

MAINE STATE LEGISLATURE

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EMERGENCY
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 63

H. P. 91

House of Representatives, January 7, 1981

Submitted by the Department of Finance and Administration pursuant to Joint Rule 24.

Reference to the Committee on Appropriations and Financial Affairs suggested.

EDWIN H. PERT, Clerk

Presented by Mr. Pearson of Old Town.

Cosponsor: Mr. Huber of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1981, and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government.

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 departments and institutions will become due and payable before July 1, 1981; 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

Appropriations from General Fund. In order to provide for necessary

expenditures of government and other purposes for the fiscal year ending June 30, 1981, 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.

**APPROPRIATIONS FROM
GENERAL FUND
1980-81**

**DEPARTMENT OF AGRICULTURE,
FOOD AND RURAL RESOURCES**

Harness Racing Commission	
Personal Services	\$13,000
All Other	12,000
Provides funds for additional racing dates.	

**DEPARTMENT OF AGRICULTURE,
FOOD AND RURAL RESOURCES**

Total Current Services	\$25,000
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DEPARTMENT OF ATTORNEY GENERAL

Operations	
All Other	\$20,000
Provides funds for the final legal costs related to the Indian land claims.	

Investigative and Prosecutorial Fund	
Unallocated	20,000
Provides funds to establish a fund to pay for transportation, meals and lodging of witnesses during major trials.	

Operations	
Unallocated	40,000
Provides funds for relocation and consolidation of the department; Includes modern office landscaping and a telephone system.	

DEPARTMENT OF ATTORNEY GENERAL

Total Current Services	\$80,000
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DEPARTMENT OF BUSINESS REGULATION

Maine Athletic Commission	
All Other	\$2,000
Provides funds for additional travel costs.	
Securities Division	
Personal Services	8,800

**APPROPRIATIONS FROM
GENERAL FUND
1980-81**

Provides funds to pay the costs for
reinstatement of the director.
DEPARTMENT OF BUSINESS REGULATION

Total Current Services	\$10,800
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**DEPARTMENT OF EDUCATIONAL
AND CULTURAL SERVICES**

Maine Historic Preservation Commission

Personal Services	\$1,473
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Provides funds for the General Fund share of
range changes for 2 positions already
approved by the Department of Personnel.

**DEPARTMENT OF EDUCATIONAL
AND CULTURAL SERVICES**

Total Current Services	\$1,473
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EXECUTIVE DEPARTMENT

Office of Employee Relations

Positions	(1)
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Personal Services	\$4,678
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Capital Expenditures	550
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Provides funds for a Labor Research
Specialist.

Blaine House

All Other	7,000
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Provides funds for increased operating
costs.

EXECUTIVE DEPARTMENT

Total Current Services	\$12,228
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**DEPARTMENT OF
FINANCE AND ADMINISTRATION**

Bureau of the Budget

Personal Services	\$2,621
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Provides funds for the reclassification of
Budget Examiners approved by the
Department of Personnel.

Bureau of Public Improvements — Energy Audit
Program

Personal Services	35,000
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**APPROPRIATIONS FROM
GENERAL FUND
1980-81**

Provides funds to continue 6 limited period positions in the Energy Audit Program currently funded by a federal grant.

**DEPARTMENT OF
FINANCE AND ADMINISTRATION**

Total Current Services	\$37,621
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DEPARTMENT OF HUMAN SERVICES

Payment to Providers of Medical Care

All Other	\$4,300,000
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General Assistance

All Other	750,000
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Child Welfare Services

All Other	231,000
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Regional Administration

Positions	(1)
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Personal Services	8,000
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All Other	5,500
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Provides for an off-reservation Indian Affairs Office in Houlton.

