

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND SPECIAL SESSION-1991

Legislative Document

No. 1985

H.P. 1402

House of Representatives, December 16, 1991

Reported by Representative CHONKO from the Appropriations and Financial Affairs Committee pursuant to Joint Order H.P. 1401 and printed under Joint Rule 2.

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

EDWIN H. PERT, Clerk

STATE OF MAINE

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

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993 and to Change Certain Provisions of Law.

(EMERGENCY)



2	Buildings and Grounds Operations	
4	Positions - Legislative Count	(-3.0)
	Personal Services	(40,000)
6		
8	Provides for the deappropriation of	
	funds through the transfer of one	
10	Auto Mechanic Foreman position, one	
	Auto Mechanic I position and one	
12	Storekeeper I position to the	
	Central Motor Pool Fund.	
14	Capital Construction - Repairs -	
	Improvements - Administration	
16	All Other	(305,000)
18		
20	Provides for the deappropriation of	
	funds through the reduction in	
22	funds no longer necessary to meet	
	contract obligations.	
24	Employee Relations - Office of	
26	All Other	(54,847)
28		
30	Provides for the deappropriation of	
	funds through the disencumbrance of	
	an unneeded outside contract.	
32	Information Services	
34	Positions - Legislative Count	(-7.0)
	Personal Services	(288,352)
36		
38	Provides for the deappropriation of	
	funds through the transfer of the	
40	following positions to the Office	
	of Information Services	
42	Internal Service Fund: one	
	Administrative Secretary position,	
44	one Assistant Deputy Commissioner	
	position, one Deputy Commissioner	
46	for Information Services position	
	and 4 Systems Analyst positions.	
48	Public Improvements - Planning -	
	Construction - Administration	
50		

2	Positions - Legislative Count	(-1.0)
	Personal Services	(45,000)
4	Provides for the deappropriation of	
6	funds through the elimination of	
8	one vacant Director of Facilities	
	Services position.	
10	Public Improvements - Planning -	
	Construction - Administration	
12	Positions - Legislative Count	(-2.0)
	Personal Services	(10,000)
14	Provides for the deappropriation of	
16	funds through the elimination of 2	
18	Engineering Technician IV	
	positions.	
20	Public Improvements - Planning -	
	Construction - Administration	
22	Personal Services	(12,930)
24	Provides for the deappropriation of	
26	funds through holding several	
28	positions vacant for a limited	
	period.	
30	Public Improvements - Division of	
	Safety and Environmental Services	
32	Positions - Legislative Count	(-4.0)
34	Personal Services	(34,479)
36	Provides for the deappropriation of	
38	funds through the elimination of 2	
40	Engineer Technician IV positions,	
42	one Planning and Research Associate	
	II position and one Clerk Typist	
	III position.	
44	Purchases - Bureau of	
	Personal Services	(1,337)
46	All Other	(1,483)
48	TOTAL	(2,820)
50	Provides for the deappropriation of	

2	funds through the delay in filling	
4	one vacant Buyer II position and a	
	reduction in miscellaneous	
	operating expenses.	
6	Purchases - Bureau of	
8	Positions - Legislative Count	(-1.0)
	Personal Services	(30,000)
10		
12	Provides for the deappropriation of	
	funds through the elimination of	
	one vacant Buyer II position.	
14		
	Purchases - Bureau of	
16	Positions - Legislative Count	(-1.0)
18	Personal Services	(45,000)
20		
22	Provides for the deappropriation of	
	funds through the elimination of	
	one State Purchasing Agent position	
24	that is part of the department's	
	reorganization.	
26	DEPARTMENT OF ADMINISTRATION	
	TOTAL	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> (902,906)
28		
30	ADVOCACY SERVICES, MAINE	
32	Maine Advocacy Services	
34	All Other	(8,538)
36		
38	Provides for the deappropriation of	
	funds through the reduction of	
40	information, referral and legal	
	advice services to people with	
42	disabilities and through the	
	cancellation of a volunteer	
	training workshop.	
44	Maine Advocacy Services	
46	All Other	(48,379)
48		
50	Provides for the deappropriation of	
	funds through the elimination of	
	funding for the Information and	

2	Support Program effective January 1, 1992.	
4	MAINE ADVOCACY SERVICES	
	TOTAL	<u>(56,917)</u>
6		
8	AGING, MAINE COMMITTEE ON	
10	Maine Committee on Aging	
12	Personal Services	(6,200)
	All Other	(10,400)
14		
	TOTAL	<u>(16,600)</u>
16		
18	Provides for the deappropriation of funds through the elimination of member per diem and the reductions in travel, telephone and supplies.	
20		
22	Maine Committee on Aging	
24	Positions - Legislative Count	(-4.5)
	Personal Services	(37,271)
26		
28	Provides for the deappropriation of funds through the elimination of the Maine Committee on Aging, including one Executive Director position, one Planning and Research Associate II position, one Clerk Typist II position, one Clerk Typist IV position, one 1/2-time Advocate position and associated support costs, effective January 1, 1992.	
30		
32		
34		
36		
38		
	MAINE COMMITTEE ON AGING	
40	TOTAL	<u>(53,871)</u>
42		
44	AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF	
46	Administration - Agriculture	
48	All Other	(6,971)
	Capital Expenditures	(6,000)
50		<u></u>

2	TOTAL	(12,971)
4	Provides for the deappropriation of funds through the delay in computer pool upgrades and the replacement of capital equipment.	
8	Administration - Agriculture	
10	Positions - Legislative Count	(-1.0)
12	Personal Services	(21,850)
14	Provides for the deappropriation of funds from the elimination of one Assistant to the Commissioner of Public Information position.	
18	Agricultural Production	
20	Positions - Legislative Count	(-1.5)
22	Personal Services	(71,900)
24	Capital Expenditures	(4,814)
26	TOTAL	<hr/> (76,714)
28	Provides for the deappropriation of funds through the elimination of one Veterinarian position and the transfer of 1/2 of a Lab Technician III position to the Agricultural Production Program, Other Special Revenue Fund.	
34	Agricultural and Rural Resource Development	
36	Positions - Legislative Count	(-0.5)
38	Personal Services	(7,000)
40	All Other	(3,000)
42	TOTAL	<hr/> (10,000)
44	Provides for the deappropriation of funds through the elimination of one part-time Agriculture Internship and Training Coordinator position and associated operating expenses.	
50	Public Services - Agriculture	

2	Positions - Legislative Count	(-1.0)
	Personal Services	(27,140)
4	All Other	(45,700)
	Capital Expenditures	(24,224)
6		
	TOTAL	<hr/> (97,064)
8		
10	Provides for the deappropriation of	
	funds through the elimination of	
12	one Clerk Typist II position,	
	reductions in travel and	
14	contracts and the delayed	
	replacement of 2 vehicles and other	
16	miscellaneous equipment.	
	Public Services - Agriculture	
18		
	Positions - Legislative Count	(-1.0)
20	Personal Services	(24,000)
22		
	Provides for the deappropriation of	
24	funds from the elimination of one	
	Consumer Food Inspector position,	
26	which reduces consumer foods	
	inspection activities.	
28	Harness Racing Commission	
30		
	All Other	(65,510)
32		
	Provides for the deappropriation of	
34	funds through the reduction of	
	contractual expenses for track	
36	judges and the number of fluid	
	samples tested.	
38	Marketing Services - Agriculture	
40		
	Positions - Legislative Count	(-2.0)
42	Personal Services	(33,075)
	All Other	(40,000)
44		
	TOTAL	<hr/> (73,075)
46		
	Provides for the deappropriation of	
48	funds through the elimination of	
	one Egg and Poultry Processing	
50	Inspector position, one Master	
	Carpenter position, contractual	

2 expenses and general operating
 2 expenses associated with the
 4 elimination of the Trademark
 4 Program.

6 **Marketing Services - Agriculture**

8 Positions - Legislative Count (-1.0)
 8 Personal Services (14,500)

10
 12 Provides for the deappropriation of
 12 funds from the elimination of a
 14 part-time Clerk Typist II position
 14 that supports the Shipping Point
 16 Inspection and Branding Law
 16 Programs.

18 **Marketing Services - Agriculture**

20 Personal Services 60,350

22 Provides for the appropriation of
 24 funds to correct a double
 24 deappropriation in Public Law 1991,
 26 chapter 591, Parts B and JJJ.

28 **Marketing Services - Agriculture**

30 All Other 79,000

32 Provides for the appropriation of
 32 funds to correct an error in Public
 34 Law 1991, chapter 591, Part B, which
 34 deappropriated funds from the Maine
 36 Bag Program subsidy.

38 **Potato Quality Control**

40 All Other (20,000)

42 Provides for the deappropriation of
 42 funds through the reduction in
 44 grants to public organizations.

46 **Potato Quality Control - Reducing
 Inspection Costs**

48 All Other (79,000)

50 Provides for the deappropriation of

2	funds to correct an error in Public	
4	Law 1991, chapter 591, Part B, which	
6	deappropriated funds from the Maine	
8	Bag Program subsidy. Funds for the	
	Maine Bag Program are available for	
	the purpose of reducing inspection	
	costs on all Maine bags.	
10	DEPARTMENT OF AGRICULTURE, FOOD AND	
12	RURAL RESOURCES	
14	TOTAL	<hr style="width: 100%; border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> (355,334)
16	ARTS COMMISSION, MAINE	
18	Arts - Administration	
20	All Other	(3,673)
22	Provides for the deappropriation of	
24	funds through the reduction of	
26	travel expenses for 2 staff	
28	members.	
30	Arts - Sponsored Program	
32	All Other	(52,172)
34	Provides for the deappropriation of	
36	funds through the reduction of	
38	travel, general operating expenses,	
40	technical assistance grants and the	
42	elimination of 4 exhibitions.	
44	MAINE ARTS COMMISSION	
46	TOTAL	<hr style="width: 100%; border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> (55,845)
48	ATLANTIC STATES MARINE FISHERIES	
50	COMMISSION	
	Atlantic States Marine Fisheries	
	Commission	
	All Other	(2,001)
	Provides for the deappropriation of	
	funds through the reduction of the	
	commissioner's travel expenses.	

2	ATLANTIC STATES MARINE FISHERIES	
	COMMISSION	
4	TOTAL	<u>(2,001)</u>
6	 ATTORNEY GENERAL, DEPARTMENT OF THE	
8	 Administration - Attorney General	
10	Positions - Legislative Count	(-10.0)
12	Personal Services	(274,326)
	All Other	(19,000)
14	 TOTAL	 <u>(293,326)</u>
16	 Provides for the deappropriation of	
18	funds through the elimination of	
	the following positions: one	
20	Special Investigator position,	
	2 Senior Legal Secretary positions	
22	and 7 Assistant Attorney General	
	positions.	
24	 Chief Medical Examiner - Office Of	
26	All Other	(47,784)
28	 Provides for the deappropriation of	
30	funds through the reduction of the	
	cost of nonstate professional	
32	services and general operating	
	expenses.	
34	 District Attorneys Salaries	
36	Personal Services	(182,578)
38	 Provides for the deappropriation of	
40	funds through the elimination of 7	
	Assistant District Attorney	
42	positions or the corresponding	
	required days without pay to be	
44	coordinated with the courts.	
46	 DEPARTMENT OF THE ATTORNEY GENERAL	
	TOTAL	 <u>(523,688)</u>
48		
50	AUDIT, DEPARTMENT OF	

2	Audit - Departmental Bureau	
4	Positions - Legislative Count	(-3.0)
	Personal Services	(67,054)
6	All Other	(13,819)
8	TOTAL	<hr/> (80,873)
10	Provides for the deappropriation of	
12	funds through the elimination of	
14	one vacant Auditor III position and	
16	2 vacant Auditor II positions, salary	
	savings from one vacant Auditor II	
	position and All Other savings	
	from reductions in rent expenses.	
18	DEPARTMENT OF AUDIT	
20	TOTAL	<hr/> (80,873)
22	CONSERVATION, DEPARTMENT OF	
24	Administration - Forestry	
26	Personal Services	(8,614)
	All Other	(4,249)
28	TOTAL	<hr/> (12,863)
30	Provides for the deappropriation of	
32	funds through salary savings and	
34	All Other allotment reserves.	
36	Forest Fire Control - Division of	
38	Personal Services	(674,083)
40	Provides for the deappropriation of	
42	funds through the freezing of 2	
44	Forest Ranger IV positions and one	
46	Forest Ranger III position for the	
48	balance of this fiscal year,	
50	salary savings from holding 7	
	Forest Ranger II positions vacant	
	during the 2nd quarter and	
	reductions that will be reimbursed	
	from the Department of Inland	
	Fisheries and Wildlife for fire	
	protection of wildlife habitat.	

2	Forest Fire Control - Division of	
4	All Other	681,000
6	Provides for outstanding Forest Fire Fighting Activities.	
8		
10	Forest Management, Utilization and Marketing	
12	Positions - Legislative Count	(-4.0)
	Personal Services	(97,305)
14	All Other	(19,351)
16	TOTAL	<hr/> (116,656)
18	Provides for the deappropriation of funds through the transfer of one 20 vacant Forester I position to federal funds in the Forest 22 Management, Utilization and Marketing Program, the elimination 24 of 3 vacant Clerk Typist II positions, salary savings, All 26 Other allotment reserves and reduced operating cost.	
28		
30	Insect and Disease Management	
32	All Other	(2,000)
34	Provides for the deappropriation of funds for operation of state vehicles in the Insect and Disease 36 Management Program.	
38	Land Use Regulation Commission	
40	Positions - Legislative Count	(-2.0)
	Personal Services	(56,576)
42	All Other	(35,587)
	Capital Expenditures	(7,997)
44	TOTAL	<hr/> (100,160)
46		
48	Provides for the deappropriation of funds through the elimination of 2 Environmental Specialist II 50 positions, salary savings,	

2	operational costs and computer, recording and mapping equipment.	
4	Maine Rivers Protection Fund Program	
6	Positions - Legislative Count	(-0.5)
	Personal Services	(10,948)
8	All Other	(104)
10	TOTAL	<hr/> (11,052)
12	Provides for the deappropriation of	
14	funds through the transfer of 1/2	
16	of a split-funded Recreational	
18	Planner position to the Boating	
	Facilities Program, Other Special	
	Revenue Fund.	
	Parks - General Operations	
20	Positions - Legislative Count	(-1.0)
22	Positions - Other Count	(-1.0)
	Personal Services	(165,322)
24	All Other	(11,626)
	Capital Expenditures	(12,000)
26	TOTAL	<hr/> (188,948)
28	Provides for the deappropriation of	
30	funds through the elimination of	
32	2 26-week seasonal Park Ranger	
34	positions and one Park Manager II	
	position, freezing one Maintenance	
36	Mechanic position, one Assistant	
	State Park Regional Supervisor	
38	position and one Allagash Park Ranger	
	position during the 3rd quarter and	
40	reduced operational costs and	
	maintenance of boat sites within	
	state parks.	
42	Policy Planning and Information	
44	Positions - Legislative Count	(-1.0)
	Personal Services	(28,206)
46	All Other	(10,192)
48	TOTAL	<hr/> (38,398)
50	Provides for the deappropriation of	

2 funds through the elimination of
 3 one Natural Science Educator
 4 position, salary savings, All Other
 5 allotment reserves and reductions
 6 in travel, supplies and general
 7 operating expenses.

8 **DEPARTMENT OF CONSERVATION**
 9 **TOTAL** (463,160)

10

11 **CORRECTIONS, DEPARTMENT OF**
 12 **Administration - Corrections**

13

14 **All Other** (26,500)

15 Provides for the deappropriation of
 16 funds from the reduction of
 17 training funds, travel and
 18 supplies.

19

20 **Charleston Correctional Facility**

21

22 **Personal Services** (8,949)

23 Provides for the deappropriation of
 24 funds through keeping one
 25 Vocational Trades Instructor
 26 position vacant until March 31,
 27 1992.

28

29 **Correctional Services**

30

31 **All Other** (342,455)

32 Provides for the deappropriation of
 33 funds from the termination of
 34 community contracts.

35

36 **Correctional Center**

37

38 **Personal Services** (100,000)

39 Provides for the deappropriation of
 40 funds from salary savings.

41

42 **Correctional Center**

43

44 **Positions - Legislative Count** (-2.0)

2	Personal Services	(29,375)
4	Provides for the deappropriation of funds from the elimination of one vacant Correctional Officer II position and one vacant Correctional Training Officer position.	
10	Probation and Parole	
12	Positions - Legislative Count	(-3.0)
14	Personal Services	(43,656)
14	All Other	(10,000)
16	Capital Expenditures	(6,750)
16	TOTAL	<hr/> (60,406)
18	Provides for the deappropriation of funds from the elimination of 3 vacant Probation and Parole Officer positions and the reduction of training funds and capital purchases.	
26	State Prison	
28	Personal Services	(307,034)
30	All Other	(101,748)
30	TOTAL	<hr/> (408,782)
32	Provides for the deappropriation of funds from the delayed hiring and opening of the new Bolduc minimum security unit.	
38	State Prison	
40	Positions - Legislative Count	(-0.5)
42	Personal Services	(34,695)
44	Provides for the deappropriation of funds through salary savings and the elimination of 1/2 of a vacant job-share Clerk Typist II position.	
48		
50	Warren Correctional Facility	

2	Personal Services	(367,824)
	All Other	(82,913)
4	Capital Expenditures	(20,000)
6	TOTAL	<hr/> (470,737)
8	Provides for the deappropriation of	
10	funds from the delayed hiring and	
	opening of the new maximum security	
	facility in Warren.	
12	Youth Center - Maine	
14	Positions - Legislative Count	(-3.0)
	Personal Services	(54,394)
16	All Other	(9,787)
18	TOTAL	<hr/> (64,181)
20	Provides for the deappropriation of	
22	funds from the elimination of one	
24	vacant Teacher Manual Training	
	position, one Nurse II position	
	and one Psychologist II position.	
26	Youth Center - Maine	
28	Positions - Legislative Count	(-6.0)
30	Personal Services	(90,025)
32	Provides for the deappropriation of	
34	funds through the elimination of	
	the following positions: one	
36	Guidance Counselor position, one	
	Vocational Trades Instructor position,	
38	2 Correctional Caseworker positions and	
	2 Teacher positions.	
40	DEPARTMENT OF CORRECTIONS	
	TOTAL	<hr/> (1,636,105)
42	DEFENSE AND VETERANS' SERVICES,	
44	DEPARTMENT OF	
46	Administration - Maine Emergency	
48	Management Agency	
50	Positions - Legislative Count	(-1.0)
	Personal Services	(13,600)

2	Provides for the deappropriation of	
4	funds through the elimination of	
6	one Communications Technician	
	position (funded 50% General Fund	
	and 50% Federal Fund).	
8	Dam Safety Program	
10	All Other	(13,894)
12	Provides for the deappropriation of	
14	funds through the reduction of	
16	operating expenses used to support	
	emergency dam inspection.	
	Military Training and Operations	
18	Positions - Legislative Count	(-15.0)
20	Personal Services	(149,890)
22	All Other	(53,000)
24	TOTAL	<hr/> (202,890)
26	Provides for the deappropriation of	
28	funds through the elimination of	
30	one Word Processing Operator position,	
32	one Oilburner Mechanic Foreman position	
	and 13 Building Custodian positions	
	and the reduction in professional	
	services, travel and office supplies.	
	Veterans Services	
34	Positions - Legislative Count	(-3.0)
36	Personal Services	(52,880)
38	All Other	(8,000)
40	TOTAL	<hr/> (60,880)
42	Provides for the deappropriation of	
44	funds through the elimination of 2	
46	Clerk Stenographer positions and one	
48	Veterans Counselor position at Togus,	
	leaving vacant one Clerk Typist III	
	position and the reduction in	
	travel expenses.	
50	Veterans Services	

2	Positions - Legislative Count	(-1.0)
	Personal Services	(23,000)
4	Provides for the deappropriation of	
6	funds from the layoff of the Director	
	of Veterans Services.	
8	Commission on Vietnam and Atomic	
	Veterans	
10	Positions - Legislative Count	(-2.0)
12	Personal Services	(29,445)
	All Other	(9,585)
14		
	TOTAL	<hr/> (39,030)
16		
18	Provides for the deappropriation of	
20	funds through the elimination of	
22	one Clerk Stenographer II position,	
	one Veterans Counselor position and	
	All Other funds associated with the	
	termination of the program.	
24	DEPARTMENT OF DEFENSE AND VETERANS'	
	SERVICES	
26	TOTAL	<hr/> (353,294)
28		
	DEVELOPMENT FOUNDATION, MAINE	
30		
	Development Foundation	
32		
	All Other	(10,269)
34		
36	Provides for the deappropriation of	
38	funds through the elimination of a	
	1/2-time, nonstate, support staff	
	position.	
40	Development Foundation	
42	All Other	(10,269)
44	Provides for the deappropriation of	
46	funds through reductions in grants	
	to public and private	
	organizations.	
48		
50	MAINE DEVELOPMENT FOUNDATION	
	TOTAL	<hr/> (20,538)

2		
4	ECONOMIC AND COMMUNITY DEVELOPMENT,	
	DEPARTMENT OF	
6	Administration - Economic and	
	Community Development	
8		
	All Other	(15,000)
10		
12	Provides for the deappropriation of	
14	funds through the reduction of	
	travel, rent, general operating	
16	expenses, supplies and capital	
	items.	
	Business Development	
18		
	All Other	(15,000)
20		
22	Provides for the deappropriation of	
	funds through reductions in general	
24	operating expenses.	
	Office of Community Development	
26		
	All Other	(5,000)
28		
30	Provides for the deappropriation of	
32	funds through the reduction in	
	general operating expenses.	
	Comprehensive Land Use Planning	
34		
	Positions - Legislative Count	(-16.0)
36	Personal Services	(150,559)
	All Other	(1,782,783)
38		
	TOTAL	<u>(1,933,342)</u>
40		
42	Provides for the deappropriation of	
	funds through the elimination of 6	
44	Planner II positions, 3 Senior	
	Planner positions, one Supervisor	
46	of Outdoor Recreation position, one	
	Development Program Manager	
48	position, one Deputy Commissioner	
	of Comprehensive Planning position,	
50	one Clerk Typist III position and one	
	Planning and Research Associate I	

2 position, the transfer of one
3 1/2-time Planner II position and
4 one 1/2-time Planning and Research
5 Associate II position to the Other
6 Special Revenue account, the
7 transfer of one Senior Planner
8 position to the federal account
9 and reductions in general operating
10 expenses and grants to cities and
11 towns.

12 **Legal Defense Fund**

14 All Other (76,658)

16 Provides for the deappropriation of
17 funds through the elimination of
18 the balance of the Legal Defense
19 Fund.

20

21 **Maine Small Business Commission**

22 All Other (100,000)

24

26 Provides for the deappropriation of
27 funds through disencumbering a
28 contract with the University of
29 Southern Maine's Small Business
30 Development Center.

30

31 **Office of Tourism**

32 All Other (25,000)

34

36 Provides for the deappropriation of
37 funds through the reduction in
38 operating expenses used to conduct
39 a study on the effectiveness of
40 tourism efforts.

40

41 **DEPARTMENT OF ECONOMIC AND COMMUNITY
42 DEVELOPMENT
43 TOTAL**

(2,170,000)

44

45 **EDUCATION, STATE BOARD OF**

46 **State Board of Education**

47 All Other (7,644)

50

2	Provides for the deappropriation of	
4	funds through the reduction of	
6	publication costs for information	
8	regarding parent and community	
	volunteer programs and research	
	costs on effective programs.	
	STATE BOARD OF EDUCATION	
10	TOTAL	<u>(7,644)</u>
12		
	EDUCATION, DEPARTMENT OF	
14		
	Administration - Education	
16		
	All Other	(4,000)
18		
	Provides for the deappropriation of	
20	funds through a reduction in grants	
	for alternative education projects.	
22		
	Administrative Services - Education	
24		
	Positions - Legislative Count	(-1.0)
26	Personal Services	(23,791)
28		
	Provides for the deappropriation of	
30	funds through the elimination of	
	one Administrative Secretary	
32	position.	
	Adult Education	
34		
	All Other	(9,500)
36		
	Provides for a deappropriation of	
38	funds through a 10% reduction in	
	grants to Literacy Volunteers of	
40	America.	
42		
	Adult Education	
44		
	All Other	(17,000)
46		
	Provides for the deappropriation of	
48	funds through savings by deferring	
	the review of laws and regulations	
50	and the development of a	
	comprehensive data base system of	

the Adult Education Program.

2

Alcohol and Drug Education Services

4

Positions - Legislative Count (-1.0)

6

Personal Services (20,588)

All Other (100,000)

8

TOTAL (120,588)

10

12 Provides for the deappropriation of
12 funds through the reduction of
14 \$50,000 in grants to the regional
14 councils and \$50,000 for training,
16 travel, contracts, honoraria and
16 other grants and the elimination
18 of one Education Specialist III
18 position.

20

Alcohol and Drug Education Services

22

Positions - Legislative Count (-2.0)

Personal Services (17,413)

24

All Other (79,000)

26

TOTAL (96,413)

28

28 Provides for the deappropriation of
30 funds through the elimination of
30 2 alcohol and drug education
32 regional offices including the
32 elimination of 2 Education
34 Specialist II positions and
34 associated support costs.

36

Assessment of Student Performance

38

All Other (267,732)

40

40 Provides for the deappropriation of
42 funds through saving the portion of
42 the current assessment contract
44 estimated to be due and payable in
44 the next fiscal year.

46

Assessment of Student Performance

48

Positions - Legislative Count (-5.0)

Personal Services (92,300)

50

All Other (16,175)

2	TOTAL	(108,475)
4	Provides for the deappropriation of	
6	funds through the elimination of the	
8	Division of Assessment, including the	
10	elimination of one Director	
12	position, 2 Education Specialist	
	III positions, one Clerk	
	Stenographer III position, one	
	Clerk Stenographer II position and	
	associated support costs.	
14	Block Grants to Municipalities	
16	All Other	(1,751,660)
18	Provides for the deappropriation of	
20	funds through the rescinding of the	
22	certification block grant funding	
	for school administrative units.	
24	Certification, Placement and Teacher	
	Education	
26	Positions - Legislative Count	(-1.0)
	Personal Services	(47,694)
28	Provides for the deappropriation of	
30	funds through the elimination of	
32	one Education Specialist II	
	position.	
34	School-based Child Care	
36	All Other	(79,000)
38	Provides for the deappropriation of	
40	funds through savings in the	
	School-based Child Care Program.	
42	Curriculum - Education	
44	Positions - Legislative Count	(-1.0)
	Personal Services	(45,153)
46	Provides for deappropriation of	
48	funds through the elimination of	
50	one Education Specialist II	
	position.	

2	Curriculum - Education	
4	Positions - Legislative Count	(-1.0)
	Personal Services	(4,589)
6		
8	Provides for the deappropriation of	
	funds through savings resulting	
10	from the elimination of one Clerk	
	Stenographer III position.	
12	Curriculum - Education	
14	Positions - Legislative Count	(-1.0)
	Personal Services	(27,271)
16		
18	Provides for deappropriation of	
	funds through the elimination of	
20	one Education Specialist II	
	position.	
22	Curriculum - Education	
24	Positions - Legislative Count	(-1.0)
	Personal Services	(12,980)
26		
28	Provides for the deappropriation of	
	funds through savings resulting	
30	from the elimination of one	
	Education Specialist III position.	
32	Curriculum - Education	
34	Positions - Legislative Count	(-2.0)
	Personal Services	(18,577)
36	All Other	(6,000)
38	TOTAL	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> (24,577)
40	Provides for the deappropriation of	
	funds through the elimination of 2	
42	Education Specialist II positions	
	and support costs associated with	
44	those positions.	
46	Curriculum - Education	
48	All Other	(10,000)
50	Provides for the deappropriation of	

2 funds through a reduction in
 2 out-of-state travel relating to
 2 positions proposed for elimination.

4

6 **Finance - Education**

6 Positions - Legislative Count (-1.0)

8 Personal Services (21,285)

10 Provides for the deappropriation of
 10 funds through the elimination of
 12 one Account Clerk I position in the
 12 Division of Finance.

14

16 **General Purpose Aid for Local Schools**

16 All Other (850,000)

18 Provides for the deappropriation of
 20 funds through a projected end-of-year
 20 balance.

22

24 **General Purpose Aid for Local Schools**

24 All Other (945,956)

26 Provides for the deappropriation of
 28 funds through the elimination of
 28 the partial subsidy payment for
 30 home-schooled students.

32

34 **General Purpose Aid for Local Schools**

34 All Other (75,000)

36 Provides for the deappropriation of
 36 funds through unexpended and
 38 unrequired school bus purchase
 38 subsidies.

40

42 **General Purpose Aid for Local Schools**

42 All Other (16,110,244)

44 Provides for the deappropriation of
 46 funds through the reduction of the
 46 fiscal year 1991-92 foundation and
 48 minimum education subsidy.

50

50 **Governor Baxter School for the Deaf**

2	Personal Services	(109,268)
4	Provides for the deappropriation of	
6	funds through leaving one Clerk	
8	Typist II position, one Clerk	
10	Stenographer III position, one	
12	Teacher of the Deaf position, one	
14	Laundry Washer position, one	
	1/2-time Secretary position and	
	one seasonal Watchperson position	
	vacant for the remainder of fiscal	
	year 1991-92.	
	Handicapped Children Services - Preschool	
16	All Other	(500,000)
18	Provides for the deappropriation of	
20	funds through a reduction in the	
22	administrative structure of Child	
	Development Services.	
24	Reimbursement for State Mandates	
26	All Other	(9,768)
28	Provides for the deappropriation of	
30	funds through savings in the School	
	Nutrition Breakfast Program.	
32	School Facilities Program - Local Schools	
34	Positions - Legislative Count	(-2.0)
	Personal Services	(17,080)
36	Provides for the deappropriation of	
38	funds through the elimination of 2	
40	Education Specialist I positions.	
	Special Education - Exceptional Children	
42	Personal Services	(37,322)
44	Provides for the deappropriation of	
46	funds through savings by leaving	
48	one Gifted and Talented Education	
	Specialist II position vacant for	
50	remainder of fiscal year 1991-92.	

2	Curriculum - Education	
4	Positions - Legislative Count	(-1.0)
	Personal Services	(8,997)
6	Provides for the deappropriation of	
8	funds from the elimination of an	
	Education Specialist II position.	
10	DEPARTMENT OF EDUCATION	
12	TOTAL	<hr/> (21,335,343)
14	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
16	Administration - Environmental Protection	
18	Positions - Legislative Count	(-5.0)
	Personal Services	(148,502)
20	All Other	(4,570)
22	TOTAL	<hr/> (153,072)
24	Provides for the deappropriation of	
26	funds through the elimination of	
28	one Regional Director position, one	
30	Clerk III position and one Clerk	
32	Typist II position and the transfer	
	of one Systems Group Manager to	
	Federal Funds and one Accountant II	
	position to Dedicated Funds and a	
	reduction in nonstate professional	
	services.	
34	Air Quality Control	
36	Positions - Legislative Count	(-1.0)
38	Personal Services	(26,664)
40	All Other	(12,342)
42	TOTAL	<hr/> (39,006)
44	Provides for the deappropriation of	
46	funds through the elimination of	
	one Senior Meteorologist position,	
	salary savings and general	
	operating expenses.	
48	Environmental Impact Studies	
50		

2	Positions - Legislative Count	(-1.0)
	Personal Services	(18,258)
	All Other	(489)
4		
	TOTAL	<hr/> (18,747)
6		
8	Provides for the deappropriation of	
	funds through the elimination of	
10	the Acid Rain Monitoring Program,	
	and the transfer of one	
12	Environmental Specialist II	
	position to the Air Quality Control	
14	Program, Federal Funds.	
	Lake Restoration and Protection Fund	
16		
	Positions - Legislative Count	(-1.0)
18	Personal Services	(28,644)
	All Other	(1,106)
20		
	TOTAL	<hr/> (29,750)
22		
24	Provides for the deappropriation of	
	funds through the elimination of	
26	one Assistant Engineer position and	
	staff support funds.	
28	Land Quality Control	
30		
	Positions - Legislative Count	(-2.0)
	Personal Services	(82,472)
32	All Other	(4,946)
34		
	TOTAL	<hr/> (87,418)
36		
38	Provides for the deappropriation of	
	funds through the elimination of	
40	one Clerk IV position and one	
	Environmental Specialist III	
42	position, salary savings and a	
	reduction in general operating	
	expenses.	
44	Oil and Hazardous Materials Control	
46		
	Personal Services	(5,403)
	All Other	(6,003)
48		
	TOTAL	<hr/> (11,406)
50		

2	Provides for the deappropriation of funds through salary savings and reductions in travel, analysis and other staff support expenditures.	
4		
6	Solid Waste Management	
8	Positions - Legislative Count	(-1.0)
	Personal Services	(28,307)
10	All Other	(1,355)
12	TOTAL	<hr/> (29,662)
14	Provides for the deappropriation of funds through the elimination of one Geologist position and reduced licensing, training and response activities.	
16		
18		
20	Water Pollution Control Training Program	
22	All Other	(27,500)
24	Provides for the deappropriation of funds through reduced support for the Water Pollution Control Training Program.	
26		
28		
30	Water Quality Control	
32	Positions - Legislative Count	(-2.0)
	Personal Services	(66,477)
	All Other	(7,076)
34	TOTAL	<hr/> (73,553)
36	Provides for the deappropriation of funds through the transfer of one Biologist II position to Other Special Revenue Funds and the transfer of one Division Director position to the Oil and Hazardous Materials Control Program, Federal Funds and All Other allotment reserves.	
38		
40		
42		
44		
46		
48	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
	TOTAL	<hr/> (470,114)
50		

2	ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL	
4	Governmental Ethics and Election Practices - Commission on	
6	Personal Services	(6,124)
8	All Other	(1,159)
10	TOTAL	<hr/> (7,283)
12	Provides for the deappropriation of	
14	funds through the reduction of one	
16	full-time Clerk Stenographer II	
18	position to 24-hours-per-week	
	status and reductions in Personal	
	Services allotment reserve and	
	out-of-state travel expenses.	
20	COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES	
22	TOTAL	<hr/> (7,283)
24	EXECUTIVE DEPARTMENT	
26	Administration - Executive - Governor's	
28	Office	
30	All Other	(15,705)
32	Provides for the deappropriation of	
34	funds through the elimination of	
36	the 4th quarter payment for the	
	New England Governor's Conference	
	dues.	
38	Administration - Community Services	
40	Positions - Legislative Count	(-2.0)
42	Personal Services	(45,636)
44	All Other	18,583
46	TOTAL	<hr/> (27,053)
48	Provides for the deappropriation of	
50	funds through the elimination of	
	the Deputy Director of the Division	
	of Community Services position and the	
	Assistant to the Director of the	

2 Division of Community Services
 4 position, the transfer of one
 6 Secretary position to the federal
 8 program and the transfer in of one
 10 Program Operations Manager position
 12 from the Low-Income Home Energy
 14 Assistance Program. All Other
 16 funds are necessary to cover
 18 operating expenses and to compensate
 20 for administrative funds lost due to
 22 the transfer of the Low-Income Home
 24 Energy Assistance Program to the Maine
 26 State Housing Authority.

14 **Blaine House**

16	Personal Services	(15,000)
18	All Other	(3,000)
20	TOTAL	<hr/> (18,000)

22 Provides for the deappropriation of
 24 funds through savings from
 26 temporary vacancies and less hours
 worked for intermittent employees.

26 **Office of Child Welfare
 28 Services Ombudsman**

30	Personal Services	(5,307)
----	-------------------	---------

32 Provides for the deappropriation of
 34 funds through salary savings and
 36 reductions in insurance and
 retirement expenses.

36 **Driver Education and Evaluation
 38 Program - Substance Abuse**

40	Positions - Legislative Count	(-1.0)
	Personal Services	(29,723)

42 Provides for the deappropriation of
 44 funds through the elimination of
 46 one Alcohol Rehabilitation
 Counselor II position.

48 **Energy and Weatherization**

50	All Other	(327,519)
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2 Provides for the deappropriation of
4 funds through the reduction of
6 funds retained to pay for financial
liabilities associated with the
Penquis Weatherization Program.

8 **Federal-State Coordinator - Executive**

10 Personal Services (5,000)

12 Provides for the deappropriation of
14 funds through salary savings and
reduced retirement costs.

16 **Head Start**

18 Positions - Legislative Count (-1.0)

Personal Services (4,294)

20 All Other 4,294

22 TOTAL

 -0-

24 Provides for the deappropriation of
26 funds through the elimination of one
Accountant I position. All Other
28 funds are necessary to cover operating
expenses due to the transfer of the
30 Low-Income Home Energy Assistance
Program to the Maine State Housing
32 Authority.

34 **Maine Science and Technology
Commission**

36 Positions - Legislative Count (-1.0)

Personal Services (45,689)

38 All Other (354,311)

40 TOTAL

 (400,000)

42 Provides for the deappropriation of
44 funds through the elimination of
one Development Director position
46 and the reduction of operating
expenses and nonstate professional
services.

48 **Planning Office**

50

2	Positions - Legislative Count	(-2.0)
	Personal Services	(80,556)
	All Other	(10,137)
4		
	TOTAL	<hr/> (90,693)
6		
8	Provides for the deappropriation of	
	funds through the elimination of	
10	one Personnel Assistant position and	
	one Planner II position and the	
12	reduction in All Other related	
	expenses.	
14	Office of Substance Abuse	
16	All Other	(393,838)
	Capital Expenditures	(2,800)
18		
	TOTAL	<hr/> (396,638)
20		
22	Provides for the deappropriation of	
	funds through the closing of a	
24	residential rehabilitation program	
	for women and reduction in	
26	training, prevention and outpatient	
	services.	
28	Office of Volunteer Services	
30	Positions - Legislative Count	(-1.0)
	Personal Services	(19,254)
32	All Other	(3,468)
34		
	TOTAL	<hr/> (22,722)
36	Provides for the deappropriation of	
	funds through the elimination of	
38	the Office of Volunteer Services,	
	effective December 27, 1991.	
40		
42	State Planning Office - Water Resource	
	Management Board	
44	Personal Services	(7,755)
	All Other	(1,552)
46		
	TOTAL	<hr/> (9,307)
48		
50	Provides for the deappropriation of	
	funds unexpended at the termination	

of the Water Resources Program.

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EXECUTIVE DEPARTMENT

TOTAL

(1,347,667)

FINANCE, DEPARTMENT OF

Administration - Finance

Positions - Legislative Count	(-1.0)
Personal Services	(13,525)
All Other	(2,000)
TOTAL	<u>(15,525)</u>

Provides for the deappropriation of funds through the elimination of one Assistant to the Commissioner position effective April 1, 1992, salary savings and reductions in utilities and nonstate professional services.

