Corps program.		
State Development Office		
Positions	(1)	(1)
Personal Services	-----	-----
Provides 1 position to work in the area of Canadian industrial development and subcontracting procurement RE: Placement of orders in Maine from out-of-state companies through seminars held at several vocational-technical institutes.		
Office of Employee Relations		
Positions	(1)	(1)
Personal Services	18,000	18,300
Provides for the transfer of 1 position to properly manage the collective bargaining process.		
TOTAL EXECUTIVE DEPARTMENT	268,000	268,300
Department of Finance and Administration		
Bureau of Public Improvements - Buildings and Grounds		
Positions	(4)	(4)
Personal Services	32,693	33,789
All Other	1,635	1,690
To provide 4 new positions and funds to service the manpower affairs facility on Union Street.		
Bureau of Public Improvements - Stevens		
School		
Positions	(8)	(8)
Personal Services	79,755	82,398
All Other	50,000	50,000
Capital	2,950	450

**POLICY AREA
UMBRELLA
PROGRAM**

**APPROPRIATIONS FROM
GENERAL FUND
1979-80 1980-81**

To provide service and maintenance and security at Stevens complex in Hallowell.

Bureau of Public Improvements

Personal Services	134,460	-----
All Other	42,500	-----

Provides funds for project employees and related expenses to continue energy audit program.

Capital Construction, Repairs and Improvements

All Other	1,144,900	1,144,900
Capital	1,920,400	2,371,000

Provides funds for the capital construction, repair and improvement program. Any funds remaining in this account on June 30, 1979 shall not lapse but shall carry forward until June 30, 1981.

Insurance Advisory Board

Personal Services	3,675	5,574
All Other	(3,675)	(5,574)

Adjust funds between personal services and all other to provide for proper operation of this account.

**TOTAL DEPARTMENT OF FINANCE AND
ADMINISTRATION**

3,409,293 3,684,227

DEPARTMENT OF HUMAN SERVICES

Regional Administration

Positions	(14)	(14)
Personal Services	212,343	219,112

Provides funds for positions now federally funded.

Positions	(12)	(12)
Personal Services	182,382	191,253

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
All Other	8,400	8,400
Capital	7,575	-----
Provides positions and related funds for the child protective services program.		
Positions	(42)	(42)
Personal Services	378,250	448,865
All Other	12,726	12,726
Capital	22,722	-----
Provides positions and related funds for the aid to families with dependent children and medically needy programs.		
Bureau of Health		
Positions	(1)	(1)
Personal Services	10,070	10,600
All Other	800	900
Provides 1 position and related funds to fulfill the duties of the office of dental health.		
Social Welfare Administration		
Positions	(3)	(3)
Personal Services	23,191	24,331
All Other	1,142	1,251
Capital	900	
Provides positions and funds for the support enforcement and location unit.		
Positions	(2)	(2)
Personal Services	18,295	19,206
All Other	1,553	1,831
Capital	1,300	
Provides positions and funds for the quality control program.		
Alcoholism and Drug Abuse Prevention		
All Other	65,000	
Provides funds for a grant for a hospital treatment program.		

POLICY AREA
UMBRELLA
PROGRAM

APPROPRIATIONS FROM
GENERAL FUND
1979-80 1980-81

All Other	20,000	
Provides funds to renovate a building for the "Day One" Drug Abuse Residential Treatment Facility.		
Social Welfare — Aid to Families with Dependent Children		
All Other	375,000	375,000
Provides funds to maintain payments at present level.		
Medicaid Management Information System		
All Other	70,000	----
Provides additional funds to implement this system.		
Bureau of Maine's Elderly		
Unallocated	115,735	159,384
Provides funds to continue program at appropriate level. From funds available to the Bureau of Maine's Elderly, up to \$70,000 shall be available each year, from either state or federal funds, to the Maine Committee on Aging.		
State Seed — Day Care, Homemaker Services, Transportation Services, etc.		
All Other	215,000	215,000
Provides \$65,000 each year to maintain present level of funding and also includes an additional \$150,000 each year for family planning. The total funds for state seed include \$393,362 in fiscal year 1980 and \$413,030 in fiscal year 1981 for day care services.		

