

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 2025

H. P. 2003

House of Representatives, March 24, 1980

Reported by Mr. Pearson from the Committee on Appropriations and Financial Affairs. Printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk of the House

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT Adjusting Appropriations and Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government 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; 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 Bureau of the Budget, 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 data 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 advise 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 may 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 are 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 instate 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, and 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 the State 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 non-General 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.

PART B

DEPARTMENT or AGENCY	APPROPRIATIONS FROM GENERAL FUND	
	1979-80	1980-81
AGRICULTURE, DEPARTMENT OF		
Office of the Commissioner		
Positions		(4)
Personal Services		\$ 70,791
All Other		7,680
Capital Expenditures		2,320

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81
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Provides funding for positions necessary to increase the capability of the commissioner's office based on an analysis of the needs of the department.

Office of the Commissioner	286,611
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Notwithstanding the Revised Statutes, Title 5, section 1585, funds appropriated under this section may be transferred to implement the following reorganization to be established by other legislation and, if such legislation should not be enacted this session, all funds provided to the department under this Part (Part B) shall lapse into the General Fund.

Bureau of Agricultural Production

Positions	(2)
Personal Services	\$36,883
All Other	8,640
Capital Expenditures	1,785

Provides funding for positions necessary to increase the capability of the department in agricultural production.

Bureau of Agricultural Marketing

Positions	(5)
Personal Services	85,666
All Other	37,790
Capital Expenditures	4,105

Provides funding for positions necessary to increase the capability of the department in agricultural marketing.

Bureau of Agricultural and Rural Resources

Positions	(5)
Personal Services	87,597
All Other	20,040
Capital Expenditures	4,105

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Provides funding for positions necessary to increase the capability of the department in agricultural and rural resources.		
TOTAL DEPARTMENT OF AGRICULTURE		\$367,402
AUDIT, DEPARTMENT OF	1979-80	1980-81
Audit - Departmental Division		
Positions		(2)
Personal Services		35,650
All Other		6,000
Provides funds for 2 positions and related expenses to audit the Superior and District Courts.		
TOTAL DEPARTMENT OF AUDIT		41,650
BUSINESS REGULATION, DEPARTMENT OF		
Business Regulation - Commissioner's Office		
All Other		1,400
Provides funding for regulatory responsibilities relating to auctioneers.		
TOTAL DEPARTMENT OF BUSINESS REGULATION		1,400
DEFENSE AND VETERANS SERVICES, DEPARTMENT OF		
Central Administration		
Personal Services	458	752
Provides funds for reclassification approved by the Department of Personnel.		
Military Training and Operations		
Personal Services	407	642
Provides funds for reclassification approved by the Department of Personnel.		
Bureau of Civil Emergency Preparedness		
Personal Services	406	676

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Provides funds for reclassification approved by the Department of Personnel.		
TOTAL DEPARTMENT OF DEFENSE AND VETERANS SERVICES	1,271	2,070
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Education - General Purpose Aid for Local Schools		
All Other	(2,000,000)	(2,060,888)
Reflects adjustment of the subsidy index for basic education allocation.		
Pratt and Whitney Project		
Personal Services		217,000
All Other		11,000
Capital Expenditures		1,000
Provides the final year of funding for training employees for Pratt and Whitney. This appropriation will fulfill the state's obligation to this program.		
Eastern Maine Vocational-Technical Institute		
Personal Services	1,100	1,200
Provides funding for approved reclassification.		
Northern Maine Vocational-Technical Institute		
Personal Services	4,700	6,800
Provides funding for approved reclassification.		
Education - Higher Education Services		
Personal Services		800
Provides funding for approved range-change.		
Library - Administration		
Personal Services	4,900	5,800
Provides funding for approved reclassifications.		

