

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 108

H.P. 80

House of Representatives, January 7, 1991

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

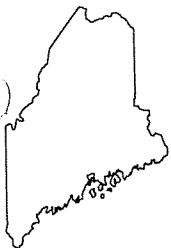
Presented by Representative WHITCOMB of Waldo.

STATE OF MAINE

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

**An Act Making Additional Appropriations from the General Fund and
Allocations from Other Funds for the Expenditures of State Government
for the Fiscal Year Ending June 30, 1991.**

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses will become due and payable prior to July 1, 1991; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1991, to the departments listed, the following sums.

1990-91

ADMINISTRATION, DEPARTMENT OF

Office of the Commissioner - Administration

Positions - Legislative Count	(-2.0)
All Other	(\$12,000)

Provides for the elimination of a vacant Accountant I position and a Clerk IV position and reduces All Other spending. General Fund undedicated revenues will be increased \$72,494.

Administration - Human Resources

Positions - Legislative Count	(-7.0)
Personal Services	(\$44,616)
All Other	(62,203)
Capital Expenditures	(4,479)

TOTAL	<hr/> (\$111,298)
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Provides for the deappropriation of funds from the reductions in general operating expenses, the delay in purchasing capital

2 equipment and the elimination of the
3 following positions: 2 Senior Personnel
4 Analyst positions; 2 Clerk Typist II
5 positions; one Human Resources Development
6 Assistant position; an Accountant I
7 position; and a Staff Development position.

8 **Buildings and Grounds Operations**

10 Positions - Legislative Count (-32.0)
11 Personal Services (\$26,000)

12 Provides for the deappropriation of funds
13 from the elimination of 14 Custodial Worker
14 I positions, 3 Custodial Worker II
15 positions, 3 Boiler Operator positions, 3
16 Laborer I positions, 2 Window Maintenance
17 Mechanic positions, one Information Security
18 Guide position, one Clerk Typist II
19 position, one Carpenter position, one
20 Executive Housekeeper, one Building Control
21 Supervisor position, one Maintenance
22 Mechanic position and 2 Painter positions.

24
25 **Capital Construction - Repairs -**
26 **Improvements - Administration**

28 Capital Expenditures (\$668,266)

30 Provides for the deappropriation of funds
31 from the termination of several capital
32 projects.

34 **Information Services**

36 Positions - Legislative Count (-5.0)
37 Personal Services (\$58,168)
38 All Other (457)

40 TOTAL (\$58,625)

42 Provides for the deappropriation of funds
43 from the elimination of a Secretary
44 position, a Management Analyst II position,
45 an Assistant Deputy Commissioner position, a
46 Planning and Research Associate I position
47 and a System Team Leader position.

48
49 **Public Improvements - Planning-**
50 **Construction - Administration**

52 Positions - Legislative Count (-7.0)

2	Personal Services	(\$18,000)
4	Provides for the deappropriation of funds from the elimination of one Administrative Assistant position, one Planning and Research Associate I position, one Account Clerk II position, one Accountant I position, one Accountant II position, one Engineering Technician position and one Assistant Engineer position.	
12	Public Improvements - Division of Safety and Environmental Services	
14		
16	Positions - Legislative Count	(-2.0)
16	Personal Services	(\$48,449)
18	Provides for the deappropriation of funds from the elimination of a vacant Asbestos Project Manager position and a vacant Assistant Engineer position.	
22	Bureau of Purchases	
24		
26	Positions - Legislative Count	(-6.0)
26	Personal Services	(\$34,959)
28	All Other	(2,634)
30	TOTAL	<u>(\$37,593)</u>
32	Provides for the deappropriation of funds from the elimination of a vacant Assistant Buyer position, a Chief Buyer position, a vacant Clerk Typist II position, a Secretary position, a Buyer II position, a Planning and Research Associate I position and related expenses.	
38	DEPARTMENT OF ADMINISTRATION	
40	TOTAL	<u>(\$980,231)</u>
42	SERVICES, MAINE ADVOCACY	
44	Maine Advocacy Services	
46	All Other	(\$9,437)
48	Provides for the deappropriation of funds from reductions in the Client Assistance Program services and the termination of the Information and Referral Program.	
50		
52		

2	MAINE ADVOCACY SERVICES	
	TOTAL	<u>(\$9,437)</u>
4	AGING, MAINE COMMITTEE ON	
6	Maine Committee on Aging	
8	Positions - Legislative Count	(-0.5)
	Personal Services	(\$12,000)
10	All Other	(7,245)
12	TOTAL	<u>(\$19,245)</u>
14	Provides for the deappropriation of funds	
16	for 1/2 of an Advocate position. This	
	funding will be allocated from Federal	
	Expenditures.	
18	Maine Committee on Aging	
20	Positions - Legislative Count	(-5.5)
22	Personal Services	(\$52,548)
	All Other	(11,467)
24	TOTAL	<u>(\$64,015)</u>
26	Provides for the deappropriation of funds to	
28	eliminate the Maine Committee on Aging to	
	include the elimination of all 6 legislative	
30	count positions.	
32	MAINE COMMITTEE ON AGING	
	TOTAL	<u>(\$83,260)</u>
34	AGRICULTURE, FOOD AND RURAL RESOURCES,	
36	DEPARTMENT OF	
38	Administration - Agriculture	
40	Positions - Legislative Count	(-1.5)
	Personal Services	(\$20,143)
42	All Other	(7,200)
	Capital Expenditures	(2,000)
44	TOTAL	<u>(\$29,343)</u>
46	Provides for the deappropriation of funds	
48	from the elimination of a Clerk Stenographer	
	III position, a part-time Planning and	
50	Research Assistant position and related	
	expenses.	
52	Agricultural Production	

2	Positions - Legislative Count	(-2.0)
	Personal Services	(\$33,640)
4	All Other	(6,000)
	Capital Expenditures	(11,0000)
6		
	TOTAL	<u>(\$50,640)</u>

8
 10 Provides for the deappropriation of funds
 12 from the elimination of one Assistant
 Horticulturist position, one Clerk Typist II
 position, reductions in support services and
 the delay in the purchase of one vehicle.

14 **Agricultural and Rural Resource Development**

16	Positions - Legislative Count	(-2.0)
18	Personal Services	(\$47,263)
	All Other	(25,807)
20	Capital Expenditures	(720)
22		
	TOTAL	<u>(\$73,790)</u>

24 Provides for the deappropriation of funds
 26 from the elimination of a Bureau Director
 position, an Agricultural Internship and
 Training Coordinator position and related
 28 expenses resulting from the elimination of
 the Farm Internship Program.

30 **Public Services - Agriculture**

32	Positions - Legislative Count	(-3.0)
34	Personal Services	(\$47,814)
	All Other	(9,888)
36	Capital Expenditures	(1,278)
38		
	TOTAL	<u>(\$58,980)</u>

40 Provides for the deappropriation of funds
 42 from the elimination of a Weights and
 Measures Inspector position, 2 Inspector
 Seed, Feed and Fertilizer positions and
 44 related expenses.

46 **Harness Racing Commission**

48	Capital Expenditures	(\$2,400)
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50 Provides for the deappropriation of funds
 from the delay in the purchases of video
 52 equipment.

2	Marketing Services - Agriculture	
4	Positions - Legislative Count	(-4.0)
	Personal Services	(\$113,420)
6	All Other	(19,338)
	Capital Expenditures	(665)
8		
	TOTAL	<u>(\$133,423)</u>
10		
12	Provides for the deappropriation of funds	
14	from the elimination of a Bureau Director	
16	position, a Director of Marketing	
18	Development position, a Clerk Typist II	
	position, a Produce Inspector III position,	
	not filling an Assistant to the Commissioner	
	position and related expenses resulting from	
	the reorganization of the bureau.	
20	Seed Potato Board	
22	Positions - Legislative Count	(-1.0)
	Personal Services	(\$14,097)
24		
26	Provides for the deappropriation of funds	
	from the transfer of a Clerk Stenographer	
	III position to the enterprise account.	
28		
	Soil and Water Conservation Commission	
30		
	Positions - Legislative Count	(-1.0)
32	Personal Services	(\$26,020)
	All Other	(2,269)
34		
	TOTAL	<u>(\$28,289)</u>
36		
38	Provides for the deappropriation of funds	
40	from the elimination of an Executive	
	Director position and related expenses.	
42	DEPARTMENT OF AGRICULTURE, FOOD AND	
	RURAL RESOURCES	
	TOTAL	<u>(\$390,962)</u>
44		
	BOARD, ANIMAL WELFARE	
46		
	Animal Welfare	
48		
	All Other	(\$13,300)
50		
	Provides for the deappropriation of funds	

2	from reductions in general operating expenses.	
4	ANIMAL WELFARE BOARD	
	TOTAL	<u>(\$13,300)</u>
6	COMMISSION, MAINE ARTS	
8	Arts - Administration	
10	Personal Services	(\$44,937)
12	Provides for the deappropriation of funds	
14	through temporary layoffs of Arts Associate	
16	positions for approximately 8.31 pay periods	
	and a 2-day workweek for a Clerk Typist.	
18	Arts - Sponsored Program	
20	All Other	(\$34,586)
22	Provides for the deappropriation of funds by	
24	elimination of all remaining grant programs	
	for the current year.	
26	MAINE ARTS COMMISSION	
	TOTAL	<u>(\$79,523)</u>
28	ATTORNEY GENERAL, DEPARTMENT OF THE	
30	Administration - Attorney General	
32	Personal Services	(\$303,406)
34	Provides for the deappropriation of funds	
36	from Personal Services.	
38	Office of Chief Medical Examiner	
40	Personal Services	(\$15,170)
42	Provides for the deappropriation of funds	
44	from Personal Services.	
46	District Attorneys' Salaries	
48	Personal Services	(\$187,101)
50	Provides for the deappropriation of funds	
	from Personal Services.	
52	DEPARTMENT OF THE ATTORNEY GENERAL	
	TOTAL	<u>(\$505,677)</u>

2	AUDIT, DEPARTMENT OF	
4	Audit - Departmental Bureau	
6	Positions - Legislative Count	(-1.0)
	Personal Services	(\$58,158)
8	All Other	(52,250)
10	TOTAL	<u>(\$110,408)</u>
12	Provides for the deappropriation of funds	
14	for one Auditor I position as well as	
16	operating costs, such as in-state and	
	out-of-state travel, supplies and contract	
	services.	
18	Audit - Unorganized Territory	
20	All Other	(\$6,000)
22	Provides for the deappropriation of funds	
	from the reduction of All Other expenditures.	
24		
26	DEPARTMENT OF AUDIT	
	TOTAL	<u>(\$116,408)</u>
28	CONSERVATION, DEPARTMENT OF	
30	Administration - Forestry	
32	Positions - Legislative Count	(-1.0)
	Personal Services	(\$8,495)
34	All Other	(1,000)
36	TOTAL	<u>(\$9,495)</u>
38	Provides for the deappropriation of funds	
40	from the elimination of an Enforcement	
	Coordinator Forester II position.	
42	Administrative Services - Conservation	
44	Positions - Legislative Count	(-3.0)
	Personal Services	(\$42,775)
46	All Other	(1,500)
	Capital Expenditures	(2,260)
48	TOTAL	<u>(\$46,535)</u>
50	Provides for the deappropriation of funds	

2 through the elimination of a Chief Planner
position, a Clerk Typist II position and an
Accountant III position.

4

6 **Capital Construction - Repairs -
Improvements - Conservation**

8 All Other (\$10,750)
Capital Expenditures (4,097)

10

TOTAL (\$14,847)

12

14 Provides for the deappropriation of funds
through the elimination of some building
repairs and capital improvements.

16

18 **Capital Construction - Repairs
Improvements - Conservation**

20 All Other (\$9,000)

22 Provides for the deappropriation of funds
through reductions in repairs.

24

Division of Forest Fire Control

26

28 Positions - Other Count (-26.5)
Personal Services (\$312,519)
Capital Expenditures (120,274)

30

TOTAL (\$432,793)

32

34 Provides for the deappropriation of funds
through the elimination of 26 full-time and
one part-time Watchperson positions
resulting from the closing of all fire
towers and termination of plans to
consolidate field facilities.

38

40 **Forest Management, Utilization Marketing**

42 Positions - Legislative Count (-7.0)
Personal Services (\$116,679)
All Other (13,978)

44

46 TOTAL (\$130,657)

48

50 Provides for the deappropriation of funds
through the elimination of 5 vacant Forester
I positions, 2 vacant Forester II positions
and related expenses.

52

Geographic-based Information Services

2 All Other (\$11,113)

4 Provides for the deappropriation of funds
6 through reductions in software maintenance
8 costs, elimination of travel and reduced
utility costs.

10 Maine Geological Survey

12 Personal Services (\$12,560)
All Other (54,314)

14 TOTAL (\$66,874)

16 Provides for the deappropriation of funds
18 through the elimination of the United States
20 Geological Survey National Mapping
Cooperative.

22 Insect and Disease Management

24 Positions - Legislative Count (-1.0)
Personal Services (\$28,387)
26 Capital Expenditures (3,000)

28 TOTAL (\$31,387)

30 Provides for the deappropriation of funds
32 through the elimination of an Entomologist
II position and from the delay in the
purchase of field vehicles.

34 Maine Land Use Regulation Commission

36 Positions - Legislative Count (-3.0)
38 Personal Services (\$79,841)
All Other (16,974)

40 TOTAL (\$96,815)

42 Provides for the deappropriation of funds
44 through the elimination of a Maine Land Use
46 Regulation Commission Division Manager
positions, 2 Environmental Specialist II
positions and related expenses.

48 Maine Conservation Corps

50 All Other (\$13,371)

52

2 Provides for the deappropriation of funds
through the elimination of one project to
4 complete conservation work and the
elimination of travel for project planning
and monitoring.

6

Parks - General Operations

8

10	Positions - Legislative Count	(-2.0)
	Positions - Other Count	(-17.0)
	Personal Services	(\$182,963)
12	All Other	(34,929)
	Capital Expenditures	(2,600)
14		<hr/>
16	TOTAL	(\$220,492)

16

18 Provides for the deappropriation of funds
from reduced parks operations through the
elimination of the following positions: 2
20 Clerk Typist I positions; 5 Park Ranger
positions; 8 Assistant Park Ranger
22 positions; 8 Park Manager positions; 5
Lifeguard Supervisor positions; 4 Laborer I
24 positions; one Laborer II position; 5 park
Receptionist positions; and one Historical
26 Site Specialist position.

28 **Policy Planning and Information**

30	Positions - Legislative Count	(-1.0)
	Personal Services	(\$28,875)

32

34 Provides for the deappropriation of funds
through the elimination of a Clerk Typist II
position.

36

Engineering and Realty

38

40	Positions - Legislative Count	(-1.0)
	Personal Services	(\$12,265)

42

44 Provides for the deappropriation of funds
through the elimination of a Right-of-Way
Appraiser II position.

46 **DEPARTMENT OF CONSERVATION**
TOTAL

(\$1,123,519)

48

50 **DEFENSE AND VETERANS' SERVICES,**
DEPARTMENT OF

52 **Administration - Defense and Veterans' Services**

2	Personal Services	(\$34)
	All Other	(747)
4	Capital Expenditures	(428)
6	TOTAL	<u>(\$1,209)</u>
8	Provides for the deappropriation of funds	
10	through salary savings and reductions of	
	general operating expenses.	
12	Administration - Maine Emergency Management Agency	
14		
	Personal Services	(\$6,784)
16	All Other	(80,158)
18	TOTAL	<u>(\$86,942)</u>
20	Provides for the deappropriation of funds	
22	through salary savings from an anticipated	
	retirement and the reduction of disaster	
24	assistance funds.	
26	Capital Construction - Repairs - Improvements - Defense and Veterans' Services	
28		
	All Other	(\$61,000)
30		
32	Provides for the deappropriation of funds	
	through the elimination of repairs to armory	
34	facilities.	
36	Dam Safety Program	
38		
	All Other	(\$3,753)
40		
42	Provides for the deappropriation of funds	
	through the reduction in general operating	
	expenses.	
44	Military Training and Operations	
46		
	Personal Services	(\$49,106)
	All Other	(118,242)
48	TOTAL	<u>(\$167,348)</u>
50	Provides for the deappropriation of funds	
	through the deferment of work at armories.	

2	Veterans' Memorial Cemetery	
4	All Other	(\$12,600)
6	Provides for the deappropriation of funds	
8	through reductions in the general upkeep at	
	the Veterans' Memorial Cemetery.	
10	Veterans' Services	
12	All Other	(\$15,609)
14	Provides for the deappropriation of funds	
16	from reductions in travel and general	
	operating expenses.	
18	Commission on Vietnam and Atomic Veterans	
20	Personal Services	(\$540)
	All Other	(6,000)
22		<hr/>
	TOTAL	(\$6,540)
24		
26	Provides for the deappropriation of funds	
	through salary savings and reductions in	
	travel.	
28		
30	DEPARTMENT OF DEFENSE AND VETERANS' SERVICES	
32	<hr/>	
	TOTAL	(\$355,001)
34	MAINE DEVELOPMENT FOUNDATION	
36	Development Foundation	
38	All Other	(\$16,182)
40	Provides for the deappropriation of funds	
	from reduced operating expenses.	
42	MAINE DEVELOPMENT FOUNDATION	
44	<hr/>	
	TOTAL	(\$16,182)
46	ECONOMIC AND COMMUNITY DEVELOPMENT,	
	DEPARTMENT OF	
48	Administration - Economic and Community	
	Development	
50	Positions - Legislative Count	(-1.0)
52	Personal Services	(\$6,487)
	All Other	(3,250)

2	Capital Expenditures	(5,000)
4	TOTAL	<u>(\$14,737)</u>
6	Provides for the deappropriation of funds	
8	from the elimination of the State Data	
10	Center, which includes a Research Associate	
12	I position, capital equipment purchases and	
14	All Other expenses.	
16	Office of Community Development	
18	All Other	(\$33,045)
20	Provides for the deappropriation of funds	
22	from reductions in travel, contractual	
24	services and grants to communities.	
26	Community Development Block Grant Program	
28	All Other	(\$20,392)
30	Provides for the deappropriation of funds	
32	from reductions in travel, contractual	
34	services and general operating expenses.	
36	Office of Energy Resources	
38	Positions - Legislative Count	(-1.0)
40	Personal Services	(\$10,946)
42	All Other	(4,984)
44	TOTAL	<u>(\$15,930)</u>
46	Provides for the deappropriation of funds	
48	from the elimination of the Supervisor of	
50	Energy Resources position and transfer of	
	the program to the State Planning Office.	
	International Commerce	
	All Other	(\$25,000)
	Provides for the deappropriation of funds	
	from the reductions of All Other for grants.	
	Job Opportunity Zones	
	All Other	(\$2,750)
	Provides for the deappropriation of funds	

2	from the reduction in All Other allotment for administration of grants.	
4	Comprehensive Land Use Planning	
6	All Other	(\$201,077)
8	Provides for the deappropriation of funds from reductions in general operating 10 expenses from the Growth Management Program.	
12	Legal Defense Fund	
14	All Other	(\$81,186)
16	Provides for the deappropriation of funds from reduction of the Legal Defense Fund 18 appropriation for fiscal year 1990-91 to \$18,814.	
20	Maine Small Business Commission	
22	All Other	(\$4,398)
24	Provides for the deappropriation of funds 26 from the reduction in the grants to the subcenters.	
28		
30	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
32	TOTAL	<hr/> (\$398,515)
34	STATE BOARD OF EDUCATION	
36	State Board of Education	
38	Personal Services	(\$1,100)
40	All Other	(4,369)
42	Provides for the deappropriation of funds from reduced per diem and general operating expenses.	
44	STATE BOARD OF EDUCATION	
46	TOTAL	<hr/> (\$5,469)
48	EDUCATION, DEPARTMENT OF	
50	Administration - Education	
52	Personal Services	(\$3,521)

2	Provides for the deappropriation of funds from salary savings.	
4	Administrative Services - Education	
6	Personal Services	(\$10,384)
8	Provides for the deappropriation of funds from salary savings.	
10	Adult Education	
12	Personal Services	(\$101,061)
14	All Other	(17,200)
16	TOTAL	<hr/> (\$118,261)
18	Provides for the deappropriation of funds from salary savings and reductions in contractual services, in-state travel, telephone utility, general operating expenses and office supplies.	
24	Assessment of Student Performance	
26	Personal Services	(\$2,472)
	All Other	(6,500)
28	TOTAL	<hr/> (\$8,972)
30	Provides for the deappropriation of funds from salary savings and reduced out-of-state travel and general operating expenses.	
32		
34	Certification, Placement and Teacher Education	
36		
38	All Other	(\$6,120)
40	Provides for the deappropriation of funds from reductions in in-state travel and general operating expenses.	
42		
44	School-based Child Care	
46	All Other	(\$23,000)
48	Provides for the deappropriation of funds from school-based child care grants.	
50	Curriculum - Education	
52		

2	Personal Services	(\$37,492)
	All Other	(47,278)
4	TOTAL	(\$84,770)
6	Provides for the deappropriation of funds	
8	from salary savings and reductions in	
10	out-of-state travel, innovative grants and	
	early childhood grants.	
	General Purpose Aid for Local Schools	
12	All Other	(\$5,400,000)
14	Provides for the deappropriation of funds in	
16	excess of requirements in general purpose	
18	aid to local schools.	
	Governor Baxter School for the Deaf	
20	Personal Services	(\$130,894)
22	Provides for the deappropriation of funds	
24	from salary savings.	
26	Handicapped Children Services - Preschool	
28	All Other	(\$84,450)
30	Provides for the deappropriation of funds	
32	from preschool handicapped grants.	
	Higher Education Services	
34	Personal Services	(\$19,916)
36	Provides for the deappropriation of funds	
38	from salary savings.	
40	Nutrition Program - Local Schools	
42	All Other	(\$25,526)
44	Provides for the deappropriation of funds	
46	from reduced per pupil meal reimbursement	
	and reduced grants to schools for equipment.	
48	Planning and Management Information -	
	Education	
50	Personal Services	(\$1,957)
52	All Other	(14,000)

2	Capital Expenditures	(8,301)
4	TOTAL	<u>(\$24,258)</u>
6	Provides for the deappropriation of funds	
8	from salary savings, reduced general	
	operating expenses and the elimination of a	
	microcomputer purchase.	
10	Special Education - Exceptional Children	
12	Personal Services	(\$9,405)
14	All Other	(37,086)
16	TOTAL	<u>(\$46,491)</u>
18	Provides for the deappropriation of funds	
20	from salary savings and gifted and talented	
	grants.	
22	Transportation Program - Local Schools	
24	Personal Services	(\$9,020)
26	Provides for the deappropriation of funds	
	from salary savings.	
28	Vocational Training - Program Services	
30	Personal Services	(\$25,951)
32	All Other	(3,500)
34	TOTAL	<u>(\$29,451)</u>
36	Provides for the deappropriation of funds	
38	from salary savings, reduced in-state	
	travel, reduced out-of-state travel and	
	reduced general operating expenses.	
40	DEPARTMENT OF EDUCATION	
42	TOTAL	<u>(\$6,025,034)</u>
44	ENVIRONMENTAL PROTECTION,	
	DEPARTMENT OF	
46	Administration - Environmental Protection	
48	Positions - Legislative Count	(-1.0)
50	Personal Services	(\$26,698)
52	All Other	(7,521)
	TOTAL	<u>(\$34,219)</u>

2 Provides for the deappropriation of funds
4 through the elimination of a Planning and
Research Associate I position and reductions
6 in general operating costs.

8 **Air Quality Control**

10 Personal Services (\$18,838)

12 Provides for the deappropriation of funds
from an Environmental Specialist IV position.

14 **Environmental Impact Studies**

16 Personal Services (\$5,000)

18 Provides for the deappropriation of funds
through salary savings.

20 **Board of Environmental Protection**

22 Personal Services (\$15,781)

24 All Other (14,000)

26 TOTAL (\$29,781)

28 Provides for the deappropriation of funds
30 from a Clerk Typist III position, reductions
in per diem and reduced operational costs
32 that will be charged to the dedicated
account.

34 **Lake Environmental Protection Fund**

36 All Other (\$100,000)

38 Provides for the deappropriation of funds
40 through the reduction in local grants to
cover costs of litigation to protect lake
42 quality.

44 **Lake Restoration and Protection Fund**

46 Personal Services (\$18,270)

48 All Other (50,000)

50 TOTAL (\$68,270)

52 Provides for the deappropriation of funds
from an Assistant Engineer position and
related costs.

2	Land Quality Control	
4	Positions - Legislative Count	(-2.0)
	Personal Services	(\$96,549)
6		
8	Provides for the deappropriation of funds	
	through the elimination of one Environmental	
10	Specialist III position and one	
	Environmental Specialist IV position.	
12	Oil and Hazardous Materials Control	
14	Personal Services	(\$43,140)
16	Provides for the deappropriation of funds	
	through the transfer of expenditures to	
18	other accounts.	
20	Solid Waste Management	
22	Positions - Legislative Count	(-2.0)
	Personal Services	(\$52,310)
24		
26	Provides for the deappropriation of funds	
	through the elimination of the Bureau	
28	Director and a Division Director in the 4th	
	quarter, resulting from the consolidation of	
30	the Bureau of Solid Waste Management and the	
	Bureau of Oil and Hazardous Materials	
32	Control.	
	Water Quality Control	
34	Personal Services	(\$5,300)
36	Capital Expenditures	(25,038)
38	TOTAL	(\$30,338)
40	Provides for the deappropriation of funds	
	through the transfer of expenditures to the	
42	dedicated account and the elimination of all	
	capital.	
44		
46	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
	TOTAL	(\$478,445)
48		
50	GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON	
52	Commission on Governmental Ethics and	

	Election Practices	
2	Personal Services	(\$5,318)
4	All Other	(1,952)
6	Provides for deappropriation of funds from	
	general operating expenses and salary	
8	savings.	
10	COMMISSION ON GOVERNMENTAL ETHICS AND	
	ELECTION PRACTICES	
12	TOTAL	<u>(\$7,270)</u>
14	EXECUTIVE DEPARTMENT	
16	Administration - Executive -	
	Governor's Office	
18	Personal Services	(\$58,000)
20	All Other	(26,251)
	Capital Expenditures	(2,000)
22	TOTAL	<u>(\$86,251)</u>
24	Provides for the deappropriation of funds	
26	through extended personnel leave without pay	
	and from reductions in general operating	
28	costs.	
30	Administration - Community Services	
32	Positions - Other Count	(-2.0)
	Personal Services	(\$36,737)
34	All Other	(11,079)
36	TOTAL	<u>(\$47,816)</u>
38	Provides for the deappropriation of funds	
	from the elimination of an Auditor II	
40	position, a Receptionist position and	
	reductions in general operating expenses.	
42		
	Blaine House	
44	Personal Services	(\$2,000)
46	All Other	(2,000)
48	TOTAL	<u>(\$4,000)</u>
50	Provides for the deappropriation of funds	

2	from salary savings and reductions in general operating costs.	
4	Blaine House Renovations and Repairs Fund	
6	All Other	(\$2,000)
8	Provides for the deappropriation of funds from reductions in repairs.	
10		
12	Federal - State Coordinator - Executive	
14	Personal Services	(\$6,000)
14	All Other	(8,000)
16		
16	TOTAL	<hr/> (\$14,000)
18	Provides for the deappropriation of funds from not filling a vacant position and reductions in general operating costs.	
20		
22	Head Start	
24	All Other	(\$840)
26	Provides for the deappropriation of funds from reductions in out-of-state travel.	
28		
30	Low-income Home Energy Assistance	
32	All Other	(\$2,986)
34	Provides for the deappropriation of funds from reductions in travel costs for the Advisory Board.	
36		
38	Public Advocate	
40	All Other	(\$13,755)
42	Provides for the deappropriation of funds from the disencumbrance of contracts with expert witnesses.	
44		
46	Public Advocate	
48	Positions - Legislative Count	(-7.0)
48	Personal Services	(\$68,895)
50	All Other	(83,395)
52	TOTAL	<hr/> (\$152,290)

2 Provides for the deappropriation of funds
4 from the elimination of the Office of the
Public Advocate and all legislative count
positions.

6
8 **Maine Science and Technology
Commission**

10 All Other (\$145,115)

12 Provides for the deappropriation of funds
14 from reductions in stand-alone centers and
research programs.

16 **Planning Office**

18 Personal Services (\$57,497)
All Other (43,000)
20 Capital Expenditures (1,322)

22 TOTAL (\$101,819)

24 Provides for the deappropriation of funds
26 from savings in Personal Services, All Other
and Capital Expenditures.

28 **Office of Substance Abuse**

30 All Other (\$56,621)

32 Provides funds for the deappropriation of
34 funds from data processing, in-state travel,
out-of-state travel, office supplies,
36 maintenance of the statewide information
system and the elimination of the statewide
prevention conference.

38
40 **Office of Volunteer Services**

42 Personal Services (\$1,000)

44 Provides for the deappropriation of funds
from salary savings.

46 **State Planning Office - Water
Resource Management Board**

48 All Other (\$1,394)

50 Provides for the deappropriation of funds

2	from the reduction in general operating expenses.	
4	EXECUTIVE DEPARTMENT	
	TOTAL	<u>(\$629,887)</u>
6	FINANCE, DEPARTMENT OF	
8	Administration - Finance	
10	Personal Services	(\$14,095)
12	Provides for the deappropriation of funds from not filling the Assistant to the Commissioner position.	
14		
16	Administrative Services - Finance	
18	Positions - Legislative Count	(-2.0)
20	All Other	(\$10,000)
22	Provides for the deappropriation of funds from the elimination of a vacant Account Clerk I position, a Field Examiner II position and related operating costs. (Personal Services savings have already been offered through the Voluntary Cost Savings Program.)	
24		
26		
28		
30	Bureau of Accounts and Control	
32	Positions - Legislative Count	(-11.5)
	Personal Services	(\$61,779)
34	Provides for the deappropriation of funds from the elimination of one Clerk I position, one Clerk Typist I position, 3 Clerk Typist II positions, 3 Data Entry Specialist positions, one Data Entry Supervisor position, one Data Control Specialist position, one Account Clerk II position and one part-time Laborer I position.	
36		
38		
40		
42		
44		
46	Bureau of Accounts and Control - Systems Project	
48	Personal Services	(\$23,500)
50	Provides for the deappropriation of funds from not filling the Assistant to the Controller position.	
52		

2

Bureau of Taxation

4

Positions - Legislative Count
Personal Services

(-25.0)
(\$323,238)

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26

Provides for the deappropriation of funds from the elimination of 2 Property Tax Appraiser I positions, 3 Property Tax Appraiser II positions, one Clerk I position, one Clerk Typist III position and the following vacant positions: 3 Revenue Agent positions, one Senior Revenue Agent position, one Senior Tax Examiner position, one Clerk Typist I position, one Clerk Typist II position, one Data Base Administrator position, one Tax Division Assistant Executive position, one Computer Programmer position, one Programmer Analyst position, 2 Tax Enforcement Officer positions, one Clerk III position, one Planning and Research Associate II position, one Data Entry Specialist position, one Property Tax Appraiser I position and one Property Tax Appraiser II position.

28

Tree Growth Tax Reimbursement

30

All Other

(\$1,000,000)

32

Provides for the deappropriation of funds from eliminating an anticipated balance at the end of fiscal year 1990-91.

34

36

**DEPARTMENT OF FINANCE
TOTAL**

(\$1,432,612)

38

**MAINE HISTORIC PRESERVATION
COMMISSION**

40

State Restoration Grants Program

42

All Other

(\$9,172)

44

46

Provides for the deappropriation of funds from a 29% reduction in the Historic Building Restoration Grant Program.

48

50

Historic Preservation Commission

52

All Other

(\$13,367)

2	Provides for the deappropriation of funds from a 14% reduction in the Maine Historic Resources Survey.	
4		
6	MAINE HISTORIC PRESERVATION COMMISSION TOTAL	<u>(\$22,539)</u>
8	MAINE STATE HOUSING AUTHORITY	
10	Housing Opportunities for Maine Fund	
12	All Other	(\$30,000)
14	Provides for the deappropriation of funds from the Home Fund Subsidization of 16 Emergency Shelter Providers.	
18	MAINE STATE HOUSING AUTHORITY TOTAL	<u>(\$30,000)</u>
20	MAINE HUMAN DEVELOPMENT COMMISSION	
22	Human Development Commission	
24	All Other	(\$2,537)
26	Provides for the deappropriation of funds 28 from general operating expenses.	
30	Human Development Commission	
32	All Other	(\$7,771)
34	Provides for the deappropriation of funds to eliminate the Maine Human Development 36 Commission.	
38	MAINE HUMAN DEVELOPMENT COMMISSION TOTAL	<u>(\$10,308)</u>
40	MAINE HUMAN RIGHTS COMMISSION	
42	Human Rights Commission - Regulation	
44	Positions - Legislative Count	(-2.0)
46	Personal Services	(\$27,275)
48	All Other	(4,629)
	Provides for the deappropriation of funds	

2 through the elimination of a Staff Attorney
position and a Field Investigator position.

