

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 275

H.P. 193

House of Representatives, February 1, 1991

Reported by the Minority from the Committee on Appropriations and Financial Affairs  
pursuant to Joint Order H.P. 51 and printed under Joint Rule 2.

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

EDWIN H. PERT, Clerk

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STATE OF MAINE

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

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**An Act to Make 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.**

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(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	(\$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  
following positions: 2 Senior Personnel  
4 Analyst positions; 2 Clerk Typist II  
positions; one Human Resources Development  
6 Assistant position; an Accountant I  
position; and a Staff Development position.

8 **Buildings and Grounds Operations**

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

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

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

28 Capital Expenditures (\$668,266)

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

34 **Information Services**

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

40 TOTAL (\$58,625)

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

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

52 Positions - Legislative Count (-7.0)

2 Personal Services (\$18,000)

4 Provides for the deappropriation of funds

6 from the elimination of one Administrative

8 Assistant position, one Planning and

10 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**

14 **and Environmental Services**

16 Positions - Legislative Count (-2.0)

16 Personal Services (\$48,449)

18 Provides for the deappropriation of funds

20 from the elimination of a vacant Asbestos

22 Project Manager position and a vacant

Assistant Engineer position.

22 **Bureau of Purchases**

24 Positions - Legislative Count (-6.0)

26 Personal Services (\$34,959)

28 All Other (2,634)

30 TOTAL (\$37,593)

32 Provides for the deappropriation of funds

34 from the elimination of a vacant Assistant

36 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** (\$980,231)

42 **SERVICES, MAINE ADVOCACY**

44 **Maine Advocacy Services**

46 All Other (\$9,437)

48 Provides for the deappropriation of funds

50 from reductions in the Client Assistance

52 Program services and the termination of the

Information and Referral Program.

2	<b>MAINE ADVOCACY SERVICES</b>	
	<b>TOTAL</b>	<u>(\$9,437)</u>
4	<b>AGING, MAINE COMMITTEE ON</b>	
6	<b>Maine Committee on Aging</b>	
8	Positions - Legislative Count	(-0.5)
	Personal Services	(\$12,000)
10	All Other	(7,245)
12	Provides for the deappropriation of funds	
14	for 1/2 of an Advocate position. This	
	funding will be allocated from Federal	
	Expenditures.	
16		
18	<b>MAINE COMMITTEE ON AGING</b>	
	<b>TOTAL</b>	<u>(\$19,245)</u>
20	<b>AGRICULTURE, FOOD AND RURAL RESOURCES,</b>	
22	<b>DEPARTMENT OF</b>	
	<b>Administration - Agriculture</b>	
24	Positions - Legislative Count	(-2.5)
26	Personal Services	(\$20,143)
	All Other	(7,200)
28	Capital Expenditures	(2,000)
30	<b>TOTAL</b>	<u>(\$29,343)</u>
32	Provides for the deappropriation of funds	
34	from the elimination of 2 Clerk Stenographer	
	III positions and a part-time Planning and	
36	Research Assistant position, downgrading a	
	Deputy Commissioner position to an Assistant	
38	to the Commissioner position for resource	
	management and related expenses.	
40	<b>Agricultural Production</b>	
42	Positions - Legislative Count	(-2.0)
	Personal Services	(\$33,640)
44	All Other	(11,803)
	Capital Expenditures	(11,000)
46	<b>TOTAL</b>	<u>(\$56,443)</u>
48		
50	Provides for the deappropriation of funds	
	from the elimination of one Assistant	
52	Horticulturist position, transferring one	
	Clerk Typist II position, to a dedicated	

2 revenue account, reductions in support  
3 services and the delay in the purchase of  
4 one vehicle.

#### 6 **Agricultural and Rural Resource Development**

7	Positions - Legislative Count	(-2.0)
8	Personal Services	(\$47,263)
9	All Other	(25,807)
10	Capital Expenditures	(720)
11		
12	TOTAL	<hr/> (\$73,790)

13 Provides for the deappropriation of funds  
14 from the elimination of a Bureau Director  
15 position, an Agricultural Internship and  
16 Training Coordinator position and related  
17 expenses resulting from the elimination of  
18 the Farm Internship Program.

#### 20 **Public Service - Agriculture**

21	Positions - Legislative Count	(-3.0)
22	Personal Services	(\$47,814)
23	All Other	(9,888)
24	Capital Expenditures	(1,278)
25		
26	TOTAL	<hr/> (\$58,980)

27 Provides for the deappropriation of funds  
28 from the elimination of a Weights and  
29 Measures Inspector position, 2 Inspector  
30 Seed, Feed and Fertilizer positions and  
31 related expenses.

#### 32 **Harness Racing Commission**

33	Capital Expenditures	(\$2,400)
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34 Provides for the deappropriation of funds  
35 from the delay in the purchases of video  
36 equipment.

#### 37 **Marketing Services - Agriculture**

38	Positions - Legislative Count	(-5.0)
39	Personal Services	(\$113,420)
40	All Other	(19,338)
41	Capital Expenditures	(665)
42		
43	TOTAL	<hr/> (\$133,423)

52

2 Provides for the deappropriation of funds  
3 from the elimination of a Bureau Director  
4 position, a Director of Marketing  
5 Development position, a Clerk Typist II  
6 position, a Produce Inspector III position,  
7 transferring an Assistant to the  
8 Commissioner position to a dedicated revenue  
9 account, and related expenses resulting from  
10 the reorganization of the bureau.

10 **Seed Potato Board**

12 Positions - Legislative Count (-1.0)  
14 Personal Services (\$14,097)

16 Provides for the deappropriation of funds  
17 from the transfer of a Clerk Stenographer  
18 III position to the enterprise account.

20 **Soil and Water Conservation Commission**

22 Positions - Legislative Count (-1.0)  
23 Personal Services (\$26,020)  
24 All Other (2,269)

26 TOTAL (\$28,289)

28 Provides for the deappropriation of funds  
29 from the elimination of an Executive  
30 Director position and related expenses.

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

34 TOTAL (\$396,765)

36 **BOARD, ANIMAL WELFARE**

38 **Animal Welfare**

40 Personal Services (\$7,600)  
41 All Other (5,700)

42 Provides for the deappropriation of funds  
43 from reductions in personal services and  
44 general operating expenses.

46 **ANIMAL WELFARE BOARD**

48 TOTAL (\$13,300)

50 **COMMISSION, MAINE ARTS**

52 **Arts - Administration**



2	Personal Services	(\$44,937)
4	Provides for the deappropriation of funds through temporary layoffs of Arts Associate positions for approximately 8.31 pay periods and a 2-day workweek for a Clerk Typist.	
8		
10	<b>MAINE ARTS COMMISSION</b>	
	<b>TOTAL</b>	<u>(\$44,937)</u>
12	<b>ATTORNEY GENERAL, DEPARTMENT OF THE</b>	
14	<b>Administration - Attorney General</b>	
16	Personal Services	(\$505,677)
18	Provides for the deappropriation of funds from Personal Services.	
20		
22	<b>DEPARTMENT OF THE ATTORNEY GENERAL</b>	
	<b>TOTAL</b>	<u>(\$505,677)</u>
24	<b>AUDIT, DEPARTMENT OF</b>	
26	<b>Audit - Departmental Bureau</b>	
28	Positions - Legislative Count	(-1.0)
	Personal Services	(\$43,158)
30	All Other	(73,250)
32	Provides for the deappropriation of funds for one Auditor I position as well as operating costs, such as in-state and out-of-state travel, supplies and contract services.	
34		
36		
38	<b>DEPARTMENT OF AUDIT</b>	
	<b>TOTAL</b>	<u>(\$116,408)</u>
40	<b>CONSERVATION, DEPARTMENT OF</b>	
42	<b>Administration - Forestry</b>	
44		
	Positions - Legislative Count	(-1.0)
46	Personal Services	(\$8,495)
	All Other	(1,000)
48		
	<b>TOTAL</b>	<u>(\$9,495)</u>
50	Provides for the deappropriation of funds	

from the elimination of an Enforcement  
Coordinator Forester II position.

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**Administrative Services - Conservation**

Positions - Legislative Count	(-3.0)
Personal Services	(\$42,775)
All Other	(1,500)
Capital Expenditures	(2,260)
TOTAL	<u>(\$46,535)</u>

Provides for the deappropriation of funds through the elimination of a Chief Planner position, a Clerk Typist II position and an Accountant III position.

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

All Other	(\$10,750)
Capital Expenditures	(4,097)
TOTAL	<u>(\$14,847)</u>

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

**Capital Construction - Repairs Improvements - Conservation**

All Other	(\$9,000)
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Provides for the deappropriation of funds through reductions in repairs.

**Division of Forest Fire Control**

Positions - Other Count	(-4.5)
Personal Services	(\$208,342)
Capital Expenditures	(120,274)
TOTAL	<u>(\$328,616)</u>

Provides for the deappropriation of funds through the elimination of 4 full-time and one part-time Watchperson positions resulting from the closing of several fire towers and termination of plans to consolidate field facilities.

## Forest Management, Utilization Marketing

2		
	Positions - Legislative Count	(-7.0)
4	Personal Services	(\$116,679)
	All Other	(13,978)
6		
	TOTAL	<u>(\$130,657)</u>

8  
10 Provides for the deappropriation of funds  
12 through the elimination of 5 vacant Forester  
I positions, 2 vacant Forester II positions  
and related expenses.

## 14 Geographic-based Information Services

16	All Other	(\$11,113)
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18 Provides for the deappropriation of funds  
20 through reductions in software maintenance  
costs, elimination of travel and reduced  
utility costs.

## 22 Maine Geological Survey

24		
	Personal Services	(\$12,560)
26	All Other	(54,314)
28		
	TOTAL	<u>(\$66,874)</u>

30 Provides for the deappropriation of funds  
32 through the elimination of the United States  
Geological Survey National Mapping  
Cooperative.

## 34 Insect and Disease Management

36		
	Positions - Legislative Count	(-1.0)
38	Personal Services	(\$28,387)
	Capital Expenditures	(3,000)
40		
	TOTAL	<u>(\$31,387)</u>

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

## 48 Maine Land Use Regulation Commission

50		
	Positions - Legislative Count	(-3.0)
	Personal Services	(\$79,841)
52	All Other	(16,974)

2	TOTAL	(\$96,815)
4	Provides for the deappropriation of funds	
6	through the elimination of a Maine Land Use	
8	Regulation Commission Division Manager	
	position, 2 Environmental Specialist II	
	positions and related expenses.	
<b>10</b>	<b>Maine Conservation Corps</b>	
12	All Other	(\$13,371)
14	Provides for the deappropriation of funds	
16	through the elimination of one project to	
18	complete conservation work and the	
	elimination of travel for project planning	
	and monitoring.	
<b>20</b>	<b>Parks - General Operations</b>	
22	Positions - Legislative Count	(-2.0)
	Positions - Other Count	(-11.5)
24	Personal Services	(\$117,520)
	All Other	(34,929)
26	Capital Expenditures	(2,600)
28	TOTAL	(\$155,049)
30	Provides for the deappropriation of funds	
32	from reduced parks operations through the	
	elimination of the following positions: two	
34	Clerk Typist I positions; 4 Park Ranger	
	positions; 8 Assistant Park Ranger	
36	positions; one Park Manager I position; 5	
	Lifeguard Supervisor positions; 3 Laborer I	
38	positions; one Laborer II position; 5 Park	
	Receptionist positions; and one Historical	
40	Site Specialist position.	
	<b>Policy Planning and Information</b>	
42	Positions - Legislative Count	(-1.0)
44	Personal Services	(\$27,875)
46	Provides for the deappropriation of funds	
48	through the elimination of a Clerk Typist II	
	position.	
<b>50</b>	<b>Engineering and Realty</b>	
52	Positions - Legislative Count	(-1.0)

2	Personal Services	(\$12,265)
4	Provides for the deappropriation of funds through the elimination of a Right-of-Way Appraiser II position.	
6		
8	<b>DEPARTMENT OF CONSERVATION</b>	
	<b>TOTAL</b>	<u>(\$953,899)</u>
10	<b>CORRECTIONS, DEPARTMENT OF</b>	
12	<b>Administration - Corrections</b>	
14	Positions - Legislative Count	(-7.0)
	Personal Services	(\$95,128)
16	All Other	(60,261)
	Capital Expenditures	(4,785)
18		
	<b>TOTAL</b>	<u>(\$160,174)</u>
20		
22	Provides for the deappropriation of funds for training, contracted auditing and general operations, the layoff of one Clerk	
24	Typist III position, and the elimination of the following vacant positions: one	
26	Associate Commissioner position, one	
	Correctional Planning Analyst position, one	
28	Jail Inspector position, one Psychologist IV	
	position, one Secretary position and one	
30	Staff Development Coordinator position.	
32	<b>Bangor Pre-release Center</b>	
34	All Other	(\$10,000)
36	Provides for the deappropriation of funds for a medical services contract.	
38		
	<b>Central Maine Pre-release Center</b>	
40		
	Capital Expenditures	(\$18,500)
42		
44	Provides for the deappropriation of funds for the purchase of equipment.	
46	<b>Charleston Correctional Facility</b>	
48	Positions - Legislative Count	(-8.0)
	Personal Services	(\$42,555)
50		
52	Provides for the deappropriation of funds through the elimination of the following	

2 positions: one Classification Officer  
3 position, one Correctional Officer III  
4 position, one Correctional Trades Instructor  
5 position, one Plumber II position, 2  
6 Vocational Trades Instructor positions, one  
7 Clerk Typist III position, and one Teacher  
8 Supervisor position.

### 9 **Correctional Program Improvement**

10 All Other (\$267,279)

11  
12 Provides for the deappropriation of funds  
13 through the elimination of 2 community  
14 contracts and decreasing the department's  
15 ability to board inmates in the county jails.  
16

### 17 **Correctional Services**

18  
19 Positions - Legislative Count (-2.5)  
20 Personal Services (\$33,016)  
21 All Other (876,068)  
22  
23 TOTAL (\$909,084)

24  
25 Provides for the deappropriation of funds by  
26 the reduction of community services  
27 contracts and the elimination of the  
28 following positions: one Correctional  
29 Planning Analyst position and one 1/2-time  
30 Clerk Typist II position; and the layoff of  
31 one Substance Abuse Specialist.  
32  
33  
34

### 35 **Correctional Center**

36  
37 Positions - Legislative Count (-7.0)  
38 Personal Services (\$389,694)  
39 All Other (24,707)  
40  
41 TOTAL (\$414,401)

42  
43 Provides for the deappropriation of funds by  
44 eliminating the sex offender program and  
45 transferring the purchase of postage for  
46 inmates to the benefit fund, by the  
47 elimination of 3 Vocational Trade Instructor  
48 positions, one Training Officer position,  
49 one Personnel Specialist position, one  
50 Physician Assistant position and one  
51 Maintenance Mechanic Foreman position and by  
52

2 rescheduling staff which will save an  
estimated \$150,000.

4

#### Downeast Correctional Facility

6

All Other (\$124,365)

8

Capital Expenditures (11,800)

10

TOTAL (\$136,165)

12

Provides for the deappropriation of funds  
from medical services, travel, clothing and  
14 plant operations, and the reduction of  
16 capital purchases.

18

#### Food - State Prison

20

All Other (\$60,000)

22

Provides for the deappropriation of funds  
required for the purchase of food.

24

26

#### Justice - Planning, Projects and Statistics

28

All Other (\$88,500)

30

Provides for the deappropriation of funds  
for out-of-state travel and funds for  
32 discretionary grants.

34

#### Bureau of Juvenile Corrections

36

All Other (\$1,357)

38

Provides for the deappropriation of funds  
for travel, office supplies and general  
40 expenses.

42

44

#### Parole Board

46

Personal Services (\$1,969)

All Other (1,138)

48

TOTAL (\$3,107)

50

Provides for the deappropriation of funds by  
52 reducing the number of members attending

meetings to reduce per diem costs and related travel expenses.

### Probation and Parole

6	Positions - Legislative Count	(-12.0)
8	Personal Services	(\$116,928)
	All Other	(35,260)
10	Capital Expenditures	(9,574)
12	TOTAL	<u>(\$161,762)</u>

14 Provides for the deappropriation of funds through the layoff of 7 Probation Officer positions and the elimination of 5 vacant Probation Officer positions and related travel and telephone expenses, reduction of out-of-state travel and drug testing. Replacement of equipment will be deferred.

### 22 State Prison

24	Positions - Legislative Count	(-19.0)
	Personal Services	(\$183,440)
26	All Other	(416,512)
	Capital Expenditures	(43,113)
28	TOTAL	<u>(\$643,065)</u>

30 Provides for the deappropriation of funds by the elimination of the following vacant positions: six Guard positions, one Guard Sergeant position, one Vocational Trades Instructor position, 4 Correctional Trades Instructor positions, one Clerk Typist II position, one Electrician II position, one Accountant I position, one Correctional Caseworker position, one Physician Assistant position and 2 Nurse positions; by reducing the number of inmates boarded at federal prisons; and general operations.

### 44 Maine Youth Center

46	Positions - Legislative Count	(-28.0)
48	Personal Services	(\$317,820)

50 Provides for the elimination of the following positions: one Vocational Trades Instructor positions, 5 Teacher positions,



2 one Teacher Manual Training position, one  
3 Administrative Counselor position, one  
4 Librarian Teacher position, one Clerk  
5 Stenographer II position, one Chaplain I  
6 position, 3 Training School Counselor II  
7 positions, one Correctional Maintenance  
8 Mechanic position, 3 Training School  
9 Counselor I positions, 3 Correctional  
10 Caseworker positions, one Psychologist II  
11 position, one Unit Director position, one  
12 Laborer II position, one Storekeeper I  
13 position, one Vocational Trades Instructor  
14 position, one Guidance Counselor position  
15 and one Teacher position. This will  
16 eliminate the vocational education program  
17 and will result in closing one cottage,  
18 fewer classes at the school and the  
19 reduction of psychological and social  
20 services.

21 **DEPARTMENT OF CORRECTIONS**  
22 **TOTAL**

(\$3,233,769)

23  
24 **DEFENSE AND VETERANS' SERVICES,**  
25 **DEPARTMENT OF**

26  
27 **Administration - Defense and Veterans' Services**

28	Personal Services	(\$34)
29	All Other	(747)
30	Capital Expenditures	(428)
31	<b>TOTAL</b>	<u>(\$1,209)</u>

32 Provides for the deappropriation of funds  
33 through salary savings and reductions of  
34 general operating expenses.

35  
36 **Administration - Maine Emergency Management**  
37 **Agency**

38	Personal Services	(\$6,784)
39	All Other	(80,158)
40	<b>TOTAL</b>	<u>(\$86,942)</u>

41 Provides for the deappropriation of funds  
42 through salary savings from an anticipated  
43 retirement and the reduction of disaster  
44 assistance funds.

45

2	<b>Capital Construction - Repairs - Improvements - Defense and Veterans' Services</b>	
4	All Other	(\$61,000)
6	Provides for the deappropriation of funds	
8	through the elimination of repairs to armory	
	facilities.	
10	<b>Dam Safety Program</b>	
12	All Other	(\$3,753)
14	Provides for the deappropriation of funds	
16	through the reduction in general operating	
	expenses.	
18	<b>Military Training and Operations</b>	
20	Personal Services	(\$49,106)
22	All Other	(118,242)
24	TOTAL	<hr/> (\$167,348)
26	Provides for the deappropriation of funds	
	through the deferment of work at armories.	
28	<b>Veterans' Memorial Cemetery</b>	
30	All Other	(\$12,600)
32	Provides for the deappropriation of funds	
34	through reductions in the general upkeep at	
	the Veterans' Memorial Cemetery.	
36	<b>Veterans' Services</b>	
38	All Other	(\$15,609)
40	Provides for the deappropriation of funds	
42	from reductions in travel and general	
	operating expenses.	
44	<b>Commission on Vietnam and Atomic Veterans</b>	
46	Personal Services	(\$540)
48	All Other	(6,000)
50	TOTAL	<hr/> (\$6,540)
52	Provides for the deappropriation of funds	

2	through salary savings and reductions in travel.	
4	<b>DEPARTMENT OF DEFENSE AND VETERANS'</b>	
	<b>SERVICES</b>	
6	<b>TOTAL</b>	<u>(\$355,001)</u>
8	<b>MAINE DEVELOPMENT FOUNDATION</b>	
10	<b>Development Foundation</b>	
12	All Other	(\$16,182)
14	Provides for the deappropriation of funds from reduced operating expenses.	
16		
18	<b>MAINE DEVELOPMENT FOUNDATION</b>	
	<b>TOTAL</b>	<u>(\$16,182)</u>
20	<b>ECONOMIC AND COMMUNITY DEVELOPMENT,</b>	
	<b>DEPARTMENT OF</b>	
22		
24	<b>Administration - Economic and Community Development</b>	
26	Positions - Legislative Count	(-1.0)
	Personal Services	(\$6,487)
28	All Other	(3,250)
	Capital Expenditures	(5,000)
30		
	<b>TOTAL</b>	<u>(\$14,737)</u>
32		
34	Provides for the deappropriation of funds from the elimination of the State Data Center, which includes a Research Associate I position, capital equipment purchases and All Other expenses.	
36		
38		
40	<b>Office of Community Development</b>	
	All Other	(\$33,045)
42		
44	Provides for the deappropriation of funds from reductions in travel, contractual services and grants to communities.	
46		
48	<b>Community Development Block Grant Program</b>	
	All Other	(\$20,392)
50		
	Provides for the deappropriation of funds	

2	from reductions in travel, contractual services and general operating expenses.	
4	<b>Office of Energy Resources</b>	
6	Positions - Legislative Count	(-1.0)
	Personal Services	(\$10,946)
8	All Other	(4,984)
10	TOTAL	<u>(\$15,930)</u>
12	Provides for the deappropriation of funds from the elimination of the Supervisor of Energy Resources position and transfer of the program to the State Planning Office.	
14		
16	<b>International Commerce</b>	
18	All Other	(\$25,000)
20	Provides for the deappropriation of funds from the reductions of All Other for grants.	
22		
24	<b>Job Opportunity Zones</b>	
26	All Other	(\$2,750)
28	Provides for the deappropriation of funds from the reduction in All Other allotment for administration of grants.	
30		
32	<b>Comprehensive Land Use Planning</b>	
34	All Other	(\$201,077)
36	Provides for the deappropriation of funds from reductions in general operating expenses from the Growth Management Program.	
38		
40	<b>Legal Defense Fund</b>	
42	All Other	(\$81,186)
44	Provides for the deappropriation of funds from reduction of the Legal Defense Fund appropriation for fiscal year 1990-91 to \$18,814.	
46		
48	<b>Maine Small Business Commission</b>	
50	All Other	(\$4,398)
52		

2	Provides for the deappropriation of funds from the reduction in the grants to the subcenters.	
4		
6	<b>DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT</b>	
8	<b>TOTAL</b>	<u>(\$398,515)</u>
10	<b>STATE BOARD OF EDUCATION</b>	
12	<b>State Board of Education</b>	
14	Personal Services	(\$1,100)
16	All Other	(4,369)
18	Provides for the deappropriation of funds from reduced per diem and general operating expenses.	
20	<b>STATE BOARD OF EDUCATION</b>	
22	<b>TOTAL</b>	<u>(\$5,469)</u>
24	<b>EDUCATION, DEPARTMENT OF</b>	
26	<b>Administration - Education</b>	
28	Personal Services	(\$3,521)
30	Provides for the deappropriation of funds from salary savings.	
32	<b>Administrative Services - Education</b>	
34	Personal Services	(\$10,384)
36	Provides for the deappropriation of funds from salary savings.	
38	<b>Adult Education</b>	
40	Personal Services	(\$101,061)
42	All Other	(17,200)
44	<b>TOTAL</b>	<u>(\$118,261)</u>
46	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.	
52	<b>Assessment of Student Performance</b>	

2	Personal Services	(\$2,472)
	All Other	(6,500)
4		
	TOTAL	<u>(\$8,972)</u>
6		
8	Provides for the deappropriation of funds	
	from salary savings and reduced out-of-state	
	travel and general operating expenses.	
10		
12	<b>Certification, Placement and Teacher</b>	
	<b>Education</b>	
14	All Other	(\$6,120)
16		
18	Provides for the deappropriation of funds	
	from reductions in in-state travel and	
	general operating expenses.	
20	<b>School-based Child Care</b>	
22	All Other	(\$23,000)
24		
26	Provides for the deappropriation of funds	
	from school-based child care grants.	
28		
	<b>Curriculum - Education</b>	
30	Personal Services	(\$37,492)
	All Other	(47,278)
32	TOTAL	<u>(\$84,770)</u>
34		
36	Provides for the deappropriation of funds	
	from salary savings and reductions in	
	out-of-state travel, innovative grants and	
	early childhood grants.	
38		
40	<b>General Purpose Aid for Local Schools</b>	
42	All Other	(\$5,400,000)
44		
46	Provides for the deappropriation of funds in	
	excess of requirements in general purpose	
	aid to local schools.	
48		
	<b>Governor Baxter School for the Deaf</b>	
50	Personal Services	(\$130,894)
52		
	Provides for the deappropriation of funds	
	from salary savings.	

2 **Governor Baxter School for the Deaf**

4 Positions - Other Count (-2.0)  
Personal Services (\$35,160)

6  
8 Provides for the deappropriation of funds  
through the elimination of the following  
10 vacant positions: two part-time Teacher of  
the Deaf positions and one Watchperson  
12 position.

14 **Handicapped Children Services - Preschool**

16 All Other (\$84,450)

18 Provides for the deappropriation of funds  
from preschool handicapped grants.

20 **Higher Education Services**

22 Personal Services (\$19,916)

24 Provides for the deappropriation of funds  
from salary savings.

26 **Nutrition Program - Local Schools**

28 All Other (\$25,526)

30 Provides for the deappropriation of funds  
32 from reduced per pupil meal reimbursement  
and reduced grants to schools for equipment.

34 **Planning and Management Information -  
36 Education**

38 Personal Services (\$1,957)

All Other (14,000)

40 Capital Expenditures (8,301)

42 TOTAL (\$24,258)

44 Provides for the deappropriation of funds  
46 from salary savings, reduced general  
operating expenses and the elimination of a  
48 microcomputer purchase.

50 **Special Education - Exceptional Children**

52 Personal Services (\$9,405)

All Other (37,086)

2	TOTAL	(\$46,491)
4	Provides for the deappropriation of funds	
6	from salary savings and gifted and talented	
	grants.	
8	<b>Transportation Program - Local Schools</b>	
10	Personal Services	(\$9,020)
12	Provides for the deappropriation of funds	
	from salary savings.	
14	<b>Vocational Training - Program Services</b>	
16	Personal Services	(\$25,951)
18	All Other	(3,500)
20	TOTAL	(\$29,451)
22	Provides for the deappropriation of funds	
24	from salary savings, reduced in-state	
	travel, reduced out-of-state travel and	
26	reduced general operating expenses.	
28	<b>DEPARTMENT OF EDUCATION</b>	
	<b>TOTAL</b>	(\$6,060,194)
30	<b>ENVIRONMENTAL PROTECTION,</b>	
32	<b>DEPARTMENT OF</b>	
	<b>Administration - Environmental Protection</b>	
34	Positions - Legislative Count	(-1.0)
36	Personal Services	(\$26,698)
	All Other	(7,521)
38	TOTAL	(\$34,219)
40	Provides for the deappropriation of funds	
42	through the elimination of a Planning and	
44	Research Associate I position and reductions	
	in general operating costs.	
46	<b>Air Quality Control</b>	
48	Positions - Legislative Count	(-1.0)
	Personal Services	(\$18,838)
50	Provides for the deappropriation of funds	



2 from an Environmental Specialist IV position  
being transferred to Federal funds.

4 **Environmental Impact Studies**

6 Personal Services (\$5,000)

8 Provides for the deappropriation of funds  
through salary savings.

10 **Board of Environmental Protection**

12 Positions - Legislative Count (-1.0)

14 Personal Services (\$15,781)

All Other (14,000)

16 TOTAL (\$29,781)

18 Provides for the deappropriation of funds  
20 from a Clerk Typist III position, reductions  
in per diem and reduced operational costs  
22 that will be transferred to the dedicated  
account.

24 **Lake Environmental Protection Fund**

26 All Other (\$148,182)

28 Provides for the deappropriation of funds  
30 through the reduction in local grants to  
cover costs of litigation to protect lake  
32 quality.

34 **Lake Restoration and Protection Fund**

36 Personal Services (\$18,270)

All Other (50,000)

38 TOTAL (\$68,270)

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

44 **Land Quality Control**

46 Personal Services (\$47,249)

48 Provides for the deappropriation of funds  
50 through salary savings.

52 **Oil and Hazardous Materials Control**

2	Personal Services	(\$43,140)
4	Provides for the deappropriation of funds	
6	through the transfer of expenditures to	
	other accounts.	
8	<b>Solid Waste Management</b>	
10	Positions - Legislative Count	(-2.0)
12	Personal Services	(\$52,310)
14	Provides for the deappropriation of funds	
16	through the elimination of the Bureau	
18	Director and a Division Director in the 4th	
20	quarter, resulting from the consolidation of	
	the Bureau of Solid Waste Management and the	
	Bureau of Oil and Hazardous Materials	
	Control.	
22	<b>Water Quality Control</b>	
24	Personal Services	(\$5,300)
26	Capital Expenditures	(25,038)
28	TOTAL	<hr/> (\$30,338)
30	Provides for the deappropriation of funds	
32	through the transfer of expenditures to the	
	dedicated account and the elimination of all	
	capital.	
34	<b>DEPARTMENT OF ENVIRONMENTAL</b>	
36	<b>PROTECTION</b>	
38	<b>TOTAL</b>	<hr/> (\$477,327)
40	<b>GOVERNMENTAL ETHICS AND ELECTION</b>	
42	<b>PRACTICES, COMMISSION ON</b>	
44	<b>Commission on Governmental Ethics and</b>	
46	<b>Election Practices</b>	
48	Personal Services	(\$5,318)
50	All Other	(1,952)
52	Provides for deappropriation of funds from	
	general operating expenses and salary	
	savings.	
54	<b>COMMISSION ON GOVERNMENTAL ETHICS AND</b>	
56	<b>ELECTION PRACTICES</b>	
58	<b>TOTAL</b>	<hr/> (\$7,270)

2       **EXECUTIVE DEPARTMENT**

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

6	Personal Services	(\$58,000)
8	All Other	(26,251)
	Capital Expenditures	(2,000)
10		
12	TOTAL	<u>(\$86,251)</u>

14       Provides for the deappropriation of funds  
16       through extended personnel leave without pay  
and from reductions in general operating  
costs.

18       **Administration - Community Services**

20	Positions - Other Count	(-2.0)
	Personal Services	(\$36,737)
22	All Other	(11,079)
24	TOTAL	<u>(\$47,816)</u>

26       Provides for the deappropriation of funds  
28       from the elimination of an Auditor II  
30       position, a Receptionist position and  
reductions in general operating expenses.

32       **Blaine House**

32	Personal Services	(\$2,000)
34	All Other	(2,000)
36	TOTAL	<u>(\$4,000)</u>

38       Provides for the deappropriation of funds  
40       from salary savings and reductions in  
general operating costs.

42       **Blaine House Renovations and Repairs  
Fund**

44	All Other	(\$2,000)
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46       Provides for the deappropriation of funds  
48       from reductions in repairs.

50       **Federal - State Coordinator - Executive**

52	Personal Services	(\$6,000)
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2	All Other	(8,000)
4	TOTAL	<u>(\$14,000)</u>
6	Provides for the deappropriation of funds from not filling a vacant position and reductions in general operating costs.	
8	<b>Head Start</b>	
10	All Other	(\$840)
12	Provides for the deappropriation of funds from reductions in out-of-state travel.	
14		
16	<b>Low-income Home Energy Assistance</b>	
18	All Other	(\$2,986)
20	Provides for the deappropriation of funds from reductions in travel costs for the Advisory Board.	
22		
24	<b>Public Advocate</b>	
26	All Other	(\$13,755)
28	Provides for the deappropriation of funds from the disencumbrance of contracts with expert witnesses.	
30		
32	<b>Public Advocate</b>	
34	Positions - Legislative Count	(-7.0)
36	Personal Services	(\$68,895)
38	All Other	(83,395)
40	TOTAL	<u>(\$152,290)</u>
42	Provides for the deappropriation of funds from the elimination of the Office of the Public Advocate and all legislative count positions.	
44		
46	<b>Maine Science and Technology Commission</b>	
48	Positions - Legislative Count	(-1.0)
50	All Other	(\$145,115)
52	Provides for the deappropriation of funds from reductions in stand-alone centers and	

2 research programs and, effective May 1,  
1991, the elimination of one Development  
4 Director position.

6 **Planning Office**

8 Personal Services (\$57,497)  
All Other (43,000)  
10 Capital Expenditures (1,322)  
12 TOTAL (\$101,819)

14 Provides for the deappropriation of funds  
and Capital Expenditures.

16 **Office of Substance Abuse**

18 All Other (\$56,621)

20 Provides funds for the deappropriation of  
22 funds from data processing, in-state travel,  
out-of-state travel, office supplies,  
24 maintenance of the statewide information  
26 system and the elimination of the statewide  
prevention conference.

28 **Office of Volunteer Services**

30 Personal Services (\$1,000)

32 Provides for the deappropriation of funds  
from salary savings.

34 **State Planning Office - Water**  
36 **Resource Management Board**

38 All Other (\$1,394)

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

44 **EXECUTIVE DEPARTMENT**  
46 **TOTAL**

(\$629,887)

48 **FINANCE, DEPARTMENT OF**

50 **Administration - Finance**

52 Personal Services (\$14,095)

2 Provides for the deappropriation of funds  
 4 from not filling the Assistant to the  
 Commissioner position.

6 **Administrative Services - Finance**

8 Positions - Legislative Count (-2.0)  
 All Other (\$10,000)

10 Provides for the deappropriation of funds  
 12 from the elimination of a vacant Account  
 Clerk I position, a Field Examiner II  
 14 position and related operating costs.  
 (Personal Services savings have already been  
 16 offered through the Voluntary Cost Savings  
 Program.)

18 **Bureau of Accounts and Control**

20 Positions - Legislative Count (-11.5)  
 Personal Services (\$61,779)

22 Provides for the deappropriation of funds  
 24 from the elimination of one Clerk I  
 position, one Clerk Typist I position, 3  
 26 Clerk Typist II positions, 3 Data Entry  
 Specialist positions, one Data Entry  
 28 Supervisor position, one Data Control  
 Specialist position, one Account Clerk II  
 30 position and one part-time Laborer I  
 position.

32 **Bureau of Accounts and Control -  
 34 Systems Project**

36 Personal Services (\$23,500)

38 Provides for the deappropriation of funds  
 40 from not filling the Assistant to the  
 Controller position.

42 **Bureau of Taxation**

44 Positions - Legislative Count (-23.0)  
 Personal Services (\$323,238)

46 Provides for the deappropriation of funds  
 48 from the elimination of 2 Property Tax  
 Appraiser I positions, 2 Property Tax  
 50 Appraiser II positions, one Clerk I  
 position, one Clerk Typist III position and  
 52 the following vacant positions: three

2 Revenue Agent positions, one Senior Revenue  
Agent position, one Senior Tax Examiner  
4 position, one Clerk Typist I position, one  
Data Base Administrator position, one Tax  
6 Division Assistant Executive position, one  
Computer Programmer position, one Programmer  
8 Analyst position, 2 Tax Enforcement Officer  
positions, one Clerk III position, one  
10 Planning and Research Associate II position,  
one Data Entry Specialist position, one  
12 Property Tax Appraiser I position and one  
Property Tax Appraiser II position.

14 **Tree Growth Tax Reimbursement**

16 All Other (\$404,000)

18 Notwithstanding the Maine Revised Statutes,  
Title 36, section 578, a municipality that  
20 has not submitted an annual return in  
accordance with Title 36, section 383 is  
22 eligible for the tree growth tax  
reimbursement for fiscal year 1990-91 only.

