

MAINE STATE LEGISLATURE

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L.D. 640
(Filing No. H- 690)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1990, and June 30, 1991"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

PART A

Sec. 1. Supplemental appropriations from the General Fund. There is appropriated from the General Fund to the departments listed the following sums:

	1989-90	1990-91
ADMINISTRATION, DEPARTMENT OF		
Public Improvements - Planning - Construction - Administration		
Positions	(3)	(3)
Personal Services	\$93,082	\$94,040
Provides funds for an Accountant I, Chief Accountant and an Account Clerk II to be transferred to the bureau from the Division of Administrative Services.		
Public Improvements - Division of Safety and Environmental Services		
Positions	(7)	(7)
Personal Services	\$220,470	\$230,534

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1	All Other	32,425	32,000
	Capital Expenditures	5,200	5,200
3			
	TOTAL	<u>\$258,095</u>	<u>\$267,734</u>
5			
7	Provides funds for		
9	continuation of positions		
11	funded in the last biennium		
13	for asbestos abatement for		
15	state facilities and schools;		
17	to provide other		
19	environmental services; and		
21	for reorganization of Project		
23	Manager from range 26 to		
25	range 28 and Environmental		
27	Technician III from range 20		
	to range 23. Positions to be		
	funded: Clerk Typist III		
	range 12, Planning and		
	Research Associate II range		
	23, Project Manager range 26,		
	28 proposed, 2 Engineering		
	Technician IV positions range		
	23, Engineering Technician		
	III range 20, 23 proposed;		
	and Assistant Engineer range		
	22.		

Office of the Commissioner - Administration

31	Positions	(7)	(7)
33	Personal Services	\$256,591	\$260,123
35	All Other	54,425	56,185
	Capital Expenditures	5,600	
37	TOTAL	<u>\$316,616</u>	<u>\$316,308</u>
39			
41	Provides funds and position		
43	authorization for the		
45	transfer from the Division of		
47	Administrative Services and		
49	consolidation of staff		
51	support functions within the		
	commissioner's office.		
	Establishes: Clerk IV, Clerk		
	Typist III, Account Clerk II,		
	Accountant I, Personnel		
	Officer, Director of Finance		
	and Director of		
	Administrative Services.		

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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

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**Public Improvements - Planning -
Construction - Administration**

All Other (\$150,000)

Deappropriates funds originally set aside for repairs to the State House steps.

**Administrative Services -
Administration**

Positions	(-14)	(-14)
Personal Services	(\$437,355)	(\$443,849)
All Other	(26,190)	(26,980)
TOTAL	<u>(\$463,545)</u>	<u>(\$470,829)</u>

Deappropriates funds from the Division of Administrative Services to reflect proposed transfers and staff reductions. Deletes: Clerk IV, Clerk Typist III, 2 Account Clerk II positions, Accountant I, Personnel Manager, Director of Finance, Director of Administrative Services, Accountant I, Chief Accountant, Account Clerk II, Accountant III, Accountant II and Clerk II.

**DEPARTMENT OF ADMINISTRATION
TOTAL**

<u>\$54,248</u>	<u>\$207,253</u>
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MAINE COMMITTEE ON AGING

Maine Committee on Aging

All Other \$5,000

Provides funds for partial support of operating the Blaine House Conference on Aging; a statewide forum for older persons which is required by law to be held every 2 years.

MAINE COMMITTEE ON AGING

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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	TOTAL		\$5,000
3	AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
5	Marketing Services - Agriculture		
7			
9	Personal Services	\$20,995	\$20,995
11	Provides funds for continuing a limited period Clerk I position in order to provide suitable and productive work for an employee on workers' compensation.		
13			
15			
17	Agricultural Production		
19	All Other	\$35,000	\$22,000
21	Provides funds for start-up money to implement and operate a fee program to test for Salmonella enteritidis in poultry flocks and to provide a grant to the University of Maine System for a microbiology technician to test for Salmonella enteritidis. Fees shall be set at a level sufficient to fund the tests in poultry flocks and the grant to the University of Maine for a technician.		
23			
25			
27			
29			
31			
33			
35			
37	Agricultural Production		
39	All Other	\$500	\$500
41	Capital Expenditures	5,000	
43	TOTAL	<u>\$5,500</u>	<u>\$500</u>
45	Provides funds for the purchase of an autoclave for Serology Laboratory.		
47			
49	Administration - Agriculture		
51	Positions	(1)	(1)
	Personal Services	\$24,737	\$25,006
	All Other	1,000	1,000

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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1			
3	TOTAL	<u>\$25,737</u>	<u>\$26,006</u>
5	Provides funds for the		
7	transfer of a Clerk		
9	Stenographer III position		
	from the Bureau of Public		
	Services to the office of the		
	commissioner.		
11	Public Services - Agriculture		
13	Positions	(-1)	(-1)
15	Personal Services	(\$24,737)	(\$25,006)
17	All Other	(1,000)	(1,000)
		<u>(\$25,737)</u>	<u>(\$26,006)</u>
19	Provides funds for the		
21	transfer of a Clerk		
23	Stenographer III position to		
	the office of the		
	commissioner.		
25	Public Services - Agriculture		
27	Positions	(1)	(1)
29	Personal Services	\$25,150	\$25,150
31	All Other	500	500
		<u>\$25,650</u>	<u>\$25,650</u>
33	Provides funds for the		
35	transfer of a Clerk Typist		
37	III position from the Bureau		
	of Agricultural Marketing.		
39	Marketing Services - Agriculture		
41	Positions	(-1)	(-1)
43	Personal Services	(\$25,150)	(\$25,150)
45	All Other	(500)	(500)
		<u>(\$25,650)</u>	<u>(\$25,650)</u>
47	Provides funds for the		
49	transfer of a Clerk Typist		
	III to the Bureau of Public		
	Services.		
51	Agricultural Production		
53	Positions	(1)	(1)

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Personal Services	\$33,250	\$33,250
3	Provides funds for a		
5	Laboratory Technician III		
7	presently employed in the		
9	State and Federal Diagnostic		
	Laboratory. Funding to		
	replace a reduction in		
	federal funds.		
11	Administration - Agriculture		
13	Positions	(-1)	(-1)
15	Personal Services	(\$42,895)	(\$45,100)
17	Deappropriates funds related		
19	to the Director of Planning		
	and Information.		
21	Administration - Agriculture		
23	Positions	(-.5)	(-.5)
25	Personal Services	(\$11,004)	(\$11,428)
27	Deappropriates funds related		
	to a half-time Planning and		
	Research Assistant.		
29	Soil and Water Conservation		
31	Commission		
33	All Other	\$40,000	\$40,000
35	Provides funds for increases		
37	in support of the soil and		
	water conservation districts.		
39	DEPARTMENT OF AGRICULTURE, FOOD		
41	AND RURAL RESOURCES		
	TOTAL	<u>\$80,846</u>	<u>\$60,217</u>
43	ATTORNEY GENERAL, DEPARTMENT		
45	OF THE		
47	Administration - Attorney General		
49	Positions	(2)	(2)
51	Personal Services	\$10,938	\$87,504
	All Other	2,000	5,000
	TOTAL	<u>\$12,938</u>	<u>\$92,504</u>

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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Provides funds for 2
3 Assistant Attorney General
4 positions for Drug Task
5 Force. Federal funding to
6 expire due to an anticipated
7 loss in federal funding.

9 Administration - Attorney General

11	Positions	(2)	(2)
	Personal Services	\$97,735	\$102,621
13	All Other	2,000	2,000
15	TOTAL	<u>\$99,735</u>	<u>\$104,621</u>

17 Provides funds for 2
18 Assistant Attorney General
19 positions to provide legal
20 services for the Department
21 of Educational and Cultural
22 Services. Federal funding to
23 be discontinued due to an
24 anticipated loss in federal
25 funding.

27 Administration - Attorney General

29	Positions	(1)	(1)
	Personal Services	\$36,400	\$38,220

31 Provides funds for an
32 Assistant Attorney General to
33 be assigned to the Department
34 of Mental Health and Mental
35 Retardation.

37 District Attorney Salaries

39	Personal Services	\$430,000	\$470,000
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41 Provides funds for
42 compensation adjustments for
43 District and Assistant
44 District Attorneys.

47 Administration - Attorney General

49	All Other	\$150,000
	Capital Expenditures	100,000
51	TOTAL	<u>\$250,000</u>

53

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Provides funds for the		
3	renovation and expansion of		
	office space.		
5	Administration - Attorney General		
7	All Other	\$50,000	
9	Provides funds to contract		
11	for Actuarial Services.		
13	DEPARTMENT OF THE ATTORNEY		
15	GENERAL		
	TOTAL	<u>\$879,073</u>	<u>\$705,345</u>
17	AUDIT, DEPARTMENT OF		
19	Audit - Departmental Bureau		
21	All Other	\$60,000	\$130,000
23	Provides funds for lease		
25	costs associated with the		
27	move into the Key Plaza		
29	Building. Request reflects		
	the continuation of Public		
	Law 1989, chapter 7,		
	appropriations.		
31	DEPARTMENT OF AUDIT		
	TOTAL	<u>\$60,000</u>	<u>\$130,000</u>
33	CONSERVATION, DEPARTMENT OF		
35	Forest Planning, Evaluation		
37	and Research		
39	Positions	(-1)	(-1)
41	Personal Services	(\$48,404)	(\$48,615)
	All Other	(3,000)	(3,000)
43	TOTAL	<u>(\$51,404)</u>	<u>(\$51,615)</u>
45	Provides funds for the		
47	transfer of a Systems Analyst		
49	from this account to		
	Administrative Services -		
	Conservation.		
51	Administrative Services -		
	Conservation		

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Positions	(1)	(1)
3	Personal Services	\$48,404	\$48,615
	All Other	3,000	3,000
5			
7	TOTAL	<u>\$51,404</u>	<u>\$51,615</u>

9 Provides funds for a Systems Analyst at the department level. Transfer of a Systems Analyst from Forest Planning, Evaluation and Research.

13 **Division of Forest Fire Control**

15	Positions	(12.5)	(12.5)
17	Personal Services	(\$12,132)	(\$6,391)

19 Provides funds for the net effect of converting 10 seasonal Forest Ranger II positions to permanent full time, and one part-time Clerk Typist II position to permanent full time; the addition of one Forest Ranger II, one Radio Mechanic and 12 seasonal Laborer I positions; the deletion of 10 seasonal Forest Ranger II positions, one seasonal Forest Ranger I position and one seasonal Radio Mechanic position.

35 **Administrative Services - Conservation**

37	Positions	(1)	(1)
39	Personal Services	\$8,733	\$17,816
41	All Other	500	2,000
43	Capital Expenditures	250	
45	TOTAL	<u>\$9,483</u>	<u>\$19,816</u>

47 Provides 50% share for a Policy Development Specialist to coordinate and enhance private and public outdoor recreation opportunities, to work on property assessment and acquisition of public

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land, easements and other protection techniques.

Parks - General Operations

Personal Services		\$48,732
All Other		7,000
Capital Expenditures		4,000
TOTAL		<u>\$59,732</u>

Provides funds for the addition of seasonal positions as follows: 3 Lifeguards; 2 Park Receptionists; one Park Manager I; one Park Ranger; and one Assistant Park Ranger. It is expected that General Fund revenues of approximately \$100,000 annually will be realized by adjustments in Park User Fees.

Parks - General Operations

Personal Services	\$9,681	\$10,080
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Provides funds for the increase from 24 to 40 hours and the upgrade, from Planning and Research Assistant to Planning and Research Associate I, of a position within the Division of Planning and Research.

Geographic-Based Information Services

Personal Services	\$4,974	\$5,556
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Provides funds to establish the Executive Director at range 30, as approved by the Bureau of Human Resources. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

Land Use Regulation

R.O.S

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Commission		
3	Positions	(3.5)	(3.5)
	Personal Services	\$115,926	\$129,007
5	All Other	129,200	141,343
	Capital Expenditures	54,097	30,000
7			
	TOTAL	<u>\$299,223</u>	<u>\$300,350</u>
9			
11	Provides funds for a Senior Planner, a Planning and Research Associate II, a Cartographer, a half-time Department Information Systems Manager, part-time clerical support, computer needs and contractual services.		
13			
15			
17			
19			
21	Forest Management, Utilization and Marketing		
23	Positions	(16)	(19)
	Personal Services	\$306,038	\$577,805
25	All Other	126,565	173,575
	Capital Expenditures	127,031	
27			
	TOTAL	<u>\$559,634</u>	<u>\$751,380</u>
29			
31	Provides funds for the implementation of 4 different segments of the proposed program. These segments are: Forest Policy and Rulemaking, Forest Management Information and Reporting, Forest Enforcement Coordination and Training, and a Field Forester Program. Provides funding for 9 months in fiscal year 1989-90.		
33			
35			
37			
39			
41			
43			
45	Maine Geological Survey		
47	Positions	(1)	(1)
	Personal Services	\$21,482	\$31,236
49	All Other	72,625	18,500
	Capital Expenditures	750	
51			
	TOTAL	<u>\$94,857</u>	<u>\$49,736</u>
53	Provides funds for a		

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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Geologist position to serve
 2 as state coordinator for the
 3 National Water-Use
 4 Information Program; \$60,000
 5 in fiscal year 1989-90 to
 6 contract for a watershed
 7 boundary mapping project;
 8 \$25,000 in each year for
 9 matching funds with the
 10 United States Geological
 11 Survey; and anticipated
 12 general operating expenses.

13 **Parks - General Operations**

14 All Other \$70,000

15
 16 Provides \$20,000 for an
 17 archeological dig at Fort
 18 Halifax and \$50,000 for the
 19 replication of the 1754
 20 facilities. These funds
 21 shall carry forward to June
 22 30, 1991.

23 **Maine Geological Survey**

24	Positions	(1)	(1)
25	Personal Services	\$26,835	\$37,270
26	All Other	22,500	30,000
27	Capital Expenditures	12,915	
28	TOTAL	<u>\$62,250</u>	<u>\$67,270</u>

29 Provides funds for a Marine
 30 Geologist position, technical
 31 assistance, information,
 32 education, coastal geological
 33 and hazard mapping, nearshore
 34 mapping, and resource
 35 assessment.

36 **DEPARTMENT OF CONSERVATION**
37 **TOTAL**

\$1,097,970 \$1,257,529

38 **CORRECTIONS, DEPARTMENT OF**

39 **State Prison**

40	Personal Services	\$1,830	\$1,933
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41 Provides funds for

H. O. S

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 reclassification, from Clerk
2 Typist III to Administrative
3 Secretary, due to
4 reorganization.

5
6 **State Prison**

7	Positions	(27)	(28)
9	Personal Services	\$147,069	\$700,557
	All Other	44,123	34,928
11	Capital Expenditures	88,707	
13	TOTAL	<u>\$279,899</u>	<u>\$735,485</u>

15 Provides funds to staff and
16 operate new housing units and
17 programs as follows: 12
18 Guards; 3 Guard Sergeants;
19 one Industrial Shop
20 Supervisor; one Vocational
21 Trades Instructor; one
22 Electrician II; 3
23 Correctional Trades
24 Instructors; one Supervisor
25 Recreation; one Correctional
26 Caseworker; one Accountant I;
27 one Clerk Typist II; one
28 Correctional Maintenance
29 Mechanic; one Assistant
30 Prison Retail Store Manager;
31 and an additional Trades
32 Instructor in 1991. Request
33 reflects funding for 3 months
34 of fiscal year 1989-90.

35
36 **State Prison**

37	Positions	(3)	(3)
39	Personal Services	\$63,952	\$91,155
	All Other	50,598	50,412
41	TOTAL	<u>\$114,550</u>	<u>\$141,567</u>

43 Provides funds for 3 Nurse II
44 positions and contracted
45 dental services.

47
48 **Youth Center - Maine**

49	Positions	(2)	(5)
51	Personal Services	\$40,800	\$118,647
	All Other	2,605	1,493
53	Capital Expenditures	1,116	

R. O'S

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 TOTAL \$44,521 \$120,140

3 Provides funds for Unit
 5 Director and one Correctional
 7 Caseworker in 1990 and 3
 9 additional Caseworkers in
 11 1991. Request reflects
 13 funding of 3 Correctional
 15 Caseworkers for 9 months of
 17 fiscal year 1990-91.

Youth Center - Maine

13 Positions (1)

15 Personal Services \$35,766

17 All Other 2,017

19 Capital Expenditures 558

21 TOTAL \$38,341

21 Provides funds for a
 23 Psychologist II position and
 25 related support costs.

Youth Center - Maine

27 Positions (1) (1)

29 Personal Services \$27,338 \$39,500

31 All Other 20,800 20,800

33 TOTAL \$48,138 \$60,300

33 Provides funds for a
 35 Psychologist III and
 37 contracted psychiatric
 39 services for hold-for-court
 41 juveniles.

Bangor Pre-Release Center

41 All Other \$34,000 \$34,000

43 Provides funds for contracted
 45 medical services.

Correctional Center

47 Positions (33) (33)

49 Personal Services \$239,000 \$796,986

51 All Other 28,891 12,681

Capital Expenditures 68,700 21,500

R O'S

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	TOTAL	\$336,591	\$831,167
3	Provides funds to staff and		
	operate new housing units and		
5	programs as follows: 17		
	Correctional Officer I		
7	positions; 2 Correctional		
	Officer II positions; one		
9	Correctional Caseworker; 5		
	Correctional Trades		
11	Instructors; 2 Accountant I		
	positions; one Maintenance		
13	Mechanic Foreman; 3 Clerk		
	Typist II positions; one		
15	Teacher; and one Boiler		
	Operator. Request reflects		
17	funding of positions for 4		
	months in fiscal year 1989-90.		

Correctional Center

21	Positions	(5)	(5)
23	Personal Services	\$112,097	\$160,388
	All Other	38,205	38,205
25	TOTAL	\$150,302	\$198,593

27 Provides funds for 4 Nurse II
 29 positions and one Physician's
 31 Assistant.

Food - Charleston Correctional Facility

35	All Other	\$31,000	\$54,736
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37 Provides funds for food costs
 39 for expansion.

Charleston Correctional Facility

41	Positions	(29)	(29)
43	Personal Services	\$211,764	\$713,486
	All Other	165,850	165,850
45	Capital Expenditures	85,582	
47	TOTAL	\$463,196	\$879,336

49 Provides funds to staff and
 51 operate new housing units and
 programs as follows: 13
 Correctional Officer I

R. O. S

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 positions; 2 Vocational
 Trades Instructors; 3
 3 Correctional Trades
 Instructors; one Correctional
 5 Officer III; one
 Classification Officer; one
 7 Personnel Specialist; one
 Administrative Secretary; one
 9 Recreation Supervisor; 2
 Clerk Typist III positions;
 11 one Accountant I; one
 Correctional Cook II; one
 13 Teacher Supervisor; and one
 Plumber II. Request reflects
 15 funding of positions for 4
 months in fiscal year 1989-90.

17 **Central Maine Pre-Release Center**

19 Personal Services \$674 \$685
 21 Provides funds for
 23 reclassification, due to
 reorganization, from Cook II
 25 to Correctional Cook.

27 **Central Maine Pre-Release Center**

29 Positions (0.5) (0.5)
 Personal Services \$11,241 \$11,809
 31 Provides funds for a 20
 33 hours-per-week Correctional
 Cook.

35 **Downeast Correctional Facility**

37 Positions (1) (1)
 39 Personal Services \$22,097 \$30,621
 41 Provides funds for one Nurse
 43 II for required nursing
 services.

45 **Downeast Correctional Facility**

47 Positions (3) (5)
 Personal Services \$34,701 \$119,021
 49 Provides funds for
 51 Correctional Officer I

R. O. S.

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 positions to operate new
3 segregation unit.

5 **Probation and Parole**

7	Positions	(2)	(3)
	Personal Services	\$45,893	\$82,415
	All Other	7,812	7,550
9	Capital Expenditures	3,665	
11	TOTAL	<u>\$57,370</u>	<u>\$89,965</u>

13 Provides funds for 2
15 Probation Officers in fiscal
17 year 1989-90 and a Probation
19 Officer in fiscal year
21 1990-91 for juveniles to
23 reduce juvenile case loads,
25 increase family counseling
and provide aftercare liaison
between the Youth Center and
the community. Request
reflects funding of the
Probation Officer for 9
months in fiscal year 1990-91.

27 **Administration - Corrections**

29	Positions	(2)	(4)
	Personal Services	\$45,861	\$94,953
31	All Other	28,917	119,560
	Capital Expenditures	73,257	3,482
33	TOTAL	<u>\$148,035</u>	<u>\$217,995</u>

35 Provides funds to add program
37 and support staff, training
39 funds and operating funds to
the central office.
41 Positions include a Jail
Inspector and a Staff
43 Development Coordinator for
45 fiscal year 1989-90 and adds
a Secretary and a Information
Systems Manager in fiscal
year 1990-91.

47 **Correctional Services**

49	All Other	\$54,000	\$54,000
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51 Provides funds for mental
53 health services and special

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 needs services for probation
2 offenders and other community
3 corrections needs.

5 **Fuel - Corrections**

7 All Other \$22,600 \$22,600

9 Provides funds for fuel to
10 heat new housing units at
11 Maine Correctional Center,
12 \$12,600; and Maine State
13 Prison, \$10,000.

15 **Food - State Prison**

17 All Other \$20,000 \$52,000

19 Provides funds for food
20 related to new housing units.

21 **Probation and Parole**

23	Positions	(4)	(6)
25	Personal Services	\$82,721	\$183,064
	All Other	16,128	23,612
27	Capital Expenditures	8,235	5,575
29	TOTAL	<u>\$107,084</u>	<u>\$212,251</u>

31 Provides funds for 3
32 Probation and Parole
33 Officers; a Clerk Typist II
34 in 1990; and 2 additional
35 Probation and Parole Officers
36 in 1991.

37 **State Prison**

39 All Other \$26,513

41 Provides funds for the
42 payment of a workers'
43 compensation claim.

45 **State Prison**

47 All Other \$175,000 \$325,000

49 Provides funds in order to
50 authorize the department to
51 enter into an agreement with
52 the Warren Sanitary District

R. 013

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 and the Camden and Rockland
2 Water Company for the
3 construction of a sewer and
4 water system and the payment
5 of user fees for the Warren
6 State Prison.

7 **Probation and Parole**

9 All Other \$30,000
11 Provides funds for leased
12 space in Portland.

15 **Downeast Correctional Facility**

17 Positions (2)
18 Personal Services \$46,268
19 Provides funds for 2
20 Correctional Officer I
21 positions in fiscal year
22 1989-90. Positions currently
23 included in requests for
24 fiscal year 1990-91.

27 **Maine Correctional Center**

29 Positions (6) (6)
30 Personal Services \$108,226 \$145,506
31 Provides funds for 6
32 Correctional Officer I
33 positions to enable the
34 center to open an additional
35 housing area to deal with the
36 overcrowded conditions.

39 **DEPARTMENT OF CORRECTIONS**

41 **TOTAL** \$2,367,836 \$4,377,051

43 **DEFENSE AND VETERANS' SERVICES,**
44 **DEPARTMENT OF**

45 **Military Training and Operations**

47 All Other \$40,000 \$40,000
48 Provides funds for workers'
49 compensation claims.
51

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Dam Safety Program

Positions	(1.5)	(1.5)
Personal Services	\$40,000	\$43,000
All Other	11,000	13,000
Capital Expenditures	4,000	4,000
TOTAL	\$55,000	\$60,000

Provides funds for a Hydro Engineer and a part-time Word Processor Operator in order to implement the Dam Safety Program.

Veterans' Services

All Other	\$20,250	\$21,000
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Provides funds for workers' compensation obligations.

Veterans' Memorial Cemetery

Capital Expenditures	\$100,000	
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Provides funds for Maine Veterans' Memorial Cemetery - state share eligible for federal matching funds for cemetery expansion.

Veterans' Services

Personal Services	\$1,055	\$1,031
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Provides funds for maintaining a reclassified Clerk Stenographer I position, upgraded to a Clerk Stenographer II in fiscal year 1989. Funding for upgrade was not included in current services requests.

Veterans' Memorial Cemetery

Personal Services	\$3,050	\$3,050
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Provides funds for reclassification of Cemetery Superintendent position from

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	range 19 to range 21.		
3	Request reflects the		
3	continuation of Public Law		
5	1989, chapter 7,		
5	appropriations.		
7	Military Training and Operations		
9	All Other	\$27,951	\$27,951
11	Provides funds for payment of		
13	general liability premium for		
13	period of November 1, 1989,		
15	to November 1, 1991. Request		
15	reflects the continuation of		
17	Public Law 1989, chapter 7,		
17	appropriations.		
19	DEPARTMENT OF DEFENSE AND		
19	VETERANS' SERVICES		
21	TOTAL	<u>\$247,306</u>	<u>\$153,032</u>
23	ECONOMIC AND COMMUNITY		
23	DEVELOPMENT, DEPARTMENT OF		
25	Comprehensive Land Use Planning		
27	All Other	\$380,000	\$300,000
29	Provides funds to supplement		
31	available resources in order		
31	to be able to offer		
33	comprehensive planning and		
33	assistance to every		
35	municipality.		
37	Comprehensive Land Use Planning		
39	All Other		\$100,000
41	Provides funds to develop and		
43	administer a matching grants		
43	program of direct financial		
45	and technical assistance to		
45	municipalities for the		
47	implementation and		
47	administration of local		
49	growth management programs.		
51	Administration - Economic and		
51	Community Development		

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	All Other	(\$85,245)	(\$85,245)
3	Provides for the transfer of		
5	funds for the State of Maine		
7	Office in Washington, D.C. to		
	the Executive Department.		
	Office of Community Development		
9	Positions	(-3.5)	(-3.5)
11	Personal Services	(\$128,664)	(\$129,828)
13	Provides for the		
15	deappropriation of funding		
17	related to the transfer of		
	3.5 positions to		
19	comprehensive land use		
	planning.		
	Comprehensive Land Use Planning		
21	Positions	(3.5)	(3.5)
23	Personal Services	\$128,664	\$129,828
25	Provides for the		
27	appropriation of funding		
29	related to the transfer of		
	3.5 positions from the Office		
	of Community Development.		
31	Office of Community Development		
33	All Other	(\$200,000)	(\$200,000)
35	Provides for the		
37	deappropriation of funding to		
39	carry out requirements under		
	comprehensive land use		
	planning.		
41	Comprehensive Land Use Planning		
43	All Other	\$200,000	\$200,000
45	Provides for the		
47	appropriation of funding to		
49	carry out requirements under		
	comprehensive land use		
	planning.		
51	Office of Community Development		

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Positions	(2.5)	(2.5)
	Personal Services	\$87,000	\$91,500
3	All Other	75,000	75,000
	Capital Expenditures	6,000	1,000
5			
	TOTAL	<u>\$168,000</u>	<u>\$167,500</u>
7			
9	Provides funds for a Senior		
	Planner, a Policy Development		
11	Specialist and a part-time		
	Clerk Typist III in order to		
13	implement affordable housing		
	initiatives through the		
15	creation of the Affordable		
	Housing Alliance of Maine		
	Housing Initiatives.		
17			
19	DEPARTMENT OF ECONOMIC AND		
	COMMUNITY DEVELOPMENT		
	TOTAL	<u>\$462,755</u>	<u>\$482,255</u>
21			
23	EDUCATIONAL AND CULTURAL		
	SERVICES, DEPARTMENT OF		
25	Handicapped Children Services -		
	Preschool		
27			
	All Other	\$600,000	\$600,000
29			
31	Provides funds for increased		
	state support for the		
33	equitable, statewide		
	operations at the 16 0-5		
35	coordination sites.		
37	Higher Education Services		
39	All Other	\$600,000	\$3,582,675
41			
	Provides funds to increase		
43	the number of awards in		
	fiscal year 1989-90 and to		
45	increase award amounts and to		
	fund all eligible applicants		
	in fiscal year 1990-91.		
47	Adult Education		
49	Positions	(2)	(2)
	Personal Services	\$71,304	\$71,770
51	All Other	44,450	53,650
		<u> </u>	<u> </u>

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	TOTAL	\$115,754	\$125,420
3	Provides funds for a General		
	Education Development		
5	Administrator - Educational		
	Specialist III and a Clerk		
7	Typist III.		
9	Curriculum - Education		
11	All Other	\$75,000	\$150,000
13	Provides funds for creating 3		
	model demonstration sites for		
15	preschool children, ages 4 to		
	5, in public schools which		
17	will serve at-risk children		
	and their families.		
19			
	Adult Education		
21	Positions	(1)	(1)
23	Personal Services	\$39,057	\$41,257
	All Other	5,513	6,000
25			
	TOTAL	\$44,570	\$47,257
27			
29	Provides funds for an		
	Education Specialist II		
31	position to continue		
	developing outreach and		
33	program initiatives under		
	Project Literacy.		
35	Governor Baxter School for		
	the Deaf		
37			
	Positions	(15)	(17)
39	Personal Services	\$305,233	\$469,374
	All Other	165,778	187,355
41	Capital Expenditures	327,600	900
43			
	TOTAL	\$798,611	\$657,629
45	Provides funds to address the		
	needs identified in the		
47	consultant report. The		
	Diversified Program -		
49	Language Delay component		
	shall be developed at the		
51	Governor Baxter School for		

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COMMITTEE AMENDMENT "A" to H.P. 475, ..D. 640

1 the Deaf so as to accommodate
2 students by September 1989.

3 **Administrative Services - Education**

5	Positions	(3)	(3)
7	Personal Services	\$94,818	\$96,445
9	All Other	8,500	9,000
11	TOTAL	<u>\$103,318</u>	<u>\$105,445</u>

13 Provides funds for the
14 transfer of an Accountant II,
15 a Word Processing Operator,
16 an Education Specialist II
17 and 25% of the salary of a
18 Legal Secretary, from Chapter
19 2 funding to the General Fund.

21 **Library Development Services**

23	All Other	\$31,250	\$31,250
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25 Provides funds for an
26 increase in the statewide per
27 capita aid for towns with
28 established public libraries.

29 **State Restoration Grants Program**

31	All Other	\$31,250	\$31,250
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33 Provides funds for the
34 establishment of a matching
35 State Restoration Grants
36 Program.

37 **Research and Collection -
38 Museum**

41	All Other	\$31,250	\$31,250
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43 Provides funds for the Maine
44 State Museum's component of
45 the Community Cultural
46 Services Initiative.

47 **Arts - Sponsored Programs**

49	All Other	\$31,250	\$31,250
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51 Provides funds for the arts

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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 component of the Community
3 Cultural Services Initiative.

5 **Administration**

7 All Other . \$60,000 \$60,000

9 Provides funds for grants to
11 3 school units for the
13 purpose of establishing
demonstration projects for
early intervention for
children at risk.

15 **Teachers' Retirement**

17 All Other \$271,347 \$367,912

19 Provides funds to increase
21 the payment by the State for
retired teachers' health
insurance from 15% to 20%.

23 **Museum - Research and Collections**

25	Positions	(1)	(1)
27	Personal Services	\$14,335	\$31,388
	All Other	(14,335)	(15,000)
29	TOTAL	<u>\$ -0-</u>	<u>\$16,388</u>

31 Provides for a transfer of
33 funds to establish a Museum
35 Specialist II position
effective January 1, 1990.

37 **Museum - Design and Preparation**

39 All Other (\$16,388)

41 Deappropriates funds no
43 longer required.

45 **DEPARTMENT OF EDUCATIONAL AND
CULTURAL SERVICES**
47 **TOTAL**

<u>\$2,793,600</u>	<u>\$5,821,338</u>
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49 **ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

51 **Water Quality Control**

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	All Other	\$67,000	
	Capital Expenditures	3,000	
3			
	TOTAL	<u>\$70,000</u>	

5 Provides funds for the
7 continued development of the
Marine Environmental
9 Monitoring Program.

11 **Administration - Environmental
Protection**

13	All Other	\$10,500	
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15 Provides funds for the
17 payment of a workers'
19 compensation claim.

21 **Administration - Environmental
Protection**

23	Positions	(1)	(1)
	Personal Services	\$19,921	\$41,701
25	All Other	7,945	9,032
27	TOTAL	<u>\$27,866</u>	<u>\$50,733</u>

29 Provides funds for a Regional
31 Office Manager in Bangor who
33 will organize and coordinate,
and administrative direction
35 from the central office in
Augusta.

37 **Air Quality Control**

39	Positions	(1)	(1)
	Personal Services	\$20,730	\$29,928
41	All Other	8,189	9,778
43	TOTAL	<u>\$28,919</u>	<u>\$39,706</u>

45 Provides funds for an
47 Environmental Specialist III
49 position for the Bureau of
the Peat Marwick Main Study.

51 **Land Quality Control**

R. W. S.

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 All Other \$20,000

3 Provides funds for a
5 demonstration project
7 concerning regulation
negotiation.

9 Administration - Environmental Protection

11 All Other \$25,000 \$25,000
13 Capital Expenditures 7,500

15 TOTAL \$32,500 \$25,000

17 Provides funds for additional
19 office space and improved
communications between
21 Augusta and the regional
offices.

23 Administration - Environmental Protection

25 Positions (1) (1)
27 Personal Services \$18,018 \$18,018
All Other 1,500 1,500
Capital Expenditures 3,000

29 TOTAL \$22,518 \$19,518

31 Provides funds for a Clerk
33 Typist II for the Human
Resources Unit.

35 Oil and Hazardous Materials Control

37
39 Positions (1) (1)
Personal Services \$18,500 \$37,000
41 All Other 2,000 2,500

43 TOTAL \$20,500 \$39,500

45 Provides funds for a Division
47 Director to manage a new
Division of Uncontrolled
49 Sites Management and
Restoration.

51 Water Quality Control

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	All Other	\$10,000	
3	Provides funds for the Bureau		
5	of Water Quality Control to		
7	allow for independent expert		
9	review of an ongoing study of		
11	color, odor and foam		
	wastewater discharges. These		
	funds shall not be		
	transferred for any other		
	purpose.		
13	DEPARTMENT OF ENVIRONMENTAL		
	PROTECTION		
15	TOTAL	<u>\$242,803</u>	<u>\$174,457</u>
17	EXECUTIVE DEPARTMENT		
19	Head Start		
21	All Other	\$178,647	\$243,807
23	Provides funds for an		
25	increase of the state funding		
27	level for Head Start in order		
	to match anticipated federal		
	fund increases.		
29	Public Advocate		
31	Positions	(-1)	(-1)
33	Personal Services	(\$26,430)	(\$26,750)
35	Provides for the		
37	deappropriation of funding		
39	not required by the Public		
	Advocate as they no longer		
	share 2 positions with the		
	Office of Energy Resources		
41	Office of Energy Resources		
43	Positions	(1)	(1)
45	Personal Services	\$26,430	\$26,750
47	Provides funds for positions		
49	no longer shared with the		
	Public Advocate.		
51	Office of Volunteer Services		
	Personal Services	\$1,500	\$1,500

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	All Other	5,624	5,624
	Capital Expenditures	2,643	
3			
	TOTAL	<u>\$9,767</u>	<u>\$7,124</u>

5
7 Provides funds for
secretarial support for this
office and related costs.

9
11 **Office of Volunteer Services**

11	Positions	(1)	(1)
13	Personal Services	\$29,184	\$31,265
	All Other	1,076	1,076
15			
	TOTAL	<u>\$30,260</u>	<u>\$32,341</u>

17
19 Provides funds for transfer
of the Chief of Volunteer
Services position and related
21 expenses from the Division of
Community Services to the
23 Office of Volunteer Services.

25 **Administration - Community Services**

27	Positions	(-1)	(-1)
	Personal Services	(\$29,184)	(\$31,265)
29	All Other	(1,076)	(1,076)
31			
	TOTAL	<u>(\$30,260)</u>	<u>(\$32,341)</u>

33 Provides funds for the
transfer of the Office of
35 Volunteer Services from the
Division of Community
37 Services in order to create a
separate program within the
39 Executive Department.

41 **Planning Office**

43	Personal Services	\$6,893	\$7,465
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45 Provides funds for the
continued funding of the
47 reclassification and range
change of a Research
49 Technician to a Planner II.
Request reflects the
51 continuation of Public Law

1 1989, chapter 7,
2 appropriations.

3 **Administration - Community Services**

5 All Other \$50,000

7 Provides funds for the
9 distribution of additional
11 food for food banks and soup
kitchens.

13 **State Planning Office - Water
Resources Management Board**

15	Positions	(1)	(1)
17	Personal Services	\$25,719	\$37,770
19	All Other	23,800	28,100
19	Capital Expenditures	2,952	
21	TOTAL	<u>\$52,471</u>	<u>\$65,870</u>

23 Provides funds for a Policy
25 Development Specialist to
staff the Water Resources
27 Management Board. This
position is authorized until
September 30, 1991. Also
29 provides funds for the
expenses of public board
31 members and staff, 3 public
hearings, advertising,
33 printing costs and the
purchase of a computer.
35 These funds shall not lapse
but shall carry forward until
37 September 30, 1991.

39 **Blaine House Renovations and
Repairs Fund**

41 All Other \$25,000 \$25,000

43 Provides funds to be used in
45 accordance with the Maine
Revised Statutes, Title 5,
47 section 1516.

49 **Administration - Governor's Office**

51 All Other \$15,000

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Provides funds to increase		
	the Governor's expense		
3	account.		
5	Maine Science and Technology		
	Commission		
7			
	All Other	(\$100,000)	(\$100,000)
9			
	Deappropriates funds no		
11	longer needed.		
13			
	Maine Science and Technology		
15	Commission		
17			
	All Other	\$15,000	\$15,000
19			
	Provides additional funds to		
21	support access to the		
	Research and Productivity		
23	Council of New Brunswick via		
	the University of Maine at		
25	Presque Isle.		
	State Planning Office		
27			
	Positions	(1)	(1)
29	Personal Services	\$30,000	\$45,000
	All Other	13,500	15,500
31	Capital Expenditures	2,500	
33	TOTAL	\$46,000	\$60,500
35			
	Provides for a full-time		
37	senior planner, seasonal		
	contracts for inventory work		
39	and expenses for staff and		
	the steering committee for a		
41	study to design a system of		
	ecological reserves.		
43	Public Advocate		
45			
	Positions	(-4)	(-4)
47	Personal Services	(\$114,068)	(191,468)
	All Other	(73,089)	(61,135)
49	TOTAL	(\$187,157)	(252,603)
51			
	Provides for a		
	deappropriation of funds in		

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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 fiscal year 1989-90 and
3 fiscal year 1990-91.

5 **Head Start**

7 All Other \$125,000 \$125,000

9 Provides funds to finance
11 expansion or improvement of
13 existing programs in
15 accordance with local needs.
17 Allowable uses include, but
19 are not limited to:
21 increasing levels of service,
23 improving transportation
25 services, acquiring needed
27 classroom equipment,
29 increasing staff salaries and
31 improving facilities. One
third of the funding for
program expansion and
improvement will be allocated
in equal amounts to existing
programs. Two thirds will be
allocated proportionately,
based on each program's
percentage of the combined
total of state and federally
funded Head Start slots in
the State.

33 **Administration - Executive -
Governor's Office**

35 All Other \$68,000 \$68,000

37 Provides for the transfer of
39 funds from the Department of
41 Economic and Community
43 Development for the State of
Maine Office in Washington,
D.C.

45 **EXECUTIVE DEPARTMENT
TOTAL**

\$289,621 \$280,163

47 **FINANCE, DEPARTMENT OF**

49 **Bureau of Taxation**

51 All Other \$175,000
Capital Expenditures 25,000

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1			
3	TOTAL	<u>\$200,000</u>	
5	Provides funds for the		
7	purchase of a receivable -		
9	collections system relating		
11	to Maine tax laws and the		
	development of a unified		
	accounts receivable system.		
	Revenues: 1990, \$2.0		
	million; 1991, \$3.0 million.		
13	Bureau of Taxation		
15	Positions	(1)	(1)
17	Personal Services	\$40,074	\$44,207
19	Provides funds for		
21	establishing a new Tax		
	Division Executive position		
	to direct the Audit Division.		
23	Salary Plan		
25	Personal Services	\$1,100,000	\$1,100,000
27	Provides funds for nurses'		
29	stipend and other legislation		
31	such as changes to the Maine		
	Revised Statutes, Title 2.		
33	State Contingency Account - Finance		
35	Personal Services	\$4,216,000	\$9,616,000
37	Provides funds for unbudgeted		
39	future obligations of State		
41	Government. Such funds shall		
43	only be allocated for		
	expenditure after specific		
	legislative approval and		
	shall carry forward to June		
	30, 1991.		
45	Bureau of Accounts and Control -		
47	Systems Project		
49	Personal Services	\$93,800	\$98,500
	All Other	3,706,200	1,401,500
51	TOTAL	<u>\$3,800,000</u>	<u>\$1,500,000</u>

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Provides funds for the
2 continuation of the financial
3 and administrative systems
4 project. Funds will be used
5 to make payments under the
6 contract, for training,
7 computer resources and
8 implementation. Funding for
9 the development and
10 implementation of the
11 purchasing systems will be
12 requested in the next
13 biennium. The Legislative
14 Council, or the Legislature,
15 shall have full access, upon
16 request, to all data stored
17 within these financial and
18 administrative systems except
19 as prohibited by law. These
20 systems shall not be used for
21 political purposes, as
22 defined in the Maine Revised
23 Statutes, Title 5, section
24 1890-B, such as the
25 preparation of political
26 mailings. Violations of this
27 prohibition shall constitute
28 a Class C crime.

29 **Bureau of Accounts and Control**

31 Personal Services \$51,281

33 Provides funds for 2 limited
34 period Data Entry Specialist
35 positions and one limited
36 period Clerk II position in
37 order to provide support
38 during the transitional
39 period for the implementation
40 of MFASIS.

43 **Bureau of Taxation**

45 Personal Services \$360 \$360

47 Provides funds for the
48 approved reclassification of
49 a Clerk II position to a
50 Clerk Typist II position in
51 accordance with the bureau's
reorganization.

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State Contingency Account - Finance

Personal Services \$1,105,815 \$1,894,074

Provides funds for collective bargaining for state employees, vocational-technical institute employees, and reclassifications and range changes.

Low Income Tax Relief

All Other (\$4,969,000)

Deappropriates funds no longer needed for the program.

Elderly Householders Tax Refund

All Other (\$425,000)

Deappropriates funds no longer needed for the program.

Property Tax Relief Reserve

All Other \$23,394,000

Provides funds to be used for property tax relief purposes. These funds shall carry forward to June 30, 1991.

Bureau of Taxation

Capital Expenditures \$5,000

Provides funds for a personal computer and work station.

Bureau of Taxation

Veterans' Tax Reimbursement

All Other \$242,500

Provides funds to meet the constitutional requirement

1 that the State reimburse
 2 towns for 50% of the cost of
 3 any changes in property tax
 4 exemption.

5

Taxation, Bureau of

7

8	Positions	(5.0)	(5.0)
9	Personal Services	\$120,000	\$245,000
10	All Other	20,000	35,000
11	Capital Expenditures	30,000	
12		<hr/>	<hr/>
13	TOTAL	\$170,000	\$280,000

15 Provides funds for 5
 16 additional employees.
 17 General Fund revenue
 18 estimates are increased
 19 \$1,000,000 in fiscal year
 20 1989-90 and \$2,500,000 in
 21 fiscal year 1990-91.

23

DEPARTMENT OF FINANCE

25

TOTAL	<hr/>	<hr/>
	\$28,688,530	\$14,677,141

27

**GOVERNMENTAL ETHICS AND
 28 ELECTION PRACTICES,
 29 COMMISSION ON**

31

**Governmental Ethics and Election
 Practices - Commission on**

33

34	Positions	(1)	(1)
35	Personal Services	\$23,000	\$24,150
36	All Other	2,000	2,100
37		<hr/>	<hr/>
38	TOTAL	\$25,000	\$26,250

39

40 Provides funds for an
 41 Administrative Secretary to
 42 assist Legislators and
 43 executive officials in
 44 meeting their obligations
 45 under the law, to ensure that
 46 financial disclosure forms
 47 are available to the public
 48 and to provide additional
 49 staff assistance to the
 50 Commission on Governmental
 51 Ethics and Election Practices.

1	COMMISSION ON GOVERNMENTAL		
	ETHICS AND ELECTION PRACTICES		
3	TOTAL	<u>\$25,000</u>	<u>\$26,250</u>
5	HUMAN RIGHTS COMMISSION, MAINE		
7	Human Rights Commission -		
	Regulation		
9	Capital Expenditures	\$319	
11			
13	Provides funds for one		
	typewriter for a Field		
15	Investigator who has		
	difficulty writing due to a		
17	handicap.		
19	Human Rights Commission -		
	Regulation		
21	Positions	(1)	(1)
	Personal Services	\$32,252	\$33,799
23			
25	Provides funds to move an		
	existing federally funded		
27	position to the General Fund		
	due to a reduction in federal		
29	funds received.		
31	MAINE HUMAN RIGHTS COMMISSION		
	TOTAL	<u>\$32,571</u>	<u>\$33,799</u>
33	HUMAN SERVICES, DEPARTMENT OF		
35	Administration - Human Services		
37	All Other	\$376,200	
39			
41	Provides funds for the		
	Division of Data Processing		
43	computer system database		
	conversion.		
45	Alcoholism and Drug Abuse		
	Prevention - Human Services		
47	Positions	(8)	(8)
	Personal Services	\$248,931	\$250,748
49	All Other	(322,862)	(326,497)
51	TOTAL	<u>(\$73,931)</u>	<u>(\$75,749)</u>

1 Provides funds for the
 2 transfer of 8 positions from
 3 Block Grant funds in order to
 4 comply with new federal
 5 regulations. Also, the
 6 transfer of "All Other" funds
 7 to "Personal Services" to
 8 accomplish this action.

9 **Alcohol and Drug Planning**

11	All Other	\$60,000	\$75,000
13	Capital Expenditures	5,505	7,361
15	TOTAL	<u>\$65,505</u>	<u>\$82,361</u>

17 Provides funds to continue
 18 the Management Information
 19 System for the Alcohol and
 20 Drug Planning Committee.

21 **Congregate Housing**

23	All Other	\$247,500	\$300,000
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25 Provides funds for expanded
 26 congregated services for the
 27 elderly.

29 **Bureau of Maine's Elderly**

31	All Other	\$2,500	
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33 Provides funds for an
 34 independent congregated meals
 35 pilot program in Casco. The
 36 department shall evaluate
 37 this pilot program and report
 38 to the Joint Standing
 39 Committee on Appropriations
 40 and Financial Affairs by
 41 March 1, 1990.

43 **Intermediate Care - Payments
 44 to Providers**

47	All Other	\$69,005	\$69,005
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49 Provides funds for repayment
 50 of government student loans
 51 for graduate nurses who are
 employed in long-term care

1 facilities, hospitals, rural
 2 health clinics and home
 3 health agencies.

5 **Purchased Social Services**

7 All Other \$25,000 \$25,000

9 Provides funds for the AZT
 10 Drug Reimbursement Program,
 11 which will provide financial
 12 assistance to persons with
 13 AIDS to meet their financial
 14 expenses.

15 **Bureau of Health**

17 All Other \$26,275 \$26,770

19 Provides funds for
 20 educational materials and
 21 supplies for
 22 interdepartmental AIDS
 23 education and prevention
 24 efforts.

27 **Medical Care Administration**

29 All Other \$5,000 \$5,000

31 Provides funds for Medicaid
 32 participation in the Robert
 33 Wood Johnson Demonstration
 34 for the Uninsured,
 35 specifically to measure the
 36 utilization experience of
 37 enrolled Medicaid recipients.