4 **MAINE HUMAN RIGHTS COMMISSION**
6 **TOTAL**

(\$31,904)

8 **HUMAN SERVICES, DEPARTMENT OF**

10 **Administration - Human Services**

10	Positions - Legislative Count	(-22.0)
12	Personal Services	(\$212,730)
14	All Other	(10,000)
16	TOTAL	<u>(\$222,730)</u>

18 Provides for the deappropriation of funds
from the elimination of the following
20 positions: 3 Clerk Typist II positions, 2
Clerk II positions, one Account Clerk II
22 position, one Accountant III position, one
Personnel Officer position, 2 Computer
24 Programmer positions, one Programmer Analyst
position, one Systems Analyst position, one
26 Word Processing Operator position, one Clerk
Typist III position, one Planning and
28 Research Associate I position, one
Statistician III position, one Nosologist
30 position, one System Team Leader position,
one Staff Development Specialist II
32 position, 2 Staff Development Specialist IV
positions and one Comprehensive Health
34 Planner II position.

36 **Administration - Regional - Human
Services**

38	Positions - Legislative Count	(-7.5)
40	Personal Services	(\$38,246)
42	All Other	(307,796)
	TOTAL	<u>(\$346,042)</u>

44 Provides for the deappropriation of funds
46 through the elimination of 5 full-time and
one part-time Clerk Typist II positions, 2
48 Switchboard Operator positions and related
expenses associated with the closing of
50 offices in Sanford, South Paris, Mexico,
Farmington, Skowhegan, Dover-Foxcroft,
52 Ellsworth, Calais, Bangor and Fort Kent.

Administration - Income Maintenance

2		
	Positions - Legislative Count	(-6.0)
4	Personal Services	(\$52,500)
	All Other	(10,500)
6		
	TOTAL	<u>(\$63,000)</u>

8
10 Provides for the deappropriation of funds
12 for the administration of public assistance
14 programs through the elimination of the
16 following positions: one Clerk Typist III
position, one Income Maintenance Program
Manager position, one Income Maintenance
Field Supervisor position and 3 Income
Maintenance Specialist positions.

18 Administration - Social Services

20	Positions - Legislative Count	(-6.0)
	Personal Services	(\$75,499)
22	All Other	(24,426)
24		
	TOTAL	<u>(\$99,925)</u>

26 Provides for the deappropriation of funds
28 through the elimination of the following
30 positions: one Clerk Typist II position,
32 one Account Clerk I position, one Public
34 Relations Representative position, one
Social Services Program Specialist I
position and 2 Social Services Program
Specialist II positions.

**36 Aid to Families with Dependent
Children**

38	All Other	(\$1,719,000)
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40 Provides for the deappropriation of funds in
42 which the maximum payment levels for Aid to
44 Families with Dependent Children recipients
46 are based on a ratable reduction of 69.4% of
the full need, rather than having a "gap"
between the full need and maximum payment
standard.

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

50	Positions - Legislative Count	(-1.0)
52	Personal Services	(\$13,000)

2 Provides for the deappropriation of funds
4 from the elimination of one Clerk Typist II
position.

6 **Birthline**

8 All Other (\$37,500)

10 Provides for the deappropriation of funds to
12 eliminate the Birthline Program.

14 **Aid to Charitable Institutions**

16 All Other (\$3,643)

18 Provides for the deappropriation of funds
20 for 5 agencies that serve unmarried mothers
and troubled adolescents.

22 **Child Care Services**

24 All Other (\$60,000)

26 Provides for the deappropriation of funds
28 for a variety of child day care programs,
such as subsidized slots, resource
development centers and vouchers.

30 **Community Family Planning**

32 All Other (\$21,000)

34 Provides for the deappropriation of funds
36 for clinical, educational and support
services for at-risk, pregnant and parenting
teens and women.

38 **Congregate Housing**

40 All Other (\$226,207)

42 Provides for the deappropriation of funds
44 for supportive services to elderly residents
living in subsidized housing.

46 **Crippled Children Services**

48 Positions - Legislative Count (-0.5)
50 Personal Services (\$12,510)

52 Provides for the deappropriation of funds by

2 reducing to 1/2 time a Public Health
Physician position assigned to the Division
of Disease Control.

4

6 **Division of Driver Education
Evaluation Programs**

8	Positions - Legislative Count	(-1.0)
	Personal Services	(\$6,400)
10	All Other	(217,640)
12	TOTAL	<hr/> (\$224,040)

14 Provides for the deappropriation of funds by
16 reducing the Weekend Offender Program and by
not implementing the Automated Offender
18 Evaluation Program through the elimination
of one Clerk Typist II position.

20 **Bureau of Elder and Adult Services**

22	Positions - Legislative Count	(-5.0)
	Personal Services	(\$55,000)
24	All Other	(190,500)
	Capital Expenditures	(4,000)
26	TOTAL	<hr/> (\$249,500)

28 Provides for the deappropriation of funds
30 from the Bureau of Elder and Adult Services,
grants to Area Agencies on Aging, Aroostook
32 Alzheimer's Project, general operating
expenses and the elimination of one Social
34 Services Program Specialist I position, one
Human Services Casework Supervisor position,
36 one Clerk Typist III position and one Social
Services Program Specialist II position and
38 the transfer of one Clerk Typist II position
salary to federal funds.

40 **Emergency Medical Services**

42	All Other	(\$21,243)
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44 Provides for the deappropriation of funds
46 for the operation of the Maine Emergency
Medical Services, or MEMS, System.

48

50 **Adaptive Equipment Loan Program
Fund Board**

52	All Other	(\$400)
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2 Provides for the deappropriation of funds
4 from the \$5,000,000 Revolving Loan Fund for
people with disabilities to borrow money for
6 adaptive equipment.

Family Services Program

8 Positions - Legislative Count (-10.5)
10 Personal Services (\$89,502)

12 Provides for the deappropriation of funds to
14 reduce the Family Service Program through
the elimination of the following positions:
16 7 Human Services Caseworker positions, 2
Social Services Supervisor positions, one
18 Income Maintenance Program Manager position
and a part-time Clerk Typist II position.

20 Free Drugs To Maine's Elderly

22 All Other (\$57,800)

24 Provides for the deappropriation of funds
26 for a low-cost drug program for the elderly
to provide life-sustaining drugs for
28 low-income elderly persons with a copayment
of \$2 per prescription.

**30 General Assistance - Reimbursement to
Cities and Towns**

32 All Other (\$680,530)

34 Provides for the deappropriation of funds
36 for reimbursement to municipalities for
General Assistance expenditures.

Health Insurance Subsidy Program

40 All Other (\$1,000,000)

42 Provides for the deappropriation of funds
44 for a supplemental health insurance program
for former Aid to Families with Dependent
46 Children recipients, which is no longer
required.

Bureau of Health

50 Positions - Legislative Count (-11.0)
52 Personal Services (\$95,458)

2	All Other	(415,109)
4	TOTAL	(\$510,567)

6 Provides for the deappropriation of funds
 8 for the Bureau of Health Administration
 10 program management, service delivery and
 12 purchase of community-based services through
 14 the elimination of the following positions:
 16 3 Sanitarian II positions, 3 Clerk Typist
 18 III positions, one Clerk Typist II position,
 20 one Librarian I position, one Public Health
 22 Educator I position, one Public Health
 24 Educator II position and one Microbiologist
 26 II position.

18 **Health Planning and Development**

18	Positions - Legislative Count	(-3.0)
20	Personal Services	(\$34,638)
22	All Other	(3,286)
24	TOTAL	(\$37,924)

26 Provides for the deappropriation of funds by
 28 decreasing the capability of Certificate of
 30 Need determination, implementation of
 32 special projects, preparation of key
 planning documents and the elimination of 2
 Comprehensive Health Planner II positions
 and one Health Care Financial Analyst
 position.

34 **Income Maintenance - Regional**

36	Positions - Legislative Count	(-24.0)
38	Personal Services	(\$168,528)
40	All Other	(4,500)
42	TOTAL	(\$173,028)

44 Provides for the deappropriation of funds
 46 from the elimination of the following
 48 positions with determination of eligibility
 for public assistance programs: 17 Human
 Services Aide III positions; 5 Income
 Maintenance Specialists positions; one
 Clerk Typist II position; and one Income
 Maintenance Unit Supervisor position.

50 **Interdepartmental Council -**
 52 **Medicaid Enhancement**

2	All Other	(\$2,577)
4	Provides for the deappropriation of funds	
	from a contract for consultation services	
6	on Medicaid enhancement.	
8	Intermediate Care - Payments	
	to Providers	
10	All Other	(\$125,401)
12	Provides for the deappropriation of funds	
14	for long-term care in nursing facilities	
	for the mentally retarded, prescription	
16	drugs for these patients and comprehensive	
	dental care for ICF/MR residents	
18		
20	Legal Services - Human Services	
	Positions - Legislative Count	(-2.0)
22	Personal Services	(\$57,468)
24	Provides for the deappropriation of funds	
	from the transfer of 2 Assistant Attorney	
26	General positions to federal funds.	
28	Long-term Care - Human Services	
	Positions - Legislative Count	(-1.0)
30	Personal Services	(\$11,000)
32	All Other	(50,000)
34	TOTAL	(\$61,000)
36	Provides for the deappropriation of funds	
	used for administration of the Home-based	
38	Care Program through the elimination of one	
	Social Services Program Specialist II	
40	position and reductions in funds available	
	for the Home-based Care Program.	
42		
44	Medical Care - Payments	
	to Providers	
46	All Other	(\$2,352,301)
48	Provides for the deappropriation of funds	
	for comprehensive health services covering	
50	63 categories of service, ranging from	
	hospital care to a broad array of primary,	

2 rehabilitative and related services for
low-income persons.

4 **Medical Care Administration**

6 Positions - Legislative Count (-13.0)
Personal Services (\$204,000)

8 Provides for the deappropriation of funds
10 for the administrative costs for claims
processing, policy development,
12 surveillance and utilization review,
classification for Medicaid licensing of
14 boarding and foster homes, licensing
certification of the Maine Revised
16 Statutes, Titles 18 and 19 providers, and
state-funded health programs and the
18 elimination of the following positions: 2
Clerk Typist II positions, one Health
20 Services Consultant position, one Social
Service Program Specialist I position, one
22 Social Service Program Specialist II
position, 2 Medical Claims Evaluator
24 positions, 2 Human Services Aide III
positions, one Word Processing Operator
26 position, one Accountant II position, one
Medical Services Utility Supervisor
28 position and one Medical Services Utility
Assistant Director position.

30 **Purchased Social Services**

32 All Other (\$1,640,000)

34 Provides for the deappropriation of funds
36 to purchase social services that are
delivered by community agencies.

38 **Bureau of Rehabilitation - Vocational
40 Rehabilitation**

42 All Other (\$290,608)

44 Provides for the deappropriation of funds
46 to substitute State Vocational
Rehabilitation case service funds with
48 federal funds.

50 **Social Services - Regional**

52 Positions - Legislative Count (-7.0)
Personal Services (\$70,000)

2	All Other	(10,000)
4	TOTAL	<u>(\$80,000)</u>
6	Provides for the deappropriation of funds	
8	from the elimination of 4 Human Services	
10	Casework Supervisor positions, 2 part-time	
	Paralegal Assistant positions, one Social	
	Services Program Specialist position and	
	one Community Caseworker position.	
12	State Supplement to Federal Supplemental	
	Security Income	
14	All Other	(\$895,000)
16	Provides for the deappropriation of funds	
18	to supplement SSI payments received by	
20	aged, blind or disabled people living in	
22	boarding homes, nursing homes or in the	
	community.	
24	Welfare Employment. Education and Training	
26	Positions - Legislative Count	(-4.0)
28	Personal Services	(\$42,600)
	All Other	(759,026)
30	TOTAL	<u>(\$801,626)</u>
32	Provides for the deappropriation of funds	
34	from case management, job counseling,	
36	determination of support service,	
38	pretraining, training and employment needs	
40	of Aid to Families with Dependent Children	
	and Food Stamp recipients through the	
	elimination of the following positions: 3	
	WEET Specialist positions and one WEET	
	Regional Manager position.	
42	DEPARTMENT OF HUMAN SERVICES	
	TOTAL	<u>(\$12,378,892)</u>
44	MAINE INDIAN TRIBAL-STATE COMMISSION	
46	Maine Indian Tribal-State Commission	
48	Personal Services	(\$494)
50	Provides for the deappropriation of funds	
52	through a reduction in per diem payments	
	for commission members.	

2	MAINE INDIAN TRIBAL-STATE COMMISSION	
	TOTAL	(\$494)
4		
6	INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF	
8	Office of the Commissioner - Inland Fisheries and Wildlife	
10	Personal Services	(\$23,000)
	All Other	(52,475)
12	Capital Expenditures	(6,500)
14	TOTAL	(\$81,975)
16	Provides for the deappropriation of funds from not filling a vacant Clerk Typist II position and a vacant Clerk Stenographer III position, from reductions in general operating expenses and the delay in the purchase of one film processor.	
18		
20		
22		
24	Administrative Services - Inland Fisheries and Wildlife	
26	Personal Services	(\$12,000)
	All Other	(16,438)
28	Capital Expenditures	(10,146)
30	TOTAL	(\$38,584)
32	Provides for the deappropriation of funds from not filling a vacant Account Clerk II position, reductions in general operating expenses and the delay in the purchase of one vehicle.	
34		
36		
38	Atlantic Sea Run Salmon Commission	
40	All Other	(\$407)
	Capital Expenditures	(3,200)
42		
44	TOTAL	(\$3,607)
46	Provides for the deappropriation of funds through the reduction of general operating costs and the delay in the purchase of one fish transportation tank.	
48		
50	ATV Safety and Educational Program	
52	All Other	(\$1,555)

2	Provides for the deappropriation of funds	
4	from reductions in general operating	
	expenses.	
6	Endangered Nongame Operations	
8	All Other	(\$233)
10	Provides for the deappropriation of funds	
	from reductions in out-of-state travel.	
12		
14	Enforcement Operations - Inland Fisheries	
	and Wildlife	
16	Personal Services	(\$56,625)
	All Other	(576,751)
18	Capital Expenditures	(80,144)
20	TOTAL	<u>(\$713,520)</u>
22	Provides for the deappropriation of funds	
	from the elimination of 25 vacant	
24	intermittent Game Warden Assistant	
	positions, reductions in general operating	
26	expenses and the delay in purchasing 5	
	vehicles and miscellaneous equipment.	
28		
30	Fisheries and Hatcheries Operations	
32	Personal Services	(\$29,000)
	All Other	(43,309)
34	Capital Expenditures	(91,549)
36	TOTAL	<u>(\$163,858)</u>
38	Provides for the deappropriation of funds	
	from not filling 2 vacant Fish and Game	
40	Technicians, reductions in general	
	operating expenses and the delay in the	
42	purchase of land and miscellaneous	
	equipment.	
44	Licensing Services - Inland Fisheries	
	and Wildlife	
46	All Other	(\$8,585)
48	Capital Expenditures	(3,316)
50	TOTAL	<u>(\$11,901)</u>
52	Provides for the deappropriation of funds	

2 from reductions in general operating
 expenses and the delay in the purchase of a
 4 printer.

6 **Resource Management Services - Inland
 Fisheries and Wildlife**

8 Personal Services (\$20,000)
 All Other (50,950)
 10 Capital Expenditures (967)

12 TOTAL (\$71,917)

14 Provides for the deappropriation of funds
 16 from not filling 2 vacant Biology
 Specialist positions, reductions in general
 18 operating expenses and the delay in the
 purchase of office equipment.

20 **DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

22 **TOTAL (\$1,087,150)**

24 **DEPARTMENT, JUDICIAL**

26 **State Court Library Committee**

28 All Other (\$120,000)

30 Provides for the deappropriation of funds
 32 by eliminating the 3rd and 4th quarter
 stipends to all 18 county law libraries.

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

36 Personal Services (\$260,000)
 38 All Other (917,460)

40 TOTAL (\$1,177,460)

42 Provides for the deappropriation of funds
 44 from salary savings and reductions in court
 operations.

46 **Indigent Defense**

48 All Other (\$300,000)

50 Provides for the deappropriation of funds
 52 by discontinuing the appointment of counsel
 in certain Class D and E cases and the

elimination of mandatory jail terms for
certain first offense Class D cases.

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**JUDICIAL DEPARTMENT
TOTAL**

(\$1,597,460)

LABOR, DEPARTMENT OF

Administration - Labor

Personal Services (\$2,720)
All Other (405)

TOTAL (\$3,125)

Provides for the deappropriation of funds
from the overall reduction in general
operating expenses.

Administration - Bureau of Labor Standards

Personal Services (\$5,102)
All Other (6,586)

TOTAL (\$11,688)

Provides for the deappropriation of funds
from not filling a vacant Statistical
Program Supervisor position, discontinuing
intradepartmental mail service and
reductions in travel.

Displaced Homemakers Program

All Other (\$42,153)

Provides for the deappropriation of funds
associated with employment and training
activities of the Displaced Homemakers
Program.

Job Training Partnership Program

Personal Services (\$3,719)
All Other (105,333)

TOTAL (\$109,052)

Provides for the deappropriation of funds
through voluntary cost savings and
reductions associated with employment and

2 training activities of the Maine Training
Initiative (MTI) and the Health Occupations
4 Training (HOT) programs.

6 **Maine Labor Relations Board**

8 Personal Services (\$28,526)
All Other (2,831)
10 TOTAL (\$31,357)

12 Provides for the deappropriation of funds
14 from not filling a vacant Labor
Attorney-mediator position and reductions
16 of travel, utility services and
professional training.

18 **Maine Occupational Information
Coordinating Committee**

20 All Other (\$18,965)

22 Provides for the deappropriation of funds
24 associated with career education and
occupational information activities, which
26 include materials development, training and
technical assistance.

28 **Regulation and Enforcement**

30 Positions - Legislative Count (-3.0)
32 Personal Services (\$84,530)
All Other (12,800)
34 TOTAL (\$97,330)

36 Provides for the deappropriation of funds
38 from the elimination of one Assistant Chief
Boiler Elevator position, one Occupational
40 Safety position, one Statistician I
position and related expenses.

42 **STAR**

44 Personal Services (\$16,128)
46 All Other (109,276)
48 TOTAL (\$125,404)

50 Provides for the deappropriation of funds
52 from voluntary cost savings and from
savings with employment and training

2 activities of the Strategic Training for
 Accelerated Reemployment (STAR) program.

4 **DEPARTMENT OF LABOR**
TOTAL (\$439,074)

6 **LEGISLATURE**

8 **Legislature**

10 All Other (\$1,257,000)

12 Provides for the deappropriation of funds
 14 from operations. The Legislature is
 16 authorized to achieve the amount specified
 for deappropriation through savings in all
 18 line categories, including Personal
 Services, All Other and Capital
 Expenditures from all its various accounts.

20 **LEGISLATURE**
 22 **TOTAL** (\$1,257,000)

24 **MAINE STATE LIBRARY**

26 **Administration - Library**

28 All Other (\$2,393)

30 Provides for the deappropriation of funds
 32 from general operating expenses and
 supplies.

34 **Library Development Services**

36 All Other (\$118,579)

38 Provides for the deappropriation of funds
 40 through decreases in Media Services and
 Special Services and to phase out the film
 and video program.

42 **Reader and Information Services - Library**

44 Personal Services (\$2,230)
 46 All Other (107,600)

48 **TOTAL** (\$109,830)

50 Provides for the deappropriation of funds
 52 from salary savings and a reduction in the
 Maine Cat program.

2	MAINE STATE LIBRARY	
	TOTAL	<u>(\$230,802)</u>
4	MARINE RESOURCES, DEPARTMENT OF	
6	Bureau of Marine Development	
8	All Other	(\$124,893)
10	Provides for the deappropriation of funds	
12	from shifting some general operating costs	
14	to the dedicated account.	
16	Bureau of Marine Patrol	
18	All Other	(\$174,684)
18	Capital Expenditures	(3,453)
20	TOTAL	<u>(\$178,137)</u>
22	Provides for the deappropriation of funds	
24	from shifting some general operating costs	
24	to the dedicated account.	
26	Bureau of Marine Sciences	
28	All Other	(\$161,798)
30	Provides for the deappropriation of funds	
32	from shifting some of the general operating	
32	costs to the dedicated account.	
34	DEPARTMENT OF MARINE RESOURCES	
36	TOTAL	<u>(\$464,828)</u>
36	MAINE MARITIME ACADEMY	
38	Maritime Academy - Operations	
40	All Other	(\$79,956)
42	Provides for the deappropriation of funds	
44	from reductions in general operating	
46	expenses.	
46	MAINE MARITIME ACADEMY	
48	TOTAL	<u>(\$79,956)</u>
50	MENTAL HEALTH AND MENTAL RETARDATION,	
52	DEPARTMENT OF	

Administration - Mental Health and Mental Retardation

2		
4	Positions - Legislative Count	(-3.5)
	Personal Services	(\$55,506)
6	All Other	(10,000)
	Capital Expenditures	(4,000)
8		
	TOTAL	<u>(\$69,506)</u>

10 Provides for the deappropriation of funds
12 through the elimination of one Director of
14 Planning and Management Information
16 position, one Staff Development Coordinator
18 position, one Social Services Program
Specialist I position, one part-time
Reimbursement Specialist position and
reductions in capital.

20 Aroostook Residential Center

22	Positions - Legislative Count	(-1.0)
	Personal Services	(\$19,138)

24 Provides for the deappropriation of funds
26 through the elimination of one Psychologist
28 II position.

Augusta Mental Health Institute

30	Positions - Legislative Count	(-19.0)
32	Personal Services	(\$207,233)
	Capital Expenditures	(35,000)
34		
	TOTAL	<u>(\$242,233)</u>

36 Provides for the deappropriation of funds
38 through the elimination of the following
40 positions and related expenses: 2 Clerk
42 Typist II positions, 6 Mental Health Worker
44 I positions, one Staff Development
Coordinator position, one Psychologist I
46 position, one Chief Volunteer Services
48 position, one Tailor position, one
Occupational Therapist II position, one
50 Food Service Worker position, one Nurse IV
52 position, one nurse III position, one
Recreation Therapist position, one Cook I
position, one Carpenter Foreman position,
general operating expenses and the delay in
the purchase of capital equipment.

Bangor Mental Health Institute

2		
	Positions - Legislative Count	(-43.5)
4	Personal Services	(\$476,828)
	All Other	(41,200)
6	Capital Expenditures	(30,000)
8	TOTAL	(\$548,028)

10 Provides for the deappropriation of funds
12 through the elimination of the following
14 positions: 6 Mental Health Worker I
16 positions, 3 Mental Health Worker II
18 positions, 3 Assistant Team Leader
20 positions, 3 Team Leader positions, 2 Nurse
22 III positions, 2 LPN positions, one Ward
24 Clerk position, 4 Institutional Custodial
26 Worker positions, one Psychiatric Social
28 Worker II position, one Psychiatric Social
30 Worker I position, one Rehab Consultant
32 position, one Audio Visual Specialist
34 position, one Boiler Engineer position, one
36 part-time Heavy Equipment Operator
38 position, one Mason position, one Clerk
Typist II position, one Watchperson
position, one part-time Lab Technician I
position, 2 part-time Cook I positions, one
Program Services Director position, one
Psychologist II position, one Nurse IV
position, one full-time and one part-time
(16 hours) Switchboard Operator positions,
one Print Shop Manager position, one
Planning and Research Associate position,
one Chaplain I position, one part-time
Clerk Typist II position, one Furniture
Repair position and one Volunteer Assistant
position.

Bath Children's Home

40		
	Positions - Legislative Count	(-1.0)
42	Personal Services	(\$7,937)
	Capital Expenditures	(3,000)
44	TOTAL	(\$10,937)

46 Provides for the deappropriation of funds
48 through the elimination of one Laundry
50 Worker position and capital equipment.

Elizabeth Levinson Center

52

2	Positions - Legislative Count	(-1.0)
	Personal Services	(\$10,401)
	Capital Expenditures	(14,000)
4		
	TOTAL	<u>(\$24,401)</u>
6		
8	Provides for the deappropriation of funds	
	through the elimination of one Carpenter	
10	position and the delay in the purchase of	
	medical supplies.	
12	Mental Health Services - Children	
14	All Other	(\$130,000)
16	Provides for the deappropriation of funds	
	through the reduction of Medicaid funding,	
18	which will have little impact on actual	
	clients.	
20		
	Mental Health Services - Community	
22		
	Positions - Legislative Count	(-1.0)
24	Personal Services	(\$15,265)
	All Other	(300,000)
26		
	TOTAL	<u>(\$315,265)</u>
28		
30	Provides for the deappropriation of funds	
	through the elimination of one Community	
32	Support Services Coordinator position and	
	the elimination of existing encumbrances.	
34	Mental Retardation Services - Community	
36	Positions - Legislative Count	(-2.0)
	Personal Services	(\$9,161)
38	Capital Expenditures	(4,000)
40		
	TOTAL	<u>(\$13,161)</u>
42	Provides for the deappropriation of funds	
	through the elimination of 2 Direct Care	
44	Staff positions and the delay of the	
	purchase of capital equipment.	
46		
	Pineland Center	
48		
	Positions - Legislative Count	(-12.5)
50	Personal Services	(\$124,156)
	Capital Expenditures	(40,000)
52		
	TOTAL	<u>(\$164,156)</u>

2 Provides for the deappropriation of funds
4 through the elimination of 10 full-time and
6 one part-time Mental Retardation Trainer
8 positions, one Planning and Research
Associate position, one Supervisor of
Grounds and Transportation position and the
delay in the purchase of residential
furnishings.

10 **Substance Abuse Services - Mental Health**
12 **and Mental Retardation**

14 All Other (\$50,000)

16 Provides for the deappropriation of funds
18 through the cancellation of planned
training and consultation on relapse
prevention and substance abuse.

20 **DEPARTMENT OF MENTAL HEALTH AND**
22 **MENTAL RETARDATION**
24 **TOTAL** (\$1,586,825)

26 **MAINE STATE MUSEUM**

28 **Administration - Museum**

30 Personal Services (\$12,955)

32 Provides for the deappropriation of funds
34 through the suspension of holiday hours,
the closing of the 2nd floor of the museum
and cancellation of school demonstration
programs.

36 **Exhibit Design and Preparation -**
38 **Museum**

40 Positions - Legislative Count (-1.0)
Personal Services (\$7,339)
42 All Other (66,146)

44 **TOTAL** (\$73,485)

46 Provides for the deappropriation of funds
48 through the elimination of one Senior
Professional position and the suspension of
plans to complete the archaeology
50 exhibition.

Research and Collection - Museum		
2		
	Positions - Legislative Count	(-1.0)
4	Personal Services	(\$9,293)
	All Other	(39,137)
6		
	TOTAL	<u>(\$48,430)</u>
8		
	Provides for the deappropriation of funds	
10	through the elimination of one Senior	
	Professional position and the elimination	
12	of conservation care for the museum's	
	collection.	
14		
16	State House and Blaine House Art Fund - Museum	
18	All Other	(\$4,905)
20	Provides for the deappropriation of funds	
	through the elimination of the program.	
22		
24	MAINE STATE MUSEUM TOTAL	<u>(\$139,775)</u>
26	PINE TREE LEGAL ASSISTANCE	
28	Legal Assistance	
30	All Other	(\$12,131)
32	Provides for the deappropriation of funds	
	from program activities.	
34		
36	PINE TREE LEGAL ASSISTANCE TOTAL	<u>(\$12,131)</u>
38	PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF	
40		
42	Administration - Professional and Financial Regulation	
44	Positions - Legislative Count	(-1.0)
	Personal Services	(\$15,230)
46	All Other	(9,618)
48	TOTAL	<u>(\$24,848)</u>
50	Provides for the deappropriation of funds	
	from the transfer of one Senior	
52	Administrative Secretary position and	

2 related expenses to a special revenue
 4 account, and the elimination of
 out-of-state travel.

6 **Bureau of Banking**

8 All Other (\$17,963)
 Capital Expenditures (5,671)

10 TOTAL (\$23,634)

12 Provides for the deappropriation of funds
 14 from the elimination of out-of-state
 16 travel, reductions in general operating
 expenses and the delay in purchasing
 capital equipment.

18 **DEPARTMENT OF PROFESSIONAL AND FINANCIAL
 REGULATION**

20 TOTAL (\$48,482)

22 **STATE BOARD OF PROPERTY TAX REVIEW**

24 **State Board of Property Tax Review**

26 All Other (\$2,922)

28 Provides for the deappropriation of funds
 by reducing All Other.

30

32 **STATE BOARD OF PROPERTY TAX REVIEW
 TOTAL** (\$2,922)

34 **PUBLIC SAFETY, DEPARTMENT OF**

36 **Administration - Public Safety**

38 Positions - Legislative Count (-1.0)
 Personal Services (\$14,600)

40

42 Provides for the deappropriation of funds
 44 through the transfer of funding for one
 Administrative Secretary position to the
 dedicated account.

46 **Bureau of Capitol Security**

48 Positions - Legislative Count (-2.0)
 Personal Services (\$19,389)

50

52 Provides for the deappropriation of funds
 through the elimination of 2 vacant
 Watchperson positions.

2	Criminal Justice Academy	
4	All Other	(\$15,000)
6	Provides for the deappropriation of funds through the transfer of obligations to the	
8	dedicated account.	
10	Intergovernmental Drug Enforcement	
12	Personal Services	(\$50,000)
14	All Other	(280,000)
16	TOTAL	<hr/> (\$330,000)
18	Provides for the deappropriation of funds through the reduction of authorized overtime and funds for local and county	
20	agents.	
22	Liquor Enforcement	
24	Positions - Legislative Count	(-1.0)
26	Personal Services	(\$9,921)
28	Provides for the deappropriation of funds through the elimination of one Liquor Enforcement Officer II position, to be	
30	vacated due to retirement.	
32	State Police	
34	Positions - Legislative Count	(-5.0)
36	Personal Services	(\$662,306)
38	All Other	(89,097)
40	TOTAL	<hr/> (\$751,403)
42	Provides for the deappropriation of funds through travel and fuel conservation and the elimination of 3 Detective positions, one Trooper position, one Police	
44	Communications Operator position and paid overtime.	
46		
48	DEPARTMENT OF PUBLIC SAFETY	
50	TOTAL	<hr/> (\$1,140,313)
52	PUBLIC UTILITIES COMMISSION	
54	Public Utilities - Administrative	

2	Division	
4	Personal Services	(\$61,646)
6	Provides for the deappropriation of funds from salary savings.	
8	PUBLIC UTILITIES COMMISSION	
10	TOTAL	<u>(\$61,646)</u>
12	MAINE STATE RETIREMENT SYSTEM, BOARD OF TRUSTEES OF THE	
14	Retirement System - Retirement Allowance Fund	
16	All Other	(\$12,048)
18	Provides for the deappropriation of funds from reductions in retirement benefits of retired governors or surviving widows.	
22	BOARD OF TRUSTEES OF THE MAINE STATE RETIREMENT SYSTEM	
24	TOTAL	<u>(\$12,048)</u>
26	SECRETARY OF STATE, DEPARTMENT OF THE	
30	Administration - Secretary of State	
32	Personal Services	(\$10,000)
34	All Other	(54,692)
36	Capital Expenditures	(103,500)
38	TOTAL	<u>(\$168,192)</u>
40	Provides for the deappropriation of funds from salary savings, reduction in All Other and the elimination of the information system lease purchase.	
42	Administration - Archives	
44	All Other	(\$6,000)
46	Provides for the deappropriation of funds from staff training, travel, equipment repairs, operational supplies and microfilm preservation.	
52	DEPARTMENT OF THE SECRETARY OF STATE TOTAL	<u>(\$174,192)</u>

2 MAINE TECHNICAL COLLEGE SYSTEM,
 4 BOARD OF TRUSTEES OF THE
 6 **Maine Technical College System -
 Board of Trustees**

8 All Other (\$282,976)

10 Provides for the deappropriation of funds
 12 by maintaining position vacancies and
 reducing capital equipment purchases and
 14 All Other expenses.

16 **BOARD OF TRUSTEES OF THE
 MAINE TECHNICAL COLLEGE SYSTEM
 TOTAL** (\$282,976)

18 **TRANSPORTATION, DEPARTMENT OF**

20 **Administration - Ports and Marine**

22 **Transportation**

24 All Other (\$56,500)

26 Provides for the deappropriation of funds
 28 by reducing operating funds transferred to
 the Maine State Ferry Service.

30 **Air Search and Rescue**

32 All Other (\$22,000)

34 Provides for the deappropriation of funds
 36 for the reimbursement of other agencies for
 air search and rescue efforts.

38 **Highway and Bridge Improvement**

40 Capital Expenditures (\$736,212)

42 Provides for the deappropriation of funds
 44 through deferring action on highway
 projects.

46 **Railroad Assistance Program**

48 Personal Services (\$9,300)

50 Provides for the deappropriation of funds

2 from reduced Personal Services costs of
Railroad Inspectors.