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Education - Teacher Retirement		
Personal Services	175,000	8,967,295
Provides funding to offset loss of Federal Revenue Sharing Funds previously allocated for this purpose and other necessary funding for teachers' retirement.		
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TOTAL DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES	(1,814,300)	(7,150,007)
FINANCE AND ADMINISTRATION, DEPARTMENT OF		
Fuel Reserve Fund		
All Other	1,200,000	1,500,000
Provides reserve funding to cover the increased cost of fuel required by the departments. Transfers from this account shall be made when recommended by the State Budget Officer and approved by the Governor. Any balance remaining on June 30, 1980, shall not lapse but shall be carried forward to the 1980-81 Fiscal Year.		
State Contingency Account		
All Other	4,737,650	
Provides funds for unbudgeted future obligations of State Government. Such funds shall only be allocated for expenditure after specific legislative approval and shall carry forward to June 30, 1981.		
Bureau of the Budget		
Positions		(-2)
Personal Services		(29,356)
All Other		(8,000)
Reduces positions and related funding due to the repeal of the Federal Expenditure Act.		
TOTAL DEPARTMENT OF FINANCE AND ADMINISTRATION	----- 5,937,650	----- 1,462,644

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
HUMAN SERVICES, DEPARTMENT OF		
State Supplemental to Federal Supplemental Security Income		
All Other	300,000	
Provides funds to cover current operating deficit due to higher cost of mental retardation homes, cost of living and minimum wage increase.		
Resource Development — Child Welfare		
	250,000	
	All Other	250,000
Provides funds to cover current operating deficit due to increased placement of state wards.		
Resource Development - State Supplement to Title XX		
All Other	114,000	1,543,000

An additional amount of \$1,657,000 is appropriated for the state supplement to the Title XX account; \$114,000 for fiscal year 1980 and \$1,543,000 for fiscal year 1981. The purpose of this appropriation is to assure that priority social services provided by the Department of Human Services and community agencies shall be continued.

This is based on the expectation that federal Title XX funds will be available at a level of approximately \$13,500,000 in federal fiscal year 1980 based on a federal ceiling of \$2.7 billion in the Title XX program and \$14,500,000 in federal fiscal year 1981 based as a federal ceiling of \$2.9 billion. If additional federal funds become available, a corresponding amount from the state supplement to the Title XX account will be returned to the General Fund

It is the intent of the Legislature that the Department of Human Services will administer these funds in a manner which

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81
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permits funding of community contract services, except housing and camping programs, at approximately their current level. This is based on the understanding that the department will take certain administrative actions which include:

Elimination of housing and camping programs as specific service areas of the State Title XX plan and conversion of current Title XX funded mental retardation and mental health services to a Title XIX account status in the amount of approximately \$550,000.

Medical Care Administration

Positions		(14)
Personal Services	400,000	207,115
All Other		155,885

Provides funds for increased computer (Medical Management Information System) cost and sufficient funds to cover the properly matched federal and state lines.

Free Drugs to Maine's Elderly		
All Other	75,000	

Provides funds to cover current operating expenses due to the increased number in enrollments.

Medical Care Administration

Positions		(2)
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Provides for 2 clerk positions for processing payment of prescription drug claims. Funds for this action will be transferred from All Other.

Social Welfare - Aid to Families with Dependent Children

All Other	(1,554,863)	
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To reduce appropriation by the amount provided for Emergency Home Heating

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Assistance in Public Law 1979, chapter 574, now funded by 100% federal funds.		
TOTAL DEPARTMENT OF HUMAN SERVICES	(415,863)	2,156,000
MAINE MARITIME ACADEMY		
Maine Maritime Academy - Operations		
All Other		75,000
Provides funding to cover additional operating costs. These funds will be used for fuel costs only.		
TOTAL MAINE MARITIME ACADEMY		75,000
MAINE RESOURCES, DEPARTMENT OF		
Bigelow Laboratory for Ocean Science		
All Other		50,000
Provides funds for grants to the Northern Research Foundation Inc. (Bigelow Laboratory for Ocean Sciences).		
TOTAL DEPARTMENT OF MARINE RESOURCES		50,000
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF		
Correctional Improvement Program		
All Other		438,000
Provides funds for housing of inmates in county jails and other facilities.		
Bureau of Corrections		
All Other		25,000
Provides funds for legislatively-madated training of correctional officers.		
Central Maine Prerelease Center		
Positions		(17)
Personal Services		224,718

