

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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Message
of
Governor Kenneth M. Curtis
to the
Special Session
One Hundred and Fifth Legislature
January 24, 1972

MESSAGE OF KENNETH M. CURTIS, GOVERNOR OF MAINE TO THE
SPECIAL SESSION OF THE
ONE HUNDRED AND FIFTH LEGISLATURE OF THE
STATE OF MAINE

*Honorable Members of the Senate and House of Representatives of the
105th Legislature:*

You have been requested to convene in Special Session today pursuant to the Constitutional provision empowering the Governor to "convene the Legislature on extraordinary occasions." Traditionally this authority has been used only for legislative action of an emergency nature.

With continuing pressures for a Constitutional Amendment to provide for annual Legislative sessions, the definition of emergency matters has been considerably extended in recent years. This body, while in regular session, indicated its intention to consider legislation implementing the Reorganization of State government and certain budgetary matters at a subsequent Special Session. It is for these two reasons that I use my Constitutional authority.

You are being asked to consider other matters by myself and by the Legislative Committee on Reference of Bills. It is evident that in many instances the public will be well served by considering these proposals providing they do not lengthen this session or detract from its basic purpose.

It has been becoming increasingly evident that our State government must be reorganized if we are to:

- 1) control the rapid growth of State agencies and personnel,
- 2) maintain any semblance of management and efficiency,
- 3) avoid needless duplication of manpower and material, and
- 4) deliver services at the lowest possible cost.

This Legislature took a mammoth step in reducing more than 200 Departments, Agencies and Boards to 13 Departments.

I wish to commend the Commissioners of these new Departments, the State Planning Office and the Joint Select Special Committee on Governmental Reorganization for their tireless efforts. This Committee has met for long hours on virtually a weekly basis since last July in a splendid display of bipartisanship and public concern. In excess of \$100,000 has been expended in developing the Reorganization bills now before you.

While neither perfect in every way nor in the exact form everyone might wish, these bills taken together represent a necessary and good compromise. Let me say at this point, this process of Government Reorganization should never be considered final, but rather a continuing search for improvements to save money without jeopardizing the programs we administer.

While the primary purpose of Government Reorganization is to deliver a higher quality of service, some substantial savings are nevertheless identifiable.

It is estimated there could be savings of \$412,621 in State funds and \$184,715 of Federal funds for total savings of \$597,336.

In a document prepared by the Joint Special Select Committee on Reorganization and the State Planning Office, these estimated savings in the proposals of the Commissioners for their Departments are detailed. The savings will be accomplished through various means, including consolidation of function, realignment of personnel, better control of expenses, modification of program, better use of existing space and other management techniques.

If the bills were enacted as presented by the Commissioners to the Committee, there could be savings of \$18,000 for the Department of Agriculture; \$37,000 for Business Regulation; \$38,000 for Commerce and Industry; \$140,000 for Education; \$13,500 for Finance and Administration; \$174,000 for Human Services; \$114,000 for Manpower; \$21,000 for Military Affairs; \$40,000 for the Secretary of State. These figures do not include the Departments of Transportation, Natural Resources and Environmental Protection, in which further and possibly substantial savings can be realized.

Needless to say, there will be adjustments in these figures due to legislative decisions. Since many of the changes made can only be effected through administrative action, once reorganization has taken place, we are dealing with imprecise figures. Some specific savings, I should add, have been written directly into the bills that will be presented to you. Only if we enact these reform measures now, can we be sure that such savings would be reflected in the budgetary presentation for the next biennium.

Another consideration is the gaining of additional Federal funds through reorganization. For example, it has been estimated that the Department of Mental Health and Corrections can receive some \$750,000 in matching Federal funds by its inclusion within the Department of Human Services. Thus, another objective of reorganization can be achieved, which is to lessen the future need for State appropriations.

Once government reorganization is a fact, it is my intention to move quickly to take advantage of the new possibilities for efficiency. The first major thrust in this direction will involve direct participation by members of the State's business and financial community. Working with the guidance of a nationally known consultant firm, that has successfully managed similar projects in sixteen states, the private sector will be asked to perform a comprehensive, sixteen week survey of the managerial, control and planning practices in each State department. From this survey, a series of recommendations will result that should reduce the current costs of government services, or increase the service levels within the existing cost. The report of this group of independent leaders of the private sector, titled *Maine Management and Cost Survey*, should be completed before this coming September so that its recommendations can be considered in preparing the budget program I will submit to the 106th Legislature a year from now.