Bureau of Health

All Other	125,000
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DEPARTMENT OF HUMAN SERVICES

Total Current Services	\$5,419,000
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INDIAN HOUSING AUTHORITIES

Penobscot Tribal Reservation

All Other	\$41,385
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Indian Township Passamaquoddy

All Other	55,645
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Pleasant Point Passamaquoddy

All Other

57,970

These funds will continue support for the operation of the Penobscot and the 2 Passamaquoddy tribal housing authorities for the balance of the fiscal year. The State in the past has provided funding for these authorities pursuant to agreements entered into since 1969 between the Governor and the respective authorities. These agreements are of no legal effect, among other reasons,

**APPROPRIATIONS FROM
GENERAL FUND
1980-81**

because of the provisions of United States P.L. 96-420, Sec. 12 "AN ACT to Provide for the Settlement of Land Claims of Indians, Indian Nations and Tribes and Bands of Indians in the State of Maine, Including the Passamaquoddy Tribe, the Penobscot Nation, and the Houlton Band of Maliseet Indians, and for other purposes," abrogating all preexisting contracts as a part of the general Indian land claim settlement. However, the State is willing to continue funding of essential operations of the authorities until the tribes have a reasonable opportunity to make a transition to categorical federal grants or the use of the trust fund established by Congress. This request for an appropriation indicates no recognition of any legal duty on the part of the State now or hereafter to provide funds for this purpose.

INDIAN HOUSING AUTHORITIES

Total Current Services	\$155,000
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DEPARTMENT OF MANPOWER AFFAIRS

Bureau of Labor - Administration

Personal Services	\$2,072
Provides funds to share in the costs of the commissioner's salary.	

Personal Services	4,083
Provides funds for reclassification of a statistician and a clerk typist.	

All Other	8,000
Provides funds for Maine State Apprenticeship and Training Council.	

Maine Labor Relations Board

All Other	5,000
Provides funds for increased costs of travel.	

Personal Services	365
Provides funds to share in the costs of the commissioner's salary.	

**APPROPRIATIONS FROM
GENERAL FUND
1980-81**

DEPARTMENT OF MANPOWER AFFAIRS

Total Current Services	\$19,520
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DEPARTMENT OF MARINE RESOURCES

Bureau of Marine Patrol

All Other	\$30,000
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Provides funds for increased costs.

DEPARTMENT OF MARINE RESOURCES

Total Current Services	\$30,000
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**DEPARTMENT OF MENTAL
HEALTH AND CORRECTIONS**

Food for Institutions

All Other	\$225,000
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Provides for increased costs.

Maine State Prison

Personal Services	200,000
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All Other	375,000
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Provides additional operating funds.

Positions	(12)
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Personal Services	77,750
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All Other	365
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Provides funds to change 12 limited period positions to permanent.

Positions	(30)
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Personal Services	203,313
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All Other	3,422
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Provides funds and positions to maintain current level of security now being provided by overtime.

Community Mental Retardation Services

All Other	300,000
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Provides additional funds necessary for clients in these programs.

Maine Correctional Center

All Other	\$150,000
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Provides additional operating costs.

**APPROPRIATIONS FROM
GENERAL FUND
1980-81**

**DEPARTMENT OF MENTAL
HEALTH AND CORRECTIONS**

Total Current Services	\$1,534,850
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DEPARTMENT OF PERSONNEL

Operations	
Personal Services	\$1,590

Provides funds to correct an error in range assignment.

DEPARTMENT OF PERSONNEL

Total Current Services	\$1,590
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**DEPARTMENT OF THE SECRETARY
OF STATE**

Administration	
All Other	\$125,000

Provides additional funds for referenda costs.

**DEPARTMENT OF THE SECRETARY
OF STATE**

Total Current Services	\$125,000
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TREASURY DEPARTMENT

Departmental Operations	
All Other	\$40,000

Provides funds for additional costs of postage, mini bonds and 2 temporary sales.

TREASURY DEPARTMENT

Total Current Services	\$40,000
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TOTAL PART A

\$7,492,582

PART B

Appropriation. There is appropriated from the General Fund for the fiscal year ending June 30, 1981, the following sums.

**APPROPRIATIONS FROM
GENERAL FUND
1980-81**

**DEPARTMENT OF EDUCATIONAL AND
CULTURAL SERVICES**

General Purpose Aid for Local Schools
All Other (\$3,000,000)

**DEPARTMENT OF FINANCE
AND ADMINISTRATION**

Unemployment Compensation
All Other (700,000)
Estimates indicate that the full amount of
the current appropriation is not required.

