

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE
FIRST SPECIAL SESSION

(Filing No. H-1279)

COMMITTEE AMENDMENT

" B " to H.P. 1846, L.D. 2015,

Bill, "AN ACT Increasing State, Maine Maritime Academy and
University of Maine Employees' Pay."

Amend said Bill by striking out all of the Title and inserting
in place thereof the following: 'AN ACT to Revise and Reallocate
Appropriations from the General Fund for the Expenditures of
State Government for the Fiscal Years Ending June 30, 1976, and
June 30, 1977, Changing Certain Provisions of the Law Necessary
to the Proper Operations of State Government and Increasing State
Employees' and Maine Maritime Academy Employees' Pay.'

Further amend said Bill by striking out all of the emergency
preamble and the emergency clause.

Further amend said Bill by striking out everything after the
enacting clause and inserting in place thereof the following:

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, 1976 and 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.

Sec. 2. Allotments required. Upon receipt of allotments duly approved
by the Governor and Council 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 Committee on Appropriations and Financial Affairs unless recommended by the State Budget Officer and approved by the Governor and Council.

Sec. 3. Temporary curtailment of allotments. Whenever it appears to the Commissioner of Finance and Administration that the anticipated income and other available funds of the State will not be sufficient to meet the expenditures authorized by the Legislature, he shall so report to the Governor and Council and they may temporarily curtail allotments equitably so that expenditures will not exceed the anticipated income and other available funds.

Sec. 4. Transfers limited. The Governor and Executive Council shall not approve any allotment revision for a department by which funds are transferred from one quarter to another, when the transfer will result in a request for a deficiency appropriation at a special or regular session of the Legislature.

Sec. 5. 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. 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. 6. Personal Services review. The Budget Office, during this biennium, shall continually review with all departments the status of their personnel with the purpose of determining that all departments are expending Personal Service moneys within the intent of the Legislature and shall report any expenditures contrary to such intent of the Governor and Council and the Legislative Finance Officer.

Sec. 7. State Pay Policy. In order to attract and retain employees of unusual merit and ability to the service of the State of Maine, to stimulate higher efficiency among the personnel, to provide skilled leadership, to reward merit and to ensure to the people and the taxpayers of the State of Maine the highest return in services for the necessary costs of government, it is hereby declared to be the policy of the state to provide equal pay for equal work.

Sec. 8. Personal Services savings and flexibility. 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 the State Budget Officer, and approved by the Governor and Council. Any classification of a position and any allocation or reallocation of a position made by the director or the State Personnel Board pursuant to this section 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. 9. Merit rating required. The State Personnel Board is directed to require merit ratings on each individual who is recommended for a salary increase on a form prescribed by the board. Department heads are directed that the granting of merit increases be scrutinized and documented carefully. It is the intent of the Legislature that in instances where merit increases are not earned and warranted they shall be denied. The Governor and the State Budget Officer when next preparing a budget may include only sufficient funds for merit increases for a maximum of 60% of those eligible for any increase. The State Budget Officer shall instruct departments to prepare their next work programs on this basis. Each of the increments within the (seven) steps provided for in the compensation plan shall be awarded on the basis of merit without regard to longevity.

Sec. 10. Number of necessary employees. The Governor and the State Budget Officer when next preparing a Budget Document may at their discretion adjust the figures in parentheses, representing numbers of permanent positions, to reflect the number of positions which in their opinion is necessary to the proper operation of each department, institution or agency.

Sec. 11. 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 Budget Office

for evaluation and recommendation to the Legislature, and until funds are made available therefor by the Legislature.

Sec. 12. Federally funded programs. It is the intent of the Legislature that in the event matching 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. 13. 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. 14. 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.

Sec. 15. 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 operated by the State Police. It is the intent of the Legislature that motor vehicles shall have been in service for at least 5 years or 50,000 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 Governor and Council.

Sec. 16. Significant action recommended by Budget Officer. The Budget Office shall inform the Committee on Appropriations and Financial Affairs through the Legislative Finance Office of significant action recommended by it in the performance of the budget responsibilities hereby assigned.

Sec. 17. Other Fund Payments. There shall be paid from the General Highway Fund and all other special revenue funds the cost of accounting, auditing, purchasing and legal services furnished from the General Fund appropriations. This revenue shall be credited to the General Fund.

Sec. 18. Year-end closing. The Controller is authorized to close the books as soon as practicable after the close of the fiscal years ending June 30, 1976 and June 30, 1977. Any bills presented after those dates may be paid from appropriations for the ensuing year on recommendation of the Controller if within the amounts of approved allotments.

Sec. 19. 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 of 1964, 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. 20. The State Budget Officer is directed to take appropriate action as provided in the last paragraph of /Title 5, section/ ¹⁶⁶⁷ if lapsed balances from 1975-76 are not sufficient to fund the appropriations of 1976-77 under this Act.

Sec. 21. 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.

PART A

APPROPRIATIONS FROM GENERAL FUND

1976-77

Finance & Administration

- Capital Construction and Improvements
Chapters 103, P&SL 1973
Stevens School
Parks & Recreation
Aeronautics

\$ (96,000)
(410,000)
(200,000)

The appropriations remaining in the above named Departments from Chapter 103 of the Private and Special Laws of 1973, may be expended among the projects enumerated in that Act in a manner determined appropriate by the respective departments.

Elderly Householder's Tax and Rent Refund
All Other

800,000

The appropriation for FY 75-76 was in excess of need, however, the appropriation for FY 76-77 is not sufficient to cover estimated needs.

Employees Group Health Insurance Program
All Other

712,000

Funds the second year of the biennium.
Includes \$200,000 for the University of
Maine and \$12,000 for the Maine
Maritime Academy.
Any balance remaining in this account at
June 30, 1976 shall carry for the same
purpose.