Administrative Services - Finance

Positions - Legislative Count	(-1.0)
Personal Services	(15,544)
All Other	(3,900)
Capital Expenditures	(1,000)
TOTAL	<u>(20,444)</u>

Provides for the deappropriation of funds through the elimination of one vacant Account Clerk I position, salary savings, reductions in travel, utilities, and professional services and the elimination of all capital funds.

Accounts and Control - Bureau of

Positions - Legislative Count	(-1.0)
Personal Services	(41,697)
All Other	(13,707)
TOTAL	<u>(55,404)</u>

Provides for the deappropriation of

2 funds through the elimination of
one vacant Systems Group Manager
4 position, salary savings and a
reduction in data processing
6 expenses.

8 **State Contingency Account - Finance**

10 Personal Services (3,215,000)

12 Provides for the deappropriation of
14 funds resulting from collectively
bargained state employee health
16 insurance savings for fiscal year
1991-92. The Commissioner of Finance
18 shall report to the Joint Standing
Committee on Appropriations and Financial
20 Affairs no later than January 10, 1992
on the results of the collective
22 bargaining process conducted pursuant to
the Maine Revised Statutes, Title 26,
24 chapters 9-B and 14 as related to this
issue. These funds must be distributed
to achieve these savings only after specific
26 legislative approval.

28 **Executive Branch Departments and
Independent Agencies - Statewide**

30 All Other (50,000)

32 Provides for the deappropriation of
34 funds from the consolidation or
renegotiation of leases statewide.
Notwithstanding the Maine Revised
36 Statutes, Title 5, section 1585, the
State Budget Officer shall allocate
38 this amount among the executive branch
departments and independent agencies of
40 State Government. The State Budget
Officer and the Director of the Bureau
42 of Public Improvements shall report to
the Joint Standing Committee on
44 Appropriations and Financial Affairs
on the leases consolidated or renegotiated
46 and the savings accrued by the Department
of Finance by January 15, 1992.

48 **Tree Growth Tax Reimbursement**

50

2	All Other	(500,000)
4	Provides for the deappropriation of funds through the reduction of tree growth reimbursements to municipalities. Current law provides for prorating the entitlement as required by law if appropriation is inadequate to fund full obligation. Reimbursement will have to be delayed until all qualifying claims are submitted. Municipalities failing to meet required statutory assessment ratio or filing date will be disqualified from reimbursement as provided by law.	
18	Departmentwide	
20	All Other	(35,000)
22	Provides for the deappropriation of funds available due to the consolidation of the Department of Finance and the Department of Administration.	
26	DEPARTMENT OF FINANCE	
28	TOTAL	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> (3,891,373)
30	HEALTH CARE FINANCE COMMISSION, MAINE	
32	Maine Health Care Finance Commission	
34	Positions - Legislative Count	(-1.0)
36	Personal Services	(32,913)
38	Provides for the deappropriation of funds through the transfer of one Administrative Secretary position to the Maine Health Care Finance Commission Other Special Revenue account, effective July 1, 1991.	
44	Maine Health Care Finance Commission	
46	Positions - Legislative Count	(-3.0)
48	Personal Services	(188,501)
50	All Other	(9,463)

2	TOTAL	(197,964)
4	Provides for the deappropriation of	
6	funds through the transfer of one	
8	Executive Director position, one	
10	Deputy Director position and one Legal	
12	Secretary position to the Maine Health	
14	Care Finance Commission Other Special	
16	Revenue account, effective July 1, 1991.	
18	MAINE HEALTH CARE FINANCE COMMISSION	
20	TOTAL	<hr/> (230,877)
22	HEALTH POLICY ADVISORY COUNCIL, MAINE	
24	Maine Health Policy Advisory Council	
26	Positions - Legislative Count	(-0.5)
28	Personal Services	(9,554)
30	All Other	64
32	TOTAL	<hr/> (9,490)
34	Provides for the deappropriation of	
36	funds through the reduction of one	
38	full-time Comprehensive Health	
40	Planner II position to part-time	
42	status and an increased	
44	appropriation of funds to cover	
46	additional costs due to loss of	
48	staff.	
50	Maine Health Policy Advisory Council	
52	Positions - Legislative Count	(-2.5)
54	Personal Services	(16,004)
56	All Other	(2,472)
58	TOTAL	<hr/> (18,476)
60	Provides for the deappropriation of	
62	funds through the elimination of	
64	the Maine Health Policy Advisory	
66	Council, including one Executive	
68	Director position, one 1/2-time	
70	Comprehensive Health Planner II	
72	position, one Clerk Typist III	
74	position and associated support	
76	costs, effective January 1, 1992.	

2	MAINE HEALTH POLICY ADVISORY COUNCIL	
	TOTAL	<u>(27,966)</u>
4		
6	HIGH-RISK INSURANCE ORGANIZATION, MAINE	
8	Maine High-Risk Insurance Organization	
10	All Other	(4,416)
12	Provides for the deappropriation of	
14	funds through the reduction of	
	premium subsidies to eligible	
	enrollees.	
16	Maine High-Risk Insurance Organization	
18	All Other	1,026,655
20	Provides for the appropriation of	
22	funds for the Maine High-risk	
	Insurance Organization assessment.	
24	MAINE HIGH-RISK INSURANCE ORGANIZATION	
26	TOTAL	<u>1,022,239</u>
28		
30	HISTORIC PRESERVATION COMMISSION, MAINE	
32	Maine Historic Preservation Commission	
34	All Other	(28,824)
36	Provides for the deappropriation of	
	funds through the reduction for the	
	Maine Historic Resources Survey	
38	Program.	
40	Maine Historic Preservation Commission	
42	Positions - Legislative Count	(-1.0)
	Personal Services	(7,500)
44	Provides for the deappropriation of	
46	funds through the layoff of one Clerk	
	Typist I position, effective January	
48	1, 1992 as a result of restructuring	
	within the cultural agencies.	
50		

2	MAINE HISTORIC PRESERVATION COMMISSION	
	TOTAL	<u>(36,324)</u>
4	HUMAN DEVELOPMENT COMMISSION, MAINE	
6	Maine Human Development Commission	
8	All Other	(1,608)
10	Provides for the deappropriation of	
12	funds through the reduction of	
14	general operating expenses for	
	advocacy services.	
16	Maine Human Development Commission	
18	All Other	(4,333)
20	Provides for the deappropriation of	
22	funds through the elimination of	
24	the Maine Human Development Commission,	
	effective January 1, 1992.	
26	MAINE HUMAN DEVELOPMENT COMMISSION	
	TOTAL	<u>(5,941)</u>
28	HUMAN RIGHTS COMMISSION, MAINE	
30	Maine Human Rights Commission - Regulation	
32	All Other	(22,000)
34	Provides for the deappropriation of	
36	funds through reductions in general	
	operating costs.	
38	MAINE HUMAN RIGHTS COMMISSION	
40	TOTAL	<u>(22,000)</u>
42	HUMAN SERVICES, DEPARTMENT OF	
44	Administration - Regional -	
46	Human Services	
48	All Other	(340,000)
50	Provides for the deappropriation of	

2 funds through a freeze on some
 2 leased-space rents and through
 4 reduction in general operating costs.

6 **Aid to Families with Dependent
 Children**

8 All Other (227,870)

10 Provides for the deappropriation of
 12 funds through the reduction of the
 standard of need by 3.5%.

14 **Birthline**

16 All Other (25,000)

18 Provides for the deappropriation of
 20 funds.

22 **Blind and Visually Impaired - Division
 for the**

24 Positions - Legislative Count (-1.0)
 26 Personal Services (7,093)

28 Provides for the deappropriation of
 30 funds through the elimination of
 one Clerk Typist II position.

32 **Child Care Services**

34 All Other (83,700)

36 Provides for the deappropriation of
 38 funds through the reduction in
 40 funding for child care resource
 42 development centers and the
 44 elimination of \$12,500 for child
 care training. The department
 shall use federal block grant
 funds to maintain the 10 current
 resource development centers.

46 **Congregate Housing**

48 All Other (80,000)

50 Provides for the deappropriation of
 funds through reductions in

2	supportive services to residents of elderly subsidized housing.	
4	Elder and Adult Services - Bureau of	
6	Positions - Legislative Count	(-4.5)
	Personal Services	(82,837)
8	All Other	(86,000)
10	TOTAL	<hr/> (168,837)
12	Provides for the deappropriation of funds through reductions in	
14	purchased supportive services and the elimination of 2 1/2-time	
16	Clerk Typist II positions, 3 full-time Caseworker Aide positions	
18	and one 1/2-time Caseworker Aide position authorized in Public Law	
20	1991, chapter 591.	
22	Low-Cost Drugs To Maine's Elderly	
24	All Other	(250,000)
26	Provides for the deappropriation of funds through raising the copayment	
28	and eliminating the cap on copayments in the Elderly Low-cost	
30	Drug Program.	
32	General Assistance - Reimbursement to Cities and Towns	
34	All Other	(134,000)
36	Provides for the deappropriation of funds through the reduction of the	
38	maximum limit of aid per family in the Family Crisis Assistance	
40	Program. Also reduces the maximums in the Emergency Assistance Program	
42	for utilities, eviction-related expenses and the total expenses.	
44		
46	Aid to Families with Dependent Children	
48	All Other	(1,000,000)
50		

2 Provides for the deappropriation of
3 funds through savings as a result
4 of the extension of unemployment
5 benefits and from the delay in
6 implementing the housing special
7 need payment. The amount of General
8 Funds appropriated for the housing
9 special need payment for fiscal year
10 1991-92 is \$1,100,000.

10

11 **General Assistance - Reimbursement to**
12 **Cities and Towns**

13 All Other 1,000,000

14 Provides for the appropriation of
15 funds to cover increased General
16 Assistance expenditures.

17 **Health Care Benefits for Uninsured**
18 **Individuals**

19 All Other (28,046)

20

21 Provides for the deappropriation of
22 funds through the elimination of
23 funding for the Select Commission
24 on Access to Health Care.

25 **Health - Bureau of**

26 Positions - Legislative Count (-3.0)

27 Personal Services (39,685)

28 All Other (515,000)

29 TOTAL (554,685)

30 Provides for the deappropriation of
31 funds through the elimination of
32 one Word Processing Operator
33 position and one Chemist III position,
34 the transfer of one Sanitarian II
35 position to Federal Block Grant funds
36 and the elimination of Community Health
37 program grants and reductions in
38 health programs.

39 **Maine Health Program**

40 All Other (3,247,075)

2	Provides for the deappropriation of	
4	funds through the restructuring of	
	the Maine Health Program differential	
6	from 20% to 60%.	
	Income Maintenance - Regional	
8		
	Positions - Legislative Count	(-7.5)
10	Personal Services	(177,037)
	All Other	(22,963)
12		
	TOTAL	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> (200,000)
14		
	Provides for the deappropriation of	
16	funds through the elimination of	
	7 full-time and one part-time Human	
18	Service Aide III positions.	
	Long Term Care - Human Services	
20		
	All Other	(250,000)
22		
	Provides for the deappropriation of	
24	funds through reductions in grants	
26	to community agencies providing	
	in-home services for elderly,	
28	disabled and dependent adults.	
	Medical Care - Payments to Providers	
30		
	All Other	(450,000)
32		
	Provides for the deappropriation of	
34	funds through the reduction of	
36	physician reimbursements by 10%.	
	Medical Care - Payments to Providers	
38		
	All Other	(17,000)
40		
	Provides for the deappropriation of	
42	funds through reduced medical costs	
44	resulting from the reductions in	
	the Aid to Families with Dependent	
46	Children case load.	
	Medical Care - Payments to Providers	
48		
	All Other	(2,662,674)
50		

2 Provides for the deappropriation of
4 funds through a projected surplus
in the Medical Assistance Payment
Account.

6

Medical Care - Payments to Providers

8

All Other (334,492)

10

12 Provides for the deappropriation of
of establishing a copayment for
14 Medicaid ambulatory services,
psychologist and substance abuse
16 services.

18 **Medical Care - Payments to Providers**

20 All Other (1,026,655)

22 Provides for the deappropriation of
funds to correct Public Law 1991,
24 chapter 591, Part Q.

26 **Medical Care - Payments to Providers**

28 All Other (5,000)

30 Provides for the deappropriation of
funds through the reduction of
32 chiropractic services reimbursement
by 10% in the Medicaid Program.

34

Purchased Social Services

36

All Other (300,000)

38

40 Provides for the deappropriation of
funds through the reduction of
purchased social services that are
42 delivered by community agencies, except
for transportation for the elderly.

44

Purchased Social Services

46

All Other (205,323)

48

50 Provides for the deappropriation of
funds through reductions in child

care programs.

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Rehabilitation - Bureau of

Positions - Legislative Count	(-1.0)
Personal Services	(7,885)
All Other	(75,000)
TOTAL	<hr/> (82,885)

Provides for the deappropriation of funds through the elimination of funding for 6 speech and hearing centers, reductions in the Extended Support for Persons with Head Injuries Program and the elimination of one Clerk Stenographer III position.

Rehabilitation - Vocational Rehabilitation - Bureau of

All Other	(303,000)
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Provides for the deappropriation of funds through the reduction of case service funds in the vocational rehabilitation program.

State Supplement to Federal Supplemental Security Income

All Other	(242,200)
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Provides for the deappropriation of funds through reductions in payments to adult foster homes and through the elimination of operating funds for 16 boarding home beds in Sanford.

Welfare Employment, Education and Training

All Other	(125,000)
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Provides for the deappropriation of funds through the reduction in support services to food stamp recipients in the ASPIRE program and by not enrolling 100 new

2	clients into the program.	
4	Intermediate Care - Payments to Providers	
6	All Other	(350,000)
8	Provides for the deappropriation of funds in the amount of projected recoveries from cost reports.	
12	Medical Care Administration	
14	All Other	(8,000)
16	Provides for the deappropriation of funds from the elimination of funds to contract for staff support for the Special Select Commission on Access to Health Care.	
22	DEPARTMENT OF HUMAN SERVICES	
24	TOTAL	<hr/> (11,708,535)
26	DEPARTMENT OF INLAND FISHERIES AND WILDLIFE	
28	Office of the Commissioner - Inland Fisheries and Wildlife	
30		
32	Personal Services	(111)
34	All Other	(91,224)
36	Capital Expenditures	(14,536)
38	TOTAL	<hr/> (105,871)
40	Provides for the deappropriation of funds through salary savings and the reduction in general operating expenses and capital for the purchase of a van.	
44	Administrative Services - Inland Fisheries and Wildlife	
46		
48	Personal Services	(24,672)
50	All Other	(61,621)
	Capital Expenditures	(31,612)

2	TOTAL	(117,905)
4	Provides for the deappropriation of funds through salary savings, the reduction in general operating expenses and capital for the purchase of one vehicle and	
6	computer equipment.	
8		
10	ATV Safety and Educational Program	
12	Personal Services	(117)
14	All Other	(6,516)
16	TOTAL	<hr/> (6,633)
18	Provides for the deappropriation of funds through salary savings and the reduction of general operating expenses.	
20		
22	Endangered Nongame Operations	
24	Personal Services	(917)
26	All Other	(2,042)
28	TOTAL	<hr/> (2,959)
30	Provides for the deappropriation of funds through salary savings and the reduction in general operating expenses.	
32		
34	Enforcement Operations - Inland Fisheries and Wildlife	
36	Positions - Legislative Count	(-4.0)
38	Personal Services	(275,205)
40	All Other	(177,911)
42	Capital Expenditures	(121,700)
44	TOTAL	<hr/> (574,816)
46	Provides for the deappropriation of funds through the elimination of 4 Game Warden positions, funding for 3 Game Warden positions without headcount and one intermittent Recreation Safety Coordinator position, salary savings and	
48		
50		

2 reductions in general operating
expenses and capital for the
4 purchase of 10 4x4 pickup trucks
and 2 outboard motors.

6 **Fisheries and Hatcheries Operations**

8	Personal Services	(891)
	All Other	(36,689)
10	Capital Expenditures	(47,014)
12	TOTAL	<hr/> (84,594)

14 Provides for the deappropriation of
16 funds through salary savings and
reduction of general operating
18 expenses and capital for the
purchase of one 2-ton truck,
20 small reservoir covers and other
miscellaneous equipment.

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

24	Positions - Legislative Count	(-1.0)
26	Personal Services	(40,428)
	All Other	(113,173)
28	Capital Expenditures	(5,680)
30	TOTAL	<hr/> (159,281)

32 Provides for the deappropriation of
34 funds through the elimination of
one Clerk Typist I position, salary
36 savings and reduction in general
operating expenses and capital for
38 the purchase of computer equipment.

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

42	Positions - Legislative Count	(-1.0)
	Personal Services	(26,337)
44	All Other	(98,353)
	Capital Expenditures	(23,251)
46	TOTAL	<hr/> (147,941)

48 Provides for the deappropriation of
50 funds through the elimination of

2 one vacant Biologist I position,
3 salary savings, reduction of general
4 operating expenses and the delay in
5 purchase of 2 vehicles and other
6 miscellaneous equipment.

7 **Resource Management Services - Inland**
8 **Fisheries and Wildlife**

10 All Other 519,000

12 Notwithstanding the Maine Revised
13 Statutes, Title 5, section 1585,
14 provides for the transfer of funds
15 in fiscal year 1991-92 to the Division
16 of Forest Fire Control in the Department
17 of Conservation to reimburse for the fire
18 protection of wildlife habitat. This
19 transfer is considered a "working
20 capital advance" and these funds must
21 be returned to the Department of Inland
22 Fisheries and Wildlife no later
23 June 30, 1993 from available General
24 Fund appropriations to the Department
25 of Conservation in fiscal year 1992-93.

26 **Departmentwide**

28 All Other 681,000

30 Provides funds that authorize
31 transfers to all department
32 accounts at the commissioner's
33 discretion to offset the
34 deappropriations in Part A.

36 **DEPARTMENT OF INLAND FISHERIES AND**
37 **WILDLIFE**
38 **TOTAL**

-0-

42 **JUDICIAL DEPARTMENT**

44 **State Court Library Committee**

46 All Other (23,000)

48 Provides for the deappropriation of
49 funds through eliminating state
50 stipends for certain state

2	libraries and changing the level of others.	
4	Courts - Supreme, Superior, District and Administrative	
6	Personal Services	(1,351,617)
8	All Other	(184,000)
10	TOTAL	<hr/> (1,535,617)
12	Provides for the deappropriation of funds from reducing all other 14 expenditures including maintenance 16 expenses, telephone expenses and 18 contractual clerical expenses, reducing contributions to judicial retirement and maintaining judicial vacancies.	
20	Courts - Supreme, Superior, District and 22 Administrative	
24	All Other	(26,000)
26	Provides for the deappropriation of funds from the Administrative Office 28 of the Courts operations.	
30	Indigent Defense	
32	All Other	(50,000)
34	Provides for the deappropriation of funds through the change in 36 criteria for indigent defense appointment and eliminating 38 mandatory jail terms on first offenses.	
40	JUDICIAL DEPARTMENT	
42	TOTAL	<hr/> (1,634,617)
44	LABOR, DEPARTMENT OF	
46	Administration - Bureau of Labor Standards	
48	Personal Services	(9,813)
50		

2	Provides for the deappropriation of funds through first quarter salary savings.	
4		
	Administration - Bureau of Labor Standards	
6	Personal Services	(23,133)
8		
10	Provides for the deappropriation of funds from salary savings.	
12	Displaced Homemakers Program	
14	All Other	(38,112)
16		
18	Provides for the deappropriation of funds through the reduction of employment and training activities of the Displaced Homemakers Program.	
20		
22	Displaced Homemakers Program	
24	All Other	(8,000)
26		
28	Provides for the deappropriation of funds from employment and training activities of the Displaced Homemakers Program.	
30		
	Job Training Partnership Program	
32	Personal Services	(1,379)
34	All Other	(50,638)
36	TOTAL	<hr/> (52,017)
38		
40	Provides for the deappropriation of funds through the reduction of employment and training activities of the Maine training initiative and health occupations training programs.	
42		
44		
	Labor Relations Board	
46	Personal Services	(24,406)
48	All Other	(15,569)
50	TOTAL	<hr/> (39,975)

2	Provides for the deappropriation of	
4	funds through the reduction in	
6	operating expenses for the Board,	
	the Panel of Mediators and the	
	State Board of Arbitration and	
	Conciliation.	
8		
	Labor Relations Board	
10	Personal Services	(3,000)
12		
14	Provides for the deappropriation of	
	funds from salary savings.	
16	Occupational Information Coordination	
18	Personal Services	(3,500)
	All Other	(11,300)
20		
	TOTAL	<hr/> (14,800)
22		
24	Provides for the deappropriation of	
	funds through the reduction of	
	career education and occupational	
	information activities.	
28	Occupational Information Coordination	
30	All Other	(6,504)
32		
34	Provides for the deappropriation of	
	funds from career education and	
	occupational information	
	activities.	
36		
	Regulation and Enforcement	
38	Personal Services	(5,989)
40		
42	Provides for the deappropriation of	
	funds through first quarter salary	
	savings.	
44		
	Regulation and Enforcement	
46	Personal Services	(9,363)
48	All Other	(6,500)
50	TOTAL	<hr/> (15,863)

2	Provides for the deappropriation of	
4	funds from salary savings and	
	reduced travel.	
6	STAR	
8	Personal Services	(24,158)
	All Other	(174,352)
10		
	TOTAL	<hr/> (198,510)
12		
14	Provides for the deappropriation of	
16	funds through reductions in	
	employment and training activities	
18	of the Strategic Training for	
	Accelerated Reemployment Program.	
20	STAR	
22	Personal Services	(13,658)
	All Other	(71,506)
24		
	TOTAL	<hr/> (85,164)
26		
28	Provides for the deappropriation of	
30	funds from salary savings and	
	employment and training activities	
	of the Strategic Training for	
	Accelerated Reemployment Program.	
32	DEPARTMENT OF LABOR	
	TOTAL	<hr/> (500,880)
34		
36	LEGISLATURE	
38	Legislature	
40	Personal Services	(319,895)
	All Other	(485,275)
42	Capital Expenditures	(112,700)
44		
	TOTAL	<hr/> (917,870)
46		
48	Provides for the deappropriation of	
	funds to meet target reductions.	
50	Commission on Interstate	
	Cooperation	

2	All Other	(15,678)
4	Provides for the deappropriation of funds to meet target reductions.	
6		
	Commission on Uniform State Laws	
8		
	All Other	(2,003)
10		
	Provides for the deappropriation of funds to meet target reductions.	
12		
14	Special Select Committee on Access to Health Care	
16		
	Personal Services	(1,502)
18	All Other	(3,789)
20	TOTAL	<hr/> (5,291)
22	Provides for the deappropriation of funds to meet target reductions.	
24		
	Commission to Advise the Department of Human Services on AIDS	
26		
28	All Other	(11,000)
30	Provides for the deappropriation of funds to meet target reductions.	
32		
	Study Commissions - Funding	
34		
	All Other	(90,000)
36		
	Provides for the deappropriation of funds to meet target reductions.	
38		
40	Maine-Canadian Legislative Advisory Office	
42		
	All Other	(900)
44		
	Provides for the deappropriation of funds to meet target reductions.	
46		
48	Law and Legislative Reference Library	
50		

2	All Other	(7,800)
	Capital Expenditures	(4,901)
4	TOTAL	<hr/> (12,701)
6	Provides for the deappropriation of	
	funds to meet target reductions.	
8		
	LEGISLATURE	
10	TOTAL	<hr/> (1,055,443)
12		
	LIBRARY, MAINE STATE	
14		
	Library Development Services	
16		
	All Other	(212,474)
18		
	Provides for the deappropriation of	
20	funds through the elimination of	
	state aid per capita to local	
22	public libraries.	
24	Library Development Services	
26	Positions - Legislative Count	(-2.0)
	Personal Services	(62,638)
28	All Other	(28,966)
30	TOTAL	<hr/> (91,604)
32	Provides for the deappropriation of	
	funds from the layoff of a Librarian	
34	Section Supervisor and the elimination	
	of a Librarian III position effective	
36	upon the approval of a pending	
	disability retirement, but not later than	
38	June 13, 1991, a reduction in general	
	operating expenses and a reduction in	
40	rental rights to the Interactive Television	
	Program.	
42		
	Reader and Information Services - Library	
44		
	Positions - Legislative Count	(-0.5)
46	Personal Services	(9,812)
48	Provides for the deappropriation of	
	funds through the elimination of	
50	one half-time vacant Word Processing	

Operator position effective January 1, 1992.

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Special Acquisition Fund - Library

All Other (10,000)

Provides for the deappropriation of funds from an available balance forward.

MAINE STATE LIBRARY

TOTAL (323,890)

MARINE RESOURCES, DEPARTMENT OF

Marine Development - Bureau of

Positions - Legislative Count (-6.0)
Personal Services (120,323)
All Other (49,406)

TOTAL (169,729)

Provides for the deappropriation of funds through the elimination of one Seafood Technologist position and the transfer of 2 Marine Resource Scientist I positions and 3 Marine Resource Scientist II positions to the Federal program in the Marine Sciences program and the reduction of costs associated with marketing and general operation.

Marine Patrol - Bureau of

Positions - Legislative Count (-1.0)
Personal Services (18,121)

Provides for the deappropriation of funds through the transfer of one Marine Patrol Specialist position to the Marine Patrol Program, Watercraft Fund.

Marine Sciences - Bureau of

Positions - Legislative Count (-5.0)
Personal Services (88,320)

2 Provides for the deappropriation of
4 funds through the elimination of
6 one Marine Resource Scientist I
8 position, one Marine Resource
10 Scientist III position, one Marine
12 Resource Specialist I position, one
14 Building Custodian position and
16 the transfer of one Marine Resource
18 Scientist I position to the Marine
20 Sciences Program, Federal Fund.

22 **DEPARTMENT OF MARINE RESOURCES**

24 **TOTAL** (276,170)

26 **MAINE MARITIME ACADEMY**

28 **Maritime Academy - Operations**

30 All Other (527,520)

32 Provides for the deappropriation of
34 funds, which will be offset through
36 short-term borrowing to be repaid
38 in fiscal year 1992-93 from the
40 June 1991 deferred payment.

42 **MAINE MARITIME ACADEMY**

44 **TOTAL** (527,520)

46 **MENTAL HEALTH, MAINE COMMISSION ON**

48 **Maine Commission on Mental Health**

50 Personal Services (2,907)

All Other (3,600)

TOTAL (6,507)

Provides for the deappropriation of
funds through salary savings,
reduction in travel and other
miscellaneous operating expenses
brought on by the consolidation of
the program.

Maine Commission on Mental Health

50

2	Positions - Legislative Count	(-1.0)
	Personal Services	(12,895)
	All Other	(4,370)
4		
	TOTAL	(17,265)
6		
8	Provides for the deappropriation of	
10	funds through the elimination of	
	one Executive Director position as	
	well as the entire Maine Commission	
12	on Mental Health program.	
14	MAINE COMMISSION ON MENTAL HEALTH	
	TOTAL	(23,772)
16		
18	MENTAL HEALTH AND MENTAL RETARDATION,	
	DEPARTMENT OF	
20	Administration - Mental Health and	
	Mental Retardation	
22		
	All Other	(80,000)
24	Capital Expenditures	(100,000)
26	TOTAL	(180,000)
28		
30	Provides for the deappropriation of	
	funds through the reduction of	
32	supplies and capital equipment	
	designated to implement a program	
	to track activities as mandated by	
34	the consent decree.	
36	Administration - Mental Health and	
	Mental Retardation	
38	Positions - Legislative Count	(-4.0)
	Personal Services	(111,591)
40		
42	Provides for the deappropriation of	
	funds through the elimination of	
44	one Clerk Typist III position, one	
	Director of Food and Nutrition	
46	Services position, one Legal	
	Services Consultant position and	
48	one Director of Management	
	Information Services position.	
50	Augusta Mental Health Institute	

2	Positions - Legislative Count	(-17.5)
	Personal Services	(118,773)
4	All Other	(19,991)
6	TOTAL	<hr/> (138,764)
8	Provides for the deappropriation of	
	funds through the elimination of 9	
10	Mental Health Worker II positions,	
	2 Licensed Practical Nurse	
12	positions, 2 Psychological Social	
	Worker II positions, 2 Mental	
14	Health Worker I positions, one Mental	
	Health Worker IV position, one	
16	Physician Assistant position and one	
	1/2-time Licensed Practical Nurse	
18	position, and the reduction in	
	supplies, utilities and nonstate	
20	professional services.	
22	Augusta Mental Health Institute	
24	Positions - Legislative Count	(-7.5)
	Personal Services	(217,374)
26		
	Provides for the deappropriation of	
28	funds through the elimination of 2	
	Clerk Typist II positions, one Lab	
30	Technician II position, one	
	Occupational Therapy Assistant	
32	position, one Rehabilitation	
	Assistant position, one 1/2-time	
34	Teacher position, one Psychologist	
	IV position and one Supervisor of	
36	Grounds and Transportation	
	position.	
38		
	Augusta Mental Health Institute	
40		
	Personal Services	(112,500)
42		
	Provides for the deappropriation of	
44	funds through the development of	
	Request for Proposal (RFP) for	
46	nursing home services at a cost no	
	greater than 90% of current costs,	
48	assuming a mid-March 1992 starting	
	date.	
50		

Bangor Mental Health Institute

2
3 Positions - Legislative Count (-18.5)
4 Personal Services (174,754)
5 All Other (10,000)
6
7 TOTAL (184,754)

8
9 Provides for the deappropriation of
10 funds through the elimination of 11
11 Mental Health Worker I positions, one
12 Team Leader position, 3 Assistant
13 Team Leader positions, 2 Licensed
14 Practical Nurse positions, one
15 1/2-time Nurse II position, one
16 1/2-time Hospital Ward Clerk
17 position and the reduction to 30
18 hours of one Psychologist III position,
19 one 1/2-time Institutional Custodial
20 Worker position, one Recreational Therapy
21 Aide position and one Psychiatric
22 Social Worker I position, and the
23 reduction in supplies.

Bangor Mental Health Institute

24
25 Personal Services (225,000)

26
27 Provides for the deappropriation of
28 funds through the development of a
29 Request for Proposal (RFP) for
30 operating nursing home beds at a
31 reduced rate of 90%, assuming a
32 mid-March 1992 starting date.

Mental Health Services - Children

33
34 Positions - Legislative Count (-0.5)
35 Personal Services (12,573)

36
37 Provides for the deappropriation of
38 funds through the elimination of
39 one 1/2-time Clerk Typist II
40 position.

Pineland Center

41
42 Positions - Legislative Count (-3.0)
43 Personal Services (37,810)

44
45
46

2 Provides for the deappropriation of
funds through the elimination of 3
4 Safety Officer positions.

6 **Pineland Center**

8 Positions - Legislative Count (-8.0)
Personal Services (298,503)

10 Provides for the deappropriation of
12 funds through the elimination of
one Clerk Typist II position, one
14 1/2-time Clinical Dietetic
Technician position, one Heavy
16 Equipment Operator position, one
Occupational Therapist I position,
18 one Physician I position, 2 Nurse I
positions, one part-time Domestic
20 Worker I position and one Laundry
Worker II position.

22 **DEPARTMENT OF MENTAL HEALTH AND MENTAL
RETARDATION**

24 **TOTAL** (1,518,869)

26 **MUSEUM, MAINE STATE**

28 **Administration - Museum**

30 Positions - Legislative Count (-2.5)
32 Personal Services (88,213)
All Other (11,000)
34 Capital Expenditures (12,490)

36 **TOTAL** (111,703)

38 Provides for the deappropriation of
40 funds through the elimination of
a vacant part-time Museum Technician I
42 position, and a vacant Assistant
Director position both effective
44 January 1, 1992, a vacant Business
Manager I position effective
46 April 30, 1992, salary savings
from the delay in filling one
48 vacant Director position, suspension
of reimbursement to commission members,
administrative savings and the
50 elimination of the purchase of a new van.

2	Exhibit Design and Preparation - Museum	
4	All Other	(5,537)
6	Provides for the deappropriation of	
8	funds through a reduction of general	
	operating expenses.	
10	Research and Collection - Museum	
12	Positions - Legislative Count	(-1.0)
	Personal Services	(36,749)
14		
16	Provides for the deappropriation of	
	funds through the elimination of	
18	a vacant Museum Specialist II position.	
	Research and Collection - Museum	
20	All Other	(20,000)
22		
24	Provides for the deappropriation of	
	funds from reductions in the Accession	
26	Account.	
	MAINE STATE MUSEUM	
28	TOTAL	<hr/> (173,989)
30		
	PINE TREE LEGAL ASSISTANCE	
32		
	Legal Assistance	
34	All Other	(12,004)
36		
38	Provides for the deappropriation of	
	funds through the reduction of	
40	legal services to clients.	
	PINE TREE LEGAL ASSISTANCE	
42	TOTAL	<hr/> (12,004)
44		
	PROFESSIONAL AND FINANCIAL REGULATION,	
46	DEPARTMENT OF	
48	Banking - Bureau of	
50	Positions - Legislative Count	(-1.0)

2	Personal Services	(15,773)
	All Other	(26,669)
4	TOTAL	<hr/> (42,442)
6	Provides for the deappropriation of	
	funds through the elimination of	
8	one Principal Securities Specialist	
	position and eliminates the	
10	bureau's share of intradepartmental	
	administrative services.	
12		
14	DEPARTMENT OF PROFESSIONAL AND	
	FINANCIAL REGULATION	
16	TOTAL	<hr/> (42,442)
18	PUBLIC SAFETY, DEPARTMENT OF	
20	Capitol Security - Bureau of	
22	Positions - Legislative Count	(-1.0)
	Personal Services	(14,778)
24		
26	Provides for the deappropriation of	
	funds through the elimination of	
28	one vacant Watchperson position.	
30	Criminal Justice Academy	
32	Positions - Legislative Count	(-1.0)
	Personal Services	(25,569)
	All Other	(30,000)
34	Capital Expenditures	(3,365)
36	TOTAL	<hr/> (58,934)
38	Provides for the deappropriation of	
	funds through the elimination of	
40	one vacant Maine Criminal Justice	
	Academy Training Coordinator	
42	position, the reduction of general	
	operating expenses and the delayed	
44	purchase of miscellaneous	
	equipment.	
46		
48	Emergency Medical Services	
50	Positions - Legislative Count	(-1.0)
	Personal Services	(22,005)

2	All Other	(20,000)
	Capital Expenditures	(1,228)
4	TOTAL	<hr/> (43,233)
6	Provides for the deappropriation of	
	funds through the elimination of	
8	one vacant Emergency Medical	
	Services Licensing Agent position,	
10	the reduction in operating	
	expenses and the elimination of the	
12	purchase of computer components.	
14	Intergovernmental Drug Enforcement	
16	All Other	(100,000)
18	Provides for the deappropriation of	
	funds through the elimination of	
20	5 agent contracts.	
22	Liquor Enforcement	
24	Positions - Legislative Count	(-1.0)
	Personal Services	(23,545)
26	Capital Expenditures	(31,587)
28	TOTAL	<hr/> (55,132)
30	Provides for the deappropriation of	
	funds through the elimination of	
32	one vacant Liquor Enforcement	
	Officer I position and the delayed	
34	purchase of 3 vehicles.	
36	State Police	
38	Positions - Legislative Count	(-11.0)
	Personal Services	(512,819)
40	Capital Expenditures	(210,000)
42	TOTAL	<hr/> (722,819)
44	Provides for the deappropriation of	
	funds through the elimination of	
46	one vacant Automotive Mechanic II	
	position, one State Police Captain	
48	position, one State Police	
	Lieutenant position, one State	
50	Police Sergeant position, one State	

2	Police Detective position, one	
	State Police Corporal position and 5	
4	State Police Trooper positions and	
	the delayed replacement of 14	
	vehicles.	
6		
	State Police	
8		
	Personal Services	(1,814,307)
10		
	Provides for the deappropriation of	
12	funds no longer required in order	
	to adjust the State Police funding	
14	ratio from the General Fund and the	
	Highway Fund.	
16		
	DEPARTMENT OF PUBLIC SAFETY	
18	TOTAL	<hr/> (2,809,203)
20		
	SECRETARY OF STATE, DEPARTMENT OF THE	
22		
	Administration - Archives	
24		
	Positions - Legislative Count	(-1.0)
26	Personal Services	(13,300)
	All Other	(2,000)
28		
	TOTAL	<hr/> (15,300)
30		
	Provides for the deappropriation of	
32	funds through the elimination of	
	one Clerk Typist III position and	
34	a reduction in general operating	
	expenses.	
36		
	Bureau of Administrative Services and	
38	Corporations	
40		
	Personal Services	(14,284)
	All Other	(27,000)
42	Capital Expenditures	(81,714)
44		
	TOTAL	<hr/> (122,998)
46		
	Provides for the deappropriation of	
48	funds through the elimination of	
	one limited period Clerk Typist II	
50	position and the reduction of All	
	Other and Capital Expenditures due to	

2 renegotiation of the lease purchase
agreement.

4 **Elections and Commissions**

6 Positions - Legislative Count (-0.5)
Positions - Other Count (-0.5)
8 Personal Services (15,884)
All Other (3,435)

10

TOTAL (19,319)

12 Provides for the deappropriation of
14 funds through the elimination of
one part-time Clerk Typist II
16 position and one seasonal Laborer I
18 position and a reduction in general
operating expenses.

20 **DEPARTMENT OF THE SECRETARY OF STATE**
22 **TOTAL**

 (157,617)

24 **TECHNICAL COLLEGE SYSTEM, BOARD OF**
26 **TRUSTEES OF THE MAINE**

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

30 All Other (1,865,931)

32 Provides for the deappropriation of
34 funds that support the Maine
Technical College System operation
36 including maintaining personnel
vacancies, reductions in capital
38 equipment, delaying maintenance and
repairs, reducing library and
computer lab hours.