39 **Medical Care - Payments to Providers**

41 All Other \$33,387 \$33,387

43 Provides funds for repayment
 44 of government student loans
 45 for graduate nurses who are
 46 employed in long-term care
 47 facilities, hospitals, rural
 48 health clinics and home
 49 health agencies.

51 **Medical Care Administration**

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Positions	(3)	(3)
	Personal Services	\$82,394	\$89,345
3	All Other	9,300	9,300
	Capital Expenditures	2,484	
5			
	TOTAL	<u>\$94,178</u>	<u>\$98,645</u>

7
 9 Provides funds for 3 Health
 Services Consultants in each
 11 of 3 district offices to
 comply with increased federal
 survey requirements.

13 **Bureau of Maine's Elderly**

15	Positions	(6.5)	(6.5)
17	Personal Services	\$169,735	\$184,217
	All Other	27,291	23,118
19	Capital Expenditures	5,021	
21	TOTAL.	<u>\$202,047</u>	<u>\$207,335</u>

23 Provides funds for 5
 Caseworkers and one full-time
 25 and one part-time Clerk
 Typist positions in order to
 27 strengthen the capability to
 identify and protect
 29 incapacitated adults in
 danger and to protect
 31 incapacitated adults through
 public guardianship or
 33 conservatorship.

35 **Bureau of Health**

37	All Other	\$200,000	\$100,000
39	Provides funds for DPT		
41	vaccine to preschool,		
43	non-Medicaid children of		
	families under 185% poverty,		
	through well child clinics.		

45 **Bureau of Health**

47	All Other	\$50,000	\$50,000
49	Provides funds for clinic		
	services contracts.		

51 **Emergency Medical Services**

1 All Other \$170,000 \$200,000
 3
 5 Provides funds for shortfall
 7 of Federal Block Grant Funds
 9 to meet salary increases and
 11 other increased basic costs
 13 of operation.

15 **Legal Services - Human Services**

17 Positions (-2) (-2)
 19 Personal Services (\$68,392) (\$68,683)
 21 All Other (26,819) (28,543)
 23
 25 TOTAL (\$95,211) (\$97,226)

27 Provides funds for the
 29 transfer of a Director, Fraud
 31 Investigation, and a Clerk
 33 Typist III to Administration
 35 - Income Maintenance.

37 **Administration - Income Maintenance**

39 Positions (2) (2)
 41 Personal Services \$68,392 \$68,683
 43 All Other 26,819 28,543
 45
 47 TOTAL \$95,211 \$97,226

49 Provides funds for the
 51 transfer of a Director, Fraud
 53 Investigation, and a Clerk
 55 Typist III from Legal
 57 Services - Human Services.

59 **Administration - Regional -
 Human Services**

61 Positions (1) (1)
 63 Personal Services \$22,310 \$22,403

65 Provides funds for the
 67 transfer of a Clerk Typist II
 69 position from Administration
 71 - Human Services.

73 **Administration - Human Services**

75 Positions (-1) (-1)
 77 Personal Services (\$22,310) (\$22,403)

1

Provides funds for the
 transfer of a Clerk Typist II
 position to Administration -
 Regional, Human Services.

3

5

7

Crippled Children Services

9

Positions	(0.5)	(0.5)
Personal Services	\$30,453	\$33,553

11

13

15

Provides funds for the
 increase of a Public Health
 Physician from half time to
 full time.

17

Income Maintenance - Regional

19

Positions	(-2)	(-2)
Personal Services	(\$54,060)	(\$56,306)
All Other	(4,452)	(4,720)

21

23

TOTAL	(\$58,512)	(\$61,026)
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25

27

29

Provides funds for the
 transfer of 2 Fraud
 Investigators to
 Administration - Income
 Maintenance.

31

Administration - Income Maintenance

33

Positions	(2)	(2)
Personal Services	\$54,060	\$56,306
All Other	4,452	4,720

35

37

TOTAL	\$58,512	\$61,026
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39

41

43

Provides funds for the
 transfer of 2 Fraud
 Investigators from Income
 Maintenance - Regional.

45

Bureau of Maine's Elderly

47

Positions	(0.5)	(0.5)
Personal Services	\$17,314	\$18,163

49

51

Provides funds for additional
 support and the transfer of a
 half-time Planning and
 Research Associate II

1 position from the Federal
 3 Fund to the General Fund in
 order to provide continued
 5 substance abuse services for
 elderly people.

7 **Bureau of Rehabilitation**

9 All Other \$25,000

11 Provides funds for a
 13 contingency fund in all 5
 regions for the Independent
 15 Living Program.

17 **Division of Driver Education
 Evaluation Programs**

19 Personal Services \$773 \$857

21 Provides funds for the
 23 reclassification of a Clerk
 Typist I position to a Clerk
 25 Typist II position due to a
 reorganization of duties.

27 **Purchased Social Services**

29 All Other (\$86,000) (\$111,000)

31 Provides funds for the
 33 transfer from Purchased
 Social Services to the Bureau
 of Maine's Elderly.

35 **Bureau of Maine's Elderly**

37 All Other \$86,000 \$111,000

39 Provides funds for the
 41 transfer from Purchased
 43 Social Services to the Bureau
 of Maine's Elderly.

45 **Administration - Social Services**

47 Positions (-7) (-7)
 49 Personal Services (\$207,700) (\$280,800)
 All Other (40,000) (56,400)
 Capital Expenditures (399) (637)

51 TOTAL (\$248,099) (\$337,837)

1 Provides funds for the
 3 transfer of a Director,
 Division of Adult Services, 2
 5 Social Services Program
 Managers, a Special Services
 7 Program Specialist I, a
 Management Analyst I, an
 9 Assistant Attorney General
 and a Clerk Typist II from
 11 the Bureau of Social Services
 to the Bureau of Maine's
 13 Elderly.

15 **Bureau of Maine's Elderly**

17	Positions	(7)	(7)
	Personal Services	\$207,700	\$280,800
19	All Other	40,000	56,400
	Capital Expenditures	399	637
21			
	TOTAL	<u>\$248,099</u>	<u>\$337,837</u>

23 Provides funds for the
 25 transfer of a Director,
 Division of Adult Services, 2
 27 Social Services Program
 Managers, a Special Services
 29 Program Specialist I, a
 Management Analyst I, an
 31 Assistant Attorney General
 and a Clerk Typist II from
 33 the Bureau of Social Services
 to the Bureau of Maine's
 35 Elderly.

37 **Social Services - Regional**

39	Positions	(-69.5)	(-69.5)
	Personal Services	(\$1,686,200)	(\$2,279,743)
41	All Other	(172,000)	(217,000)
	Capital Expenditures	(4,092)	(4,502)
43			
	TOTAL	<u>(\$1,862,292)</u>	<u>(\$2,501,245)</u>

45 Provides for the transfer of
 47 5 Social Service Managers, 9
 Human Services Casework
 49 Supervisors, 48 Caseworkers,
 a Human Services Aide III, a
 51 Social Services Program
 Specialist II, a part-time

1 Clerk Typist II and 5
 3 full-time Clerk Typist II
 positions from Regional
 5 Social Services to the Bureau
 of Maine's Elderly.

7 **Bureau of Maine's Elderly**

9	Positions	(69.5)	(69.5)
	Personal Services	\$1,686,200	\$2,279,743
11	All Other	172,000	217,000
	Capital Expenditures	4,092	4,502
13			
	TOTAL	<u>\$1,862,292</u>	<u>\$2,501,245</u>

15 Provides for the transfer of
 17 5 Social Service Managers, 9
 Human Services Casework
 19 Supervisors, 48 Caseworkers,
 a Human Services Aide III, a
 21 Social Services Program
 Specialist II, a part-time
 23 Clerk Typist II and 5
 full-time Clerk Typist II
 25 positions from Regional
 Social Services to the Bureau
 27 of Maine's Elderly.

29 **Child Welfare Services**

31	All Other	\$190,000	\$190,000
33	Provides funds to meet higher than expected costs of foster 35 parent payments.		

37 **Child Welfare Services**

39	All Other	\$70,000	\$70,000
41	Provides funds for respite care for foster parents of 43 state wards.		

45 **Social Services - Regional**

47	Positions	(6)	(6)
	Personal Services	\$109,500	\$118,150
49	All Other	17,400	15,600
	Capital Expenditures	61,600	32,500
51			
	TOTAL	<u>\$188,500</u>	<u>\$166,250</u>

1			
3	Provides funds for 6 Clerk Typist II positions for casework functions.		
5			
7	Aid to Families With Dependent Children - Foster Care		
9	All Other	\$82,500	\$82,500
11	Provides funds for State's share of increased board payment rates for family foster homes and reimbursement to foster parents for services provided for foster children.		
19	Child Welfare Services		
21	All Other	\$247,500	\$247,500
23	Provides funds for State's share of increased board payment rates for family foster homes and reimbursement to foster parents for services provided for foster children.		
31	Aid to Families With Dependent Children - Foster Care		
33	All Other	\$22,500	\$27,653
35	Provides funds for State's share of increased clothing allowance rates and annual school clothing purchases for foster children who qualify for the Aid to Families with Dependent Children - Foster Care program.		
45	Child Welfare Services		
47	All Other	\$67,500	\$109,000
49	Provides funds for increased clothing allowance rates and annual school clothing purchase for foster children.		
51			

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Child Welfare Services

All Other	\$42,000	\$42,000
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Provides a \$30 per month allowance for any infant or child in foster care who requires diapers.

Aid to Families with Dependent Children - Foster Care

All Other	\$14,000	\$14,000
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Provides a \$30 per month allowance for any infant or child in foster care who requires diapers.

Administration - Social Services

Positions	(1)	(1)
Personal Services	\$30,766	\$33,706
All Other	9,600	4,500
Capital Expenditures	660	
TOTAL	\$41,026	\$38,206

Provides funds for a Human Services Casework Supervisor position in order to carry out the legislative intent of response to child abuse allegations in out-of-home facilities.

Child Welfare Services

All Other	\$450,000	\$450,000
-----------	-----------	-----------

Provides funds for placements for foster children.

Child Welfare Services

All Other		\$226,250
-----------	--	-----------

Provides funds for additional board rate increase for foster parents.

1 **Aid to Families With Dependent**
 2 **Children - Foster Care**

3 All Other \$88,750

4 Provides funds for additional
 5 board rate increase and
 6 training for foster parents.

7 **Social Services - Regional**

8	Positions	(21)	(21)
9	Personal Services	\$421,000	\$616,227
10	All Other	85,600	122,773
11	Capital Expenditures	11,900	
12	TOTAL	<u>\$518,500</u>	<u>\$739,000</u>

13 Provides funds for 15
 14 Caseworkers, 3 Casework
 15 Supervisors and 3 clerical
 16 positions in order to lower
 17 the caseload size in the
 18 child welfare program.

19 **Child Welfare Services**

20 All Other \$150,000 \$150,000

21 Provides funds for community
 22 treatment services for
 23 juvenile sex offenders.

24 **Aid to Families with Dependent**
 25 **Children - Foster Care**

26 All Other \$168,000 \$168,000

27 Provides funds for placements
 28 for foster children.

29 **Administration - Social Services**

30	Positions	(2)	(2)
31	Personal Services	\$61,532	\$67,401
32	All Other	9,600	9,000
33	Capital Expenditures	1,206	
34	TOTAL	<u>\$72,338</u>	<u>\$76,401</u>

35 Provides funds for staff
 36 support to establish a Child

1 Protective Services Quality
 Assurance Review System.

3
 5 **Intermediate Care - Payments
 to Providers**

7 All Other (\$494,000)

9 Deappropriates funds per
 11 department's determination
 that certain beds will not
 13 come on line in 1991.

15 **Eye Care - Division of**

17	Positions	(1)	(1)
17	Personal Services	\$22,500	\$31,250
19	All Other	3,750	5,500
19	Capital Expenditures	500	
21	TOTAL	<u>\$26,750</u>	<u>\$36,750</u>

23 Provides funds for one
 25 mobility and orientation
 instructor-blind position and
 27 related expenses.

29 **Eye Care - Division of**

31 All Other \$37,000 \$38,500

33 Provides funds to contract
 with Diocesan Human Relations
 35 Services for one additional
 itinerant teacher.

37 **Eye Care - Division of**

39 Capital Expenditures \$1,000

41 Provides funds for 2
 43 brailers.

45 **Purchased Social Services**

47 All Other \$519,158 \$707,705

49 Provides funds for the
 continuation of purchased
 51 social services at the level
 of funding existing in state
 fiscal year 1988-89.

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Departmentwide

All Other \$435,000

Provides funds for a 1% cost-of-living adjustment for all community provider agencies that contract with the department.

Medical Care - Payments to Providers

All Other (\$1,169,000) (\$1,820,000)

Deappropriates funds by reducing the rate of increase for hospital services and health care services under the Sixth Omnibus Budget Reconciliation Act.

Intermediate Care - Payments to Providers

All Other (\$1,460,000)

Deappropriates funds not required due to the recapture of depreciation from nursing home sales.

Aid to Families with Dependent Children

All Other (\$900,000) (\$410,000)

Deappropriates funds not required due to increased child support collections and federal incentive payments.

State Supplement to Federal Supplemental Income

All Other (\$200,000) (\$200,000)

Deappropriates funds not required due to lower than projected expenditures in each year of the biennium.

Free Drugs to Maine's Elderly

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 All Other (\$300,000)

3 Deappropriates surplus funds
5 from fiscal year 1989 not
needed for current program.

7 **Aid to Families with Dependent Children**

9 All Other \$478,920 \$965,200

11 Provides funds to increase
13 the Aid to Families with
15 Dependent Children standard
of need by 3%, effective
January 1, 1990.

17 **Medical Care - Payments to Providers**

19 All Other \$43,400 \$90,000

21 Provides funds for increased
23 medical payments resulting
25 from increasing the Aid to
Families with Dependent
Children standard of need.

27 **Medical Care - Payments to Providers**

29 All Other \$322,800

31 Provides funds for the state
33 share of Medicaid payments
35 for rehabilitating persons
with traumatic head injuries.

37 **Bureau of Rehabilitation**

39 All Other \$132,400

41 Provides funds for supported
43 employment services for
persons with traumatic head
injuries.

45 **State Supplement to Federal
47 Supplemental Security Income**

49 All Other \$144,800

51 Provides funds for room and
board costs of 12 new
boarding care beds for

1 persons with traumatic head
injuries.

3

Bureau of Maine's Elderly

5

All Other \$150,000 \$360,000

7

9 Provides funds to create a
11 system of care in Aroostook
13 County for victims of
15 Alzheimer's disease and their
17 families in 3 distinct
19 phases. Implementation of
21 Phase I will begin in fiscal
23 year 1989-90 and will involve
25 the development of a
27 diagnostic and assessment
29 clinic headed by a team of
31 professionals as well as care
33 providers. The funds
35 reflected in fiscal year
37 1990-91 represent the
continuation of Phase I
objectives and implementation
of Phase II - establishment
of day care and nursing home
services in several nursing
homes or boarding homes, or
both, throughout the county
to serve between 4 and 15
persons at each location, as
well as completion of an
inpatient Alzheimer's needs
assessment in preparation for
the construction of an
Alzheimer's Center.

37

Purchased Social Services

39

All Other \$75,000 \$100,000

41

43 Provides funds for services
45 to battered women and their
children through the Maine
Coalition for Family Crisis
Services.

47

**State Supplement to Federal
Supplemental Security Income**

49

51

All Other \$260,114

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Provides funds for 16
2 reimbursement beds in a
3 municipally owned boarding
4 care facility in the Sanford
5 area primarily for older
6 residents.

7 **Bureau of Maine's Elderly**

9 All Other \$100,000

11 Provides funds for Senior
12 Volunteer Programs.

13 **Bureau of Health**

15 All Other \$100,000

17 Provides funds for heart
18 attack and stroke prevention
19 programs in communities and
20 regions throughout the State.

21 **Purchased Social Services**

23 All Other \$140,000 \$140,000

25 Provides funds to be used for
26 staffing and operating rape
27 crisis centers and to
28 maintain and expand ongoing
29 outreach services, direct
30 revenues and coordination of
31 resources in rural areas.
32 Includes \$40,000 each year to
33 establish an additional rape
34 crisis center in York County.

35 **Bureau of Maine's Elderly**

37 All Other \$98,500 \$98,500

39 Provides funds to Legal
40 Services for the Elderly,
41 Inc. to continue the work
42 successfully carried out
43 under a federal grant; to
44 provide additional
45 administrative, attorney and
46 paralegal staffing; to assure
47 an adequate salary structure;
48 and to provide essential

1 program support for the
2 positions.

3

Bureau of Health

5

All Other \$84,000

7

9 Provides funds to the Women,
10 Infant and Children's Program
11 for the administration of
12 services.

13 **Office of Emergency Medical Services**

15	All Other	\$56,000	\$56,000
	Capital Expenditures	10,000	10,000
17		<hr/>	<hr/>
	Total	\$66,000	\$66,000

19

21 Funds to implement a complete
22 Emergency Medical Services'
23 licensure testing program
24 including payment of
25 examiners and automation of
26 written tests.

27 **Office of Emergency Medical Services**

29	All Other	\$77,309	\$74,332
----	-----------	----------	----------

31 Funds to augment operation of
32 6 regional offices to reduce
33 dependence on hospitals and
34 ambulance services.

35

Office of Emergency Medical Services

37

	Positions	(1)	(1)
39	Personal Services	\$32,815	\$34,509
	All Other	2,500	2,500
41		<hr/>	<hr/>
	TOTAL	\$35,315	\$37,009

43

45 Funds for licensing
46 coordinator to manage quality
47 assurance services of
48 Emergency Medical Services.

49 **Office of Emergency Medical Services**

51	All Other	\$70,000	\$70,000
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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Funds to assist 6 regional
 3 programs to hire quality
 assurance personnel.

5 **Office of Emergency Medical Services**

7	Positions	(1)	(1)
	Personal Services	\$30,126	\$31,409
9	All Other	16,250	16,250
11	TOTAL	<u>\$46,376</u>	<u>\$47,659</u>

13 Funds for training agent to
 develop, conduct, and
 15 supervise courses on a
 statewide basis, support for
 17 those courses and training in
 underserved areas.

19 **Office of Emergency Medical Services**

21	All Other	\$5,000	\$5,000
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23 Funds for annual revision and
 25 printing of Emergency Medical
 Services' protocols and for
 27 meetings of the volunteer
 members of the State
 29 Physician's Advisory Board.

31 **Bureau of Health**

33	All Other	\$8,300	\$8,750
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35 Provides funds to expand
 community-based AIDS-related
 37 programs and services in
 southern Maine, including
 39 counseling and testing and an
 AIDS hotline, and to offset a
 41 reduction in federal funding.

43 **Bureau of Health**

45	All Other	\$125,000	\$125,000
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47 Provides funds for grants to
 community-based AIDS
 49 organizations to supplement
 local resources for the
 51 purpose of maintaining a
 support network. Includes

1 out the statewide work of the
 2 Maine Hospice Council. The
 3 Executive Director is
 4 responsible for coordinating
 5 all affairs of the council
 6 including training and
 7 education of volunteers,
 8 health care professionals and
 9 the general public. The
 10 director is also responsible
 11 for advocacy on behalf of
 12 community hospices throughout
 13 the State.

15	MAINE HOSPICE COUNCIL		
16	TOTAL	\$50,000	\$50,000

17 **INLAND FISHERIES AND WILDLIFE,**
 18 **DEPARTMENT OF**

21 **Enforcement Operations - Inland**
 22 **Fisheries and Wildlife**

23	Positions		(20)
24	Personal Services		\$931,898
25	All Other		568,102

26 Provides funds for 20 Game
 27 Warden positions currently
 28 funded with dedicated
 29 revenue. Also cost of
 30 operation of vehicles is
 31 included. Funding is
 32 calculated on basis of 20
 33 positions at Range 18, Step G
 34 with longevity.

36 **Atlantic Sea Run Salmon Commission**

37			
38	All Other	\$50,000	

39 Provides the State's share
 40 for restocking the upper St.
 41 John River above Brand Falls
 42 with approximately 400,000
 43 Atlantic Salmon Fry.

44	DEPARTMENT OF INLAND FISHERIES		
45	AND WILDLIFE		
46	TOTAL	\$50,000	\$1,500,000

47 **JUDICIAL DEPARTMENT**

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**Courts - Supreme, Superior,
District and Administrative**

Personal Services \$254,800

Provides funds for a salary increase of 4% effective December 3, 1990, plus related retirement costs for the justices and judges.

**Courts - Supreme, Superior,
District and Administrative**

All Other \$1,100,000 \$1,675,000

Provides funds for lease payments for new or expanded trial court facilities in Portland, Bath, Dover-Foxcroft, Machias and Presque Isle.

**Courts - Supreme, Superior,
District and Administrative**

Personal Services \$60,000

Provides funds to increase the per diem compensation for active retired justices and judges beginning December 3, 1990.

**Courts - Supreme, Superior,
District and Administrative**

Positions (5) (5)
Personal Services \$75,000 \$100,000

Provides funds for 5 additional District Court clerks to meet increased caseload.

**Courts - Supreme, Superior,
District and Administrative**

Positions (1) (1)
Personal Services \$90,000 \$120,000

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Provides funds for one
 2 District Court Judge to be
 3 assigned to the
 4 Bath-Brunswick area.

5
 6 **Courts - Supreme, Superior,
 7 District and Administrative**

9	Positions	(1)	(1)
10	Personal Services	\$43,000	\$45,000

11 Provides funds for a Revenue
 12 and Collections Manager to
 13 replace use of collection
 14 agency. Revenues to General
 15 Fund; \$250,000 in fiscal
 16 year 1989-90 and \$250,000 in
 17 fiscal year 1990-91.

18
 19 **Indigent Defense**

21	All Other	(\$1,200,000)	(\$1,200,000)
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22 Deappropriates funds no
 23 longer required.

24
 25 **Courts - Supreme, Superior,
 26 District and Administrative**

29	Positions	(4)	(4)
30	Personal Services	\$33,158	\$71,994
31	Capital Expenditures	20,000	
32	TOTAL	<u>\$53,158</u>	<u>\$71,994</u>

33 Provides funds for 4
 34 assistant clerks effective
 35 March 1, 1990, at various
 36 court locations to meet
 37 increased judicial caseload
 38 which will result from adding
 39 12 additional state troopers
 40 to the Commercial Vehicle
 41 Enforcement Division.

42
 43 **JUDICIAL DEPARTMENT**

44	TOTAL	<u>\$161,158</u>	<u>\$1,126,794</u>
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45
 46 **LABOR, DEPARTMENT OF**

47
 48 **Occupational Information Coordination**

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Positions	(1)	(1)
	Personal Services	\$29,408	\$31,785
3	All Other	(24,997)	(27,017)
5	TOTAL	<u>\$4,411</u>	<u>\$4,768</u>
7	Provides funds for an		
	Education Specialist II,		
9	which will reduce the need		
	for contracting out for		
11	consultant services.		
13	Job Training Partnership Program		
15	Personal Services	\$13,000	\$13,054
	All Other	273,617	173,562
17	TOTAL	<u>\$286,617</u>	<u>\$186,616</u>
19	Provides funds for the		
21	administration, marketing,		
	recruitment and skill		
23	training for the Health		
	Occupations Training II, HOT		
25	II Program.		
27	DEPARTMENT OF LABOR		
	TOTAL	<u>\$291,028</u>	<u>\$191,384</u>
29	LEGISLATURE		
31	Legislature		
33	Personal Services	\$302,296	\$324,143
35	All Other	260,000	260,000
37	TOTAL	<u>\$562,296</u>	<u>584,143</u>
39	Provides funds for the lease		

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 purchase of computer
 2 equipment, increased health
 3 insurance and increased staff
 4 support. Request reflects
 5 the continuation of Public
 6 Law 1989, chapter 7,
 7 appropriations.

9 **State Capitol Commission**

11 All Other \$150,000

13 Provides funds for a transfer
 14 from the Bureau of Public
 15 Improvements in order to fund
 16 repairs to the State House
 17 roof.

19 **Legislature**

21	Positions	(-19)	(-19)
	Personal Services	(\$716,569)	(\$745,013)
23	All Other	(430,124)	(442,307)
	Capital Expenditures	(5,000)	(5,000)
25			
	TOTAL	<u>(\$1,151,693)</u>	<u>(\$1,192,320)</u>

27 Provides for the transfer of
 28 positions to 3 accounts.

31 **Law and Legislative Reference
 Library**

33	Positions	(15)	(15)
35	Personal Services	\$532,727	\$558,687
	All Other	411,579	422,777
37	Capital Expenditures	5,000	5,000
39	TOTAL	<u>\$949,306</u>	<u>\$986,464</u>

41 Provides funds for the
 42 transfer of positions to a
 43 new account.

45 **Maine - Canadian Legislative
 Advisory Office**

47	Positions	(2)	(2)
49	Personal Services	\$65,940	\$66,362
	All Other	9,045	9,530
51	TOTAL	<u>\$74,985</u>	<u>\$75,892</u>

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Provides funds for the transfer of positions to a new account.

State Capitol Commission

Positions	(2)	(2)
Personal Services	\$117,902	\$119,964
All Other	9,500	10,000
TOTAL	\$127,402	\$129,964

Provides funds for the transfer of positions to a new account.

Study Commissions - Funding

Personal Services	\$2,000
All Other	3,000
TOTAL	\$5,000

Provides funds for a 5-member subcommittee of the Joint Standing Committee on Appropriations and Financial Affairs to conduct a study of the manner by which new and expanded federal and dedicated fund budgets are presented to the Legislature and the manner by which financial orders are used during the legislative session. Also provides funds for a full committee meeting to review the subcommittee's report.

Commission to Implement the Computerization of Criminal History Record Information

Personal Services	\$1,000
All Other	12,300
TOTAL	\$13,300

Provides funding for additional meetings, an

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 unanticipated shortfall and
 2 other expenses of the
 3 commission. These funds
 4 shall carry to June 30, 1991.

7 **Special Commission to Study the
 8 Organization of the State's
 9 Cultural Agencies**

11	Personal Services	\$1,650	
	All Other	6,800	
13			
	TOTAL		<u>\$8,450</u>

15 Provides funds for the per
 16 diem travel and related
 17 expenses of the Special
 18 Commission to Study the
 19 Organization of the State's
 20 Cultural Agencies.

23 **Commission to Evaluate the
 24 Adequacy of the Aid to Families
 25 with Dependent Children Need
 26 and Payment Standards**

27	All Other	\$3,000	
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29 Provides funds for the
 30 commission's expenses.

33 **Legislature**

35	Personal Services		\$135,835
	All Other		246,250
37			
	TOTAL		<u>\$382,085</u>

39 Provides funds to increase
 40 Legislators' salaries, Indian
 41 Representatives' per diem,
 42 meals and housing allowances,
 43 and constituent service
 44 allowances.

47	LEGISLATURE		
	TOTAL	<u>\$742,046</u>	<u>\$966,228</u>

49 **MAINE MARITIME ACADEMY**

51 **Maritime Academy - Operations**

53	All Other	\$1,184,000	\$1,184,000
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Provides funds for salary and benefit adjustments.

**MAINE MARITIME ACADEMY
TOTAL**

<u>\$1,184,000</u>	<u>\$1,184,000</u>
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MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Development

Positions	(2)	(2)
Personal Services	\$57,623	\$57,623

Provides funds for a Fish Extension Agent II and a Word Processing Operator currently funded by Sea Grant federal funds.

Bureau of Marine Sciences

Personal Services	\$18,171	\$18,171
All Other	2,500	2,400
TOTAL	<u>\$20,671</u>	<u>\$20,571</u>

Provides funds for a Marine Resource Specialist I position.

Bureau of Marine Patrol

Positions	(6)	(6)
Personal Services	\$142,920	\$177,960
All Other	60,000	40,128
Capital Expenditures	91,800	
TOTAL	<u>\$294,720</u>	<u>\$218,088</u>

Provides funds for 6 Marine Patrol Officers in order to increase the abilities of the Bureau of Marine Patrol.

Bureau of Marine Sciences

All Other	\$30,000
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Provides funds for the continued development of the

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Maine Environmental		
	Monitoring Program.		
3			
5	DEPARTMENT OF MARINE RESOURCES		
	TOTAL	<u>\$403,014</u>	<u>\$296,282</u>
7			
9	MENTAL HEALTH AND MENTAL		
	RETARDATION, DEPARTMENT OF		
11	Pineland Center		
13	Positions	(15)	(15)
	Personal Services	\$372,000	\$390,600
	All Other	100,000	125,000
15			
	TOTAL	<u>\$472,000</u>	<u>\$515,600</u>
17			
19	Provides funds for All Other		
	and authorization to permit		
	15 Mental Health Worker I		
	positions originally expected		
	to be abolished to continue.		
23			
25	Military and Naval Children's Home		
27	Positions	(6)	(6)
	Personal Services	\$117,552	\$123,698
	All Other	2,000	2,100
29	Capital Expenditures	2,000	1,000
31			
	TOTAL	<u>\$121,552</u>	<u>\$126,798</u>
33			
35	Provides funds for		
	preadolescent wing at the		
	Military and Naval Children's		
	Home and 6 Mental Worker I		
	positions.		
37			
39	Pineland Center		
41	Positions	(10)	
	Personal Services	\$150,000	
43			
45	Provides funds for 10 Mental		
	Health Worker I positions		
	previously scheduled to		
	terminate June 1989, to		
	continue for an additional 9		
	months.		
49			
51	Mental Health Services - Children		

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1	Positions	(7)	(7)
	Personal Services	\$211,177	\$217,677
3	All Other	3,220	3,220
5	TOTAL	<u>\$214,397</u>	<u>\$220,897</u>

7 Provides funds for more
 9 appropriately reflecting the
 11 job assignments of regional
 13 Bureau of Special Needs
 15 staff. Positions include one
 17 Mental Retardation Program
 Supervisor, one Teacher -
 Learning Disabilities, one
 Teacher and 4 Child
 Development Workers.

Elizabeth Levinson Center

19	Positions	(-7)	(-7)
21	Personal Services	(\$211,177)	(\$217,677)
23	All Other	(3,220)	(3,220)
25	TOTAL	<u>(\$214,397)</u>	<u>(\$220,897)</u>

27 Provides funds for more
 29 appropriately reflecting the
 31 job assignments of regional
 33 Bureau of Children with
 35 Special Needs staff.
 Positions include one Mental
 Retardation Program
 Supervisor, one Teacher -
 Learning Disabilities, one
 Teacher and 4 Child
 Development Workers.

Elizabeth Levinson Center

39	All Other	\$20,000	\$20,000
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43 Provides funds for properly
 45 reflecting expenditures for
 47 physical therapy services
 provided to children at the
 Elizabeth Levinson Center.

Mental Retardation Services - Community

49	All Other	(\$20,000)	(\$20,000)
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51 Deappropriates funds which

1 should be in Elizabeth
 2 Levinson Center's budget for
 3 physical therapy services
 4 provided to children at the
 5 Elizabeth Levinson Center.

7 **Mental Retardation Services - Community**

9	Positions	(2)	(2)
	Personal Services	\$39,313	\$40,709
11	All Other	(39,313)	(40,709)
13	TOTAL	<u>\$ -0-</u>	<u>\$ -0-</u>

15 Provides funds for 2 Mental
 16 Health Worker II positions.

17 **Office of Advocacy - Mental Health**
 18 **and Mental Retardation**

21	Positions	(5)	(5)
	Personal Services	\$158,370	\$166,289
23	All Other	7,919	8,314
25	TOTAL	<u>\$166,289</u>	<u>\$174,603</u>

27 Provides for the
 28 establishment of a new and
 29 separate account for the
 30 Office of Advocacy and the
 31 transfer of the following
 32 positions: an Advocate
 33 position from Elizabeth
 34 Levinson Center; 3 Advocate
 35 positions from Mental
 36 Retardation Services -
 37 Community; and an Advocate
 38 position from Pineland Center.

39 **Elizabeth Levinson Center**

41	Positions	(-1)	(-1)
43	Personal Services	(\$31,352)	(\$32,920)
	All Other	(1,568)	(1,646)
45	TOTAL	<u>(\$32,920)</u>	<u>(\$34,566)</u>

47 Provides funds for the
 48 transfer of an Advocate
 49 position from this account to
 50 the Office of Advocacy,
 51 Department of Mental Health

1 and Mental Retardation to
 3 establish a new account.

5 **Mental Retardation Services - Community**

7	Positions	(-3)	(-3)
	Personal Services	(\$95,666)	(\$100,449)
	All Other	(4,783)	(5,022)
9		<hr/>	<hr/>
11	TOTAL	(\$100,449)	(\$105,471)

13 Provides funds for the
 15 transfer of 3 Advocate
 17 positions from this account
 19 to the Office of Advocacy,
 Department of Mental Health
 and Mental Retardation to
 establish a new account.

21 **Pineland Center**

23	Positions	(-1)	(-1)
	Personal Services	(\$31,352)	(\$32,920)
	All Other	(1,568)	(1,646)
25		<hr/>	<hr/>
27	TOTAL	(\$32,920)	(\$34,566)

29 Provides funds for the
 31 transfer of an Advocate
 33 position from this account to
 the Office of Advocacy,
 Department of Mental Health
 and Mental Retardation to
 establish a new account.

35 **Pineland Center**

37	Personal Services	\$25,550	\$29,020
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39 Provides funds for increased
 41 physician salaries.

43 **Mental Retardation Services - Community**

45	All Other	\$4,277,413	\$3,482,167
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47 Provides funds for day
 49 habilitation services for
 people with mental
 51 retardation, including
 transportation services, for
 which federal funding has

1 Nurse II positions; 3 Nurse
 3 III positions; 3 Physician
 Assistants; 2 full-time and
 5 one part-time Psychiatric
 Social Worker II positions;
 7 one Occupational Therapy
 Aide; one Recreational
 9 Therapist; 2 Recreational
 Therapy Aides; one Physical
 11 Therapist I position; 2
 Physician III positions; and
 13 2 Psychologist III
 positions. Request reflects
 the continuation of Public
 15 Law 1989, chapter 7,
 appropriations.

17
 19 **Mental Health Services - Children**

21	Positions	(5)	(5)
	Personal Services	\$167,202	\$179,626
23	All Other	10,000	10,350
25	TOTAL	<u>\$177,202</u>	<u>\$189,976</u>

27 Provides funds for one
 Comprehensive Health Planner
 29 II position, one
 Comprehensive Health Planner
 31 I position, one Clerk Typist
 II position and 2 Mental
 33 Health Program Coordinator
 positions.

35 **Mental Health Services - Children**

37	All Other	\$40,000	\$40,000
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39 Provides funds for properly
 41 reflecting expenditures for
 mental health services
 43 provided to children.

45 **Mental Health Services - Community**

47	All Other	(\$40,000)	(\$40,000)
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49 Deappropriates funds which
 should properly have been
 51 appropriated to the Bureau of
 Children with Special Needs.

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**Administration - Mental Health and
Mental Retardation**

Positions	(-1)	(-1)
Personal Services	(\$47,104)	(\$49,224)

Provides funds for the transfer of a Psychologist III position from the State Forensic Service to Bangor Mental Health Institute.

Bangor Mental Health Institute

Positions	(1)	(1)
Personal Services	\$47,104	\$49,224

Provides funds for the transfer of a Psychologist III position from the State Forensic Service to Bangor Mental Health Institute.

Bangor Mental Health Institute

Positions	(-1)	(-1)
Personal Services	(\$17,334)	(\$18,114)

Provides funds for the transfer of a Clerk Typist III position to the State Forensic Service.

**Administration - Mental Health and
Mental Retardation**

Positions	(1)	(1)
Personal Services	\$17,334	\$18,114

Provides funds for the transfer of a Clerk Typist III position from the Bangor Mental Health Institute.

Bangor Mental Health Institute

Positions	(1)	(1)
Personal Services	\$19,630	\$19,630
All Other	(\$19,630)	(\$19,630)

TOTAL	<u>\$-0-</u>	<u>\$-0-</u>
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Provides funds for a Safety Officer position on the 3rd shift for Fire Training and Security and to reduce the existing security contract to provide only fill-in coverage for the new Safety Officer and the existing Security Guard.

Office of Advocacy - Mental Health and Mental Retardation

Positions	(9)	(9)
Personal Services	\$302,352	\$317,467
All Other	15,750	15,891
TOTAL	<u>\$318,102</u>	<u>\$333,358</u>

Provides for the transfer of the following positions: a Chief Advocate position from Administration, Mental Health and Mental Retardation; an Advocate position from Augusta Mental Health Institute; an Advocate position from Bangor Mental Health Institute; a Comprehensive Health Planner II position from Mental Health Services - Children and adds 5 additional Advocate positions.

Administration - Mental Health and Mental Retardation

Positions	(-1)	(-1)
Personal Services	(\$35,899)	(\$37,694)
All Other	(1,795)	(1,885)
TOTAL	<u>(\$37,694)</u>	<u>(\$39,579)</u>

Provides funds for the transfer of a Chief Advocate position to the Office of Advocacy, Mental Health and Mental Retardation.

Augusta Mental Health Institute

1			
	Positions	(-1)	(-1)
3	Personal Services	(\$26,228)	(\$27,538)
	All Other	(1,310)	(1,377)
5			
	TOTAL	<u>(\$27,538)</u>	<u>(\$28,915)</u>

7
 9 Provides funds for the
 transfer of an Advocate
 11 position to the Office of
 Advocacy, Mental Health and
 13 Mental Retardation.

Bangor Mental Health Institute

15			
	Positions	(-1)	(-1)
17	Personal Services	(\$32,835)	(\$34,477)
	All Other	(1,642)	(1,724)
19			
	TOTAL	<u>(\$34,477)</u>	<u>(\$36,201)</u>

21
 23 Provides funds for the
 transfer of an Advocate
 position to the Office of
 25 Advocacy, Mental Health and
 27 Mental Retardation.

Mental Health Services - Children

29			
	Positions	(-1)	(-1)
31	Personal Services	(\$39,417)	(\$41,388)
	All Other	(1,971)	(2,069)
33			
	TOTAL	<u>(\$41,388)</u>	<u>(\$43,457)</u>

35
 37 Provides funds for the
 transfer of a Comprehensive
 Health Planner II position to
 39 the Office of Advocacy,
 41 Mental Health and Mental
 Retardation.

Augusta Mental Health Institute

45			
	Positions	(85)	(75)
	Personal Services	\$1,761,843	\$1,960,821

47
 49 Provides funds for 36 Mental
 Health Worker I positions, 14
 Nurse II positions, 12
 51 Custodial Worker I positions,
 7 Licensed Practical Nurse

1 positions, 4 Nurse III
 2 positions, 3 Nurse IV
 3 positions, 3 Physician III
 4 positions, a Nurse I
 5 position, a Personnel
 6 Specialist position, a
 7 Housekeeper I position, a
 8 Registered Dietician
 9 position, a Nurse II position
 10 and a Nurse IV position. The
 11 2nd year will show a
 12 reduction of 10 Mental Health
 13 Worker I positions through
 14 attrition.

15 **Augusta Mental Health Institute**

17 Personal Services \$72,718 \$82,602
 18
 19 Provides funds for increased
 20 physician salaries.

21 **Bangor Mental Health Institute**

23 Personal Services \$48,906 \$55,551
 24
 25 Provides funds for increased
 26 physician salaries.

27 **Augusta Mental Health Institute**

29 All Other \$100,000 \$100,000
 30
 31 Provides funds for staff
 32 training and requires
 33 proportional expenditure
 34 based on all staff levels.
 35 Priority is in-service,
 36 on-site education of direct
 37 care personnel. Requires
 38 consideration of change from
 39 Nappi training to Mandt
 40 training. Requires use of
 41 outside trainers instead of
 42 department staff.

43 **Bangor Mental Health Institute**

45 Positions (34) (34)
 46 Personal Services \$644,089 \$825,355
 47 All Other 4,403 1,585

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1	TOTAL	\$648,492	\$826,940
3	Provides funds for 2 Teacher		
5	positions, 2 Recreational		
7	Therapist positions, 2		
9	Occupational Therapist II		
11	positions, one Teacher Aide		
13	position, one Cook III		
15	position, one Staff		
17	Development Specialist II		
19	position, 3 Custodial Worker		
21	III positions, 4		
23	Institutional Custodial		
25	Worker positions, one		
27	Psychiatric Social Worker I		
29	position, one Psychologist		
31	III position, 10 Licensed		
33	Practical Nurse positions, 3		
35	Ward Clerk positions, one		
37	Clerk Typist III position, 2		
39	Nurse IV positions and		
41	provides funds to upgrade a		
43	vacant Psychologist II		
45	position to a Psychologist		
47	III position.		
49	Mental Health Services - Community		
51	All Other	\$600,000	\$1,443,125
53	Provides funds for		
55	comprehensive crisis		
57	stabilization services.		
59	Mental Health Services - Community		
61	All Other	\$96,515	\$96,515
63	Provides funds for the		
65	continuation of mental health		
67	services previously funded		
69	under the Alcohol Drug Abuse		
71	and Mental Health Block Grant.		
73	Mental Health Services - Children		
75	All Other	\$115,141	\$115,141
77	Provides funds for the		
79	continuation of mental health		
81	services previously funded		

1 under the Alcohol Drug Abuse
and Mental Health Block Grant.

3 **Mental Health Services - Children**

5 All Other \$437,500 \$700,000

7 Provides funds for the
9 continuation of the
11 Meadowview pilot program and
to expand services to
13 latency-aged children by
providing 10 therapeutic
15 group home beds.

17 **Administration - Mental Health
and Mental Retardation**

19 Positions (8.5) (8.5)
21 Personal Services \$250,331 \$318,630
All Other 2,160 3,024

23 TOTAL \$252,491 \$321,654

25 Provides funds for 2 Auditor
27 II positions, an Associate
Commissioner, Facility
Services; a Comprehensive
29 Health Planner II, a
Management Analyst II, a
31 Reimbursement Assistant, a
half-time Comprehensive
33 Health Planner II, a
half-time Clerk Typist II, a
35 half-time Clerk Typist II, a
37 half-time Reimbursement
Specialist and one assistant
to Associate Commissioner.

39 **Mental Health Services - Community**

41 All Other \$118,600 \$276,100

43 Provides funds for services
45 to individuals with a dual
diagnosis.

47 **Administration - Mental Health
49 and Mental Retardation**

51 Personal Services \$5,693 \$6,463

1	Provides funds for increased		
	physician salaries.		
3			
	Mental Health Services - Community		
5			
	All Other	\$100,000	\$130,831
7			
	Provides funds for community		
9	support workers and case		
	managers.		
11			
	Maine Health Services - Community		
13			
	All Other	\$96,500	\$125,000
15			
	Provides funds for peer and		
17	family support to go to Maine		
	Alliance for Mentally Ill.		
19			
	Bangor Mental Health Institute		
21			
	Personal Services	\$6,000	\$6,000
23			
	Provides funds for increases		
25	in salaries for physician		
	extenders.		
27			
	Augusta Mental Health Institute		
29			
	Personal Services	\$35,000	\$35,000
31			
	Provides funds for increases		
33	in salaries for physician		
	extenders.		
35			
	Augusta Mental Health Institute		
37			
	Personal Services	\$15,000	\$20,000
39			
	Provides funds to upgrade		
41	salary for superintendent.		
43			
	Bangor Mental Health Institute		
45			
	Personal Services	\$5,000	\$10,000
47			
	Provides funds to upgrade		
49	salary for superintendent.		
51	Administration - Mental Health and		
	Mental Rehabilitation		

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1 All Other \$50,000

3 Provides funds to conduct a
5 review of the treatment needs
7 and individual treatment
9 plans of all patients
residing at Augusta Mental
Mental Health Institute and Bangor
Mental Health Institute.

11 **Systems Assessment Commission**

13 Personal Services \$2,970
15 All Other \$47,030

17 TOTAL \$50,000

19 Provides funds for per diem
21 and expenses for commission
23 members and for the Systems
25 Assessment Commission to
study the cost of
institutions, alternative
sites and needs of residents.

27 **Augusta Mental Health Institute**

29 Capital Expenditures \$121,000

31 Provides funds to purchase a
33 new pit baler (\$50,000), a
horizontal baler and 12 dump
35 carts (\$51,000) and an
industrial shredder (\$20,000)
37 for the G.R.O.W. Industries
program.

39 **Mental Health Services - Community**

41 All Other \$170,500

43 Provides funds for a 1%
45 cost-of-living adjustment for
all service providers.

47 **Mental Health Services - Children**

49 All Other \$52,680

51 Provides funds for a 1%

1 cost-of-living adjustment for
all service providers.

3

Mental Retardation Services - Community

5

All Other \$113,112

7

9 Provides funds for a 1%
cost-of-living adjustment for
all service providers.

11

Mental Health Services - Children

13

All Other \$80,000 \$80,000

15

17 Provides funds for the
statewide expansion of
services to children with
19 autism and their families,
including a comprehensive
21 system of family support
services.

23

Mental Health Services - Children

25

All Other \$150,000 \$150,000

27

29 Provides funds for case
management services and
mediation by trained
31 mediators to resolve
conflicting issues between
33 parents and children.

35

Mental Health Services - Children

37

All Other \$375,000 \$375,000

39

41 Provides \$315,000 in each
year of the biennium for
family support services for
43 families who choose to care
for their children with
developmental disabilities at
45 home; and provides \$60,000 in
each year to expand the
47 "Respitality" program to a
statewide basis from its
49 current availability in the
greater Bangor service area
51 and to provide to families
with planned respite care

1 opportunities at
3 participating local hotels.

5 **DEPARTMENT OF MENTAL HEALTH**
7 **AND MENTAL RETARDATION**
7 **TOTAL** \$13,378,715 \$14,083,469

9 **PINE TREE LEGAL ASSISTANCE**

11 **Legal Assistance**

13 All Other \$75,000 \$75,000

15 Provides funds to continue
17 the current level of civil
17 legal services to eligible
19 low-income individuals in all
19 forums.

21 **PINE TREE LEGAL ASSISTANCE**
21 **TOTAL** \$75,000 \$75,000

23 **PROFESSIONAL AND FINANCIAL**
25 **REGULATION, DEPARTMENT OF**

27 **Bureau of Banking**

29 Positions (4) (4)
29 Personal Services \$138,750 \$145,700
31 All Other 27,200 26,100
31 Capital Expenditures 37,536 14,800

33 Provides funds for: new
35 positions of Licensing
35 Coordinator, Broker-Dealer
37 and Investment Advisor
37 Examiner, Small Business
39 Specialist and Administrative
39 Secretary; computerization of
41 records; and proposed
41 reclassifications and range
43 changes as follows: range
43 changes - Securities
45 Administrator, range 30 to
45 33; Supervisor, Enforcement,
47 range 25 to 30; Supervisor,
47 Securities Regulation, range
49 23 to 27; and
49 reclassifications - Legal
51 Secretary to Administrative
51 Secretary; Securities

1 Investigator to Coordinator
 2 of Licensing Investigation;
 3 and Clerk Typist II to Clerk
 4 Typist III. Expected to
 5 result in an annual increase
 6 in General Fund undedicated
 7 revenue of approximately
 8 \$300,000 each year.

9
 10 **DEPARTMENT OF PROFESSIONAL AND
 11 FINANCIAL REGULATION
 12 TOTAL**

\$203,486

\$186,600

13 **PUBLIC SAFETY, DEPARTMENT OF**

14 **State Police**

17	Positions		(5)
18	Personal Services		\$50,927
19	All Other		25,105
20	Capital Expenditures		47,635
21			
22	TOTAL		<u>\$123,667</u>

23
 24 Provides funds for 5 State
 25 Troopers. Represents 50%
 26 General Fund share of the
 27 total costs.