Compensation Plan
Personal Services

2,728,512

Provides funds for implementation of
\$15 per week across the board salary
increase for State employees. This in-
crease to become effective the first pay
period in July, 1976.

The balance of funds to finance this in-
crease are to come from estimated savings
from nonpayment for noon meals, Health
Insurance Fund, biweekly payrolls, merit
increases and salary savings.

Salary increases. An amount of \$15 shall
be added to the weekly dollar amount of
each step of the current State Salary Plan
and new hourly rates shall be computed to
reflect this increase, based on a 40-hour
week.

Unclassified employees subject to Gover-
nor and Council determination. With re-
spect to unclassified employees whose
wage rates are subject to Governor and
Council determination, the Governor and
Council shall grant similar and equitable
treatment.

Unclassified employees not subject to Gov-
ernor and Council determination. With re-
spect to unclassified employees whose
wage rates are not subject to determina-
tion by the Governor and Council, the
authorities responsible for determining the
wage rates of such employees shall grant
similar and equitable treatment.

Utilization by other funds. Wages of employees in departments supported by the Highway Fund, Special Revenue Funds or other funds shall not be adjusted from moneys provided for the General Fund Pay Plan, but shall be adjusted from funds available to the department from other sources.

Temporary Compensation Review Board
Unallocated

20,000

Provides funds for per diem and expenses.

Attorney General - Office of the
Chief Medical Examiner
Personal Services
All Other

21,000

35,000

Provides funds for an increase in salary for the new Chief Medical Examiner and for regular operating expenses.

Treasurer of State

Departmental Operations
All Other

400,000

Funds appropriated for FY 75-76 were in excess of needs for the Inventory Tax Reimbursement, however, the appropriation for FY 75-76 is not sufficient.

Legislative

Legislative Research
Positions
Personal Services
All Other

(2)

30,272

13,326

Funds 2 full-time Research Technicians and 2 part-time Proofreaders and provides funds for additional printing costs.

Judicial

Supreme Judicial & Superior Courts
Positions
Personal Services
All Other
Capital

(3)

45,500

9,800

2,000

Provides positions and funds for the seventh Justice.

Educational and Cultural Services

Peter Dana Point	
All Other	14,000

Provides funds for Special and Adult Education and repair of buildings.

Pleasant Point	
All Other	17,500

Provides funds for Special and Adult Education and repair of buildings.

Indian Island	
All Other	13,000

Provides funds for Special and Adult Education and repair of buildings.

Osteopathic Loan Fund	
All Other	30,000

It is the intent of the Legislature that the individual loan amount granted to each student shall not exceed the 1975-76 level.

Human Services

Medical Care	
All Other	700,000

Intermediate Care	
All Other	1,584,500

Aid to Families with Dependent Children	
All Other	(4,188,400)

Cystic Fibrosis	
All Other	17,500

General Assistance	
All Other	1,354,000

Special Resolves	
All Other	(1,600)

Priority Social Services	
Elderly	
All Other	144,000
Non Elderly	
Personal Services	(5) 65,000
All Other	469,00

Bureau of Rehabilitation	
All Other	25,200

Office of Dental Health

Personal Services

(1)

23,000

Supplemental Security Income -
Mandatory and Optional Payments

It is the intent of the Legislature that any increases in the federal supplemental security income benefit levels, effective the same month as the federal increase takes effect, shall be passed along in the same total dollar amount of any such increase to each beneficiary in the optional program and to each beneficiary in the mandatory program who has not reached the state ceiling.

The Department shall immediately take action necessary to raise, effective July 1st, the state ceiling for an individual and for a couple in the same total dollar amount as the federal SSI increase. Such pass-along of a federal benefit increase shall not be made to individuals in foster homes or boarding homes. In the event that funds are available and without limiting the pass-alongs outlined herein, the Department may, in its discretion, provide for increased payment rates to foster homes and boarding homes.

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.

Medical Audit

Personal Services

(6) 72,000

All Other

8,000

To provide funds for audit staff for the Department of Human Services to initiate an audit program on all providers and suppliers of health and medical services, including but not limited to boarding homes, intermediate care facilities, hospitals, physicians, dentists, pharmacists, and psychologists.

Office of Alcoholism and Drug Abuse Prevention

All Other

150,000

Provides funds to continue operation of the program.

Governor's Committee on Children & Youth

Unallocated

-

3,000

Advisory Council on the Status of Women

Unallocated

-

2,500

Maine Human Services Council

Personal Services

(1) 17,300

All Other

10,800

Mental Health & Corrections

Community Mental Health

All Other

335,000

Funds to pick up the declining
federal share of support to
mental health centers.

Pineland Center

Unallocated

300,000

Provides funds to upgrade the facilities
and increase staffing up to 60 positions
to meet the intermediate care facility
standards. Any balance of this appropri-
ation remaining June 30, 1977 shall not
lapse but shall carry forward into the
next fiscal year to be expended for the
same purposes.

Correctional Program Improvement

All Other

100,000

Maintenance of community programs
for juvenile and adult correctional
clients (halfway houses, etc). Also
provides for a correctional system
contingency.

Community Mental Retardation Services

All Other

100,000

Maintenance of programs in three
regions of the State supplying
services, training, monitoring of
boarding and nursing homes with
retarded citizens.

Pharos House

All Other

15,000

Maintenance of halfway house which
does house inmates in prerelease status.