24 **DEPARTMENT OF FINANCE**  
26 **TOTAL**

(\$836,612)

28 **MAINE HISTORIC PRESERVATION**  
COMMISSION

30

**State Restoration Grants Program**

32

All Other (\$9,172)

34

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

38

**Historic Preservation Commission**

40

All Other (\$13,367)

42

44 Provides for the deappropriation of funds  
from a 14% reduction in the Maine Historic  
Resources Survey.

46

48 **MAINE HISTORIC PRESERVATION COMMISSION**  
**TOTAL**

(\$22,539)

50 **MAINE STATE HOUSING AUTHORITY**

52 **Housing Opportunities for Maine Fund**

2	All Other	(\$30,000)
4	Provides for the deappropriation of funds	
	from the Home Fund Subsidization of	
6	Emergency Shelter Providers.	
8	<b>MAINE STATE HOUSING AUTHORITY</b>	
	<b>TOTAL</b>	<u>(\$30,000)</u>
10	<b>MAINE HUMAN DEVELOPMENT COMMISSION</b>	
12	<b>Human Development Commission</b>	
14	All Other	(\$2,537)
16	Provides for the deappropriation of funds	
18	from general operating expenses.	
20	<b>Human Development Commission</b>	
22	All Other.	(\$7,771)
24	Provides for the deappropriation of funds to	
	eliminate the Maine Human Development	
26	Commission.	
28	<b>MAINE HUMAN DEVELOPMENT COMMISSION</b>	
	<b>TOTAL</b>	<u>(\$10,308)</u>
30	<b>MAINE HUMAN RIGHTS COMMISSION</b>	
32	<b>Human Rights Commission - Regulation</b>	
34	Positions - Legislative Count	(-1.0)
36	Personal Services	(\$20,203)
	All Other	(11,701)
38	Provides for the deappropriation of funds	
40	through the elimination of a Field	
	Investigator position.	
42		
44	<b>MAINE HUMAN RIGHTS COMMISSION</b>	
	<b>TOTAL</b>	<u>(\$31,904)</u>
46	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
48	<b>Administration - Human Services</b>	
50	Positions - Legislative Count	(-22.0)
	Personal Services	(\$212,730)
52	All Other	(10,000)



2	TOTAL	(\$222,730)
4	Provides for the deappropriation of funds	
6	from the elimination of the following	
8	positions: 3 Clerk Typist II positions, 2	
10	Clerk II positions, one Account Clerk II	
12	position, one Accountant III position, one	
14	Personnel Officer position, 2 Computer	
16	Programmer positions, one Programmer Analyst	
18	position, one Systems Analyst position, one	
20	Word Processing Operator position, one Clerk	
22	Typist III position, one Planning and	
24	Research Associate I position, one	
26	Statistician III position, one Nosologist	
28	position, one System Team Leader position,	
30	one Staff Development Specialist II	
32	position, 2 Staff Development Specialist IV	
34	positions and one Comprehensive Health	
36	Planner II position.	
38	<b>Administration - Regional - Human</b>	
40	<b>Services</b>	
42	All Other	(\$165,597)
44	Provides for the deappropriation of funds	
46	associated with the closing of offices in	
48	South Paris, Mexico, Dover-Foxcroft, Calais	
50	and Bangor.	
52	<b>Administration - Income Maintenance</b>	
54	Positions - Legislative Count	(-6.0)
56	Personal Services	(\$52,500)
58	All Other	(10,500)
60	TOTAL	(\$63,000)
62	Provides for the deappropriation of funds	
64	for the administration of public assistance	
66	programs through the elimination of the	
68	following positions: one Clerk Typist III	
70	position, one Income Maintenance Program	
72	Manager position, one Income Maintenance	
74	Field Supervisor position and 3 Income	
76	Maintenance Specialist positions.	
78	<b>Administration - Social Services</b>	
80	Positions - Legislative Count	(-6.0)
82	Personal Services	(\$75,499)

2	All Other	(24,426)
4	TOTAL	<u>(\$99,925)</u>
6	Provides for the deappropriation of funds through the elimination of the following positions: one Clerk Typist II position, one Account Clerk I position, one Public Relations Representative position, one Social Services Program Specialist I position and 2 Social Services Program Specialist II positions.	
14	<b>Alcoholism and Drug Abuse Prevention - Human Services</b>	
16	Positions - Legislative Count	(-1.0)
18	Personal Services	(\$13,000)
20	Provides for the deappropriation of funds from the elimination of one Clerk Typist II position.	
24	<b>Child Care Services</b>	
26	All Other	(\$60,000)
28	Provides for the deappropriation of funds for a variety of child day care programs, such as subsidized slots, resource development centers and vouchers.	
32	<b>Congregate Housing</b>	
34	All Other	(\$226,207)
36	Provides for the deappropriation of funds for supportive services to elderly residents living in subsidized housing.	
40	<b>Crippled Children Services</b>	
42	Positions - Legislative Count	(-0.5)
44	Personal Services	(\$12,510)
46	Provides for the deappropriation of funds by reducing to 1/2 time a Public Health Physician position assigned to the Division of Disease Control.	
50	<b>Division of Driver Education</b>	
52	<b>Evaluation Programs</b>	

2	Positions - Legislative Count	(-1.0)
	Personal Services	(\$6,400)
4	All Other	(52,500)
6	TOTAL	<u>(\$58,900)</u>

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

**14 Bureau of Elder and Adult Services**

16	Positions - Legislative Count	(-5.0)
	Personal Services	(\$55,000)
18	All Other	(90,500)
	Capital Expenditures	(4,000)
20	TOTAL	<u>(\$149,500)</u>

22 Provides for the deappropriation of funds  
 24 from the Bureau of Elder and Adult Services,  
 grants to Area Agencies on Aging, general  
 26 operating expenses and the elimination of  
 one Social Services Program Specialist I  
 28 position, one Human Services Casework  
 Supervisor position, one Clerk Typist III  
 30 position and one Social Services Program  
 Specialist II position and the transfer of  
 32 one Clerk Typist II position salary to  
 federal funds.

**Emergency Medical Services**

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

**Adaptive Equipment Loan Program  
 Fund Board**

46	All Other	(\$400)
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48 Provides for the deappropriation of funds  
 for administrative support to the Adaptive  
 50 Equipment Loan Fund Board.

**52 Health Insurance Subsidy Program**

2	All Other	(\$1,000,000)
4	Provides for the deappropriation of funds	
6	for a supplemental health insurance program	
8	for former Aid to Families with Dependent	
	Children recipients, which is no longer	
	required.	
<b>10</b>	<b>Bureau of Health</b>	
12	Positions - Legislative Count	(-11.0)
	Personal Services	(\$95,458)
14	All Other	(415,109)
16	TOTAL	<u>(\$510,567)</u>
18	Provides for the deappropriation of funds	
20	for the Bureau of Health Administration	
22	program management, service delivery and	
24	purchase of community-based services through	
26	the elimination of the following positions:	
28	3 Sanitarian II positions, 3 Clerk Typist	
	III positions, one Clerk Typist II position,	
	one Librarian I position, one Public Health	
	Educator I position, one Public Health	
	Educator II position and one Microbiologist	
	II position.	
<b>30</b>	<b>Health Planning and Development</b>	
32	Positions - Legislative Count	(-3.0)
	Personal Services	(\$34,638)
34	All Other	(3,286)
36	TOTAL	<u>(\$37,924)</u>
38	Provides for the deappropriation of funds by	
40	decreasing the capability of Certificate of	
42	Need determination, implementation of	
44	special projects, preparation of key	
46	planning documents and the elimination of 2	
48	Comprehensive Health Planner II positions	
50	and one Health Care Financial Analyst	
52	position.	
	<b>Income Maintenance - Regional</b>	
	Positions - Legislative Count	(-24.0)
	Personal Services	(\$168,528)
	All Other	(4,500)

2 TOTAL (\$173,028)

4 Provides for the deappropriation of funds

6 from the elimination of the following

8 positions with determination of eligibility

10 for public assistance programs: 17 Human

12 Services Aide III positions; 5 Income

14 Maintenance Specialists positions; one

16 Clerk Typist II position; and one Income

18 Maintenance Unit Supervisor position.

20

22 **Interdepartmental Council -**

24 **Medicaid Enhancement**

26 All Other (\$2,577)

28 Provides for the deappropriation of funds

30 from a contract for consultation services

32 on Medicaid enhancement.

34

36 **Intermediate Care - Payments**

38 **to Providers**

40 All Other (\$125,401)

42 Provides for the deappropriation of funds

44 for long-term care in nursing facilities

46 for the mentally retarded, prescription

48 drugs for these patients and comprehensive

50 dental care for ICF/MR residents

52

54 **Legal Services - Human Services**

56 Positions - Legislative Count (-2.0)

58 Personal Services (\$57,468)

60 Provides for the deappropriation of funds

62 from the transfer of 2 Assistant Attorney

64 General positions to federal funds.

66

68 **Long-term Care - Human Services**

70 All Other (\$61,000)

72 Provides for the deappropriation of funds

74 used for administration of the Home-based

76 Care Program through reductions in funds

78 available for the Home-based Care Program.

80

82 **Medical Care - Payments**

84 **to Providers**

86

2 All Other (\$2,352,301)

4 Provides for the deappropriation of funds

6 from implementing utilization control

8 procedures for hospital services; drug

10 rebates pursuant to federal statute;

12 changes in policy for hospital

14 reimbursement; eliminating coverage of

16 emergency care and dentures for adults; and

18 eliminating the medically needy eligibility

20 category. Fee reductions may not be

22 imposed for individual practitioners,

24 including chiropractors.

16 **Medical Care Administration**

18 Positions - Legislative Count (-13.0)

20 Personal Services (\$204,000)

22 Provides for the deappropriation of funds

24 for the administrative costs for claims

26 processing, policy development,

28 surveillance and utilization review,

30 classification for Medicaid licensing of

32 boarding and foster homes, licensing

34 certification of the Maine Revised

36 Statutes, Titles 18 and 19 providers, and

38 state-funded health programs and the

40 elimination of the following positions: 2

42 Clerk Typist II positions, one Health

44 Services Consultant position, one Social

46 Service Program Specialist I position, one

48 Social Service Program Specialist II

50 position, 2 Medical Claims Evaluator

52 positions, 2 Human Services Aide III

positions, one Word Processing Operator

position, one Accountant II position, one

Medical Services Utility Supervisor

position and one Medical Services Utility

Assistant Director position.

42 **Purchased Social Services**

44 All Other (\$740,000)

46 Provides for the deappropriation of funds

48 for services that are delivered by

community agencies.

50 **Bureau of Rehabilitation - Vocational**

52 **Rehabilitation**

2 All Other (\$290,608)  
 4 Provides for the deappropriation of funds  
 6 to substitute State Vocational  
 Rehabilitation case service funds with  
 federal funds.

8 **Social Services - Regional**

10 Positions - Legislative Count (-6.0)  
 Personal Services (\$60,000)  
 12 All Other (10,000)  
 14 TOTAL (\$70,000)

16 Provides for the deappropriation of funds  
 18 from the elimination of 4 Human Services  
 Casework Supervisor positions, 2 part-time  
 20 Paralegal Assistant positions and one  
 Social Services Program Specialist position.

22 **State Supplement to Federal Supplemental  
 Security Income**

24 All Other (\$448,000)  
 26 Provides for the deappropriation of funds  
 28 from the unexpended balance of available  
 funds which will not be spent.

30 **Welfare Employment, Education and Training**

32 Positions - Legislative Count (-1.0)  
 34 Personal Services (\$15,000)  
 All Other (750,670)  
 36 TOTAL (\$765,670)

38 Provides for the deappropriation of funds  
 40 from case management, job counseling,  
 42 determination of support service,  
 pretraining, training and employment needs  
 44 of Aid to Families with Dependent Children  
 and Food Stamp recipients through the  
 46 elimination of one WEET Regional Manager  
 position.

48 **DEPARTMENT OF HUMAN SERVICES  
 TOTAL**

(\$7,931,556)

50 **INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

52

2	<b>Office of the Commissioner - Inland Fisheries and Wildlife</b>	
4	Personal Services	(\$23,000)
	All Other	(52,475)
6	Capital Expenditures	(6,500)
8	TOTAL	<hr/> (\$81,975)
10	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.	
12		
14		
16		
18	<b>Administrative Services - Inland Fisheries and Wildlife</b>	
20	Personal Services	(\$12,000)
	All Other	(16,438)
22	Capital Expenditures	(10,146)
24	TOTAL	<hr/> (\$38,584)
26	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.	
28		
30		
32	<b>Atlantic Sea Run Salmon Commission</b>	
34	All Other	(\$407)
	Capital Expenditures	(3,200)
36	TOTAL	<hr/> (\$3,607)
38	Provides for the deappropriation of funds through the reduction of general operating costs and the delay in the purchase of one fish transportation tank.	
40		
42		
44	<b>ATV Safety and Educational Program</b>	
46	All Other	(\$1,555)
48	Provides for the deappropriation of funds from reductions in general operating expenses.	
50		
52	<b>Endangered Nongame Operations</b>	



2 All Other (\$233)  
4 Provides for the deappropriation of funds  
6 from reductions in out-of-state travel.

8 **Enforcement Operations - Inland Fisheries  
and Wildlife**

10 Personal Services (\$56,625)  
11 All Other (576,751)  
12 Capital Expenditures (80,144)  
14 TOTAL (\$713,520)

16 Provides for the deappropriation of funds  
17 from the elimination of 25 vacant  
18 intermittent Game Warden Assistant  
19 positions, reductions in general operating  
20 expenses and the delay in purchasing 5  
21 vehicles and miscellaneous equipment.

22 **Fisheries and Hatcheries Operations**

24 Personal Services (\$29,000)  
25 All Other (43,309)  
26 Capital Expenditures (91,549)  
28 TOTAL (\$163,858)

30 Provides for the deappropriation of funds  
31 from not filling 2 vacant Fish and Game  
32 Technicians, reductions in general  
33 operating expenses and the delay in the  
34 purchase of land and miscellaneous  
35 equipment.

38 **Licensing Services - Inland Fisheries  
and Wildlife**

40 All Other (\$8,585)  
41 Capital Expenditures (3,316)  
44 TOTAL (\$11,901)

46 Provides for the deappropriation of funds  
47 from reductions in general operating  
48 expenses and the delay in the purchase of a  
49 printer.

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

2	Personal Services	(\$20,000)
	All Other	(50,950)
4	Capital Expenditures	(967)
6	TOTAL	<hr/> (\$71,917)

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

14 **DEPARTMENT OF INLAND FISHERIES AND**  
**WILDLIFE**

16	<b>TOTAL</b>	<hr/> (\$1,087,150)
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18 **DEPARTMENT, JUDICIAL**

20 **State Court Library Committee**

22	All Other	(\$60,000)
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24 Provides for the deappropriation of funds  
 26 by eliminating the 3rd and 4th quarter  
 stipends to all 18 county law libraries.

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

30	Personal Services	(\$100,000)
32	All Other	(300,000)
34	TOTAL	<hr/> (\$400,000)

36 Provides for the deappropriation of funds  
 38 from salary savings and the Administrative  
 Office of the Courts and reductions in  
 court operations.

40 **Indigent Defense**

42	All Other	(\$600,000)
----	-----------	-------------

44 Provides for the deappropriation of funds  
 46 by reducing the hourly fee for indigent  
 48 defense from \$40 to \$30 and discontinuing  
 the appointment of counsel in certain Class  
 D and E cases.

50 **JUDICIAL DEPARTMENT**

52	<b>TOTAL</b>	<hr/> (\$1,060,000)
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2       **LABOR, DEPARTMENT OF**

4       **Administration - Labor**

6	Personal Services	(\$2,720)
	All Other	(405)
8		
	<b>TOTAL</b>	<b>(\$3,125)</b>

10

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

16       **Administration - Bureau of Labor Standards**

18	Personal Services	(\$5,102)
	All Other	(6,586)
20		
	<b>TOTAL</b>	<b>(\$11,688)</b>

22

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

28       **Displaced Homemakers Program**

30	All Other	(\$42,153)
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32

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

38       **Job Training Partnership Program**

40	Personal Services	(\$3,719)
	All Other	(105,333)
42		
	<b>TOTAL</b>	<b>(\$109,052)</b>

44

46       Provides for the deappropriation of funds  
46       through voluntary cost savings and  
48       reductions associated with employment and  
48       training activities of the Maine Training  
50       Initiative (MTI) and the Health Occupations  
50       Training (HOT) programs.

52       **Maine Labor Relations Board**

2	Personal Services	(\$25,771)
	All Other	(2,831)
4		
	TOTAL	<u>(\$28,602)</u>
6		
8	Provides for the deappropriation of funds	
10	from not filling a vacant Labor	
12	Attorney-mediator position and reductions	
	of travel, utility services and	
	professional training.	
14	<b>Maine Occupational Information</b>	
	<b>Coordinating Committee</b>	
16	All Other	(\$18,965)
18	Provides for the deappropriation of funds	
20	associated with career education and	
22	occupational information activities, which	
	include materials development, training and	
	technical assistance.	
24	<b>Regulation and Enforcement</b>	
26	Positions - Legislative Count	(-3.0)
	Personal Services	(\$84,530)
28	All Other	(12,800)
30	TOTAL	<u>(\$97,330)</u>
32	Provides for the deappropriation of funds	
34	from the elimination of one Assistant Chief	
36	Boiler Elevator position, one Occupational	
	Safety position, one Statistician I	
	position and related expenses.	
38	<b>STAR</b>	
40	Personal Services	(\$16,128)
	All Other	(109,276)
42		
	TOTAL	<u>(\$125,404)</u>
44		
46	Provides for the deappropriation of funds	
48	from voluntary cost savings and from	
50	savings with employment and training	
	activities of the Strategic Training for	
	Accelerated Reemployment (STAR) program.	
52	<b>DEPARTMENT OF LABOR</b>	
	<b>TOTAL</b>	<u>(\$436,319)</u>



2	<b>MARINE RESOURCES, DEPARTMENT OF</b>	
4	<b>Bureau of Marine Development</b>	
6	All Other	(\$124,893)
8	Provides for the deappropriation of funds from shifting some general operating costs to the dedicated account.	
10	<b>Bureau of Marine Patrol</b>	
12	All Other	(\$174,684)
14	Capital Expenditures	(3,453)
16	TOTAL	<hr/> (\$178,137)
18	Provides for the deappropriation of funds from shifting some general operating costs to the dedicated account.	
20		
22	<b>Bureau of Marine Sciences</b>	
24	All Other	(\$161,798)
26	Provides for the deappropriation of funds from shifting some of the general operating costs to the dedicated account.	
28		
30	<b>DEPARTMENT OF MARINE RESOURCES</b>	
32	<b>TOTAL</b>	<hr/> (\$464,828)
34	<b>MAINE MARITIME ACADEMY</b>	
36	<b>Maritime Academy - Operations</b>	
38	All Other	(\$79,956)
40	Provides for the deappropriation of funds from reductions in general operating expenses.	
42		
44	<b>MAINE MARITIME ACADEMY</b>	
46	<b>TOTAL</b>	<hr/> (\$79,956)
48	<b>MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF</b>	
50	<b>Administration - Mental Health and Mental Retardation</b>	
52	Positions - Legislative Count	(-3.5)

2	Personal Services	(\$55,506)
	All Other	(10,000)
4	Capital Expenditures	(4,000)
6	TOTAL	<hr/> (\$69,506)

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

**16 Aroostook Residential Center**

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

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

**26 Augusta Mental Health Institute**

26	Positions - Legislative Count	(-18.0)
28	Personal Services	(\$194,995)
30	Capital Expenditures	(35,000)
32	TOTAL	<hr/> (\$229,995)

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

**48 Bangor Mental Health Institute**

50	Positions - Legislative Count	(-34.0)
52	Personal Services	(\$345,684)

2	All Other	(41,200)
	Capital Expenditures	(30,000)
4	<b>TOTAL</b>	<u>(\$416,884)</u>
6	Provides for the deappropriation of funds	
8	through the elimination of the following	
10	positions: 6 Mental Health Worker I	
12	positions, 3 Mental Health Worker II	
14	positions, 3 Assistant Team Leader	
16	positions, one Team Leader position, one	
18	Nurse III position, 2 LPN positions, one	
20	Ward Clerk position, 3 Institutional	
22	Custodial Worker positions, one Psychiatric	
24	Social Worker II position, one Audio Visual	
26	Specialist position, one Boiler Engineer	
28	position, one part-time Heavy Equipment	
30	Operator position, one Mason position, one	
32	Clerk Typist II position, one Watchperson	
34	position, one part-time Lab Technician I	
36	position, 2 part-time Cook I positions, one	
38	Program Services Director position, one	
40	full-time and one part-time (16 hours)	
42	Switchboard Operator positions, 1/2 of a	
44	Print Shop Manager position, 1/2 of a	
46	Chaplain I position, one part-time Clerk	
48	Typist II position, one Furniture Repair	
50	position and one Volunteer Assistant	
52	position.	
	<b>Bath Children's Home</b>	
	Positions - Legislative Count	(-1.0)
	Personal Services	(\$7,937)
	Capital Expenditures	(3,000)
	<b>TOTAL</b>	<u>(\$10,937)</u>
	Provides for the deappropriation of funds	
	through the elimination of one Laundry	
	Worker position and capital equipment.	
	<b>Elizabeth Levinson Center</b>	
	Positions - Legislative Count	(-1.0)
	Personal Services	(\$10,401)
	Capital Expenditures	(14,000)
	<b>TOTAL</b>	<u>(\$24,401)</u>
	Provides for the deappropriation of funds	
	through the elimination of one Carpenter	



2 position and the delay in the purchase of  
3 medical supplies.

4 **Mental Health Services - Children**

6 All Other (\$130,000)

8 Provides for the deappropriation of funds  
9 through the reduction of Medicaid funding,  
10 which will have little impact on actual  
11 clients.

12 **Mental Health Services - Community**

14 Positions - Legislative Count (-1.0)

16 Personal Services (\$15,265)

18 All Other (300,000)

20 TOTAL (\$315,265)

22 Provides for the deappropriation of funds  
23 through the elimination of one Community  
24 Support Services Coordinator position and  
25 the elimination of existing encumbrances.

26 **Mental Retardation Services - Community**

28 Positions - Legislative Count (-2.0)

30 Personal Services (\$9,161)

32 Capital Expenditures (4,000)

34 TOTAL (\$13,161)

36 Provides for the deappropriation of funds  
37 through the elimination of one Mental  
38 Retardation Specialist position and one  
39 Physical Therapist position and the delay  
40 of the purchase of capital equipment.

40 **Pineland Center**

42 Positions - Legislative Count (-12.5)

44 Personal Services (\$124,156)

46 Capital Expenditures (40,000)

48 TOTAL (\$164,156)

50 Provides for the deappropriation of funds  
51 through the elimination of 10 full-time and  
52 one part-time Mental Retardation Trainer  
53 positions, one Planning and Research  
54 Associate position, one Supervisor of

2	Grounds and Transportation position and the delay in the purchase of residential furnishings.	
4		
6	<b>Substance Abuse Services - Mental Health and Mental Retardation</b>	
8	All Other	(\$50,000)
10	Provides for the deappropriation of funds through the cancellation of planned training and consultation on relapse prevention and substance abuse.	
12		
14		
16	<b>DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION</b>	
18	<b>TOTAL</b>	<u>(\$1,443,443)</u>
20	<b>MAINE STATE MUSEUM</b>	
22	<b>Administration - Museum</b>	
24	Personal Services	(\$12,955)
26	Provides for the deappropriation of funds through the suspension of holiday hours, the closing of the 2nd floor of the museum and cancellation of school demonstration programs.	
28		
30		
32	<b>Exhibit Design and Preparation - Museum</b>	
34	Positions - Legislative Count	(-1.0)
36	Personal Services	(\$7,339)
38	All Other	(66,146)
40		
42	<b>TOTAL</b>	<u>(\$73,485)</u>
44	Provides for the deappropriation of funds through the elimination of one Senior Professional position and the suspension of plans to complete the archaeology exhibition.	
46	<b>Research and Collection - Museum</b>	
48	Positions - Legislative Count	(-1.0)
50	Personal Services	(\$9,293)
52	All Other	(39,137)
54		
56	<b>TOTAL</b>	<u>(\$48,430)</u>

2 Provides for the deappropriation of funds  
4 through the elimination of one Senior  
6 Professional position and the elimination  
of conservation care for the museum's  
collection.

8 **State House and Blaine House Art Fund -  
Museum**

10 All Other (\$4,905)

12 Provides for the deappropriation of funds  
14 through the elimination of the program.

16 **MAINE STATE MUSEUM  
TOTAL** (\$139,775)

18 **PINE TREE LEGAL ASSISTANCE**

20 **Legal Assistance**

22 All Other (\$12,131)

24 Provides for the deappropriation of funds  
26 from program activities.

28 **PINE TREE LEGAL ASSISTANCE  
TOTAL** (\$12,131)

30 **PROFESSIONAL AND FINANCIAL REGULATION,  
32 DEPARTMENT OF**

34 **Administration - Professional and  
36 Financial Regulation**

38 Positions - Legislative Count (-2.0)  
Personal Services (\$24,725)  
All Other (9,618)

40 **TOTAL** (\$34,343)

42 Provides for the deappropriation of funds  
44 from the transfer of one Senior  
Administrative Secretary position effective  
46 February 2, 1991 and the position of  
Commissioner effective March 30, 1991 and  
48 related expenses to a special revenue  
account, and the elimination of  
50 out-of-state travel.

52 **Bureau of Banking**

2	All Other	(\$17,963)
4	Capital Expenditures	(5,671)
6	<b>TOTAL</b>	<u>(\$23,634)</u>
8	Provides for the deappropriation of funds from the elimination of out-of-state travel, reductions in general operating expenses and the delay in purchasing capital equipment.	
12	<b>DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION</b>	
14	<b>TOTAL</b>	<u>(\$57,977)</u>
16	<b>STATE BOARD OF PROPERTY TAX REVIEW</b>	
18	<b>State Board of Property Tax Review</b>	
20	All Other	(\$2,922)
22	Provides for the deappropriation of funds by reducing All Other.	
24	<b>STATE BOARD OF PROPERTY TAX REVIEW</b>	
26	<b>TOTAL</b>	<u>(\$2,922)</u>
28	<b>PUBLIC SAFETY, DEPARTMENT OF</b>	
30	<b>Administration - Public Safety</b>	
32	Positions - Legislative Count	(-1.0)
34	Personal Services	(\$14,600)
36	Provides for the deappropriation of funds through the transfer of funding for one Administrative Secretary position to the dedicated account.	
40	<b>Bureau of Capitol Security</b>	
42	Positions - Legislative Count	(-2.0)
44	Personal Services	(\$19,389)
46	Provides for the deappropriation of funds through the elimination of 2 vacant Watchperson positions.	
48	<b>Criminal Justice Academy</b>	
50	All Other	(\$15,000)
52		

2 Provides for the deappropriation of funds  
4 through the transfer of obligations to the  
dedicated account.

6 **Intergovernmental Drug Enforcement**

8	Personal Services	(\$50,000)
	All Other	(280,000)
10		
12	TOTAL	<hr/> (\$330,000)

14 Provides for the deappropriation of funds  
through the reduction of authorized  
16 overtime and funds for local and county  
agents.

18 **Liquor Enforcement**

20	Positions - Legislative Count	(-1.0)
	Personal Services	(\$9,921)

22 Provides for the deappropriation of funds  
24 through the elimination of one Liquor  
Enforcement Officer II position, to be  
26 vacated due to retirement.

28 **State Police**

30	Positions - Legislative Count	(-7.0)
	Personal Services	(\$675,164)
32	All Other	(89,097)
34	TOTAL	<hr/> (\$764,261)

36 Provides for the deappropriation of funds  
38 through travel and fuel conservation, the  
elimination of 2 Commissioned Officer  
40 positions, 3 Detective positions, one  
Trooper position and one Police  
42 Communications Operator position and paid  
overtime. The bureau will also absorb the  
\$4,000 cost of the Commission for  
44 Computerization of Criminal History Records.

46 **DEPARTMENT OF PUBLIC SAFETY**  
TOTAL

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(\$1,153,171)

48 **PUBLIC UTILITIES COMMISSION**

50 **Public Utilities - Administrative**  
52 **Division**

2	Personal Services	(\$61,646)
4	Provides for the deappropriation of funds from salary savings.	
6		
8	<b>PUBLIC UTILITIES COMMISSION</b>	
	<b>TOTAL</b>	<u>(\$61,646)</u>
10	<b>MAINE STATE RETIREMENT SYSTEM, BOARD OF TRUSTEES OF THE</b>	
12		
14	<b>Retirement System - Retirement Allowance Fund</b>	
16	All Other	(\$12,048)
18	Provides for the deappropriation of funds from reductions in retirement benefits of retired governors or surviving widows.	
20		
22	<b>BOARD OF TRUSTEES OF THE MAINE STATE RETIREMENT SYSTEM</b>	
24	<b>TOTAL</b>	<u>(\$12,048)</u>
26	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
28		
30	<b>Administration - Secretary of State</b>	
	Personal Services	(\$10,000)
32	All Other	(54,692)
	Capital Expenditures	(103,500)
34		
	<b>TOTAL</b>	<u>(\$168,192)</u>
36		
38	Provides for the deappropriation of funds from salary savings, reduction in All Other and the reduction of the information system lease purchase.	
40		
42	<b>Administration - Archives</b>	
44	All Other	(\$6,000)
46	Provides for the deappropriation of funds from staff training, travel, equipment repairs, operational supplies and microfilm preservation.	
48		
50		
52	<b>DEPARTMENT OF THE SECRETARY OF STATE</b>	
	<b>TOTAL</b>	<u>(\$174,192)</u>

2	<b>MAINE TECHNICAL COLLEGE SYSTEM,</b>	
4	<b>BOARD OF TRUSTEES OF THE</b>	
6	<b>Maine Technical College System -</b>	
	<b>Board of Trustees</b>	
8	All Other	(\$282,976)
10	Provides for the deappropriation of funds	
12	by maintaining position vacancies and	
14	reducing capital equipment purchases and	
	All Other expenses.	
16	<b>BOARD OF TRUSTEES OF THE</b>	
	<b>MAINE TECHNICAL COLLEGE SYSTEM</b>	
	<b>TOTAL</b>	<u>(\$282,976)</u>
18	<b>TRANSPORTATION, DEPARTMENT OF</b>	
20	<b>Administration - Ports and Marine</b>	
22	<b>Transportation</b>	
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	<b>Air Search and Rescue</b>	
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	<b>Highway and Bridge Improvement</b>	
40	Capital Expenditures	(\$736,212)
42	Provides for the deappropriation of funds	
44	through deferring action on highway	
	projects.	
46	<b>Railroad Assistance Program</b>	
48	Personal Services	(\$9,300)
50	Provides for the deappropriation of funds	
52	from reduced Personal Services costs of	
	Railroad Inspectors.	

2	<b>State Plane</b>	
4	Personal Services	(\$19,900)
	All Other	(18,000)
6		
	TOTAL	<u>(\$37,900)</u>
8		
10	Provides for the deappropriation of funds	
	through decreased aircraft usage and not	
12	filling a temporary vacancy for an	
	Executive Aircraft Pilot position.	
14	<b>DEPARTMENT OF TRANSPORTATION</b>	
	<b>TOTAL</b>	<u>(\$861,912)</u>
16		
18	<b>TREASURER OF STATE</b>	
	<b>Administration - Treasury</b>	
20		
	Positions - Legislative Count	(-1.0)
22	Personal Services	(\$10,136)
	All Other	(60,846)
24	Capital Expenditures	(1,500)
26		
	Provides for the deappropriation of funds	
28	for one Clerk Typist I position, All Other	
	operating costs and capital equipment.	
30	<b>TREASURER OF STATE</b>	
	<b>TOTAL</b>	<u>(\$72,482)</u>
32		
34	<b>UNIVERSITY OF MAINE SYSTEM,</b>	
	<b>BOARD OF TRUSTEES OF THE</b>	
36	<b>Educational and General Activities -</b>	
	<b>University of Maine System</b>	
38		
	All Other	(\$1,642,947)
40		
	Provides for the deappropriation of funds	
42	from operating expenses.	
44	<b>Maine Public Broadcasting Network</b>	
46		
	All Other	(\$26,916)
48		
	Provides for the deappropriation of funds	
50	from operating expenses.	
52	<b>BOARD OF TRUSTEES OF THE</b>	
	<b>UNIVERSITY OF MAINE SYSTEM</b>	
	<b>TOTAL</b>	<u>(\$1,669,863)</u>



2	<b>MAINE COMMISSION FOR WOMEN</b>	
4	<b>Maine Commission for Women</b>	
6	Personal Services	(\$9,200)
	All Other	(1,735)
8		
10	Provides for the deappropriation of funds from salary savings and reductions in printing and supply expenditures.	
12		
14	<b>MAINE COMMISSION FOR WOMEN</b>	
	<b>TOTAL</b>	<u>(\$10,935)</u>
16	<b>MAINE HIGH-RISK INSURANCE ORGANIZATION</b>	
18	<b>Maine High-risk Insurance Organization</b>	
20	All Other	(\$1,425)
22	Provides for the deappropriation of funds through reductions in All Other.	
24		
26	<b>MAINE HIGH-RISK INSURANCE ORGANIZATION</b>	
	<b>TOTAL</b>	<u>(\$1,425)</u>
28	<b>MAINE HEALTH CARE FINANCE COMMISSION</b>	
30	<b>Health Care Finance Commission</b>	
32	All Other	(\$2,024,378)
34	Provides for the deappropriation of funds through the reduction of the hospital shortfall payments fund and the transfer of \$1,821,940 to Medical Care-Payments to Providers account for fiscal year 1990-91 only.	
36		
38		
40		
42	<b>MAINE HEALTH CARE FINANCE COMMISSION</b>	
	<b>TOTAL</b>	<u>(\$2,024,378)</u>
44	<b>MAINE HEALTH POLICY ADVISORY COUNCIL</b>	
46	<b>Maine Health Policy Advisory Council</b>	
48	Personal Services	(\$4,389)
	All Other	(6,499)
50		
	<b>TOTAL</b>	<u>(\$10,888)</u>

2 Provides for the deappropriation of funds  
4 through the reduction in the workweek of a  
6 Clerk Typist III position from 40 hours to  
32 hours.

8 **Maine Health Policy Advisory Council**

10	Positions - Legislative Count	(-3.0)
	Personal Services	(\$26,925)
	All Other	(5,164)
12	TOTAL	<hr/> (\$32,089)

14 Provides for the deappropriation of funds to  
16 eliminate the Maine Health Policy Advisory  
18 Council to include the elimination of all 3  
Legislative Count positions.

20	<b>MAINE HEALTH POLICY ADVISORY COUNCIL</b>	
	<b>TOTAL</b>	<hr/> (\$42,977)

22 **MAINE COMMISSION ON MENTAL HEALTH**

24 **Maine Commission on Mental Health**

26	Positions - Legislative Count	(-1.0)
28	Personal Services	(\$5,235)
	All Other	(2,175)

30 Provides for the deappropriation of funds  
32 through the elimination of a Clerk Typist  
34 III position and related expenses.

36	<b>MAINE COMMISSION ON MENTAL HEALTH</b>	
	<b>TOTAL</b>	<hr/> (\$7,410)

38 **MAINE WORLD TRADE ASSOCIATION**

40 **Maine World Trade Association**

42	All Other	(\$9,375)
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44 Provides for the deappropriation of funds  
46 through reductions in All Other.

48	<b>MAINE WORLD TRADE ASSOCIATION</b>	
	<b>TOTAL</b>	<hr/> (\$9,375)

50	<b>SECTION A-1</b>	
	<b>TOTAL APPROPRIATIONS</b>	<hr/> (\$36,486,525)

52

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

1990-91

6            **MAINE COMMITTEE ON AGING**

8            **Maine Committee on Aging**

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

14            Provides for the allocation of funds for  
15            1/2 of an Advocate position to reflect a  
16            deappropriation from the General Fund.

18            **MAINE COMMITTEE ON AGING**  
19            **TOTAL**

---

\$12,000

20            **EXECUTIVE DEPARTMENT**

22            **Energy and Weatherization**

24		Positions - Other Count	(-9.0)
26		Personal Services	(\$109,045)
		All Other	(2,121,117)

28            Provides for the deallocation of funds to  
29            abolish the Energy Weatherization Program  
30            to include the abolishment of the following  
31            positions: 4 Energy Technician positions,  
32            one Account Clerk II position, one Staff  
33            Development Specialist position, one DCS  
34            Program Specialist position, one System  
35            Analyst position and one Management Analyst  
36            II position.

38            **EXECUTIVE DEPARTMENT**  
39            **TOTAL**

---

(\$2,230,162)

42            **MAINE HUMAN DEVELOPMENT COMMISSION**

44            **Human Development Commission**

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

50            Provides for the deallocation of funds to  
51            eliminate the Maine Human Development

2 Commission to include the elimination of  
all 3 Other Count positions.

4 **MAINE HUMAN DEVELOPMENT COMMISSION**  
5 **TOTAL**

(\$10,654)

6 **HUMAN SERVICES, DEPARTMENT OF**

8 **Bureau of Elder and Adult Services**

10	Positions - Other Count	(-3.0)
12	Personal Services	(\$35,512)
14	All Other	35,512
16	<b>TOTAL</b>	<u>-\$0-</u>

18 Provides for the deallocation of funds to  
19 match a General Fund deappropriation to  
20 include the elimination of one Planning and  
21 Research Associate I position, one Social  
22 Services Program Specialist II position and  
one Field Examiner II position.

24 **Administration - Human Services**

26	Positions - Other Count	(-7.0)
28	Personal Services	(\$58,492)
30	All Other	(155,670)
32	<b>TOTAL</b>	<u>(\$214,162)</u>

34 Provides for the deallocation of funds to  
35 match a General Fund deappropriation to  
36 include the elimination of one  
37 Administrative Assistant position, one  
38 Computer Programmer position, one Programmer  
39 Analyst position, one Systems Analyst  
40 position, one System Team Leader position,  
one Data Entry Supervisor position and one  
Data Entry Specialist position.

42 **Welfare Employment, Education and Training**

44	Positions - Other Count	(-2.0)
46	Personal Services	(\$15,433)
48	All Other	(1,761,620)
50	<b>TOTAL</b>	<u>(\$1,777,053)</u>

Provides for the deallocation of funds to  
match a General Fund deappropriation to

2 include the elimination of 2 WEET Specialist  
positions.

4 **Administration - Income Maintenance**

6	Positions - Other Count	(-6.0)
	Personal Services	(\$39,355)
8	All Other	(30,760)
10	TOTAL	<hr/> (\$70,115)

12 Provides for the deallocation of funds to  
14 match a General Fund deappropriation to  
include the elimination of 2 Clerk Typist II  
16 positions, one Social Services Program  
Specialist II position and 3 Income  
18 Maintenance Specialist positions.

18 **Medical Care Administration**

20	Positions - Other Count	(-8.0)
22	Personal Services	(\$92,333)
	All Other	(102,633)
24	TOTAL	<hr/> (\$194,966)

26 Provides for the deallocation of funds to  
28 match a General Fund deappropriation to  
include the elimination of one Clerk III  
30 position, one Clerk Typist II position, one  
Management Analyst I position, one Bureau of  
32 Medical Services Assistant Director  
position, 2 Provider Relation Specialist  
34 positions and 2 Medical Social Work  
Consultant positions.

36 **Medical Care - Payments to Providers**

38	All Other	(\$4,167,380)
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40 Provides for the deallocation of funds to  
42 match a General Fund deappropriation.