28 **State Police**

29	Positions	(2)	(2)
30	Personal Services	\$19,638	\$28,417
31	All Other	198,098	193,618
32			
33	TOTAL	<u>\$217,736</u>	<u>\$222,035</u>

34 Provides funds for the
 35 implementation of
 36 departmental long-range
 37 Automated Systems Plan and
 38 for one Systems Analyst
 39 position and one Computer
 40 Operator position.
 41 Represents 50% General Fund
 42 share of the total costs.

43 **State Police**

44	Positions	(6)	(6)
45	Personal Services	\$70,902	\$72,487
46	All Other	2,500	2,750

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Capital Expenditures	2,510	
3	TOTAL	<u>\$75,912</u>	<u>\$75,237</u>
5	Provides funds for essential		
7	civilian support services for		
9	the Maine State Police		
11	including 3 Clerk		
13	Stenographer II positions, 2		
15	Clerk Stenographer III		
	positions and one Clerk		
	Typist II position.		
	Represents 50% General Fund		
	share of the total costs.		
	State Police		
17	Capital Expenditures	\$12,500	
19	Provides funds for analysis		
21	of equipment and related		
23	accessories for		
25	characterization of blood and		
27	body fluids. Represents 50%		
	of General Fund share of		
	total cost.		
	State Police		
29	Capital Expenditures	\$5,950	
31	Provides funds for Omni		
33	Chrome LP-1000 Portable Argon		
35	Laser for forensic,		
37	criminalistic and fingerprint		
39	detection and examination.		
	Represents 50% of General		
	Fund share of total cost.		
	State Police		
41	All Other	\$25,000	
43	Provides funds for protective		
45	clothing, soft body armor,		
47	for State Police personnel.		
49	Represents 50% General Fund		
	share of total cost.		
	Intergovernmental Drug Enforcement		
51	Positions	(11)	(11)

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Personal Services	\$516,924	\$599,730
	All Other	1,246,102	1,234,285
3			
	TOTAL	<u>\$1,763,026</u>	<u>\$1,834,015</u>

5
7 Provides funds for a
7 Director, an Assistant
9 Director, 2 Regional
9 Commanders, a Property
11 Officer, an Accountant I, 2
11 Secretaries, 2 Clerk
13 Stenographer III positions
13 and a Clerk Typist.

15 **Criminal Justice Academy**

17	Positions	(1)	(2)
	Personal Services	\$22,729	\$57,676
19	All Other	6,255	12,550
	Capital Expenditures	18,592	20,053
21			
	TOTAL	<u>\$47,576</u>	<u>\$90,279</u>

23
25 Provides funds for a Maine
25 Criminal Justice Academy
27 Training Coordinator in 1990
27 and an additional one in 1991.

29 **State Police**

31	Personal Services	\$2,564	\$2,634
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33 Provides funds for the
35 reclassification from a Clerk
35 Typist II to an Identifier
37 Specialist I and from a
37 Fingerprint Classifier II to
39 an Identifier Specialist II.
39 Request reflects the
41 continuation of Public Law
41 1989, chapter 7,
43 appropriations.

45	DEPARTMENT OF PUBLIC SAFETY		
	TOTAL	<u>\$2,150,264</u>	<u>\$2,347,867</u>

47 **SECRETARY OF STATE,**
49 **DEPARTMENT OF THE**

51 **Administration - Secretary of State**

	Positions	(9)	(9)
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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Personal Services	\$386,382	\$402,945
	All Other	290,600	157,100
3	Capital Expenditures	407,035	103,500
5	TOTAL	<u>\$1,084,017</u>	<u>\$663,545</u>

7 Provides funds for the
 8 following unclassified
 9 positions: Supervisor,
 10 Elections; Director, Rules
 11 and Commissions; Director,
 12 Corporations; and Assistant
 13 Deputy for Public Records.
 14 Request also reflects funding
 15 for: a Name Availability
 16 Specialist, an Accountant II,
 17 a Clerk Typist IV position,
 18 an Office Receptionist, a
 19 Computer Systems
 20 Administrator; the
 21 reorganization of the office
 22 through the reclassification
 23 of 5 Clerk Typist III
 24 positions, the
 25 reclassification of 4 Clerk
 26 IV positions, the
 27 reclassification of a Clerk
 28 IV to a Director, Elections;
 29 and various operating costs
 30 including Information Systems
 31 development, office
 32 equipment, work stations and
 33 computer equipment.

35 **Administration - Secretary of State**

37	Positions	(1)	(1)
	Personal Services	\$39,462	\$39,715
39	All Other		260,347
41	TOTAL	<u>\$39,462</u>	<u>\$300,062</u>

43 Provides funds for 2 project
 44 positions, head count for a
 45 previously established
 46 position and operating
 47 expenses associated with the
 48 Primary and General Elections.

49 **Administration - Secretary of State**

51	Positions	(3)	(3)
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COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Personal Services	\$125,846	\$129,388
3	Provides funds for a Finance		
5	Administrator, a Research		
7	Associate II position and an		
9	Administrative Assistant for		
11	the Bureau of Public		
	Administration. Request		
	reflects the continuation of		
	Public Law 1989, chapter 7;		
	appropriations.		
13	Administration - Secretary of State		
15	All Other		(\$200,000)
17	Deappropriates funds no		
19	longer required.		
21	Administration - Secretary of State		
23	All Other	\$108,000	
25	Provides funds for the cost		
27	of preparing, printing and		
29	distributing referenda		
	ballots for the November		
	election.		
31	Administration - Secretary of State		
33	All Other	\$100,000	
35	Provides funds to support the		
37	United States Secretary of		
	State's Conference to be held		
	at Bates College.		
39	DEPARTMENT OF THE SECRETARY		
41	OF STATE		
	TOTAL	<u>\$1,457,325</u>	<u>\$892,995</u>
43	TRANSPORTATION, DEPARTMENT OF		
45	Railroad Assistance Program		
47	All Other	\$200,000	\$200,000
49	Provides funds for: the		
51	maintenance of bridges;		
	culverts; highway grade		
	crossings; and to control		

1 brush and vegetation,
 2 maintain rail surfaces and
 3 alignments on state-owned and
 4 leased rail lines.

5 **Air Search and Rescue**

7 All Other \$75,000 \$75,000

9 Provides funds for air search
 11 and rescue operations. These
 12 funds shall not be
 13 transferred for any other
 14 purpose.

15 **Administration - Ports and Marine
 16 Transportation**

19 All Other \$124,112 \$129,319

21 Provides funds for 2
 22 additional crews to meet the
 23 State's share for the
 24 operation of the Maine State
 25 Ferry Service.

27 **State Plane**

29 Capital Expenditures \$45,682

31 Provides funds for the
 32 periodic replacement of
 33 engines on the executive
 34 aircraft.

35 **State Plane**

37 All Other \$15,020 \$11,900

39 Provides funds due to the
 41 increase from 400 to 450
 42 flight hours. An increase in
 43 revenues of \$26,950 will be
 44 realized due to the increase
 45 in rental from \$185 per hour
 46 to \$250 per hour.

47 **Advisory Committee to Update the
 48 Maine Aviation Systems Plan**

51 Personal Services \$1,650
 52 All Other 1,350

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	TOTAL		\$3,000
3	Provides funds for the per		
5	diem, meeting, printing and		
7	miscellaneous expenses of the		
9	Advisory Committee to Update		
11	the Maine Aviation Systems		
	Plan. These funds shall		
	carry forward to June 30,		
	1991.		
13	DEPARTMENT OF TRANSPORTATION		
	TOTAL	<u>\$462,814</u>	<u>\$416,219</u>
15	TREASURER OF STATE		
17	Debt Service - Treasury		
19	All Other		(\$1,750,000)
21	This reduction in		
23	appropriation in conjunction		
25	with authority to transfer an		
27	additional \$1.75 million from		
29	the General Fund Debt Service		
31	account set up for the		
33	retirement of bonds and notes		
	authorized under chapter 5,		
	section 151-A will provide		
	sufficient funds to cover the		
	projected debt service		
	requirement.		
35	TREASURER OF STATE		
	TOTAL		<u>(\$1,750,000)</u>
37	UNIVERSITY OF MAINE SYSTEM,		
39	BOARD OF TRUSTEES OF THE		
41	Educational and General Activities -		
	University of Maine System		
43	All Other	\$6,000,000	\$12,600,000
45	Provides funds for		
47	telecommunications funding		
49	and support for university		
	programs.		
51	Maine Public Broadcasting Network		
	All Other	\$200,000	\$200,000

1 Provides funds for the
 3 establishment of an equipment
 5 replacement pool which will
 7 fund a 4-year modernization
 plan and increased clerical
 support staff.

9 **Educational and General Activities -
 University of Maine**

11 All Other \$15,608

13 Provides additional funding
 15 to the Agriculture and
 Resource Economics Department
 17 within the University of
 Maine System to augment the
 19 current study of the economic
 values and economic impacts
 21 associated with consumptive
 and nonconsumptive uses of
 23 Maine's fish and wildlife
 resources as authorized by
 25 the Commission to Study the
 Economic Impact of Game and
 27 Nongame Species on Maine's
 Economy.

29 **Educational and General Activities -
 University of Maine**

31 All Other \$100,000 \$50,000

33 Provides funds to establish
 35 and support an Arcadian
 37 Archives Center at the
 University of Maine - Fort
 39 Kent.

41 **BOARD OF TRUSTEES OF THE
 UNIVERSITY OF MAINE SYSTEM**
 43 **TOTAL**

\$6,315,608 \$12,850,000

45 **WORKERS' COMPENSATION COMMISSION**

47 **Workers' Compensation Commission**

49 All Other \$30,895 \$32,335

51 Provides funds for additional
 cost of rent in the Lewiston

1 district office due to an
 3 increase in square footage,
 as well as in the Portland
 5 and Augusta regional offices,
 and for a hearing room in the
 Brunswick area.

7 **Workers' Compensation Commission**

9	Positions	(1)	(1)
11	Personal Services	\$21,100	\$22,750
13	All Other	11,650	11,350
15	TOTAL	<u>\$32,750</u>	<u>\$34,100</u>

17 Provides funds for an
 Information System Support
 Technician to train employees
 19 in the use of the
 commission's computer
 21 system. Request reflects
 continuation of Public Law
 23 1989, chapter 7,
 appropriations.

25 **Workers' Compensation Commission**

27	Positions	(2)	(2)
29	Personal Services	\$37,234	\$39,669
31	All Other	3,300	3,200
33	TOTAL	<u>\$40,534</u>	<u>\$42,869</u>

35 Provides funds for 2 Clerk
 Typist II positions, one for
 the Portland regional office
 37 and one for the Lewiston
 regional office. Request
 39 reflects continuation of
 Public Law 1989, chapter 7,
 41 appropriations.

43 **Workers' Compensation Commission**

45	Personal Services	\$1,034	\$1,041
----	-------------------	---------	---------

47 Provides funds for the
 reclassification of a Data
 49 Entry Operator position to a
 Data Entry Specialist through
 51 the reorganization of duties.

1	WORKERS' COMPENSATION		
	COMMISSION		
3	TOTAL	<u>\$105,213</u>	<u>\$110,345</u>
5	PART A		
	TOTAL	<u>\$66,665,428</u>	<u>\$68,884,369</u>
7			
	PART B		
9			
11	Sec. 1. Appropriation. There are appropriated from the		
13	General Fund for the fiscal years ending June 30, 1990, and June		
	30, 1991, to the departments listed, the sums identified in the		
	following, in order to provide funding for approved		
	reclassifications and range changes.		
15		1989-90	1990-91
17			
	ADMINISTRATION, DEPARTMENT OF		
19			
	Administrative Services -		
21	Administration		
23	Personal Services	\$2,257	\$1,497
25	Buildings and Grounds Operations		
27	Personal Services	\$3,215	\$4,199
29	Public Improvements - Planning and		
	Construction - Administration		
31	Personal Services	\$1,702	\$1,892
33	Administration - Human Resources		
35	Personal Services	\$15,558	\$5,636
37			
	DEPARTMENT OF ADMINISTRATION		
39	TOTAL	<u>\$22,732</u>	<u>\$13,224</u>
41	AGRICULTURE, FOOD AND RURAL		
	RESOURCES, DEPARTMENT OF		
43			
	Marketing Services - Agriculture		
45	Personal Services	\$1,773	\$1,920
47	Agricultural Production		
49	Personal Services	\$13,439	\$12,657
51			
	DEPARTMENT OF AGRICULTURE, FOOD		
53	AND RURAL RESOURCES	<u> </u>	<u> </u>

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	TOTAL	\$15,212	\$14,577
3	CONSERVATION, DEPARTMENT OF		
5	Maine Land Use Regulation Commission		
7	Personal Services	\$7,198	\$6,739
9	Parks - General Operations		
11	Personal Services	\$15,999	\$6,317
13	Geological Survey		
15	Personal Services	\$4,516	\$5,467
17	Administrative Services - Conservation		
19	Personal Services	\$2,443	\$3,520
21	Insect and Disease Management		
23	Personal Services	\$3,081	\$3,353
25	DEPARTMENT OF CONSERVATION		
27	TOTAL	\$33,237	\$25,396
29	CORRECTIONS, DEPARTMENT OF		
31	Charleston Correctional Facility		
33	Personal Services	\$5,358	\$4,710
35	Downeast Correctional Facility		
37	Personal Services	\$5,594	\$5,677
39	State Prison		
41	Personal Services	\$22,959	\$16,491
43	Administration - Corrections		
45	Personal Services	\$1,319	\$1,076
47	Correctional Center		
49	Personal Services	\$10,810	\$5,935
51	Central Maine Pre-Release Center		
	Personal Services	\$2,882	\$1,773

1			
3	DEPARTMENT OF CORRECTIONS		
	TOTAL	<u>\$48,922</u>	<u>\$35,662</u>
5	ECONOMIC AND COMMUNITY		
7	DEVELOPMENT, DEPARTMENT OF		
9	Community Development Block Grant		
	Program		
11	Personal Services	\$11,944	\$8,612
13	DEPARTMENT OF ECONOMIC AND		
15	COMMUNITY DEVELOPMENT		
	TOTAL	<u>\$11,944</u>	<u>\$8,612</u>
17	EDUCATIONAL AND CULTURAL		
19	SERVICES, DEPARTMENT OF		
21	Administration - Museum		
23	Personal Services	\$4,305	\$4,023
25	Finance - Education		
27	Personal Services	\$2,749	\$3,306
29	Governor Baxter School for the Deaf		
31	Personal Services	\$13,942	\$8,324
33	Office of State Historian		
35	Personal Services	\$12,400	\$8,800
37	Library Development Services		
39	Personal Services	\$2,122	\$1,692
41	Certification, Placement and Teacher		
	Education		
43	Personal Services	\$8,846	\$7,129
45	Administrative Services - Education		
47	Personal Services	\$1,209	\$853
49	Special Education - Exceptional		
51	Children		
	Personal Services	\$3,014	\$1,878

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**DEPARTMENT OF EDUCATIONAL AND
CULTURAL SERVICES
TOTAL**

\$48,587 \$36,005

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Solid Waste Management

Personal Services \$3,194 \$1,647

**Administration - Environmental
Protection**

Personal Services \$2,714 \$1,810

Air Quality Control

Personal Services \$5,835 \$2,865

Land Quality Control

Personal Services \$6,166 \$6,172

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION
TOTAL**

\$17,909 \$12,494

FINANCE, DEPARTMENT OF

Bureau of Taxation

Personal Services \$26,356 \$23,014

Administrative Services - Finance

Personal Services \$2,841 \$1,865

Bureau of Accounts and Control

Personal Services \$2,489 \$2,627

**DEPARTMENT OF FINANCE
TOTAL**

\$31,686 \$27,506

HUMAN SERVICES, DEPARTMENT OF

Administration - Income Maintenance

Personal Services \$5,832 \$5,832

1	Income Maintenance - Regional		
3	Personal Services	\$57,450	\$56,251
5	Administration - Human Services		
7	Personal Services	\$44,456	\$18,857
9	Division of Eye Care		
11	Personal Services	\$3,810	\$2,035
13	Administration - Social Services		
15	Personal Services	\$4,011	\$4,011
17	Medical Care Administration		
19	Personal Services	\$15,017	\$7,996
21	Vocational Rehabilitation - Bureau of Rehabilitation		
23	Personal Services	\$10,368	\$6,752
25	Administration - Regional - Human Services		
27	Personal Services	\$11,298	\$7,263
31	Bureau of Health		
33	Personal Services	\$76,584	\$48,199
35	DEPARTMENT OF HUMAN SERVICES TOTAL	<u>\$228,826</u>	<u>\$157,196</u>
37	INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
41	Atlantic Sea Run Salmon Commission		
43	Personal Services	\$4,482	\$2,696
45	DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL	<u>\$4,482</u>	<u>\$2,696</u>
49	LABOR, DEPARTMENT OF		
51	Administration - Bureau of Labor Standards		

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Personal Services	\$4,366	\$5,818
3	Regulation and Enforcement		
5	Personal Services	\$3,168	\$3,336
7	DEPARTMENT OF LABOR		
9	TOTAL	<u>\$7,534</u>	<u>\$9,154</u>
11	MARINE RESOURCES, DEPARTMENT OF		
13	Bureau of Marine Sciences		
15	Personal Services	\$3,375	\$3,725
17	DEPARTMENT OF MARINE RESOURCES		
19	TOTAL	<u>\$3,375</u>	<u>\$3,725</u>
21	MENTAL HEALTH AND MENTAL		
23	RETARDATION, DEPARTMENT OF		
25	Mental Health Services - Children		
27	Personal Services	\$105,636	\$51,115
29	Elizabeth Levinson Center		
31	Personal Services	\$48,259	\$22,837
33	Pineland Center		
35	Personal Services	\$861	\$841
37	Bangor Mental Health Institute		
39	Personal Services	\$37,969	\$24,906
41	Augusta Mental Health Institute		
43	Personal Services	\$40,931	\$25,008
45	DEPARTMENT OF MENTAL HEALTH		
47	AND MENTAL RETARDATION		
49	TOTAL	<u>\$233,656</u>	<u>\$124,707</u>
51	PUBLIC SAFETY, DEPARTMENT OF		
	Liquor Enforcement		
	Personal Services	\$2,773	\$2,056

1	State Police		
3	Personal Services	\$973	\$997
5	DEPARTMENT OF PUBLIC SAFETY		
	TOTAL	<u>\$3,746</u>	<u>\$3,053</u>
7			
9	SECRETARY OF STATE, DEPARTMENT		
	OF THE		
11	Administration - Archives		
13	Personal Services	\$8,683	\$4,940
15	DEPARTMENT OF THE SECRETARY		
	OF STATE		
17	TOTAL	<u>\$8,683</u>	<u>\$4,940</u>
19	TRANSPORTATION, DEPARTMENT OF		
21	Administration - Aeronautics		
23	Personal Services	\$11,189	\$6,656
25	DEPARTMENT OF TRANSPORTATION		
	TOTAL	<u>\$11,189</u>	<u>\$6,656</u>
27			
29	WORKERS' COMPENSATION		
	COMMISSION		
31	Workers' Compensation		
	Commission		
33	Personal Services	\$25,949	\$23,036
35	WORKERS' COMPENSATION		
	COMMISSION		
37	TOTAL	<u>\$25,949</u>	<u>\$23,036</u>
39			
41	TOTAL APPROPRIATIONS		
	SECTION 1	<u>\$757,669</u>	<u>\$508,639</u>

43 **Sec. 2. Allocations; Federal Expenditure Fund.** There are
45 allocated from the Federal Expenditure Fund for the fiscal years
47 ending June 30, 1990, and June 30, 1991, to the departments
listed, the sums identified in the following, in order to provide
funding for approved reclassifications and range changes.

49		1989-90	1990-91
51	EDUCATIONAL AND CULTURAL		
	SERVICES, DEPARTMENT OF		

1	Historic Preservation Commission		
3	Personal Services	\$17,739	\$10,244
5	Arts - Sponsored Program		
7	Personal Services	\$3,032	\$3,147
9	Nutrition Program - Local Schools		
11	Personal Services	\$4,551	\$2,313
13	Library Development Services		
15	Personal Services	\$2,898	\$2,280
17	Education of Children of Low-income Families - Title I		
19	Personal Services	\$10,038	\$11,958
21	Special Education - Exceptional Children		
23	Personal Services	\$5,153	\$5,782
25	Administrative Services - Education		
27	Personal Services	\$2,365	\$1,672
29	DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES		
31	TOTAL	<u>\$45,776</u>	<u>\$37,396</u>
33	ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
35	Oil and Hazardous Materials Control		
37	Personal Services	\$3,378	\$1,684
39	DEPARTMENT OF ENVIRONMENTAL PROTECTION		
41	TOTAL	<u>\$3,378</u>	<u>\$1,684</u>
43	HUMAN SERVICES, DEPARTMENT OF		
45	Income Maintenance - Regional		
47	Personal Services	\$40,035	\$40,332
49			
51			

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Vocational Rehabilitation -		
	Bureau of Rehabilitation		
3	Personal Services	\$20,119	\$11,522
5			
7	Administration - Regional -		
	Human Services		
9	Personal Services	\$1,192	\$568
11	Division of Eye Care		
13	Personal Services	\$10,120	\$6,752
15	Medical Care Administration		
17	Personal Services	\$30,479	\$15,425
19	Administration - Income Maintenance		
21	Personal Services	\$6,266	\$4,662
23	Bureau of Health		
25	Personal Services	\$5,762	\$3,612
27	Administration - Human Services		
29	Personal Services	\$30,098	\$11,323
31	Bureau of Rehabilitation		
33	Personal Services	\$5,814	\$3,533
35	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	<u>\$149,885</u>	<u>\$97,729</u>
37			
39	PUBLIC SAFETY, DEPARTMENT OF		
	Motor Carrier Safety		
41	Personal Services	\$2,392	\$2,392
43			
45	DEPARTMENT OF PUBLIC SAFETY		
	TOTAL	<u>\$2,392</u>	<u>\$2,392</u>
47	TOTAL ALLOCATIONS		
	SECTION 2	<u>\$201,431</u>	<u>\$139,201</u>

49 **Sec. 3. Allocations; Other Special Revenue funds.** There are
51 allocated from Other Special Revenue funds for the fiscal years
ending June 30, 1990, and June 30, 1991, to the departments

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 listed, the sums identified in the following, in order to provide
 3 funding for approved reclassifications and range changes.

	1989-90	1990-91
CONSERVATION, DEPARTMENT OF		
Land Management and Planning		
Personal Services	\$1,461	\$1,848
DEPARTMENT OF CONSERVATION		
TOTAL	<u>\$1,461</u>	<u>\$1,848</u>
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Alcohol and Drug Education Services		
Personal Services	\$5,666	\$5,061
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES		
TOTAL	<u>\$5,666</u>	<u>\$5,061</u>
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Administration - Environmental Protection		
Personal Services	\$41,397	\$27,404
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	<u>\$41,397</u>	<u>\$27,404</u>
HEALTH CARE FINANCE COMMISSION		
Health Care Finance Commission		
Personal Services	\$6,850	\$5,460
HEALTH CARE FINANCE COMMISSION		
TOTAL	<u>\$6,850</u>	<u>\$5,460</u>
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Health		
Personal Services	\$50,791	\$25,791

1	Plumbing - Control Over		
3	Personal Services	\$5,412	\$3,541
5	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	<u>\$56,203</u>	<u>\$29,332</u>
7			
9	INLAND FISHERIES AND WILDLIFE,		
	DEPARTMENT OF		
11	Administrative Services - Inland		
	Fisheries and Wildlife		
13	Personal Services	\$2,570	\$1,799
15			
17	Enforcement Operations - Inland		
	Fisheries and Wildlife		
19	Personal Services	\$5,381	\$4,565
21			
23	Licensing Services - Inland		
	Fisheries and Wildlife		
25	Personal Services	\$5,208	\$5,731
27			
	DEPARTMENT OF INLAND FISHERIES		
	AND WILDLIFE		
	TOTAL	<u>\$13,159</u>	<u>\$12,095</u>
29			
31	LABOR, DEPARTMENT OF		
	Safety Education and Training Programs		
33	Personal Services	\$1,507	\$3,524
35			
37	DEPARTMENT OF LABOR		
	TOTAL	<u>\$1,507</u>	<u>\$3,524</u>
39			
41	MENTAL HEALTH AND MENTAL		
	RETARDATION, DEPARTMENT OF		
43	Augusta Mental Health Institute		
45	Personal Services	\$1,246	\$724
47			
	DEPARTMENT OF MENTAL HEALTH AND		
	MENTAL RETARDATION		
	TOTAL	<u>\$1,246</u>	<u>\$724</u>
49			
51	PUBLIC SAFETY, DEPARTMENT OF		
	State Police		

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1	Personal Services	\$2,647	\$3,191
3	Traffic Safety		
5	Personal Services	\$3,683	\$3,683
7	DEPARTMENT OF PUBLIC SAFETY		
9	TOTAL	<u>\$6,330</u>	<u>\$6,874</u>
11	TOTAL ALLOCATIONS		
13	SECTION 3	<u>\$133,819</u>	<u>\$92,322</u>
15	Sec. 4. Allocation; Federal Block Grant funds. There are		
17	allocated from Federal Block Grant funds for fiscal years ending		
19	June 30, 1990, and June 30, 1991, to the departments listed, the		
21	sums identified in the following, in order to provide funding for		
23	approved reclassifications and range changes.		
25		1989-90	1990-91
27	HUMAN SERVICES, DEPARTMENT OF		
29	Maternal and Child Health		
31	Personal Services	\$6,336	\$3,831
33	All Other	(6,336)	(3,831)
35	TOTAL	<u>\$-0-</u>	<u>\$-0-</u>
37	Crippled Children Services		
39	Personal Services	\$2,535	\$2,732
41	All Other	(2,535)	(2,732)
43	TOTAL	<u>\$-0-</u>	<u>\$-0-</u>
45	Alcoholism and Drug Abuse		
47	Prevention - Human Services		
49	Personal Services	1,990	731
51	All Other	(1,990)	(731)
	TOTAL	<u>\$-0-</u>	<u>\$-0-</u>
	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	<u>\$-0-</u>	<u>\$-0-</u>
	TOTAL ALLOCATION		
	SECTION 4	<u>\$-0-</u>	<u>\$-0-</u>

1 **Sec. 5. Allocations.** In order to provide for the necessary
 2 expenses of operation and administration of the Bureau of
 3 Alcoholic Beverages and the State Liquor Commission, the
 4 following amounts are allocated from the revenues derived from
 5 operations of the State Alcoholic Beverages Fund for the fiscal
 6 years ending June 30, 1990, and June 30, 1991, to carry out the
 7 purposes of this Act.

	1989-90	1990-91
11 FINANCE, DEPARTMENT OF		
13 Alcoholic Beverages - General 14 Operation		
15 Personal Services	\$1,151,516	\$612,287
17 Alcoholic Beverages - General 18 Operation		
19 Personal Services	(\$515,000)	(\$515,000)
23 The above reclassifications 24 and range changes within the 25 Bureau of Alcoholic Beverages 26 will result in a more 27 efficient utilization of 28 personnel in the overall 29 operations of the bureau. 30 This reduction will be 31 accomplished through the use 32 of intermittent employees and 33 the elimination of a minimum 34 of 10 positions through 35 attrition over the biennium.		
37 DEPARTMENT OF FINANCE		
38 TOTAL	<u>\$636,516</u>	<u>\$97,287</u>
39 TOTAL ALLOCATIONS		
40 SECTION 5	<u>\$636,516</u>	<u>\$97,287</u>

43 **Sec. 6. Legislative intent.** It is the intent of the Legislature
 44 that the reclassifications and range changes represented by the
 45 appropriation and allocation amounts identified in Part B shall
 46 be considered effective upon approval of this Act and the fiscal
 47 year 1988-89 resources previously identified as available to
 48 supplement these amounts shall not lapse but remain available for
 49 the purpose until June 30, 1990.

51 PART C

1 **Sec. 1. Appropriation.** In order to provide for essential
 3 maintenance and repair needs of state facilities for the
 biennium, the following funds are appropriated from the General
 Fund to carry out the purposes of this Act.

5 1989-90 1990-91

7 **ADMINISTRATION, DEPARTMENT OF**

9 **Public Improvements - Planning-**
 11 **Construction - Administration**

13 All Other \$2,556,000 \$2,500,000
 15 Capital Expenditures 10,615,013

17 Provides funds for statewide
 capital construction,
 improvements and repairs.
 19 Also, includes \$2,000,000 for
 the pier at Maine Maritime
 21 Academy; \$56,000 to repair
 the library at Eagle Island
 23 State Park; \$800,000 toward
 the purchase of Oak-Grove
 25 Coburn Academy; and \$838,540
 for various items within the
 27 Department of Mental Health
 and Mental Retardation.

29 **DEPARTMENT OF ADMINISTRATION**
 31 **TOTAL** \$13,171,013 \$2,500,000

33 **DEFENSE AND VETERANS' SERVICES,**
 35 **DEPARTMENT OF**

37 **Administration - Maine Emergency**
Management Agency

39 All Other \$860,000

41 Provides funds for the
 State's share of Disaster
 43 Assistance Funds of \$800,000
 for the flood-damaged
 45 Hartland Dam and \$60,000 for
 Chain of Ponds Dam.

47 **DEPARTMENT OF DEFENSE AND**
 49 **VETERANS' SERVICES**
TOTAL \$860,000

51 **FINANCE, DEPARTMENT OF**

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Rainy Day Fund Program

Unallocated	(\$20,931,013)	(\$2,600,000)
-------------	----------------	---------------

Provides resources to fund various capital construction, improvement, repair and projects included in this Part.

Rainy Day Fund Program

Unallocated	\$722,000	
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Provides resources to carry out the purposes of the Maine Revised Statutes, Title 5, section 1513, subsection 1.

**DEPARTMENT OF FINANCE
TOTAL**

	(\$20,209,013)	(\$2,600,000)
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**SECRETARY OF STATE,
DEPARTMENT OF THE**

Contingency Account - Building

Capital Expenditures	\$6,000,000	
----------------------	-------------	--

Provides funds for the new Motor Vehicle Building.

**DEPARTMENT OF THE SECRETARY
OF STATE
TOTAL**

	\$6,000,000	
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TRANSPORTATION, DEPARTMENT OF

**Capital Construction - Repairs -
Improvements - Transportation**

All Other	\$400,000	\$100,000
Capital Expenditures	500,000	

**DEPARTMENT OF TRANSPORTATION
TOTAL**

	\$900,000	\$100,000
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**PART C
TOTAL**

	\$722,000	\$-0-
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1 **Sec. 2. Carry forward.** Funds appropriated in section 1 shall
 3 not lapse on June 30, 1990, but shall carry forward to June 30,
 3 1991.

5 **Sec. 3. Expenditures from Maine Rainy Day Fund.**

7 Notwithstanding the Maine Revised Statutes, Title 5, section
 7 1513, subsection 2, expenditures from the Maine Rainy Day Fund
 9 for the fiscal years ending June 30, 1990, and June 30, 1991, may
 9 be used for the following purposes: public improvements,
 11 planning and construction in the Department of Administration;
 11 Department of Conservation, Parks and Recreation; Department of
 13 Defense and Veterans' Services, Maine Emergency Management
 13 Agency, disaster assistance funds for the flood-damaged Hartland
 15 Dam and Chain of Pond Dam; Department of Transportation, capital
 15 construction, repairs, improvements and the new motor vehicle
 17 building for the Division of Motor Vehicles.

17 **PART D**

19 **Allocation.** The following funds are allocated from the
 21 Federal Expenditure Fund for the fiscal years ending June 30,
 21 1990, and June 30, 1991, to carry out the purposes of this Act.

	1989-90	1990-91
CORRECTIONS, DEPARTMENT OF		
Youth Center - Maine		
Positions	(2)	
Personal Services	\$65,017	
Allocates funds for a Special Education Teacher Consultant and clerical services.		
DEPARTMENT OF CORRECTIONS		
TOTAL	\$65,017	
DEFENSE AND VETERANS' SERVICES,		
DEPARTMENT OF		
Military Training and Operations		
Personal Services	\$1,990	\$1,990
Provides funds for the reclassification of a Laborer II position to a Building Custodian as a result of the reorganization of duties.		

1 **DEPARTMENT OF DEFENSE AND**
 2 **VETERANS' SERVICES**
 3 **TOTAL** \$1,990 \$1,990

5 **ECONOMIC AND COMMUNITY**
 6 **DEVELOPMENT, DEPARTMENT OF**
 7
 8 **Office of Community Development**

9
 10 Positions (-7) (-7)
 11 Personal Services (\$221,922) (\$229,466)
 12 All Other (1,018,350) (1,018,350)
 13
 14 **TOTAL** (\$1,240,272) (\$1,247,816)

15 Deallocation funds which
 16 should have been allocated to
 17 comprehensive land use
 18 planning.

21 **Comprehensive Land Use Planning**

22
 23 Positions (7) (7)
 24 Personal Services \$221,922 \$229,466
 25 All Other 1,018,350 1,018,350
 26
 27 **TOTAL** \$1,240,272 \$1,247,816

28 Allocates funds for
 29 comprehensive land use
 30 planning.

33 **DEPARTMENT OF ECONOMIC AND**
 34 **COMMUNITY DEVELOPMENT**
 35 **TOTAL** \$-0- \$-0-

37 **EDUCATIONAL AND CULTURAL**
 38 **SERVICES, DEPARTMENT OF**

39 **Administrative Services - Education**

40
 41 Positions (1) (1)
 42 Personal Services \$37,640 \$38,840

43
 44 Provides funds for the
 45 continuation of an Education
 46 Specialist I position which
 47 was originally established by
 48 financial order in fiscal
 49 year 1988-89.

51 **Vocational Training - Program Services**

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1			
	Positions	(-3)	(-3)
3	Personal Services	(\$26,738)	(\$26,738)
	All Other	(1,262)	(1,262)
5			
	TOTAL	(\$28,000)	(\$28,000)

7
 9 Provides funds for the
 transfer of a Clerk
 11 Stenographer II position from
 Vocational Training to
 Administration and the
 13 elimination of all
 allocations and positions
 15 within Vocational Training.
 Funding for the Clerk
 17 Stenographer II position will
 be supported within the
 19 Administration Account.

21 **Administration - Vocational Education**

23	Positions	(1)	(1)
	Personal Services	\$23,279	\$23,279
25	All Other	(23,279)	(23,279)
27			
	TOTAL	\$-0-	\$-0-

29 Provides funds for the
 transfer of a Clerk
 31 Stenographer II position from
 Vocational Training to
 33 Administration. Funding for
 the position will be
 35 supported by the transfer of
 funds from All Other to
 37 Personal Services.

39 **Education of Children of Low-income
 Families - Title I**

41			
	Positions	(1)	(1)
43	Personal Services	\$30,686	\$33,128
	All Other	(35,926)	(33,128)
45	Capital Expenditures	5,240	
47			
	TOTAL	\$-0-	\$-0-

49 Provides funds for an
 Education Specialist II
 51 position in order to meet

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 additional state program
2 requirements.

3

Library Development Services

5

All Other \$24,980

7

8 Allocates funds to facilitate
9 the transition from community
10 coalitions formed as a result
11 of the Plus Campaign.

13 **DEPARTMENT OF EDUCATIONAL
14 AND CULTURAL SERVICES**

15 **TOTAL**

\$34,620

\$10,840

17 **ENVIRONMENTAL PROTECTION,
18 DEPARTMENT OF**

19

Lake Restoration and Protection Fund

21

Positions (1) (1)

23

Personal Services \$28,871 \$28,871

All Other 1,201 1,201

25

26 **TOTAL** \$30,072 \$30,072

27

28 Provides funds for the
29 continuation of a Biologist I
30 position which was originally
31 established by financial
32 order in fiscal year 1988-89.

33

Water Quality Control

35

Positions (4) (4)

37

Personal Services \$96,437 \$96,437

All Other 4,013 4,013

39

40 **TOTAL** \$100,450 \$100,450

41

42 Provides funds for the
43 continuation of 2
44 Conservation Aides, an
45 Environmental Specialist III
46 and an Environmental
47 Specialist IV position, which
48 were originally established
49 by financial order in fiscal
50 year 1988-89.

51

Air Quality Control

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1	Personal Services	\$1,708	\$1,708
3			
5	Provides funds for the		
7	reclassification of an		
9	Environmental Specialist II		
	to an Environmental		
	Specialist III as a result of		
	a reorganization of duties.		
11	Administration - Environmental		
	Protection		
13			
15	Personal Services	\$1,410	\$1,410
17			
19	Provides funds for the		
21	reclassification of a Clerk		
	Typist II to an Account Clerk		
	II as a result of a		
	reorganization of duties.		
23			
	Oil and Hazardous Materials Control		
25	Positions	(6)	(6)
27	Personal Services	\$223,000	\$229,690
	All Other	73,957	73,957
29	Capital Expenditures	8,270	8,270
31	TOTAL	\$305,227	\$311,917
33			
35	Provides funds for supporting		
37	the uncontrolled hazardous		
39	substance sites program in		
41	Maine, including the		
43	investigation and cleanup of		
45	uncontrolled sites.		
47	Continues an Environmental		
49	Specialist II position, an		
	Environmental Specialist III		
	position, an Environmental		
	Specialist IV position and an		
	Oil Hazardous Materials		
	Specialist I position, which		
	were originally established		
	by financial order in fiscal		
	year 1988-89.		
51			
	Administration - Environmental		
	Protection		
	Personal Services	\$4,321	\$4,963

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Provides funds for the
 2 reclassification of a Clerk
 3 Typist II to a Clerk III
 4 position and a Clerk III to a
 5 Personnel Assistant position
 6 as a result of the
 7 reorganization of duties.

9 **Oil and Hazardous Materials Control**

11 Personal Services \$2,475 \$2,690

13 Provides funds for the
 14 continuation of a
 15 reclassified Oil and
 16 Hazardous Materials
 17 Specialist II position, which
 18 was originally reclassified
 19 through a financial order in
 20 fiscal year 1988-89.

21 **Air Quality Control**

23 Personal Services \$2,465 \$3,317

25 Provides funds for the
 26 continuation of a
 27 reclassified Environmental
 28 Specialist III position,
 29 which was originally
 30 reclassified in fiscal year
 31 1988-89 by a financial order.

33 **DEPARTMENT OF ENVIRONMENTAL
 34 PROTECTION
 35 TOTAL**

\$448,128 \$456,527

37 **EXECUTIVE DEPARTMENT**

39 **Office of Energy Resources**

41 Positions (-12) (-12)
 43 Personal Services (\$184,294) (\$382,489)
 44 All Other (62,007) (125,411)
 45 TOTAL (\$246,301) (\$507,900)

47 Provides for a deallocation
 48 of funds in fiscal year 1990
 49 and fiscal year 1991.

51 **EXECUTIVE DEPARTMENT**

1	TOTAL		(\$246,301)	(\$507,900)
3	HUMAN SERVICES, DEPARTMENT OF			
5	Medical Care - Payments to Providers			
7	All Other		\$9,121	\$9,121
9	Allocates funds for repayment			
11	of government student loans			
13	for graduate nurses who are			
15	employed in long-term care			
	facilities, hospitals, rural			
	health clinics and home			
	health agencies.			
17	Intermediate Care - Payments to			
	Providers			
19	All Other		\$34,591	\$34,591
21	Allocates funds for repayment			
23	of government student loans			
25	for graduate nurses who are			
27	employed in long-term care			
	facilities, hospitals, rural			
	health clinics and home			
	health agencies.			
29				
31	Aid to Families With Dependent			
	Children			
33	All Other		\$20,000	\$22,000
35	Provides for federal share of			
37	increased clothing allowance			
39	rates and annual school			
	clothing purchases for foster			
	children who qualify for			
	AFDC-FC program.			
41				
43	Medical Care - Payments			
	to Providers			
45	All Other		\$904,000	\$904,000
47	Provides funds for an			
49	increase in fees for			
	physicians participating in			
	the Medicaid program.			
51				
	Health Insurance Subsidy Program			

1			
3	All Other	\$683,850	\$2,628,000
5	Provides funds for federal match of General Fund appropriations.		
7			
9	Aid to Families with Dependent Children - Foster Care		
11	All Other	\$157,117	\$148,528
13	Provides funds for federal match of General Fund appropriations. This request is contingent upon approval of General Fund Part II request.		
15			
17			
19			
21	Medical Care - Payments to Providers		
23	All Other	\$254,761	\$601,753
25	Provides funds for federal match of General Fund appropriations. This request is contingent upon approval of General Fund Part II request.		
27			
29			
31	Medical Care Administration		
33	All Other	\$5,000	\$5,000
35	Provides funds for federal match of General Fund appropriations. This request is contingent upon approval of General Fund Part II request.		
37			
39			
41			
43	Medical Care Administration		
45	Positions	(2)	(2)
47	Personal Services	\$58,128	\$60,832
49	All Other	7,400	7,400
51	Capital Expenditures	1,736	
	TOTAL	<u>\$67,264</u>	<u>\$68,232</u>
	Provides funds for a Systems Analyst and a Statistician II		

1 in order to enhance the
 2 management information system
 3 capabilities within the
 4 Bureau of Medical Services.

5 **Medical Care Administration**

7	Positions	(1)	(1)
9	Personal Services	\$28,846	\$30,356
11	All Other	3,050	3,050
	Capital Expenditures	868	
13	TOTAL	<u>\$32,764</u>	<u>\$33,406</u>

15 Provides funds for a Nurse
 16 Education Consultant who will
 17 be the training coordinator
 18 for implementing federally
 19 mandated education in-service
 20 requirements under OBRA 1987
 21 and will implement nursing
 22 home fines and sanctions as
 23 required under state law.

25 **Medical Care Administration**

27	Positions	(3)	(3)
29	Personal Services	\$70,376	\$73,590
31	All Other	7,200	7,200
	Capital Expenditures	2,816	
33	TOTAL	<u>\$80,392</u>	<u>\$80,790</u>

35 Provides funds for a
 36 Comprehensive Health Planner
 37 I and a Provider Relations
 38 Specialist and Clerk Typist
 39 II position to meet increased
 40 workload requirements
 41 resulting from the addition
 42 of new Medicaid policies and
 43 programs and automation of
 44 Medicaid Preventive Health
 45 Program.

47 **Medical Care Administration**

49	All Other	\$6,600	\$1,680
51	Capital Expenditures	107,250	
	TOTAL	<u>\$113,850</u>	<u>\$1,680</u>

1 Provides funds for the
 2 purchase of an automated
 3 Medicaid eligibility
 4 verification system.

5 **Medical Care Administration**

7	Positions	(2)	(2)
9	Personal Services	\$46,357	\$48,470
	All Other	4,850	4,850
11	Capital Expenditures	1,948	
13	TOTAL	<u>\$53,155</u>	<u>\$53,320</u>

15 Provides funds for a Medical
 16 Social Worker Consultant and
 17 a Clerk Typist III position
 18 in order to design, implement
 19 and monitor Medicaid-covered
 20 private nonmedical
 21 institution services in
 22 licensed boarding homes and
 23 adult foster homes.

25 **Medical Care Administration**

27	Positions	(3)	(3)
29	Personal Services	\$76,938	\$89,755
	All Other	7,950	7,950
31	Capital Expenditures	3,028	
	TOTAL	<u>\$87,916</u>	<u>\$97,705</u>

33 Provides funds for a Health
 34 Services Supervisor, a Health
 35 Services Consultant and a
 36 Clerk Typist II position
 37 needed to meet an increase in
 38 patient classification
 39 workload due to the
 40 construction of additional
 41 beds and the addition of
 42 home-based and
 43 community-based waiver
 44 programs.

47 **Administration - Social Services**

49	Positions	(1)	
	Personal Services	\$14,968	
51	All Other	18,990	
		<u></u>	

1 TOTAL \$33,958

3 Provides funds for the
 4 continuation of a Planning
 5 and Research Associate II
 6 position funded by the
 7 Children's Justice Act.
 8 Position was originally
 9 established by financial
 10 order in fiscal year 1988-89.

11 **Administration - Regional -**
 12 **Human Services**

15 Positions (-1) (-1)
 16 Personal Services (\$21,990) (\$22,716)

17 Provides funds for the
 18 transfer of a Clerk II
 19 position from Regional
 20 Administration to the Bureau
 21 of Administration.

22 **Administration - Human Services**

25 Positions (1) (1)
 26 Personal Services \$21,990 \$22,716

29 Provides funds for the
 30 transfer of a Clerk II
 31 position from Regional
 32 Administration to
 33 Administration - Human
 34 Services.

35 **Bureau of Health**

37 Positions (2) (2)
 38 Personal Services \$48,204 \$50,229

41 Provides funds for the
 42 continuation of a Clerk
 43 Typist III position and a
 44 Public Health Educator II
 45 position for the Center for
 46 Disease Control. Positions
 47 were originally established
 48 by financial order in fiscal
 49 year 1988-89.

51 **Bureau of Health**

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1	Positions	(1)	(1)
	Personal Services	\$33,059	\$33,200

3
 5 Provides funds for the
 continuation of a Public
 7 Health Educator II position
 for the Child Passenger
 9 Safety Program. Position was
 originally established by
 11 financial order in fiscal
 year 1988-89.

13 **Bureau of Health**

15	Positions	(0.5)	(0.5)
	Personal Services	\$18,874	\$18,955

17
 19 Provides funds for the
 continuation of a half-time
 21 Planning and Research
 Associate II position for the
 23 Breast Cancer Demonstration
 and Control Project.
 25 Position was originally
 established by financial
 27 order in fiscal year 1988-89.

29 **Administration - Human Services**

31	Positions	(0.5)	(0.5)
	Personal Services	\$9,946	\$10,302

33 Provides funds for the
 35 increase of a Clerk Typist II
 position from half time to
 full time.

37 **Bureau of Health**

39	Positions	(1)	(1)
41	Personal Services	\$37,748	\$37,910

43 Provides funds for the
 45 continuation of a Programmer
 Analyst position for the
 47 Nursing Supply Study.
 Position was originally
 49 established by financial
 order in fiscal year 1988-89.

51 **Administration - Human Services**

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1 All Other \$424,884

3 Provides funds for the
 4 allocation of federal funds
 5 for the computer system data
 6 base conversion.

7
 8 **Aid to Families with Dependent
 9 Children - Foster Care**

11 All Other \$159,780

13 Provides funds for the
 14 federal share of additional
 15 board rate increases and
 16 training for foster parents.

17 **Bureau of Health**

19
 20 Positions (1) (1)
 21 Personal Services \$25,946 \$28,079

23 Provides funds for the
 24 continuation of a Computer
 25 Programmer position which was
 26 originally established by
 27 financial order in fiscal
 28 year 1988-89.

29
 30 **Aid to Families with Dependent
 31 Children - Foster Care**

33 Positions (7)
 34 Personal Services \$233,567
 35 All Other 39,968
 36 Capital Expenditures 28,175
 37
 38 TOTAL \$301,710

39
 40 Provides funds for the
 41 continuation in fiscal year
 42 1989-90 of the Federal
 43 Program for Independent
 44 Living which was originally
 45 authorized for fiscal year
 46 1988-89 through a financial
 47 order. Request reflects
 48 funding for a Social Services
 49 Supervisor, a Program
 50 Specialist I position, a
 51 Clerk Typist II position and
 4 Human Services Caseworkers.

1

Bureau of Health

3

5	Positions	(1)	(1)
	Personal Services	\$21,028	\$21,745

7 Provides funds for the
 9 continuation of a Clerk
 11 Typist III position which was
 originally created by
 financial order in fiscal
 year 1988-89.