40 **BOARD OF TRUSTEES OF THE MAINE TECHNICAL**
42 **COLLEGE SYSTEM**
44 **TOTAL**

 (1,865,931)

46 **TRANSPORTATION, DEPARTMENT OF**

48 **Administration - Ports and Marine**
50 **Transportation**

2	All Other	(7,450)
4	Provides for the deappropriation of funds through salary savings realized from the delay in filling one vacant Clerk IV position.	
8	Administration - Ports and Marine Transportation	
10	All Other	(163,344)
12	Provides for the deappropriation of funds through the reduction of a cash reserve that was scheduled to be used for pier improvements at Bass Harbor to accommodate the new vessel, Captain Henry Lee.	
14		
16		
18		
20	Railroad Assistance Program	
22	Positions - Legislative Count	(-1.0)
24	Personal Services	(27,600)
26	Provides for the deappropriation of funds through the elimination of one Railroad Inspector position.	
28		
30	State Plane	
32	Personal Services	(7,450)
34	Provides for the deappropriation of funds through salary savings realized from the delayed return of one Executive Aircraft Chief Pilot from active duty military service.	
36		
38		
40	DEPARTMENT OF TRANSPORTATION	
42	TOTAL	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> (205,844)
44	TREASURER OF STATE, (OFFICE OF)	
46	Administration - Treasury	
48	All Other	(78,639)
50	Provides for the deappropriation of funds through the reductions of	

2	data processing costs, bond issue costs and other operating expenses.	
4	(OFFICE OF) TREASURER OF STATE	
6	TOTAL	<u>(78,639)</u>
8	UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE	
10	Educational and General Activities -	
12	University of Maine	
14	All Other	(10,839,493)
16	Provides for the deappropriation of funds through reduction in the	
18	grant payment to the University of Maine System.	
20	Maine Public Broadcasting Network	
22	All Other	(171,613)
24	Provides for the deappropriation of funds through reductions in the	
26	grant payment to the University of Maine System.	
28		
30	BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM	
32	TOTAL	<u>(11,011,106)</u>
34	WOMEN, MAINE COMMISSION FOR	
36	Women - Maine Commission for	
38	Positions - Legislative Count	(-3.0)
40	Personal Services	(23,430)
42	All Other	(3,319)
44	TOTAL	<u>(26,749)</u>
46	Provides for the deappropriation of funds through the elimination of the Maine Commission for Women	
48	including one Executive Director position, one Assistant to the	
50	Director position, one Clerk Typist	

2	II position and associated support costs effective January 1, 1992.	
4	MAINE COMMISSION FOR WOMEN	
6	TOTAL	<u>(26,749)</u>
8	WORKERS' COMPENSATION COMMISSION	
10	Workers' Compensation Commission	
12	Positions - Legislative Count	(-12.0)
	Positions - Other Count	(-1.0)
14	Personal Services	(95,152)
	All Other	(2,259)
16	TOTAL	<u>(97,411)</u>
18		
20	Provides for the deappropriation of funds through the elimination of 6	
22	Court Reporter positions, one Clerk II position, one Data Entry Operator	
24	position, one Accountant I position, one Planning and Research	
26	Associate position, one Workers' Compensation Chief Specialist	
28	position, one Regional Administrator position and 2 seasonal	
30	Paralegal positions, and reductions in position support costs.	
32	WORKERS' COMPENSATION COMMISSION	
34	TOTAL	<u>(97,411)</u>
36	WORLD TRADE ASSOCIATION, MAINE	
38	Maine World Trade Association	
40	All Other	(12,174)
42	Provides for the deappropriation of funds through the reduced	
44	participation in one international trade show and the elimination of	
46	one international training course.	
48	MAINE WORLD TRADE ASSOCIATION	
50	TOTAL	<u>(12,174)</u>
	TOTAL APPROPRIATIONS	<u></u>

SECTION A-1

(67,097,630)

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Sec. A-2. Allocation. The following funds are allocated from Federal Expenditures for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.

1991-92

AGING, MAINE COMMITTEE ON

Aging - Maine Committee on

Positions - Other Count	(-1.5)
Personal Services	(15,152)
All Other	(3,847)
TOTAL	(18,999)

Provides for the deallocation of funds through the elimination of the Maine Committee on Aging, including one part-time Advocate position, one Social Services Program Specialist II position and associated support costs effective January 1, 1992.

**MAINE COMMITTEE ON AGING
TOTAL**

(18,999)

CONSERVATION, DEPARTMENT OF

**Forest Management, Utilization
and Marketing**

Positions - Other Count	(1.0)
Personal Services	16,656

Provides for the allocation of funds for one Forester I position transferred from the General Fund Forest Management, Utilization and Marketing program to administer federal cost-share stewardship programs.

**DEPARTMENT OF CONSERVATION
TOTAL**

16,656

2	ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF	
4	Comprehensive Land Use Planning	
6	Positions - Other Count	(1.0)
	Personal Services	24,350
8		
10	Provides for the allocation of	
12	funds for one Senior Planner	
	position transferred from the	
	General Fund.	
14	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
16	TOTAL	<hr/> 24,350
18		
20	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
22	Administration - Environmental Protection	
24		
26	Personal Services	30,449
	All Other	929
28	TOTAL	<hr/> 31,378
30	Provides for the allocation of	
32	funds from the elimination of one	
34	Staff Development Coordinator	
	position and the transfer of one	
	Systems Group Manager position from	
	the General Fund Administration -	
	Environmental Protection program.	
38	Air Quality Control	
40	Positions - Other Count	(1.0)
	Personal Services	18,258
42	All Other	557
44	TOTAL	<hr/> 18,815
46	Provides for the allocation of	
48	funds for one Environmental	
	Specialist II position transferred	
	from the General Fund Environmental	
50	Impact Studies Program to carry out	

2	Federal Clean Air Act activities.	
4	Oil and Hazardous Materials Control	
6	Positions - Other Count	(1.0)
	Personal Services	24,698
8	All Other	745
10	TOTAL	<hr/> 25,443
12	Provides for the allocation of	
14	funds through the transfer of one	
16	Division Director position from the	
18	General Fund Water Control Program	
	to address the Loring Air Force	
	Base project.	
20	DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	<hr/> 75,636
22	HUMAN DEVELOPMENT COMMISSION, MAINE	
24	Human Development Commission	
26	Positions - Other Count	(-3.0)
	Personal Services	(5,471)
28	All Other	(2,995)
	Capital Expenditures	(614)
30	TOTAL	<hr/> (9,080)
32	Provides for the deallocation of	
34	funds through the elimination of	
36	the Maine Human Development	
38	Commission, including one Executive	
40	Director position, one Clerk Typist	
	III position, one Clerk Typist II	
	position and associated support	
	costs effective January 1, 1992.	
42	MAINE HUMAN DEVELOPMENT COMMISSION TOTAL	<hr/> (9,080)
44	HUMAN SERVICES, DEPARTMENT OF	
46	Rehabilitation - Vocational Rehabilitation -	
48	Bureau of	
50	Positions - Other Count	(-1.0)

2	Personal Services	(11,749)
4	Provides for the deallocation of funds through the elimination of one Manager Research Evaluation and Planning position for 4 months in fiscal year 1991-92.	
8		
10	Administration - Regional - Human Services	
12	All Other	(510,000)
14	Provides for the deallocation of funds through a freeze on some leased space rents and through reductions in general operating costs.	
18		
20	Aid to Families with Dependent Children	
22	All Other	(379,462)
24	Provides for the deallocation of funds through the reduction of the standard of need by 3.5%.	
28		
30	General Assistance - Reimbursement to Cities and Towns	
32	All Other	(134,000)
34	Provides for the deallocation of funds through a reduction of the maximum limit of aid per family in the Family Crisis Assistance Program.	
38		
40	Income Maintenance - Regional	
42	Positions - Other Count	(-7.5)
44	Personal Services	(183,470)
46	Provides for the deallocation of funds through the elimination of 7 full-time and one part-time Human Service Aide III positions authorized in Public Law 1991, chapter 591.	
50		

2	Medical Care - Payments to Providers	
4	All Other	(755,465)
6	Provides for the deallocation of	
8	funds through the reduction of	
	physician reimbursement by 10%.	
10	Medical Care - Payments to Providers	
12	All Other	(28,540)
14	Provides for the deallocation of	
16	funds through the reduced medical	
18	costs resulting from the reductions	
	in the Aid to Families with Dependent	
	Children caseload.	
20	Medical Care - Payments to Providers	
22	All Other	(4,470,125)
24	Provides for the deallocation of	
26	funds through a projected surplus	
28	in the Medical Assistance Payment	
	Account.	
30	Medical Care - Payments to Providers	
32	All Other	(569,549)
34	Provides for the deallocation of	
36	funds through savings as a result	
	of establishing a copayment for	
	Medicaid ambulatory services.	
38	Medical Care - Payments to Providers	
40	All Other	(8,394)
42	Provides for the deallocation of	
44	funds through the reduction of	
46	Chiropractic Services reimbursement	
	by 10%.	
48	Welfare Employment, Education and	
	Training	
50	All Other	(95,000)

2	Provides for the deallocation of	
4	funds through the reduction in	
6	support services to Food Stamp	
	recipients in the ASPIRE program	
8	and by not enrolling 100 new clients	
	into the program.	
10	Aid to Families with Dependent	
	Children - Foster Care	
12	All Other	74,089
14	Provides for the allocation of	
16	funds for board, care, treatment	
18	and support services for 50-75	
	additional foster children and	
	their families.	
20	DEPARTMENT OF HUMAN SERVICES	
	TOTAL	<hr/> (7,071,665)
22	MARINE RESOURCES, DEPARTMENT OF	
24	Marine Sciences - Bureau of	
26	Positions - Other Count	(5.0)
28	Personal Services	105,538
30	Provides for the allocation of	
32	funds for the transfer of 2 Marine	
34	Resource Scientist I positions and	
	3 Marine Resource Scientist II	
	positions from the Marine	
	Development program, General Fund.	
36	DEPARTMENT OF MARINE RESOURCES	
38	TOTAL	<hr/> 105,538
40	TOTAL ALLOCATIONS	
42	SECTION A-2	<hr/> (6,877,564)
44	Sec. A-3. Allocation. The following funds are allocated from	
46	Other Special Revenue for the fiscal year ending June 30, 1992 to	
	carry out the purposes of this Act.	
48		
50		1991-92

2	AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF	
4	Agricultural Production	
6	Positions - Other Count	(0.5)
	Personal Services	20,000
8		
10	Provides for the allocation of	
12	funds for one half-time Lab	
14	Technician III position as a result	
	of a transfer from the General Fund	
	Account.	
16	DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES	
18	TOTAL	<hr/> 20,000
20	CONSERVATION, DEPARTMENT OF	
22	Boating Facilities Fund	
24	Positions - Other Count	(0.5)
	Personal Services	10,948
26		
28	Provides for the allocation of	
30	funds through the transfer of one	
32	half of a split-funded Outdoor	
34	Recreational Planner position from	
	the General Fund, Maine River	
	Coordination program. Position	
	will now be fully funded in this	
	program.	
36	DEPARTMENT OF CONSERVATION	
	TOTAL	<hr/> 10,948
38	ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF	
40	Comprehensive Land Use Planning	
42		
44	Positions - Other Count	(1.0)
	Personal Services	39,785
46		
48	Provides for the allocation of	
50	funds for one half-time Planner II	
	position and one half-time Planning	
	and Research Associate II position	
	transferred from the General Fund.	

2	DEPARTMENT OF ECONOMIC AND COMMUNITY	
	DEVELOPMENT	
4	TOTAL	<u>39,785</u>
6		
	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
8		
	Administration - Environmental Protection	
10		
	Personal Services	1,036
12	All Other	32
14	TOTAL	<u>1,068</u>
16	Provides for the allocation of	
	funds from the elimination of one	
18	Clerk IV position and the transfer	
	in of one Accountant II position	
20	from the General Fund,	
	Administration - Environmental	
22	Protection Program.	
24	Oil and Hazardous Materials Control	
26	Positions - Other Count	(2.0)
	Personal Services	48,372
28		
	Provides funds for the transfer	
30	of an Assistant Engineer position	
	from the General Fund Lakes	
32	Restoration and Protection Program	
	and a Biologist II position from the	
34	General Fund Water Quality Control	
	Program to the Maine Coastal and	
36	Inland Surface Oil Clean-up Fund.	
38	DEPARTMENT OF ENVIRONMENTAL PROTECTION	
	TOTAL	<u>49,440</u>
40		
42	HEALTH CARE FINANCE COMMISSION, MAINE	
44	Health Care Finance Commission	
46	Positions - Other Count	(4.0)
48	Provides for the transfer of	
	one Administrative Secretary	
50	position, one Executive Director	

2	position, one Deputy Director	
	position and one Legal Secretary	
4	position through a transfer	
	from the General Fund account.	
6	MAINE HEALTH CARE FINANCE COMMISSION	
	TOTAL	<u>-0-</u>
8		
10	HOUSING AUTHORITY, MAINE STATE	
12	Housing Authority - State	
14	All Other	(2,384,114)
16	Provides for the deallocation of	
	funds through the elimination of	
18	the real estate tax transfers to	
	the Housing Opportunities for Maine	
20	Fund, effective November 1, 1991.	
22	MAINE STATE HOUSING AUTHORITY	
	TOTAL	<u>(2,384,114)</u>
24		
	LABOR, DEPARTMENT OF	
26		
	Labor Relations Board	
28	Personal Services	19,500
30	All Other	8,970
32	TOTAL	<u>28,470</u>
34	Provides for the allocation of	
	funds associated with the	
36	assessment of user fees for the	
	expenses of the members of the	
38	Board, the Panel of Mediators and	
	the Board of Arbitration and	
40	Conciliation.	
42	DEPARTMENT OF LABOR	
	TOTAL	<u>28,470</u>
44		
46	MARINE RESOURCES, DEPARTMENT OF	
48	Marine Patrol - Bureau of	
50	Positions - Other Count	(1.0)

2	Personal Services	18,121
4	Provides for the allocation of funds for one Marine Patrol Specialist position as a result of a transfer from the General Fund Marine Patrol Program.	
8		
10	DEPARTMENT OF MARINE RESOURCES	
	TOTAL	<hr/> 18,121
12	TOTAL ALLOCATIONS	
	SECTION A-3	<hr/> (2,217,350)
14		
16	Sec. A-4. Allocation. The following funds are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.	
18		
20		1991-92
22	EXECUTIVE DEPARTMENT	
24	Administration - Community Services	
26	Positions - Legislative Count	(-1.0)
	Personal Services	(2,058)
28	All Other	2,058
30	TOTAL	<hr/> -0-
32	Provides for the deallocation of funds through the elimination of one Legal Services Consultant position and one Field Examiner III position and the transfer in of one DCS Fiscal Operations Manager position from the Low-Income Home Energy Assistance Program, Federal Block Grant Funds. Additional All Other funds are necessary due to administrative funds lost due to the transfer of the Low-Income Home Energy Assistance Program to Maine State Housing Authority to cover operating expenses.	
34		
36		
38		
40		
42		
44		
46		
48	Low-Income Home Energy Assistance	
50	Positions - Legislative Count	(-13.0)

2	Personal Services	(151,028)
	All Other	(11,050,143)
4	TOTAL	<u>(11,201,171)</u>
6	Provides for the deallocation of	
	funds through the transfer of one	
8	DCS Fiscal Operations Manager	
	position to Administration -	
10	Community Services, Federal Block	
	Grant Funds account and one DCS	
12	Program Operations Manager position to	
	Administration - Community Services,	
14	General Fund, the elimination of the	
	remaining 11 Legislative Count	
16	positions and the transfer of the	
	Low-Income Home Energy Assistance	
18	Program to the Maine State Housing	
	Authority.	
20		
	Community Services Block Grant	
22		
	All Other	(220,000)
24		
	Provides for the deallocation of	
26	funds from the Division of Community	
	Services due to the transfer of the	
28	Emergency Community Services Homeless	
	Grant Program to the Maine State	
30	Housing Authority.	
32	EXECUTIVE DEPARTMENT	
	TOTAL	<u>(11,421,171)</u>
34		
	MAINE STATE HOUSING AUTHORITY	
36		
	Homeless Grant Program - MSHA	
38		
	All Other	220,000
40		
	Provides for the allocation of funds	
42	to the Maine State Housing Authority	
	due to the transfer of the Emergency	
44	Community Services Homeless Grant	
	Program from the Division of Community	
46	Services.	
48	Low-Income Home Energy Assistance -	
	MSHA	
50		

2	All Other	11,201,171
4	Provides for the allocation of funds for the transfer of the Low-Income Home Energy Assistance Program from the Division of Community Services.	
8	MAINE STATE HOUSING AUTHORITY	
10	TOTAL	<u>11,421,171</u>
12	HUMAN SERVICES, DEPARTMENT OF	
14	Health - Bureau of	
16	Positions - Legislative Count	(1.0)
18	Personal Services	10,666
20	Provides for the allocation of funds from the transfer of one Sanitarian II position in the Lead Poisoning program from the General Fund.	
24	DEPARTMENT OF HUMAN SERVICES	
26	TOTAL	<u>10,666</u>
28	TOTAL ALLOCATIONS	
30	SECTION A-4	<u>10,666</u>
32	Sec. A-5. Allocation. The following funds are allocated from the Highway Fund for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.	
34		1991-92
36	FINANCE, DEPARTMENT OF	
38	State Contingent Account - Finance	
40	Personal Services	(900,000)
42	Provides for the deallocation of funds resulting from collectively bargained state employee health insurance savings for fiscal year 1991-92. The Commissioner of Finance shall report to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 10, 1992 on	

2 the results of the collective
 3 bargaining process, conducted pursuant
 4 to the Maine Revised Statutes, Title
 5 26, chapters 9-B and 14, as related
 6 to this issue. These funds must be
 7 distributed to achieve these savings
 8 only after specific legislative
 9 approval.

10 **DEPARTMENT OF FINANCE**
 11 **TOTAL** (900,000)

12 **PUBLIC SAFETY, DEPARTMENT OF**
 13 **State Police**

14 **Personal Services** 1,814,307

15 Provides funds for a change in the
 16 State Police funding ratio between
 17 the General Fund and the Highway
 18 Fund.

19 **DEPARTMENT OF PUBLIC SAFETY**
 20 **TOTAL** 1,814,307

21 **TOTAL ALLOCATIONS**
 22 **SECTION A-5** 914,307

23 **Sec. A-6. Allocation; State Liquor Commission.** In order to
 24 provide for the necessary expenses of operation and
 25 administration of the Department of Finance, Bureau of Alcoholic
 26 Beverages and the State Liquor Commission, the following amounts,
 27 or as much as may be necessary, are allocated from the revenues
 28 derived from operations of the State Alcoholic Beverages Fund.

29 1991-92

30 **FINANCE, DEPARTMENT OF**
 31 **Alcoholic Beverages - General**
 32 **Operation**

33 **Personal Services** (10,574)

34 Provides for the deallocation of
 35 funds from 1/2 of the net savings
 36 from the elimination of one
 37 Director position effective January
 38 1, 1992.

2	Alcoholic Beverages - General	
	Operation	
4		
	Positions - Legislative Count	(-37.0)
6	All Other	(178,000)
8	Provides for the deallocation of	
	funds through the closing of state	
10	liquor stores, reduced data	
	processing costs and the	
12	elimination of 3 Assistant Manager	
	positions effective January 31, 1992	
14	and the elimination of 34 Retail Store	
	Manager positions effective May 1, 1992.	
16	Approximately 35 state liquor stores	
	will be closed on or before May 1, 1992.	
18	This will result in an increase to	
	General Fund undedicated revenue of	
20	\$848,000 in fiscal year 1991-92.	
22	DEPARTMENT OF FINANCE	
	TOTAL	<hr/> (188,574)
24		
26	TOTAL ALLOCATIONS	
	SECTION A-6	<hr/> (188,574)
28		
	Sec. A-7. Allocation; State Lottery Fund. In order to provide	
30	for the necessary expenses of operation and administration of the	
	Department of Finance, Bureau of Lottery, the following amounts,	
32	or as much as may be necessary, are allocated from the revenues	
	derived from operations of the State Lottery Fund.	
34		
36		1991-92
38	FINANCE, DEPARTMENT OF	
40	Lottery Operations	
42	Positions - Legislative Count	(-1.0)
	Personal Services	(51,049)
44		
	Provides for the deallocation of	
46	funds through the elimination of	
	one Marketing Manager position and	
48	1/2 of the net savings from	

2	the elimination of one Director position effective January 1, 1992.	
4	Lottery Operations	
6	All Other	(250,000)
8	Provides for the deallocation of	
10	funds through the reduction of	
12	nonstate professional services and	
14	advertising expenses. This will result in an increase of General Fund undedicated revenue of \$250,000 in fiscal year 1991-92.	
16	DEPARTMENT OF FINANCE	
18	TOTAL	<hr/> (301,049)
20	TOTAL ALLOCATIONS	
22	SECTION A-7	<hr/> (301,049)
24	Sec. A-8. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.	
26		1992-93
28	EDUCATION, DEPARTMENT OF	
30	Assessment of Student Performance	
32	Positions - Legislative Count	(-6.0)
34	Personal Services	(297,616)
36	All Other	(845,531)
38	TOTAL	<hr/> (1,143,147)
40	Provides for the deappropriation of	
42	funds from the elimination of the Maine educational assessment program including the elimination of 6 positions.	
44	DEPARTMENT OF EDUCATION	
46	TOTAL	<hr/> (1,143,147)
48	TOTAL APPROPRIATIONS	<hr/>

SECTION A-8

(1,143,147)

2

Sec. A-9. Appropriation. The following funds are appropriated
4 from the General Fund to carry out the purposes of this Part.

6

1991-92

8

DEFENSE AND VETERANS' SERVICES,
DEPARTMENT OF

10

Administration - Maine Emergency
12 Management Agency

14

All Other

250,000

16

Provides for the appropriation of
funds for the state share of the
18 Disaster Assistance program.

20

DEPARTMENT OF DEFENSE AND VETERANS'
SERVICES

22

TOTAL

250,000

24

EDUCATION, DEPARTMENT OF

26

Planning and Management Information -
Education

28

Positions - Legislative Count
30 Personal Services

(-2.0)

(17,591)

32

Provides for the deappropriation
of funds from the elimination of
34 one Data Entry Specialist position
and one Programmer Analyst position.

36

Certification, Placement and
38 Teacher Education

40

Positions - Legislative Count
42 Personal Services

(-2.0)

(19,222)

44

Provides for the deappropriation
of funds from the elimination of one
46 Clerk Stenographer III position and
one Education Specialist II position.

48

Instruction - Bureau of

2	Positions - Legislative Count	(-1.0)
	Personal Services	(38,905)
	All Other	(2,000)
4		
	TOTAL	(40,905)
6		
8	Provides for the deappropriation	
	of funds from the elimination of one	
	vacant Associate Commissioner	
10	position and related operating expenses.	
12	Alcohol and Drug Education Services	
14	Positions - Legislative Count	(-1.0)
	Personal Services	(14,028)
16		
	Provides for the deappropriation of	
18	funds from the elimination of one	
	Education Specialist III position.	
20		
	Finance - Education	
22		
	Positions - Legislative Count	(-1.0)
24	Personal Services	(9,005)
26		
	Provides for the deappropriation of	
	funds from the elimination of one	
28	Account Clerk I position.	
30	Administrative Services - Education	
32	Personal Services	(6,138)
34		
	Provides for the deappropriation of	
	funds from savings realized from a	
36	position downgrade.	
38	Planning and Management Information -	
	Education	
40		
	All Other	(35,136)
42		
	Provides for the deappropriation of	
44	funds from reductions in operating	
	expenditures.	
46		
	Nutrition Program - Local Schools	
48		
	All Other	(25,000)
50		

2 Provides for the deappropriation of
funds by changing from a 3-year to
a 4-year review cycle.

4

6 **Adult Education**

8 All Other (33,735)

10 Provides for the deappropriation of
funds from reductions in contract
services for statute and rule revision
and in the subsidy balance.

12

14 **Departmentwide**

16 Personal Services (50,142)

18 Provides for the deappropriation of
funds from savings from layoffs
initiated earlier than originally
planned.

20

22 **Alcohol and Drug Education Services**

24 All Other (33,935)

26 Provides for the deappropriation of
funds from eliminating training for
support groups, travel and state
vehicle expenses and terminating
regional office leases at an earlier
date than originally proposed.

28

30

32

34 **Curriculum - Education**

36 All Other (50,000)

38 Provides for the deappropriation of
funds from the reduction of travel
and training for local system staff.

40

42 **Special Education - Exceptional
Children**

44 All Other (50,000)

46 Provides for the deappropriation of
funds from cancelling conferences and
reducing due process hearing costs.

48

50

2	Higher Education Services	
4	All Other	(19,208)
6	Provides for the deappropriation of funds from unencumbered balances.	
8	State Historian	
10	All Other	(2,136)
12	Provides for the deappropriation of funds from unencumbered balances.	
14	Teacher Recognition Grants	
16	All Other	(16,690)
18	Provides for the deappropriation of funds from unencumbered balances.	
20		
22	General Purpose Aid for Local Schools	
24	All Other	(100,000)
26	Provides for the deappropriation of funds through a projected end-of-year balance.	
28		
30		
32	DEPARTMENT OF EDUCATION	
	TOTAL	<u>(522,871)</u>
34	HUMAN SERVICES, DEPARTMENT OF	
36	Aid to Families with Dependent Children - Foster Care	
38	All Other	44,132
40	Provides for the appropriation of funds for 3 months for board, care, treatment and support services for 50-75 additional foster children and their families.	
42		
44		
46	Child Welfare Services	
48	All Other	85,670
50		

2 Provides for the appropriation of
 4 funds for 3 months for board, care,
 6 treatment and support services for
 8 50-75 additional foster children and
 10 their families.

12 **Purchased Social Services**

14 All Other 207,357

16 Provides for the appropriation of
 18 funds for 3 months for community-based
 20 purchased support services for
 22 750 additional child protective cases
 24 and children at risk and their families.

26 **Social Services - Regional**

28 Positions - Legislative Count (40.0)
 30 Personal Services 286,730
 32 All Other 44,898

34 **TOTAL** 331,628

36 Provides for the appropriation of
 38 funds for 3 months in fiscal year
 40 1991-92 for 27 Caseworker positions,
 42 5 Caseworker Supervisor positions
 44 and 8 Clerk Typist II positions in
 46 child protective services and
 48 operational support to provide
 50 services to 750 additional child
 protective cases.

52 **Administration - Social Services**

54 Positions - Legislative Count (3.0)
 56 Personal Services 26,200
 58 All Other 5,013

60 **TOTAL** 31,213

62 Provides for the appropriation of
 64 funds for 3 months in fiscal year
 66 1991-92 for one Human Services
 68 Caseworker Supervisor position to
 70 supervise the out-of-home abuse
 investigation unit, one Social
 Services Program Specialist I
 position to investigate child abuse

2 and neglect in licensed child care
3 facilities and one Social Services
4 Program Specialist I position to
license child-placing agencies.

6 **DEPARTMENT OF HUMAN SERVICES**
7 **TOTAL** 700,000

8
9 **TOTAL APPROPRIATIONS**
10 **SECTION A-9** 427,129

12
13 **PART B**

14
15 **Sec. B-1. Supplemental appropriations from General Fund.** There
16 are appropriated from the General Fund for the fiscal year ending
17 June 30, 1992 to the departments listed, the following sums.

18 **1991-92**

19
20 **AUDIT, DEPARTMENT OF**

21
22 **Audit - Unorganized Territory**

23
24 Positions - Legislative Count (-2.0)
25 Personal Services (33,228)

26
27 Provides for the deappropriation of
28 funds through the elimination of
29 one Fiscal Administrator position
30 and one Clerk Typist II position.
31 This will result in a loss of
32 \$33,228 of undedicated revenue in
33 fiscal year 1991-92.

34
35 **DEPARTMENT OF AUDIT**
36 **TOTAL** (33,228)

37
38 **EDUCATION, DEPARTMENT OF**

39
40 **General Purpose Aid for Local Schools**

41
42 All Other (2,200,000)

43
44 Provides for the deappropriation of
45 funds through the reduction of
46 \$1,900,000 of out-of-district
47 placements and \$300,000 of special
48 education hardship to permit a

2 corresponding increase of funding
 4 within the same account for state
 6 agency clients and state wards.

8 **General Purpose Aid for Local Schools**

10 All Other 2,200,000

12 Provides for the appropriation of
 14 funds for \$1,700,000 for state
 16 agency clients and \$500,000 for
 18 state wards through a corresponding
 20 decrease in funding within the same
 22 account.

24 **Vocational Training - Program Services**

26 Personal Services (6,596)
 28 All Other 6,596

30 TOTAL

 0

32 Provides for the appropriation of
 34 funds to recover shortage created
 36 in the All Other category by the
 38 payment of workers' compensation
 40 salary benefit.

42 **DEPARTMENT OF EDUCATION**

44 **TOTAL**

 -0-

46 **HUMAN SERVICES, DEPARTMENT OF**

48 **Administration - Regional -**
 50 **Human Services**

52 Personal Services (2,629)

54 Provides for the deappropriation of
 56 funds through downgrading one
 58 Financial Resources Specialist
 60 position to one Clerk Typist II
 62 position for the Dover office and
 64 reclassifying one Clerk Typist II
 66 position to one Account Clerk
 68 position and to reclassify one Post
 70 Office Clerk I position to one
 72 Switchboard Operator position to
 74 allow switchboard coverage lost due
 76 to position eliminations in Public

Law 1991, chapter 591.

2		
4	DEPARTMENT OF HUMAN SERVICES	
4	TOTAL	<hr/> (2,629)
6	INLAND FISHERIES AND WILDLIFE,	
8	DEPARTMENT OF	
10	Fisheries and Hatcheries	
10	Operations	
12	Positions - Legislative Count	(1.0)
12	Personal Services	7,488
14	All Other	(7,488)
16	TOTAL	<hr/> -0-
18	Provides for a transfer of funds	
18	for the restoration of a Fish	
20	Culturist position at the Phillips	
20	Fish Hatchery Station.	
22		
24	DEPARTMENT OF INLAND FISHERIES AND	
24	WILDLIFE	
24	TOTAL	<hr/> -0-
26		
28	MENTAL HEALTH AND MENTAL RETARDATION,	
28	DEPARTMENT OF	
30	Aroostook Residential Center	
32	All Other	20,000
34	Provides for the appropriation of	
34	funds through a transfer from the	
36	Mental Health Service -	
36	Community Program for unbudgeted	
38	costs associated with workers'	
38	compensation, emergency repairs	
40	and training costs for one	
40	resident.	
42		
44	Bath Children's Home	
44	All Other	37,000
46		
46	Provides for the appropriation of	
48	funds through the transfer from	
48	Mental Health Services - Children	
50	General Fund program to support	

2 the unbudgeted costs associated
 3 with workers' compensation and
 4 necessary repairs to the building.

6 **Elizabeth Levinson Center**

6	All Other	78,000
8	Capital Expenditures	(30,000)
10	TOTAL	<hr/> 48,000

12 Provides for the appropriation of
 13 funds through the transfer from
 14 Mental Health Services - Children
 15 General Fund program to support
 16 the unbudgeted costs associated
 17 with workers' compensation and
 18 professional services provided to
 19 the center's residents as well as
 20 a transfer from Capital Expenditures
 21 to All Other.

22 **Mental Health Services - Children**

24	All Other	(48,000)
----	-----------	----------

26 Provides for the deappropriation of
 27 funds due to the cancellation of
 28 a contract representing the cost
 29 of an out-of-state placement.

32 **Mental Health Services - Children**

34	All Other	(37,000)
----	-----------	----------

36 Provides for the deappropriation of
 37 funds through a transfer to the
 38 Bath Children's Home Program due
 39 to savings from late start-up in
 40 new consent decree programs.

42 **Mental Health Services - Community**

44	All Other	(20,000)
----	-----------	----------

46 Provides for the deappropriation
 47 of funds through a transfer to the
 48 Aroostook Residential Center Program
 49 from savings due to late start-up
 50 in new residential programs for

clients.

2		
4	DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION	
6	TOTAL	<hr/> -0-
8	WORKERS' COMPENSATION COMMISSION	
10	Workers' Compensation Commission	
12	All Other	(18,000)
14	Capital Expenditures	18,000
16	TOTAL	<hr/> -0-
18	Provides for the appropriation of funds to purchase electronic recording systems as a replacement for the elimination of 6 Court Reporter positions.	
20		
22	WORKERS' COMPENSATION COMMISSION TOTAL	<hr/> -0-
24		
26	TOTAL APPROPRIATIONS SECTION B-1	<hr/> (35,857)
28		
30	Sec. B-2. Allocation. The following funds are allocated from Other Special Revenue for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.	
32		
34		1991-92
36	AUDIT, DEPARTMENT OF	
38	Audit - Unorganized Territory	
40	Positions - Other Count	(2.0)
42	Personal Services	36,360
44	All Other	11,024
46	TOTAL	<hr/> 47,384
48	Provides for the allocation of funds for one Fiscal Administrator position and one Clerk Typist II position and general operating expenses.	
50		

DEPARTMENT OF AUDIT

2

TOTAL

47,384

4

TOTAL ALLOCATIONS

SECTION B-2

47,384

6

8

PART C

10

5 MRSA §130, as amended by PL 1979, c. 541, Pt. A, §20, is further amended by inserting at the end a new paragraph to read:

12

14

16

18

20

22

24

26

28

Any person who makes payment of an amount due to any state department, agency, board, commission, authority or other state entity by means of a check is liable, if the check is returned unpaid by a bank on which it is drawn because of insufficient funds, for a penalty of \$20, which must be reported and paid to the Treasurer of State as undedicated revenue to the General Fund. The penalty provided by this section is in addition to any other penalties provided by law.

30

PART D

32

15 MRSA §2129, sub-§3, as repealed and replaced by PL 1981, c. 238, §5, is repealed and the following enacted in its place:

34

36

38

40

42

44

46

3. Representation of respondent. In all proceedings for postconviction review, the State may be represented by the prosecutorial office that earlier represented the State in the underlying criminal or juvenile proceeding. On a case-by-case basis, a different prosecutorial office may represent the State on agreement between the 2 prosecutorial offices.

48

PART E

50

PL 1991, c. 591, Pt. B, §1, under the caption "DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF" in that part relating to Military Training and Operations, is amended to read:

52

Military Training and Operations

54

56

58

60

62

64

66

68

70

Positions - Legislative Count	(-20.0)	(-20.0)
	(-21.0)	(-21.0)
Positions - Other Count	(-1.5)	(-1.5)
Personal Services	(623,018)	(685,276)
All Other	(113,354)	(56,219)
Capital Expenditures	(52,427)	(66,824)
TOTAL	(788,799)	(808,319)

2 Provides for the
4 deappropriation of funds
6 consistent with the planned
8 functional restructuring of
10 the operation of facilities
12 and training sites for 4,500
14 National Guard personnel and
16 the elimination of 3 2
18 Laborer II positions, 9 16.0
20 Building Custodian positions,
22 one Military Adjutant
24 position, one Painter
26 position, 2 one Maintenance
28 Mechanic ~~positions~~ position,
30 ~~one-Carpenter-position~~, one
32 Military Training Officer
34 position, ~~one-Assistant-Buyer~~
36 ~~position~~, ~~one-Storekeeper~~
38 ~~position~~, ~~2~~ one Clerk Typist
40 II ~~positions~~ position, one
42 Clerk Typist III position,
44 one Heavy Equipment Operator
46 II position and one Oil
48 Burner Mechanic Foreman
position and \$27,640 of the
budgeted overtime.

PART F

30 **Sec. F-1. 5 MRSA §934-A, sub-§1, ¶¶A and C,** as enacted by PL
32 1987, c. 534, Pt. A, §§4 and 19, are repealed.

34 **Sec. F-2. 5 MRSA §934-A, sub-§1, ¶¶D and E,** as amended by PL
36 1987, c. 816, Pt. P, §1, are repealed.

38 **Sec. F-3. 5 MRSA §934-A, sub-§1, ¶F,** as enacted by PL 1987, c.
40 816, Pt. P, §2, is repealed.

42 **Sec. F-4. 5 MRSA §934-A, sub-§1, ¶¶G to I** are enacted to read:

44 G. Director, Administration;

46 H. Director, Community Development; and

48 I. Director, Tourism.

Sec. F-5. 5 MRSA §13051, last ¶, as enacted by PL 1987, c. 816,
Pt. P, §4, is repealed.

2 **Sec. F-6. 5 MRSA §13052, last ¶**, as enacted by PL 1987, c. 816,
Pt. P, §5, is repealed.

4 **Sec. F-7. 5 MRSA §13055, sub-§1**, as amended by PL 1989, c.
6 875, Pt. M, §§2 and 3 and affected by §13, is further amended to
read:

8 **1. Organizations.** The department ~~shall--contain~~ contains
10 the following organizations:

12 A. The Office of Business Development; and

14 B. The Office of Community Development; ~~and~~

16 ~~E. The Office of Comprehensive Land Use Planning.~~

18 **Sec. F-8. 5 MRSA §13072, sub-§4**, as enacted by PL 1987, c.
20 534, Pt. A, §§17 and 19, is amended to read:

22 **4. Provide information.** The director shall provide
municipalities with information about the department's programs
and services and shall refer municipalities to the offices and
24 programs within the State that can best assist them. The office
shall make available to municipalities and regional planning
26 agencies existing information from state agencies to be used in
the development of comprehensive plans and land use ordinances.

28 **Sec. F-9. 5 MRSA §13072, sub-§7, ¶A**, as amended by PL 1987, c.
30 816, Pt. P, §10, is further amended to read:

32 A. The Community Development Block Grant Program; ~~i~~

34 **Sec. F-10. 5 MRSA §13072, sub-§7, ¶¶D and E** are enacted to
read:

36 D. The Coastal Zone Management Local Grants Program;

38 E. The Maine Natural Heritage Program. The director shall
40 administer the Maine Natural Heritage Program established
under section 13074-A; and

42 F. The National Flood Insurance Program.

44 **Sec. F-11. 5 MRSA §13072, sub-§8**, as amended by PL 1987, c.
46 816, Pt. P, §11, is further amended to read:

48 **8. Provide technical assistance.** The director shall
oversee delivery of technical assistance and resources to
50 municipalities and regional community and economic development

2 organizations for the purpose of encouraging economic growth
while maintaining the quality of life. Additionally, the
4 director shall oversee delivery of technical assistance and
6 resources to municipalities for the purpose of flood plain
management activities and enhancing and expanding parks, open
spaces and recreational opportunities as a part of comprehensive
8 community development. Within available resources, the director
shall provide technical assistance to municipalities and regional
10 planning organizations in the development and implementation of
local comprehensive land use plans.

12 **Sec. F-12. 5 MRSA §13072, sub-§10** is enacted to read:

14 10. Enforcement assistance program. The office shall
administer a program of training and financial assistance for
16 municipal code enforcement officers.

18 **Sec. F-13. 5 MRSA §13074-A** is enacted to read:

20 **§13074-A. Maine Natural Heritage Program**

22 The Maine Natural Heritage Program is established to perform
the following functions.

24 1. Ongoing inventory. The Maine Natural Heritage Program
26 shall conduct an ongoing inventory of the State's critical
natural resources, including, but not limited to, rare plants,
28 animals, natural communities and ecosystems, including their
location and biological and ecological status.

