

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
(Second New Draft of S.P. 177, L.D. 495)  
(New Title)  
FIRST REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 1056

S.P. 386

In Senate, March 18, 1985

Reported by Senator Dow of Kennebec from the Committee on Appropriations and Financial Affairs and printed under Joint Rule 2. Original bill sponsored 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

STATE OF MAINE

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

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

**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 will become due and payable prior to June 30, 1985; and

Whereas, in the judgment of the Legislature, 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 1984-85

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	5,500
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	pen-sation 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	<u>14,692</u>
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	tirement 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		
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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 Statehouse 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>
27	Provides funds for 4 90-day data	
28	entry operator project positions	
29	as part of the commission's	
30	computerization conversion	
31	project; provides funds for re-	
32	classification of Employee As-	
33	stant positions; provides	
34	funding for the Assistant Direc-	
35	tor of Administrative Services;	
36	and provides funds for one pro-	
37	cessor/terminal for each of the	
38	4 regional offices.	

1 WORKERS' COMPENSATION COMMISSION  
 2 TOTAL \$ 72,188  
 3 TOTAL PART A \$1,907,532

4 PART B

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

8 1984-85

9 AGRICULTURE, FOOD AND RURAL,  
 10 RESOURCES, DEPARTMENT OF

11 Unallocated \$30,000  
 12 Funds appropriated in this Part  
 13 shall not lapse, but shall carry  
 14 forward to June 30, 1986, to be  
 15 expended for the same purpose  
 16 only. In the event that the  
 17 emergency legislation pertaining  
 18 to this Part should fail to be  
 19 enacted, the funds appropriated  
 20 in this Part shall lapse to the  
 21 General Fund.

22 PART C

23 Appropriation. There is appropriated from the  
 24 General Fund for the fiscal years ending June 30,  
 25 1985, and June 30, 1986, to provide for a Joint Se-  
 26 lect Committee on Economic Development the following.

27 1984-85 1985-86

28 LEGISLATURE

29 Legislature  
 30 Personal Services \$2,000 \$7,000  
 31 All Other 750 2,650  
 32 In the event  
 33 that the emer-  
 34 gency legisla-  
 35 tion pertaining

1 to this Part  
2 should fail to  
3 be enacted, the  
4 funds appropri-  
5 ated in this  
6 Part shall lapse  
7 to the General  
8 Fund.

9 LEGISLATURE  
10 TOTAL \$2,750 \$9,650

11 PART D

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

17	<u>Seed Potato Board</u>		
18	<u>Unallocated</u>	<u>170,000</u>	<u>170,000</u>
19	<u>Provides funding</u>		
20	<u>for the adminis-</u>		
21	<u>tration and im-</u>		
22	<u>provement of the</u>		
23	<u>Seed Potato Pro-</u>		
24	<u>gram. Funds ap-</u>		
25	<u>propriated for</u>		
26	<u>this program</u>		
27	<u>shall not be</u>		
28	<u>used for any</u>		
29	<u>other purpose,</u>		
30	<u>shall be non-</u>		
31	<u>lapsing and may</u>		
32	<u>be transferred</u>		
33	<u>to the Seed Po-</u>		
34	<u>tato Board en-</u>		
35	<u>terprise ac-</u>		
36	<u>count.</u>		

37 PART E

38 PL 1983, c. 477, Pt. B, is amended by striking  
39 out all of that part under the caption CONSERVATION  
40 CORPS, MAINE, and inserting in its place the follow-  
41 ing:

1 CONSERVATION CORPS, MAINE

2 Maine Conservation Corps

3	<u>Positions</u>	(1)	(1)
4	<u>Personal Services</u>	\$53,000	\$58,100
5	<u>All Other</u>	5,000	5,000
6	<u>Capital Expenditures</u>	2,000	2,000

7 Provides funds  
8 to implement  
9 provisions of  
10 proposed legis-  
11 lation to create  
12 the Maine Con-  
13 servation Corps.  
14 Any balance re-  
15 maining on June  
16 30, 1985, shall  
17 not lapse, but  
18 shall be carried  
19 forward as a  
20 continuing ac-  
21 count to be ex-  
22 pended for the  
23 same purposes in  
24 the following  
25 fiscal year.

26  
27 MAINE CONSERVATION CORPS

28	<u>TOTAL</u>	\$60,000	\$65,100
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29 PART F

30 19 MRSA §514, as repealed and replaced by PL  
31 1981, c. 67, Pt. H, is amended to read:

32 §514. Dedicated funds

33 All collections, fees and incentive payments re-  
34 ceived by the department from child support collec-  
35 tions shall be dedicated to reduce the State's gener-  
36 al fund share of Aid for Families with Dependent  
37 Children and to cover the costs of making such col-  
38 lections. The department shall not expend more than  
39 ~~\$250,000~~ \$400,000 of incentive payment revenue in any  
40 fiscal year for the purpose of covering the costs of  
41 making child support collections.

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PART G

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

2. Employees. The chairman shall appoint, supervise and direct, an Assistant Director of Administrative Services, whose salary shall be equal to employees in supervisory services and, subject to the Personnel Law, a Director of Administrative Services, full-time or part-time reporters and such legal and clerical assistance as may be necessary.

PART H

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

1985-86

EDUCATIONAL AND CULTURAL SERVICES,  
DEPARTMENT OF

Central Maine Vocational- Technical Institute	
Positions	(1)
Personal Services	\$ 32,908
Eastern Maine Vocational- Technical Institute	
Positions	(7)
Personal Services	193,727
Kennebec Valley Vocation- al-Technical Institute	
Positions	(9)
Personal Services	213,489
Northern Maine Vocational- Technical Institute	
Positions	(16)
Personal Services	423,227
Southern Maine Vocational-	

1	Technical Institute	
2	Positions	(32)
3	Personal Services	840,110
4	Washington County Voca-	
5	tional-Technical Institute	
6	Positions	(7)
7	Personal Services	<u>147,039</u>
8	DEPARTMENT OF EDUCATIONAL AND CUL-	
9	TURAL SERVICES	
10	TOTAL	\$1,850,500

11 If the proposed changes in the  
12 regulations established by the  
13 Federal Government regarding the  
14 expenditure of federal funds for  
15 vocational education are  
16 amended, the funds appropriated  
17 in this Part shall be adjusted  
18 accordingly. In the event that  
19 the Department of Educational  
20 and Cultural Services receives  
21 permission to expend the federal  
22 funds in the same manner as has  
23 previously been permitted, all  
24 funds appropriated in this Part  
25 shall lapse to the General Fund.

26 **Emergency clause.** In view of the emergency cited  
27 in the preamble, this Act shall take effect when ap-  
28 proved.

29	FISCAL NOTE		
30	<u>Appropriations</u>		
31	<u>GENERAL FUND</u>	<u>1984-85</u>	<u>1985-86</u>
32	PART A	\$1,907,532	
33	PART B	30,000	
34	PART C	2,750	\$ 9,650
35	PART H	<u>                    </u>	<u>1,850,500</u>