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
All Other		111,000
Capital Expenditures		75,000
<p style="padding-left: 40px;">Provides continued funding for the Central Maine Prerelease Center. This amount includes funds for the repair of the roof at the Reed Auditorium.</p>		
Maine State Prison		
All Other		1,000
Capital Expenditures		162,000
<p style="padding-left: 40px;">Provides funds for repairs, replacement of equipment in the kitchen and dining area, fire and safety renovations in the east wing, exterior bars and other security renovations in the segregation areas, and radio and television antenna system for administrative segregation.</p>		
Positions		(1)
Personal Services		14,998
<p style="padding-left: 40px;">Provides a hearing officer to handle the increased volume of hearings caused by the consent decree.</p>		
All Other		8,000
<p style="padding-left: 40px;">Provides pharmacy service to the prison.</p>		
Maine Correctional Center		
Positions		(2)
Personal Services		26,076
<p style="padding-left: 40px;">Provides 2 correctional officers for the female cottage and for increased security.</p>		
All Other		12,500
<p style="padding-left: 40px;">Provides for renovation and repairs at the prerelease unit and the Correctional center.</p>		
Employee Reclassifications		
Personal Services	30,483	30,483
<p style="padding-left: 40px;">Provides funds for reclassifications already approved.</p>		

**APPROPRIATION FROM
GENERAL FUND
1980-81**

DEPARTMENT OR AGENCY

Pineland Center		
Personal Services		358,134
All Other		66,000

Provides funds continuing 35 limited period positions to comply with consent decree standards and to continue a contract for housekeeping services.

Bangor Mental Health Institute		
Positions		(20)
Personal Services		225,900

Provides additional staff positions for better coverage and increased treatment of patients.

Augusta Mental Health Institute		
Positions		(-7)
Personal Services		(66,098)

Reduces the staff at the Augusta Mental Health Institute.

Community Mental Health Services		
	41,500	All Other

Provides state share for 3 Housing and Urban Development demonstration projects for housing the chronic mentally ill.

Capital Construction — Bangor Mental Health Institute		
Capital Expenditures		138,615

Provides for the renovation of Ward K-3 and for structural improvements in the main building.

All correction funds may be used to match federal funds under the provisions of the Safe Streets Act, as amended.

**TOTAL DEPARTMENT OF MENTAL
HEALTH AND CORRECTIONS**

	30,483	1,892,826
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DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
Positions		(-10)
Reduces 10 State Police Trooper positions.		
TRANSPORTATION, DEPARTMENT OF		
Transportation - Waterways Administration		
All Other	121,550	210,377
Provides operating funds for the Maine Ferry Services. Additional funding shall be provided from the General Fund salary and fuel accounts if necessary to limit the increase in fares to no more than 15%.		
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TOTAL DEPARTMENT OF TRANSPORTATION	121,550	210,377
Treasurer - Debt Service		
All Other	(2,000,000)	(2,000,000)
This reduction in appropriation in conjunction with authority to transfer an additional \$3.2 million from the General Fund Bond Debt Service account set up for the retirement of bonds and notes authorized under Title 5, section 151-A will provide sufficient funds to cover the projected debt service requirement.		
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TOTAL TREASURY DEPARTMENT	(2,000,000)	(2,000,000)
UNIVERSITY OF MAINE		
University of Maine - Educational and General Activities		
All Other		750,000
Provides funding to cover additional operating costs.		
TOTAL UNIVERSITY OF MAINE		----- 750,000

