

# MAINE STATE LEGISLATURE

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1 (EMERGENCY)  
2 (New Draft of S.P. 177, L.D. 495)  
3 (New Title)  
4 FIRST REGULAR SESSION  
5

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6 ONE HUNDRED AND TWELFTH LEGISLATURE  
7

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8 Legislative Document

No. 937

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10 S.P. 349

In Senate, March 7, 1985

11 Reported by Senator Pearson of Penobscot from the Committee on  
12 Appropriations and Financial Affairs and printed under Joint Rule 2. Original  
13 bill presented by Senator Pearson of Penobscot. Cosponsored by  
Representative Carter of Winslow, Representative Lisnik of Presque Isle and  
Representative Bell of Paris.

JOY J. O'BRIEN, Secretary of the Senate

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15 STATE OF MAINE  
16

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17 IN THE YEAR OF OUR LORD  
18 NINETEEN HUNDRED AND EIGHTY-FIVE  
19

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20 AN ACT Making Appropriations from the General  
21 Fund and Changing Certain Provisions  
22 of the Law Necessary for the Proper  
23 Operation of State Government for the  
24 Fiscal Years Ending June 30, 1985, and  
25 June 30, 1986.  
26

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27 Emergency preamble. Whereas, Acts of the Legis-  
28 lature do not become effective until 90 days after  
29 adjournment unless enacted as emergencies; and

30 Whereas, the 90-day period may not terminate un-  
31 til after the beginning of the next fiscal year; and

32 Whereas, certain obligations and expenses will  
33 become due and payable prior to June 30, 1985; and

34 Whereas, in the judgment of the Legislature,  
35 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following  
2 legislation as immediately necessary for the preser-  
3 vation of the public peace, health and safety; now,  
4 therefore,

5 Be it enacted by the People of the State of Maine as  
6 follows:

7 **PART A**

8 **Additional appropriation of General Fund.** There  
9 is appropriated from the General Fund for the fiscal  
10 year beginning July 1, 1984, to June 30, 1985, to the  
11 departments listed, the sums identified in the fol-  
12 lowing schedule.

13 1985-86

14 AGRICULTURE, FOOD AND RURAL RESOURCES,  
15 DEPARTMENT OF

16	Seed Potato Board	
17	Personal Services	\$ 3,823
18	Provides funds for approved re-	
19	classification of Clerk Typist	
20	III to Clerk IV and Clerk Typist	
21	I to Clerk Steno III.	
22	Agricultural and Rural Resource De-	
23	velopment	
24	Personal Services	3,460
25	Provides funds for approved	
26	range change for Director, Bu-	
27	reau of Agricultural and Rural	
28	Resources.	
29	Administration - Agriculture	
30	Personal Services	2,500
31	All Other	<u>3,000</u>
32	Total	<u>5,500</u>
33	Provides funds to meet expenses	
34	related to meetings and hearings	
35	of the Maine Agricultural Bar-	
36	gaining Board for fiscal year	
37	1985.	

1	Soil and Water Conservation Commission	
2	All Other	1,000
3	Provides funds for repairs to	
4	Androscoggin Dam.	
5	Pesticides Control - Board of	
6	All Other	<u>30,000</u>
7	Provides funds to continue the	
8	board's obsolete and illegal	
9	pesticides disposal program.	
10	DEPARTMENT OF AGRICULTURE,	
11	FOOD AND RURAL RESOURCES	
12	TOTAL	\$ 43,783
13	<u>ATTORNEY GENERAL, DEPARTMENT OF</u>	
14	Administration - Attorney General	
15	Capital Expenditures	<u>\$ 18,000</u>
16	Provides funds for replacement	
17	of 2 automobiles.	
18	DEPARTMENT OF ATTORNEY GENERAL	
19	TOTAL	\$ 18,000
20	<u>AUDIT, DEPARTMENT OF</u>	
21	Audit - Departmental Bureau	
22	Positions	(2)
23	Personal Services	\$ 12,630
24	All Other	15,000
25	Capital Expenditures	<u>2,000</u>
26	Provides funds to establish 2	
27	Electronic Data Processing Audi-	
28	tors and to expand audit pro-	
29	grams to include electronic data	
30	processing capability.	
31	DEPARTMENT OF AUDIT	
32	TOTAL	\$ 29,630
33	<u>CONSERVATION, DEPARTMENT OF</u>	
34	Maine Conservation Corps	
35	All Other	\$ 11,500

