

# MAINE STATE LEGISLATURE

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EMERGENCY  
New Draft: H. P. 91, L. D. 63  
FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 940**

H. P. 816

House of Representatives, January 23, 1981

Reported by Mr. Pearson from the Committee on Appropriations and  
Financial Affairs. Sent up for concurrence and printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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

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**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.**

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**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**

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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	10,000
Provides funds to establish a nonlapsing, revolving special revenue account to be used by the Attorney General to provide funds for investigations and prosecution and extradition expenses. The State Controller is authorized to credit revenues and reimbursements received for these expenses to the fund.	

Operations	
Unallocated	30,000
Provides funds for relocation and consolidation of the department; Includes modern office landscaping and a telephone system.	

**DEPARTMENT OF ATTORNEY GENERAL**

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Total Current Services	\$60,000
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**APPROPRIATIONS FROM  
GENERAL FUND  
1980-81**

**DEPARTMENT OF BUSINESS REGULATION**

Maine Athletic Commission  
 All Other \$2,000  
 Provides funds for additional travel costs.

Securities Division  
 Personal Services 8,800  
 Provides funds to pay the costs for reinstatement of the director.

**DEPARTMENT OF BUSINESS  
REGULATION**

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Total Current Services \$10,800

**DEPARTMENT OF DEFENSE AND  
VETERANS SERVICES**

Veterans Memorial Cemetary  
 Capital Expenditures \$100,000  
 Provides funds to develop additional areas at the cemetary. Funds shall be expended only if federal funds are available at a ratio of at least 50% federal to 50% state. Any balance from this appropriation shall not lapse June 30, 1981, but shall be carried forward until June 30, 1982, to be expended for the same purpose.

**DEPARTMENT OF DEFENSE AND  
VETERANS SERVICES**

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Total Current Services \$100,000

**DEPARTMENT OF EDUCATIONAL AND  
CULTURAL SERVICES**

Maine Historic Preservation Commission  
 Personal Services \$2,917  
 Provides funds for the General Fund share of range changes for 2 positions already approved by the Department of Personnel.

**APPROPRIATIONS FROM  
GENERAL FUND  
1980-81**

**DEPARTMENT OF EDUCATIONAL AND  
CULTURAL SERVICES**

Total Current Services	\$2,917
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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	8,000
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Provides funds to continue 6 limited period positions in the Energy Audit Program currently funded by a federal grant.

Bureau of Public Improvements — Capital  
Constructions, Repairs and Improvements  
Capital Expenditures

	187,500
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Provides funds to renovate the 6th floor of the State Office Building and for

**APPROPRIATIONS FROM  
GENERAL FUND  
1980-81**

office renovations in the State House.  
Any balance shall not lapse June 30,  
1981, but shall be carried forward until  
June 30, 1983, to be expended for the  
same purpose.

**DEPARTMENT OF FINANCE AND  
ADMINISTRATION**

Total Current Services	\$198,121
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**DEPARTMENT OF HUMAN SERVICES**

Payment to Providers of Medical Care	
All Other	\$4,300,000
General Assistance	
All Other	750,000
Child Welfare Services	
All Other	231,000
Bureau of Health	
All Other	125,000

**DEPARTMENT OF HUMAN SERVICES**

Total Current Services	\$5,406,000
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**LEGISLATIVE DEPARTMENT**

Legislature	
Personal Services	\$150,000
All Other	\$93,750
Legislative Research	
Personal Services	49,482
All Other	10,237
Law and Legislative Reference Library	
Personal Services	9,727
Maine-Canadian Legislative Advisory Office	
Personal Services	1,600
All Other	400
Commission on Interstate Cooperation	
All Other	2,500
Commission on Uniform State Laws	
All Other	500
Provides funds for increased operating cost already approved by the Legislative Council, additional sets of	

**APPROPRIATIONS FROM  
GENERAL FUND  
1980-81**

the Maine Revised Statutes Annotated  
and increased dues.