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Office of Alcoholism and Drug Abuse		
All Other	314,000	314,000
Provides funds to maintain current services.		
Payments to Providers of Intermediate Care		
All Other	270,400	812,255
Provides funds for Pineland consent decree costs.		
State Supplement to Federal Supplemental Security Income		
All Other	273,000	273,000
Provides funds for Pineland consent decree cost. Funds provided in payments to providers of intermediate care and state supplemental to federal supplemental security income totalling \$543,400 in fiscal year 1980 and \$1,085,255 in fiscal year 1981 to fund 10 new intermediate care facilities and mental retardation facilities and 72 additional boarding beds in order to provide placement mandated by the consent decree.		
Maine Human Services Council		
Positions	(-1)	(-1)
Personal Services	(21,585)	(21,650)
All Other	(13,995)	(14,070)
Removes this account from within the Department of Human Services and establishes it in this Act as a separate account.		
Cerebral Palsy Centers		
United Cerebral Palsy of Northeastern Maine Inc., at Bangor		
All Other	5,000	5,000
Mid-State United Cerebral Palsy Inc., at Augusta		
All Other	5,000	5,000

**POLICY AREA
 UMBRELLA
 PROGRAM**

**APPROPRIATIONS FROM
 GENERAL FUND
 1979-80 1980-81**

Cerebral Palsy Association of Greater Portland,
 Portland

All Other	5,000	5,000
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Cerebral Palsy Association of Central Aroostook
 County, Fort Fairfield

All Other	5,000	5,000
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Provides funds for the biennium to continue
 state support as presently authorized. It is
 the intent of the Legislature that this item
 becomes part of the current services budget
 of the Department of Human Services.

**TOTAL DEPARTMENT OF HUMAN
 SERVICES**

	2,584,204	3,071,394
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Maine Human Services Council

Positions	(1)	(1)
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Personal Services	21,585	21,650
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All Other	19,883	21,100
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TOTAL HUMAN SERVICES COUNCIL

	41,468	42,750
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Provides funds to establish a separate
 account as presently handled and additional
 funds necessary for maintenance of current
 activities.

DEPARTMENT OF INDIAN AFFAIRS

Indian Affairs — Administration

All Other	50,000	----
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Provides funds to maintain current services

**TOTAL DEPARTMENT OF INDIAN
 AFFAIRS**

	50,000	----
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**INDEPENDENT AGENCIES — NOT PART OF
 STATE GOVERNMENT**

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Indian Housing Authority — Penobscot Tribal Reservation		
All Other	15,000	----
Indian Housing Authority — Pleasant Point Passamaquoddy		
All Other	25,000	----
Indian Housing Authority — Indian Township Passamaquoddy		
All Other	10,000	----
Provide funds to maintain current services.		
INDEPENDENT AGENCIES — NOT PART OF STATE GOVERNMENT		
TOTAL CURRENT SERVICES	50,000	----
JUDICIAL DEPARTMENT		
Personal Services	318,000	357,100
All Other	630,300	630,300
Provides for funding of the judicial department's compensation plan as submitted to the First Regular Session of the 109th Maine Legislature. Any changes in the compensation plan that will require additional funding not included in this appropriation shall not be implemented until such changes and funds are approved by the Legislature through the Part II budget process. The Governor shall include such requests along with his recommendations in his biennial Part II budget. Also, provides funds for increased costs for professional fees, rents and leases, and increases in general operating costs.		
All Other	24,481	24,481
Provides funds for a Grant-Court Mediation Project.		
TOTAL JUDICIAL DEPARTMENT	972,781	1,011,881

**POLICY AREA
UMBRELLA
PROGRAM**

**APPROPRIATIONS FROM
GENERAL FUND
1979-80 1980-81**

LEGISLATIVE DEPARTMENT

Legislative Research

Positions	(1)	(1)
Personal Services	17,403	23,413
All Other	109,200	116,400

Provides funds for 1 additional position and funds to republish volumes of the Revised Statutes. Any balances shall carry forward to be used for the same purpose.