Contingency	
Unallocated	750,000
Provides funds for a correctional system contingency	
Cerebral Palsy Centers	
All Other	20,000
<u>Teacher Retirement</u>	
All Other	1,000,000
Provides funds to comply with actuarial requirements.	
<u>Probate Laws Revision Commission</u>	
All Other	20,000
Provides funds to complete Commission study.	
<u>District Court</u>	
Administration	
Unallocated	50,000
Provides additional funds for electronic recording and transcripts.	
Increases undedicated revenue \$50,000 in 1976-77.	
<u>Department of Military, Civil Emergency Preparedness, and Veterans Services</u>	
Bureau of Civil Emergency Preparedness	
Personal Services	(-9) (52,041)
All Other	(15,784)
Capital	(2,175)
Reduces positions and related expenditures for 1976-77.	
Services to Veterans	
All Other	(60,782)
Reduces funding level in 1976-77.	
Personal Services	11,250
Provides funds to re o pen a Bureau of Veterans Services Office in Aroostook County.	

Capital Construction Repairs/Improvements

Capital	37,000
---------	--------

Provides funds for development of additional burial spaces at the Veterans Memorial Cemetery.

Saco River Corridor Commission

Unallocated	12,500
-------------	--------

Provides operating funds

Executive

Governor's Office/Executive Council	
-------------------------------------	--

Personal Services	(38,665)
-------------------	----------

All Other	(15,000)
-----------	----------

Reduces appropriation for Executive Council since it has been abolished.

Criminal Justice Planning & Assistance Agency

All Other	(100,000)
-----------	-----------

Reduces funding level of matching appropriation.

Finance and Administration

Bureau of Taxation - Administration	
-------------------------------------	--

Personal Services	(-3) (25,000)
-------------------	---------------

All Other	(5,000)
-----------	---------

Reduces 3 positions in sales tax due to different collection procedure on casual sales. Increases undedicated revenue \$160,000 in FY 76-77.

Maine Insurance Advisory Board

All Other	(75,000)
-----------	----------

Reduces appropriation due to reduction in premiums.

University of Maine

General Activities	
--------------------	--

All Other	500,000
-----------	---------

Provides additional operating funds.

Student Aid
All Other

200,000

Provides additional funds. These funds shall not be used for any other purpose.

Maine Maritime Academy
General Activities
All Other

84,000

Provides funds for employee salary increase.

TOTAL GENERAL FUND - PART A

\$ 7,787,013

PART B1976-77

Sec. 1. Education and Cultural Services
General Purpose Aid for Local Schools
All Other

7,525,758

Provides an additional \$3,000,000 for loss of Federal Revenue Sharing and an additional \$4,525,758 in 76-77 for the purpose of carrying out the provisions of P.L. 1975, C. 660.

Sec. 2. Allocation of bonds authorized. Bonds authorized in the private and special laws of 1973, chapter 136, section 3, as amended by the public laws of 1973, chapter 783, section 50, are allocated as follows:

1976-77

Education and Cultural Services
General Purpose Aid for Local Schools
Allocation

--

1,340,000

Sec. 3. P & SL 1975, c. 40, §1, last 4 lines, are amended to read:

0308 Education - General Purpose Aid for
Local Schools

	2-580	1975-76	1976-77
Unallocated		\$15,500,000	\$15,500,000
		14,000,000	14,000,000
Total Allocations		\$15,500,000	\$15,500,000
		14,000,000	14,000,000

Sec. 4. Notwithstanding any other statute to the contrary, the Department of Educational and Cultural Services is authorized to expend from such appropriations and allocations for the fiscal year ending June 30, 1977, a sum not to exceed \$6,200,000 of the appropriations from the General Fund and a sum not to exceed \$1,340,000 of the allocation of the proceeds of bonds for the purpose of completing payment of allocations to local school units at their computed allocation entitlement for the fiscal year ending June 30, 1976.

Sec. 5. The appropriations and allocations provided for General Purpose Aid for Local Schools in 1976-77 shall be expended for the purposes listed below under Parts A, B, & C of this section as modified by Sec. 6.

1976-1977

Part A

1. Elementary & Secondary Operations	\$200,400,000
2. Special Education - Local Programs	7,929,770
3. Special Education - Tuition	3,195,000
4. Vocational Education	5,967,828
5. Transportation - Operations	13,903,403
6. Transportation - Bus Purchases	1,965,668
7. Capital Outlay	710,164
8. Debt Service	<u>26,000,000</u>

Gross Allocation \$260,071,833

Less P.L. 874 Funds 2,400,000

Net Allocation \$257,671,833

Part B

1. Local Leeway - For conversion to Uniform Fiscal Year	2,632,377
2. Optional Local Appropriations with State Participation	3,300,000
3. Geographic Isolation	285,639
4. Unusual Enrollment Increases	600,000
5. Private School Transportation	180,000
6. Major Capital Fund	<u>555,000</u>

Total 7,553,016

Part C

To Provide Funds to Make Full Payment 7,540,000
to School Administrative Units at the
Level of Computed Entitlements for the
Fiscal Year 1975-76

Sec. 6, Limit of ~~State's~~ obligation. In the event that the ~~state's~~ computed obligation for any individual program contained within Part A, B, or C exceeds the level of funding provided for that program, any unexpended balances occurring in other programs within that Part may be applied to avoid proration of payments for any individual program.

However, in the event that the total level of funding obligations within any given Part exceeds the level of funding provided for that Part, all payments to school administrative units shall be adjusted to remain within the appropriate provided for that Part. In the event that a balance exists in item 2 of Part B, such balance may be applied to meet any funding deficiency which may occur in item 1 of Part B. After all payments have been made, all unexpended balances occurring in Parts A, B, and C of section 5 shall be credited to the Major Capital Construction Fund which shall be a nonlapsing fund.

