

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
AT THE
SPECIAL SESSION

January 24, 1972

to

March 10, 1972

CHAPTER 588

AN ACT Relating to Housing and Food Supplies Furnished by State Departments.

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

Whereas, the elimination of unnecessary procedures in State Government, with resultant efficiency and economy, is of utmost importance to the people of Maine; and

Whereas, a constant review of providing means for housing and food for state employees is essential, if State Government is to continue to provide the services required of it in an efficient and economical manner; and

Whereas, the following legislation is vitally necessary to accomplish these purposes; and

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

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

R. S., T. 5, §§ 8-A - 8-H, additional. Title 5 of the Revised Statutes is amended by adding 8 new sections, 8-A to 8-H, to read as follows:

§ 8-A. Declaration of purpose

For the benefit of the people of the State, it is essential that certain activities of the State Government be constantly reviewed in order to provide essential state services more efficiently and economically. To aid in accomplishing this purpose and due to improved travel conditions and communications, housing for state employees at state institutions and other areas of State Government and commissaries operated by state departments for the sale of food and food supplies to state employees shall be controlled as set forth in sections 8-B and 8-C respectively.

§ 8-B. Housing

It is the intent of the Legislature to discourage the construction, reconstruction and equipping of new housing facilities for state employees at state institutions and all other areas of State Government. The housing facilities of each state department shall be reviewed by the state department involved, and if such facilities are not necessary for the operation of the department or any branch thereof, use of such facilities for housing shall be eliminated. If, after such review, it is determined that such facilities are essential, a rental charge shall be made to cover the total operating cost of any such facility.

These costs shall include, but not be limited to, rates charged to the State, in operating such facility, for water, electricity, heat, telephone and furnishings and any other maintenance costs. Such costs shall not include charges

for telephones used primarily for state business. In determining the feasibility of any such facility, the department shall consider the availability of living facilities for its employees, particularly in the unorganized territory and rural areas of the State. Any facility used on a seasonal basis shall be partially exempt from rental charges, at the discretion of the department.

§ 8-C. Food and food supplies

All commissary-type facilities operated by state departments for the sale of food and food supplies to any person shall be eliminated. Purchasing of food and food supplies for any person by requisition or otherwise, is prohibited, except that the Departments of Inland Fisheries and Game and Forestry may requisition food supplies for emergency use or special duty assignments. Meals purchased and prepared for institutional or school use may be sold to an employee based on the actual total cost of purchasing, preparing and serving such food or food supplies.

§ 8-D. Income

Any income derived from the operation of housing or food facilities, or both, under sections 8-B and 8-C, shall accrue to whatever fund pays for such facilities; if it is a General Fund account, the income shall accrue to General Fund; if it is a special revenue account, the income shall accrue to that account.

§ 8-E. Domestic service

No employee of the State of Maine shall be assigned to perform routine housekeeping, food preparation or other chores for employees assigned to and living in housing facilities owned by the State of Maine. This is not intended, however, to prevent bona fide domestic training programs wherein various patients and others in state institutions of Maine are trained for increased employment opportunities.

§ 8-F. Rules and regulations; review

Each department shall establish and promulgate, subject to the approval of the Budget Officer, rules and regulations to carry out the purposes of sections 8-B to 8-C. Such rules and regulations shall be transmitted to the Legislative Research Committee for its review within 60 days after passage of this Act and thereafter biennially.

§ 8-G. Exemption

Section 8-A to 8-H shall not apply to the Baxter State Park Authority.

§ 8-H. Penalty

Any state officer or employee who violates sections 8-A to 8-F shall be punished by a fine of not more than \$1,000 and shall be dismissed from state service.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.