13

Legal Services - Human Services

15

17	Positions	(-2)	(-2)
	Personal Services	(\$66,120)	(\$66,401)
	All Other	(1,525)	(1,630)
19	TOTAL	<u>(\$67,645)</u>	<u>(\$68,031)</u>

21

23 Provides funds to transfer 2
 Fraud Investigators from
 Legal Services - Human
 25 Services to Administration -
 Income Maintenance.

27

Administration - Income Maintenance

29

31	Positions	(2)	(2)
	Personal Services	\$66,120	\$66,401
	All Other	1,525	1,630
33	TOTAL	<u>\$67,645</u>	<u>\$68,031</u>

35

37 Provides funds to transfer 2
 Fraud Investigators from
 Legal Services - Human
 39 Services to Administration -
 Income Maintenance.

41

Income Maintenance - Regional

43

45	Positions	(-2)	(-2)
	Personal Services	(\$54,060)	(\$56,306)
	All Other	(4,452)	(4,780)
47	TOTAL	<u>(\$58,512)</u>	<u>(\$61,086)</u>

49

51 Provides funds for the
 transfer of 2 Fraud
 Investigators to

1 Administration - Income
Maintenance.

3

Administration - Income Maintenance

5

Positions	(2)	(2)
Personal Services	\$54,060	\$56,306
All Other	4,452	4,780
TOTAL	<u>\$58,512</u>	<u>\$61,086</u>

11

13 Provides funds for the
transfer of 2 Fraud
Investigators from Income
15 Maintenance - Regional.

17 **Intermediate Care - Payments to
Providers**

19

All Other	(\$611,300)	(\$576,300)
-----------	-------------	-------------

21

23 Provides for the deallocation
of funding resulting from the
negotiation of lower
25 wholesale prices for drugs
and from the initiation of
27 drug restrictions on
recipients.

29

Bureau of Health

31

Positions	(2)
Personal Services	\$32,666
All Other	34,034
Capital Expenditures	22,800
TOTAL	<u>\$89,500</u>

39

Allocates funds for recent
categorical grant awards.

41

43 **Intermediate Care - Payments
to Providers**

45

All Other	(\$890,000)
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47

49 Deallocates funds per
department's determinations
that certain beds will not
come on line in 1991.

51

Medical Care - Payments

1 **to Providers**

3 All Other (\$2,226,295) (\$3,276,612)

5 Deallocates federal funds by
7 reducing the rate of increase
9 for hospital services and
11 health care services under
12 the Sixth Omnibus Budget
13 Reconciliation Act.

11

12 **Aid to Families with Dependent Children**

13

14 All Other \$1,520,135 \$2,896,250

15

16 Provides funds to increase
17 the Aid to Families with
18 Dependent Children standard
19 of need by 5%, effective
20 January 1, 1990.

21

22 **Medical Care - Payments
23 to Providers**

24 All Other \$137,700 \$270,018

26 Provides funds for increased
27 medical payments resulting
28 from increasing the Aid to
29 Families with Dependent
30 Children standard of need.

31

32 **Medical Care - Payments
33 to Providers**

34

35 All Other \$581,148

36

37 Provides funds for the
38 federal share of Medicaid
39 payments for rehabilitating
40 persons with traumatic head
41 injuries.

42

43 **Aid to Families with Dependent
44 Children - Foster Care**

45

46 All Other \$56,000 \$56,000

47 Allocates federal funds for a
48 \$30 per month allowance for
49 any child or infant in foster
50 care who requires diapers.

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**DEPARTMENT OF HUMAN SERVICES
TOTAL**

<u>\$2,424,878</u>	<u>\$4,108,830</u>
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**MENTAL HEALTH AND MENTAL
RETARDATION, DEPARTMENT OF**

Mental Health Services - Children

Positions	(6)	(6)
Personal Services	\$177,655	\$198,472
All Other	48,886	28,069
 TOTAL	 <u>\$226,541</u>	 <u>\$226,541</u>

Provides funds for a Project Director, a Psychiatric Social Worker Supervisor, 3 Mental Health Worker IV positions and an Account Clerk I position for the federally funded transitional housing program.

Mental Retardation Services - Community

Positions	(2)	(2)
Personal Services	\$70,067	\$72,562
All Other	(70,067)	(72,562)
 TOTAL	 <u>\$-0-</u>	 <u>\$-0-</u>

Provides funds for 2 Comprehensive Health Planner II positions and the reclassification of the Director of the Developmental Disabilities Council as a result of the reorganization of duties.

**DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION
TOTAL**

<u>\$226,541</u>	<u>\$226,541</u>
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PUBLIC SAFETY, DEPARTMENT OF

State Police

Positions	(1)	(1)
Personal Services	\$19,516	\$20,019
Capital Expenditures	339	348
	<u> </u>	<u> </u>

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 TOTAL \$19,855 \$20,367

3 Allocates funds for a Clerk
 5 Typist I to serve as an
 accident coder.

7 **Motor Carrier Safety**

9	Positions	(1)	(1)
	Personal Services	\$19,400	\$19,954
11	All Other	337	347
13	TOTAL	<u>\$19,737</u>	<u>\$20,301</u>

15 Allocates funds for a Data
 17 Entry Operator.

19 **Criminal Justice Academy**

19	Personal Services	\$104,607
21	All Other	16,546
23	TOTAL	<u>\$121,153</u>

25 Allocates funds for drug
 27 control and system
 improvement.

29 **Intergovernmental Drug
 Enforcement**

31	All Other	\$600,000
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33 Allocates funds for drug
 35 control and system
 37 improvement.

39 **DEPARTMENT OF PUBLIC SAFETY
 TOTAL**

<u>\$760,745</u>	<u>\$40,668</u>
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41 **PART D
 43 TOTAL**

<u>\$3,715,618</u>	<u>\$4,337,496</u>
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45 **PART E**

47 **Allocation.** The following funds are allocated from Other
 49 Special Revenue funds for the fiscal years ending June 30, 1990,
 and June 30, 1991, to carry out the purposes of this Act.

51		1989-90	1990-91
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1 **ADMINISTRATION, DEPARTMENT OF**

3 **Accident-Sickness-Health Insurance**

5	Positions	(3)	(3)
	Personal Services	\$67,905	\$79,565

7
9 Provides funds for 2 Benefit
11 Representatives and one
13 Administrative Assistant to
15 assist with the rapidly
expanding workload in the
state employee health
insurance program.

17	DEPARTMENT OF ADMINISTRATION		
	TOTAL	<u>\$67,905</u>	<u>\$79,565</u>

19 **CONSERVATION, DEPARTMENT OF**

21 **Administrative Services -**
23 **Conservation**

23	Personal Services	\$8,733	\$17,816
25	All Other	500	2,000
	Capital Expenditures	250	

27
29 Provides 50% share for a
31 Policy Development Specialist
33 to coordinate and enhance
35 private and public outdoor
recreation opportunities, to
work on property assessment
and acquisition of public
land, easements and other
protection techniques.

37	DEPARTMENT OF CONSERVATION		
39	TOTAL	<u>\$9,483</u>	<u>\$19,816</u>

41 **EDUCATIONAL AND CULTURAL**
43 **SERVICES, DEPARTMENT OF**

45 **Alcohol and Drug Education Services**

45	Personal Services	\$25,258	
47	All Other	(25,258)	

49	TOTAL	<u>\$-0-</u>	
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51 Provides funds for the
transfer of funds from All

1 Other to Personal Services in
 2 order to fund a project Clerk
 3 Stenographer II position for
 4 chemical dependency student
 5 assistance teams development
 6 and elementary parent
 7 outreach and policies
 8 development.

9
Higher Education Services

11 All Other \$210,000 \$210,000

12
 13 Provides funds for the
 14 increase of Part I authorized
 15 level of expenditures for the
 16 Blaine House Scholars Loan
 17 Program. Establishes an
 18 expenditure level of
 19 \$2,150,000 for each year.

21
Historic Preservation Commission

23 Personal Services \$20,917 \$22,619

24
 25 Allocates funds to provide
 26 sufficient employees and
 27 weeks for seasonal
 28 Archeological Field workers
 29 with the Department of
 30 Transportation.

31
 32
Research and Collection - Museum

33
 34 All Other \$52,325
 35 Capital Expenditures 3,811
 36
 37 TOTAL \$56,136

38
 39 Allocates funds to document
 40 archeological sites.

41
Vocational Education - Secondary

42
 43 All Other \$3,094

44
 45 Allocates funds to promote
 46 literacy.

47
 48
 49
 50
**DEPARTMENT OF EDUCATIONAL AND
 CULTURAL SERVICES**

1	TOTAL	\$290,147	\$232,619
3	ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
5	Oil and Hazardous Materials		
7	Control		
9	Personal Services	\$50,000	\$50,000
	All Other	2,000	2,000
11			
13	TOTAL	\$52,000	\$52,000
15	Provides funds as a result of		
17	charging various funds due to		
19	the interchangeability of		
	staff support relating to		
	emergency spill situations.		
21	Maine Environmental Protection Fund		
23	Personal Services	\$2,475	\$2,475
25	Provides funds for the		
27	reclassification of an		
29	Environmental Specialist II		
	to an Environmental		
	Specialist III as a result of		
	the reorganization of duties.		
31	Maine Environmental Protection Fund		
33	Positions	(-14)	(-14)
35	Personal Services	(\$548,534)	(\$565,660)
37	Provides funds for the		
39	transfer of a Senior		
41	Meteorologist, 5		
43	Environmental Specialist IV		
45	positions, 4 Civil Engineer I		
47	positions, 2 Division		
	Directors, a Civil Engineer		
	II and a Biologist III from		
	the Maine Environmental		
	Protection Fund to various		
	General Fund accounts.		
49	Maine Environmental Protection Fund		
51	Positions	(20)	(20)
	Personal Services	\$545,676	\$569,374

1 Provides funds for the
 2 transfer from the General
 3 Fund to the Maine
 4 Environmental Protection Fund
 5 dedicated account, a Clerk
 6 Typist I, 6 Clerk Typist II
 7 positions, a Biologist I, 7
 8 Environmental Specialist II
 9 positions, 3 Environmental
 10 Specialist III positions and
 11 2 Assistant Engineers.

13 **Oil and Hazardous Materials Control**

15 Personal Services \$2,587 \$3,392

17 Provides funds for the
 18 reclassification of an Oil
 19 and Hazardous Materials
 20 Specialist I to an Oil and
 21 Hazardous Materials
 22 Specialist II as a result of
 23 a reorganization of duties.

25 **Oil and Hazardous Materials Control**

27	Positions	(3)	
	Personal Services	\$122,416	
29	All Other	4,500	
	Capital Expenditures	7,500	
31			
	TOTAL	<u>\$134,416</u>	

33 Provides funds for one
 34 Environmental Specialist IV,
 35 one Civil Engineer III and
 36 one Hydrogeologist to clean
 37 up leaking underground oil
 38 storage facilities.

41 **Administration - Environmental
 42 Protection**

43 Personal Services \$6,988 \$8,349

45 Provides funds for the
 46 continued funding of a
 47 reclassified Accountant III,
 48 a Clerk IV, a Clerk Typist
 49 III, a Management Analyst II
 50 and a Clerk Typist II
 51 position which were

1 originally funded in fiscal
 2 year 1988-89 through a
 3 financial order.

5 **Oil and Hazardous Materials Control**

7 Personal Services \$765

9 Provides funds for the
 10 continued funding of a
 11 reclassified Oil and
 12 Hazardous Materials
 13 Specialist II position which
 14 was originally funded in
 15 fiscal year 1988-89 through a
 16 financial order.

17 **Oil and Hazardous Materials Control**

19 Personal Services \$954 \$1,073

21 Provides funds for the
 22 continued funding of a
 23 reclassified Clerk Typist III
 24 position which was originally
 25 funded in fiscal year 1988-89
 26 through a financial order.

29 **Oil and Hazardous Materials Control**

31 Personal Services \$1,104 \$1,266

33 Provides funds for the
 34 continued funding of a
 35 reclassified Clerk Typist III
 36 position which was originally
 37 funded in fiscal year 1988-89
 38 through a financial order.

39 **Oil and Hazardous Materials Control**

41	Personal Services	\$25,906	\$25,906
43	All Other	1,036	1,036
45	TOTAL	<u>\$26,942</u>	<u>\$26,942</u>

47 Provides funds for the
 48 continuation of an
 49 Environmental Specialist II
 50 position, originally funded
 51 in fiscal year 1988-89
 through a financial order.

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Oil and Hazardous Materials Control

Personal Services	\$25,906	\$25,906
All Other	1,036	1,026
TOTAL	<u>\$26,942</u>	<u>\$26,932</u>

Provides funds for the continuation of an Environmental Specialist III position, originally funded in fiscal year 1988-89 through a financial order.

Maine Environmental Protection Fund

Personal Services	\$1,352	\$2,073
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Provides funds for the continued funding of a reclassified Environmental Specialist III position, which was originally funded in fiscal year 1988-89 through a financial order.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

TOTAL	<u>\$253,667</u>	<u>\$128,216</u>
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EXECUTIVE DEPARTMENT

Office of Energy Resources

All Other	(\$6,000)	(\$12,000)
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Provides for a deallocation of funds in fiscal year 1989-90 and fiscal year 1990-91.

EXECUTIVE DEPARTMENT

TOTAL	<u>(\$6,000)</u>	<u>(\$12,000)</u>
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HUMAN SERVICES, DEPARTMENT OF

Medical Care Administration

Positions	(1)	(1)
Personal Services	\$20,051	\$20,539

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Provides funds for the
 2 continuation of a Clerk
 3 Typist II position originally
 4 created by financial order in
 5 fiscal year 1988-89.

7 **Bureau of Health**

9	Positions	(0.5)	(0.5)
	Personal Services	\$11,490	\$11,875

11
 12 Provides funds for the
 13 continuation of a limited
 14 period, half-time Word
 15 Processing Operator
 16 originally created by
 17 financial order in fiscal
 18 year 1988-89.

19 **Intermediate Care - Payments
 20 to Providers**

23	All Other	\$1,600,000	
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25 Allocates funds collected
 26 from the recapture on sale of
 27 nursing homes.

29 **DEPARTMENT OF HUMAN SERVICES**
 31 **TOTAL**

	<u>\$1,631,541</u>	<u>\$32,414</u>
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33 **LABOR, DEPARTMENT OF**

35 **Safety Education and Training
 36 Fund**

37	Positions	(3)	(3)
39	Personal Services	\$112,504	\$117,091
	All Other	103,111	115,909
41	Capital Expenditures	34,385	17,000

43 Allocates funds to establish
 44 a workplace safety and health
 45 initiative.

47 **DEPARTMENT OF LABOR**
 48 **TOTAL**

	<u>\$250,000</u>	<u>\$250,000</u>
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49 **MARINE RESOURCES, DEPARTMENT OF**

51 **Bureau of Marine Sciences**

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1			
3	Positions	(1)	(1)
	Personal Services	\$46,700	\$46,700
5	Allocates funds to match a		
7	proposed General Fund		
	deappropriation.		
9	DEPARTMENT OF MARINE RESOURCES		
11	TOTAL	<u>\$46,700</u>	<u>\$46,700</u>
13	PROFESSIONAL AND FINANCIAL		
	REGULATION, DEPARTMENT OF		
15	Board of Dental Examiners		
17	Positions	(1)	(1)
	Personal Services	\$10,900	\$12,000
19	All Other	4,300	4,300
21	TOTAL	<u>\$15,200</u>	<u>\$16,300</u>
23	Provides funds for an		
25	Executive Secretary position,		
27	increased rent costs, an		
	increase in salary of the		
29	board's Secretary and related		
	operating costs.		
31	Board of Nursing		
33	Personal Services	\$9,400	\$9,600
35	Provides funds for the		
37	recently approved range		
39	changes for an Executive		
41	Secretary and an Assistant		
	Executive Secretary as a		
	result of the reorganization		
	of duties.		
43	Real Estate Commission		
45	Personal Services	\$4,900	\$5,200
47	Provides funds for the		
49	reclassification of a		
51	Planning and Research		
	Associate I to a Planning and		
	Research Associate II as a		
	result of the reorganization		
	of duties.		

1

Board of Cosmetology

3

Positions	(1)	(1)
Personal Services	\$21,000	\$21,500

5

7

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11

13

Provides funds for the continuation of a newly created Clerk Typist III position which was originally established in fiscal year 1988-89 through a financial order.

15

Board of Osteopathic Examination and Registration

17

Personal Services	\$11,500	\$12,100
-------------------	----------	----------

19

21

23

25

Provides funds to continue an Executive Secretary position for the Board of Medicine which was established in fiscal year 1988-89 by a financial order.

27

Administrative Services - Professional and Financial Regulation

29

31

33

35

Positions	(1)	(1)
Personal Services	\$34,000	\$36,000
All Other	15,000	15,000
TOTAL	\$49,000	\$51,000

37

39

Allocates funds to support an Attorney position transferred from the General Fund.

41

Bureau of Insurance

43

45

47

49

Positions	(3)	(3)
Personal Services	\$53,750	\$56,500

Allocates funds for the position of Assistant Insurance Analyst, 2 Clerk Typist II positions and to fund range changes.

51

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

1	TOTAL	\$164,750	\$172,200
3	PUBLIC SAFETY, DEPARTMENT OF		
5	State Police		
7	All Other	\$250,427	\$260,361
	Capital Expenditures	234,573	224,639
9			
	TOTAL	<u>\$485,000</u>	<u>\$485,000</u>
11			
13	Allocates funds for agent and		
	equipment expenses for the		
	Bureau of Intergovernmental		
15	Drug Enforcement.		
17	Office of Fire Marshal		
19	Positions	(1)	(1)
	Personal Services	\$27,935	\$29,958
21	All Other	196	212
23	TOTAL	<u>\$28,131</u>	<u>\$30,170</u>
25	Provides funds for a Staff		
	Development Specialist for		
27	the Office of the State Fire		
	Marshal.		
29			
	Administration - Public Safety		
31			
	Positions	(1)	(1)
33	Personal Services	\$27,716	\$60,293
	All Other	2,275.	4,550
35	Capital Expenditures	847	
37	TOTAL	<u>\$30,838</u>	<u>\$64,843</u>
39	Allocates funds for an		
	Assistant to the Commissioner		
41	position.		
43	State Police		
45	Positions	(2)	(2)
	Personal Services	\$81,895	\$82,896
47			
49	Allocates funds to support		
	the transfer of 2 drug agent		
	positions from the General		
51	Fund.		

1 **DEPARTMENT OF PUBLIC SAFETY**
 2 **TOTAL** \$625,864 \$662,909

3
 4 **PART E**
 5 **TOTAL** \$3,334,057 \$1,612,439

7 **PART F**

9 **Sec. 1. Allocation.** The following funds are allocated from
 11 Federal Block Grant funds for the fiscal years ending June 30,
 12 1990, and June 30, 1991, to the departments listed, to carry out
 13 the purposes of this Act.

15 **1989-90** **1990-91**

17 **ATTORNEY GENERAL,**
 18 **DEPARTMENT OF THE**

19 **Administration - Attorney General**

21 **Positions** (2)
 23 **Personal Services** \$90,000
 24 **All Other** 15,000

25 **DEPARTMENT OF THE ATTORNEY**
 26 **GENERAL**
 27 **TOTAL** \$105,000

29 **EXECUTIVE DEPARTMENT**

31 **Planning Office**

33 **All Other** \$20,302 \$30,000
 35 **Capital Expenditures** 50,000 30,000

37 **Request for authorization and**
 38 **allotment for a balance of**
 39 **funds related to block grant**
 40 **indirect costs.**

43 **EXECUTIVE DEPARTMENT**
 44 **TOTAL** \$70,302 \$60,000

45 **HUMAN SERVICES, DEPARTMENT OF**

47 **Alcoholism and Drug Abuse Prevention -**
 48 **Human Services**

51 **All Other** \$110,000 \$10,000

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Allocates funds for
 2 establishment of a revolving
 3 loan fund in order to comply
 4 with new Federal Block Grant
 5 regulations.

7 **Alcoholism and Drug Abuse Prevention -
 8 Human Services**

9	Positions	(-10)	(-10)
11	Personal Services	(\$322,862)	(\$326,497)
12	All Other	322,862	326,497
13		<hr/>	<hr/>
14	TOTAL	\$-0-	\$-0-

15 Adjusts allocation to reflect
 16 the transfer of 10 positions
 17 to the General Fund in order
 18 to comply with new federal
 19 regulations.

21 **Alcoholism and Drug Abuse Prevention -
 22 Human Services**

25	All Other	\$68,509	\$68,509
----	-----------	----------	----------

27 Provides funds for the
 28 Federal Community Youth Block
 29 Grant to be used to purchase
 30 intervention and drug
 31 education services for
 32 identified high-risk students.

35 **Alcoholism and Drug Abuse Prevention -
 36 Human Services**

37	All Other	\$75,000	\$75,000
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39 Provides funds for additional
 40 data processing, training and
 41 technical assistance in order
 42 to collect specific types of
 43 substance abuse information
 44 as required by new Federal
 45 Block Grant legislation.

47 **Alcoholism and Drug Abuse Prevention -
 48 Human Services**

49	All Other	\$450,000	\$450,000
----	-----------	-----------	-----------

51 Provides funds for a

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 community prevention and
2 intervention youth program.

3 **Alcoholism and Drug Abuse**
4 **Prevention - Human Services**

7 All Other \$300,000 \$300,000

9 **Alcoholism and Drug Abuse**
10 **Prevention - Human Services**

11 All Other \$188,000 \$188,000

13 **DEPARTMENT OF HUMAN SERVICES**
14 **TOTAL**

\$1,191,509 \$1,091,509

17 **PUBLIC SAFETY, DEPARTMENT OF**

19 **Criminal Justice Academy**

21 Personal Services \$30,000
22 All Other 36,514

23 **TOTAL** \$66,514

25 **Drug Trafficking Enforcement**

27 All Other \$39,825

29 **Anti-drug Abuse Program**

31 Personal Services \$16,670
32 All Other 23,330

35 **TOTAL** \$40,000

37 **Intergovernmental Drug**
38 **Enforcement**

39 All Other \$200,000

41 **DEPARTMENT OF PUBLIC SAFETY**
42 **TOTAL**

\$346,339

45 **PART F**
46 **TOTAL**

\$1,713,150 \$1,151,509

47 **Sec. 2. Additional funds.** Any additional funds that might
48 become available due to implementation of the block grants and
49 the possible overlapping of other grants shall be carried forward
50 for future allocation by the Legislature or may be used to offset
51 any possible reductions in the block grants.

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Sec. 3. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor to specifically cover those adjustments determined to be necessary under any salary plan approved by the Legislature and those reclassifications or range changes which have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

Sec. 4. Encumbered balances at year end. At the end of each fiscal year, all encumbered balances shall not be carried more than once, except that encumbered balances in the Community Development Block Grant may be carried twice and encumbered balances of grant awards for capital construction projects may carry until the completion of the project, provided that the construction was started prior to the end of the year for which the allocation was made.

Sec. 5. Transfer of Anti-Drug Abuse Act of 1986 - Block Grant Funds. The Department of Public Safety is hereby authorized to transfer such portions of Anti-Drug Abuse Act 1986 - Block Grant Funds to other state departments as may be necessary to meet the State's obligations under the terms of the block grant.

PART G

Sec. 1. Supplemental appropriation from the General Fund. In order to conform to actually assigned duties and established position classifications within the Department of Educational and Cultural Services, the following sums are appropriated from the General Fund for the fiscal years ending June 30, 1990, and June 30, 1991.

	1989-90	1990-91
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Curriculum - Education		
Personal Services	\$562	\$562
Provides funds to cover the net cost of transferring one Clerk Typist III from Education Curriculum to Administrative Services and one Clerk Steno III from Administrative Services to Education Curriculum in order to conform to assigned duties		

1 and established
2 classifications.

3

4 **Sec. 2. Adjustment of Federal Expenditure funds allocations.** In
5 order to conform to actually assigned duties and assigned
6 position classifications within the Department of Educational and
7 Cultural Services, the following adjustments to allocations of
8 the Federal Expenditure funds for the fiscal years ending June
9 30, 1990, and June 30, 1991, are effected.

11

1989-90

1990-91

13

**EDUCATIONAL AND CULTURAL
SERVICES, DEPARTMENT OF**

15

Administrative Services - Education

17

Personal Services \$(562) \$(562)

19

20 Adjusts allocation to reflect
21 the net savings from
22 transferring one Clerk Typist
23 III from Education Curriculum
24 to Administrative Services
25 and one Clerk Steno III from
26 Administrative Services to
27 Education Curriculum in order
28 to conform to assigned duties
29 and established
30 classifications.

31

**PART G
TOTAL**

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\$-0-

\$-0-

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PART H

37

5 MRSA §1876, sub-§1, ¶J, as amended by PL 1987, c. 402, Pt.
B, §3, is repealed.

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PART I

41

42 **General purpose aid.** Effective July 1, 1989, all funds in
43 excess of \$1,000,000 remaining in the School Construction Aid
44 account within the General Purpose Aid for Local Schools program
45 of the Department of Educational and Cultural Services shall be
46 transferred to the General Fund. Any balance remaining in the
47 account on June 30, 1990, shall be transferred to the General
48 Fund.

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PART J

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Sec. 1. 5 MRSA §1816, sub-§2, ¶A, as amended by PL 1987, c. 737, Pt. C, §§7 and 106, is further amended to read:

A. The procurement of services, supplies, materials and equipment required involves the expenditure of less than ~~\$250-~~ ~~or \$1,000~~ and \$1,000 or less for purchases by county commissioners pursuant to Title 30-A, section 124, and the interests of the State would best be served thereby;

Sec. 2. 5 MRSA §1816, sub-§2, ¶C, as amended by PL 1983, c. 194, §1, is further amended to read:

C. After reasonable investigation by the State Purchasing Agent, it appears that any required unit or item of supply, or brand of such unit or item, is procurable by the State from only one source; ~~or~~

Sec. 3. 5 MRSA §1816, sub-§2, ¶D, as enacted by PL 1983, c. 194, §2, is amended to read:

D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products; ~~or~~

Sec. 4. 5 MRSA §1816, sub-§2, ¶E is enacted to read:

E. The purchase is part of a cooperative project between the State and the University of Maine System involving:

(1) An activity assisting a state agency and enhancing the ability of the university to fulfill its mission of teaching, research and public service; and

(2) A sharing of project responsibilities and, when appropriate, costs.

Sec. 5. 5 MRSA §1816, sub-§2-A is enacted to read:

2-A. Report. The State Purchasing Agent shall submit by January 15th each year a report concerning any waivers from the competitive bidding provisions established in subsection 2, paragraph E.

PART K

Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

1989-90 1990-91

PUBLIC SAFETY, DEPARTMENT OF

1 **Public Safety - Office of State**
2 **Fire Marshal**

3 All Other \$175,000 \$175,000

5 Provides additional funds for
7 anticipated expenses of the
9 Fire Training and Education
Programs in the State.

11 **PART L**

13 **Sec. 1. 4 MRSA §951**, as amended by PL 1981, c. 456, Pt. A,
§7, is further amended to read:

15 **§951. Seal; authority to administer oaths**

17 A notary public ~~may~~ shall constantly keep a seal of office,
19 whereon is engraven ~~his~~ the notary public's name and the words
21 "Notary Public" and "Maine" or its abbreviation "Me.," with the
arms of state or such other device as ~~he~~ the notary public
chooses. When authorized by the laws of this State or of any
23 other state or country to do any official act, ~~he~~ the notary
public may administer any oath necessary to the completion or
25 validity thereof.

27 **Sec. 2. 5 MRSA §86, 2nd ¶**, as amended by PL 1973, c. 730, §1,
is further amended to read:

29 For a certificate under the seal of the State, ~~\$1~~ \$5 for a
31 short form and ~~\$5~~ \$10 for a special detailed certificate; and for
all copies at the rate of 75¢ a page if such copies are prepared
33 by the office of the Secretary of State and at the rate of \$1 a
page for proofreading such copies submitted to the office of the
35 Secretary of State for certification. There shall be no charge
for certificates or copies requested by any department of the
37 State. The Secretary of State may also reduce the fee for other
governmental bodies.

39 **Sec. 3. 5 MRSA §87**, as amended by PL 1981, c. 456, Pt. A,
41 §16, is further amended to read:

43 **§87. Fees payable by public officers**

45 A fee of ~~\$10~~ \$25 shall be paid to the Secretary of State by
any person appointed to the office of notary public, commissioner
47 to take depositions and disclosures, disclosure commissioner and
commissioner appointed under Title 33, section 251, before the
49 person enters upon the discharge of ~~his~~ official duties.

51 **Sec. 4. 5 MRSA §95, first ¶**, as enacted by PL 1973, c. 625, §16,
is amended to read:

1
2 The State Archivist shall have, upon consent of the
3 Secretary of State, the duties and powers established under the
4 following provisions governing the creation, use, maintenance,
5 retention, preservation and disposal of state records:

7 **Sec. 5. 11 MRSA §9-403, sub-§(5)**, as amended by PL 1981, c. 279,
8 §1, is further amended to read:

9
10 (5) The fee for filing, indexing and furnishing filing data
11 for an original financing statement shall be ~~\$5~~ \$10, except that
12 a register of deeds shall receive a filing fee of ~~\$6~~ \$11 for the
13 first record page and \$2 for each additional record page. The fee
14 for filing, indexing and furnishing filing data for a
15 continuation statement or any amendment to a financing statement
16 or to a continuation statement shall be ~~\$3~~ \$10, except that a
17 register of deeds shall receive a filing fee of ~~\$6~~ \$11 for the
18 first record page and \$2 for each additional record page.

19
20 **Sec. 6. 11 MRSA §9-407, sub-§(2)**, as amended by PL 1981, c.
21 279, §4, is further amended to read:

22
23 (2) Upon the written request of any person, the filing
24 officer shall issue ~~his~~ a certificate of information, in such
25 form as the Secretary of State may approve, showing whether there
26 is on file on the date and hour stated therein any presently
27 effective financing statement naming a particular debtor and any
28 statement of assignment thereof and if there is, giving the date
29 and hour of filing of each such statement and the names and
30 addresses of each secured party therein. The uniform fee for a
31 certificate shall be ~~\$5~~ \$10 for the first page of that
32 certificate, plus 50¢ for each additional page. Upon request the
33 filing officer shall furnish a copy of any filed financing
34 statement, continuation statement, termination statement,
35 statement of assignment or statement of release for a fee of ~~\$1~~
36 \$2 and if any such statement consists of more than 3 pages, an
37 additional fee of 40¢ for the 4th and each succeeding page.

38 Notwithstanding this subsection, if the filing officer is a
39 municipal clerk or a register of deeds, ~~his~~ issuance of the
40 certificate of information is discretionary.

41
42 Upon reasonable request and within the existing ability of the
43 office of the Secretary of State to respond, the filing officer
44 shall furnish to any municipal clerk, without charge and for
45 municipal purposes only, a copy of any filed financing statement,
46 continuation statement, termination statement, statement of
47 assignment or statement of release.

48
49 **Sec. 7. 13-A MRSA §104, sub-§1, ¶A**, as enacted by PL 1971, c.
50 439, §1, is amended to read:

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 A. In the case of articles of incorporation, by the
incorporator or incorporators;

3

5 **Sec. 8. 13-A MRSA §104, sub-§1, ¶B**, as amended by PL 1971, c.
565, §9, is further amended to read:

7 B. In the case of other documents:

9 (1) By the clerk; or

11 (2) By the president or a vice-president, and by the
secretary or an assistant secretary or such other
13 officer as the bylaws may designate as a second
certifying officer; or

15

17 (3) If there are no such officers, then by a majority
of the directors or by such directors as may be
designated by a majority of directors then in office;
19 or

21 (4) If there are no such directors, then by the
holders, or such of them as may be designated by the
23 holders, of record of a majority of all outstanding
shares entitled to vote thereon; or

25

27 (5) By the holders of all of the outstanding shares of
the corporation; and

29 **Sec. 9. 13-A MRSA §104, sub-§1, ¶C** is enacted to read:

31 C. In the case of annual reports, as provided in section
1301, subsection 3.

33

35 **Sec. 10. 13-A MRSA §106, sub-§1, ¶D**, as enacted by PL 1971, c.
439, §1, is amended to read:

37 D. Upon delivery of the document and upon tender of the
required fees, if he the Secretary of State finds that the
39 document conforms to the requirements of rules promulgated
in accordance with this Act, the Secretary of State shall
41 certify that the document has been filed in his the
Secretary of State's office by endorsing thereon the word
43 "filed" and the day, month and year thereof, and by signing
or initialing such endorsement in person or by agent; if the
45 person delivering the document for filing so requests, such
endorsement shall further include the hour and minute of the
47 filing of the document. Such endorsement shall be known as
the "filing date" of the document, and shall be conclusive
49 of the date, and the time if included in the endorsement, of
filing in the absence of actual fraud. An identifying mark
51 may be used in lieu of signing or initialing. The filing
date shall be the date first received unless otherwise

1 specified by law or rule. The Secretary of State shall
3 thereafter file and index the original;

5 **Sec. 11. 13-A MRSA §106, sub-§1, ¶¶G and H** are enacted to read:

7 G. The Secretary of State may promulgate rules permitting
9 the filing of documents by electronic transmission and
11 permitting facsimile signatures on documents to be filed; and

13 H. The Secretary of State's duty to file documents under
15 this section is ministerial. The Secretary of State's
17 filing or refusing to file a document does not, except as
19 otherwise provided by law or rule;

21 (1) Affect the validity or invalidity of the document
23 in whole or part;

25 (2) Relate to the correctness or incorrectness of
27 information contained in the document; or

29 (3) Create a presumption that the document is valid or
31 invalid or that the information contained in the
33 document is correct or incorrect.

35 **Sec. 12. 13-A MRSA §301, sub-§1, as amended by PL 1983, c. 86,**
37 **§1, is further amended to read:**

39 1. The corporate name:

41 A. Shall not contain any word or phrase which indicates or
43 implies that it is organized for any purpose for which a
45 corporation may not be organized under this Act;

47 B. Shall not be the same as, or deceptively similar to, the
49 name of any domestic corporation existing under the laws of
51 this State or any foreign corporation authorized to transact
business or to carry on activities in this State, or a name
the exclusive right to which is, at the time, reserved in
the manner provided in this Act, or in Title 13-B, section
302, or the name of a corporation which has in effect a
registration of its corporate name as provided in this Act,
or in Title 13-B, section 303, or the assumed name of a
corporation as provided for in section 307, or in Title
13-B, section 308, unless the other corporation executes and
files with the Secretary of State as provided in sections
104 and 106 proof of a resolution of its board of directors
authorizing the use of a similar name by the corporation
seeking to use the similar name, or unless the corporation
seeking to file under a similar or identical name executes
and files with the Secretary of State, as provided in
sections 104 and 106, proof of a resolution of its board of

1 directors that it will not do business under that similar or
2 identical name, but instead will do business under an
3 assumed name, as provided for in section 307, which is not
4 identical or similar to any corporate name or any reserved
5 name, registered name or assumed name, or any mark
6 registered under Title 10, chapter 301-A; and

7
8 C. Shall not be the same as, or deceptively similar to, any
9 trade mark or service mark registered under Title 10,
10 chapter 301-A.

11 The Secretary of State may promulgate rules setting forth
12 criteria to define "deceptively similar."

13
14 **Sec. 13. 13-A MRSA §301, sub-§3**, as amended by PL 1987, c.
15 879, §1, is further amended to read:

16
17 3. Subsection 1, paragraph B shall not apply to the name or
18 assumed name, as provided for in section 307 of any corporation
19 which has been excused from filing annual returns, on and after
20 the 5th anniversary of such excuse, nor to the name of any
21 ~~domestic--or--foreign~~ corporation the charter of which is
22 suspended, on and after the 3rd anniversary of such suspension.
23 When an excused or suspended corporation votes to resume
24 business, it shall change its corporate name if another
25 corporation has adopted its old name or if the old name, if
26 proposed for a new corporation, would otherwise violate
27 subsection 1, paragraph B.

28
29 ~~Any--foreign--corporation--excused--under--this--chapter--which~~
30 ~~seeks--to--resume--business--under--its--corporate--name--shall--follow~~
31 ~~the--procedure--as--required--in--section--1301,--subsections--4--and--5.~~

32
33 **Sec. 14. 13-A MRSA §301, sub-§6** is enacted to read:

34
35 6. To assist the public in determining the availability of
36 a corporate name, the Secretary of State may make available to
37 the public a name search service. Name searches conducted by the
38 Secretary of State shall be preliminary in nature and shall not
39 reserve or register a corporate name nor assure the availability
40 of a corporate name.

41
42 **Sec. 15. 13-A MRSA §308, last ¶**, as amended by PL 1987, c. 879,
43 §2, is further amended to read:

44
45 The Secretary of State shall use the procedures set forth in
46 section 1210 relative to suspending ~~revoking~~ the right of foreign
47 corporations to do business in this State for suspending domestic
48 corporations. A corporation which has been suspended under this
49 section may be reinstated by filing the proper notification of
50 change of clerk or registered office or both with the Secretary
51 of State and paying a penalty of \$25.

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Sec. 16. 13-A MRSA §405, sub-§1, as enacted by PL 1971, c. 439, §1, is amended to read:

1. When the articles of incorporation are delivered for filing by the Secretary of State, ~~he~~ the Secretary of State shall, before filing them, determine that the articles:

- A. Comply with the requirements of sections 104 and 106;
- B. Set forth the information required by section 403; and
- C. Do not adopt as the name of the corporation a name which is in violation of section 301~~+~~ and .
- ~~D. ---Appear---in---all---other---respects---to---conform---to---the requirements-of-this-Act-and-to-law.~~

Sec. 17. 13-A MRSA §1203, sub-§2, as amended by PL 1987, c. 879, §3, is further amended to read:

2. Such authority shall continue so long as the corporation retains its authority to do such business in its jurisdiction of incorporation, and so long as its authority to do business in this State has not been suspended revoked or otherwise terminated as provided in this chapter.

Sec. 18. 13-A MRSA §1204, as amended by PL 1987, c. 879, §4, is further amended to read:

§1204. Powers of foreign corporation

A foreign corporation authorized to do business in this State, shall, until such authority is suspended revoked or otherwise terminated, have the same, but no greater, powers, rights and privileges as a domestic corporation organized under or otherwise pursuant to this Act; and, except as otherwise provided in this Act, shall be subject to the same duties, restrictions, liabilities and penalties now or hereafter imposed upon a domestic corporation of like character.

Sec. 19. 13-A MRSA §1210, as amended by PL 1987, c. 879, §5, is further amended to read:

§1210. Revocation of foreign corporation's authority to do business in State

1. Notwithstanding Title 4, chapter 25, and Title 5, chapter 375, the authority of a foreign corporation to do business in this State may be suspended revoked by the Secretary of State, as provided by subsections 2 and 3 when:

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 A. The corporation has failed to file its annual report
3 within the time specified by this Act or has failed to pay
any fees, franchise taxes or penalties prescribed by this
Act when they have become due and payable; or

5 B. The corporation has failed to appoint and maintain a
7 registered agent in this State as required by section 1212;
or

9 C. The corporation has failed, after change of its
11 registered office or registered agent, to file in the office
of the Secretary of State a statement of such change as
13 required by section 1212; or

15 D. The corporation has failed to file in the office of the
Secretary of State within the required time any articles of
17 merger as required by section 1206 or amended application
for authority as required by section 1207; or

19 E. A misrepresentation has been made of a material fact in
21 any application, report, affidavit or other document
required by this Act.

23 2. The authority of a foreign corporation shall be
25 suspended revoked only after the Secretary of State shall have
mailed to the corporation's last registered office in this State
27 and to its last registered or principal office in its
jurisdiction of incorporation at least 60 30 days' notice of
29 impending suspension revocation of its authority to do business
in this State, including a specification of the default, and the
31 corporation shall fail, prior to suspension revocation, to remove
the ground of default specified in such notice.

33 3. After the expiration of the 60-day 30-day period, if the
35 foreign corporation has not cured the default or, as to the
ground for suspension revocation specified in subsection 1,
37 paragraph E, convinced the Secretary of State, by affidavit or
otherwise, that there was no such misrepresentation, the
39 Secretary of State shall issue and file his a certificate
suspending revoking the foreign corporation's authority to do
41 business in this State, and shall mail copies thereof to the
corporation's last registered office in this State and to its
43 last registered or principal office in its jurisdiction of
incorporation.

45 4. Such action of the Secretary of State in suspending
47 revoking the authority of a foreign corporation is appealable to
the Superior Court in Kennebec County; such appeals shall be
49 governed by Rule 80B of the Rules of Civil Procedure, or by such
amendment or replacement therefor as may from time to time be
51 adopted.

1 5. The authority of the corporation to do business in this
State shall cease as of the date of filing of the certificate of
3 suspension revocation, unless on appeal such effective date is
stayed by the court.

5 **Sec. 20. 13-A MRSA §1212, sub-§3**, as enacted by PL 1971, c.
7 439, §1, is amended to read:

9 3. Any registered agent of a foreign corporation may resign
as such agent by filing a written notice of resignation with the
11 Secretary of State, in duplicate. The Secretary of State shall
forthwith mail a copy thereof to the corporation at its last
13 registered or principal office in its jurisdiction of
incorporation, as filed with the Secretary of State. The
15 appointment of such agent shall terminate ~~30-days-after~~ upon the
date of the filing of such notice by the Secretary of State.

17

19 **Sec. 21. 13-A MRSA §1212, sub-§7**, as amended by PL 1987, c.
879, §6, is further amended to read:

21

23 7. Whenever a foreign corporation authorized to do business
in this State shall fail to appoint or maintain a registered
agent in this State, or whenever any such registered agent cannot
25 with reasonable diligence be found at the registered office, or
whenever the certificate of authority of a foreign corporation
27 shall be suspended revoked, then the Secretary of State shall be
an agent of such corporation upon whom any such process, notice
29 or demand may be served. Service of the Secretary of State of
any such process, notice or demand shall be made as provided in
31 section 1217.

33 **Sec. 22. 13-A MRSA §1301, sub-§1**, as amended by PL 1977, c.
130, §§ 20 and 21, is further amended to read:

35

37 1. Each domestic corporation, unless excused as provided in
subsection 4 or excluded by subsection 6, and each foreign
corporation authorized to do business in this State, shall file,
39 within the time prescribed by this Act, an annual report setting
forth:

41

43 A. The name of the corporation and the jurisdiction of its
incorporation;

45 B. The address of the registered office of the corporation
in this State, and the name of its clerk if a domestic
47 corporation, or its registered agent if a foreign
corporation, in this State at such address including the
49 street or rural route number, town or city, county and
state; and, in the case of a foreign corporation, the
51 address of its registered or principal office in its
jurisdiction of incorporation;

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C. A brief statement of the character of the business in which the corporation is actually engaged in this State, if any; and

D. The name and business or residence address of each director and officer of the corporation, including the street or rural route number, town or city, and state; .

~~E. ---A---statement---of---the---aggregate---number---of---authorized shares,---itemized---by---classes,---par---value---of---shares,---shares without---par---value,---and---series,---if---any,---within---a---class,---and summarized---to---show---the---aggregate---par---value---of---shares---with par---value---and---the---aggregate---number---of---shares---without---par value---which---the---corporation---has---authority---to---issue;~~

~~F.---The---date---of---the---last---annual---meeting---of---shareholders---to elect---directors---of---the---corporation.~~

Sec. 23. 13-A MRSA §1301, sub-§3, as repealed and replaced by PL 1987, c. 879, §8, is amended to read:

3. The annual report must be executed as provided by section 104, except that signing by any one of the president, a vice-president, the secretary, the treasurer or an assistant secretary or any other duly authorized individual, without a 2nd signature, shall be deemed valid under section 104, subsection 1, paragraph B, subparagraph (2). Subject to rules adopted under section 1303, subsection 4, the report shall be delivered to the Secretary of State or designee for filing. The annual reports shall be delivered to the Secretary of State on a staggered basis as defined by the Secretary of State by rule in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375. The report shall apply to the 12-month period specified by the Secretary of State. Proof to the satisfaction of the Secretary of State that, prior to the date that penalties become effective for late delivery of annual reports as established by the Secretary of State by rule, the report was deposited in the United States mail in a sealed envelope, properly addressed, with postage prepaid, shall be deemed a compliance with this requirement. One copy of the report, together with the filing fee required by this Act, shall be delivered for filing to the Secretary of State who shall file the report, if the Secretary of State finds that it conforms to the requirements of this Act. If the Secretary of State finds that it does not so conform, the Secretary of State shall promptly mail or otherwise return the same to the corporation for any necessary corrections, in which event the penalties prescribed by this Act for failure to file such report within the time herein provided shall not apply, if such report is corrected to conform to the requirements of this Act and returned to the Secretary of State within 30 days from

1 the date on which it was so mailed or otherwise returned to the
2 corporation by the Secretary of State.

3

4 **Sec. 24. 13-A MRSA §1301, sub-§4**, as amended by PL 1987, c.
5 879, §9, is further amended to read:

6
7 4. The Secretary of State, upon application by any ~~domestic~~
8 ~~or-foreign~~ corporation and satisfactory proof that it has ceased
9 to transact business and that it is not indebted to the State on
10 account of franchise taxes, shall file a certificate of the fact
11 in ~~his~~ the Secretary of State's office and shall give a duplicate
12 certificate to the corporation. Thereupon such corporation
13 shall be excused from filing annual reports with the Secretary of
14 State, so long as the corporation in fact transacts no business.

15

16 **Sec. 25. 13-A MRSA §1301, sub-§5**, as amended by PL 1987, c.
17 879, §10, is further amended to read:

18
19 5. The shareholders of a ~~domestic--or--foreign~~ corporation
20 which has been excused pursuant to subsection 4 may vote to
21 resume transacting business at a meeting duly called and held for
22 such purpose. A certificate executed and filed as provided in
23 sections 104 and 106 setting forth that a shareholders' meeting
24 was held, the date and location of same, and that a majority of
25 the shareholders voted to resume transacting business shall
26 authorize such corporation to transact business; and after such
27 certificate is filed, it shall be required to file annual reports.

28
29 **Sec. 26. 13-A MRSA §1302, sub-§1**, as amended by PL 1987, c.
30 879, §11, is further amended to read:

31

32
33 1. Any corporation required to file an annual report as
34 provided by section 1301 which fails to deliver its annual report
35 for filing by the date specified in the provisions of section
36 1301 shall pay to the Secretary of State, in addition to the
37 regular annual report fee, the sum of \$25 for each month, or
38 portion thereof following the month required for delivery, the
39 report is not filed. In no case may this penalty exceed \$300,
40 regardless of the number of delinquent reports or the period of
41 delinquency. Upon failure to file an annual report and to pay
42 the annual report fee or the penalty, the Secretary of State,
43 notwithstanding Title 4, chapter 25, and Title 5, chapter 375,
44 shall ~~suspend~~ revoke a foreign corporation's authority to do
45 business in this State and suspend a domestic corporation from
46 doing business. The Secretary of State shall use the procedures
47 set forth in section 1210, relative to ~~suspending~~ revoking the
48 right of foreign corporations to do business in this State, for
49 suspending domestic corporations. A foreign corporation whose
50 authority to do business in this State has been revoked ~~suspended~~
51 ~~from-doing-business~~ under this subsection and which wishes to do
business again in this State must be authorized as provided in
section 1202. A domestic corporation which has been suspended

1 under this subsection may be reinstated by filing the current
annual report and by paying the penalty accrued.