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Workers' Compensation Commission		
Personal Services		37,873
Provides funds needed to pay salaries of the full-time Workers' Compensation Commissioners.		
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TOTAL WORKERS' COMPENSATION COMMISSION		37,873
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GENERAL FUND TOTAL — PART B	\$1,860,791	\$12,197,249
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PART C		
AGRICULTURE, DEPARTMENT OF		
Agricultural Marketing Services		
Positions	(-1)	(-1)
Personal Services		(11,554)
		<hr/>
	(-1)	(-1)
Total		(11,554)
BUSINESS REGULATION, DEPARTMENT OF		
Business Regulation — Commissioner's Office		
Positions	(-1)	(-1)
Personal Services		(12,053)
Manufactured Housing Board		
Positions	(1)	(1)
Personal Services		(12,053)
		<hr/>
	(-2)	(-2)
Total		(23,248)
CONSERVATION, DEPARTMENT OF		
Division of Forest Fire Control		
Positions	(-1)	(-1)
Personal Services		(10,860)
Parks — General Operations		
Positions	(-1)	(-1)
Personal Services		(15,621)

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Entomology		
Positions	(-1)	(-1)
Personal Services		(11,554)
	<hr/>	<hr/>
	(-3)	(-3)
Total		(38,035)
 EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Schooling of Children in Unorganized Territory (SCUT)		
Positions	(-4)	(-4)
Personal Services		(48,941)
Central Maine Vocational Technical Institute		
Positions	(-1)	(-1)
Personal Services		(11,554)
Southern Maine Vocational Technical Institute		
Positions	(-2)	(-2)
Personal Services		(21,291)
Education — Curriculum		
Positions	(-1)	(-1)
Personal Services		(17,153)
Governor Baxter School for the Deaf		
Positions	(-3)	(-3)
Personal Services		(33,798)
Education — Higher Education Services		
Positions	(-1)	(-1)
Personal Services		(12,559)
	<hr/>	<hr/>
	(-12)	(-12)
Total		(145,296)
 ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Department of Environmental Protection —Land Quality Control		
Positions	(-2)	(-2)
Personal Services		(31,506)

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Department of Environmental Protection		
—Water Quality Control		
Positions	(-2)	(-2)
Personal Services		(35,572)
		<hr/>
	(-4)	(-4)
Total		(67,078)
 EXECUTIVE DEPARTMENT		
Executive — Blaine House		
Positions	(-1)	(-1)
Personal Services		(11,554)
Executive — Office of Energy Resources		
Positions	(-1)	(-1)
Personal Services		(9,760)
Executive — State Development Office		
Positions	(-1)	(-1)
Personal Services		(11,554)
		<hr/>
Total	(-3)	(32,868)
 FINANCE AND ADMINISTRATION, DEPARTMENT OF		
Finance — Administrative Services Division		
Positions	(-2)	(-2)
Personal Services		(23,108)
Bureau of Accounts and Control		
Positions	(-2)	(-2)
Personal Services		(14,521)
Bureau of Public Improvements		
—Planning and Construction — Administration		
Positions	(-1)	(-1)
Personal Services		(15,621)
Bureau of Public Improvements		
—Buildings and Ground Operations		
Positions	(-6)	(-6)
Personal Services		(52,769)
Bureau of Purchases — Operations		
Positions	(-1)	(-1)
Personal Services		(15,621)