30 2. Biological and conservation data base. The Maine
32 Natural Heritage Program shall maintain a biological and
conservation data base that must contain inventory data and other
34 relevant biological and ecological information about critical
natural resources and about ecologically significant sites
36 harboring these resources. Information contained within the
biological and conservation data base may be made available upon
38 request for conservation and land use planning, environmental
review, scientific research, education or other appropriate,
40 noncommercial use. For the purposes of this subsection, an
appropriate use is one that will not jeopardize sensitive
42 populations or habitats.

44 3. Interdepartmental coordination of inventory and data
management activities. The Maine Natural Heritage Program shall
46 coordinate inventory and data management activities with the
Department of Inland Fisheries and Wildlife, the Department of
48 Environmental Protection, the Department of Conservation and the
State Planning Office to prevent duplication, increase efficiency
50 and increase the flow of data and communication among those

2 agencies and to support the mandates and programs of the
3 cooperating agencies. The Maine Natural Heritage Program shall
4 establish and maintain installations of the biological and
5 conservation data base within the Department of Inland Fisheries
6 and Wildlife, the Department of Environmental Protection and the
7 State Planning Office pursuant to memoranda of agreement.

8 4. Grants. Any person, organization or agency of the State
9 may apply to the Maine Natural Heritage Program for a grant to
10 undertake inventory and research about rare, endangered or
11 threatened plants, animals and natural communities or
12 ecosystems. The office may award grants out of the Maine Natural
13 Heritage Fund.

14 5. Charges. The Maine Natural Heritage Program may levy
15 appropriate charges to those using for commercial gain the
16 services provided by the Maine Natural Heritage Program to
17 recover the costs of providing the service and a reasonable
18 portion of the costs associated with building and maintaining the
19 biological and conservation data base. Charges must be fixed in
20 a schedule prepared and revised as necessary by the office and
21 must be supported and explained by accompanying information.

22 6. Cooperative agreements. The Maine Natural Heritage
23 Program may enter into cooperative agreements with federal or
24 state agencies, political subdivisions of this State or private
25 persons or organizations to receive or disburse funds to carry
26 out the purposes of this section.

27 **Sec. F-14. 5 MRSA c. 383, sub-c. VI, as amended, is repealed.**

28 **Sec. F-15. 30-A MRSA §4311, as enacted by PL 1989, c. 104,**
29 **Pt. A, §45 and Pt. C, §10, is repealed.**

30 **Sec. F-16. 30-A MRSA §4312, sub-§1, as enacted by PL 1989, c.**
31 **104, Pt. A, §45 and Pt. C, §10, is repealed.**

32 **Sec. F-17. 30-A MRSA §4312, sub-§2, ¶¶A to C, as enacted by PL**
33 **1989, c. 104, Pt. A, §45 and Pt. C, §10, are amended to read:**

34 **A. Establish, in each municipality of the State, local**
35 **comprehensive planning and land use management according to**
36 **the schedule contained in this subchapter and consistent**
37 **with the goals and policies of the State;**

38 **B. Provide Encourage municipalities with to identify the**
39 **tools and resources to effectively plan for and manage**
40 **future development within their jurisdictions with a maximum**
41 **of local initiative and flexibility;**

2 C. Encourage, ~~through state and regional technical and~~
4 ~~financial assistance and review,~~ local land use ordinances,
6 tools and policies ~~that are based on local comprehensive~~
~~plans that are prospective and inclusive of all matters~~
~~determined by the Legislature to be in the best interests of~~
8 ~~the State;~~

10 **Sec. F-18. 30-A MRSA §4312, sub-§2, ¶E,** as enacted by PL 1989,
c. 104, Pt. A, §45 and Pt. C, §10, is repealed.

12 **Sec. F-19. 30-A MRSA §4312, sub-§2, ¶¶F and G,** as enacted by PL
14 1989, c. 104, Pt. A, §45 and Pt. C, §10, are amended to read:

16 F. Provide for continued direct state regulation of
18 development proposals that occur in areas of statewide
20 concern, that directly impact natural resources of statewide
22 significance or that by their scale or nature otherwise
24 affect vital state interests; and

26 G. Encourage the widest possible involvement by the
28 citizens of each municipality in all aspects of the planning
and implementation process, in order to ensure that the
24 plans developed by municipalities ~~and reviewed by the State~~
26 have had the benefit of citizen input; and.

28 **Sec. F-20. 30-A MRSA §4312, sub-§2, ¶H,** as enacted by PL 1989,
c. 104, Pt. A, §45 and Pt. C, §10, is repealed.

30 **Sec. F-21. 30-A MRSA §4313,** as amended by PL 1991, c. 278,
32 §1, is repealed.

34 **Sec. F-22. 30-A MRSA §4323, first ¶,** as enacted by PL 1989, c.
104, Pt. A, §45 and Pt. C, §10, is amended to read:

36 Through the exercise of its home rule authority, subject to
38 the express limitations and requirements of this subchapter,
every municipality shall may:

40 **Sec. F-23. 30-A MRSA §4324, sub-§§1 to 3,** as enacted by PL
42 1989, c. 104, Pt. A, §45 and Pt. C, §10, are amended to read:

44 **1. Growth management program.** Pursuant ~~to the schedule~~
~~established in section 4343,~~ each Each municipality shall may
46 prepare a local growth management program in accordance with this
section ~~and which is consistent with the goals, guidelines and~~
~~other provisions of this subchapter,~~ or shall may amend its
48 existing comprehensive plan and existing land use ordinances to
comply with this subchapter.

2 **2. Local planning committee.** The municipal officers of a
4 municipality or combination of municipalities shall may designate
and establish a local planning committee.

6 A. The municipal officers may designate any existing
8 planning board or district established under subchapter IV,
or a former similar provision, as the local planning
10 committee. Planning boards established under former Title
30, section 4952, subsection 1, continue to be governed by
12 those provisions until they are superseded by municipal
charter or ordinance.

14 B. The local planning committee shall may develop and
16 maintain a comprehensive plan and shall may develop an
initial proposed zoning ordinance or an initial revision of
18 an existing zoning ordinance. In performing these duties,
the local planning committee shall:

20 (1) Hold public hearings and use other methods to
22 solicit and strongly encourage citizen input; and

24 (2) Prepare the comprehensive plan and proposed zoning
26 ordinance and make recommendations to the municipal
reviewing authority and municipal legislative body
28 regarding the adoption and implementation of the
program or amended program.

30 **3. Citizen participation.** In order to encourage citizen
32 participation in the development of a local growth management
program, municipalities shall may adopt local growth management
34 programs only after soliciting and considering a broad range of
public review and comment. The intent of this subsection is to
36 provide for the broad dissemination of proposals and
alternatives, opportunity for written comments, open discussions,
information dissemination and consideration of and response to
public comments.

38 **Sec. F-24. 30-A MRSA §4324, sub-§5,** as amended by PL 1989, c.
40 562, §3, is repealed.

42 **Sec. F-25. 30-A MRSA §4324, sub-§6,** as enacted by PL 1989, c.
44 104, Pt. A, §45 and Pt. C, §10, is repealed.

46 **Sec. F-26. 30-A MRSA §4324, sub-§7,** as amended by PL 1989, c.
48 562, §4, is repealed.

50 **Sec. F-27. 30-A MRSA §4324, sub-§8, ¶A,** as amended by PL 1989,
c. 562, §5, is further amended to read:

2 A. Notice of any public hearing shall must be published-in
a---newspaper---of---general---circulation posted in the
4 municipality at least 2 times. The--date--of--the--first
publication--must--be--at--least--30--days--before--the--hearing.
6 This--notice--shall--also--contain--a--statement--that--the--comments
are--expected--from--the--office--and--will--be--available--for
distribution--before,--and--for--discussion--at,--the--public
8 hearing.

10 **Sec. F-28. 30-A MRSA §4325, sub-§1**, as enacted by PL 1989, c.
104, Pt. A, §45 and Pt. C, §10, is amended to read:

12 **1. Within municipality.** A municipality shall may exercise
14 its land use planning and management authority over the total
land area within its jurisdiction.

16 **Sec. F-29. 30-A MRSA §4326**, as amended by PL 1991, c. 278,
18 §2, is further amended to read:

20 **§4326. Local growth management program**

22 A local growth management program shall may include at least
24 a comprehensive plan, as described in subsections 1 to 4, and an
implementation program as described in subsection 5.

26 **1. Inventory and analysis.** A comprehensive plan shall may
include an inventory and analysis section addressing state goals
28 under this subchapter and issues of regional or local
significance the municipality considers important. The inventory
30 shall must be based on information provided by the State,
regional councils and other relevant local sources. The analysis
32 shall must include 10-year projections of local and regional
growth in population and residential, commercial and industrial
34 activity; the projected need for public facilities; and the
vulnerability of and potential impacts on natural resources.

36 The inventory and analysis section shall may include, but is not
38 limited to:

40 A. Economic and demographic data describing the
municipality and the region in which it is located;

42 B. Significant water resources such as lakes, aquifers,
44 estuaries, rivers and coastal areas and, where applicable,
their vulnerability to degradation;

46 C. Significant or critical natural resources, such as
48 wetlands, wildlife and fisheries habitats, significant plant
habitats, coastal islands, sand dunes, scenic areas,

- 2 shorelands, heritage coastal areas as defined under Title 5,
section 3316, and unique natural areas;
- 4 D. Marine-related resources and facilities such as ports,
6 harbors, commercial moorings, commercial docking facilities
and related parking, and shell fishing and worming areas;
- 8 E. Commercial forestry and agricultural land;
- 10 F. Existing recreation, park and open space areas and
12 significant points of public access to shorelands within a
municipality;
- 14 G. Existing transportation systems, including the capacity
16 of existing and proposed major thoroughfares, secondary
routes, pedestrian ways and parking facilities;
- 18 H. Residential housing stock, including affordable housing;
- 20 I. Historical and archeological resources including, at the
22 discretion of the municipality, stone walls, stone
impoundments and timber bridges of historical significance;
- 24 J. Land use information describing current and projected
26 development patterns; and
- 28 K. An assessment of capital facilities and public services
30 necessary to support growth and development and to protect
the environment and health, safety and welfare of the public
and the costs of those facilities and services.
- 32 **2. Policy development.** A comprehensive plan shall may
include a policy development section which that relates the
34 findings contained in the inventory and analysis section to the
state goals. The policies shall must:
- 36
- 38 A. Promote the state goals under this subchapter;
- 40 B. Address any conflicts between state goals under this
subchapter;
- 42 C. Address any conflicts between regional and local issues;
44 and
- 46 D. Address the State's coastal policies.
- 48 **3. Implementation strategy.** A comprehensive plan shall may
include an implementation strategy section which that contains a
50 timetable for the implementation program, including land use
ordinances, ensuring that the goals established under this

2 subchapter are met. These implementation strategies must be
3 consistent with state law and shall must actively promote
4 policies developed during the planning process. The timetable
5 shall must identify significant ordinances to be included in the
6 implementation program. The strategies and timetable shall must
7 guide the subsequent adoption of policies, programs and land use
8 ordinances. In developing its strategies and subsequent
9 policies, programs and land use ordinances, each municipality
10 shall may employ the following guidelines consistent with the
11 goals of this subchapter:

12 A. Identify and designate at least 2 basic types of
13 geographic areas:

14 (1) Growth areas, which are those areas suitable for
15 orderly residential, commercial and industrial
16 development forecast over the next 10 years. Each
17 municipality shall should:

18 (a) Establish standards for these developments;

19 (b) Establish timely permitting procedures;

20 (c) Ensure that needed public services are
21 available within the growth area; and

22 (d) Prevent inappropriate development in natural
23 hazard areas, including flood plains and areas of
24 high erosion; and

25 (2) Rural areas, which are those areas where
26 protection should be provided for agricultural, forest,
27 open space and scenic lands within the municipality.
28 Each municipality shall may adopt land use policies and
29 ordinances to discourage incompatible development.

30 These policies and ordinances may include, without
31 limitation: density limits; cluster or special zoning;
32 acquisition of land or development rights; or performance
33 standards;

34 B. Develop a capital investment plan for financing the
35 replacement and expansion of public facilities and services
36 required to meet projected growth and development;

37 C. Protect, maintain and, when warranted, improve the water
38 quality of each water body pursuant to Title 38, chapter 3,
39 subchapter I, article 4-A;

- 2 D. Ensure that its land use policies and ordinances are
consistent with applicable state law regarding critical
4 natural resources. A municipality may adopt ordinances more
stringent than applicable state law;
- 6 E. Ensure the preservation of access to coastal waters
necessary for commercial fishing, commercial mooring,
8 docking and related parking facilities. Each coastal
municipality shall should discourage new development that is
10 incompatible with uses related to the marine resources
industry;
- 12 F. Ensure the protection of agricultural and forest
resources. Each municipality shall should discourage new
14 development that is incompatible with uses related to the
agricultural and forest industry;
- 16 G. Ensure that its land use policies and ordinances
encourage the siting and construction of affordable housing
18 within the community and comply with the requirements of
section 4358 pertaining to individual mobile home and mobile
20 home park siting and design requirements. The municipality
shall ~~seek~~ is encouraged to achieve a level of 10% of new
22 residential development, based on a 5-year historical
average of residential development in the municipality,
24 meeting the definition of affordable housing.
Municipalities are encouraged to seek creative approaches to
26 assist in the development of affordable housing, including,
but not limited to, cluster zoning, reducing minimum lot and
28 frontage sizes, increasing densities and use of municipally
owned land;
- 30 H. Ensure that the value of historical and archeological
resources is recognized and that protection is afforded to
32 those resources that merit it; and
- 34 I. Encourage the availability of and access to traditional
36 outdoor recreation opportunities, including, without
limitation, hunting, boating, fishing and hiking; and
38 encourage the creation of greenbelts, public parks, trails
and conservation easements. Each municipality shall should
40 identify and encourage the protection of undeveloped
shoreland and other areas identified in the local planning
42 process as meriting such protection.
- 44
- 46 **4. Regional coordination program.** A regional coordination
program shall may be developed with other municipalities to
48 manage shared resources and facilities, such as rivers, aquifers,
transportation facilities and others. This program shall should

2 provide for consistency with the comprehensive plans of other
municipalities for these resources and facilities.

4 **5. Implementation program.** An implementation program must
5 may be adopted that is consistent with the strategies in
6 subsection 3. ~~Except as otherwise provided in this subsection, a~~
7 ~~zoning ordinance must be adopted within 18 months of the~~
8 ~~applicable deadline date established in section 4343, subsection~~
9 ~~1, with the remainder of the strategies adopted according to the~~
10 ~~timetable set in the plan and the provisions of section 4313. If~~
11 ~~the office has extended the deadline for submission of the zoning~~
12 ~~ordinance pursuant to section 4343, subsection 1-B, a zoning~~
13 ~~ordinance must be adopted within 6 months after the extended~~
14 ~~deadline, with the remainder of the strategies adopted according~~
15 ~~to the timetable set in the plan and the provisions of section~~
16 ~~4313.~~

18 **Sec. F-30. 30-A MRSA §4327**, as enacted by PL 1989, c. 104,
19 Pt. A, §45 and Pt. C, §10, is amended to read:

20 **§4327. Monitoring and revision**

21 A municipality shall periodically review and revise its
22 local growth management program in a timely manner to account for
23 changes caused by growth and development. A municipality shall
24 should update its program at least once every 5 years in
25 accordance with this section. ~~The municipality shall submit any~~
26 ~~comprehensive plan and zoning ordinance revised under this~~
27 ~~section to the office for review as provided in section 4343,~~
28 ~~subsection 4.~~

29 **Sec. F-31. 30-A MRSA c. 187, sub-c. 2, art. 3**, as amended, is
30 repealed.

31 **Sec. F-32. Transfer of funds.** Notwithstanding the Maine
32 Revised Statutes, Title 5, section 13082, \$520,000 must be
33 transferred from the Community Industrial Buildings Fund Account
34 of the Department of Economic and Community Development to
35 General Fund undedicated revenue by June 30, 1992.

36 **PART G**

37 **Sec. G-1. 5 MRSA §12004-G, sub-§8**, as enacted by PL 1987, c.
38 786, §5, is repealed.

39 **Sec. G-2. 5 MRSA §12004-G, sub-§8-A**, as enacted by PL 1989,
40 c. 932, §1, is amended to read:

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8-A. Interde- Expenses 20-A MRSA
Education partmental Only §7704
Coordina-
ting Com-
mittee
Council for
Preschool
Handicapped
Children
Early Inter-
vention

Sec. G-3. 20-A MRSA §5001-A, sub-§3, ¶C, as enacted by PL 1987, c. 114, is repealed.

Sec. G-4. Retroactive application. That section of this Part that repeals the Maine Revised Statutes, Title 20-A, section 5001-A, subsection 3, paragraph C applies retroactively to July 1, 1991.

Sec. G-5. 20-A MRSA c. 307, first 2 lines are repealed and the following enacted in their place:

CHAPTER 307

INFANTS AND CHILDREN, AGES 0 TO 5,
WITH DISABILITIES

Sec. G-6. 20-A MRSA §7701, as amended by PL 1989, c. 499, §1, is repealed and the following enacted in its place:

§7701. Purpose

The purpose of this chapter is to maintain a coordinated service delivery system for the provision of "childfind" activities for children, ages 0 to 5, and free, appropriate and public education services for eligible children, ages 3 to 5, who have a disability. This chapter maintains 16 local coordinating committees to provide statewide coverage for the purpose of ensuring the provisions of this chapter through the establishment of a contractual relationship between the Department of Education and each of the local coordinating committees.

Sec. G-7. 20-A MRSA §7702, sub-§1, as repealed and replaced by PL 1989, c. 499, §2, is amended to read:

1. Allocation. "Allocation" means state and federal funds designated to the intermediate educational unit for coordination of service functions at by a local sites coordinating committee.

2 **Sec. G-8. 20-A MRSA §7702, sub-§2,** as amended by PL 1989, c.
932, §3, is repealed.

4 **Sec. G-9. 20-A MRSA §7702, sub-§3,** as enacted by PL 1989, c.
499, §2, is amended to read:

6 **3. Child Development Services.** "Child Development Services
8 System" Services or "system" "CDS" means the overall-governance,
management-and-personnel-structure intermediate educational unit
10 established in section 7707 ~~for~~ to ensure the provision and
coordination of "childfind" activities and free, appropriate and
12 public education services for infants-and to eligible children,
~~ages--0--through--5,--who--are--handicapped--or--at-risk--for~~
14 developmental-delay.

16 **Sec. G-10. 20-A MRSA §7702, sub-§3-A** is enacted to read:

18 **3-A. Childfind.** "Childfind" means the identification,
location and evaluation, at no cost to the family, of children
20 ages 0 to 5 with disabilities.

22 **Sec. G-11. 20-A MRSA §7702, sub-§6,** as enacted by PL 1989, c.
499, §2, is repealed.

24 **Sec. G-12. 20-A MRSA §7702, sub-§§8-A and 8-B** are enacted to
26 read:

28 **8-A. Disabled.** "Disabled" means:

30 A. A condition of children, ages 0 to 5, who are in need of
early intervention or special education services due to a
32 delay in one or more of the following areas: cognitive
development; physical development, including vision and
34 hearing; communication development; social or emotional
development; and adaptive development; or

36 B. For children, ages 0 to 2, a diagnosed, established
38 condition or biological factors that have a high probability
of resulting in developmental delay.

40 **8-B. Free, appropriate public education services.** "Free,
42 appropriate public education services" means those services that
are designed to meet the developmental needs of eligible
44 children, ages 3 to 5, who have a disability. These services
include:

46 A. Early identification, screening and assessment services;

48 B. Medical services for diagnostic or evaluation purposes
50 only;

- 2 C. Occupational therapy;
4 D. Parent counseling and training;
6 E. Physical therapy;
8 F. Psychological services;
10 G. Special instruction;
12 H. Speech pathology and audiology; and
14 I. Transportation.

16 **Sec. G-13. 20-A MRSA §7702, sub-§9,** as enacted by PL 1989, c.
18 499, §2, is amended to read:

20 **9. Grants.** "Grants" means state or federal funds
22 designated for resource development or provision of direct
24 services at by local sites coordinating committees. The terms of
the grant must be established as a contractual agreement between
Child Development Services and each of the 16 local coordinating
committees.

26 **Sec. G-14. 20-A MRSA §7702, sub-§10,** as amended by PL 1989, c.
28 932, §3, is repealed.

30 **Sec. G-15. 20-A MRSA §7702, sub-§11,** as enacted by PL 1989, c.
32 499, §2, is amended to read:

34 **11. Interdepartmental Coordinating Council for Early**
Intervention. "Interdepartmental Coordinating Committee Council
36 for Preschool-Handicapped-Children" Early Intervention" means the
38 committee council established in section 7704 for the purpose
40 purpose of ensuring interdepartmental coordination at the state
42 level for programs and services provided under this chapter.

44 **Sec. G-16. 20-A MRSA §7702, sub-§13,** as enacted by PL 1989, c.
46 499, §2, is repealed.

48 **Sec. G-17. 20-A MRSA §7702, sub-§14,** as repealed and replaced
50 by PL 1989, c. 878, Pt. A, §44, is repealed.

Sec. G-18. 20-A MRSA §7702, sub-§15, as enacted by PL 1989, c.
 499, §2, is repealed.

Sec. G-19. 20-A MRSA §7702, sub-§16, as enacted by PL 1989, c.
 932, §4, is repealed.

2 **Sec. G-20. 20-A MRSA §7703, first ¶**, as repealed and replaced
by PL 1989, c. 499, §3, is amended to read:

4 The commissioner may authorize the ~~Interdepartmental~~
5 ~~Coordinating Committee for Preschool Handicapped Children to make~~
6 ~~grants and allocations, Child Development Services to expend~~
7 ~~funds from funds authorized to the department, to local~~
8 ~~coordinating committees established in accordance with subsection~~
9 ~~4 and to agencies and school administrative units to establish~~
10 ~~local coordinated delivery systems to serve infants and young~~
11 ~~children, ages 0 through 5, who are handicapped or at risk for~~
12 ~~developmental delay to carry out this chapter.~~

14 **Sec. G-21. 20-A MRSA §7703, sub-§§2 to 4**, as repealed and
replaced by PL 1989, c. 499, §3, are amended to read:

16 **2. Rules.** The commissioner shall adopt rules necessary to
17 implement this chapter. The rules shall assure must ensure
18 participation at the local level by agencies currently serving
19 infants and children, ages 0 through to 5, who are handicapped or
20 at risk for developmental delay with disabilities. They shall
21 must require that existing resources for providing services to
22 infants and children, ages 0 through to 5, who are handicapped or
23 at risk for developmental delay with disabilities be exhausted
24 prior to using grant funds to provide services. The rules shall
25 must be adopted in accordance with the Maine Administrative
26 Procedure Act, Title 5, chapter 375.

28 **3. Fiscal services.** The ~~Interdepartmental--Coordinating~~
29 ~~Committee--for--Preschool--Handicapped--Children~~ department shall
30 ensure the provision of fiscal services for each local site
31 coordinating committee receiving a grant or allocation under this
32 chapter as described in rules promulgated adopted by the
33 commissioner for regulating the administration of the sites local
34 coordinating committees until June 30, 1992. Beginning July 1,
35 1992, each local coordinating committee is responsible for fiscal
36 management of money allocated to it, in compliance with state and
37 federal laws and subject to proof of an annual audit. Fiscal
38 services may be secured as a contracted or in-kind service.

40 **4. Local coordinating committee.** The Each local
41 coordinating committee, organized prior to application for
42 receipt of a grant or allocation, shall be is responsible for
43 governance of each local site its activities, including the
44 management and oversight of its general operations. Membership
45 shall must include representatives of preschool programs service
46 providers in the region to be served by the grant or allocation,
47 representatives of the regional offices of the Department of
48 Human Services and the Department of Mental Health and Mental
49 Retardation, representatives of participating school
50

2 administrative units, parents of infants and children who--are
handicapped or at risk for developmental delay, with disabilities
4 and other community members as determined appropriate. Terms of
membership and methods of appointment ~~for~~ or election shall must
6 be determined by local coordinating committee by-laws bylaws,
subject to approval of the ~~Interdepartmental--Coordinating~~
~~Committee---for---Preschool---Handicapped---Children~~ department.
8 Responsibilities of local coordinating committees shall must be
defined in rules ~~promulgated~~ adopted by the commissioner.

10 **Sec. G-22. 20-A MRSA §7704**, as amended by PL 1989, c. 932,
12 §5, is repealed and the following enacted in its place:

14 **§7704. Interdepartmental Coordinating Council for Early**
Intervention

16 The Interdepartmental Coordinating Council for Early
18 Intervention as established in Title 5, section 12004-G,
subsection 8-A, referred to in this section as the "council," is
20 established as an advisory body to the commissioner regarding the
coordination of policies and programs aimed at implementing
22 federal Public Law 99-457.

24 Membership of the council must be in keeping with federal
Public Law 101-476, Subparts F and G, contingent upon state
26 participation in these programs. Appointments to the council
must be made by the Governor for terms defined in rules adopted
28 by the commissioner.

30 The commissioner shall develop rules describing the
composition, selection process and responsibility of the members.

32 **1. Address issues.** The council shall address, with the
34 advice of the local coordinating committees, contemporary issues
affecting early intervention services in the State, including,
36 but not limited to, the following:

38 **A. Successful early intervention strategies;**

40 **B. Personnel preparation and continuing education;**

42 **C. "Childfind" activities and methods as required by**
federal Public Law 99-457, as amended;

44 **D. Public awareness as required by federal Public Law**
46 **99-457, as amended; and**

48 **E. Contemporary research.**

2 2. Recommendations. The council shall recommend to the
3 department, with the advice of the local coordinating committees,
4 legislation that is needed to maintain or further develop the
5 statewide system of quality early intervention services.

6 3. Bylaws. The council shall develop and adopt bylaws for
7 its conduct.

8 4. Assist. The council shall assist the department in the
9 development and implementation of rules, to be carried out by the
10 department, as necessary to carry out the duties and purposes of
11 this chapter. Any rule adopted by the department must be adopted
12 in conformity with the Maine Administrative Procedure Act.

13 5. Chair. The council shall annually elect one member to
14 serve as chair.

15 6. Compensation. The members of the council are entitled
16 to compensation in accordance with Title 5, section 12004-G.
17 Agency representatives on the council are entitled to
18 reimbursement for expenses incurred in the performance of their
19 council duties by the appointing agencies in accordance with the
20 provisions for state employees. Consumer members are entitled to
21 reimbursement for actual and necessary expenses incurred in the
22 performance of their duties.

23 7. Staffing. The department shall provide staff to the
24 council.

25 8. Meetings. The council shall meet at least quarterly and
26 adopt bylaws for the conduct of its meetings.

27 9. Committee and advisory activities. The council may
28 establish committees composed of parents, professionals, advocacy
29 group representatives, local coordinating committee
30 representatives and employees in keeping with the bylaws adopted
31 by the council.

32 10. Consensus. Any action taken by the council must be
33 approved by a majority vote of the members present and voting.

34 11. Conflict resolution. The council shall identify areas
35 of conflict for resolution by the Committee for the
36 Interdepartmental Coordination of Services to Children and
37 Families.

38 Sec. G-23. 20-A MRSA §7704-A, as enacted by PL 1989, c. 932,
39 §6, is amended to read:

40 §7704-A. Conflict of interest

2 Notwithstanding Title 5, section 18, subsection 1, paragraph
B, each member of the Interdepartmental Coordinating Committee
4 Council for Preschool-Handicapped-Children Early Intervention and
each employee, contractor, agent or other representative of the
6 committee Child Development Services is deemed an "executive
employee" solely for the purposes of Title 5, section 18. The
8 committee department shall provide training to system
participants to ensure compliance with conflict of interest
10 requirements. ~~Local coordinating committees, with the assistance~~
~~of the Interdepartmental Coordinating Committee for Preschool~~
12 ~~Handicapped-Children,~~ may develop conflict of interest policies
for local employees or local coordinating committee members and
14 may request assistance from the department in developing those
policies.

16 **Sec. G-24. 20-A MRSA §7705**, as amended by PL 1989, c. 499,
18 §5, is further amended to read:

20 **§7705. Early childhood consultant**

22 The position of early childhood consultant within the
Division of Special Education shall be is continued to ensure the
24 department's participation in the coordinated service delivery
system for infants and children, ages 0 through to 5, ~~who are~~
26 ~~handicapped or at risk for developmental delay~~ with disabilities.

28 Additional consultant positions may be established in each
of the participating departments to provide joint staffing and
30 administrative support and ensure the departments' participation
in the coordinated service delivery system for infants and
32 children, ages 0 through to 5, ~~who are handicapped or at risk for~~
~~developmental delay~~ with disabilities.

34 **Sec. G-25. 20-A MRSA §7707**, as amended by PL 1989, c. 499,
36 §6, is further amended to read:

38 **§7707. Child Development Services**

40 The Child Development Services System is established as a
body corporate and politic and public instrumentality of the
42 State and the exercise of the powers conferred by this section
shall be is deemed and held to be the performance of essential
44 governmental functions. ~~The system shall consist of the~~
~~Interdepartmental Coordinating Committee for Preschool~~
46 ~~Handicapped Children, the local coordinating committees and~~
~~employees at the local sites.~~ Child Development Services is
48 established as an intermediate educational unit for the purposes
of carrying out the duties and obligations of this chapter under
50 the supervision and direction of the department.

2 **1. Employees.** The professional and other staff of the
3 local sites coordinating committees funded under section 7703
4 ~~shall be~~ are employees of the system Child Development Services
5 until June 30, 1992. Effective July 1, 1992, they are employees
6 of the local coordinating committees.

8 **2. Hiring.** The system ~~shall delegate the~~ authority to
9 hire, fire and supervise the local staff ~~of the local sites to~~ is
10 the responsibility of the local coordinating committees
11 established under section 7703, subsection 4.

12 **3. ~~Collective bargaining.~~** ~~The system is a public employer~~
13 ~~within the meaning of Title 26, section 962, subsection 7.~~
14 ~~Employees of the system are public employees within the meaning~~
15 ~~of Title 26, section 962, subsection 6. If system employees~~
16 ~~choose to be represented by a collective bargaining agent under~~
17 ~~Title 26, it is the intent of the Legislature that, in order to~~
18 ~~foster meaningful collective bargaining, bargaining units shall~~
19 ~~be structured in such a way as to avoid excessive fragmentation~~
20 ~~whenever possible. In accordance with this policy, bargaining~~
21 ~~units shall be structured on a system wide basis with one unit~~
22 ~~for each of the following occupational groups:~~

23 A. ~~Supervisory staff;~~

24 B. ~~Professional and technical staff; and~~

25 C. ~~Clerical and support staff.~~

26 **Sec. G-26. 20-A MRSA §7708,** as amended by PL 1989, c. 932,
27 §7, is repealed.

28 **Sec. G-27. 20-A MRSA §7710,** as amended by PL 1989, c. 932,
29 §§8 and 9, is repealed.

30 **Sec. G-28. 20-A MRSA §7710-A** is enacted to read:

31 **§7710-A. Child Development Services; duties, powers and**
32 **obligations**

33 Child Development Services shall:

34 **1. Policies; seal.** Develop and adopt policies for the
35 regulation of its affairs and conduct of its business and an
36 official seal;

37 **2. Fiscal management.** Receive, expend, allocate and
38 transfer funds as necessary to fulfill the purpose of this
39 chapter, in accordance with all other applicable federal and
40 state laws.

2 state laws and rules, and in accordance with the budget, as
3 submitted by each participating department and approved by the
4 Legislature. Child Development Services may receive and accept,
5 from any source, loans, aid or contributions of money, property,
6 labor or other things of value to be held, used or applied to
7 carry out the purposes of this chapter, subject to the conditions
8 upon which the loans, grants and contributions may be made,
9 including, but not limited to, loans, grants or gifts from any
10 federal agency or governmental subdivision or the State or its
11 agencies. Except as otherwise provided for in this chapter or
12 other applicable federal or state laws or rules, Child
13 Development Services may invest any funds not needed for
14 immediate use, including any funds held in reserve, in property
15 and securities in which fiduciaries in the State may legally
16 invest funds;

17 3. Personnel policies. Develop and adopt personnel
18 policies for Child Development Services. The provisions of Title
19 5, chapter 71, of the personnel laws do not apply to Child
20 Development Services;

21 4. Fringe benefits. Determine which fringe benefits may be
22 offered to employees, dependent on cost, ease of administration
23 and competitiveness in recruiting and retaining qualified
24 personnel;

25 5. Retirement plan. Select a nondiscriminatory employee
26 retirement plan option that meets all applicable federal and
27 state requirements;

28 6. Contracts. Subject to the approval of the department,
29 enter into contracts, leases and agreements and any other
30 instruments and arrangements that are necessary, incidental or
31 convenient to the performance of its duties and the execution of
32 its powers under this chapter;

33 7. Suits. Sue and be sued in its own name;

34 8. Acquire supplies. Acquire supplies, materials and
35 incidental services, through cash purchases, sole-source purchase
36 orders, bids or contracts, as necessary or convenient to fulfill
37 the purposes of this chapter;

38 9. Acquire property. Acquire by purchase, gift, lease or
39 rent any property, lands, buildings, structures, facilities or
40 equipment necessary to fulfill the purposes of this chapter;

41 10. Other duties. Fulfill other duties assigned by the
42 Legislature, delegate duties and authority, but not
43 responsibility, as necessary for the efficient operation of this
44

chapter and do any other acts or things necessary or convenient to carry out the powers expressly granted or reasonably implied in this chapter;

11. Dissemination of information. Apply the federal Family Educational Rights and Privacy Act of 1974, Public Law 93-380, as amended by Public Law 93-568, and the federal Education for All Handicapped Children Act of 1975, Public Law 94-142, to the dissemination of information about infants and children, ages 0 to 5, with disabilities and who are served through Child Development Services; and

12. Liability. All Child Development Services employees and local coordinating committee members are covered by the Maine Tort Claims Act.

Sec. G-29. 20-A MRSA §7711, as enacted by PL 1989, c. 932, §10, is repealed and the following enacted in its place:

§7711. Implementation of special education services

The department, through Child Development Services, shall ensure:

1. All children ages 0 to 5. That screening, evaluation and referral services, at no cost to the family, are accessible to all children, ages 0 to 5. Child Development Services shall adopt rules describing these services;

2. Children with disabilities. That preschool children with disabilities, ages 3 to 5, have special education available to them at no cost to the family.

A. The department shall develop, adopt and implement rules describing minimum standards for the following:

(1) Least restrictive environment;

(2) Nondiscrimination;

(3) Rights of parents;

(4) Free and appropriate public services;

(5) Eligibility criteria;

(6) The federal "childfind" program;

(7) Program development, service descriptors and service delivery;

- 2 (8) Early childhood team;
4 (9) Individualized family service plan;
6 (10) Statements of assurances;
8 (11) Procedural safeguards and appeals processes;
10 (12) Due process hearings;
12 (13) Confidentiality of information;
14 (14) Data collection, reporting and utilization;
16 (15) Surrogate parents; and
18 (16) System governance; and

20 3. Insurer or 3rd-party obligation. Nothing in this
22 chapter relieves an insurer or similar 3rd party from an
24 otherwise valid obligation to provide or pay for services
 provided.

26 **Sec. G-30. 20-A MRSA §7712**, as enacted by PL 1989, c. 932,
 §10, is amended to read:

28 **§7712. Annual report**

30 The department, in conjunction with the Interdepartmental
32 Coordinating Committee Council for Presechool-Handicapped-Children
34 and representatives of the local coordinating committees Early
36 Intervention, shall report annually by March 1st to the joint
 standing committee of the Legislature having jurisdiction over
 education matters on the implementation of this subchapter.

38 **Sec. G-31. PL 1991, c. 602, §2** is repealed.

40 **Sec. G-32. Transition provisions.** The following provisions
42 govern the transition period between January 2, 1992 and June 30,
 1992.

44 **1. Grants, allocations and contracts.** All grants,
46 allocations and contracts of the Child Development Services
 System and the local coordinating committees in existence on the
 effective date of this Part remain in effect until June 30, 1992
 or until terminated by the parties.

48 **2. Report to Legislature.** The Department of Education and
50 representatives of the local coordinating committees shall report

2 to the Joint Standing Committee on Appropriations and Financial
Affairs and the Joint Standing Committee on Education by January
15, 1992 on whether local coordinating committees will be
4 designated as private nonprofit groups or individual education
units.

6 **Sec. G-33. Effective date.** This Part takes effect on January
8 2, 1992.

10 **PART H**

12
14 **Sec. H-1. 38 MRSA §421,** as amended by PL 1991, c. 499, §15,
16 is repealed.

18 **Sec. H-2. 38 MRSA §480-Q, sub-§11,** as amended by PL 1991, c.
20 240, §2, is further amended to read:

22 **11. Soil evaluation.** Borings taken to evaluate soil
conditions in or adjacent to a great pond, river, stream or
24 brook, coastal wetland, freshwater wetland or sand dune are
exempt from the provisions of this article provided that no area
of wetland vegetation is destroyed or permanently removed; and

26 **Sec. H-3. 38 MRSA §480-Q, sub-§12, ¶E,** as enacted by PL 1991,
28 c. 240, §3, is amended to read:

30 E. A notice of intent to maintain, repair or reconstruct
32 the access way and the description of the work to be
completed are submitted to the commissioner and to the
municipal reviewing authority at least 20 days before the
34 work is performed; and

36 **Sec. H-4. 38 MRSA §480-Q, sub-§13** is enacted to read:

38 **13. Maine Land Use Regulation Commission jurisdiction.** Any
40 activity subject to review by the Maine Land Use Regulation
Commission.

42 **PART I**

44
46 **Temporary suspension of statutory mandate.** Notwithstanding the
48 Maine Revised Statutes, Title 5, chapter 312, all statutory
responsibilities pursuant to the Act for a State Register of
Critical Areas are suspended from January 1, 1992 to June 30,
50 1992.

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PART J

Sec. J-1. 5 MRSA §3513, sub-§1, as enacted by PL 1983, c. 176, Pt. A, §3, is repealed.

Sec. J-2. 5 MRSA §3513, sub-§§3 and 4, as enacted by PL 1983, c. 176, Pt. A, §3, are amended to read:

3. Director. "Director" means the Director of the Office of Community Services.

4. Office. "~~Division~~" "Office" means the ~~Division~~ Office of Community Services.

Sec. J-3. 5 MRSA §3514, as amended by PL 1991, c. 9, Pt. I, §1, is further amended to read:

§3514. Office of Community Services

There is established, to carry out the purposes of this chapter, the ~~Division~~ Office of Community Services in the Executive Department, which shall carry out the responsibilities of State Government relating to planning and financing community services and community action agencies and shall administer state and federal community ~~services~~ services programs and other block grants that may be available, including, but not limited to, ~~energy--assistanee~~ the Community Services Block Grant and Head Start.