4 **State Plane**

6 Personal Services (\$19,900)
All Other (18,000)

8
TOTAL (\$37,900)

10
12 Provides for the deappropriation of funds
through decreased aircraft usage and not
14 filling a temporary vacancy for an
Executive Aircraft Pilot position.

16 **DEPARTMENT OF TRANSPORTATION**
TOTAL (\$861,912)

18
20 **TREASURER OF STATE**

22 **Administration - Treasury**

24 Positions - Legislative Count (-1.0)
Personal Services (\$10,136)
All Other (60,846)
26 Capital Expenditures (1,500)

28 Provides for the deappropriation of funds
30 for one Clerk Typist I position, All Other
operating costs and capital equipment.

32 **TREASURER OF STATE**
TOTAL (\$72,482)

34
36 **UNIVERSITY OF MAINE SYSTEM,
BOARD OF TRUSTEES OF THE**

38 **Educational and General Activities -
University of Maine System**

40 All Other (\$1,642,947)

42
44 Provides for the deappropriation of funds
from operating expenses.

46 **Maine Public Broadcasting Network**

48 All Other (\$26,916)

2	Provides for the deappropriation of funds from operating expenses.	
4	BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM	
6	TOTAL	<u>(\$1,669,863)</u>
8	MAINE COMMISSION FOR WOMEN	
10	Maine Commission for Women	
12	Personal Services	(\$9,200)
14	All Other	(1,735)
16	Provides for the deappropriation of funds from salary savings and reductions in printing and supply expenditures.	
18	MAINE COMMISSION FOR WOMEN	
20	TOTAL	<u>(\$10,935)</u>
22	MAINE HIGH-RISK INSURANCE ORGANIZATION	
24	Maine High-risk Insurance Organization	
26	All Other	(\$1,425)
28	Provides for the deappropriation of funds through reductions in All Other.	
30	MAINE HIGH-RISK INSURANCE ORGANIZATION	
32	TOTAL	<u>(\$1,425)</u>
34	MAINE HEALTH CARE FINANCE COMMISSION	
36	Health Care Finance Commission	
38	All Other	(\$202,438)
40	Provides for the deappropriation of funds through the reduction of the hospital shortfall payments fund.	
42	MAINE HEALTH CARE FINANCE COMMISSION	
44	TOTAL	<u>(\$202,438)</u>
46	MAINE HEALTH POLICY ADVISORY COUNCIL	
48	Maine Health Policy Advisory Council	
50		

2	Personal Services	(\$4,389)
	All Other	(6,499)
4	TOTAL	<u>(\$10,888)</u>
6	Provides for the deappropriation of funds	
8	through the reduction in the workweek of a	
10	Clerk Typist III position from 40 hours to	
	32 hours.	
	Maine Health Policy Advisory Council	
12	Positions - Legislative Count	(-3.0)
14	Personal Services	(\$26,925)
	All Other	(5,164)
16	TOTAL	<u>(\$32,089)</u>
18	Provides for the deappropriation of funds to	
20	eliminate the Maine Health Policy Advisory	
22	Council to include the elimination of all 3	
	Legislative Count positions.	
24	MAINE HEALTH POLICY ADVISORY COUNCIL	
	TOTAL	<u>(\$42,977)</u>
26	MAINE COMMISSION ON MENTAL HEALTH	
28	Maine Commission on Mental Health	
30	Positions - Legislative Count	(-1.0)
32	Personal Services	(\$5,235)
	All Other	(2,175)
34	Provides for the deappropriation of funds	
36	through the elimination of a Clerk Typist	
38	III position and related expenses.	
40	MAINE COMMISSION ON MENTAL HEALTH	
	TOTAL	<u>(\$7,410)</u>
42	MAINE WORLD TRADE ASSOCIATION	
44	Maine World Trade Association	
46	All Other	(\$9,375)
48	Provides for the deappropriation of funds	
50	through reductions in All Other.	
52	MAINE WORLD TRADE ASSOCIATION	
	TOTAL	<u>(\$9,375)</u>

SECTION A-1

2 TOTAL APPROPRIATIONS (\$36,621,266)

4 Sec. A-2. Allocation. The following funds are allocated from
6 Federal Expenditures for the fiscal year ending June 30, 1991 to
8 carry out the purposes of this Act.

1990-91

10 MAINE COMMITTEE ON AGING

12 Maine Committee on Aging

14 Positions - Other Count (0.5)
16 Personal Services \$12,000

18 Provides for the allocation of funds for
20 1/2 of an Advocate position to reflect a
22 /deappropriation from the General Fund.

24 Maine Committee on Aging

26 Positions - Legislative Count (-1.5)
28 Personal Services (\$27,180)
30 All Other (7,143)

32 TOTAL (\$34,323)

34 Provides for the deallocation of funds to
36 eliminate the Maine Committee on Aging
38 including the transfer of one Social
40 Services Program Specialist II position to
42 the Department of Human Services, Bureau of
44 Elder and Adult Services.

46 MAINE COMMITTEE ON AGING
48 TOTAL

(\$22,323)

50 EXECUTIVE DEPARTMENT

52 Energy and Weatherization

54 Positions - Other Count (-9.0)
56 Personal Services (\$109,045)
58 All Other (2,121,117)

60 Provides for the deallocation of funds to
62 abolish the Energy Weatherization Program
64 to include the abolishment of the following
66 positions: 4 Energy Technician positions,
68 one Account Clerk II position, one Staff
70 Development Specialist position, one DCS

2 Program Specialist position, one System
Analyst position and one Management Analyst
4 II position.

6 **EXECUTIVE DEPARTMENT
TOTAL**

(\$2,230,162)

8 **MAINE HUMAN DEVELOPMENT COMMISSION**

10 **Human Development Commission**

12	Positions - Other Count	(-3.0)
	Personal Services	(\$8,879)
14	All Other	(1,493)
	Capital Expenditures	(282)

16
18 Provides for the deallocation of funds to
eliminate the Maine Human Development
20 Commission to include the elimination of
all 3 Other Count positions.

22 **MAINE HUMAN DEVELOPMENT COMMISSION
TOTAL**

(\$10,654)

24 **HUMAN SERVICES, DEPARTMENT OF**

26 **Bureau of Elder and Adult Services**

28	Positions - Other Count	(1.0)
30	Personal Services	\$15,180
	All Other	7,143

32
34 Provides for the allocation of funds to
transfer one Social Services Program
36 Specialist II position from the Maine
Committee on Aging to retain the Ombudsman
Program.

38
40 **DEPARTMENT OF HUMAN SERVICES
TOTAL**

\$22,323

42 **SECTION A-2
TOTAL ALLOCATIONS**

(\$2,240,816)

44
46 **Sec. A-3. Allocation.** The following funds are allocated from
Other Special Revenue for the fiscal year ending June 30, 1991 to
48 carry out the purposes of this Act.

1990-91

2 MAINE COMMITTEE ON AGING
4 **Maine Committee on Aging**
6 All Other (\$833)
8 Provides for the deallocation of funds to
10 eliminate the Maine Committee on Aging.
12 MAINE COMMITTEE ON AGING
14 TOTAL (\$833)
16 AGRICULTURE, FOOD AND RURAL
18 RESOURCES, DEPARTMENT OF
18 **Agricultural Production**
20 Positions - Other Count (1.0)
22 Personal Services \$13,098
24 Provides funds for the transfer of a Clerk
24 Typist II position from the General Fund.
26 DEPARTMENT OF AGRICULTURE, FOOD AND
28 RURAL RESOURCES
28 TOTAL \$13,098
30 LABOR, DEPARTMENT OF
32 **Safety Education and Training Programs**
34 Positions - Legislative Count (2.0)
36 Personal Services \$17,416
38 Provides funds for the transfer of one
38 Occupation Safety Compliance Engineer
40 position and one Statistician I position
40 from the General Fund.
42 DEPARTMENT OF LABOR
44 TOTAL \$17,416
46 PROFESSIONAL AND FINANCIAL REGULATION,
46 DEPARTMENT OF
48 **Administrative Services - Professional
and Financial Regulation**
50 Positions - Other Count (1.0)

2	Personal Services	\$11,570
	All Other	5,832
4	Provides for the allocation of funds for	
6	the transfer of a Senior Administrative	
	Secretary position and related expenses	
8	from the General Fund.	
10	DEPARTMENT OF PROFESSIONAL AND FINANCIAL	
	REGULATION	
	TOTAL	<u>\$17,402</u>
12		
14	SECTION A-3	
	TOTAL ALLOCATIONS	<u>\$47,083</u>
16	Sec. A-4. Allocation. The following funds are allocated from	
18	Federal Block Grant funds for the fiscal year ending June 30,	
	1991 to carry out the purposes of this Act.	
20		1990-91
22	MAINE HUMAN DEVELOPMENT COMMISSION	
24	Human Development	
26	Personal Services	(\$16,452)
	All Other	(2,070)
28	Provides for the deallocation of funds to	
30	eliminate the Maine Human Development	
	Commission.	
32		
34	MAINE HUMAN DEVELOPMENT COMMISSION	
	TOTAL	<u>(\$18,522)</u>
36	SECTION A-4	
	TOTAL ALLOCATIONS	<u>(\$18,522)</u>
38	Sec. A-5. Allocation; State Alcoholic Beverages Fund. In order to	
40	provide for the necessary expenses of operation and	
42	administration of the Department of Finance, Bureau of Alcoholic	
44	Beverages and the Department of Finance, State Liquor Commission,	
46	the following amounts are allocated from the revenues derived	
	from operations of the State Alcoholic Beverages Fund for the	
	fiscal year ending June 30, 1991 to carry out the purposes of	
	this Act.	

1990-91

2

FINANCE, DEPARTMENT OF

4

Alcoholic Beverages -
General Operations

6

8

Positions - Legislative Count

(-13.0)

Personal Services

(\$19,387)

10

All Other

(29,315)

12

Provides for the deallocation of funds to close 10 state liquor stores effective March 15, 1991 to include the elimination of the following positions: 10 Retail Store Manager I positions and 3 Retail Store Clerk positions. General Fund undedicated revenues will be increased a total of \$111,702.

20

DEPARTMENT OF FINANCE

22

TOTAL

(\$48,702)

24

SECTION A-5

TOTAL ALLOCATIONS

(\$48,702)

26

Sec. A-6. Allocation; State Lottery Fund. In order to provide for the necessary expenses of operation and administration of the Department of Finance, Bureau of Lottery, the following amounts, or as much as may be necessary, are allocated from the revenues derived from operations of the State Lottery Fund.

32

1990-91

34

FINANCE, DEPARTMENT OF

36

Lottery Operations

38

All Other

(\$137,000)

40

Provides for the deallocation of funds from reductions in All Other. General Fund undedicated revenue will be increased \$137,000.

42

44

46

DEPARTMENT OF FINANCE

TOTAL

(\$137,000)

48

SECTION A-6

50

TOTAL ALLOCATIONS

(\$137,000)

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42

PART B

Sec. B-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1991 to the departments listed, the following sums.

1990-91

CONSERVATION, DEPARTMENT OF

Maine Land Use Regulation Commission

Positions - Legislative Count (1.0)

Head count proposal only. Funding was appropriated for an Environmental Specialist III position for fiscal year 1990-91, but the position was inadvertently excluded. Funding and head count to continue this position beyond fiscal year 1990-91 will be necessary.

Maine Land Use Regulation Commission

Positions - Legislative Count (1.0)

Personal Services \$10,273

All Other 24,120

Capital Expenditures 3,600

TOTAL \$37,993

Provides funds for an Environmental Specialist III position and contractual work to process mining permit applications pending before the Maine Land Use Regulation Commission.

DEPARTMENT OF CONSERVATION

TOTAL \$37,993

2	Community Based Corrections	
4	All Other	\$616,000
6	Provides funds to reimburse the county jails for the remainder of fiscal year 1990-91.	
8		
10	Correctional Program Improvement	
12	All Other	(\$202,279)
14	Correctional Services	
16	Personal Services	(\$33,016)
16	All Other	(872,556)
18	TOTAL	<hr/> (\$905,572)
20	Provides for the deappropriation of funds from deferred program activities.	
22		
24	Correctional Center	
26	Personal Services	\$700,000
26	All Other	844,640
28	TOTAL	<hr/> \$1,544,640
30	Provides funds for unbudgeted overtime, employee health insurance, inmate medical costs and operating supplies.	
32		
34	Correctional Center	
36	Personal Services	\$518,251
38	Provides funds for unbudgeted overtime and employee health insurance costs.	
40		
42	Downeast Correctional Facility	
44	Personal Services	\$84,453
46	Provides funds for unbudgeted overtime.	
48	Food - Maine Correctional Center	
50	All Other	\$253,500
52	Provides funds for the increased costs of food.	

2	Food - Maine Youth Center	
4	All Other	\$45,000
6	Provides funds for the increased costs of food.	
8		
	Food - State Prison	
10	All Other	\$60,000
12	Provides funds for the increased costs of food.	
14		
16	Fuel - Corrections	
18	All Other	\$543,296
20	Provides funds for increased fuel costs.	
22	Justice - Planning, Projects and Statistics	
24	All Other	(\$88,500)
26	Provides for the deappropriation of funds from deferred program activities.	
28		
	Bureau of Juvenile Corrections	
30	All Other	(\$1,357)
32	Provides for the deappropriation of funds from deferred program activities.	
34		
36	Parole Board	
38	Personal Services	(\$1,969)
	All Other	(1,138)
40		
	TOTAL	<u>(\$3,107)</u>
42	Provides for the deappropriation of funds from deferred program activities.	
44		
46	Probation and Parole	
48	Personal Services	\$60,000
	All Other	45,559
50		
	TOTAL	<u>\$105,559</u>
52	Provides funds for salaries, wages, employee health insurance, All Other expenditures and rental of office space.	
54		
56		

2	Probation and Parole	
4	Personal Services	(\$45,120)
6	Provides for the deappropriation of funds from deferred program activities.	
8	State Prison	
10	Personal Services	\$404,585
12	All Other	32,000
14	Capital Expenditures	4,000
16	TOTAL	<u>\$440,585</u>
18	Provides funds for unbudgeted overtime, increased employee health insurance costs and workers' compensation.	
20	State Prison	
22	Personal Services	\$50,000
24	Provides funds for unbudgeted overtime costs.	
26		
28	State Prison - Farm Program	
30	Personal Services	\$10,000
32	All Other	(10,000)
34	TOTAL	<u>-0-</u>
36	Provides funds for unbudgeted overtime costs.	
38	Unemployment Compensation - Corrections	
40	Personal Services	\$126,337
42	Provides funds for increased unemployment costs.	
44	Maine Youth Center	
46	Personal Services	\$135,000
48	All Other	65,137
50	TOTAL	<u>\$200,137</u>
52	Provides funds for unbudgeted overtime, employee health insurance, medical costs, repairs and workers' compensation.	

2	Maine Youth Center	
4	Personal Services	(\$14,128)
6	Provides funds for the deappropriation of	
8	funds from deferred program activities.	
10	DEPARTMENT OF CORRECTIONS	
	TOTAL	<u>\$3,375,000</u>
12	EDUCATION, DEPARTMENT OF	
14	Administration - Local School Services	
16	Personal Services	\$7,028
18	Provides funds through a transfer from	
20	Governor Baxter School for the Deaf in	
22	order to cover a projected Personal	
	Services shortfall.	
24	Alcohol and Drug Education Services	
26	Positions - Legislative Count	(1.0)
	Personal Services	\$5,271
28	All Other	(5,271)
30	TOTAL	<u>\$ -0-</u>
32	Provides funds for an Education Specialist	
34	II position to correct the effect of Public	
	Law 1989, chapter 934 on the position	
36	transfer in Public Law 1989, chapter 875.	
38	Certification, Placement and Teacher Education	
40	Personal Services	\$20,772
42	Provides funds for a projected Personal	
	Services shortfall as a transfer from the	
44	Governor Baxter School for the Deaf.	
46	Donated Commodities Program - Local Schools	
48	Personal Services	\$2,743
50	Provides funds for a projected Personal	
	Services shortfall as a transfer from the	
52	Governor Baxter School for the Deaf.	

2	Education in Unorganized Territory	
4	Personal Services	\$70,000
6	Provides funds to meet Personal Services costs in the 4th quarter of fiscal year 1990-91. General Fund costs will be offset by additional General Fund undedicated revenues.	
10	Education in Unorganized Territory	
12	All Other	\$168,000
14	Provides funds to cover additional operational needs, General Fund costs will be offset by additional General Fund undedicated revenues.	
16		
18		
20	Governor Baxter School for the Deaf	
22	Personal Services	(\$30,543)
24	Provides for the deappropriation of funds from salary savings to transfer Personal Services appropriations to the following programs to cover projected Personal Services shortfall: \$7,028 to Administration - Local School Services; \$2,743 to Donated Commodities Program - Local Schools; and \$20,772 to Certification, Placement and Teacher Education.	
26		
28		
30		
32		
34		
36	Grant - Loan - Scholarship Fund	
38	All Other	\$287,800
40	Provides funds to offset effect of a double deappropriation in Public Law 1989, chapters 698 and 875 from this account.	
42		
44	DEPARTMENT OF EDUCATION	
	TOTAL	<u>\$525,800</u>
46	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
48	Departmentwide - Department of Environmental Protection	
50	All Other	\$90,000
52		

2	Provides funds for the payment of an	
	arbitration settlement against the	
	department regarding compressed workweek.	
4		
	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
6	<u>TOTAL</u>	\$90,000
8		
	FINANCE AUTHORITY OF MAINE	
10	Student Financial Assistance Programs	
12		
	All Other	(\$287,800)
14		
	Provides for the deappropriation of a	
16	double appropriation in Public Law 1989,	
	chapters 698 and 875.	
18		
	FINANCE AUTHORITY OF MAINE	
20	<u>TOTAL</u>	(\$287,000)
22		
	HUMAN SERVICES, DEPARTMENT OF	
24	Aid to Families with Dependent Children	
26		
	All Other	\$6,281,000
28		
	Provides funds to meet increased case loads.	
30	General Assistance - Reimbursement to Cities and	
	Towns	
32		
	All Other	\$2,919,470
34		
	Provides funds to meet increased case loads.	
36		
	Intermediate Care - Payments to Providers	
38		
	All Other	\$9,374,599
40		
	Provides funds to cover projected shortfall	
42	due to federal regulations and higher than	
	anticipated fuel costs and other	
44	recession-related problems.	
46	Medical Care - Payments to Providers	
48		
	All Other	\$6,047,699

2	Provides funds for increased hospital costs, increases in prescribed drug costs and increases resulting from the federal deficit reduction bill.	
4		
6	Medical Care Administration	
8	All Other	\$685,496
10	Provides funds to cover an anticipated shortfall resulting from increased costs associated with EPSDT outreach regulations.	
12		
14	Social Services - Regional	
16	All Other	\$1,615,343
18	Provides funds to meet expected payroll costs.	
20		
22	DEPARTMENT OF HUMAN SERVICES	
22	TOTAL	<hr/> \$26,923,607
24	MENTAL HEALTH AND MENTAL RETARDATION,	
26	DEPARTMENT OF	
26	Administration - Mental Health and Mental Retardation	
28		
30	All Other	\$68,500
32	Provides funds to meet the cost of operating the forensic service of the State.	
34		
36	Administration - Mental Health and Mental Retardation	
38	All Other	\$175,000
40	Provides funds to establish the Office of the Court Master required under the consent decree, payment of plaintiff's attorney's fees, expert consultants and management structure required to monitor the State's compliance with the terms and conditions of the decree.	
42		
44		
46		
48	Aroostook Residential Center	
50	Personal Services	\$97,455

2	All Other	15,000
4	TOTAL	<u>\$112,455</u>
6	Provides funds for the unbudgeted costs of collective bargaining, holiday and overtime pay and costs associated with a workers' compensation claim.	
10	Augusta Mental Health Institute	
12	Personal Services	\$1,201,111
14	All Other	1,377,727
16	TOTAL	<u>\$2,578,838</u>
18	Provides funds for the unbudgeted costs of collective bargaining and overtime as well as All Other expenses such as workers' compensation, utilities, patient medical bills and drugs.	
22	Augusta Mental Health Institute	
24	Personal Services	\$25,714
26	All Other	126,000
28	TOTAL	<u>\$151,714</u>
30	Provides funds to begin implementation of consent decree requirements.	
32	Bangor Mental Health Institute	
34	Personal Services	\$921,556
36	All Other	1,897,072
38	TOTAL	<u>\$2,818,628</u>
40	Provides funds to meet payroll, workers' compensation, psychiatrist contracts, drugs, patient medical bills, insurance and peer and death review expenses.	
44	Bath Children's Home	
46	All Other	\$20,500
48	Provides funds for unbudgeted expenditures relating to a workers' compensation claim.	
50		

Elizabeth Levinson Center

2		
	Personal Services	\$133,798
4	All Other	61,564
6	TOTAL	<hr/> \$195,362

8 Provides funds to support the unbudgeted
10 costs of collective bargaining, overtime
and holiday pay, workers' compensation and
12 utilities.

**Food for Institutions - Mental Health and
Mental Retardation**

16	All Other	\$475,000
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18 Provides funds to support food costs over
and above those presently budgeted.

**Fuel for Institutions - Mental Health and
Mental Retardation**

24	All Other	\$280,000
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26 Provides funds to support fuel costs over
and above those budgeted.

Mental Health Services - Children

30	All Other	\$115,000
----	-----------	-----------

32 Provides funds for a diversion program for
34 adolescents.

Mental Health Services - Community

38	Personal Services	\$52,129
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40 Provides funds for collective bargaining
42 increases and holiday coverage through
overtime.

Mental Health Services - Community

46	All Other	\$54,000
----	-----------	----------

48 Provides funds for fulfilling immediate
obligations under the consent decree,
50 through training and by moving patients
into community placements.

2	Mental Retardation Services - Community	
4	All Other	\$120,308
6	Provides funds for unanticipated and	
8	unbudgeted demands that have been placed on	
10	the Bureau of Mental Retardation,	
	presenting the bureau with a budget	
	shortfall.	
12	Pineland Center	
14	Personal Services	\$2,000,066
	All Other	498,682
16		
	TOTAL	<u>\$2,498,748</u>
18		
20	Provides funds to support unbudgeted costs	
	of collective bargaining increases, holiday	
	and overtime pay and workers' compensation.	
22		
24	Unemployment Compensation - Mental Health and	
	Mental Retardation	
26	Personal Services	\$100,000
28	Provides funds to meet a projected	
30	shortfall in the department's centralized	
	unemployment compensation account.	
32	DEPARTMENT OF MENTAL HEALTH AND MENTAL	
	RETARDATION	
34	TOTAL	<u>\$9,816,182</u>
36	TREASURER OF STATE, OFFICE OF	
38	Debt Service - Treasury	
40	All Other	\$897,250
42	Provides funds for payment of debt service	
	on outstanding bonds.	
44		
46	OFFICE OF TREASURER OF STATE	
	TOTAL	<u>\$897,250</u>
	SECTION B-1	
48	TOTAL APPROPRIATIONS	<u>\$41,378,032</u>

2 **Sec. B-2. Allocation.** There are allocated from Federal
Expenditures for the fiscal year ending June 30, 1991, the
following sums.

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1990-91

EDUCATION, DEPARTMENT OF

Alcohol and Drug Education Services

Positions - Other Count	(2.5)
Personal Services	\$13,437
All Other	574
	<hr/>
TOTAL	\$14,011

Provides funds for the continuance of 2 Education Specialist II positions and one part-time Clerk Steno II position in order to carry out the responsibilities of the federal Drug Free Schools and Communities Act of 1986.

Special Education - Exceptional Children

Positions - Other Count	(5.0)
Personal Services	\$24,962
All Other	1,066
	<hr/>
TOTAL	\$26,028

Provides funds for 2 Education Specialist II positions, an Education Specialist III position, a Clerk Typist III position and a Clerk Steno II position for the continuance of a student assistance team for high-risk youth.

**DEPARTMENT OF EDUCATION
TOTAL**

\$40,039

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

**Administration - Environmental
Protection**

All Other	\$10,000
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2	Capital Expenditures	90,000
4	TOTAL	<u>\$100,000</u>
6	Provides funds for computer equipment, networking and software to support implementation of the comprehensive automation plan.	
10	Air Quality Control	
12	Positions - Other Count	(1.0)
14	Personal Services	\$9,591
16	All Other	293
18	TOTAL	<u>\$9,884</u>
20	Provides funds for a continuation of a Senior Meteorologist position funded through the Federal Clean Air Act and established by Financial Order #2715.	
22	Lake Restoration and Protection Fund	
24	Positions - Legislative Count	(1.0)
26	Personal Services	\$6,600
28	All Other	60
30	TOTAL	<u>\$6,660</u>
32	Provides funds for an ESS II position to complete studies and restoration of area lakes.	
34	Land Quality Control	
36	Positions - Other Count	(1.0)
38	Personal Services	\$6,418
40	All Other	195
42	TOTAL	<u>\$6,613</u>
44	Provides funds for the continuation of an Environmental Specialist II position funded through the federal RCRA 8001(a) (1) grant from EPA.	
46	Oil and Hazardous Materials Control	
48	Positions - Other Count	(1.0)
50	Personal Services	\$8,784

2	All Other	362
		<hr/>
4	TOTAL	\$9,146
6	Provides for continuation of an	
8	Environmental Specialist III position	
	funded through the Federal Core Grant II	
	and established by Financial Order #2640.	
10	Oil and Hazardous Materials Control	
12	Positions - Other Count	(1.0)
	Personal Services	\$6,418
14	All Other	195
		<hr/>
16	TOTAL	\$6,613
18	Provides funds for an Environmental	
20	Specialist III position funded through the	
	Federal Hazardous Waste Grant from EPA.	
22	Solid Waste Management	
24	Positions - Other Count	(1.0)
	Personal Services	\$8,176
26	All Other	337
		<hr/>
28	TOTAL	\$8,513
30	Provides funds for the continuation of an	
32	OHMS II position funded through the Federal	
	Asbestos Program Enhancement Grant and	
	established by Financial Order #2638.	
34		
36	Water Quality Control	
38	Positions - Other Count	(3.0)
	Personal Services	\$21,032
40	All Other	645
		<hr/>
42	TOTAL	\$21,677
44	Provides funds for a Casco Bay Estuary	
46	Project Coordinator position, established	
	by Financial Order #2642, a Program Analyst	
48	position and a Planning and Research	
	Associate II position.	
50	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
52	TOTAL	<hr/> \$169,106

EXECUTIVE DEPARTMENT

2

Head Start

4

Positions - Other Count	(2.0)
Personal Services	\$10,493
All Other	412

8

TOTAL	<u>\$10,905</u>
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10

12

Provides funds for a Head Start Director position and a Secretary position for a new State Office of Head Start.

14

Planning Office

16

Positions - Legislative Count	(1.0)
Personal Services	\$4,751
All Other	(4,751)

20

TOTAL	<u>\$ -0-</u>
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22

24

Provides funds for the continued development of the Maine Shore Stewards Program under the Coastal Grant, by transfer of All Other to Personal Services.

26

28

Planning Office

30

Personal Services	\$7,830
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32

Provides funds for increased Personal Services for personnel to perform a state biomass energy study.

34

36

**EXECUTIVE DEPARTMENT
TOTAL**

\$18,735

38

40

PUBLIC SAFETY, DEPARTMENT OF

42

Criminal Justice Academy

44

Positions - Other Count	()
Personal Services	\$39,102
All Other	411

46

48

TOTAL	<u>\$39,513</u>
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50

Provides funds for the continuation of 2 Planning and Research Associate II

2 positions and a Clerk Stenographer I
3 position to administer the Federal Drug
4 Control and Systems Improvement Grant.

6 **DEPARTMENT OF PUBLIC SAFETY**
7 **TOTAL** \$39,513
8 **SECTION B-2**
9 **TOTAL ALLOCATION** \$267,393

10 **Sec. B-3. Allocation.** The following funds are allocated from
11 Other Special Revenue for fiscal year ending June 30, 1991 to
12 carry out the purposes of this Act.

13
14 **1990-91**

15
16 **ADMINISTRATION, DEPARTMENT OF**

17 **Accident - Sickness - Health Insurance**

18
19
20 **Capital Expenditures** \$100,000

21
22 Provides funds for the continued
23 development and analysis of alternative
24 health insurance plans to rebid the HMO
25 contract and to comply with collective
26 bargaining agreements.

27
28 **DEPARTMENT OF ADMINISTRATION**
29 **TOTAL** \$100,000

30
31 **AGRICULTURE, FOOD AND RURAL**
32 **RESOURCES, DEPARTMENT OF**

33 **Agriculture Production**

34
35
36 **All Other** (\$800)
37 **Capital Expenditures** 800
38
39 **TOTAL** \$ -0-

40
41 Provides funds for a rapid print acquiring
42 electric date stamp in support of the
43 Equine Infectious Anemia Program.

44
45 **Dairy and Nutrition Council Committee**

46
47 **All Other** \$55,000

48
49 Provides funds for purchasing nutrition
50 education materials.

51
52 **DEPARTMENT OF AGRICULTURE, FOOD**
53 **AND RURAL RESOURCES**
54 **TOTAL** \$55,000

2	CONSERVATION, DEPARTMENT OF	
4	Parks - General Operations	
6	All Other	\$70,532
	Unallocated	1,629
8		
	TOTAL	<u>\$72,161</u>
10		
12	Provides funds for access improvements	
14	expected to be transferred from Land for	
	Maine's Future Fund, the Maine Revised	
	Statutes, Title 5, section 6203.	
16	Parks - General Operations	
18	Personal Services	\$13,651
	All Other	267
20	Unallocated	819
22		
	TOTAL	<u>\$14,737</u>
24		
26	Provides funds from the unencumbered	
	balance forward to fund salary increases	
	and reimburse Wolfe's Neck Woods State Park	
	Fund.	
28		
30	DEPARTMENT OF CONSERVATION	
	TOTAL	<u>\$86,898</u>
32	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
34	Administration - Environmental	
	Protection	
36		
	All Other	\$135,000
38	Capital Expenditures	365,000
40		
	TOTAL	<u>\$500,000</u>
42		
44	Provides funds for computer equipment,	
	networking and software to assist	
	implementation of the comprehensive	
	automation plan.	
46		
48	Board of Environmental	
	Protection Fund	
50	Personal Services	(\$27,700)

2	All Other	27,700
4	TOTAL	<u>\$ -0-</u>
6	Provides funds through the transfer from	
8	Personal Services to All Other in order to	
	support operations that would otherwise	
	have been paid for by the General Fund.	
10	Maine Environmental Protection Fund	
12	Personal Services	\$655
14	All Other	20
16	TOTAL	<u>\$675</u>
18	Provides funds for the reclassification	
20	through reorganization of 2 Environmental	
	Specialist II positions to OHMS I positions.	
22	Municipal Sewerage Construction	
24	All Other	\$28,178
26	Capital Expenditures	6,000
28	TOTAL	<u>\$34,178</u>
30	Provides funds for additional planned	
	activities and capital expenditures by the	
	advisory commission.	
32	Oil and Hazardous Materials Control	
34	Personal Services	\$2,154
36	All Other	65
38	TOTAL	<u>\$2,219</u>
40	Provides funds for 2 limited-period, 16	
42	hours, Conservation Aide positions to be	
	used as general purpose employees.	
44	Oil and Hazardous Materials Control	
46	Personal Services	\$2,154
48	All Other	65
50	TOTAL	<u>\$2,219</u>
	Provides funds for 2 limited-period, 16	

2 hours, Conservation Aide positions to be
used as general purpose employees.

4 **Oil and Hazardous Materials Control**

6	Personal Services	\$2,154
	All Other	65
8		<hr/>
	TOTAL	\$2,219

10 Provides funds for 2 limited-period, 16
12 hours, Conservation Aide positions to be
used as general purpose employees.

14 **Oil and Hazardous Materials Control**

16	Personal Services	\$60,000
18	All Other	2,100
20		<hr/>
	TOTAL	\$62,100

22 Provides funds for Personal Services in the
surface account.

24 **Radioactive Waste Evaluation Fund**

26	All Other	\$14,355
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28 Provides funds for additional planned
30 activities by the Advisory Commission on
Radioactive Waste.