1	Provides funds for workers' com-	
2	pensation benefits and costs as-	
3	sociated with a compensable	
4	claim.	
5	Conservation - Central Administrative	
6	Services	
7	Personal Services	7,500
8	All Other	<u>7,192</u>
9	Total	14,692
10	Provides funds to create a lim-	
11	ited period Accountant II posi-	
12	tion and necessary All Other in	
13	settlement of a workers' compen-	
14	sation claim.	
15	DEPARTMENT OF CONSERVATION	
16	TOTAL	\$ 26,192
17	<u>CORRECTIONS, DEPARTMENT OF</u>	
18	Administration - Corrections	
19	All Other	\$ 164,119
20	Provides funds for the payment	
21	of attorney fees and court judg-	
22	ments.	
23	Downeast Correctional Facility	
24	Personal Services	(31,551)
25	All Other	<u>(21,217)</u>
26	Total	<u>(52,768)</u>
27	Deappropriates funds to the	
28	Downeast Correctional Facility	
29	due to delays in receiving clear	
30	title to the property.	
31	DEPARTMENT OF CORRECTIONS	
32	TOTAL	\$ 111,351
33	<u>DEFENSE AND VETERANS' SERVICES,</u>	
34	<u>DEPARTMENT OF</u>	
35	Civil Emergency Preparedness	
36	Positions	(1)
37	Personal Services	\$ 7,500

1	Provides funds to establish the	
2	position of Planning and Re-	
3	search Associate I on a 50/50	
4	matching basis with available	
5	federal funds.	
6	Military Training and Operations	
7	Personal Services	3,922
8	Provides funds for reclassifica-	
9	tion of a Maintenance Mechanic	
10	to Maintenance Mechanic Foreman	
11	as a result of a grievance set-	
12	tlement.	
13	Military Training and Operations	
14	Positions	(1)
15	Personal Services	3,300
16	Provides funds for accounting	
17	support for administration of	
18	several federal-state agree-	
19	ments. Position recently ap-	
20	proved by Federal Government for	
21	87% federal reimbursement.	
22	Veterans' Memorial Cemetery	
23	Capital Expenditures	<u>19,000</u>
24	Provides funds to replace a	
25	one-ton 4-wheel drive dump truck	
26	acquired from surplus property	
27	in 1976.	
28	DEPARTMENT OF DEFENSE AND VETERANS'	
29	SERVICES	
30	TOTAL	\$ 33,722
31	<u>EDUCATIONAL AND CULTURAL SERVICES,</u>	
32	<u>DEPARTMENT OF</u>	
33	Northern Maine Vocational-Technical	
34	Institute	
35	All Other	\$ 30,000
36	Provides additional funds needed	
37	for increased utility expenses	
38	and repairs to the Northern	
39	Maine Vocational-Technical In-	
40	stitute facilities.	

1	Southern Maine Vocational-Technical	
2	Institute	
3	Personal Services	17,498
4	Provides funds for employer re-	
5	irement costs in accordance	
6	with approved settlement.	
7	Special Education - Exceptional Children	
8	All Other	9,676
9	Provides funds for workers' com-	
10	pensation benefits.	
11	Library Development	
12	Personal Services	<u>5,618</u>
13	Provides funds for the reclassi-	
14	fication of a Librarian II to a	
15	Community Services Librarian as	
16	the result of an arbitrator's	
17	decision.	
18	DEPARTMENT OF EDUCATIONAL AND CULTURAL	
19	SERVICES	
20	TOTAL	\$ 62,792
21	<u>EXECUTIVE DEPARTMENT</u>	
22	Development Office	
23	Capital Expenditures	<u>\$ 20,000</u>
24	Provides funds to upgrade com-	
25	puter capability, i.e. advance	
26	capability for 3 secretaries to	
27	work on at one time.	
28	EXECUTIVE DEPARTMENT	
29	TOTAL	\$ 20,000
30	<u>FINANCE AND ADMINISTRATION, DEPARTMENT OF</u>	
31	Accounts and Control	
32	All Other	\$ 80,000
33	Provides funds to meet increased	
34	computer costs.	
35	Bureau of Public Improvements	
36	All Other	<u>130,000</u>