TREASURY DEPARTMENT

Debt Service
All Other (2,500,000)

Funds in the Bond Interest Account will be sufficient to allow an increase in transfer of \$2,500,000 and will permit the decrease in appropriation.

TOTAL PART B (\$6,200,000)

PART C

Sec. 1. Allocation. There is allocated from the Federal Revenue Sharing Fund for the fiscal year ending June 30, 1981, the following sums.

1980-81

**DEPARTMENT OF EDUCATIONAL AND
CULTURAL SERVICES**

Teachers' Retirement
All Other (\$6,616,180)
Loss of Federal Revenue Sharing Funds.

Sec. 2. Appropriation. There is appropriated from the General Fund for the fiscal year ending June 30, 1981, the following sum.

1980-81

**DEPARTMENT OF EDUCATIONAL AND
CULTURAL SERVICES**

Teachers' Retirement
All Other \$6,616,180
Replaces loss of Federal Revenue Sharing
Funds with a General Fund appropriation.

PART D

Sec. 1. 5 MRSA § 3355, as amended by PL 1975, c. 425, § 5, is further amended by adding at the end a new sentence to read:

Funds appropriated to carry out the purpose of this chapter shall not lapse but shall carry from year to year.

Sec. 2. PL 1979, c. 542, Pt. A, § 17, under the caption "EXECUTIVE DEPARTMENT" is amended by striking out all of that part relating to "Division of Community Services" and inserting in its place the following:

	1979-80	1980-81
Division of Community Services		
All Other	\$200,000	\$200,000
Provides funds for the home winterization program.		
All Other		50,000
		50,000

Provides funds for the Young Adult Conservation Corps program. Any balance of General Fund appropriations shall not lapse June 30, 1980, but shall be carried forward until June 30, 1981, to be expended for the same purpose.

Sec. 3. Appropriations for salary increases. Any unexpended balance in the General Fund Salary Fund at June 30, 1981, shall not lapse but shall carry forward to June 30, 1983, to be expended for state employee salary increases.

PART E

Additional Allocation Fund. In order to provide for necessary expenses for operation and administration of the Bureau of Alcoholic Beverages, the following amount is allocated from the revenues derived from operations of the fund.

1980-81

DEPARTMENT OF FINANCE AND ADMINISTRATION

Bureau of Alcoholic Beverages - General Operations

 All Other \$178,565

 Provides funds to continue current levels of operations. Major cost increases are being found in computer billings, travel costs, operation of vehicles and lease renewals. Also, funds are needed for general operating costs, fuel and supplies' costs and disability compensation payments.

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

FISCAL NOTE

	GENERAL FUND	FEDERAL REVENUE SHARING	ALCOHOLIC BEVERAGE
PART APPROPRIATIONS	FUND ALLOCATIONS	FUND ALLOCATIONS	FUND ALLOCATIONS
A	\$ 7,492,582		
B	\$(6,200,000)		
C	\$ 6,616,180	(\$6,616,180)	
E			\$178,565
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	\$ 7,908,762	(\$6,616,180)	\$178,565

STATEMENT OF FACT

Part A provides funds for the necessary operation of the designated accounts for the remainder of fiscal year 1980-81.

Part B deappropriates funds for General Purpose Aid, Unemployment Compensation and Debt Service. Authorizes a transfer from the Bond Interest Account to the Debt Service Account in a like amount.

Part C deappropriates the estimated loss of funds in the Federal Revenue Sharing Account and appropriates from the General Fund a like amount.

Part D provides carrying clauses for:

(Section 1) Young Adult Conservation Corps in the first year of the biennium. This will permit the use of these funds as originally intended;

(Section 2) Criminal Justice Planning and Assistance Agency. This will allow the agency to carry funds appropriated to match federal dollars; and,

(Section 3) the General Fund Salary Plan. This will allow the balance of the account to be carried to be used for salary increases.

Part E provides additional funds for the Bureau of Alcoholic Beverages. Revenues are in excess of estimates to cover this allocation.