1976-77

TOTALS - PART B

General Fund
Bond Allocations

\$7,525,758
1,340,000

PART C

• Sec. 1. 5 MSRA §10 is amended to read:

§10. Payment of wages

All state officers and employees, except temporary and seasonal employees, shall be paid their salaries or wages weekly biweekly, the dates of payment to be determined by the State Controller. Any state officer, whose salary is established at an annual rate, shall receive weekly biweekly a sum which will, in the year's aggregate, most nearly equal the annual

rate. Payment may be made once in each calendar month ~~or fortnightly~~ to such state officers and employees as consent to such time of payment. Temporary and seasonal employees of the State shall be paid at such times as the ~~Commissioner-of-Finance-and-Administration~~ State Controller shall specify. The manner and timing of conversion to biweekly payroll will be determined by the State Controller in such a manner as to minimize any adverse cash flow impact on state employees or the State as a result of this change.

Sec. 2. 5 MRSa §1511 is enacted to read:

§1511. Reserve for General Fund Operating Capital

The State Controller is authorized, at the close of each fiscal year, to transfer from the Unappropriated Surplus of the General Fund to the Reserve for General Fund Operating Capital such amounts as may be available from time to time up to an amount of \$1,000,000 per year until a maximum of \$25,000,000 shall be achieved.

c. 788, §143,

Sec. 3. 30 MRSa § 4165, as last amended by PL 1973, / is repealed and the following enacted in place thereof:

§4165. Unorganized Territory School Fund

There shall continue in existence the Unorganized Territory School Fund which shall include the existing principal of said fund arising from the public reserved lands prior to October 3, 1973 and any accrued but unexpended income from said fund as of said date. Said fund shall be held and administered by the Treasurer of State. The income only of said fund shall be credited to the General Fund in lieu of educational expenditures from other General Fund revenues.

Sec. 4. The State Controller shall credit unexpended balances of ^{income of} the Unorganized Territory School Fund subsequent to October 3, 1973 to the General Fund.

Sec. 5. 20 MRS 1461, Sub-B4 is repealed and the following enacted in place thereof:

4. Balances. Any unencumbered balance in the Uncorganized Territory School Fund in excess of \$50,000 at the end of each fiscal year shall lapse to the General Fund.

Sec. 6. PL 1975, c. 601, §2 is amended by adding at the end the following new paragraph:

Any balance over \$25,000 remaining in this appropriation as of June 30, 1976 shall not lapse but shall be carried forward to the fiscal year beginning July 1, 1976 and ending June 30, 1977, to be expended by the Post-Secondary Education Commission for the operating expenses of the commission.

Sec. 7. P&SL 1975, c. 78, ^{§ 18.} ~~the last paragraph~~ ^{first sentence,} under the caption

"EDUCATIONAL AND CULTURAL SERVICES, Education - Grant/Loan/Scholarship Fund is amended to read:

Includes \$32,000 for 1975-76 and \$64,000 for 1976-77 and authorize the State Department of Educational and Cultural Services to enter into an-agreement agreements to secure four (4) positions for Maine applicants at the-University-of-Pennsylvania-in-a-complete-course-of-study-in-its-School-of-Veterinary-Medicine, an accredited school of veterinary medicine, in a complete course of study in veterinary medicine, and to guarantee and pay to said University institutions not more than \$8,000 annually for each position.

Sec. 8. 5 MRSA § 150, 2nd ¶, as last amended by PL 1971, c. 156, is further amended to read:

The Treasurer of State, with the approval of the Governor and Council, may negotiate a temporary loan or loans in anticipation of taxes levied for that fiscal year but not exceeding a total of \$10,000,000 \$25,000,000. The Treasurer of State is directed to pay such loan or loans in anticipation of taxes during such year and there is appropriated for any year in which the Treasurer of State and the Governor and Council deem it necessary to borrow in anticipation of taxes the sum of \$10,000,000 \$25,000,000.

Sec. 9. 30 MRSA § 5055, sub-§ 5, as last amended by 1971, c. 605, § 1, is further amended by adding at the end the following new sentence:
Effective July 1, 1976 and thereafter, distribution under this section shall be limited to an amount not to exceed \$9,000,000.

Sec. 10. Notwithstanding the provision of the Revised Statutes, Title 4, section 164, subsection 3, an additional sum of \$100,000 shall be deposited in the District Court Building Fund for the fiscal year 1975-76 for Androscoggin County, Aroostook County and Piscataquis County facilities.

Sec. 11. P&SL 1975, c. 78, §19, amended.

That part of section 19 of chapter 78 of the private and special laws of 1975 under the caption "Environmental Protection" is amended by adding the following new paragraph:

Any balance remaining June 30, 1976 shall not lapse but shall carry forward to June 30, 1977 to be expended for the same purpose.

Sec. 12. P&SL 1975, c. 78, §18, amended.

That part of section 18 of chapter 78 of the private and special laws of 1975 under the caption "Department of Transportation" which relates to Capital Improvements is amended by adding the following new paragraph:

Any balance remaining June 30, 1976 shall not lapse but shall carry forward to June 30, 1977 to be expended for the same purpose.

Sec. 13 P&SL 1975, c. 78, §18, amended.

That part of section 18 of chapter 78 of the private and special laws of 1975 under the caption "Legislative" which relates to Legislature is amended by adding the following new paragraph:

Any unexpended balance remaining June 30, 1976 shall not lapse but shall carry forward from year to year to be expended for the same purpose.

Sec. 14. P&SL 1975, c. 103, §1, amended.

That part of section 1 of chapter 103 of the private and special laws of 1975 under the caption "Educational and Cultural Services" which relates to Library is amended by adding the following new paragraph:

Any unexpended balance remaining June 30, 1976 shall not lapse but shall carry forward to June 30, 1977 to be expended for the same purpose.

