

MAINE STATE LEGISLATURE

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(EMERGENCY)
(Governor's Bill)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 708

H. P. 616 House of Representatives, February 6, 1981
Referred to the Committee on Appropriations and Financial Affairs. Sent up
for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Kelleher of Bangor.

Cosponsors: Senator Trafton of Androscoggin and Senator Collins of
Knox.

STATE OF MAINE

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

**AN ACT Making Appropriations from the General Fund for Teachers' Retirement
and Eliminating Certain Programs Funded from the General Fund.**

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. There is appropriated from the General Fund to the

Department of Educational and Cultural Services for Teachers' Retirement the following sums.

	1981-82	1982-83
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES		
Teachers' Retirement		
All Other	\$46,586,694	\$48,181,874
Provides funding for the request for Teachers' Retirement less the amount provided by the language in Part C.		

PART B

Appropriations. There is appropriated from the General Fund to the departments listed, the following sums:

	1981-82	1982-83
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
Agricultural Marketing Services		
Positions	(-1)	(-1)
Personal Services	(\$20,026)	(\$20,026)
All Other	(2,003)	(2,003)

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Protection — Administration		
Positions	(-1)	(-1)
Personal Services	(\$22,137)	(\$22,137)
All Other	(2,214)	(2,214)

Eliminates General Fund supported public relations positions. Includes salary costs, benefits and related "All Other" support. Additional positions removed from other funds.

DEPARTMENT OF CONSERVATION

Division of Forest Management		
Positions	(-18)	(-18)
Personal Services	(\$409,912)	(\$403,117)
All Other	(58,794)	(58,794)

Eliminates District Foresters' field services (Aid to Small Woodland Owners).

	1981-82	1982-83
Spruce Budworm Control		
Positions	(-9)	(-9)
Personal Services	(\$169,284)	(\$170,251)
All Other	(113,212)	(119,339)
Capital	(4,188)	

Eliminates all General Fund support for permanent program staff and research related to the Spruce Budworm Management Program. It is recommended that all support for the Spruce Budworm program be provided from dedicated revenues.

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES

General Purpose Aid for Indian Schools		
All Other	(\$50,000)	(\$50,000)
Eliminates all program funding.		

Education — Adult Education		
All Other	(250,000)	(250,000)

Retains current state support (matching funds) for all adult basic education programs. Reduction is limited to those reimbursements currently being provided for hobby and personal enrichment courses.

Education — Higher Education Services		
Positions	(-1)	(-1)
Personal Services	(\$21,000)	(\$21,000)
All Other	(955,000)	(955,000)

Reflects elimination of Maine Student Incentive Scholarship Program and related staff support.

Education — Grant, Loan/Scholarship Fund		
All Other	(1,700,000)	(1,700,000)

Eliminates program as well as costs related to activities of New England Board of Higher Education.

Library — Library Development Services		
Positions	(-22)	(-22)
Personal Services	(255,123)	(248,302)
All Other	(149,835)	(145,829)

1981-82

1982-83

Reflects decision to provide library services to rural areas by more efficient means. (Through expansion of a books-by-mail capability in lieu of the operation of bookmobiles.)

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP — Land Quality Control

All Other

(\$500,000)

(\$500,000)

Reflects decision to provide positions and funds for private consultant services when needed to work with communities to solve solid waste problems rather than continue present municipal solid waste management subsidy program.

DEPARTMENT OF MENTAL HEALTH AND CORRECTIONS

Military and Naval Children's Home

Positions

(-12)

(-11½)

Personal Services

(\$183,041)

(\$184,364)

All Other

(18,630)

(21,307)

Capital

(6,000)

(2,000)

Reflects decision to provide services through other existing programs rather than through continued operation of this facility.

POST-SECONDARY EDUCATION COMMISSION OF MAINE

(PECOM)

Positions

(-1)

(-1)

Personal Services

(\$22,910)

(\$22,150)

All Other

(6,400)

(6,400)

Eliminates all funding.

DEPARTMENT OF PUBLIC SAFETY

Special Investigations — Public Safety

Positions

(-2)

(-2)

Personal Services

(\$36,476)

(\$36,754)

All Other

(149,809)

(149,551)

Capital

(6,719)

(7,256)

1981-82

1982-83

Eliminates all funding for the
Division of Special Investigations.

TOTAL PROGRAM REDUCTIONS

(\$5,112,713)

(\$5,097,794)

PART C

Sec. 1. 5 MRSA § 1062, sub-§ 5, as last amended by PL 1979, c. 663, § 14, is further amended by adding a new sentence at the end to read:

Notwithstanding this section, the employer retirement costs related to the retirement system, applicable to those teachers whose funding is provided from federal grants or through federal reimbursement, shall be paid by local school systems.

Sec. 2. Part A; Appropriations. The appropriations made in Part A shall be used for payment of the employer share of teachers' retirement only for those teachers whose salaries are paid from state and local resources.

PART D

Sec. 1. 34 MRSA § 2951, as repealed and replaced by PL 1977, c. 111, § 1, is repealed.

Sec. 2. 34 MRSA § 2953, as enacted by PL 1973, c. 293, is repealed.

Sec. 3. P&SL 1866, c. 163, as last amended by P&SL 1903, c. 306, is repealed.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1981.

FISCAL NOTE

GENERAL FUND APPROPRIATIONS

PART	1981-82	1982-83
A	\$46,586,694	\$48,181,874
B	\$(5,112,713)	\$(5,097,794)

STATEMENT OF FACT

Part A appropriates funds for teachers' retirement as requested by the Maine State Retirement System as adjusted by Part C of this bill.

Part B reduces or eliminates certain programs within the General Fund.

Part C, section 1, authorizes the Maine State Retirement System to collect such payments from the local school systems. Section 2, restricts the use of the

appropriations made in Part A to meeting the employers' share of teachers' retirement for those teachers who are paid from local or state funds. The employer share of teachers' retirement for those teachers paid from federal grants or whose salaries are reimbursed by the federal government shall be paid directly to the Maine State Retirement System from the federal funds.

Part D repeals all provisions in the law relating to the Bath Military and Naval Orphan Asylum.