1	Provides funds for increased fuel costs relating to additional facilities which were renovated and are now used as office space, primarily at the Augusta Mental Health Institute.	
2		
3		
4		
5		
6		
7	DEPARTMENT OF FINANCE AND ADMINISTRATION	
8	TOTAL	\$ 210,000
9	<u>HUMAN SERVICES, DEPARTMENT OF</u>	
10	Bureau of Administration	
11	All Other	\$ (17,200)
12	Capital Expenditures	<u>17,200</u>
13	Provides funds, by transfer, for purchase of word processing equipment.	
14		
15		
16	DEPARTMENT OF HUMAN SERVICES	
17	TOTAL	\$ 0
18	<u>MAINE INDIAN TRIBAL-STATE COMMISSION</u>	
19	Maine Indian Tribal-State Commission	
20	All Other	\$ <u>11,250</u>
21	Provides funds for fiscal year 1985 operations.	
22		
23	MAINE INDIAN TRIBAL-STATE COMMISSION	
24	TOTAL	\$ 11,250
25	<u>LEGISLATURE</u>	
26	Legislature	
27	All Other	\$ 200,000
28	Capital Expenditures	<u>175,000</u>
29	Provides funds for repair to the legislative area of the State-house and other necessary expenses.	
30		
31		
32		
33	LEGISLATURE	
34	TOTAL	\$ 375,000
35	<u>MENTAL HEALTH AND METAL RETARDATION,</u>	
36	<u>DEPARTMENT OF</u>	



1	Mental Retardation Services - Community	
2	All Other	\$ 500,000
3	Provides funds to ensure contin-	
4	ued compliance with the Pineland	
5	Consent Decree and maintain ex-	
6	isting community placements for	
7	250 individuals and their fami-	
8	lies.	
9	Military and Naval Children's Home	
10	Positions	(1)
11	Personal Services	3,976
12	Provides funds to hire addition-	
13	al staff to serve the needs of a	
14	greater number of children in	
15	the home.	
16	Pineland Center	
17	All Other	<u>322,455</u>
18	Provides funds to meet antici-	
19	pated workers' compensation ex-	
20	penses in 3rd and 4th quarters	
21	of fiscal year 1985.	
22	DEPARTMENT OF MENTAL HEALTH AND MENTAL	
23	RETARDATION	
24	TOTAL	\$ 826,431
25	<u>PUBLIC SAFETY, DEPARTMENT OF</u>	
26	State Police	
27	Personal Services	<u>\$ 59,486</u>
28	Provides funds to offset in-	
29	creases in the state cost of em-	
30	ployees' health insurance premi-	
31	ums.	
32	DEPARTMENT OF PUBLIC SAFETY	
33	TOTAL	\$ 59,486
34	<u>SECRETARY OF STATE, DEPARTMENT OF</u>	
35	Secretary of State - Administration	
36	Personal Services	<u>\$ 2,950</u>