44 **Intermediate Care - Payments to Providers**

46	All Other	(\$129,633)
----	-----------	-------------

48 Provides for the deallocation of funds to  
50 match a General Fund deappropriation.

52 **Administration - Regional -  
Human Services**

2	All Other	(\$248,813)
4	Provides for the deallocation of funds to match a General Fund deappropriation.	
6		
8	<b>Income Maintenance - Regional</b>	
10	Positions - Other Count	(-24.0)
12	Personal Services	(\$145,363)
14	All Other	(20,546)
16	TOTAL	<u>(\$165,909)</u>
18	Provides for the deallocation of funds to match a General Fund deappropriation to include the elimination of 17 Human Services Aide III positions, one Income Maintenance Supervisor position, one Income Maintenance Specialist position and 5 Clerk Typist II positions.	
20		
22		
24	<b>DEPARTMENT OF HUMAN SERVICES</b>	
26	<b>TOTAL</b>	<u>(\$6,968,031)</u>
28	<b>SECTION A-2</b>	
30	<b>TOTAL ALLOCATIONS</b>	<u>(\$9,196,847)</u>
32	<b>Sec. A-3. Allocation.</b> The following funds are allocated from Other Special Revenue for the fiscal year ending June 30, 1991 to carry out the purposes of this Act.	
34		<b>1990-91</b>
36	<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>	
38	<b>Agricultural Production</b>	
40	Positions - Other Count	(1.0)
42	Personal Services	\$13,098
44	Provides funds for the transfer of a Clerk Typist II position from the General Fund.	
46		
48	<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES</b>	
50	<b>TOTAL</b>	<u>\$13,098</u>
52	<b>LABOR, DEPARTMENT OF</b>	

	<b>Safety Education and Training Programs</b>	
2		
	Positions - Legislative Count	(2.0)
4	Personal Services	\$17,416
6	Provides funds for the transfer of one	
	Occupation Safety Compliance Engineer	
8	position and one Statistician I position	
	from the General Fund.	
10		
	<b>DEPARTMENT OF LABOR</b>	
12	<b>TOTAL</b>	<u>\$17,416</u>
14	<b>PROFESSIONAL AND FINANCIAL REGULATION,</b>	
	<b>DEPARTMENT OF</b>	
16		
	<b>Administrative Services - Professional</b>	
18	<b>and Financial Regulation</b>	
20		
	Positions - Other Count	(2.0)
	Personal Services	\$24,725
22	All Other	9,618
24	Provides for the allocation of funds for	
	the transfer of a Senior Administrative	
26	Secretary position and the position of	
	commissioner and related expenses from the	
28	General Fund.	
30	<b>DEPARTMENT OF PROFESSIONAL AND FINANCIAL</b>	
	<b>REGULATION</b>	
32	<b>TOTAL</b>	<u>\$34,343</u>
34	<b>SECTION A-3</b>	
	<b>TOTAL ALLOCATIONS</b>	<u>\$64,857</u>
36		
	<b>Sec. A-4. Allocation.</b> The following funds are allocated from	
38	Federal Block Grant funds for the fiscal year ending June 30,	
	1991 to carry out the purposes of this Act.	
40		
		<b>1990-91</b>
42		
	<b>MAINE HUMAN DEVELOPMENT COMMISSION</b>	
44		
	<b>Human Development</b>	
46		
	Personal Services	(\$16,452)
48	All Other	(2,070)
50	Provides for the deallocation of funds to	
	eliminate the Maine Human Development	
52	Commission.	

2 MAINE HUMAN DEVELOPMENT COMMISSION  
TOTAL (\$18,522)

4 SECTION A-4  
6 TOTAL ALLOCATIONS (\$18,522)

8 Sec. A-5. Allocation; State Lottery Fund. In order to provide  
10 for the necessary expenses of operation and administration of the  
Department of Finance, Bureau of Lottery, the following amounts,  
12 or as much as may be necessary, are allocated from the revenues  
derived from operations of the State Lottery Fund.

14 1990-91

16 FINANCE, DEPARTMENT OF

18 Lottery Operations

20 All Other (\$137,000)

22 Provides for the deallocation of funds from  
24 reductions in All Other. General Fund  
undedicated revenue will be increased  
26 \$137,000.

28 DEPARTMENT OF FINANCE  
TOTAL (\$137,000)

30 SECTION A-5  
TOTAL ALLOCATIONS (\$137,000)

34 PART B

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

40 1990-91

42 ADMINISTRATION, DEPARTMENT OF

44 Buildings and Grounds Operations

46 All Other \$469,800

48 Provides funds for increased fuel oil and  
50 electricity costs.



2	<b>State Police Headquarters Building Maintenance</b>	
4	All Other	\$8,200
6	Provides funds for increased fuel oil and electricity costs.	
8		
10	<b>DEPARTMENT OF ADMINISTRATION TOTAL</b>	<u>\$478,000</u>
12		
14	<b>ARTS COMMISSION, MAINE</b>	
16	<b>Arts - Sponsored Program</b>	
18	Personal Services	\$34,586
20	Provides for the appropriation of funds to cover a shortfall in personal services.	
22	<b>MAINE ARTS COMMISSION TOTAL</b>	<u>\$34,586</u>
24		
26	<b>CONSERVATION, DEPARTMENT OF</b>	
28	<b>Maine Land Use Regulation Commission</b>	
30	Positions - Legislative Count	(1.0)
32	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.	
38		
40	<b>Maine Land Use Regulation Commission</b>	
42	Positions - Legislative Count	(1.0)
44	Personal Services	\$10,273
46	All Other	24,120
48	Capital Expenditures	3,600
50	<b>TOTAL</b>	<u>\$37,993</u>
52	Provides funds for an Environmental Specialist III position and contractual work to process mining permit applications pending before the Maine Land Use Regulation Commission.	

2	<b>DEPARTMENT OF CONSERVATION</b>	
	<b>TOTAL</b>	<u>\$37,993</u>
4		
6	<b>CORRECTIONS, DEPARTMENT OF</b>	
8	<b>Bangor Pre-Release Center</b>	
	Personal Services	\$33,756
10	All Other	35,000
12	<b>TOTAL</b>	<u>\$68,756</u>
14	Provides funds for unbudgeted overtime,	
16	employee health insurance, workers'	
18	compensation and contracted medical	
	services.	
20	<b>Central Maine Pre-Release Center</b>	
	Personal Services	\$22,970
22	Provides funds for unbudgeted overtime and	
24	employee health insurance.	
26	<b>Charleston Correctional Facility</b>	
28	Personal Services	\$155,085
30	All Other	31,723
32	<b>TOTAL</b>	<u>\$186,808</u>
34	Provides funds for unbudgeted overtime,	
36	employee health insurance, inmate medical	
	costs and workers' compensation.	
38	<b>Community Based Corrections</b>	
	All Other	\$616,000
40	Provides funds to reimburse the county	
42	jails for the remainder of fiscal year	
44	1990-91.	
46	<b>Correctional Services</b>	
	Personal Services	\$3,512
48	All Other	45,000
50	<b>TOTAL</b>	<u>\$48,512</u>
52	Provides funds for employee health	

2	insurance and 9 home-based services programs.	
4	<b>Correctional Center</b>	
6	Personal Services	\$826,992
	All Other	1,650,300
8		
	TOTAL	<u>\$2,477,292</u>
10		
12	Provides funds for unbudgeted overtime, employee health insurance, inmate medical costs and increased operating costs due to	
14	increased inmate population.	
16	<b>Downeast Correctional Facility</b>	
18	Personal Services	\$84,453
	All Other	138,531
20	Capital Expenditures	11,800
22	TOTAL	<u>\$234,784</u>
24	Provides funds for unbudgeted overtime, employee health insurance, medical	
26	services, plant operations, equipment and	
28	restoration of psychological services.	
30	<b>Food - Maine Correctional Center</b>	
	All Other	\$253,500
32		
34	Provides funds for the increased costs of food.	
36	<b>Food - Maine Youth Center</b>	
38	All Other	\$90,089
40	Provides funds for the increased costs of food (\$45,000) and unpaid invoices at June	
42	30, 1990 (\$45,089) paid in fiscal year	
44	1990-91.	
46	<b>Food - State Prison</b>	
	All Other	\$120,000
48		
50	Provides funds for the increased costs of food.	
52	<b>Fuel - Corrections</b>	

2	All Other	\$543,296
4	Provides funds for increased fuel costs.	
<b>6</b>	<b>Probation and Parole</b>	
8	Personal Services	\$296,642
	All Other	55,255
10		<hr/>
	TOTAL	\$351,897
12		
14	Provides funds for salaries, wages, employee health insurance, all other expenditures and rental of office space.	
16		
	<b>State Prison</b>	
18	Personal Services	\$638,025
20	All Other	408,512
	Capital Expenditures	47,113
22		<hr/>
	TOTAL	\$1,093,650
24		
26	Provides funds for unbudgeted overtime, employee health insurance costs, workers' compensation, medical services and capital purchases.	
28		
<b>30</b>	<b>State Prison - Farm Program</b>	
32	Personal Services	\$10,000
	All Other	(10,000)
34		<hr/>
	TOTAL	\$ -0-
36		
38	Provides funds for unbudgeted overtime costs.	
<b>40</b>	<b>Unemployment Compensation - Corrections</b>	
42	Personal Services	\$78,209
44	Provides funds for increased unemployment costs.	
46		
	<b>Maine Youth Center</b>	
<b>48</b>		
	Personal Services	\$459,560
50	All Other	174,412
		<hr/>
52	TOTAL	\$633,972

2	Provides funds for unbudgeted overtime,	
4	employee health insurance, medical costs,	
	repairs and workers' compensation.	
6		
8	<b>DEPARTMENT OF CORRECTIONS</b>	
	<b>TOTAL</b>	<u>\$6,819,735</u>
10	<b>EDUCATION, DEPARTMENT OF</b>	
12	<b>Administration - Local School Services</b>	
14	Personal Services	\$7,028
16	Provides funds through a transfer from	
18	Governor Baxter School for the Deaf in	
20	order to cover a projected Personal	
	Services shortfall.	
22	<b>Alcohol and Drug Education Services</b>	
	Positions - Legislative Count	(1.0)
24	Personal Services	\$5,271
	All Other	(5,271)
26		<u>\$ -0-</u>
28	<b>TOTAL</b>	
30	Provides funds for an Education Specialist	
32	II position to correct the effect of Public	
	Law 1989, chapter 934 on the position	
	transfer in Public Law 1989, chapter 875.	
34	<b>Certification, Placement and Teacher Education</b>	
36	Personal Services	\$20,772
38	Provides funds for a projected Personal	
40	Services shortfall as a transfer from the	
	Governor Baxter School for the Deaf.	
42	<b>Donated Commodities Program - Local Schools</b>	
44	Personal Services	\$2,743
46	Provides funds for a projected Personal	
48	Services shortfall as a transfer from the	
	Governor Baxter School for the Deaf.	
50	<b>Administration - Education</b>	
52	Positions - Legislative Count	(1.0)

2 Provides authorization to establish a  
4 Director of Special Projects position,  
salary range 27.

**6 Education in Unorganized Territory**

8 Personal Services \$70,000

10 Provides funds to meet Personal Services  
12 costs in the 4th quarter of fiscal year  
14 1990-91. General Fund costs will be offset  
by additional General Fund undedicated  
revenues.

**16 Education in Unorganized Territory**

18 All Other \$168,000

20 Provides funds to cover additional  
22 operational needs, General Fund costs will  
be offset by additional General Fund  
undedicated revenues.

**24 Governor Baxter School for the Deaf**

**26**

28 Personal Services (\$30,543)

30 Provides for the deappropriation of funds  
32 from salary savings to transfer Personal  
Services appropriations to the following  
34 programs to cover projected Personal  
Services shortfall: \$7,028 to  
Administration - Local School Services;  
36 \$2,743 to Donated Commodities Program -  
Local Schools; and \$20,772 to  
38 Certification, Placement and Teacher  
Education.

**40 Grant - Loan - Scholarship Fund**

42 All Other \$247,800

44 Provides funds to offset effect of a double  
46 deappropriation in Public Law 1989,  
chapters 698 and 875 from this account.

**48 DEPARTMENT OF EDUCATION**  
**50 TOTAL** \$485,800

**52 ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

2	<b>Departmentwide - Department of Environmental Protection</b>	
4	All Other	\$90,000
6	Provides funds for the payment of an arbitration settlement against the	
8	department regarding compressed workweek.	
10	<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
12	<b>TOTAL</b>	<u>\$90,000</u>
14	<b>FINANCE AUTHORITY OF MAINE</b>	
16	<b>Student Financial Assistance Programs</b>	
18	All Other	(\$247,800)
20	Provides for the deappropriation of a double appropriation in Public Law 1989,	
22	chapters 698 and 875.	
24	<b>FINANCE AUTHORITY OF MAINE</b>	
26	<b>TOTAL</b>	<u>(\$247,800)</u>
28	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
30	<b>Aid to Families with Dependent Children</b>	
32	All Other	\$7,891,949
34	Provides additional funds to maintain maximum payment levels for Aid to Families with Dependent Children recipients based on a ratable reduction of 69.4% of the full need rather than having a "gap" between the full need and maximum payment standards.	
36		
38		
40	<b>General Assistance - Reimbursement to Cities and Towns</b>	
42	All Other	\$6,568,470
44	Provides funds to meet increased case loads.	
46		
48	<b>Intermediate Care - Payments to Providers</b>	
50	All Other	\$13,848,502
52	Provides funds to cover projected shortfall due to federal regulations and higher than	

2	anticipated fuel costs and other recession-related problems.	
4	<b>Medical Care - Payments to Providers</b>	
6	All Other	\$10,965,958
8	Provides funds for increased hospital costs, increases in prescribed drug costs and increases resulting from the federal deficit reduction bill.	
10		
12		
14	<b>Medical Care - Payments to Providers</b>	
16	All Other	\$1,821,940
18	Provides for the appropriation of funds formerly associated with the hospital shortfall payments fund.	
20		
22	<b>Medical Care Administration</b>	
24	All Other	\$685,496
26	Provides funds to cover an anticipated shortfall resulting from increased costs associated with EPSDT outreach regulations.	
28		
30	<b>Social Services - Regional</b>	
32	Personal Services	\$1,336,804
34	Provides funds to meet expected payroll costs.	
36	<b>DEPARTMENT OF HUMAN SERVICES</b>	
38	<b>TOTAL</b>	<u>\$43,119,119</u>
40	<b>JUDICIAL DEPARTMENT</b>	
42	<b>Courts - Supreme, Superior, District and Administrative</b>	
44	All Other	\$600,000
46	Provides funds for civil jury trials and increased court security costs.	
48		
50	<b>JUDICIAL DEPARTMENT</b>	
	<b>TOTAL</b>	<u>\$600,000</u>



2	<b>MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF</b>	
4	<b>Administration - Mental Health and Mental Retardation</b>	
6	All Other	\$68,500
8	Provides funds to meet the cost of operating the forensic service of the State.	
10		
12	<b>Administration - Mental Health and Mental Retardation</b>	
14	All Other	\$175,000
16	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.	
18		
20		
22		
24		
26	<b>Aroostook Residential Center</b>	
28	Personal Services	\$97,455
28	All Other	15,000
30	TOTAL	<u>\$112,455</u>
32	Provides funds for the unbudgeted costs of collective bargaining, holiday and overtime pay and costs associated with a workers' compensation claim.	
34		
36		
38	<b>Augusta Mental Health Institute</b>	
40	Personal Services	\$1,201,111
40	All Other	1,377,727
42	TOTAL	<u>\$2,578,838</u>
44	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.	
46		
48		
50	<b>Augusta Mental Health Institute</b>	
52	Personal Services	\$25,714
52	All Other	126,000

2	TOTAL	\$151,714
4	Provides funds to begin implementation of consent decree requirements.	
6		
8	<b>Bangor Mental Health Institute</b>	
10	Personal Services	\$921,556
12	All Other	1,897,072
14	TOTAL	\$2,818,628
16	Provides funds to meet payroll, workers' compensation, psychiatrist contracts, drugs, patient medical bills, insurance and peer and death review expenses.	
18		
20	<b>Bath Children's Home</b>	
22	All Other	\$20,500
24	Provides funds for unbudgeted expenditures relating to a workers' compensation claim.	
26	<b>Elizabeth Levinson Center</b>	
28	Personal Services	\$133,798
30	All Other	61,564
32	TOTAL	\$195,362
34	Provides funds to support the unbudgeted costs of collective bargaining, overtime and holiday pay, workers' compensation and utilities.	
36		
38	<b>Food for Institutions - Mental Health and Mental Retardation</b>	
40	All Other	\$475,000
42	Provides funds to support food costs over and above those presently budgeted.	
44		
46	<b>Fuel for Institutions - Mental Health and Mental Retardation</b>	
48	All Other	\$280,000
50	Provides funds to support fuel costs over and above those budgeted.	
52		

2	<b>Mental Health Services - Children</b>	
4	All Other	\$115,000
6	Provides funds for a diversion program for adolescents.	
8		
10	<b>Mental Health Services - Community</b>	
12	Personal Services	\$52,129
14	Provides funds for collective bargaining increases and holiday coverage through overtime.	
16		
18	<b>Mental Health Services - Community</b>	
20	All Other	\$54,000
22	Provides funds for fulfilling immediate obligations under the consent decree, through training and by moving patients into community placements.	
24		
26	<b>Mental Retardation Services - Community</b>	
28	All Other	\$120,308
30	Provides funds for unanticipated and unbudgeted demands that have been placed on the Bureau of Mental Retardation, presenting the bureau with a budget shortfall.	
32		
34		
36	<b>Pineland Center</b>	
38	Personal Services	\$2,000,066
40	All Other	498,682
42	TOTAL	<hr/> \$2,498,748
44	Provides funds to support unbudgeted costs of collective bargaining increases, holiday and overtime pay and workers' compensation.	
46		
48	<b>Unemployment Compensation - Mental Health and Mental Retardation</b>	
50	Personal Services	\$224,550
52	Provides funds to meet a projected	

2	shortfall in the department's centralized unemployment compensation account.	
4	<b>DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION</b>	
6	<b>TOTAL</b>	<u>\$9,940,732</u>
8	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
10	<b>Administration - Secretary of State</b>	
12	All Other	\$45,165
14	Provides funds for printing, postage and related expenses for the November 1990 16 referenda, less available savings in this program.	
18	<b>DEPARTMENT OF THE SECRETARY OF STATE</b>	
20	<b>TOTAL</b>	<u>\$45,165</u>
22	<b>TREASURER OF STATE, OFFICE OF</b>	
24	<b>Debt Service - Treasury</b>	
26	All Other	\$897,250
28	Provides funds for payment of debt service on outstanding bonds.	
30	<b>OFFICE OF TREASURER OF STATE</b>	
32	<b>TOTAL</b>	<u>\$897,250</u>
34	<b>SECTION B-1</b>	
36	<b>TOTAL APPROPRIATIONS</b>	<u>\$62,300,580</u>
38	<b>Sec. B-2. Allocation.</b> There are allocated from Federal Expenditures for the fiscal year ending June 30, 1991, the 40 following sums.	
42		<b>1990-91</b>
44	<b>EDUCATION, DEPARTMENT OF</b>	
46	<b>Alcohol and Drug Education Services</b>	
48	Positions - Other Count	(2.5)
50	Personal Services	\$13,437
50	All Other	574
52	<b>TOTAL</b>	<u>\$14,011</u>

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

**Special Education - Exceptional Children**

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

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

24	<b>DEPARTMENT OF EDUCATION</b>	
26	<b>TOTAL</b>	<hr/> \$40,039

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Administration - Environmental  
Protection**

34	All Other	\$10,000
36	Capital Expenditures	90,000
38	TOTAL	<hr/> \$100,000

40 Provides funds for computer equipment,  
42 networking and software to support  
implementation of the comprehensive  
automation plan.

**Air Quality Control**

46	Positions - Other Count	(1.0)
48	Personal Services	\$9,591
50	All Other	293
52	TOTAL	<hr/> \$9,884

Provides funds for a continuation of a

2 Senior Meteorologist position funded  
through the Federal Clean Air Act and  
4 established by Financial Order #2715.

6 **Lake Restoration and Protection Fund**

8	Positions - Other Count	(1.0)
	Personal Services	\$6,600
	All Other	60
10		<hr/>
	TOTAL	\$6,660

12 Provides funds for an ESS II position to  
14 complete studies and restoration of area  
lakes.

16 **Land Quality Control**

18	Positions - Other Count	(1.0)
20	Personal Services	\$6,418
	All Other	195
22		<hr/>
	TOTAL	\$6,613

24 Provides funds for the continuation of an  
26 Environmental Specialist III position  
funded through the federal RCRA 8001(a) (1)  
28 grant from EPA.

30 **Oil and Hazardous Materials Control**

32	Positions - Other Count	(1.0)
	Personal Services	\$8,784
34	All Other	362
36		<hr/>
	TOTAL	\$9,146

38 Provides for continuation of an  
40 Environmental Specialist III position  
funded through the Federal Core Grant II  
and established by Financial Order #2640.

42 **Oil and Hazardous Materials Control**

44	Positions - Other Count	(1.0)
46	Personal Services	\$6,418
	All Other	195
48		<hr/>
	TOTAL	\$6,613

50 Provides funds for an Environmental

2 Specialist III position funded through the  
Federal Hazardous Waste Grant from EPA.

4 **Solid Waste Management**

6	Positions - Other Count	(1.0)
	Personal Services	\$8,176
8	All Other	337
10	TOTAL	<u>\$8,513</u>

12 Provides funds for the continuation of an  
14 OHMS II position funded through the Federal  
Asbestos Program Enhancement Grant and  
16 established by Financial Order #2638.

18 **Water Quality Control**

20	Positions - Other Count	(3.0)
	Personal Services	\$21,032
22	All Other	645
24	TOTAL	<u>\$21,677</u>

26 Provides funds for a Casco Bay Estuary  
Project Coordinator position, established  
28 by Financial Order #2642, a Program Analyst  
position and a Planning and Research  
Associate II position.

32 **Land Quality Control**

34	Positions - Other Count	(1.0)
	Personal Services	\$8,736
36	All Other	266
38	TOTAL	<u>\$9,002</u>

40 Provides funds to continue an Environmental  
Specialist IV position funded through  
42 federal RCRA 8001(a) (1) grant from EPA and  
established by a financial order, which is  
44 in process.

46 **DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
TOTAL**

\$178,108

48 **EXECUTIVE DEPARTMENT**

50 **Head Start**

52

2	Positions - Other Count	(2.0)
	Personal Services	\$10,493
	All Other	412
4		<hr/>
	TOTAL	\$10,905
6		
8	Provides funds for a Head Start Director position and a Secretary position for a new State Office of Head Start.	
10		
12	<b>Planning Office</b>	
	Positions - Other Count	(1.0)
14	Personal Services	\$4,751
	All Other	(4,751)
16		<hr/>
	TOTAL	\$ -0-
18		
20	Provides funds for the continued development of the Maine Shore Stewards Program under the Coastal Grant, by transfer of All Other to Personal Services.	
22		
24	<b>Planning Office</b>	
26	Personal Services	\$7,830
28	Provides funds for increased Personal Services for personnel to perform a state biomass energy study.	
30		
32	<b>EXECUTIVE DEPARTMENT</b>	
	<b>TOTAL</b>	<hr/> \$18,735
34		
36	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
38	<b>Medical Care Administration</b>	
	Positions - Other Count	(2.0)
40	Personal Services	\$27,118
	All Other	850
42		<hr/>
	TOTAL	\$27,968
44		
46	Provides funds from Title XIX for one Social Services Program Specialist I position and one Medicaid Surveillance and Utilization Assistant Director position for the Division of Residential Care.	
48		
50		
52	<b>Bureau of Child and Family Services</b>	



2	Positions - Other Count	(1.0)
	Personal Services	\$9,070
4	All Other	10,000
6	TOTAL	<u>\$19,070</u>

8 Provides funds for improving child care  
 10 licensing and registration requirements and  
 12 monitoring child care services provided to  
 14 children receiving aid under the State IV-A  
 Plan to include the continuation of a  
 Planning and Research Associate I position  
 established by financial order.

16 **Medical Care Administration**

18	Positions - Other Count	(1.0)
	Personal Services	\$7,488
20	All Other	1,166
22	TOTAL	<u>\$8,654</u>

24 Provides funds from Title XIX for a Health  
 Services Consultant position.

26 **Aid to Families with Dependent  
 28 Children**

30	All Other	\$13,723,907
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32 Provides funds to match the General Fund  
 emergency request for fiscal year 1990-91.

34 **Intermediate Care - Payments to Providers**

36	All Other	\$24,082,207
----	-----------	--------------

38 Provides funds to match the General Fund  
 40 emergency request for fiscal year 1990-91.

42 **Medical Care - Payments to Providers**

44	All Other	\$19,069,534
----	-----------	--------------

46 Provides funds to match the General Fund  
 emergency request for fiscal year 1990-91.

48 **Medical Care - Payments to Providers**

50	All Other	\$3,227,783
----	-----------	-------------

52 Provides funds to match the General Fund

2	appropriation associated with hospital payments.	
4	<b>DEPARTMENT OF HUMAN SERVICES</b>	
	<b>TOTAL</b>	<u>\$60,159,123</u>
6	<b>PUBLIC SAFETY, DEPARTMENT OF</b>	
8	<b>Criminal Justice Academy</b>	
10	Positions - Other Count	(3.0)
12	Personal Services	\$39,102
14	All Other	411
16	Provides funds for the continuation of 2 Planning and Research Associate II positions and a Clerk Stenographer I position to administer the Federal Drug Control and Systems Improvement Grant.	
22	<b>DEPARTMENT OF PUBLIC SAFETY</b>	
	<b>TOTAL</b>	<u>\$39,513</u>
24	<b>SECTION B-2</b>	
26	<b>TOTAL ALLOCATIONS</b>	<u>\$60,435,518</u>
28	<b>Sec. B-3. Allocation.</b> The following funds are allocated from Other Special Revenue for fiscal year ending June 30, 1991 to carry out the purposes of this Act.	
30		
32		<b>1990-91</b>
34	<b>ADMINISTRATION, DEPARTMENT OF</b>	
36	<b>Accident - Sickness - Health Insurance</b>	
38	Capital Expenditures	\$100,000
40	Provides funds for the continued development and analysis of alternative health insurance plans to rebid the HMO contract and to comply with collective bargaining agreements.	
42		
44		
46	<b>DEPARTMENT OF ADMINISTRATION</b>	
	<b>TOTAL</b>	<u>\$100,000</u>
48	<b>AGRICULTURE, FOOD AND RURAL</b>	
50	<b>RESOURCES, DEPARTMENT OF</b>	
52	<b>Agriculture Production</b>	

2	All Other	(\$800)
	Capital Expenditures	800
4		
	TOTAL	\$ -0-
6		
8	Provides funds for a rapid print acquiring	
	electric date stamp in support of the	
10	Equine Infectious Anemia Program.	
	<b>Dairy and Nutrition Council Committee</b>	
12		
	All Other	\$55,000
14		
16	Provides funds for purchasing nutrition	
	education materials.	
18	<b>Dairy Promotions Board</b>	
20		
	All Other	\$55,000
22		
	Provides funds for increased media	
24	advertising.	
	<b>DEPARTMENT OF AGRICULTURE, FOOD</b>	
26	<b>AND RURAL RESOURCES</b>	
	TOTAL	\$110,000
28		
	<b>CONSERVATION, DEPARTMENT OF</b>	
30		
	<b>Parks - General Operations</b>	
32		
	All Other	\$70,532
34	Unallocated	1,629
36	TOTAL	\$72,161
38		
	Provides funds for access improvements	
40	expected to be transferred from Land for	
	Maine's Future Fund, the Maine Revised	
42	Statutes, Title 5, section 6203.	
	<b>Parks - General Operations</b>	
44		
	Personal Services	\$13,651
46	All Other	267
	Unallocated	819
48		
	TOTAL	\$14,737
50		
	Provides funds from the unencumbered	
52	balance forward to fund salary increases	

2	and reimburse Wolfe's Neck Woods State Park Fund.	
4	<b>DEPARTMENT OF CONSERVATION</b>	
	<b>TOTAL</b>	<u>\$86,898</u>
6	<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
8	<b>Administration - Environmental</b>	
10	<b>Protection</b>	
12	All Other	\$135,000
	Capital Expenditures	365,000
14		
16	<b>TOTAL</b>	<u>\$500,000</u>
18	Provides funds for computer equipment, networking and software to assist implementation of the comprehensive automation plan.	
20		
22	<b>Board of Environmental</b>	
	<b>Protection Fund</b>	
24		
26	Personal Services	(\$27,700)
	All Other	27,700
28	<b>TOTAL</b>	<u>\$ -0-</u>
30	Provides funds through the transfer from Personal Services to All Other in order to support operations that would otherwise have been paid for by the General Fund.	
32		
34		
	<b>Maine Environmental Protection Fund</b>	
36		
38	Personal Services	\$655
	All Other	20
40	<b>TOTAL</b>	<u>\$675</u>
42	Provides funds for the reclassification through reorganization of 2 Environmental Specialist II positions to OHMS I positions.	
44		
46	<b>Technical Studies - Department of</b>	
	<b>Environmental Protection</b>	
48		
50	All Other	\$28,178
	Capital Expenditures	6,000
52	<b>TOTAL</b>	<u>\$34,178</u>

2 Provides funds for additional planned  
4 activities and capital expenditures by the  
advisory commission.

6 **Oil and Hazardous Materials Control**

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

12 Provides funds for 2 limited-period,  
14 16-week Conservation Aide positions to be  
used as general purpose employees.

16 **Oil and Hazardous Materials Control**

18	Personal Services	\$2,154
20	All Other	65
		<hr/>
22	TOTAL	\$2,219

24 Provides funds for 2 limited-period,  
26 16-week Conservation Aide positions to be  
used as general purpose employees.

28 **Oil and Hazardous Materials Control**

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

34 Provides funds for 2 limited-period,  
36 16-week Conservation Aide positions to be  
used as general purpose employees.

38 **Oil and Hazardous Materials Control**

40	Personal Services	\$60,000
42	All Other	2,100
		<hr/>
44	TOTAL	\$62,100

46 Provides funds for Personal Services in the  
48 surface account.

50 **Radioactive Waste Evaluation Fund**

52	All Other	\$14,355
----	-----------	----------

2	Provides funds for additional planned activities by the Advisory Commission on Radioactive Waste.	
4		
6	<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
	<b>TOTAL</b>	<u>\$617,965</u>
8		
10	<b>EXECUTIVE DEPARTMENT</b>	
12	<b>Petroleum Violation Escrow</b>	
14	Positions - Legislative Count	(1.0)
	Personal Services	\$3,975
16	Provides funds to increase Personal Services in the Standard Oil, Coline Gas Account to administer a grant award.	
18		
20	<b>Office of Siting and Disposal Operations</b>	
22	Positions - Other Count	(1.0)
	Personal Services	\$11,888
24	All Other	108,460
	Capital Expenditures	5,500
26		
	<b>TOTAL</b>	<u>\$125,848</u>
28		
30	Provides funds for an Environmental Specialist III position, and the development of a hazardous waste disposal program as mandated by the Maine Revised Statutes, Title 38, section 2164.	
32		
34		
36	<b>Planning Office</b>	
	Personal Services	\$12,057
38		
40	Provides funds for an increase in 4th-quarter allotment in Personal Services for the State Nuclear Safety Advisor.	
42		
44	<b>EXECUTIVE DEPARTMENT</b>	
	<b>TOTAL</b>	<u>\$141,880</u>
46	<b>MAINE STATE LIBRARY</b>	
48	<b>Library Development Services</b>	
50	Positions - Other Count	(1.0)
	Personal Services	\$2,369
52	All Other	(\$2,369)

2 TOTAL \$ -0-

4 Provides funds to reestablish a Laborer II  
 6 position by the transfer of funds from All  
 8 Other to Personal Services.

10 MAINE STATE LIBRARY

12 TOTAL \$ -0-

14 SECTION B-3

16 TOTAL ALLOCATIONS \$1,056,743

18 Sec. B-4. Allocation. The following funds are allocated from  
 20 Federal Block Grant funds for the fiscal year ending June 30,  
 22 1991 to carry out the purposes of this Act.

24 1990-91

26 EDUCATION, DEPARTMENT OF

28 Education in Unorganized Territory

30 All Other \$4,063

32 Capital Expenditures 3,764

34 Provides funds for fiscal year 1990-91,  
 36 Chapter II grant carryover.

38 DEPARTMENT OF EDUCATION

40 TOTAL \$7,827

42 SECTION B-4

44 TOTAL ALLOCATIONS \$7,827

46 Sec. B-5. Allocation. The following funds are allocated from  
 48 the Highway Fund for the fiscal year ending June 30, 1991 to  
 50 carry out the purposes of this Act.

52 1990-91

54 ADMINISTRATION, DEPARTMENT OF

56 Transportation Building Maintenance

58 All Other \$165,000

60 Provides funds for increased fuel oil and  
 62 electricity costs.

64 State Police Headquarters

66 Building Maintenance

2	All Other	\$8,200
4	Provides funds for increased fuel oil and electricity costs.	
6	<b>DEPARTMENT OF ADMINISTRATION</b>	
8	<b>TOTAL</b>	<u>\$173,200</u>
10	<b>SECTION B-5</b>	
12	<b>TOTAL ALLOCATIONS</b>	<u>\$173,200</u>
14	<b>PART C</b>	
16	<b>Sec. C-1. Appropriation.</b> 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.	
18		
20		<b>1990-91</b>
22	<b>ADMINISTRATION, DEPARTMENT OF</b>	
24	<b>Public Improvements - Planning and Construction - Administration</b>	
26	Personal Services	\$5,134
28	<b>DEPARTMENT OF ADMINISTRATION</b>	
30	<b>TOTAL</b>	<u>\$5,134</u>
32	<b>AGING, MAINE COMMITTEE ON</b>	
34	<b>Maine Committee on Aging</b>	
36	Personal Services	\$1,030
38	<b>MAINE COMMITTEE ON AGING</b>	
40	<b>TOTAL</b>	<u>\$1,030</u>
42	<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>	
44	<b>Marketing Services - Agriculture</b>	
46	Personal Services	\$52,596
48	<b>Soil and Water Conservation Commission</b>	
50	Personal Services	\$3,869
52	<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL</b>	



2	<b>RESOURCES</b>	
	<b>TOTAL</b>	<u>\$56,465</u>
4	<b>CONSERVATION, DEPARTMENT OF</b>	
6	<b>Engineering and Realty</b>	
8	Personal Services	\$3,452
10	<b>Parks - General Operations</b>	
12	Personal Services	\$2,918
14	<b>DEPARTMENT OF CONSERVATION</b>	
	<b>TOTAL</b>	<u>\$6,370</u>
16	<b>CORRECTIONS, DEPARTMENT OF</b>	
18	<b>Charleston Correctional Facility</b>	
20	Personal Services	\$3,427
22	<b>Correctional Center</b>	
24	Personal Services	\$10,118
26	<b>Probation and Parole</b>	
28	Personal Services	\$611
30	<b>State Prison</b>	
32	Personal Services	\$2,187
34	<b>Maine Youth Center</b>	
36	Personal Services	\$2,062
38	<b>DEPARTMENT OF CORRECTIONS</b>	
40	<b>TOTAL</b>	<u>\$18,405</u>
42	<b>DEFENSE AND VETERANS' SERVICES,</b>	
44	<b>DEPARTMENT OF</b>	
46	<b>Administration - Defense and Veterans' Services</b>	
48	Personal Services	\$4,204
50	<b>DEPARTMENT OF DEFENSE AND</b>	
	<b>VETERANS' SERVICES</b>	
52	<b>TOTAL</b>	<u>\$4,204</u>

2	<b>EDUCATION, DEPARTMENT OF</b>	
4	<b>Administrative Services - Education</b>	
6	Personal Services	\$1,055
8	<b>Alcohol and Drug Education Services</b>	
10	Personal Services	\$1,250
12	<b>Education in Unorganized Territory</b>	
14	Personal Services	\$15,392
16	<b>Finance - Education</b>	
18	Personal Services	\$2,732
20	<b>DEPARTMENT OF EDUCATION</b>	
22	<b>TOTAL</b>	<u>\$20,429</u>
24	<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
26	<b>Administration - Environmental Protection</b>	
28	Personal Services	\$8,977
30	<b>Air Quality Control</b>	
32	Personal Services	\$3,149
34	<b>Land Quality Control</b>	
36	Personal Services	\$1,928
38	<b>Water Quality Control</b>	
40	Personal Services	\$921
42	<b>DEPARTMENT OF ENVIRONMENTAL</b>	
44	<b>PROTECTION</b>	
46	<b>TOTAL</b>	<u>\$14,975</u>
48	<b>EXECUTIVE DEPARTMENT</b>	
50	<b>Office of Substance Abuse</b>	
52	Personal Services	\$9,580
54	<b>Planning Office</b>	
56	Personal Services	\$1,508

2	<b>Public Advocate</b>	
4	Personal Services	\$3,343
6	<b>EXECUTIVE DEPARTMENT</b>	
	<b>TOTAL</b>	<u>\$14,431</u>
8	<b>FINANCE, DEPARTMENT OF</b>	
10	<b>Bureau of Accounts and Control</b>	
12	Personal Services	\$12,240
14	<b>Bureau of Taxation</b>	
16	Personal Services	\$11,353
18	<b>DEPARTMENT OF FINANCE</b>	
20	<b>TOTAL</b>	<u>\$23,593</u>
22	<b>GOVERNMENTAL ETHICS AND ELECTION PRACTICES,</b>	
	<b>COMMISSION ON</b>	
24	<b>Commission on Governmental Ethics and Election</b>	
26	<b>Practices</b>	
28	Personal Services	\$3,825
30	<b>COMMISSION ON GOVERNMENTAL ETHICS AND</b>	
	<b>ELECTION PRACTICES</b>	
32	<b>TOTAL</b>	<u>\$3,825</u>
34	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
36	<b>Administration - Human Services</b>	
38	Personal Services	\$17,768
40	<b>Administration - Regional - Human Services</b>	
42	Personal Services	\$871
44	<b>Alcoholism and Drug Abuse Prevention - Human</b>	
	<b>Services</b>	
46	Personal Services	\$480
48	<b>Bureau of Health</b>	
50	Personal Services	\$12,960
52		

2	<b>Medical Care Administration</b>	
	Personal Services	\$15,808
4		
6	<b>DEPARTMENT OF HUMAN SERVICES</b>	
	<b>TOTAL</b>	<u>\$47,887</u>
8	<b>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</b>	
10	<b>Fisheries and Hatcheries Operations</b>	
12	Personal Services	\$129,217
14	<b>Licensing Services</b>	
16	Personal Services	\$2,338
18	<b>Office of the Commissioner</b>	
20	Personal Services	\$1,670
22	<b>Resource Management Services</b>	
24	Personal Services	\$11,716
26	<b>DEPARTMENT OF INLAND FISHERIES</b>	
	<b>AND WILDLIFE</b>	
28	<b>TOTAL</b>	<u>\$144,941</u>
30	<b>LABOR, DEPARTMENT OF</b>	
32	<b>Labor Relations Board</b>	
34	Personal Services	\$2,755
36	<b>DEPARTMENT OF LABOR</b>	
	<b>TOTAL</b>	<u>\$2,755</u>
38	<b>MAINE STATE LIBRARY</b>	
40	<b>Administration</b>	
42	Personal Services	\$1,513
44	<b>Library Development Services</b>	
46	Personal Services	\$6,677
48	<b>Reader and Information Services</b>	
50	Personal Services	\$4,823
52		

2	<b>MAINE STATE LIBRARY</b>	
	<b>TOTAL</b>	<u>\$13,013</u>
4	<b>MARINE RESOURCES, DEPARTMENT OF</b>	
6	<b>Administration - Marine Resources</b>	
8	Personal Services	\$1,324
10	<b>Bureau of Marine Development</b>	
12	Personal Services	\$7,198
14	<b>Bureau of Marine Patrol</b>	
16	Personal Services	\$4,101
18	<b>Bureau of Marine Sciences</b>	
20	Personal Services	\$2,813
22	<b>DEPARTMENT OF MARINE RESOURCES</b>	
	<b>TOTAL</b>	<u>\$15,436</u>
24	<b>PUBLIC UTILITIES COMMISSION</b>	
26	<b>Public Utilities - Administrative Division</b>	
28	Personal Services	\$655
30	<b>PUBLIC UTILITIES COMMISSION</b>	
32	<b>TOTAL</b>	<u>\$655</u>
34	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
36	<b>Administration</b>	
38	Personal Services	\$4,878
40	<b>DEPARTMENT OF THE SECRETARY OF STATE</b>	
	<b>TOTAL</b>	<u>\$4,878</u>
42	<b>WORKERS' COMPENSATION COMMISSION</b>	
44	<b>Workers' Compensation Commission</b>	
46	Personal Services	\$12,375
48	<b>WORKERS' COMPENSATION COMMISSION</b>	
50	<b>TOTAL</b>	<u>\$12,375</u>
52	<b>SECTION C-1</b>	<u>                    </u>

2	<b>TOTAL APPROPRIATIONS</b>	\$410,801
4	<b>Sec. C-2. Allocation; Highway Fund.</b> There are allocated from	
6	the Highway Fund for the fiscal year ending June 30, 1991, to the	
8	departments listed, the sums identified in the following, in	
	order to provide funding for approved reclassifications and range	
	changes.	
10		<b>1990-91</b>
12	<b>PUBLIC SAFETY, DEPARTMENT OF</b>	
14	<b>Administration - Public Safety</b>	
16	Personal Services	\$859
18	<b>State Police</b>	
20	Personal Services	\$4,490
22	<b>DEPARTMENT OF PUBLIC SAFETY</b>	
	<b>TOTAL</b>	<u>\$5,349</u>
24	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
26	<b>Administration - Motor Vehicles</b>	
28	Personal Services	\$11,734
30	<b>Fuel Use Decal Program</b>	
32	Personal Services	\$963
34	<b>DEPARTMENT OF THE SECRETARY OF STATE</b>	
36	<b>TOTAL</b>	<u>\$12,697</u>
38	<b>TRANSPORTATION, DEPARTMENT OF</b>	
40	<b>Administration and Planning</b>	
42	Personal Services	\$4,571
44	<b>Highway Maintenance</b>	
46	Personal Services	\$1,459
48	<b>DEPARTMENT OF TRANSPORTATION</b>	
	<b>TOTAL</b>	<u>\$6,030</u>
50	<b>SECTION C-2</b>	
52	<b>TOTAL ALLOCATIONS</b>	<u>\$24,076</u>

2           **Sec. C-3. Allocation; Federal Expenditures.** There are allocated  
3 from Federal Expenditures for the fiscal year ending June 30,  
4 1991, to the departments listed, the sums identified in the  
5 following, in order to provide funding for approved  
6 reclassifications and range changes.