32 **DEPARTMENT OF ENVIRONMENTAL**
34 **PROTECTION**
36 **TOTAL**

\$617,965

38 **EXECUTIVE DEPARTMENT**

40 **Petroleum Violation Escrow**

42	Positions - Legislative Count	(1.0)
	Personal Services	\$3,975

44 Provides funds to increase Personal
46 Services in the Standard Oil, Coline Gas
Account to administer a grant award.

48 **Office of Siting and Disposal Operations**

50	Positions - Other Count	(1.0)
	Personal Services	\$11,888

2	All Other	108,460
	Capital Expenditures	5,500
4	TOTAL	<u>\$125,848</u>
6	Provides funds for an Environmental	
8	Specialist III position, and the	
10	development of a hazardous waste disposal	
	program as mandated by the Maine Revised	
	Statutes, Title 38, section 2164.	
12	Planning Office	
14	Personal Services	\$12,057
16	Provides funds for an increase in	
18	4th-quarter allotment in Personal Services	
	for the State Nuclear Safety Advisor.	
20	EXECUTIVE DEPARTMENT	
	TOTAL	<u>\$141,880</u>
22	SECTION B-3	
	TOTAL ALLOCATIONS	<u>\$1,001,743</u>
24		
26	Sec. B-4. Allocation. The following funds are allocated from	
	Federal Block Grant funds for the fiscal year ending June 30,	
	1991 to carry out the purposes of this Act.	
28		
		1990-91
30		
32	EDUCATION, DEPARTMENT OF	
	Education in Unorganized Territory	
34		
	All Other	\$4,063
36	Capital Expenditures	3,764
38	Provides funds for fiscal year 1990-91,	
	Chapter II grant carryover.	
40		
	DEPARTMENT OF EDUCATION	
42	TOTAL	<u>\$7,827</u>
	SECTION B-4	
44	TOTAL ALLOCATIONS	<u>\$7,827</u>

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PART C

Sec. C-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1990-91

ADMINISTRATION, DEPARTMENT OF

Public Improvements - Planning and Construction - Administration

Personal Services \$5,134

**DEPARTMENT OF ADMINISTRATION
TOTAL**

\$5,134

AGING, MAINE COMMITTEE ON

Maine Committee on Aging

Personal Services \$1,030

**MAINE COMMITTEE ON AGING
TOTAL**

\$1,030

**AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF**

Marketing Services - Agriculture

Personal Services \$52,596

Soil and Water Conservation Commission

Personal Services \$3,869

**DEPARTMENT OF AGRICULTURE, FOOD AND RURAL
RESOURCES
TOTAL**

\$56,465

CONSERVATION, DEPARTMENT OF

Engineering and Realty

Personal Services \$3,452

Parks - General Operations

Personal Services \$2,918

2	DEPARTMENT OF CONSERVATION	
	TOTAL	<u>\$6,370</u>
4	CORRECTIONS, DEPARTMENT OF	
6	Charleston Correctional Facility	
8	Personal Services	\$3,427
10	Correctional Center	
12	Personal Services	\$10,118
14	Probation and Parole	
16	Personal Services	\$611
18	State Prison	
20	Personal Services	\$2,187
22	Maine Youth Center	
24	Personal Services	\$2,062
26	DEPARTMENT OF CORRECTIONS	
28	TOTAL	<u>\$18,405</u>
30	DEFENSE AND VETERANS' SERVICES,	
32	DEPARTMENT OF	
	Administration - Defense and Veterans' Services	
34	Personal Services	\$4,204
36	DEPARTMENT OF DEFENSE AND VETERANS' SERVICES	
38	<u>TOTAL</u>	<u>\$4,204</u>
40	EDUCATION, DEPARTMENT OF	
42	Administrative Services - Education	
44	Personal Services	\$1,055
46	Alcohol and Drug Education Services	
48	Personal Services	\$1,250
50		

2	Education in Unorganized Territory	
	Personal Services	\$15,392
4	Finance - Education	
6	Personal Services	\$2,732
8	DEPARTMENT OF EDUCATION	
10	TOTAL	<u>\$20,429</u>
12	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
14	Administration - Environmental Protection	
16	Personal Services	\$8,977
18	Air Quality Control	
20	Personal Services	\$3,149
22	Land Quality Control	
24	Personal Services	\$1,928
26	Water Quality Control	
28	Personal Services	\$921
30	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
32	TOTAL	<u>\$14,975</u>
34	EXECUTIVE DEPARTMENT	
36	Office of Substance Abuse	
38	Personal Services	\$9,580
40	Planning Office	
42	Personal Services	\$1,508
44	Public Advocate	
46	Personal Services	\$3,343
48	EXECUTIVE DEPARTMENT	
50	TOTAL	<u>\$14,431</u>

2	FINANCE, DEPARTMENT OF	
4	Bureau of Accounts and Control	
6	Personal Services	\$12,240
8	Bureau of Taxation	
10	Personal Services	\$11,353
12	DEPARTMENT OF FINANCE	
	TOTAL	<u>\$23,593</u>
14	GOVERNMENTAL ETHICS AND ELECTION PRACTICES,	
16	COMMISSION ON	
18	Commission on Governmental Ethics and Election	
20	Practices	
	Personal Services	\$3,825
22	COMMISSION ON GOVERNMENTAL ETHICS AND	
24	ELECTION PRACTICES	
	TOTAL	<u>\$3,825</u>
26	HUMAN SERVICES, DEPARTMENT OF	
28	Administration - Human Services	
30	Personal Services	\$17,768
32	Administration - Regional - Human Services	
34	Personal Services	\$871
36	Alcoholism and Drug Abuse Prevention - Human	
38	Services	
40	Personal Services	\$480
42	Bureau of Health	
44	Personal Services	\$12,960
46	Medical Care Administration	
48	Personal Services	\$15,808
50	DEPARTMENT OF HUMAN SERVICES	
	TOTAL	<u>\$47,887</u>
52	INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF	

2	Fisheries and Hatcheries Operations	
4	Personal Services	\$129,217
6	Licensing Services	
8	Personal Services	\$2,338
10	Office of the Commissioner	
12	Personal Services	\$1,670
14	Resource Management Services	
16	Personal Services	\$11,716
18	DEPARTMENT OF INLAND FISHERIES AND WILDLIFE	
20	TOTAL	\$144,941
22	LABOR, DEPARTMENT OF	
24	Labor Relations Board	
26	Personal Services	\$2,755
28	DEPARTMENT OF LABOR	
30	TOTAL	\$2,755
32	MAINE STATE LIBRARY	
34	Administration	
36	Personal Services	\$1,513
38	Library Development Services	
40	Personal Services	\$6,677
42	Reader and Information Services	
44	Personal Services	\$4,823
46	MAINE STATE LIBRARY	
48	TOTAL	\$13,013
50	MARINE RESOURCES, DEPARTMENT OF	
52	Administration - Marine Resources	
54	Personal Services	\$1,324
56	Bureau of Marine Development	
	Personal Services	\$7,198

2	Bureau of Marine Patrol	
4	Personal Services	\$4,101
6	Bureau of Marine Sciences	
8	Personal Services	\$2,813
10	DEPARTMENT OF MARINE RESOURCES	
	TOTAL	<u>\$15,436</u>
12	PUBLIC UTILITIES COMMISSION	
14	Public Utilities - Administrative Division	
16	Personal Services	\$655
18	PUBLIC UTILITIES COMMISSION	
	TOTAL	<u>\$655</u>
20	SECRETARY OF STATE, DEPARTMENT OF THE	
22	Administration	
24	Personal Services	\$4,878
26	DEPARTMENT OF THE SECRETARY OF STATE	
28	TOTAL	<u>\$4,878</u>
30	WORKERS' COMPENSATION COMMISSION	
32	Workers' Compensation Commission	
34	Personal Services	\$12,375
36	WORKERS' COMPENSATION COMMISSION	
	TOTAL	<u>\$12,375</u>
38	SECTION C-1	
40	TOTAL APPROPRIATIONS	<u>\$410,801</u>

42

44 **Sec. C-2. Allocation; Highway Fund.** There are allocated from

46 the Highway Fund for the fiscal year ending June 30, 1991, to the

48 departments listed, the sums identified in the following, in

order to provide funding for approved reclassifications and range

changes.

		1990-91
2	PUBLIC SAFETY, DEPARTMENT OF	
4	Administration - Public Safety	
6	Personal Services	\$859
8	State Police	
10	Personal Services	\$4,490
12	DEPARTMENT OF PUBLIC SAFETY	
14	TOTAL	<u>\$5,349</u>
16	SECRETARY OF STATE, DEPARTMENT OF THE	
18	Administration - Motor Vehicles	
20	Personal Services	\$11,734
22	Fuel Use Decal Program	
24	Personal Services	\$963
26	DEPARTMENT OF THE SECRETARY OF STATE	
28	TOTAL	<u>\$12,697</u>
30	TRANSPORTATION, DEPARTMENT OF	
32	Administration and Planning	
34	Personal Services	\$4,571
36	Highway Maintenance	
38	Personal Services	\$1,459
40	DEPARTMENT OF TRANSPORTATION	
	TOTAL	<u>\$6,030</u>
42	SECTION C-2	
44	TOTAL ALLOCATIONS	<u>\$24,076</u>

46 **Sec. C-3. Allocations; Federal Expenditures.** There are allocated
47 from Federal Expenditures for the fiscal year ending June 30,
48 1991, to the departments listed, the sums identified in the
49 following, in order to provide funding for approved
50 reclassifications and range changes.

	1990-91
2	
4	AGRICULTURE, FOOD AND RURAL RESOURCES,
	DEPARTMENT OF
6	Marketing Services
8	Personal Services \$45,961
10	DEPARTMENT OF AGRICULTURE, FOOD AND RURAL
	RESOURCES
12	TOTAL <u>\$45,961</u>
14	ENVIRONMENTAL PROTECTION, DEPARTMENT OF
16	Air Quality Control
18	Personal Services \$7,555
20	Municipal Sewerage Construction
22	Personal Services \$921
24	Oil and Hazardous Materials Control
26	Personal Services \$2,084
28	DEPARTMENT OF ENVIRONMENTAL PROTECTION
30	TOTAL <u>\$10,560</u>
32	HUMAN SERVICES, DEPARTMENT OF
34	Administration
36	Personal Services \$8,271
38	Bureau of Health
40	Personal Services \$2,230
42	Income Maintenance - Regional
44	Personal Services \$4,278
46	Medical Care Administration
48	Personal Services \$24,915
50	DEPARTMENT OF HUMAN SERVICES
	TOTAL <u>\$39,694</u>

2	SECTION C-3	
4	TOTAL ALLOCATIONS	<u>\$96,215</u>
6	Sec. C-4. Allocations; Other Special Revenue.	
8	There are allocated from Other Special Revenue for the fiscal year ending	
10	June 30, 1991, to the departments listed, the sums identified in	
	the following, in order to provide funding for approved	
	reclassifications and range changes.	
12		1990-91
14	AGRICULTURE, FOOD AND RURAL RESOURCES,	
16	DEPARTMENT OF	
18	Dairy and Nutrition Council Committee	
20	Personal Services	\$8,747
22	Electricians' Examining Board	
24	Personal Services	\$61,295
26	DEPARTMENT OF AGRICULTURE, FOOD AND RURAL	
28	RESOURCES	
30	TOTAL	<u>\$70,042</u>
32	BAXTER STATE PARK AUTHORITY	
34	Baxter State Park Authority	
36	Personal Services	\$51,729
38	BAXTER STATE PARK AUTHORITY	
40	TOTAL	<u>\$51,729</u>
42	CONSERVATION, DEPARTMENT OF	
44	Boating Facilities Fund	
46	Personal Services	\$985
48	DEPARTMENT OF CONSERVATION	
	TOTAL	<u>\$985</u>
	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	

2	Dam Registration	
4	Personal Services	\$3,856
6	Maine Environmental Protection Fund	
8	Personal Services	\$2,743
10	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
12	TOTAL	\$6,599
14	HUMAN SERVICES, DEPARTMENT OF	
16	Bureau of Health	
18	Personal Services	\$709
20	DEPARTMENT OF HUMAN SERVICES	
22	TOTAL	\$709
24	PUBLIC SAFETY, DEPARTMENT OF	
26	Licensing and Enforcement - Beano -	
28	Games of Chance	
30	Personal Services	\$2,732
32	DEPARTMENT OF PUBLIC SAFETY	
34	TOTAL	\$2,732
36	AGRICULTURE, FOOD AND RURAL RESOURCES,	
38	DEPARTMENT OF	
40	Marketing Services - Agriculture	
42	Personal Services	(\$52,596)
44	Soil and Water Conservation Commission	
46	Personal Services	(\$3,869)
48	DEPARTMENT OF AGRICULTURE, FOOD AND RURAL	
50	RESOURCES	
	TOTAL	(\$56,465)
	CONSERVATION, DEPARTMENT OF	
	Engineering and Realty	
	Personal Services	(\$3,452)

2	Parks - General Operations	
4	Personal Services	(\$2,918)
6	DEPARTMENT OF CONSERVATION	
	TOTAL	<u>(\$6,370)</u>
8		
10	CORRECTIONS, DEPARTMENT OF	
12	Charleston Correctional Facility	
14	Personal Services	(\$3,427)
16	Correctional Center	
18	Personal Services	(\$10,118)
20	Probation and Parole	
22	Personal Services	(\$611)
24	State Prison	
26	Personal Services	(\$2,187)
28	Maine Youth Center	
30	Personal Services	(\$2,062)
32	DEPARTMENT OF CORRECTIONS	
	TOTAL	<u>(\$18,405)</u>
34	PUBLIC UTILITIES COMMISSION	
36	Public Utilities - Administration Division	
38	Personal Services	\$16,842
40	PUBLIC UTILITIES COMMISSION	
	TOTAL	<u>\$16,842</u>
42		
44	SECRETARY OF STATE, DEPARTMENT OF THE	
46	Administration - Secretary of State	
48	Personal Services	\$1,856
50	DEPARTMENT OF THE SECRETARY OF STATE	
	TOTAL	<u>\$1,856</u>

2	Personal Services	(\$5,134)
4	DEPARTMENT OF ADMINISTRATION	
	TOTAL	<u>(\$5,134)</u>
6	AGING, MAINE COMMITTEE ON	
8	Maine Committee on Aging	
10	Personal Services	(\$1,030)
12	MAINE COMMITTEE ON AGING	
14	TOTAL	<u>(\$1,030)</u>
16	DEFENSE AND VETERANS' SERVICES,	
18	DEPARTMENT OF	
20	Administration - Defense and Veterans'	
	Services	
22	Personal Services	(\$4,204)
24	DEPARTMENT OF DEFENSE AND VETERANS'	
	SERVICES	
26	TOTAL	<u>(\$4,204)</u>
28	EDUCATION, DEPARTMENT OF	
30	Administrative Services - Education	
32	Personal Services	(\$1,055)
34	Alcohol and Drug Education Services	
36	Personal Services	(\$1,250)
38	Education in Unorganized Territory	
40	Personal Services	(\$15,392)
42	Finance - Education	
44	Personal Services	(\$2,732)
46	DEPARTMENT OF EDUCATION	
48	TOTAL	<u>(\$20,429)</u>

2	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
4	Administration - Environmental Protection	
6	Personal Services	(\$8,977)
8	Air Quality Control	
10	Personal Services	(\$3,149)
12	Land Quality Control	
14	Personal Services	(\$1,928)
16	Water Quality Control	
18	Personal Services	(\$921)
20	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
22	TOTAL	(\$14,975)
24	EXECUTIVE DEPARTMENT	
26	Office of Substance Abuse	
28	Personal Services	(\$9,580)
30	Planning Office	
32	Personal Services	(\$1,508)
34	Public Advocate	
36	Personal Services	(\$3,343)
38	EXECUTIVE DEPARTMENT	
40	TOTAL	(\$14,431)
42	FINANCE, DEPARTMENT OF	
44	Bureau of Accounts and Control	
46	Personal Services	(\$12,240)
48	Bureau of Taxation	
50	Personal Services	(\$11,353)
	DEPARTMENT OF FINANCE	
	TOTAL	(\$23,593)

2	GOVERNMENTAL ETHICS AND ELECTION PRACTICES,	
	COMMISSION ON	
4		
6	Commission on Governmental Ethics and	
	Election Practices	
8	Personal Services	(\$3,825)
10	COMMISSION ON GOVERNMENTAL ETHICS AND	
	ELECTION PRACTICES	
12	TOTAL	<u>(\$3,825)</u>
14	HUMAN SERVICES, DEPARTMENT OF	
16	Administration - Human Services	
18	Personal Services	(\$17,768)
20	Administration - Regional - Human Services	
22	Personal Services	(\$871)
24	Alcoholism and Drug Abuse Prevention - Human	
	Services	
26	Personal Services	(\$480)
28	Bureau of Health	
30	Personal Services	(\$12,960)
32	Medical Care Administration	
34	Personal Services	(\$15,808)
36	DEPARTMENT OF HUMAN SERVICES	
38	TOTAL	<u>(\$47,887)</u>
40	INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF	
42	Fisheries and Hatcheries Operations	
44	Personal Services	(\$129,217)
46	Licensing Services - Inland Fisheries and	
	Wildlife	
48	Personal Services	(\$2,338)
50		

2	Office of the Commissioner - Inland Fisheries and Wildlife	
4	Personal Services	(\$1,670)
6	Resource Management Services - Inland Fisheries and Wildlife	
8	Personal Services	(\$11,716)
10		
12	DEPARTMENT OF INLAND FISHERIES AND WILDLIFE	
14	<u>TOTAL</u>	(\$144,941)
16	LABOR, DEPARTMENT OF	
18	Labor Relations Board	
20	Personal Services	(\$2,755)
22	DEPARTMENT OF LABOR	
24	<u>TOTAL</u>	(\$2,755)
26	MAINE STATE LIBRARY	
28	Administration - Library	
30	Personal Services	(\$1,513)
32	Library Development Services	
34	Personal Services	(\$6,677)
36	Reader and Information Services - Library	
38	Personal Services	(\$4,823)
40	MAINE STATE LIBRARY	
42	<u>TOTAL</u>	(\$13,013)
44	MARINE RESOURCES, DEPARTMENT OF	
46	Administration - Marine Resources	
48	Personal Services	(\$1,324)
50	Bureau of Marine Development	
	Personal Services	(\$7,198)

2	Bureau of Marine Patrol	
4	Personal Services	(\$4,101)
6	Bureau of Marine Sciences	
8	Personal Services	(\$2,813)
10	DEPARTMENT OF MARINE RESOURCES TOTAL	<u>(\$15,436)</u>
12	PUBLIC UTILITIES COMMISSION	
14	Public Utilities - Administrative Division	
16	Personal Services	(\$655)
18	PUBLIC UTILITIES COMMISSION TOTAL	<u>(\$655)</u>
20	SECRETARY OF STATE, DEPARTMENT OF THE	
22	Administration - Secretary of State	
24	Personal Services	(\$4,878)
26	DEPARTMENT OF THE SECRETARY OF STATE TOTAL	<u>(\$4,878)</u>
28	WORKERS' COMPENSATION COMMISSION	
30	Workers' Compensation Commission	
32	Personal Services	(\$12,375)
34	WORKERS' COMPENSATION COMMISSION TOTAL	<u>(\$12,375)</u>
36	PART D	
38	TOTAL APPROPRIATIONS	<u>(\$410,801)</u>

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PART E

Sec. E-1. 2 MRSA §6, sub-§4, as repealed and replaced by PL 1989, c. 700, Pt. A, §9; c. 875, Pt. E, §1; and c. 890, Pt. A, §1 and affected by §40, is repealed and the following enacted in its place:

4. Range 88. The salaries of the following state officials and employees are within salary range 88:

- State Purchasing Agent;
- Director, Arts and Humanities Bureau;
- Director, State Museum Bureau;
- Director of the Bureau of Parks and Recreation;
- State Director of Alcoholic Beverages;
- Director of Public Lands;
- State Librarian;
- Director of Employee Relations;
- Director, Bureau of Air Quality Control;
- Director, Bureau of Land Quality Control;
- Director, Bureau of Water Quality Control;
- Director, Bureau of Oil and Hazardous Materials Control;
- Director, Bureau of Administration;
- Director, Office of Planning;
- Director, Office of Waste Reduction and Recycling;
- Director, Office of Siting and Disposal Operations;
- Executive Director, Board of Environmental Protection; and
- Director, Historic Preservation Commission.

Sec. E-2. 3 MRSA §803-A is enacted to read:

§803-A. Interim refinancing

Notwithstanding this chapter, funds representing payments of

2 employer contributions for members pursuant to section 803 may
3 not be transferred for the period of February 1, 1991 to June 20,
4 1991, except as follows.

6 1. Retirement reserve. Funds otherwise payable during that
7 period must be credited to the State Employee Retirement Reserve
8 established by the State Controller pursuant to Title 5, section
9 17154, subsection 5, paragraph C.

10 2. Funds otherwise payable. Funds otherwise payable during
11 that period with interest on the funds at a rate equivalent to
12 the rate of return for the fund for each year, or portion of that
13 year, for the period of February 1, 1991 to June 30, 2001 must be
14 appropriated and transferred to the Maine State Retirement System
15 during the period beginning January 1, 1993 and ending June 30,
16 2001.

18 **Sec. E-3. 4 MRSA §153, first ¶,** as amended by PL 1989, c. 891,
19 Pt. A, §2, is further amended to read:

20 The State is divided into 20 21 judicial divisions, named
21 and defined as follows, and with places for holding court in
22 those divisions as follows:

24 **Sec. E-4. 4 MRSA §153, sub-§1,** as amended by PL 1979, c. 127,
25 §12, is repealed.

28 **Sec. E-5. 4 MRSA §153, sub-§1-A** is enacted to read:

30 1-A. Androscoggin. Androscoggin consists of all the
31 municipalities in Androscoggin County. The District Court of
32 Androscoggin is held at Lewiston or Auburn, the exact site to be
33 determined by the Chief Judge.

34 **Sec. E-6. 4 MRSA §153, sub-§2,** as amended by PL 1971, c. 622,
35 §4-A, is repealed.

38 **Sec. E-7. 4 MRSA §153, sub-§3,** as amended by PL 1981, c. 201,
39 is further amended to read:

42 **3. Western Aroostook.** Western Aroostook consists of the
43 municipalities and unorganized territory known as Hamlin Plt.,
44 Cyr Plt., T17 R3, T17 R4, T16 R5, T15 R6, Winterville Plt., T15
45 R8, T15 R9, T14 R10, T14 R11, T14 R12, T14 R13, T14 R14, T14 R15,
46 T14 R16, and all municipalities and unorganized territory in
47 Aroostook County lying to the west and north of these. The
48 District Court for Western Aroostook shall--be is held at
49 Madawaska--for--criminal--and--civil--business--and--at Fort Kent and
50 Van Buren--solely--for--criminal--business,--traffic--infractions--and
51 civil--violations.

52 **Sec. E-8. 4 MRSA §153, sub-§4** is repealed.

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Sec. E-9. 4 MRSA §153, sub-§5 is amended to read:

5. Central Aroostook. Central Aroostook includes the municipalities and unorganized territory known as Limestone, Caribou, Washburn, Wade, T13 R5, Blaine, TD R2, T9 R3, T9 R4, T9 R5, Oxbow, T9 R7, T9 R8, T10 R8, T11 R9, T11 R10, T11 R11, T11 R12, T11 R13, T11 R14, T11 R15, T11 R16, T11 R17, and all municipalities and unorganized territory, including the City of Presque Isle in Aroostook County lying to the north of these up to the boundary of the division of Western Aroostook and the boundary of the division of Eastern Aroostook. The District Court for Central Aroostook shall-be is held at Presque Isle.

Sec. E-10. 4 MRSA §153, sub-§8, as repealed and replaced by PL 1989, c. 184, is repealed.

Sec. E-11. 4 MRSA §153, sub-§8-A is enacted to read:

8-A. Cumberland. Cumberland consists of all of the municipalities in Cumberland County, except Brunswick, Freeport and Harpswell. The District Court of Cumberland is held at Portland.

Sec. E-12. 4 MRSA §153, sub-§9, as amended by PL 1969, c. 501, §1, is repealed.

Sec. E-13. 4 MRSA §153, sub-§11, as amended by PL 1969, c. 458, is repealed.

Sec. E-14. 4 MRSA §153, sub-§11-A is enacted to read:

11-A. Hancock. Hancock consists of all the municipalities in Hancock County. The District Court of Hancock is held at Ellsworth.

Sec. E-15. 4 MRSA §153, sub-§§12 and 16 are repealed.

Sec. E-16. 4 MRSA §153, sub-§18, as amended by PL 1969, c. 590, §3, is further amended to read:

18. Southern Oxford. Southern Oxford consists of all municipalities and unorganized territory in Oxford County not included in the division of Northern Oxford, ~~---except---the municipalities of Brownfield, Denmark, Hiram, Fryeburg, Lovell, Sweden, Stow and Porter.~~ The District Court for Southern Oxford shall-be is held at Paris.

Sec. E-17. 4 MRSA §153, sub-§19 is repealed.

Sec. E-18. 4 MRSA §153, sub-§20 is amended to read:

20. Northern Penobscot. Central Northern Penobscot consists of the municipalities and unorganized territory of Burlington, Edinburg, Lakeville Plt., LaGrange, Lowell, Passadumkeag, T3 R1, T5 R1 and all municipalities and unorganized territory in Penobscot County lying to the north of these-up-to-the-boundary of-the-division-of-Northern-Penobscot. The District Court for Central Northern Penobscot shall-be is held at Lincoln or Millinocket, the exact site to be determined by the Chief Judge.

Sec. E-19. 4 MRSA §153, sub-§21 is repealed.

Sec. E-20. 4 MRSA §153, sub-§21-A is enacted to read:

21-A. Southern Penobscot. Southern Penobscot consists of all municipalities not included in Northern Penobscot and does not include the municipalities of Dexter, Corinna, Newport, Dixmont, Garland, Corinth, Exeter, Bradford and Charleston.

Sec. E-21. 4 MRSA §153, sub-§22 is repealed.

Sec. E-22. 4 MRSA §153, sub-§23 is amended to read:

23. Penquis. Piscataquis Penquis consists of the entire County of Piscataquis and the municipalities of Dexter, Garland, Corinth, Newport, Dixmont, Corinna, Exeter, Bradford and Charleston. The District Court for Piscataquis shall-be Penquis is held at Dover-Foxcroft or Newport, the exact site to be determined by the Chief Judge.

Sec. E-23. 4 MRSA §153, sub-§24, as amended by PL 1989, c. 891, Pt. A, §4, is further amended to read:

24. Bath-Brunswick. Bath-Brunswick consists of the entire County of Sagadahoc, the County of Lincoln and the municipalities of Brunswick, Freeport and Harpswell in Cumberland County. The District Court for Bath-Brunswick shall-be is held at Bath, West Bath or Brunswick, the exact site to be determined by the Chief Judge.

Sec. E-24. 4 MRSA §153, sub-§27 is repealed.

Sec. E-25. 4 MRSA §153, sub-§27-A is enacted to read:

27-A. Washington. Washington consists of all of the municipalities in Washington County. The District Court of Washington is held at Machias or Calais, the exact site to be determined by the Chief Judge.

Sec. E-26. 4 MRSA §153, sub-§28 is repealed.

Sec. E-27. 4 MRSA §153, sub-§30, as amended by PL 1989, c. 98, §1, is repealed.

2 **Sec. E-28. 4 MRSA §153, sub-§30-A** is enacted to read:

4 **30-A. Southwestern York.** Southwestern York consists of all
6 municipalities in York County not included within the division of
8 Eastern York. The District Court of Southwestern York is held at
10 York or Springvale or, if a new facility is constructed, at a
12 site to be determined by the Chief Judge.

14 **Sec. E-29. 4 MRSA §153, sub-§31** is repealed.

16 **Sec. E-30. 4 MRSA §154**, as amended by PL 1989, c. 891, Pt. A,
18 §5, is further amended to read:

20 **§154. Districts**

22 The judicial divisions are organized into ~~13~~ 12 districts,
24 as follows, with the place for holding court shown in parentheses
26 after the name of each division+ .

28 **1. First District.** The first district consists of the
30 divisions of Southern Aroostook (Houlton), Eastern Central
32 Aroostook (Caribou) (Presque Isle) and Western Aroostook
34 (Madawaska, Fort Kent and Van-Buren).

36 ~~**2. Second District.** The 2nd district consists of the~~
38 ~~divisions of Central Aroostook (Presque Isle) and Southern~~
40 ~~Aroostook (Houlton).~~

42 **3. Third District.** The 3rd district consists of the
44 divisions division of Southern Penobscot (Bangor) ~~and Western~~
46 Penobscot ~~(Newport)~~.

48 **4. Fourth District.** The 4th district consists of the
50 divisions division of Northern Washington (Calais or Machias) and
52 Southern Washington ~~(Machias)~~.

54 **5. Fifth District.** The 5th district consists of the
56 divisions of Central Hancock (Ellsworth) ~~Southern Hancock (Bar~~
58 ~~Harbor)~~ and Waldo (Belfast).

60 **6. Sixth District.** The 6th district consists of the
62 divisions of Bath-Brunswick (Bath, West Bath or Brunswick),
64 Lincoln ~~(Wiseasset)~~ and Knox (Rockland).

66 **7. Seventh District.** The 7th district consists of the
68 divisions of Northern Kennebec (Waterville) and Southern Kennebec
70 (Augusta).

72 **8. Eighth District.** The 8th district consists of the
74 divisions division of Southern Androscoggin (Lewiston).

2 **9. Ninth District.** The 9th district consists of the
3 divisions division of Southern Cumberland (Portland) and Northern
4 Cumberland-(Bridgton).

6 **10. Tenth District.** The 10th district consists of the
7 divisions division of Eastern York (Biddeford or Saco) as above
8 determined, Western York (Sanford) and Southern York (York).

10 **11. Eleventh District.** The 11th district consists of the
11 divisions of Northern--Androscoggin--(Livermore--Falls), Northern
12 Oxford (Rumford) and Southern Oxford (South Paris).

14 **12. Twelfth District.** The 12th district consists of the
15 divisions of Somerset (Skowhegan) and Franklin (Farmington).

16 **13. Thirteenth District.** The 13th district consists of the
17 divisions of Piscataquis Penquis (Dover-Foxcroft or Newport),
18 Northern-Penobscot--(Millinocket) and Central Penobscot (Lincoln
19 or Millinocket).

20 **Sec. E-31. 4 MRSA §157, sub-§1, ¶A,** as amended by PL 1989,
21 c. 501, Pt. P, §2, is further amended to read:

24 A. The Governor, subject to review by the joint standing
25 committee of the Legislature having jurisdiction over
26 judiciary and to confirmation by the Legislature, shall
27 appoint to the District Court 9 judges at large and 16
28 judges. At least one judge shall be appointed in each
29 district who shall be a resident of the district, except
30 that in District 1 there shall be 2 judges appointed who
31 shall be residents of the district, in District 3 there
32 shall be 2 judges appointed who shall be residents of the
33 district, in District 6 there shall be 2 judges appointed
34 who shall be residents of the district and in District 9
35 there shall be 2 judges appointed who shall be residents of
36 the district. Each District Court Judge shall have a term
37 of office of 7 years.

38 To be eligible for appointment as a District Judge, a person
39 shall be a member of the bar of the State. The term
40 "District Judge" shall include the Chief Judge, Deputy Chief
41 Judge, the judges appointed from the districts and the
42 judges at large.

44 **Sec. E-32. 4 MRSA §173, sub-§4,** as amended by PL 1989, c. 722,
45 §3, is further amended to read:

48 **4. Distribution of fees and fines.** All law enforcement
49 officers appearing for a scheduled trial in District Court at
50 times other than their regular working hours, at the order of a
51 prosecuting official and whether or not they are called upon to
52 give testimony, ~~shall be compensated out of~~ are entitled to

2 compensation from the General Fund on an hourly basis equal to
that established by the State for their range and step level.

4 ~~The court officer required to be present at an arraignment may be~~
5 ~~an officer other than the arresting officer, provided that the~~
6 ~~municipality has designated the officer to handle the arraignment~~
7 ~~caseload of that municipality. In addition, one or more~~
8 ~~municipalities may designate either a municipal law enforcement~~
9 ~~officer or a county law enforcement officer to represent the~~
10 ~~municipalities at arraignments on a rotating schedule. In~~
11 ~~cooperation with the various law enforcement agencies involved,~~
12 the district attorney shall designate a complaint officer or
13 officers to be present at arraignments in criminal cases and at
14 initial appearances in civil violation and traffic infraction
15 cases. A complaint officer need not be an attorney or a law
16 enforcement officer. A person serving as a bailiff may not serve
17 as a complaint officer.

18 The ~~court~~ office of the district attorney shall pay any
19 municipality a flat fee of \$20 for each day or part thereof that
20 a municipal law enforcement officer, designated by the
21 municipality as its ~~court~~ complaint officer, is required to be
22 physically present in a District Court in order to adequately
23 handle such municipality's caseload. In addition, the ~~court~~
24 office of the district attorney shall pay any municipality a flat
25 fee of \$20 per day for every day or part thereof, but no more
26 than \$20 for any one day, such municipality loses the services of
27 one or more law enforcement officers because the officer or
28 officers are acting as complaint officers, performing some act
29 authorized or required by a Maine Rule of Criminal Procedure or
30 is a witness are witnesses in a criminal, civil violation or
31 traffic infraction case within the jurisdiction of the District
32 Court. A municipality shall be is deemed to have lost the
33 services of a law enforcement officer when the officer, who
34 normally performs duties of patrolling or maintaining order, is
35 physically unable to perform those duties of patrolling and
36 maintaining order for the municipality.