1	Provides funds to cover the Sec-	
2	retary of State's salary in-	
3	crease.	
4	DEPARTMENT OF SECRETARY OF STATE	
5	TOTAL	\$ 2,950
6	<u>TRANSPORTATION, DEPARTMENT OF</u>	
7	Aeronautics - Administration	
8	Personal Services	\$ 967
9	Provides funds to restore a	
10	Clerk Steno III position in the	
11	Division of Aeronautics.	
12	DEPARTMENT OF TRANSPORTATION	
13	TOTAL	\$ 967
14	<u>TREASURER OF STATE, OFFICE OF</u>	
15	Treasurer Departmental Operations	
16	Personal Services	\$ 3,790
17	Provides funds to cover the	
18	State Treasurer's salary in-	
19	crease.	
20	OFFICE OF TREASURER OF STATE	
21	TOTAL	\$ 3,790
22	<u>WORKERS' COMPENSATION COMMISSION</u>	
23	Workers' Compensation Commission	
24	Personal Services	\$ 61,256
25	All Other	577
26	Capital Expenditures	<u>10,355</u>

1 Provides funds for 4 90-day data  
2 entry operator project positions  
3 as part of the commission's  
4 computerization conversion  
5 project; provides funds for re-  
6 classification of Employee As-  
7 sistant positions from pay range  
8 21 to 24; provides funding for  
9 the Assistant Director of Admin-  
10 istrative Services at pay range  
11 21; and provides funds for one  
12 processor/terminal for each of  
13 the 4 regional offices.

14 WORKERS' COMPENSATION COMMISSION  
15 TOTAL \$ 72,188  
16 TOTAL PART A \$1,907,532

17 PART B

18 Appropriation. There is appropriated from the  
19 General Fund for fiscal year June 30, 1985, to pro-  
20 vide for a study on milk pricing, the following.

21 1984-85

22 AGRICULTURE, FOOD AND RURAL,  
23 RESOURCES, DEPARTMENT OF

24 Unallocated \$30,000  
25 Funds appropriated in this Part  
26 shall not lapse, but shall carry  
27 forward to June 30, 1986, to be  
28 expended for the same purpose  
29 only. In the event that the  
30 emergency legislation pertaining  
31 to this Part should fail to be  
32 enacted, the funds appropriated  
33 in this Part shall lapse to the  
34 General Fund.

35 PART C

36 Appropriation. There is appropriated from the  
37 General Fund for the fiscal years ending June 30,  
38 1985, and June 30, 1986, to provide for a Joint Se-

1 lect Committee on Economic Development the following.

2 1984-85 1985-86

3 LEGISLATURE

4	Legislature		
5	Personnel Services	\$2,000	\$7,000
6	All Other	<u>750</u>	<u>2,650</u>
7	In the event		
8	that the emer-		
9	gency legisla-		
10	tion pertaining		
11	to this Part		
12	should fail to		
13	be enacted, the		
14	funds appropri-		
15	ated in this		
16	Part shall lapse		
17	to the General		
18	Fund.		

19 LEGISLATURE

20 TOTAL \$2,750 \$9,650

21 PART D

22 PL 1983, c. 824, Pt. A, under the caption AGRI-  
23 CULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF, is  
24 amended by striking out all of that part relating to  
25 "Seed Potato Board," and inserting in its place the  
26 following:

27	<u>Seed Potato Board</u>		
28	<u>Unallocated</u>	<u>170,000</u>	<u>170,000</u>
29	<u>Provides funding</u>		
30	<u>for the adminis-</u>		
31	<u>tration and im-</u>		
32	<u>provement of the</u>		
33	<u>Seed Potato Pro-</u>		
34	<u>gram. Funds ap-</u>		
35	<u>propriated for</u>		
36	<u>this program</u>		
37	<u>shall not be</u>		
38	<u>used for any</u>		
39	<u>other purpose,</u>		
40	<u>shall be non-</u>		



1 19 MRSA §514, as repealed and replaced by PL  
2 1981, c. 67, Pt. H, is amended to read:

3 §514. Dedicated funds

4 All collections, fees and incentive payments re-  
5 ceived by the department from child support collec-  
6 tions shall be dedicated to reduce the State's gener-  
7 al fund share of Aid for Families with Dependent  
8 Children and to cover the costs of making such col-  
9 lections. The department shall not expend more than  
10 ~~\$250,000~~ \$400,000 of incentive payment revenue in any  
11 fiscal year for the purpose of covering the costs of  
12 making child support collections.