Sec. 15. P&SL 1975, c. 78, §19, amended.

That part of section 19 of chapter 78 of the private and special laws of 1975, under the caption "Attorney General" is amended by adding the following new paragraph:

Also provides funds for consultant fees for intervention in the Central Maine Power rate proceeding now pending before the PUC. Any balance remaining June 30, 1976 shall not lapse but shall carry forward to June 30, 1977 to be expended for the same purpose.

Sec. 16. P&SL 1975, c. 78, §18, amended.

That part of section 18 of chapter 78 of the private and special laws of 1975 under the caption "Executive" which relates to Law Enforcement Planning and Assistance Agency is amended by adding the following new paragraph:

Any balance remaining June 30, 1976 shall not lapse but shall carry forward to June 30, 1977 to be expended for the same purpose.

Sec. 17. P&SL 1973, c. 150, §6, first sentence is amended to read:

~~K shall prepare a biennial budget, and shall submit to the Legislature requests for appropriations sufficient to carry out its assigned tasks.~~ The Commission

Sec. 18. P&SL 1973, c. 150, §26, 2nd sentence is repealed as follows:

~~The funds derived from the collection of such fees shall be paid into the General Fund of the State.~~

Sec. 19. P&SL 1975, c. 90, §G, amended.

That part of section G of chapter 90 of the private and special laws of 1975 under the caption "Maine Human Services Council" is amended by adding the following new paragraph:

Any balance remaining June 30, 1976 shall not lapse but shall carry forward to June 30, 1977 to be expended for the same purpose.

Sec. 20. Notwithstanding any law or regulation, the following funds of the State shall repay a portion of their outstanding loans from the General Fund during 1976-77 as set forth opposite their names.

Seed Potato Board Fund	\$ 15,000
State Lottery Fund	65,000
Postal, Printing and Supply Fund	<u>50,000</u>
Total	\$ 130,000

PART D

Employees Salary Plan

Sec. 1. Classified employees. Each classified employee shall be assigned to the salary grade in section 3 recommended for his class by the study, or as determined by the Temporary Compensation Review Board, as hereinafter provided, at the same relative step (i.e., A to A, B to B, C to C, D to D, E to E, X to F, Y to G), that he is at in the range to which he is assigned on the date preceding the implementation date of this Part, provided that if

placing any employee on the same relative step in the recommended range results in a decrease in salary, such employee's salary shall be increased to the first higher step within the recommended range which results in an increase in salary, provided that the salary of any classified employee whose present base salary exceeds step G of the recommended range shall not be reduced so long as any such employee remains employed in his current classification.

Sec. 2. Salary increases: unclassified employees not subject to Governor and Council determination. Unclassified employees not subject to Governor and Council salary determination shall be assigned to the step in the salary range in Schedule I or Schedule Ia in ~~Section~~ 3 in which their position is assigned, as recommended

by ~~The~~ Study, or as determined by the Temporary Compensation Review Board as hereinafter provided, which results in an increase over their current actual salary, provided that in no case shall any salary of an unclassified employee be increased if his current salary exceeds step G of the recommended range, in which case such present salary shall be maintained so long as the employee remains employed in his present position.

Sec. 3. Classified positions and unclassified employees not subject to Governor and Council determination. The Personnel Director and State Budget Officer shall be responsible for ensuring that unclassified employees are assigned to a proper pay grade according to the same policy and procedure applicable to classified employees within authorized funds. Classified positions and unclassified employees not subject to Governor and Council determination shall be assigned to the appropriate pay grade in the following schedule:

SCHEDULE I

Grade	Point Range		A	B	C	D	E	F	G
1	76	81	5,200.00	5,470.40	5,740.80	6,032.00	6,323.20	6,635.20	6,968.00
2	82	87	5,324.80	5,595.20	5,886.40	6,177.60	6,489.60	6,801.60	7,155.20
3	88	94	5,449.60	5,740.80	6,011.20	6,323.20	6,635.20	6,968.00	7,321.60
4	95	101	5,616.00	5,886.40	6,177.60	6,489.60	6,822.40	7,155.20	7,508.80
5	102	109	5,782.40	6,052.80	6,364.80	6,676.80	7,009.60	7,363.20	7,737.60
6	110	118	5,948.80	6,240.00	6,552.00	6,884.80	7,217.60	7,592.00	7,966.40
7	119	127	6,136.00	6,448.00	6,760.00	7,092.80	7,446.40	7,820.80	8,216.00
8	128	137	6,344.00	6,656.00	6,988.80	7,342.40	7,716.80	8,091.20	8,507.20
9	138	147	6,552.00	6,884.80	7,217.60	7,592.00	7,966.40	8,361.60	8,777.60
10	148	159	6,780.80	7,134.40	7,488.00	7,862.40	8,257.60	8,652.80	9,089.60
11	160	171	7,030.40	7,384.00	7,758.40	8,153.60	8,548.80	8,985.60	9,422.40
12	172	184	7,300.80	7,654.40	8,028.80	8,444.80	8,860.80	9,297.60	9,776.00
13	185	198	7,592.00	7,966.40	8,361.60	8,777.60	9,214.40	9,672.00	10,171.20
14	199	214	7,904.00	8,299.20	8,715.20	9,152.00	9,609.60	10,088.00	10,587.20
15	215	230	8,236.80	8,652.80	9,089.60	9,547.20	10,025.60	10,524.80	11,044.80
16	231	248	8,590.40	9,027.20	9,484.80	9,963.20	10,462.40	10,982.40	11,525.20
17	249	267	8,985.60	9,422.40	9,900.80	10,400.00	10,920.00	11,460.80	12,022.40
18	268	288	9,401.60	9,859.20	10,358.40	10,878.40	11,419.20	12,001.60	12,601.80
19	289	310	9,859.20	10,358.40	10,878.40	11,419.20	11,980.80	12,584.00	13,205.00
20	311	334	10,337.60	10,857.60	11,398.40	11,980.80	12,584.00	13,208.00	13,873.60
21	335	360	10,857.60	11,419.20	11,980.80	12,584.00	13,208.00	13,873.60	14,560.00
22	361	388	11,440.00	12,022.40	12,604.80	13,249.60	13,915.20	14,601.60	15,329.60