37 The sheriffs of the several counties shall designate and furnish
38 deputy sheriffs to serve as bailiffs in each division of the
39 District Court within their counties, if so requested by the
40 Chief Judge. A deputy sheriff designated as bailiff must be
41 approved by the resident judge and may not serve as a ~~court~~
42 complaint officer for any law enforcement agency.

43 Compensation for reasonable and necessary expenses, as agreed to
44 by the parties, shall ~~shall~~ must be paid by the District Court.

45 ~~In these municipalities where a police officer has been furnished~~
46 ~~heretofore to serve as a bailiff, the Chief Judge may continue to~~
47 ~~authorize the use of a police officer as a bailiff and the~~
48 ~~municipality shall be compensated therefor by the District Court.~~

2 A person now appointed to serve as bailiff may not serve as court
officer for a municipal police department, as provided in this
subsection.

4
6 Sec. E-33. 4 MRSA §193, 4th and 5th ¶¶, as enacted by PL 1981,
c. 510, §1, are repealed.

8 Sec. E-34. 4 MRSA §1303-A is enacted to read:

10 §1303-A. Interim refinancing

12 Notwithstanding this chapter, funds representing payments of
14 employer contributions for members pursuant to section 1303 may
not be transferred for the period of February 1, 1991 to June 20,
16 1991, except as follows.

18 1. Retirement reserve. Funds otherwise payable during that
period must be credited to the State Employee Retirement Reserve
established by the State Controller pursuant to Title 5, section
20 17154, subsection 5, paragraph C.

22 2. Funds otherwise payable. Funds otherwise payable during
that period with interest on the funds at a rate equivalent to
24 the rate of return for the fund for each year, or portion of that
year, for the period of February 1, 1991 to June 30, 2001 must be
26 appropriated and transferred to the Maine State Retirement System
during the period beginning January 1, 1993 and ending June 30,
28 2001.

30 Sec. E-35. 5 MRSA §150, 2nd ¶, as amended by PL 1981, c. 705,
32 Pt. P, is further amended to read:

34 The Treasurer of State, with the approval of the Governor,
may negotiate a temporary loan or loans in anticipation of taxes
36 levied for that fiscal year, but not exceeding a total of that
amount of taxes estimated by the Treasurer of State to be
38 collected in the fiscal year in which such temporary loan or
loans, or renewal thereof, is made, provided that such temporary
40 loans or renewals thereof shall may not exceed any limitation set
forth in the Constitution of Maine, Article IX, Section 14. Such
42 loans may be renewed from time to time as the Treasurer of State,
with the approval of the Governor, may determine, provided that
44 each loan or renewal thereof shall be is retired not later than
the close of the fiscal year in which such loan was originally
46 made and for which was levied the taxes in anticipation of the
collection of which such loan was originally made; and that each
48 such loan or renewal thereof shall comply complies with the
provisions of this section and the Constitution of Maine, Article
50 IX, Section 14. The Treasurer of State is directed to pay such
loan or loans in anticipation of taxes during such year and there
52 is appropriated for any year in which the Treasurer of State and
the Governor deem it necessary to borrow in anticipation of taxes

2 the sum of \$30,000,000, except that for fiscal year 1990-91, the
3 sum may not exceed \$120,000,000.

4 **Sec. E-36. 5 MRSA c. 19** is repealed.

6 **Sec. E-37. 5 MRSA §938, sub-§1, ¶H,** as enacted by PL 1987, c.
7 787, §3, is repealed.

8 **Sec. E-38. 5 MRSA §1511,** as amended by PL 1987, c. 816, Pt.
9 O, §1, is further amended to read:

12 **§1511. Reserve for General Fund Operating Capital**

14 The State Controller may, at the close of each fiscal year,
15 transfer from the Unappropriated Surplus of the General Fund to
16 the Reserve for General Fund Operating Capital such amounts as
17 may be available from time to time up to an amount of \$1,000,000
18 a year until a maximum of \$25,000,000 is achieved. The State
19 Controller is further authorized, at the close of each fiscal
20 year, to transfer from the Unappropriated Surplus of the General
21 Fund to the Loan Insurance Reserve amounts as may be available
22 from time to time, up to an amount of \$1,000,000 per year. The
23 balance of this reserve shall must be paid to the Finance
24 Authority of Maine if such payment would does not cause the
25 balance in the reserve fund maintained by the authority, when
26 added to amounts held in the Finance Authority of Maine Mortgage
27 Insurance Fund which that are not committed or encumbered for
28 another purpose, to exceed \$10,000,000. Any balance in the Loan
29 Insurance Reserve is appropriated for this purpose. The State
30 Controller on or before June 30, 1991 shall transfer the balance
31 in the Reserve for General Fund Operating Capital to the
32 Unappropriated Surplus of the General Fund.

34 **Sec. E-39. 5 MRSA §3305, sub-§1, ¶J,** as enacted by PL 1989, c.
35 501, Pt. DD, §12, is repealed.

36 **Sec. E-40. 5 MRSA §§3307-E and 3307-F** are enacted to read:

38 **§3307-E. Energy conservation programs**

40 The Director of the Energy Conservation Division referred to
41 in this section as the "director," shall administer the following
42 energy conservation programs.

44 1. Federally mandated programs. The director shall
45 administer the following federally mandated programs, formerly
46 administered by the Office of Energy Resources:

48 A. The State Energy Conservation Program;

50 B. The Energy Extension Service; and
52

2 C. The Institutional Conservation Program.

4 2. Energy conservation standards. The director shall adopt
6 energy conservation standards and promulgate rules for
 administration of the standards and the certification of energy
 efficient buildings, as defined in Title 10, chapter 214.

8 3. Approval or denial of certificates. The director shall
10 provide for the approval or denial of certificates of energy
 efficiency, as required in Title 10, chapter 214.

12 4. Preparation of manual. The director shall prepare the
14 Manual of Accepted Practices, as described in Title 10, chapter
 214.

16 5. Review and inspection. The director shall provide for
18 the review of plans and specifications and the inspection of
 buildings to determine compliance with the energy conservation
 standards, as described in Title 10, chapter 214.

20 6. Administration of state standards. The director shall
22 administer the state standards for appliance energy efficiency,
 as established by section 3307-F.

24 7. Rule-making authority. If the Residential Conservation
26 Service, as established by the United States Natural Energy
 Conservation Policy Act, Public Law 95-619, November 9, 1978, as
28 amended by the United States Energy Security Act, Public Law
 96-294, June 30, 1980, 42 United States Code, Section 8211 et
30 seq., is repealed or amended so as to have the effect of removing
 requirements for providing energy conservation information and
32 energy audits and arranging financing for energy conservation
 improvements for residential customers, the director may
34 promulgate rules pursuant to the Maine Administrative Procedure
 Act to continue these services. In establishing these rules, the
36 director shall simplify federal regulations, insofar as possible,
 without preventing fulfillment of the program objectives and the
38 director may not impose rules containing additional requirements
 for utilities.

40 Until the director promulgates new rules under this subsection,
42 the previously existing federal regulations and any state rules
 continue to be effective.

44 §3307-F. State standards for appliance energy efficiency

46 1. Definitions. As used in this section, unless the
48 context otherwise indicates, the following terms have the
 following meanings.

50

2 A. "ASHRAE standard" means a standard established by the
4 American Society of Heating, Refrigerating and Air
6 Conditioning Engineers.

8 B. "Freezer" means a cabinet designed as a unit for the
10 storage of food at temperatures of about 0° Fahrenheit,
12 having the ability to freeze food and having a source of
14 refrigeration requiring an energy input.

16 C. "Manufacturer" means any person or business entity
18 engaged in the original production or assembly of an
20 appliance.

22 D. "New appliance" means an appliance that is sold, offered
24 for sale or installed the first time and specifically
26 includes floor models and demonstration units.

28 E. "Refrigerator" means a cabinet designed for the
30 refrigerated storage of food at temperatures above 32°
32 Fahrenheit and having a source of refrigeration requiring an
34 energy input. A refrigerator may include a cabinet with a
36 compartment for the freezing and storage of food at
38 temperatures below 32° Fahrenheit, but that does not provide
40 a separate low temperature compartment designed for the
42 freezing of and the long-term storage of food at
44 temperatures below 8° Fahrenheit. A refrigerator has only
46 one exterior door and may have interior doors or
48 compartments.

50 F. "Refrigerator-freezer" means a cabinet that consists of 2
52 or more compartments with at least one of the compartments
54 designed for the refrigerated storage of foods at
56 temperatures above 32° Fahrenheit and with at least one of
58 the compartments designed for the freezing of and the
60 storage of frozen foods at temperatures of 8° Fahrenheit or
62 below. The source of refrigeration requires an energy input.

64 G. "Storage-type water heater" means a water heater that
66 heats and stores water within the appliance at a
68 thermostatically controlled temperature for delivery on
70 demand.

72 2. Efficiency standards. Efficiency standards are as
74 follows.

76 A. In the following minimum energy efficiency standards,
78 "V" is the total refrigerated volume in cubic feet and "EC"
80 is the energy consumption in kilowatt hours per year.

82 Appliance Standard

84 (1) Refrigerators

2	<u>Single door, manual defrost</u>	<u>EC = 395 X 28V</u>
	<u>Single door, automatic defrost</u>	<u>No standard</u>
4	<u>(2) Refrigerator-freezers</u>	
6	<u>Top freezer, partial</u>	<u>EC = 378 X 43V</u>
	<u>automatic defrost</u>	
8	<u>Top freezer, automatic defrost</u>	<u>EC = 378 X 43V</u>
	<u>Bottom freezer, automatic defrost</u>	<u>No standard</u>
10	<u>Side-by-side, automatic defrost</u>	<u>EC = 565 X 52V</u>
12	<u>(3) Freezers</u>	
14	<u>Upright, manual defrost,</u>	<u>EC = 289 X 37V</u>
	<u>between 11.5 and 21.4 cubic</u>	
	<u>feet in volume</u>	
16	<u>Upright, automatic defrost</u>	<u>No standard</u>
	<u>Chest, manual defrost</u>	<u>EC = 315 X 32V</u>
18	<u>(4) Water heaters</u>	
20	<u>Electric</u>	<u>ASHRAE Standard</u>
		<u>90A-1980 Section</u>
22		<u>7 Energy Factor</u>
24	<u>Gas</u>	<u>(EF)=48°</u>
26	<u>(5) Furnace and boilers</u>	
	<u>Oil</u>	<u>No standard</u>
28	<u>Gas</u>	<u>No standard</u>

30 B. Refrigerators, refrigerator-freezers and freezers must
32 be certified by the manufacturer not to exceed the values
34 derived from the appropriate formula under paragraph A.

36 3. Application. This section applies as follows.

38 A. This section applies to the following residential
40 appliances:

42 (1) Storage-type water heaters;

44 (2) Gas furnaces and boilers; and

46 (3) Refrigerators, refrigerator-freezers and freezers
48 that can be operated by alternating current
50 electricity, excluding the following types:

(a) Those with total refrigerated volume
exceeding 39 cubic feet;

(b) Those designed to be used without doors;

2 (c) Those that do not include compressor and
3 condenser units as an integral part of the cabinet
4 assembly; and

5 (d) Those with "through the door" features.

6 B. This section does not apply to:

7 (1) New residential appliances manufactured in the
8 State and sold outside the State;

9 (2) New appliances manufactured outside the State and
10 sold at wholesale in the State for final retail sale
11 and installation outside the State;

12 (3) Appliances installed in mobile homes at the time
13 of construction;

14 (4) Appliances designed expressly for installation and
15 use in recreational vehicles or other equipment
16 designed for regular mobile use; and

17 (5) Appliances purchased outside of the State by state
18 residents when the appliances are installed for use by
19 the purchasers or installed in single-family, detached
20 structures.

21 4. Prohibitions. A new appliance may not be sold, offered
22 for sale or installed in the State on or after the effective date
23 of this subsection, unless it is certified by the manufacturer to
24 be in compliance with the standards adopted under subsection 2 or
25 unless there is no state standard adopted for that type of
26 appliance.

27 5. Test methods. The manufacturer shall cause the testing
28 of samples of each model of each residential appliance covered by
29 this section. The director shall use test methods approved by
30 the United States Department of Energy or, in the absence of
31 those test methods, other appropriate nationally recognized test
32 methods applicable to the respective appliances.

33 6. Conservation. To reduce the wasteful, uneconomic,
34 inefficient or unnecessary consumption of energy, the director:

35 A. Is responsible for the administration and enforcement of
36 the appliance standards established by this section; and

37 B. Shall apply to the United States Department of Energy or
38 its successor for an exemption from federal preemption,
39 pursuant to the United States Energy Conservation Policy
40 Act, Section 327(b),(3).

2 7. Forfeiture. Any person who violates this section either
4 personally or through an agent or employee commits a civil
6 violation for which a forfeiture of not more than \$500 may be
8 adjudged for each violation. For purposes of this section, the
10 sale, installation or offer for sale of any new appliance that
12 fails to meet the standards prescribed in subsection 2
14 constitutes a violation.

16 **Sec. E-41. 5 MRSA §3514**, as amended by PL 1985, c. 527, §3,
18 is further amended to read:

20 **§3514. Division of Community Services**

22 There is established, to carry out the purposes of this
24 chapter, the Division of Community Services in the Executive
26 Department, which shall carry out the responsibilities of State
28 Government relating to planning and financing community services
30 and community action agencies and shall administer state and
32 federal community services' programs and other block grants that
34 may be available, including, but not limited to, energy
36 assistance, ~~energy conservation, feed assistance~~ and Head Start.

38 **Sec. E-42. 5 MRSA §3515, sub-§2, ¶E**, as amended by PL 1985, c.
40 527, §4, is further amended to read:

42 E. Advise the Governor and other officials of State
44 Government on matters relating to fuel assistance programs
46 and ~~energy conservation services for low income people~~, and
48 other authorized programs and services of the division;

50 **Sec. E-43. 5 MRSA §3518, sub-§1**, as amended by PL 1985, c.
52 527, §6, is further amended to read:

54 1. **Federal, state and other funds.** Through plans and
56 contracts developed with advice from the board, the division
58 shall obtain, distribute and administer federal, state and other
60 community services' funds, including block grants, energy
62 assistance, ~~energy conservation, food assistance~~, Head Start and
64 other funds as may become available. Any balances of funds
66 appropriated to the ~~Division of Community Services~~ division
68 remaining at the end of a fiscal year shall ~~may~~ must not lapse, but
70 shall must be carried forward from year to year to be expended
72 for the same purpose.

74 **Sec. E-44. 5 MRSA §3518-A**, as enacted by PL 1985, c. 737, Pt.
76 A, §17, is amended to read:

78 **§3518-A. Administration of the fuel assistance program**

80 The Executive Department, Division of Community Services,
82 shall administer a fuel assistance and ~~energy conservation~~
84 ~~programs~~ program as provided in this chapter.

2 **1. Administration of fuel assistance.** The division may
3 select local program operators, except that, in the case of the
4 fuel assistance program, the municipalities that served as local
5 program operators in 1984 shall be given the option to serve as
6 local program operators of the fuel assistance program within
7 their municipality, as long as they comply with the program
8 operating standards established by the ~~Division of Community~~
~~Services~~ division by rule in accordance with the Maine
9 Administrative Procedure Act, chapter 375.

10
11
12 The ~~Division of Community Services~~ division, by rule, shall
13 provide, at a minimum, the following standards that shall apply
14 to local program operators and administrators:

15 A. Standards that require generally acceptable accounting
16 and bookkeeping procedures that meet the requirements of the
17 Federal Government and the State Auditor;

18
19 B. Standards that prohibit conflicts of interest by local
20 program operators and administrators. These standards
21 shall, at a minimum, meet the standards that apply to
22 Legislators as defined in Title 1, section 1014;

23
24 C. Standards requiring the adherence of the local program
25 operators to confidentiality with respect to program
26 recipients;

27
28 D. Standards requiring local program operators and
29 administrators to be available to the general public for a
30 minimum specified period of time each week; and

31
32 E. Standards that will assure that qualified program
33 recipients will be expeditiously provided with assistance by
34 the local program operator or administrator.

35
36 Any municipality that the ~~Division of Community Services~~
37 divisions finds to be in violation of the standards adopted by
38 the division pursuant to this section, may be prohibited from
39 acting as a local program operator or administrator of the fuel
40 assistance program.

41
42 For the purpose of this section, "fuel assistance" means
43 assistance paid to fuel vendors on behalf of an eligible
44 household or directly to eligible tenants who pay heating costs
45 as an undesignated portion of rent.

46
47 **Sec. E-45. 5 MRSA §12004-I, sub-§30**, as enacted by PL 1987, c.
48 786, §5, is repealed.

49
50 **Sec. E-46. 5 MRSA §12004-J, sub-§3**, as amended by PL 1989, c.
51 576, §§2 and 5, is repealed.

2 **Sec. E-47. 5 MRSA §12004-J, sub-§4**, as enacted by PL 1987, c.
786, §5, is repealed.

4 **Sec. E-48. 5 MRSA §§13084 and 13085**, as enacted by PL 1989,
6 c. 875, Pt. M, §7 and affected by §13, are repealed.

8 **Sec. E-49. 5 MRSA §17151, sub-§3** is enacted to read:

10 3. Interim refinancing. Notwithstanding subsection 2,
12 funds representing payments of employer charges for state
14 employees pursuant to section 17154, subsection 5 may not be
16 transferred for the period of February 1, 1991 to June 20, 1991,
and for teachers pursuant to section 17154, subsection 6 may not
be transferred for the period February 1, 1991 to March 30, 1991
and only \$5,216,377 may not be transferred from April 1, 1991 to
April 30, 1991, except as follows.

18 A. Funds otherwise payable during that period with interest
20 on the funds at a rate equivalent to the rate of return for
22 the fund for each year, or portion of that year, for the
24 period of February 1, 1991 to June 30, 2001, must be
appropriated and transferred to the retirement system during
the period beginning January 1, 1993 and ending June 30,
2001.

26 B. This subsection does not apply to payments of employer
28 charges for employees covered by accounts within the General
30 Fund.

32 **Sec. E-50. 5 MRSA §17153, sub-§1-A, ¶B**, as enacted by PL 1987,
c. 193, §2, is amended to read:

34 B. The Legislature shall appropriate and transfer annually
36 those funds the board determines to be necessary under this
38 subsection to maintain the retirement system on an
actuarially sound basis and in accordance with section
17151, subsection 3.

40 **Sec. E-51. 5 MRSA §17154, sub-§5, ¶C** is enacted to read:

42 C. Notwithstanding paragraph B, amounts identified under
44 paragraph A for accounts other than those within the General
46 Fund during the period of February 1, 1991 to June 20, 1991
must be credited to the State Employee Retirement Reserve
established by the State Controller. Notwithstanding
48 section 1585, the State Controller shall transfer funds in
the State Employee Retirement Reserve to the Retirement
Contingency Account during the period of June 20, 1991 to
50 June 30, 1991. Transfers to the Retirement Contingency
Account under this section may not exceed \$16,418,113. Any
52 amount in the State Employee Retirement Reserve exceeding

2 \$16,418,113 after transfers to the Retirement Contingency
3 Account must be transferred to the retirement system and
4 allocated in the same proportion as total funds received by
5 the State Employee Retirement Reserve. The retirement
6 system shall report to the Legislature by September 1, 1991,
7 the amount transferred to the system from the Retirement
8 Contingency Account, including a description of the manner
9 in which that amount is allocated.

10 **Sec. E-52. 5 MRSA c. 435, as amended, is repealed.**

12 **Sec. E-53. 7 MRSA §2, 4th ¶, as amended by PL 1989, c. 501,**
13 **Pt. DD, §18, is further amended to read:**

14
15 In addition, the commissioner shall be concerned with the
16 quality of life of Maine farmers and rural communities. The
17 commissioner shall promote: ~~Faæm~~ farm financing and rural
18 development proposals; conservation and preservation of
19 agricultural lands; increased and improved production of beef,
20 poultry, sheep, dairy beef and other livestock; expanded and
21 improved production of potatoes, fruits and other vegetables and
22 horticultural ventures; coordinated foreign and domestic
23 marketing of Maine agricultural products; in conjunction with the
24 university, crop development and integrated pest management; and
25 conservation of nonrenewable energy resources and utilization of
26 renewable energy resources in conjunction with the State Planning
27 Office. To accomplish these objectives, the commissioner is
28 authorized for, or on behalf of, Maine's farmers and rural
29 community: ~~To~~ to engage in research and educational programs; to
30 participate directly or indirectly in programs to encourage and
31 enable individuals to enter agricultural or other rural
32 enterprises; to institute litigation or upon request to represent
33 farmers or other members of the rural community in litigation
34 where the commissioner determines that such litigation may be
35 beneficial to agricultural industry as a whole; and to exercise
36 all other powers of an agency of State Government. The
37 commissioner may study such issues and, consistent with statute,
38 take such actions either individually, for, or on behalf of, the
39 State's farmers or rural residents, or jointly with such other
40 persons, agencies or organizations as the commissioner determines
41 may benefit the State's farmers and rural communities. To further
42 accomplish these objectives, the commissioner is authorized, on
43 behalf of the State's rural community, to administer food
44 assistance programs including the receipt, distribution and
45 administration of federal and state funds, including block
46 grants, for food assistance.

48 **Sec. E-54. 14 MRSA §1215, as amended by PL 1981, c. 490, §1,**
49 **is further amended to read:**

50 **§1215. Mileage and compensation of jurors**

52

2 A juror shall ~~be~~ is entitled to paid mileage at the rate of
15¢ per mile for his travel expenses from his the juror's
4 residence to the place of holding court and return and shall ~~be~~
compensated to compensation at the rate of \$20 \$10 for each day
6 of required attendance at sessions of the court.

8 **Sec. E-55. 15 MRSA §1320**, as amended by PL 1977, c. 63, is
further amended to read:

10 **§1320. Authorization of payment of witness fees of state**
12 **witnesses in criminal prosecutions**

14 In all criminal, civil violation and traffic infraction
16 prosecutions in the Superior Court and District Court, payment of
18 witness fees for state witnesses, fees and expenses payable on
20 account of the services of police officers as witnesses and as
complainants, and fees and expenses payable on account of the
services of police officers in serving criminal process shall
must be made upon authorization by the prosecuting attorney or
his a designee. The amount of the fees and expenses shall ~~be~~ are
determined in accordance with these statutes.

22 1. **Payments.** Payments made hereunder ~~--- shall for~~
24 prosecution-related expenses in Superior Court and District Court
proceedings must be made from the county treasury upon
26 authorization of the prosecuting attorney, unless otherwise
expressly directed by law and the payments shall must be made
28 from the sums set aside in the county budget for the payments on
account of Superior Court eriminal and District Court proceedings.

30 2. ~~Expenditures. In fixing the amount of direct~~
32 ~~expenditures by the counties in calendar year 1975 for the~~
34 ~~support of the Superior Court pursuant to Title 4, section 118,~~
36 ~~the Treasurer of State shall not consider sums expended in~~
38 ~~eriminal prosecutions in the Superior Court on account of witness~~
fees for state witnesses, fees and expenses payable on account of
the services of police officers as witnesses and as complainants,
and fees and expenses payable on account of the services of
police officers in serving criminal process.

40 **Sec. E-56. 15 MRSA §1414, 2nd ¶** is amended to read:

42 If the witness is summoned to attend and testify in this
44 State, he shall ~~be tendered~~ the witness is entitled to the sum of
10¢ a mile for each mile by the ordinary traveled route to and
46 from the court where the prosecution is pending and \$15 for each
day that he the witness is required to travel and attend as a
48 witness. In addition, such witness, upon submission of proper
vouchers to the court, may be allowed reasonable allowance for
50 meals and lodging at the discretion of the presiding justice. The
expenses of all witnesses for the State must be paid by the
52 office of the district attorney prosecuting the action in which

2 the witness testifies. A witness who has appeared in accordance
with the summons shall is not be required to remain within this
4 State a longer period of time than the period mentioned in the
certificate, unless otherwise ordered by the court. If such
6 witness, after coming into this State, fails without good cause
to attend and testify as directed in the summons, he-~~shall~~ the
8 witness must be punished in the manner provided for the
punishment of any witness who disobeys a summons issued from a
court of record in this State.

10 **Sec. E-57. 16 MRSA §251**, as amended by PL 1985, c. 384, §6,
12 is further amended to read:

14 **§251. Fees of witnesses**

16 Witnesses, other than law enforcement officers testifying in
their official capacity, in the Supreme Judicial Court, the
18 Superior Court, the District Court or in the Probate Court,
unless the court shall otherwise order, shall receive \$10, and
20 before referees, auditors or commissioners specially appointed to
take testimony or special commissioners on disputed claims
22 appointed by Probate Courts, \$10, or before the county
commissioners, \$10 for each day's attendance and 22¢ a mile for
24 each mile's travel going and returning home. The expenses of all
26 witnesses for the State are paid by the office of the district
attorney prosecuting the action in which the witness testifies,
unless otherwise provided in this section. The court in its
28 discretion may allow at the trial of any cause, civil or
criminal, in the Supreme Judicial Court, the Superior Court or
30 the District Court, a reasonable sum for each day's attendance of
any expert witness or witnesses at the trial, in taxing the costs
32 of the prevailing party, and the expense of all expert witnesses
for the State in murder cases shall-be are paid by the State and
34 charged against the appropriation for the Department of the
Attorney General. ~~Such~~ That party or ~~his~~ that party's attorney of
36 record shall first file an affidavit within 30 days after entry
of judgment and before the cause is settled, stating the name,
38 residence, number of days in attendance and the actual amount
paid or to be paid each expert witness in attendance at ~~such~~ the
40 trial. No more than \$10 per day may be allowed or taxed by the
clerk of courts in the costs of any civil action for the per diem
42 attendance of a witness, unless the affidavit is filed, and the
per diem is determined and allowed by the presiding justice.

44 **Sec. E-58. 16 MRSA §252**, as amended by PL 1975, c. 408, §35,
46 is repealed and the following enacted in its place:

48 **§252. Fees of police officer or constable**

50 1. On-duty police officer or constable. A police officer
or constable paid a salary or paid on a per diem basis by a
52 municipality may not receive any fee as a complainant or witness.

2 or for making an arrest or for attendance at court, while on duty
3 and being compensated therefor, but must be reimbursed by the
4 municipality for actual costs of arrest and actual expenses of
5 travel and attendance. Whenever any fines or penalties are
6 imposed by any court in any proceeding in which such a police
7 officer or constable is a complainant or a witness, said court
8 may tax costs for such complainant or witness in the usual manner
9 to be paid by the Treasurer of State to the municipality
10 employing such police officer or constable; such costs may not
11 exceed actual expenses, paid by the municipality for travel to
12 and attendance at the court.

13 **2. Off-duty law enforcement officers.** Notwithstanding any
14 other provisions of law, all law enforcement officers appearing
15 at the order of a prosecuting official before the Superior Court,
16 grand jury or District Court, whether or not called upon to give
17 testimony, at times other than their regular working hours must
18 be compensated on an hourly basis equal to their present rate of
19 employment to be paid by the respective county treasurer.

20 **3. Compensation to municipalities.** In the event that any
21 police officer or constable is compensated by the municipality
22 for attendance at court on an hourly basis equal to the present
23 rate of employment, then the police officer or constable is not
24 compensated by the county as provided in this section, but the
25 county shall compensate the municipality for that amount paid to
26 the police officer or constable for attendance at court.

27 **Sec. E-59. 17-A MRSA §4-A, sub-§5** is enacted to read:

28 **5.** Notwithstanding any other provision of law, judicial
29 discretion as to the imposition of a sentence of imprisonment or
30 fine may be exercised for Class D crimes otherwise requiring a
31 mandatory sentence of imprisonment or fine exceeding \$500 when
32 the crime represents the first conviction of the person for that
33 crime.

34 **Sec. E-60. 17-A MRSA §1252, sub-§8** is enacted to read:

35 **8.** Notwithstanding any other provision of law, judicial
36 discretion as to the imposition of a sentence of imprisonment or
37 fine may be exercised for Class D crimes otherwise requiring a
38 mandatory sentence of imprisonment or fine exceeding \$500 when
39 the crime represents the first conviction of the person for that
40 crime.

41 **Sec. E-61. 19 MRSA §214, sub-§4,** as amended by PL 1985, c.
42 750, §3, is further amended to read:

43 **4. Mediation.** Prior to a contested hearing under this
44 section where there are minor children of the parties, the court
45 shall ~~may~~ refer the parties to mediation, ~~except that, for good~~
46 reasons, the court may refer the parties to mediation.

2 cause--shown,--the--court,--prior--to--referring--the--parties--to
mediation,--may--hear--motions--for--temporary--relief,--pending--final
4 judgment--on--any--issue--or--combination--of--issues--for--which--good
cause--for--temporary--relief--has--been--shown. Upon motion supported
6 by affidavit,--the--court--may,--for--extraordinary--cause--shown,--waive
the--mediation--requirement--under--this--subsection. Any agreement
8 reached by the parties through mediation on any issues shall must
be reduced to writing, signed by the parties and presented to the
10 court for approval as a court order. When the parties have been
referred to mediation by the court and agreement through
12 mediation is not reached on any issue, the court must determine
that the parties made a good faith effort to mediate the issue
14 before proceeding with a hearing. If the court finds that either
party failed to make a good faith effort to mediate, the court
16 may order the parties to submit to mediation, may dismiss the
action or any part of the action, may render a decision or
18 judgment by default, may assess attorney's fees and costs or may
impose any other sanction that is appropriate in the
20 circumstances. The court may also impose an appropriate sanction
upon a party's failure without good cause to appear for mediation
after receiving notice of the scheduled time for mediation.

22 **Sec. E-62. 19 MRSA §581, sub-§4,** as amended by PL 1985, c.
24 750, §4, is further amended to read:

26 **4. Mediation.** Prior to a contested hearing under this
section where there are minor children of the parties, the court
28 shall may refer the parties to mediation,--~~except that,--for good~~
~~cause--shown,--the--court,--prior--to--referring--the--parties--to~~
30 ~~mediation,--may--hear--motions--for--temporary--relief,--pending--final~~
~~judgment--on--any--issue--or--combination--of--issues--for--which--good~~
32 ~~cause--for--temporary--relief--has--been--shown. Upon motion supported~~
~~by affidavit,--the--court--may,--for--extraordinary--cause--shown,--waive~~
34 ~~the--mediation--requirement--under--this--subsection. Any agreement~~
reached by the parties through mediation on any issues shall must
36 be reduced to writing, signed by the parties and presented to the
court for approval as a court order. When the parties have been
38 referred to mediation by the court and agreement through
mediation is not reached on any issue, the court must determine
40 that the parties made a good faith effort to mediate the issue
before proceeding with a hearing. If the court finds that either
42 party failed to make a good faith effort to mediate, the court
may order the parties to submit to mediation, may dismiss the
44 action or any part of the action, may render a decision or
judgment by default, may assess attorney's fees and costs or may
46 impose any other sanction that is appropriate in the
circumstances. The court may also impose an appropriate sanction
48 upon a party's failure without good cause to appear for mediation
after receiving notice of the scheduled time for mediation.

50 **Sec. E-63. 19 MRSA §752, sub-§4,** as amended by PL 1985, c.
52 750, §5, is further amended to read:

2 **4. Mediation.** Prior to a contested hearing under this
3 section where there are minor children of the parties, the court
4 shall ~~may~~ refer the parties to mediation, ~~except that, for good~~
5 ~~cause shown, the court, prior to referring the parties to~~
6 ~~mediation, may hear motions for temporary relief, pending final~~
7 ~~judgment on any issue or combination of issues for which good~~
8 ~~cause for temporary relief has been shown. Upon motion supported~~
9 ~~by affidavit, the court may, for extraordinary cause shown, waive~~
10 ~~the mediation requirement under this subsection.~~ Any agreement
11 reached by the parties through mediation on any issues shall must
12 be reduced to writing, signed by the parties and presented to the
13 court for approval as a court order. When the parties have been
14 referred to mediation by the court and agreement through
15 mediation is not reached on any issue, the court must determine
16 that the parties made a good faith effort to mediate the issue
17 before proceeding with a hearing. If the court finds that either
18 party failed to make a good faith effort to mediate, the court
19 may order the parties to submit to mediation, may dismiss the
20 action or any part of the action, may render a decision or
21 judgment by default, may assess attorney's fees and costs or may
22 impose any other sanction that is appropriate in the
23 circumstances. The court may also impose an appropriate sanction
24 upon a party's failure without good cause to appear for mediation
25 after receiving notice of the scheduled time for mediation.