TOTAL LEGISLATIVE DEPARTMENT 126,603 139,813

MAINE MARITIME ACADEMY

Maine Maritime Academy — Operations

All Other	200,000	-----
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Provides funds for part of the reconstruction cost of Leavitt Hall.

TOTAL MAINE MARITIME ACADEMY 200,000 -----

DEPARTMENT OF MANPOWER AFFAIRS

Maine Labor Relations Board

Capital	1,200	
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Provides funds for a new tape recorder now required at board hearings.

TOTAL DEPARTMENT OF MANPOWER AFFAIRS 1,200

DEPARTMENT OF MARINE RESOURCES

Bureau of Marine Sciences

Positions	(14)	(14)
Personal Services	198,339	209,473
All Other	48,000	45,550
Capital	43,500	19,660

Provides positions and related funds for

POLICY AREA
UMBRELLA
PROGRAMAPPROPRIATIONS FROM
GENERAL FUND
1979-80 1980-81

assessment, basic biology, resource service and special service divisions essential for programs of landings data and biostatistics, stock identifications, survey and tagging, age and growth, population assessments and dynamics, pollution monitoring and environmental impacts on shellfish and finfish resources.

TOTAL DEPARTMENT OF MARINE
RESOURCES

289,839 274,683

DEPARTMENT OF MENTAL HEALTH AND
CORRECTIONSChildren's Mental Health Services
All Other

1,250,000 1,250,000

This activity is currently funded through the Mental Health Improvement Fund using contracts and fee-for-service arrangements.

Bangor Mental Health Institute

Positions

(27) (27)

Personal Services

372,322 401,149

All Other

5,211 ———

Staffing is funded in this current year and is essential to the proper operations of Bangor Mental Health Institute.

Infant Development Project

Positions

(9) (9)

Personal Services

100,358 100,358

All Other

23,039 23,039

Capital

1,500 1,500

This activity develops community based services for mentally retarded infants and is currently funded through the Mental Health Improvement Fund.

Aroostook Residential Center

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Positions	(1)	(1)
Personal Services	10,000	10,000
<p>This activity is now providing 1 staff member to the center with mental retardation improvement funds.</p>		
Elizabeth Levinson Center		
Positions	(1)	(1)
Personal Services	15,000	15,000
<p>This activity is now providing 1 staff member to the center with mental retardation improvement funds.</p>		
Community Mental Health Services		
All Other	235,426	920,404
<p>Provides funds to match declining federal share of staffing grants to 6 centers.</p>		
Children's Mental Health Services		
All Other	350,000	350,000
<p>Provides funds to support residential programs for children with severe emotional and behavioral problems.</p>		
Pineland Center		
Personal Services	364,935	175,905
<p>To fund limited period positions, 50 in fiscal year 1980 and 15 in fiscal year 1981, to comply with the consent decree mandate.</p>		
Community Correctional Services		
All Other	343,293	399,293
<p>Provides funds for increased grant-in-aid. Also includes \$15,000 each year for Aroostook Mental Health Center.</p>		

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Maine Youth Center		
Positions	(18)	(18)
Personal Services	181,133	244,178
Provides funds for staff to operate its new security treatment unit.		
Maine Correctional Center		
Positions	(1)	(1)
Personal Services	20,000	20,000
Provides funds for psychological and psychiatric services.		
TOTAL DEPARTMENT OF MENTAL HEALTH AND CORRECTIONS	\$3,272,217	\$3,910,826
DEPARTMENT OF PERSONNEL		
Positions	(-1)	(-1)
Personal Services	(18,000)	(18,300)
To transfer position and funds to the office of employee relations to properly manage the collective bargaining process.		
TOTAL DEPARTMENT OF PERSONNEL	(18,000)	(18,300)
DEPARTMENT OF PUBLIC SAFETY		
Commissioner's Office		
Positions	(2)	(2)
Personal Services	49,149	51,103
All Other	6,884	6,884
Provides funds for the commissioner and Director of Administrative Services and initiates the concept of an administrative function for the department apart from the Bureau of State Police. Further reorganization will be undertaken in the future as the concept is extended to other support services which are department-wide and separate from the primary mission of the Bureau of State Police.		

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Division of Special Investigations		
Personal Services	19,446	20,425
All Other	10,115	10,336
Capital	13,548	10,429
Provides funds to maintain current level of services.		
TOTAL DEPARTMENT OF PUBLIC SAFETY	99,142	99,177
 PUBLIC UTILITIES COMMISSION		
Public Utilities Commission - Administrative Division		
All Other	(111,000)	(118,000)
Provides for transfer to Department of Conservation for responsibilities for management of the state's cooperative contracts for surface and ground water investigation and topographic survey with the United States Geological Survey, Department of the Interior.		
TOTAL PUBLIC UTILITIES COMMISSION	(111,000)	(118,000)
 MISCELLANEOUS ACTS AND RESOLVES		
All Other	25,000	25,000
Provides funds to maintain and expand the public involvement activities of the Maine Health Systems Agency, Inc.		
TOTAL MISCELLANEOUS ACTS AND RESOLVES	25,000	25,000
 SAVE LORING COMMITTEE		
Unallocated	50,000	-----
To assist in efforts to prevent the reduction		

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81

of Loring Air Force Base.

TOTAL SAVE LORING COMMITTEE	50,000	-----
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DEPARTMENT OF THE SECRETARY OF STATE

Positions	(1)	(1)
Personal Services	-----	-----
Capital	15,000	-----

To put 1 position count with funds appropriated in Public Law 1977, chapter 526; also funds for a computer terminal.

TOTAL DEPARTMENT OF SECRETARY OF STATE	15,000	-----
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DEPARTMENT OF TRANSPORTATION

Bureau of Waterways Capital	24,000	
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Provides funds to replace 3 obsolete Raytheon radar sets on ferries for safety of passengers and vessels.

State Plane Positions	(1)	(1)
Personal Services	14,127	14,824
All Other	2,175	2,175

Provides funds for 1 executive aircraft co-pilot and related costs.

State Police — 25% General Fund Share

All Other	66,705	68,470
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Provides funds for 15 police communications operators and 2 radio technicians serving 4 regions currently funded by federal funds which will expire June 30, 1979. Also includes

**POLICY AREA
UMBRELLA
PROGRAM**

**APPROPRIATIONS FROM
GENERAL FUND
1979-80 1980-81**

operating funds for 2 communication centers operated in Oxford and Washington Counties. Funds in this section shall not be allotted until the 75% share from the Department of Transportation is allotted.

TREASURY DEPARTMENT

Departmental Operations
All Other

15,000 15,000

Provides funds for additional postage and operating costs.

UNIVERSITY OF MAINE

Educational and General Activities
All Other

2,945,000 5,156,000

To provide for additional operating expenses.

TOTAL UNIVERSITY OF MAINE

2,945,000 5,156,000

MAINE COMMISSION FOR WOMEN

Positions
Personal Services
All Other

(2) (2)
25,955 27,260
4,674 4,994

Provides funds for permanent staff to cover daily operations and related funds including travel funds for commission members.

**TOTAL MAINE COMMISSION FOR
WOMEN**

30,629 32,254

TOTAL PART A — GENERAL FUND

16,824,910 25,974,732

PART B

Sec. 1. Adjustments to General Fund. In order to provide for necessary

adjustments of the General Fund for the fiscal years ending June 30, 1980 and June 30, 1981, the sums designated in the following tabulations are deappropriated from the appropriations provided in Public Law 1979, chapter 164.

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND	
	1979-80	1980-81
DEPARTMENT OF FINANCE AND ADMINISTRATION		
Bureau of the Budget		
All Other	-----	(10,000)
Bureau of Public Improvements — Leasing Office Space		
All Other	(5,000)	(5,000)
Bureau of Public Improvements — Buildings and Ground Operations		
All Other	(10,000)	(10,000)
Capital	(10,000)	-----
Elderly Household's Tax Refund		
All Other	(450,000)	-----
Bureau of Taxation — Administration		
All Other	(80,000)	(50,000)
Maine Insurance Advisory Board		
All Other	(50,000)	(50,000)
DEPARTMENT OF ATTORNEY GENERAL		
Attorney General — District Attorneys' Salaries		
Personal Services	(48,271)	(88,893)
All Other	(125)	(125)
TREASURY DEPARTMENT		
Treasurer — Municipal Reimbursement		
All Other	(45,345)	(62,787)
LEGISLATIVE DEPARTMENT		
Legislature		
All Other	(40,000)	(30,000)
DEPARTMENT OF AGRICULTURE		
Agricultural Marketing Services		
Capital	(9,000)	
Maine Agricultural Bargaining Board		
Personal Services	(1,000)	(1,000)

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
All Other	(2,300)	(2,300)
DEPARTMENT OF BUSINESS REGULATION		
Business Regulation — Bureau of Banking		
All Other	(2,400)	(2,000)
DEPARTMENT OF MARINE RESOURCES		
Marine Resources — Bureau of Marine Sciences		
All Other	(5,000)	(4,000)
Capital	(5,000)	-----
Marine Resources — Bureau of Marine Patrol		
All Other	(4,000)	(3,000)
Capital	(10,000)	(10,000)
Marine Resources — Bureau of Marine Development		
All Other	(3,000)	(2,000)
Capital	(5,000)	(5,000)
INDEPENDENT AGENCIES — REGULATORY		
Workers' Compensation Commission		
All Other	(2,500)	(2,000)
Public Utilities Commission — Administrative Division		
All Other	(3,000)	(3,000)
INDEPENDENT AGENCIES — NOT PART OF STATE GOVERNMENT		
Maine Development Foundation		
All Other	-----	(50,000)
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES		
Northern Maine Vocational-Technical Institute		
All Other	(20,000)	(50,000)
INDEPENDENT AGENCIES — OTHER		
Maine Vocational Development Commission		
Unallocated	(10,000)	(10,000)
Post-Secondary Education Commission of Maine (PECOM)		
All Other	(500)	(500)

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
DEPARTMENT OF HUMAN SERVICES		
General Assistance — Reimbursement to Cities and Towns		
All Other	(100,000)	(300,000)
DEPARTMENT OF MENTAL HEALTH AND CORRECTIONS		
Mental Health and Corrections — Departmental Operations		
Personal Services	(-7) (85,167)	(-7) (86,966)
Capital	(3,000)	(300)
Augusta Mental Health Institute		
Capital	(20,000)	(15,000)
Bangor Mental Health Institute		
Capital	(5,000)	-----
INDEPENDENT AGENCIES — REGULATORY		
Health Facilities Cost Review Board		
All Other	(60,000)	-----
DEPARTMENT OF CONSERVATION		
Division of Forest Fire Control		
All Other	(115,000)	(90,000)
Capital	(50,000)	(50,000)
Entomology		
Capital	(10,000)	-----
Division of Forest Management		
All Other	(5,000)	(5,000)
Forestry — Utilization and Marketing		
All Other	(2,000)	(2,000)
Parks — General Operations		
Capital	(75,000)	(25,000)
Maine Geological Survey		
Capital	-----	(4,700)
Conservation — Central Administrative Direction and Service		
Capital	(4,000)	(5,000)
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
Department of Environmental Protection — Land Quality Control		
All Other	(10,000)	(10,000)

POLICY AREA UMBRELLA PROGRAM	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
Department of Environmental Protection — Air Quality Control Capital	(5,000)	-----
INDEPENDENT AGENCIES — OTHER		
Saco River Corridor Commission All Other	(3,000)	(3,600)
DEPARTMENT OF DEFENSE AND VETERANS SERVICES		
Bureau of Civil Emergency Preparedness — Administration Capital	-----	(6,000)
INDEPENDENT AGENCIES — REGULATORY		
Board of Certification (Water Treatment Plant Operators) All Other	(1,145)	(2,395)
Part B provides for necessary adjustments to the General Fund for the proper operation of State Government for the fiscal years ending June 30, 1980 and June 30, 1981.		
TOTAL PART B — GENERAL FUND	(\$1,374,753)	(\$1,057,566)

PART C

Sec. 1. 30 MRSA § 554-A, sub-§ 3, 2nd sentence, as repealed and replaced by PL 1977, c. 579, § E, § 5, is amended to read:

Salaries for part-time assistants shall not exceed 40% of the salary designated for the district attorney or ~~\$10,000~~ \$13,000, whichever is greater.

Sec. 2. 30 MRSA § 554-A, sub-§ 5, as repealed and replaced by PL 1977, c. 579, § E, § 5, is repealed and the following enacted in its place:

5. Sums allowed to district attorneys for salaries. For the salaries of assistant district attorneys, the district attorneys shall be allowed annually sums up to the limit as specified in the following schedule:

Prosecutorial District 1

\$50,600

PUBLIC LAWS, 1979

Prosecutorial District 2	84,450
Prosecutorial District 3	82,500
Prosecutorial District 4	74,250
Prosecutorial District 5	74,250
Prosecutorial District 6	54,200
Prosecutorial District 7	44,000
Prosecutorial District 8	50,600

In addition to the amounts listed in this section, funds shall be provided for fringe benefits for which other state employees are eligible.

Sec. 3. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of sections 1 and 2 of Part C of this Act.

	1979-80	1980-81
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ATTORNEY GENERAL, DEPARTMENT

Attorney General — District
Attorneys' salaries

Personal Services	\$74,911	\$75,159
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PART D

Sec. 1. 22 MRSA § 5315, as enacted by PL 1973, c. 793, § 12, is amended by inserting at the end the following new paragraph:

Any and all reasonable steps shall be taken to provide federal matching funds on a high priority basis for the council. All expenditures of the council eligible for federal funds shall be claimed at the highest appropriate rate of federal matching funds pursuant to various federal laws including, but not limited to, those relating to Title XX Social Services, Title XIX Medicaid and Title IV Aid to Families with Dependent Children of the United States Social Security Act. Any balances of funds appropriated to the Maine Human Services Council remaining at the end of a fiscal year shall not lapse but shall be carried forward from year to year to be expended for the same purpose.

Sec. 2. 32 MRSA § 1243, as enacted by PL 1979, c. 87, § 1, is amended by inserting at the end the following new sentences:

All funds collected under this chapter shall be paid to the Treasurer of State to be used for carrying out the purposes of this chapter. Any balance of funds from fees shall not lapse, but shall be carried forward as a continuing account to be expended for the same purpose in the following fiscal year.

Sec. 3. Reimbursement of working capital advance from the Department of Educational and Cultural Services. Notwithstanding the provisions for reimbursement in the resolves of 1977, chapter 36, the Department of Educational and Cultural Services shall reimburse the working capital advance authorized in the resolves of 1977, chapter 36, not later than December 31, 1979.

Sec. 4. Carrying clause. The following shall apply to appropriations for the Legislative Account within the Legislative Department and the Division of Forest Fire Control within the Department of Conservation that are contained in the Public Law 1979, chapter 164.

“Any balance of General Fund appropriations shall not lapse but shall be carried forward from year to year to be expended for the same purpose.”

Sec. 5. Carrying clause. The following shall apply to appropriations for Treasurer-debt service within the Treasury Department and Mental Health and Corrections-food for institutions, Mental Health and Corrections-fuel for institutions and Mental Health and Corrections-unemployment compensation within the Department of Mental Health and Corrections that are contained in the Public Law 1979, chapter 164.

“Any balance of General Fund appropriations shall not lapse June 30, 1980, but shall be carried forward until June 30, 1981, to be expended for the same purpose.”

PART E

Total Appropriation

	1979-80	1980-81
Total General Fund (net appropriation)	\$15,525,068	\$24,992,325

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1979.

Effective July 1, 1979

CHAPTER 543

H. P. 1564 — L. D. 1686

AN ACT to Make Corrections and Clarify Provisions of the Inland Fisheries and Wildlife Laws.