23	389	418	12,043.20	12,646.40	13,291.20	13,956.80	14,643.20	15,392.00	16,161.
24	419	450	12,708.80	13,332.80	13,998.40	14,705.60	15,454.40	16,224.00	17,035.20
25	451	484	13,395.20	14,060.80	14,768.00	15,516.80	16,286.40	17,097.60	17,950.40
26	485	522	13,915.20	14,622.40	15,350.40	16,120.00	16,931.20	17,763.20	18,657.60
27	523	562	14,456.00	15,184.00	15,932.80	16,725.20	17,576.00	18,449.60	19,364.80
28	563	605	14,913.60	15,662.40	16,432.00	17,264.00	18,116.80	19,032.00	19,988.80
29	606	652	15,537.60	16,328.00	17,139.20	17,992.00	18,886.40	19,843.20	20,820.80
30	653	702	16,182.40	16,993.60	17,825.60	18,720.00	19,656.00	20,654.40	21,673.60
31	703	757	16,848.00	17,680.00	18,574.40	19,489.60	20,467.20	21,486.40	22,568.00
32	758	815	17,576.00	18,449.60	19,364.80	20,342.40	21,361.60	22,422.40	23,545.60
33	816	878	18,345.60	19,260.80	20,217.60	21,236.80	22,297.60	23,400.00	24,564.80
34	879	945	19,156.80	20,134.40	21,132.80	22,193.60	23,296.00	24,460.80	25,688.00
35	946	1018	20,051.20	21,070.40	22,110.40	23,233.60	24,377.60	25,604.80	26,894.40
36	1019	1097	21,028.80	22,089.60	23,192.00	24,356.80	25,563.20	26,852.80	28,194.00
37	1098	1181	22,089.60	23,192.00	24,336.00	25,563.20	26,832.00	28,184.00	29,598.40
38	1182	1272	23,192.00	24,356.80	25,563.20	26,852.80	28,184.00	29,598.40	31,075.20
39	1273	1370	24,419.20	25,646.40	26,915.20	28,267.20	29,681.60	31,158.40	32,718.40
40	1371	1476	25,771.20	27,060.80	28,412.80	29,827.20	31,324.80	32,894.80	34,528.00
41	1477	1590	27,123.20	28,475.20	29,889.60	31,387.20	32,947.20	34,611.20	36,337.60

Any position requiring a licensed physician shall be assigned to the appropriate grade in the following schedule:

SCHEDULE Ia
(Physicians)

Grade	Point Range	A	B	C	D	E	F	G
50	606 652	19,864.00	20,862.40	21,902.40	23,004.80	24,148.80	25,355.20	26,624.00
51	653 702	20,488.00	21,528.00	22,588.80	23,732.80	24,918.40	26,166.40	27,476.80
52	703 757	21,153.60	22,214.40	23,337.60	24,502.40	25,729.60	26,998.40	28,350.40
53	758 815	21,881.60	22,984.00	24,128.00	25,334.40	26,603.20	27,934.40	29,328.00
54	816 878	22,651.20	23,795.20	24,980.80	26,228.80	27,539.20	28,912.00	30,368.00
55	879 945	23,504.00	24,668.80	25,896.00	27,206.40	28,558.40	29,993.60	31,491.20
56	946 1018	24,377.60	25,604.80	26,873.60	28,225.60	29,640.00	31,116.80	32,676.80
57	1019 1097	25,355.20	26,624.00	27,955.20	29,348.80	30,825.60	32,364.80	33,966.40
58	1098 1181	26,395.20	27,726.40	29,099.20	30,555.20	32,094.40	33,696.00	35,380.80
59	1182 1272	27,518.40	28,891.20	30,326.40	31,844.80	33,446.40	35,110.40	36,857.60
60	1273 1370	28,724.80	30,160.00	31,678.40	33,259.20	34,923.20	36,670.40	38,500.80
61	1371 1476	30,076.80	31,574.40	33,155.20	34,819.20	36,566.40	38,396.80	40,310.40
62	1477 1590	31,428.80	33,009.60	34,652.80	36,379.20	38,209.60	40,123.20	42,120.00

The annual salary figures in Schedules I and Ia above shall be converted to hourly rates by dividing by 2080 and converted to weekly rates by dividing by 52.

The salary schedule I and Ia shall be adjusted by adding \$15 per week to each range and step.

Sec. 4. Temporary Compensation Review Board. Ninety days before implementation of this Part a Temporary Compensation Review Board shall be established ← which, notwithstanding any other provisions of law, shall have exclusive jurisdiction to hear appeals from employees, their designated representatives and from State appointed authorities concerning the allocation of classifications and unclassified employees to pay grades provided in Section 3 of this Part as recommended by the study. The decision of the board on any appeal concerning the assignment of any position or classification to a salary range shall be final and binding on the parties, except as hereinafter provided. The board shall ensure that the current job specification or position description is correct and that the job has been properly evaluated by use of the Hay Guide Chart Job Profile Evaluation Method. This board may receive assistance from the staff of the Personnel Department, through the Director, and the Office of State Employee Relations, through the Director, for factual analysis of each appeal. Decisions of the board resulting in an increase in compensation for any position or classification shall be effective retroactive to July 1, 1977, but in no event shall any such increase be made retroactive for a period in excess of 90 calendar days. Any decision by the board shall not be reconsidered by the board or the Personnel Board for a period of one year. Following completion of the board's review of all initial appeals, subsequent appeals will be processed pursuant to existing Personnel Law and Rules.