26 **Sec. E-64. 22 MRSa §254, first ¶,** as amended by PL 1989, c.
27 596, Pt. N. §9, is further amended to read:

28 The Department of Human Services may conduct a program to
29 provide low-cost prescription and nonprescription drugs,
30 medication and medical supplies to disadvantaged, elderly
31 individuals. In any year in which this program is conducted, it
32 shall must include any prescription drugs used for the treatment
33 of chronic obstructive lung disease. To fund the addition of
34 drugs for this ailment, the amount that a recipient pays toward
35 the cost of any covered purchase shall ~~be \$2~~ is \$3.25. If the
36 initial projections for expenditures in the chronic obstructive
37 lung disease program indicate that funding for the total program
38 will be inadequate for the remainder of the fiscal year, that
39 part of the program dealing with chronic obstructive lung disease
40 shall must be discontinued for the remainder of the fiscal year.
41 The department shall keep cost and utilization records necessary
42 to evaluate the chronic obstructive lung disease program and
43 report on this program to the Legislature by January 1989.

44 **Sec. E-65. 22 MRSa §254, 2nd ¶,** as repealed and replaced by PL
45 1989, c. 878, Pt. A, §54 and affected by §55, is amended to read:

46 In any year in which this program is conducted, it must
47 include ~~anti-arthritis~~ antiarthritic drugs and the amount that a

2 recipient pays toward the cost of any such covered purchase is \$2
3 \$3.25.

4 **Sec. E-66. 22 MRSA §254, 3rd ¶**, as enacted by PL 1989, c. 563,
5 **§2**, is amended to read:

6
7 In any year in which this program is conducted, it shall
8 must include anticoagulant drugs and the amount that a recipient
9 pays toward the cost of any such covered purchase shall ~~be \$2~~ is
10 \$3.25.

11 **Sec. E-67. 22 MRSA §254, sub-§4-A**, as amended by PL 1989, c.
12 596, Pt. N, §9, is further amended to read:

13
14 **4-A. Payment for drugs provided.** The commissioner may
15 establish the amount of payment to be made by recipients toward
16 the cost of prescription or nonprescription drugs, medication and
17 medical supplies furnished under this program provided that the
18 total cost for any covered purchase of a prescription or
19 nonprescription drug or medication does not exceed \$2 ~~\$3.25~~; and

20
21 **Sec. E-68. 22 MRSA §396-F, sub-§4**, as repealed and replaced by
22 PL 1989, c. 588, Pt. A, §31, is repealed.

23 **Sec. E-69. 22 MRSA §1708, sub-§2**, as amended by PL 1989, c.
24 567, is repealed.

25 **Sec. E-70. 22 MRSA §1708, sub-§2-A**, as enacted by PL 1989, c.
26 886, §1, is repealed.

27 **Sec. E-71. 22 MRSA §1708, sub-§3** is enacted to read:

28
29 **3. Compensation for nursing homes.** A nursing home, as
30 defined under section 1812-A, or any portion of a hospital or
31 institution operated as a nursing home, when the State is liable
32 for payment for care, must be reimbursed at a rate established by
33 the Department of Human Services pursuant to this subsection.
34 The department may not establish a so-called "flat rate." The
35 provisions of this subsection apply to all funds, including
36 federal funds, paid by any agency of the State to a nursing home
37 for patient care. The department shall establish rules
38 concerning reimbursement that:

39
40 **A.** Take into account the costs of providing care and
41 services in conformity with applicable state and federal
42 laws, regulations and quality and safety standards;

43
44 **B.** Are reasonable and adequate to meet the costs that must
45 be incurred by efficiently and economically operated
46 facilities; and

2 C. Are consistent with federal requirements relative to
3 limits on reimbursement under the Social Security Act, Title
4 XIX.

5 **Sec. E-72. 22 MRSA §1812-C, sub-§7**, as enacted by PL 1987, c.
6 777, §§2 and 6, is repealed.

7 **Sec. E-73. Effective date.** That section of this Part that
8 repeals the Maine Revised Statutes, Title 22, section 1812-C,
9 sub-§7, takes effect March 1, 1991.

10 **Sec. E-74. 22 MRSA §3173, 6th ¶**, as repealed and replaced by
11 PL 1979, c. 127, §144, is repealed.

12 **Sec. E-75. 22 MRSA §3173, 12th ¶**, as repealed and replaced by
13 PL 1979, c. 127, §144, is amended to read:

14 Relating to the determination of eligibility for medical
15 care to be provided to a beneficiary of state or federal
16 supplemental income for the blind, disabled and elderly, the
17 department may enter into an agreement with the Secretary of the
18 United States Department of Health, ~~Education and Welfare~~ and
19 Human Services, whereby the secretary shall determine eligibility
20 on behalf of the department.

21 **Sec. E-76. 22 MRSA §3173-C, sub-§2**, as enacted by PL 1983, c.
22 240, is amended to read:

23 **2. Prescription drug services.** Except as provided in
24 subsections 3 and 4, a payment of 50¢ ~~75¢~~ is to be collected from
25 the Medicaid recipient for each drug prescription which that is
26 an approved Medicaid service.

27 **Sec. E-77. 22 MRSA §3173-C, sub-§5** is enacted to read:

28 **5. Limitation.** The department may limit the total amount
29 of copayment per month for Medicaid recipients who receive 6 or
30 more prescriptions per month.

31 **Sec. E-78. 22 MRSA §3174, 3rd ¶**, as enacted by PL 1977, c.
32 714, §3, is repealed.

33 **Sec. E-79. 22 MRSA §3174, sub-§1**, as enacted by PL 1973, c.
34 790, §2, is amended to read:

35 **1. Income.** Has not sufficient income or other resources to
36 provide a reasonable subsistence compatible with decency and
37 health, except that the department is authorized to eliminate the
38 medically needy program and need not provide for a deduction for
39 medical expense against income or resources expended in the
40 determination of eligibility;

41

2 **Sec. E-80. 22 MRSA §3174-F**, as amended by PL 1989, c. 904, is
repealed.

4 **Sec. E-81. Effective date.** That section of this Part that
repeals the Maine Revised Statutes, Title 22, section 3174-F,
6 takes effect July 1, 1991.

8 **Sec. E-82. 22 MRSA §3186, 4th ¶**, as enacted by PL 1987, c.
869, §1, is repealed.

10 **Sec. E-83. 22 MRSA §3187**, as enacted by PL 1987, c. 402, Pt.
12 A, §141, is amended to read:

14 **§3187. Principles of reimbursement**

16 The department shall meet annually with providers of
18 community based intermediate care facilities for the mentally
retarded to review current principles of reimbursement ~~for United~~
20 ~~States Code, Title XIX~~ under 42 United States Code, Sections 1396
et seq. and discuss necessary and appropriate changes.

22 ~~Principles of reimbursement established for intermediate~~
~~care facilities for the mentally retarded shall assure maximum~~
24 ~~flexibility enabling facilities to shift variable cost funds~~
~~within accounts established pursuant to the principles. These~~
26 ~~principles shall not set any artificial limits on specific~~
~~variable cost accounts as long as facility totals are met.~~

28 The department may establish principles of reimbursement for
30 intermediate care facilities for the mentally retarded that
ensure reimbursement for the reasonable and necessary costs
32 incurred to comply with federal and state statutes and
regulations governing the provision of nursing home care for
34 mentally retarded individuals who are eligible for Medicaid
services.

36 **Sec. E-84. 22 MRSA §3189, sub-§3, ¶A**, as enacted by PL 1989,
38 c. 588, Pt. A, §43, is amended to read:

40 A. Except as provided in subsection 5 and in paragraph B of
42 this subsection, the following persons are eligible to
participate in the program and to receive benefits in
44 accordance with this section:

46 (1) Any person who is under 18 years of age and whose
household income is 125% or less of the federal poverty
48 level; and

50 ~~(2) Any person who is age 18 or older and whose~~
~~household income is 95% or less of the federal poverty~~
52 ~~level; and~~

2 ~~(3) -- Beginning July 1, 1992, any person who is age 18~~
3 ~~or older and whose household income is 100% or less of~~
4 ~~the federal poverty level.~~

6 (2) Any person who is age 18 or older, who is enrolled
7 in the program on January 1, 1991 and whose household
8 income is 95% or less of the federal poverty level is
9 eligible to receive benefits until the first day of the
10 month following the effective date of this subdivision.

11 **Sec. E-85. 22 MRSA §3189, sub-§5, ¶G,** as enacted by PL 1989,
12 c. 588, Pt. A, §43, is repealed.

13 **Sec. E-86. 22 MRSA §3189, sub-§11,** as enacted by PL 1989, c.
14 588, Pt. A, §43, is repealed.

15 **Sec. E-87. 22 MRSA §3189, sub-§12,** as enacted by PL 1989, c.
16 588, Pt. A, §43, is amended to read:

17 **12. Repeal.** This section is repealed effective ~~June 30,~~
18 ~~1993~~ April 1, 1991.

19 **Sec. E-88. 22 MRSA §3190,** as amended by PL 1989, c. 875, Pt.
20 E, §40, is repealed.

21 **Sec. E-89. 22 MRSA §3191,** as amended by PL 1989, c. 875, Pt.
22 E, §41, is repealed.

23 **Sec. E-90. 22 MRSA §3273, sub-§1, ¶¶A and C,** as enacted by PL
24 1973, c. 790, §3, are amended to read:

25 A. Increase the minimum monthly federal payment standard,
26 in addition to that established pursuant to federal law, by
27 an amount of at least ~~\$8 per month for an individual and \$12~~
28 \$5 per month for a couple;

29 C. For a beneficiary who resides in a living arrangement
30 which meets a living arrangement classification established
31 by the department, but who does not reside in an adult
32 foster home or boarding home, in addition to the minimum
33 federal payment level as adjusted pursuant to paragraph A,
34 provide, based on such living arrangement classification, an
35 amount not to exceed ~~\$42~~ \$40 per month for an individual and
36 ~~\$63~~ \$80 per month for a couple.

37 **Sec. E-91. 22 MRSA §3273, sub-§6, ¶B,** as enacted by PL 1973,
38 c. 790, §3, is amended to read:

39 B. Effective July 1st of every year, after the year 1974,
40 the sum of the monthly amount of any state supplemental
41 income benefit authorized by subsection 1, paragraphs A and
42 C, plus the amount of the minimum monthly federal
43

2 supplemental security income in effect at such time shall
3 may be increased by a percentage amount equal to the
4 percentage rise in the United States Consumer Price Index
5 for April first of that year over the level of the Index for
6 April first of the previous year plus such additional
7 percentage amount as is recommended annually by the
8 department. Such an increase shall may be made only insofar
9 as appropriations are available. In determining the
10 additional percentage amount, consideration shall must be
11 given to the goal of reaching, within a reasonable time, a
12 benefit level equal to or consistent with the current budget
13 at the lower level of living for a retired couple
14 established by the United States Department of Labor, Bureau
of Labor Statistics, for Portland, Maine.

16 If, on April 1st of any year, the sum of the monthly amount
17 of any state supplemental payment authorized by subsection
18 1, paragraphs A and C, plus the amount of the minimum
19 monthly federal supplemental security income in effect at
20 such time, is equal to or exceeds the amount resulting from
21 12 divided into the current annual budget at the lower level
22 of living for a retired couple as most recently established
23 by the United States Department of Labor, Bureau of Labor
24 Statistics, for Portland, Maine, or taking into account
25 variances by marital status and living arrangements as
26 established by the department, a budget which that is not
27 inconsistent with said annual budget divided by 12, such
28 increase provided on July 1st next following shall, if any,
29 must be limited to the percentage rise in the Index.

30
31 **Sec. E-92. 22 MRSA 3741-B**, as enacted by PL 1987, c. 856, §2,
32 is amended to read:

34 **§3741-B. Teenage parents**

36 Teenage parents may-be are required to register participate
37 in a-program-administered-by-the-department-specifically-designed
38 to-encourage-completion-of-education-and-enhance-self-sufficiency
39 the ASPIRE-JOBS program established in section 3781.

40 Failure to register-and actively participate in this program
41 may not result in ineligibility for benefits under this chapter,
42 except-that-any-supplemental-support-services,-such-as-child-care
43 and-transportation,-may-be-withheld until the teenage parent
44 actively participates in the required program.

45
46 **Sec. E-93. 22 MRSA §3741-C, sub-§1**, as enacted by PL 1989, c.
47 839, §1, is amended to read:

48
49 **1. General requirement.** A recipient of federal Aid to
50 Families with Dependent Children who is 20 years of age or older
51 is not required to participate in an education, training or
52

2 employment activity as a condition of eligibility for federal Aid
3 to Families with Dependent Children, if that person is the parent
4 or other relative of a child under 3 years of age who is
personally providing care for that child;

6 **Sec. E-94. 22 MRSA §3741-C, sub-§2, ¶A,** as enacted by PL 1989,
c. 839, §1, is amended to read:

8
10 A. One parent who is not the primary wage earner and who is
11 20 years of age or older is eligible to be excused from
12 mandatory participation based on the age of the child, in
accordance with subsection 1; and

14 **Sec. E-95. 22 MRSA §3741-C, sub-§3, ¶A,** as enacted by PL 1989,
c. 839, §1, is amended to read:

16
18 A. A person personally providing care for a child over 3,
19 but under 6 years of age, is not required to participate for
20 more than 20 hours a week;

22 **Sec. E-96. 22 MRSA §3741-E,** as enacted by PL 1989, c. 839,
§1, is amended to read:

24 **§3741-E. Voluntary participants given priority**

26 **1. First priority given to targeted recipients who**
27 **volunteer.** Recipients of federal Aid to Families with Dependent
28 Children who are within one of the target populations of the
29 federal Job-Opportunity and-Basic-Skills JOBS training program,
30 or-JOBS as defined in section 3781, ~~target-populations~~ or are
31 eligible on the basis of unemployed parent status and who
32 volunteer to participate in the ~~Additional-Support-for-People-in~~
33 ~~Retraining--and--Education~~ ASPIRE-JOBS program as defined in
34 section 3781 must be given first consideration for services. The
federal JOBS target populations are individuals who:

36
38 A. Have received federal Aid to Families with Dependent
Children for any 36 of the preceding 60 months;

40 B. Are custodial parents under 24 years of age who:

42 (1) Have not completed a high school education and are
43 not enrolled in high school at the time of application;
44 or

46 (2) Had little or no work experience in the preceding
47 year; or

48
50 C. Are members of families in which the youngest child
because of age is within 2 years of being ineligible for
51 federal Aid to Families with Dependent Children.

2. **Mandatory participation to meet federal mandates.**

2 Recipients of federal Aid to Families with Dependent Children who
do not volunteer and ~~are either in the JOBS target populations or~~
4 ~~eligible on the basis of unemployed parent status~~ may be required
to participate in the ~~Additional Support for People in Retraining~~
6 ~~and Education~~ ASPIRE-JOBS program only in order to meet the
federal participation requirements necessary to receive enhanced
8 federal matching funds under the federal Family Support Act of
1988, Public Law 100-485, or its successor.

3. **Voluntary participation when federal mandates are**
12 **exceeded.** Recipients of federal Aid to Families with Dependent
Children who ~~are not members of the JOBS target populations and~~
14 ~~volunteer, regardless of their JOBS target status,~~ to participate
in the ~~Additional Support for People in Retraining and Education~~
16 ASPIRE-JOBS program must be given priority for program services
in any month, on a prorated basis, in which the department has
18 exceeded by 5% the federal participation requirements necessary
to receive enhanced federal matching funds in that fiscal year
20 under the federal Family Support Act of 1988, Public Law 100-485,
or its successor.

22 **Sec. E-97. 22 MRSA §3741-F, first ¶,** as enacted by PL 1989, c.
24 839, §1 and affected by §15, is amended to read:

26 The department shall establish a program to provide
transitional child care ~~and transportation~~ services when the
28 services are necessary for an individual's employment, when a
family has ceased to receive federal Aid to Families with
30 Dependent Children as a result of increased hours of, or
increased income from, employment or by reason of the exhaustion
32 of the earned income disregard used in determining benefit
amounts in the federal Aid to Families with Dependent Children
34 program.

36 **Sec. E-98. 22 MRSA §3741-F, sub-§2,** as enacted by PL 1989, c.
38 839, §1 and affected by §15, is repealed.

40 **Sec. E-99. 22 MRSA §3741-H,** as enacted by PL 1989, c. 839,
§1, is amended to read:

42 **§3741-H. Child care during participation in**
44 **employment, education and training**

46 The department shall provide child care in accordance with
the federal Family Support Act of 1988, Public Law 100-485, when
48 the child care is necessary to permit a federal Aid to Families
with Dependent Children eligible family member to ~~accept~~
50 ~~employment, remain employed or~~ participate in an ~~education or~~
training the ASPIRE-JOBS program as defined in section 3781.

1. ~~Method of providing child care. The federal Aid to Families with Dependent Children recipient may choose one of the following methods for receiving child care under this section:~~

A. ~~Receiving direct prospective payment for the cost of care;~~

B. ~~Directing that the department make payment, on the recipient's behalf, directly to a child care provider; or~~

C. ~~Accepting other care available at no cost to the family.~~

2. **Child care rate.** The department shall provide a family's an ASPIRE-JOBS program participant's actual cost for child care up to the maximum rate authorized by federal law. In determining the maximum rate, the State shall use a method that results in an amount that equals, or most closely approaches, the actual market rate in different regions of the State for various types of child care services received by families in the State participating in the ~~Additional Support for People in Retraining and Education~~ ASPIRE-JOBS program.

Sec. E-100. 22 MRSA §3758, sub-§2, as enacted by PL 1975, c. 441, §1, is amended to read:

2. **Funds to support positions authorized.** Funds to support positions authorized shall be taken from savings realized by reduced error rates for ineligible payments and overpayments made to clients and on behalf of clients on the aid to families with dependent children program. ~~No reduction in maximum payments as defined in the Maine Public Assistance Manual, chapter II, section D, page 3 shall be made for the purpose of funding staff.~~

Sec. E-101. 22 MRSA §3758, sub-§4, as enacted by PL 1975, c. 441, §1, is repealed and the following enacted in its place:

4. **Payment maximums.** The department is authorized to institute a ratably reduced system of payments in the aid to families with dependent children program, except that the rates of monthly payments may not be lower than the rates in effect on May 1, 1988. In 1991, the rate of reduction applied to the full need standard is 69.4%. Subject to the availability of funds, any future increase in the rates of payment may not be less than 5% of the current payment rates rounded to the nearest dollar and are effective with checks issued in the first month following the current month and must be continued for the balance of the fiscal year. If the unexpended balance is not sufficient to provide for such an increase, it must be expended to continue payments at current levels. If there is no unexpended balance or there are insufficient funds within the department to maintain the current level of funding for all department programs, the department is authorized to reduce the rates of payment in the aid to families

2 with dependent children program, except that such rates may not
3 be lower than the rates in effect on May 1, 1988.

4 **Sec. E-102. 22 MRSA §3758, sub-§5,** as enacted by PL 1983, c.
5 466, is repealed.

6 **Sec. E-103. 22 MRSA §3758, sub-§6,** as enacted by PL 1983, c.
7 847, §1, is repealed.

8 **Sec. E-104. 22 MRSA §3781,** as amended by PL 1989, c. 839, §3,
9 is further amended to read:

10 **§3781. Additional Support for People in Retraining**
11 **and Education program established**

12 **1. Administration.** The Additional Support for People in
13 Retraining and Education program, also referred to as
14 ASPIRE-JOBS, is administered by the Department of Human
15 Services. The Department of Human Services shall, consistent
16 with the goals of the ~~Additional-Support-for-People-in-Retraining-~~
17 ~~and-Education~~ ASPIRE-JOBS program, contract with the Department
18 of Labor to implement this program. The department may also
19 contract with other public agencies, as well as private agencies
20 and individuals, to implement this program in selected areas of
21 the State. The department may not contract for the delivery of
22 the program in its entirety in any area of the State that was not
23 under contract on March 1, 1990. Contracts entered into under
24 this subsection may not exceed one year in duration.

25 If the department contracts for the provision of program services
26 under this subsection, it shall monitor each contract agency at
27 least annually to ensure compliance with sections 3786 and 3788
28 and to ensure compliance with the contracts entered into by the
29 parties. The department shall adopt rules in accordance with the
30 Maine Administrative Procedure Act by which satisfactory
31 performance is measured. The rules must identify the
32 circumstances under which sanctions, including contract
33 suspension, reduction or termination are applied.

34 **2. Purpose.** The purpose of this program is to provide
35 services and support to recipients of Aid to Families with
36 Dependent Children and food stamps and to reduce dependence on
37 public assistance. The principal goal ~~shall-be~~ is to assist the
38 recipient in securing stable employment ~~which--pays--wages~~
39 ~~sufficient--to--maintain--adequate--family--income--without--public~~
40 ~~assistance~~ and to increase the basic life skills and
41 self-confidence of the recipient.

42 **3. Employability plan.** The To the extent that sufficient
43 funds, training sites and employment opportunities are reasonably
44 available, the department and the ~~elieat~~ participant shall enter
45 into an employability plan to embody the goals of the ~~elieat~~
46

2 participant and the services and support of agencies' services
3 offered by the program.

4 4. Definitions. As used in this chapter, unless the
5 context otherwise indicates, the following terms have the
6 following meanings.

8 A. "ASPIRE" means Additional Support for People in
9 Retraining and Education program.

10 B. "ASPIRE-JOBS" means the Additional Support for People in
11 Retraining and Education program, in conjunction with the
12 federal Job Opportunity and Basic Skills program.

13 C. "JOBS" means the federal Job Opportunity and Basic
14 Skills program.

15 **Sec. E-105. 22 MRSA §3782, sub-§2, ¶¶A and B, as repealed and**
16 **replaced by PL 1989, c. 501, Pt. Y, §3, are amended to read:**

17 **A. In areas where the department and the Department of**
18 **Labor jointly provide service, the department shall**
19 **coordinate the following functions:**

20 (1) Identification of the program participant's
21 pretraining needs;

22 (2) Provision of ~~preveeational-training-as-it-relates~~
23 ~~to-social-development--and--life--skills--adjustment~~
24 pretraining;

25 (3) Provision of support services; and

26 (4) Case management services for the participant's
27 period of enrollment.

28 **B. In areas where the department and the Department of**
29 **Labor jointly provide service, the Department of Labor shall**
30 **coordinate the following functions:**

31 (1) Identification of ~~training--needs~~ employment
32 opportunities in the State, the necessary education or
33 training for each opportunity and the education and
34 training sites for those employment opportunities;

35 (2) Provision of ~~preveeational-training~~ pretraining as
36 it relates to employability development;

37 (3) Provision of skills training; and

38 (4) ~~Provision-of-access-to-education; and~~

{5} (4) Job placement and development.

2
4 Sec. E-106. 22 MRSA §3785, as amended by PL 1989, c. 839, §§6
to 9, is further amended to read:

6 **§3785. Sanctions**

8 No recipient may be sanctioned under this program or Aid to
10 Families with Dependent Children for failure to participate in
12 the ~~Additional-Support-for-People-in-Retraining-and-Education~~
14 Program ASPIRE-JOBS program if that failure to participate is
based on good cause. Good cause for failure to participate in
this program shall must be found when there is reasonable and
verifiable evidence of:

16 1. **Illness or incapacitation.** Illness or incapacitation of
18 the participant or the participant's children, verified by a
physician, upon request by the department;

20 2. **Sexual harassment.** Sexual harassment at an ASPIRE-JOBS
22 activity;

24 3. **Court-required appearance; incarceration.**
26 Court-required appearance or incarceration;

28 4. **Lack of supportive services.** Lack, or breakdown, of
30 necessary supportive services such as child care or
transportation with no appropriate alternatives available at no
additional cost to the participant;

32 5. **Inclement weather.** Inclement weather which that
34 prevents the work-registrant participant from traveling to an
activity when the weather is severe enough to prevent other
registrants participants from traveling to the same activity;

36 6. **Assignment to another activity.** Assignment by the
38 department to an activity or component or another activity
40 required by the department which that has not been made part of
the employability development plan or individual opportunity
service contract;

42 7. **Relocation.** Participation which that requires the
44 registrant participant to relocate outside the registrant's
46 immediate participant's geographic area, which is that area
within a 2-hour round trip commute from the participant's home;

48 8. **Crises or special circumstances.** Any crises or special
50 circumstances that arise causing a registrant participant to be
absent from or discontinue any department activity about which
52 the department has been advised and has determined to constitute
good cause;

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9. Good cause.

10. Caretakers of children under 6 years of age. Assignment by the department to an activity that would require the registrant participant who is 20 years of age or older to work more than 20 hours per week, if the registrant participant is a parent or relative personally providing care for a child 3 years of age or older and under 6 years of age. The participant is not considered to personally provide care if the participant is a full-time student or the child is in a preschool or kindergarten program for 20 or more hours per week; or

11. Net loss of cash income. Employment resulting in the family of the participant experiencing a net loss of cash income; or .

~~12. Other good cause. Any other reason resulting in failure to participate that is beyond the control of the participant or that a reasonable person would determine to be good cause.~~

Sec. E-107. 22 MRSA §3788, as amended by PL 1989, c. 839, §§10 and 11, is further amended to read:

§3788. Program requirements

1. Notice of program assistance. The department shall provide written notice to all applicants for and recipients of the Aid to Families with Dependent Children program of the range of education, employment and training opportunities, and the types of support services, including transitional support services and medical assistance, available under the ~~Additional Support for People in Retraining and Education Program~~ ASPIRE-JOBS program, together with a statement that all registrants participants may make application for such opportunities and services.

2. Application; decision. All registrants ~~shall~~ participants must be given the opportunity to apply for a particular type of training and support services at the office of the program provider serving the area ~~in which that individual lives~~. The program provider shall issue a written decision promptly, in accordance with rules adopted by the department, on all applications and shall include the type and amount of assistance that has been authorized or denied. The registrant ~~shall~~ participant must be given in writing the reasons and specific rules supporting that denial and an explanation of the individual's right to request a fair hearing.

3. Assessment. Each participant's case manager shall conduct an individualized assessment, including a personal

2 meeting, to determine that individual's education and training
3 needs and occupational goal. Literacy testing and basic
4 assessment tools may be part of an individual's original
5 assessment, if the case manager determines that it is necessary
6 or the participant requests it. A participant shall must be
7 provided a more comprehensive assessment, including such
8 instruments as a self-assessment survey, or literacy or
9 vocational testing, only when a determination as to training
10 needs and occupational goal cannot reasonably be made without
11 further assessment.

12 **4. Employability development plan and individual**
13 **opportunity service contract.** ~~An employability plan shall be~~
14 ~~adopted for each program participant which shall include that~~
15 ~~individual's education, training and employment plan and the~~
16 ~~support services necessary to participate in that plan. The~~
17 ~~participant's first employability plan shall be established~~
18 ~~promptly, in accordance with rules adopted by the department.~~
19 ~~The rules shall provide for an expedited procedure for the~~
20 ~~development of an employability plan when necessary to meet the~~
21 ~~participation or enrollment requirements of an educational~~
22 ~~institution or training program. The participant's first~~
23 ~~employability development plan must be established in accordance~~
24 ~~with rules adopted by the department. Once the employability~~
25 ~~development plan has been developed, a series of individual~~
26 ~~opportunity service contracts must be adopted for each~~
27 ~~participant. The individual opportunity service contract must~~
28 ~~include that individual's education, training and employment plan~~
29 ~~and the support services necessary to participate in that plan.~~

30 **5. Provision of support services.** Beginning January 1,
31 1990, payment for support services must be furnished promptly in
32 accordance with rules adopted by the department ~~to, or on behalf~~
33 ~~of, eligible individuals as agreed to in the employability plan.~~
34 The rules must provide for an expedited procedure for payment for
35 support services when those services are immediately necessary to
36 enable the participant to participate in an approved education,
37 training or employment plan.

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39 The support services required to participate in the employability
40 plan must be specified in an individual opportunity service
41 contract and each participant must receive the support services
42 prescribed in that contract, which may include respite care.

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44 **6. Education and training service.** ~~The Additional Support~~
45 ~~for People in Retraining and Education~~ ASPIRE-JOBS program must
46 make available a broad range of education and training services
47 in accordance with section 3781, subsection 2. ~~These services~~
48 ~~and activities must include all of those services and activities~~
49 ~~offered by the Additional Support for People in Retraining and~~
50 ~~Education program on October 1, 1989.~~ When a particular approved
51 education or training service is available at comparable quality
52

2 and cost, including the cost of support services, and the
4 implementation of the employability plan would not be
6 unreasonably delayed, the program participant may choose to
8 enroll for that service with the provider of that person's
preference. If this decision is not mutually agreed to by the
participant and the case manager, ~~the decision must be reviewed
by the case manager's supervisor~~ department makes the final
decision.

10 **7. Readability.** All notices, applications and decisions
12 intended to be read by program applicants or participants shall
14 be designed to be easily understood and shall have a readability
16 score, as determined by a recognized instrument for measuring
adult literacy, equivalent to no higher than a 6th grade reading
level.

18 **8. Annual report.** Beginning in 1991, the department shall
20 submit a report annually on March 15th to the joint standing
22 committee of the Legislature having jurisdiction over human
24 resources. The report must include the number of ~~Additional
Support for People in Retraining and Education~~ ASPIRE-JOBS
26 program participants who are receiving pretraining and job search
services and must specify the specific services provided and the
agencies providing those services. A copy of the report must be
submitted to the Office of the Executive Director of the
Legislative Council.

28 All rules required by this section, with the exception of
30 those required under subsection 5, shall must be adopted by
October 15, 1989.

32 **Sec. E-108. 22 MRSA §3789**, as enacted by PL 1989, c. 839,
34 §12, is repealed.

36 **Sec. E-109. 22 MRSA §4301, sub-§1**, as amended by PL 1989, c.
322, §1, is further amended to read:

38 **1. Basic necessities.** "Basic necessities" means food,
40 clothing, shelter, fuel, electricity, nonelective medical
42 services as recommended by a physician, nonprescription drugs,
44 telephone where it is necessary for medical reasons and any other
commodity or service determined essential by the overseer in
accordance with the municipality's ordinance and this chapter.
"Basic necessities" do not include security deposits for rental
property.

46 **Sec. E-110. 22 MRSA §4301, sub-§1-A** is enacted to read:

48 **1-A. Direct Costs.** "Direct Costs" means the total value of
50 general assistance benefits paid out by a municipality that is in
52 compliance with this chapter and the municipality's general
assistance ordinance.

2 **Sec. E-111. 22 MRSA 4301, sub-§7, ¶¶A and C**, as enacted by PL
4 1983, c. 577, §1, are amended to read:

6 A. Ineome Real or personal income-producing property, tools
8 of trade, governmental entitlement specifically treated as
10 exempt assets by state or federal law;

12 C. Ineome Earned income of children below the age of 18
14 years who are full-time students and who are not working
16 full time.

18 **Sec. E-112. 22 MRSA §4301, sub-§§12-A and 14** are enacted to
20 read:

22 **12-A. Penalty.** "Penalty" means a forfeit imposed by the
24 department on a municipality, including either case-by-case
26 withholding or total withholding of reimbursement due to that
28 municipality. "Penalty" includes any civil penalty imposed on a
30 municipality by court order.

32 **14. Temporary lodging.** "Temporary lodging" means any
34 facility that is licensed as an eating and lodging or lodging
36 place by the department pursuant to chapter 562.

38 **Sec. E-113. 22 MRSA §4305, sub-§3, ¶C**, as enacted by PL 1983,
40 c. 577, §1, is amended to read:

42 C. Provide that relief shall-be is furnished or denied to
44 all eligible applicants within 24 hours of the date of
46 submission of an application unless the applicant is not a
48 resident of the State and it is necessary to seek further
50 verification as outlined in section 4314, subsection 3.

52 **Sec. E-114. 22 MRSA §4305, sub-§3-A**, as enacted by PL 1985, c.
489, §§3 and 14, is amended to read:

3-A. Maximum levels of assistance. Municipalities may
establish maximum levels of assistance other than shelter, food
and utilities by ordinance. The maximum levels of assistance
shall must set reasonable and adequate standards sufficient to
maintain health and decency. The department shall set maximum
levels for shelter, food and utilities. Each ordinance shall-be
is subject to a review, as provided in section 4323, of the
maximum levels of assistance by the department, upon complaint
and at such other times as the department determines necessary,
to ensure compliance with this chapter.

Sec. E-115. 22 MRSA §4305, sub-§4, as amended by PL 1985, c.
489, §§4 and 14, is further amended to read:

2 4. **Ordinance filed.** Each municipality shall present a copy
of the ordinance establishing eligibility standards, maximum
4 levels of assistance, administration and appeal procedures to the
Department of Human Services. The ordinance filed shall must
6 include all forms and notices, including the application form,
notice of decision and appeal rights. Any amendment or
8 modification of the municipal ordinance shall must be submitted
to the department for comment and filing. Each municipality
10 shall file a copy of the general assistance ordinance and copies
of any forms used with the Department of Human Services. Any
12 time a municipality amends an ordinance the municipality shall
file a copy of the amendment with the department.

14 **Sec. E-116. 22 MRSA §4305, sub-§5** is enacted to read:

16 **5. Review of ordinance.** Within 60 days of receiving an
ordinance or amendment the department shall review it for
18 compliance with the law. If the department finds that the
ordinance or amendment complies with the law, the department
20 shall provide the municipality with a written certificate of
compliance. If the department finds that the ordinance or
22 amendment is not in compliance with the law, the department shall
notify the municipality in writing specifying what provisions
24 violate the law and provide the municipality with suggested
alternative language. The municipality shall have 30 days to
26 appeal the department's decision, pursuant to section 4323, or 60
days to amend its ordinance. If for any reason the department is
28 unable to provide the municipality with either notification of
noncompliance or compliance certification within 60 days of
30 receipt of the ordinance, the department shall notify the
municipality that it has received the ordinance and the
32 department must be granted an additional 30 days to issue either
the notification of noncompliance or compliance certification.
34 The department's grant of compliance certification does not
prevent the department's further review of the ordinance, upon
36 complaint, as provided in section 4323, or in section any other
time the department considers appropriate.

38 **Sec. E-117. 22 MRSA §4307, sub-§3-A** is enacted to read:

40 **3-A. Choice of vendor.** A municipality may not restrict a
42 recipient's choice of vendor in order to require the purchase of
basic necessities from vendors located within the municipality.

44 **Sec. E-118. 22 MRSA §4308, sub-§1,** as enacted by PL 1985, c.
46 489, §§5 and 14, is amended to read:

48 **1. Initial and subsequent applications.** Any person who
makes an application for assistance, who has not applied for
50 assistance in any municipality during the previous 6 12 months,
shall must have his eligibility determined solely on the basis of
52 need, as defined in section 4301, subsection 10. In determining

2 an applicant's eligibility upon an initial application, a
3 municipality may not require performance of workfare except as
4 provided in section 4316-A. All subsequent applications within 6
5 12 months shall must be considered in accordance with this
6 chapter and the municipal ordinance.

7 **Sec. E-119. 22 MRSA §4308, sub-§2, ¶B,** as enacted by PL 1985,
8 c. 489, §§5 and 14, is amended to read:

10 B. Emergency assistance under this subsection is not
11 available to pay a bill for a basic necessity when that bill
12 is more than 2 months old and the person requesting the
13 assistance had sufficient income, money, assets or other
14 resources available to pay for the basic necessity when the
15 bill was received unless, by not granting the assistance,
16 another emergency arises for which the applicant is eligible
17 for assistance and the expense of alleviating the new
18 emergency is greater than the expense of alleviating the
19 first. The person requesting assistance shall be required
20 to provide evidence of income for the applicable time period.

22 **Sec. E-120. 22 MRSA §4310, first ¶,** as enacted by PL 1983, c.
23 577, §1, is amended to read:

24 Whenever an applicant for general assistance states to the
25 administrator that the applicant is in need ~~of~~ an emergency
26 situation and requires immediate assistance to meet basic
27 necessities, the overseer shall, pending verification, issue to
28 the applicant either personally or by mail, within as soon as
29 possible but in no event later than 24 hours ~~of the~~ after
30 application, sufficient benefits to provide the basic necessities
31 needed immediately by the applicant, provided that the following
32 conditions are met.

34 **Sec. E-121. 22 MRSA §4311, sub-§1-B,** as enacted by PL 1987, c.
35 833, is amended to read:

38 **1-B. Reimbursement for expenses.** The department shall
39 reimburse each municipality for the administrative costs of a
40 portion of the direct costs of paying benefits through its
41 general assistance program if the department finds that the
42 municipality was in compliance with all requirements of this
43 chapter during the fiscal year for which reimbursement is
44 sought. The amount of reimbursement to each municipality shall
45 must be an amount equal to:

46 A. Fifty percent of all general assistance granted to by
47 that municipality below the .0003% of all state valuation
48 amount; or
49

50

2 B. Reasonable--administrative--costs--of--the--municipality's
3 general--assistance--program,--defined--as--10%--of--net Ten
4 percent of all general assistance cost granted.

5 Each municipality shall elect to be reimbursed under paragraph A
6 or B at the beginning of the fiscal year for which reimbursement
7 is sought.

8 Notwithstanding any other provision of law, this subsection shall
9 take takes effect on July 1, 1989.

10 **Sec. E-122. 22 MRSA §4311, sub-§2,** as amended by PL 1985, c.
11 567, is further amended to read:

12 **2. Submission of reports.** Municipalities shall submit
13 reports as follows.

14 A. For purposes of this section, those municipalities that
15 received reimbursement at 90% during the previous fiscal
16 year of the State and those municipalities which that expect
17 to receive reimbursement at 90% during the current fiscal
18 year of the State must submit monthly reports on forms
19 provided by the department.

20 B. Those municipalities that did not receive reimbursement
21 at 90% during the previous fiscal year and do not expect to
22 receive reimbursement at 90% for the current fiscal year
23 must submit annual quarterly or semiannual reports on forms
24 provided by the department.

25 **Sec. E-123. 22 MRSA §4311, sub-§3,** as enacted by PL 1983, c.
26 577, §1, is amended to read:

27 **3. Claims.** The Department of Human Services may refuse to
28 accept and pay any claim for reimbursement which that is not
29 submitted by a municipality to the department within 90 days of
30 the payment upon on which that claim is based or at the end of
31 the reporting period for which reimbursement is sought unless
32 just cause exists for failure to file a timely claim.

33 **Sec. E-124. 22 MRSA §4314, sub-§3,** as enacted by PL 1983, c.
34 577, §1, is amended to read:

35 **3. Verification of employment.** The applicant has
36 responsibility for providing documentary verification of benefits
37 received during the period for which assistance is requested, or
38 in the month immediately prior to the application for assistance
39 when those wages and benefits are expected to be the same during
40 the period for which assistance is requested.

2 The overseer shall give the applicant written notice that if the
4 applicant does not provide the documentary verification within
one week of the application, the employer will be contacted.

6 Notwithstanding any other provision of law, every employer shall,
8 upon written request of the overseer, release information
10 regarding any wages or other financial benefits paid to the
applicant or a member of the applicant's household. No employer
may discharge or otherwise adversely affect an employee because
of any request for information pursuant to this section.

12 The department may establish agreements with sources from
14 out-of-state to receive income and asset information on
16 applicants who apply for assistance in the State, but who are
18 residents of areas outside the State. When verification from
those sources is necessary, the determination of eligibility must
be made within 5 working days from the date of application.

20 **Sec. E-125. 22 MRSA §4316-A, sub-§1**, as enacted by PL 1985, c.
489, §§7 and 14, is further amended to read:

22 **1. Ineligibility for assistance.** An applicant is
24 ineligible for assistance for 60 days if the municipality
26 establishes that the ~~person~~ applicant, without just cause, within
the 60 days preceeding application in connection with any
municipality's general assistance program:

28 A. Refuses to search for employment when that search is
30 reasonable and appropriate;

32 B. Refuses to register for work;

34 C. Refuses to accept a suitable job offer under this
section;

36 D. Refuses to participate in a training or educational
38 program ~~whieh~~ that would assist ~~him~~ the applicant in
securing employment;

40 E. Quits work after an initial application for assistance;

42 F. Willfully fails to perform a job assigned under
44 subsection 2; or

46 G. Willfully performs a job assigned under subsection 2
below the average standards of that job.

48 A person may not be required to work under this subsection if
50 that person is physically or mentally incapable of performing the
work assigned.

52 **Sec. E-126. 22 MRSA §4316-A, sub-§2, ¶G** is enacted to read:

2 G. A person may not be required to work under this
3 subsection if that person is physically or mentally
4 incapable of performing the work assigned.

6 **Sec. E-127. 22 MRSA §4316-A, sub-§3, ¶E,** as enacted by PL
1985, c. 489, §§7 and 14, is amended to read:

8
9 E. Participation in a training program which that is either
10 approved or determined, or both, by the Department of Labor
11 to be reasonably expected to assist the individual in
12 securing employment. This paragraph does not include
13 participation in a degree granting program, except when that
14 program is ~~under the Job Training Partnership Act or the~~
15 ~~Welfare-Employment-Education-and-Training-Program~~ a training
16 program operated under the control of the Department of
17 Human Services or the Department of Labor.

18
19 **Sec. E-128. 22 MRSA §4316-A, sub-§4,** as enacted by PL 1985, c.
20 489, §§7 and 14, is amended to read:

21 **4. Eligibility regained.** A person who has been
22 disqualified by any municipality for not complying with any work
23 requirement of this section may regain his eligibility during the
24 60-day period by becoming employed or otherwise complying with
25 the work requirements of this section.

26
27 **Sec. E-129. 22 MRSA §4317,** as enacted by PL 1983, c. 577, §1,
is amended to read:

28
29 **§4317. Use of available or potential resources**

30
31 Any applicant or recipient must make a good faith effort to
32 secure any potential resource which that may be available,
33 including, but not limited to, any state or federal assistance
34 program, employment benefits, governmental or private pension
35 programs, available trust funds, support from legally liable
36 relatives, child-support payments and, jointly held resources
37 where the applicant or recipient share may be available to the
38 individual, or publicly or privately administered charities.
39 Assistance shall may not be withheld pending receipt of such
40 resource as long as application has been made or good faith
41 effort is being made to secure the resource.

42
43 Any individual applying for or receiving assistance due to a
44 disability must make a good faith effort to make use of any
45 medical and rehabilitative resources that may be recommended by a
46 physician which are available without financial burden and
47 which ~~would~~ do not constitute further physical risk to the
48 individual.
49
50

2 Any applicant who refuses to utilize potential resources
without just cause, after receiving a written 7-day notice, shall
4 be is disqualified from receiving assistance until he the
applicant has made a good faith effort to secure the resource.
6 Eligibility requirements of charities may not violate the
applicant's constitutional rights by imposing limits on freedom
8 of speech, religion, assembly or similar freedoms. Assistance
provided by those charities must meet the applicant's needs
10 appropriately. If assistance provided by charities is
insufficient to met the needs of the applicant as defined by the
12 municipality's ordinance, the municipality is obligated to
provide additional assistance, if the applicant is otherwise
14 eligible. A municipality that intends to refer general
assistance applicants to publicly or privately administered
16 charities shall enter into an agreement with each charity to
facilitate referrals and determine, at a minimum, the charities'
18 hours of operation, the scope of services or commodities
available through the charity and conditions, if any, imposed
upon receipt of assistance.

20
22 Upon making an initial or subsequent application, any person
may be required to utilize any potential resources upon receipt
24 of written notice from the responsible municipality. If the
person fails to make a good faith effort to secure the resource
26 without just cause, the municipality shall disqualify the person
from receipt of general assistance until the person has made a
good faith effort.

28
30 Available resources are to be utilized when appropriate,
including providing assistance for first-time applicants.
32 Available resources include, but are not limited to, cash on
hand, bank accounts, credit, public or private charities, bank or
credit cards, shelters and food banks.

34
36 Any applicant who forfeits receipt of or causes reduction in
benefits from another public assistance program because of fraud,
38 misrepresentation or a knowing or intentional violation of
program rules committed by the applicant within the 60 days prior
40 to his the applicant's application for assistance, is not
eligible to receive general assistance to replace the forfeited
42 assistance for a period of 60 days from the date of application
for general assistance, except as provided for initial
44 applications.

46 **Sec. E-130. 22 MRSA §4318**, as amended by PL 1987, c. 67, is
further amended to read:

48 **§4318. Recovery of expenses**

50 A municipality or the State, which has incurred general
assistance program costs for the support of any eligible person,
52 may recover the full amount expended for that support either from

2 the person relieved or from any person liable for the recipient's
3 support, their executors or administrators, in a civil action. In
4 no case may a municipality or the State be authorized to recover
5 through a civil action, the full or part of, the amount expended
6 for the support of a previously eligible person, if, as a result
7 of the repayment of that amount, this person would, in all
8 probability, again become eligible for general assistance.

10 The department shall enter into an agreement with the Social
11 Security Administration to institute an interim assistance
12 reimbursement for the purpose of the repayment of state and local
13 funds expended for providing assistance to Supplemental Security
14 Income applicants or recipients while the Supplemental Security
15 Income payments are pending or suspended. Written authorization
16 must be given by the recipients and must be voluntary in nature.

18 No A municipality may not recover from any recipient who has
19 been injured while performing work under section 4316-A,
20 subsection 2, any portion of any medical or rehabilitative
21 expenses associated with that injury or any portion of any other
22 general assistance benefits associated with that injury.

24 Nothing in this section may be construed as limiting or
25 affecting in any way the right of any individual to file an
26 action under the Maine Tort Claims Act, Title 14, chapter 741,
27 except that a municipality that provides general assistance to a
28 minor is absolutely immune from suit on any tort claims seeking
29 recovery of damages by or on behalf of the minor recipient in
30 connection with the provision of general assistance.

32 **Sec. E-131. 22 MRSA §4323, sub-§2,** as enacted by PL 1983, c.
33 577, §1, is amended to read:

34 **2. Violation; penalty.** If the department finds any
35 violation of this chapter after review, ~~it the department shall~~
36 withhold reimbursement on a case-by-case basis and notify the
37 municipality that it has 30 days in which to ~~correct that~~
38 ~~violation and specify what action shall be taken in order to~~
39 ~~achieve compliance. The municipality shall file a plan with the~~
40 ~~department setting forth how it will attain compliance. The~~
41 ~~department shall notify the municipality if the plan is~~
42 ~~acceptable and that it will review the municipality for~~
43 ~~compliance within 60 days of accepting the plan~~ file a plan of
44 correction specifying what action the municipality will take to
45 attain compliance. Immediate withholding is based solely on the
46 individual cases found to be out of compliance, is measured by
47 the amount of general assistance provided in error and is not
48 reimbursable. Any municipality which that fails to file an
49 acceptable plan with the department or which that is in violation
50 of this chapter at the expiration of the 60-day period shall be
51 is subject to a civil penalty of not less than \$500. The
52 Department of Human Services shall enforce this section in any

2 court of competent jurisdiction. Every 30-day period that a
3 municipality is in violation of this chapter after review and
4 notification ~~shall constitute~~ constitutes a separate offense. In
5 addition to the civil penalty, the department shall withhold
6 reimbursement to any municipality ~~which~~ that is in violation of
7 this chapter until ~~it~~ that municipality reaches compliance.

8 The department shall notify the municipality whether its plan of
9 correction is acceptable. Within 60 days of the date that the
10 plan is found acceptable, the municipality must implement the
11 plan of correction and incorporate that plan into its general
12 assistance ordinance. A compliance review must be conducted by
13 the department within 90 days of the acceptance of the plan of
14 correction. If the plan of correction has not been implemented
15 and incorporated by the time of review, the municipality is
16 immediately subject to penalties for noncompliance.

17 **Sec. E-132. 22 MRSA c.1455**, as amended, is repealed.

18 **Sec. E-133. 23 MRSA §1961, sub-§2**, as enacted by PL 1987, c.
19 793, Pt. A, §6, is amended to read:

20 **2. Cooperation with the Department of Transportation.** The
21 Department of Transportation ~~shall~~ must be provided each year a
22 maximum amount of \$8,700,000 of the total annual operating
23 revenue after money has been put aside to pay operating expenses
24 and to meet the requirements of any resolution authorizing bonds
25 of the Maine Turnpike Authority, except that for state fiscal
26 year 1990-91, the Department of Transportation must be provided
27 an additional \$5,000,000. Any funds received by the department
28 under this provision in excess of \$4,700,000 shall must be
29 expended for highway and bridge improvements within counties
30 which contain turnpike mileage. These amounts are deemed
31 necessary for use by the department for construction,
32 reconstruction, operation and maintenance of access roads on the
33 state highway system which serve and benefit users of the
34 turnpike by providing direct and indirect access to and from the
35 turnpike as part of the integrated highway system. Due to the
36 utilization of the state highway system by users of the turnpike,
37 the turnpike and its users have received and will continue to
38 receive a benefit from, or have caused and will continue to
39 cause, or both, the State acting by and through the Department of
40 Transportation to incur costs for the construction, operation and
41 maintenance of the state highway system, which provides direct
42 and indirect access to and from the turnpike to areas in the
43 State for which the State may properly be and should be
44 compensated from the tolls to be collected. The Maine Turnpike
45 Authority should be maintained to carry out the purposes of this
46 chapter in cooperation with the Department of Transportation.

47 **Sec. E-134. 23 MRSA §1965, sub-§1, ¶O**, as repealed and
48 replaced by PL 1987, c. 793, Pt. A, §7, is amended to read:

2 O. Provide an annual amount not to exceed a maximum of
3 \$8,700,000 subject to the limitations in section 1961,
4 except that for state fiscal year 1990-91, the annual amount
5 may not exceed \$13,700,000, as the department shall request
6 and the authority shall determine pursuant to section 1974,
7 subsection 4, to be necessary for the use of the department
8 each year for the construction, operation and maintenance of
9 access roads and costs related thereto, after money has been
10 set aside or adequate provision has been made, to pay
11 operating expenses and to meet the requirements of any
12 resolution authorizing bonds of the authority;

14 **Sec. E-135. 23 MRSA §1974, sub-§4,** as amended by PL 1987, c.
15 793, Pt. A, §8, is amended by amending the first paragraph to
16 read:

18 **4. Revenues for access roads and the state highway system.**
19 Subject to the terms and conditions of this chapter, the
20 authority, semi-annually on July 1st and January 1st of each
21 fiscal year commencing July 1, 1983, shall, upon making the
22 determination referred to in this subsection, authorize turnpike
23 revenues to be transferred to the Department of Transportation
24 for the costs of construction, reconstruction, operation and
25 maintenance of access roads provided, first, that the department
26 provide certification as to the utilization of all or a part of
27 the state highway system by turnpike users with respect to the
28 benefit received by the turnpike and its users and the costs
29 incurred by the department for the construction, reconstruction,
30 operation and maintenance of the access roads caused by the
31 turnpike and its users and supporting the transfer of turnpike
32 revenues for each 2-year period. The department shall may not
33 request and the authority shall may not approve a transfer of
34 turnpike revenues under this subsection in any year that exceeds
35 the cost to the department for construction, reconstruction,
36 operation and maintenance of access roads fairly attributable to
37 vehicular traffic traveling to or from the turnpike, except that
38 for state fiscal year 1990-91, an amount may be transferred that
39 exceeds that cost and is to be considered an early payment of the
40 state fiscal year 1991-92 amount. Based on the certification and
41 such other information as the authority deems necessary, the
42 authority shall determine whether or not the turnpike and users
43 thereof are so benefited by the system, and thereupon the
44 authority shall have and exercise sole discretion to determine
45 the level of revenues to be so transferred to the department, but
46 that transfer annually shall may not exceed \$8,700,000, except
47 that for state fiscal year 1990-91, that transfer annually may
48 not exceed \$13,700,000. In making its report, the department, as
49 a basis for requesting those revenues, and the authority in
50 determining the level of revenues to be transferred, may consider
51 the following factors, no one of which may necessarily be
52 determinative:

2 **Sec. E-136. 26 MRSA §2154**, as amended by PL 1989, c. 577, §1,
is further amended to read:

4 **§2154. Project goals**

6 The Health Occupations Training Project is a training
8 strategy to increase the supply of health care workers. The
project consists of ~~3~~ 2 parts that provide for:

10 **1. Health care workers.** An increased supply of certified
12 nurses aides, home health care aides, licensed practical nurses,
14 registered nurses and other support staff, through training and
placement in jobs with competitive wages and benefits; and

16 **2. Allied health care workers.** An increased supply of
allied health care workers through training of participants in
18 the state job training system. For purposes of this chapter, the
state job training system includes job training programs such as
20 the Job Training Partnership Act; the Welfare, Employment,
Education and Training Program; the Maine Training Initiative;
22 the ~~Additional--Support--for--People--in--Retraining--and--Education~~
~~Program~~ ASPIRE-JOBS program; and programs administered by
24 participating hospitals; ~~and.~~

26 **3. Registered nurses.** An increased supply of registered
nurses through the provision of a government student loan payback
28 plan to recruit and retain registered nurses who work for a
health care facility in the State. This subsection is repealed
30 March 1, 1991.

32 **Sec. E-137. 26 MRSA §2157**, as repealed and replaced by PL
1989, c. 577, §2, is repealed.

34 **Sec. E-138. Effective date.** That section of this Part that
36 repeals the Maine Revised Statutes, Title 26, section 2157, takes
effect March 1, 1991.

38 **Sec. E-139. 28-A MRSA §453, sub-§1, ¶C**, as enacted by PL 1987,
40 c. 45, Pt. A, §4, is amended to read:

42 C. The proposed agency liquor store is not within 10 miles
of an existing state liquor store ~~ex-agency-liquor-store.~~

44 **Sec. E-140. 28-A MRSA §453, sub-§1, ¶D** is enacted to read:

46 D. The commission may grant more than one agency store
48 license in a town when the commission considers it
appropriate.

50 **Sec. E-141. 30-A MRSA §4452, sub-§5, ¶Q**, as amended by PL
52 1989, c. 287, §3, is further amended to read:

2 Q. Shoreland zoning ordinances adopted pursuant to Title
38, sections 435 to 447, including those which were
4 state-imposed; and

6 Sec. E-142. 30-A MRSA §4452, sub-§5, ¶R, as enacted by PL 1989,
c. 287, §4, is amended to read:
8

10 R. The laws pertaining to harbors in Title 38, chapter 1,
subchapter I, local harbor ordinances adopted in accordance
with Title 38, section 7 and regulations adopted by
12 municipal officers pursuant to Title 38, section 2, ; and

14 Sec. E-143. 30-A MRSA §4452, sub-§5, ¶S is enacted to read:

16 S. Laws pertaining to the regulation of water levels and
18 minimum flows.

20 Sec. E-144. 30-A MRSA, c. 187, sub-c. VI is enacted to read:

22 **SUBCHAPTER VI**
REGULATION OF WATER LEVELS AND MINIMUM FLOWS

24 **§4454. Definitions**

26 As used in this subchapter, unless the context otherwise
28 indicates, the following terms have the following meanings.

30 1. Dam. "Dam" means any man-made artificial barrier,
32 including appurtenant works, that impounds or diverts a river,
stream or great pond.

34 2. Littoral proprietor. "Littoral proprietor" means an
owner or lessee of property on the shore of a lake impounded by a
particular dam.

36 3. Municipal reviewing authority. "Municipal reviewing
38 authority" means the municipal planning board, agency or office,
or if none, the municipal officers.

40 4. Riparian proprietor. "Riparian proprietor" means an
42 owner or lessee of property on the bank of a river or stream or
shore of a pond or other small body of water impounded by a
44 particular dam.

46 **§4455. Jurisdiction**

48 A municipality may elect under its home rule authority to
50 regulate water level regimes and minimum flow requirements for
any body of water impounded by a dam that is located wholly or in
52 part within its corporate boundaries and is not:

2 1. Federal license. Licensed by the Federal Energy
Regulatory Commission;

4 2. Federal authorization. Authorized under the Federal
Power Act, Section 23;

6 3. Upstream storage. Used to store water for a downstream
8 facility licensed by the Federal Energy Regulatory Commission or
authorized under the Federal Power Act, Section 23, provided that
10 the owner of the downstream facility possessed a majority
ownership of the upstream dam as of January 1, 1983;

12 4. Level by permit. Operating with a permit setting water
14 levels issued under the land use regulation laws, Title 12,
sections 681 to 689; the protection of natural resources laws,
16 Title 38, sections 480-A to 480-T; the site location of
development laws, Title 38, sections 481 to 490; the Maine
18 Waterway Development and Conservation Act, Title 38, sections 630
to 640; or any other law regulating the construction or operation
20 of dams; or

22 5. Level by district. Operating in accordance with a water
level regime set by the Cobbossee Watershed District or by any
24 lake watershed district approved under the watershed district
enabling laws, Title 38, sections 2001 to 2011.

26 All municipal regulation of water levels and minimum flows
28 is governed by this chapter.

30 §4456. Hearing; order

32 1. Petition. The municipal reviewing authority shall
conduct a public hearing to establish a water level regime and,
34 if appropriate, minimum flow requirements for a body of water
impounded by a dam within its jurisdiction whenever it is
36 petitioned to do so by:

38 A. The municipal officers of any municipality in which the
dam or the body of water it impounds is located;

40 B. The owner, lessee or person in control of the dam;

42 C. The Commissioner of Inland Fisheries and Wildlife;

44 D. The Commissioner of Marine Resources;

46 E. At least 25% or 50 of the littoral or riparian
48 proprietors; or

50 F. A water utility having the right to withdraw water from
the body of water for which a water level regime is sought.

52

2 2. Hearing; notice. All hearings must be held at a time
3 that is generally convenient for a majority of the affected
4 littoral or riparian proprietors. The municipal reviewing
5 authority shall provide written notice of the date, time and
6 place of any hearing held pursuant to this subchapter to the
7 municipal officers of any municipality in which the dam or the
8 body of water it impounds is located, to any petitioner who has
9 petitioned for a hearing with respect to the body of water, and
10 to the owner, lessee or person in control, if known, of any dam
11 on the body of water. The municipal reviewing authority shall
12 also cause notice of the hearing to be published at least 2 times
13 in a newspaper having general circulation in any municipality in
14 which the dam or the body of water impounded by the dam is
15 located, the date of the first publication to be at least 7 days
16 prior to the hearing.

17 3. Evidence. At the hearing, the municipal reviewing
18 authority shall solicit and receive testimony for the purpose of
19 establishing a water level regime and, if applicable, minimum
20 flow requirements for the body of water. The testimony is
21 limited to:

22 A. The water levels necessary to maintain the public rights
23 of access to and use of the water for navigation, fishing,
24 fowling, recreation and other lawful public uses;

25 B. The water levels necessary to protect the safety of the
26 littoral or riparian proprietors and the public;

27 C. The water levels and minimum flow requirements necessary
28 for the maintenance of fish and wildlife habitat and water
29 quality;

30 D. The water levels necessary to prevent excessive erosion
31 of shorelines;

32 E. The water levels necessary to accommodate precipitation
33 and runoff of waters;

34 F. The water levels necessary to maintain public and
35 private water supplies;

36 G. The water levels and flows necessary for any ongoing use
37 of the dam to generate or to enhance the downstream
38 generation of hydroelectric or hydromechanical power; and

39 H. The water levels necessary to provide flows from any dam
40 on the body of water to maintain public access and use, fish
41 propagation and fish passage facilities, fish and wildlife
42 habitat and water quality downstream of the body of water.
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2 4. Order. Based on the evidence solicited at the hearing,
3 the municipal reviewing authority shall make written findings and
4 issue an order to the owner, lessee or person in control of the
5 dam establishing a water level regime for the body of water
6 impounded by the dam and, if applicable, minimum flow
7 requirements for the dam. The order must, to the extent
8 practical, require the maintenance of a stable water level, but
9 must include provisions for variations in water level to permit
10 sufficient drawdown of the body of water to accommodate
11 precipitation and runoff of surface waters and minimum flow
12 requirements, and to otherwise permit seasonal and other
13 necessary fluctuations in the water level in order to protect
14 public health, safety and welfare and the public and private
15 resources identified in subsection 3. The municipal reviewing
16 authority shall deliver a copy of the order to the municipal
17 officers of any municipality in which the dam or the body of
18 water it impounds is located, to any petitioner who has
19 petitioned for a hearing with respect to the body of water and to
20 the owner, lessee or person in control of the dam. The municipal
21 reviewing authority shall also file a copy of the order in the
22 registry of deeds in the county in which the dam is located.

23 §4457. Compliance

24
25 1. Prohibition. After issuance of an order under section
26 4456, subsection 4, establishing a water level regime and, if
27 applicable, minimum flow requirements for any body of water, no
28 owner, lessee or person in control of any dam impounding the body
29 of water, nor any subsequent transferee, may operate or maintain
30 the dam or cause or permit the dam to be operated or maintained
31 in any manner that will cause the level of water to be higher or
32 lower than that permitted by the order of the municipal reviewing
33 authority or to otherwise violate the terms of the order.

34
35 2. Exception. No owner lessee or person in control of a
36 dam violates subsection 1, if, what would otherwise constitute a
37 violation is:

38 A. Caused by meteorological conditions;

39 B. A result of unforeseeable operating failures of the dam
40 or any associated equipment;

41 C. By valid order of federal, state or local authorities; or

42 D. Caused by a fluctuation that was not avoidable by
43 promptly undertaking all reasonably available steps to
44 regulate water flow through or over any dam under the
45 person's control.

46
47 The burden of proof is on the owner, lessee or person in control
48 of the dam to demonstrate the applicability of this subsection.
49
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51
52

2 3. Enforcement. The Attorney General, the municipality, or
4 any littoral or riparian proprietor may institute proceedings to
5 enjoin a violation of this subchapter. A municipality may
6 enforce any order issued under this subchapter in accordance with
7 section 4452 and by any other appropriate remedy, including, but
8 not limited to, entering the dam premises to carry out the terms
9 of the order. Any person who operates or maintains a dam or
10 causes or permits a dam to be operated or maintained in any
11 manner that violates the terms of any order issued under this
12 subchapter is liable for the penalties set forth in section 4452.

13 **§4458. Construction; immunity**

14 1. Other laws. Except as specifically provided in this
15 subchapter, this subchapter may not be construed as relieving any
16 person from duties, responsibilities or liabilities imposed by
17 another law, rule or municipal ordinance.

18 2. Rights of others. Except as specifically provided in
19 this subchapter, nothing in this subchapter may be construed as
20 denying any person any rights that person may have under any
21 other law, rule or municipal ordinance.

22 3. Other powers. This subchapter may not be construed as
23 limiting the powers of the Maine Emergency Management Agency
24 under Title 37-B, sections 1051 to 1059.

25 4. Immunity. Action may not be brought against a
26 municipality or its agents or employees for the recovery of
27 damages caused by any order of the municipality, by the partial
28 or total failure of any dam or by the operation of any dam on the
29 grounds that the municipality or its agents or employees are
30 liable by virtue of any order of the municipality.

31 **Sec. E-145. 30-A MRSA §4722, sub-§1, ¶T,** as amended by PL
32 1989, c. 581, §7, is further amended to read:

33 T. Approve or disapprove, in accordance with rules adopted
34 under the Maine Administrative Procedure Act, Title 5,
35 chapter 375, a project which is multi-family or
36 single-family residential property, when authorized or
37 required by Title 10, chapter 110, subchapter IV; and

38 **Sec. E-146. 30-A MRSA §4722, sub-§1, ¶U,** as enacted by PL
39 1989, c. 581, §8, is amended to read:

40 U. Consult with the Maine Affordable Housing Alliance,
41 established in Title 5, chapter 383, subchapter VII, and the
42 Interagency Task Force on Homelessness and Housing
43 Opportunities, as defined in chapter 202, section 5002,
44 subsection 9, with respect to the implementation of housing

2 programs to make the best use of resources and make the
3 greatest impact on the affordable housing crisis.;

4 **Sec. E-147. 30-A MRSA §4722, sub-§1, ¶¶V to X** are enacted to
5 read:

6 V. Administer energy conservation programs;

7
8 W. Obtain, distribute and administer federal and state
9 funds, including block grants for energy conservation; and

10
11 X. Advise the Governor and other officials of State
12 Government on matters relating to energy conservation.

13
14 **Sec. E-148. 35-A MRSA c. 17** is repealed.

15
16 **Sec. E-149. 35-A MRSA §116, sub-§8,** as repealed and replaced
17 by PL 1989, c. 875, Pt. E, §45, is amended to read:

18
19 **8. Public utilities assessment.** Every utility subject to
20 assessment under this section is subject to an additional annual
21 assessment on its intrastate gross operating revenues to produce
22 \$383,000 in revenues for fiscal year 1990-91 and in fiscal year
23 1991-92 and thereafter to produce an amount equal to 80% 40% of
24 the ~~Funds~~ appropriated by the Legislature for operating the
25 ~~Office of~~ Public Advocate Utilities Commission for the preceding
26 year. The revenues produced from this assessment are transferred
27 to the Treasurer of State as undedicated revenue to the General
28 Fund. The assessments charged to utilities under this subsection
29 are deemed just and reasonable operating costs for rate-making
30 purposes. The Public Advocate Utilities Commission shall develop
31 a method of accounting for staff time within the ~~Office of~~
32 Public Advocate Utilities Commission. All professional and support
33 staff shall account for their time in such a way as to identify
34 the percentage of time devoted to public utility regulation and
35 the percentage of time devoted to other duties that may be
36 required by law.

37
38 This assessment is repealed on June 30, 1992.

39
40
41 **Sec. E-150. 36 MRSA §578, sub-§1,** as amended by PL 1989, c.
42 857, §76, is further amended to read:

43
44 **1. Organized areas.** The municipal assessors or chief
45 assessor of a primary assessing area shall adjust the State Tax
46 Assessor's 100% valuation per acre for each forest type of their
47 county by whatever ratio, or percentage of current just value, is
48 then being applied to other property within the municipality to
49 obtain the assessed values. Forest land in the organized areas,
50 subject to taxation under this subchapter, must be taxed at the
51 property tax rate applicable to other property in the
52

2 municipality, which rate is applied to the assessed values so
determined.