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Bureau of Taxation — Administration		
Positions	(-8)	(-8)
Personal Services		(98,415)
	<hr/>	<hr/>
Total	(-20)	(-20)
		(220,055)
 HUMAN SERVICES, DEPARTMENT OF		
Human Services — Bureau of Administration		
Positions	(-2)	(-2)
Personal Services		(26,266)
Human Services — Regional Administration		
Positions	(-5)	(-5)
Personal Services		(72,461)
Bureau of Health		
Positions	(-2)	(-2)
Personal Services		(29,951)
Social Welfare — Administration		
Positions	(-1)	(-1)
Personal Services		(21,578)
Bureau of Resource Development — Administration		
Positions	(-1)	(-1)
Personal Services		(15,621)
Bureau of Rehabilitation — Administration		
Positions	(-1)	(-1)
Personal Services		(15,621)
	<hr/>	<hr/>
Total	(-12)	(-12)
		(181,498)
 MARINE RESOURCES, DEPARTMENT OF		
Marine Resources — Bureau of Marine Development		
Positions	(-1)	(-1)
Personal Services		(14,353)
Marine Resources — Bureau of Marine Sciences		
Positions	(-6)	(-6)
Personal Services		(87,148)

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Marine Resources — Bureau of Marine Patrol		
Positions	(-1)	(-1)
Personal Services		(15,406)
	<hr/>	<hr/>
Total	(-8)	(-8)
		(116,907)
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF		
Mental Health and Corrections —Departmental Operations		
Positions	(-3)	(-3)
Personal Services		(47,126)
Augusta Mental Health Institute		
Positions	(-4)	(-4)
Personal Services		(39,027)
Bangor Mental Health Institute		
Positions	(-6)	(-6)
Personal Services		(74,516)
Mental Retardation Services		
Positions	(-1)	(-1)
Personal Services		(11,554)
Pineland Center		
Positions	(-1)	(-1)
Personal Services		(10,143)
Maine Youth Center		
Positions	(-7)	(-7)
Personal Services		(83,654)
Maine Correctional Center		
Positions	(-1)	(-1)
Personal Services		(11,554)
	<hr/>	<hr/>
Total	(-23)	(-23)
		(277,574)
PUBLIC SAFETY, DEPARTMENT OF		
Division of Special Investigations		
Positions	(-1)	(-1)
Personal Services		(23,491)

DEPARTMENT OR AGENCY	APPROPRIATION FROM GENERAL FUND 1980-81	
Bureau of Capital Security		
Positions	(-1)	(-1)
Personal Services		(13,387)
	<hr/>	<hr/>
Total	(-2)	(-2)
		(36,878)
GENERAL FUND TOTAL — PART C	(-90)	(-90)
		\$(1,150,991)
GENERAL FUND TOTAL — PART B	1,860,791	12,197,249
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TOTAL GENERAL FUND IN THIS ACT	\$1,860,791	\$11,046,258

PART D

Sec. 1. Basic elementary and secondary per pupil operating rate. The basic elementary per pupil operating rate for 1980-81 shall be \$1,083 and the basic secondary per pupil rate for 1980-81 shall be \$1,398.

Sec. 2. Basic education allocation. The basic allocation of state and local funds for 1980-81 for the purposes listed below shall be as follows:

- | | |
|---|---------------|
| 1. Elementary and secondary operating costs | \$266,309,532 |
| Alternate program costs | 700,000 |
| 2. Special Education for programs operated by the administrative units | 12,724,258 |
| 3. Special Education tuition and board, excluding medical costs | |
| a. For pupils placed by administrative units | 3,870,248 |
| b. Adjustments under Revised Statutes, Title 20, section 4749, subsection 6 | 300,000 |
| 4. Vocational education costs | 8,456,825 |
| 5. Transportation costs | |
| a. Operating | 20,594,055 |
| b. Purchase of buses | 4,000,000 |
| 6. Debt service costs | |
| a. Principal and interest | 27,900,000 |
| b. Insured value factor | 327,829 |

c. Approved leases	600,000
	<hr/>
Subtotal	\$345,782,747
Less Federal Public Law, chapter 875	2,400,000
	<hr/>
Total	\$343,382,747

Sec. 3. Subsidy index. This Act establishes the mill rate at 9.25.

