

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

RESOLVES
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE FIRST SPECIAL SESSION

January 19, 1976 to April 29, 1976

AND THE SECOND SPECIAL SESSION

June 14, 1976

| | |
|------------|---------|
| Somerset | 480,387 |
| Waldo | 391,001 |
| Washington | 391,272 |
| York | 670,110 |

and be it further

Resolved: That Resolves, 1975, c. 15, is amended by adding after the last paragraph before the emergency clause, a new paragraph to read:

The figures in the Revised Budget 1976 are based upon revised budgets approved by the Legislature and filed in the office of the Secretary of State.

The Secretary of State, upon this resolve becoming effective, shall forward to the chairman of the commissioners of each county whose budget is revised from the budget approved by Resolves, 1975, c. 15, a certified copy of the county's revised budget for 1976 in summary form and shall provide specific total amounts, where these are altered, for personal services, contractual services, commodities, debt service, capital expenditures and contingent.

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

Effective April 1, 1976

CHAPTER 50

RESOLVE, Authorizing the Governor to Create, Administer and Seek Funds for a Community Jobs Program for the State of Maine.

Preamble. Whereas, unemployment in the State of Maine is at its highest level in recent history and causes grave problems for the economy and society of the State; and

Whereas, a substantial alleviation of such problems associated with unemployment can be had by initiating a community jobs program; and

Whereas, in the absence of other efforts to further treat the problems of unemployment, it is the intent of the Legislature that the State Government, cooperating with other public and private institutions in the State, initiate reasonable efforts to alleviate such problems; now, therefore, be it

Governor authorized to create, administer and seek funds for community jobs program. **Resolved:** That the Governor, through the Executive Department and with the advice of the Maine State Manpower Services Council, is authorized to create, administer and seek funds for a community jobs program for the purpose of hiring unemployed Maine citizens to work on short term projects beneficial to local communities, provided:

1. **Community Jobs Fund.** A Community Jobs Fund is authorized, to be used to administer this program and to provide moneys for local community jobs projects. To the extent authorized and permitted by state and federal law and regulations funds from the following sources may be allocated to the fund:

A. Funds allocated to the State under Titles II and VI of the Comprehensive Employment and Training Act of 1973, P.L. 93-203 and all Acts amendatory thereto;

B. Funds under Titles V and X of the Public Works and Economic Development Act of 1965, P.L. 89-136 and all Acts amendatory thereto;

C. Voluntary assignments of payments made by individuals eligible for any benefits under Title 26, chapter 13;

D. Funds from any other federal program or federal grants, including grants from the Departments of Labor, Commerce and Housing and Urban Development and the Law Enforcement Assistance Agency; and

E. Funds transferred into the fund from other departments and agencies of State Government and the Legislature.

2. **Eligible projects.** Any individual, group or organization, public or private, including corporations, except a federal or state department or agency, may apply to the Governor for moneys to operate a Community Jobs Project. To be eligible for such moneys the project shall:

A. **Jobs.** Create new jobs for unemployed or underemployed Maine residents;

B. **Community service.** Provide a worthwhile and specific community improvement, either a facility or service;

C. **Duplication.** Not duplicate presently existing private or public services or facilities;

D. **Planning.** Demonstrate adequate planning of the project;

E. **Financing.** Identify adequate sources of financing for any costs not covered by the state contribution;

F. **Sponsor.** Identify the sponsor and his address;

G. **Size.** Employ at least 60-man-weeks of labor and not require funding under this fund for more than 30 consecutive weeks;

H. **Wages.** Pay wages to employees of the project that do not exceed the locally prevailing wages for similar types of work; and

I. **Nonprofit.** Shall be nonprofit, with any revenues to be used to meet project expenses.

3. **Approval of applications.** The Governor may approve an application, specify the amount of funding under this fund, not to exceed \$100,000 for each project and enter into an agreement with the sponsor, provided:

A. Categorical priorities. The Governor shall consider projects for approval in the following order of categories:

- (1) Projects which employ individuals who are assigning payments to the fund;
- (2) Projects which employ individuals who have completely exhausted benefits within 2 years of the commencement of the project for employment eligibility which is determined under Title 26, chapter 13;
- (3) Projects which employ individuals who are unemployed or underemployed and are receiving state or federal general assistance or welfare benefits as provided under Title 22; and
- (4) Projects which employ individuals who are unemployed or underemployed and are not included under subparagraphs (1), (2) or (3).