The Temporary Compensation Review Board shall consist of Seven members, five to be selected by the Governor and one each by the Speaker of the House and President of the Senate. Of the five members selected by the

Governor, one shall be a member of the State Personnel Board, at least one member shall be selected from a list of nominees submitted by public employee representatives, and one member shall be the head of a State department or representative of State management. The remaining member(s) shall be appointed from the public and shall be qualified in compensation and classification matters. Available funds may be used as necessary to provide a reasonable per diem and expenses for public members.

The Temporary Compensation Review Board shall cease to exist upon completion of review and decisions on all appeals, but in no event shall the board continue its duties beyond 90 days following the effective date of the implementation of the pay plan.

Sec. 5. Utilization by other funds. Wages of employees in departments supported by the Highway Fund, Special Revenue Funds or other funds shall not be adjusted from moneys provided for the General Fund Salary Plan Fund, but shall be adjusted from funds available to the department from their own sources.

Sec. 6. Study of compensation plan. The Committee on Appropriations and Financial Affairs is hereby ordered to make a complete study of the compensation plan described in this Part and to report their findings with any necessary changes in bill form to the next regular session of the Legislature for possible implementation of this compensation plan on July 1, 1977.

Sec. 7. 26 MRSA §979-D, sub-§1, as enacted by PL 1973, c. 774, is amended by adding at the end a new paragraph to read:

This subsection shall not be operative during the period from the effective date of this Act until July 1, 1977.

PART E

5 MRSA §16 is enacted to read:

16. Vacation and sick leave accumulation

1. Vacation time. Classified and unclassified state employees shall be permitted to accumulate at least the vacation time listed under the following schedule:

<u>Longevity of employee</u>	<u>Rate of accumulation</u>
<u>0-5 years</u>	<u>1 day per month of employment</u>
<u>6-10 years</u>	<u>1 1/4 days per month of employment</u>
<u>11-15 years</u>	<u>1 1/2 days per month of employment</u>
<u>16-20 years</u>	<u>1 3/4 days per month of employment</u>
<u>20 years or more</u>	<u>2 days per month of employment</u>

Classified and unclassified employees accumulating vacation time under this subsection shall be permitted to accumulate at least the number of vacation days set out under the following schedule:

<u>Longevity of employee</u>	<u>Number of Accumulated Days Permitted at Any One Time</u>
<u>1-14 years</u>	<u>24 days</u>
<u>15 years or more</u>	<u>30 days</u>

2. Sick leave. Classified and unclassified employees shall earn at least one day of sick leave per month of employment and shall be permitted to accumulate days of sick leave up to at least 90 days at any one time.

3. Regulations. The State Board of Personnel shall, acting under section 592, prescribe or amend rules and regulations to assure

that state personnel policy conforms to the minimums set out in this section. The minimum limits contained in this section shall not be construed to be maximum limits, and the State Personnel Board may prescribe or amend rules and regulations permitting accumulation of vacation leave and sick leave beyond the limits set forth here for limited categories of state employees for state employees in special situations, or for all classified or unclassified state employees.

PART F

Resolves, 1961, c. 35, next to last ¶ is amended to read:

Director of Public Improvements; authorized to grant certain easements. Resolved: That the Director of Public Improvements, with the approval of the Governor and Council, is authorized to grant to the Augusta Sewerage District and other public utilities such easements as may be mutually agreed upon, on terms that may be mutually agreed upon, covering the location of underground pipelines and mains for the purpose of conveying sewage and storm water and other public utilities across, through and under certain land of the State in Augusta.

PART G

Sec. 1. 5.MRSA Pt. 17, c. 371, is enacted to read:

**PART 17
STATUS OF WOMEN**

CHAPTER 371

MAINE COMMISSION FOR WOMEN

§ 7021. Commission established

In order to promote, carry out and coordinate programs designed to improve opportunities for women in the State, there is established an independent commission to be known as the Maine Commission for Women, hereinafter referred to in this chapter as the "commission."

§ 7022. Membership

The commission shall consist of 17 members, including 9 appointed by the Governor, 4 appointed by the President of the Senate and 4 appointed by the Speaker of the House. In making these appointments to the commission, the Governor, the President of the Senate and the Speaker of the House shall consider and appoint residents of the State who have a knowledge of problems facing Maine women and who provide leadership in programs or activities which are carried out to improve opportunities for women. The members of the commission, chosen from throughout the State, shall include but not be limited to representatives of minority, low income, youth and elderly groups.

§ 7023. Term of office

Members shall be appointed for 2-year terms, except of those members first appointed, 5 appointed by the Governor, 2 appointed by the President of the Senate and 2 appointed by the Speaker of the House shall be appointed for 2-year terms, and the remainder shall be appointed for one-year terms. The term of office of each member shall be designated at the time of appointment.

Members may serve after the expiration of their terms until their successors have taken office. The Governor, the President of the Senate and the Speaker of the House may terminate the membership of their respective appointees for good and just cause and the reason for the termination shall be communicated in writing to each member whose term is so terminated. The appointment of any member of the commission shall be terminated if the member is absent from 3 consecutive meetings without communicating good and just cause to the chairman.