13 PART G

14 Sec. 1. 39 MRSA §92, sub-§2, as enacted by PL  
15 1983, c. 479, §16, is repealed and the following en-  
16 acted in its place:

17 2. Employees. The chairman shall appoint, su-  
18 perwise and direct, an Assistant Director of Adminis-  
19 trative Services, whose salary shall be equal to em-  
20 ployees in supervisory services within salary range  
21 25; and, subject to the Personal Law, a Director of  
22 Administrative Services, whose salary shall be within  
23 salary range 30, full-time or part-time reporters and  
24 such legal and clerical assistance as may be neces-  
25 sary.

26 Sec. 2. Appropriation. The following funds are  
27 appropriated from the General Fund to carry out the  
28 purposes of this Part.

29 1985-86

30 WORKERS' COMPENSATION COMMISSION

31 Personal Services \$3,311

32 PART H

33 Appropriation. There is appropriated from the  
34 General Fund for the fiscal year ending June 30,  
35 1986, to provide adequate funding for the State's  
36 vocational-technical institutes the following.

1		<u>1985-86</u>
2	<u>EDUCATIONAL AND CULTURAL SERVICES,</u>	
3	<u>DEPARTMENT OF</u>	
4	Central Maine Vocational-	
5	Technical Institute	
6	Positions	(1)
7	Personal Services	\$ 32,908
8	Eastern Maine Vocational-	
9	Technical Institute	
10	Positions	(7)
11	Personal Services	193,727
12	Kennebec Valley Vocation-	
13	al-Technical Institute	
14	Positions	(9)
15	Personal Services	213,489
16	Northern Maine Vocational-	
17	Technical Institute	
18	Positions	(16)
19	Personal Services	423,227
20	Southern Maine Vocational-	
21	Technical Institute	
22	Positions	(32)
23	Personal Services	840,110
24	Washington County Voca-	
25	tional-Technical Institute	
26	Positions	(7)
27	Personal Services	<u>147,039</u>
28	DEPARTMENT OF EDUCATIONAL AND CUL-	
29	TURAL SERVICES	
30	TOTAL	\$1,850,500

31 If the proposed changes in the  
32 regulations established by the  
33 Federal Government regarding the  
34 expenditure of federal funds for  
35 vocational education are  
36 amended, the funds appropriated  
37 in this Part shall be adjusted  
38 accordingly. In the event that

1 the Department of Educational  
2 and Cultural Services receives  
3 permission to expend the federal  
4 funds in the same manner as has  
5 previously been permitted, all  
6 funds appropriated in this Part  
7 shall lapse to the General Fund.

8 **Emergency clause.** In view of the emergency cited  
9 in the preamble, this Act shall take effect when ap-  
10 proved.

11 FISCAL NOTE

12 Appropriations

13	<u>GENERAL FUND</u>	<u>1984-85</u>	<u>1985-86</u>
14	PART A	\$1,907,532	
15	PART B	30,000	
16	PART C	2,750	\$ 9,650
17	PART G		3,311
18	PART H	<hr/>	<u>1,850,500</u>
19	TOTAL	\$1,940,282	\$1,863,461



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STATEMENT OF FACT

Part A identifies recommended additional General Fund appropriations to various departments for fiscal year 1985.

Part B identifies proposed additional General Fund appropriations to provide for a study on milk pricing.

Part C identifies proposed additional General Fund appropriations to provide funding for a Joint Select Committee on Economic Development.

Part D clarifies how General Fund appropriations to the Seed Potato Program will be administered.

Part E clarifies how General Fund appropriations to the Maine Conservation Corps will administered.

Part F increases the authorized expenditure level resulting from incentive payment revenues used to cover the costs of making child support collections.

Part G identifies proposed additional General Fund appropriations to provide funds to increase the Workers' Compensation Commission's Assistant Director of Administrative Services pay range.

Part H identifies proposed additional General Fund appropriations to the Department of Educational and Cultural Services.

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