Simultaneously, I will convene regular meetings of the new Cabinet of State Commissioners. One of their first objectives will be a greater pooling of equipment, supplies, and personnel. We will look hard at a more common use of automobiles, airplanes, boats, communication equipment, photographic supplies, and space. We will move toward more consolidation of bookkeeping, auditing, public relations, and technical personnel. It will be our objective, through attrition, to eliminate State jobs which can be consolidated.

The opportunities for greater efficiency are so evident that reorganization must be a total effort. To accept less than complete reorganization, after so much study and expenditure, is to commit Maine taxpayers to additional costs they need not bear.

It appears now, however, that only twelve reorganization measures are ready for this Special Session. I hope the thirteenth bill dealing with Manpower can be completed before adjournment.

The bills ready for presentation are to implement Departments of (1) Agriculture; (2) Business Regulation; (3) Commerce and Industry; (4) Educational and Cultural Services; (5) Finance and Administration; (6) Human Services; (7) Military Affairs, Civil Defense and Veterans' Services; (8) Natural Resources; (9) Public Safety; (10) Secretary of State; (11) Environmental Protection; and (12) Transportation.

The one single principle, common to all the reapportionment measures, is the opportunity for better government.

Recommended Appropriations

In addition to the need to act on the Reorganization bills, there are a number of essential items that badly need additional State financing. For these items, I am recommending the appropriation of \$11,118,092 from the General Fund and \$2,171,522 from the General Fund Surplus.

These appropriation recommendations, which were selected from requests, totaling \$35,320,970, warrant your serious consideration.

This Legislature did not make complete appropriations to Health and Welfare for several of its programs in the second year of the biennium. It was understood that the difficulty of predicting the caseload, and the possibility of revised Federal medical and welfare programs, justified waiting until this Special Session so we could better judge our financial obligations. For Health and Welfare, there exists an urgent need for \$7,585,369 to complete the current biennium.

Of this total, \$3,150,000 is necessary to meet caseloads in AFDC, Aid to the Disabled, and General Assistance. An additional \$2,500,000 is needed to meet medical care payments and \$250,000 necessary for the donated commodity programs. Particularly important are increases for nursing home care that are so badly needed, and also the funds I have recommended for State matching under the Older Americans Act for elderly programs. If adopted, the total recommended State appropriation to Health and Welfare will be matched by \$14,628,640 of Federal money to help support our programs.

I also wish to make it clear that I have recommended minimum needs in the welfare budget.

Both our welfare and health caseloads have been increasing and there are proposals before Congress to alter the Federal programs in which we participate. This will require us to review our State budget again next January for any adjustments that may be needed.

For the Department of Mental Health and Corrections, I have recommended \$1,318,612. One major item would assure one dollar a day per person for food costs in our institutions. \$719,422 is necessary to upgrade the quality of care and treatment at the Bangor State Hospital. \$304,090 would go to staff the special treatment unit at the Boys Training Center opening in February, to operate the Elizabeth Levinson Developmental Center for the retarded in Bangor and the new facility for the retarded in Presque Isle. The pressures of change are being severely felt by personnel in the Department of Mental Health and Corrections. For the good of all concerned, I am asking for an appropriation of \$44,817 to institute a program of twenty year retirement for prison guards at the Maine State Prison. This Legislature and concerned Maine people have shown much interest in improving programs and administration at our institutions. I believe that the Department of Mental Health & Corrections is making every effort to diagnose their deficiencies and they deserve support in correcting them.

I am recommending to you \$342,304 for the Department of Education. Most of this money would go directly to strengthening vocational education programs, with \$71,500 for adult evening education and \$105,513 to start year-round vocational programs at the Vocational Technical Institutes.

For higher education, I am recommending \$105,000 to the Maine Maritime Academy to provide needed salary increases and for the Academy's share of the Castine sewage treatment plan. The University of Maine has been recommended for \$1,300,000 to correct faculty salary inequities, increase student aid and provide a small amount of funds for increased numbers of students. As the University received no supplemental funds during the regular session, I hope their needs for next year will receive attention and support.

Included in the Appropriation Act are \$816,407 to support a number of other agencies and programs. These include funds to assist in administering the potato inspection plan, to provide ten additional clerical positions for the District Court, to add safety inspectors and an engineer to the Department of Labor and Industry, to add staff for the Land Use Regulation Commission, to provide State matching under the Federal Safe Streets Act, to establish a gas pipeline safety program, and to provide salary increases for the Justices of the Supreme and Superior Courts. I am further recommending that the Legislature re-establish the Suggestions Awards Board, make certain changes in the department head salary schedule, and to do away with the claim on the estates of recipients of aid to the aged, blind and disabled, which now creates hardship for our elderly.

\$30,000 is included to establish the North American Indian Scholarship fund to assist Indians in Maine gain secondary school and higher education and \$48,200 to fully continue current programs of the Department of Indian Affairs.

Appropriations from General Fund Surplus

I am asking for appropriations of \$2,171,522 to be drawn as one-time expenditures from an estimated unappropriated surplus of \$4,000,000.

A wide variety of needed projects are included in this request. I am asking for \$184,272 to aid various educational projects, among which are repairs and improvements at three of our vocational technical institutes and also for added grant capability to finance school construction through the Maine School Building Authority. I am requesting \$341,008 for Mental Health and Corrections for necessary improvements and needed equipment at most of our State institutions, including \$70,000 to design a facility for the profoundly retarded in southwestern Maine, and \$65,000 to provide better ventilation and hot water in some of the cells at the State's prison. An estimated \$396,667 is needed to provide the State's one-third cost of spraying for spruce budworm control. I am seeking \$492,500 for needed improvements to facilities at several campuses at the University of Maine and for implementation of the next step toward creating a Maine Medical School. I am seeking \$190,000 for the State's share in the building of an International Arrivals Building at Bangor International Airport. I am also asking \$65,000 to be appropriated to the Department of Economic Development for an analysis of the future impact and importance of the vacation-travel industry to the State of Maine.

Also recommended is an appropriation of \$45,000 to provide the design for an additional vessel for the Ferry Service. \$140,000 is included for the design of a new State Office Building. Both projects would then be ready for funding by the 106th Legislature.

Funds are also being sought for the Veterans Cemetery in Augusta, for renovations of State piers, for improvements at the Maine Maritime Academy, drug abuse grants and several other programs.

Revenues

I want to emphasize that no increase in any tax will be necessary to finance these recommendations. According to conservative estimates of the Department of Finance and Administration, the General Fund revenues available for appropriation for this biennium are \$12,437,643. This is a realistic increase in revenue estimates in light of the fact that General Fund revenues were \$6.3 million ahead of estimates for the first six months of this biennium.

The Department of Finance and Administration also estimates there will be a General Fund surplus of \$4,000,000 at the end of this fiscal year (June 30, 1972).

I am, therefore, requesting General Fund appropriations totaling \$13,289,614 from an available \$16,437,643, with the hope our State government can continue to operate to at least current levels, while conserving funds for unforeseen emergencies and appropriation by the 106th Legislature.

The following table reconciles the availability of General Funds:

**GENERAL FUND
RECONCILIATION**

	1971-72	1972-73	TOTAL
Balance - End of Regular Session	\$ 387,071	\$ (355,732)	\$ 31,339
Undedicated Revenue			
Estimated Increased Revenue	6,486,798	5,843,550	12,330,348
Adjustments			
Agriculture	3,000	3,000	6,000
District Courts	17,500	105,500	123,000
Washington County Vocational Technical Institute	—	8,800	8,800
Central Maine Vocational Technical Institute	—	18,244	18,244
Public Utilities Commission	5,512	5,500	11,012
Liquor Commission	(46,800)	(44,300)	(91,100)
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TOTAL AVAILABLE	\$ 6,853,081	\$ 5,584,562	\$12,437,643
Appropriations L. D. 1982			
Section A	\$ 2,375,436	\$ 9,123,256	\$11,498,692
Section B	(187,600)	(288,000)	(475,600)
Section I	—	65,000	65,000
Section J	—	30,000	30,000
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TOTAL APPROPRIATIONS	\$ 2,187,836	\$ 8,930,256	\$11,118,092
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TOTAL AVAILABLE OVER OR UNDER APPROPRIATIONS	\$ 4,665,245	\$(3,345,694)	\$ 1,319,551

Other Bills in Call

In addition to the Reorganization legislation, the Appropriations Act, and an errors and inconsistencies bill, I have included 10 other legislative items in my call. I deemed all of these bills, or the concepts that they embody, to be of sufficient importance to the welfare of the State to merit your approval now.