§ 7024. Vacancies

Members appointed to fill vacancies occurring prior to the expiration of the term for which their predecessor was appointed shall serve only for the remainder of that term and shall be appointed by the same person who appointed their predecessor. Any vacancy on the commission shall not affect its powers.

§ 7025. Chairperson

The Governor shall select from among the members a chairperson and a vice-chairperson both of whom shall serve for one year. These selections shall be made each year prior to the first meeting of the commission. The chairperson is authorized to appoint subcommittees.

§ 7026. Powers and duties

The commission shall have the powers and duties to advise and consult with the Governor and the Legislature about and to assist them in improving opportunities for Maine women by:

1. Research. Carrying out research programs which are necessary to determine the status of Maine women;

2. Activities. Promoting and coordinating activities on state and local levels designed to meet the problems of women;

3. Advocate. Serving as an advocate for Maine women by making recommendations on proposed budgetary, legislative and policy actions to the Governor, Legislature and to other officials of State and Federal Government with respect to state and federal policies, programs and other activities affecting or relating to the women of Maine;

4. Information. Informing the public about the presence or absence of opportunities for Maine women;

5. Meetings. Conducting public hearings, conferences, workshops and other such meetings to obtain information about, discuss and publicize the needs of and solutions to problems of women; and

6. Reports. Making a biennial report to the Governor and Legislature concerning the work and interests of the commission.

§ 7027. Meetings; compensation

The commission shall meet at the call of the chairman and not less than 4 times during each year. Members shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the work of the commission at the same rate as state employees.

§ 7028. Staff; funding

The commission is authorized to employ staff and consultants, and to accept and use any funding available to it in carrying out the purposes of this chapter.

Sec. 2. 22 MRSA § 1, first ¶, 2nd sentence, as repealed and replaced by PL 1973, c. 793, § 1, is amended to read:

It shall also include the Committee on Children and Youth, the Governor's Advisory Council on the Status of Women, the Maine Committee on Aging and the Maine Human Services Council.

PART H

Sec. 1.

/J MRSA §173, sub-§3, ¶A, 3rd through 7th ¶¶ as enacted
by PL 1971, c. 480, §1, are repealed and the following enacted
in place thereof:

The Legislature, state administrative departments, bureaus,
agencies and commissions, and the Judicial Department, shall
be sold or furnished copies necessary for legislative,
administrative or judicial purposes under rules and
regulations promulgated by the State Law Librarian.

Copies shall be sent, on an exchange basis, to the Library

of Congress, secretary of the Maine State Bar Association, the Supreme Court Library of Canada and to each state or territorial library in the United States.

One copy of the laws passed by each session of the Legislature shall be given to each member thereof, the Secretary of the Senate, the Assistant Secretary of the Senate, the Clerk of the House and the Assistant Clerk of the House.

At any time prior to January 3, 1979, one copy of the latest unannotated revision of the statutes and any available supplement thereto shall be given to each Member of the Legislature who has not previously received such a copy as a Member of the Legislature which enacted the revision or a Legislature which met in regular session after the effective date of such revision of statutes.

On or after January 3, 1979, each Member of the Legislature may, while holding office, purchase at the state price or obtain on loan under rules and regulations promulgated by the State Law Librarian, the latest annotated revision of the statutes and the current supplement thereto.

The remaining copies of the revisions of the statutes, and supplements thereto, and the session laws shall be held in the library for exchange or library use, except as otherwise provided by law.

Sec. 2. Supplements. \longleftrightarrow Notwithstanding the provisions of Title 3, section 164, subsection 8, no pocket parts shall be caused to be published for volumes of the unannotated Revised Statutes, or any replacement or recompiled volumes thereof, following final adjournment of the 107th Legislature.

PART I

Sec. 1. 36 MRSA §4365, 1st sentence, as last amended by PL 1973, c. 768, §2, is further amended to read:

A tax is imposed on all cigarettes held in this State by any person for sale, said tax to be at the rate of 8 9 mills for each cigarette and the payment thereof to be evidenced by the affixing of stamps to the packages containing the cigarettes.

Sec. 2. 36 MRSA §4365, next to the last sentence, as last amended by PL 1973, c. 768, §3, is further amended to read:

The Tax Assessor thereupon shall notify the unclassified importer of the amount of the tax due thereon, which shall be at the rate of 8 9 mills per cigarette.

Sec. 3. Cigarettes on hand; stamping or account; waiver provisions. The State Tax Assessor may by regulation waive for a period of not over 7 days following the effective date of sections 1 and 2 of Part I payment of additional tax by retail dealers with respect to stocks of cigarettes properly stamped at the rate of 8 mills per cigarette sold during such

period, provided such stocks were on hand as of the effective date of sections 1 and 2 of Part ~~I~~ and pursuant thereto, the State Tax Assessor may also waive for the same period the application to retail dealers of Title 36, sections 4369, 4370 and 4372 as respects such cigarettes.

Nothing herein shall be construed to authorize any distributor or subjobber to distribute to any retail outlet cigarettes not properly stamped at the rate of 9 mills per cigarette.

Cigarettes in the hands of retail dealers subsequent to the period of waiver provided for above, not properly stamped at the rate of 9 mills per cigarette, shall be subject to confiscation under the provision of Title 36, section 4372; and such retailer shall be subject to any other penalties by law provided.

Sec. 4. Effective date. Part ~~I~~ of this Act shall become effective August 1, 1976.'

Statement of Fact

This amendment makes certain necessary changes in appropriations and allocations and provides the funding to finance the same.

Reported by Report "C" of the Committee on Appropriations and Financial Affairs.

Reproduced and distributed under the direction of the Clerk of the House.
4/13/76

(Filing No. H-1279)