B. Priorities within categories. Within each of the categories of paragraph A, the Governor shall consider for approval those projects in the following order:

- (1) Projects which will receive matching funds from counties, municipalities or state agencies which use federal revenue sharing funds authorized under the State and Local Financial Assistance Act of 1972, P.L. 92-512 and all Acts amendatory thereto, for such matching grants;
- (2) Projects which will receive matching funds from counties, municipalities or state agencies which use funds received under the Community Services Act of 1974, P.L. 93-644 or the Housing and Community Development Act of 1974, P.L. 93-383 and all Acts amendatory thereto, for such matching grants;
- (3) Projects which will receive matching grants from any other source; and
- (4) Projects which will receive no matching grants.

C. Community response. Prior to approving any application, the Governor shall seek and consider the opinions of municipal officers and community leaders, including any local manpower planning council, in the area of the project.

4. **Administration.** The Governor, through the Executive Department, shall administer this chapter, approve applications and enter into agreements for community jobs projects, order disbursement of moneys from the Community Jobs Fund, disseminate information on this program; promote establishment of community jobs projects, apply for and accept funds available under any Federal Act or from any other sources; employ, subject to the Personnel Law, such assistants as may be necessary, provided that the Governor shall use, to the greatest extent possible, existing personnel of the department or other departments or state agencies and make such rules and

regulations as are necessary, including rules and regulations governing application for moneys, approval or disapproval of contracts or agreements to be entered into by the departments and project sponsors, accounting procedures of projects, methods of determining community benefit and custody, use and preservation of records and documents.

5. Projects. In promoting, seeking, considering and acting on applications for projects, the Governor shall seek to provide worthwhile and specific community improvements. Illustrative of projects that the Legislature recognizes to be of potential benefit to communities are:

A. Homemaker services. Homemaker services to older citizens who might otherwise be forced into state institutions;

B. Industrial development. Land preparation and construction of industrial buildings in community industrial development parks in conjunction with state and federal guarantee programs and grants, such as those available through the Economic Development Administration;

C. Clean-up. Community clean-up campaigns and removal of rusted vehicles in rural areas and demolition of dilapidated and hazardous buildings;

D. Utilities. Construction and repair of sewer, water and other utility lines in towns and cities;

E. Food production. Food production projects for communities to set up community gardens, community canning centers and marketing assistance;

F. Health care. Providing paramedical health care centers and outreach programs in urban and rural areas centering on the needs of children and the elderly;

G. Housing rehabilitation. Housing repair and rehabilitation for elderly and low income families;

H. Housing construction. Housing construction through the Federal Housing Administration, the Farmers Home Administration and the Maine State Housing Authority to spur the lagging home construction market;

I. Recreation facilities. Construction of community recreation facilities including parks, trails and roadside areas;

J. Winterization. Home winterization projects and winterization of municipal and state buildings;

K. Highways. Highway construction and maintenance at the state and local level;

L. Transportation. Rural and small community bus and other transportation services;

M. Rail. Repair, reconstruction and other associated activities necessary for AMTRAK resumption of rail service in Maine;

- N. Parks.** Repair, upgrading and development of small state parks and recreation areas;
- O. Arts.** Projects related to the arts; both instructional and supportive, for in-school and the public through the Maine State Commission on the Arts and Humanities;
- P. Job placement.** Job placement programs for those segments of the work force with particularly high unemployment rates, teenagers, those on parole and other groups;
- Q. Resource coordination.** Establishment of rural resource coordinating centers that would include agricultural apprenticeship programs, regional workshops and training programs;
- R. Prevention of juvenile delinquency.** Support services for young people to aid in prevention of juvenile delinquency, such as community youth centers, public recreation programs, camping programs and additional personnel support for existing youth service programs;
- S. Public works.** Accelerated public works construction projects, e.g., repair of dams and maintenance of beaches;
- T. Recycling or resource recovery.** Setting up, recycling or resource recovery systems that reduce pollution;
- U. Day care.** Establishing and operating day care for children and elderly of working families; and
- V. Barrier-free projects.** Projects aimed at the elimination of architectural barriers which bar the handicapped and elderly from maximum participation in civic, educational, social and employment activities.

Effective July 29, 1976

CHAPTER 51

RESOLVE, Authorizing Frederick Gooldrup and Germaine Gooldrup, or their Legal Representatives, to Bring Civil Action Against the State of Maine.

Frederick Gooldrup and Germaine Gooldrup; authorized to sue the State of Maine. Resolved: That Frederick Gooldrup and Germaine Gooldrup, both of Waterville, in the County of Kennebec, who suffered physical injuries, pain, suffering, mental anguish, loss of consortium and damage to their 1969 Pontiac automobile as a result of their automobile accident on August 2, 1974 at the site on the West River Road in Waterville of excavation and construction work being done by the State of Maine, or their legal representatives, are