

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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TITLE 3, SECTION 164, SUBSECTION 6.

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PUBLIC LAWS
OF THE
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B. The commissioner may authorize the expenditure of any and all of the money in the Lobster Fund for the purpose of purchasing seed lobsters from Maine lobster pound owners and female lobsters from Maine wholesale lobster dealers. Seed lobster shall be purchased under this section at a price that is 10% above the prevailing wholesale price; and female lobsters shall be purchased at a price equal to the prevailing wholesale price. The commissioner shall have these lobsters liberated in Maine coastal waters.

C. The commissioner may undertake a tagging program to determine the migratory patterns of lobsters purchased and liberated under this section. The commissioner may authorize the expenditure of up to \$5,000 from the Lobster Fund for this tagging program.

D. Fees allocated to the Lobster Fund in any year and not used in that year may be used in any succeeding year, and the Lobster Fund shall not lapse.

Sec. 2. Transfer of funds from the Boat Fund to the Lobster Fund. The State Controller shall transfer \$10,000 from the present account of the Boat Fund to the Lobster Fund to be used for the purchase of seed lobsters as authorized under Title 12, section 4404, subsection 6, as amended.

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

Effective May 2, 1977

CHAPTER 107

AN ACT to Amend the Laws Relating to Payments for Care of Children.

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

Whereas, some children in the custody of the State and requiring placement in private facilities cannot be placed in facilities eligible for reimbursement under existing statutes; and

Whereas, in the absence of the benefits of other placement opportunities these children may become adjudicated and placed in a correctional setting; and

Whereas, a modification of existing law can expand placement opportunities which are more appropriate for these children; 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:

22 MRSA § 3802, sub-§ 1, as enacted by P & SL 1975, c. 103, sec. C, is amended to read:

1. Payments made by the department, pursuant to section 3792, section 3794 or pursuant to other provisions of law, for the care of children committed to the custody of the State shall be in accordance with this section. Within the limits of available funds, the department shall take action to assure that provide state payments for care of a child, when combined with such other resources as may be available to share the costs of such care, shall provide monthly payments as follows:

A. ~~For~~ The foster home board care, when combined with any other resources as may be available to share the costs of the care payment, shall be at a rate which is at least equal to, but not less than, the rate in the following schedule:

| For Care Of A Child Who Is | Rate Per Month |
|----------------------------|----------------|
| Normal | \$120 |
| Mildly Handicapped | 140 |
| Moderately Handicapped | 160 |
| Severely Handicapped | 190 |

B. For residential child care facilities in an amount equal to, but not exceeding, 80% of audited unit cost and based on actual expenditures in the most recent fiscal year. The total amount paid from all sources shall not exceed 100% of actual cost.

C. For boarding care in so called private schools in an amount equal to 80% of audited unit cost up to \$175 per month, except where a child has unusual needs in an amount equal to 80% of audited cost up to \$300 per month. The total amount paid from all sources shall not exceed 100% of audited unit cost. Notwithstanding the other provisions of this paragraph, when placements in so-called private schools have been exhausted or are otherwise unavailable for any child, the commissioner is authorized to negotiate with other appropriate facilities, including private schools, for placement of the child on the basis of a flat-rate method of payment.

D. For a clothing allowance, when combined with any other resources as may be available, payment shall be at a rate which is at least equal to, but not less than, the rate in the following schedule:

| For A Child Age | Rate Per Month |
|---------------------------|----------------|
| 0-4 years | \$11 |
| 4 years 1 day to 11 years | 19 |
| 11 years 1 day or older | 27 |

In lieu of a monthly clothing allowance, the department may provide for clothing for children by direct purchase.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved. Title 22, section 3802, subsection 1, paragraph C, the last sentence, shall be effective until March 1, 1978.

Effective May 2, 1977, unless otherwise indicated

CHAPTER 108

AN ACT to Clarify the Definition of Activities Reportable as Lobbying.

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

Sec. 1. 3 MRSA § 313, as reenacted by PL 1975, c. 724, is amended to read:

§ 313. Registration of lobbyists and employers

Any person acting as a lobbyist and the person who employs that lobbyist shall jointly register at the office of the Secretary of State no later than ~~7~~ 7 business days after the commencement of activities constituting lobbying and a fee, as determined by the Secretary of State, shall be paid for such joint registration.

Sec. 2. 3 MRSA § 317, sub-§ 1, ¶¶ A and B, as reenacted by PL 1975, c. 724, are repealed and the following enacted in their place:

A. Compensation, not otherwise reported during the previous month, received and due to be received:

- (1) For lobbying;
- (2) For the preparation of documents and research for the primary purpose of influencing legislative action.

In the case of a regular employee, such amount reported shall be the number of hours devoted:

- (3) To lobbying;
- (4) To the preparation of documents and research for the primary purpose of influencing legislative action, multiplied by the employee's regular rate of pay;

B. Total expenditures, not otherwise reported during the previous month, for which the lobbyist has been and expects to be reimbursed: