

MAINE STATE LEGISLATURE

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(EMERGENCY)
New Draft of: H. P. 1813, L. D. 2294
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2569

H. P. 2028

House of Representatives, March 8, 1974

Reported by Mr. Norris from the Committee on Appropriations and Financial Affairs and printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1974, Allocations for the Administrative Expenses of the Bureau of Alcoholic Beverages, and the State Lottery Commission and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government.

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 before July 1, 1974; 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

APPROPRIATIONS FROM GENERAL FUND

Sec. 1. Appropriations from General Fund. In order to provide for necessary expenditures of government and other purposes for the fiscal year from

July 1, 1973 to June 30, 1974 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.

DEPARTMENT	1973-74
AGRICULTURE, DEPARTMENT OF	
Harness Racing Commission	
Personal Services	\$ 20,000
All Other	6,000
Provides additional operating funds for increased race dates.	
ATTORNEY GENERAL, DEPARTMENT OF	
Departmental Operations	
Unallocated	\$ 30,000
Provides funds to continue the assistance to County Attorneys where necessary due to severe prosecution problems. It is the intent of the Legislature that the present system of selecting County Attorneys assistance be continued.	
County Attorneys' Salaries	
Personal Services	(150,000)
Chapter 597 P.L. provides an appropriation for District Attorneys in both years of the biennium. Funds are not needed until January 1, 1975.	
Total Department of Attorney General	<hr/> (\$ 120,000)
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF	
Subsidies to Local Government Units	
All Other	\$ 309,012
Provides \$203,712 for deficiencies in subsidies to Regional Vocational Centers and \$105,300 for deficiencies in subsidies to General Evening Schools.	
Grant, Loan and Scholarship Program	
All Other	8,000
Provides funds for New England Board of Higher Education to prepare a plan for the initiation of a regional program of veterinary medicine contingent upon other participating states paying proportionate share.	
Total Department of Educational and Cultural Services	<hr/> \$ 317,012

DEPARTMENT

1973-74

EXECUTIVE, DEPARTMENT OF

Committee on Status of Women

All Other

\$ 1,500

Provides miscellaneous operating funds for the remainder of the current year.

FINANCE AND ADMINISTRATION, DEPARTMENT OF

Bureau of the Budget

Personal Services

(4) \$ 5,000

All Other

7,500

Capital Expenditures

1,000

Provides emergency and continuing support necessary to developing and implementing a new Priority Program Budget as directed by the Legislature including: Four new Examiner/Analyst positions plus contractual services for a Senior Systems Analyst to develop and coordinate the implementation of an automated budget system.

Insurance Advisory Board

All Other

38,000

Provides \$6,000 for general operating costs and \$32,000 additional funding to the Fire Insurance Program. The increased insurable value and an unfavorable fire loss experience has caused this recommendation.

Fuel Reserve Fund

All Other

2,200,000

Provides an additional reserve to cover the increased cost of fuel required by the departments. This fund includes not more than \$400,000 in 1973-74 and not more than \$500,000 in 1974-75 for the University of Maine. It also includes \$67,500 for the Maine Maritime Academy training ship fuel.

Transfers from this account shall be made only when justified to the Bureau of the Budget. Any balance remaining on June 30, 1974 shall not lapse but shall be carried forward to the 1974-75 Fiscal Year.

Bureau of Public Improvements

Planning, Construction and Records Division

Capital

735,000

Provides funds to renovate the Ray Building at the Augusta Mental Health Institute to be used for office space. Any balance remaining June 30,

DEPARTMENT

1973-74

FINANCE AND ADMINISTRATION, DEPARTMENT OF—Contd.

1974 shall not lapse but shall be carried forward until completion of the project.

Bureau of Property Taxation	
State Board of Assessment Review	
Personal Services	(29,125)
All Other	(5,000)
Capital	(570)
Reduces appropriation due to delay in implementation of program.	

Total Finance and Administration	\$2,951,805
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HEALTH AND WELFARE, DEPARTMENT OF

Aid to Charitable Institutions	
All Other	\$ 6,000
Funds for a grant to the St. Louis Home for Boys.	
Child Welfare Services	
All Other	57,496
Provides funds for increasing effective 4-1-74 payments to foster parents and residential facilities for care of children committed to the custody of the state.	
Aid to Families with Dependent Children	
All Other	22,865
Provides funds for increasing effective 4-1-74 payments to foster parents and residential facilities for care of foster children by earning federal matching money through the Social Security Act.	
General Assistance	
All Other	(200,000)
Reduces previous appropriation in the amount no longer required in lieu of increased benefits under other welfare programs.	
Supplemental Security Income—Mandatory	
All Other	963,660
Provides \$963,660 to continue making in April, May and June 1974 so called "mandatory" payments to beneficiaries of the Supplemental Security Income Program who receive payments under the State's former Aid to the Aged, Blind and Disabled Program based on eligibility estab-	

DEPARTMENT

1973-74

DEPARTMENT OF HEALTH AND WELFARE—Continued

lished for the month of December, 1973. These funds shall be expended pursuant to so much of the statement of intent of Private and Special Law, Chapter 174, approved January 18, 1974 as relates to mandatory payments.

Supplemental Security Income—Optional**All Other**

85,500

Provides \$85,500 to initiate effective April 1974 optional supplementation to aged, blind and disabled people requiring adult foster home and boarding home care. The payment rates and structure set by the Department shall provide for administration by the U.S. Social Security Administration to the greatest extent permitted under federal law, rules and regulations. Retroactive payments shall not be made for any care provided prior to April 1, 1974. The Department shall take such action as is necessary to achieve effective July 1, 1974 administration by the U.S. Social Security Administration of so much of the S.S.I. program, including both the so called "mandatory" and "optional" programs, as is permitted under federal law, rules, and regulations.

Total Department of Health and Welfare

\$ 935,521**INDUSTRIAL ACCIDENT COMMISSION****All Other**

\$ 4,500

Provides additional operating funds required to cover cost of increased hearings and related expenses.

LEGISLATIVE, DEPARTMENT OF**Law and Legislative Reference Library****All Other**

\$ 9,375

Provides additional funds for purchases of "Maine Reporter".

MANPOWER AFFAIRS, DEPARTMENT OF**Bureau of Labor and Industry****All Other**

\$ 3,500

Provides funds to enable the Bureau to operate effectively for the remainder of Fiscal Year 1973-74.

DEPARTMENT

1973-74

**MENTAL HEALTH AND CORRECTIONS,
DEPARTMENT OF**

Stevens School Unallocated	\$ 150,000
Provides funds for renovations of buildings at Stevens School.	

RETIREMENT, DEPARTMENT OF

Survivors Benefit Fund All Other	(\$ 50,000)
Recommend that this amount be transferred to the Retirees Health Insurance account.	

Retirees Health Insurance All Other	50,000
Transfer from Survivor's Benefit Fund appropriation is necessary so that payments can be made through June 30, 1974. The percentage rates charged to departments in 1974-75 will be sufficient to cover the States share of state employees retirement.	

STATE EMPLOYEES APPEALS BOARD

Administration Personal Services	\$ 2,000
Provides funds to cover cost of additional hearings.	

TRANSPORTATION, DEPARTMENT OF

Bureau of Aeronautics All Other	\$ 90,000
Provides \$81,200 for reimbursement to local municipalities for airport snow removal and \$8,800 for snow removal at Augusta State Airport.	

Bureau of Waterways Personal Services	1,000
All Other	73,500
Provides \$2,500 for the necessary expenses for the members of the Maine Port Authority and \$72,000 for renovation of the sprinkler system at the Maine State Pier.	

Total Transportation Department	<u>\$ 164,500</u>
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DEPARTMENT

1973-74

UNIVERSITY OF MAINE

All Other

\$ 125,000

Provides additional funds to allow the awarding of the construction bid for the Learning Resources Building at the Augusta Campus.

TOTAL GENERAL FUND APPROPRIATIONS \$4,570,713

DEPARTMENT OF FINANCE AND ADMINISTRATION
BUREAU OF ALCOHOLIC BEVERAGES
STATE LIQUOR COMMISSION

Sec. 2. Supplemental Allocation of Fund. In order to provide for necessary expenses for operation and administration of the Bureau of Alcoholic Beverages and the State Liquor Commission, the following amounts are allocated from the revenues derived from operations of the fund.

	1973-74	1974-75
Bureau of Alcoholic Beverages		
Personal Services	(16) —	(16) —
All Other—Store rentals, trucking and fuel.	\$60,110	\$82,527

This provides necessary position count and provides for additional expense. This allocation is subject to the provisions of Sections 2 through 10 of Chapter 113 of the Private and Special Laws of 1973.

STATE LOTTERY FUND

Sec. 3. Allocation of State Lottery Fund. Income credited to the State Lottery Fund for the Current Fiscal Year 1974 and the next Fiscal Year 1975 shall be segregated, apportioned and disbursed as designated in the following schedule:

	1973-74	1974-75
STATE LOTTERY COMMISSION		
Operation, Administration and Expense	\$400,000	\$1,154,250

Sec. 4. Legislative intent. It is the intent of the Legislature that the allocation of funds by the Legislature, as provided by this Act, shall apply to the administration expenses only and that such allocations shall be allotted and approved under provisions of the Revised Statutes, Title 5. It is not intended to affect other use of the Fund by the State Lottery Commission as provided by the Revised Statutes, Title 8, Chapter 14.