Sec. 4. Appropriations. The appropriations provided by Public Law 1979, chapters 164 and 542, (as adjusted by Part B of this Act) for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 1980, and ending June 30, 1981, were calculated as follows:

1. State allocation	\$185,311,797
2. Maximum state share of local leeway	9,335,606
3. Unusual enrollment adjustments	300,000
4. Geographic isolation adjustments	276,641
5. Small administrative unit adjustments	25,000
6. Audit adjustments	-0
7. Private school services	217,956
8. Costs for pupils placed directly by the State and institutional residents	1,500,000
	<hr/>
Total	\$196,967,000

Sec. 5. Limit of state's obligation. In the event that the state's computed obligation for any individual program contained within sections 2 and 4 exceeds the level of funding provided for that program, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual program. Any unexpended balance from sections 2 and 4 shall not lapse, but shall be carried forward to be used for the same purpose.

Sec. 6. 20 MRSA § 4751, sub-3, ¶ A, first sentence, as repealed and replaced by PL 1979, c. 568, § 5, is amended to read:

The legislative body of an administrative unit may, in addition to the unit's state-local allocation under sections 4748 and 4749, authorize an additional expenditure for either elementary or secondary pupils, or both, not to exceed a local appropriation for each municipality of ~~1-3~~ 1.2 mills on the state valuation in effect on July 1st or \$125 per pupil, whichever is less, for the ~~1979-80~~ 1980-81 year of distribution.

PART E

PL 1979, c. 542, Part D, § 3, is amended to read:

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~~ 1980.

PART F

Sec. 1. 2 MRSA § 4, last sentence, as enacted by PL 1977, c. 583, § 2, is repealed as follows:

~~The authority granted by this section shall be subject to the limitations specified in Title 5, chapter 150~~

Sec. 2. 5 MRSA § 1662, sub-§ 1-A, as enacted by PL 1977, c. 583, § 3, is repealed.

Sec. 3. 5 MRSA § 1669 is enacted to read:

§ 1669. Federal funds

No state department or agency may make expenditures of any federal funds or expenditures in anticipation of receipt of federal funds or for any new or expanded programs, unless such federal funds are approved by the Legislature. When the Legislature is not in session, the Governor may authorize the expenditure of such federal funds for a period not to exceed one fiscal year and shall notify the Legislature Finance Office of such action.

Sec. 4. 5 MRSA c. 150, as enacted by PL 1977, c. 583, § 4, and as amended, is repealed.

PART G

P&SL 1979, c. 63, § 1, is amended to read:

Sec. 1. Allocations of Federal Revenue Sharing Fund. Income to the Federal Revenue Sharing Fund for the fiscal years ending June 30, 1980 and June 30, 1981 shall be segregated, apportioned and expended as designated in the following schedule:

	1979-80	1980-81
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENTAL OF		
Education — Teachers' retirement		
All Other	\$15,750,000	\$15,750,000
	\$15,575,000	\$13,175,000

PART H

Sec. 1. 36 MRSA § 5143, as repealed and replaced by PL 1977, c. 477, § 18, is repealed.

Sec. 2. 36 MRSA § 5143-A is enacted to read:

§ 5143-A. Standard deduction; nonresident

The standard deduction of a nonresident individual or of a nonresident husband and wife who file a joint return or of a nonresident married person who files a separate return shall be the following, multiplied by a percentage arrived at by dividing the nonresident's adjusted gross income from sources within the State by his adjusted gross income he would be required to report if he were a resident:

1. Single persons. Single persons, the higher of a low-income allowance of \$1,700 or 16% of his federal adjusted gross income up to a maximum deduction of \$2,400;

2. Married persons; joint returns. Married persons filing joint returns or a surviving spouse, the higher of a low-income allowance of \$2,100 or 16% of federal adjusted gross income up to a maximum deduction of \$2,800; and

3. Married person; separate return. A married person filing a separate return, the higher of a low-income allowance of \$1,050 or 16% of federal adjusted gross income up to a maximum deduction of \$1,400, except that if either spouse uses the low-income allowance, both must use it.