8           **1990-91**

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

14       **Marketing Services**

16           Personal Services \$45,961

18 **DEPARTMENT OF AGRICULTURE, FOOD AND RURAL**  
18 **RESOURCES**  
18 **TOTAL** \$45,961

20 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

22 **Air Quality Control**

24           Personal Services \$7,555

26 **Municipal Sewerage Construction**

28           Personal Services \$921

30 **Oil and Hazardous Materials Control**

32           Personal Services \$2,084

34 **DEPARTMENT OF ENVIRONMENTAL**  
36 **PROTECTION**  
36 **TOTAL** \$10,560

38 **HUMAN SERVICES, DEPARTMENT OF**

40 **Administration**

42           Personal Services \$8,271

44 **Bureau of Health**

46           Personal Services \$2,230

48 **Income Maintenance - Regional**

50           Personal Services \$4,278  
52

2	<b>Medical Care Administration</b>	
	Personal Services	\$24,915
4		
6	<b>DEPARTMENT OF HUMAN SERVICES</b>	
	<b>TOTAL</b>	<u>\$39,694</u>
8	<b>SECTION C-3</b>	
	<b>TOTAL ALLOCATIONS</b>	<u>\$96,215</u>
10		
12	<b>Sec. C-4. Allocation; Other Special Revenue.</b> There are allocated	
14	from Other Special Revenue 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.	
16		
		<b>1990-91</b>
18		
20	<b>AGRICULTURE, FOOD AND RURAL RESOURCES,</b>	
	<b>DEPARTMENT OF</b>	
22	<b>Dairy and Nutrition Council Committee</b>	
24	Personal Services	\$8,747
26	<b>Marketing Services - Agriculture</b>	
28	Personal Services	\$61,295
30	<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL</b>	
	<b>RESOURCES</b>	
32	<b>TOTAL</b>	<u>\$70,042</u>
34	<b>BAXTER STATE PARK AUTHORITY</b>	
36	<b>Baxter State Park Authority</b>	
38	Personal Services	\$51,729
40	<b>BAXTER STATE PARK AUTHORITY</b>	
	<b>TOTAL</b>	<u>\$51,729</u>
42		
44	<b>CONSERVATION, DEPARTMENT OF</b>	
	<b>Boating Facilities Fund</b>	
46	Personal Services	\$985
48		
50	<b>DEPARTMENT OF CONSERVATION</b>	
	<b>TOTAL</b>	<u>\$985</u>
52	<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	



2	<b>Dam Registration</b>	
4	Personal Services	\$3,856
6	<b>Maine Environmental Protection Fund</b>	
8	Personal Services	\$2,743
10	<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
12	<b>TOTAL</b>	<u>\$6,599</u>
14	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
16	<b>Bureau of Health</b>	
18	Personal Services	\$709
20	<b>DEPARTMENT OF HUMAN SERVICES</b>	
	<b>TOTAL</b>	<u>\$709</u>
22	<b>PUBLIC SAFETY, DEPARTMENT OF</b>	
24	<b>Licensing and Enforcement - Beano -</b>	
26	<b>Games of Chance</b>	
28	Personal Services	\$2,732
30	<b>DEPARTMENT OF PUBLIC SAFETY</b>	
	<b>TOTAL</b>	<u>\$2,732</u>
32	<b>PUBLIC UTILITIES COMMISSION</b>	
34	<b>Public Utilities - Administration Division</b>	
36	Personal Services	\$16,842
38	<b>PUBLIC UTILITIES COMMISSION</b>	
40	<b>TOTAL</b>	<u>\$16,842</u>
42	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
44	<b>Administration - Secretary of State</b>	
46	Personal Services	\$1,856
48	<b>DEPARTMENT OF THE SECRETARY OF STATE</b>	
	<b>TOTAL</b>	<u>\$1,856</u>
50	<b>SECTION C-4</b>	
52	<b>TOTAL ALLOCATIONS</b>	<u>\$151,494</u>

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**Sec. C-5. Allocation; Federal Block Grant funds.** There are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1991, to the department listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1990-91

**HUMAN SERVICES, DEPARTMENT OF**

**Crippled Children Services**

Personal Services	\$8,360
All Other	(8,360)

**DEPARTMENT OF HUMAN SERVICES  
TOTAL**

\$ -0-

**SECTION C-5  
TOTAL ALLOCATIONS**

\$ -0-

**Sec. C-6. Legislative intent.** It is the intent of the Legislature that the reclassifications and range changes represented by the appropriation and allocation amounts identified in Part C of this Act are effective upon approval of this Act.

**Sec. C-7. Nonlapsing funds.** Funds appropriated in section C-1 of this Act may not lapse on June 30, 1991, but must be carried forward for the same purpose.

**PART D**

**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)
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**DEPARTMENT OF ADMINISTRATION  
TOTAL**

(\$5,134)

2	<b>AGING, MAINE COMMITTEE ON</b>	
4	<b>Maine Committee on Aging</b>	
6	Personal Services	(\$1,030)
8	<b>MAINE COMMITTEE ON AGING</b>	
	<b>TOTAL</b>	<u>(\$1,030)</u>
10	<b>AGRICULTURE, FOOD AND RURAL RESOURCES,</b>	
12	<b>DEPARTMENT OF</b>	
14	<b>Marketing Services - Agriculture</b>	
16	Personal Services	(\$52,596)
18	<b>Soil and Water Conservation Commission</b>	
20	Personal Services	(\$3,869)
22	<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL</b>	
	<b>RESOURCES</b>	
24	<b>TOTAL</b>	<u>(\$56,465)</u>
26	<b>CONSERVATION, DEPARTMENT OF</b>	
28	<b>Engineering and Realty</b>	
30	Personal Services	(\$3,452)
32	<b>Parks - General Operations</b>	
34	Personal Services	(\$2,918)
36	<b>DEPARTMENT OF CONSERVATION</b>	
	<b>TOTAL</b>	<u>(\$6,370)</u>
38	<b>CORRECTIONS, DEPARTMENT OF</b>	
40	<b>Charleston Correctional Facility</b>	
42	Personal Services	(\$3,427)
44	<b>Correctional Center</b>	
46	Personal Services	(\$10,118)
48	<b>Probation and Parole</b>	
50	Personal Services	(\$611)
52		

2	<b>State Prison</b>	
	Personal Services	(\$2,187)
4		
	<b>Maine Youth Center</b>	
6	Personal Services	(\$2,062)
8		
10	<b>DEPARTMENT OF CORRECTIONS TOTAL</b>	<hr/> (\$18,405)
12	<b>DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF</b>	
14		
16	<b>Administration - Defense and Veterans' Services</b>	
18	Personal Services	(\$4,204)
20	<b>DEPARTMENT OF DEFENSE AND VETERANS' SERVICES</b>	
22	<b>TOTAL</b>	<hr/> (\$4,204)
24	<b>EDUCATION, DEPARTMENT OF</b>	
26	<b>Administrative Services - Education</b>	
28	Personal Services	(\$1,055)
30	<b>Alcohol and Drug Education Services</b>	
32	Personal Services	(\$1,250)
34	<b>Education in Unorganized Territory</b>	
36	Personal Services	(\$15,392)
38	<b>Finance - Education</b>	
40	Personal Services	(\$2,732)
42	<b>DEPARTMENT OF EDUCATION TOTAL</b>	<hr/> (\$20,429)
44		
46	<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
48	<b>Administration - Environmental Protection</b>	
50	Personal Services	(\$8,977)
52	<b>Air Quality Control</b>	

2	Personal Services	(\$3,149)
4	<b>Land Quality Control</b>	
6	Personal Services	(\$1,928)
8	<b>Water Quality Control</b>	
10	Personal Services	(\$921)
12	<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
14	<b>TOTAL</b>	<u>(\$14,975)</u>
16	<b>EXECUTIVE DEPARTMENT</b>	
18	<b>Office of Substance Abuse</b>	
20	Personal Services	(\$9,580)
22	<b>Planning Office</b>	
24	All Other	(\$1,508)
26	<b>Public Advocate</b>	
28	Personal Services	(\$3,343)
30	<b>EXECUTIVE DEPARTMENT</b>	
32	<b>TOTAL</b>	<u>(\$14,431)</u>
34	<b>FINANCE, DEPARTMENT OF</b>	
36	<b>Bureau of Accounts and Control</b>	
38	Personal Services	(\$12,240)
40	<b>Bureau of Taxation</b>	
42	Personal Services	(\$11,353)
44	<b>DEPARTMENT OF FINANCE</b>	
46	<b>TOTAL</b>	<u>(\$23,593)</u>
48	<b>GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON</b>	
50	<b>Commission on Governmental Ethics and Election Practices</b>	
52	Personal Services	(\$3,825)

2	<b>COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES</b>	
4	<b>TOTAL</b>	<u>(\$3,825)</u>
6	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
8	<b>Administration - Human Services</b>	
10	Personal Services	(\$17,768)
12	<b>Administration - Regional - Human Services</b>	
14	Personal Services	(\$871)
16	<b>Alcoholism and Drug Abuse Prevention - Human Services</b>	
18	Personal Services	(\$480)
20	<b>Bureau of Health</b>	
22	Personal Services	(\$12,960)
24	<b>Medical Care Administration</b>	
26	Personal Services	(\$15,808)
28	<b>DEPARTMENT OF HUMAN SERVICES</b>	
30	<b>TOTAL</b>	<u>(\$47,887)</u>
32	<b>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</b>	
34	<b>Fisheries and Hatcheries Operations</b>	
36	Personal Services	(\$129,217)
38	<b>Licensing Services - Inland Fisheries and Wildlife</b>	
40	Personal Services	(\$2,338)
42	<b>Office of the Commissioner - Inland Fisheries and Wildlife</b>	
44	Personal Services	(\$1,670)
46	<b>Resource Management Services - Inland Fisheries and Wildlife</b>	
50	Personal Services	(\$11,716)

2	<b>DEPARTMENT OF INLAND FISHERIES AND WILDLIFE</b>	
4	<b>TOTAL</b>	<u>(\$144,941)</u>
6	<b>LABOR, DEPARTMENT OF</b>	
8	<b>Labor Relations Board</b>	
10	Personal Services	(\$2,755)
12	<b>DEPARTMENT OF LABOR TOTAL</b>	<u>(\$2,755)</u>
14	<b>MAINE STATE LIBRARY</b>	
16	<b>Administration - Library</b>	
18	Personal Services	(\$1,513)
20	<b>Library Development Services</b>	
22	Personal Services	(\$6,677)
24	<b>Reader and Information Services - Library</b>	
26	Personal Services	(\$4,823)
28	<b>MAINE STATE LIBRARY TOTAL</b>	<u>(\$13,013)</u>
30		
32	<b>MARINE RESOURCES, DEPARTMENT OF</b>	
34	<b>Administration - Marine Resources</b>	
36	Personal Services	(\$1,324)
38	<b>Bureau of Marine Development</b>	
40	Personal Services	(\$7,198)
42	<b>Bureau of Marine Patrol</b>	
44	Personal Services	(\$4,101)
46	<b>Bureau of Marine Sciences</b>	
48	Personal Services	(\$2,813)
50	<b>DEPARTMENT OF MARINE RESOURCES TOTAL</b>	<u>(\$15,436)</u>

2	<b>PUBLIC UTILITIES COMMISSION</b>	
4	<b>Public Utilities - Administrative Division</b>	
6	Personal Services	(\$655)
8	<b>PUBLIC UTILITIES COMMISSION</b>	
	<b>TOTAL</b>	<u>(\$655)</u>
10	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
12	<b>Administration - Secretary of State</b>	
14	Personal Services	(\$4,878)
16	<b>DEPARTMENT OF THE SECRETARY OF STATE</b>	
18	<b>TOTAL</b>	<u>(\$4,878)</u>
20	<b>WORKERS' COMPENSATION COMMISSION</b>	
22	<b>Workers' Compensation Commission</b>	
24	Personal Services	(\$12,375)
26	<b>WORKERS' COMPENSATION COMMISSION</b>	
	<b>TOTAL</b>	<u>(\$12,375)</u>
28	<b>PART D</b>	
30	<b>TOTAL APPROPRIATIONS</b>	<u>(\$410,801)</u>

**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;



2           Director of Public Lands;

4           State Librarian;

6           Director of Employee Relations;

8           Director, Bureau of Air Quality Control;

10          Director, Bureau of Land Quality Control;

12          Director, Bureau of Water Quality Control;

14          Director, Bureau of Oil and Hazardous Materials Control;

16          Director, Bureau of Administration;

18          Director, Office of Planning;

20          Director, Office of Waste Reduction and Recycling;

22          Director, Office of Siting and Disposal Operations;

24          Executive Director, Board of Environmental Protection; and

26          Director, Historic Preservation Commission.

28          Sec. E-2. 4 MRSA §153, sub-§3, as amended by PL 1981, c. 201,  
is further amended to read:

30           3. **Western Aroostook.** Western Aroostook consists of the  
32           municipalities and unorganized territory known as Hamlin Plt.,  
34           Cyr Plt., T17 R3, T17 R4, T16 R5, T15 R6, Winterville Plt., T15  
36           R8, T15 R9, T14 R10, T14 R11, T14 R12, T14 R13, T14 R14, T14 R15,  
38           T14 R16, and all municipalities and unorganized territory in  
40           Aroostook County lying to the west and north of these. The  
            District Court for Western Aroostook shall--be is held at  
            Madawaska for criminal and civil business and at Fort Kent and  
            Van Buren solely for criminal business, traffic infractions and  
            civil violations. Civil actions with damages claimed that do not  
            exceed \$30,000 may be brought before any District Court for  
            Western Aroostook.

42           Sec. E-3. 4 MRSA §193, as enacted by PL 1981, c. 510, §1, is  
44           amended by adding a new paragraph after the first paragraph to  
46           read:

48           A surcharge of \$20 must be added to the annual registration  
50           fee paid by every attorney licensed to practice law in Maine to  
            the Board of Overseers of the Bar. All funds collected as the  
            result of this surcharge must be transferred to the Treasurer of  
            State as undedicated revenue to the General Fund.

2                   Sec. E-4. 5 MRSA §7-A, sub-§3 is enacted to read:

4                   3. Annual report. Every department or agency in State  
6                   Government that has state-owned vehicles shall file a report with  
8                   the joint standing committee of the Legislature having  
10                   jurisdiction over appropriations and financial affairs no later  
12                   than January 15th of every year that provides detailed  
14                   information on state-owned vehicles. This report must include,  
16                   but is not limited to, the following information: the total  
18                   number of state vehicles within that department or agency, the  
20                   individual employees to whom a state vehicle is assigned and the  
22                   purpose or function to which all other vehicles are assigned.

14                   Sec. E-5. 5 MRSA c. 19 is repealed.

16                   Sec. E-6. 5 MRSA §938, sub-§1, ¶H, as enacted by PL 1987, c.  
18                   787, §3, is repealed.

20                   Sec. E-7. 5 MRSA §1511, as amended by PL 1987, c. 816, Pt. O,  
22                   §1, is further amended to read:

24                   **§1511. Reserve for General Fund Operating Capital**

26                   The State Controller may, at the close of each fiscal year,  
28                   transfer from the Unappropriated Surplus of the General Fund to  
30                   the Reserve for General Fund Operating Capital such amounts as  
32                   may be available from time to time up to an amount of \$1,000,000  
34                   a year until a maximum of \$25,000,000 is achieved. The State  
36                   Controller is further authorized, at the close of each fiscal  
38                   year, to transfer from the Unappropriated Surplus of the General  
40                   Fund to the Loan Insurance Reserve amounts as may be available  
42                   from time to time, up to an amount of \$1,000,000 per year. The  
44                   balance of this reserve shall must be paid to the Finance  
46                   Authority of Maine if such payment would does not cause the  
48                   balance in the reserve fund maintained by the authority, when  
50                   added to amounts held in the Finance Authority of Maine Mortgage  
52                   Insurance Fund which that are not committed or encumbered for  
another purpose, to exceed \$10,000,000. Any balance in the Loan  
Insurance Reserve is appropriated for this purpose. The State  
Controller on or before June 30, 1991 shall transfer the balance  
in the Reserve for General Fund Operating Capital to the  
Unappropriated Surplus of the General Fund.

44                   Sec. E-8. 5 MRSA §3305, sub-§1, ¶J, as enacted by PL 1989, c.  
46                   501, Pt. DD, §12, is repealed.

48                   Sec. E-9. 5 MRSA §§3307-E and 3307-F are enacted to read:

50                   §3307-E. Energy conservation programs

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

2           1. Federally mandated programs. The director shall  
3 administer the following federally mandated programs, formerly  
4 administered by the Office of Energy Resources:

6           A. The State Energy Conservation Program;

8           B. The Energy Extension Service; and

10          C. The Institutional Conservation Program.

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

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

20          4. Preparation of manual. The director shall prepare the  
21 Manual of Accepted Practices, as described in Title 10, chapter  
22 214.

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

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

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

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

2        **§3307-F. State standards for appliance energy efficiency**

4            **1. Definitions.** As used in this section, unless the  
6        context otherwise indicates, the following terms have the  
      following meanings.

8            **A. "ASHRAE standard"** means a standard established by the  
10        American Society of Heating, Refrigerating and Air  
      Conditioning Engineers.

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

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

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

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

38           **F. "Refrigerator-freezer"** means a cabinet that consists of 2  
40        or more compartments with at least one of the compartments  
42        designed for the refrigerated storage of foods at  
44        temperatures above 32° Fahrenheit and with at least one of  
      the compartments designed for the freezing of and the  
      storage of frozen foods at temperatures of 8° Fahrenheit or  
      below. The source of refrigeration requires an energy input.

46           **G. "Storage-type water heater"** means a water heater that  
48        heats and stores water within the appliance at a  
      thermostatically controlled temperature for delivery on  
      demand.

50           **2. Efficiency standards.** Efficiency standards are as  
52        follows.

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

<u>Appliance</u>	<u>Standard</u>
<u>(1) Refrigerators</u>	
<u>Single door, manual defrost</u>	<u>EC = 395 X 28V</u>
<u>Single door, automatic defrost</u>	<u>No standard</u>
<u>(2) Refrigerator-freezers</u>	
<u>Top freezer, partial</u>	<u>EC = 378 X 43V</u>
<u>automatic defrost</u>	
<u>Top freezer, automatic defrost</u>	<u>EC = 378 X 43V</u>
<u>Bottom freezer, automatic defrost</u>	<u>No standard</u>
<u>Side-by-side, automatic defrost</u>	<u>EC = 565 X 52V</u>
<u>(3) Freezers</u>	
<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>	
<u>Upright, automatic defrost</u>	<u>No standard</u>
<u>Chest, manual defrost</u>	<u>EC = 315 X 32V</u>
<u>(4) Water heaters</u>	
<u>Electric</u>	<u>ASHRAE Standard</u>
	<u>90A-1980 Section</u>
	<u>7 Energy Factor</u>
<u>Gas</u>	<u>(EF)=48°</u>
<u>(5) Furnace and boilers</u>	
<u>Oil</u>	<u>No standard</u>
<u>Gas</u>	<u>No standard</u>

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

40 3. Application. This section applies as follows.

42 A. This section applies to the following residential  
43 appliances:

44 (1) Storage-type water heaters;

46 (2) Gas furnaces and boilers; and

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

- 2                    (a) Those with total refrigerated volume  
                     exceeding 39 cubic feet;
- 4                    (b) Those designed to be used without doors;
- 6                    (c) Those that do not include compressor and  
                     condenser units as an integral part of the cabinet  
8                    assembly; and
- 10                   (d) Those with "through the door" features.

12                   B. This section does not apply to:

- 14                   (1) New residential appliances manufactured in the  
                     State and sold outside the State;
- 16                   (2) New appliances manufactured outside the State and  
18                   sold at wholesale in the State for final retail sale  
                     and installation outside the State;
- 20                   (3) Appliances installed in mobile homes at the time  
22                   of construction;
- 24                   (4) Appliances designed expressly for installation and  
                     use in recreational vehicles or other equipment  
26                   designed for regular mobile use; and
- 28                   (5) Appliances purchased outside of the State by state  
                     residents when the appliances are installed for use by  
30                   the purchasers or installed in single-family, detached  
                     structures.

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

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

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

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

52

2 B. Shall apply to the United States Department of Energy or  
3 its successor for an exemption from federal preemption,  
4 pursuant to the United States Energy Conservation Policy  
5 Act; Section 327(b),(3).

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

13 **Sec. E-10. 5 MRSA §3514**, as amended by PL 1985, c. 527, §3,  
14 is further amended to read:

15 **§3514. Division of Community Services**

16  
17 There is established, to carry out the purposes of this  
18 chapter, the Division of Community Services in the Executive  
19 Department, which shall carry out the responsibilities of State  
20 Government relating to planning and financing community services  
21 and community action agencies and shall administer state and  
22 federal community services' programs and other block grants that  
23 may be available, including, but not limited to, energy  
24 assistance, ~~energy-conservation,~~ ~~food-assistance~~ and Head Start.  
25

26  
27 **Sec. E-11. 5 MRSA §3515, sub-§2, ¶E**, as amended by PL 1985, c.  
28 527, §4, is further amended to read:

29  
30 E. Advise the Governor and other officials of State  
31 Government on matters relating to fuel assistance programs  
32 ~~and energy-conservation-services-for-low-income-people,~~ and  
33 other authorized programs and services of the division;  
34

35  
36 **Sec. E-12. 5 MRSA §3518, sub-§1**, as amended by PL 1985, c.  
37 527, §6, is further amended to read:

38  
39 **1. Federal, state and other funds.** Through plans and  
40 contracts developed with advice from the board, the division  
41 shall obtain, distribute and administer federal, state and other  
42 community services' funds, including block grants, energy  
43 assistance, ~~energy-conservation,~~ ~~food-assistance~~, Head Start and  
44 other funds as may become available. Any balances of funds  
45 appropriated to the ~~Division--of--Community--Services~~ division  
46 remaining at the end of a fiscal year shall may not lapse, but  
47 shall must be carried forward from year to year to be expended  
48 for the same purpose.

49  
50 **Sec. E-13. 5 MRSA §3518-A**, as enacted by PL 1985, c. 737, Pt.  
51 A, §17, is amended to read:

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

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

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

17  
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19  
20

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

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22  
23  
24

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

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28

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

29  
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32

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

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36

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

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40

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

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

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



2           **Sec. E-14. 5 MRSA §12004-J, sub-§3,** as amended by PL 1989, c.  
576, §§2 and 5, is repealed.

4           **Sec. E-15. 7 MRSA §2, 4th ¶,** as amended by PL 1989, c. 501,  
Pt. DD, §18, is further amended to read:

6           In addition, the commissioner shall be concerned with the  
8           quality of life of Maine farmers and rural communities. The  
          commissioner shall promote: ~~Farm~~ farm financing and rural  
10           development proposals; conservation and preservation of  
12           agricultural lands; increased and improved production of beef,  
          poultry, sheep, dairy beef and other livestock; expanded and  
14           improved production of potatoes, fruits and other vegetables and  
          horticultural ventures; coordinated foreign and domestic  
16           marketing of Maine agricultural products; in conjunction with the  
          university, crop development and integrated pest management; and  
18           conservation of nonrenewable energy resources and utilization of  
          renewable energy resources in conjunction with the State Planning  
20           Office. To accomplish these objectives, the commissioner is  
          authorized for, or on behalf of, Maine's farmers and rural  
22           community: ~~To~~ to engage in research and educational programs; to  
          participate directly or indirectly in programs to encourage and  
24           enable individuals to enter agricultural or other rural  
          enterprises; to institute litigation or upon request to represent  
26           farmers or other members of the rural community in litigation  
          where the commissioner determines that such litigation may be  
28           beneficial to agricultural industry as a whole; and to exercise  
          all other powers of an agency of State Government. The  
30           commissioner may study such issues and, consistent with statute,  
          take such actions either individually, for, or on behalf of, the  
32           State's farmers or rural residents, or jointly with such other  
          persons, agencies or organizations as the commissioner determines  
34           may benefit the State's farmers and rural communities. To further  
          accomplish these objectives, the commissioner is authorized  
36           beginning July 1, 1991, on behalf of the State's rural community,  
          to administer food assistance programs including the receipt,  
38           distribution and administration of federal and state funds,  
          including block grants, for food assistance.

40           **Sec. E-16. 12 MRSA §7052, sub-§2,** as amended by PL 1985, c.  
785, Pt. B, §72, is further amended to read:

42           2. **Compensation.** The compensation of the wardens shall ~~be~~  
44           appointed pursuant to section 7051, subsection 1 is determined  
          under the Civil Service Law. Assistant game wardens appointed  
46           pursuant to section 7051, subsection 2 are not entitled to  
          compensation.

48           **Sec. E-17. 14 MRSA §7484,** as amended by PL 1989, c. 702, Pt.  
50           E, §7, is repealed.

52

2                   **Sec. E-18. 14 MRSA §7484-A** is enacted to read:

4                   **§7484-A. Procedures**

6                   **1. Rules by Supreme Judicial Court.** The procedures with  
8                   respect to the commencement of the action, the fee, the notice to  
                  the parties, the settlement or hearing, the judgment, appeal and  
                  post-judgment proceedings must be set forth in rules of procedure  
                  adopted by the Supreme Judicial Court.

10                   **2. Service of statement of claim and notice of disclosure.**  
12                   When requested by the plaintiff, the clerk shall cause the  
14                   statement of claim and the notice of disclosure, including the  
16                   notice of the place, date and time of hearing, to be served upon  
18                   the defendant. A fee must be charged to the plaintiff for  
20                   service. A plaintiff may elect to arrange for service of the  
                  statement of claim and the notice of disclosure, including the  
                  notice of the place, date and time of hearing, other than by the  
                  clerk.

22                   **Sec. E-19. 22 MRSA §396-F, sub-§4,** as repealed and replaced by  
                  PL 1989, c. 588, Pt. A, §31, is repealed.

24                   **Sec. E-20. Effective date.** That section of this Part that  
26                   repeals the Maine Revised Statutes, Title 22, section 396-F,  
                  subsection 4, takes effect July 1, 1991.

28                   **Sec. E-21. 22 MRSA §1708, sub-§2,** as amended by PL 1989, c.  
30                   567, is repealed.

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

34                   **Sec. E-23. 22 MRSA §1708, sub-§3** is enacted to read:

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

46                   **A. Take into account the costs of providing care and**  
48                   **services in conformity with applicable state and federal**  
50                   **laws, regulations and quality and safety standards;**

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

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

6            **Sec. E-24.** 22 MRSA §1812-C, sub-§7, as enacted by PL 1987, c.  
777, §§2 and 6, is repealed.

8            **Sec. E-25.** **Effective date.** That section of this Part that  
10            repeals the Maine Revised Statutes, Title 22, section 1812-C,  
sub-§7, takes effect March 1, 1991.

12            **Sec. E-26.** 22 MRSA §3173, 6th ¶, as repealed and replaced by  
14            PL 1979, c. 127, §144, is repealed.

16            **Sec. E-27.** 22 MRSA §3173, 12th ¶, as repealed and replaced by  
18            PL 1979, c. 127, §144, is amended to read:

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

26            **Sec. E-28.** 22 MRSA §3173-C, sub-§2, as enacted by PL 1983, c.  
28            240, is amended to read:

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

34            **Sec. E-29.** 22 MRSA §3173-C, sub-§5 is enacted to read:

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

40            **Sec. E-30.** 22 MRSA §3174, 3rd ¶, as enacted by PL 1977, c.  
42            714, §3, is repealed.

44            **Sec. E-31.** 22 MRSA §3174, sub-§1, as enacted by PL 1973, c.  
46            790, §2, is amended to read:

48            1. **Income.** Has not sufficient income or other resources to  
provide a reasonable subsistence compatible with decency and  
health, except that the department is authorized to eliminate the  
50            medically needy program and need not provide for a deduction for  
medical expense against income or resources expended in the  
52            determination of eligibility, except that the State is authorized

2 to reimburse the cost of nursing home care for nursing home  
3 residents who are medically needy recipients on February 1, 1991;

4 **Sec. E-32. 22 MRSA §3174-F**, as amended by PL 1989, c. 904, is  
5 repealed.

6 **Sec. E-33. Effective date.** That section of this Part that  
7 repeals the Maine Revised Statutes, Title 22, section 3174-F,  
8 takes effect March 1, 1991.

9 **Sec. E-34. 22 MRSA §3186, 4th ¶**, as enacted by PL 1987, c.  
10 869, §1, is repealed.

11 **Sec. E-35. 22 MRSA §3187**, as enacted by PL 1987, c. 402, Pt.  
12 A, §141, is amended to read:

13 **§3187. Principles of reimbursement**

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

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

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

32 **Sec. E-36. 22 MRSA 3741-B**, as enacted by PL 1987, c. 856, §2,  
33 is amended to read:

34 **§3741-B. Teenage parents**

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

39 Failure to register ~~and~~ actively participate in this program  
40 may not result in ineligibility for benefits under this chapter,  
41 ~~except that any supplemental support services, such as child care~~  
42

2 and--transportation,--may--be--withheld until the teenage parent  
actively participates in the required program.

4 Sec. E-37. 22 MRSA §3741-C, sub-§1, as enacted by PL 1989, c.  
839, §1, is amended to read:

6  
8 1. **General requirement.** A recipient of federal Aid to  
Families with Dependent Children who is 20 years of age or older  
is not required to participate in an education, training or  
10 employment activity as a condition of eligibility for federal Aid  
to Families with Dependent Children, if that person is the parent  
12 or other relative of a child under 3 years of age who is  
personally providing care for that child;

14  
16 Sec. E-38. 22 MRSA §3741-C, sub-§3, ¶A, as enacted by PL 1989,  
c. 839, §1, is amended to read:

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

22 Sec. E-39. 22 MRSA §3741-E, as enacted by PL 1989, c. 839,  
24 §1, is amended to read:

26 **§3741-E. Voluntary participants given priority**

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

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  
44 not enrolled in high school at the time of application;  
or

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

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

2           2. **Mandatory participation to meet federal mandates.**  
4       Recipients of federal Aid to Families with Dependent Children who  
6       do not volunteer and ~~are either in the JOBS target populations or~~  
8       ~~eligible on the basis of unemployed parent status~~ may be required  
10      to participate in the ~~Additional Support for People in Retraining~~  
12      and ~~Education~~ ASPIRE-JOBS program only in order to meet the  
14      federal participation requirements necessary to receive enhanced  
16      federal matching funds under the federal Family Support Act of  
18      1988, Public Law 100-485, or its successor.

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

24           **Sec. E-40. 22 MRSA §3741-H,** as enacted by PL 1989, c. 839,  
26      §1, is amended to read:

28           **§3741-H. Child care during participation in**  
30           **employment, education and training**

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

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

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

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

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

48           2. **Child care rate.** The department shall provide a  
50      family's an ASPIRE-JOBS program participant's actual cost for  
52      child care up to the maximum rate authorized by federal law. In  
determining the maximum rate, the State shall use a method that

2 results in an amount that equals, or most closely approaches, the  
actual market rate in different regions of the State for various  
4 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.

6  
8 **Sec. E-41. 22 MRSA §3758, sub-§2**, as enacted by PL 1975, c.  
441, §1, is amended to read:

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

18 **Sec. E-42. 22 MRSA §3758, sub-§4**, as enacted by PL 1975, c.  
441, §1, is repealed and the following enacted in its place:

20 **4. Payment maximums.** The department is authorized to  
22 institute a ratably reduced system of payments in the aid to  
families with dependent children program, except that the rates  
24 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  
26 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%  
28 of the current payment rates rounded to the nearest dollar and  
are effective with checks issued in the first month following the  
30 current month and must be continued for the balance of the fiscal  
year. If the unexpended balance is not sufficient to provide for  
32 such an increase, it must be expended to continue payments at  
current levels. If there is no unexpended balance or there are  
34 insufficient funds within the department to maintain the current  
level of funding for all department programs, the department is  
36 authorized to reduce the rates of payment in the aid to families  
with dependent children program, except that such rates may not  
38 be lower than the rates in effect on May 1, 1988.

40 **Sec. E-43. 22 MRSA §3758, sub-§5**, as enacted by PL 1983, c.  
466, is repealed.

42 **Sec. E-44. 22 MRSA §3758, sub-§6**, as enacted by PL 1983, c.  
44 847, §1, is repealed.

46 **Sec. E-45. 22 MRSA §3789**, as enacted by PL 1989, c. 839, §12,  
is repealed.

48 **Sec. E-46. 22 MRSA §4301, sub-§1**, as amended by PL 1989, c.  
50 322, §1, is further amended to read:

52 **1. Basic necessities.** "Basic necessities" means food,  
clothing, shelter, fuel, electricity, nonelective medical

2 services as recommended by a physician, nonprescription drugs,  
3 telephone where it is necessary for medical reasons and any other  
4 commodity or service determined essential by the overseer in  
5 accordance with the municipality's ordinance and this chapter.  
6 "Basic necessities" do not include security deposits for rental  
7 property, except for emergency purposes. The purposes of this  
8 subsection "emergency purposes" means any situation in which no  
9 other permanent lodging is available unless a security deposit is  
10 paid.

11 Sec. E-47. 22 MRSA §4301, sub-§1-A is enacted to read:

12 1-A. Direct Costs. "Direct Costs" means the total value of  
13 general assistance benefits paid out by a municipality that is in  
14 compliance with this chapter and the municipality's general  
15 assistance ordinance.

16 Sec. E-48. 22 MRSA 4301, sub-§7, ¶¶A and C, as enacted by PL  
17 1983, c. 577, §1, are amended to read:

18 A. Income Real or personal income-producing property, tools  
19 of trade, governmental entitlement specifically treated as  
20 exempt assets by state or federal law;

21 C. Income Earned income of children below the age of 18  
22 years who are full-time students and who are not working  
23 full time.

24 Sec. E-49. 22 MRSA §4301, sub-§§12-A and 14 are enacted to  
25 read:

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

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

34 Sec. E-50. 22 MRSA §4305, sub-§3, ¶C, as enacted by PL 1983,  
35 c. 577, §1, is amended to read:

36 C. Provide that relief shall ~~be~~ is furnished or denied to  
37 all eligible applicants within 24 hours of the date of  
38 submission of an application unless the applicant is not a  
39 resident of the State and it is necessary to seek further  
40 verification as outlined in section 4314, subsection 3.



