

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

---

Kennebec Journal  
Augusta, Maine  
1979

---

---

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
**FIRST REGULAR SESSION**  
of the  
**ONE HUNDRED AND NINTH LEGISLATURE**  
1979

---

---

operated vending machines when sold to a retailer whose gross receipts from the retail sale of tangible personal property derived through sales from vending machines are more than 50% of his gross receipts which tax shall be paid by the retailer to the State.

**Sec. 2. 36 MRSA § 1760, sub-§ 3, 4th ¶**, as enacted by PL 1977, c. 443, § 2, is amended to read:

Until ~~December 31, 1980~~ **October 15, 1981**, "food products" shall not include any product sold to a person for resale through coin-operated vending machines when sold to a retailer whose gross receipts from the retail sale of tangible personal property derived through sales from vending machines are more than 50% of his gross receipts.

**Sec. 3. 36 MRSA § 1760, sub-§ 34, last sentence**, as enacted by PL 1977, c. 443, § 3, is amended to read:

Until ~~December 31, 1980~~ **October 15, 1981**, this exemption shall apply to all vending machine sales regardless of price:

Effective September 14, 1979

## CHAPTER 293

S. P. 500 — L. D. 1562

### **AN ACT Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1979, Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government and Amending the Effective Date of Abolishing the Mental Health and Mental Retardation Fund.**

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable before July 1, 1979; and

Whereas, the Legislature authorized the allocation of funds in public law 1977, chapter 712, in order to provide for the necessary expenses for the operation and administration of the Mental Health and Mental Retardation Improvement Fund; and

Whereas, the Mental Health and Mental Retardation Improvement Fund is a

special revenue account generated by reimbursement for services rendered in mental health and mental retardation institutions; and

Whereas, public law 1977, chapter 680 abolished this account effective in fiscal year 1980 by transferring funds generated to the General Fund and authorizing the Bureau of the Budget to consider those services as current services fundable by the General Fund; and

Whereas, reduction in the reimbursement rate for fiscal year 1979 makes it financially necessary for the State to accomplish this legislative intent; 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:**

**PART A**

**Appropriations from General Fund.** In order to provide for necessary expenditures of State Government and other purposes for the fiscal year ending June 30, 1979, the following sum or as much thereof as shall severally be found necessary, as designated in the following tabulations, are appropriated out of any moneys in the General Fund not otherwise appropriated.

1978-79

MENTAL HEALTH AND CORRECTIONS,  
DEPARTMENT OF

Community Mental Health Services

All Other \$299,535

Provides funds for community mental health services, transitional living and day treatment services.

Children's Mental Health Services

All Other 318,200

Provides funds for children's placements and residential services.

Departmental Operations

All Other

13,200

Provides funds for advocacy, medicare premiums and other administrative expenditures.

Capital Construction

Capital Expenditures—Pineland Center

107,465

Provides funds for capital improvements at Pineland Center.

TOTAL \$738,400

**PART B**

**Sec. 1. 22 MRSA § 3172-B, sub-§ 4**, as enacted by PL 1977, c. 680, § 2, is amended to read:

**4. Budget.** Those mental health and mental retardation programs receiving legislative approval for funding for fiscal year ~~1980~~ **1979** shall be considered current services by the Bureau of the Budget ~~when next preparing a budget.~~

**Sec. 2. PL 1977, c. 680, § 3** is amended to read:

**3. Effective date.** Title 22, section 3172-B, ~~subsection~~ **subsections** 1, 2 and 3 of this Act shall take effect July 1, ~~1980~~ **1979**.

**Sec. 3. Appropriations from General Fund.** In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 1980 and June 30, 1981, the following sums as designated in the following tabulations are appropriated out of any moneys in the General Fund not otherwise appropriated.

1979-80                      1980-81

MENTAL HEALTH AND CORRECTIONS,  
DEPARTMENT OF

Community Mental Retardation

Positions (74)

Personal Services \$1,003,789

All Other 1,353,758 \$650,000

	1979-80	1980-81
Capital Expenditures	12,109	
Provides funds to operate community mental retardation programs, including \$600,000 in fiscal year 1980 and \$650,000 in fiscal year 1981 to expand respite care, day activity, prevocational and training services as required in appendix B of the Community Standards of the Pineland Consent Decree.		
Pineland Center		
All Other	210,217	
Provides funds for professional services, feeding system and dental clinic.		
Community Mental Health Services		
All Other	698,000	300,000
Provides funds to support community mental health programs and to continue the transitional living program.		
Departmental Operations		
Positions	(1)	
Personal Services	16,118	
All Other	107,282	
Provides funds for intake and therapeutic services, licensing evaluation, staff development and related expenses.		
Community Corrections		
Positions	(2)	
Personal Services	37,123	
All Other	126,342	
Provides funds for advocacy services and other community correctional programs.		

Maine State Prison	1979-80	1980-81
All Other	23,000	
Provides funds for contracted psychiatric services.		
Maine Correctional Center		
All Other	8,800	
Provides funds for contracted psychological services.		
	TOTAL	
	\$3,596,538	\$ 950,000

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

Effective May 25, 1979

---

## CHAPTER 294

H. P. 677 — L. D. 836

### AN ACT to Establish Maine Cultural Heritage Week.

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

1 MRSA § 118 is enacted to read:

#### § 118. Maine Cultural Heritage Week

The Governor shall annually issue a proclamation setting aside that week containing Statehood Day, March 15th, as Maine Cultural Heritage Week.

The proclamation shall recall Maine's lengthy and important traditions in all the arts including literature, the performing arts and the plastic arts and shall acknowledge the many contributions made by Maine's citizens to folk arts and crafts.

The proclamation shall recommend the observance of Maine Cultural Heritage Week with appropriate celebration and activity, including public celebration and activity in Maine's schools, colleges, universities, theaters, museums, studios, galleries and workshops.