Sec. 3. 36 MRSA § 5144, as enacted by P&SL c. 154, Section F, is repealed.

Sec. 4. 36 MRSA § 5144-A is enacted to read:

§ 5144-A. Itemized deductions

The itemized deductions of a nonresident individual shall be determined in accordance with the provisions for a resident individual as contained in section 5125 and multiplied by a percentage arrived at by dividing the nonresident's adjusted gross income from sources within this State by his adjusted gross income he would be required to report if he were a resident.

Sec. 5. 36 MRSA § 5145, as enacted by P&SL 1969, c. 154, Section F, is amended to read:

§ 5145. Personal exemptions

A nonresident individual shall be allowed the ~~same~~ personal exemptions allowed to resident individuals under section 5126, multiplied by a percentage arrived at by dividing the nonresident individual's adjusted gross income from sources within this State by his adjusted gross income he would be required to report if he were a resident.

Sec. 6. 36 MRSA § 5220, sub-§ 2, as enacted by P&SL 1969, c. 154, Section F, is repealed and the following enacted in its place:

2. Nonresident individuals. Every nonresident individual who has taxable income for the year from sources within this State.

Sec. 7. 36 MRSA § 5224, as enacted by P&SL 1969, c. 154, Section F, is repealed.

Sec. 8. 36 MRSA § 5224-A is enacted to read:

§ 5224-A. Change of status as resident or nonresident during year

If an individual changes his status as a resident individual or nonresident individual during his taxable year, he shall file a return as required by section 5220, subsection 2. His taxable income shall be determined in the following manner.

1. Income. Income exclusive of standard or itemized deductions and personal exemptions shall be the sum of the income determined as provided in section 5121 for residents and section 5140 for nonresidents as if the individual's taxable year for federal income tax purposes were limited to the period of his resident and nonresident status respectively.

2. Adjustments. Income as determined in subsection 1 shall be adjusted to reflect income, gain, loss or deductions accrued prior to the change of status even though not otherwise includable or allowable in respect of the period prior to such change, but the taxation or deduction of items accrued prior to the change of status shall not be affected by the change.

3. Reduction. The income computed under subsections 1 and 2 shall be reduced in accordance with the law applicable to a nonresident individual under the deduction and exemption provisions contained in sections 5143-A, 5144-A and 5145.

Sec. 9. 36 MRSA §§ 5225 and 5226, as enacted by P&SL 1969, c. 154, Section F, are repealed.

PART I

Legislative approval. In accordance with Public Law 1977, chapter 710, the Governor's recommendations of expenditures for the Maine Criminal Justice Planning and Assistance Agency are hereby approved as submitted. The approval is subject to current state appropriations and available federal funds.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except Part H of this Act shall be effective for tax years beginning on or after January 1, 1980.

STATEMENT OF FACT

Part A includes the standard preamble language.

Part B adjusts General Fund appropriations.

Part C eliminates vacant positions statewide as recommended by the administration.

Part D establishes the per pupil rate, the basic education allocation, sets the mil rate for the subsidy index and itemizes the General Fund appropriation figure.

Part E delays the repayment of the working capital advance granted to Washington County Vocational-Technical Institute.

Part F repeals the statutes pertaining to the Federal Expenditure Budget and adds restricting language to the budget law.

Part G adjusts the Federal Revenue Sharing Allocation Act to reflect the decrease in revenues.

Part H provides for the proration of nonresident standard deductions and personal exemptions under the Maine Income Tax Law. At present, the vast majority of states provide for prorating standard deductions and personal exemptions. Maine is one of the few states which allow full standard deductions and personal exemptions (the State, however, itemized deductions). The rationale for prorating can be illustrated by considering the situation of an individual with income split between 2 or more states. His aggregate deductions and exemptions may well exceed what would be available to an individual with the same income in one state unless prorating is employed.

Part I gives legislative approval to the Governor's recommended plan for expenditures from the Maine Criminal Justice Planning and Assistance Agency.