2           **Sec. E-51. 22 MRSA §4305, sub-§5** is enacted to read:

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

28           **Sec. E-52. 22 MRSA §4308, sub-§1**, as enacted by PL 1985, c.  
489, §§5 and 14, is amended to read:

30           **1. Initial and subsequent applications.** Any person who  
32 makes an application for assistance, who has not applied for  
34 assistance in any municipality during the previous 6 12 months,  
shall must have his eligibility determined solely on the basis of  
36 need, as defined in section 4301, subsection 10. In determining  
38 an applicant's eligibility upon an initial application, a  
municipality may not require performance of workfare except as  
provided in section 4316-A. All subsequent applications within 6  
12 months shall must be considered in accordance with this  
chapter and the municipal ordinance.

40           **Sec. E-53. 22 MRSA §4308, sub-§2, ¶B**, as enacted by PL 1985,  
42 c. 489, §§5 and 14, is amended to read:

44           **B.** Emergency assistance under this subsection is not  
46 available to pay a bill for a basic necessity when that bill  
48 is more than 2 months old and the person requesting the  
50 assistance had sufficient income, money, assets or other  
52 resources available to pay for the basic necessity when the  
bill was received unless, by not granting the assistance,  
another emergency arises for which the applicant is eligible  
for assistance and the expense of alleviating the new  
emergency is greater than the expense of alleviating the

2            first. The person requesting assistance shall be--required  
to provide evidence of income for the applicable time period.

4            **Sec. E-54. 22 MRSA §4310, first ¶,** as enacted by PL 1983, c.  
577, §1, is amended to read:

6  
8            Whenever an applicant for general assistance states to the  
administrator that the applicant is in need--of an emergency  
10 situation and requires immediate assistance to meet basic  
necessities, the overseer shall, pending verification, issue to  
12 the applicant either personally or by mail, within as soon as  
possible but in no event later than 24 hours ~~of--the~~ after  
14 application, sufficient benefits to provide the basic necessities  
needed immediately by the applicant, provided that the following  
conditions are met.

16            **Sec. E-55. 22 MRSA §4311, sub-§1-B,** as enacted by PL 1987, c.  
18 833, is amended to read:

20            **1-B. Reimbursement for expenses.** The department shall  
reimburse each municipality for the administrative costs of a  
22 portion of the direct costs of paying benefits through its  
general assistance program if the department finds that the  
24 municipality was in compliance with all requirements of this  
chapter during the fiscal year for which reimbursement is  
26 sought. The amount of reimbursement to each municipality shall  
must be an amount equal to:

28            A. Fifty percent of all general assistance granted ~~to~~ by  
30 that municipality below the .0003% of all state valuation  
amount; or

32            B. ~~Reasonable--administrative--costs--of--the--municipality's~~  
34 ~~general--assistance--program,--defined--as--10--of--net~~ Ten  
percent of all general assistance cost granted.

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

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

44            **Sec. E-56. 22 MRSA §4311, sub-§2,** as amended by PL 1985, c.  
46 567, is further amended to read:

48            **2. Submission of reports.** Municipalities shall submit  
reports as follows.

50            A. For purposes of this section, those municipalities that  
received reimbursement at 90% during the previous fiscal  
52 year of the State and those municipalities which that expect

2 to receive reimbursement at 90% during the current fiscal  
year of the State must submit monthly reports on forms  
provided by the department.

4  
6 B. Those municipalities that did not receive reimbursement  
at 90% during the previous fiscal year and do not expect to  
receive reimbursement at 90% for the current fiscal year  
8 must submit ~~annual~~ quarterly or semiannual reports on forms  
provided by the department.

10 Sec. E-57. 22 MRSA §4311, sub-§3, as enacted by PL 1983, c.  
12 577, §1, is amended to read:

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

20  
22 Sec. E-58. 22 MRSA §4314, sub-§3, as enacted by PL 1983, c.  
577, §1, is amended to read:

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

30  
32 The overseer shall give the applicant written notice that if the  
applicant does not provide the documentary verification within  
34 one week of the application, the employer will be contacted.

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

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

50 Sec. E-59. 22 MRSA §4316-A, sub-§1, as enacted by PL 1985, c.  
489, §§7 and 14, is further amended to read:

2           **1. Ineligibility for assistance.** An applicant is  
3 ineligible for assistance for 60 days if the municipality  
4 establishes that the person applicant, without just cause, within  
5 the 60 days preceding application in connection with any  
6 municipality's general assistance program:

7           A. Refuses to search for employment when that search is  
8 reasonable and appropriate;

9           B. Refuses to register for work;

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

12          D. Refuses to participate in a training or educational  
13 program which that would assist him the applicant in  
14 securing employment;

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

16          F. Willfully fails to perform a job assigned under  
17 subsection 2; or

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

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

23           **Sec. E-60. 22 MRSA §4316-A, sub-§2, ¶G** is enacted to read:

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

27           **Sec. E-61. 22 MRSA §4316-A, sub-§3, ¶E**, as enacted by PL 1985,  
28 c. 489, §§7 and 14, is amended to read:

29           E. Participation in a training program which that is either  
30 approved or determined, or both, by the Department of Labor  
31 to be reasonably expected to assist the individual in  
32 securing employment. This paragraph does not include  
33 participation in a degree granting program, except when that  
34 program is ~~under the Job Training Partnership Act or the~~  
35 ~~Welfare Employment Education and Training Program~~ a training  
36 program operated under the control of the Department of  
37 Human Services or the Department of Labor.

38           **Sec. E-62. 22 MRSA §4316-A, sub-§4**, as enacted by PL 1985, c.  
39 489, §§7 and 14, is amended to read:

2 4. **Eligibility regained.** A person who has been  
3 disqualified by any municipality for not complying with any work  
4 requirement of this section may regain his eligibility during the  
5 60-day period by becoming employed or otherwise complying with  
6 the work requirements of this section.

7 **Sec. E-63. 22 MRSA §4318**, as amended by PL 1987, c. 67, is  
8 further amended to read:

9 **§4318. Recovery of expenses**

10 A municipality or the State, which has incurred general  
11 assistance program costs for the support of any eligible person,  
12 may recover the full amount expended for that support either from  
13 the person relieved or from any person liable for the recipient's  
14 support, their executors or administrators, in a civil action. In  
15 no case may a municipality or the State be authorized to recover  
16 through a civil action, the full or part of, the amount expended  
17 for the support of a previously eligible person, if, as a result  
18 of the repayment of that amount, this person would, in all  
19 probability, again become eligible for general assistance.

20 The department shall enter into an agreement with the Social  
21 Security Administration to institute an interim assistance  
22 reimbursement for the purpose of the repayment of state and local  
23 funds expended for providing assistance to Supplemental Security  
24 Income applicants or recipients while the Supplemental Security  
25 Income payments are pending or suspended. Written authorization  
26 must be given by the recipients and must be voluntary in nature.

27 No A municipality may not recover from any recipient who has  
28 been injured while performing work under section 4316-A,  
29 subsection 2, any portion of any medical or rehabilitative  
30 expenses associated with that injury or any portion of any other  
31 general assistance benefits associated with that injury.

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

39 **Sec. E-64. 23 MRSA §1961, sub-§2**, as enacted by PL 1987, c.  
40 793, Pt. A, §6, is amended to read:

41 **2. Cooperation with the Department of Transportation.** The  
42 Department of Transportation shall must be provided each year a  
43 maximum amount of \$8,700,000 of the total annual operating  
44 revenue after money has been put aside to pay operating expenses  
45 and to meet the requirements of any resolution authorizing bonds  
46

2 of the Maine Turnpike Authority, except that for state fiscal  
3 year 1990-91, the Department of Transportation must be provided  
4 an additional \$15,000,000. Any funds received by the department  
5 under this provision in excess of \$4,700,000 shall must be  
6 expended for highway and bridge improvements within counties  
7 which contain turnpike mileage. These amounts are deemed  
8 necessary for use by the department for construction,  
9 reconstruction, operation and maintenance of access roads on the  
10 state highway system which serve and benefit users of the  
11 turnpike by providing direct and indirect access to and from the  
12 turnpike as part of the integrated highway system. Due to the  
13 utilization of the state highway system by users of the turnpike,  
14 the turnpike and its users have received and will continue to  
15 receive a benefit from, or have caused and will continue to  
16 cause, or both, the State acting by and through the Department of  
17 Transportation to incur costs for the construction, operation and  
18 maintenance of the state highway system, which provides direct  
19 and indirect access to and from the turnpike to areas in the  
20 State for which the State may properly be and should be  
21 compensated from the tolls to be collected. The Maine Turnpike  
22 Authority should be maintained to carry out the purposes of this  
chapter in cooperation with the Department of Transportation.

24 **Sec. E-65. 23 MRSA §1965, sub-§1, ¶O,** as repealed and replaced  
25 by PL 1987, c. 793, Pt. A, §7, is amended to read:

26  
27 O. Provide an annual amount not to exceed a maximum of  
28 \$8,700,000 subject to the limitations in section 1961,  
29 except that for state fiscal year 1990-91, the annual amount  
30 may not exceed \$23,700,000, as the department shall request  
31 and the authority shall determine pursuant to section 1974,  
32 subsection 4, to be necessary for the use of the department  
33 each year for the construction, operation and maintenance of  
34 access roads and costs related thereto, after money has been  
35 set aside or adequate provision has been made, to pay  
36 operating expenses and to meet the requirements of any  
37 resolution authorizing bonds of the authority;

38  
39 **Sec. E-66. 23 MRSA §1974, sub-§4,** as amended by PL 1987, c.  
40 793, Pt. A, §8, is amended by amending the first paragraph to  
41 read:

42  
43 **4. Revenues for access roads and the state highway system.**  
44 Subject to the terms and conditions of this chapter, the  
45 authority, semi-annually on July 1st and January 1st of each  
46 fiscal year commencing July 1, 1983, shall, upon making the  
47 determination referred to in this subsection, authorize turnpike  
48 revenues to be transferred to the Department of Transportation  
49 for the costs of construction, reconstruction, operation and  
50 maintenance of access roads provided, first, that the department  
51 provide certification as to the utilization of all or a part of  
52 the state highway system by turnpike users with respect to the

benefit received by the turnpike and its users and the costs incurred by the department for the construction, reconstruction, operation and maintenance of the access roads caused by the turnpike and its users and supporting the transfer of turnpike revenues for each 2-year period. The department shall may not request and the authority shall may not approve a transfer of turnpike revenues under this subsection in any year that exceeds the cost to the department for construction, reconstruction, operation and maintenance of access roads fairly attributable to vehicular traffic traveling to or from the turnpike, except that for state fiscal year 1990-91, an amount may be transferred that exceeds that cost and is to be considered an early payment of the state fiscal year 1991-92 amount. Based on the certification and such other information as the authority deems necessary, the authority shall determine whether or not the turnpike and users thereof are so benefited by the system, and thereupon the authority shall have and exercise sole discretion to determine the level of revenues to be so transferred to the department, but that transfer annually shall may not exceed \$8,700,000, except that for state fiscal year 1990-91, that transfer annually may not exceed \$23,700,000. In making its report, the department, as a basis for requesting those revenues, and the authority in determining the level of revenues to be transferred, may consider the following factors, no one of which may necessarily be determinative:

Sec. E-67. 26 MRSA §2154, as amended by PL 1989, c. 577, §1, is further amended to read:

**§2154. Project goals**

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

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

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

3. **Registered nurses.** An increased supply of registered nurses through the provision of a government student loan payback

2 plan to recruit and retain registered nurses who work for a  
3 health care facility in the State. This subsection is repealed  
4 March 1, 1991.

5 **Sec. E-68. 26 MRSA §2157**, as repealed and replaced by PL  
6 1989, c. 577, §2, is repealed.

7 **Sec. E-69. Effective date.** That section of this Part that  
8 repeals the Maine Revised Statutes, Title 26, section 2157, takes  
9 effect March 1, 1991.

10 **Sec. E-70. 30-A MRSA §4452, sub-§5, ¶Q**, as amended by PL 1989,  
11 c. 287, §3, is further amended to read:

12 Q. Shoreland zoning ordinances adopted pursuant to Title  
13 38, sections 435 to 447, including those which were  
14 state-imposed; and

15 **Sec. E-71. 30-A MRSA §4452, sub-§5, ¶R**, as enacted by PL 1989,  
16 c. 287, §4, is amended to read:

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

21 **Sec. E-72. 30-A MRSA §4452, sub-§5, ¶S** is enacted to read:

22 S. Laws pertaining to the regulation of water levels and  
23 minimum flows.

24 **Sec. E-73. 30-A MRSA, c. 187, sub-c. VI** is enacted to read:

25 **SUBCHAPTER VI**

26 **REGULATION OF WATER LEVELS AND MINIMUM FLOWS**

27 **§4454. Definitions**

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

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

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

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



2           4. Riparian proprietor. "Riparian proprietor" means an  
4           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  
            particular dam.

6           §4455. Jurisdiction

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

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

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

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

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

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

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

42           §4456. Hearing; order

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

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

- 2           B. The owner, lessee or person in control of the dam;
- 4           C. The Commissioner of Inland Fisheries and Wildlife;
- 6           D. The Commissioner of Marine Resources;
- 8           E. At least 25% or 50 of the littoral or riparian  
10           proprietors; or
- 12           F. A water utility having the right to withdraw water from  
14           the body of water for which a water level regime is sought.

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

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

- 36           A. The water levels necessary to maintain the public rights  
38           of access to and use of the water for navigation, fishing,  
              fowling, recreation and other lawful public uses;
- 40           B. The water levels necessary to protect the safety of the  
42           littoral or riparian proprietors and the public;
- 44           C. The water levels and minimum flow requirements necessary  
46           for the maintenance of fish and wildlife habitat and water  
              quality;
- 48           D. The water levels necessary to prevent excessive erosion  
              of shorelines;
- 50           E. The water levels necessary to accommodate precipitation  
52           and runoff of waters;

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

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

8 H. The water levels necessary to provide flows from any dam  
on the body of water to maintain public access and use, fish  
10 propagation and fish passage facilities, fish and wildlife  
habitat and water quality downstream of the body of water.

12 4. Order. Based on the evidence solicited at the hearing,  
14 the municipal reviewing authority shall make written findings and  
issue an order to the owner, lessee or person in control of the  
16 dam establishing a water level regime for the body of water  
impounded by the dam and, if applicable, minimum flow  
18 requirements for the dam. The order must, to the extent  
practical, require the maintenance of a stable water level, but  
20 must include provisions for variations in water level to permit  
sufficient drawdown of the body of water to accommodate  
22 precipitation and runoff of surface waters and minimum flow  
requirements, and to otherwise permit seasonal and other  
24 necessary fluctuations in the water level in order to protect  
public health, safety and welfare and the public and private  
26 resources identified in subsection 3. The municipal reviewing  
authority shall deliver a copy of the order to the municipal  
28 officers of any municipality in which the dam or the body of  
water it impounds is located, to any petitioner who has  
30 petitioned for a hearing with respect to the body of water and to  
the owner, lessee or person in control of the dam. The municipal  
32 reviewing authority shall also file a copy of the order in the  
registry of deeds in the county in which the dam is located.

34 **§4457. Compliance**

36 1. Prohibition. After issuance of an order under section  
38 4456, subsection 4, establishing a water level regime and, if  
applicable, minimum flow requirements for any body of water, no  
40 owner, lessee or person in control of any dam impounding the body  
of water, nor any subsequent transferee, may operate or maintain  
42 the dam or cause or permit the dam to be operated or maintained  
in any manner that will cause the level of water to be higher or  
44 lower than that permitted by the order of the municipal reviewing  
authority or to otherwise violate the terms of the order.

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

50 A. Caused by meteorological conditions;  
52

- 2           B. A result of unforeseeable operating failures of the dam  
3           or any associated equipment;
- 4           C. By valid order of federal, state or local authorities; or
- 6           D. Caused by a fluctuation that was not avoidable by  
7           promptly undertaking all reasonably available steps to  
8           regulate water flow through or over any dam under the  
9           person's control.

10           The burden of proof is on the owner, lessee or person in control  
11           of the dam to demonstrate the applicability of this subsection.

12           3. Enforcement. The Attorney General, the municipality, or  
13           any littoral or riparian proprietor may institute proceedings to  
14           enjoin a violation of this subchapter. A municipality may  
15           enforce any order issued under this subchapter in accordance with  
16           section 4452 and by any other appropriate remedy, including, but  
17           not limited to, entering the dam premises to carry out the terms  
18           of the order. Any person who operates or maintains a dam or  
19           causes or permits a dam to be operated or maintained in any  
20           manner that violates the terms of any order issued under this  
21           subchapter is liable for the penalties set forth in section 4452.

22           §4458. Construction; immunity

23           1. Other laws. Except as specifically provided in this  
24           subchapter, this subchapter may not be construed as relieving any  
25           person from duties, responsibilities or liabilities imposed by  
26           another law, rule or municipal ordinance.

27           2. Rights of others. Except as specifically provided in  
28           this subchapter, nothing in this subchapter may be construed as  
29           denying any person any rights that person may have under any  
30           other law, rule or municipal ordinance.

31           3. Other powers. This subchapter may not be construed as  
32           limiting the powers of the Maine Emergency Management Agency  
33           under Title 37-B, sections 1051 to 1059.

34           4. Immunity. Action may not be brought against a  
35           municipality or its agents or employees for the recovery of  
36           damages caused by any order of the municipality, by the partial  
37           or total failure of any dam or by the operation of any dam on the  
38           grounds that the municipality or its agents or employees are  
39           liable by virtue of any order of the municipality.

40           Sec. E-74. 30-A MRSA §4722, sub-§1, ¶T, as amended by PL 1989,  
41           c. 581, §7, is further amended to read:

42           T. Approve or disapprove, in accordance with rules adopted  
43           under the Maine Administrative Procedure Act, Title 5;  
44           chapter 375, a project which is multi-family or

single-family residential property, when authorized or required by Title 10, chapter 110, subchapter IV; and

**Sec. E-75. 30-A MRSA §4722, sub-§1, ¶U**, as enacted by PL 1989, c. 581, §8, is amended to read:

U. Consult with the Maine Affordable Housing Alliance, established in Title 5, chapter 383, subchapter VII, and the Interagency Task Force on Homelessness and Housing Opportunities, as defined in chapter 202, section 5002, subsection 9, with respect to the implementation of housing programs to make the best use of resources and make the greatest impact on the affordable housing crisis.

**Sec. E-76. 30-A MRSA §4722, sub-§1, ¶¶V to X** are enacted to read:

V. Administer energy conservation programs;

W. Obtain, distribute and administer federal and state funds, including block grants for energy conservation; and

X. Advise the Governor and other officials of State Government on matters relating to energy conservation.

**Sec. E-77. Effective date.** That section of this Part that enacts the Maine Revised Statutes, Title 30-A, section 4722, subsection 1, paragraphs V to X takes effect April 1, 1991.

**Sec. E-78. 35-A MRSA c. 17** is repealed.

**Sec. E-79. 35-A MRSA §116, sub-§8**, as repealed and replaced by PL 1989, c. 875, Pt. E, §45, is amended to read:

**8. Public utilities assessment.** Every utility subject to assessment under this section is subject to an additional annual assessment on its intrastate gross operating revenues to produce \$383,000 in revenues for fiscal year 1990-91 and in fiscal year 1991-92 and thereafter to produce an amount equal to 80% 40% of the--funds appropriated by the Legislature for operating the ~~Office of~~ Public Advocate Utilities Commission for the preceding year. The revenues produced from this assessment are transferred to the Treasurer of State as undedicated revenue to the General Fund. The assessments charged to utilities under this subsection are deemed just and reasonable operating costs for rate-making purposes. The Public Advocate Utilities Commission shall develop a method of accounting for staff time within the ~~Office of~~ Public Advocate Utilities Commission. All professional and support staff shall account for their time in such a way as to identify the percentage of time devoted to public utility regulation and the percentage of time devoted to other duties that may be required by law.

2 This assessment is repealed on June 30, 1992.

4

6 **Sec. E-80. 36 MRSA §578, sub-§1**, as amended by PL 1989, c.  
857, §76, is further amended to read:

8 **1. Organized areas.** The municipal assessors or chief  
10 assessor of a primary assessing area shall adjust the State Tax  
12 Assessor's 100% valuation per acre for each forest type of their  
14 county by whatever ratio, or percentage of current just value, is  
16 then being applied to other property within the municipality to  
obtain the assessed values. Forest land in the organized areas,  
subject to taxation under this subchapter, must be taxed at the  
property tax rate applicable to other property in the  
municipality, which rate is applied to the assessed values so  
determined.

18

20 The State Tax Assessor shall pay any municipal claim found to be  
in satisfactory form within 90 days after receipt of the claim.  
22 If the sum of all approved claims exceeds funds appropriated for  
reimbursement under this subchapter, payments must be prorated so  
24 that each eligible municipality receives the same percentage of  
its approved reimbursement.

26 In tax years beginning on or after April 1, 1988, the State Tax  
28 Assessor shall determine annually the amount of acreage in each  
municipality that is classified and taxed in accordance with this  
subchapter. A municipality actually levying and collecting  
30 municipal property taxes and within whose boundaries this acreage  
lies is entitled to annual payments from money so appropriated by  
32 the Legislature provided it submits an annual return in  
accordance with section 383 and it achieves the appropriate  
34 minimum assessment ratio described in section 327.  
Municipalities disqualified for reimbursement for the 1990  
36 property tax year because of failure to meet either or both of  
these requirements may qualify for supplemental reimbursement on  
38 the following terms: The municipality must meet the requirements  
for reimbursement under this section for the 1991 property tax  
40 year and the supplemental reimbursement must be added to the 1991  
property tax year reimbursement payment and be an amount equal to  
42 1/2 the amount that the municipality would have been entitled to  
for reimbursement for the 1990 property tax year except for its  
44 disqualification under this subsection. For the property tax  
year based on the status of property on April 1, 1988, the per  
46 acre reimbursement amount increases from 15¢ to 24¢. For  
property tax years based on the status of property on April 1,  
48 1989, or thereafter, the per acre reimbursement is 90% of the per  
acre tax revenue lost as a result of this subchapter. For  
50 purposes of this section, the tax lost is the tax that would have  
been assessed, but for this subchapter, on the classified forest  
52 lands if they were assessed according to the undeveloped acreage

2 valuations used in the state valuation then in effect, or  
3 according to the current local valuation on undeveloped acreage,  
4 whichever is less, minus the tax that was actually assessed on  
5 the same lands in accordance with this subchapter.

6 No municipality may receive a reimbursement payment under this  
7 section that would exceed an amount determined by calculating the  
8 tree growth tax loss less the municipal savings in educational  
9 costs attributable to reduced state valuation.

10 A. The tree growth tax loss is the adjusted tax that would  
11 have been assessed, but for this subchapter, on the  
12 classified forest lands if they were assessed according to  
13 the undeveloped acreage valuations used in the state  
14 valuation then in effect minus the tax that was actually  
15 assessed on the same lands in accordance with this  
16 subchapter.

17 In determining the adjusted tax that would have been  
18 assessed, the tax rate to be used is computed by adding the  
19 additional school support required by the modified state  
20 valuation attributable to the increased valuation of forest  
21 land to the original tax committed and dividing this sum by  
22 the modified total municipal valuation. The adjusted tax  
23 rate is then applied to the valuation of forest land based  
24 on the undeveloped acreage valuations, adjusted by the  
25 certified ratio, to determine the adjusted tax.

26 B. The municipal savings in educational costs is determined  
27 by multiplying the school subsidy index by the change in  
28 state valuation attributable to the use of the valuations  
29 determined in accordance with this subchapter on classified  
30 forest lands rather than their valuation using the  
31 undeveloped acreage valuations used in the state valuation  
32 then in effect.

33 Sec. E-81. 36 MRSA §1951, as amended by PL 1977, c. 679,  
34 §6-A, is repealed.

35 Sec. E-82. 36 MRSA §1951-A is enacted to read:

36 **§1951-A. Collection of tax; report to State Tax Assessor**

37 **1. Monthly report and payment.** Every retailer shall file  
38 with the State Tax Assessor, on or before the 15th day of each  
39 month, a report made under the pains and penalties of perjury on  
40 such form as the State Tax Assessor may prescribe that discloses  
41 the total sale price of all sales made during the preceding  
42 calendar month and such other information as the State Tax  
43 Assessor requires. The State Tax Assessor may permit the filing  
44 of returns other than monthly. The State Tax Assessor, by rule,  
45 may waive reporting nontaxable sales. Upon application of a

2 retailer, the State Tax Assessor shall issue a classified permit  
3 establishing the percentage of exempt sales. The classified  
4 permit may be amended or revoked as to its classification  
5 whenever the State Tax Assessor determines that the percentage of  
6 exempt sales is inaccurate. The State Tax Assessor may for good  
7 cause extend for not more than 30 days the time for making  
8 returns required under chapters 211 to 225. Every person subject  
9 to the use tax shall file similar reports, at similar dates, and  
10 pay the tax or furnish a receipt for the same from a registered  
11 retailer.

12 2. Estimated payment. Every retailer that had a tax  
13 liability under this Part in excess of \$250,000 for the preceding  
14 calendar year and is required to file a monthly return shall pay  
15 over to the State Tax Assessor by the 21st day of each month an  
16 amount equal to 66% of the retailer's liability under this Part  
17 for the corresponding month in the prior year or 66% of the  
18 retailer's liability under this Part for the actual month.  
19 Payments made pursuant to this subsection must be credited  
20 against tax due with the monthly return. The State Tax Assessor  
21 shall prescribe the voucher required to be filed with the  
22 payment. If the retailer does not file the required voucher, the  
23 amount of the retailer's liability is equal to an amount that is  
24 66% of the retailer's liability under this Part for the  
25 corresponding month in the prior year.

26 **Sec. E-83. 36 MRSA §2801**, as amended by PL 1989, c. 909, is  
27 further amended to read:

30 **§2801. Hospital excise tax**

32 ~~Hospitals shall-be~~ are subject to an excise tax for the  
33 fiscal year. The rate of tax shall-be is .002 of the hospital's  
34 financial requirements as determined in Title 22, chapter 107,  
35 subchapter III. The State Tax Assessor on or before September  
36 30th; December 30th; March 30th; and June 30th, of each fiscal  
37 year shall determine the amount of such ~~that~~ tax on each hospital  
38 and shall give notice of the amount to the hospital upon which  
39 the tax is levied. The amount of tax on each quarterly notice  
40 shall-be is .002 of the hospital's financial requirements of the  
41 most recently completed quarter of the hospital's payment year.  
42 A sum of no less than \$500,000 must be allocated annually to the  
43 Department of Human Services to assist the department in covering  
44 the cost of the Medical Assistance Program.

46 ~~This section is repealed June 30, 1992.~~

48 **Sec. E-84. 36 MRSA §5253, sub-§1**, as amended by PL 1989, c.  
49 875, Pt. E, §48 and affected by §49, is further amended to read:

50 **1. General.** Every person required to deduct and withhold  
51 tax under this Part shall, for each calendar quarter, on or



2 before the 21st day of the month following the close of such the  
3 calendar quarter or such other reporting period as the State Tax  
4 Assessor may require, file a withholding return as prescribed by  
5 the assessor and pay over to the assessor or to a depository  
6 designated by the assessor, the taxes so required to be deducted  
7 and withheld State Tax Assessor. The State Tax Assessor may, by  
8 rule, require or permit the filing of returns and paying over of  
9 taxes withheld on other than a quarterly basis. Whenever, for  
10 federal income tax purposes under the Code, Section 6302 and  
11 regulations adopted to that Code, an employer is required to  
12 deposit withholding taxes on an eighth-monthly period, the  
13 employer shall pay over the amount required to be withheld by  
14 this Part to the State Tax Assessor within 3 days of the last day  
15 of each month for which the amount equals or exceeds \$3,000 or  
16 within 3 days of the end of any other eighth-monthly period for  
17 which the amount required to be withheld by this Part but not yet  
18 paid over during the month equals or exceeds \$3,000. All other  
19 persons shall pay over to the State Tax Assessor taxes required  
20 to be withheld by this Part at the time they are required to file  
21 a withholding return. The State Tax Assessor shall prescribe the  
22 voucher required to be filed with the payment.

23 **Sec. E-85. Application.** That section of this Part that amends  
24 the Maine Revised Statutes, Title 36, section 5253, subsection 1,  
25 applies to taxes required to be withheld on or after May 1, 1991.

26 **Sec. E-86. 38 MRS §351,** as amended by PL 1987, c. 787, §5,  
27 is further amended by adding at the end a new paragraph to read:

28 The commissioner may, subject to the approval of the  
29 Governor, apply for, accept on behalf of the State and deposit to  
30 the fund, funds, grants, bequests, gifts or contributions from  
31 any person, corporation or governmental entity. The funds must  
32 be allocated by the Legislature and expended consistent with the  
33 purposes of the department established section 341-A.

34 **Sec. E-87. 38 MRS §438-A, sub-§1,** as enacted by PL 1987, c.  
35 815, §§5 and 11, is amended to read:

36 **1. Land use guidelines.** In accordance with Title 5,  
37 chapter 375, subchapter II, the Board of Environmental Protection  
38 shall adopt, and from time to time shall update and amend,  
39 minimum guidelines for municipal zoning and land use controls  
40 which that are designed to carry out the legislative purposes  
41 described in section 435 and the provisions of this article.  
42 These minimum guidelines shall must include provisions governing  
43 building and structure size, setback and location, establishment  
44 of resource protection, general development, limited residential,  
45 commercial fisheries and maritime activities' zones and other  
46 zones. Within each zone, the board shall prescribe uses which  
47 that may be allowed with or without conditions and shall

2 establish criteria for the issuance of permits and nonconforming  
3 uses, land use standards and administrative and enforcement  
4 procedures. ~~The board shall comprehensively review and update  
5 its guidelines and shall reevaluate and update the guidelines at  
6 least once every 4 years.~~

7 **Sec. E-88. 38 MRSA §438-A, sub-§2**, as affected by PL 1989, c.  
8 890, Pt. A, §40 and amended by Pt. B, §44, is further amended to  
9 read:

10 **2. Municipal ordinances.** In accordance with a schedule  
11 adopted ~~by the board and acting in accordance with a~~ local  
12 comprehensive plan, municipalities shall ~~prepare and submit to~~  
13 ~~the commissioner~~ adopt zoning and land use ordinances that are  
14 consistent with or are no less stringent than the minimum  
15 guidelines adopted by the board as guidelines for municipal  
16 shoreland zoning ordinances effective March 24, 1990 and, for  
17 coastal communities, which guidelines that address the coastal  
18 management policies cited in section 1801. ~~When a municipality  
19 determines that special local conditions within portions of the  
20 shoreland zone require a different set of standards from these in  
21 the minimum guidelines, the municipality shall document the  
22 special conditions and submit them, together with its proposed  
23 ordinance provisions, to the commissioner for review and approval.~~

24  
25  
26 **Sec. E-89. 38 MRSA §438-A, sub-§3**, as affected by PL 1989, c.  
27 890, Pt. A, §40 and amended by Pt. B, §44, is repealed.

28  
29 **Sec. E-90. 38 MRSA §438-A, sub-§4**, as affected by PL 1989, c.  
30 890, Pt. A, §40 and repealed and replaced by Pt. B, §45, is  
31 repealed.

32  
33 **Sec. E-91. 38 MRSA §438-A, sub-§5**, as affected by PL 1989, c.  
34 890, Pt. A and amended by Pt. B, §46, is further amended to read:

35  
36 **5. Exemptions.** Any areas within a municipality that are  
37 subject to nonmunicipal zoning and land use controls may be  
38 exempted from the operation of this section ~~upon a finding by the~~  
39 ~~commissioner~~ provided that the purposes of this chapter have been  
40 accomplished by nonmunicipal measures.

41  
42 **Sec. E-92. 38 MRSA §438-A, sub-§6**, as affected by PL 1989, c.  
43 890, Pt. A, §40 and amended by Pt. B, §46, is repealed.

44  
45 **Sec. E-93. 38 MRSA §439-A, sub-§4**, as amended by PL 1989, c.  
46 403, §8, is further amended to read:

47  
48 **4. Setback requirements.** Notwithstanding any provision in  
49 a local ordinance to the contrary, all new principal and  
50 accessory structures and substantial expansions of such  
structures within the shoreland zone as established by section

2 435 shall ~~must~~ meet the water setback requirements approved-by  
the-board contained in the guideline ordinance, except structures  
4 which that require direct access to the water as an operational  
necessity, such as piers, docks and retaining walls. For  
6 purposes of this subsection, a substantial expansion of a  
building shall-be is an expansion which that increases either the  
8 volume or floor area by 30% or more. This subsection is not  
intended to prohibit a municipal board of appeals from granting a  
10 variance, subject to the requirements of this article and Title  
30-A, section 4353, nor is it intended to prohibit a less than  
12 substantial expansion of a legally existing nonconforming  
structure, provided that the expansion does not create further  
nonconformity with the water setback requirement.

14  
16 **Sec. E-94. 38 MRSA §439-A, sub-§5**, as amended by PL 1989, c.  
803, §1; c. 838, §2; and c. 878, Pt. G, §7, is repealed and the  
following enacted in its place:

18  
20 5. Timber harvesting. Municipal ordinances regulate timber  
harvesting within the shoreland area, except surrounding existing  
forested wetlands that are not zoned for resource protection.  
22 Notwithstanding any provision in a local ordinance to the  
contrary, standards for timber harvesting activities may not be  
24 less restrictive than the following:

26 A. Selective cutting of no more than 40% of the trees 4  
inches or more in diameter, measured at 4 1/2 feet above  
28 ground level, in any 10-year period, provided that a  
well-distributed stand of trees and other natural vegetation  
30 remains;

32 B. Within a shoreland area zoned for resource protection  
abutting a great pond, there may be no timber harvesting  
34 within the strip of land extending 75 feet inland from the  
normal high-water line except to remove safety hazards; and

36  
38 C. Any site within a shoreland area zoned for resource  
protection abutting a great pond, beyond the 75-foot strip  
40 restricted in paragraph B, where timber is harvested must be  
reforested within 2 growing seasons after the completion of  
42 the harvest, according to standards contained in the  
guideline ordinance.

44 The board may adopt more restrictive guidelines consistent with  
this subchapter that must then be incorporated into local  
46 ordinances.

48 **Sec. E-95. 38 MRSA §441, sub-§3, ¶C**, as amended by PL 1989, c.  
403, §11, is further amended to read:

50  
52 C. Keep a complete record of all essential transactions of  
the office, including applications submitted, permits

2 granted or denied, variances granted or denied, revocation  
actions, revocation of permits, appeals, court actions,  
3 violations investigated, violations found and fees  
4 collected. ~~On an annual basis, a summary of this record~~  
shall be submitted to the Director of the Bureau of Land  
5 Quality Control within the Department of Environmental  
Protection; and

8  
9 **Sec. E-96. 38 MRSA §443-A**, as affected by PL 1989, c. 890,  
10 Pt. A, §40 and amended by Pt. B, §48, is further amended to read:

12 **§443-A. Enforcement**

14 ~~1. Consultation with state agencies. All agencies of State~~  
Government shall cooperate to accomplish the objectives of this  
16 article. To that end, the commissioner shall consult with the  
governing bodies of municipalities and with other state agencies  
18 to achieve the purposes of this article, and shall extend to  
municipalities all possible technical and other assistance for  
20 that purpose.

22 2. **Legal actions.** In any legal action in which the  
pleadings challenge the validity or legality of any ordinance  
24 adopted pursuant to this article, the Attorney General shall be  
made a party until removed by the Attorney General's consent.

26 3. **Remedies.** Any municipality which that fails to adopt,  
28 administer or enforce zoning and land use ordinances as required  
under this article shall be subject to the enforcement  
30 procedures, equitable remedies and civil penalties set forth in  
sections 347 347-A to 349.

32 4. **Penalties.** Any person who orders or conducts any  
34 activity in violation of a municipal ordinance adopted under this  
chapter is penalized in accordance with Title 30-A, section 4452.

36 5. **Authority.** The Attorney General, a district attorney or  
38 a municipal officer, or their designees, may enforce ordinances  
adopted under this chapter.

40 6. **Installation of public utilities.** A public utility,  
42 water district, sanitary district or any utility company of any  
kind may not install services to any new structure located in a  
44 shoreland area, as defined by section 435, unless written  
authorization attesting to the validity and currency of all local  
46 permits required under this chapter has been issued by the  
appropriate municipal officials. Following installation of  
48 service, the company or district shall forward the written  
authorization to the municipal officials indicating that  
50 installation has been completed.

2           **Sec. E-97. 38 MRSA §444**, as amended by PL 1989, c. 403, §12,  
is repealed.

4           **Sec. E-98. 38 MRSA §446**, as amended by PL 1989, c. 403, §14,  
6 is further amended to read:

8           **§446. Municipal ordinance review and certification**

10           Each municipality with shorelands along significant river  
12 segments, as identified in section 437, shall review the adequacy  
14 of the zoning on these shorelands to protect the special values  
16 cited for these river segments by the Department of  
18 Conservation's 1982 Maine Rivers Study and for consistency with  
20 the guidelines established under section 445. ~~Prior to December~~  
22 ~~15, 1984, each such municipality shall certify to the Board of~~  
24 ~~Environmental Protection either that its existing zoning for~~  
~~these areas is at least as restrictive as the guidelines~~  
~~established under section 445, or that it has amended its zoning~~  
~~for this purpose. This certification shall be accompanied by the~~  
~~ordinances and zoning maps covering these areas. Failure to~~  
~~accomplish the purposes of this subsection shall result in~~  
~~adoption of suitable ordinances for these municipalities, as~~  
~~provided for in section 438-A.~~

26           **Sec. E-99. 38 MRSA §449**, as affected by PL 1989, c. 890, Pt.  
A, §40 and amended by Pt. B, §49, is repealed.

28           **Sec. E-100. 38 MRSA c. 5, sub-c. I, art. 3-A**, as amended, is  
30 repealed.

32           **Sec. E-101. 38 MRSA §2122, sub-§1**, as enacted by PL 1989, c.  
34 585, Pt. A, §7, is amended to read:

36           **1. Consultation.** In developing the plan, the office shall  
38 consult with ~~the Bureau of Solid Waste Management in~~ the  
Department of Environmental Protection, the Office of Siting and  
40 Disposal Operations and the Office of Waste Reduction and  
42 Recycling, and shall submit its draft plan to that department and  
these offices for review and written comment before the agency  
publishes the plan as a proposed rule. The office shall solicit  
44 public input and shall hold hearings in different regions of the  
State. The office shall also seek comment and advice on its  
46 draft plan from the Waste Management Advisory Council established  
under section 2104.