Sec. J-4. 5 MRSA §3515, as amended by PL 1991, c. 9, Pt. I, §2, is further amended to read:

§3515. Director of the Office of Community Services

1. Appointment. The Governor shall appoint a full-time Director of the Office of Community Services, ~~---subject---to confirmation-by-the-joint-standing-committee-of-the-Legislature having-jurisdiction-over-health-and-institutional-services.~~ The director shall serve at the pleasure of the Governor and ~~shall-be paid-a-salary-fixed-by-the-Governor.~~

2. Powers and duties. The director shall exercise the powers of the ~~Division~~ Office of Community Services and ~~shall-be~~ is responsible for the execution of its duties. The director shall:

A. Administer the office and adopt such methods of administration, not inconsistent with the law, as that the

2 director ~~may-determine~~ determines necessary to render the
3 division office efficient;

4 B. Appoint and remove the staff of the office and prescribe
5 their its duties as may be necessary to implement the
6 purposes of this chapter. Professional employees shall must
7 be hired as unclassified employees. All other employees
8 shall-be are subject to the Civil Service Law;

10 C. Prepare and submit, for executive and legislative action
11 thereon, the budget of the division office;

12 D. Advise the Governor and other officials of State
13 Government on matters relating to the extent and nature of
14 poverty in this State;

16 E. Advise the Governor and other officials of State
17 Government on matters relating to ~~fuel-assistance-programs~~
18 and-~~other~~ authorized programs and services of the division
19 office;

22 F. Administer for the State any federal funds appropriated
23 under federal law relating to the authorized programs of the
24 division office and direct activities that are necessary for
25 the purpose of carrying out that federal law;

26 G. Administer for the State aid or contributions from any
27 source of either money, property, labor or other things of
28 value to carry out authorized programs of the division
29 office;

32 H. Enter into contracts with any other state agency,
33 municipality, district, private corporation, copartnership,
34 association or individual for the purpose of providing
35 services relating to authorized programs of the division
36 office; and

38 I. Be informed about the perspectives and concerns of the
39 state's State's community action agencies and represent
40 their opinions to the Governor and other state officials.

42 **Sec. J-5. 5 MRSA §3516**, as amended by PL 1983, c. 480, Pt. B,
43 §3, is further amended to read:

44 **§3516. Rules**

46 ~~With advice from the Community Services Advisory Board,~~
47 The office shall promulgate rules to carry out all the
48 programs it administers.

50

2 **Sec. J-6. 5 MRSA §3517**, as amended by PL 1989, c. 503, Pt. B,
§20, is repealed.

4 **Sec. J-7. 5 MRSA §3518**, as amended by PL 1991, c. 9, Pt. I,
§3, is further amended to read:

6 **§3518. Office of Community Services; powers and duties**

8
10 **1. Federal, state and other funds.** Through plans and
contracts developed ~~with advice from the board~~, the division
12 office shall obtain, distribute and administer federal, state and
other community services' funds, including block grants, energy
14 assistance, Head Start and other funds as may become available.
Any balances of funds appropriated to the division office
16 remaining at the end of a fiscal year may not lapse, but must be
carried forward from year to year to be expended for the same
18 purpose.

20 **2. Monitoring of poverty level.** The division office shall
monitor the poverty level of Maine citizens and carry out the
22 following activities:

24 A. Conduct an annual survey of poverty in Maine, reporting
the results of this survey to the Governor, the Legislature
26 and the public;

28 B. Make recommendations annually to the Governor and the
Legislature on ways and means to combat and reduce poverty
30 in Maine;

32 C. Seek federal, state and private funds to combat poverty
in Maine; and

34 D. Advise the Governor, the Legislature and local officials
on the impact of state and local policies on poverty in
36 Maine.

38 **3. Overseeing community action agencies.** The division
office shall oversee community action agencies as follows.

40 A. The division office shall designate community action
42 agencies every 7 years pursuant to the requirements of this
chapter.

44 B. The division office shall establish audit requirements
46 in accordance with the Human Services Community Agency
Accounting Practices Act.

48 C. The division office shall evaluate community action
50 agencies every 3 years.

2 **4. Planning and coordination for state services.** The
4 ~~division~~ office shall provide planning and coordination for state
services to ~~low-income~~ low-income people.

6 **5. Technical assistance.** The ~~division~~ office shall provide
8 technical assistance to community action agencies and other
groups serving the interests of ~~low-income~~ low-income people in
this State.

10 **6. Research and assistance to Governor.** The ~~division~~
12 office shall provide research and assistance to the Governor as
he the Governor may request.

14 **7. Monitoring local program operators.** The ~~division shall~~
16 be office is responsible for monitoring subgrantees to ensure
conformance with appropriate rules.

18 **Sec. J-8. 5 MRSA §3518-A**, as amended by PL 1991, c. 9, Pt. I,
20 §4, is repealed.

22 **Sec. J-9. 5 MRSA §3518-B**, as enacted by PL 1989, c. 884, §1,
is repealed.

24 **Sec. J-10. 5 MRSA §3519, sub-§§1 and 2**, as enacted by PL 1983,
26 c. 176, Pt. A; §3, are amended to read:

28 **1. Designation.** Community action agencies shall ~~must~~ be
30 designated by the ~~Division Office~~ of Community Services to carry
out the purposes of this chapter. In making these designations,
32 the office shall solicit and consider comments from other state
agencies or authorities that operate programs in which community
34 action agencies participate. These designations ~~shall be~~ are for
7 years.

36 **2. Designation withdrawn.** The ~~division~~ office may withdraw
38 its designation of a community action agency after an evaluation
in which the agency has demonstrated substantial incompetency and
40 a clear inability to carry out the purposes of this Act, unless
there is or has been financial malfeasance, which may be cause
42 for immediate withdrawal of designation. In performing these
evaluations, the office shall solicit and consider comments from
44 other state agencies or authorities that operate programs in
which the community action agency participates.

46 The ~~division~~ office shall notify an agency of a pending
48 withdrawal of designation. Upon notification, the agency shall
have has up to 6 months to take corrective action, at which time
a designation withdrawal evaluation shall ~~must~~ be performed by

2 the division office. Failure to pass this evaluation shall mean
results in an immediate loss of designation.

4 Upon the final order from the ~~division~~ which office that rescinds
6 a community action agency's designation, the community action
8 agency may file a petition for review of this final decision in
the appropriate Superior Court within 30 days, under the Maine
Rules of Civil Procedure, Rule 80B 80C.

10 **Sec. J-11. 5 MRSA §3520, sub-§1**, as enacted by PL 1983, c.
12 176, Pt. A, §3, is amended to read:

14 **1. Board of directors; establishment.** A community action
16 agency shall establish a governing board of directors ~~which shall~~
18 ~~consist~~ that consists of not less than 15 nor more than 30
20 members. One-third of the members shall ~~shall~~ must be representatives
22 of low-income residents of the service area who are selected
24 through a democratic process in accordance with guidelines
established by the Division Office of Community Services.
One-third of the members shall ~~shall~~ must be elected public officials
or their designees or officials of public agencies operating in
the service area. One-third of the members shall ~~shall~~ must be
representatives of private sector organizations, including
business and industry, as well as educational, civic, labor and
religious organizations.

26 **Sec. J-12. 5 MRSA §3522, sub-§1**, as amended by PL 1985, c.
28 229, §6, is further amended to read:

30 **1. Distribution of Community Services Block Grant funds.**
32 The Division Office of Community Services shall administer and
34 distribute to community action agencies, according to ~~Title-5,~~
section 1670, Community Services Block Grant funds received from
the Federal Government.

36 **Sec. J-13. 5 MRSA §3522, sub-§2, ¶B**, as amended by PL 1983, c.
38 480, Pt. B, §6, is further amended to read:

40 **B.** The balance of these funds shall ~~shall~~ must be distributed
42 according to rules as promulgated by the ~~division--with~~
~~advice--from--the--board~~ office.

44 **Sec. J-14. 5 MRSA §3522, sub-§3**, as amended by PL 1985, c.
229, §6, is further amended to read:

46 **3. Block grant proposals.** Proposals for Community Services
48 Block Grant funds, submitted to the Legislature by the ~~division~~
office in accordance with section 1670, shall ~~shall~~ must be developed
with ~~advice--from--the--board~~ and shall ~~shall~~ must:

2 A. Include a description of current usages of Community
Services Block Grant funds and how the plan proposes to
change that distribution;

4 B. Retain the absolute minimum necessary for state
6 administrative costs; and

8 C. Provide for maximum flexibility within community action
agencies for the usage of Community Services Block Grant
10 funds.

12 **Sec. J-15. 5 MRSA §3523, sub-§1, ¶¶A and B**, as enacted by PL
1985, c. 229, §7, are amended to read:

14 A. Any information acquired by a state agency,
16 municipality, district, private corporation, copartnership,
association, fuel vendor, private contractor, individual or
18 an employee or agent of any of those persons or entities,
providing services relating to authorized programs of the
20 Division Office of Community Services or programs
administered by community action agencies, when that
22 information was provided by the applicant for those services
or by any 3rd person; and

24 B. Any statements of financial condition or information
26 pertaining thereto submitted to any of the persons or
entities set forth in paragraph A in connection with an
28 application for services relating to authorized programs of
the Division Office of Community Services or programs
30 administered by community action agencies.

32 **Sec. J-16. 5 MRSA §3523, sub-§4**, as enacted by PL 1985, c.
229, §7, is amended to read:

34 **4. Reports to State Government or Federal Government.**
36 Notwithstanding subsection 1, the Division Office of Community
Services may make such full and complete reports concerning its
38 administration of authorized programs as may be required by the
Legislature, the Federal Government or any agency or department
40 thereof.

42 **Sec. J-17. 5 MRSA §3524**, as enacted by PL 1985, c. 527, §7,
is repealed.

44 **Sec. J-18. 5 MRSA §12004-I, sub-§3**, as enacted by PL 1987, c.
46 786, §5, is repealed.

48 **Sec. J-19. 10 MRSA §1100-N, sub-§2**, as amended by PL 1985, c.
344, §96, is further amended by amending the first paragraph to
50 read:

2 **2. Loan criteria and procedures.** The authority may, ~~after~~
3 ~~consultation with the Community Services Advisory Board,~~
4 ~~established by Title 5, section 3517,~~ promulgate rules to
5 implement the Maine Job-start Program, which shall include, but
6 not be limited to, the following loan criteria:

8 **Sec. J-20. 30-A MRSA §4722, sub-§1, ¶W,** as enacted by PL 1991,
9 c. 9, Pt. I, §7 and affected by §8, is amended to read:

10 W. Obtain Pursuant to the purpose of the Act to provide
11 housing assistance to persons of low income and in
12 accordance with rules adopted under the Maine Administrative
13 Procedure Act, operate programs to provide energy
14 conservation and fuel assistance on behalf of persons of low
15 income in connection with single-family or multi-unit
16 residential housing and accept, obtain, distribute and
17 administer federal and state funds, including block grants,
18 for energy conservation and fuel assistance for the purpose
19 of operating those programs; and

20 **Sec. J-21. 30-A MRSA §4741, sub-§§13 and 14,** as amended by PL
21 1989, c. 104, Pt. C, §§8 and 10, are further amended to read:

22 **13. Allocation of federal ceilings.** By rulemaking under
23 Title 5, chapter 375, subchapter II, the Maine State Housing
24 Authority ~~shall have the power to~~ may establish a process that is
25 different from the federal formula for allocating that portion of
26 the ceiling on the issuance of certain tax-exempt bonds
27 established by the United States Code, Title 26, which has been
28 allocated to the Maine State Housing Authority under Title 10,
29 section 363, and may also limit the types of projects which that
30 are eligible to receive allocations or carryforward designations
31 from the Maine State Housing Authority; and

32 **14. State housing credit agency.** The Maine State Housing
33 Authority is designated the housing credit agency for the State
34 and ~~shall have the power to~~ may receive and allocate, according
35 to a process established by rulemaking pursuant to Title 5,
36 chapter 375, subchapter II, the annual state housing credit
37 ceiling for the low-income housing credit established by the
38 United States Code, Title 26.; and

39 **Sec. J-22. 30-A MRSA §4741, sub-§15** is enacted to read:

40 15. State weatherization, conservation and fuel assistance
41 agency. The Maine State Housing Authority is designated the
42 weatherization, energy conservation and fuel assistance agency
43 for the State and may apply for, receive, distribute and
44 administer federal funds on behalf of the State for

2 weatherization, energy conservation and fuel assistance pursuant
4 to the Weatherization Assistance for Low-income Persons Program
6 administered through the United States Department of Energy and
8 the Low-income Home Energy Assistance Program administered
10 through the United States Department of Health and Human Services
12 in accordance with rules adopted under the Maine Administrative
14 Procedure Act.

16 **Sec. J-23. 30-A MRSA c. 201, sub-c. XIII** is enacted to read:

18 **SUBCHAPTER XIII**

20 **FUEL ASSISTANCE**

22 **§4991. Fuel assistance program**

24 The Maine State Housing Authority shall administer a fuel
26 assistance program as provided in this subchapter. As used in
28 this subchapter, unless the context otherwise indicates, the
30 following terms have the following meanings.

32 **1. Authority.** "Authority" means the Maine State Housing
34 Authority.

36 **2. Fuel assistance.** "Fuel assistance" means assistance
38 paid to eligible households or to fuel vendors on behalf of an
40 eligible household or directly to eligible tenants who pay
42 heating costs as an undesignated portion of rent.

44 **§4992. Administration**

46 The authority may select local program operators as long as
48 they comply with the program operating standards established by
the authority by rule in accordance with the Maine Administrative
Procedure Act. The authority, by rule, shall provide, at a
minimum, the following standards that apply to local program
operators and administrators:

1. **Accounting and bookkeeping standards.** Standards that
require generally accepted accounting and bookkeeping procedures
that meet the requirements of the Federal Government and the
authority;

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

2 3. Confidentiality standards. Standards requiring the
3 adherence of the local program operators to confidentiality with
4 respect to program recipients;

5 4. Availability standards. Standards requiring local
6 program operators and administrators to be available to the
7 general public for a minimum specified period of time each week;
8 and

9 5. Expeditious provision of assistance standards.
10 Standards that ensure that qualified program recipients are
11 expeditiously provided with assistance by the local program
12 operator or administrator.

13 A person who the authority finds to be in violation of the
14 standards adopted by the authority pursuant to this section may
15 be prohibited from acting as a local program operator or
16 administrator of the fuel assistance program.

17 **§4993. Penalty**

18 A person who knowingly uses, transfers, acquires or
19 possesses fuel provided through fuel assistance in any manner not
20 authorized by this subchapter or the rules issued under this
21 subchapter commits a Class E crime.

22 **Sec. J-24. Transition provisions.** The following provisions
23 apply to the transfer of the Low-income Home Energy Assistance
24 Program, the Emergency Community Services Homeless Grant and the
25 Temporary Housing Assistance Program from the Division of
26 Community Services to the Maine State Housing Authority.

27 1. The Maine State Housing Authority is the successor in
28 every way to the powers, duties and functions of the Division of
29 Community Services in the area of fuel assistance programs and
30 programs for the homeless, including, but not limited to, the
31 rules, state plan and procedures adopted in connection with those
32 plans and procedures, except the State shall indemnify the Maine
33 State Housing Authority for all costs, expenses and losses of any
34 kind and nature arising out of the division's activities and
35 operations in the area of fuel assistance programs and programs
36 for the homeless prior to the effective date of this Part.

37 2. All forms, licenses, contracts and agreements pertaining
38 to the Low-income Home Energy Assistance Program and programs for
39 the homeless and grants are transferred to the Maine State
40 Housing Authority on January 1, 1992.

41 3. Notwithstanding the provisions of the Maine Revised
42 Statutes, Title 5, all accrued assets, balances or

2 appropriations, allocations, transfers, revenues or other
4 available funds in an account or subdivision of an account of the
6 Division of Community Services in connection with the fuel
8 assistance program and programs for the homeless are transferred
10 to the Maine State Housing Authority.

12 4. All records, property and equipment of the Division of
14 Community Services allocated to the fuel assistance program and
16 programs for the homeless become the property of the Maine State
18 Housing Authority on January 1, 1992.

20 5. The Division of Community Services retains a portion of
22 the administrative funds from the Low-income Home Energy
24 Assistance Program grant to cover operating expenses incurred up
26 to and including the first quarter of the federal fiscal year
28 1992. In addition, the Division of Community Services retains
30 enough administrative funds to cover expenses related to the
32 layoffs of staff existing in the Low-income Home Energy
34 Assistance Program account, including unemployment and vacation
36 accrual. Any funds retained for these purposes that are not used
38 must be returned to the Maine State Housing Authority by
40 September 30, 1992.

42 **Sec. J-25. Effective date.** This Part takes effect on January 1,
44 1992.

26 PART K

28 **Sec. K-1. 5 MRSA §135, first ¶,** as repealed and replaced by PL
30 1987, c. 769, Pt. A, §8, is amended to read:

32 The Treasurer of State may deposit the money, including
34 trust funds of the State, in any of the banking institutions or
36 trust companies or state or federal savings and loan associations
38 or mutual savings banks organized under the laws of this State or
40 in any national bank or banks or state or federal savings and
42 loan associations located in the State, except as provided in
44 chapter 161. When there is excess money in the State Treasury
46 which that is not needed to meet current obligations, the
48 Treasurer of State may invest, with the concurrence of the State
50 Controller or the Commissioner of Finance and with the consent of
the Governor, those amounts in bonds, notes, certificates of
indebtedness or other obligations of the United States which that
mature not more than 24 months from the date of investment or in
repurchase agreements secured by obligations of the United States
which that mature within the succeeding 24 months, prime
commercial paper, tax-exempt obligations or banker's
acceptances. The Treasurer of State may participate in the
securities loan market by loaning state-owned bonds, notes or

2 certificates of indebtedness of the Federal Government, provided
that the loans are fully collateralized by treasury bills or
4 cash. The Treasurer of State shall seek competitive bids for
investments except when, after a reasonable investigation, it
6 appears that an investment of the desired maturity is procurable
by the State from only one source. Interest earned on those
8 investments of money shall must be credited to the respective
funds, except that interest earned on investments of special
revenue funds shall must be credited to the General Fund of the
10 State. Effective November 1, 1991, interest earned on
investments of the Highway Fund must be credited to the General
12 Fund. Interest earned on funds of the Department of Inland
Fisheries and Wildlife shall must be credited to ~~that fund~~ the
14 General Fund. Interest earned on funds of the Baxter State Park
Authority shall must be credited to the Baxter State Park Fund.
16 This section shall does not prevent the deposit for safekeeping
or custodial care of the securities of the several funds of the
18 State in banks or safe deposit companies in this State or any
other state, nor the deposit of such state funds as ~~may be~~
20 required by the terms of custodial contracts or agreements as ~~may be~~
negotiated in accordance with the laws of this State. All
22 custodial contracts and agreements shall ~~be~~ are subject to the
approval of the Governor.

24 **Sec. K-2. Retroactivity.** That section of this Part that amends
the Maine Revised Statutes, Title 5, section 135, first paragraph
is retroactive to November 1, 1991.

28 **Sec. K-3. 28-A MRSA §401-A, sub-§1,** as enacted by PL 1991, c.
30 591, Pt. 2, §2, is repealed and the following enacted in its
place:

32 **1. State liquor store locations.** The commission shall
34 create at least 15 state liquor stores for the retail sale of
liquor and may create additional state liquor stores. State
36 liquor stores must be located in those municipalities determined
by the commission.

38 **Sec. K-4. 28-A MRSA §456-A, sub-§1,** as enacted by PL 1991, c.
40 367, is amended to read:

42 **1. Licensing of seasonal agency liquor stores.** The
commission may issue 6-month seasonal licenses to no more than 6
44 15 special agency stores.

46 **Sec. K-5. 36 MRSA §4641-B, last ¶,** as enacted by PL 1991, c.
591, Pt. P, §16, is repealed and the following enacted in its
48 place:

2 For the period beginning November 1, 1991 and ending June
30, 1992, the State Tax Assessor shall pay all net receipts to
4 the Treasurer of State who shall credit all such revenue to the
General Fund. For the period beginning July 1, 1992 and ending
5 June 30 1993, the State Tax Assessor shall pay all net receipts
6 to the Treasurer of State, who shall pay \$1,500,000 of the
7 revenues to the Maine State Housing Authority in 12 equal monthly
8 installments for deposit in the Housing Opportunities for Maine
9 Fund created in Title 30-A, section 4843, and shall credit the
10 balance of the revenues to the General Fund.

12 **Sec. K-6. Retroactivity.** Those sections of this Part that
13 amend the Maine Revised Statutes, Title 36, section 4641-B are
14 retroactive to November 1, 1991.

16 **Sec. K-7. PL 1991, c. 591, Pt. N, §24, under that part designated**
17 **"FINANCE, DEPARTMENT OF" in that part relating to "Bureau of**
18 **Taxation" is amended by amending the 6th to 19th lines to read:**

20 Provides funds to restore 3
21 Revenue Agent positions, one
22 ~~Senior---Revenue---Agent~~
23 ~~position,~~ 2 Tax Enforcement
24 Officer positions, one Senior
25 Tax Examiner position and to
26 establish the following new
27 positions: nine Principal
28 Revenue Agent positions, one
29 ~~Tax-Section-Manager-position~~
30 one District Tax Audit
31 Manager position, 4 2 Tax
32 Enforcement Officer
33 positions, one 2 Senior Tax
34 Examiner ~~position~~ positions,
35 3 4 Tax Examiner positions,
36 one Clerk Typist III position
37 and 2 one Clerk III positions
38 position. The Principal
39 Revenue Agent positions are
40 part of a package to
41 reorganize the Audit
42 Division. Additionally, 2
43 Senior Revenue Agent
44 positions (PR-23) are
45 downgraded to Revenue Agent
46 positions (PR-20); 5 Tax
47 Section Manager positions are
48 upgraded to District Tax
 Audit Manager positions

2 (PR-26 to PR-28); and one
3 Clerk Typist III position is
4 upgraded to a Clerk IV
5 position.

6 **Sec. K-8. Liquor stores.** Notwithstanding the Maine Revised
7 Statutes, Title 28-A, section 453, subsections 1 and 2, the State
8 Liquor Commission may authorize the closing of state liquor
9 stores to be replaced by agency stores. The number of agency
10 stores to be located in any municipality must be determined by
11 the State Liquor Commission. The Commissioner of Finance shall
12 report to the Joint Standing Committee on Legal Affairs at the
13 Second Regular Session of the 115th Legislature by March 31, 1992
14 and at the First Regular Session of the 116th Legislature by
15 March 31, 1993 on the status of the state liquor store closings.

16 **Sec. K-9. Merger of Bureau of Alcoholic Beverages and Bureau of**
17 **Lottery.** The Department of Finance is authorized to proceed with
18 preliminary steps to merge the Bureau of Alcoholic Beverages and
19 the Bureau of Lottery into a Bureau of Alcoholic Beverages and
20 Lottery Operations as recommended to the Special Commission on
21 Governmental Restructuring. Preliminary steps toward the
22 complete merger of the 2 bureaus may commence on the effective
23 date of this Act and may include the acquisition, renovation or
24 construction of office space to house the administrative staff of
25 the merged bureau; expenditure and position reductions authorized
26 by this Act; and the relocation of capital equipment, supplies
27 and staff of the 2 bureaus. A complete plan must be submitted to
28 the Second Regular Session of the 115th Legislature recommending
29 the position and allocation adjustments and changes to certain
30 provisions of law necessary to implement the remaining components
31 of the merger. The complete merger is effective on July 1,
32 1992. Notwithstanding the Maine Revised Statutes, Title 28-A,
33 section 71, subsection 1, the Commissioner of Finance may appoint
34 and employ a Director of the Bureau of Alcoholic Beverages and
35 Lottery Operations whose salary is within salary range 88 subject
36 to adjustment by the Governor. The Director of the Bureau of
37 Alcoholic Beverages and Lottery Operations has the same powers
38 and duties assigned by law to the Director of the Bureau of
39 Alcoholic Beverages and the State Lottery Director until replaced
40 or amended by law as part of the merger plan submitted to the
41 Second Regular Session of the 115th Legislature.

42 **Sec. K-10. Department of Finance; lease-purchase proposal for**
43 **acquisition, construction or renovation of office space for merger of Bureau**
44 **of Alcoholic Beverages and Bureau of Lottery.** Pursuant to the Maine
45 Revised Statutes, Title 5, section 1587, the Department of
46 Finance may enter into a lease-purchase financing agreement for
47
48

2 the acquisition, construction or renovation of office space for
the merger of the Bureau of Alcoholic Beverages and the Bureau of
4 Lottery. The agreement may not exceed 3 years in length and the
cost may not exceed \$200,000 in principal plus interest.
6 Interest costs are estimated at \$21,493 at a rate of 6.75%. The
annual principal and interest costs must be paid from the All
8 Other and Capital Expenditures allocations to the Bureau of
Alcoholic Beverages and the Bureau of Lottery. The
10 lease-purchase agreement must provide that the State will become
the ultimate owner of the acquired, constructed or renovated
12 facility and the future principal and interest payments may be
discontinued if the Legislature does not allocate funds for this
purpose.

14
Sec. K-11. Department of Mental Health and Mental Retardation;
16 **lease-purchase proposal for computer equipment.** The Department of
Mental Health and Mental Retardation is authorized, pursuant to
18 the Maine Revised Statutes, Title 5, section 1587, to enter into
a lease with option to purchase or a lease-purchase financing
20 agreement for computer hardware and software to meet tracking
requirements imposed by the consent decree. The term of the
22 agreement may not exceed 3 years and may not exceed \$225,000 in
principal plus interest costs estimated at \$24,180 at 6.75%. The
24 Department of Mental Health and Mental Retardation shall finance
the cost with All Other funds within the department's regular
26 appropriations budget. The lease-purchase financing agreement
must provide that the State becomes the ultimate owner of the
28 computer hardware and software and that future principal and
interest payments may discontinue in the event the Legislature
30 does not appropriate funds for this purpose.

32
PART L

34
Sec. L-1. 3 MRSA §162, sub-§16, as amended by PL 1989, c. 410,
36 §3, is further amended to read:

38 **16. Funds from State, Federal Government and private**
sources. To accept, use, expend and dispose on behalf of the
40 State funds, equipment, supplies and materials from any agency of
the United States, from any private foundation and from any other
42 private source; and

44 **Sec. L-2. 3 MRSA §162, sub-§17,** as enacted by PL 1989, c. 410,
46 §4, is amended to read:

48 **17. Approve plans to preserve and develop the State House**
and the immediate grounds. To approve architectural, aesthetic
and decorative alterations to the State House. The Legislative
50 Council shall also have has authority to preserve and develop the

2 aesthetic and historical integrity of the State House and the
3 immediate grounds. The Legislative Council shall have has the
4 power to enter into contracts and other powers necessary to
5 implement this subsection and chapter 31; and

6 **Sec. L-3. 3 MRSA §162, sub-§18** is enacted to read:

8 **18. Out-of-state travel report.** To submit to the joint
9 standing committee of the Legislature having jurisdiction over
10 appropriations and financial affairs a quarterly report on
11 out-of-state travel activity of the Legislature. The report must
12 be submitted within 15 days after the end of each quarter and
13 must include, for each individual who has been authorized to
14 travel, the destination, purpose and cost by funding source of
15 each trip.

16 **Sec. L-4. 4 MRSA §17, sub-§14**, as amended by PL 1987, c. 137,
17 §2, is further amended to read:

18 **14. Perform duties and attend other matters.** Perform such
19 other duties and attend to such other matters consistent with the
20 powers delegated herein--assigned to him the State Court
21 Administrator by the Chief Justice and the Supreme Judicial
22 Court; and

23 **Sec. L-5. 4 MRSA §17, sub-§15**, as amended by PL 1991, c. 570,
24 §1, is further amended to read:

25 **15. Provide for court security.** Plan and implement
26 arrangements for safe and secure court premises to ensure the
27 orderly conduct of judicial proceedings. This includes the
28 authority to contract for the services of qualified deputy
29 sheriffs and other qualified individuals as needed on a per diem
30 basis to perform court security-related functions and services.
31 "Qualified deputy sheriffs and other qualified individuals" means
32 those individuals who hold valid certification as law enforcement
33 officers, as defined by the Maine Criminal Justice Academy,
34 pursuant to Title 25, chapter 341, to include successful
35 completion of such additional training in court security as
36 provided by the academy or equivalent training. When under such
37 contract and then only for the assignment specifically contracted
38 for, the qualified deputy sheriffs or other qualified individuals
39 have the same duties and powers throughout the counties of the
40 State as sheriffs have in their respective counties. Qualified
41 deputy sheriffs performing these contractual services continue to
42 be employees of the counties in which they are deputized. Other
43 qualified individuals performing such contractual services may
44 not be considered employees of the State for any purpose,
45 provided that the other qualified individuals are treated as
46 employees of the State for purposes of the Maine Tort Claims Act
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2 and the Workers' Compensation Act. They must be paid a
4 reasonable per diem fee plus reimbursement of their actual,
6 necessary and reasonable expenses incurred in the performance of
8 their duties, consistent with policies established by the State
10 Court Administrator. Notwithstanding any other provision of law,
12 such plans, arrangements and files involving court security
14 matters are confidential. Nothing in this section precludes
16 dissemination of such information to another criminal justice
18 agency.

20 In addition to the foregoing authority, the State Court
22 Administrator may employ other qualified individuals to perform
24 court security-related functions and services. These employees
26 must have a valid certification as law enforcement officers, as
28 defined by Title 25, chapter 341, including successful completion
30 of additional training in court security as provided by the Maine
32 Criminal Justice Academy or equivalent training and, when on
34 assignment for court security functions, have the same powers and
36 duties throughout the counties of the State as sheriffs have in
38 their respective counties. These individuals are state employees
40 for all purposes; and

42 **Sec. L-6. 4 MRSA §17, sub-§16** is enacted to read:

44 16. Report on out-of-state travel. Submit to the joint
46 standing committee of the Legislature having jurisdiction over
48 appropriations and financial affairs a quarterly report on
50 out-of-state travel activity of the Judicial Department. The
report must be submitted within 15 days after the end of each
quarter and must include, for each individual who has been
authorized to travel, the destination, purpose and cost by
funding source of each trip.

52 **Sec. L-7. 5 MRSA §44-A** is enacted to read:

54 **§44-A. Out-of-state travel report**

56 All state agencies shall, within 15 days after the end of
58 each quarter, submit to the joint standing committee of the
60 Legislature having jurisdiction over appropriations and financial
62 affairs a report of that quarter's out-of-state travel activity.
64 For the purposes of this section, a state agency is any state
66 department or agency, or any part of a state department or
68 agency, that receives an appropriation or an allocation through
70 the state budget process. The report must reflect, for each
individual who has been authorized by the agency to travel, the
destination, purpose and cost by funding source of each trip.

72 **Sec. L-8. 5 MRSA §12004-G, sub-§22**, as enacted by PL 1987, c.
74 786, §5, is repealed.

2 **Sec. L-9. 22 MRSA §3189, sub-§4, ¶A**, as enacted by PL 1989, c.
588, Pt. A, §43, is amended to read:

4
6 A. The committee shall--be is composed of ~~12~~ 11 members.
8 The Governor shall appoint the following members: one
10 representative of hospitals, to be appointed taking into
12 account the recommendation of the Maine Hospital
14 Association; one representative of providers of mental
16 health, substance abuse or chiropractic services, to be
18 appointed taking into account the recommendations of
20 statewide organizations representing those providers; one
22 representative of physicians, to be appointed taking into
24 account a joint recommendation of the Maine Osteopathic
26 Association and the Maine Medical Association; one health
28 policy researcher, to be appointed taking into account the
30 recommendations of the Maine Public Health Association; and
32 one representative of the nursing profession, taking into
34 account the recommendation of the Maine State Nurses'
36 Association and the Maine Nursing Organization, a coalition
38 of nursing organizations. The following members shall--be
40 are appointed jointly by the President of the Senate and the
42 Speaker of the House of Representatives: 2 representatives
44 of health care consumers; ~~one representative of the Special
46 Select Commission on Access to Health Care created by Title
48 24-A, section 6071;~~ and one representative of community
 health centers, to be appointed taking into account the
 recommendation of the Maine Ambulatory Care Coalition. The
 President of the Senate shall appoint one Senator and the
 Speaker of the House of Representatives shall appoint one
 member of the House of Representatives to serve on the
 committee. The Superintendent of Insurance or the
 superintendent's designee shall also serve on the committee.

36 **Sec. L-10. 24-A MRSA c. 72**, as amended, is repealed.

38 **Sec. L-11. Salaries of Legislators.** Notwithstanding the Maine
40 Revised Statutes, Title 3, section 2, each Senator and member of
42 the House of Representatives is entitled to \$7,125 in the 2nd
44 year of the 115th legislative biennium beginning January 8,
46 1992. The salaries of the President of the Senate, the Speaker
48 of the House of Representatives, the majority and minority
 leaders and the assistant majority and minority leaders of the
 Senate and the House of Representatives for the 2nd year of the
 115th legislative biennium must be adjusted above the salary of
 \$7,125 in accordance with the percentage adjustments contained in
 Title 3, section 2, except that the percentages must be
 calculated using the salary set by this Part.

Sec. L-12. Salaries of Representatives of Indian tribes.

2 Notwithstanding the Maine Revised Statutes, Title 3, section 2,
4 the member of the Penobscot Indian Nation and the member of the
6 Passamaquoddy Indian Tribe elected to represent their tribes at
the Legislature are entitled to \$104.50 for each day's attendance
beginning January 8, 1992.

Sec. L-13. Reduce constituent service allowance.

8 Notwithstanding
10 the Maine Revised Statutes, Title 3, section 2, the annual
allowance for constituent services to be paid to each member for
12 the Second Regular Session of the 115th Legislature must be paid
as follows: Each Senator is entitled to a total allowance of
14 \$900, \$550 of which must be paid at the start of the Second
Regular Session and \$350 of which must be paid in the month
16 following adjournment of the second regular session; and each
member of the House of Representatives is entitled to a total
18 allowance of \$675, \$425 of which must be paid at the start of the
second regular session and \$250 of which must be paid in the
20 month following adjournment of the second regular session.

22 **PART M**

24 **Sec. M-1. 22 MRSA §254, first ¶,** as amended by PL 1991, c. 591,
26 Pt. P, §3, is further amended to read:

28 The Department of Human Services may conduct a program to
provide low-cost prescription and nonprescription drugs,
30 medication and medical supplies to disadvantaged, elderly
individuals. In any year in which this program is conducted, ~~it~~
32 the program must include any prescription drugs used for the
treatment of chronic obstructive lung disease. To fund the
34 addition of drugs for this ailment, the amount that a recipient
pays toward the cost of any covered purchase is ~~\$3~~ \$6 for generic
36 or single-source drugs or ~~\$5~~ \$10 for brand-name, multisource
drugs. If the initial projections for expenditures in the
38 chronic obstructive lung disease program indicate that funding
for the total program will be inadequate for the remainder of the
40 fiscal year, that part of the program dealing with chronic
obstructive lung disease must be discontinued for the remainder
42 of the fiscal year. The department shall keep cost and
utilization records necessary to evaluate the chronic obstructive
44 lung disease program and report on this program to the
Legislature by January 1989.

46 **Sec. M-2. 22 MRSA §254, 2nd ¶,** as amended by PL 1991, c. 591,
48 Pt. P, §4, is further amended to read:

2 In any year in which this program is conducted, ~~it~~ the
3 program must include antiarthritic drugs and the amount that a
4 recipient pays toward the cost of any covered purchase is \$3 \$6
5 for generic or single-source drugs or \$5 \$10 for brand-name,
6 multisource drugs.

7 **Sec. M-3. 22 MRSA §254, sub-§4-A,** as amended by PL 1991, c.
8 591, Pt. P, §6, is further amended to read:

9 **4-A. Payment for drugs provided.** The commissioner may
10 establish the amount of payment to be made by recipients toward
11 the cost of prescription or nonprescription drugs, medication and
12 medical supplies furnished under this program provided that the
13 total cost for any covered purchase of a prescription or
14 nonprescription drug or medication does not exceed \$3 \$6 for
15 generic or single-source drugs or \$5 \$10 for brand-name,
16 multisource drugs; and

17 **Sec. M-4. 22 MRSA §254, sub-§4-B,** as enacted by PL 1991, c.
18 591, Pt. P, §7, is repealed.

19 **Sec. M-5. Effective date.** That section of this Part that
20 repeals the Maine Revised Statutes, Title 22, section 254,
21 subsection 4-B takes effect on January 1, 1992.

22 **Sec. M-6. 22 MRSA §303, sub-§12-B** is enacted to read:

23 **12-B. Mental health project.** "Mental health project" means
24 a project that develops or expands services for persons with a
25 primary diagnosis of mental illness or psychiatric disorder, or
26 persons with dual diagnoses that include mental illness or
27 psychiatric disorder and substance abuse.

28 **Sec. M-7. 22 MRSA §309, sub-§8** is enacted to read:

29 **8. Mental health projects.** Notwithstanding subsection 6,
30 the commissioner may issue a certificate of need regardless of
31 the amount that has been credited to the Hospital Development
32 Account if the project meets the other criteria specified in this
33 section and if the project proposes to develop or expand services
34 for persons with a primary diagnosis of mental illness or
35 psychiatric disorder, or persons with dual diagnoses that include
36 mental illness or psychiatric disorder and substance abuse.

37 **Sec. M-8. 22 MRSA §326** is enacted to read:

38 **§326. Coordination with Department of Mental Health and Mental**
39 **Retardation**

2 If the department must make a determination pursuant to this
3 chapter concerning a mental health project, the department shall
4 consult with the Commissioner of Mental Health and Mental
5 Retardation in making such a determination.

6 **Sec. M-9. 22 MRSA §396-G, sub-§5, ¶A** is enacted to read:

8 A. The commission shall provide that any differential
9 determined pursuant to this section for the Maine Health
10 Program must be equal to 60% for the period July 1, 1991 to
11 June 30, 1992.

12 **Sec. M-10. Retroactivity.** That section of this Part that
14 enacts the Maine Revised Statutes, Title 22, section 396-G,
15 subsection 5, paragraph A is retroactive to July 1, 1991.

16 **Sec. M-11. 22 MRSA §1708, sub-§4** is enacted to read:

18 4. Medicaid savings. Nursing facilities shall submit
19 payment to the department equal to 50% of any Medicaid savings
20 reported in an unaudited cost report for fiscal years ending
21 December 31, 1991 and thereafter. Payment is due with the cost
22 report. After audit, any amount submitted in excess of savings
23 allocated to the facility pursuant to the principles of
24 reimbursement must be returned to the facility.

26 **Sec. M-12. Effective date.** That section of this Part that
28 enacts the Maine Revised Statutes, Title 22, section 1708,
29 subsection 4 takes effect January 1, 1992.

30 **Sec. M-13. 22 MRSA §1812-H** is enacted to read:

32 §1812-H. Participation in the Medicare health insurance for the
34 aged program

36 1. Medicare. Any nursing facility with over 50 beds that
37 participates in the Medicaid program must participate in the
38 Medicare health insurance for the aged program as a skilled
39 nursing facility.

40 2. Compliance. Any nursing facility required to
41 participate in the Medicare health insurance for the aged program
42 shall:

44 A. File an application to become a Medicare provider by
45 March 31, 1992;

46 B. Follow required federal procedures for certification and
47 become certified within 90 days of the department's
48 recommendation for certification;
49

2 C. Submit an annual application for Medicare participation
3 at the same time applications for licensure and Medicaid
4 certification are due; and

6 D. Participate in the Medicare program by billing Medicare
7 for care provided to eligible recipients prior to billing
8 Medicaid.

10 3. Sanctions. Failure to comply with any of the provisions
11 listed in subsection 2 may result in the imposition of a
12 penalty. The department may impose a penalty of \$100 per bed for
13 failure to comply with any of these provisions. This penalty
14 must be imposed for each day a facility fails to comply with
15 subsection 2, paragraph D. A repeated failure to comply with any
16 provision results in fines of \$200 per bed. The imposition and
17 collection of these penalties are governed by section 7946.

18 **Sec. M-14. 22 MRSA §3173-C, sub-§6** is enacted to read:

20 6. Designated copayment. Except as provided in subsections
21 3 and 4, the following Medicaid services require the designated
22 copayment:

24 A. Outpatient hospital clinic services, \$3;

26 B. Home health services, \$2;

28 C. Mental health clinic services, \$3;

30 D. Durable medical equipment services, \$3;

32 E. Ambulance services, \$2;

34 F. Private duty nursing and personal care service, \$5 per
36 month;

38 G. Physical therapy services, \$2;

40 H. Occupational therapy services, \$2;

42 I. Speech therapy services, \$2;

44 J. Substance abuse services, \$3;

46 K. Podiatry services, \$2;

48 L. Psychologist services, \$3; and

50 M. Chiropractic services, \$2.

2 **Sec. M-15. 22 MRSA §3273, sub-§8** is enacted to read:

4 **8. Rulemaking.** In addition to any other rule-making
6 authority granted under this chapter, the department may adopt
8 emergency rules. The need to reduce benefits to eligible
10 recipients and payments to boarding homes via vendor payments in
12 accordance with the appropriations made available for this
14 purpose is considered an emergency for the purpose of emergency
16 rulemaking.

12 **Sec. M-16. 22 MRSA §3760-D, sub-§1**, as enacted by PL 1991, c.
14 591, Pt. SS, §2, is repealed and the following enacted in its
16 place:

16 **1. Amount of payment.** The department shall provide a
18 special housing allowance in the amount of \$75 per month for each
20 assistance unit to recipients of Aid to Families with Dependent
22 Children whose shelter expenses for rent, mortgage or similar
24 payments, property insurance and property taxes equal or exceed
26 75% of their monthly assistance unit income. For purposes of
28 this subsection "monthly assistance unit income" means the total
30 of the unit's Aid to Families with Dependent Children monthly
32 benefit, plus income countable under Aid to Families with
34 Dependent Children program rules, plus child support received by
36 the unit, excluding the so-called \$50 pass-through payment.

28 **Sec. M-17. 22 MRSA §3760-D, sub-§2**, as enacted by PL 1991, c.
30 591, Pt. SS, §2, is repealed.

30 **Sec. M-18. 22 MRSA §3760-D, sub-§2-A** is enacted to read:

32 **2-A. Calculation of shelter expenses.** Total shelter
34 expenses include the same items considered in determining the
36 total shelter expenses of a household, and are calculated in the
38 same manner as shelter expenses are calculated, under the federal
40 Food Stamp Program, 7 United States Code, Sections 2011 to
42 2030. If the department uses the standard utility allowance to
44 calculate the assistance unit's food stamp benefit or if the
46 department would use the standard utility allowance if the
48 assistance unit were eligible for or receiving food stamps, the
50 department must use the standard utility allowance in calculating
the assistance unit's eligibility for an Aid to Families with
Dependent Children housing special needs payment under this
section.

46 **Sec. M-19. 22 MRSA §3760-D, sub-§3**, as enacted by PL 1991, c.
48 591, Pt. SS, §2, is repealed.

50 **Sec. M-20. 22 MRSA §3760-D, sub-§3-A** is enacted to read:

2 **3-A. Federal approval.** In the event that federal approval
4 for the Aid to Families with Dependent Children housing special
6 needs payment described in this section is not given, the
8 department is directed to negotiate with the appropriate federal
10 agency to seek such approval. Notwithstanding any provision in
12 this section, the department may implement a different method or
14 standard for determining the housing special need for the
purposes of obtaining federal approval, so long as the target
population described in subsection 1 receives substantially the
same benefit. The department is directed to consult with
advocates for recipients of Aid to Families with Dependent
Children during any negotiations with a federal agency for
approval of the housing special needs payment.

16 **Sec. M-21. 22 MRSA §3760-E, sub-§1,** as enacted by PL 1991, c.
18 591, Pt. SS, §2, is repealed and the following enacted in its
place:

20 **1. Standard of need.** The department may reduce, effective
22 January 1, 1992, the standard of need in the Aid to Families with
24 Dependent Children program in an amount not to exceed 3.5% of the
standard of need in effect on that date.

26 **Sec. M-22. 22 MRSA §3781, sub-§2,** as amended by PL 1991, c.
28 9, Pt. M, §4, is further amended to read:

30 **2. Purpose.** The purpose of this program is to provide
32 services and support to recipients of Aid to Families with
34 Dependent Children and ~~food stamps~~ and to reduce dependence on
36 public assistance to the extent that adequate funding is
38 available for that purpose. The principal goal is to assist the
40 recipient in securing stable employment that pays wages
sufficient to maintain adequate family income without public
assistance and to increase the basic life skills and
self-confidence of the recipient. If the department determines
that funding is inadequate, services and support may be
reasonably limited or reduced. The department shall adopt rules
that include the methods to achieve this purpose.

42 **Sec. M-23. 22 MRSA §4301, sub-§6,** as repealed and replaced by
44 PL 1989, c. 840, §1, is amended to read:

46 **6. Household.** "Household" means an individual or a group
48 of individuals who share a dwelling unit ~~or other basic~~
50 ~~necessities. When an applicant shares a basic necessity, such as~~
housing, dwelling unit with one or more individuals, eligible
~~applicants shall receive assistance for their pro-rata share of~~
~~the cost of the basic necessity according to the maximum levels~~

2 ~~of assistance or the cost of obtaining an alternative~~ even when a
3 ~~landlord-tenant relationship may exist between individuals~~
4 ~~residing in the dwelling unit, eligible applicants may receive~~
5 ~~assistance for no more than their pro rata share of the actual~~
6 ~~costs of the shared basic needs of that household according to~~
7 ~~the maximum levels of assistance established in the municipal~~
8 ~~ordinance. Nothing in this subsection overrides the provisions~~
9 ~~of section 4309, subsection 3.~~ The income of household members
10 not legally liable for supporting the household ~~must--be~~ is
11 considered as available to the applicant only when there is a
12 pooling of income.

13 **Sec. M-24. 22 MRSA §4301, sub-§7,** as amended by PL 1991, c.
14 9, Pt. U, §3, is further amended to read:

15 **7. Income.** "Income" means any form of income in cash or in
16 kind received by the household, including net remuneration for
17 services performed, cash received on either secured or unsecured
18 credit, any payments received as an annuity, retirement or
19 disability benefits, veterans' pensions, workers' compensation,
20 unemployment benefits, benefits under any state or federal
21 categorical assistance program, supplemental security income,
22 social security and any other payments from governmental sources,
23 unless specifically prohibited by any law or regulation, court
24 ordered support payments, income from pension or trust funds and
25 household income from any other source, including relatives or
26 unrelated household members.

27 The following items are not available within the meaning of this
28 subsection and subsection 10:
29

30
31
32 A. Real or personal income-producing property, tools of
33 trade, governmental entitlement specifically treated as
34 exempt assets by state or federal law;

35 B. Actual work-related expenses, whether itemized or by
36 standard deduction, such as taxes, retirement fund
37 contributions, union dues, transportation costs to and from
38 work, special equipment costs and child care expenses; or

39
40
41 C. Earned income of children below the age of 18 years who
42 are full-time students and who are not working full time.

43
44 In determining need, the period of time used as a basis for the
45 calculation ~~shall-be~~ is a 30-day period commencing on the date of
46 the application. This prospective calculation shall does not
47 disqualify an applicant who has exhausted income to purchase
48 basic necessities, ~~provided that~~ if that income does not exceed
49 the income standards established by the municipality.
50 Notwithstanding this prospective calculation, if an applicant or

2 recipient receives a lump sum payment after an initial
3 application, that payment must be prorated over future months.
4 The period of proration ~~must be~~ is determined by disregarding the
5 ~~first \$1,000 plus~~ any portion of the lump sum payment that the
6 applicant or recipient has spent to purchase basic necessities
7 and, including but not limited to: all basic necessities
8 provided by general assistance; payment of funeral or burial
9 expenses for a family member; travel costs related to the illness
10 or death of a family member; repair or replacement of essentials
11 lost due to fire, flood or other natural disaster; repair or
12 purchase of a motor vehicle essential for employment, education,
13 training or other day-to-day living necessities; and payment of
14 bills earmarked for the purpose for which the lump sum is paid.
15 The period of proration is then determined by dividing the
16 remainder of the lump sum payment by the maximum monthly amount
17 of assistance that the household may receive. That dividend
18 represents the period of proration determined by the
19 administrator to commence on the date of receipt of the lump sum
20 payment. The prorated sum for each month must be considered
21 available to the household for 6 12 months from the date of
22 application or during the period of proration, whichever is less,
23 except that an applicant may not be considered ineligible to
24 receive emergency assistance under section 4308, subsection 2, or
25 under section 4310 during the period of proration. The lump sum
26 provisions of this subsection apply only to applicants or
27 recipients who have received prior notice of the provisions.
28 ~~They do not apply to applicants or recipients whose actual weekly~~
29 ~~income is less than 40 times the federal minimum hourly wage~~
30 ~~prescribed by 29 United States Code, Section 206(a)(1).~~

31 **Sec. M-25. 22 MRSA §4301, sub-§12-A** is enacted to read:

32 12-A. Pooling of income. "Pooling of income" means the
33 financial relationship among household members who are not
34 legally liable for mutual support in which there occurs any
35 comingling of funds or sharing of income or expenses.
36 Municipalities may by ordinance establish as a rebuttable
37 presumption that persons sharing the same dwelling unit are
38 pooling their income. Applicants who are requesting that the
39 determination of eligibility be calculated as though one or more
40 household members are not pooling their income have the burden of
41 rebutting the presumption of pooling income.

42 **Sec. M-26. 22 MRSA §4305, sub-§3-B** is enacted to read:

43 3-B. Temporary maximum levels. Notwithstanding subsection
44 3-A, municipalities shall establish an aggregate maximum level of
45 assistance that is 110% of the applicable existing housing fair
46 market rents as established by the United States Department of
47 Housing and Urban Development pursuant to 24 Code of Federal
48 Regulations, Part 807.201.

2 Regulations, Section 888.115, applying the zero-bedroom level for
4 one person, the one-bedroom level for 2 persons, the 2-bedroom
6 level for 3 persons, the 3-bedroom level for 4 persons and the
8 4-bedroom level for 5 persons. For each additional person, the
10 aggregate maximum level increases by \$75. For the purposes of
12 this subsection, municipalities with populations greater than
14 10,000 are deemed Standard Metropolitan Statistical Areas in
16 those counties for which there are 2 fair market rent values.
18 This subsection is repealed on June 30, 1992.

14 **Sec. M-27. 22 MRSA §4315, first and 3rd ¶¶,** as enacted by PL
12 1983, c. 577, §1, are amended to read:

14 Whoever knowingly and willfully makes any false
16 representation of a material fact to the overseer of any
18 municipality or to the department or its agents for the purpose
20 of causing himself ~~that~~ or any other person to be granted
assistance by the municipality or by the State may be ineligible
for assistance for a period of ~~up-to-60~~ 90 days and is guilty of
a Class E crime.

22 If the fair hearing officer finds that ~~the~~ a recipient made
24 a false representation to the overseer in violation of this
26 section, that recipient ~~shall--be~~ is required to reimburse the
municipality for any assistance rendered for which he ~~that~~
recipient was ineligible and ~~shall--be~~ is ineligible from
receiving further assistance for a period of ~~up-to-60~~ 90 days.

28 **Sec. M-28. 22 MRSA §4316-A, sub-§1,** as amended by PL 1991, c.
30 591, Pt. 000, §3, is further amended to read:

32 **1. Ineligibility for assistance.** An applicant is
34 ineligible for assistance for ~~60~~ 90 days in all municipalities in
the State ~~if~~ when any municipality establishes that the
applicant, without just cause:

36 A. Refuses to search for employment when that search is
38 reasonable and appropriate;

40 B. Refuses to register for work;

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

46 D. Refuses to participate in a training or educational
program that would assist the applicant in securing
48 employment;

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

2 F. Willfully Refuses to perform or willfully fails to
perform a job assigned under subsection 2;

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

6 H. Has been discharged from employment due to misconduct as
8 defined in Title 26, section 1043, subsection 23.

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

14 **Sec. M-29. 22 MRSA §4316-A, sub-§4**, as amended by PL 1991, c.
591, Pt. 000, §4, is further amended to read:

16 **4. Eligibility regained.** A person who has been
18 disqualified by any municipality for not complying with any work
requirement of this section may regain eligibility during the
20 ~~60-day~~ 90-day period by becoming employed or otherwise complying
with the work requirements of this section. An applicant who is
22 disqualified due to failure to comply with the municipal work
program ~~must~~ may be given at least only one opportunity to regain
24 eligibility during the ~~60-day~~ 90-day disqualification period.
~~Municipalities may provide additional opportunities to regain~~
26 ~~eligibility during that period.~~

28 **Sec. M-30. 22 MRSA §4318**, as amended by PL 1991, c. 9, Pt.
U, §15, is further amended by adding after the first paragraph a
30 new paragraph to read:

32 Notwithstanding any other provision of law, municipalities
34 have a lien for the value of all general assistance payments made
to a recipient on any lump sum payment made to that recipient
under the Workers' Compensation Act or similar law of any other
36 state.

38 **Sec. M-31. 22 MRSA §4319, sub-§2**, as enacted by PL 1989, c.
370, is amended to read:

40 **2. Exception.** A municipality or the State may decide not
42 to make payments for rental assistance on behalf of an otherwise
eligible individual when the rental payments would be made to a
44 parent ~~or~~ grandparent, ~~by--consanguinity,~~ child, grandchild,
sibling, parent's sibling or any of their children, unless the
46 municipality finds that the rental arrangement has existed for 3
months prior to the application for assistance and is necessary
48 to provide the parent--~~or--grandparent~~ relative with basic
necessities.

50

2 **Sec. M-32. 22 MRSA §7907, sub-§2**, as amended by PL 1989, c.
502, Pt. A, §83, is further amended to read:

4 **2. Boarding care facilities.** Reimburse all boarding care
6 facilities of 6 or fewer beds, except as provided in section
7906-A, on a flat rate basis, ~~which rate shall be increased~~
8 ~~effective as of July 1, 1986, and on January 1st of each year~~
9 ~~after 1986 by the estimated percentage increase in the cost of~~
10 ~~goods and services purchased by health care facilities during the~~
11 ~~prior year, as published by Data Resources, Inc.~~

12 **Sec. M-33. 39 MRSA §67**, as amended by PL 1987, c. 861, §31,
13 is further amended to read:

14 **§67. Invalidity of waiver of rights; claims not assignable**

15 No An agreement by an employee, unless approved by the
16 commission or by the Commissioner of Labor, to waive his rights
17 to compensation under this Act ~~may be~~ is not valid. ~~No~~ Claims
18 for compensation under this Act may be are not assignable
19 or subject to attachment or liable in any way for debt, except
20 for the enforcement of a current support obligation or support
21 arrears pursuant to Title 19, chapter 7, subchapter V or Title
22 19, chapter 14-A, or for reimbursement of general assistance
23 pursuant to Title 22, section 4318.

24 **Sec. M-34. Reduction plan; Department of Mental Health and**
25 **Mental Retardation.** Notwithstanding the Maine Revised Statutes,
26 Title 22, section 1708, subsection 2-A, and section 3186, for the
27 fiscal year 1991-92, the General Fund appropriation for funds for
28 principles of reimbursement established for intermediate care
29 facilities for the mentally retarded is reduced by \$1,260,000.
30 The Department of Mental Health and Mental Retardation shall
31 report to the Joint Standing Committee on Appropriations and
32 Financial Affairs no later than January 15, 1992 on its plan for
33 meeting the targeted reduction.

34 **Sec. M-35. Sanford boarding home beds.** The elimination of
35 operating funds in fiscal year 1991-92 within the State
36 Supplement to Federal Supplemental Security Income Program in the
37 Department of Human Services for 16 boarding home beds in Sanford
38 does not affect the authorization to establish these beds in
39 fiscal year 1992-93 or beyond within the amounts available in the
40 State Supplement to Federal Supplemental Security Income Program.

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PART N

Sec. N-1. 4 MRSA §193, as enacted by PL 1981, c. 510, §1, is
amended to read:

2 §193. System of law libraries

4 There shall must be a system of law libraries within the
6 State, under the supervision of the State Court Library
8 Committee. These libraries shall must be arranged in a tier
system according to the extent of potential use.

10 Tier I libraries shall must be located in:

12 Cumberland County, Portland; and

14 Penobscot County, Bangor.

16 Tier II libraries shall must be located in:

18 Androscoggin County, Auburn;

20 ~~Aroostook County, Houlton; and~~

22 Hancock County, Ellsworth; and

24 York County, Alfred.

26 Tier III libraries shall must be located in:

28 ~~Franklin County, Farmington;~~

30 Aroostook County, Caribou;

32 Knox County, Rockland;

34 Lincoln County, Wiscasset;

36 Oxford County, South Paris;

38 ~~Sagadahoc County, Bath;~~

40 Somerset County, Skowhegan; and

42 Washington County, Machias; ~~and~~

44 ~~York County, Alfred.~~

46 ~~Tier IV libraries shall be located in:~~

48 ~~Aroostook County, Caribou;~~

50 ~~Kennebec County, Augusta;~~

2 Oxford-County,-Rumford,

4 Piscataquis-County,-Dever-Foxcroft,-and

6 Waldo-County,-Belfast.

8 All funds appropriated by the Legislature for the use and
10 benefit of the law libraries after ~~the effective date of this~~
12 ~~chapter--shall~~ September 18, 1981 must be paid to the
14 Administrative Office of the Courts and shall must be disbursed
16 by that office under the direction of the State Court Library
Committee for purchase of law books, legal literature and library
equipment and necessary personnel. The committee shall allocate a
specific amount of any appropriation for each tier, and each
library within a specific tier shall must receive an equal share
of that amount.

18 The State Court Library Committee shall establish guidelines
20 for each tier.

22 **Sec. N-2. 17-A MRSA §4-A, sub-§5** is enacted to read:

24 5. Notwithstanding any other provision of law, judicial
26 discretion as to the imposition of a sentence of imprisonment or
28 fine may be exercised for Class D crimes otherwise requiring a
mandatory sentence of imprisonment or fine exceeding \$500 when
the crime represents the first conviction of the person for that
crime. This subsection is repealed on July 1, 1992.

30 **Sec. N-3. 17-A MRSA §1252, sub-§8** is enacted to read:

32 8. Notwithstanding any other provision of law, judicial
34 discretion as to the imposition of a sentence of imprisonment or
36 fine may be exercised for Class D crimes otherwise requiring a
mandatory sentence of imprisonment or fine exceeding \$500 when
the crime represents the first conviction of the person for that
crime. This subsection is repealed on July 1, 1992.

40 **PART O**

42 **Sec. O-1. 13 MRSA §1958-B, sub-§1**, as enacted by PL 1987, c.
44 155, §15, is amended to read:

46 **1. Voluntary mediation.** At any time prior to the
48 commencement of required mediation under subsection 2, a handler
and a qualified association may mutually agree to obtain or may
unilaterally obtain the services of a mediator. Regardless
50 whether mediation is sought mutually or unilaterally, both

parties shall participate in mediation in good faith. For such mediation,--the The parties shall must use the services of the State's Panel of Mediators for mediation and must share all costs of mediation equally. Costs of mediation, and any applicable state cost allocation program charges must be paid into a special fund administered by the Maine Labor Relations Board. The Executive Director of the Maine Labor Relations Board shall authorize mediation services and expenditures incurred by members of the panel. All costs must be paid from that special fund. Voluntary mediation shall may not last for no more than 3 days for annual crops; voluntary mediation for all other commodities shall may not last no more than 5 days. Mediation may be extended by mutual agreement by the bargaining parties.

Sec. O-2. 26 MRSA §892, as amended by PL 1991, c. 92, §1, is further amended to read:

§892. Panel

A panel of mediators, as established by Title 5, section 12004-B, subsection 3, to consist of not less than 5 nor more than 10 impartial members, must be appointed by the Governor from time to time upon the expiration of the terms of the several members, for terms of 3 years. The Maine Labor Relations Board shall supply to the Governor nominations for filling vacancies. Vacancies occurring during a term are filled for the unexpired term. Members of the panel are entitled to compensation according to ~~the provisions of~~ Title 5, chapter 379. The costs for services rendered and expenses incurred by the panel are ~~paid by the State from an appropriation for the panel which must be included in the budget of,~~ and any applicable state cost allocation program charges, must be shared equally by the parties to mediation and must be paid into a special fund administered by the Maine Labor Relations Board. Authorization for services rendered and expenditures incurred by members of the panel is the responsibility of the Executive Director of the Maine Labor Relations Board. All costs must be paid from that special fund.

Sec. O-3. 26 MRSA §931, first ¶, as amended by PL 1987, c. 460, §2, is further amended to read:

The State Board of Arbitration and Conciliation, in this subchapter called the "board," shall ~~consist~~ consists of 3 members appointed by the Governor, from time to time upon the expiration of the terms of the several members, for terms of 3 years. One member shall ~~be~~ is an employer of labor or selected from some association representing employers of labor, and another shall ~~be~~ is an employee or selected from some bona fide trade or labor union. The 3rd member shall ~~be chairman of the board and shall represent~~ represents the public interests of the

2 State and shall serve as chair. Vacancies occurring during a term
3 shall must be filled for the unexpired term. Members of the
4 board ~~shall each~~ are entitled to receive \$75 a day for their
5 services for the time actually employed in the discharge of their
6 official duties. They shall are entitled to receive their
7 traveling and all other necessary expenses. The costs for
8 services rendered and expenses incurred by the State Board of
9 Arbitration and Conciliation ~~shall be paid by the State from an~~
10 ~~appropriation for the board which shall be included in the budget~~
11 ~~of, and any state allocation program charges, must be shared~~
12 equally by the parties to the proceedings and must be paid into a
13 special fund administered by the Maine Labor Relations Board.
14 Authorization for services rendered and expenditures incurred by
15 the State Board of Arbitration and Conciliation ~~shall be~~ is the
16 responsibility of the Executive Director of the Maine Labor
17 Relations Board ~~who~~ . All costs must be paid from that special
18 fund. The Executive Director shall, annually, on or before July
19 1st, make a report of the activities of the State Board of
20 Arbitration and Conciliation to the Governor. The board shall
21 from time to time make adopt rules of procedure as it deems
22 determines necessary.

23 **Sec. O-4. 26 MRSA §965, sub-§2, ¶C,** as amended by PL 1991, c.
24 92, §2, is further amended to read:

25 C. A panel of mediators, to consist of not less than 5 nor
26 more than 10 impartial members, must be appointed by the
27 Governor from time to time upon the expiration of the terms
28 of the several members, for terms of 3 years. The Maine
29 Labor Relations Board shall supply to the Governor
30 nominations for filling vacancies. Vacancies occurring
31 during a term are filled for the unexpired term. Members of
32 the panel are entitled to \$100 a day beginning July 1, 1988,
33 for services for the time actually employed in the discharge
34 of their official duties and also are entitled to traveling
35 and all other necessary expenses. The costs for services
36 rendered and expenses incurred by members of the panel of
37 mediators ~~are paid by the State for these mediation cases~~
38 ~~not exceeding 3 days in length from an appropriation for the~~
39 ~~panel which must be included in the budget of the Maine~~
40 ~~Labor Relations Board. Any costs for services rendered and~~
41 ~~expenses incurred by the panel of mediators beyond the 3rd~~
42 ~~mediation day per case and any state cost allocation program~~
43 charges must be shared equally by the parties to the
44 proceedings, ~~except that on a showing by either party that~~
45 ~~the payment would impose undue financial hardship, the~~
46 ~~executive director may waive all or part of the obligation.~~
47 ~~The amount waived must be paid from the appropriation and~~
48 must be paid into a special fund administered by the Maine
49 Labor Relations Board. Authorization for services rendered
50

2 and expenditures incurred by members of the panel is the
responsibility of the Executive Director of the Maine Labor
4 Relations Board. All costs must be paid from that special
fund.

6 **Sec. O-5. 26 MRSA §965, sub-§5,** as amended by PL 1973, c. 458,
§8, is further amended to read:

8
10 **5. Costs.** The costs for the services of the mediator, the
members of the fact-finding board and of the neutral arbitrator
12 including, if any, per diem expenses, and actual and necessary
travel and subsistence expenses and the costs of hiring the
14 premises where any mediation, fact-finding or arbitration
proceedings are conducted, ~~will~~ must be shared equally by the
parties to the proceedings. All other costs ~~will~~ must be assumed
16 by the party incurring them. ~~The services of the members of the
State of Maine's Panel of Mediators and of the Maine Board of
18 Arbitration and Conciliation are available to the parties without
cost.~~

20
22 **Sec. O-6. 26 MRSA §965, sub-§6,** as amended by PL 1989, c. 502,
Pt. A, §108, is further amended to read:

24 **6. Arbitration administration.** The cost for services
rendered and expenses incurred by the Maine Board of Arbitration
26 and Conciliation, as defined in section 931, ~~shall be paid by the
State from an appropriation for said Board of Arbitration and
28 Conciliation which shall be included in the budget of , and any
state cost allocation program charges, must be shared equally by
30 the parties to the proceedings and must be paid into a special
fund administered by the Maine Labor Relations Board.~~
32 Authorization for services rendered and expenditures incurred by
members of the State Board of Arbitration and Conciliation shall
34 be is the responsibility of the executive director. All costs
must be paid from that special fund.

36
38 **Sec. O-7. 26 MRSA §967, sub-§2,** as amended by PL 1975, c. 564,
§21, is further amended by amending the first paragraph to read:

40 **2. Elections.** The executive director of the board, or his a
designee, upon signed request of a public employer alleging that
42 one or more public employees or public employee organizations
have presented to it a claim to be recognized as the
44 representative of a bargaining unit of public employees, or upon
signed petition of at least 30% of a bargaining unit of public
46 employees that they desire to be represented by an organization,
shall conduct a secret ballot election to determine whether the
48 organization represents a majority of the members in the
bargaining unit. Such an election may be conducted at suitable

2 work locations or through the United States mail, and the
3 procedures adopted and employed must ensure that neither the
4 employee organizations or the management representatives involved
5 in the election have access to information that would identify a
6 voter.

7 **Sec. O-8. 26 MRSA §968, sub-§1**, as amended by PL 1989, c. 503,
8 Pt. B, §109, is further amended to read:

10 **1. Maine Labor Relations Board.** The Maine Labor Relations
11 Board established by Title 5, section 12004-B, subsection 2,
12 ~~shall consist~~ consists of 3 members and 6 alternates to be
13 appointed by the Governor, subject to review by the joint
14 standing committee of the Legislature having jurisdiction over
15 labor matters and to confirmation by the Legislature. The
16 Governor, in making appointments, shall name one member and 2
17 alternates to represent employees, one member and 2 alternates to
18 represent employers and one member and 2 alternates to represent
19 the public. The member representing the public shall be the
20 board's chair and the alternate representing the public shall be
21 an alternate chair. Members of the board ~~shall be compensated~~ are
22 entitled to compensation according to the provisions of Title 5,
23 chapter 379. The alternates ~~shall be compensated~~ are entitled to
24 compensation at the same per diem rate as the member that the
25 alternate replaces. The term of each member and each alternate
26 ~~shall be for a period of~~ is 4 years; provided that of the members
27 and alternates first appointed, one member and 2 alternates shall
28 be are appointed for a period term of 4 years, one member and 2
29 alternates shall be are appointed for a period term of 3 years
30 and one member and 2 alternates shall be are appointed for a
31 period term of 2 years. The members of the board, its alternates
32 and its employees shall are entitled to receive necessary
33 expenses. Per diem and necessary expenses for members and
34 alternates of the board, as well as state cost allocation program
35 charges, must be shared equally by the parties to any proceeding
36 at which the board presides, and must be paid into a special fund
37 administered by the board from which all costs must be paid. At
38 its discretion, the board may allocate all costs to a party that
39 presents a frivolous complaint or defense or that commits a
40 blatant violation of the applicable collective bargaining law.
41 The executive director and legal or professional personnel
42 employed by the board shall be are members of the unclassified
43 service.

44 **Sec. O-9. 26 MRSA §979-D, sub-§5**, as amended by PL 1979, c.
45 501, §3, is further amended to read:

46 **5. Costs.** The costs for the services of the mediator, the
47 members of the fact-finding board and of the neutral arbitrator
48 or arbitrators including, if any, per diem expenses, and actual
49

2 and necessary travel and subsistence expenses and the costs of
3 hiring the premises where any mediation, fact-finding or
4 arbitration proceedings are conducted, will must be shared
5 equally by the parties to the proceedings. All other costs will
6 must be assumed by the party incurring them. ~~The services of the~~
7 ~~members of the State's Panel of Mediators, to a maximum of 3~~
8 ~~mediation days per case, and of the Maine Board of Arbitration~~
~~and Conciliation are available to the parties without cost.~~

10 **Sec. O-10. 26 MRSA §1025, sub-§2, ¶A,** as amended by PL 1989,
11 c. 443, §68, is further amended to read:

12
13 A. The executive director of the board, upon signed request
14 of the university, academy or technical college alleging
15 that one or more university, academy or technical college
16 employees or employee organizations have presented to it a
17 claim to be recognized as the representative of a bargaining
18 unit of university, academy or technical college employees,
19 or upon signed petition of at least 30% of a bargaining unit
20 of university, academy or technical college employees that
21 they desire to be represented by an organization, shall
22 conduct a secret ballot election to determine whether the
23 organization represents a majority of the members of the
24 bargaining unit. Such an election may be conducted at
25 suitable work locations or through the United States mail,
26 and the procedures adopted and employed must ensure that
27 neither the employee organizations or the management
28 representatives involved in the election have access to
29 information that would identify a voter.

30
31 **Sec. O-11. 26 MRSA §1026, sub-§5,** as amended by PL 1979, c.
32 501, §4, is further amended to read:

33
34 **5. Costs.** ~~The costs for the first 3 days of services of the~~
35 ~~panel of mediators shall be paid by the board.~~ The following
36 costs shall must be shared equally by the parties to the
37 proceedings: ~~All costs for the panel of mediators not required to~~
38 ~~be paid by the board;~~ the costs of the fact-finding board
39 including, if any, per diem expenses and actual and necessary
40 travel and subsistence expenses and the costs of the neutral
41 arbitrator or arbitrators, including, if any, per diem expenses
42 and actual and necessary travel and subsistence expenses; the
43 costs of the Federal Mediation and Conciliation Service or the
44 American Arbitration Association; and the costs of hiring the
45 premises where any fact-finding or arbitration proceedings are
46 conducted. All other costs shall must be assumed by the party
47 incurring them. The services of the Panel of Mediators and the
48 Maine Board of Arbitration and Conciliation shall be available to
49 the parties without costs, and any state allocation program
50 charges, must be shared equally by the parties to the proceedings

2 and must be paid into a special fund administered by the Maine
3 Labor Relations Board. Authorization for services rendered and
4 expenditures incurred by members of the Panel of Mediators and
5 the Board of Arbitration and Conciliation is the responsibility
6 of the executive director. All costs must be paid from that
7 special fund.

8 **Sec. O-12. 26 MRSA §1285, sub-§7,** as enacted by PL 1983, c.
9 702, is amended to read:

10 **7. Costs.** The costs for the services of the mediator, the
11 members of the fact-finding board, the neutral arbitrator and the
12 mediator-arbitrator, including, if any, per diem expenses, and
13 actual and necessary travel and subsistence expenses and the
14 costs of hiring the premises where any mediation, fact-finding,
15 arbitration or mediation-arbitration proceedings are conducted,
16 shall must be shared equally by the parties to the proceedings.
17 All other costs shall must be assumed by the party incurring
18 them. ~~The services of the members of the State of Maine's Panel~~
19 ~~of Mediators, to a maximum of 3 mediation days per case, and of~~
20 ~~the State Board of Arbitration and Conciliation are available to~~
21 ~~the parties without cost.~~

22
23 **Sec. O-13. 26 MRSA §1285, sub-§8,** as amended by PL 1989, c.
24 502, Pt. A, §111, is further amended to read:

25 **8. Arbitration administration.** The cost of services
26 rendered and expenses incurred by the State Board of Arbitration
27 and Conciliation, as defined in section 931, ~~shall be paid by the~~
28 ~~State from an appropriation for the State Board of Arbitration~~
29 ~~and Conciliation, which shall be included in the budget of and~~
30 any applicable state cost allocation program charges, must be
31 shared equally by the parties to the proceedings and must be paid
32 into a special fund administered by the Maine Labor Relations
33 Board. Authorization for services rendered and expenditures
34 incurred by members of the State Board of Arbitration and
35 Conciliation shall be is the responsibility of the executive
36 director. All costs must be paid from that special fund.

37
38 **Sec. O-14. Transfer of funds.** Notwithstanding the Maine
39 Revised Statutes, Title 26, section 61, subsection 1, \$74,112
40 must be transferred from the Department of Labor, Safety
41 Education and Training Fund to General Fund Undedicated Revenue
42 by June 30, 1992.

43 **Sec. O-15. Transfer of funds.** Notwithstanding the Maine Revised
44 Statutes, Title 26, section 62, subsection 1, as amended by PL
45 1991, chapter 9, Part HH, \$35,000 must be transferred from the
46 Department of Labor, Occupational Safety Loan Fund to General
47 Fund Undedicated Revenue by June 30, 1992.

2

PART P

4

6 **Legislative intent.** It is the intent of the Legislature that
 8 the Department of Conservation, Bureau of Public Lands make a
 10 one-time payment from its dedicated revenue to the General Fund
 12 that is commensurate with the past years of General Fund
 14 expenditures paid for forest fire protection activities on public
 16 reserved lands. Notwithstanding the Maine Revised Statutes,
 18 Title 12, section 586, the State Controller shall transfer
 20 \$681,000 from the Public Reserved Lands Management Fund to the
 22 General Fund as undedicated revenue by June 30, 1992.

14

16

PART Q

18

20 **Sec. Q-1. Transfer of funds.** Notwithstanding the Maine Revised
 22 Statutes, Title 5, section 95, subsection 5, \$8,300 of the Other
 24 Special Revenue Fund Account within the Administration - Archives
 26 program in the Department of the Secretary of State must lapse to
 28 the General Fund on June 30, 1992.

24

26 **Sec. Q-2. Motor vehicle computer system.** Notwithstanding any
 28 other provision of law, for fiscal year 1991-92 only, the General
 30 Fund account within the Office of the Secretary of State program
 32 in the Department of the Secretary of State may bill the Highway
 34 Fund account within the Administration - Motor Vehicles program
 36 in the Department of the Secretary of State for Highway Fund
 38 activities associated with the adjustment of the motor vehicle
 40 computer system to accommodate the discontinuation of IBM's
 42 maintenance support of the existing 20-year-old hardware platform
 44 used on the effective date of this Act by the motor vehicles
 46 branch offices. These funds must be credited as General Fund
 48 undedicated revenue not to exceed \$15,000.

36

38

PART R

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42 **Transfer of funds.** Notwithstanding the Maine Revised
 44 Statutes, Title 39, section 57-D, subsection 6, \$112,886 is
 46 authorized to be transferred from the Second Injury Fund of the
 48 Workers' Compensation Commission to General Fund undedicated
 50 revenues by June 30, 1992. The amount of \$738,660 is authorized
 to be transferred from the Employment Rehabilitation Fund of the
 Workers' Compensation Commission to the General Fund undedicated
 revenues by June 30, 1992.

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PART S

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Sec. S-1. 5 MRSA §293, as amended by PL 1989, c. 503, Pt. B, §11, is repealed.

Sec. S-2. 5 MRSA §453, as amended by PL 1989, c. 503, Pt. B, §14, is repealed.

Sec. S-3. 5 MRSA c. 19, as amended, is repealed.

Sec. S-4. 5 MRSA §1814, as amended by PL 1989, c. 503, Pt. B, §18, is repealed.

Sec. S-5. 5 MRSA c. 371, as amended, is repealed.

Sec. S-6. 5 MRSA §12004-F, sub-§12, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. S-7. 5 MRSA §12004-G, sub-§§5, 22 and 31, as enacted by PL 1987, c. 786, §5, are repealed.

Sec. S-8. 5 MRSA §12004-G, sub-§33-A, as enacted by PL 1989, c. 503, Pt. A, §19, is repealed.

Sec. S-9. 5 MRSA §12004-I, sub-§1, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. S-10. 5 MRSA §12004-I, sub-§27, as amended by PL 1989, c. 503, Pt. A, §29, is repealed.

Sec. S-11. 5 MRSA §12004-I, sub-§§30 and 37, as enacted by PL 1987, c. 786, §5, are repealed.

Sec. S-12. 5 MRSA §12004-I, sub-§42-A, as enacted by PL 1989, c. 496, §1 and c. 601, Pt. A, §§1 and 3, is repealed.

Sec. S-13. 5 MRSA §12004-I, sub-§§43, 44 and 68, as enacted by PL 1987, c. 786, §5, are repealed.

Sec. S-14. 5 MRSA §12004-I, sub-§70, as amended by PL 1989, c. 503, Pt. A, §34, is repealed.

Sec. S-15. 5 MRSA §12004-I, sub-§71-A, as enacted by PL 1989, c. 247, §§1 and 4, is repealed.

Sec. S-16. 5 MRSA §12004-I, sub-§73-A, as enacted by PL 1989, c. 609, §1, is repealed.

Sec. S-17. 5 MRSA §12004-I, sub-§77, as enacted by PL 1987, c. 786, §5, is repealed.