3
5 **Sec. 27. 13-A MRSA §1401**, as amended by PL 1987, c. 561, §4
and c. 565, is further amended to read:

7 **§1401. Fees for filing documents and services**

9 In addition to any fees required by sections 1402 and 1403,
11 the Secretary of State shall charge the following fees for filing
documents required or permitted to be filed in his the Secretary
of State's office by this Act, and for services specified herein:

13
15 1. Proof of a resolution of a corporation's board of
directors authorizing the use of a similar name by a new
17 corporation, as provided by section 301, subsection 1, paragraph
B, ~~\$10~~ \$20;

19 2. Application to reserve corporate name, as provided by
section 302, ~~\$10~~ \$20;

21
23 3. Notice of transfer of a reserved corporate name, as
provided by section 302, ~~\$10~~ \$20;

25 4. Application to register corporate name as provided by
section 303, ~~\$10~~ \$20 per month for the number of months or
27 fraction thereof remaining in the calendar year when first filed;

29 5. Application to renew the registration of a registered
name, as provided by section 303, ~~\$100~~ \$155;

31
33 6. A statement changing the clerk of a corporation, as
provided by section 304, subsection 3 or 5, ~~\$10~~ \$20;

35 7. Notice of resignation of a clerk of a corporation, as
provided by section 304, subsection 4, ~~\$10~~ \$20;

37
39 8. Statement of change of registered office, as provided by
section 304, subsection 6, ~~\$10~~ \$20 for each corporation listed;
41 or when separate statements are filed at one time, ~~\$10~~ \$20 for
each separate statement up to but not exceeding 100 statements,
43 \$5 for each separate statement over 100 but not exceeding 200
statements, and \$2 for each separate statement over 200
statements;

45
47 9. Accompanying service of process upon the Secretary of
State as agent of a domestic corporation, as provided by section
49 305, or accompanying service of process upon the Secretary of
State as agent of nonresident director of a domestic corporation,
as provided by section 306, or accompanying service of process
51 upon the Secretary of State as agent of a foreign corporation
pursuant to section 1217, ~~\$10~~ \$20 for each such process;

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1
3 10. Notice of resignation of a nonresident director, as provided by section 306, subsection 4, ~~\$10~~ \$20;

5 11. Assumed name statement, as provided by section 307, ~~\$75~~ \$105;

7
9 12. Articles of incorporation, as provided by section 402, ~~\$75~~, plus the fee based on the capital stock specified in section 1403;

11
13 13. Statement of a director's resolution establishing and designating series and fixing and determining the relative rights and preferences thereof, as provided by section 503, ~~\$10~~ \$20;

15
17 14. Statement of cancellation of redeemable shares, as provided by section 520, or statement of cancellation of other reacquired shares, as provided by section 521, ~~\$10~~ \$20;

19
21 15. Articles of amendment, as provided by section 803, 805 or 810, ~~\$15~~ \$35; and if the amendment increases the total authorized capital stock, the additional amount specified in section 1403, subsection 3, but not less than an additional ~~\$15~~ \$35; and if it changes the corporation's purposes, a further additional amount of \$20;

27
29 16. Restated articles of incorporation, as provided by section 809, ~~\$50~~ \$80; if the restated articles include an amendment which effects an increase in the total authorized capital stock, the additional amount specified in section 1403, subsection 3, but not less than an additional ~~\$15~~ \$35; and if they change the purposes of the corporation, a further additional amount of \$20;

33
35 17. Articles of merger or consolidation pursuant to shareholder approval, as provided by section 903, ~~\$50~~ \$80; and if the merger or consolidation increases the total authorized capital stock, the additional amount specified in section 1403, subsection 4, but not less than an additional ~~\$15~~ \$35; and if it changes the corporation's purposes, a further additional amount of \$20;

37
39 18. Articles of merger of subsidiary into parent without shareholder approval, as provided by section 904, ~~\$50~~ \$80;

41
43 19. Articles of merger or consolidation of domestic and foreign corporations, as provided by section 906, ~~\$50~~ \$80, if the new or surviving corporation is a foreign corporation, plus the appropriate fee for authority to do business in this State, if not previously so authorized; if the new or surviving corporation is a domestic corporation, the same sum as would be required for the merger or consolidation of domestic corporations;

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20. Document required by section 906, subsection 4, paragraph B in the event that the surviving or new corporation is a foreign corporation, no fee in addition to that specified in the preceding subsection;

21. Articles of dissolution, as provided by section 1101 or 1110, ~~\$20~~ \$35;

22. Statement of intent to dissolve as provided by section 1102 or 1103, ~~\$10~~ \$20;

23. Statement of revocation of voluntary dissolution proceedings, as provided by section 1107 or 1108, ~~\$10~~ \$20;

24. Application of a foreign corporation for authority to do business in the State, as provided by section 1202, ~~\$100~~ \$180;

26. Articles of merger of a foreign corporation, as provided by section 1206, ~~\$25~~ \$35;

27. An amendment to a foreign corporation's application for authority to do business in this State as provided by section 1207, ~~\$15~~ \$35;

28. An application of a foreign corporation for surrender of its authority, as provided by section 1208, ~~\$15~~ \$35;

29. Statement of a foreign corporation's termination of existence, as provided by section 1209, ~~\$15~~ \$35;

30. Annual report of a domestic or foreign corporation, as provided by section 1301, ~~\$40~~ \$60;

31. A certificate of resumption of business, as provided by section 1301, subsection 5, ~~\$50~~ \$80;

32. For issuing a short form certificate of change of name or of consolidation or merger, as provided by section 1307, ~~\$10~~ \$25 per certificate. For issuing a short form certificate of corporate condition ~~\$10~~ \$25 per certificate. For issuing a long form certificate of corporate condition, listing amendments, ~~\$20~~ \$35 per certificate for a diligent search, ~~\$25~~ \$45;

33. Statement of change of registered office or registered agent or both, as provided by section 1212, subsection 2, ~~\$10~~ \$20;

34. Statement of change of address of registered agent, as provided by section 1212, subsection 2-A, ~~\$10~~ \$20 for each foreign corporation listed; or when separate statements are filed at one time, ~~\$10~~ \$20 for each separate statement up to but not exceeding 100 statements, \$5 for each separate statement over 100

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1 but not exceeding 200 statements, \$2 for each separate statement
2 over 200 statements; and

3

35. Any other documents not herein specifically provided
4 for, ~~\$10~~ \$20; and

7

36. Report of name search as provided by section 301,
8 subsection 6, \$10.

9

11 **Sec. 28. 13-A MRSA §1402, sub-§3**, as enacted by PL 1971, c.
12 439, §1, is amended to read:

13 3. The Secretary of State shall furnish to any person a
14 copy of any document filed under this Act or retained in file,
15 having been filed under a predecessor to this Act; for locating,
16 copying and certifying a document subsequent to its filing, the
17 Secretary of State shall charge a fee of ~~\$1~~ \$2 per page. The
18 Secretary of State may reduce the fee for governmental bodies.

19

21 **Sec. 29. 13-A MRSA §1403, sub-§1, ¶A**, as enacted by PL 1971,
22 c. 439, §1, is further amended to read:

23

A. If the corporation is to have authorized stock having
24 par value:

25

27 (1) If the aggregate par value of all authorized stock
28 having par value does not exceed \$2,000,000, a fee of
29 ~~\$10~~ \$30 for each \$100,000 or fraction thereof of
30 aggregate par value; or

31

32 (2) If the aggregate par value of all authorized stock
33 having par value is more than \$2,000,000, but does not
34 exceed \$20,000,000, a fee of ~~\$200~~ \$600 plus ~~\$50~~ \$150
35 per million dollars or fraction thereof of aggregate
36 par value in excess of \$2,000,000; or

37

38 (3) If the aggregate par value of all authorized stock
39 having par value exceeds \$20,000,000, a fee of ~~\$1,100~~
40 ~~\$3,300~~ plus ~~\$20~~ \$70 per million dollars or fraction
41 thereof of aggregate par value in excess of
42 \$20,000,000; and

43

44 **Sec. 30. 13-A MRSA §1403, sub-§1, ¶B**, as repealed by PL 1981,
45 c. 583, is repealed and the following enacted in its place:

46

47 B. If the corporation is to have authorized stock without
48 par value:

49

50 (1) If there are authorized not over 20,000 shares
51 without par value, a fee of one cent per share without
52 par value, but not less than \$30; or

1 (2) If there are authorized more than 20,000 shares
3 without par value but not more than 2,000,000, a fee of
 \$200 plus 1/2 cent per authorized share without par
 value in excess of 20,000; or

5 (3) If there are authorized more than 2,000,000 shares
7 without par value, a fee of \$10,200 plus 1/4 cent per
 authorized share without par value in excess of
9 2,000,000;

11 **Sec. 31. 13-A MRSA §1403-A is enacted to read:**

13 **§1403-A. Expedited service**

15 The Secretary of State may provide an expedited service for
17 the processing of documents in accordance with this Act. A fee
 schedule shall be established and rules promulgated to set forth
19 the procedures governing this expedited service.

21 **Sec. 32. 13-A MRSA §1404, as enacted by PL 1971, c. 439, §1,**
 is amended to read:

23 **§1404. Remittance to Treasurer of State**

25 All fees collected as provided by this chapter shall be
27 remitted to the Treasurer of State for the use of the State with
 the exception of those fees collected under section 1403-A which
29 shall be deposited into a fund for use by the Secretary of State
 in providing an improved filing service.

31 **Sec. 33. 13-B MRSA §104, sub-§1, ¶B, as enacted by PL 1977, c.**
 525, §13, is amended to read:

33 B. In the case of other documents:

35 (1) By the clerk or secretary;

37 (2) By the president or a vice-president and by the
39 secretary or an assistant secretary, or such other
 officer as the bylaws may designate as a 2nd certifying
41 officer;

43 (3) If there are no such officers, then by a majority
45 of the directors or by such directors as may be
 designated by a majority of directors then in office;
47 or

49 (4) If there are no such directors, then by the
 members or such of them as may be designated by the
51 members at a lawful meeting; or

Sec. 34. 13-B MRSA §104, sub-§1, ¶C is enacted to read:

1
3 C. In the case of annual reports, as provided in section 1301, subsection 3;

5 **Sec. 35. 13-B MRSA §106, sub-§1, ¶D**, as enacted by PL 1977, c. 525, §13, is amended to read:

7
9 D. Upon delivery of the document and upon tender of the required fees, if the Secretary of State finds that the document conforms to the requirements of rules promulgated in accordance with this Act, he the Secretary of State shall certify that the document has been filed in his the Secretary of State's office by endorsing thereon the word "filed" and the day, month and year thereof, and by signing or initialing such endorsement in person or by agent; if the person delivering the document for filing so requests, such endorsement shall further include the hour and minute of the filing of the document. Such endorsement shall be known as the "filing date" of the document and shall be conclusive of the date, and the time if included in the endorsement, of filing in the absence of actual fraud. An identifying mark may be used in lieu of signing or initialing. The filing date shall be the date first received unless otherwise specified by law or rule. The Secretary of State shall thereafter file and index the original;

27 **Sec. 36. 13-B MRSA §106, sub-§§5 and 6** are enacted to read:

29 5. Rulemaking. The Secretary of State may promulgate rules permitting the filing of documents by electronic transmission and permitting facsimile signatures on documents to be filed; and

33 6. Document filing. The Secretary of State's duty to file documents under this section is ministerial. The Secretary of State's filing or refusing to file a document does not, except as otherwise provided by law or rule:

37 A. Affect the validity or invalidity of the document in whole or part;

41 B. Relate to the correctness or incorrectness of information contained in the document; or

43 C. Create a presumption that the document is valid or invalid or that the information contained in the document is correct or incorrect.

47
49 **Sec. 37. 13-B MRSA §301, sub-§1**, as amended by PL 1983, c. 86, §3, is further amended to read:

51 1. **Name.** The corporate name:

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1 A. Shall not contain any word or phrase which indicates or
implies that it is organized for any purpose for which a
3 corporation may not be organized under this Act;

5 B. Shall not be the same as, or deceptively similar to, the
name of any domestic business or nonprofit corporation
7 existing under the laws of this State or any foreign
corporation authorized to transact business or nonprofit
9 corporation authorized to carry on activities in this State,
or a name the exclusive right to which is, at the time,
11 reserved in the manner provided in this Act, or in Title
13 13-A, section 302, or the name of a business or nonprofit
corporation which has in effect a registration of its
15 corporate name, or the assumed name of a business
corporation as provided for in Title 13-A, section 307, or
17 of a nonprofit corporation as provided in section 308,
unless the other corporation executes and files with the
Secretary of State proof of a resolution of its board of
19 directors authorizing the use of a similar name by the
corporation seeking to use that similar name; and

21 C. Shall not be the same as, or deceptively similar to, any
23 mark registered under Title 10, chapter 301-A; and

25 D. Shall not be the same as, or deceptively similar to, the
27 name of any department, bureau or other agency of the State.

The Secretary of State may promulgate rules setting forth
29 criteria to define "deceptively similar."

31 **Sec. 38. 13-B MRSA §301, sub-§5 is enacted to read:**

33 5. Name search service. To assist the public in
determining the availability of a corporate name, the Secretary
35 of State may make available to the public a name search service.
Name searches conducted by the Secretary of State shall be
37 preliminary in nature and shall not reserve or register a
corporate name nor assure the availability of a corporate name.

39 **Sec. 39. 13-B MRSA §305, sub-§4 is enacted to read:**

41 4. Suspension. The Secretary of State shall suspend the
43 authority of a nonprofit corporation if:

45 A. The corporation has failed to appoint and maintain a
registered agent in this State as required by section 304; or

47 B. The corporation has failed, after change of its
49 registered office or registered agent, to file in the office
of the Secretary of State a statement of that change as
51 required by this section.

1 A corporation which has been suspended under this subsection may
2 be reinstated by filing the proper notification of change of
3 agent or registered office or both with the Secretary of State
4 and paying a penalty of \$10.

5 **Sec. 40. 13-B MRSA §404, sub-§1**, as enacted by PL 1977, c.
6 525, §13, is amended to read:

7 1. **Filing.** When the articles of incorporation are
8 delivered for filing by the Secretary of State, ~~he~~ the Secretary
9 of State shall, before filing them, determine that the articles:

10 A. Comply with the requirements of sections 104 and 106;

11 B. Set forth the information required by sections 402 and
12 403; and

13 C. Do not adopt as the name of the corporation a name which
14 is in violation of section 301; ~~and~~ .

15 ~~D. --- Appear --- in --- all --- other --- respects --- to --- conform --- to --- the~~
16 ~~requirements of this Act and to law.~~

17 **Sec. 41. 13-B MRSA §1210, sub-§§2 and 3**, as enacted by PL 1977,
18 c. 525, §13, are amended to read:

19 2. **Secretary of State to mail revocation of authority.** The
20 authority of a foreign corporation shall be revoked only after
21 the Secretary of State shall have mailed to the corporation's
22 last registered office in this State and to its last registered
23 or principal office in its jurisdiction of incorporation at least
24 60 30 days' notice of impending revocation of its authority to
25 carry on activities in this State, including a specification of
26 the default, and the corporation shall fail, prior to revocation,
27 to cure the default specified in such notice.

28 3. **Certificate revoked.** After the expiration of the 60-day
29 30-day period, if the foreign corporation has not cured the
30 default or, as to the ground for revocation specified in
31 subsection 1, paragraph E, convinced the Secretary of State, by
32 affidavit or otherwise, that there was no such misrepresentation,
33 the Secretary of State shall issue and file ~~his~~ a certificate
34 revoking the foreign corporation's authority to carry on
35 activities in this State, and shall mail copies thereof to the
36 corporation's last registered office in this State and to its
37 last registered or principal office in its jurisdiction of
38 incorporation.

39 **Sec. 42. 13-B MRSA §1212, sub-§3**, as enacted by PL 1977, c.
40 525, §13, is amended to read:

1 3. **Written notice of resignation.** Any registered agent of a
2 foreign corporation may resign as ~~sueh~~ an agent by filing a
3 written notice of resignation with the Secretary of State, and by
4 mailing a copy ~~thereof~~ of the notice to the corporation at its
5 last registered or principal office in its jurisdiction of
6 incorporation, as filed with the Secretary of State. The
7 appointment of ~~sueh~~ an agent shall terminate ~~30-days-after~~ upon
8 the date of the filing of ~~sueh~~ the notice by the Secretary of
9 State.

11 **Sec. 43. 13-B MRSA §1301, sub-§3,** as enacted by PL 1977, c.
12 525, §13, is amended to read:

13 3. **Execution.** The biennial report shall be executed as
14 provided by section 104, except that signing by any one of the
15 president, a vice-president, the secretary, the treasurer ~~or,~~ an
16 assistant secretary, or any other duly authorized individual,
17 without a 2nd signature, shall be deemed valid under section 104,
18 subsection 1, paragraph B, subparagraph (2).

21 **Sec. 44. 13-B MRSA §1401, sub-§28,** as enacted by PL 1979, c.
22 127, §110, is amended to read:

23 28. **Other documents.** Any other documents not herein
24 specifically provided for, \$5; and

27 **Sec. 45. 13-B MRSA §1401, sub-§29,** as enacted by PL 1979, c.
28 127, §111, is amended to read:

29 29. **Statement of change.** Statement of change in registered
30 office or agent, as provided in section 1212, subsection 2, \$5
31 for each foreign corporation listed; or when separate statement
32 are filed at one time, \$5 for each separate statement up to but
33 not exceeding 100 statements, \$2 for each separate statement over
34 100 but not exceeding 200 statements, \$1 for each statement over
35 200 statements; and

37 **Sec. 46. 13-B MRSA §1401, sub-§30** is enacted to read:

39 30. Report of name search. Report of name search as
40 provided by section 301, subsection 5, \$10.

43 **Sec. 47. 13-B MRSA §1402, sub-§1,** as enacted by PL 1977, c.
44 525, §13, is amended to read:

45 1. **Secretary of State to furnish copies.** The Secretary of
46 State shall furnish to any person a copy of any document filed
47 under this Act or retained in file, having been filed under a
48 predecessor to this Act; for locating, copying and certifying a
49 document subsequent to its filing, the Secretary of State shall
50 charge a fee of ~~\$1~~ \$2 per page. The Secretary of State may
51 reduce the fee for governmental bodies.

1
3 **Sec. 48. 31 MRSA §152, sub-§1, ¶B**, as amended by PL 1977, c.
319, §1, is further amended to read:

5 B. File for record the certificate in the office of the
7 Secretary of State. The fee for filing said certificate
shall be ~~\$25~~ \$105.

9 **Sec. 49. 31 MRSA §175, sub-§5, ¶B**, as amended by PL 1977, c.
11 319, §2, is further amended to read:

13 B. A certified copy of the order of court in accordance
with subsection 4.

15 The fee for filing said certificate shall be ~~\$25~~ \$155.

17 **Sec. 50. 31 MRSA §181, sub-§§1 and 2**, as enacted by PL 1973, c.
19 365, are amended to read:

21 1. **Qualification.** Any limited partnership heretofore or
23 hereafter formed in accordance with the laws of another state
25 shall be treated as having all of the attributes accorded by the
27 laws of such other state, excepting the right to exercise any
29 powers not exercisable by resident limited partnerships, and
31 shall be qualified to transact business within this State, only
33 after it shall have filed with the Secretary of State an attested
35 copy of its current certificate of limited partnership as amended
and filed in the state of its formation, together with a
statement on forms prescribed or furnished by the Secretary of
State signed and sworn to by a general partner setting forth its
business address within this State and the name and address of an
individual resident of this State upon whom process against such
limited partnership may be served. The filing fee for such
certified copy and statement shall be ~~\$10~~ \$55.

37 2. **Amendments.** Any change in such limited partnership or
39 its partners shall be effective within this State only after
41 filing with the Secretary of State an attested copy of its
43 amended certificate of limited partnership, and any change in its
45 business address within this State or its resident agent for
service of process shall be effective only after filing with the
Secretary of State a certificate of such change signed and sworn
to by a general partner, for each of which the filing fee shall
be ~~\$5~~ \$30.

PART M

47 **Allocation.** In order to provide for the necessary expenses
49 of operation and administration of the Bureau of Alcoholic
51 Beverages and the State Liquor Commission, the following amounts
are allocated from the revenues derived from operations of the
State Alcoholic Beverages Fund for the fiscal years ending June

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1 30, 1990, and June 30, 1991, to carry out the purposes of this
 Act.

3 1989-90 1990-91

5 **FINANCE, DEPARTMENT OF**

7 **Alcoholic Beverages - General**
 9 **Operation**

11 Personal Services \$845 \$845

13 Provides funds for the
 15 reclassification of an
 Account Clerk I position to
 17 an Account Clerk II position
 as a result of a
 reorganization of duties.

19 **DEPARTMENT OF FINANCE**
 21 **TOTAL**

\$845 \$845

23 **PART M**
 25 **TOTAL**

\$845 \$845

27 **PART N**

29 **Supplemental appropriations from the General Fund.** There are
 appropriated from the General Fund to the departments listed the
 following sums:

31 1989-90 1990-91

33 **ADMINISTRATION, DEPARTMENT OF**

35 **Office of the Commissioner -**
 37 **Administration**

39 All Other (\$8,000) (\$8,000)

41 Provides for the
 43 deappropriation of funds made
 available by making
 45 cost-saving efforts in the
 operations of the
 commissioner's office.

47 **DEPARTMENT OF ADMINISTRATION**
 49 **TOTAL**

(\$8,000) (\$8,000)

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

1
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51

Agricultural Production

All Other (\$92,000) (\$92,000)

Provides for the deappropriation of funds for the Aroostook Water and Soil Management Fund. An additional \$166,000 will be transferred into the General Fund from the dedicated revenue account.

Marketing Services - Agriculture

All Other (\$46,000) (\$46,000)

Provides for the deappropriation of funds for the Agricultural Promotional Assistance Matching Fund and the Agricultural Market Research and Development Fund.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

TOTAL (\$138,000) (\$138,000)

CORRECTIONS, DEPARTMENT OF

Community Based Corrections

All Other (\$1,320,000) (\$500,000)

Provides for the deappropriation of funds through the reduction of the amount made available for reimbursement to counties.

Correctional Program Improvement

All Other (\$200,000) (\$200,000)

Provides for the deappropriation of funds made available for the Correctional Improvement Program.

DEPARTMENT OF CORRECTIONS

1	TOTAL	(\$1,520,000)	(\$700,000)
3	DEFENSE AND VETERANS' SERVICES,		
	DEPARTMENT OF		
5	Military Training and Operations		
7	Capital Expenditures	(\$71,302)	(\$90,761)
9	Provides for the		
11	deappropriation of funds as a		
13	result of cost-saving methods		
	within the department.		
15	Veterans' Services		
17	All Other	(\$24,000)	(\$28,500)
19	Provides for the		
21	deappropriation of funds as a		
23	result of cost-saving methods		
	within the department.		
25	Military Training and Operations		
27	All Other	(\$32,500)	(\$35,500)
29	Provides for the		
31	deappropriation of funds as a		
	result of cost-saving methods		
	within the department.		
33	Administration - Maine Emergency		
	Management Agency		
35	Capital Expenditures	(\$11,000)	(\$11,000)
37	Provides for the		
39	deappropriation of funds as a		
41	result of cost-saving methods		
	within the department.		
43	DEPARTMENT OF DEFENSE AND		
	VETERANS' SERVICES		
45	TOTAL	<u>(\$138,802)</u>	<u>(\$165,761)</u>
47	ECONOMIC AND COMMUNITY		
	DEVELOPMENT, DEPARTMENT OF		
49	Business Development		
51	All Other	(\$180,000)	(\$180,000)

1
3
5
7
9

Provides for the deappropriation of funds through the reduction of funds made available for a small business assistance program in conjunction with the University of Southern Maine.

11 **Business Development**

13 All Other (\$50,000) (\$50,000)

15 Provides for the deappropriation of funds made available for business attraction programs, related promotional activities and printed materials.

21

Office of Tourism

23 All Other (\$1,000,000) (\$1,000,000)

25

27 Provides for the deappropriation of funds made available for regional tourism promotion, promotion of fall and winter seasons, programs to manage tourism growth and various operating expenses.

33

35 **Job Opportunity Zones**

37 All Other (\$330,000)

39 Provides for the deappropriation of funds made available for the Job Opportunity Zones Program until the results of the sunset evaluation is completed.

45

47 **Office of Community Development**

49 All Other (\$500,000) (\$500,000)

51 Provides for the deappropriation of funds

1 through the reduction of the
amount grants made available
3 through the Economic Corridor
Action Grant Program.

5 **Division of Development Policy**

7 All Other (\$191,000) (\$194,000)

9 Provides for the
11 deappropriation of funds made
available for overseas trade
13 shows and trade missions,
research, grants, contracts
15 and various operating
expenses.

17 **DEPARTMENT OF ECONOMIC AND
19 COMMUNITY DEVELOPMENT
21 TOTAL**

(\$1,921,000) (\$2,254,000)

23 **EDUCATIONAL AND CULTURAL
SERVICES, DEPARTMENT OF**

25 **General Purpose Aid for Local Schools**

27 All Other (\$751,000) (\$696,000)

29 Provides for the
deappropriation of state
31 agency client funds which
will not be required for the
33 next biennium.

35 **General Purpose Aid for Local Schools**

37 All Other (\$10,000,000)

39 Provides for the
deappropriation of operating
41 and program funds which will
not be required for the next
43 biennium.

45 **DEPARTMENT OF EDUCATIONAL AND
47 CULTURAL SERVICES
TOTAL**

(\$751,000) (\$10,696,000)

49 **ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

51 **Water Quality Control**

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1
 2 Positions (-1)
 3 Personal Services (\$28,322)
 4
 5 Provides for the
 6 deappropriation of funds
 7 through the deletion of a
 8 Biologist I position.

9
Land Quality Control

11 Positions (-1)
 12 Personal Services (\$28,322)
 13 All Other (4,000)
 14
 15 TOTAL (\$32,322)

16
 17 Provides for the
 18 deappropriation of funds
 19 through the deletion of an
 20 Environmental Specialist II
 21 position.

22
Water Quality Control

23
 24 All Other (\$30,000) (\$30,000)
 25
 26 Provides for the
 27 deappropriation of funds
 28 through the reduction of
 29 laboratory analysis costs.
 30

31
Water Pollution Control Training Program

32
 33 All Other (\$17,000) (\$17,000)
 34
 35 Provides for the
 36 deappropriation of funds
 37 through reduced water
 38 pollution control training.
 39

40
Air Quality Control

41
 42 Capital Expenditures (\$12,500) (\$12,500)
 43
 44 Provides for the
 45 deappropriation of funds
 46 through the elimination of
 47 capital equipment.
 48

49
Environmental Impact Studies

50
 51

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1	Positions	(-1)	(-1)
	Personal Services	(\$21,335)	(\$28,312)
3	All Other	(\$7,000)	(\$7,000)
5	TOTAL	<u>(\$28,335)</u>	<u>(\$35,312)</u>

7 Provides for the
 9 deappropriation of funds
 through the elimination of a
 11 Geologist position from the
 Acid Rain Impact Study.

13 **Solid Waste Management**

15	Positions	(-1)	(-1)
	Personal Services	(\$27,377)	(\$27,377)

17 Provides for the
 19 deappropriation of funds
 through the elimination of a
 21 vacant Assistant Engineer
 position.

23 **DEPARTMENT OF ENVIRONMENTAL
 25 PROTECTION
 27 TOTAL**

<u>(\$115,212)</u>	<u>(\$182,833)</u>
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29 **EXECUTIVE DEPARTMENT**

31 **Office of Energy Resources**

33	All Other	(\$20,000)	(\$20,000)
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35 Provides for the
 37 deappropriation of funds
 through the elimination of
 the publication of a
 quarterly newsletter.

39 **Planning Office**

41	All Other	(\$15,000)	
----	-----------	------------	--

43 Provides for the
 45 deappropriation of funds to
 support professional contract
 47 services for field research
 in natural resource areas.

49 **Administration - Community Services**

51	Positions	(-1)	(-1)
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1 Personal Services (\$24,740) (\$22,655)

3 Provides for the
5 deappropriation of funds
7 through the elimination of
 one position.

7 **EXECUTIVE DEPARTMENT**

9 **TOTAL** (\$59,740) (\$42,655)

11 **HUMAN SERVICES, DEPARTMENT OF**

13 **Medical Care - Payments to Providers**

15 All Other (\$308,000) (\$730,000)

17 Provides for the
19 deappropriation of funds
21 available from the initiation
23 of drug restrictions on
25 recipients and an increase of
27 25¢ in the copayment for
 prescription drugs. The
29 department shall continue its
31 current policy of reimbursing
33 pharmacies 95% of the
35 wholesale price for drugs
37 through January 1, 1991. The
39 department shall also review
 its current reimbursement
 practices for drugs,
 including the dispensing fee,
 develop alternatives to
 lowering the wholesale price
 and report its findings and
 recommendations to the Joint
 Standing Committee on
 Appropriations and Financial
 Affairs by February 15, 1990.

41 **Intermediate Care - Payments to
43 Providers**

45 All Other (\$65,000) (\$193,000)

47 Provides for the
49 deappropriation of funds
51 available from the initiation
 of drug restrictions on
 recipients. The department
 shall continue its current
 policy of reimbursing

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1 pharmacies 95% of the
 2 wholesale price for drugs
 3 through January 1, 1991.

5 **Drugs for Maine's Elderly**

7 All Other (\$82,000) (\$232,000)

9 Provides funds for the
 10 deappropriation of funds
 11 available from the initiation
 12 of drug restrictions on
 13 recipients. The department
 14 shall continue its current
 15 policy of reimbursing
 16 pharmacies 95% of the
 17 wholesale price from drugs
 18 through January 1, 1991.

19 **State Supplement to Federal
 20 Supplemental Security Income**

23 All Other (\$500,000)

25 Provides for the
 26 deappropriation of funds
 27 which will be provided
 28 through the use of an
 29 unexpended balance in fiscal
 30 year 1988-89.

31 **Medical Care - Payments to Providers**

33 All Other (\$2,000,000)

35 Provides for the
 36 deappropriation of funds
 37 which will be provided
 38 through the use of an
 39 unexpended balance in fiscal
 40 year 1988-89.

43 **DEPARTMENT OF HUMAN SERVICES**
 44 **TOTAL** (\$2,955,000) (\$1,155,000)

45 **INLAND FISHERIES AND WILDLIFE,**
 46 **DEPARTMENT OF**

49 **Atlantic Sea Run Salmon Commission**

51 Personal Services (\$4,622) (\$4,627)
 All Other (6,400) (6,401)

1	Provides for the		
3	deappropriation of funds		
5	through the reclassification		
7	of a vacant Biologist IV		
9	position to a Biologist II		
	position and the reduction in		
	All Other expenses through		
	cost-saving measures.		
11	DEPARTMENT OF INLAND FISHERIES		
	AND WILDLIFE		
13	TOTAL	<u>(\$11,022)</u>	<u>(\$11,028)</u>
15	MARINE RESOURCES, DEPARTMENT OF		
17	Bureau of Marine Development		
19	Personal Services	(\$4,000)	(\$8,000)
21	All Other	(10,000)	(10,000)
23	Provides for the		
25	deappropriation of funds		
	provided for 5 seasonal		
	Conservation Aide positions.		
27	DEPARTMENT OF MARINE RESOURCES		
29	TOTAL	<u>(\$14,000)</u>	<u>(\$18,000)</u>
31	MENTAL HEALTH AND MENTAL		
	RETARDATION, DEPARTMENT OF		
33	Administration - Mental Health		
	and Mental Retardation		
35	Capital Expenditures	(\$15,950)	
37	Provides for deappropriation		
39	of funds in order to fund		
41	higher priority supplemental		
43	items for other departmental		
	activities.		
45	Fuel for Institutions - Mental Health		
	and Mental Retardation		
47	All Other	(\$13,087)	(\$13,088)
49	Provides for deappropriation		
51	of funds in order to fund		
	higher priority supplemental		

1 items for other departmental
2 activities.

3

Mental Health Services - Community

5

All Other	(\$30,600)	(\$105,600)
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7

9 Provides for deappropriation
10 of funds in order to fund
11 higher priority supplemental
12 items for other departmental
13 activities.

13

**Unemployment Compensation - Mental
15 Health and Mental Retardation**

15

17 Personal Services	(\$6,524)	(\$6,525)
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19

20 Provides for deappropriation
21 of funds in order to fund
22 higher priority supplemental
23 items for other departmental
24 activities.

23

Augusta Mental Health Institute

25

27 All Other		(\$60,000)
Capital Expenditures	(\$23,000)	(23,000)

29

TOTAL	(\$23,000)	(\$83,000)
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31

32 Provides for deappropriation
33 of funds in order to fund
34 higher priority supplemental
35 items for other departmental
36 activities.

37

Bangor Mental Health Institute

39

Capital Expenditures	(\$22,207)	(\$47,018)
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41

42 Provides for deappropriation
43 of funds in order to fund
44 higher priority supplemental
45 items for other departmental
46 activities.

47

**Mental Retardation Services -
49 Community**

49

51 All Other	(\$40,000)	(\$75,000)
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51

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 Provides for deappropriation
 2 of funds in order to fund
 3 higher priority supplemental
 4 items for other departmental
 5 activities.

7 **Pineland Center**

9	All Other	(\$5,658)	(\$5,658)
	Capital Expenditures	(33,184)	(31,234)
11		<hr/>	<hr/>
	TOTAL	(\$38,842)	(\$36,892)

13
 14 Provides for deappropriation
 15 of funds in order to fund
 16 higher priority supplemental
 17 items for other departmental
 18 activities.

19 **Aroostook Residential Center**

21	All Other	(\$2,000)	(\$2,000)
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23
 24 Provides for deappropriation
 25 of funds in order to fund
 26 higher priority supplemental
 27 items for other departmental
 28 activities.

29 **Elizabeth Levinson Center**

31	Capital Expenditures	(\$8,382)	(\$8,382)
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33
 34 Provides for deappropriation
 35 of funds in order to fund
 36 higher priority supplemental
 37 items for other departmental
 38 activities.

39 **Mental Health Services - Children**

41	All Other		(\$75,000)
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43
 44 Provides for deappropriation
 45 of funds in order to fund
 46 higher priority supplemental
 47 items for other departmental
 48 activities.

49 **DEPARTMENT OF MENTAL HEALTH AND**
 50 **MENTAL RETARDATION**
 51 **TOTAL**

	<hr/>	<hr/>
	(\$200,592)	(\$452,505)

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**PROFESSIONAL AND FINANCIAL
REGULATION, DEPARTMENT OF**

**Administration - Professional
and Financial Regulation**

Positions	(-1)	(-1)
Personal Services	(\$34,000)	(\$36,000)
All Other	(15,000)	(15,000)

Provides for the transfer of an Attorney position and related expenses to the dedicated fund account.

**DEPARTMENT OF PROFESSIONAL AND
FINANCIAL REGULATION**

TOTAL	<u>(\$49,000)</u>	<u>(\$51,000)</u>
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PUBLIC SAFETY, DEPARTMENT OF

**Drug Unit - Maine State
Police**

Positions	(-2)	(-2)
Personal Services	(\$81,895)	(\$82,896)
All Other	(17,047)	(17,047)
TOTAL	<u>(\$98,942)</u>	<u>(\$99,943)</u>

Provides for the deappropriation of funds through the transfer of 2 Drug Agent positions from the General Fund to the dedicated fund account.

Safety Program

Positions	(-1)	(-1)
Personal Services	(\$35,917)	(\$37,842)

Provides funds for the deappropriation of funds through the deletion of a Forensic Chemist position.

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

<u>(\$134,859)</u>	<u>(\$137,785)</u>
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PART N

1 TOTAL (\$8,016,227) (\$16,012,567)

3

PART O

5

7 Sec. 1. 3 MRSA §2, first ¶, as amended by PL 1987, c. 816, Pt. KK, §1, is further amended to read:

9 Each member of the Senate and House of Representatives,
11 beginning with the first Wednesday of December ~~1988~~ 1990 and
13 thereafter, shall receive \$~~9,900~~ \$10,500 in the first year and
15 \$~~6,600~~ \$7,500 in the 2nd year of each biennium, and shall be paid
17 for travel at each legislative session once each week at the same
19 rate per mile to and from his that Legislator's place of abode as
21 state employees receive, the mileage to be determined by the most
23 reasonable direct route, except that Legislators may be
25 reimbursed for tolls paid for travel on the Maine Turnpike
provided they have a receipt for payment of the tolls, such tolls
to be reimbursed when Legislators use the Maine Turnpike in
traveling to and from sessions of the Legislature or in
performance of duly authorized committee assignments. Each
Legislator is entitled to mileage on the first day of the
session, and such amounts of his salary and expenses at such
times as the Legislature may determine during the session, and
the balance at the end thereof.

27 Sec. 2. 3 MRSA §2, 3rd ¶, as amended by PL 1985, c. 693, §5,
29 is further amended to read:

31 Each member of the Senate and House of Representatives shall
33 be entitled to a meal allowance in the amount of \$~~26~~ \$32 and a
35 housing allowance in the amount of \$~~34~~ \$38 for each day in
37 attendance at sessions of the Legislature and for each day ~~he~~ the
39 member occupies overnight accommodations away from home either
immediately preceding or immediately following attendance at
daily sessions of the Legislature. In lieu of the meal and
housing allowance, each member shall be entitled to a daily meal
allowance in the amount of \$~~26~~ \$32 and actual daily mileage
allowances in an amount up to but not exceeding \$~~34~~ \$38 per day.
41 Each member of the Senate shall also receive an annual allowance
43 for constituent services in the amount of \$1,000, \$650 of which
45 shall be received at the start of each regular session and \$350
47 of which shall be received in the month following adjournment of
49 the regular session. Each member of the House of Representatives
shall also receive an annual allowance for constituent services
in the amount of \$~~500~~ \$750, \$500 of which shall be received at
the start of each regular session and \$250 of which shall be
received in the month following adjournment of the regular
session.

51 Sec. 3. 3 MRSA §2, 6th ¶, as amended by PL 1985, c. 693, §5, is
further amended to read:

1
2 In addition to the salary paid for the first and 2nd regular
3 sessions of the Legislature, when a special session is called,
4 the members of the Senate and House of Representatives shall each
5 be paid-~~\$55~~ compensated \$100 for every day's attendance, expenses
6 and mileage ~~as-aforesaid~~ pursuant to this section.

7
8 **Sec. 4. 3 MRSA §2, 8th ¶**, as amended by PL 1985, c. 693, §5,
9 is further amended to read:

11 The member of the Penobscot Indian Tribe Nation and the
12 member of the Passamaquoddy Indian Tribe elected to represent ~~his~~
13 tribe their tribes at the Legislature shall receive a
14 compensation of ~~\$100~~ \$110 for each day's attendance during the
15 first and 2nd regular sessions and allowance for meals,
16 constituent service, housing and travel expenses as any other
17 member of the Senate and House of Representatives for attendance
18 at each legislative session. For the duration of any special
19 session of the Legislature, they shall receive the same
20 allowances, including housing, meal and travel expenses, as any
21 other member of the Senate and House of Representatives.

23 **Sec. 5. 3 MRSA §2, 10th ¶**, as amended by PL 1985, c. 693, §5,
24 is further amended to read:

25
26 The President of the Senate, the Speaker of the House of
27 Representatives, the floor leaders and their assistants and
28 members of a committee, with the approval of the President of the
29 Senate or the Speaker of the House of Representatives as to
30 members of a committee, may also meet on days when the
31 Legislature is not in daily session at any convenient location
32 within the State. Each member of the Senate and House of
33 Representatives shall receive \$55 for every day's attendance when
34 meetings or daily sessions are held, a meal allowance in the
35 amount of ~~\$26~~ \$32 and a housing allowance whereby actual lodging
36 expenses will be reimbursed at the single-room rate, provided
37 that a receipt is submitted to the Executive Director of the
38 Legislative Council for each day in attendance at such meetings
39 or daily sessions and for each day ~~he~~ that member occupies
40 overnight accommodations away from home either immediately
41 preceding or immediately following attendance at daily sessions
42 of the Legislature and actual daily mileage allowances which
43 shall be paid at the same rate paid to state employees. In lieu
44 of the meal and housing allowance, each member shall be entitled
45 to a daily meal allowance in the amount of ~~\$26~~ \$32 and actual
46 daily mileage allowances.

47
48 **Sec. 6. 3 MRSA §2, 12th ¶**, as amended by PL 1985, c. 693, §5,
49 is further amended to read:

51 If a member of the Legislature dies or otherwise vacates the
office, the successor is entitled to a salary from the date of

1 seating, computed as follows: One ~~two~~ hundred and ~~eighty ten~~
2 dollars per week times the number of weeks remaining in the
3 calendar year if the vacancy occurs in the first year and ~~\$120~~
4 \$150 per week for the number of weeks remaining in the calendar
5 year if the vacancy occurs in the 2nd year.

7 Sec. 7. 3 MRSA §162-B, as enacted by PL 1983, c. 862, §§5 and
6, is amended to read:

9
11 **§162-B. Salaries of constitutional officers**

12 Notwithstanding any other provisions of law, the salaries of
13 the following state officials shall be at the salary ranges
14 indicated in this section. At the time of initial appointment,
15 the salary of the Secretary of State, ~~the State Auditor~~ and the
16 Treasurer of State shall be set at the ~~first-step~~ Step C of the
17 official's respective range. At the time of initial appointment,
18 the salary ~~salaries~~ of the Attorney General and the State Auditor
19 shall be set at Step E of his ~~their~~ salary ~~range~~ ranges. The
20 Legislative Council may adjust the salary of each official by one
21 step for each year of continuous service after the initial
22 appointment to office.

23 The salary ranges shall be as provided by law for
24 confidential employees who take the salary increase option
25 instead of state payment of retirement contribution. No other
26 state salary may be paid. These officials are not eligible for
27 state payment of employee retirement contributions.

29 1. Range 88. The salary of the following state officials
30 and employees shall be within salary range ~~87~~ 88, but shall not
31 ~~exceed~~ be less than Step G C in that range:

32 A. Secretary of State; and

34 B. Treasurer of State.

36 2. Range 89. The salary of the State Auditor shall be
37 within salary range ~~88~~ 89, but shall not ~~exceed~~ be less than Step
38 G E in that range.

39 3. Range 91. The salary of the Attorney General shall be
40 within salary range ~~90~~ 91, but shall not be less than Step E and
41 ~~shall not exceed~~ Step G in that range.

42 Sec. 8. 3 MRSA §801, sub-§1-A is enacted to read:

43 1-A. Waiver provision. Any Legislator may petition the
44 presiding officer for a waiver from the membership provisions of
45 subsection 1 if it can be demonstrated that membership in the
46 Maine Legislative Retirement System will create or exacerbate a
47 Legislator's federal income tax liability due to the ownership of

1 another retirement plan. The Office of the Executive Director of
2 the Legislative Council shall provide assistance as requested by
3 the Legislator or presiding officer. The presiding officer shall
4 respond to the Legislator's petition within 30 days and shall
5 provide copies of the decision to the Executive Director of the
6 Legislative Council and the Executive Director of the Maine State
7 Retirement System.

9 **Sec. 9. 4 MRSA §4, sub-§2, as amended by PL 1983, c. 863, Pt.**
10 **B, §§5 and 45, is repealed and the following enacted in its place:**

11 2. Associate justice; salary. Each Associate Justice of
12 the Supreme Judicial Court shall receive a salary as follows:

13 A. For fiscal years 1989-90 and 1990-91, \$77,300; and

14 B. Effective December 3, 1990, for fiscal year 1990-91, and
15 thereafter, \$80,392.

16 **Sec. 10. 4 MRSA §4, sub-§2-A is enacted to read:**

17 2-A. Cost-of-living adjustment. Effective July 1, 1991,
18 and every July 1st thereafter, the State Court Administrators
19 shall adjust the salaries of the State's associate justices and
20 associate judges by any percentage change in the Consumer Price
21 Index from January 1st to December 31st of the previous year, but
22 only to a maximum increase of 4%. The State Court Administrator
23 shall determine the cost of these adjustments; notify the State
24 Budget Officer and the Director of the Office of Fiscal and
25 Program Review of these costs; and include them in the Judicial
26 Department's budget requests, as necessary. For purposes of this
27 subsection, "Consumer Price Index" means the Consumer Price Index
28 for Urban Wage Earners and Clerical Workers: United States City
29 Average, All items, 1967=100, as compiled by the United States
30 Department of Labor, Bureau of Labor Statistics or, if the index
31 is revised or superseded, the Consumer Price Index shall be the
32 index represented by the Bureau of Labor Statistics as reflecting
33 most accurately changes in the purchasing power of the dollar by
34 consumers.

35 **Sec. 11. 4 MRSA §6-B, as amended by PL 1983, c.416, §1, is**
36 **further amended to read:**

37 **§6-B. Per diem compensation for Active Retired Justices of the**
38 **Supreme Judicial Court**

39 **Any Active Retired Justice of the Supreme Judicial Court,**
40 **who performs judicial service at the direction and assignment of**
41 **the Chief Justice of the Supreme Judicial Court, shall be**
42 **compensated for those services at the rate of \$75 \$150 per day or**
43 **\$45 \$90 per 1/2 day, provided that the total per diem**

1 compensation and retirement pension received by an Active Retired
Justice of the Supreme Judicial Court in any calendar year may
3 does not exceed the annual salary of a Justice of the Supreme
Judicial Court.

5
6 **Sec. 12. 4 MRSA §102, sub-§2**, as amended by PL 1983, c.863, Pt.
7 B, §§6 and 45, is repealed and the following enacted in its place:

9 2. Associate justice; salary. Each Justice of the Superior
Court shall receive a salary as follows:

11 A. For fiscal years 1989-90 and 1990-91, \$73,100; and

13 B. Effective December 3, 1990, for fiscal year 1990-91, and
15 thereafter, \$76,024.

17 **Sec. 13. 4 MRSA §102, sub-§2-A** is enacted to read:

19 2-A. Cost-of-living adjustment. The salaries of the
21 associate justices shall be adjusted as established in Title 4,
section 4, subsection 2-A.

23 **Sec. 14. 4 MRSA §104-A**, as amended by PL 1983, c.416, §2, is
further amended to read:

25 **§104-A. Per diem compensation for Active Retired Superior Court**
27 **Justices**

29 Any Active Retired Justice of the Superior Court, who
performs judicial service at the direction and assignment of the
31 Chief Justice of the Supreme Judicial Court, shall be compensated
for those services at the rate of \$75 ~~\$150~~ per day or \$45 ~~\$90~~ per
33 1/2 day, provided that the total per diem compensation and
retirement pension received by an Active Retired Justice of the
35 Superior Court in any calendar year may does not exceed the
annual salary of a Justice of the Superior Court.

37
38 **Sec. 15. 4 MRSA §157, sub-§4**, as repealed and replaced by PL
39 1983, c.863, Pt. B, §§7 and 45, is repealed and the following
enacted in its place:

41 4. Associate judge; salary. Each Associate Judge of the
43 District Court shall receive a salary as follows:

45 A. For fiscal years 1989-90 and 1990-91, \$70,176; and

47 B. Effective December 3, 1990, for fiscal year 1990-91, and
49 thereafter, \$72,983.

51 **Sec. 16. 4 MRSA §157, sub §4-A** is enacted to read:

1 **4-A. Cost-of-living adjustment.** The salaries of the
3 associate judges shall be adjusted as established in Title 4,
section 4, subsection 2-A.