48           **Sec. E-102. Public Law 1991, c. 5, §3** is amended to read:

2           **Sec. 3. Treasurer of State authorization.** The Treasurer of State  
3 is authorized to set aside sufficient General Fund revenues in  
4 fiscal year 1990-91 in the event there are insufficient resources  
5 in the debt service account established in section 3 2 of this  
6 Act to meet principal, interest and related payments. The  
7 Treasurer of State shall report to the Joint Standing Committee  
8 on Appropriations and Financial Affairs the amount, if any, of  
9 General Fund revenue set aside.

10           **Sec. E-103. Retroactivity.** That section of this Part that  
11 amends Public Law 1991, chapter 5, section 3, applies  
12 retroactively to January 4, 1991.

13           **Sec. E-104. P&SL 1985, c. 135, §4, last sentence,** as affected by PL  
14 1989, c. 878, Pt. A, §§147 and 148, is amended to read:

15           The commission shall present its final report and  
16 recommendations, together with any recommended legislation, to  
17 the First Regular Session of ~~115th~~ 116th Legislature by March 1,  
18 ~~1991~~ 1993.

19           **Sec. E-105. Resolve 1989, c. 99, §3, first ¶** is repealed and the  
20 following enacted in its place:

21           **Sec. 3. Initial intervention, treatment and support services.**  
22 **Resolved:** That within the limits of funds available for this  
23 purpose, the Coordinated Response System includes, but is not  
24 limited to, such initial intervention, treatment and support  
25 services as:

26           **Sec. E-106. Resolve 1989, c. 99, §10** is repealed and the  
27 following enacted in its place:

28           **Sec. 10. Financing. Resolved:** That the Department of Human  
29 Services is encouraged to seek funding from the Federal  
30 Government or other sources, or provide Title IV-E administrative  
31 reimbursement funds, as available, to establish this model and  
32 implement this legislation on January 1, 1992.

33           **Sec. E-107. Resolve 1989, c. 99, §11** is repealed and the  
34 following enacted in its place:

35           **Sec. 11. Effective date.** This resolve takes effect January 1,  
36 1992.

37           **Sec. E-108. Retroactivity.** Those sections of this Part that  
38 affect Resolve 1989, chapter 99, apply retroactively to January  
39 1, 1991.

2           **Sec. E-109. Transfer of funds.** Notwithstanding the Maine  
Revised Statutes, Title 39, section 57, subsection 6, \$375,738 is  
4 authorized to be transferred from the Second Injury Fund account  
of the Workers' Compensation Commission to General Fund  
6 undedicated revenues by June 30, 1991.

8           **Sec. E-110. Transfer of funds.** Notwithstanding the Maine  
Revised Statutes, Title 22, section 391, subsections 1 to 6,  
10 \$18,338 is authorized to be transferred from the Health Care  
Finance Commission Fund account of the Maine Health Care Finance  
12 Commission to General Fund undedicated revenues by June 30, 1991.

14           **Sec. E-111. Transition provision.** All water level orders of the  
State Soil and Water Conservation Commission or the Commissioner  
16 of Agriculture, Food and Rural Resources under the Maine Revised  
Statutes, Title 12, former section 304, and all  
18 water level orders of the Board of Environmental Protection  
issued under Title 38, former section 840, continue in effect  
20 until rescinded or amended by order of a municipal reviewing  
authority issued in accordance with Title 30-A, sections 4454 to  
22 4458. The Attorney General, any municipality in which the dam or  
the body of water impounded by the dam is located or any littoral  
24 or riparian proprietor may institute proceedings to enjoin a  
violation of any provision of these orders.

26           **Sec. E-112. Transition provision.** Notwithstanding the Maine  
Revised Statutes, Title 5, sections 1728-A to 1736, or any other  
28 provision of law, the Commissioner of Administration is  
authorized to transfer from the reserve fund for self-insured  
30 retention losses to the General Fund \$2,000,000 by June 30, 1991  
to ensure the prompt payment of workers' compensation claims by  
32 state agencies supported by the General Fund, as required by law.

34           **Sec. E-113. Transfer of funds.** General Fund repayment of the  
36 \$2,000,000 transfer to the General Fund authorized in this Act  
from the reserve fund for self-insured retention losses must be  
38 made by June 30, 1993 at an interest rate of 5% per annum  
calculated on the unpaid balance.

40           **Sec. E-114. Funding for Bureau of State Police.** Notwithstanding  
42 Public Law 1987, chapter 793, Part B, section 4, the Legislature  
determines that, for fiscal year 1990-91 only, funding for the  
44 Department of Public Safety, Bureau of State Police must be  
provided as follows: Seventy-five percent must be allocated from  
46 the Highway Fund and 25% must be appropriated from the General  
Fund. It is the intent of the Legislature to return to 50%  
48 Highway Fund and 50% General Fund for the fiscal year 1991-92 and  
thereafter.

2           **Sec. E-115. Tax Anticipation Note Debt Service Account**  
3 **established.** The Tax Anticipation Note Debt Service Account is  
4 established for the purpose of meeting the State's obligation  
5 including issuance costs as a result of any tax anticipation  
6 notes that may be issued to meet expenditures already incurred by  
7 State Government during fiscal year 1990-91. Any earnings in  
8 excess of those needed to service this debt must be transferred  
9 to the General Fund by June 30, 1991.

10  
11           **Sec. E-116. Transfer.** The Department of Transportation shall  
12 transfer \$10,000,000 of the \$15,000,000 increase received from  
13 the Maine Turnpike Authority under section E-64 from the Highway  
14 Fund to the General Fund by June 30, 1991 as repayment of a  
15 portion of the \$13,200,000 appropriated from the Maine Rainy Day  
16 Fund in Public Law 1987, chapter 793.

17           **Sec. E-117. Repayment to Highway Fund.** Funds advanced from  
18 the Maine Turnpike Authority under this Part, as an early payment  
19 of the Maine Turnpike Authority's fiscal year 1991-92 Highway  
20 Fund obligation, must be repaid to the Highway Fund in the amount  
21 of \$5,000,000 on August 1, 1991 and in the amount of \$10,000,000  
22 on July 1, 1992.

23  
24           **Sec. E-118. Educational technicians not to become members of**  
25 **retirement system.** An employee of a school administrative unit  
26 who was promoted from a Teacher Aide position or Educational  
27 Technician I position to an Educational Technician II position or  
28 Educational Technician III position based upon misinterpretation  
29 of the Department of Education rules, chapter 115, section 14, as  
30 amended by the State Board of Education on November 15, 1989,  
31 effective February 6, 1990, may not be a member of the Maine  
32 State Retirement System as a teacher.

33  
34           **Sec. E-119. Legislative intent.** It is the intent of the  
35 Legislature to confirm the efforts of the Judicial Department in  
36 providing additional General Fund revenue of \$500,000 in fiscal  
37 year 1990-91 over the current General Fund revenue estimates  
38 established by the State Budget Officer. These efforts will  
39 generate additional revenue by rule or increased administrative  
40 action of the Judicial Department, including: Two hundred  
41 thousand dollars in revenue from the State of Maine Offset  
42 Program; and additional \$100,000 in revenue from the  
43 Comprehensive District Court Collection Program; and \$200,000  
44 from the establishment of a jury fee in the Superior Court.

45  
46           **Sec. E-120. Transfer of funds; personal services savings.** Prior to  
47 June 30, 1991, the State Controller and the State Budget  
48



Officer, working jointly, shall transfer \$8,500,000 in personal services savings from all departments and agencies of State Government to the General Fund. The personal services savings must be achieved from administrative actions authorized by the Governor.

**Sec. E-121. State Government lease of real property; suspension of ASHRAE standards.** Notwithstanding any other provision of law, the ASHRAE standards requirement, as it applies to real property leases for State Government is suspended for one year from the effective date of this Part.

**Sec. E-122. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1990-91

**PUBLIC SAFETY, DEPARTMENT OF**

**State Police**

Personal Services (\$5,000,000)

Deappropriates funds no longer required in order to adjust State Police funding to approximately 25% General Fund, 75% Highway Fund for fiscal year 1990-91 only, to return to 50% General Fund, 50% Highway Fund for fiscal year 1991-92 and thereafter.

**Sec. E-123. Allocation.** The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

1990-91

**PUBLIC SAFETY, DEPARTMENT OF**

**State Police**

Personal Services \$5,000,000

Provides funds for a change in State Police funding for fiscal year 1990-91 only, to approximately 75% Highway Fund, 25% General Fund, to return to 50% General Fund, 50% Highway Fund for fiscal year 1991-92 and thereafter.

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PART F

Sec. F-1. 22 MRSA §3721, sub-§§5 and 6 are enacted to read:

5. Director. "Director" means the Director of the Division of Community Services.

6. Division. "Division" means the Executive Department, Division of Community Services.

Sec. F-2. 22 MRSA §3723, sub-§6, as amended by PL 1989, c. 700, Pt. A, §83, is further amended to read:

6. Advice and consultation. The board, through the director, shall request the advice and consultation of the Commissioner of Corrections, the Commissioner of Education, the Commissioner of Human Services, the Commissioner of Mental Health and Mental Retardation and the Commissioner of Public Safety shall, ~~upon request, provide the board with technical information and advice.~~

Sec. F-3. 22 MRSA §3724, as enacted by PL 1987, c. 402, Pt. A, §142, is amended to read:

**§3724. Duties**

The board shall have the following powers and duties.

1. Plan. The board shall develop submit to the director an annual, biennial state plan for the distribution of money in the fund and distribute money in accordance with that plan. In developing the plan, the board shall:

A. Review and evaluate existing prevention programs;

B. ~~Assure~~ Ensure that an equal opportunity exists for the establishment of prevention programs and receipt of fund money among all geographic areas in the State; and

C. Submit the plan to the director and the Legislature annually.

2. Exchange of information. The board shall ~~provide for~~ assist in the coordination and exchange of information on the establishment and maintenance of prevention programs.

3. Criteria for awarding grants. The board shall develop recommend rules and publicize criteria for awarding grants to eligible organizations.

4. Grants. The board shall review applications for grants

2 and shall approve recommend to the director for final approval  
3 applications which it considers best address the purposes of the  
4 fund.

5 **5. Review.** The board shall review, approve recommend and  
6 monitor the expenditure of grants awarded pursuant to this  
7 chapter.

8 **6. Education.** The board shall provide statewide education  
9 and public information to develop public awareness concerning  
10 child abuse, neglect and mental illness.

11 **7. Contracts.** The board division may enter into contracts  
12 with public or private agencies or accept any grants or gifts  
13 from any federal, state or private source to carry out this  
14 chapter.

15 **8. Recommendations.** The board shall make recommendations  
16 to the director, the Governor and the Legislature concerning  
17 changes in state laws, rules, programs or policies which will  
18 reduce the problem of child abuse, neglect and mental illness and  
19 improve coordination among agencies that provide prevention  
20 services.

21 **9. Rules.** The board division shall promulgate rules, in  
22 accordance with the Maine Administrative Procedure Act, Title 5,  
23 chapter 375, to carry out this chapter.

24 **10. Staff.** The board division may employ a--full-time  
25 executive--director--and--a--clerical--assistant--to--serve--at--the  
26 pleasure--of--the--board staff as is necessary to administer the  
27 fund. The executive-director-and-clerical-assistant shall not be  
28 subject-to-the-Civil-Service-Law.

29 ~~A.--The executive-director shall be a person with knowledge~~  
30 ~~and-experience-in:-~~

31 ~~(1)--Writing-grants-and-grant-applications;-~~

32 ~~(2)--Child-neglect-and-child-abuse-programs;-~~

33 ~~(3)--Review-and-evaluation-of-programs;-and-~~

34 ~~(4)--Supervising-employees-and-implementing-policies.-~~

35 **Sec. F-4. 22 MRSA §3725,** as amended by PL 1987, c. 769, Pt.  
36 A, §76, is further amended to read:

37 **§3725. Disbursement of fund money**

38 **1. Procedure.** The board division shall, by rule, establish  
39 a procedure and form for receipt of applications under this

chapter. Upon approval of an application, the board division may disburse fund money to eligible organizations for the development or operation of prevention programs under this chapter.

**2. Limit on disbursements.** Of the first \$100,000 of income each year, the amount remaining after payment of operating expenses and expenses for developing public awareness shall must be expended by the board division in the following proportions: A minimum of 1/3 shall must be allocated to the trust fund and up to 2/3 allocated for grants to local programs. One half of the amount of income each year which exceeds \$100,000, but which does not exceed \$500,000, shall must be set aside for the development of the trust fund. The board division may expend the remainder in accordance with the duties set out in section 4084 3724. The board division may not expend the amount of income each year which exceeds \$500,000. For purposes of this section, income includes interest attributed to the fund pursuant to Title 36, section 5285. When the total amount of the fund reaches \$4,000,000, contributions to the fund shall must cease, as provided in Title 36, section 5285, and the expenditures by the ~~board~~ division are limited to the amount of interest credited annually to the fund.

#### **Sec. F-5. Transition provisions.**

1. The Division of Community Services within the Executive Department is the successor in every way to the powers, duties and functions of the Maine Children's Trust Fund.

2. All existing rules, regulations and procedures in effect, in operation or promulgated in or by the Board of the Maine Children's Trust Fund or any of its administrative units or officers are declared in effect and continue in effect until rescinded, revised or amended by the proper authority.

3. All existing contracts, agreements and compacts currently in effect in the Maine Children's Trust Fund continue in effect.

4. Notwithstanding the provisions of the Maine Revised Statutes, Title 5, all accrued expenditures, assets, liabilities, balances or appropriations, allocations, transfers, revenues or other available funds in an account or subdivision of an account of the former Maine Children's Trust Fund must be transferred to the proper accounts by the State Controller upon the request of the State Budget Officer and with the approval of the Governor.

5. All records, property and equipment previously belonging to or allocated for the use of the former Maine Children's Trust Fund become, on the effective date of this Part, part of the property of the Division of Community Services.

6. All existing forms, licenses, letterheads and similar items bearing the name of or referring to the Maine Children's Trust Fund may be utilized by the Division of Community Services until existing supplies of those items are exhausted.

7. Any member serving on the Board of the Maine Children's Trust Fund on the effective date of this Part shall continue to serve for the remainder of the term for which the member was appointed.

**Sec. F-6. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

1990-91

**BOARD OF THE MAINE CHILDREN'S TRUST FUND**

**Children's Trust Fund Program**

Positions - Other Count	(-2.0)
Personal Services	(\$ 5,018)
All Other	(10,509)
Capital Expenditures	( 7,614)

Provides for the deallocation of funds and the elimination of one Executive Director position and one Clerk Typist II position, effective May 1, 1991, due to a transfer of Maine Children's Trust Fund functions to the Division of Community Services.

**BOARD OF THE MAINE CHILDREN'S TRUST FUND TOTAL**

(\$23,141)

**EXECUTIVE DEPARTMENT**

**Maine Children's Trust Fund - Community Services**

Positions - Other Count	(1.0)
Personal Services	\$ 5,018
All Other	10,509
Capital Expenditures	7,614

Provides funds for one Clerk Typist II position within the Division of Community Services and grants to be awarded to fulfill the purpose of the Maine Children's Trust Fund, effective May 1, 1991.

EXECUTIVE DEPARTMENT  
TOTAL

\$23,141

PART F  
TOTAL ALLOCATIONS

-\$0-

Sec. F-7. Effective date. This Part takes effect May 1, 1991.

PART G

Sec. G-1. 25 MRSA §2399, 2¶, as amended by PL 1987, c. 816, Pt. HH, §1, is further amended to read:

Every fire insurance company or association which does business or collects premiums or assessments in the State shall pay to the State Tax Assessor, in addition to the taxes now imposed by law to be paid by those companies or associations, ~~95~~ ~~ef-1%~~ 1.4% of the gross direct premiums for fire risks written in the State, less the amount of all direct return premiums thereon and all dividends paid to policyholders on direct fire premiums. That tax shall must be paid as provided for insurance premium taxes as specified in Title 36, section 2521-A, except that the tax prescribed by this section shall must be paid on an estimated basis at the end of each quarter starting with the first quarter of 1983, with each installment equal to at least 25% of the estimated total tax to be paid for the current calendar year. The State Tax Assessor shall pay over all receipts from that tax to the Treasurer of State daily. These Of these funds shall, 75.7% must be used to defray the expenses incurred by the Commissioner of Public Safety in administering all fire preventive and investigative laws, rules and regulations and in educating the public in fire safety and are appropriated for those purposes and to carry out the administration and duties of the Office of State Fire Marshal. ~~In addition, 10.5% of~~ Of these funds shall ~~also, 24.3% must~~ be used to defray the expenses of the fire training and education program as established in Title 20-A, chapter 319. ~~An additional \$175,000 shall be allocated in state fiscal year 1988-89 to defray the expenses of the fire training and education programs in the State. If additional funds are needed in fiscal year 1989-90 and thereafter, the State Fire Marshal shall make a recommendation to the Legislature.~~

Sec. G-2. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

1990-91

BOARD OF TRUSTEES OF THE  
MAINE TECHNICAL COLLEGE SYSTEM

2 **Maine Technical College System -  
Board of Trustees**

4 All Other \$277,000

6 Provides \$257,000 for the fire training and  
8 education program and \$20,000 for the fire  
10 fighter training facilities grant program.  
12 The Department of Public Safety and the  
14 Maine Technical College System shall  
16 cooperate to achieve this level of funding  
18 for the remainder of fiscal year 1990-91.

16 **PART H**

18 **Sec. H-1. 5 MRSA §12004-I, sub-§30**, as enacted by PL 1987, c.  
20 786, §5, is repealed.

22 **Sec. H-2. 5 MRSA §12004-I, sub-§30-A** is enacted to read:

24	<u>30-A.</u>	<u>Health Planning</u>	<u>Expenses</u>	<u>5 MRSA</u>
	<u>Health</u>	<u>Commission</u>	<u>Only</u>	<u>\$19111</u>

26 **Sec. H-3. 5 MRSA c. 435**, as amended, is repealed.

28 **Sec. H-4. 5 MRSA c. 435-A** is enacted to read:

30 **CHAPTER 435-A**

32 **HEALTH PLANNING COMMISSION**

34 **§19111. Establishment; role**

36 The Health Planning Commission, as established in section  
38 12004-I and known in this chapter as "the commission," shall  
40 advise and be available for consultation to the Governor and the  
42 Commissioner of Human Services on health planning issues related  
to health status, health promotion and health care delivery that  
the commission believes to be significant and that it has the  
resources to address.

44 **§19112. Definitions**

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

50 1. Health care delivery. "Health care delivery" means the  
52 quality and cost of care, availability of care, access to care,  
appropriateness of services, use of services and adequacy of  
facilities, equipment and personnel.

2           2. Health promotion. "Health promotion" means any  
3 combination of health education and related organizational,  
4 political and economic interventions designed to bring about  
5 behavioral and environmental changes conducive to health.

6  
7 **§19113. Membership; officers; compensation**

8  
9           1. Membership. The commission consists of 12 members  
10 appointed by the Commissioner of Human Services. The  
11 commissioner shall seek recommendations from the hospital  
12 profession, the nursing home industry, the medical profession and  
13 other health care professions. At least 4 members must be  
14 private citizens who are not providers of health care services.

15  
16           2. Officers. The commission shall elect a chair and a  
17 vice-chair annually.

18  
19           3. Compensation and reimbursement. Council members are  
20 entitled to receive compensation in accordance with chapter 379.

21 **§19114. Studies and reports**

22  
23           The commission may conduct or commission studies and reports  
24 on health policy matters.

25 **§19115. Working relationships**

26  
27           In carrying out its responsibilities under this chapter, the  
28 commission shall maintain active liaison with the Department of  
29 Human Services, the Department of Mental Health and Mental  
30 Retardation, other executive branch agencies, the Legislature and  
31 consumer and provider groups. The responsibilities of the  
32 commission in no way supplant the health care planning  
33 responsibilities of the Department of Human Services, the  
34 Department of Mental Health and Mental Retardation and other  
35 executive branch agencies.

36  
37 **§19116. Annual reports**

38  
39           Each year, no later than December 15th, the commission shall  
40 present to the Governor and the Commissioner of Human Services, a  
41 plan that contains:

42  
43           1. Forecast. A forecast of significant health planning  
44 issues that are expected to face the State in the next 5 years;

45  
46           2. Agenda. An agenda of major health planning and policy  
47 issues for the coming year; and  
48

49  
50



2 3. Findings. The commission's findings on issues it had  
3 raised in the previous year and on public and private health care  
4 planning, service delivery and financing goals and objectives.

6 **§19117. Public participation and hearings**

8 The commission shall conduct with the Department of Human  
9 Services at least 3 public meetings a year in different  
10 geographic areas of the State, seeking information and advice  
11 from individual citizens and interested organizations and shall  
12 hold at least one formal public hearing to obtain advice from  
13 interested parties on the commission's draft of the annual report.

14 **§19118. Staff**

16 The Department of Human Services shall provide the  
17 commission with staff support as it may reasonably require to  
18 carry out the provisions of this chapter.

20 **Sec. H-5. Effective date.** This Part takes effect July 1, 1991.

22 **PART I**

24 **Sec. I-1. 20-A MRSA §2, sub-§3,** as repealed and replaced by PL  
26 1989, c. 878, Pt. A, §43, is amended to read:

28 **3. Mandated programs.** Any legislation containing a state  
29 mandate enacted by the Legislature after January 1, 1989, which  
30 requires additional funding, shall must contain provisions for  
31 full funding by the State. The funding requirements to implement  
32 the mandate must be identified. Any such legislation for which  
33 full state funding is not provided may not be enacted.

34 State mandates are defined as any state-initiated or statutory  
35 action that requires a local school administrative unit to  
36 establish, expand or modify its activities in such a way as to  
37 necessitate additional expenditures from local revenues,  
38 excluding any order issued by a state court or any legislation  
39 necessary to comply with a federal mandate.

42 Any legislation or rule containing a state mandate enacted after  
43 January 1, 1984 may be eliminated or deferred by action of a  
44 municipality's legislative body or in school units in which  
45 another body finally approves the school budget by action of that  
46 body, until such time as the State restores state aid to  
47 education to the levels required by the laws in effect on January  
48 1, 1990. These mandates include, but are not limited to, minimum  
49 pupil-teacher ratios, guidance programs, gifted and talented  
50 programs, music programs and art programs.

2 This subsection is repealed on June 30, 1994, unless reviewed and  
extended by specific Act of the Legislature.

4 **Sec. I-2. 20-A MRSA §4502, sub-§5, ¶H,** as enacted by PL 1983,  
c. 859, Pt. A, §§20 and 25, is amended to read:

6 H. Student personnel services, including guidance and  
8 counseling and, notwithstanding any rules adopted by the  
10 department, comprehensive guidance plans to be approved by  
the commissioner for implementation in the 1995-96 school  
12 year;

14 **Sec. I-3. 20-A MRSA §6602, sub-§1,** as amended by PL 1989, c.  
875, Pt. G, §1, is further amended to read:

16 **1. Participation.** A public school shall must participate  
18 in the National School Lunch Program. It shall must provide Type  
A meals as determined by the United States Department of  
20 Agriculture. A public school in which 40% or more of children in  
attendance are eligible for free or reduced-price meals under  
22 applicable federal regulations shall may provide to kindergarten  
and other part-day students a meal that meets the requirements of  
24 the National School Breakfast Program. When fees are permissible  
for those breakfasts, schools shall must charge and collect a fee  
26 for each reduced-price breakfast that is equal to the maximum fee  
permitted under federal law and a fee 5¢ above that for each  
28 full-price breakfast. The money collected through those fees  
must be used by schools to offset the costs of providing  
breakfasts under this subsection.

30 **Sec. I-4. 20-A MRSA §8104, sub-§1,** as enacted by PL 1985, c.  
32 463, §1, is amended to read:

34 **1. Establishment.** Each school administrative unit shall  
36 must, commencing with the 1987-88 school year, establish a plan  
for phasing in gifted and talented educational programs by  
38 1991-92 1995-96.

40 **Sec. I-5. 38 MRSA §451-A, sub-§1-A,** as affected by PL 1989, c.  
890, Pt. A, §40 and amended by Pt. B, §52 and amended by c. 926,  
42 §1, is repealed and the following enacted in its place:

44 **1-A. Time schedule for salt and sand-salt storage program.**  
An owner or operator of a salt or sand-salt storage area is not  
46 in violation of any ground water classification or  
reclassification adopted on or after January 1, 1980, at any time  
48 prior to October 1, 1999, with respect to discharges to the  
ground water from those facilities, if by that time the owner or  
50 operator has completed all steps then required to be completed by  
the schedules set forth in this subchapter. The commissioner  
shall administer this schedule according to the project priority

2 list adopted by the board pursuant to section 411 and the  
3 provisions of this subsection.

4 A. Preliminary plans and engineers' estimates must be  
5 completed and submitted to the Department of Transportation  
6 by the following dates:

8 (1) For Priority 1 and 2 projects - January 1992;

10 (2) For Priority 3 project - January 1993;

12 (3) For Priority 4 project - January 1994; and

14 (4) For Priority 5 project - January 1995.

16 B. Arrangements for administration and financing must be  
17 completed within 12 months of the dates established in  
18 paragraph A for each priority category.

20 C. Detailed engineering and final plan formulation must be  
21 completed within 24 months of the dates established in  
22 paragraph A for each priority category.

24 D. Review of final plans with the Department of  
25 Transportation must be completed and construction commenced  
26 within 36 months of the dates established in paragraph A for  
27 each priority category. The Department of Transportation  
28 shall consult with the commissioner in reviewing final plans.

30 E. Construction must be completed and in operation on or  
31 before January 1, 1999.

32 In no case may violations of the lowest ground water  
33 classification be allowed. In addition, no violations of any  
34 ground water classifications adopted after January 1, 1980, may  
35 be allowed for more than 3 years from the date of an offer of a  
36 state grant for the construction of those facilities or after  
37 January 1, 1999, whichever is earlier.

40 The department may not issue time schedule variances under  
41 subsection 1 to owners or operators of salt or sand-salt storage  
42 areas.

44 An owner or operator of a salt or sand-salt storage area who is  
45 in compliance with this section is exempt from the requirements  
46 of licensing under section 413, subsection 2-D.

48 An owner or operator is not in violation of a schedule  
49 established pursuant to this subsection if the owner or operator  
50 is eligible for a state grant to implement the schedule and the  
51 state grant is not available.

52

2           Sec. I-6. 38 MRSA §563-A, sub-§1-A, as enacted by PL 1989, c.  
865, §8, and c. 926, §3, is repealed and the following enacted in  
its place:

4           1-A. Compliance schedule for municipalities and school  
6 administrative units. A municipality or school administrative  
8 unit may not operate, maintain or store oil in a registered  
10 underground oil storage facility or tank that is not constructed  
12 of fiberglass, cathodically protected steel or other noncorrosive  
14 material approved by the department after:

12           A. October 1, 1994, if that facility or tank is more than  
14 25 years old or if that facility or tank is more than 15  
16 years old and is located in a sensitive geological area;

16           B. October 1, 1996, if that facility or tank is more than  
18 20 years old or if that facility or tank is 15 years old and  
20 is located in a sensitive geological area; or

20           C. October 1, 1999.

22           Sec. I-7. 38 MRSA §563-A, sub-§1-B is enacted to read:

24           1-B. Exception. Airport aviation fuel hydrant piping  
26 systems are exempt from the schedule in subsection 1 provided  
28 that corrosion-induced leaks have not occurred and the system is  
30 not located in a sensitive geologic area. Owners and operators  
32 of airport aviation fuel hydrant piping systems must meet all  
34 applicable requirements of section 564 and of this subchapter.

## 32           PART J

34           Sec. J-1. 22 MRSA §3189, sub-§3, ¶A, as enacted by PL 1989, c.  
588, Pt. A, §43, is amended to read:

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

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

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

50           (2) Any person who is 18 years of age or older, who is  
52 enrolled in the program on January 1, 1991 and whose  
household income is 95% or less of the federal poverty

2 level is eligible to receive benefits until the first  
3 day of the month following the effective date of this  
4 subparagraph.

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

8  
9 **Sec. J-2. 22 MRSA §3189, sub-§5, ¶G,** as enacted by PL 1989, c.  
10 588, Pt. A, §43, is amended to read:

11 G. Notwithstanding subsection 3, if at any time during the  
12 fiscal year the department determines that the available  
13 funds available for the program are inadequate to continue  
14 the program pursuant to the requirements of subsection 3,  
15 the department, in accordance with this subsection and  
16 subsection 9, may shall take action to limit the program for  
17 the full or partial fiscal year for which the department  
18 determines funding is inadequate. ~~The priority of making~~  
19 ~~reductions shall be as follows:~~

20  
21 ~~(1) -- With regard to new applicants only, the income~~  
22 ~~limit for persons aged 18 or older may be reduced to~~  
23 ~~such lower percentage of federal poverty level as the~~  
24 ~~department determines appropriate;~~

25  
26 ~~(2) -- With regard to new applicants only, the income~~  
27 ~~limits for all otherwise eligible persons may be~~  
28 ~~reduced to such lower percentages of the federal~~  
29 ~~poverty level as the department determines appropriate;~~

30  
31 ~~(3) -- With regard to all otherwise eligible persons, the~~  
32 ~~department may restrict the scope and amount of medical~~  
33 ~~assistance to be provided;~~

34  
35 ~~(4) -- With regard to new applicants only, no persons~~  
36 ~~aged 18 or older may be found eligible for the program;~~  
37 ~~and~~

38  
39 ~~(5) -- No new applicants may be found eligible for the~~  
40 ~~program.~~

41  
42 ~~Sixty days prior to the effective date of any proposed~~  
43 ~~reduction of benefits or eligibility recommended pursuant to~~  
44 ~~this paragraph, the department shall provide copies of the~~  
45 ~~proposed rule together with a concise statement of the~~  
46 ~~principal reason for the rule, including the balance~~  
47 ~~remaining in the account for the program, an analysis of the~~  
48 ~~proposed rule and the savings anticipated by the adoption of~~  
49 ~~the proposed rule to the Governor and to each member of the~~  
50 ~~joint standing committee of the Legislature having~~

jurisdiction--over--insurance--matters--and--appropriations  
matters.

The department may limit the program by changing the poverty level for eligibility for persons in either age group, by eliminating eligibility for persons 18 years of age or older or by restricting the scope and amount of medical assistance to be provided.

The committee must be notified of any proposed reduction of benefits or changes in eligibility requirements in accordance with subsection 9. Rules may be adopted by emergency rulemaking in compliance with the Maine Administrative Procedure Act if considered necessary due to the number of enrollees and the available funds. The committee may not cause unreasonable delays in adopting these rules.

Sec. J-3. 22 MRSA §3189, sub-§8, as enacted by PL 1989, c. 588, Pt. A, §43, is repealed.

Sec. J-4. 22 MRSA §3189, sub-§11-A is enacted to read:

11-A. Suspension of program. On the first day of the month following enactment of this section, all benefits and eligibility under the program for any person who is 18 or older are suspended until such time as all liabilities for services provided prior to the date of suspension are paid and the department determines that adequate funds exist to reestablish the program. The department shall adopt rules to reestablish the program consistent with section 5, paragraph G.

Sec. J-5. 22 MRSA §3190, sub-§8, as repealed and replaced by PL 1989, c. 875, Pt. E, §40, is repealed and the following enacted in its place:

8. Commencement of grants. The Department of Human Services shall make grants under this section subject to available funds as defined in section 3189, subsection 2.

Sec. J-6. 22 MRSA §3191, sub-§2, as amended by PL 1989, c. 875, Pt. E, §41, is further amended to read:

2. Legislative intent for appropriations. Consistent with subsection 1, it is the intent of the Legislature that, with respect to appropriations from the General Fund for bienniums beginning on and after July 1, 1989, appropriations must be carried out so that the appropriation for the Hospital Uncompensated Care and Governmental Payment Shortfall Fund, established pursuant to section 396-F, subsection 4, is the amount estimated by the Maine Health Care Finance Commission to be the financial impact on Maine hospitals of the Medicaid

2 shortfall, including Medicaid's share of bad debt and charity  
3 care, but no more than 1/2 the amount appropriated of state funds  
4 expended for services and administration of under the Maine  
5 Health Program created in section 3189. For the state fiscal  
6 year 1990-91, the appropriation includes 1/2 of the amount of the  
7 state share for the operation of a demonstration project, if  
8 approved and received by the department from the federal  
9 Department of Health and Human Services pursuant to the federal  
10 Omnibus Budget Reconciliation Act of 1989, Public Law 101-239,  
11 Section 6407. For the purposes of this section, the amount of  
12 the Medicaid shortfall for the biennium beginning July 1, 1989,  
13 is deemed to be \$15,000,000 annually.

## 14 PART K

15 Sec. K-1. 22 MRSA §3781, as amended by PL 1989, c. 839, §3,  
16 is further amended to read:

### 17 §3781. Additional Support for People in Retraining and 18 Education program established

19 1. Administration. The Additional Support for People in  
20 Retraining and Education program is administered by the  
21 Department of Human Services. The Department of Human Services  
22 shall, consistent with the goals of the Additional Support for  
23 People in Retraining and Education program, contract with the  
24 Department of Labor to implement this program. The department  
25 may also contract with other public agencies, as well as private  
26 agencies and individuals, to implement this program in selected  
27 areas of the State. The department may not contract for the  
28 delivery of the program in its entirety in any area of the State  
29 that was not under contract on March 1, 1990. Contracts entered  
30 into under this subsection may not exceed one year in duration.

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

40 2. Purpose. The purpose of this program is to provide  
41 services and support to recipients of Aid to Families with  
42 Dependent Children and food stamps and to reduce dependence on  
43 public assistance to the extent that adequate funding is  
44 available for that purpose. The principal goal shall be is to  
45 assist the recipient in securing stable employment which pays  
46 wages sufficient to maintain adequate family income without

2 public assistance and to increase the basic life skills and  
3 self-confidence of the recipient. If the department determines  
4 that funding is inadequate to provide services and support to all  
5 potentially eligible persons, the department is authorized to  
6 eliminate or reduce services and support from time to time in  
7 accordance with rules promulgated by the department and the  
8 federal Family Support Act of 1988, Public Law 100-485, as  
9 amended.

10 3. Employability plan. The To the extent that sufficient  
11 funds, training sites and employment opportunities are reasonably  
12 available, the department and the elient participant shall enter  
13 into an employability plan to embody the goals of the elient  
14 participant and the services and support of agencies' services  
15 offered by the program. If the department determines that  
16 funding is inadequate to provide the services and support offered  
17 to participants, the department is authorized to eliminate or  
18 reduce the services and support unilaterally within any county,  
19 with 30 days' notice, even though employability plans or  
20 individual opportunity service contracts may exist in which the  
21 department has agreed to provide those services and that support.

22 Sec. K-2. 22 MRSA §3782, as amended by PL 1989, c. 501, Pt.  
23 Y, §3, is repealed and the following enacted in its place:

24 §3782. Program

25 1. Case management services. The department shall provide  
26 case management services, including the determination of  
27 eligibility for and the provision of support services, directly  
28 to Additional Support for People in Retraining and Education  
29 participants. For the purposes of this subsection, the term  
30 "support services" includes all support services for which  
31 Additional Support for People in Retraining and Education  
32 participants are eligible, including those services directly  
33 related to education or training, such as tuition, fees, books,  
34 uniforms, tools and other related services.

35 2. Purchase of services. The department shall contract  
36 with the Maine Job Training System to provide to participants job  
37 counseling, job placement, job development, structured group  
38 job-seeking services and other employment and training services  
39 necessary to meet the participants' employment goals as long as  
40 contractors meet the specifications and expectations of the  
41 contract as determined by the department.

42 The department may also contract with other public and private  
43 agencies and individuals to deliver these employment and training  
44 services and other specified services for program participants  
45 consistent with the purposes of the Additional Support for People  
46 in Retraining and Education program.

47



2 Additional Support for People in Retraining and Education funds  
3 may not be used to purchase services from an agency under this  
4 subsection that are available on a nonreimbursable basis, if  
5 those nonreimbursable services meet the needs of the participants.

6 3. Monitoring of contract agencies. If the department  
7 contracts for the provision of program services under this  
8 subsection, it shall monitor each contract agency at least  
9 annually to ensure compliance with sections 3786 and 3788, to  
10 ensure compliance with the contracts entered into by the parties  
11 and to ensure that quality services are provided to or for  
12 Additional Support for People in Retraining and Education  
13 participants. The department shall adopt rules in accordance  
14 with the Maine Administrative Procedure Act by which satisfactory  
15 performance is measured. The rules must identify the  
16 circumstances under which sanctions, including contract  
17 suspension, reduction or termination, are applied.

18  
19 4. Rural access. The department shall promulgate rules in  
20 accordance with the Maine Administrative Procedure Act to provide  
21 reasonable access to Additional Support for People in Retraining  
22 and Education services for Aid to Families with Dependent  
23 Children recipients living in rural areas. Access to these  
24 services may be reasonably limited by the department due to  
25 factors such as staff and funding availability. Departmental  
26 rules must include, in addition to other methods necessary to  
27 achieve this goal, adequate provisions for itinerant services  
28 stationing.

29  
30 **Sec. K-3. 22 MRSA §3786, as enacted by PL 1987, c. 856, §7,**  
31 **is amended to read:**

32 **§3786. Rules**

33  
34  
35 The department shall promulgate rules in accordance with the  
36 Maine Administrative Procedure Act, Title 5, chapter 375 for the  
37 implementation of this chapter.

38  
39 Rules governing services provided under this chapter shall  
40 apply equally to all participating Aid to Families with Dependent  
41 Children recipients, whether those services are provided by the  
42 Department of Human Services, or the Department of Labor, or any  
43 other agency, organization or individual providing services to  
44 Additional Support for People in Retraining and Education  
45 participants.

46  
47  
48 **PART L**

49  
50 **Sec. L-1. 22 MRSA §3104, sub-§11 is enacted to read:**

2 11. Food stamp overpayment recovery. Any money recovered  
3 by the department as a result of the overpayment of food stamps  
4 must be deposited to the General Fund, including any money up to  
5 a maximum of \$81,475 recovered prior to the effective date of  
6 this subsection.