4 The State Tax Assessor shall pay any municipal claim found to be
in satisfactory form within 90 days after receipt of the claim.
6 If the sum of all approved claims exceeds funds appropriated for
reimbursement under this subchapter, payments must be prorated so
8 that each eligible municipality receives the same percentage of
its approved reimbursement.

10 In tax years beginning on or after April 1, 1988, the State Tax
12 Assessor shall determine annually the amount of acreage in each
municipality that is classified and taxed in accordance with this
14 subchapter. A municipality actually levying and collecting
municipal property taxes and within whose boundaries this acreage
16 lies is entitled to annual payments from money so appropriated by
the Legislature provided it submits an annual return in
18 accordance with section 383 and it achieves the appropriate
minimum assessment ratio described in section 327.
20 Municipalities disqualified for reimbursement for the 1990
property tax year because of failure to meet either or both of
these requirements may qualify for supplemental reimbursement on
the following terms: The municipality must meet the requirements
for reimbursement under this section for the 1991 property tax
year and the supplemental reimbursement must be added to the 1991
property tax year reimbursement payment and be an amount equal to
1/2 the amount that the municipality would have been entitled to
for reimbursement for the 1990 property tax year except for its
disqualification under this subsection. For the property tax
30 year based on the status of property on April 1, 1988, the per
acre reimbursement amount increases from 15¢ to 24¢. For
32 property tax years based on the status of property on April 1,
1989, or thereafter, the per acre reimbursement is 90% of the per
34 acre tax revenue lost as a result of this subchapter. For
purposes of this section, the tax lost is the tax that would have
36 been assessed, but for this subchapter, on the classified forest
lands if they were assessed according to the undeveloped acreage
38 valuations used in the state valuation then in effect, or
according to the current local valuation on undeveloped acreage,
40 whichever is less, minus the tax that was actually assessed on
the same lands in accordance with this subchapter.

42 No municipality may receive a reimbursement payment under this
44 section that would exceed an amount determined by calculating the
tree growth tax loss less the municipal savings in educational
46 costs attributable to reduced state valuation.

48 A. The tree growth tax loss is the adjusted tax that would
have been assessed, but for this subchapter, on the
50 classified forest lands if they were assessed according to
the undeveloped acreage valuations used in the state
52 valuation then in effect minus the tax that was actually

2 assessed on the same lands in accordance with this
subchapter.

4 In determining the adjusted tax that would have been
6 assessed, the tax rate to be used is computed by adding the
additional school support required by the modified state
8 valuation attributable to the increased valuation of forest
land to the original tax committed and dividing this sum by
10 the modified total municipal valuation. The adjusted tax
rate is then applied to the valuation of forest land based
12 on the undeveloped acreage valuations, adjusted by the
certified ratio, to determine the adjusted tax.

14 B. The municipal savings in educational costs is determined
by multiplying the school subsidy index by the change in
16 state valuation attributable to the use of the valuations
determined in accordance with this subchapter on classified
18 forest lands rather than their valuation using the
undeveloped acreage valuations used in the state valuation
20 then in effect.

22 **Sec. E-151. 36 MRSA §1951**, as amended by PL 1977, c. 679,
§6-A, is repealed.

24 **Sec. E-152. 36 MRSA §1951-A** is enacted to read:

26 **§1951-A. Collection of tax; report to State Tax Assessor**

28 **1. Monthly report and payment.** Every retailer shall file
30 with the State Tax Assessor, on or before the 15th day of each
month, a report made under the pains and penalties of perjury on
32 such form as the State Tax Assessor may prescribe that discloses
the total sale price of all sales made during the preceding
34 calendar month and such other information as the State Tax
Assessor requires. The State Tax Assessor may permit the filing
36 of returns other than monthly. The State Tax Assessor, by rule,
may waive reporting nontaxable sales. Upon application of a
38 retailer, the State Tax Assessor shall issue a classified permit
establishing the percentage of exempt sales. The classified
40 permit may be amended or revoked as to its classification
whenever the State Tax Assessor determines that the percentage of
42 exempt sales is inaccurate. The State Tax Assessor may for good
cause extend for not more than 30 days the time for making
44 returns required under chapters 211 to 225. Every person subject
to the use tax shall file similar reports, at similar dates, and
46 pay the tax or furnish a receipt for the same from a registered
retailer.

48 **2. Estimated payment.** Every retailer that had a tax
50 liability under this Part in excess of \$250,000 for the preceding
calendar year and is required to file a monthly return shall pay
52 over to the State Tax Assessor by the 21st day of each month an

2 amount equal to 66% of the retailer's liability under this Part
3 for the corresponding month in the prior year or 66% of the
4 retailer's liability under this Part for the actual month.
5 Payments made pursuant to this subsection must be credited
6 against tax due with the monthly return. The State Tax Assessor
7 shall prescribe the voucher required to be filed with the
8 payment. If the retailer does not file the required voucher, the
9 amount of the retailer's liability is equal to an amount that is
10 66% of the retailer's liability under this Part for the
11 corresponding month in the prior year.

12 **Sec. E-153. 36 MRS**A §2801, as amended by PL 1989, c. 909, is
13 further amended to read:

14 **§2801. Hospital excise tax**

15 Hospitals shall ~~be~~ are subject to an excise tax for the
16 fiscal year. The rate of tax shall ~~be~~ is .002 of the hospital's
17 financial requirements as determined in Title 22, chapter 107,
18 subchapter III. The State Tax Assessor on or before September
19 30th; December 30th; March 30th; and June 30th, of each fiscal
20 year shall determine the amount of such that tax on each hospital
21 and shall give notice of the amount to the hospital upon which
22 the tax is levied. The amount of tax on each quarterly notice
23 shall ~~be~~ is .002 of the hospital's financial requirements of the
24 most recently completed quarter of the hospital's payment year.

25 ~~This section is repealed June 30, 1992.~~

26 **Sec. E-154. 36 MRS**A §5253, sub-§1, as amended by PL 1989, c.
27 875, Pt. E, §48 and affected by §49, is further amended to read:

28 **1. General.** Every person required to deduct and withhold
29 tax under this Part shall, for each calendar quarter, on or
30 before the 21st day of the month following the close of such the
31 calendar quarter or such other reporting period as the State Tax
32 Assessor may require, file a withholding return as prescribed by
33 the assessor ~~and pay over to the assessor or to a depository~~
34 ~~designated by the assessor, the taxes so required to be deducted~~
35 ~~and withheld~~ State Tax Assessor. The State Tax Assessor may, by
36 ~~rule, require or permit the filing of returns and paying over of~~
37 ~~taxes withheld on other than a quarterly basis. Whenever, for~~
38 federal income tax purposes under the Code, Section 6302 and
39 regulations adopted to that Code, an employer is required to
40 deposit withholding taxes on an eighth-month period, the employer
41 shall pay over the amount required to be withheld by this Part to
42 the State Tax Assessor within 3 days of the last day of each
43 month for which the amount equals or exceeds \$3,000 or within 3
44 days of the end of any other eighth-month period for which the
45 amount required to be withheld by this Part but not yet paid over
46 during the month equals or exceeds \$3,000. All other persons

2 shall pay over to the State Tax Assessor taxes required to be
3 withheld by this Part at the time they are required to file a
4 withholding return. The State Tax Assessor shall prescribe the
5 voucher required to be filed with the payment.

6 **Sec. E-155. Application.** That section of this Part that amends
7 the Maine Revised Statutes, Title 36, section 5253, subsection 1,
8 applies to taxes required to be withheld on or after May 1, 1991.

10 **Sec. E-156. 38 MRSA §438-A, sub-§1,** as enacted by PL 1987, c.
11 815, §§5 and 11, is amended to read:

12
13 **1. Land use guidelines.** In accordance with Title 5,
14 chapter 375, subchapter II, the Board of Environmental Protection
15 shall adopt, and from time to time shall update and amend,
16 minimum guidelines for municipal zoning and land use controls
17 which that are designed to carry out the legislative purposes
18 described in section 435 and the provisions of this article.
19 These minimum guidelines shall must include provisions governing
20 building and structure size, setback and location, establishment
21 of resource protection, general development, limited residential,
22 commercial fisheries and maritime activities' zones and other
23 zones. Within each zone, the board shall prescribe uses which
24 that may be allowed with or without conditions and shall
25 establish criteria for the issuance of permits and nonconforming
26 uses, land use standards and administrative and enforcement
27 procedures. ~~The board shall comprehensively review and update~~
28 ~~its guidelines and shall reevaluate and update the guidelines at~~
29 ~~least once every 4 years.~~

30
31 **Sec. E-157. 38 MRSA §438-A, sub-§2,** as affected by PL 1989, c.
32 890, Pt. A, §40 and amended by Pt. B, §44, is further amended to
33 read:

34
35 **2. Municipal ordinances.** In accordance with a schedule
36 ~~adopted by the board and acting in accordance with a~~ local
37 ~~comprehensive plan, municipalities shall prepare and submit to~~
38 ~~the commissioner~~ adopt zoning and land use ordinances that are
39 consistent with or are no less stringent than the minimum
40 guidelines adopted by the board as guidelines for municipal
41 shoreland zoning ordinances effective March 24, 1990 and, for
42 coastal communities, which guidelines that address the coastal
43 management policies cited in section 1801. ~~When a municipality~~
44 ~~determines that special local conditions within portions of the~~
45 ~~shoreland zone require a different set of standards from those in~~
46 ~~the minimum guidelines, the municipality shall document the~~
47 ~~special conditions and submit them, together with its proposed~~
48 ~~ordinance provisions, to the commissioner for review and approval.~~

50 **Sec. E-158. 38 MRSA §438-A, sub-§3,** as affected by PL 1989, c.
890, Pt. A, §40 and amended by Pt. B, §44, is repealed.

2 **Sec. E-159. 38 MRSA §438-A, sub-§4**, as affected by PL 1989, c.
390, Pt. A, §40 and repealed and replaced by Pt. B, §45, is
4 repealed.

6 **Sec. E-160. 38 MRSA §438-A, sub-§5**, as affected by PL 1989, c.
890, Pt. A and amended by Pt. B, §46, is further amended to read:

8
10 **5. Exemptions.** Any areas within a municipality that are
11 subject to nonmunicipal zoning and land use controls may be
12 exempted from the operation of this section ~~upon a finding by the~~
~~commissioner~~ provided that the purposes of this chapter have been
14 accomplished by nonmunicipal measures.

16 **Sec. E-161. 38 MRSA §438-A, sub-§6**, as affected by PL 1989, c.
890, Pt. A, §40 and amended by Pt. B, §46, is repealed.

18 **Sec. E-162. 38 MRSA §439-A, sub-§4**, as amended by PL 1989, c.
403, §8, is further amended to read:

20 **4. Setback requirements.** Notwithstanding any provision in
22 a local ordinance to the contrary, all new principal and
23 accessory structures and substantial expansions of such
24 structures within the shoreland zone as established by section
25 435 shall must meet the water setback requirements ~~approved by~~
~~the board~~ contained in the guideline ordinance, except structures
26 which that require direct access to the water as an operational
27 necessity, such as piers, docks and retaining walls. For
28 purposes of this subsection, a substantial expansion of a
29 building shall ~~be~~ is an expansion which that increases either the
30 volume or floor area by 30% or more. This subsection is not
31 intended to prohibit a municipal board of appeals from granting a
32 variance, subject to the requirements of this article and Title
33 30-A, section 4353, nor is it intended to prohibit a less than
34 substantial expansion of a legally existing nonconforming
35 structure, provided that the expansion does not create further
36 nonconformity with the water setback requirement.

38 **Sec. E-163. 38 MRSA §439-A, sub-§5**, as amended by PL 1989, c.
40 803, §1; c. 838, §2; and c. 878, Pt. G, §7, is repealed and the
41 following enacted in its place:

42 **5. Timber harvesting.** Municipal ordinances regulate timber
43 harvesting within the shoreland area, except surrounding existing
44 forested wetlands that are not zoned for resource protection.
45 Notwithstanding any provision in a local ordinance to the
46 contrary, standards for timber harvesting activities may not be
47 less restrictive than the following:

50 A. Selective cutting of no more than 40% of the trees 4
inches or more in diameter, measured at 4 1/2 feet above

2 ground level, in any 10-year period, provided that a
3 well-distributed stand of trees and other natural vegetation
4 remains;

5 B. Within a shoreland area zoned for resource protection
6 abutting a great pond, there may be no timber harvesting
7 within the strip of land extending 75 feet inland from the
8 normal high-water line except to remove safety hazards; and

9 C. Any site within a shoreland area zoned for resource
10 protection abutting a great pond, beyond the 75-foot strip
11 restricted in paragraph B, where timber is harvested must be
12 reforested within 2 growing seasons after the completion of
13 the harvest, according to standards contained in the
14 guideline ordinance.

15 The board may adopt more restrictive guidelines consistent with
16 this subchapter that must then be incorporated into local
17 ordinances.

18 **Sec. E-164. 38 MRS §441, sub-§3, ¶C,** as amended by PL 1989,
19 c. 403, §11, is further amended to read:

20 C. Keep a complete record of all essential transactions of
21 the office, including applications submitted, permits
22 granted or denied, variances granted or denied, revocation
23 actions, revocation of permits, appeals, court actions,
24 violations investigated, violations found and fees
25 collected. ~~On an annual basis, a summary of this record~~
26 ~~shall be submitted to the Director of the Bureau of Land~~
27 ~~Quality Control within the Department of Environmental~~
28 ~~Protection; and~~

29 **Sec. E-165. 38 MRS §443-A,** as affected by PL 1989, c. 890,
30 Pt. A, §40 and amended by Pt. B, §48, is further amended to read:

31 **§443-A. Enforcement**

32 ~~1. Consultation with state agencies. All agencies of State~~
33 ~~Government shall cooperate to accomplish the objectives of this~~
34 ~~article. To that end, the commissioner shall consult with the~~
35 ~~governing bodies of municipalities and with other state agencies~~
36 ~~to achieve the purposes of this article, and shall extend to~~
37 ~~municipalities all possible technical and other assistance for~~
38 ~~that purpose.~~

39 **2. Legal actions.** In any legal action in which the
40 pleadings challenge the validity or legality of any ordinance
41 adopted pursuant to this article, the Attorney General shall be
42 made a party until removed by the Attorney General's consent.

2 **3. Remedies.** Any municipality which that fails to adopt,
3 administer or enforce zoning and land use ordinances as required
4 under this article shall be subject to the enforcement
5 procedures, equitable remedies and civil penalties set forth in
6 sections 347 347-A to 349.

7 **4. Penalties.** Any person who orders or conducts any
8 activity in violation of a municipal ordinance adopted under this
9 chapter is penalized in accordance with Title 30-A, section 4452.

10 **5. Authority.** The Attorney General, a district attorney or
11 a municipal officer, or their designees, may enforce ordinances
12 adopted under this chapter.

13 **6. Installation of public utilities.** A public utility,
14 water district, sanitary district or any utility company of any
15 kind may not install services to any new structure located in a
16 shoreland area, as defined by section 435, unless written
17 authorization attesting to the validity and currency of all local
18 permits required under this chapter has been issued by the
19 appropriate municipal officials. Following installation of
20 service, the company or district shall forward the written
21 authorization to the municipal officials indicating that
22 installation has been completed.

23 **Sec. E-166. 38 MRSA §444,** as amended by PL 1989, c. 403, §12,
24 is repealed.

25 **Sec. E-167. 38 MRSA §446,** as amended by PL 1989, c. 403, §14,
26 is further amended to read:

27 **§446. Municipal ordinance review and certification**

28 Each municipality with shorelands along significant river
29 segments, as identified in section 437, shall review the adequacy
30 of the zoning on these shorelands to protect the special values
31 cited for these river segments by the Department of
32 Conservation's 1982 Maine Rivers Study and for consistency with
33 the guidelines established under section 445. ~~Prior to December~~
34 ~~15, 1984, each such municipality shall certify to the Board of~~
35 ~~Environmental Protection either that its existing zoning for~~
36 ~~these areas is at least as restrictive as the guidelines~~
37 ~~established under section 445, or that it has amended its zoning~~
38 ~~for this purpose. This certification shall be accompanied by the~~
39 ~~ordinances and zoning maps covering these areas. Failure to~~
40 ~~accomplish the purposes of this subsection shall result in~~
41 ~~adoption of suitable ordinances for these municipalities, as~~
42 ~~provided for in section 438-A.~~

43 **Sec. E-168. 38 MRSA §449,** as affected by PL 1989, c. 890, Pt.
44 A, §40 and amended by Pt. B, §49, is repealed.

2 **Sec. E-169. 38 MRSA c. 5, sub-c. I, art. 3-A,** as amended, is
repealed.

4 **Sec. E-170. 38 MRSA §2122, sub-§1,** as enacted by PL 1989, c.
585, Pt. A, §7, is amended to read:

6
7 **1. Consultation.** In developing the plan, the office shall
8 consult with ~~the--Bureau--of--Solid--Waste--Management--in~~ the
Department of Environmental Protection, the Office of Siting and
10 Disposal Operations and the Office of Waste Reduction and
Recycling, and shall submit its draft plan to that department and
12 these offices for review and written comment before the agency
publishes the plan as a proposed rule. The office shall solicit
14 public input and shall hold hearings in different regions of the
State. The office shall also seek comment and advice on its
16 draft plan from the Waste Management Advisory Council established
under section 2104.

18
19 **Sec. E-171. PL 1989, c. 875, Pt. A,** under the caption "**HUMAN**
20 **SERVICES, DEPARTMENT OF,**" in that part relating to Medical Care -
Payments to Providers, in the paragraph following that part designated
22 "**All Other,**" in the first sentence is amended to read:

24 Provides for the
deappropriation of funds from
26 a reduction, or elimination,
or both, of selected Medicaid
28 services ~~but---excluding~~
~~chiropractic,--pediatry--and~~
30 ~~hospice-services.~~

32 **Sec. E-172. Resolve 1989, c. 99** is repealed.

34 **Sec. E-173. Transfer of funds.** Notwithstanding the Maine
36 Revised Statutes, Title 39, section 57, subsection 6, \$375,738 is
authorized to be transferred from the Second Injury Fund of the
38 Employment Rehabilitation Fund account of the Workers'
Compensation Commission to General Fund undedicated revenues by
40 June 30, 1991.

42 **Sec. E-174. Transfer of funds.** Notwithstanding the Maine
Revised Statutes, Title 22, section 391, subsections 1 to 6,
44 \$18,338 is authorized to be transferred from the Health Care
Finance Commission Fund account of the Maine Health Care Finance
46 Commission to General Fund undedicated revenues by June 30, 1991.

48 **Sec. E-175. Transition provision.** All water level orders of the
State Soil and Water Conservation Commission or the Commissioner
50 of Agriculture, Food and Rural Resources under the Maine Revised
Statutes, Title 12, former section 304, and all

2 water level orders of the Board of Environmental Protection
3 issued under Title 38, former section 840, continue in effect
4 until rescinded or amended by order of a municipal reviewing
5 authority issued in accordance with Title 30-A, sections 4454 to
6 4458. The Attorney General, any municipality in which the dam or
7 the body of water impounded by the dam is located or any littoral
8 or riparian proprietor may institute proceedings to enjoin a
9 violation of any provision of these orders.

10 **Sec. E-176. Transition provision.** Notwithstanding the Maine
11 Revised Statutes, Title 5, sections 1728-A to 1736, or any other
12 provision of law, the Commissioner of Administration is
13 authorized to transfer from the reserve fund for self-insured
14 retention losses to the General Fund \$2,000,000 by June 30, 1991
15 to ensure the prompt payment of workers' compensation claims by
16 state agencies supported by the General Fund, as required by law.

17 **Sec. E-177. Transfer of funds.** General Fund repayment of the
18 \$2,000,000 transfer to the General Fund authorized in this Act
19 from the reserve fund for self-insured retention losses must be
20 made by June 30, 1993 at an interest rate of 5% per annum
21 calculated on the unpaid balance.

22 **Sec. E-178. Funding for Bureau of State Police.** Notwithstanding
23 Public Law 1987, chapter 793, Part B, section 4, the Legislature
24 determines that, for fiscal year 1990-91 only, funding for the
25 Department of Public Safety, Bureau of State Police must be
26 provided as follows: Seventy-five percent must be allocated from
27 the Highway Fund and 25% must be appropriated from the General
28 Fund.

29 **Sec. E-179. Tax Anticipation Note Debt Service Account**
30 **established.** The Tax Anticipation Note Debt Service Account is
31 established for the purpose of meeting the State's obligation
32 including issuance costs as a result of any tax anticipation
33 notes that may be issued to meet expenditures already incurred by
34 State Government during fiscal year 1990-91. Any earnings in
35 excess of those needed to service this debt must be transferred
36 to the General Fund by June 30, 1991.

37 **Sec. E-180. Transfer.** The Department of Transportation shall
38 transfer \$10,000,000 from the Highway Fund to the General Fund by
39 June 30, 1991 as repayment of a portion of the \$13,200,000
40 appropriated from the Maine Rainy Day Fund in Public Law 1987,
41 chapter 793.

42 **Sec. E-181. Rules for appointment of counsel.** The Judicial
43 Department shall adopt rules concerning appointment of counsel in
44 Class D and Class E cases. The rules must provide that
45 appointment of counsel is not authorized when the court
46 determines that an alleged offense does not warrant incarceration
47 or a fine of more than \$500.

2 Total (\$11,500,000)

4 Provides for the deappropriation of funds
6 created by temporary layoffs.

8 The State Budget Officer shall calculate the amount that
10 applies against each General Fund account for all departments and
12 agencies not within the Judicial Department or Legislative
14 Department based on the Personal Services appropriations to those
16 accounts.

18 The State Budget Officer shall cause the calculated amount
to be transferred from each account.

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

18

2 FISCAL NOTE

4 APPROPRIATIONS AND ALLOCATIONS

6 1990-91

8	General Fund Appropriations	
10	PART A, Section A-1	(36,621,266)
12	PART B	41,378,032
14	PART C, Section C-1	410,801
16	PART D, Section D-1	(410,801)
18	PART E, Section E-182	(5,000,000)
	Section E-184	(11,500,000)
20	Section E-2 and E-34	(42,500,000)
22	GENERAL FUND TOTAL	<hr/> (54,243,234)
24	Federal Expenditures	
26	PART A, Section A-2	(2,240,816)
28	PART B, Section B-2	267,393
30	PART C, Section C-3	96,215
32	FEDERAL EXPENDITURES TOTAL	<hr/> (1,877,208)
34	Other Special Revenue	
36	PART A, Section A-3	47,083
38	PART B, Section B-3	1,001,743
40	PART C, Section C-4	151,494
42	OTHER SPECIAL REVENUE TOTAL	<hr/> 4,965,234
44	Federal Block Grant Fund	
46	PART A, Section A-4	(18,522)
48	PART B, Section B-4	7,827
50	PART C, Section C-5	0
52	FEDERAL BLOCK GRANT FUND TOTAL	<hr/> (10,695)

2	Alcoholic Beverages Fund	
4	PART A, Section A-5	(48,702)
6	ALCOHOLIC BEVERAGES FUND TOTAL	<u>(48,702)</u>
8	Lottery Fund	
10	PART A, Section A-6	(137,000)
12	LOTTERY FUND TOTAL	<u>(137,000)</u>
14	Highway Fund	
16	PART C, Section C-2	24,076
18	PART E, Section E-133	5,000,000
20	HIGHWAY FUND TOTAL	<u>5,024,076</u>
22	UNDEDICATED GENERAL FUND REVENUE	
24		1990-91
26	PART A	
28	Section A-1	72,494
30	Section A-5. Transfer from the Alcoholic Beverages Fund	111,702
32	Section A-6. Transfer from the Lottery Fund	137,000
34	PART B	
36	Section B-1	238,000
38	PART E	
40	Section E-173	375,738
42	Section E-174	18,338
44	Section E-176	2,000,000
46	Section E-154	10,708,265
48	Section E-152	10,338,206
50	Section E-35	1,600,000
52	Section E-180	10,000,000
	LOCAL GOVERNMENT FUND REVENUE	
	PART E	

2	Section E-154	575,470
	Section E-152	555,584
4		
6	HIGHWAY FUND UNDEDICATED REVENUE	
	PART E	
8		
10	Section E-183	5,000,000
12	CHANGE IN GENERAL FUND UNRESTRICTED FUND BALANCE	
14	PART E	
16	Section E-38	17,000,000

2 STATEMENT OF FACT

4 This bill does the following:
6

8 PART A

10 Sec. 1. Makes appropriations from the General Fund representing
12 reduction proposals.

14 Sec. 2. Makes allocations from Federal Expenditures to support
16 the General Fund reduction proposals.

18 Sec. 3. Makes allocations from the Other Special Revenue to
20 support the General Fund reduction proposals.

22 Sec. 4. Makes allocations from the Federal Block Grant funds to
24 support the General Fund reduction proposals.

26 Sec. 5. Makes allocations from the State Alcoholic Beverages
28 Fund to support the General Fund reduction proposals.

30 Sec. 6. Makes allocations from the State Lottery Fund to
32 support the General Fund reduction proposals.

34 PART B

36 Sec. 1. Makes appropriations from the General Fund.

38 Sec. 2. Makes allocations from the Federal Expenditures.

40 Sec. 3. Makes allocations from the Other Special Revenue.

42 Sec. 4. Makes allocations from the Federal Block Grant funds.

44 PART C

46 Sec. 1. Makes appropriations from the General Fund for approved
48 reclassifications and range changes.

50 Sec. 2. Makes allocations from the Highway Fund for approved
52 reclassifications and range changes.

Sec. 3. Makes allocations from the Federal Expenditures for
approved reclassifications and range changes.

Sec. 4. Makes allocations from the Other Special Revenue for
approved reclassifications and range changes.

- 2 Sec. 38. Removes the authorization for the Reserve for General
 Fund Operating Capital.
- 4
- 6 Sec. 39. Removes certain powers and duties of the State Planning
 Office.
- 8 Sec. 40. Transfers responsibility for energy resources from the
 Department of Economic and Community Development to the
10 State Planning Office.
- 12 Sec. 41. through
14 Sec. 44. Remove responsibility for energy conservation and food
 assistance from the Division of Community Service in
 the Executive Department.
- 16
- 18 Sec. 45. Eliminates the Maine Health Policy Advisory Council.
- 20 Sec. 46. Eliminates the Maine Human Development Commission.
- 22 Sec. 47. Eliminates the Maine Committee on Aging.
- 24 Sec. 48. Repeals the energy resources program now located in the
 Department of Economic and Community Development.
- 26 Sec. 49. through
28 Sec. 51. Provide for the refinancing of payments to the Maine
 State Retirement System to include teachers, state
30 employees, other than those covered by the Highway
 Fund, and members of the Legislative and Judicial
 Retirement System.
- 32
- 34 Sec. 52. Repeals the Maine Health Policy Advisory Council.
- 36 Sec. 53. Assigns responsibility to the Department of
 Agriculture, Food and Rural Resources for food
 assistance.
- 38
- 40 Sec. 54. Reduces juror payments from \$20 to \$10 per day.
- 42 Sec. 55. through
44 Sec. 58. Transfer the prosecutorial witness fees and arraignment
 officer costs to county and municipal governments.
- 46 Sec. 59. and
48 Sec. 60. Allow judicial discretion in the imposition for
 sentences of imprisonment or fines for Class D first
 offenses.
- 50 Sec. 61. through
52 Sec. 63. Curtail the court mediation program.

2 Sec. 64. through
3 Sec. 67. Increase copayments of beneficiaries of the elderly
4 low-cost drug program.
5
6 Sec. 68. Repeals the Hospital Uncompensated Care and
7 Governmental Payment Shortfall Fund.
8
9 Sec. 69. and
10 Sec. 70. Amend current law regarding the compensation for
11 nursing homes.
12
13 Sec. 71. Enacts replacement law regarding the compensation for
14 nursing homes.
15
16 Sec. 72. and
17 Sec. 73. Amend the Health Occupations Training Program.
18
19 Sec. 74. Eliminates medicaid benefits for the medically needy.
20
21 Sec. 75. Amends the law specifying departmental powers and
22 duties concerning medicaid by using current federal
23 terminology.
24
25 Sec. 76. and
26 Sec. 77. Amend the law concerning prescription copayments by
27 Medicaid recipients.
28
29 Sec. 78. and
30 Sec. 79. Eliminate medicaid benefits for the medically needy.
31
32 Sec. 80. and
33 Sec. 81. Repeal Medicaid coverage of adult dental services.
34
35 Sec. 82. Amends the laws concerning Medicaid coverage of
36 services provided in nursing homes for the mentally
37 retarded.
38
39 Sec. 83. Amends the laws concerning Medicaid coverage of
40 services for individuals residing in intermediate care
41 facilities for the mentally retarded.
42
43 Sec. 84. through
44 Sec. 87. Amend and repeal the Maine Health Program.
45
46 Sec. 88. Repeals Community Health Program grants.
47
48 Sec. 89. Repeals the Hospital Uncompensated Care and
49 Governmental Payment Shortfall Fund.
50
51 Sec. 90. and
52 Sec. 91. Make changes to the state supplemental income for
 blind, disabled and elderly people.

2 Sec. 92. through
4 Sec. 108. Make changes to the Aid to Dependent Children and
 Additional Support for People in Retraining and
6 Education programs.
8 Sec. 109. through
10 Sec. 131. Amend the law governing the municipal general
 assistance program.
12 Sec. 132. Eliminates the Maine Committee on Aging.
14 Sec. 133. through
16 Sec. 135. Authorize the Maine Turnpike Authority to transfer an
 additional amount of \$5,000,000 to the Department of
18 Transportation as an advance on the \$8,700,000 due in
 state fiscal year 1991-92.
20 Sec. 136. through
22 Sec. 138. Amend the Health Occupations Training Project.
24 Sec. 139. and
 Sec. 140. Allow the State Liquor Commission to locate more than
 one agency liquor store in a town not served by a state
26 liquor store.
28 Sec. 141. through
30 Sec. 144. Allow municipal regulation of water levels and flows
 for impoundments.
32 Sec. 145. through
34 Sec. 147. Assign responsibility to the Maine State Housing
 Authority for energy conservation.
36 Sec. 148. Eliminates the Public Advocate.
38 Sec. 149. Changes the Public Advocate assessment to the public
 utilities assessment.
40 Sec. 150. Allows municipalities that are disqualified for
42 reimbursement for taxes lost due to the classification
 of forest land under the tree growth tax law to recoup
44 a portion of their loss.
46 Sec. 151. and
48 Sec. 152. Require businesses with annual collections of sales and
 use taxes in excess of \$250,000 to make more timely
50 payments of tax collections.
52 Sec. 153. Amends the hospital assessments used to fund state
 programs.

2 Sec. 154. and
3 Sec. 155. Require more timely payments of tax withholdings by
4 employers.
5
6 Sec. 156. through
7 Sec. 168. Remove state oversight of the Mandatory Shoreland
8 Zoning Program.
9
10 Sec. 169. Repeals provisions of the Maine Dam Registration,
11 Abandonment and Water Level Act.
12
13 Sec. 170. Deletes the reference to the Bureau of Solid Waste
14 Management in the Maine Revised Statutes, Title 38,
15 section 2122, subsection 1.
16
17 Sec. 171. Amends Public Law 1989, chapter 875, section 1.
18
19 Sec. 172. Removes the requirement for the Department of Human
20 Services to establish a Model Coordinated Response
21 System for Child Abuse Referrals in Penobscot and
22 Piscataquis Counties.
23
24 Sec. 173. Transfers revenue to the General Fund from the Workers'
25 Compensation Commission Second Injury Fund.
26
27 Sec. 174. Transfers revenue to the General Fund from the Maine
28 Health Care Finance Commission's Health Care Finance
29 Commission Fund.
30
31 Sec. 175. Provides for transition provisions concerning municipal
32 regulation of the water level and flow rates for
33 impoundments.
34
35 Sec. 176. Authorizes \$2,000,000 to the General Fund from the
36 Reserve Fund for self-insured retention losses in
37 fiscal year 1990-91.
38
39 Sec. 177. Requires General Fund repayment of the \$2,000,000
40 transfer from the Reserve Fund for self-insured
41 retention losses with accrued interest by June 30, 1993.
42
43 Sec. 178. Establishes the fiscal year 1990-91 funding for the
44 Bureau of State Police at 75% Highway Fund and 25%
45 General Fund.
46
47 Sec. 179. Establishes a Tax Anticipation Note Debt Service
48 Account.
49
50 Sec. 180. Requires a repayment from the Highway Fund to the
51 General Fund of a \$10,000,000 appropriation from the
52 Maine Rainy Day Fund.

2 Sec. 181. Discontinues the appointment of counsel for certain
 Class D and E cases.

4 Sec. 182. and

6 Sec. 183. Deappropriate from the General Fund and allocate from
 the Highway Fund in fiscal year 1990-91 to reflect to
 established funding ratio.

8

10 Sec. 184. Provides for the deappropriation of \$11,500,000 from
 the General Fund in connection with the temporary
12 layoff of state employees and a modified pay period
 plan for State Government.