5 **Sec. 17. 4 MRSA §157-D**, as enacted by PL 1983, c. 853, Pt. C,
7 §§13 and 18, is amended to read:

9 **§157-D. Active retired judges; compensation**

11 Any Active Retired Judge of the District Court, who performs
13 judicial service at the direction and assignment of the Chief
15 Judge of the District Court, shall be compensated for those
17 services at the rate of \$75 ~~§150~~ per day or \$45 ~~§90~~ per 1/2 day,
provided that the total per diem compensation and retirement
pension received by an Active Retired Judge of the District Court
in any calendar year may ~~does~~ not exceed the annual salary of a
Judge of the District Court.

19 **Sec. 18. 30-A MRSA §255, sub-§1**, as enacted by PL 1987, c.
21 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6;
23 c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed and the
following enacted in its place:

25 1. Annual salary. The District Attorney for each of the
27 prosecutorial districts shall be within salary range 90 with the
step within that salary range to be determined by the Attorney
General, subject to the approval of the Governor.

29 **Sec. 19. 30-A MRSA §255, sub-§§3 and 4**, as enacted by PL 1987,
31 c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c.
6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, are repealed.

33 **Sec. 20. 30-A MRSA §272, sub-§3**, as enacted by PL 1987, c.
35 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6;
37 c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed and the
following enacted in its place:

39 3. Compensation. The compensation of deputy and assistant
41 district attorneys shall be fixed by the district attorney,
subject to the approval of the Attorney General and the
Governor. For purposes of compensation and benefits, deputy and
43 assistant district attorneys shall be treated comparably to
assistant attorneys general.

45 **Sec. 21. 30-A MRSA §272, sub-§6**, as enacted by PL 1987, c.
47 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6;
c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed.

49 **Sec. 22. Effective date.** Sections 7, 9, 10, 11, 12, 13, 14, 15,
51 16 and 17 shall take effect on December 3, 1990.

PART P

1
2 **Sec. 1. 4 MRSA §116**, as amended by PL 1987, c. 339, §1, is
3 further amended by adding at the end a new paragraph to read:

4 Funds received by the clerk as bail in criminal cases shall
5 be deposited daily in a special interest-bearing account.
6 Interest accrued in such an account shall be the property of and
7 shall accrue to the State. The forfeiture and setoff of bail
8 shall be as otherwise provided by law.

9
10 **Sec. 2. 4 MRSA §157, sub-§1, ¶A**, as amended by PL 1987, c. 349,
11 Pt. H, §1, is further amended to read:

12
13 A. The Governor, subject to review by the joint standing
14 committee of the Legislature having jurisdiction over
15 judiciary and to confirmation by the Legislature, shall
16 appoint to the District Court 9 judges at large and ~~15~~ 16
17 judges. At least one judge shall be appointed in each
18 district who shall be a resident of the district, except
19 that in District 3 there shall be 2 judges appointed who
20 shall be residents of the district, in District 6 there
21 shall be 2 judges appointed who shall be residents of the
22 district and in District 9 there shall be 2 judges appointed
23 who shall be residents of the district. Each District Court
24 Judge shall have a term of office of 7 years.

25
26 To be eligible for appointment as a District Judge, a person
27 shall be a member of the bar of the State. The term
28 "District Judge" shall include the Chief Judge, Deputy Chief
29 Judge, the judges appointed from the districts and the
30 judges at large.

31
32 **Sec. 3. 4 MRSA §163, sub-§1**, as amended by PL 1987, c. 339,
33 §2, is further amended to read:

34
35 1. District Court funds. Except as otherwise provided by
36 law, all fines, bail forfeitures and fees collected in any
37 division of the District Court shall be paid to the clerk
38 thereof, who shall deposit them in a special account within 72
39 hours of their receipt. Once each month, ~~he~~ the clerk shall remit
40 such sums to the Treasurer of State, who shall credit them to the
41 General Fund. At the same time, ~~he~~ the clerk shall remit such
42 sums as have been collected in accordance with section 1057.
43 Funds received by the clerk as bail in criminal cases shall be
44 deposited daily in a special interest-bearing account. Interest
45 accrued in the account shall be the property of and shall accrue
46 to the State. The forfeiture and setoff of bail shall be
47 governed as otherwise provided by law.

48 The court shall file a monthly report with the State Auditor
49 itemizing the amount of fines imposed and to whom each is payable.

50
51 **Sec. 4. 4 MRSA §556, 2nd ¶** is amended to read:

1
3 Proceeds of all sales of property made under the judgment or
5 decree of the Supreme Judicial Court or of the Superior Court and
7 any and all other sums of money from whatever source derived in
9 civil proceedings coming into the custody of the Supreme Judicial
11 Court or of the Superior Court shall be deposited in such
13 depository as the court having custody of such money shall
15 designate, and shall be withdrawn therefrom upon order of the
17 clerk of courts, countersigned by any Justice of the Supreme
19 Judicial Court or of the Superior Court. Any justice of either of
said the courts shall designate some proper depository for the
funds referred to and such designation shall be minuted on the
docket of the court. Clerks of courts in the several counties
shall keep a regular record containing the account of such funds
showing the deposits and all accumulations thereof and the
amounts withdrawn therefrom, specifying the date of such
withdrawal and the case to which such matters relate. All
deposits shall be in the name of the incumbent beneficiary with
the clerk of courts court designated as custodian.

21 **Sec. 5. 4 MRSA §556, last ¶**, as repealed and replaced by PL
23 1975, c. 735, §11, is amended to read:

25 Whenever any of these funds are ordered by the courts to be
27 paid to a person entitled to same these funds, 1/2 of the accrued
interest, if any, shall be paid to the Treasurer of State, and
the other 1/2 paid to the claimant all accrued interest shall be
29 paid to the claimant less a 5% fee based on the total proceeds,
31 unless otherwise ordered by the court. Whenever any of these
33 funds remain unclaimed for 20 years from the date when payable
35 under the court judgment or decree, the clerk shall obtain an
37 order from the court, under whose judgment or decree these funds
were placed in his the clerk's custody, that a comprehensive
abstract of the facts be advertised for 3 weeks successively in a
newspaper of general circulation published in the county, and if
no one appears to claim these funds within 60 days after date of
the last publication, the same funds shall become forfeited to
the State and be paid by the clerk to the Treasurer of State.
That portion of this section providing for the forfeiture of
unclaimed funds shall apply to funds held by the clerk of courts
for 20 years or more prior to September 16, 1961.

43 **Sec. 6. 5 MRSA §7-A**, as enacted by PL 1983, c. 477, Pt. E,
45 Sub-Pt. 20, is repealed and the following enacted in its place:

47 **§7-A. Assignment of vehicles**

49 Notwithstanding any other provision of law, all assignments
of state-owned vehicles to individual employees will terminate
effective August 1, 1983. The Governor may establish such
51 criteria as the Governor deems appropriate relative to the
assignment of all state-owned vehicles. It is the intent of the

1 Legislature that no state-owned vehicle may be assigned to or
3 used exclusively by any individual employee other than those
5 instances where the Governor deems such assignment and use to be
clearly necessary in order to carry out programs that have been
approved by the Legislature.

7 1. Garaging vehicles off state grounds. Under no
9 circumstances may any state employee garage a state vehicle at
the individual's residence, except as provided:

11 A. A vehicle may be temporarily garaged off state grounds
13 when it is being used to transport state employees while on
overnight travel;

15 B. State vehicles may be temporarily garaged off state
17 grounds after the late conclusion of a day's work;

19 C. State vehicles may be temporarily garaged off state
21 grounds in order to allow an employee to take a vehicle home
when the next day's assignment will require the use of the
vehicle for travel beyond and in the same general direction
as the employee's residence;

23 D. A vehicle may be temporarily garaged off state grounds
25 when certified by the Bureau of Public Improvements that
27 there is no space available on state grounds or certified by
the Department of Public Safety that the space available
does not provide adequate protection for the vehicle; or

29 2. Individual assignment of vehicles. Assignment of a
31 state vehicle to an individual employee will be made only when
33 that assignment is clearly necessary and meets one or more of the
following criteria:

35 A. Sworn law enforcement personnel with powers of arrest
37 regularly assigned to field duty;

39 B. Field personnel directly concerned with the maintenance
41 and operation of highway facilities who are frequently
called for emergency duty at other than regular working
hours;

43 C. Employees identified by the Governor, the Commissioner
45 of Public Safety, the Commissioner of Defense and Veterans'
Services or the Commissioner of Transportation to be
47 available for call beyond the normal workday on a regular
basis to protect the public safety;

49 D. Employees who are officially headquartered at their
51 residences and carry unusual materials or equipment which
make up an integral part of the employee's ability to
perform the employee's job function on a regular basis and

1 would be dangerous, unsanitary or too large to carry in that
2 employee's personal vehicle; or

3
4 E. Employees who are officially headquartered at their
5 residences provided the department head determines annually
6 that the assignment is more effective than reimbursement for
7 mileage.

8
9 The Governor may also establish criteria for the transfer of
10 vehicles from department to department in order to meet priority
11 operational needs.

12
13 **Sec. 7. 5 MRSA §131 is amended to read:**

14
15 **§131. Departmental collections**

16
17 Every department and agency of the State, whether located at
18 the Capitol or not, collecting or receiving public money, or
19 money from any source whatsoever, belonging to or for the use of
20 the State, or for the use of any state department or agency,
21 shall pay the same immediately into the State Treasury, without
22 any deductions on account of salaries, fees, costs, charges,
23 expenses, refunds, claims or demands of any description
24 whatsoever. The Bureau of Parks and Recreation shall be allowed
25 to refund daily use and camping fees based on the Bureau of Parks
26 and Recreation standard refund policies. Any department or
27 agency may deposit such money to the credit of the State upon
28 communicating with the Treasurer of State and receiving from him
29 the Treasurer of State instructions as to what state depository
30 may be used for that purpose and in every such case, the
31 depositor shall send to the Treasurer of State a statement of the
32 deposits certified by the bank receiving it. This section shall
33 not apply to county or town officers.

34
35 **Sec. 8. 5 MRSA §955, last ¶, as amended by PL 1987, c. 731, §8,**
36 **is further amended to read:**

37
38 The director shall work with the Bureau of Employee
39 Relations, the State Employee Health Commission established in
40 section 285-A, and other labor management groups to maximize the
41 involvement of state employees and their representatives in the
42 planning and execution of all programs under the charge of the
43 bureau, including, but not limited to, the health insurance
44 issues, the employee assistance program and the planning and use
45 of the State Employee Health ~~Internal-Service-Fund~~ Dedicated
46 Revenue Account.

47
48 **Sec. 9. 5 MRSA §956, first ¶, as enacted by PL 1985, c. 785, Pt.**
49 **C, §1, is amended to read:**

50
51 The Bureau of State Employee Health ~~Internal-Service-Fund~~
Dedicated Revenue Account is established to include

1 appropriations made to the bureau, funds transferred to the
bureau from within the department, funds from the administrative
3 allowance provided in section 286, funds from the reserve fund
provided in section 1731, funds received for special services
5 provided to state agencies and employees and funds from
operational charges levied upon state agencies.

7
8 **Sec. 10. 5 MRSA §1515, sub-§3** is enacted to read:

9
10 3. Carry-forward. Any funds appropriated to the Corporate
11 Income Tax Investment Credit Fund program shall not lapse, but
12 shall be carried forward until June 30, 1991. These funds shall
13 be used to offset the credits established in Title 36, section
14 5219-C.

15
16 **Sec. 11. 5 MRSA §1516** is enacted to read:

17
18 **§1516. Blaine House Renovations and Repairs Fund**

19
20 1. Blaine House Renovations and Repairs Fund. There is
21 created the Blaine House Renovations and Repairs Fund which shall
22 be used solely for capital improvements, renovations and repairs
23 to the Blaine House.

24
25 2. Nonlapsing fund. Any unexpended funds appropriated by
26 the Legislature to implement the purposes of this chapter shall
27 not lapse, but shall be carried forward. Any funds in excess of
28 \$100,000 shall be transferred to the General Fund.

29
30 **Sec. 12. 5 MRSA §1664, 3rd ¶**, as amended, is further amended
31 to read:

32
33 Part 2 shall embrace the detailed budget estimates both of
34 expenditures and revenues as provided. It shall include
35 statements of the bonded indebtedness of the State Government
36 showing the debt redemption requirements, the debt authorized and
37 unissued and the condition of the sinking funds. It shall contain
38 any statements relative to the financial plan which the
39 Governor-elect, or the Governor, may deem desirable, or which may
40 be required by the Legislature, and shall contain the analysis
41 and statement required by section 1665, paragraph C.

42
43 **Sec. 13. 5 MRSA §1665**, as amended, is repealed and the
44 following enacted in its place:

45
46 **§1665. Budget estimates**

47
48 1. Expenditure and appropriation requirements. On or
49 before September 1st of the even-numbered years, all departments
50 and other agencies of the State Government and corporations and
51 associations receiving or desiring to receive state funds under
the provisions of law shall prepare, in the manner prescribed by

1 and on blanks furnished them by the State Budget Officer, and
2 submit to the officer estimates of their expenditure and
3 appropriation requirements for each fiscal year of the ensuing
4 biennium contrasted with the corresponding figures of the last
5 completed fiscal year and the estimated figures for the current
6 fiscal year. The expenditure estimates shall be classified to set
7 forth the data by funds, organization units, character and
8 objects of expenditure. The organization units may be
9 subclassified by functions and activities, or in any other
10 manner, at the discretion of the State Budget Officer.

11
12 2. Inclusion in estimate. In preparing budget estimates
13 pursuant to this section, the Department of Human Services, the
14 Department of Mental Health and Mental Retardation, the
15 Department of Corrections, and the Executive Department, Division
16 of Community Services shall include in their proposed current
17 services budget estimates:

18
19 A. The amount necessary to cover projected increases in
20 costs attributable to contracted social services which are
21 to be continued at current levels, based on the United
22 States Consumer Price Index established by the United States
23 Department of Labor, Bureau of Labor Statistics; or

24
25 B. A statement identifying the specific services that are
26 to be eliminated or reduced in the event that funds are not
27 budgeted to continue all contracted social services at
28 current levels. The statement shall indicate which
29 categories of clients and geographic areas will be affected.

30
31 The analysis and statement required by this subsection shall be
32 included in the state budget document pursuant to section 1664.

33
34 3. Tentative revenue estimates. Tentative revenue
35 estimates prepared by the State Budget Officer during the month
36 of September of the even-numbered years shall be revised by this
37 officer during the following November for inclusion in the
38 budget. The revenue estimates shall be classified so as to show
39 the income by organization units, sources and funds, or in any
40 other manner, at the discretion of the State Budget Officer.

41
42 4. Additional data. Upon receipt of the budget estimates
43 submitted in accordance with this section, the State Budget
44 Officer may require the heads of departments and other agencies
45 of the State Government and officers of organizations and
46 associations receiving or desiring to receive state funds under
47 the provisions of law to appear before said officer and present
48 such additional data in support of their budget estimates as said
49 officer may deem necessary.

50
51 Sec. 14. 5 MRSA §1731, as repealed and replaced by PL 1985,
c. 785, Pt. C, §2, is amended to read:

1
3
§1731. Reserve fund for self-insured retention losses

5 A reserve fund, in this chapter called the "fund," is
7 created to indemnify the State for self-insured retention losses
9 and related loss adjustment expenses from those perils insured
11 against under a deductible or self-insured retention program, as
13 recommended by the director and approved by the commissioner.
15 With the approval of the commissioner, the fund may be used for
17 loss prevention programs administered by either the Risk
19 Management Division or the Bureau of State Employee Health. The
total amount of the fund provided for loss prevention programs in
any given year may not exceed 5% of the fund as of July 1st of
that fiscal year. The fund shall be a continuing fund and shall
not lapse. Funds provided from the reserve fund to the Bureau of
State Employee Health shall be ~~similarly~~ nonlapsing and shall be
carried forward through the Bureau of State Employee Health
Internal-Service-Fund Dedicated Revenue Account.

21 With the approval of the commissioner, up to 15% of the
23 unreserved amount of the fund as of July 1, 1989, may be used for
the initial capitalization of the Workers' Compensation
Management Fund established by section 1833.

25 Sec. 15. 5 MRSA §1752 is enacted to read:

27 §1752. Centrally leased space and food vending

29 The Bureau of Public Improvements may establish a dedicated
31 revenue account for the management of space leased by the bureau
33 for state offices and facilities. Charges levied to state
35 agencies for centrally leased space shall be deposited to the
dedicated revenue account. A dedicated revenue account may be
established for operations related to food vending services.

37 Sec. 16. 5 MRSA §1833 is enacted to read:

39 §1833. Workers' Compensation Management Fund

41 The Workers' Compensation Management Fund is established to
43 provide for any expenses related to the resolution of workers'
45 compensation claims including: records and information
47 management; investigation; medical review; representation;
rehabilitation; payment of compensation; appropriate medical
expenses and other payments required by the Workers' Compensation
Commission; the settlement of cases; and other necessary expenses.

49 The fund shall be an internal service fund. The fund shall
51 be a continuing fund and shall not lapse. The treasurer shall
credit interest earned to the fund.

1 1. Capitalization; premiums. The fund shall be capitalized
2 by legislative appropriations, payment from state departments and
3 agencies and by other appropriate means.

5 All state departments and agencies shall make premium payments to
6 the fund at the beginning of each quarter based on charges to
7 user departments. Premiums charged to user departments shall be
8 based on an analysis of the loss experience of each department,
9 the reserve requirements related to departmental loss experience
10 and the recovery of expenses as authorized in this section as
11 related to each user department. Each department shall allocate
12 the premium charge based on an analysis of the loss experience of
13 each account or subdivision of account within the department.
14 Premiums charged shall be sufficient to ensure the continuation
15 of the fund and shall be set by the commissioner.

17 Funds received from the reserve fund for self-insured retention
18 losses under section 1731 shall be repaid to that reserve fund
19 through premiums charged except that, on the request of the
20 commissioner, the Governor may waive repayment to the reserve
21 fund when warranted and necessary.

23 2. Transitional clause. The Workers' Compensation
24 Management Fund shall be effective July 1, 1989, to assist
25 departments and agencies as approved by the commissioner.
26 Central payment of workers' compensation management expenses
27 shall not take effect until October 2, 1989. Initial quarterly
28 premium payments shall be due to the fund on September 15, 1989.

29 By December 1, 1989, the commissioner shall inform the
30 Commissioner of Finance, the State Budget Officer and any
31 affected department or agency of the probability of increased
32 premium charges for the remainder of the biennium. Thereafter,
33 the commissioner shall provide notice of premium charges to the
34 State Budget Officer and departments and agencies so that the
35 charges may be incorporated in the normal budgetary process.

37 Agencies that do not have sufficient funding to pay the required
38 premium charges shall request funds from the Second Regular
39 Session of the 114th Legislature.

41 **Sec. 17. 5 MRSA §1890-B is enacted to read:**

43 §1890-B. Misuse of information systems

45 1. Violation. No person may knowingly use any computer
46 information system operated by any state department or agency for
47 any political purposes.

49 2. Penalty. A violation of subsection 1 is a Class C crime.
51

1 3. Definition. For the purpose of this section, "political
2 purposes" include any reportable activity under Title 21-A,
3 chapter 13.

5 **Sec. 18. 5 MRSA §3305, sub-§1, ¶C,** as amended by PL 1987, c.
6 534, Pt. A, §§9 and 19, is further amended to read:

7 C. Conduct, in conjunction with the Department of Economic
8 and Community Development, continuing economic analysis of
9 the economy and resources of the State, including economic
10 forecasting, and collect and collate all pertinent data and
11 statistics relating thereto and assist the Governor, the
12 Legislature and the various state departments in formulating
13 economic goals and programs and policies to achieve such
14 goals. These data and statistics, including census
15 information, shall be made available to the Legislature upon
16 request.

17 (1) All state agencies shall cooperate with the State
18 Planning Office with respect to the provisions of this
19 paragraph.

20 (2) In implementing this paragraph, the State Planning
21 Office may use secondary data made available to the
22 office by other state agencies or other organizations;

23 **Sec. 19. 5 MRSA §7036, sub-§2,** as enacted by PL 1985, c. 785,
24 Pt. B, §38, is repealed and the following enacted in its place:

25 2. Develop training programs. Provide for a statewide
26 coordinated training and organizational development system and
27 services; develop and implement training programs to ensure that
28 managers and supervisors have the skills and knowledge needed to
29 manage people effectively; provide career and professional
30 development programs for employees; provide state agencies with
31 organizational development and management consulting services;
32 and provide technical assistance and other programs for training
33 and organizational development.

34 A. The director may employ staff and contract for
35 professional services as necessary to develop and conduct
36 training, organizational development and managerial
37 development programs.

38 B. Charges may be made to state agencies for programs and
39 services provided. Any rate schedule recommended by the
40 director shall be reviewed by the Policy Review Board and be
41 subject to the approval of the commissioner.

1 C. The Training and Organizational Development Fund is
3 established as a dedicated revenue account fund for the
 purposes of this subsection.

5 D. No expenditures may be made from the Training and
7 Organizational Development Fund for the purpose of providing
 any state employee, elected official or appointee with
9 training intended specifically to enhance and promote their
 image as an individual without the authorization of the
11 Governor.

13 Sec. 20. 5 MRSA c. 502 is enacted to read:

15 CHAPTER 502

17 COMMUNITY-BASED AIDS ORGANIZATIONS

19 §19251. Definitions

21 As used in this chapter, unless the context indicates
 otherwise, the following terms have the following meanings.

23 1. Bureau. "Bureau" means the Department of Human
25 Services, Bureau of Health.

27 2. Community-based AIDS organization. "Community-based
29 AIDS organization" means a nonprofit community organization whose
31 primary purpose is to provide educational information on
 HIV-related illnesses, support to persons with HIV-related
 illnesses and assistance to families and others providing care
 and support to persons with HIV-related illnesses.

33 3. Fiscal agent. "Fiscal agent" means an incorporated
35 community organization, agency or institution designated by a
37 community-based AIDS organization and authorized by the bureau to
 receive and distribute grants to that community-based AIDS
 organization.

39 4. Statewide AIDS alliance. "Statewide AIDS alliance"
41 means a statewide coalition of community-based AIDS organizations
 having at least one representative from each member organization.

43 §19252. Authorization for expenditure of funds

45 The bureau may make grants to community-based AIDS
47 organizations or fiscal agents for the purposes of maintaining a
49 statewide network of volunteer organizations that are members of
 a statewide AIDS alliance and supporting the work of those
 organizations.

51 1. Grants. Grants shall be made according to rules adopted
 by the bureau. In order to be eligible for a grant, the

1 applicant must match state funds, in a percentage to be
2 determined by the bureau, from community contributions of cash or
3 contributions in kind.

5 2. Award of grants. Grants awarded shall be based on
6 submission to the bureau of an annual plan which includes, but is
7 not limited to, community education, materials and ongoing
8 operations of the organization.

9
11 3. Distribution of grants. Grants shall be awarded to
12 support existing community-based AIDS organizations and to assist
13 the establishment of new community-based AIDS organizations. The
14 bureau shall award the first grant no later than October 1, 1989.

15 4. Consultation with statewide AIDS alliance. The bureau
16 shall seek the advice of a statewide AIDS alliance regarding the
17 distribution of grants before any grants are awarded.

19 **§19253. Fiscal agents**

21 A fiscal agent receiving grants under this chapter shall act
22 only in an administrative capacity to receive and distribute
23 grant money to the nonprofit community organization, as described
24 in the rules promulgated by the bureau for regulating the local
25 administration of these programs.

27 **§19254. Rules**

29 The bureau shall adopt rules, pursuant to the Maine
30 Administrative Procedure Act, chapter 375, which are necessary
31 for the implementation of this chapter including, but not limited
32 to, program and administrative standards.

33
35 **Sec. 21. 12 MRSA §6022, sub-§10, as enacted by PL 1977, c.**
36 **661. §5. is amended to read:**

37 10. Ecological impact. The commissioner shall advise the
38 United States Army Corps of Engineers, the Maine Department of
39 Transportation, the Department of Environmental Protection and
40 appropriate state agencies on the ecological effects of dredging,
41 filling and depositing of soil or otherwise altering coastal
42 wetlands, whether these actions will affect adversely estuarine
43 or marine fisheries and what mitigation or compensatory measures
44 are available. The commissioner shall also recommend to these
45 agencies whether dredging, filling or otherwise altering coastal
46 wetlands is permitted under current state and federal wetland
47 rules and regulations.

49 **Sec. 22. 20-A MRSA §2, sub-§3, as enacted by PL 1987, c. 821,**
50 **is further amended to read:**

51

1 3. Mandated programs. Any legislation containing a state
2 mandate enacted by the Legislature after January 1, 1989, which
3 requires additional funding, shall contain provisions for full
4 funding by the State for 2 years, after which the legislation
5 shall contain full funding through the School Finance Act of
6 1985, as amended. The funding requirements to implement the
7 mandate must be identified. Any such legislation for which full
8 state funding is not provided may not be enacted.

9
10 State mandates are defined as any state-initiated or statutory
11 action that requires a local school administrative unit to
12 establish, expand or modify its activities in such a way as to
13 necessitate additional expenditures from local revenues,
14 excluding any order issued by a state court or any legislation
15 necessary to comply with a federal mandate.

16 This chapter subsection is repealed on June 30, 1992 1994, unless
17 reviewed and extended by specific Act of the Legislature.

18
19 Sec. 23. 20-A MRSA §13451, as amended by PL 1987, c. 816, Pt.
20 KK, §17, is further amended to read:

21
22 3. Payment by State. The State through the Maine State
23 Retirement System shall pay 15% 20% of only the retired teacher
24 members' share of this insurance.

25
26 Sec. 24. 22 MRSA §309, sub-§7 is enacted to read:

27
28 7. Intermediate care facilities. The department shall give
29 preference when awarding a certificate of need for new nursing
30 home facilities to those homes being proposed to be constructed
31 in communities with populations of 4,000 or more and that do not
32 currently have a nursing home.

33
34 Sec. 25. 22 MRSA §1699 is enacted to read:

35
36 §1699. Community-based heart attack and stroke prevention
37 programs

38
39 1. Heart attack and stroke prevention programs;
40 establishment. The Bureau of Health shall establish a program to
41 develop heart attack and stroke prevention programs in
42 communities and regions throughout the State. The community
43 programs shall:

44
45 A. Provide public education to schools, community groups
46 and workplaces about cardiovascular risks;

47
48 B. Provide blood pressure and cholesterol screening,
49 referral and follow-up to the general public and workforce
50 populations; and

1 C. Provide smoking cessation programs for community members
2 wishing to quit.

3
4 2. Training; funding. The bureau shall provide training
5 for communities in program development, conduct a statewide
6 public awareness program about cardiovascular risks, allocate
7 matching funds for community program operation and periodically
8 evaluate program effectiveness.

9
10 3. Rules. The bureau shall adopt rules in accordance with
11 the Maine Administrative Procedure Act, Title 5, chapter 375, for
12 distribution of funds to communities no later than 90 days after
13 the effective date of this section; awards to communities shall
14 begin no later than 180 days after the effective date of this
15 section. The rules shall include a requirement that funded
16 programs follow accepted quality control standards and be
17 periodically reviewed by organizations with experience in and
18 knowledge of heart attack and stroke prevention.

19
20 **Sec. 26. 22 MRSA §3086, sub-§1, as enacted by PL 1987, c. 494,**
21 **is repealed and the following enacted in its place:**

22
23 1. Head injury. "Head injury" means an insult to the brain
24 resulting directly or indirectly from trauma, anoxia, vascular
25 lesions or infection, which:

26
27 A. Is not of a degenerative or congenital nature;

28
29 B. Can produce a diminished or altered state of
30 consciousness resulting in impairment of cognitive abilities
31 or physical functioning;

32
33 C. Can result in the disturbance of behavioral or emotional
34 functioning;

35
36 D. Can be either temporary or permanent; and

37
38 E. Can cause partial or total functional disability or
39 psychosocial maladjustment.

40
41 **Sec. 27. 22 MRSA §3784, sub-§7, as enacted by PL 1987, c. 856,**
42 **§§7 and 10, is amended to read:**

43
44 7. Effective date; sunset. Notwithstanding any other
45 provision of law, this section shall take effect on January 1,
46 1989 and shall be repealed on ~~June 30, 1989~~ March 31, 1990.

47
48 **Sec. 28. 23 MRSA §4207, as amended by PL 1987, c. 534, Pt. B,**
49 **§§13 and 23, is further amended to read:**

50
51 3. Purchase or lease of certain railroad lines. The
Department of Transportation may purchase or lease, ~~under such~~

1 ~~terms and conditions as the department and the owners of the~~
2 ~~railroad may agree upon and hold for the State,~~ railroad lines or
3 any part thereof or any other property located in the State,
4 owned or otherwise lawfully controlled by the any railroad when,
5 in the judgment of the department, the purchase or lease of those
6 railroad lines or property is necessary to protect the public
7 interest. ~~The department may purchase or lease the right of way~~
8 ~~only of such line or lines which it shall hold and manage for~~
9 ~~future transportation use or it may purchase or lease the~~
10 ~~railroad line intact, including track, track appurtenances, ties,~~
11 ~~bridges, station houses and other necessary structures.~~

13 A. Upon Before dismantling any track that results in a
14 cessation of rail service upon all or part of a railroad
15 line, or offering any railroad property for sale, or upon
16 the abandonment of service along all or a portion of a
17 railroad line, the department shall be given the first
18 option to lease or purchase, upon just and reasonable terms,
19 the ~~railroad's rights of way along the abandoned portion of~~
20 the railroad line or part thereof, or other property. In the
21 event that a lease is negotiated for the rights-of-way, the
22 department shall consult with municipal officials and
23 officers in the municipalities affected by the abandonment
24 of service along the line to determine the need for
25 preserving the rights-of-way along the abandoned portion of
26 the line for rail transportation. If the department finds
27 that the welfare of the State would be significantly and
28 adversely affected by the loss of the line for railroad
29 transportation purposes, the department shall seek to
30 negotiate the purchase of the abandoned portion of the line.
31 In making this determination, the department shall consider,
32 among other criteria deemed significant by the department,
33 future economic development activities and opportunities in
34 the area served by the abandoned railroad service. In
35 addition, the department shall consult with the Department
36 of Economic and Community Development and the State Planning
37 Office in making the determination required in this section.

39 The department shall, in good faith, seek to lease the
40 railroad rights-of-way until it finds that the preservation
41 of the rights-of-way is not necessary for the welfare of the
42 State or until the voters of the State approve or
43 disapprove, at a statewide election, the issue of bonds to
44 purchase the rights-of-way along the abandoned portion of
45 the line.

47 Nothing in this paragraph may require the department to
48 lease or purchase the railroad rights-of-way to an entire
49 railroad line or portion thereof for which railroad service
50 has been abandoned if the railroad corporation owner does
51 not intend to sell, lease or in any other way dispose of the

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 rights-of-way by which railroad service could be easily
restored along the abandoned service portion of the line.

3
5 B. The abandonment of service shall not mean or infer that
the rights-of-way on a railroad line have been abandoned. In
7 the event that the railroad, any person, firm or
corporation, or any agency shows interest in the eventual
9 restoration of service, the rights-of-way shall not be
deemed abandoned.

11 Since it is in the best interest of the State to retain the
rights-of-way intact, this paragraph shall apply to all
13 existing and future rights-of-way created prior to or
following the effective date of this section, as amended.

15
17 C. Whenever the department acquires railroad lines, to hold
and to manage for future railroad uses, those lines shall
not be considered abandoned for railroad purposes. The
19 commissioner shall periodically review the need to hold
those lines for future railroad uses.

21 **Sec. 29. 34-B MRSA §1204, sub-§2, ¶¶D and E** are enacted to
23 read:

25 D. The commissioner, with the approval of the Governor, may
27 employ and set the salaries up to the maximum adjusted pay
31 grade for physician I, II and III positions and clinical
29 director positions. Physician I, II and III positions and
33 clinical director positions shall be excluded from the
35 definition of state employee under Title 26, section 979-A,
37 subsection 6, and shall not be subject to the Civil Service
Law. Employees in these classifications hired after the
effective date of this paragraph shall serve at the pleasure
of the commissioner and shall, as a condition of continued
employment, maintain clinical privileges to practice
medicine as determined by the respective medical staff and
the superintendent of the facility.

39 E. Employees in the classifications of physician I, II and
41 III and clinical director may elect to retain current
43 bargaining unit and civil service status. Employees so
45 "grandfathered" shall retain salary and benefit entitlement
provided for on current pay schedules and collective
bargaining agreements.

Sec. 30. 36 MRSA §1760, sub-§67 is enacted to read:

47
49 67. Seedlings for commercial forestry use. Sales of tree
51 seedlings for use in commercial forestry. For purposes of this
subsection, commercial Christmas tree operations are not
considered commercial forestry. This subsection shall take
effect September 1, 1990.

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Sec. 31. 36 MRSA §2801, as enacted by PL 1987, c. 847, §5, is amended to read:

§2801. Hospital excise tax

Hospitals shall be subject to an excise tax for the fiscal year. The rate of tax shall be .002 of the hospital's financial requirements as determined in Title 22, chapter 107, subchapter III. The State Tax Assessor on or before September 30, 1988; December 30, 1988; March 30, 1989; and June 30, 1989, of each fiscal year shall determine the amount of such tax on each hospital and shall give notice of the amount to the hospital upon which the tax is levied. The amount of tax on each quarterly notice shall be .002 of the hospital's financial requirements of the most recently completed quarter of the hospital's payment year.

Sec. 32. 36 MRSA §5219-C is enacted to read:

§5219-C. Forest management planning income credits

Once every 10 years, an individual is allowed a credit against the tax otherwise due under this Part for the lesser of \$200 or the individual's cost for having a forest management and harvest plan developed for a parcel of forest land greater than 10 acres. For purposes of this section, the licensed professional forester may not be in the regular employ of the individual. In no case may this credit reduce the state income tax to less than zero. Those taxpayers claiming this credit must attach a statement from the forester supporting the claim and swear that the credit has not been claimed by them in the previous 10 years. Those taxpayers deducting the cost of the forester as an expense under the Internal Revenue Code must reduce the expense by the amount of the credit. This credit may be used in any tax year beginning on or after January 1, 1989.

Sec. 33. P&SL 1975, c. 147, Pt. D, §3, SCHEDULE 1b is enacted to read:

SCHEDULE 1b

Physicians' maximum adjusted pay grade and Clinical Directors, pursuant to the Maine Revised Statutes, Title 34-B, section 1204, subsection 2, paragraph D, for Physician I, Grade 53; Physician II, Grade 56; Physician III, Grade 59; and Clinical Director, Grade 60 shall be as follows.

Grade	A	B	C	D	E	F	G
53	55,540.16	61,110.40	64,030.72	67,086.24	70,493.28	73,846.24	77,361.44
56	63,057.28	69,384.64	72,791.68	76,360.96	80,065.44	83,932.16	88,042.24

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2 59 72,521.28 79,876.16 83,742.88 87,798.88 92,152.32 96,640.96 101,400.00
3
4 60 78,983.84 87,041.76 91,476.32 95,937.92 100,832.16 105,807.52 110,918.08
5

6 Schedule 1b provides a maximum adjusted pay grade schedule
7 and grades are subject to normal increases authorized by law.
8 Employees under these pay grades are authorized the option of a
9 5% salary increase in lieu of state payment of the employee's
10 individual retirement contribution.

11 **Sec. 34. Resolve 1987, c. 107, 2nd resolve clause, 2nd sentence is**
12 **amended to read:**

13
14 This planner shall be required to have available in sufficient
15 time to be included in legislation presented to the ~~First~~ Second
16 Regular Session of the 114th Legislature a cost estimate of
17 sufficient accuracy as to be suitable for a request for funding
18 to cover completely all aspects of the construction of this court
19 facility including adequate parking facilities; and be it further

20
21 **Sec. 35. Resolve 1987, c. 107, 3rd resolve clause, 2nd ¶, first sentence**
22 **is amended to read:**

23
24 All preparation for the design competition that does not
25 require funding shall be completed by November 1989 1990.

26
27 **Sec. 36. Resolve 1987, c. 107, 4th resolve clause, sub-§2, ¶B, first**
28 **sentence is amended to read:**

29
30 Present to the ~~First~~ Second Regular Session of the 114th
31 Legislature a report containing a recommendation on a site
32 within the City of Augusta for the proposed court facility
33 and the construction cost estimate of the court planner.

34
35 **Sec. 37. PL 1981, c. 453, §12, first sentence is amended to read:**

36
37 For the purposes of this Act, confidential employees are defined
38 as those within the Executive Branch, including probationary
39 employees who are excluded from bargaining units pursuant to the
40 Revised Statutes, Title 26, section 979-A, subsection 6,
41 paragraphs B, C, D, I and J and ~~whose salaries are not subject to~~
42 ~~adjustment or approval by~~ the Governor, the Attorney General, the
43 Secretary of State, the State Treasurer, the State Auditor and
44 the district attorneys.

45
46 **Sec. 38. PL 1989, c. 68, Pt. A, §12-A is enacted to read:**

47
48 **Sec. 12-A. Expenditure limitation.** It is the intent of the
49 Legislature that no expenditures may be made from any state
50 government resource, be it state or federal funds, for the
51

1 purpose of providing any state employee, elected official or
2 appointee with training intended to enhance and promote their
3 image as an individual without the authorization of the Governor.

5 **Sec. 39. Telecommunications lease purchases.** Pursuant to the
6 Maine Revised Statutes, Title 5, section 1587, the Office of
7 Information Services is authorized to enter into lease-purchase
8 agreements for telecommunications systems related to the needs of
9 the following agencies: Department of Administration - state
10 systems services in Augusta, Gardiner and Portland, including the
11 video pilot and the statewide network; Department of Audit -
12 Augusta; Division of Community Services - Hallowell; Department
13 of Conservation - Augusta; Department of Corrections - Bangor,
14 Portland, Warren, Charleston, Windham, Hallowell and Thomaston;
15 Department of Defense and Veterans' Services - Augusta;
16 Department of Economic and Community Development - Hallowell;
17 Department of Educational and Cultural Services - Portland;
18 Department of Environmental Protection - Augusta, Presque Isle
19 and Portland; Department of Finance - Augusta; Maine Health Care
20 Finance Commission - Augusta; Department of Human Services -
21 Augusta, Biddeford, Bangor, Calais, Houlton, Lewiston, Machias,
22 Mexico, Portland, Presque Isle, Rockland, Sanford and Skowhegan;
23 Department of Labor - Lewiston, Machias and Sanford; Department
24 of Marine Resources - Hallowell and Rockland; Department of
25 Mental Health and Mental Retardation - Augusta, Bangor, Portland
26 and Lewiston; Department of the Secretary of State - Augusta,
27 Bangor, Caribou and Rockland; Department of Public Safety - Gray,
28 New Gloucester, Vassalboro and Waterville; Department of
29 Transportation - Bangor and Scarborough; Judicial Department -
30 Portland; and the Maine Vocational-Technical Institute System -
31 Bangor, Presque Isle and South Portland.

33 Lease-purchase agreements for these systems services shall
34 be for no more than \$4,100,000 with interest costs of no more
35 than \$698,000. Up to 5% of this authorization may be used for
36 telecommunications systems services lease-purchase agreements not
37 specifically identified in this section.

39 **Sec. 40. Lease-purchase of computer equipment.** Pursuant to the
40 Maine Revised Statutes, Title 5, section 1587, the Department of
41 Public Safety is authorized to enter into purchase or
42 lease-purchase financing agreements for computer hardware and
43 operating software with an outright purchase price of not more
44 than \$1,340,000, with interest costs of no more than \$360,000.

45 The Department of Public Safety shall finance the cost of
46 this project with funds authorized under the departmental
47 long-range automated systems plan.

49 **Sec. 41. Lease-purchase of information systems.** Pursuant to the
50 Maine Revised Statutes, Title 5, section 1587, the Department of
51 the Secretary of State is hereby authorized to

1 enter into lease-purchase agreements of up to 5 years for
2 information systems and equipment totaling no more than \$520,000
3 with interest costs of approximately \$175,000.

5 **Sec. 42. Maine Court Facilities Authority; securities.** Pursuant to
6 the Maine Revised Statutes, Title 4, section 1606, subsection 1,
7 the Maine Court Facilities Authority is authorized to issue
8 securities, in its own name pursuant to existing statutory
9 authority, in the amount of \$6,500,000 for the purpose of paying
10 the cost of courthouse projects or parts of projects in Bath,
11 Brunswick, Friesque Isle, Dover-Foxcroft, Machias and York County.

13 **Sec. 43. Carrying clause.** Unencumbered balances in
14 Community-based Corrections Account #1370.8 shall not lapse, but
15 shall carry forward to June 30, 1990.

17 **Sec. 44. Carrying clause.** Unencumbered balances in Capital
18 Construction - Repairs - Improvements - Corrections Account
19 #1371.9 shall not lapse, but shall carry forward until June 30,
20 1990.

21 **Sec. 45. Transfer of funds available in the Bureau of State Employee
22 Health Dedicated Revenue Account.** A total amount of \$243,000,
23 identified to pay for an expansion of dental insurance benefits,
24 shall be transferred from the Bureau of State Employee Health
25 Dedicated Revenue Account to the various contributing funds other
26 than the General Fund. No fund may receive a transfer that is
27 greater than its original contribution to the \$243,000 balance.
28 The Commissioner of Administration and the Commissioner of
29 Finance shall determine the amounts that must be transferred.

31 **Sec. 46. Joint Standing Committee of Appropriations and Financial
32 Affairs; study.** The Joint Standing Committee on Appropriations and
33 Financial Affairs shall conduct a study of the following: the
34 manner in which new and expanded services in Federal Expenditure
35 funds, Federal Block Grant funds, Other Special Revenue funds,
36 internal service funds and general ledger funds should be
37 presented to the Legislature for review; and the manner in which
38 financial orders, as authorized in the Maine Revised Statutes,
39 Title 5, section 1585, are currently used during the legislative
40 session.

43 The committee shall organize a subcommittee to investigate
44 these issues.

45 The committee members shall receive the legislative per
46 diem, as defined in the Maine Revised Statutes, Title 3, section
47 2. Members shall be reimbursed for expenses upon application to
48 the Executive Director of the Legislative Council.

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 The committee shall issue a report, together with any
 2 proposed legislation, to the Second Regular Session of the 114th
 3 Legislature by February 1, 1990.

5 **Sec. 47. Study.** The Department of Corrections shall prepare a
 6 plan to be submitted to the Joint Standing Committee on
 7 Appropriations and Financial Affairs before January 1, 1990,
 8 concerning the department's assessment of the programs and
 9 facilities that are needed to address the issue of juveniles in
 10 adult-serving facilities.

11 **Sec. 48. Prohibition.** No positions which are intended to be
 12 ongoing may be created with any state or federal funds unless
 13 funds are specifically appropriated or allocated by the
 14 Legislature.

17 **Sec. 49. Transfer of funds.** The State Controller is authorized
 18 to transfer \$17,100,000 from the General Fund balance to
 19 undedicated revenue. These transfers shall be made on a monthly
 20 basis during the period of January 1990, to June 1990, in amounts
 21 directly proportional to total individual income tax refunds
 22 budgeted for those months.

23 PART Q

25 **Sec. 1. Commission created and charged.** There is created the
 26 Special Commission to Study the Organization of the State's
 27 Cultural Agencies. The commission shall study the organizational
 28 placement of the Maine State Museum, the Maine State Library, the
 29 Maine Historic Preservation Commission and the Maine Arts
 30 Commission within the Department of Educational and Cultural
 31 Services. The commission shall conduct research on the
 32 organizational options for the provision of cultural services
 33 within State Government and shall hold a series of at least 3
 34 public hearings throughout the State to gather public testimony.

37 **Sec. 2. Appointment.** The commission shall consist of 17
 38 members, appointed in the following manner: 2 Senators appointed
 39 by the President of the Senate; 3 members of the House of
 40 Representatives appointed by the Speaker of the House of
 41 Representatives; the Commissioner of Educational and Cultural

1 Services or the commissioner's designee, ex officio; the Director
of the State Museum Bureau, Director of the Maine Historic
3 Preservation Commission, the Director of the Maine Arts
Commission and the State Librarian, or their designees, ex
5 officio; the Chair of the Maine State Museum Commission; the
Chair of the Maine Library Commission; the Chair of the Maine
7 Historic Preservation Commission; the Chair of the Maine Arts
Commission; the Chair of the Maine Community Cultural Alliance;
9 and 2 public members appointed jointly by the President of the
Senate and the Speaker of the House of Representatives. Members
11 shall be appointed within 30 days of the effective date of this
Act and the Executive Director of the Legislative Council shall
13 be notified when the appointments are made.

15 **Sec. 3. Convening of commission.** When the appointment of all
commission members is completed, the Chair of the Legislative
17 Council shall convene the first meeting of the commission. At
the first meeting, the commission shall elect a chair from among
19 its members.

21 **Sec. 4. Report.** The commission shall present its findings,
together with any recommended legislation, to the 114th
23 Legislature and the Governor by December 1, 1989.

25 **Sec. 5. Assistance.** If staff assistance is desired, assistance
shall be requested from the Legislative Council.
27

29 **Sec. 6. Compensation.** The members of the commission who are
Legislators shall receive the legislative per diem, as defined in
the Maine Revised Statutes, Title 3, section 2, for each day's
31 attendance at commission meetings. All members of the commission
who are not state employees shall receive reimbursement for
33 expenses upon application to the Executive Director of the
Legislative Council.
35

37 PART R

39 **Appropriation.** The following funds are appropriated from the
General Fund to carry out the purposes of this Act.

	1990-91
41	
43 Executive Department and	
Agencies (cabinet level)	(\$470,000)
45	
47 Legislative and Judicial	
Department and other	
noncabinet level agencies	(1,500,000)
49	
51 Maine Vocational Technical	
Institute System	(24,800)

R. OF S

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

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Maine Maritime Academy	(6,200)
Total	<u>(\$2,001,000)</u>

The State Budget Officer shall calculate the amount that shall apply against each General Fund account in groups one and 2 above based upon the All Other (less grants).

The calculated amount for each of the accounts shall be in the same proportion as the total amount for the account is to the total amount for the group.

The State Budget Officer shall reduce the appropriations in each account by the calculated amount.

PARTS

Commission created. The Commission to Evaluate the Adequacy of the Aid to Families with Dependent Children Need and Payment Standards is created.

1. The commission shall consist of 13 members appointed in the following manner: 2 Senators, and 2 members of the House of Representatives, one each from the Joint Standing Committee on Human Resources and the Joint Standing Committee on Appropriations and Financial Affairs, to be appointed by the President of the Senate and Speaker of the House of Representatives respectively; one representative of the Department of Human Services; one representative of the Maine Municipal Association, to be appointed by the Governor; one member of the Aid to Families with Dependent Children Advisory Council; one representative of licensed social workers; one representative of the academic disciplines of social work, sociology, labor economics or other relevant fields of study; one representative of private nonprofit agencies providing services to Aid to Families with Dependent Children recipients; and 3 representatives of Aid to Families with Dependent Children recipients to be appointed jointly by the President of the Senate and the Speaker of the House of Representatives. All appointments shall be made within 30 days of the effective date of this section. The commission members shall select a chair at their first meeting.

2. The commission shall study the adequacy of the Aid to Families with Dependent Children program's need and payment standards to meet the cost of basic necessities for eligible families. Specifically, the commission shall:

- A. Determine an amount that represents the actual cost to low-income families of purchasing basic necessities on a

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 monthly basis and specify the methodology by which that
determination has been made;

3
5 B. Examine the adequacy of the current Aid to Families with
Dependent Children need and payment standards to enable
eligible families to purchase these basic necessities; and

7
9 C. Recommend legislation which establishes a reasonable
method, taking maximum advantage of federal financial
11 participation, and a timetable for assuring that recipients
of Aid to Families with Dependent Children benefits receive
13 sufficient income on an annual basis to meet their expenses
for basic necessities.