7 **Sec. L-2. Appropriation.** The following funds are appropriated  
8 from the General Fund to carry out the purposes of this Part.

10 **1990-91**

12 **HUMAN SERVICES, DEPARTMENT OF**

14 **Administration - Income Maintenance**

16 All Other \$81,475

18 Provides funds for general administrative  
19 costs associated with the food stamp program.

22 **PART M**

24 **Municipal cost components for services rendered.** In accordance  
25 with the Maine Revised Statutes, Title 36, chapter 115, the  
26 Legislature determines that the net municipal cost component for  
27 services and reimbursements to be rendered in fiscal year 1990-91  
28 is as follows:

	<b>1990-91</b>
30	
32 Audit - Report <span style="float: right;">\$2,000</span>	
33     - Fiscal Administrator <span style="float: right;">84,984</span>	
34	
35 Education - Operations <span style="float: right;">6,170,272</span>	
36     - Deorganized Towns <span style="float: right;">271,691</span>	
37     - Full-time Principals <span style="float: right;">18,854</span>	
38     - Capital Repairs and Buses <span style="float: right;">200,000</span>	
39     - New Positions <span style="float: right;">177,958</span>	
40	
41 Forest Fire Protection <span style="float: right;">150,000</span>	
42	
43 Human Services - General Assistance <span style="float: right;">179,000</span>	
44	
45 Property Tax Assessment - Operations <span style="float: right;">477,240</span>	
46	
47     Total State Agencies - Direct	
48     Services <span style="float: right;"><u>\$7,731,999</u></span>	
49	
50 State CAP charge - 15% <span style="float: right;"><u>1,159,800</u></span>	

2	Total State Agencies	\$8,891,799
4	County reimbursements for services:	
6	Aroostook	\$421,830
8	Franklin	228,025
10	Oxford	195,201
12	Penobscot	193,896
14	Piscataquis	554,086
16	Somerset	491,807
18	Washington	334,015
20	Total County Services	<u>\$2,418,860</u>
22	<b>TOTAL REQUIREMENTS</b>	<u>\$11,310,659</u>
24	<b>COMPUTATION OF ASSESSMENT</b>	
26	Requirements	\$11,310,659
28	Less deductions:	
30	General -	
32	State Revenue Sharing	190,000
34	Miscellaneous Revenues	80,000
36	<b>TOTAL</b>	<u>\$270,000</u>
38	Educational -	
40	Lands Reserve Trust	\$130,000
42	Tuition - Travel	100,000
44	Miscellaneous	197,958
46	Special - Retirement	400,000
48	<b>TOTAL</b>	<u>\$827,958</u>
50	<b>TOTAL DEDUCTIONS</b>	<u>\$1,097,958</u>
52	<b>TAX ASSESSMENT</b>	\$10,212,701

**PART N**

Sec. N-1. 22 MRSA c. 1602, sub-c. I, as amended, is repealed.

Sec. N-2. 22 MRSA §7241, as enacted by PL 1989, c. 934, Pt. B, §4, is amended to read:

§7241. Office established



2 As used in this chapter, unless the context otherwise  
indicates, the following terms have the following meanings.

4 1. Alcohol-related or drug-related motor vehicle incident.  
"Alcohol-related or drug-related motor vehicle incident" means a  
6 conviction or administrative action resulting in the suspension  
of a motor vehicle operator's license for a violation under Title  
8 29, section 1311-A; 1312-B; former section 1312, subsection 10-A;  
former section 1312-B; former section 1312-C; or section 2241-G,  
10 subsection 2, paragraph B, subparagraph (2).

12 2. Client. "Client" means a person who is required to  
complete the alcohol and other drug education, evaluation and  
14 treatment program for an alcohol-related or drug-related motor  
vehicle offense.

16 3. Community-based service provider. "Community-based  
18 service provider" means a provider of either the treatment  
component or the evaluation component, or both, of the alcohol  
20 and other drug education, evaluation and treatment program  
certified under section 11005 or a program approved by the  
22 Division of Driver Education Evaluation.

24 4. Completion of treatment. "Completion of treatment," for  
the purpose of recommendation by the department to the Secretary  
26 of State concerning restoration of the driver's license to the  
client, means that the individual has responded to treatment to  
28 the extent that there is a substantial probability that the  
individual will not be operating under the influence. This  
30 substantial probability may be shown by:

32 A. An acknowledgement by the client of the extent of the  
client's alcohol or drug problem;

34 B. A demonstrated ability to abstain from the use of  
36 alcohol and drugs; and

38 C. A willingness to seek continued voluntary treatment or  
to participate in an appropriate self-help program, or both,  
40 as necessary.

42 5. Multiple offender. "Multiple offender" means a client  
44 who has more than one alcohol-related or drug-related motor  
vehicle incident within a 6-year period.

46 **§11002. Division of Driver Education Evaluation**

48 The Division of Driver Education Evaluation is established  
and shall administer the alcohol and other drug education,  
50 evaluation and treatment program, referred to in this chapter as  
the Driver Education Evaluation Program, as provided in this  
52 chapter. The division shall certify to the Secretary of State:

2           1. Completion of Driver Education Evaluation Program.  
3           Those individuals who have satisfactorily completed the program  
4           prescribed by section 11003; and

6           2. Completion of non-Driver Education Evaluation Program.  
7           Those individuals who have satisfied the requirement for  
8           completion of treatment as defined in section 11001 by means  
9           other than the program prescribed by section 11003.

10           §11003. Program components

12           1. First offenders; adult. The alcohol and other drug  
13           education, evaluation and treatment program required for clients  
14           without a previous alcohol-related or drug-related motor vehicle  
15           offense consists of education, assessment, evaluation and  
16           treatment components. All first offender clients are required to  
17           complete the education and assessment components unless otherwise  
18           provided by this chapter. The evaluation and treatment  
19           components may be required if necessary. The components are as  
20           follows:

22                   A. The education component, consisting of at least 9 hours  
23                   of information using films, lectures and discussion and  
24                   designed to educate the client about the effects of alcohol  
25                   and other drugs on behavior, especially behavior involving  
26                   the operation of a motor vehicle;

28                   B. The assessment component, using an assessment  
29                   instrument, the client's driving record for the 6-year  
30                   period prior to and ending with the most recent  
31                   alcohol-related or drug-related motor vehicle incident and  
32                   an interview designed to make a preliminary assessment  
33                   regarding the extent of a client's alcohol or other drug use  
34                   or abuse or potential for abuse. A client may be referred  
35                   for further evaluation based on the results of the  
36                   preliminary assessment;

38                   C. The evaluation component, designed to identify abusers  
39                   of alcohol and other drugs. If the evaluation indicates  
40                   that treatment for alcohol or other drug abuse is needed,  
41                   the client must be referred to the appropriate alcohol or  
42                   other drug treatment service; and

44                   D. The treatment component, provided by a community-based  
45                   service provider, designed to address the client's specific  
46                   problem with or abuse of alcohol or other drugs.

48           2. Multiple offender program offered to first offenders.  
49           If the department determines that a first offender must have an  
50           evaluation as described in subsection 1, paragraph C, the first  
51           offender may choose a private evaluation or participation in the  
52           evaluation.

2 multiple offender residential intervention program described in  
3 subsection 4, paragraph A.

4 3. First offenders under 21 years of age. First offenders  
5 under 21 years of age shall attend the Driver Education  
6 Evaluation Program - Teen program as established by this  
7 subsection. The Driver Education Evaluation Program - Teen  
8 program consists of the following elements.

10 A. The education component is a program of at least 10  
11 hours during which clients receive education, especially  
12 designed for the age group, on substance use, abuse and  
13 addiction. Education is provided through a group discussion  
14 process which includes segments on values clarification,  
15 peer pressure and decision making.

16 B. The assessment component is designed to make a  
17 preliminary assessment regarding the extent of a client's  
18 alcohol or other drug use or abuse or potential for abuse.  
19 A client may be referred for further evaluation based on the  
20 results of the client's preliminary assessment.

21 C. The evaluation component is designed to identify abusers  
22 of alcohol and other drugs. If the evaluation indicates  
23 that treatment for alcohol or other drug abuse is needed,  
24 the client must be referred to the appropriate alcohol or  
25 other drug treatment service.

26 D. The treatment component is designed to address the  
27 client's specific problem with or abuse of alcohol or other  
28 drugs.

29 4. Multiple offenders; adult. The education, evaluation  
30 and treatment program required for adult multiple offenders  
31 consists of the following components:

32 A. A rigorous, highly structured, residential intervention  
33 program, consisting of at least 22 hours, using films,  
34 lectures, group discussion and individual sessions, designed  
35 to educate the client on the effects of substance use, abuse  
36 and addiction and an evaluation using assessment  
37 instruments, data collection and self-assessment, designed  
38 to create an acceptance and commitment by the client for  
39 treatment; and

40 B. A treatment program provided by a community-based  
41 service provider, if indicated, designed to address the  
42 client's specific alcohol or other drug problem and abuse,  
43 using a treatment plan based on the completion of treatment  
44 guidelines adopted by the department.

2 The division may require completion of the first offender program  
3 to satisfy the requirements of the multiple offender program if  
4 an approved multiple offender program is unavailable for the  
5 client. In such cases, the fee schedule for the first offender  
6 program applies.

7 5. Multiple offenders under 21 years of age. Multiple  
8 offenders under 21 years of age shall attend the alcohol and  
9 other drug education, evaluation and treatment program for adult  
10 multiple offenders under subsection 4.

11 **§11004. Separation of evaluation and treatment functions**

12 A Driver Education Evaluation Program private practitioner  
13 or a counselor employed by a substance abuse facility approved or  
14 licensed by the department providing services under this chapter  
15 may not provide both treatment services and evaluation services  
16 for the same individual participating in programs under this  
17 chapter. The practitioner or counselor providing evaluation  
18 services shall give a client the name of 3 practitioners or  
19 counselors who can provide treatment services, at least one of  
20 whom may not be employed by the same agency as the practitioner  
21 or counselor conducting the evaluation.

22 **§11005. Certification; recertification**

23 All providers of the evaluation, intervention and treatment  
24 components of the program must be certified by the department.  
25 The certification period for individual providers is 3 years and  
26 2 years for agencies. The department shall adopt rules requiring  
27 continuing education for recertification.

28 **§11006. Fees**

29 1. First offender program. The department may charge a  
30 registration fee, not to exceed \$105, to clients for the  
31 education and assessment components of the program. This fee  
32 must be transferred to the General Fund. The client is  
33 responsible for the costs of the evaluation and treatment  
34 components. The department may waive all or part of the fee for  
35 clients who provide sufficient evidence of inability to pay.

36 2. Multiple offender program. The fees and costs for the  
37 multiple offender program are as follows.

38 A. The department may charge a registration fee, not to  
39 exceed \$350, to clients for the expenses of the intervention  
40 program, including the initial evaluation. This fee must be  
41 transferred to the General Fund.



2 B. The client is responsible for any costs associated with  
3 2nd and subsequent evaluations or treatments that are not a  
4 part of the cost in paragraph A.

6 C. The department may waive all or part of the fee for  
7 clients who provide sufficient evidence of inability to pay.

8 D. This subsection applies to multiple offenders and first  
9 offenders who choose to participate in the multiple offender  
10 residential intervention program in accordance with section  
11 11003.

12 **§11007. Report**

14 Beginning in 1992, the commissioner shall report annually by  
15 February 1st to the joint standing committee of the Legislature  
16 having jurisdiction over human resources matters regarding the  
17 department's activities under this chapter. A copy of the report  
18 must be sent to the Executive Director of the Legislative Council.

20 **Sec. N-6. Transition provisions.**

22 1. All existing contracts, agreements and compacts  
23 currently in effect in the Division of Driver Education  
24 Evaluation continue in effect.

26 2. All positions not eliminated by this Part in the  
27 Department of Human Services, Division of Driver Education  
28 Evaluation are transferred to the Department of Corrections,  
29 Division of Driver Education Evaluation.

32 3. All records, property and equipment previously belonging  
33 to the Department of Human Services, Division of Driver Education  
34 Evaluation are the property of the Department of Corrections,  
35 Division of Driver Education Evaluation.

36 4. All existing forms, licenses, contracts, letterheads and  
37 similar items bearing the name "Division of Driver Education  
38 Evaluation" or which make reference to the name may be used by  
39 the Department of Corrections until existing supplies of those  
40 items are exhausted.

42 5. All rules and procedures adopted by the Division of  
43 Driver Education Evaluation remain in effect until rescinded,  
44 revised or amended.

46 6. All unexpended balances in all accounts of the  
47 Department of Human Services, Division of Driver Education  
48 Evaluation are transferred to the Department of Corrections,  
49 Division of Driver Education Evaluation.

2 7. By January 1, 1992, the Commissioner of Corrections  
3 shall identify any conflicts or problems arising from the  
4 transition of the Division of Driver Education Evaluation to the  
5 Department of Corrections and shall submit any necessary  
6 corrective legislation to the Second Regular Session of the 115th  
7 Legislature.

8 **Sec. N-7. Effective date.** This Part takes effect April 1, 1991.

10 **PART O**

12 **Sec. O-1. Department of Inland Fisheries and Wildlife General Fund**  
13 **positions established.** Effective July 1, 1991, the following  
14 positions are established in the Department of Inland Fisheries  
15 and Wildlife: Six game wardens.

16 **Sec. O-2. Implementation report required.** On or before March 1,  
17 1991, the State Budget Officer, after consultation with the  
18 Commissioner of Inland Fisheries and Wildlife, shall submit a  
19 proposal to the Joint Standing Committee on Appropriations and  
20 Financial Affairs, that adjusts the fiscal year 1992-93 current  
21 services General Fund budget to implement this Part. In  
22 developing this proposal, the State Budget Officer and the  
23 Commissioner of Inland Fisheries and Wildlife may consider any or  
24 all of the following actions: reassignment of existing personnel  
25 at or above the rank of sergeant; reassignment of existing  
26 personnel at the rank of Game Warden Investigator; and other  
27 actions they may determine appropriate to implement this Part.

30 **PART P**

32 **Review of the Aid to Families with Dependent Children Program.**

34 The Commissioner of Human Services is directed to review with the  
35 Family Support Administration, the United States Department of  
36 Health and Human Services any and all proposals that would reduce  
37 the State's share of the aid to families with dependent children  
38 program. The department's review must include, but is not  
39 limited to, studying any options or waivers that allow the State  
40 to reduce the full need standard or any proposal that allows the  
41 State to eliminate or reduce the difference between the full need  
42 standard and the grant payment while still allowing recipients of  
43 aid to families with dependent children to retain nonchild  
44 support income. The department shall report to the Joint  
45 Standing Committee on Appropriations and Financial Affairs by  
46 April 1, 1991 its findings and recommendations but may not  
47 implement any changes in the aid to families with dependent  
48 children program without prior approval by the Legislature.

PART Q

2  
4 Sec. Q-1. 22 MRSA §14, sub-§1, as repealed and replaced by PL 1989, c. 778, §1, is amended to read:

6 1. **Recovery procedures.** When benefits are provided or will  
8 be provided to a beneficiary under the Medicaid program  
10 administered by the department pursuant to the United States  
12 Social Security Act, Title XIX, or under the Maine Health  
14 Program, section 3189, for the medical costs of injury, disease,  
16 disability or similar occurrence for which a 3rd party is, or may  
18 be, liable, the commissioner ~~shall have the right to~~ may recover  
20 from that party the reasonable value of the benefits provided.  
22 The Medicaid program ~~is~~ and Maine Health Program are the payee  
24 payors of last resort and should provide medical coverage only  
when there are no other available resources. The Attorney  
General, or counsel for any fiscal intermediary with the  
permission of the Attorney General, may, to enforce this right,  
institute and prosecute legal proceedings against the 3rd party  
or, pursuant to this subsection, against the recipient, in the  
appropriate court, either in the name of the commissioner or in  
the name of the injured person, beneficiary, guardian, personal  
representative, estate or survivor.

26 If a recipient of medical assistance receives a settlement or  
28 award from a 3rd party, the settlement or award is subject to  
disbursement as provided in subsection 2-F.

30 The commissioner may compromise, or settle and execute a release  
32 of, any claim or waive any claim, in whole or in part, if the  
commissioner determines the collection will not be cost-effective.

34 In any case in which 3rd-party liability is found under this  
36 section, the commissioner shall be subrogated to the rights of  
the individual for whom medical assistance was made available.

38 Sec. Q-2. 22 MRSA §14, sub-§2-A, as enacted by PL 1981, c. 24,  
§2, is amended to read:

40 2-A. **Assignment of rights of recovery.** The receipt of  
42 benefits under the Medicaid program administered by the  
44 department pursuant to the Federal United States Social Security  
46 Act, Title XIX, ~~shall--constitute~~ or under the Maine Health  
48 Program, section 3189, constitutes an assignment by the recipient  
to the department of the right to recover from ~~third~~ 3rd parties  
for the medical cost of injury, disease, disability or similar  
occurrence for which the recipient receives medical benefits.  
The department's assigned right to recover ~~shall-be~~ is limited to  
50 the amount of medical benefits received by the recipient and  
52 shall does not operate as a waiver by the recipient of any other  
right of recovery against a ~~third~~ 3rd party which that  
a recipient may have.

2 The recipient shall also be deemed to have appointed the  
3 commissioner as ~~his~~ the recipient's attorney in fact to perform  
4 the specific act of submitting claims to insurance carriers or  
5 endorsing over to the department any and all drafts, checks,  
6 money orders or any other negotiable instruments connected with  
7 the payment of ~~third-party~~ 3rd-party medical claims.

8  
9 **Sec. Q-3. 22 MRSA §14, sub-§§2-B and 2-C**, as enacted by PL  
10 1987, c. 203, are amended to read:

11  
12 **2-B. Direct reimbursement to health care provider.** When an  
13 insured is eligible under the Medicaid program administered by  
14 the Department of Human Services, pursuant to the United States  
15 Social Security Act, Title XIX, or under the Maine Health  
16 Program, section 3189, for the medical costs or injury, disease,  
17 disability or similar occurrence for which an insurer is liable,  
18 and the insured's claim is payable to a health care provider as  
19 provided or permitted by the terms of a health insurance policy  
20 or pursuant to an assignment of rights by an insured, the insurer  
21 shall directly reimburse the health care provider to the extent  
22 that the claim is honored.

23  
24 **2-C. Direct reimbursement to the Department of Human**  
25 **Services.** When an insured is eligible under the Medicaid program  
26 administered by the Department of Human Services, pursuant to the  
27 United States Social Security Act, Title XIX, or under the Maine  
28 Health Program, section 3189, for the medical costs of injury,  
29 disease, disability or similar occurrence for which an insurer is  
30 liable, and the claim is not payable to a health care provider  
31 under the terms of the health insurance policy, the insurer shall  
32 directly reimburse the Department of Human Services, upon  
33 request, for any medical services paid by the department on  
34 behalf of a Medicaid or Maine Health Program recipient to the  
35 extent that those medical services are payable under the terms of  
36 the health insurance policy.

37  
38 **Sec. Q-4. 22 MRSA §14, sub-§§2-D and 2-E**, as enacted by PL  
39 1987, c. 621, are amended to read:

40  
41 **2-D. Notification of claim.** A Medicaid or Maine Health  
42 Program recipient, or any attorney representing a Medicaid or  
43 Maine Health Program recipient, who makes a claim to recover the  
44 medical cost of injury, disease, disability or similar occurrence  
45 for which the party received medical benefits under the Medicaid  
46 program, pursuant to the United States Social Security Act, Title  
47 XIX, or the Maine Health Program, section 3189, shall advise the  
48 department in writing with information as required by the  
49 department of the existence of the claim.

50  
51 **2-E. Notification of pleading.** In any action to recover  
52 the medical cost of injury, disease, disability or similar

2 occurrence for which the party received medical benefits under  
3 the Medicaid program or Maine Health Program, the party bringing  
4 the action shall notify the department of that action at least 10  
5 days prior to filing the pleadings. Department records  
6 indicating medical benefits paid by the department on behalf of  
7 the recipient ~~shall be~~ are prima facie evidence of the medical  
8 expenses incurred by the recipient for the related medical  
services.

10 **Sec. Q-5. 22 MRSA §14, sub-§2-G**, as enacted by PL 1989, c.  
11 397, §2, is amended to read:

12 **2-G. Claims against estates of certain Medicaid**  
13 **recipients.** The Department of Human Services shall have a claim  
14 against the estate of a Medicaid or Maine Health Program  
15 recipient where when, subsequent to the death of the recipient:

18 A. Property or other assets are discovered which that  
19 existed and were owned by the recipient during the period  
20 when Medicaid or Maine Health Program benefits were paid to  
21 the recipient; and

22 B. Disclosure of that property or assets at the time  
23 benefits were being paid would have rendered the recipient  
24 ineligible to receive the benefits.

26 The amount of Medicaid or Maine Health Program benefits paid and  
27 recoverable under this section ~~shall~~ must be a claim against the  
28 estate of the deceased recipient pursuant to the Probate Code,  
29 Title 18-A, Article III, Part 8.

32 **Sec. Q-6. 22 MRSA §14, sub-§3**, as amended by PL 1989, c. 778,  
33 §3, is further amended to read:

34 **3. Definitions.** For purposes of this section, "3rd party"  
35 means any entity including, but not limited to, an insurance  
36 carrier which that may be liable under a contract to provide  
37 health, automobile, workers' compensation or other insurance  
38 coverage that is or may be liable to pay all or part of the  
39 medical cost of injury, disease, disability or similar occurrence  
40 of an applicant or recipient of Medicaid or Maine Health Program  
41 benefits.

44 **Sec. Q-7. 22 MRSA §396-G, sub-§5** is enacted to read:

46 **5. Differentials; Maine Health Program.** The commission  
47 shall provide that any differential determined pursuant to this  
48 section for the Maine Health Program applies to charges incurred  
49 by the Maine Health Program from October 1, 1990.

50 **Sec. Q-8. 22 MRSA §3189, sub-§5, ¶G**, as enacted by PL 1989, c.  
51 588, Pt. A, §43, is amended to read:

2 G. Notwithstanding subsection 3, if at any time during the  
4 fiscal year the department determines that the funds  
6 available for the program are inadequate to continue the  
8 program pursuant to the requirements of subsection 3, the  
10 department, in accordance with this subsection and  
subsection 9, may take action to limit the program for the  
full or partial fiscal year for which the department  
determines funding is inadequate. The priority of making  
reductions shall-be is as follows:

12 (1) With regard to new applicants only, the income  
14 limit for persons aged 18 or older may be reduced to  
such lower percentage of federal poverty level as the  
department determines appropriate;

16 (2) With regard to new applicants only, the income  
18 limits for all otherwise eligible persons may be  
20 reduced to such lower percentages of the federal  
poverty level as the department determines appropriate;

22 (3) With regard to all otherwise eligible persons, the  
24 department may restrict the scope and amount of medical  
assistance to be provided;

26 (4) With regard to new applicants only, no persons  
28 aged 18 or older may be found eligible for the program;  
and

30 (5) No new applicants may be found eligible for the  
32 program. For the purposes of this paragraph, an  
34 individual who has been enrolled in the Maine Health  
36 Program and who is required to recertify eligibility or  
an individual who has been enrolled in the Maine Health  
Program and is for a period of time eligible for  
Medicaid is not a new applicant to the Maine Health  
Program.

38 Sixty days prior to the effective date of any proposed  
40 reduction of benefits or eligibility recommended pursuant to  
42 this paragraph, the department shall provide copies of the  
proposed rule together with a concise statement of the  
44 principal reason for the rule, including the balance  
remaining in the account for the program, an analysis of the  
46 proposed rule and the savings anticipated by the adoption of  
the proposed rule to the Governor and to each member of the  
48 joint standing committee of the Legislature having  
jurisdiction over insurance matters and appropriations  
50 matters.



2 prepaid expense and subsequently journalling those expenditures  
to the Federal Expenditures fund. This practice has decreased  
4 the average daily cash balance in the General Fund and,  
therefore, decreased interest earnings to the General Fund. The  
6 Treasurer of State shall prepare appropriate journal entries  
before June 30, 1991 so that \$58,614 is credited to the General  
8 Fund to correct cumulative incorrect earning distributions to  
date.

## 10 PART S

12 **Commission established.** The Commission to Study the State's  
14 Seed Farms is established and is authorized to conduct a study of  
the Porter Farm and Homestead Farm. The study must include an  
16 examination of the history, functions and responsibilities of the  
operations of the Porter Farm and the Homestead Farm.

18 The Dean of the College of Applied Science and Agriculture  
20 of the University of Maine shall serve as the commission chair.  
The chair shall select 6 additional members and shall include 2  
22 representatives of the Seed Potato Industry, 2 economists, an  
agronomist and an agent of the Cooperative Extension.

24 The commission shall submit a report regarding the  
26 comprehensive review of the farms and any related issues together  
with any implementing legislation to the First Regular Session of  
28 the 115th Legislature by June 1, 1991. The study report must  
include recommendations for improving the efficiency and  
30 effectiveness of the farms.

## 32 PART T

34 **Sec. T-1. 12 MRSA §8906, sub-§2,** as repealed and replaced by  
36 PL 1985, c. 506, Pt. A, §17, is amended to read:

38 **2. Equipment.** The director may establish lookout stations  
40 connected by telephone and radio, and construct, equip and  
maintain office-storehouse headquarters for necessary supplies,  
42 tools and equipment and provide for any other facilities  
essential for forest fire control. All fire lookout towers shall  
44 must be staffed during periods of fire danger. The director shall  
notify the joint standing committees of the Legislature having  
46 jurisdiction over energy and natural resources and appropriations  
and financial affairs in writing prior to implementing any major  
48 policy changes in the operation and staffing of the fire lookout  
tower system. Within the unorganized territory, the director  
50 may, in addition to this subsection, construct and maintain roads  
and trails. In the event the director determines that any  
52 currently active fire tower should not be reopened for the



subsequent fire season, he the director shall provide notice to the Legislature of his intended action by January 15th. This notice shall must include the location of the fire towers affected and the justifications for the closures. Notice of closures shall must be reviewed by the joint standing committee of the Legislature having jurisdiction over natural resources. Unless the Legislature determines otherwise, the director may close towers so indicated.

In the event that any fire tower is not reopened, the Department of Conservation shall work closely with the municipality in which the fire tower is located to minimize the impact that action will have on the municipality's responsibility to control forest fires.

**Sec. T-2. Fire tower plan.** Notwithstanding the Maine Revised Statutes, Title 12, section 8906, subsection 2, the Commissioner of Conservation shall submit a plan to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Energy and Natural Resources no later than February 15, 1992 that examines the current use of the Maine Forest Service fire towers and any proposals the Department of Conservation offers to expand, consolidate, modify or close existing fire tower facilities.

## PART U

**Sec. U-1. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1990-91

### FINANCE, DEPARTMENT OF

#### Low-income Tax Relief

All Other (\$150,000)

Provides for the deappropriation of funds from allotment reserve balances through December 31, 1990 due to an anticipated surplus.

### DEPARTMENT OF FINANCE

#### TOTAL

(\$150,000)

### HUMAN SERVICES, DEPARTMENT OF

#### Cystic Fibrosis - Treatment of

2	All Other	(\$5,000)
4	Provides for the	
6	deappropriation of funds from	
8	allotment reserve balances	
10	through December 31, 1990 due	
	to funds exceeding program	
	requirements for fiscal year	
	1990-91.	
12	<b>Health Care Benefits for</b>	
	<b>Uninsured Individuals</b>	
14	All Other	(\$36,230)
16	Provides for the	
18	deappropriation of funds from	
20	allotment reserve balances	
22	through December 31, 1990 due	
24	to funds exceeding program	
	requirements for fiscal year	
	1990-91.	
	<b>Social Services - Regional</b>	
26	Capital Expenditures	(\$55,083)
28	Provides for the	
30	deappropriation of funds from	
32	allotment reserve balances	
34	through December 31, 1990 due	
36	to funds exceeding program	
	requirements for fiscal year	
	1990-91.	
	<b>Income Maintenance - Regional</b>	
38	All Other	(\$110,000)
40	Provides for the	
42	deappropriation of funds from	
44	allotment reserve balances	
46	through December 31, 1990 due	
48	to funds exceeding program	
	requirements for fiscal year	
	1990-91.	
	<b>Medical Care - Payments to Providers</b>	
50	All Other	(\$675,000)
52		

2 Provides for the  
deappropriation of funds held  
4 in allotment reserve from  
fiscal year 1989-90.

6 **DEPARTMENT OF HUMAN SERVICES**  
7 **TOTAL** ( \$881,313 )

8 **JUDICIAL DEPARTMENT**

10 **Courts - Supreme, Judicial and**  
12 **Superior Courts**

14 Personal Services ( \$14,331 )

16 Provides for the  
18 deappropriation of funds from  
allotment reserve balances  
20 through December 31, 1990 due  
to funds exceeding program  
22 requirements for fiscal year  
1990-91.

24 **JUDICIAL DEPARTMENT**  
25 **TOTAL** ( \$14,331 )

26 **SECTION U-1**  
28 **TOTAL APPROPRIATIONS** ( \$1,045,644 )

30 **Sec. U-2. Allocation.** The following funds are allocated from  
32 Other Special Revenue to carry out the purposes of this Part.

1990-91

34 **CONSERVATION, DEPARTMENT OF**  
36 **Maine Land Use Regulation Commission**

38 Positions - Other Count ( 0.5 )  
40 Personal Services \$8,775  
All Other 2,783

42 Provides funds for one  
44 1/2-time Environmental  
Specialist II position to  
46 monitor best management  
practices to reduce nonpoint  
48 source pollution in Maine's  
forests.

50 **DEPARTMENT OF CONSERVATION**  
52 **TOTAL** ( \$11,558 )

2	<b>JUDICIAL DEPARTMENT</b>	
4	<b>Judicial - Augusta Mental Health Institute Decree</b>	
6		
8	Positions - Other Count	(1.0)
	Personal Services	\$22,767
10	Provides funds for the	
12	court-appointed special	
14	Master for the Augusta Mental Health Institute position through June 30, 1991.	
16	<b>JUDICIAL DEPARTMENT</b>	
	<b>TOTAL</b>	<u>\$22,767</u>
18		
20	<b>LABOR, DEPARTMENT OF</b>	
	<b>Curriculum Workshops and Training</b>	
22		
24	Capital Expenditures	\$10,022
26	Provides funds for audio and visual equipment for presentations.	
28		
30	<b>Safety Education and Training Programs</b>	
32	Capital Expenditures	\$10,550
34	Provides funds for audio and visual equipment to assist training personnel.	
36		
38	<b>DEPARTMENT OF LABOR</b>	
	<b>TOTAL</b>	<u>\$20,572</u>
40	<b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</b>	
42	<b>Special Services</b>	
44		
46	Positions - Other Count	(1.0)
	Personal Services	\$5,850
48	Provides funds for the	
50	continuation of an Information Support Specialist position	

2 established by Financial  
Order 02772 FO.

4 DEPARTMENT OF PROFESSIONAL AND FINANCIAL  
REGULATION  
6 TOTAL \$5,850

8 SECTION U-2  
TOTAL ALLOCATIONS \$60,747

10 Sec. U-3. Allocation. The following funds are allocated from  
12 Federal Block Grant funds to carry out the purposes of this Part.

14 1990-91

16 EXECUTIVE DEPARTMENT

18 Community Services

20 All Other \$475,681

22 Provides funds for overall  
24 operations of Community  
26 Action Agencies and to  
enhance and assist other  
programs as needed.

28 EXECUTIVE DEPARTMENT  
TOTAL \$475,681

30 SECTION U-3  
32 TOTAL ALLOCATIONS \$475,681

34

36 PART V

38 Sec. V-1. Vacant positions in the General Fund. The following  
40 vacant positions are deauthorized from the General Fund for the  
fiscal year ending June 30, 1991 to carry out the purposes of  
42 this Part.

44 1990-91

46 AGRICULTURE, FOOD AND RURAL RESOURCES,  
DEPARTMENT OF

48 Marketing Services - Agriculture

50 Positions - Legislative Count (-0.5)

2 Provides for the elimination of a vacant  
part-time Stores Clerk position.

4 **Agricultural Production**

6 Positions - Legislative Count (-1.0)

8 Provides for the elimination of a vacant  
Agricultural Development Agent position.

10 **ADMINISTRATION, DEPARTMENT OF**

12 **Office of the Commissioner - Administration**

14 Positions - Legislative Count (-1.0)

16 Eliminates one vacant Assistant to the  
18 Commissioner - Policy and Planning position.

20 **ATTORNEY GENERAL, DEPARTMENT OF THE**

22 **Administration - Attorney General**

24 Positions - Legislative Count (-3.0)

26 Provides for the elimination of 2  
vacant Assistant Attorney General  
28 positions and a vacant Account Clerk II  
position.

30 **AUDIT, DEPARTMENT OF**

32 **Audit - Departmental Bureau**

34 Positions - Legislative Count (-2.0)

36 Provides for the elimination of 2  
38 Auditor I positions.

40 **CONSERVATION, DEPARTMENT OF**

42 **Division of Engineering and Realty**

44 Positions - Legislative Count (-1.0)

46 Provides for the elimination of a vacant  
Engineering Technician III position.

48 **Division of Forest Fire Control**

50 Positions - Legislative Count (-3.0)

52

2 Provides for the elimination of one vacant  
 3 Forest Ranger II position and 2 vacant  
 4 Forest Ranger IV positions.

6 **Maine Geological Survey**

8 Positions - Legislative Count (-3.0)

10 Provides for the elimination of the  
 11 following vacant positions: one Geologist  
 12 position, one Cartographer position and one  
 13 Clerk Typist III position.

14 **Maine Land Use Regulation Commission**

16 Positions - Legislative Count (-0.5)

18 Provides for the elimination of a vacant  
 19 part-time Senior Information System  
 20 Support Specialist position.

22 **Parks General Operations**

24 Positions - Legislative Count (-1.5)  
 25 Positions - Other Count (-1.0)

26 Provides for the elimination of the  
 27 following vacant positions: thirteen  
 28 Lifeguard positions, one Park Ranger position,  
 29 2 Park Receptionist positions, one Maintenance  
 30 Mechanic Foreman position, one Clerk I position  
 31 and one Laborer I position.

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

36 **Military Training and Operations**

38 Positions - Legislative Count (-7.0)

40 Eliminates 3 vacant Building Custodian  
 41 positions, one vacant Heavy Equipment  
 42 Operator position, one vacant Laborer II  
 43 position, one vacant Plumber II position  
 44 and one vacant Military Training Officer  
 45 position. Also eliminated are 2 vacant  
 46 intermittent Building Custodian positions,  
 47 3 vacant seasonal Building Custodian  
 48 positions, one vacant project Clerk Typist II  
 49 position and one vacant project Data Entry  
 50 Operator position.  
 51  
 52

**Dam Safety Program**

2 Positions - Legislative Count (-1.5)  
4  
6 Eliminates one vacant Civil Engineer II  
position and one vacant part-time Word  
Processing Operator position.

**Veterans' Services**

8  
10 Positions - Legislative Count (-1.0)  
12  
14 Eliminates one vacant Director of Veterans'  
Services position.

**Veterans' Memorial Cemetery**

16  
18 Positions - Other Count (-1.0)  
20  
22 Eliminates 2 vacant seasonal Laborer I  
positions.

**ECONOMIC AND COMMUNITY DEVELOPMENT,  
DEPARTMENT OF**

**26 Office of Business Development**

28 Positions - Legislative Count (-1.0)  
30  
32 Eliminates a vacant Development Program  
Manager position.

**EDUCATION, DEPARTMENT OF**

**34 Governor Baxter School for the Deaf**

36 Positions - Legislative Count (-3.0)  
38 Positions - Other Count (-7.0)  
40  
42 Eliminates one vacant Carpenter position,  
one vacant Cook III position, one vacant  
Custodial Worker I position, one vacant  
44 Food Service Worker position, one vacant  
Nursing Assistant II position, one vacant  
Physical Therapist I position, one Program  
46 Specialist-Deaf position, one Program  
Supervisor-Deaf position, one Residential  
48 Advisor-Deaf position and one  
Psychologist II position.

**50 Administrative Services - Education**

52



2                    Positions - Legislative Count                    (-1.0)  
4                    Eliminates one vacant Clerk Typist II  
                         position.

6                    **Curriculum - Education**

8                    Positions - Legislative Count                    (-1.5)  
10                   Eliminates one 1/2-time Clerk Typist II  
12                   position and one Education Specialist III  
                         position.

14                   **Alcohol and Drug Education Services**

16                   Positions - Legislative Count                    (-1.0)  
18                   Eliminates one Education Specialist III  
20                   position and one Education Specialist II  
                         position, no head count.

22                   **Adult Education**

24                   Positions - Legislative Count                    (-1.0)  
26                   Eliminates one vacant Education  
28                   Specialist II position.

30                   **Special Education - Exceptional Children**

32                   Positions - Legislative Count                    (-1.0)  
34                   Eliminates one vacant Supervisor of  
                         Visually Impaired position.

36                   **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

38                   **Water Quality Control**

40                   Positions - Legislative Count                    (-1.0)  
42                   Eliminates one vacant Assistant Engineer  
44                   position.

46                   **Solid Waste Management**

48                   Positions - Legislative Count                    (-1.0)  
50                   Eliminates one vacant Geologist position.

52                   **EXECUTIVE DEPARTMENT**

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

4 Positions - Legislative Count (-1.5)

6 Eliminates one full-time and one  
 8 part-time vacant Governor's Special  
 Assistant positions.

**10 Planning Office**

12 Positions - Legislative Count (-2.0)

14 Eliminates one vacant Deputy State Economist  
 16 position and one vacant Planner II position.

**18 FINANCE, DEPARTMENT OF**

**Bureau of Taxation**

20 Positions - Legislative Count (-2.0)

22 Provides for the elimination of one vacant  
 24 Senior Revenue Agent position, one vacant  
 26 Revenue Agent position and one seasonal  
 Clerk II position.

**28 Bureau of Accounts and Control**

30 Provides for the elimination of one vacant  
 32 part-time Laborer I position and one vacant  
 intermittent Data Entry Specialist position.