2 **Sec. S-18. 5 MRSA §12004-J, sub-§§4 and 6**, as enacted by PL
1987, c. 786, §5, are repealed.

4 **Sec. S-19. 5 MRSA §12004-J, sub-§7**, as enacted by PL 1987, c.
6 887, §3, is repealed.

8 **Sec. S-20. 5 MRSA c. 435**, as amended, is repealed.

10 **Sec. S-21. 10 MRSA §353**, as enacted by PL 1985, c. 468, §2,
is repealed.

12 **Sec. S-22. 10 MRSA §980-B**, as repealed and replaced by PL
14 1989, c. 857, §46, is repealed.

16 **Sec. S-23. 12 MRSA §7367**, as amended by PL 1989, c. 883, §§6
to 8, is repealed.

18 **Sec. S-24. 12 MRSA §9621**, as amended by PL 1989, c. 502, Pt.
20 A, §37, is repealed.

22 **Sec. S-25. 22 MRSA §1405**, as amended by PL 1989, c. 503, Pt.
B, §82, is repealed.

24 **Sec. S-26. 22 MRSA §1693**, as amended by PL 1989, c. 503, Pt.
26 B, §84, is repealed.

28 **Sec. S-27. 22 MRSA §1693-A**, as amended by PL 1989, c. 503,
Pt. B, §§85 and 86, is repealed.

30 **Sec. S-28. 22 MRSA §2150-A**, as enacted by PL 1989, c. 601,
32 Pt. A, §2, is repealed.

34 **Sec. S-29. 22 MRSA §2624**, as amended by PL 1985, c. 748, §26,
is repealed.

36 **Sec. S-30. 22 MRSA c. 1455**, as amended, is repealed.

38 **Sec. S-31. 32 MRSA §1381**, as amended by PL 1989, c. 878, Pt.
40 B, §26, is repealed.

42 **Sec. S-32. 32 MRSA §2157**, as enacted by PL 1989, c. 609, §2,
is repealed.

44 **Sec. S-33. 34-B MRSA §3901**, as amended by PL 1989, c. 878,
46 Pt. A, §103, is repealed.

48 **Sec. S-34. 34-B MRSA §3902**, as amended by PL 1989, c. 335,
§5, is repealed.

50

2 The Maine State Library shall give advice to all school,
3 state, institutional and public libraries, and to all communities
4 in the State which that may propose to establish libraries, as to
5 the best means of establishing and administering them the
6 libraries, selecting and cataloging books and other details of
7 library management, and may send its employees to aid in
8 organizing such libraries or assist in the improvement of those
9 already established. It The Maine State Library shall formulate
10 and present to the Legislature a plan for state-wide statewide
11 library development and ~~it shall be~~ the Maine State Library is
12 designated as the agency for the administration of said the plan
13 and ~~shall be~~ is granted the authority to administer said the plan
14 on behalf of the State. It The Maine State Library may receive
15 gifts of money, books or other property which that may be used or
16 held in trust for the purpose or purposes given. The Maine State
17 Library may establish an endowment fund. Any funds, if given as
18 an endowment, must be invested by the Treasurer of State
19 according to the laws governing the investment of trust funds.
20 It The Maine State Library may publish lists and circulars of
21 information and may cooperate with the libraries and commissions
22 of other states in the publication of documents in order to
23 secure the most economical administration of its work. It The
24 Maine State Library may conduct courses or schools of library
25 instruction and hold librarians' institutes in various parts of
26 the State, and cooperate with others in such those schools or
27 institutes. It The Maine State Library shall perform such other
28 library service as ~~it~~ the Maine State Library may consider for
the best interests of the citizens of the State.

30 **Sec. V-2. 27 MRSA §83, sub-§§3 and 4**, as amended by PL 1989, c.
31 700, Pt. B, §19, are further amended to read:

32 **3. Delegate powers.** To delegate powers to the Museum
33 Director necessary for the administration of this chapter; and

34 **4. Recommendations.** To make recommendations to the Maine
35 State Cultural Affairs Council for such legislation as may be
36 necessary to improve the functioning of the Maine State Museum; ;
37 and

38 **Sec. V-3. 27 MRSA §83, sub-§5** is enacted to read:

39 **5. Establish fees.** To establish fees for admission to the
40 Maine State Museum. All revenues derived from these fees must be
41 reported and paid to the Treasurer of State as undedicated
42 revenue to the General Fund.

43 **Sec. V-4. 27 MRSA §405**, as enacted by PL 1965, c. 499, §1, is
44 amended to read:

45

2
3 **§405. Hearings; contracts**

4 The commission is authorized and empowered to hold public
5 and private hearings, to enter into contracts, within the limit
6 of funds available ~~therefor~~, with individuals, or organizations,
7 and institutions for services furthering the educational
8 objectives of the commission's programs; to enter into contracts,
9 within the limit of funds available ~~therefor~~, with local and
10 regional associations for cooperative endeavors furthering the
11 educational objectives of the commission's programs; to establish
12 an endowment fund; to accept gifts, contributions and bequests of
13 funds from individuals, foundations, corporations and other
14 organizations or institutions for the purpose of furthering the
15 educational objectives of the commission's programs; to make and
16 sign any agreements and to do and perform any acts that may ~~be~~
17 are necessary to carry out the purposes of this chapter. Any
18 funds, if given as an endowment, must be invested by the
19 Treasurer of State according to the laws governing the investment
20 of trust funds. The commission may request and shall receive
21 from any department, division, board, bureau, commission or
22 agency of the State such assistance and data as ~~will enable it~~
23 properly necessary to carry out its powers and duties hereunder.

24 **Sec. V-5. 27 MRSA §506,** as repealed and replaced by PL 1979,
25 c. 21, is amended to read:

26 **§506. Hearings; contracts**

27
28 The commission may hold public and private hearings related
29 to the field of historic preservation. The director may enter
30 into contracts, within the limit of funds available ~~therefor~~,
31 with individuals or organizations and institutions for services
32 furthering the objectives of this chapter; and enter into
33 contracts, within the limit of funds available ~~therefor~~, with
34 public or private, local or regional organizations or
35 associations for cooperative endeavors furthering the objective
36 of this chapter. The director may make recommendations to the
37 ~~commissioner~~ commission regarding the acceptance of gifts,
38 contributions, ~~devises~~ and bequests of funds and objects from
39 individuals, foundations, corporations and other organizations,
40 and institutional or governmental bodies for the purpose of
41 furthering the objectives of this chapter. The commission is
42 authorized and empowered to establish an endowment fund. Any
43 funds, if given as an endowment, must be invested by the
44 Treasurer of State according to the laws governing the investment
45 of trust funds.

46
47 **Sec. V-6. Legislative intent.** It is the intent of the
48 Legislature that the Maine Arts Commission, the Maine Historic
49 Preservation Commission, the Maine State Library and the Maine
50

2 State Museum shall actively pursue the establishment of endowment
funds.

4
6 **PART W**

8 **34-A MRSA §1210, sub-§2**, as amended by PL 1989, c. 887, §7,
is further amended to read:

10 **2. Reimbursement.** Except as provided in subsection 6-A,
12 the department shall, under this section, reimburse each county
quarterly for each actual day served at that county correctional
14 facility by:

16 A. Persons convicted of a Class A, Class B or Class C crime
sentenced after March 31, 1987, to serve a term of
imprisonment pursuant to Title 17-A, section 1203,
18 subsection 1, or section 1252, subsection 1; and

20 B. Persons convicted of a Class A, Class B or Class C crime
sentenced after December 31, 1988, to serve a term of
22 imprisonment pursuant to Title 17-A, section 1203,
subsection 1 or section 1252, subsection 1.

24 Reimbursement for periods after June 30, 1987, may not be
26 authorized until the reimbursable costs for the operations of the
jail are agreed upon by the commissioner and the county
28 commissioners for that county. Reimbursable costs for the
operations of the jail must, to the extent practicable, be
30 mutually agreed upon prior to the actual expenditures of funds
for those costs. Prior approval of all capital expenditures is
32 required for reimbursement of that expense item. If the
commissioner and the county commissioners are unable to agree
34 upon reimbursable costs, they shall jointly select an arbitrator
to determine those costs. The arbitrator's decision is final and
36 both the commissioner and the county commissioners are bound by
that decision.

38 The obligation of the Department of Corrections to reimburse
40 counties pursuant to this section may not exceed the actual
42 amount appropriated during the fiscal years 1991-92 and 1992-93.

44 **PART X**

46 **Sec. X-1. 20-A MRSA §4502, sub-§5**, as amended by PL 1991, c.
9, Pt. II, §2 and c. 181, §1, is further amended by amending the
48 first paragraph to read:

2 5. **Other standards.** The state board and the commissioner
3 shall jointly adopt basic school approval rules governing school
4 administrative units and elementary and secondary schools. These
5 rules shall must set minimum standards in the following areas,
6 incorporating such standards as are established by statute:

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

9 B. Staffing, including student-teacher ratios, except that
10 the approval rules in effect for the school years beginning
11 in the fall of 1991, 1992, 1993, 1994 and 1995 must permit
12 maximum student-teacher ratios of 25:1 school-wide for
13 kindergarten to grade 8 and maximum student-teacher ratios
14 of 30:1 school-wide for grades 9 to 12;

15 **Sec. X-3. 20-A MRSA §4502, sub-§5-A** is enacted to read:

16 **5-A. Application.** The provisions of subsection 5,
17 paragraph H do not apply to the school years beginning in the
18 fall of 1991, 1992, 1993, 1994 and 1995.

19 **Sec. X-4. 20-A MRSA §4504, sub-§2,** as enacted by PL 1983, c.
20 859, Pt. A, §§20 and 25, is amended to read:

21 2. **Comprehensive reviews.** The commissioner shall, on a
22 one-year to 5-year cycle, make a comprehensive review of each
23 public school to determine whether the school is in compliance
24 with basic school approval standards. These reviews shall must,
25 insofar as is practicable, be coordinated with reviews of other
26 schools in the school unit, accreditation visits, special
27 education reviews, federal program reviews and other required
28 reviews or inspections, so as to reduce administrative burdens on
29 school personnel. The provisions of this subchapter do not apply
30 to the school years beginning in the fall of 1991, 1992, 1993,
31 1994 and 1995.

32 **Sec. X-5. 20-A MRSA §4517** is enacted to read:

33 **§4517. Waiver of requirements**

34 The provisions of this subchapter do not apply to the school
35 years beginning in the fall of 1991, 1992, 1993, 1994 and 1995.

36 **Sec. X-6. 20-A MRSA §8104, sub-§1,** as amended by PL 1991, c.
37 9, Pt. II, §4, is further amended to read:

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

2 No school administrative unit or part of a school administrative
4 unit is required to comply with the provisions of its plan during
6 the school years beginning in the fall of 1991, 1992, 1993, 1994
8 and 1995.

6 **Sec. X-7. 20-A MRSA §13015, sub-§3, ¶A,** as amended by PL 1989,
8 c. 700, Pt. A, §69, is further amended to read:

10 A. A majority of classroom teachers, including a master
12 teacher, if available, and other personnel such as
14 administrators, personnel from the Department of Education
16 or institutions of higher education and other outside
18 consultants as the commissioner may approve. The approved
20 support system may consist of as few as 2 teachers and one
22 administrator. For the purposes of this paragraph, the
24 state board shall establish by rule the definition of
26 classroom teacher;

18 **Sec. X-8. 20-A MRSA §13016, sub-§2,** as enacted by PL 1983, c.
20 845, §4, is amended to read:

22 **2. Professional teacher certificates.** A professional
24 teacher certificate may be renewed for 5-year periods in
26 accordance with state board rules, which shall must require, at a
28 minimum, ~~a--recommendation--of--a--support--system--and~~ that the
30 teacher complete at least 6 hours of professional or academic
32 study, or in-service training designed to improve the performance
34 of the teacher in the field for which the teacher holds an
36 endorsement, or in a related subject area. Teachers who desire to
38 qualify for a master teacher certificate shall must coordinate
40 their continuing professional education with the requirements of
42 an applicable teacher action plan.

34 **Sec. X-9. 21-A MRSA §755,** as amended by PL 1987, c. 624, is
36 further amended to read:

38 **§755. Deadline**

40 ~~The--office--of--the--clerk--shall--be--open--a--minimum--of--4--hours~~
42 ~~on--the--Saturday--immediately--preceding--a--statewide--regular~~
44 ~~election--and--any--election--for--federal--or--state--office--to--allow~~
46 ~~voters--to--obtain--or--cast--absentee--ballots.~~ In order to be valid,
48 an absentee ballot must be delivered to the municipal clerk at
50 any time before the polls are closed.

46 **Sec. X-10. 30-A MRSA §2104, sub-§6,** as amended by PL 1989, c.
48 104, Pt. C, §§8 and 10, is further amended to read:

50 **6. Summary of amendment.** When the municipal officers, ~~with~~
the ~~advice--of--an--attorney,~~ determine that it is not practical to

2 print the proposed amendment on the ballot and that a summary
3 would not misrepresent the subject matter of the proposed
4 amendment, the municipal officers shall include in their order a
5 summary of the proposed amendment, prepared subject to the
6 requirements of section 2105, subsection 3, paragraph C, and
7 instruction to the clerk to include the summary on the ballot
8 instead of the text of the proposed amendment.

9
10 **Sec. X-11. 30-A MRSA §2105, sub-§3, ¶C**, as amended by PL 1989,
11 c. 104, Pt. C, §§8 and 10, is further amended to read:

12 ~~C. The municipal officers shall prepare any summary of a~~
13 ~~proposed amendment with the advice of an attorney. The~~ Any
14 summary must fairly describe the content of the proposed
15 amendment and shall may not contain information designed to
16 promote or oppose the amendment.

17 **Sec. X-12. 38 MRSA §438-A, first ¶**, as enacted by PL 1987, c.
18 815, §§5 and 11, is amended to read:

19
20 With respect to all shoreland areas described in section
21 435, municipalities shall adopt zoning and land use control
22 ordinances pursuant to existing enabling legislation, under home
23 rule authority and in accordance with the following
24 requirements. The deadline for municipalities to adopt a
25 shoreland zoning ordinance meeting the minimum guidelines adopted
26 by the Board of Environmental Protection is extended to July 1,
27 1992.

28
29 **Sec. X-13. 38 MRSA §451-A, sub-§1-A, ¶A**, as repealed and
30 replaced by PL 1991, c. 9, Pt. II, §5, is amended to read:

31
32 A. Preliminary plans and engineers' estimates must be
33 completed and submitted to the Department of Transportation
34 by the following dates:

- 35
36 (1) For Priority 1 and 2 projects - January 1992 1993;
37 (2) For Priority 3 project - January 1993 1994;
38 (3) For Priority 4 project - January 1994 1995; and
39 (4) For Priority 5 project - January 1995 1996.

40
41 **Sec. X-14. 38 MRSA §1310-N, sub-§6**, as affected by PL 1989, c.
42 890, Pt. A, §40 and Pt. B, §242, is further amended to read:

43
44 **6. Terms and compliance schedules.** Licenses are issued
45 under the terms and conditions as the department may prescribe,
46 and for a term not to exceed 5 years. The department may
47

2 establish reasonable time schedules for compliance with this
3 article and rules promulgated adopted by the board.
4 Notwithstanding any rules adopted pursuant to this section,
5 municipal solid waste landfills in existence prior to October 3,
6 1973 may continue to operate up to December 31, 1992, unless the
7 commissioner finds that continued operation of a landfill poses
8 an immediate hazard to the public health or the environment,
9 including without limitation, a threat to a public or private
10 water supply.

11 **Sec. X-15. Waiver of obligations.** Notwithstanding the Maine
12 Revised Statutes, Title 7, chapter 725, if license fees and other
13 revenues retained by municipalities subject to that chapter are
14 insufficient to reimburse the municipality for the costs
15 associated with its obligations under that chapter and the
16 municipal clerks of a municipality so certify to the Animal
17 Welfare Board, then the obligations of that municipality under
18 Title 7, chapter 725 are automatically waived for the
19 municipality for the period from January 1, 1992 to December 31,
20 1994. No official, individual, person, corporation or other
21 entity may be found in noncompliance with Title 7, chapter 725
22 for failure to satisfy provisions of that chapter affected by
23 this municipal waiver.

24 PART Y

25 **Sec. Y-1. 5 MRSA §12004-G, sub-§15-A,** as amended by PL 1991,
26 c. 601, §1, is further amended to read:

27 **15-A.** Driver-Edu- \$75/Day 5 MRSA
28 Substance eation-and-Eval- §20078
29 Abuse uation-Programs
30 Appeals-Board
31 Safety Training
32 Operating-under-
33 the-influence
34 Programs Appeals
35 Board

36 **Sec. Y-2. 5 MRSA §20071, sub-§§4-A and 4-B** are enacted to read:

37 **4-A. First offender.** "First offender" means a client who
38 has no previous alcohol-related or drug-related motor vehicle
39 incident within a 6-month period.

40 **4-B. First offender with an aggravated**
41 **operating-under-the-influence offense.** "First offender with an
42 aggravated operating-under-the-influence offense" means a client

2 who has an operating-under-the-influence offense aggravated by
3 any of the following factors. The client:

4 A. Was tested as having a blood-alcohol level of 0.15% or
5 more;

6 B. Was driving in excess of the speed limit by 30 miles an
7 hour or more during the operation that resulted in the
8 prosecution for operating under the influence or with a
9 blood-alcohol level of 0.08% or more;

10 C. Eluded or attempted to elude an officer, as defined in
11 Title 29, section 2501-A, subsection 3, during the operation
12 that resulted in prosecution for operating under the
13 influence or with a blood-alcohol level of 0.08% or more; or

14 D. Failed to submit to a chemical test for the
15 determination of that person's blood-alcohol level, at the
16 request of a law enforcement officer on the occasion that
17 resulted in the conviction.

18 **Sec. Y-3. 5 MRSA §20072**, as enacted by PL 1991, c. 601, §28,
19 is amended to read:

20 **§20072. Safety training operating-under-the-influence programs**

21 ~~The Driver-Education-and-Evaluation-Programs~~ safety training
22 operating-under-the-influence programs are established in the
23 Office of Substance Abuse and shall administer the alcohol and
24 other drug education, ~~evaluation-and-treatment~~ safety training
25 operating-under-the-influence programs as provided in this
26 chapter. The office shall certify to the Secretary of State:

27 **1. Completion of the safety training**
28 **operating-under-the-influence programs.** Those individuals who
29 have satisfactorily completed a program prescribed by section
30 20073 20073-A; and

31 **2. Completion of treatment other than the safety training**
32 **operating-under-the-influence programs.** Those individuals who
33 have satisfied the requirement for completion of treatment as
34 defined in section 20071 by means other than a program prescribed
35 by section 20073 20073-A. The Office of Substance Abuse may
36 charge an administrative fee, not to exceed \$50, to clients under
37 this paragraph. This fee must be transferred to the General Fund.

38 **Sec. Y-4. 5 MRSA §20073**, as enacted by PL 1991, c. 601, §28,
39 is repealed.

40 **Sec. Y-5. 5 MRSA §20073-A** is enacted to read:

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§20073-A. Program components

1. First offenders; adult. The Office of Substance Abuse program required for clients without a previous alcohol-related or drug-related motor vehicle offense and without an offense with aggravating factors as defined in section 20071, subsection 4-B, consists of an alcohol and drug assessment. The evaluation and treatment components may be recommended.

2. First offenders under 21 years of age. First offenders under 21 years of age shall attend the driver education and evaluation programs for teenagers established by this subsection. The driver education and evaluation programs for teenagers consist of the following components.

A. The education component is a program of at least 10 hours during which clients receive education, especially designed for the age group, on substance use, abuse and addiction. Education is provided through a group discussion process that includes segments on values clarification, peer pressure and decision making.

B. The assessment component is designed to make a preliminary assessment regarding the extent of a client's alcohol or other drug use or abuse or potential for abuse. A client may be referred for further evaluation based on the results of the client's preliminary assessment.

C. The evaluation component is designed to identify abusers of alcohol and other drugs. If the evaluation indicates that treatment for alcohol or other drug abuse is needed, the client must be referred to the appropriate alcohol or other drug treatment service.

D. The treatment component is designed to address the client's specific problem with or abuse of alcohol or other drugs.

3. First offender with an aggravated operating-under-the-influence offense and multiple offenders; adult. The safety training operating-under-the-influence program required for adult first offenders with an aggravated operating-under-the-influence offense and multiple offenders consists of the following components:

A. A rigorous, highly structured, residential intervention program, consisting of at least 22 hours, using films, lectures, group discussion and individual sessions, designed to educate the client on the effects of substance use, abuse

2 and addiction and an evaluation using assessment
3 instruments, data collection and self-assessment; and

4 B. A treatment program provided by a community-based
5 service provider, designed to address the client's specific
6 alcohol or other drug problem and abuse, using a treatment
7 plan based on the completion of treatment guidelines adopted
8 by the office, if additional treatment is required as a
9 result of the evaluation.

10 **Sec. Y-6. 5 MRSA §20074**, as enacted by PL 1991, c. 601, §28,
11 is amended to read:

12 **§20074. Separation of evaluation and treatment functions**

13 ~~A Driver-Education-and-Evaluation-Programs~~ safety training
14 operating-under-the-influence programs private practitioner or a
15 counselor employed by a substance abuse facility approved or
16 licensed by the office providing services under this subchapter
17 may not provide both treatment services and evaluation services
18 for the same individual participating in programs under this
19 subchapter. The practitioner or counselor providing evaluation
20 services shall give a client the name of 3 practitioners or
21 counselors who can provide treatment services, at least one of
22 whom may not be employed by the same agency as the practitioner
23 or counselor conducting the evaluation.

24 **Sec. Y-7. 5 MRSA §20076**, as enacted by PL 1991, c. 601, §28,
25 is repealed.

26 **Sec. Y-8. 5 MRSA §20076-A** is enacted to read:

27 **§20076-A. Fees**

28 1. First offender; adult program. The office may charge a
29 registration fee, not to exceed \$105, to clients for assessment
30 components. This fee must be transferred to the General Fund.
31 The office may waive all or part of the fee for clients who
32 provide sufficient evidence of inability to pay.

33 2. First offenders under 21 years of age. The office may
34 charge a registration fee, not to exceed \$150, to clients for the
35 education and assessment components of the program. This fee
36 must be transferred to the General Fund. The office may waive
37 all or part of the fee for clients who provide sufficient
38 evidence of inability to pay.

39 3. First offenders with an aggravated
40 operating-under-the-influence offense and multiple offender
41 program. This subsection applies to multiple offenders and first
42 offenders.

2 offenders who participate in the multiple offender residential
3 intervention program in accordance with this subchapter. The
4 fees and costs for the multiple offender program are as follows.

5 A. The office may charge a registration fee, not to exceed
6 \$425, to clients for the program. This fee must be
7 transferred to the General Fund. The office may waive all
8 or part of the fee for clients who provide sufficient
9 evidence of inability to pay.

10 B. The client is responsible for any costs associated with
11 2nd and subsequent evaluations or treatments.

12 **Sec. Y-9. 5 MRSA §20078, first ¶,** as enacted by PL 1991, c.
13 601, §28, is amended to read:

14 ~~The Driver-Education-and-Evaluation-Programs-Appeals-Board~~
15 ~~Safety Training Operating-under-the-influence Programs Appeals~~
16 ~~Board,~~ established by Title 5, section 12004-G, subsection 15-A,
17 is referred to as the "board" in this subchapter and is governed
18 by this section.

19 **Sec. Y-10. 5 MRSA §20078, sub-§§1, 6 and 7,** as enacted by PL
20 1991, c. 601, §28, are amended to read:

21 **1. Qualifications.** Each member of the board must have
22 training, education, experience and demonstrated ability in
23 successfully treating clients with substance abuse problems.
24 Board members may not hold a current certificate to provide
25 ~~driver--education,--evaluation--and--treatment~~ safety training
26 operating-under-the-influence services during their terms of
27 appointment.

28 **6. Appeal from decision.** A ~~Driver-Education-and-Evaluation~~
29 ~~Programs~~ client of safety training operating-under-the-influence
30 programs may appeal to the board as follows.

31 **A.** The client may appeal a failure to certify completion of
32 treatment pursuant to section 20072, subsection 2.

33 **B.** The client may appeal an evaluation decision referring
34 the client to treatment or a completion-of-treatment
35 decision pursuant to section ~~20073~~ 20073-A. A client may
36 appeal under this paragraph only after the client has sought
37 a 2nd opinion of the need for treatment or of satisfactory
38 completion of treatment.

39 **7. Appeal procedure and action.** An appeal is heard and
40 decided by one board member. The board may affirm or reverse the
41 decision of the treatment provider or agency, require further
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evaluation, make a finding of completion of treatment or make an
2 alternate recommendation. The board, after due consideration,
shall make a written decision and transmit that decision to the
4 ~~Driver--Education--and--Evaluation--Programs~~ safety training
operating-under-the-influence programs and the client who
6 appealed the case. The decision of the board is final agency
action for purposes of judicial review pursuant to Title 5,
8 chapter 375, subchapter VII.

10 **Sec. Y-11. 29 MRSA §1312-B, sub-§2, ¶D-1,** as amended by PL
1991, c. 601, §30, is further amended to read:

12
14 D-1. In addition to the penalties provided under paragraphs
B, C and D, the court shall order the defendant to
16 participate in the alcohol and other drug education,
evaluation-----and-----treatment safety training
operating-under-the-influence program for first offenders
18 with an aggravated operating-under-the-influence offense and
multiple offenders administered by the Office of Substance
20 Abuse, as defined in Title 5, chapter 521. The court may
waive the first offender with an aggravated operating under
22 the influence or multiple offender intervention program
under Title 5, section 20073 20073-A, subsection 4 3,
24 ~~paragraph--A,~~ if the court finds that the defendant has
completed a residential treatment program, or its
26 equivalent, subsequent to the date of the offense.

28 **Sec. Y-12. 29 MRSA §1312-D, sub-§§2-A and 2-B,** as enacted by
PL 1991, c. 516, §2, are amended to read:

30
32 **2-A. Special licenses for safety training**
operating-under-the-influence program participants. Following
the expiration of the total period of suspension imposed on a
34 first time offender pursuant to ~~subsections 1 and 1-A, section~~
~~1312-B, former section 1312-B, subsection 2 or~~ Title 15, section
36 3314 or section 1312-B, the Secretary of State shall issue a
special license or permit to the person if the Secretary of State
38 receives written notice that the person has completed the
education-and assessment components of the alcohol and other drug
40 program as set out in Title 22, ~~chapter 1602~~ 5, section 20073-A.
~~A special license or permit is conditioned on the person's~~
42 ~~satisfactory completion of all of the components of the program.~~
First offenders with an aggravated operating-under-the-influence
44 offense are entitled to received a special license after
completion of the evaluation provided by the Office of Substance
46 Abuse. A special license or permit may not be issued under this
section to 2nd and subsequent offenders.

48
50 **2-B. Suspension of special licenses for safety training**
operating-under-the-influence program participants. If the

2 person refuses or fails to complete the alcohol and other drug
3 program set out in Title 22, ~~chapter 1062~~ 5, section 20073-A,
4 within 6 months after receiving a special license, the Secretary
5 of State, following notice of such that refusal or failure may
6 suspend the special license until the person completes the
7 program. The suspension must continue until the Secretary of
8 State receives written notification from the ~~driver-education~~
9 ~~evaluation-program~~ Office of Substance Abuse that the person has
10 satisfactorily completed all required components of that
11 program. The Secretary of State shall provide notice of
12 suspension and opportunity for hearing pursuant to Title 5,
13 chapter 375, subchapter IV. The sole issue at the hearing is
14 whether the person has written notification from the ~~driver~~
15 ~~education---evaluation---program~~ Office of Substance Abuse
16 establishing that the person has satisfactorily completed all
17 components of that program as set out in Title 22, ~~chapter 1062~~
18 5, section 20073-A.

19 **Sec. Y-13. PL 1991, c. 591, Pt. QQ, §QQ-4 is repealed.**

20 **Sec. Y-14. Appropriation.** The following funds are
21 appropriated from the General Fund to carry out the purposes of
22 this Part.

23 **1991-92**

24 **EDUCATION, DEPARTMENT OF**

25 **General Purpose Aid for Local Schools**

26 All Other (\$700,000)

27 Provides for the deappropriation of funds to
28 redirect the substance abuse education funds
29 to the Executive Department, Office of
30 Substance Abuse.

31 **DEPARTMENT OF EDUCATION**
32 **TOTAL**

33 (\$700,000)

34 **EXECUTIVE DEPARTMENT**

35 **Office of Substance Abuse**

36 All Other \$700,000

37 Provides for the appropriation of funds to
38 be transferred to the Department of
39 Education, General Purpose Aid for Local
40 Schools program, to continue to reimburse
41

2	schools for substance abuse education and prevention activities.	
4	Office of Substance Abuse	
6	All Other	171,600
8	Provides funds for Block Grant Maintenance of Effort.	
10	Office of Substance Abuse	
12	All Other	28,400
14	Provides funds for Block Grant Maintenance of Effort from the Driver Education and Evaluation Programs - Substance Abuse.	
18	Driver Education and Evaluation Programs - Office of Substance Abuse	
20		
22	Personal Services	(28,400)
24	Provides for the deappropriation of funds from salary savings.	
26		
28	EXECUTIVE DEPARTMENT	
28	TOTAL	<hr/> \$871,600
30	PART Y	
30	TOTAL APPROPRIATIONS	<hr/> \$171,600

32 Sec. Y-15. Transfer of funds. Notwithstanding the Maine
34 Revised Statutes, Title 5, section 1585, for fiscal year 1991-92,
36 \$700,000 of the funds appropriated to the Executive Department,
38 Office of Substance Abuse must be transferred to the Department
of Education, General Purpose Aid for Local Schools as
reimbursement to schools for substance abuse education and
prevention activities.

42 **PART Z**

44 **Sec. Z-1. 22 MRSA §391, sub-§6**, as enacted by PL 1989, c. 565,
46 §4, is amended to read:

48 **6. Nonhospital data collection expenses.** The funds
required to support the collection, storage and analysis by the
commission of data from providers of health care other than
50 hospitals ~~shall~~ must be provided ~~through appropriations from the~~

2 ~~General Fund and not~~ by means of the assessment provided for in
subsubsection 1.

4 **Sec. Z-2. Transfer of funds.** Notwithstanding the Maine Revised
Statutes, Title 22, section 396-D, subsection 9, paragraph A and
6 section 396-J, \$349,735 is authorized to be transferred from the
Management Support Fund Account of the Maine Health Care Finance
8 Commission to General Fund undedicated revenues by June 30, 1992.

10 **PART AA**

12 **Sec. AA-1. Analysis of programs.** All departments and agencies
14 of State Government shall analyze all programs within their
department or agency that provide a direct service to the public
16 but do not utilize an income test in determining eligibility for
the service or do not charge a fee or copay for the service.

18 **Sec. AA-2. Report.** Each department or agency affected by
20 section 1 of this Part shall make a report to the Joint Standing
Committee on Appropriations and Financial Affairs no later than
22 February 3, 1992 listing the services required to be analyzed by
section 1 of this Part, the expenditures, by funding source,
24 planned for fiscal year 1991-92 and fiscal year 1992-93, the
number of participants currently receiving the services and the
26 reasons why an income test, a fee-for-service or copay for
service is not employed.

28 **PART BB**

30 **Sec. BB-1. 5 MRSA Pt. 26** is enacted to read:

32 PART 26

34 ADMINISTRATIVE AND FINANCIAL SERVICES

36 CHAPTER 551

38 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

40 SUBCHAPTER I

42 GENERAL PROVISIONS

44 §21001. Definitions

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

4 1. Bureau chief. "Bureau chief" means the administrative
5 head of a bureau, regardless of the title assigned to the
6 position.

8 2. Commissioner. "Commissioner" means the Commissioner of
9 Administrative and Financial Services.

10 3. Department. "Department" means the Department of
11 Administrative and Financial Services.

12 §21002. Department of Administrative and Financial Services
13 established; purpose

14 The Department of Administrative and Financial Services is
15 established as the principal administrative and fiscal department
16 of State Government.

17 1. Administrative services. The department shall:

18 A. Provide for the coordination of information service
19 activities of State Government;

20 B. Provide for the administration of the Civil Service Law
21 as required to meet satisfactorily the needs of state
22 agencies and state employees; and

23 C. Provide general administrative services to state
24 agencies, including, but not limited to, the purchase of
25 materials and equipment; the construction, reconstruction
26 and maintenance of public improvements; insurance programs
27 as required; and labor relations.

28 2. Financial services. The department shall:

29 A. Coordinate financial planning and programming activities
30 of departments and agencies of State Government for review
31 and action by the Governor;

32 B. Prepare and report financial data and statistics to the
33 Governor and the Legislature and maintain statewide
34 accounting and payroll systems;

35 C. Provide general accounting services;

36 D. Administer the State's taxation programs as required by
37 law; and

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2 E. Administer the laws relating to sales and oversight of
3 alcoholic beverages and lotteries in this State.

4 **§21003. Commissioner appointment**

6 The department is under the supervision and control of the
7 Commissioner of Administrative and Financial Services who is
8 appointed by the Governor, subject to review by the joint
9 standing committee of the Legislature having jurisdiction over
10 appropriations and financial affairs and to confirmation by the
11 Legislature. The commissioner serves at the pleasure of the
12 Governor.

14 **§21004. Provision of services**

16 The department and its subunits shall, in achieving the
17 purposes for which they are established, work closely with all
18 state departments and agencies to provide services promptly and
19 in a cooperative manner with due regard for the special needs of
20 some agencies.

22 **§21005. Powers and duties of commissioner**

24 1. Deputy; assistant; bureau chiefs. The commissioner may
25 appoint a deputy commissioner who shall perform the duties of the
26 commissioner during the commissioner's absence, in addition to
27 the deputy commissioner's regular duties. The commissioner may
28 appoint and employ bureau chiefs and an assistant to the
29 commissioner to be under the commissioner's immediate
30 supervision, direction and control, serve at the commissioner's
31 pleasure and perform such duties as the commissioner prescribes,
32 except as otherwise provided by law.

34 2. Other employees. The commissioner may employ such other
35 deputies, division heads, assistants and employees as necessary,
36 subject to the Civil Service Law.

38 In the event of a vacancy in the office of the commissioner
39 because of death, resignation, removal from office or other
40 cause, the various bureau chiefs, deputies and assistants shall
41 continue in office and perform such duties as prescribed or
42 assigned to them until the vacancy is filled by the appointment
43 and qualification of a new commissioner.

44 3. Duties. The commissioner shall:

46 A. Serve as the principal aide to the Governor on fiscal
48 and administrative matters;

2 B. Coordinate planning and programming activities of
3 departments and agencies of State Government for review and
4 action by the Governor;

5 C. Prepare and report such data or statistics as may be
6 required or requested by the Governor or the Legislature;

7 D. Supervise and direct the activities of the various
8 bureaus, divisions, boards and commissions designated by law
9 to be under the department. The commissioner shall:

10
11 (1) Require the organizations within the department to
12 engage in short-term and long-term planning with
13 respect to their goals and purpose and assist the
14 organizations in developing short-term and long-term
15 plans; and

16
17 (2) Monitor the progress and activities of the
18 organizations within the department to ensure
19 consistency of policies and procedures. The
20 commissioner shall also determine whether the policies
21 and procedures and the structure and operations of the
22 department continue to meet the needs of state agencies
23 as the needs of state agencies change;

24
25 E. Engage in short-term and long-term planning with respect
26 to the administrative and fiscal needs of State Government
27 and the means by which the collection of revenues and
28 payment of the obligations of State Government may be
29 realized most efficiently;

30
31 F. Meet with other departments and agencies of State
32 Government on a regular basis to discuss administrative and
33 fiscal problems and the needs of each agency and department.

34
35 (1) The commissioner shall act expeditiously on
36 requests by state agencies with respect to the programs
37 and services administered by the department.

38
39 (2) The department shall consider the unique needs of
40 state agencies and diligently strive to meet these
41 needs as expeditiously as possible;

42
43 G. Exercise other powers and perform other duties as
44 designated by law; and

45
46 H. Supervise and direct the administration of the State
47 Claims Commission.

48
49 §21006. Department organization
50

2 1. Bureaus. The commissioner shall organize the department
4 into bureaus, each with a bureau chief, as follows:

6 A. The Bureau of Information Services, the chief of which
8 is the Director of the Bureau of Information Services;

10 B. The Bureau of Human Resources, the chief of which is the
12 Director of the Bureau of Human Resources;

14 C. The Bureau of Employee Relations, the chief of which is
16 the Director of the Bureau of Employee Relations;

18 D. The Bureau of General Services, the chief of which is
20 the Director of the Bureau of General Services;

22 E. The Bureau of the Budget, the chief of which is the
24 State Budget Officer;

26 F. The Bureau of Accounts and Control, the chief of which
28 is the State Controller;

30 G. The Bureau of Taxation, the chief of which is the State
32 Tax Assessor; and

34 H. The Bureau of Alcoholic Beverages and Lottery
36 Operations, the chief of which is the Director of the Bureau
38 of Alcoholic Beverages and Lottery Operations.

40 2. Absence of bureau chiefs. In the absence of a bureau
42 chief from the State or from official duties or in the event of a
44 vacancy in the position of a bureau chief, the commissioner or
46 the commissioner's authorized agent may exercise the powers and
48 perform the duties of that bureau chief.

50 3. Divisions. The commissioner shall organize the Division
 of Personnel Services and the Division of Financial Services to
 carry out sections 21007 and 21008.

§21007. Financial services; staff

The commissioner shall employ persons, subject to the Civil
 Service Law and the office of the commissioner, to provide
 assistance to the commissioner with respect to financial planning
 and analysis, budgeting and control, accounting, purchasing,
 information systems planning and auditing matters and to perform
 such other duties as the commissioner may designate.

§21008. Personnel services; staff

2 The commissioner shall employ persons, subject to the Civil
3 Service Law and the office of the commissioner, to provide
4 assistance to the commissioner with respect to human resources
5 administration, labor relations, human rights and affirmative
6 action and to perform such other related duties as the
7 commissioner may designate.

8 **Sec. BB-2. Department of Administrative and Financial Services;**
9 **transition.** The Department of Administrative and Financial
10 Services is created within State Government. The Commissioner of
11 Finance shall serve as the Commissioner of Administrative and
12 Financial Services until such time as a new commissioner is
13 appointed and confirmed.

14 The commissioner may appoint a deputy commissioner to assist
15 in the administration of the department. The deputy commissioner
16 serves at the pleasure of the commissioner. The authority and
17 the personal services funding for the position of deputy
18 commissioner is transferred from the existing position of the
19 Commissioner of Administration and the funding for that position.