Money Saving Items

Two of the bills project cash savings to the taxpayers of Maine on both an immediate and long-range basis.

By a redraft of Section 3460 of Title 20, R. S., a change would be made in the method of payment of School Construction Aid to municipalities. Currently, this aid is paid in two lump sums and one-half is paid at the very outset, thus providing more funds than a town needs

and causing State bonds to be sold before the need really arises. By changing payments, it is estimated that several hundred thousand dollars can be saved in interest payments.

A Municipal Bond Bank will realize savings to Maine communities, over the years, of several million dollars through the creation of a single authority empowered to issue bonds for all Maine communities as a single package. Thus, with the issuance of a single large bond issue, better ratings can be obtained at lesser interest charges than if each community acted on its own, which is presently the case. It is estimated over \$574,000 could be saved in 1972 alone.

Environmental Measures

A Maine Solid Waste Management Act is being submitted, without appropriation, in order to give authority to the State to establish regulations and minimum standards for solid waste disposal. By 1973, 50% of the municipal dumps must be relocated, and by then all open dump burning will be banned.

Another environmental measure that is of vital importance is the adoption of Ambient Air Quality Standards. Maine must adopt these standards at this Special Session in order to conform with Federal standards.

Various loopholes in our Site Selection laws should be corrected, such as expanding the Site Selection Law to non-profit developments, changing the time limit on hearings, changing definitions, etc. I am also requesting approval for adding to the jurisdiction of the Site Selection Law, all developments of 10 acres or more having frontage of 1,000 feet on any body of water in the State.

Finally, the concept of land and port development in select locations, where environmental factors can be strictly controlled, will give Maine an added tool to create substantial numbers of new jobs, while providing strong environmental protection.

Educational

University of Maine Bond Issue — The building needs of various campuses of the University of Maine have become critical as it has been several years since any new construction was authorized, and enrollments have grown in the meantime. A bond issue of \$8,360,000 would provide for badly needed facilities at Machias, Farmington, Presque Isle, Fort Kent, Augusta, Portland-Gorham, and Orono.

Miscellaneous

Compliance with Federal standards is the reason behind the inclusion of an act to have Maine law conform with Public Law 91-646, which deals with the relocation of families and acquisition of land necessitated by public projects supported with Federal funds.

An act will also be submitted to authorize counties throughout the State to adopt a food stamp program, if they so desire. Until now, permission was needed on a county-by-county basis from the Legislature. This is permissive legislation, suggested by the Legislative Research Committee.

Also suggested by the Legislative Research Committee is an act to provide staff to administer the Municipal Public Employees Labor Relations Act. The workload generated by this important measure has simply been too great and specialized for existing personnel to handle.

It is my hope that all of these bills will meet with your approval, for I feel that their passage will be of lasting benefit to our State.

Conclusion

In concluding, let me again emphasize that the basic reason for our being gathered in this Special Session is to complete the unfinished business of the regular session, particularly in the areas of reorganization and the additional second year funding that was not provided for the Department of Health and Welfare.

I have included 10 additional measures that I commend to your attention as being worthy items of benefit to Maine. The legislative Reference of Bills Committee has admitted a number of other bills, many of which are also extremely deserving measures.

But whatever happens at this Session and whatever legislation is passed, I believe we all know that a rare opportunity has been presented to this Legislature. In my initial address to you in January, 1971, I stated my hope that the 105th Legislature could go down in Maine history as the "Reorganization Legislature."

Today, because of the devoted work of a great many persons of both parties, that hope is closer to reality.

The completion of a truly historic reorganization of Maine government is within your grasp. Your positive action on these measures will set the shape of Maine government for years to come and will act to convince the electorate of our sincerity in wanting to set our own house in order. Reorganization will not produce overnight miracles, but it is a start and a necessary step on the road to building greater public confidence in Maine government.

I hope you will accept this challenge and crown your efforts to date with a solid, lasting achievement that can be recognized and applauded by future generations.