**34 HUMAN SERVICES, DEPARTMENT OF**

**36 Administration - Human Services**

38 Positions - Legislative Count (-1.0)

40 Provides for the elimination of one  
 42 vacant Laborer I position.

**Administration - Income Maintenance**

44 Positions - Legislative Count (-2.0)

46 Provides for the elimination of the  
 48 following vacant positions: one Clerk  
 50 Typist II position and one Social Services  
 Program Specialist I position.

**52 Income Maintenance - Regional**

2	Positions - Legislative Count	(-11.0)
4	Provides for the elimination of the	
6	following vacant positions: four Clerk	
8	Typist II positions, 6 Income Maintenance	
	Specialist positions and one Income	
	Maintenance Unit Supervisor position.	
<b>10</b>	<b>Elder and Adult Services - Bureau of</b>	
12	Positions - Legislative Count	(-3.0)
14	Provides for the elimination of the	
16	following vacant positions: one full-time	
18	and one part-time Clerk Typist II positions,	
20	one Human Services Aide III position and one	
	part-time Planning and Research Associate II	
	position.	
<b>20</b>	<b>Social Services - Regional</b>	
22	Positions - Legislative Count	(-5.5)
24	Provides for the elimination of the	
26	following vacant positions: three full-	
28	time and one part-time Clerk Typist II	
30	positions and 2 Human Services Aide III	
	positions.	
<b>30</b>	<b>Legal Services - Human Services</b>	
32	Positions - Legislative Count	(-1.0)
34	Provides for the elimination of a vacant	
36	Legal Secretary position.	
<b>38</b>	<b>Bureau of Health</b>	
40	Positions - Legislative Count	(-1.0)
42	Provides for the elimination of a	
44	Sanitarian II position.	
<b>44</b>	<b>Welfare Employment, Education and Training</b>	
46	Positions - Legislative Count	(-3.0)
48	Provides for the elimination of the	
50	following vacant positions: one Social	
52	Services Supervisor position and 2 Social	
	Services Program Specialist II positions.	

2        **Blind and Visually Impaired - Division of**

4                Positions - Legislative Count                                (-1.5)

6                Provides for the elimination of one

8                full-time and one part-time vacant

              Visually Handicapped Children Counselor

              positions.

10               **Administration - Regional - Human Services**

12               Positions - Legislative Count                                (-2.5)

14               Provides for the elimination of the

16               following vacant positions: two full-

18               time and one part-time Clerk Typist II

              positions.

20               **Health Planning and Development**

22               Positions - Legislative Count                                (-1.0)

24               Provides for the elimination of a vacant

26               Comprehensive Health Planner II position.

28               **Administration - Social Services**

30               Positions - Legislative Count                                (-1.0)

32               Provides for the elimination of a vacant

              Community Care Worker position.

34               **INLAND FISHERIES AND WILDLIFE,**

**DEPARTMENT OF**

36               **Administration Services -**

38               **Inland Fisheries and Wildlife**

40               Positions - Legislative Count                                (-2.0)

42               Provides for the elimination of a Right-

44               of-way Appraiser II position and one Account

              Clerk II position.

46               **Licensing Services - Inland**

**Fisheries and Wildlife**

48               Positions - Other Count                                        (-1.5)

50               Provides for the elimination of 2

52               part-time Clerk I positions and one

part-time Clerk Typist I position.

2

**Office of the Commissioner -  
Inland Fisheries and Wildlife**

4

6

Positions - Legislative Count

(-3.0)

8

10

12

14

Provides for the elimination of the following vacant positions: a Clerk Typist II position, a Division Director of Inland Fisheries and Wildlife position, a Clerk Stenographer I position and an intermittent Clerk Stenographer III position.

**16**

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

18

20

22

24

26

Positions - Legislative Count

(-2.0)

Provides for the elimination of the following vacant positions: a Biologist Specialist position, a Clerk II position, 2 intermittent Biology Aide positions and an intermittent Data Entry Operator position.

**28**

**Fisheries and Hatcheries Operations**

30

32

34

36

38

Positions - Legislative Count  
Positions - Other Count

(-4.0)

(-1.0)

Provides for the elimination of the following vacant positions: a Biologist II position, 2 Fish and Game Technician positions, a Fish Hatchery Worker position and a Conservation Aide position.

**40**

**Enforcement Operations - Inland  
Fisheries and Wildlife**

42

44

46

48

50

52

Positions - Legislative Count

(-3.0)

Positions - Other Count

(-0.5)

Provides for the elimination of the following vacant positions: two Game Warden positions, one Game Warden Specialist position, a part-time Clerk I position, one Recreation Safety Coordinator position and 25 Game Warden Assistant positions that are not assigned position counts.

2        **Atlantic Sea Run Salmon Commission**

4                Positions - Legislative Count                                (-1.0)

6                Provides for the elimination of a  
                   Biologist II position.

8

10        **LABOR, DEPARTMENT OF**

12        **Maine Occupational Information  
 Coordinating Committee**

14                Positions - Legislative Count                                (-1.0)

16                Eliminates one vacant Education  
                   Specialist II position.

18

20        **Maine Labor Relations Board**

22                Positions - Legislative Count                                (-1.0)

24                Eliminates a vacant Labor Attorney-  
                   Mediator position.

26        **MAINE STATE LIBRARY**

28        **Library Development Services**

30                Positions - Legislative Count                                (-3.0)

32                Eliminates a vacant Community Services  
                   Librarian position, a vacant Laborer II  
 34                position and a vacant Librarian II  
                   position.

36

38        **Reader and Information Services - Library**

40                Positions - Legislative Count                                (-1.0)

42                Eliminates a vacant Library Assistant  
                   position.

44        **MAINE STATE MUSEUM**

46        **Exhibit Design and Preparation - Museum**

48                Positions - Legislative Count                                (-1.0)

50                Eliminates a vacant Museum Specialist I  
                   position.

52

**MARINE RESOURCES, DEPARTMENT OF**

2

**Marine Development - Bureau of**

4

Positions - Legislative Count (-2.0)

6

Positions - Other Count (-0.5)

8

Provides for the elimination of the following vacant positions: one 1/2-time Conservation Aide position, a Marketing Specialist position and a Seafood Technologist position.

10

12

**14 Marine Sciences - Bureau of**

16

Positions - Legislative Count (-1.0)

18

Provides for the elimination of a vacant Carpenter position.

20

**Marine Patrol - Bureau of**

22

Positions - Legislative Count (-9.0)

24

26

Provides for the elimination of 9 vacant Marine Patrol Officer positions.

**28 MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF**

30

**Administration - Mental Health and Mental Retardation**

32

34

Positions - Legislative Count (-5.5)

36

Provides for the elimination of the following vacant positions: one Associate Commissioner position, one Assistant to the Commissioner position, one full-time and one part-time Clerk Typist II positions, one Secretary position and one Planning and Research Associate II position.

38

40

42

**44 Mental Retardation Services - Community**

46

Positions - Legislative Count (-1.0)

48

Provides for the elimination of a vacant Carpenter position.

50

**Bath Children's Home**

52





2	Positions - Legislative Count	(-2.0)
4	Provides for the elimination of 2 vacant Liquor Enforcement Officer I positions.	
6	<b>Bureau of Capitol Security</b>	
8	Positions - Legislative Count	(-2.0)
10	Provides for the elimination of 2	
12	vacant Capitol Security Police Officer	
14	positions.	
16	<b>Drug Enforcement Bureau</b>	
18	Positions - Legislative Count	(-2.0)
20	Provides for the elimination of 2 vacant Regional Commander BIDE positions.	
22	<b>State Police</b>	
24	Positions - Legislative Count	(-11.0)
26	Provides for the elimination of the	
28	following vacant positions: an Auto	
30	Mechanic position, a Clerk Stenographer	
32	II position, a Clerk Typist II position,	
34	a Communications Technician position,	
36	a Data Entry Specialist position, a Department	
38	Computer Operator position, a State Police	
40	Corporal position, 3 State Police Detective	
42	positions and a State Police Forensic Specialist	
44	position.	
46	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
48	<b>Administration - Secretary of State</b>	
50	Positions - Legislative Count	(-1.5)
52	Provides for the elimination of one	
54	vacant full-time and one part-time Clerk	
56	Typist II positions. Also eliminates a	
58	seasonal Clerk Typist I position, a seasonal	
60	Clerk I position and 2 seasonal Laborer I	
62	positions.	
64	<b>Administration - Archives</b>	
66	Positions - Legislative Count	(-1.0)

2 Provides for the elimination of a vacant  
4 Archivist III position.

6 **WORKERS' COMPENSATION COMMISSION**

8 Positions - Legislative Count (-15.0)  
8 Positions - Other Count (-1.0)

10 Eliminates a vacant Accountant I  
12 position, 6 vacant Clerk Typist II  
12 positions, 2 vacant Clerk Typist III  
14 positions, 2 vacant Data Entry  
14 Operator positions, one vacant Legal  
16 Secretary position, one vacant Rehabili-  
16 tation Assistant Administrator position,  
18 one vacant Workers' Compensation Assistant  
18 position, one Workers' Compensation Regional  
20 Administrator position and 2 vacant  
20 seasonal Paralegal Assistant positions.

22 **SECTION V-1**  
22 **TOTAL POSITIONS: GENERAL FUND**

24 Legislative Count (-169.5)  
26 Other Count (-13.5)

28 TOTAL (-183.0)

30 **Sec. V-2. Vacant positions in the Federal Expenditure Fund.** The  
32 following vacant positions are deauthorized from the Federal  
32 Expenditure Fund for the fiscal year ending June 30, 1991 to  
34 carry out the purposes of this Part.

36 **CONSERVATION, DEPARTMENT OF** 1990-91

38 **Maine Geological Survey**

40 Positions - Other Count (-3.0)

42 Provides for the elimination of a  
44 Cartographer position, a Clerk Typist  
44 II position and a Senior Geologist position.

46 **DEFENSE AND VETERANS' SERVICES,**  
48 **DEPARTMENT OF**

48 **Military Training and Operations**

50 Positions - Other Count (-9.0)

52

2 Provides for the elimination of the  
following vacant positions: one  
4 Laborer II position, 6 Military  
Firefighter positions and 2 Security  
6 Guard positions.

8 **Radiological Account**

10 Positions - Other Count (-2.0)

12 Provides for the elimination of the  
following vacant positions: one  
14 Radiological Instrument Repair Technician  
position and one Storekeeper II position.

16 **Maine Emergency Management Agency**

18 Positions - Other Count (-2.5)

20 Provides for the elimination of the  
following vacant positions: one Civil  
22 Engineer I position and one full-time and one  
part-time Clerk Typist II positions.

24 **ECONOMIC AND COMMUNITY DEVELOPMENT,  
26 DEPARTMENT OF**

28 **Office of Energy Resources**

30 Positions - Other Count (-1.5)

32 Eliminates a vacant Program Assistant  
position and a vacant part-time  
34 Resource Planner position.

36 **EDUCATION, DEPARTMENT OF**

38 **Governor Baxter School for the Deaf**

40 Positions - Other Count (-5.0)

42 Eliminates a vacant Teacher Aide position,  
a vacant Teacher-Baxter School position,  
44 and 3 vacant Teacher of the Deaf  
positions.

46 **Administration - Vocational Education**

48 Positions - Other Count (-0.5)

50 Eliminates a vacant part-time Clerk  
52 Typist II position.

2	<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
4	<b>Land Quality Control</b>	
6	Positions - Other Count	(-1.0)
8	Provides for the elimination of a vacant Environmental Specialist III position.	
10	<b>Bureau of Water Quality Control</b>	
12	Positions - Other Count	(-3.0)
14	Provides for the elimination of a vacant Environmental Specialist II position, an Assistant Engineer position and a Civil Engineer I position.	
16		
18		
20	<b>Waste Treatment Planning</b>	
22	Positions - Other Count	(-1.0)
24	Provides for the elimination of a vacant Environmental Specialist II position.	
26		
28	<b>Construction Grants</b>	
30	Positions - Other Count	(-6.0)
32	Provides for the elimination of 2 vacant Assistant Engineer positions, a Biologist III position, 2 vacant Environmental Specialist II positions and a vacant Clerk Typist II position.	
34		
36		
38	<b>Bureau of Oil and Hazardous Material Control</b>	
40	Positions - Other Count	(-2.0)
42	Provides for the elimination of a vacant Clerk Typist II position and a vacant Planning and Research Associate II position.	
44		
46	<b>Hazardous Waste - Super Fund</b>	
48	Positions - Other Count	(-1.0)
50	Provides for the elimination of a vacant Clerk Typist II position.	
52	<b>Core Program Cooperative Agreement</b>	

2                    Positions - Other Count                    (-1.0)

4                    Eliminates a vacant Environmental  
Specialist II position.

6  
8                    **HUMAN SERVICES, DEPARTMENT OF**

10                   **Administration - Human Services**

12                   Positions - Other Count                    (-6.5)

14                   Provides for the elimination of the  
following positions: one part-time Clerk  
Typist II position, one Account Clerk II  
16                   position, one Accountant I position, one  
Data Control Clerk position, one Microfilm  
18                   Clerk position, one Senior Programmer  
Analyst position and one Systems Analyst  
20                   position.

22                   **Administration - Income Maintenance**

24                   Positions - Other Count                    (-5.0)

26                   Provides for the elimination of the  
following vacant positions: two Clerk  
28                   Typist II positions, 2 Hearing  
Examiner positions and one Public Relations  
30                   Specialist position.

32                   **Administration - Regional - Human Services**

34                   Positions - Other Count                    (-2.0)

36                   Provides for the elimination of the  
following vacant positions: one Clerk II  
38                   position and one Switchboard Operator position.

40                   **Bureau of Health**

42                   Positions - Other Count                    (-3.5)

44                   Provides for the elimination of the  
following vacant positions: one Computer  
46                   Programmer position and 2 full-time and  
one part-time Public Health Educator II  
48                   positions.

50                   **Income Maintenance - Regional**

52                   Positions - Other Count                    (-13.0)

2 Provides for the elimination of the  
4 following vacant positions: five Clerk  
6 Typist II positions, 6 Income  
8 Maintenance Specialist positions, one  
Income Maintenance Unit Supervisor position  
and one Planning and Research Assistant  
position.

**10 Medical Care Administration**

12 Positions - Other Count (-8.0)

14 Provides for the elimination of the  
16 following vacant positions: one Clerk II  
18 position, one Clerk Typist II position,  
one Drug Program Coordinator position, one  
20 Health Services Consultant position, one  
22 Medical Secretary position, one  
Medical Social Worker Consultant position,  
one Nutrition Consultant position and one  
Provider Relations Specialist position.

**24 Rehabilitation - Vocational Rehabilitation -  
Bureau of**

26 Positions - Other Count (-2.0)

28 Provides for the elimination of the  
30 following vacant positions: one Clerk  
32 Typist II position and one Rehabilitation  
Consultant position.

**34 Rehabilitation - Bureau of**

36 Positions - Other Count (-5.0)

38 Provides for the elimination of the  
40 following vacant positions: one Business  
42 Manager II position, one Clerk Typist II  
44 position, one Rehabilitation Consultant  
position and 2 Rehabilitation Counselor II  
positions.

**Disability Determination - Division of**

46 Positions - Other Count (-16.0)

48 Provides for the elimination of the  
50 following vacant positions: two Account  
52 Clerk I positions, one Clerk I position, 4  
Clerk Typist II positions, 2 part-time

2 Disability Claims Adjudicator VR positions,  
2 Disability Claims Examiner positions,  
4 one Disability Claims Hearing Officer position,  
3 Human Services Aide III positions,  
6 and 2 Word Processing Operator positions.

8 **Welfare Employment, Education and Training**

10 Positions - Other Count (-11.0)

12 Provides for the elimination of the  
14 following vacant positions: one Clerk  
16 Typist I position, one Clerk Typist II  
position, one Clerk Typist III position,  
4 Human Services Aide III positions and  
4 WEET Specialist positions.

18 **Blind and Visually Impaired - Division of**

20 Positions - Other Count (-2.0)

22 Provides for the elimination of the  
24 following vacant positions: one Mobility  
and Orientation Instructor for the Blind position  
and one Rehabilitation Counselor II position.

26 **LABOR, DEPARTMENT OF**

28

**Employment Security**

30 Positions - Other Count (-43.5)

32 Provides for the elimination of the  
34 following vacant positions: one Clerk  
36 Stenographer II position, one Clerk  
38 Stenographer III position, 18 Clerk  
Typist II positions, 3 Economic Research  
Analyst positions, 8 full-time and one  
40 part-time Employment and Training Specialist  
I positions, 4 Employment and Training Specialist  
42 II positions, one Employment Counselor I position,  
one Job Services Manager I position, one  
44 Labor Statistics Technician position, one  
46 Laborer I position, one Legal Secretary  
position, one Principal Economic Research  
48 Analyst position, one Unemployment Compensation  
Manager I position and one Word Processing  
Operator position.

50 **Job Partnership Training**

52 Positions - Other Count (-7.0)

2 Provides for the elimination of the  
4 following vacant positions: one  
6 Accountant II position, one Clerk IV  
8 position, one Clerk Stenographer III  
10 position, one Clerk Typist II position,  
12 one Management Analyst I position, one  
14 Planning and Research Associate II position  
16 and one Property Officer position.

18 **MARINE RESOURCES, DEPARTMENT OF**

20 **Marine Resources Sciences**

22 Positions - Other Count (-7.0)

24 Provides for the elimination of a Word  
26 Processing Operator position, 2 Marine Resource  
28 Specialist I positions, 2 Marine Resource  
30 Scientist II positions, a Marine Resource Port  
32 Engineer position and a Fish Extension Agent II  
34 position.

36 **MENTAL HEALTH AND MENTAL RETARDATION,  
DEPARTMENT OF**

38 **Mental Retardation Services - Community**

40 Positions - Other Count (-1.0)

42 Provides for the elimination of a vacant  
44 Comprehensive Health Planner II position.

46 **SECRETARY OF STATE, DEPARTMENT OF THE**

48 **Motor Vehicle - Administration**

50 Positions - Other Count (-2.0)

52 Provides for the elimination of a vacant  
Clerk IV position and a vacant Clerk  
Typist II position.

54 **SECTION V-2  
TOTAL POSITIONS: FEDERAL EXPENDITURES**

56 Positions - Other Count (-173.0)

58 TOTAL (-173.0)

60 **Sec. V-3. Vacant positions in the Other Special Revenue Fund.** The  
62 following vacant positions are deauthorized from the



2 Other Special Revenue Fund for the fiscal year ending June 30,  
1991 to carry out the purposes of this Part.

4 1990-91

6 **ADMINISTRATION, DEPARTMENT OF**

8 **Bureau of Public Improvements - Capital  
Construction and Repairs**

10 Eliminates a vacant Civil Engineer I  
12 position, a vacant Clerk Typist III  
14 position and a vacant Engineering  
16 Technician II position. Positions  
established by financial order  
carry no head count.

18 **State Employee Health - Bureau of**

20 Positions - Legislative Count  
Positions - Other Count

(-2.0)

22 Eliminates a vacant Psychiatric and Substance  
24 Abuse Specialist position and one vacant  
Public Health Educator III position.

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

28 **Agricultural Marketing Services**

30 Provides for the elimination of a  
32 vacant seasonal Clerk Typist I position  
34 and a vacant Intermittent Clerk Typist II  
position.

36 **Bureau of Agricultural Production**

38 Provides for the elimination of a vacant  
40 Intermittent Laboratory Technician II  
position.

42 **Agriculture - Bureau of Public Services**

44 Positions - Other Count

(-8.0)

46 Provides for the elimination of the  
48 following vacant positions: a Food  
Inspection Supervisor I position, a  
50 seasonal Food Inspection Supervisor I  
position, 20 Food Inspector I positions,  
4 seasonal Food Inspector II positions,  
52 a Laboratory Assistant position, a Laboratory

2 Technician I position, a Sardine  
Inspection Supervisor  
4 position and 2 seasonal Sardine  
Quality Grader II positions.

**6 Bureau of Agriculture Production Plant Industry**

8 Positions - Other Count (-2.0)

10 Provides for the elimination of 2  
12 vacant seasonal Clerk I positions and  
an Account Clerk I position.

**14 Agriculture - Maine Dairy Council**

16 Positions - Other Count (-1.5)

18 Provides for the elimination of a vacant  
20 part-time Clerk Typist II position and a  
vacant Laborer I position.

**22 Maine Milk Commission**

24 Positions - Other Count (-1.0)

26 Provides for the elimination of a vacant  
28 Auditor II position.

**AUDIT, DEPARTMENT OF**

**30 Audit - Municipal Bureau**

32 Positions - Other Count (-5.0)

34 Provides for the elimination of the  
36 following vacant positions: an  
Assistant Director of Audit position,  
38 an Auditor I position, 2 Auditor II  
40 positions and a Clerk Typist II  
position.

**42 BAXTER STATE PARK AUTHORITY**

**44 Baxter State Park Authority**

46 Positions - Other Count (-2.5)

48 Provides for the elimination of a  
vacant Baxter Park Campground Ranger  
50 position, 2 vacant Baxter Park Gate House  
Attendant positions and a vacant Business  
52 Manager I position.

2 **BOARD OF THE MAINE CHILDREN'S TRUST FUND**

4 **Children's Trust Fund Program**

6 Positions - Other Count (-1.0)

8 Provides for the elimination of a  
vacant Clerk Typist II position.

10

12 **CONSERVATION, DEPARTMENT OF**

14 **Maine Mining Operations**

14

Positions - Other Count (-1.0)

16

18 Provides for the elimination of a  
vacant Clerk Typist II position.

20 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

22 **Technical Studies - Department of  
Environmental Protection**

24

Positions - Other Count (-1.5)

26

28 Provides for the elimination of a vacant  
Environmental Specialist III position and a  
part-time Clerk Typist III position.

30

32 **Laboratory Special Revenue Account**

32

Positions - Other Count (-3.0)

34

36 Provides for the elimination of a  
vacant Chemist I position, a vacant  
Chemist II position and a vacant  
38 Accountant II position.

40 **Maine Environmental Protection Fund**

42 Positions - Other Count (-10.0)

44

46 Provides for the elimination of the  
following vacant positions: four  
Environmental Specialist II positions,  
3 Environmental Specialist III positions,  
48 an Environmental Specialist IV position,  
an Oil and Hazardous Materials Specialist I  
50 position and a Clerk Typist II position.

52 **Maine State Waste Management Fund -**

**Department of Environmental Protection**

2 Positions - Other Count (-2.0)

4 Provides for the elimination of a  
6 vacant Environmental Specialist II  
8 position and a vacant Environmental  
Specialist III position.

**10 HUMAN SERVICES, DEPARTMENT OF**

**12 Medical Care Administration**

14 Positions - Other Count (-0.5)

16 Provides for the elimination of a vacant  
part-time Clerk Typist II position.

**18 Bureau of Health**

20 Positions - Other Count (-3.0)

22 Provides for the elimination of the  
24 following vacant positions: one Laboratory  
26 Technician I position, one Planning  
and Research Associate I position and  
one Systems Analyst position.

**28 Division of Laboratory Services**

30 Position - Other Count (-1.0)

32 Provides for the elimination of a vacant  
34 Accountant II position.

**36 MARINE RESOURCES, DEPARTMENT OF**

**38 Marine Resources Development**

40 Positions - Other Count (-1.0)

42 Provides for the elimination of an  
Assistant to the Commissioner Public  
44 Information position.

**46 PROFESSIONAL AND FINANCIAL REGULATION,  
DEPARTMENT OF**

**48 Board of Dental Examiners**

50 Positions - Other Count (-0.5)

52

2	Eliminates a vacant part-time Clerk Typist II position.	
4	<b>Oil and Solid Fuel Board</b>	
6	Positions - Other Count	(-1.0)
8	Eliminates a vacant Oilburner Inspector position.	
10	<b>Plumbers' Examining Board</b>	
12	Positions - Other Count	(-1.0)
14	Eliminates a vacant Plumbing Inspector position.	
16		
18	<b>State Board of Cosmetology</b>	
20	Positions - Other Count	(-1.0)
22	Eliminates a vacant Sanitarian I position.	
24		
26	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
28	<b>Motor Vehicle - Administration</b>	
30	Positions - Legislative Count	(-1.0)
32	Provides for the elimination of a vacant Clerk Typist II position.	
34	<b>SECTION V-3</b>	
36	<b>TOTAL POSITIONS: OTHER SPECIAL REVENUE</b>	
38	Positions- Other Count	(-50.5)
40	TOTAL	(-50.5)
42	<b>Sec. V-4. Vacant positions in the Highway Fund.</b> The following vacant positions are deauthorized from the Highway Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.	
44		
46		<b>1990-91</b>
48	<b>PUBLIC SAFETY, DEPARTMENT OF</b>	
50	<b>Implied Consent - Public Safety</b>	
52	Positions - Legislative Count	(-0.5)

2 Provides for the elimination of a vacant  
part-time Clerk Typist I position.

4

6 **Administration - Public Safety**

8 Positions - Legislative Count (-1.0)

10 Provides for the elimination of a vacant  
Clerk Typist I position.

12 **SECRETARY OF STATE, DEPARTMENT OF THE**

14 **Motor Vehicle - Administration**

16 Positions - Legislative Count (-4.0)

18 Provides for the elimination of the  
following vacant positions: one  
20 Clerk III position, one Motor Vehicle Hearings  
22 Examiner position, one Motor Vehicle Investigator  
24 position, one Motor Vehicle Service Representative  
seasonal Clerk I position and a  
seasonal Motor Vehicle Representative position.

26 **TRANSPORTATION, DEPARTMENT OF**

28 **Administration and Planning**

30 Positions - Legislative Count (-1.0)

32 Provides for the elimination of a  
Photographer II position.

34

36 **Highway and Bridge Improvement**

38 Positions - Legislative Count (-6.0)  
Positions - Other Count (-3.5)

40 TOTAL (-9.5)

42 Provides for the elimination of 2 Civil  
Engineer II positions, 6 Engineering Aide  
44 I positions, an Engineering Aide II position,  
an Engineering Technician III position, an  
46 Engineering Technician IV position, a  
Landscape Architect II position and a  
48 Right-of-way Agent I position.

50 **Highway Bridge Maintenance**

52 Positions - Legislative Count (-1.0)

2 Provides for the elimination of an  
 4 Engineering Aide II position.

6 **Highway Maintenance**

8 Positions - Legislative Count (-3.0)

10 Provides for the elimination of a  
 12 Civil Engineer V position, a Custodial  
 Worker I position and a Highway District  
 Supervisor position.

14 **SECTION V-4**  
**TOTAL POSITIONS: HIGHWAY FUND**

16 Positions - Legislative Count (-16.5)  
 18 Positions - Other Count (-3.5)

20 TOTAL (-20.0)

22 **Sec. V-5. Vacant positions in the Federal Block Grant Fund.** The  
 24 following vacant positions are deauthorized from the Federal  
 Block Grant Fund for the fiscal year ending June 30, 1991 to  
 carry out the purposes of this Part.

26

28 **HUMAN SERVICES, DEPARTMENT OF** 1990-91

30 **Maternal and Child Health**

32 Positions - Legislative Count (-1.0)

34 Provides for the elimination of a vacant  
 Clerk Typist II position.

36

38 **Sec. V-6. Vacant positions in the State Lottery Fund.** The  
 following vacant positions are deauthorized from the State  
 Lottery Fund for fiscal year ending June 30, 1991 to carry out  
 the purposes of this Part.

40

42 **FINANCE, DEPARTMENT OF** 1990-91

44 **Lottery Operations**

46 Positions - Legislative Count (-0.5)

48 Provides for the elimination of a vacant  
 50 part-time Data Entry Operator position.

**Sec. V-7. Vacant positions in the State Alcoholic Beverages Fund.**

The following vacant positions are deauthorized from the State Alcoholic Beverages Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

**1990-91**

**FINANCE, DEPARTMENT OF**

**Alcoholic Beverages - General Operations**

Positions - Legislative Count (-20.0)

Provides for the elimination of the following vacant positions: nine Assistant Retail Store Manager positions, 9 Retail Store Clerk positions, one Account Clerk position and 2 part-time Retail Store Clerk positions.

**Sec. V-8. Vacant positions from the Seed Potato Enterprise Fund.**

The following vacant positions are deauthorized from the Seed Potato Enterprise Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

**1990-91**

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

**Seed Potato Board**

Provides for the elimination of 14 vacant Seed Potato Inspector positions that are not assigned position counts.

**Sec. V-9. Vacant positions in the Printing, Postal and Supply Fund.** The following vacant positions are deauthorized from the Printing, Postal and Supply Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

**1990-91**

**ADMINISTRATION, DEPARTMENT OF**

**Printing, Postal and Supply Fund  
Bureau of Purchases - Central Services**

Positions - Other Count (-3.0)

Eliminates a vacant Laborer I position, a vacant Reprographics Worker position and a vacant Supervisor of Surplus Property position.



2 **Sec. V-10. Vacant positions in the Bureau of Data Processing**  
3 **Fund.** The following vacant positions are deauthorized from the  
4 Bureau of Data Processing Fund for the fiscal year ending June  
5 30, 1991 to carry out the purposes of this Part.

6 **1990-91**

7 **ADMINISTRATION, DEPARTMENT OF**

8 **Bureau of Data Processing Fund**  
9 **Bureau of Data Processing - Administration**

10  
11  
12 **Positions - Other Count** **(-3.0)**

13  
14 **Eliminates a vacant Staff Development**  
15 **Specialist III position, a vacant**  
16 **Systems Team Leader position and a**  
17 **vacant Data Entry Specialist position.**

18  
19 **Sec. V-11. Vacant positions in the Marine Ports Fund.** The  
20 following vacant positions are deauthorized from the Marine  
21 Ports Fund for the fiscal year ending June 30, 1991 to carry out  
22 the purposes of this Part.

23 **1990-91**

24 **TRANSPORTATION, DEPARTMENT OF**

25 **Marine Ports Fund**

26  
27  
28 **Positions - Other Count** **(-1.0)**

29  
30 **Provides for the elimination of a**  
31 **Transportation Services Specialist position.**

32  
33 **Sec. V-12. Vacant positions in the Island Ferry Service Fund.** The  
34 following vacant positions are deauthorized from the Island  
35 Ferry Service Fund for the fiscal year ending June 30, 1991 to  
36 carry out the purposes of this Part.

37  
38 **1990-91**

39 **TRANSPORTATION, DEPARTMENT OF**

40 **Island Ferry Service Fund**

41  
42  
43 **Positions - Other Count** **(-5.0)**

44  
45 **Provides for the elimination of a**  
46 **Clerk II position, 2 Ferry Able Seaman**  
47 **positions, a Ferry Captain position**  
48 **and a Ferry Engineer position.**

49  
50



2 behalf of the executive branch and the Chair of the Legislative  
3 Council on behalf of the legislative branch of government.

4 **Sec. W-2. 5 MRSA §17105, sub-§1, ¶C,** as enacted by PL 1985, c.  
5 801, §§5 and 7, is repealed and the following enacted in its  
6 place:

8 C. The executive director shall submit a written report to  
9 the Governor, the Commissioner of Finance and the  
10 appropriate legislative committee on or before the 15th of  
11 January each year that must include:

12 (1) An actuarial valuation of all funds of the  
13 retirement system; and

14 (2) An identification of the ratio of assets to  
15 liabilities of each of the various funds, including a  
16 specific examination and analysis of whether each fund  
17 is over funded or under funded and the implications of  
18 those funding levels for the contribution levels.

19 This report must include data for the Members' Contribution  
20 Fund, the Retirement Allowance Fund, the Expense Fund, the  
21 Survivors' Benefit Fund, the State Retiree Health Insurance  
22 Fund, the State Retired Teachers' Health Insurance Fund, the  
23 Disability Retirement Benefit Fund and any other fund that  
24 may be established by the Maine State Retirement System.

25 **Sec. W-3. 5 MRSA §17151, sub-§2,** as enacted by PL 1985, c.  
26 801, §§5 and 7, is amended to read:

27 **2. Intent.** It is the intent of the Legislature that there  
28 shall must be appropriated and transferred annually to the  
29 retirement system the funds necessary to meet the system's  
30 long-term and short-term financial obligations based on the  
31 actuarial assumptions established by the board upon the advice of  
32 the actuary. Funds that have been appropriated must be  
33 considered assets of the retirement system.

34 **A.** The goal of the actuarial assumptions shall be to  
35 achieve a fully funded retirement system.

36 **B.** The retirement system's unfunded liability for persons  
37 formerly subject to the Maine Revised Statutes of 1944,  
38 chapter 37, sections 212 to 220 shall be repaid to the  
39 system from annual appropriations over the funding period of  
40 the retirement system.

41 **C.** This section may not be construed to require the State  
42 to appropriate and transfer funds to meet the obligations of  
43 participating local districts to the retirement system.

2           **Sec. W-4. Appropriation.**    The following funds are  
3 appropriated from the General Fund to carry out the purposes of  
4 this Part.

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1990-91

**EDUCATION, DEPARTMENT OF**

**Teachers' Retirement**

All Other. (\$49,100,000)

Deappropriates funds no longer required as a result of the transfer of surpluses in the Disability Retirement Benefit Fund, the Survivors' Benefit Fund and Accidental Death Fund to the Retirement Allowance Fund as authorized by the Board of Trustees of the Maine State Retirement System.

**DEPARTMENT OF EDUCATION**

**TOTAL**

(\$49,100,000)

**PART X**

36 MRSA §457, as amended by PL 1987, c.769, Pt. A, §150, is repealed and the following enacted in its place:

**§457. State tax on telecommunications personal property**

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

A. "Telecommunications business" means a person engaged in the activity of providing interactive 2-way communication services for compensation.

B. "Telecommunications personal property" means personal property used for the transmission of any interactive 2-way communications, including voice, image, data and information. Transmission of communications includes the use of any medium such as wires, cables, community antenna television or other broad band cables, microwaves, radio waves, light waves or any combination of those of similar media. Telecommunications personal property includes qualifying property used to provide telegraph service. Telecommunications personal property does not include property used solely to provide value-added nonvoice services in which computer processing applications are used to act on the form, content, code and protocol of the

2 information to be transmitted, unless those services are  
3 provided under tariff approved by the Public Utilities  
4 Commission. Telecommunications personal property does not  
5 include single or multiline standard telephone instruments.  
6 Notwithstanding section 551, "telecommunications personal  
7 property" includes any interest of a telecommunications  
8 business in poles.

9  
10 2. Tax imposed. A state tax is imposed on  
11 telecommunications personal property.

12 3. Determination of just value. The state tax is imposed  
13 upon the just value and ownership of the property as of April 1st  
14 of the taxable year.

15 4. Assessment. The State Tax Assessor shall assess a tax  
16 on telecommunications personal property owned or leased by a  
17 telecommunications business. Telecommunications personal  
18 property owned or leased by a person who is not a  
19 telecommunications business must be assessed a tax by the  
20 municipal assessor in the municipality in which the property is  
21 located on April 1st of the taxable year.

22  
23 5. Assessment procedure. The tax on telecommunications  
24 personal property of a telecommunications business is assessed in  
25 accord with the following.

26  
27 A. Beginning in January 1992, an annual assessment must be  
28 made in June of that year and is payable in 2 equal payments  
29 in the following October and May.

30  
31 B. In June 1991, an annual assessment must be made and is  
32 payable in full in October 1991.

33  
34 C. An additional assessment must be made in June 1991, so  
35 as to transition the tax imposed by this section to a fiscal  
36 year basis and is payable in full in May 1992.

37  
38 6. Amount of assessment. The amount of assessment is as  
39 follows.

40  
41 A. For all assessment made pursuant to subsection 5,  
42 paragraphs A and B, the amount of assessment must be equal  
43 to 27 mills multiplied by the previous April 1st just value  
44 of taxable property.

45  
46 B. For all assessment made pursuant to subsection 5,  
47 paragraph C, the amount of assessment must be equal to 13.5  
48 mills multiplied by the previous April 1st just value of  
49 taxable property.  
50

2            C. The tax assessed by municipal assessors is at the rate  
4            of 27 mills for each taxable year. The date of assessment  
                  must be consistent with other property subject to property  
                  taxation by the municipality.

6            7. Collection. Taxes assessed by the State Tax Assessor  
8            must be enforced as generally provided by this Title. Taxes  
                  assessed by municipal assessors must be enforced as other locally  
                  assessed personal property taxes.

12  
14                                    **PART Y**

16            **Recommendations for restructuring.** The Governor shall develop  
18            and submit to the Joint Standing Committee on State and Local  
20            Government on or before April 15, 1991 recommendations to reduce  
                  by restructuring or realigning functions related to various  
                  departments, agencies or units of the Executive Branch of State  
                  Government.

22            The legislative, judicial and constitutional officers shall  
24            submit their recommendations to reduce, by restructuring or  
26            realigning their various departments on or before April 15, 1991,  
                  to the joint standing committee of the Legislature having  
                  jurisdiction over that subject matter.

28            If any of the recommendations presented to the Legislature  
30            are implemented prior to fiscal year 1992-93, budget transfers  
                  must be included as part of the recommendations.

32            **Emergency clause.** In view of the emergency cited in the  
34            preamble, this Act takes effect when approved.

36  
38                                    **FISCAL NOTE**

General Fund Appropriations	1990-91
Part A, Section A-1	(\$36,486,525)
Part B	62,300,580
Part C, Section C-1	410,801
Part D, Section D-1	(410,801)
Part E	(5,000,000)
Part L	81,475
Part U	(370,644)
Part W	(49,100,000)
<hr/> General Fund Appropriations Total	<hr/> (\$28,575,114)

	Undedicated General Fund Revenue/Transfers	1990-91
2		
	Part A, Section A-1	\$72,494
4	Part A, Section A-5	137,000
	Part B, Section B-1	238,000
6	Part E, Sections	60,000
		500,000
8		375,738
		18,338
10		2,000,000
		10,708,265
12		10,338,206
		10,000,000
14		17,000,000
		8,500,000
16	Part L	81,475
	Part M	154,640
18	Part R	58,614
	Part X	12,000,000
20		
	Undedicated General Fund Revenue Total	<u>\$72,242,770</u>
22		

#### STATEMENT OF FACT

26 This bill makes appropriations and allocations necessary to  
28 the operation of State Government to achieve a balanced budget  
30 for the remainder of fiscal year 1990-91 and makes various  
changes to provisions of the laws to implement those  
appropriations and allocations.