**LEGISLATIVE DEPARTMENT**

Total Current Services	\$318,196
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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	1,728
Provides funds for reclassification of a statistician and a clerk typist.	

All Other	4,500
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.	

**DEPARTMENT OF MANPOWER AFFAIRS**

Total Current Services	\$13,665
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**DEPARTMENT OF MARINE RESOURCES**

Bureau of Marine Patrol

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

**APPROPRIATIONS FROM  
GENERAL FUND  
1980-81**

**Maine State Prison**

Personal Services	200,000
All Other	375,000

Provides additional operating funds.

Positions	(12)
Personal Services	77,750
All Other	365

Provides funds to change 12 limited period positions to permanent.

Positions	(30)
Personal Services	203,313
All Other	3,422

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.

**DEPARTMENT OF MENTAL HEALTH AND  
CORRECTIONS**

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

**Operations**

Personal Services	\$1,590
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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**



**APPROPRIATIONS FROM  
GENERAL FUND  
1980-81**

All Other \$118,000  
Provides additional funds for referenda costs.

**DEPARTMENT OF THE SECRETARY OF  
STATE**

Total Current Services \$118,000

**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

**TOTAL PART A**

\$7,871,367

**PART B**

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

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

**APPROPRIATIONS FROM  
GENERAL FUND  
1980-81**

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

**APPROPRIATIONS FROM  
GENERAL FUND  
1980-81**

**Provides funds for the home winterization program.**

<b>All Other</b>	<b>50,000</b>	<b>50,000</b>
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**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 on June 30, 1981, shall not lapse, but shall carry forward to June 30, 1983, to be expended for state employee salary increases. The Commissioner of Finance and Administration shall not later than April 15th of each year certify to the Joint Standing Committee on Appropriations and Financial Affairs as to the total balance available in the General Fund Salary Fund.

**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.

**PART F**

**Sec. 1. 5 MRSA § 196, 5th sentence, as repealed and replaced by PL 1973, c. 711, § 4, is amended to read:**

**The Notwithstanding any other provisions of law, the compensation of research assistants and deputy attorneys general shall be fixed by the Attorney General.**

**Sec. 2. 5 MRSA § 196, last sentence,** as last amended by PL 1977, c. 380, Pt. B, § 1, is further amended to read:

The compensations of the ~~deputy attorneys general~~ staff attorneys, assistant attorneys general and secretary to the Attorney General shall be fixed by the Attorney General with the approval of the Governor, but such compensations shall not in the aggregate exceed the amount appropriated therefor and shall not result in an increased request to future Legislatures.

**PART G**

**PL 1979, c. 542, PT. D, § 3,** as amended by PL 1979, c. 711, Pt. E, is further 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, ~~1980~~ 1981.

**PART H**

**19 MRSA § 514,** as enacted by PL 1975, c. 532, § 3, is repealed and the following enacted in its place:

**514. Dedicated funds**

All collections, fees and incentive payments received by the department from child support collections shall be dedicated to reduce the state's general fund share of Aid for Families with Dependent Children and to cover the costs of making such collections. The department shall not expend more than \$250,000 of incentive payment revenue in any fiscal year for the purpose of covering the costs of making child support collections.

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

**FISCAL NOTE**

	<b>GENERAL FUND PART APPROPRIATIONS</b>	<b>FEDERAL REVENUE SHARING FUND ALLOCATIONS</b>	<b>ALCOHOLIC BEVERAGE FUND ALLOCATIONS</b>
A	\$ 7,871,367		
B	\$(6,200,000)		
C	\$ 6,616,180	(\$6,616,180)	
E			\$178,565
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	\$ 8,287,547	(\$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, and 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) Criminal Justice Planning and Assistance Agency. This will allow the agency to carry funds appropriated to match federal dollars;

(Section 2) Young Adult Conservation Corps in the first year of the biennium. This will permit the use of these funds as originally intended; 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.

Part F changes statutes in relation to the Attorney General's office.

Part G provides for extending the repayment of working capital advance by the Department of Educational and Cultural Services.

Part H changes the statute in relation to support collections in the Department of Human Services.