15 3. When the appointment of all commission members is
completed, the Chair of the Legislative Council shall call the
17 first meeting by September 15, 1989.

19 4. The Department of Human Services shall assist with the
scheduling of meetings and provide the commission with staff and
21 access to information as appropriate and necessary to carry out
its charge.

23
25 5. All members of the commission who are not state
employees shall receive reimbursement for travel and other
27 necessary expenses upon application to the Executive Director of
the Legislative Council.

29 6. The commission shall submit a report, together with any
necessary implementing legislation, to the Second Regular Session
31 of the 114th Legislature by February 15, 1990.

33 **PART T**

35 **Demonstration project for victims of Alzheimer's disease.** The
Department of Human Services shall contract with a northern Maine
37 hospital in Aroostook County to develop a diagnostic and
assessment clinic for victims of Alzheimer's disease. This
39 demonstration project shall not be subject to the Maine Revised
Statutes, Title 22, chapters 103 and 107, and shall be deemed an
41 approved project for which an adjustment may be made under the
Maine Revised Statutes, Title 22, section 396-D, subsection 5,
43 but shall not be a debit to the Hospital Development Account.

PART U

36 MRSA §1760, sub-§9-D, as enacted by PL 1985, c. 767, §3, is amended to read as follows:

9-D. Fuel and electricity used at a manufacturing facility. Ninety-five percent of the sale price of all fuel and electricity purchased for use at a manufacturing facility. The sales or use tax rate applicable to 95% of the sale price of such fuel and electricity shall be progressively reduced to 0 according to the following schedule:

Date of purchase	Sales or use tax rate
July 1, 1987, to June 30, 1988	4%
July 1, 1988, to June 30, 1989	3%
July 1, 1989, to June 30, 1990 <u>December 31, 1991</u>	2%
July 1, 1990 <u>January 1, 1991</u> , to June 30, 1991	1%
July 1, 1991, and thereafter	0%

Each year prior to the effective date of the next reduction, after the reduction beginning July 1, 1987, the joint standing committee of the Legislature having jurisdiction over taxation shall review the effect of this subsection and report to the Legislature.

PART V

Sec. 1. 36 MRSA §1752, sub-§6-A, as enacted by PL 1985, c. 767, §1, is amended to read:

6-A. Manufacturing facility. "Manufacturing facility" means a site at which is located machinery and equipment used directly and primarily in either the production of tangible personal property intended to be sold or leased ultimately for final use or consumption or the production of tangible personal property pursuant to a contract with the United States Government or any agency thereof. It includes the machinery and equipment and all machinery, equipment, structures and facilities located at the site and used in support of production or associated with the production.

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Sec. 2. 36 MRSA §1752, sub-§11, as repealed and replaced by PL 1987, c. 497, §22, is amended to read:

11. Retail sale. "Retail sale" means any sale of tangible personal property, in the ordinary course of business, for consumption or use, or for any purpose other than for resale, except resale as a casual sale, in the form of tangible personal property. "Retail sale" also means any sale of a taxable service in the ordinary course of business for any purpose other than for resale, except resale as a casual sale. "Retail sale" includes conditional sales, installment lease sales and any other transfer of tangible personal property when the title is retained as security for the payment of the purchase price and is intended to be transferred later. "Retail sale" includes sale of products for internal human consumption to a person for resale through coin-operated vending machines when sold to a retailer whose gross receipts from the retail sale of tangible personal property derived through sales from vending machines are more than 50% of his the retailer's gross receipts, which tax shall be paid by the retailer to the State. "Retail sale" does not include any sale by a personal representative in the settlement of an estate, unless the sale is made through a retailer, or unless the sale is made in the continuation or operation of a business; nor does the term include any other casual sale. "Retail sale" does not include the sale of tangible personal property which becomes an ingredient or component part of, or which is consumed or destroyed or loses its identity directly and primarily in either the production of, tangible personal property for later sale or lease, other than lease for use in this State, or the production of tangible personal property pursuant to a contract with the United States Government or any agency thereof, but shall include fuel and electricity, but shall not include electricity separately metered and consumed in any electrolytic process for the manufacture of tangible personal property for later sale, nor any fuel oil or coal, the by-products from the burning of which become an ingredient or component part of tangible personal property for later sale. Tangible personal property is "consumed or destroyed" or "loses its identity" in that production, if it has a normal physical life expectancy of less than one year as a usable item in the use to which it is applied. "Retail sale" does not include the sale, to a person engaged in the business of renting automobiles, of automobiles, or integral parts of automobiles or accessories to automobiles, for rental or for use in an automobile rented, on a short-term basis. "Retail sale" does not include the sale of containers, boxes, crates, bags, cores, twines, tapes, bindings, wrappings, labels and other packing, packaging and shipping materials when sold to persons for use in packing, packaging or shipping tangible personal property sold by them or upon which they have performed the service of cleaning, pressing, dyeing, washing, repairing or reconditioning in their regular course of business and which are

1 transferred to the possession of the purchaser of such that
2 tangible personal property. "Retail sale" does not include the
3 provision of meals or lodging to employees at their place of
4 employment when the value of those meals or that lodging is
5 allowed as a credit toward the wages of those employees.

7 **Sec. 3. 36 MRSA §1752, sub-§11**, as amended by PL 1985, c. 767,
8 §§2 and 4, is further amended to read:

9
10 **11. Retail sale or sale at retail.** "Retail sale" or "sale
11 at retail" means any sale of tangible personal property, in the
12 ordinary course of business, for consumption or use, or for any
13 purpose other than for resale, except resale as a casual sale in
14 the form of tangible personal property, any rental of living
15 quarters in any hotel, rooming house, tourist or trailer camp,
16 any rental of automobiles on a short-term basis, other than
17 rental to a person engaged in the business of renting
18 automobiles, the sale of telephone or telegraph service and the
19 sale of extended cable television service. The term "retail
20 sale" or "sale at retail" includes conditional sales, installment
21 lease sales, and any other transfer of tangible personal property
22 when the title is retained as security for the payment of the
23 purchase price and is intended to be transferred later. The term
24 "retail sale" or "sale at retail" also means sale of products for
25 internal human consumption to a person for resale through
26 coin-operated vending machines when sold to a retailer whose
27 gross receipts from the retail sale of tangible personal property
28 derived through sales from vending machines are more than 50% of
29 his the retailer's gross receipts, which tax shall be paid by the
30 retailer to the State. The term "retail sale" or "sale at
31 retail" does not include any sale by an executor or administrator
32 in the settlement of an estate, unless such that sale is made
33 through a retailer, or unless such that sale is made in the
34 continuation or operation of a business; nor does the term
35 include any other isolated transaction in which any tangible
36 personal property is sold, transferred, offered for sale or
37 delivered by the owner of the property, such that sale, transfer,
38 offer for sale, or delivery not being made in the ordinary course
39 of repeated and successive transactions of a like character by
40 such that owner, such those transactions being elsewhere
41 sometimes referred to as "casual sales." "Casual sales" includes
42 transactions by a civic, religious or fraternal organization,
43 which is not a registered retailer, at bazaars, fairs, rummage
44 sales, picnics or similar events but not exceeding 8 days in a
45 calendar year. The sale by a registered retailer of tangible
46 personal property, which that retailer has used in the course of
47 ~~his-or-its~~ business, is not a casual sale and is a retail sale
48 subject to taxation under this Part, if that property is of a
49 like character to that sold in the ordinary course of repeated
50 and successive transactions. "Casual sale" shall not include any
51 transaction in which tangible personal property is sold,
transferred or offered for sale by a representative for the

1 owner's account when such that representative is a registered
2 retailer, in which event such that registered retailer shall have
3 the same duties respecting such that sale as if he the retailer
4 had sold on his the retailer's own account. "Retail sale" and
5 "sale at retail" do not include the sale of tangible personal
6 property which becomes an ingredient or component part of, or
7 which is consumed or destroyed or loses its identity directly and
8 primarily in either the production of, tangible personal property
9 for later sale or lease, other than lease for use in this State,
10 or the production of tangible personal property pursuant to a
11 contract with the United States Government or any agency thereof,
12 but shall include fuel and electricity. "Retail sale" and "sale
13 at retail" do not include the sale, to a person engaged in the
14 business of renting automobiles, of automobiles, or integral
15 parts of automobiles or accessories to automobiles, for rental or
16 for use in an automobile rented, on a short-term basis. It shall
17 be considered that tangible personal property is "consumed or
18 destroyed" or "loses its identity" in such that manufacture, if
19 it has a normal physical life expectancy of less than one year as
20 a usable item in the use to which it is applied. "Retail sale"
21 or "sale at retail" do not include the sale of containers, boxes,
22 crates, bags, cores, twines, tapes, bindings, wrappings, labels
23 and other packing, packaging and shipping materials when sold to
24 persons for use in packing, packaging or shipping tangible
25 personal property sold by them or upon which they have performed
26 the service of cleaning, pressing, dyeing, washing, repairing or
27 reconditioning in their regular course of business and which are
28 transferred to the possession of the purchaser of such that
29 tangible personal property.

31 **Sec. 4. 36 MRSA §1760, sub-§31,** as amended by PL 1985, c. 276,
32 §3, is further amended to read:

33
34 **31. Machinery and equipment.** Sales of machinery and
35 equipment for use by the purchaser directly and primarily in
36 either the production of tangible personal property, which
37 property is intended to be sold or leased ultimately for final
38 use or consumption, or the production of tangible personal
39 property pursuant to a contract with the United States Government
40 or any agency thereof.

41
42 **Sec. 5. Retroactivity.** The Maine Revised Statutes, Title 36,
43 section 1752, subsection 9-B, as repealed and replaced by Public
44 Law 1987, chapter 497, section 19, shall apply retroactively
45 beginning on January 1, 1985. Sections 1, 2 and 4 of this Part
46 shall apply retroactively beginning on January 1, 1985.

47
48 **Sec. 6. Effective date; repeal.** Section 3 of this Part shall
49 take effect on July 1, 1991. Section 2 of this Part is repealed
50 on July 1, 1991.

51

PART W

Sec. 1. Advisory committee created. There is created the Advisory Committee to Update the Maine Aviation Systems Plan.

Sec. 2. Appointment. The advisory committee shall consist of 21 members as follows:

1. One Senator appointed by the President of the Senate;
2. Two Representatives appointed by the Speaker of the House of Representatives;
3. The Commissioner of Transportation;
4. The Director of the State Planning Office or the director's designee;
5. The Commissioner of Economic and Community Development or the commissioner's designee;
6. Five members representing different regional planning commissions or councils of government throughout the State, appointed by the Governor;
7. A representative of an association representing Maine municipalities, appointed by the Governor;
8. One member representing an association of Maine airport managers, appointed by the Governor;
9. Two members representing an association of Maine pilots, appointed by the Governor;
10. Three members representing the airline industry, appointed by the Governor; and
11. Three members representing the public, appointed by the Governor.

The advisory committee shall choose a chair from among its members.

Sec. 3. Duties. The advisory committee shall assist and advise the Department of Transportation in the update of the Maine Aviation Systems Plan. In updating the plan the advisory committee and the department shall:

1. Conduct a study of the current aviation system within the State;

1 2. Determine the viability of the current aviation system
3 with respect to its part of a statewide or regional
4 transportation system;

5 3. Project future needs for an effective aviation system in
6 the State over the next 5 to 20 years including land purchases;

7 4. Establish realistic priorities for state and federal
8 funding; and

11 5. Examine any other issues considered necessary by the
12 advisory committee with respect to updating the plan.
13

Sec. 4. Compensation. Legislative members of the advisory
15 committee shall receive legislative per diem for every day of
16 attendance at scheduled meetings in accordance with the Maine
17 Revised Statutes, Title 3, section 2. The public members and
18 other members who are not state or municipal government employees
19 or employees of councils of government shall receive expenses
20 only in accordance with the Maine Revised Statutes, Title 5,
21 chapter 379. Compensation shall be provided to members of the
22 advisory committee following application to the Executive
23 Director of the Legislative Council.

25 **Sec. 5. Meetings.** The advisory committee shall be eligible
26 for compensation as provided in this resolve for an average of
27 one meeting per month.

29 **Sec. 6. Staff assistance.** The Department of Transportation shall
30 provide for staff assistance to the advisory committee to update
31 the plan.

33 **Sec. 7. Report.** The advisory committee shall present its
34 findings, including any necessary implementing legislation, to
35 the First Regular Session of the 115th Legislature.
36

37 **PART X**

39 **PL 1989, c. 495, §8** is amended to read:

41 **Sec. 8. Appropriation.** The following funds are appropriated
42 from the General Fund to carry out the purposes of this Act.
43

45 **1989-90**

47 **FINANCE, DEPARTMENT OF**

49 **Individual Income Tax Surplus**
50 **Return Fund Program**
51

1 All Other \$16,500,000 \$23,900,000

3 Provides funds to reimburse the General Fund
4 for revenues lost that otherwise would have
5 been collected except for the changes in
6 income tax rates enacted in this Act. These
7 funds shall not lapse, but shall be carried
8 forward until June 30, 1991, to be used for
9 the same purpose. These funds shall be
10 transferred to the General Fund by the State
11 Controller on a monthly basis to offset the
12 impact of lower monthly revenue collections.
13

15 **PART Y**

17 **Sec. 1. 22 MRSA §3772, sub-§4**, as amended by PL 1983, c. 730,
18 §4, is further amended to read:

19
20 **4. Registrant.** "Registrant" means a recipient of Aid to
21 Families with Dependent Children under the United States Social
22 Security Act, ~~Title IV-(A) Subchapter IV-A,~~ who has registered
23 with the ~~Welfare, Employment, Education and Training Program of~~
24 the Department of Human Services ~~or its successors~~ for education,
25 training, supportive services and employment activities pursuant
26 to the United States Social Security Act, ~~Title IV-(C) Subchapter~~
27 IV-F or its successors.

29 **Sec. 2. 22 MRSA §3781**, as enacted by PL 1987, c. 856, §§7 and
30 10, is amended to read:

31 **§3781. Additional Support for People in Retraining**
32 **and Education Program established**

35 **1. Administration.** The Additional Support for People in
36 Retraining and Education Program shall be administered by the
37 Department of Human Services ~~and jointly operated by the~~
38 ~~Department of Human Services, the Department of Labor and other~~
39 ~~state agencies having responsibilities relating to the goals of~~
40 this program. The Department of Human Services ~~may~~ shall,
41 consistent with the goals of the Additional Support for People in
42 Retraining and Education Program, contract with the Department of
43 Labor to implement this program ~~in selected areas of the State.~~
44 The department may also contract with other public agencies, as
45 well as private agencies and individuals, to implement this
46 program in selected areas of the State.

47
48 **2. Purpose.** The purpose of this program is to provide
49 services and support to recipients of Aid to Families with
50 Dependent Children and food stamps and to reduce dependence on
51 public assistance. The principal goal shall be to assist the
recipient in securing stable employment which pays wages

1 sufficient to maintain adequate family income without public
assistance and to increase the basic life skills and
3 self-confidence of the recipient.

5 3. Employability plan. The department and the client shall
enter into a ~~contract~~ an employability plan to embody the goals
7 of the client and the services and support of agencies' services
offered by the program.
9

11 Sec. 3. 22 MRSA §3782, sub-§2, as enacted by PL 1987, c. 856,
§§7 and 10, is repealed and the following enacted in its place:

13 2. Coordination. The program shall be coordinated as
follows.
15

17 A. In areas where the department and the Department of
Labor jointly provide service, the department shall
coordinate the following functions:
19

21 (1) Identification of the program participant's
pretraining needs;

23 (2) Provision of prevocational training as it relates
to social development and life skills adjustment;
25

27 (3) Provision of support services; and

29 (4) Case management services for the participant's
period of enrollment.

31 B. In areas where the department and the Department of
Labor jointly provide service, the Department of Labor shall
coordinate the following functions:
33

35 (1) Identification of training needs;

37 (2) Provision of prevocational training as it relates
to employability development;
39

41 (3) Provision of skills training;

43 (4) Provision of access to education; and

45 (5) Job placement.

47 C. In areas where the department contracts with the
Department of Labor, the Department of Labor's job training
program shall coordinate the functions listed in paragraph A.
49

1 **Sec. 4. 22 MRSA §3784, sub-§7**, as enacted by PL 1987, c. 856,
2 §§7 and 10, is repealed and the following enacted in its place:

3 7. Sunset. This section is repealed on April 1, 1990.

4 **Sec. 5. 22 MRSA §3788** is enacted to read:

5 §3788. Program requirements

6 1. Notice of program assistance. The department shall
7 provide written notice to all applicants for and recipients of
8 the Aid to Families with Dependent Children program of the range
9 of education, employment and training opportunities, and the
10 types of support services, including transitional support
11 services and medical assistance, available under the Additional
12 Support for People in Retraining and Education Program, together
13 with a statement that all registrants may make application for
14 such opportunities and services.

15 2. Application; decision. All registrants shall be given
16 the opportunity to apply for a particular type of training and
17 support services at the office of the program provider serving
18 the area in which that individual lives. The program provider
19 shall issue a written decision promptly, in accordance with rules
20 adopted by the department, on all applications and shall include
21 the type and amount of assistance that has been authorized or
22 denied. The registrant shall be given in writing the reasons and
23 specific rules supporting that denial and an explanation of the
24 individual's right to request a fair hearing.

25 3. Assessment. Each participant's case manager shall
26 conduct an individualized assessment, including a personal
27 meeting, to determine that individual's education and training
28 needs and occupational goal. Literacy testing and basic
29 assessment tools may be part of an individual's original
30 assessment, if the case manager determines that it is necessary
31 or the participant requests it. A participant shall be provided
32 a more comprehensive assessment, including such instruments as a
33 self-assessment survey, or literacy or vocational testing, only
34 when a determination as to training needs and occupational goal
35 cannot reasonably be made without further assessment.

36 4. Employability plan. An employability plan shall be
37 adopted for each program participant which shall include that
38 individual's education, training and employment plan and the
39 support services necessary to participate in that plan. The
40 participant's first employability plan shall be established
41 promptly, in accordance with rules adopted by the department.
42 The rules shall provide for an expedited procedure for the
43 development of an employability plan when necessary to meet the

1 participation or enrollment requirements of an educational
2 institution or training program.

3
4 5. Provision of support services. Beginning January 1,
5 1990, payment for support services shall be furnished promptly in
6 accordance with rules adopted by the department to, or on behalf
7 of, eligible individuals as agreed to in the employability plan.
8 The rules shall provide for an expedited procedure for payment
9 for support services when those services are immediately
10 necessary to enable the participant to participate in an approved
11 education, training or employment plan.

12
13 6. Education and training service. When a particular
14 approved education or training service is available at comparable
15 quality and cost, including the cost of support services, and the
16 implementation of the employability plan would not be
17 unreasonably delayed, the program participant may choose to
18 enroll for that service with the provider of that person's
19 preference. If this decision is not mutually agreed to by the
20 participant and the case manager, the decision shall be reviewed
21 by the case manager's supervisor.

22
23 7. Readability. All notices, applications and decisions
24 intended to be read by program applicants or participants shall
25 be designed to be easily understood and shall have a readability
26 score, as determined by a recognized instrument for measuring
27 adult literacy, equivalent to no higher than a 6th grade reading
28 level.

29
30 All rules required by this section, with the exception of
31 those required under subsection 5, shall be adopted by October
32 15, 1989.

33
34 **PART Z**

35
36 **36 MRSA §653, as amended by PL 1985, c. 785, Pt. A, §110,**
37 **is further amended to read:**

38
39 **§653. Estates of veterans**

40
41 **The following estates of veterans are exempt from taxation:**

42
43 **1. Estates of veterans and servicemen.**

44
45 **C. The estates up to the just value of \$4,000 \$5,000,**
46 **having a taxable situs in the place of residence, of**
47 **veterans who served in the Armed Forces of the United States**
48 **during any federally recognized war period, including the**
49 **Korean Campaign and the Viet-Nam Vietnam War, when they**
50 **shall have reached the age of 62 years or when they are**
51 **receiving any form of pension or compensation from the**
United States Government for total disability,

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1 service-connected or nonservice-connected, as a veteran. The
2 exemption provided in this paragraph shall apply to the
3 property of such that veteran including property held in
4 joint tenancy with ~~his-er-her~~ that veteran's spouse.

5
6 C-1. The estates up to the just value of ~~\$5,000-for-the~~
7 ~~1978-tax-year,-and-\$6,000-for-each-tax-year-thereafter~~
8 \$7,000, having a taxable situs in the place of residence of
9 veterans who served in the Armed Forces of the United States
10 during any federally recognized war period during or before
11 World War I and who would be eligible for an exemption under
12 paragraph C.

13
14 The exemption provided in this paragraph shall be in lieu of
15 any exemption under paragraph C to which the veteran may be
16 eligible and shall apply to the property of such that
17 veteran, including property held in joint tenancy with ~~his~~
18 ~~er-her~~ that veteran's spouse.

19
20 D. The estates up to the just value of ~~\$4,000~~ \$5,000,
21 having a taxable situs in the place of residence, of the
22 unmarried widow or minor child of any veteran who would be
23 entitled to such the exemption if living, or who is in
24 receipt of a pension or compensation from the Federal
25 Government as the widow or minor child of a veteran.

26
27 The estates up to the just value of ~~\$4,000~~ \$5,000, having a
28 taxable situs in the place of residence, of the mother of a
29 deceased veteran who is 62 years of age or older and is an
30 unmarried widow who is in receipt of a pension or
31 compensation from the Federal Government based upon the
32 service-connected death of her son.

33
34 D-1. The estates up to the just value of ~~\$40,000~~ \$47,500,
35 having a taxable situs in the place of residence, for
36 specially adapted housing units, of veterans who served in
37 the Armed Forces of the United States during any federally
38 recognized war period and who are paraplegic veterans, so
39 called so-called, within the meaning of the U.S. United
40 States Code, Title 38, chapter Chapter 21, section Section
41 801, and who received a grant from the United States
42 Government for such the specially adapted housing, or of the
43 unmarried widows of such the veterans. The exemption
44 provided in this paragraph shall apply to the property of
45 such the veteran including property held in joint tenancy
46 with ~~his-er-her~~ that veteran's spouse.

47
48 D-2. The estates up to the just value of ~~\$5,000-for-the~~
49 ~~1978-tax-year,-and-\$6,000-for-each-tax-year-thereafter~~
50 \$7,000, having a taxable situs in the place of residence of
51 the unmarried widow or minor child of any veteran who
would be entitled to an exemption under paragraph C-1, if

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1 living, or who is in receipt of a pension or compensation
3 from the Federal Government as the widow or minor child of a
5 veteran, and who is the unremarried widow or minor child of
7 a veteran who served during any federally recognized war
9 period during or before World War I.

7 The exemption provided in this paragraph shall be in lieu of
9 any exemption under paragraph D to which the person may be
11 eligible.

11 D-3. The estates up to the just value of ~~\$5,000 for the~~
13 ~~1978 tax year, and \$6,000 for each tax year thereafter~~
15 \$7,000, having a taxable situs in the place of residence of
17 the mother of a deceased veteran who is 62 years of age or
19 older and is an unremarried widow who is in receipt of a
21 pension or compensation from the Federal Government based
upon the service-connected death of her son and who is
receiving the pension or compensation from the Federal
Government based upon the service-connected death of her son
during any federally recognized war period during or before
World War I.

23 The exemption provided in this paragraph shall be in lieu of
25 any exemption under paragraph D to which the person may be
eligible.

27 E. The word "veteran" as used in this subsection shall mean
29 any person, male or female, who was in active service in the
31 Armed Forces of the United States during any federally
33 recognized war period or the Korean Campaign or the Viet-Nam
35 Vietnam War; and who, if discharged, retired or separated
37 from the Armed Forces, was discharged, retired or separated
under other than dishonorable conditions. A veteran of the
39 Viet-Nam Vietnam War shall have served on active duty for a
41 period of more than 180 days, any part of which occurred
after August 4, 1964 and before May 7, 1975, except that if
he the veteran died in service or was discharged for a
service-connected disability after such that date. The "Viet
Nam Vietnam War" shall mean that period between August 5,
1964 and May 7, 1975₊.

43 F. To be eligible for exemption under this subsection:

45 (3) No exemption may be granted to any person under
47 this subsection unless such the person is a resident of
this State; and

49 (4) Notwithstanding any other provisions of this
51 paragraph, prior to April 1, 1982, any person claiming
an exemption under paragraph C who is receiving any
form of pension or compensation from the Federal
Government for total disability, service-connected or

1 nonservice-connected, as a veteran, and any person
2 claiming an exemption under paragraph C-1, D, D-1, D-2
3 or D-3 shall not be required to meet the standards
4 specified in subparagraphs (1) and (2). Any such person
5 who received an exemption in 1980 shall not be required
6 to reapply in 1981. Exemptions granted under this
7 section which are reimbursable pursuant to section 661
8 shall not be considered eligible for reimbursement
9 under paragraph H. Any person whose exemption is
10 reimbursable under section 661 shall, for 1981, be
11 entitled to an extension until May 1, 1981, for filing
12 a written application and written proof of entitlement
13 for exemption with the assessors of the place in which
14 the person resides, notwithstanding the provisions of
15 paragraph G.

17 G. Any person who desires to secure exemption under this
18 subsection shall make written application and file written
19 proof of entitlement on or before the first day of April, in
20 the year in which the exemption is first requested, with the
21 assessors of the place in which the person resides. The
22 assessors shall thereafter grant ~~such~~ the exemption to any
23 person ~~while-he~~ who is so qualified and ~~continues~~ remains a
24 resident of that place or until they are notified of reason
25 or desire for discontinuance.

27 H. Any municipality granting exemptions under this
28 subsection shall have a valid claim against the State to
29 recover 90% of the taxes lost by reason of ~~such~~ the
30 exemptions as exceeds 3% of the total local tax levy, upon
31 proof of the facts in form satisfactory to the Commissioner
32 of Finance. ~~Such~~ The claims shall be presented to the
33 Legislature next convening.

35 I. No property conveyed to any person for the purpose of
36 obtaining exemption from taxation under this subsection
37 shall may be so exempt, ~~excepting~~ except property conveyed
38 between husband and wife, and the obtaining of ~~such~~
39 exemption by means of fraudulent conveyance shall be
40 punished by a fine of not less than \$100 and not more than 2
41 times the amount of the taxes evaded by ~~such~~ the fraudulent
42 conveyance, whichever amount is greater.

43 J. No person shall may be entitled to property tax
44 exemption under more than one paragraph of this subsection.

47 K. In determining the local assessed value of the
48 exemption, the assessor shall multiply the amount of the
49 exemption by the ratio of current just value upon which the
50 assessment is based as furnished in the assessor's annual
51 return to the State Tax Assessor.

PART AA

Sec. 1. Legislative findings. The Legislature finds that:

1. Rapid changes are occurring in our environment, including the land, water, atmosphere and climate, as a result of human activities;

2. In order to identify and understand the impacts of these changes it is necessary to study and monitor undisturbed ecosystems;

3. The State has a vital interest in maintaining examples of the State's characteristic ecosystems in their natural state to provide ecological benchmarks in a changing world;

4. These undisturbed ecosystems also are critical to preserving the State's natural heritage and diversity;

5. These areas can provide important opportunities for the public to learn about the State's natural heritage; and

6. An effort to protect examples of characteristic state ecosystems will complement existing state conservation programs, such as the Critical Areas Program, the Land for Maine's Future Fund and the Natural Heritage Data System.

Sec. 2. Study of ecological reserves. The State Planning Office shall coordinate a study effort to design a system of ecological reserves in the State. For the purposes of this Act, "ecological reserves" means areas established to maintain representative examples of the State's characteristic natural ecosystems. The study should consider, but not be limited to:

1. How many reserves should be established;

2. What ecosystem types should be represented;

3. How large the reserves should be;

4. Distribution of reserves around the State;

5. Appropriate uses for the reserves;

6. The potential impact of a reserve system on the State's natural resource-based industries; and

7. Options for implementing the reserve system.

Sec. 3. Inventory. The study effort shall also include an inventory of potential ecological reserve sites on public or conservation ownerships. This inventory shall also identify

1 ecosystem types that are not currently represented on these
2 ownerships.

3

4 **Sec. 4. Steering committee.** The State Planning Office shall
5 establish a steering committee to provide advice to the study
6 effort. The steering committee shall include representatives
7 from the Department of Conservation, the Department of Inland
8 Fisheries and Wildlife, conservation interests, landowners and
9 the university system.

10 **Sec. 5. Report.** The State Planning Office shall report its
11 findings, together with any legislative recommendations, to the
12 Joint Standing Committee on Energy and Natural Resources by
13 February 1, 1991.

14

15 PART BB

16

17 **Sec. 1. 2 MRSA §6, sub-§2,** as repealed and replaced by PL
18 1981, c. 705, Pt. L, §§1 to 3, is amended to read:

19 **2. Range 90.** The salaries of the following state officials
20 and employees shall be within salary range 90:

21

22 Superintendent of Banking;

23

24 Bureau of Consumer Credit Protection Superintendent;

25

26 State Tax Assessor; and

27

28 Superintendent of Insurance; ;

29

30 Associate Commissioner for Programs, Department of Mental
31 Health and Mental Retardation;

32

33 Associate Commissioner of Administration, Department of
34 Mental Health and Mental Retardation; and

35

36 Associate Commissioner for Institutional Management.

37

38

39 **Sec. 2. 2 MRSA §6, sub-§3,** as amended by PL 1987, c. 715, §1,
40 is further amended to read:

41

42 **3. Range 89.** The salaries of the following state officials
43 and employees shall be within salary range 89:

44

45 Director of Public Improvements;

46

47 State Budget Officer;

48

49 State Controller;

50

51 Director of the Bureau of Forestry;

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1 Chief of the State Police;
3 Director, State Planning Office;
5 Director, Energy Resources Office;
7 Public Advocate;
9 Commissioner of Defense and Veterans' Services;
11 Director of Human Resources; and
13 Executive Director, Retirement System; ~~i~~
15 Director, Bureau of Mental Retardation;
17 Director, Bureau of Children with Special Needs; and
19 Director, Bureau of Mental Health.

21 **Sec. 3. 5 MRSA §946, sub-§1**, as enacted by PL 1983, c. 729,
23 §4, is amended to read:

25 1. Major policy-influencing positions. The following
27 positions are major policy-influencing positions within the
Department of Mental Health and Mental Retardation.
29 Notwithstanding any other provision of law, these positions and
their successor positions shall be subject to this chapter:

- 31 A. Associate ~~Commissioner~~ Commissioners;
- 33 B. Director, Bureau of Mental Health;
- 35 C. Superintendent, Augusta Mental Health Institute;
- 37 D. Superintendent, Bangor Mental Health Institute;
- 39 E. Director, Bureau of Mental Retardation;
- 41 F. Superintendent, Pineland Center;
- 43 G. ~~Children's Services Executive Director~~ Director, Bureau
45 of Children with Special Needs;
- 47 H. Director, Mental Retardation Facility;
- 49 I. Director, Elizabeth Levinson Center; and
- 51 J. Assistant Assistants to the Commissioner ~~for--Public~~
Information; and

1 K. Assistant Associate Commissioners.

3 **Sec. 4. 34-B MRSA §3202, sub-§3**, as enacted by PL 1983, c.
459, §7, is amended to read:

5 **3. Appointment.** The commissioner shall, with the advice of
7 the Advisory Committee on Mental Health, appoint ~~and set the~~
salaries ~~for~~ the superintendent of each state mental health
9 institute. The Governor shall establish the salary of each
superintendent.

11 A. The commissioner and the advisory committee shall give
13 due consideration to the appointee's qualifications and
experience in administration and to ~~his~~ the appointee's
15 qualifications and experience in health matters.

17 B. The appointments are at the pleasure of the commissioner.

19 **Sec. 5. Legislative intent.** It is the intent of the Legislature
that any reduction in admissions and average length of stay at
21 the Augusta Mental Health Institute and the Bangor Mental Health
Institute shall result in a deauthorization of unnecessary
23 positions and a reappropriation of funds saved to case management
of community services for the mentally ill.

25 **Sec. 6. Organization report.** The interim superintendent of the
27 Augusta Mental Health Institute shall report to the Joint
Standing Committee on Human Resources no later than September 15,
29 1989, on the recommendations and findings of Health Consortium,
Inc., relative to the management and organization of that
31 facility. That report shall include recommended patient-to-staff
ratios for medical doctors, psychiatrists, psychologists, nurses,
33 physician assistants, clinical social workers, social workers,
mental health workers and recreation aides. In addition, it
35 shall indicate the recommended organization of this staffing and
an institutional reorganization plan based on the recommendations
37 of Quality Healthcare Resources, Inc., taking into consideration
patient acuity and treatment needs.

39 **Sec. 7. Individual assessments.** The Department of Mental Health
41 and Mental Retardation shall, immediately upon the effective date
of this Act, establish review teams to complete a review of the
43 treatment needs and current individual treatment plans of all
patients residing at the Augusta Mental Health Institute and the
45 Bangor Mental Health Institute for more than 60 days as of July
15, 1989. This review shall be conducted according to the
47 quality and appropriateness of assessments, treatment services
provided and discharge planning. The teams conducting this
49 review shall not be limited to persons employed by the Augusta
Mental Health Institute or the Department of Mental Health and
51 Mental Retardation and shall include at least 2 persons who are
employed outside State Government. The

1 department shall issue a preliminary report by February 15, 1990
2 and the review of current residents shall be completed by July 1,
3 1990. A review of individual needs shall be ongoing. The
4 recommendations generated by this review shall be utilized in
5 preparing the department's budget request and shall form the
6 basis for a budget which should be used as a basis for the
7 department's biennial budget requests starting with the fiscal
8 year 1992-93 budget.

9
10 **Sec. 8. Systems Assessment Commission.** The Systems Assessment
11 Commission, called the "commission," shall consist of 7 voting
12 members and 3 ex officio, nonvoting members.

13
14 A. Voting members of the commission shall be appointed as
15 follows:

16
17 (1) One person knowledgeable about and experienced in
18 state hospital administration and management;

19
20 (2) One board certified psychiatrist with experience
21 in a state mental health institute;

22
23 (3) One person experienced in delivering medical
24 treatment to mental health patients;

25
26 (4) The Director of the Maine Health Care Finance
27 Commission;

28
29 (5) Two members of the public; and

30
31 (6) One patient advocate.

32
33 These members, with the exception of the Director of the
34 Maine Health Care Finance Commission, shall be jointly
35 appointed by the President of the Senate, the Speaker of the
36 House of Representatives and the Governor no later than 30
37 days following the effective date of this Act.

38
39 B. The ex officio, nonvoting members of the commission
40 shall be the Governor, or a designee, the President of the
41 Senate, or a designee and the Speaker of the House of
42 Representatives, or a designee.

43
44 C. The commission is established to review the costs of the
45 Augusta Mental Health Institute and the Bangor Mental Health
46 Institute and to evaluate and formulate specific proposals
47 for alternative systems of care. The commission is
48 authorized to determine how best to use state money in
49 providing the most appropriate treatment for persons with
50 severe long-term mental illness.

51

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1 D. Each member of the commission shall be appointed to
serve for the life of the commission. A member shall serve
3 until a successor is appointed. A vacancy shall be filled
as soon as practicable by appointment for the unexpired term
5 in the manner of the original appointment.

7 E. Members shall be reimbursed at the legislative per diem
and for expenses and travel.

9
11 F. The Chair of the Legislative Council shall call the
first meeting of the commission within 30 days of the
effective date of this Act. At the first meeting of the
13 commission, the members shall elect a chair from among their
membership. The commission shall meet as often as deemed
15 necessary to conduct its business, but in no instances less
than one time per month. Meetings are at the call of the
17 chair. Decisions shall be made by a majority of those
present and voting. A quorum shall be a majority of the
19 voting members of the commission.

21 G. The commission has the following duties.

23 (1) The commission, with the assistance of the
Department of Mental Health and Mental Retardation, the
25 Superintendent of the Augusta Mental Health Institute,
the Superintendent of the Bangor Mental Health
27 Institute and any other agency or department of State
Government, shall develop a long-range plan for the
29 Augusta Mental Health Institute and the Bangor Mental
Health Institute. The plan shall include consideration
31 of the creation of a smaller acute care facility or
facilities to take the place of the current facilities
33 and any other option for humane, safe and
cost-effective delivery of services to Maine's mentally
35 ill citizens. Following the development of a
long-range plan for the Augusta Mental Health
37 Institute, the commission shall develop a plan for the
Bangor Mental Health Institute. Any plans developed
39 shall also include an assessment of the need for and
delivery of community services, including consideration
41 of the drafting of model legislation governing the
delivery of mental health services statewide. The
43 commission shall coordinate with the Bureau of Public
Improvements, the State Capitol Commission and the
45 Supreme Judicial Court Plan and Design Commission in
the development of its plans for the Augusta Mental
47 Health Institute and the Bangor Mental Health Institute.

49 (2) The commission shall issue a preliminary report to
the Joint Standing Committee on Human Resources no
51 later than January 15, 1990. Copies of this report
shall be sent to the Maine Commission on Mental Health,

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1 legislative leadership, the Joint Standing Committee on
2 Appropriations and Financial Affairs and to the
3 Governor. The plan shall include a preliminary
4 assessment of the issue. The commission shall include
5 any necessary adjustments to its budget which reflect
6 anticipated costs for contracts and other services
7 necessary for the development of the long-range plan.
8 A final report shall be issued to the 114th Legislature
9 no later than April 1, 1990. This report shall include
10 a complete plan for the Augusta Mental Health Institute
11 and the Bangor Mental Health Institute, including a
12 full assessment of an alternative facility or
13 facilities, community resources which are needed,
14 costs, time frames and necessary implementing
15 legislation.

17 H. The commission may request the assistance, advice or
18 opinion of any state agency or any other individual or
19 organization deemed appropriate. Any state agency receiving
20 a request shall render any assistance and advice to the
21 commission.

23 I. The commission may contract for services necessary to
24 carry out its duties.

25 J. The commission may accept gifts, bequests and federal
26 funds, for purposes consistent with the objectives of this
27 Act, to be used solely to carry out the purposes for which
28 they are made.

31 **PART CC**

33 Sec. 1. 38 MRSA §603-A, sub-§2, as amended by PL 1985, c.
34 162, §9, is further amended to read:

35 2. Prohibitions. Except as provided in subsections 4, ~~4-A~~
36 and 5, no person may use any liquid fossil fuel with a sulfur
37 content exceeding the limits in paragraph A or any solid fossil
38 fuel with a sulfur content to heat content ratio exceeding the
39 limits of paragraph B.

41 A. The sulfur content for liquid fossil fuels is as
42 follows.

45 (1) In the Central Maine, Downeast, Aroostook County
46 and Northwest Maine Air Quality Control Regions, no
47 person may use any liquid fossil fuel with a sulfur
48 content greater than 2.5% until November 1, 1991, and
49 2.0% by weight any time after--November--1,--1973
50 thereafter. In the Metropolitan Portland Air Quality
51 Control Region outside the Portland Peninsula Air
Quality Control Region, no person may use any liquid

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1 fossil fuel with a sulfur content greater than 2.5%
2 until November 1, 1991, and 2.0% by weight any time
3 after-June-1,-1975 thereafter.

5 (2) In the Portland Peninsula Air Quality Control
6 Region, no person may use any liquid fossil fuel with a
7 sulfur content greater than 1.5% by weight any time
8 after November 1, 1975.

9
10 B. The sulfur content for solid fossil fuels is as follows:

11 (1) 1.2 pounds sulfur per million British Thermal
12 Units until November 1, 1991, and .96 pounds sulfur per
13 million British Thermal Units thereafter, calculated as
14 a calendar quarter average for sources in the Central
15 Maine, Downeast, Aroostook County, Northwest Maine Air
16 Quality Control Regions and that portion of the
17 Metropolitan Metropolitan Portland Air Quality Region
18 outside the Portland Peninsula Air Quality Region. A
19 calendar quarter shall be composed of the months as
20 follows: (1) January, February, March; (2) April, May,
21 June; (3) July, August, September; and (4) October,
22 November, December; and

23 (2) 0.72 pounds sulfur per million British Thermal
24 Units calculated as a calendar quarter average for
25 sources in the Portland Peninsula Air Quality Region.
26 A calendar quarter shall be composed of the months as
27 follows: (1) January, February, March; (2) April, May,
28 June; (3) July, August, September; and (4) October,
29 November, December.

30
31
32 **Sec. 2. 38 MRSA §603-A, sub-§4,** as enacted by PL 1983, c. 504,
33 §10, is amended to read:

34
35 4. **Flue gas desulfurization.** Any source that installs any
36 approved flue gas desulfurization system or other prescribed
37 sulfur removal device shall be permitted to use fuel with a
38 sulfur content in excess of the limitations of subsection 2 such
39 that, after control, total sulfur dioxide emissions do not exceed
40 2.4 pounds of sulfur dioxide per million British Thermal Units in
41 any 24-hour period until November 1, 1991, and 1.92 pounds of
42 sulfur dioxide per million British Thermal Units in any 24-hour
43 period thereafter, or emission rates corresponding to the fuel
44 sulfur limitations required for sources on the Portland peninsula.

45
46 **Sec. 3. 38 MRSA §603-A, sub-§4-A** is enacted to read:

47
48 **4-A. Electrical generating facilities.** Any electrical
49 generating facility owned or operated by a regulated electric
50 utility may use liquid fossil fuel with a sulfur content of up to
51 2.5% by weight provided that the facility has operated at an

1 average of not more than 20% of its capacity factor over the most
2 recent 4-year period. This exemption is not applicable to the
3 ambient air quality provisions of this chapter.

5 **PART DD**

7 **Sec. 1. 5 MRSA §1762**, as repealed and replaced by PL 1981, c.
8 353, §1, is amended to read:

9 **§1762. No facility constructed without life-cycle costs**

11 No public improvement, as defined in this chapter, public
12 school facility or other building or addition constructed or
13 substantially renovated in whole or in part with public funds or
14 using public loan guarantees, with an area in excess of 5,000
15 square feet, may be constructed without having secured from the
16 designer a proper evaluation of life-cycle costs, as computed by
17 a qualified architect or engineer. The requirements of this
18 section with respect to substantial renovation shall pertain only
19 to that portion of the building being renovated. Construction
20 shall proceed only upon disclosing, for the design chosen, the
21 life-cycle costs as determined in section 1764 and the
22 capitalization of the initial construction costs of the facility
23 or building. The life-cycle costs shall be a primary
24 consideration in the selection of the design. As a minimum, the
25 design shall meet the energy efficiency building performance
26 standards promulgated by the ~~Office of Energy Resources under~~
27 ~~Title 10, chapter 214~~ Department of Economic and Community
28 Development.

31 **Sec. 2. 5 MRSA §1764, sub-§1**, as amended by PL 1981, c. 353,
32 §2, is further amended to read:

33 1. Bureau of Public Improvements to promulgate rules and
34 procedures. The Bureau of Public Improvements shall promulgate
35 rules and procedures, including energy conservation guidelines
36 which conform as a minimum to the energy efficiency building
37 performance standards promulgated by the ~~Office of Energy~~
38 ~~Resources under Title 10, chapter 214~~, Department of Economic
39 and Community Development for conducting an energy-related
40 life-cycle costs analysis of alternative architectural or
41 engineering designs, or both, and shall evaluate the efficiency
42 of energy utilization for designs in the construction and lease
43 of public improvements and public school facilities. Such rules
44 and procedures shall take effect 90 days after the enactment of
45 this subchapter.

47 **Sec. 3. 5 MRSA §3302, sub-§1, ¶F**, as repealed and replaced by
48 PL 1987, c. 534, Pt. A, §§7 and 19, is amended to read:

1 F. Continuing analysis of the economy of the State in
2 conjunction with the Department of Economic and Community
3 Development; and

5 **Sec. 4. 5 MRSA §3302, sub-§1, ¶G** is enacted to read:

7 G. Preparation of state energy resources plans.

9 **Sec. 5. 5 MRSA §3303**, as enacted by PL 1967, c. 533, §1, is
10 amended to read:

11 **§3303. State Planning Office**

12
13 There is established to carry out the purpose of this
14 chapter a State Planning Office in the Executive Department which
15 shall be concerned with ~~coordinating and developing the several~~
16 ~~planning responsibilities of the State Government~~ research,
17 analysis and the formulation, coordination and management of
18 policy. The State Planning Office shall be directly responsible
19 to the Governor and shall serve as an advisory, consultative,
20 coordinating, administrative and research agency as specified in
21 section 3305. The State Planning Office shall assist the
22 Governor and other state agencies in the development of economic,
23 energy, fiscal and regulatory policy; the management of the
24 State's natural and physical resources; the identification of
25 issues and problems of long-term significance to the State; and
26 the coordination of state policy and its implementation on issues
27 of interagency concern.

28
29 ~~1. Responsibility. A system of state planning and~~
30 ~~implementation being a function and responsibility of the~~
31 ~~executive branch of State Government, the State Planning Office~~
32 ~~shall be directly responsible to the Governor, and shall serve as~~
33 ~~an advisory, consultative, coordinating, administrative and~~
34 ~~research agency as specified in section 3305.~~
35

36
37 **Sec. 6. 5 MRSA §3304, sub-§2**, as enacted by PL 1967, c. 533,
38 §1, is amended to read:

39
40 **2. Qualifications.** The director shall be qualified by
41 education, training and experience in planning or public
42 administration ~~with a master's degree in these or related fields.~~

43
44 **Sec. 7. 5 MRSA §3304, sub-§3**, as amended by PL 1979, c. 127,
45 §36, is further amended to read:

46
47 **3. Powers and duties.** The director shall exercise the
48 powers of the State Planning Office and shall be responsible for
49 the execution of its duties. The director shall:

50
51 **A.** Appoint and remove the staff of the office and prescribe
their duties as may be necessary to implement the purposes

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1 of this chapter. Professional employees authorized by this
chapter shall be hired as unclassified employees, shall
3 serve at the pleasure of the director and shall be paid
5 salaries at rates of pay comparable to those of state
employees with equivalent responsibilities in other state
7 agencies. All other employees shall be subject to those
civil service and personnel policies established for state
9 employees generally and shall be paid salaries at rates of
pay comparable to those of state employees with equivalent
responsibilities in other state agencies.

11
13 (1) The State Planning Director is authorized to
employ professional planning personnel competent by
education, training and experience in ~~the--fields--of~~
15 ~~economies,--local--and--regional--planning,--urban--renewal,~~
~~human--resources,--natural--resources,--transportation--and~~
17 ~~engineering~~ fields such as economics, local and
regional planning, public policy and natural resources.