Sec. 5. R. S., T. 2, § 6, sub-§ 1, amended. Subsection 1 of section 6 of Title 2 of the Revised Statutes, as amended, is further amended by adding at the end the following:

- Commissioner of Business Regulation;
- Commissioner of Manpower Affairs.

Sec. 6. R. S., T. 2, § 6, sub-§ 3, amended. Subsection 3 of section 6 of Title 2 of the Revised Statutes, as amended, is further amended by adding at the end the following:

State Director of Property Taxation

Sec. 7. R. S., T. 2, § 6, sub-§ 4, amended. Subsection 4 of section 6 of Title 2 of the Revised Statutes, as amended, is further amended to read as follows:

4. The salaries of the following state officials and employees to no more than \$21,000:

~~Commissioner of Manpower Affairs;~~
 Commissioner of Inland Fisheries and Game;
 Commissioner of Marine Resources;
 State Purchasing Agent;
 Director, Arts and Humanities Bureau;
 Director, State Museum Bureau;
 Director of the Bureau of Parks and Recreation;
 Chairman of the Public Utilities Commission;
 Commissioner of Agriculture;
 State Director of Alcoholic Beverages;
 Executive Director, Retirement System;
 Director of Public Lands;

Sec. 8. R. S., T. 2, § 6, sub-§ 5, amended. Subsection 5 of section 6 of Title 2 of the Revised Statutes, as amended, is further amended to read as follows:

5. The salaries of the following state officials and employees to no more than \$19,500:

Adjutant General;
 Chairman of the Industrial Accident Commission;
~~Administrative Assistant, Supreme Judicial Court;~~
 Director of Labor and Industry;
 General Counsel of the Public Utilities Commission;
 Deputy Chief of the State Police;
 Director of Transportation of the Public Utilities Commission;
 Director of State Lotteries;
 Employment Security Commission members, other than the Chairman;
 State Archivist;
 Director of Geology;
 Executive Director, Land Use Regulation Commission.

Sec. 9. R. S., T. 2, § 6, sub-§ 6, amended. Subsection 6 of section 6 of Title 2 of the Revised Statutes, as amended, is further amended by deleting the last line as follows:

~~Manager of Recreation Authority~~

Sec. 10. R. S., T. 2, § 6, sub-§ 8, repealed. Subsection 8 of section 6 of Title 2 of the Revised Statutes, as amended, is repealed.

Sec. 11. R. S., T. 4, § 11, amended. Section 11 of Title 4 of the Revised Statutes, as enacted by section 1 of chapter 467 of the Public Laws of 1969, is amended to read as follows:

§ 11. Appointment; salary

The Chief Justice of the Supreme Judicial Court shall appoint an administrative assistant who shall serve at the pleasure of the Chief Justice. ~~He~~ **The salary of the Administrative Assistant shall be set by the Chief Justice and he shall devote full time to his official duties to the exclusion of any profession for profit.**

Sec. 12. P. L., 1973, c. 626, § 7, sub-§ 4, amended. Subsection 4 of section 7 of chapter 626 of the public laws of 1973 under the caption "EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF" which relates to State Library development is amended to read as follows:

4. State Library development	80,000	80,000
State Library Bureau		
Personal Services	(6) 9,702	(6) 43,606
All Other	70,298	36,394

These funds are to be assigned to the State Library to assure further development of library services such as: ~~Consultant service~~ **Provision for a Librarian III and a Clerk Typist I for each of 3 library districts to be created under provisions of the Act, consultant services to local units, audio-visual services, Support support interstate cooperation, i.e., increased bookmobile service, development and dissemination of public information concerning library service.**

Sec. 13. Intent. It is the intent of the Legislature that all balances of appropriations or other available funds as of October 3, 1973 in any account or subdivision of an account in the Executive Department for the Panel of Mediators shall be transferred to the Public Employees Labor Relations Board within the Bureau of Labor and Industry by the State Controller, upon the recommendation of the department head, the State Budget Officer and upon approval by the Governor and Executive Council.

Emergency clause. In view of the emergency cited in the preamble, sections 1 to 11 shall take effect when approved. Section 12 shall become effective July 1, 1974.

STATEMENT OF FACT

The purpose of this bill is reflected in the title.