20 All duties and responsibilities of the Commissioner of
21 Administration and the Commissioner of Finance become the duties
22 and responsibilities of the Commissioner of Administrative and
23 Financial Services on the effective date of this Act. The
24 Commissioner of Administrative and Financial Services shall
25 submit to the Legislature by January 30, 1992 specific language
26 detailing all functions and responsibilities of the department,
27 including a revised budget for fiscal year 1992-93, commencing
28 July 1, 1992.

29 1. The Bureau of General Services is created within the
30 department. The Bureau of General Services shall assume all
31 responsibilities of the Bureau of Public Improvements, the Bureau
32 of Purchases and the Division of Risk Management, which are
33 within the Department of Administration. All duties and
34 responsibilities of the Bureau of Public Improvements, the Bureau
35 of Purchases and the Division of Risk Management become the
36 duties and responsibilities of the Bureau of General Services on
37 the effective date of this Act. All duties and responsibilities
38 of the Director of the Bureau of Public Improvements and the
39 State Purchasing Agent become the duties and responsibilities of
40 the Director of the Bureau of General Services on the effective
41 date of this Act. The Division of Risk Management becomes a
42 division within the Bureau of General Services on the effective
43 date of this Act. The Director of the Bureau of General Services
44 is responsible for all duties that were, immediately prior to the
45 effective date of this Act, the responsibility of the
46 Commissioner of Administration relating to the duties and
47 responsibilities of the Division of Risk Management. The
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2 Commissioner of Administrative and Financial Services shall
submit to the Legislature by January 30, 1992 specific language
4 detailing all the functions, duties and budgetary requirements of
the Bureau of General Services.

6 2. The Bureau of Alcoholic Beverages and Lottery Operations
is created within the department. The Bureau of Alcoholic
8 Beverages and Lottery Operations shall assume all
responsibilities of the Bureau of Alcoholic Beverages and the
10 Bureau of Lottery, which are within the Department of Finance.
All duties and responsibilities of the Bureau of Alcoholic
12 Beverages and the Bureau of Lottery and all duties and
responsibilities of the Director of the Bureau of Alcoholic
14 Beverages and the Director of the Bureau of Lottery become the
duties and responsibilities of the Director of the Bureau of
16 Alcoholic Beverages and Lottery Operations on the effective date
of this Act. The Commissioner of Administrative and Financial
18 Services shall submit to the Legislature by January 30, 1992
specific language detailing all the functions, duties and
20 budgetary requirements of the Bureau of Alcoholic Beverages and
Lottery Operations.

22 3. The Division of Financial Services is created within the
24 department. All internal financial functions that existed
immediately prior to the effective date of this Act in the
26 Department of Administration and the Department of Finance become
the responsibility of the Division of Financial Services on the
28 effective date of this Act. All positions in the Department of
Administration and the Department of Finance engaged in the
30 budgetary and financial support of those departments must be
transferred administratively to this division. The division must
32 be financed within existing appropriations and allocations of the
various units of the departments. The commissioner may transfer
34 positions, necessary funds and equipment from the various bureaus
to this division.

36 The commissioner shall submit a revised and unified budgetary
38 request for the division for the fiscal year commencing July 1,
1992 to the Legislature by January 30, 1992.

40 4. The Division of Personnel Services is created within the
42 department. All personnel functions that existed immediately
prior to the effective date of this Act in the Department of
44 Administration and the Department of Finance become the
responsibility of the Division of Personnel Services on the
46 effective date of this Act. All positions in the office of the
commissioner within the Department of Administration and the
48 Department of Finance, Division of Administrative Services
engaged in personnel administration and related functions must be
50 transferred administratively to this division. The division must

2 be financed within existing appropriations and allocations of the
3 various units of the departments. The commissioner may transfer
4 positions, necessary funds and equipment from the various bureaus
5 to this division.

6 The commissioner shall submit a revised and unified budgetary
7 request for the division for the fiscal year commencing July 1,
8 1992 to the Legislature by January 30, 1992.

10 5. The Bureau of Information Services is created within the
11 department. All duties and responsibilities of the Department of
12 Administration, Office of Information Services become the duties
13 and responsibilities of the Bureau of Information Services on the
14 effective date of this Act. The bureau is administered by a
15 bureau director who shall assume the duties and responsibilities
16 of the Deputy Commissioner for Information Services on the
17 effective date of this Act. The Bureau of Data Processing is
18 transferred to this bureau as the Division of Data Processing.
19 The Commissioner of Administrative and Financial Services shall
20 submit to the Legislature by January 30, 1992 specific language
21 detailing the statutory and budgetary changes necessary to effect
22 the final transition from the Office of Information Services to
23 the Bureau of Information Services. Laws affecting the Office of
24 Information Services and the Deputy Commissioner for the Office
25 of Information Services remain in effect until new language is
26 adopted following the January 30, 1992 submission by the
27 Commissioner of Administrative and Financial Services.

28 6. The Bureau of Accounts and Control, the Bureau of the
29 Budget and the Bureau of Taxation within the Department of
30 Finance and the Bureau of Employee Relations and the Bureau of
31 Human Resources within the Department of Administration continue
32 to perform those duties and responsibilities as directed by law
33 in effect on the effective date of this Act. The Commissioner of
34 Administrative and Financial Services shall submit to the
35 Legislature by January 30, 1992 the commissioner's recommendation
36 for any statutory and budgetary changes in the functions and
37 personnel of the respective bureaus.

40 7. The Capitol Planning Commission is within the Department
41 of Administrative and Financial Services on the effective date of
42 this Act.

44 **PART CC**

46 **Sec. CC-1. 36 MRS §6257, sub-§1-B is enacted to read:**

48 1-B. Reimbursement to taxpayers. The State Tax Assessor is
50 authorized to reimburse taxpayers who qualified under this

2 chapter and who have paid property taxes that would have
3 otherwise been deferred but for the prorating of benefits as
4 allowed in subsection 1-A.

5 **Sec. CC-2. Appropriation.** The following funds are
6 appropriated from the General Fund to carry out the purposes of
7 this Part.

8 1991-92

10 **FINANCE, DEPARTMENT OF**

12 **Elderly Tax Deferral Program**

14 All Other \$70,000

16 Provides for the appropriation of funds to
18 reimburse taxpayers.

20 **PART DD**

22 **Sec. DD-1. 5 MRSA §17001, sub-§4, ¶A,** as amended by PL 1991,
24 c. 616, is further amended to read:

26 A. The average annual rate of earnable compensation of a
28 member during the 3 years of creditable service as an
30 employee in Maine, not necessarily consecutive, in which the
32 member's annual rate of earnable compensation is highest.
34 However, if a member is subject to a temporary layoff as a
36 result of a Governor's Executive Order, loss of pay pursuant
38 to an agreement of February 15, 1991 between the Executive
40 Department and the American Federation of State, County and
42 Municipal Employees, Council 93, days off without pay as
44 authorized by legislative action or days off without pay
46 resulting from any executive order declaring or continuing a
state of emergency relating to the lack of an enacted budget
document for fiscal years ending June 30, 1992 and June 30,
1993, or, if a member is subject to days off without pay,
not to exceed 10 days in each fiscal year ending June 30,
1992 and June 30, 1993 as a result of actions taken by local
school administrative units to offset school subsidy
reductions for the fiscal years ending June 30, 1992 and
June 30, 1993, the 3-year average final compensation must be
determined as if the member had not been temporarily laid
off, reduced in pay or provided days off without pay; or

48 **Sec. DD-2. 20-A MRSA §4801, sub-§1, ¶E** is enacted to read:

2 E. Notwithstanding this subsection and any other provision
4 of law, for school years 1991-92 and 1992-93, a school
6 administrative unit may reduce the number of days for the
8 maintenance of all its schools by 5 days a year. A school
10 administrative unit that decides to reduce the number of
12 school days for school year 1991-92 or 1992-93, or both,
14 shall notify the commissioner in writing of its plan.

16
18
20 **PARTEE**

22 **Sec. EE-1. 23 MRSA §1965, sub-§1, ¶S,** as amended by PL 1989,
24 c. 503, Pt. B, §100, is further amended to read:

26 S. Prior to the issuance of any bonds, issue interim
28 certificates in such manner and with such conditions as the
30 authority may determine to be exchanged for those bonds when
32 issued; and

34 **Sec. EE-2. 23 MRSA §1965, sub-§1, ¶S-1** is enacted to read:

36 S-1. Utilize the Department of Transportation, Office of
38 Legal Services or the Department of the Attorney General for
40 general counsel, bond counsel, labor defense, workers'
42 compensation, legislative issues and other required legal
44 services on a fee-for-service basis at rates determined by
46 those agencies; and

48 **Sec. EE-3. Transfer.** The Department of Transportation shall
transfer \$3,060,587 of operating surplus funds received from the
Maine Turnpike Authority to the General Fund no later than June
30, 1992. This transfer of revenue to the General Fund is
considered a final repayment of the \$13,200,000 appropriated from
the Maine Rainy Day Fund in Public Law 1987, chapter 793.

36
38 **PART FF**

40 **Sec. FF-1. 5 MRSA §12004-G, sub-§3,** as enacted by PL 1987, c.
42 786, §5, is amended to read:

44 3. Animal Welfare Legislative 7 MRSA
Agriculture Board Per-Diem §3903
46 Not Autho-
48 rized

Sec. FF-2. 7 MRSA §3903, sub-§3, as amended by PL 1991, c.
267, §1, is further amended to read:

2 **3. Compensation.** Members of the board are-compensated-in
3 accordance-with-Title-5,-chapter-379 serve without compensation.
4 One-member-of-the-board-is-paid-compensation-from-the-board's
5 special-revenue-account-consisting-of-license-fees-paid-to-the
6 board-in-accordance-with-this-chapter.

7 **Sec. FF-3. 7 MRSA §3906, sub-§1,** as enacted by PL 1987, c.
8 383, §3, is amended to read:

9 **1. Dog licensing laws.** Carry out the dog licensing laws
10 and-furnish-to-municipalities-all-license-blanks-and-tags;

11 **Sec. FF-4. 7 MRSA §3906, sub-§3,** as enacted by PL 1987, c.
12 383, §3, is repealed.

13 **Sec. FF-5. 7 MRSA §3906, sub-§7-A,** as enacted by PL 1989, c.
14 701, §§3 and 6, is repealed.

15 **Sec. FF-6. 7 MRSA §3906, sub-§8,** as amended by PL 1989, c.
16 701, §§4 and 6, is further amended to read:

17 **8. Humane agents.** Employ-personnel,-subject-to-the-civil
18 service-law,-as-necessary-to-assist-the-board-in-enforcing-this
19 Part-and-in-carrying-out-its-duties-and-responsibilities.-The
20 board-shall In its discretion, appoint part-time humane agents
21 who shall serve as agents of the board in the enforcement of this
22 Part and as otherwise provided by law. These-part-time-agents
23 shall-be-unclassified-employees-whose-standards-of-employment,
24 training,-compensation-and-hours-of-employment-are-determined-by
25 the-board. The jurisdiction of each part-time humane agent shall
26 extend extends throughout the State. In connection with its
27 enforcement responsibilities, the board shall-be is entitled to
28 and-shall receive the assistance of the Attorney General and of
29 several district attorneys and may apply to the commissioner for
30 the assistance of state veterinarians;

31 **Sec. FF-7. 7 MRSA §3906, sub-§8-A** is enacted to read:

32 **8-A. Contracting for services.** In its discretion, enter
33 into a contract for the provision of administrative services
34 essential to carry out the purposes of this chapter, including
35 the services of an executive director or contract administrator,
36 clerical support and humane agents. Contracts awarded by the
37 board are for a term of one year and must be awarded through a
38 competitive bidding process conducted in accordance with Title 5,
39 chapter 155, subchapter I-A.

40 **Sec. FF-8. 7 MRSA §3906, sub-§10,** as amended by PL 1991, c.
41 267, §2, is further amended to read:

2 **10. Other powers.** Do any act or thing necessary or useful
for carrying out any of its powers or duties; and

4 **Sec. FF-9. 7 MRSA §3906, sub-§11,** as enacted by PL 1991, c.
267, §3, is amended to read:

6 **11. Annual report.** Report annually by March 1st to the
8 joint standing committee of the Legislature having jurisdiction
over agricultural matters on the activities of the board. This
10 report must include a financial statement for the board, a status
report on rulemaking by the board and a summary of cases of
12 cruelty to animals investigated by the board.;

14 **Sec. FF-10. 7 MRSA §3906, sub-§§12 to 16** are enacted to read:

16 **12. Inspection.** Inspect pet shops, boarding kennels and
animal shelters;

18 **13. Investigate abuse.** Investigate animal abuse complaints;

20 **14. Supply license forms.** Supply license forms to pet
22 shops, boarding kennels and shelters;

24 **15. Training.** Provide training programs for humane agents;
26 and

28 **16. Accept donations.** Accept donations from any person.
All donations accepted by the board must be deposited in a
30 dedicated account and must be used for carrying out the purposes
of this chapter.

32 **Sec. FF-11. 7 MRSA §3907, sub-§15,** as enacted by PL 1987, c.
34 383, §3, is amended to read:

36 **15. Humane agent.** "Humane agent" means ~~an employee of a~~
person acting under contract with the board, whether full-time or
38 part-time, who assists the board in enforcing this Part.

40 **Sec. FF-12. 7 MRSA §3913, sub-§2,** as enacted by PL 1987, c.
42 383, §3, is amended to read:

44 **2. Dog shelters.** A shelter to which a sick, stray, injured
or abandoned dog is taken, as a condition of approval by the
46 board, shall accept the dog for a period of 8 days, unless the
shelter is in quarantine or has a bona fide lack of adequate
space or unless the dog has or is suspected of having a
48 contagious disease. The acceptance entitles the shelter to
receive from the board municipality the sum of \$2.50 a day for
the period for which food and shelter are furnished to the dog.

2 Shelters accepting dogs from municipalities not contracting with
3 them may ~~seek assistance from the board~~ charge the municipality a
4 per-animal fee. Shelters which that are not approved by the
5 board to receive state municipal funds shall are not be required
6 to accept sick, stray, injured or abandoned dogs.

7 **Sec. FF-13. 7 MRSA §3913, sub-§3, ¶¶B and C**, as enacted by PL
8 1987, c. 383, §3, are amended to read:

9 B. A shelter which that accepts a dog under this section,
10 within 45 days of acceptance of the dog, shall submit a
11 claim on a ~~board-approved~~ municipal-approved form to the
12 clerk of the respective municipality for fees incurred in
13 providing food and shelter and, ~~upon verification of proper~~
14 ~~notification and holding period by the clerk, the shelter~~
15 ~~shall forward the claim to the board.~~

16 C. If the owner claims the dog within the 8-day period, the
17 owner may have and receive the dog upon payment of all
18 ~~board-approved~~ municipal-approved fees as provided in
19 subsection 2, ~~provided that~~ as long as the dog is licensed
20 in accordance with chapter 721.
21

22 **Sec. FF-14. 7 MRSA §3913, sub-§4, ¶B**, as enacted by PL 1987,
23 c. 383, §3, is amended to read:

24 B. Otherwise dispose of the dog humanely in accordance with
25 Title 32, section 4872.

26 None of the proceeds obtained from the sale, donation,
27 adoption or other disposition of the dog shall may be
28 deducted from the fee claimed.

29 Notwithstanding subsection 3, paragraph C, the previous
30 owner may reacquire the dog at any time prior to its sale,
31 donation or disposal upon payment of the municipal
32 impoundment fee and actual fees incurred for food, shelter,
33 veterinary care and any other fees required by this chapter
34 for each day that the dog has been sheltered. In this case
35 no fee may be allowed by the board municipality.

36 **Sec. FF-15. 7 MRSA §3923, sub-§1**, as amended by PL 1991, c.
37 591, Pt. S, is further amended to read:

38 1. **License and recording fees.** Except as provided in
39 subsection 2 and section 3921, the following license and
40 recording fees shall must be paid to the municipality in
41 connection with the licensure of dogs:
42

2 A. A fee of \$6.50 must be paid to the municipal clerk for
each license on all dogs 6 months of age or older capable of
4 producing young, of which \$1 must be ~~transferred~~ paid to the
Treasurer of State to be deposited as undedicated revenue to
6 the General Fund. All dogs are considered capable of
producing young, unless:

8 (1) A veterinarian issues a written certificate
stating that the veterinarian made the dog incapable of
10 producing young by spaying, if female, or by
sterilization, if male;

12 (2) A veterinarian issues a written certificate that,
14 upon examination, the dog is incapable of producing
young; or

16 (3) By previous registration, the owner has declared
18 that the dog is incapable of producing young.

20 When such that certificate or registration accompanies the
application, a fee of \$3 must be paid for each license, of
22 which \$2 is retained by the municipality in accordance with
section 3945 and \$1 must be ~~transferred~~ paid to the
24 Treasurer of State to be deposited as undedicated revenue to
the General Fund; and

26 B. In addition to the amount paid for a license, each
28 applicant shall pay the municipal clerk \$1 for recording and
making a report to the board.

30 **Sec. FF-16. 7 MRSA §3923, sub-§5** is enacted to read:

32 **5. Retention of fees.** Except for fees paid to the
34 Treasurer of State pursuant to this section, all license and
recording fees collected by a municipality under this chapter
36 must be retained by the municipality and must be used in
accordance with section 3945.

38 **Sec. FF-17. 7 MRSA §3942**, as enacted by PL 1987, c. 383, §3,
40 is amended to read:

42 **§3942. Issuance of dog licenses**

44 Municipal clerks shall issue dog licenses in accordance with
chapter 721, ~~receive the license fees and pay to the board all~~
46 ~~fees received for dogs capable of producing young.~~ The clerks
shall keep a record of all licenses issued by them, with the
48 names of the owners or keepers of dogs licensed and the sex,
registered numbers and description of all dogs except those
50 covered by a kennel license. The clerks shall make a monthly

2 report to the board on a board-approved form of all dog licenses
issued and fees received.

4 All license fees received from owners or keepers of dogs
6 ~~incapable of producing young shall~~ must be retained by the
municipality in accordance with section 3945.

8 **Sec. FF-18. Transition provisions.** To ensure the orderly
10 transfer of the administrative duties of the Animal Welfare Board
to private contractors, the following transition provisions apply.

12 1. Sections 1, 2 and 4 to 17 of this Part are effective on
14 April 1, 1992. Section 3 of this Part is effective on July 1,
1992.

16 2. A person who is a member of the Animal Welfare Board on
18 April 1, 1992 is entitled to remain a member of the board until
the expiration of that member's term.

20 3. The board shall award an initial contract for all
22 essential administrative services by April 1, 1992.
Notwithstanding section 7 of this Part, the initial contract runs
24 from April 1, 1992 to June 30, 1992. All subsequent contracts
have a term of one year, as provided by law. While an incumbent
26 employee of the board, a person may not participate in the
preparation of a request for proposals, the review or ranking of
28 bidders or the award of any contract issued pursuant to this Part.

30 4. A person who is an incumbent employee of the board may
submit bids for contract proposals issued by the board pursuant
32 to this Part.

34 5. The following positions are abolished within the Animal
Welfare Board.

36 A. On the effective date of this section, one Clerk
38 Stenographer III position and 3 full-time District Humane
Agent positions are abolished.

40 B. On April 1, 1992, the Executive Director position, one
42 Account Clerk I position, one Clerk Typist II position and
18 part-time State Humane Agent positions are abolished.

44 **Sec. FF-19. Appropriation.** The following funds are
46 appropriated from the General Fund to carry out the purposes of
this Part.

48 **1991-92**

50 **ANIMAL WELFARE BOARD**

2 **Animal Welfare**

4 Positions - Legislative Count (-4.0)
 Personal Services (\$63,852)

6 Provides for the deappropriation of funds
8 required to implement the privatization of
 the Animal Welfare Board. This
10 deappropriation includes the abolishment of
 a Clerk Stenographer III position and 2
12 District Humane Agent positions on the
 effective date of this Part and the
14 Executive Director position and 18
 authorized State Humane Agent positions on
16 April 1, 1992.

18 **Animal Welfare**

20 All Other \$25,000

22 Provides for the appropriation of funds for
 a contractual arrangement necessary to
24 privatize the Animal Welfare Board.

26 **ANIMAL WELFARE BOARD**
 TOTAL (\$38,852)

28 **Sec. FF-20. Allocation.** The following funds are allocated from
30 Other Special Revenue to carry out the purposes of this Part.

32 **1991-92**

34 **ANIMAL WELFARE BOARD**

36 **Animal Welfare**

38 Positions - Other Count (-3.0)
 Personal Services (\$24,068)
40 All Other (102,952)

42 Provides for the deallocation of funds
 required due to the elimination of dedicated
44 funding for the Animal Welfare Board as a
 result of privatization. This deallocation
46 includes the abolishment of a District
 Humane Agent position on the effective date
48 of this Part and an Account Clerk I position
 and a Clerk Typist II position on April 1,
50 1992.

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**ANIMAL WELFARE BOARD
TOTAL**

(\$127,020)

PART GG

Sec. GG-1. Calculation and transfer of administrative cost savings.

Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amount in section 2 of this Part that applies against each General Fund account for all departments and agencies, based on the All Other line category appropriations to those accounts as adjusted pursuant to this Act and allotted within character and object codes 4000 to 5999. The State Budget Officer shall cause the calculated amount to be transferred from each account.

Sec. GG-2. Appropriation.

The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1991-92

FINANCE, DEPARTMENT OF

**Departments and Agencies -
Statewide**

All Other (\$300,000)

Provides for the deappropriation of funds by an across-the-board reduction of All Other line category administrative costs excluding character and object codes 6000 and above as directed in section 1 of this Part.

PART HH

Sec. HH-1. Transfer to Local Government Fund retroactivity.

Notwithstanding the Maine Revised Statutes, Title 30-A, section 5681, subsection 5, for the period beginning January 1, 1992 and ending on June 30, 1992, all receipts from the taxes imposed under Title 36, Parts 3 and 8 must be credited to the General Fund. Beginning February 1, 1992 and ending July 31, 1992, no amounts may be transferred by the Treasurer of State to the Local Government Fund except as provided in sections HH-2

and HH-3 of this Part. This section is effective on January 1, 1992.

Sec. HH-2. Actual over-budgeted General Fund revenues. For the period January 1, 1992 to June 30, 1992, any actual General Fund revenues collected above budgeted General Fund revenues, on a cumulative basis for the 6-month period, must be transferred to the Local Government Fund and distributed no later than August 1992.

Sec. HH-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1991-92

**TREASURER OF STATE, OFFICE OF THE
State Municipal Revenue Sharing**

All Other \$14,400,000

Provides funds to be distributed to municipalities on a monthly basis in the period January 1992 through June 1992 in accordance with the provisions of the Maine Revised Statutes, Title 30-A, section 5681, subsection 4.

**OFFICE OF THE TREASURER OF STATE
TOTAL**

\$14,400,000

PART II

Sec. II-1. Salary adjustment rescinded. The 3% cost-of-living salary adjustment received on or subsequent to April 1, 1991 by any persons employed by the State of Maine, including probationary employees, who are in positions excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J, and including similar employees of the Legislature, Judicial Department, independent agencies and employees of the University of Maine System, the Maine Technical College System and Maine Maritime Academy, is rescinded effective at the beginning of the pay period closest to January 1, 1992.

Sec. II-2. Additional salary adjustment. The annual salary of any persons employed by the State of Maine, including

2 probationary employees, who are in positions excluded from
4 bargaining units pursuant to the Maine Revised Statutes, Title
6 26, section 979-A, subsection 6, paragraphs B, C, D, I and J, and
8 including similar employees of the Legislature, the Judicial
10 Department, independent agencies and employees of the University
12 of Maine System, the Maine Technical College System and Maine
14 Maritime Academy, that exceeds \$50,000 after adjustments for time
off without pay resulting from the 7% or 5% salary adjustments,
or both, and the rescinding of any 3% salary adjustments is
reduced by 2% effective at the beginning of the pay period
closest to January 1, 1992. Any savings realized by the
University of Maine System, the Maine Technical College System
and the Maine Maritime Academy must be used to offset any
proposed or implemented tuition increases.

16 **Sec. II-3. Calculation and transfer.** Notwithstanding the Maine
18 Revised Statutes, Title 5, section 1585, the State Budget Officer
20 is authorized to calculate the amount of savings realized by the
22 application of sections 4 to 7 of this Part that applies against
each account. The State Budget Officer shall cause the
calculated amount to be transferred from each account and shall
forward a report on the distribution to the Joint Standing
Committee on Appropriations and Financial Affairs.

24 **Sec. II-4. Appropriation.** The following funds are appropriated
26 from the General Fund to carry out the purposes of this Part.

28 1991-92

30 **FINANCE, DEPARTMENT OF**

32 **Executive Branch Departments and
Independent Agencies - Statewide**

34 Personal Services (\$42,001)

36 Provides for the deappropriation of funds
38 from the 2% reduction of salaries for
40 employees with an annual adjusted salary in
excess of \$50,000 pursuant to section 2 of
this Part.

42 **Executive Branch Departments and
44 Independent Agencies - Statewide**

46 Personal Services (213,730)

48 Provides for the deappropriation of funds
from rescinding any 3% salary adjustment

2 awarded to employees on or subsequent to
April 1, 1991 pursuant to section 1 of this
Part.

4
6 **DEPARTMENT OF FINANCE**
TOTAL (\$255,731)

8
10 **JUDICIAL DEPARTMENT**

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

14 Personal Services (\$3,301)

16 Provides for the deappropriation of funds
18 from the 2% reduction of salaries for
20 employees with an annual adjusted salary in
excess of \$50,000 pursuant to section 2 of
this Part.

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

24 Personal Services (7,904)

26 Provides for the deappropriation of funds
28 from rescinding any 3% salary adjustment
awarded to employees on or subsequent to
30 April 1, 1991 pursuant to section 1 of this
Part.

32
34 **JUDICIAL DEPARTMENT**
TOTAL (\$11,205)

36
38 **LEGISLATURE**

40 **Legislature**

42 Personal Services (\$7,598)

44 Provides for the deappropriation of funds
46 from the 2% reduction of salaries for
employees with an annual adjusted salary in
excess of \$50,000.

48 **LEGISLATURE**
TOTAL (\$7,598)

50

2	SECTION II-4	
	TOTAL APPROPRIATIONS	<u>(\$274,534)</u>
4	Sec. II-5. Allocation. The following funds are allocated from	
6	the Federal Expenditure Fund to carry out the purposes of this	
	Part.	
8		1991-92
10	FINANCE, DEPARTMENT OF	
12	Executive Branch Departments and	
	Independent Agencies - Statewide	
14	Personal Services	(\$4,950)
16	Provides for the deallocation of funds from	
18	the 2% reduction of salaries for employees	
20	with an annual adjusted salary in excess of	
	\$50,000 pursuant to section 2 of this Part.	
22	Executive Branch Departments and	
	Independent Agencies - Statewide	
24	Personal Services	(29,194)
26	Provides for the deallocation of funds from	
28	rescinding any 3% salary adjustment awarded	
30	to employees on or subsequent to April 1,	
	1991 pursuant to section 1 of this Part.	
32	DEPARTMENT OF FINANCE	
	TOTAL	<u>(\$34,144)</u>
34		
36	SECTION II-5	
	TOTAL ALLOCATIONS	<u>(\$34,144)</u>
38	Sec. II-6. Allocation. The following funds are allocated from	
40	the Other Special Revenue to carry out the purposes of this Part.	
42		1991-92
44	FINANCE, DEPARTMENT OF	
46	Executive Branch Departments and	
	Independent Agencies - Statewide	
48	Personal Services	(\$20,790)

2 Provides for the deallocation of funds from
the 2% reduction of salaries for employees
4 with an annual adjusted salary in excess of
\$50,000 pursuant to section 2 of this Part.

6 **Executive Branch Departments and
Independent Agencies - Statewide**

8 Personal Services (40,106)

10 Provides for the deallocation of funds from
12 rescinding any 3% salary adjustment awarded
14 to employees on or subsequent to April 1,
1991 pursuant to section 1 of this Part.

16 **DEPARTMENT OF FINANCE**
TOTAL (60,896)

18 **SECTION II-6**
20 **TOTAL ALLOCATIONS** (60,896)

22 **Sec. II-7. Allocation.** The following funds are allocated from
the Highway Fund to carry out the purposes of this Part.

24 **1991-92**

26 **FINANCE, DEPARTMENT OF**
28 **Executive Branch Departments and**
30 **Independent Agencies - Statewide**

32 Personal Services (\$12,180)

34 Provides for the deallocation of funds from
the 2% reduction of salaries for employees
36 with an annual adjusted salary in excess of
\$50,000 pursuant to section 2 of this Part.

38 **Executive Branch Departments and**
40 **Independent Agencies - Statewide**

42 Personal Services (43,956)

44 Provides for the deallocation of funds from
46 rescinding any 3% salary adjustment awarded
to employees on or subsequent to April 1,
48 1991 pursuant to section 1 of this Part.

50 **DEPARTMENT OF FINANCE**

2 TOTAL (\$56,136)
 4 SECTION II-7
 4 TOTAL ALLOCATIONS (\$56,136)

6
 8 PART JJ

10 5 MRSA §1511, as amended by PL 1991, c. 9, Pt. E, §5, is
 further amended to read:

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

14
 16 The State Controller may, at the close of each fiscal year,
 18 transfer from the Unappropriated Surplus of the General Fund to
 the Reserve for General Fund Operating Capital such amounts as
 20 may be available from time to time up to an amount of \$1,000,000
 a year until a maximum of \$25,000,000 is achieved. The State
 22 Controller is further authorized, at the close of each fiscal
 year, to transfer from the Unappropriated Surplus of the General
 24 Fund to the Loan Insurance Reserve amounts as may be available
 from time to time, up to an amount of \$1,000,000 per year. The
 26 balance of this reserve must be paid to the Finance Authority of
 Maine if such payment does not cause the balance in the reserve
 28 fund maintained by the authority, when added to amounts held in
 the Finance Authority of Maine Mortgage Insurance Fund that are
 30 not committed or encumbered for another purpose, to exceed
 \$10,000,000. Any balance in the Loan Insurance Reserve is
 32 appropriated for this purpose. The State Controller on or before
 June 30, 1991 shall transfer the balance in the Reserve for
 34 General Fund Operating Capital to the Unappropriated Surplus of
 the General Fund. The State Controller shall transfer, on or
 before June 30, 1992, \$500,000 from the Reserve for General Fund
 Operating Capital to the Unappropriated Surplus of the General
 36 Fund.

38 PART KK

40
 42 Sec. KK-1. P&SL 1977, c. 72, §4 is amended to read:

44 Sec. 4. Sale, how negotiated; proceeds appropriated. The
 46 Treasurer of State may negotiate the sale of such bonds by
 direction of the Governor; but no such bond shall be loaned,
 48 pledged or hypothecated in behalf of the State. The proceeds of
 sales of such bonds, which shall be held by the Treasurer of
 50 State and paid by him the Treasurer of State upon warrants drawn
 by the Governor, are appropriated to be used solely for the

2 purposes set forth in this Act. Any unencumbered balances
3 remaining at the completion of the projects listed in section 7
4 shall lapse to the debt service account established for the
5 retirement of these bonds no later than June 30, 1992.

6 **Sec. KK-2. P&SL 1979, c. 108, §4** is amended to read:

8 **Sec. 4. Sale, how negotiated; proceeds appropriated.** The
9 Treasurer of State may negotiate the sale of these bonds by
10 direction of the Governor, but no such bond may be loaned,
11 pledged or hypothecated in behalf of the State. The proceeds of
12 sales of these bonds, which shall be held by the Treasurer of
13 State and paid by him the Treasurer of State upon warrants drawn
14 by the Governor, are appropriated to be used solely for the
15 purposes set forth in this Act. Any unencumbered balances
16 remaining at the completion of the projects listed in section 7
17 shall lapse to the debt service account established for the
18 retirement of these bonds no later than June 30, 1992.

20 **Sec. KK-3. Appropriation.** The following funds are
21 appropriated from the General Fund to carry out the purposes of
22 this Part.

24 **1991-92**

26 **TREASURER OF STATE, OFFICE OF**

28 **Debt Service - Treasury**

30 All Other (\$137,699)

32 Provides for the
33 deappropriation of funds in
34 conjunction with the
35 authority to transfer an
36 additional \$137,699 in fiscal
37 year 1991-92 from the General
38 Fund Debt Service Account set
39 up for the retirement of
40 bonds and notes authorized
41 under the Maine Revised
42 Statutes, Title 5, section
43 151-A which will provide
44 sufficient funds to cover the
45 projected debt service
46 requirement.

48

PART LL

50

2 **FINANCE, DEPARTMENT OF**

4 **Departments and Independent**
6 **Agencies - Statewide**

8 Personal Services (\$1,000,000)

10 Provides for the deappropriation of funds
12 from suspending the granting or implementing
of merit increases during the period January
1, 1992 through June 30, 1992.

14 **Sec. NN-4. Nonseverability.** Notwithstanding the Maine Revised
16 Statutes, Title 1, section 71, if any provision of this Part is
finally determined by a court of competent jurisdiction to be
18 invalid or to impermissably infringe on rights secured by
contract or law, this entire Part is invalid and without effect.

20 **Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.

22

24

FISCAL NOTE

26

APPROPRIATIONS AND ALLOCATIONS

28

1991-92

1992-93

TOTAL

30

GENERAL FUND
APPROPRIATIONS

32

PART A, section 1 (67,097,630) (67,097,630)

34

PART A, section 8 (1,143,147) (1,143,147)

36

PART A, section 9 427,129 427,129

38

PART B, section 1 (35,857) (35,857)

40

PART Y, section 14 171,600 171,600

42

PART CC, section 2 70,000 70,000

44

PART FF, section 19 (38,852) (38,852)

46

PART GG, section 2 (300,000) (300,000)

48

PART HH, section 3 14,400,000 14,400,000

50

2	PART II, section 4	(274,534)		(274,534)
4	PART KK, section 3	(137,699)		(137,699)
6	PART NN, section 3	(1,000,000)		(1,000,000)
8	GENERAL FUND			
10	TOTAL	<u>(53,815,843)</u>	<u>(1,143,147)</u>	<u>(54,958,990)</u>
12	HIGHWAY FUND			
14	ALLOCATIONS			
16	PART A, section 5	914,307		914,307
18	PART II, section 7	(56,136)		(56,136)
20	HIGHWAY FUND			
22	TOTAL	<u>858,171</u>	<u>-0-</u>	<u>858,171</u>
24	FEDERAL EXPENDITURE			
26	FUND			
28	PART A, section 2	(6,877,564)		(6,877,564)
30	PART II, section 5	(34,144)		(34,144)
32	FEDERAL EXPENDITURE			
34	FUND TOTAL	<u>(6,911,708)</u>	<u>-0-</u>	<u>(6,911,708)</u>
36	OTHER SPECIAL			
38	REVENUE FUND			
40	PART A, section 3	(2,217,350)		(2,217,350)
42	PART B, section 2	47,384		47,384
44	PART FF, section 20	(127,020)		(127,020)
46	PART II, section 6	(60,896)		(60,896)
48	OTHER SPECIAL			
50	REVENUE FUND			
	TOTAL	<u>(2,357,882)</u>	<u>-0-</u>	<u>(2,357,882)</u>
	FEDERAL BLOCK			
	GRANT FUND			
	PART A, section 4	10,666		10,666

2	FEDERAL BLOCK GRANT FUND TOTAL	<u>10,666</u>	<u>-0-</u>	<u>10,666</u>
4				
6	ALCOHOLIC BEVERAGES FUND			
8	PART A, section 6	(188,574)		(188,574)
10	ALCOHOLIC BEVERAGES FUND TOTAL	<u>(188,574)</u>	<u>-0-</u>	<u>(188,574)</u>
12				
14	LOTTERY FUND			
16	PART A, section 7	(301,049)		(301,049)
18	LOTTERY FUND TOTAL	<u>(301,049)</u>	<u>-0-</u>	<u>(301,049)</u>
20				
22	UNDEDICATED GENERAL FUND REVENUE			
24		1991-92	1992-93	TOTAL
26	PART A			
28	Section 1	2,300,000		2,300,000
30	Section 6	858,574		858,574
32	Section 7	301,049		301,049
34	PART B			
36	Section 4 (Audit-Unorganized Territory)	(33,228)		(33,228)
38	PART C	50,000		50,000
40	PART F			
42	Section 32	520,000		520,000
44	PART K			
46	Section 1	800,000		800,000
48	Section 5	2,384,114		2,384,114
50	PART O			
	Section 14	74,112		74,112

2	Section 15	35,000		35,000
4	PART P	681,000		681,000
6	PART Q			
8	Section 1	8,300		8,300
	Section 2	15,000		15,000
10	PART R	851,546		851,546
12	PART T			
14	Section 2	1,270,000		1,270,000
16	PART V			
18	Section 3	65,000		65,000
20	PART Y			
22	Section 3	171,600		171,600
24	PART Z			
26	Section 2	349,735		349,735
28	PART EE	3,060,587		3,060,587
30	PART HH			
32	Section 1	26,500,000	6,000,000	32,500,000
34	PART JJ	500,000		500,000
36	PART LL	400,000		400,000
38	UNDEDICATED GENERAL			
40	FUND REVENUE			
42	TOTAL	<u>41,162,389</u>	<u>6,000,000</u>	<u>47,162,389</u>
44	GENERAL FUND LAPSE BALANCES			
46		1991-92	1992-93	TOTAL
48	PART A			
50	Section 1			

2	DEPARTMENT OF		
	ECONOMIC AND COMMUNITY		
	DEVELOPMENT -		
4	Comprehensive Land		
	Use Planning -		
6	Disencumbrance of		
	Prior Year Contract	77,078	77,078
8			
	SECRETARY OF STATE -		
10	Administrative		
	Services and		
12	Corporations -		
	Disencumbrance of		
14	Current Year Contract	11,000	11,000
16	PART U		
18	Section 2	25,000	25,000
20	GENERAL FUND LAPSE		
	BALANCES		
22	TOTAL	<u>113,078</u>	<u>-0-</u> <u>113,078</u>

24	GENERAL FUND UNRESTRICTED FUND		
	BALANCE (SURPLUS)		
26		1991-92	1992-93
			TOTAL
28	PROJECTED BALANCE		
30	JUNE 30, 1993	2,728,931	2,728,931
32	GENERAL FUND		
	UNRESTRICTED FUND		
34	BALANCE		
	TOTAL	<u>2,728,931</u>	<u>-0-</u> <u>2,728,931</u>

STATEMENT OF FACT

This bill makes various appropriations, deappropriations, allocations and deallocations that are necessary to achieve a balanced budget for the fiscal years ending June 30, 1992 and June 30, 1993. Certain provisions of the laws are amended or repealed to effect the required savings.