19
21 (2) The director is authorized to employ such
statistical, clerical and other office help as required
and authorized by the budget.;

23
25 ~~(3)--The--director--is--authorized--to--employ--research~~
~~personnel,--competent--by--education,--training--and~~
27 ~~experience,--to--carry--out--the--purposes--of--section--3305,~~
~~subsection--1,--paragraph--H.~~

29 B. Supervise and administer the affairs of the State
Planning Office and advise the Governor and the Legislature
31 with respect to matters affecting state, ~~regional,~~ ~~and~~
~~community--planning--generally--and--more--specifically--the~~
33 ~~extent--to--which--the--State--should--participate--in--such~~
~~planning.~~ the State;

35
37 E. Advise the Governor and other officials of the State
Government on all matters of state-wide policy, statewide
39 planning and public investment and consult with them in
respect to planning matters and projects which affect the
future plans of the State.;

41
43 F. Be assisted by departments, agencies, authorities,
boards, commissions, other instrumentalities of the State or
45 other governmental units in the gathering of information,
reports and data which relate to state planning. The State
47 Planning Office shall designate staff members of the office
who shall work with the several departments.;

49 G. At his the director's discretion, act for the State in
the initiation of or participation in any multi-governmental
51 agency program relative to the purposes of this chapter.;

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1 H. ~~The director shall prepare~~ Prepare and submit for
executive and legislative action thereon the budget for the
3 State Planning Office;

5 I. ~~The director shall make~~ Make reports at least annually
to the Governor and to the Legislature on the activities of
7 the office and, after consultation with and approval by the
Governor, submit such recommendations for legislative action
9 as deemed necessary to further the purposes of this chapter;

11 J. Be assisted by departments, agencies, authorities,
13 boards, commissions and other instrumentalities of State
Government in the gathering of information, reports and data
15 which relate to state planning and development in the area
of energy resources;

17 K. Formulate a biennial state energy resources plan;

19 L. Be empowered, in connection with the performance of
21 duties, to apply to the Superior Court for a subpoena to
compel the attendance of witnesses, the production of books,
23 papers, records and documents of individuals, firms,
associations and corporations and all officers, boards,
25 commissions and departments of State Government. The court,
before issuing the subpoena, shall provide adequate
27 opportunity for the director and the party against whom the
subpoena is requested to be heard. No such subpoena may be
29 issued unless the court or judge certifies that the
attendance of the witness or the production of the books,
31 papers, records or documents is reasonably necessary to
carry out the purposes of this section and that the director
33 has made reasonable efforts to secure the attendance or the
books, papers, records or documents without recourse to
35 compulsory process. The director shall afford confidential
treatment to any materials or information turned over to the
37 director which is of a confidential or proprietary nature;

39 M. Administer any emergency fuel allocation program
described in section 3307-D and have the authority to
41 collect inventory and product delivery data from the State's
primary storage facilities of petroleum products, as
43 described in section 3307-C, and shall afford confidential
treatment to that information; and

45 N. Oversee the implementation of any energy programs
47 assigned to the State Planning Office under this chapter.

49 **Sec. 8. 5 MRSA §3305, sub-§1, ¶A, as amended by PL 1987, c.**
534, Pt. A, §§8 and 19, is further amended to read:

51 A. Coordinate the preparation of ~~goals~~ and policies to
guide and carry forward the wise and coordinated development

1 of the State's economy and its energy resources and the
3 conservation of the State's natural resources. These goals
and policies and recommendations for implementation shall be
5 submitted to the Governor and Legislature for their
approval. They shall be developed in such areas as: Land
7 use, ~~housing~~, natural resource development and
conservation, public investment and taxation, energy
9 resources and state regulatory policy.

11 The State Planning Office shall give the public full
opportunity to participate in the formulation of these goals
13 and policies and these goals and policies shall not be in
direct conflict with adopted local and regional plans;

15 **Sec. 9. 5 MRSA §3305, sub-§1, ¶B**, as repealed and replaced by
PL 1979, c. 672, Pt. A, §5, is amended to read:

17 B. Provide technical assistance to the Governor and
19 Legislature by undertaking special studies and plans and
~~preparing policy alternatives, preparing or analyzing policy~~
21 alternatives and identifying the immediate and long-range
23 needs and resources to meet these needs in the areas of
energy and natural resources and socioeconomics. The office
shall prepare the plans and studies at the request of the
25 Governor, the Legislature or interdepartmental committees,
councils and task forces;

27 **Sec. 10. 5 MRSA §3305, §1, ¶G**, as amended by PL 1987, c. 534,
29 Pt. A, §§10 and 19, is further amended to read:

31 G. As coordinating agency:

33 (1) Act as the coordinating agency between the several
officers, authorities, boards, commissions, departments
35 and divisions of the State in matters relative to the
physical development of the State and review the
37 proposals of those agencies in the light of their
relationship to the adopted goals and policies and
39 incorporate such reviews in the reports of the office.
Nothing in this section may be construed as limiting
41 the powers and duties of any officer, authority, board,
commission, department or political subdivision of the
43 State; and

45 (2) Provide general coordination and review of plans
in functional areas of State Government as may be
47 necessary for receipt of federal funds; and

49 **Sec. 11. 5 MRSA §3305, sub-§1, ¶H**, as amended by PL 1987, c.
51 534, Pt. A, §§11 and 19, is further amended to read:

1 H. Compile, analyze and maintain information useful to the
2 development of industry in the State concerning resources,
3 sites, space, equipment, adequate housing, contracts,
4 materials, transportation, markets, labor supply, population
5 trends and other economic considerations and shall measure
6 and monitor economic distress and poverty in the State on an
7 on-going basis. The State Planning Office, in conjunction
8 with the Department of Economic and Community Development,
9 shall study problems peculiar to the industry and economy of
10 this State with a view toward the broader utilization of our
11 natural resources, which studies shall be advanced by
12 coordination of research with existing private and
13 governmental agencies and educational institutions, and may
14 be advanced by contractual relations with persons or
15 organizations equipped to conduct the needed research. The
16 State Planning Office shall, upon request from the Governor
17 or any state department, assist in the preparation of
18 reports regarding the responsibilities and duties provided
19 by this subsection, including regular analysis of poverty
20 and economic distress. The State Planning Office shall
21 coordinate its activities pursuant to this paragraph with
22 the Division of Community Services to meet the annual
23 reporting needs of the division; and

25 **Sec. 12. 5 MRSA §3305, sub-§1, ¶¶J and K are enacted to read:**

27 J. Coordinate the review and comment on all applications
28 for participation in any federal grant or loan program and
29 on any proposed federal activity subject to Presidential
30 Executive Order 12372; and

31 K. Coordinate the development of energy policy, including:

33 (1) Collecting and analyzing energy data from all
34 available energy sources in the State. The director
35 shall afford confidential treatment to information,
36 documents and data dealing with sales of individual
37 companies that are engaged in the wholesale and retail
38 trade of petroleum products in the State, upon request
39 of the individual companies;

41 (2) Preparation of an energy resources plan to be
42 submitted to the Governor and the Legislature every 2
43 years that includes a description of historical energy
44 demand by end-use sector and energy resources used to
45 meet that demand and a forecast of energy demand by
46 end-use sector for the next 5 years, 10 years and 20
47 years, which shall include an electric and gas forecast;

48 (3) Encouragement and direction or sponsorship of
49 research, experiments and demonstration projects within
51

1 the State to develop alternate energy sources,
2 particularly, but not limited to, those sources that
3 rely on renewable natural resources of the State, such
4 as solar energy, water of tides and rivers, forests,
5 winds and other sources which to date have not been
6 fully explored or utilized; and

7
8 (4) Provision of conservation alternatives to proposed
9 new electric power generating plants and assessment of
10 the long-term and short-term energy savings realized by
11 the conservation alternatives.

12 **Sec. 13. 5 MRSA §§3307-B to 3307-D** are enacted to read:

13 **§3307-B. Maine Energy Resources Development Program**

14 The State Planning Office, as funding allows, shall
15 administer a program of energy research and demonstration
16 activities related to both the use of indigenous, renewable
17 resources and more efficient use of energy. The Director of the
18 State Planning Office may accept private money for the purpose of
19 pursuing this program.

20 1. Report to Legislature. The director shall include, in
21 the biennial comprehensive energy plan, a report which specifies,
22 in regard to the Maine Energy Resources Development Program, the
23 expenditure of the funds, the purposes for which the funds were
24 used and the amount of as well as the sources from which the
25 funds were derived.

26 2. Expenditures requiring approval. For all programs
27 involving expenditures of \$10,000 or more, the director shall
28 recommend those expenditures to the Governor. If the Governor
29 approves, the director shall recommend those expenditures to the
30 Legislature under the procedures authorizing the transfer of
31 funds set forth in section 1585.

32 **§3307-C. Definitions; reporting of petroleum inventories and**
33 **deliveries**

34 1. Definitions. As used in this section, unless the
35 context otherwise indicates, the following terms have the
36 following meanings.

37 A. "Petroleum products" means propane; gasoline; unleaded
38 gasoline; gasohol; kerosene; #2 heating oil; diesel fuel;
39 kerosene-based jet fuel; aviation gasoline; #4, #5 and #6
40 residual oil for utility and nonutility uses; and Bunker C
41 oil.

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1 B. "Primary storage facilities" means any facility which
2 receives petroleum products into the State either by
3 pipeline or ship.

5 C. "Primary supplier" means any refiner, marketer,
6 distributor, firm or person who makes the first sale of any
7 petroleum product to resellers or consumers in this State.

9 2. Reporting. Each owner or lessee of primary storage
10 facilities or petroleum products in the State shall make an
11 accurate report on the first and 3rd Monday of each month to the
12 State Planning Office on a form provided by the director. This
13 form shall contain a conspicuous statement of the penalties
14 provided in subsection 4 and shall require the following
15 information:

17 A. The total inventory of each petroleum product stored in
18 the State, as measured within not more than 3 working days
19 prior to the reporting date; and

21 B. The quantities of each petroleum product delivery
22 expected into the State within 15 days of the reporting date.

23 3. Reporting of primary suppliers. Each primary supplier
24 of petroleum products shall make an accurate report on the 3rd
25 Monday of each month to the State Planning Office on a form
26 provided by the director, unless the report is already being
27 submitted in accordance with federal regulations.

28 This form shall contain a conspicuous statement of the penalties
29 provided in subsection 4 and shall require the following
30 information:

31 A. Actual deliveries of all petroleum products in this
32 State during the preceding calendar month;

33 B. Anticipated deliveries of all petroleum products in this
34 State during the following calendar month; and

35 C. Allocation fractions for all petroleum products for the
36 following month.

37 4. Penalty provisions. Any owner or lessee of a primary
38 storage facility or any primary supplier covered by this section
39 who fails to provide the information required by this section or
40 who knowingly or recklessly supplies false or misleading
41 information is guilty of a violation of Title 17-A, section 453.
42 Any owner or lessee of a primary storage facility who supplies
43 false or misleading information is subject to a civil penalty of
44 \$2,500, payable to the State, to be recovered in a civil action.

45 §3307-D. State petroleum set aside

1
3 1. Definitions. As used in this section, unless the
5 context otherwise indicates, the following terms have the
7 following meanings.

9 A. "Assignment" means an action taken by the State Planning
11 Office designating that a prime supplier of petroleum
13 products supply them to an authorized consumer, wholesale
15 purchaser-consumer or wholesale purchaser-reseller to
17 facilitate relief or emergency and hardship needs, pursuant
19 to subsection 2.

21 B. "Consumer" means any individual, trustee, agency,
23 partnership, association, corporation, company,
25 municipality, political subdivision or other legal entity
27 which purchases petroleum products for ultimate consumption
29 in this State.

31 C. "Director" means the Director of the State Planning
33 Office.

35 D. "Firm" means any association, company, corporation,
37 estate, individual, joint venture, partnership or sole
39 proprietorship or any entity however organized, including
41 charitable, educational or eleemosynary institutions and the
43 Federal Government, including federal corporations,
45 departments and agencies and State Government and local
47 governments.

49 E. "Petroleum products" means propane; gasoline; unleaded
51 gasoline; gasohol; kerosene; #2 heating oil; diesel fuel;
kerosene-based jet fuel; aviation gasoline; #4, #5 and #6
residual oil for utility and nonutility uses; and Bunker C
oil.

F. "Prime supplier" means the supplier which makes the
first sale of any petroleum products subject to the state
set aside into the state distribution system for consumption
within the State.

G. "Purchaser" means a wholesale purchaser or end user, or
both.

H. "Set aside" means, with respect to a particular prime
supplier, the amount of a petroleum product, subject to the
provisions of this section, which is made available from the
total supply of a prime supplier pursuant to subsection 2
for utilization by the State Planning Office to resolve
emergencies and hardships due to fuel shortages or
dislocations in distribution systems.

1 I. "Supplier" means any firm or any part or subsidiary of
2 any firm, other than the Department of Defense and Veterans'
3 Services, which presently supplies, sells, transfers or
4 otherwise furnishes, as by consignment, any product subject
5 to the state set aside to wholesale purchasers or end users,
6 including refiners, natural gas processing plants or
7 fractionating plants, importers, resellers, jobbers and
8 retailers.

9
10 J. "Wholesale purchaser" means a wholesale
11 purchaser-reseller or wholesale purchaser-consumer, or both.

12 K. "Wholesaler purchaser-consumer" means any firm that is
13 an ultimate consumer which, as part of its normal business
14 practices, purchases or obtains a product subject to the
15 state set aside from a supplier and receives delivery of
16 that product into a storage tank substantially under the
17 control of that firm at a fixed location.

18
19 L. "Wholesaler purchaser-reseller" means any firm which
20 purchases, receives through transfers or otherwise obtains,
21 as by consignment, a product subject to the state set aside
22 and resells or otherwise transfers it to other purchasers
23 without substantially changing its form.

24
25 2. General provisions. The general provisions of this
26 section are as follows.

27
28 A. The director shall promulgate rules in accordance with
29 the Maine Administrative Procedure Act, Title 5, chapter
30 375, establishing a set-aside system for petroleum
31 products. These rules shall direct prime suppliers to set
32 aside a percentage of the amount of petroleum products they
33 expect to deliver to consumers in the State for distribution
34 by the State Planning Office to meet emergency and hardship
35 needs. These rules shall meet the requirements of this
36 section.

37
38 B. The set-aside system established pursuant to this
39 section shall not be implemented unless:

40 (1) The Federal Government terminates, suspends or
41 fails to implement a national set-aside program; and

42 (2) The Governor finds that a set-aside system is
43 necessary to manage an energy shortage within the State
44 which threatens the continuation of essential services
45 and the needs of priority users. The Governor shall
46 direct the State Planning Office to implement only that
47 portion of the state set-aside program necessary to
48 prevent and alleviate any energy hardship shortages.
49
50
51

1 C. The director shall notify each prime supplier of the
2 monthly set-aside percentage, not to exceed 5%, applicable
3 to each product subject to the set-aside program.

5 D. The set-aside volume available to the State Planning
6 Office for a particular month shall be the sum of the
7 amounts calculated by multiplying the state set-aside
8 percentage level by each prime supplier's estimated portion
9 of its total supply for that month which will be sold into
10 the State's distribution system for consumption within the
11 State. The set aside for a particular month may not be
12 accumulated or deferred, but shall be made available from
13 stocks of prime supplies whether directly or through their
14 wholesale purchaser-resellers.

15 E. The director shall calculate the set-aside volume for a
16 particular month from the supplier's monthly report or in
17 accordance with section 3307-C.

18 F. The director shall establish, as part of the rules
19 promulgated in accordance with paragraph A, procedures
20 governing applications for assignment and assignments by the
21 State Planning Office under the state set-aside system.
22 Such procedures shall include criteria for approving and
23 disapproving applications and an appeal process.

24 G. The release of set aside shall be as follows.

25 (1) At any time during the month, the director may
26 order the release of part or all of the other prime
27 supplier's set-aside volume through the prime
28 supplier's normal distribution system in the State.

29 (2) The State Planning Office shall release set aside
30 to meet the emergency and hardship requirements of all
31 purchaser-consumers and consumers within the State. In
32 order to facilitate relief of the hardship and
33 emergency requirements of wholesale purchaser-consumers
34 and consumers, the State Planning Office may direct
35 that a wholesale purchaser-reseller supply the
36 wholesale purchaser-consumer and consumers experiencing
37 the hardship or emergency.

38 (3) From time to time, the director may designate
39 certain geographical areas within the State as
40 suffering from an intrastate supply imbalance. At any
41 time during the month, the director may order some or
42 all of the prime suppliers with purchasers within such
43 geographical areas to release part or all of their
44 set-aside volume through their normal distribution
45 systems to increase allocations of all the supplier's
46 purchasers located within the areas.

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(4) Orders issued pursuant to this section shall be in writing and effective immediately upon presentation to the prime supplier's designated state representative. Those orders shall represent a call on the prime supplier's set-aside volumes for the month of issuance, notwithstanding that delivery cannot be made until the following month.

H. Each prime supplier shall designate a representative within the State to act for an in behalf of the prime supplier with respect to the state set-aside program. Each prime supplier for a state shall notify in writing the State Planning Office of that designation.

I. Any assignments or order made under this section shall specify that the product be made available to the consumer, wholesale purchaser-consumer or wholesale purchaser-retailer at prices prevailing for similar classes of purchasers in the locality of the consumer, wholesale purchaser-consumer or wholesale purchaser-retailer at the time of the sale of the product.

J. The set-aside program shall remain in effect no longer than 180 days without approval of the Legislature. In the event that the Governor finds that the set-aside system is no longer necessary to manage an energy shortage, the Governor shall terminate the program.

3. Violations; penalties. Violations and penalties of this section are as follows.

A. Any person who violates any provision of this section or any rule or order issued pursuant to this section shall be subject to a civil penalty of not more than \$10,000 for each violation.

B. The penalty provided in paragraph A shall be recovered in an action or special proceeding brought by the Attorney General.

C. Alternately, or in addition to the action or proceeding to recover the civil penalty provided by paragraph A, the Attorney General may institute an action or proceeding to enjoin any violation of or to enforce any provision of this section or any rule or order issued under this section.

Sec. 14. 5 MRSA c. 338, as amended, is repealed.

Sec. 15. 5 MRSA §12004-I, sub-§20, as enacted by PL 1987, c. 786, §5, is repealed.

1 **Sec. 16. 5 MRSA §13058, sub-§§11 to 17** are enacted to read:

3 11. Federally mandated programs. The commissioner shall
5 administer the following federally mandated programs, formerly
7 administered by the Office of Energy Resources:

7 A. State Energy Conservation Program (SECP);

9 B. Energy Extension Service (EES); and

11 C. Institutional Conservation Program (ICP).

13 12. Energy conservation standards. The commissioner shall
15 adopt energy conservation standards and promulgate rules for
17 administration of the standards and the certification of energy
19 efficient buildings, as defined in Title 10, chapter 214.

21 13. Approval or denial of certificates. The commissioner
23 shall provide for the approval or denial of certificates of
25 energy efficiency, as required in Title 10, chapter 214.

27 14. Preparation of manual. The commissioner shall prepare
29 the Manual of Accepted Practices, as described in Title 10,
31 chapter 214.

33 15. Review and inspection. The commissioner shall provide
35 for the review of plans and specifications and the inspection of
37 buildings to determine compliance of the building with the energy
39 conservation standards, as described in Title 10, chapter 214.

41 16. Administration of state standards. The commissioner
43 shall administer the state standards for appliance energy
45 efficiency, as established by section 13060.

47 17. Rule-making authority. If the Residential Conservation
49 Service, as established by the United States Natural Energy
51 Conservation Policy Act, Public Law 95-619, November 9, 1978, as
 amended by the United States Energy Security Act, Public Law
 96-294, June 30, 1980, the United States Code, Title 42, Section
 8211 et seq., is repealed or amended so as to have the effect of
 removing requirements for providing energy conservation
 information and energy audits and arranging financing for energy
 conservation improvements for residential customers, the
 commissioner may promulgate rules pursuant to the Maine
 Administrative Procedure Act, Title 5, chapter 375, to continue
 these services. In establishing these rules, the commissioner
 shall simplify federal rules, insofar as possible, without
 preventing fulfillment of the program objectives and in no case
 may the commissioner impose rules containing additional
 requirements for utilities.

1 Until the commissioner promulgates new rules under this
2 paragraph, the previously existing federal rules and any state
3 rules implementing them shall be considered state rules with full
4 force.

5

6 **Sec. 17. 5 MRSA §13060** is enacted to read:

7

8 **§13060. State standards for appliance energy efficiency**

9

10 1. Definitions. As used in this section, unless the
11 context otherwise indicates, the following terms have the
12 following meanings.

13

14 A. "ASHRAE standard" means standards established by the
15 American Society of Heating, Refrigerating and Air
16 Conditioning Engineers.

17

18 B. "Manufacturer" means any person or business entity
19 engaged in the original production or assembly of an
20 appliance.

21

22 C. "New appliance" means an appliance that is sold, offered
23 for sale or installed the first time and specifically
24 includes floor models and demonstration units.

25

26 D. With respect to refrigerators, refrigerator-freezers and
27 freezers:

28

29 (1) "Freezer" means a cabinet designed as a unit for
30 the storage of food at temperatures of about 0°
31 Fahrenheit, having the ability to freeze food and
32 having a source of refrigeration requiring an energy
33 input;

34

35 (2) "Refrigerator" means a cabinet designed for the
36 refrigerated storage of food at temperatures above 32°
37 Fahrenheit and having a source of refrigeration
38 requiring an energy input. It may include a cabinet
39 with a compartment for the freezing and storage of food
40 at temperatures below 32° Fahrenheit, but which does
41 not provide a separate low temperature compartment
42 designed for the freezing of and the long-term storage
43 of food at temperatures below 8° Fahrenheit. It has
44 only one exterior door and may have interior doors or
45 compartments; and

46

47 (3) "Refrigerator-freezer" means a cabinet which
48 consists of 2 or more compartments with at least one of
49 the compartments designed for the refrigerated storage
50 of foods at temperatures above 32° Fahrenheit and with
51 at least one of the compartments designed for the
freezing of and the storage of frozen foods at

1 temperatures of 8° Fahrenheit or below. The source of
2 refrigeration requires energy input.

3

4 E. With respect to water heaters:

5

6 (1) "Storage-type water heater" means a water heater
7 that heats and stores water within the appliance at a
8 thermostatically controlled temperature for delivery on
9 demand.

10 2. Efficiency standards. Efficiency standards shall be
11 determined as follows.

12

13 A. The following are minimum energy efficiency standards
14 for new residential gas and electric water heaters, oil and
15 gas furnaces and boilers, refrigerators,
16 refrigerator-freezers and freezers. Refrigerators,
17 refrigerator-freezers and freezers shall be certified by the
18 manufacturer not to exceed the values derived from the
19 appropriate formulae when V is the total refrigerated volume
20 in cubic feet and EC is the energy consumption in kilowatt
21 hours per year:

22

<u>Appliance</u>	<u>Standard</u>
<u>(1) Refrigerators</u>	
<u>Single door, manual</u> <u>defrost</u>	<u>EC=395 x 28V</u>
<u>Single door, auto-</u> <u>matic defrost</u>	<u>No standard</u>
<u>(2) Refrigerator-freezers</u>	
<u>Top freezer, partial</u> <u>automatic defrost</u>	<u>EC=378 x 43V</u>
<u>Top freezer, auto-</u> <u>matic defrost</u>	<u>EC=378 x 43V</u>
<u>Bottom freezer, auto-</u> <u>matic defrost</u>	<u>No standard</u>
<u>Side-by-side, auto-</u> <u>matic defrost</u>	<u>EC=565 x 52V</u>
<u>(3) Freezers</u>	
<u>Upright, manual</u> <u>defrost, between</u> <u>11.5 and 21.4 cubic</u> <u>feet in volume</u>	<u>EC=289 x 37V</u>
<u>Upright, automatic</u> <u>defrost</u>	<u>No standard</u>
<u>Chest, manual</u> <u>defrost</u>	<u>EC=315 x 32V</u>
<u>(4) Water heaters</u>	

50

1	<u>Electric</u>	<u>ASHRAE Stan-</u>
3		<u>dard 90A-1980</u>
		<u>Section 7</u>
5	<u>Gas</u>	<u>Energy Factor</u>
		<u>(EF)=48°</u>
7	<u>(5) Furnaces and</u>	
	<u>boilers</u>	
9	<u>Oil</u>	<u>No Standard</u>
	<u>Gas</u>	<u>No standard</u>

11 B. The following residential appliance are covered by this
13 section:

- 15 (1) Only storage-type water heaters;
- 17 (2) Gas furnaces and boilers; and
- 19 (3) Refrigerators, refrigerator-freezers and freezers
21 which can be operated by alternating current
electricity, excluding the following types:
- 23 (a) Those with total refrigerated volume
25 exceeding 39 cubic feet;
- 27 (b) Those designed to be used without doors;
- 29 (c) Those which do not include compressor and
condenser units as an integral part of the cabinet
31 assembly; and
- 33 (d) Those with "through the door" features.

35 C. This section does not apply to:

- 37 (1) New residential appliances manufactured in the
State and sold outside the State;
- 39 (2) New appliances manufactured outside the State and
41 sold at wholesale in the State for final retail sale
and installation outside the State;
- 43 (3) Appliances installed in mobile homes at the time
45 of construction;
- 47 (4) Appliances designed expressly for installation and
use in recreational vehicles or other equipment
49 designed for regular mobile use; and
- 51 (5) Appliances purchased outside of the State by Maine
residents when the appliance is installed for use by

1 the purchaser or installed in a single-family, detached
2 structure.

3

4 3. Prohibitions. No new appliance may be sold, offered for
5 sale or installed in the State on or after January 1, 1990,
6 unless it is certified by the manufacturer to be in compliance
7 with the standards adopted under subsection 2 or unless there is
8 no state standard adopted for that type of appliance.

9

10 4. Test methods. The manufacturer shall cause the testing
11 of samples of each model of each residential appliance covered by
12 this section. The State Development Office shall use the United
13 States Department of Energy approved test methods or, in the
14 absence of those test methods, other appropriate nationally
15 recognized test methods applicable to the respective appliances.

16 5. State Development Office. In order to reduce the
17 wasteful, uneconomic, inefficient or unnecessary consumption of
18 energy, the State Development Office shall:

19 A. Be responsible for the administration and enforcement of
20 the appliance standards established by this section; and

21

22 B. Apply to the United States Department of Energy for an
23 exemption from federal preemption, pursuant to the United
24 States Energy Conservation Policy Act, Section 327(b), (3),
25 or its successor.

26

27 6. Forfeiture. Any person who violates this section either
28 personally or through an agent or employee is subject to a civil
29 forfeiture of not more than \$500 for each violation. For
30 purposes of this section, the sale, installation or offer for
31 sale of any new appliance that fails to meet the standards
32 prescribed in subsection 2 shall constitute a violation.

33

34 Sec. 18. 7 MRSA §2, next to last ¶, as amended by PL 1981, c.
35 372, is further amended to read:

36

37 In addition, the commissioner shall be concerned with the
38 quality of life of Maine farmers and rural communities. The
39 commissioner shall promote: Farm financing and rural development
40 proposals; conservation and preservation of agricultural lands;
41 increased and improved production of beef, poultry, sheep, dairy
42 beef and other livestock; expanded and improved production of
43 potatoes, fruits and other vegetables and horticultural ventures;
44 coordinated foreign and domestic marketing of Maine agricultural
45 products; in conjunction with the university, crop development
46 and integrated pest management; and conservation of nonrenewable
47 energy resources and utilization of renewable energy resources in
48 conjunction with the ~~Office of Energy Resources~~ State Planning
49 Office. To accomplish these objectives, the commissioner is
50 authorized for, or on behalf of, Maine's farmers and rural
51 communities.

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

1 community: To engage in research and educational programs; to
2 participate directly or indirectly in ~~program programs~~ to
3 encourage and enable individuals to enter agricultural or other
4 rural enterprises; to institute litigation or upon request to
5 represent farmers or other members of the rural community in
6 litigation where he the commissioner determines that such
7 litigation may be beneficial to agricultural industry as a whole;
8 and to exercise all other powers of an agency of State
9 Government. The commissioner may study such issues and,
10 consistent with statute, take such actions either individually,
11 for, or on behalf of, the state's State's farmers or rural
12 residents, or jointly with such other persons, agencies or
13 organizations as he the commissioner determines may benefit the
14 state's State's farmers and rural communities.

15
16 **Sec. 19. 10 MRSA §1041, sub-§16**, as enacted by PL 1985, c.
17 344, §61, is amended to read:

18
19 16. **Energy conservation.** Provide financial assistance for
20 energy conservation. The ~~Office of Energy Resources~~ Department of
21 Economic and Community Development shall provide assistance to
22 the authority in determining technical eligibility and merit of
23 applications for energy conservation loans. Each recipient of a
24 loan under this section shall provide the authority, within one
25 year, with detailed information on energy consumption before and
26 after the completion of the energy conservation project; and

27
28 **Sec. 20. 10 MRSA §1063, sub-§2, ¶J**, as amended by PL 1985, c.
29 714, §35, is further amended to read:

30
31 J. In the case of an energy generating system, an energy
32 distribution system or an industrial-commercial project, any
33 of which includes hydroelectric facilities deemed necessary
34 for the production of electricity:

35
36 (1) The Public Utilities Commission has certified that
37 all required licenses have been issued or that none are
38 required; and

39
40 (2) The Director of ~~Energy--Resources~~ the State
41 Planning Office has reviewed and commented upon the
42 project proposal. The Director of ~~Energy--Resources~~ the
43 State Planning Office shall make his comments within 30
44 days after receipt of a notification and copy of the
45 project proposal from the authority. The authority
46 shall take the comments into consideration in its
47 consideration of the project; and

48
49 **Sec. 21. 10 MRSA §1413, sub-§7**, as enacted by PL 1979, c. 503,
50 §2, is amended to read:

51

1 7. **Commissioner.** ~~"Director"~~ **"Commissioner"** means the
2 ~~Director~~ Commissioner of the ~~Office of Energy Resources~~ Economic
3 and Community Development.

5 **Sec. 22. 10 MRSA §1413, sub-§11**, as amended by PL 1989, c. 75,
6 §2, is further amended to read:

7
8 **11. Manual of Accepted Practices.** "Manual of Accepted
9 Practices" means the Manual of Accepted Practices prepared by the
10 ~~Office of Energy Resources~~ State Development Office in
11 conformance with the mandatory standards for residential
12 construction as defined in section 1415-C.

13 **Sec. 23. 10 MRSA §1414-A**, as enacted by PL 1985, c. 370, §3,
14 is amended to read:

15 **§1414-A. Adoption of energy performance building standards by**
16 **state agencies**

17
18 Energy performance building standards adopted by state
19 agencies shall be coordinated with each other, as far as
20 practicable, so that similar activities and buildings are treated
21 in a similar way. ~~The Director of the Office of Energy Resources~~
22 Commissioner of Economic and Community Development shall assist
23 other state agencies in developing energy standards which comply
24 with this section.

25
26 **Sec. 24. 10 MRSA §1419**, as enacted by PL 1979, c. 503, §2, is
27 repealed.

28 **Sec. 25. 10 MRSA §1464**, as enacted by PL 1981, c. 499, §1, is
29 amended to read:

30 **§1464. Regional Ride Share Services Matching Fund Program**

31
32 There is established, to carry out the purposes of this
33 chapter, a Regional Ride Share Services Matching Fund Program to
34 be administered by the ~~Office of Energy Resources~~ Department of
35 Economic and Community Development.

36 **Sec. 26. 10 MRSA §1485, first ¶**, as enacted by PL 1979, c. 212,
37 is amended to read:

38
39 ~~The State Office of Energy Resources~~ Department of Economic
40 and Community Development shall prepare, and shall keep current,
41 an informational pamphlet concerning insulation materials being
42 used in the State. The pamphlet shall discuss the characteristics
43 of these insulation materials and the positive and negative
44 effects which may result following installation of these
45 materials. The pamphlet shall also include, but shall not be
46 limited to:

1 **Sec. 27. 10 MRSA §1485, sub-§5**, as enacted by PL 1979, c. 212,
is amended to read:

3

5 5. Other information. Such other information as the State
Office-of-Energy-Resources Department of Economic and Community
Development shall deem necessary or appropriate.

7

9 **Sec. 28. 10 MRSA §1485, 3rd ¶ from the end**, as enacted by PL
1979, c. 212, is amended to read:

11 The State-Office-of-Energy-Resources Department of Economic
and Community Development shall furnish this pamphlet, upon
13 request, to any citizen of this State without charge.

15 **Sec. 29. 10 MRSA §1492, sub-§1**, as enacted by PL 1979, c. 299,
is amended to read:

17

19 1. Solar energy equipment. "Solar energy equipment" means
all controls, tanks, pumps, heat exchangers, collectors and all
other equipment necessary for the collection, transfer and
21 storage of solar energy, as determined by the Office-of-Energy
Resources State Planning Office. Passive solar energy systems or
23 those systems using natural means to collect, store and transfer
solar energy shall not be included under this chapter.

25

27 **Sec. 30. 10 MRSA §1493, first ¶**, as enacted by PL 1979, c. 299,
is amended to read:

29 The Office-of-Energy-Resources Department of Economic and
Community Development shall establish an express warranty for the
31 sale and installation of solar energy equipment in Maine. This
express warranty shall, at a minimum, include the following:

33

35 **Sec. 31. 22 MRSA §676, sub-§6**, as enacted by PL 1983, c. 345,
§§13 and 14, is amended to read:

37 6. Energy. The Office-of-Energy-Resources State Planning
Office shall serve as liaison with the United States Department
39 of Energy.

41 **Sec. 32. 25 MRSA §2465, sub-§5-A**, as enacted by PL 1983, c.
231, §1, is amended to read:

43

45 5-A. Safety information. No new factory-built fireplace,
fireplace stove or solid fuel burning room heater may be sold in
47 retail trade, unless the seller provides the buyer, on or before
the sale, with an installation instruction manual or, in the case
49 where such a manual is not available, with a publication of the
Office-of-Energy-Resources Department of Economic and Community
Development containing recommended clearances the same as those
51 prescribed in the National Fire Protection Association Code #211,
The Standards for Chimneys, Fireplaces, Vents and Solid Fuel

1 Burning Appliances, as approved by the office of the State Fire
2 Marshal.

3

4 **Sec. 33. 25 MRSA §2465, sub-§6**, as amended by PL 1983, c. 231,
5 §§1 and 2, is further amended to read:

6

7 **6. Penalty.** Any person who, for compensation, constructs
8 or installs chimneys, fireplaces, vents or solid fuel burning
9 appliances in violation of the standards, and permits such
10 violation to remain uncorrected after 30 days ~~days~~' notice from
11 any official empowered to enforce this section, shall be
12 considered guilty of a civil violation and shall be subject to a
13 forfeiture of not more than \$500 for each violation. The court
14 may waive any penalty or cost against any violator upon
15 satisfactory proof that the violation was corrected within 30
16 days of the issuance of a complaint.

17

18 Any person who fails to provide a purchaser with an instruction
19 manual or the authorized publication of the ~~Office--of--Energy~~
20 Resources Department of Economic and Community Development, as
21 described in subsection 5-A, commits a civil violation for which
22 a forfeiture of not less than \$200 nor more than \$500 for the
23 first offense and not less than \$500 nor more than \$800 for each
24 subsequent offense shall be adjudged. In addition to the civil
25 penalty provided in this subsection, any violation of this
26 chapter constitutes a violation of Title 5, chapter 10.

27

28 **Sec. 34. 30-A MRSA §3272, sub-§2, ¶A**, as enacted by PL 1987,
29 c. 737, Pt. A, §2 and Pt. C, §106, and as amended by PL 1989, c.
30 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to
31 read:

32

33 A. The commission may seek technical assistance from the
34 ~~Office--of--Energy--Resources~~ Department of Economic and
35 Community Development. That ~~office~~ department shall notify
36 local energy commissions, in writing, of plans and projects
37 that may affect those commissions, if the commission so
38 requests.

39

40 **Sec. 35. 30-A MRSA §3272, sub-§3**, as enacted by PL 1987, c.
41 737, Pt. A, §2 and Pt. C, §106, and as amended by PL 1989, c. 6;
42 c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to
43 read:

44

45 **3. Notice of formation; records, annual report.** The
46 commission shall notify the ~~Office--of--Energy--Resources~~ Department
47 of Economic and Community Development of its formation. The
48 commission shall keep records of its meetings and activities and
49 shall make an annual report to the municipality.

50

51 **Sec. 36. 30-A MRSA §4912, first ¶**, as enacted by PL 1987, c.
737, Pt. A, §2 and Pt. C, §106, and as amended by PL 1989, c.

1 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to
2 read:

3

4 The Maine State Housing Authority in consultation with the
5 ~~Office of Energy Resources~~ Department of Economic and Community
6 ~~Development~~ shall develop guidelines defining energy improvements
7 which may be made with proceeds of home improvement notes.

8 **Sec. 37. 32 MRSA §8002**, as enacted by PL 1979, c. 277, §2, is
9 amended to read:

10

11 **§8002. Installation training**

12

13 The ~~Office of Energy Resources~~ Department of Economic and
14 ~~Community Development~~ shall establish a voluntary training
15 program for installers of solar energy equipment.

16

17 This training program shall consist of a minimum of 15 hours
18 of instruction in the various aspects of solar energy system
19 installation. The course content for the installation training
20 program shall be developed by the ~~Office of Energy Resources~~
21 ~~Department of Economic and Community Development~~, in cooperation
22 with the Plumbers' Examining Board. The ~~Office of Energy~~
23 ~~Resources~~ Department of Economic and Community Development shall,
24 in accordance with the Maine Administrative Procedure Act, Title
25 5, chapter 375, promulgate all necessary rules pertaining to
26 qualifications, certification and recertification of solar energy
27 and inspection thereof, consistent with this chapter ~~and Title 5,~~
28 ~~section 5005, subsection 1, paragraph 0.~~

29
30 **Sec. 38. 32 MRSA §8003**, as amended by PL 1983, c. 553, §46,
31 is further amended to read:

32

33 **§8003. Installer certification**

34

35 Upon notice from the ~~Office of Energy Resources~~ Department
36 ~~of Economic and Community Development~~, the Department of
37 ~~Business, Occupational and Professional and Financial~~ Regulation
38 shall issue solar energy installer's certificates to those
39 individuals who meet the requirements listed in this section. The
40 Department of ~~Business, Occupational and Professional~~ ~~and~~
41 ~~Financial~~ Regulation shall keep all relevant records. The
42 following requirements shall be met:

43

44 1. **Training course and examination.** Attendance of a
45 minimum of 15 hours at an ~~Office of Energy Resources'~~ a
46 ~~Department of Economic and Community Development~~ sponsored
47 installation training course and successful completion of a
48 written examination encompassing solar energy installation
49 techniques;

50

1 2. Experience. Proof of at least one year of experience in
2 the installation of solar energy equipment and proof of
3 installation of at least 5 solar energy units, subject to an
4 approved inspection by the ~~Office of Energy Resources~~ Department
5 of Economic and Community Development; or

7 3. Competency in installation. Completion of a solar
8 energy installation training course which is determined by the
9 ~~Office of Energy Resources~~ Department of Economic and Community
10 Development to equip an individual with the skills necessary to
11 achieve competency in the installation of solar energy equipment.

13 **Sec. 39. 32 MRSA §8004, first ¶**, as amended by PL 1983, c. 553,
14 §46, is further amended to read:

15 The ~~Office of Energy Resources~~ Department of Economic and
16 Community Development, in coordination with the Department of
17 ~~Business, Occupational and Professional and Financial~~ Regulation,
18 shall investigate or cause to be investigated all complaints
19 against certified solar energy installers and all cases of
20 violations of this chapter. The ~~Office of Energy Resources~~
21 Department of Economic and Community Development may refuse to
22 renew the certification and the Administrative Court may suspend
23 or revoke the certification of a solar energy installer who is
24 found guilty of:

27 **Sec. 40. 32 MRSA §8023**, as enacted by PL 1981, c. 597, is
28 amended to read:

29 **§8023. Certification**

31 The ~~Office of Energy Resources~~ Department of Economic and
32 Community Development shall issue energy auditors' certificates
33 to those individuals who meet the requirements listed in this
34 section. The ~~Office of Energy Resources~~ Department of Economic
35 and Community Development shall maintain all relevant records.

37 1. Examination. Individuals must successfully complete a
38 written examination administered by the ~~Office of Energy~~
39 ~~Resources~~ Department of Economic and Community Development, or an
40 examination which receives the approval of the ~~Office of Energy~~
41 ~~Resources~~ Department of Economic and Community Development,
42 encompassing energy auditing techniques. Separate examinations
43 for residential and commercial building audits shall be
44 administered.

47 2. Experience. Individuals must demonstrate proof of
48 completion of at least 5 energy audits, subject to an approval
49 inspection by the ~~Office of Energy Resources~~ Department of
50 Economic and Community Development.

51

1 3. Existing auditors grandfathered. All energy auditors
2 certified by the former Office of Energy Resources in accordance
3 with the National Energy Conservation and Policy Act, Public Law
4 95-619, as of the effective date of this chapter are certified
5 for purposes of this chapter.

7 Sec. 41. 32 MRSA §8024, as enacted by PL 1981, c. 597, is
8 amended to read:

9
10 **§8024. Fees**

11 The ~~Director~~ Commissioner of the ~~Office of Energy Resources~~
12 Economic and Community Development may establish reasonable fees
13 for the issuance and renewal of energy auditors' certificates,
14 based on the cost of certification. The fees shall be paid to
15 the Treasurer of State to be used by the ~~Office of Energy~~
16 Resources Department of Economic and Community Development for
17 the purposes of this chapter.

19 Sec. 42. 32 MRSA §8025, first ¶, as enacted by PL 1981, c. 597,
20 is amended to read:

23 The ~~Office of Energy Resources~~ Department of Economic and
24 Community Development shall investigate, or cause to be
25 investigated, all complaints against certified energy auditors
26 and all cases of violations of this chapter. The ~~Office of~~
27 Energy Resources Department of Economic and Community Development
28 may refuse to renew the certification, or the Administrative
29 Court may suspend or revoke the certification, of an energy
30 auditor who is found guilty of:

31 Sec. 43. 32 MRSA §8027, as enacted by PL 1981, c. 597, is
32 amended to read:

35 **§8027. Renewals**

37 All certificates shall expire on December 31st of the 2nd
38 year following issuance or at such other times as the ~~Director~~
39 Commissioner of the ~~Office of Energy Resources~~ Economic and
40 Community Development may designate.

41 The certificates may be renewed on a biennial basis without
42 further examination upon the payment of the proper fee. The
43 ~~Office of Energy Resources~~ Department of Economic and Community
44 Development shall notify each person registered under this
45 chapter of the date of expiration of his that person's
46 certificate and the amount of fee required for the certificate
47 renewal for a 2-year period. The notice shall be mailed to the
48 person's last known address at least 30 days prior to the
49 expiration date of his the certificate. Any person, who fails to
50 renew his the certificate within a period of 90 days following
51 the expiration date, may be required by the ~~Office of Energy~~

1 Resources Department of Economic and Community Development to
take an examination in order to be recertified.

3

5 **Sec. 44. 32 MRSA §8028**, as enacted by PL 1981, c. 597, is
amended to read:

7 **§8028. Rules**

9 The ~~Office of Energy Resources~~ Department of Economic and
11 Community Development may, in accordance with the Maine
Administrative Procedure Act, Title 5, chapter 375, adopt rules
13 necessary to implement this chapter.

15 **Sec. 45. 36 MRSA §2915**, as enacted by PL 1983, c. 852, §5, is
amended to read:

17 **§2915. Report to the Legislature**

19 The State Tax Assessor shall report to the Legislature by
21 January 31, 1987, and each subsequent year until 1990 on the
amount of revenue losses due to the ethanol tax exemption
23 provided in section 2903, subsection 2. ~~The report shall also~~
~~include information provided by the Office of Energy Resources on~~
~~ethanol sales in other states, revenue losses to those states~~
~~from similar ethanol tax exemption and any other relevant~~
~~information on the market for ethanol blended gasoline requested~~
27 ~~by the Legislature.~~

29 **Sec. 46. 38 MRSA §634, sub-§3**, as enacted by PL 1983, c. 458,
§18, is amended to read:

31

33 **3. Application review.** Within 10 working days of receiving
a completed application, the Commissioner of Environmental
Protection or the Director of the Maine Land Use Regulation
35 Commission, as appropriate, shall notify the applicant of the
official date on which the application was accepted.

37

39 The commissioner or the director, as appropriate, shall circulate
the application among the Department of Environmental Protection,
Department of Conservation, Department of Inland Fisheries and
41 Wildlife, Department of Marine Resources, Department of
Transportation, Maine Historic Preservation Commission, ~~Office of~~
43 ~~Energy Resources~~ State Planning Office, Public Utilities
Commission and the municipal officials of the municipality in
45 which the project is located. The ~~Office of Energy Resources~~
State Planning Office and the Public Utilities Commission shall
47 submit written comments on section 636, subsection 7, paragraph
F. For projects within the jurisdiction of the Maine Land Use
49 Regulation Commission, the director may request and obtain
technical assistance and recommendations from the staff of the
51 department. The department shall respond to the requests in a
timely manner. The department's recommendations shall be
53 considered by the commission in acting upon a project application.

1
3
Sec. 47. Transition provisions.

5 1. **Funds transferred.** Notwithstanding the Maine Revised
7 Statutes, Title 5, sections 1585 and 1586, all accrued
9 expenditures, assets, liabilities, balances, appropriations or
11 allocations, transfers, revenues and other available funds in any
13 account or subdivision of any account of the Office of Energy
Resources or any subunit of that office affected by this Act are
transferred to the State Planning Office or the Department of
Economic and Community Development as required by the assignment
of responsibilities in this Act.

15 2. **Personnel and employment benefits transferred.** All
17 employees of the Office of Energy Resources or any subunit of
19 that office are transferred to the State Planning Office or the
Department of Economic and Community Development, as required by
the assignment of responsibilities in this Act.

21 All accrued fringe benefits, including vacation and sick leave,
23 health and life insurance and retirement of these personnel shall
remain with them. No employee's pay or promotional rights and
opportunities may be adversely affected due to this transfer.

25 3. **Equipment and property transferred.** All equipment,
27 records and property of the State used by employees and officials
of the Office of Energy Resources are transferred to the State
29 Planning Office or the Department of Economic and Community
Development, as required by the assignment of responsibilities in
31 this Act.

33 4. **Financial order required.** The Director of the State
35 Planning Office and the Commissioner of Economic and Community
Development shall jointly request, by financial order through the
37 State Budget Office, the Governor's approval of the funds,
positions, equipment and property to be transferred.

39 5. **Rules and procedures.** All rules and procedures
41 currently in effect and in operation pertaining to the Office of
Energy Resources shall remain in effect until rescinded or
amended as provided by state law.

43 6. **Contracts and agreements.** All contracts and agreements
45 currently in effect with respect to the Office of Energy
Resources shall remain in effect until rescinded, terminated or
47 modified as provided by state law.

49 7. **Organization and operation.** Notwithstanding any other
51 provisions of law, any planning or preparatory work may occur
prior to the effective date of this Act, but shall not become
binding until the effective date of this Act.

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 640

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Sec. 48. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1989-90 **1990-91**

EXECUTIVE DEPARTMENT

Office of Energy Resources

Positions	(-12)	(-12)
Personal Services	(\$218,245)	(\$436,489)
All Other	(25,338)	(69,928)

Eliminates the positions of: the Director of Energy Resources; the Director of Administrative Services; the Director of Public Information; an Administrative Secretary; an Engineering Conservation Specialist; an Energy Audit Engineer; a Senior Planner; a Business Manager II; an Account Clerk II; a supervisor; a Clerk II; and a Clerk III, which, under the provisions of this Act, will no longer be required, effective January 1, 1990.

EXECUTIVE DEPARTMENT		
TOTAL	(\$243,583)	(\$506,417)

STATEMENT OF FACT

This amendment makes appropriations and allocations for the upcoming biennium and changes certain provisions of law necessary for the proper operation of State Government.

Reported by the Committee on Appropriations and Financial Affairs
Reproduced and distributed under the direction of the Clerk of the House
6/30/89 (Filing No. H-690)