

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
THIRD SPECIAL SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
1983

This section shall not apply to a generation and transmission cooperative organized in accordance with chapter 228. A quorum for such a cooperative shall be specified in the bylaws.

Sec. 4. 35 MRSA c. 228 is enacted to read:

CHAPTER 228

GENERATION AND TRANSMISSION COOPERATIVES

§2931. Purpose

Notwithstanding any other provision of this Title, one or more cooperatives formed under this Title may organize and control a cooperative having as its principal purpose the generation, manufacture, purchase, acquisition, accumulation, transmission, sale, supply and disposal of electric energy. Such a cooperative shall have all of the powers of cooperatives formed under this Title.

§2932. Generation and transmission cooperatives are public utilities

Cooperatives formed under this chapter shall be public utilities and subject to the requirements of this Title, except for those requirements of chapters 221 to 227 which are inconsistent with the operation of cooperatives formed under this chapter, notwithstanding any public or private and special laws to the contrary. Those cooperatives shall require the authorization of the Public Utilities Commission to transmit, sell, supply or dispose of electric energy to any nonmember of the cooperative. That authorization may be granted by order or rule.

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

Effective September 19, 1984.

CHAPTER 865

H.P. 1886 - L.D. 2486

AN ACT Making Appropriations for Educational Purposes and to Adjust Appropriations for State Government for the Fiscal Year Ending June 30, 1985.

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

PART A

Appropriation. There is appropriated from the General Fund for the fiscal year ending June 30, 1985, the sums identified in the following tabulations:

1984-85

EDUCATIONAL AND CULTURAL
SERVICES, DEPARTMENT OF

Assessment of Education

Positions	(6)
Personal Services	\$ 82,528
All Other	635,250
Capital Expenditures	8,570.

Provides funds for a State Assessment of Student Performance. It also provides the authority to hire an assessment director, one assessment coordinator, 2 assessment analysts, one senior clerk and one clerical assistant, as well as capital funds for a microcomputer, printer and communication capabilities. Finally, it establishes an Advisory Committee on Student Assessment.

Higher Education Services

Positions	(1)
Personal Services	12,494
All Other	537,506

Provides funds to establish the Blaine House Scholars Program to eligible Maine high school graduates on the basis of academic achievement and financial need (50%); funds for eligible students

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for preservice preparation for teaching (40%); and funds for teachers pursuing an advanced degree or continued study in underserved subject areas (10%). It also provides the authority to hire an education specialist to administer the program.

Education Curriculum

All Other 250,000

Provides funds for expansion of Kindergarten, Grades 1 to 3 Grant Program established by the Revised Statutes, Title 20-A, PL 1983, chapter 576.

Education Curriculum

All Other 15,000

Provides funds for the research, development and distribution of a kindergarten, grades 1 to 3 curriculum guide as part of the Early Elementary, Kindergarten, Grades 1 to 3, School Assistance Program.

Education Curriculum

All Other 15,000

Provides funds for the development of statewide kindergarten screening and assessment as part of the statewide assessment program, as well as integrated, standardized kindergarten, grades 1 to 3 screening and assessment to assist schools and teachers in assessing

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performance and progress of students in kindergarten and grades 1 to 3 as part of the Early Elementary, Kindergarten, Grades 1 to 3, School Assistance Program.

Education Curriculum

Personal Services

3,000

All Other

6,000

Provides funds to establish and support an Advisory Board on Early Elementary Education of not more than 8 members qualified and experienced in early elementary education to advise and assist the department in designing and implementing the Early Elementary, Kindergarten, Grades 1 to 3, School Assistance Program.

Education Curriculum

Positions

(3)

Personal Services

32,596

All Other

13,600

Capital Expenditures

4,500

Provides the authority to hire 2 early childhood education specialists and one clerical to coordinate and administer the Early Elementary, Kindergarten, Grades 1 to 3, School Assistance Program, as well as administer the Kindergarten, Grades 1 to 3 Early Childhood Grants Program.

Central Maine Vocational-
Technical Institute

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Capital Expenditures	62,000
Provides funds to purchase a CNC lathe, an A-B programmable controller-logic simulator, a 4-wheel alignment unit, a radial arm saw and a precision line-up table.	
Eastern Maine Vocational-Technical Institute	
Capital Expenditures	51,400
Provides funds for a lathe, a grinder, a wheel balancer, a wheel alignment set, a bench saw and a shaper.	
Kennebec Valley Vocational-Technical Institute	
Capital Expenditures	23,095
Provides funds for a motor stand and monitoring plate, a complete valve shop, a Searle ventilator, an arterial blood gas analyzer, 2 transcription machines, a Myra analyzer and an x-ray unit.	
Northern Maine Vocational-Technical Institute	
Capital Expenditures	87,800
Provides funds for 5 oscilloscopes, a paint booth, 3 personal computers, a hydraulic system training unit and a bulldozer.	
Southern Maine Vocational-Technical Institute	
Capital Expenditures	62,405
Provides funds for 11	

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oscilloscopes, a current meter, a light auto and truck lift, a simulator-laser system and an all-electric bed with accessories.

Washington County Vocational-Technical Institute

Capital Expenditures 13,300

Provides funds for a TIG welder, an air compressor, a pipe threading machine, a steam jenny and a pipe bending machine.

Planning and Management Information

Positions (1)

Personal Services 16,001

All Other 17,000

Capital Expenditures 1,000

Provides the operational funds and the authority to hire an education specialist for the supervision of the administration, accountability and public information associated with the Teacher Recognition Grants and the Revised Education Finance Act.

Education Curriculum

Positions (1)

Personal Services 12,494

All Other 503,500

Capital Expenditures 5,500

Provides funds for the Innovative Educational Grants. These are competitive grants to promote creative improvements in the schools of the State. These competitive grants will be awarded to teachers, school

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administrative units or private schools approved for tuition purposes. It also provides the authority to hire an education specialist to administer the grant program, as well as capital funds for a microcomputer, printer and communication capabilities.

Education Curriculum

Positions	(4)
Personal Services	45,089
All Other	20,000
Capital Expenditures	10,000

Provides funds for and the authority to hire 3 school approval education specialists and one clerical to carry out the basic School Approval and Accreditation reviews, provide the guidance and technical assistance to local school units, in meeting the requirements of basic school approval and accreditation. It also provides capital funds for a microcomputer, a printer and communication capabilities.

Higher Education Services

All Other	<u>250,000</u>
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Provides funds to increase the state funding level for the Maine Student Incentive Scholarship Program by an additional \$250,000, or \$500,000 overall. Federal funds of \$215,000 would bring this program to

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a total of \$715,000.
The additional funds
would allow an addi-
tional 937 students to
receive Maine Student
Incentive Scholarship
Program grants.

Department of Educational
and Cultural Services
Total

\$2,796,628

EXECUTIVE DEPARTMENT

Community Services, Division
of

Positions

(2.5)

Personal Services

\$ 28,695

All Other

1,692,610

Provides funds and po-
sitions for expansion
of the Head Start Pro-
gram.

Executive Department
Total

\$1,721,305

MAINE DEVELOPMENT FOUNDATION

Maine Development Foundation
All Other

\$135,000

Provides funds to as-
sist in creating
university-vocational-
technical institute
consortia for technol-
ogy innovative pro-
grams and implementing
the education related
recommendations of
Maine's technology
strategy through the
Maine Science and
Technology Board,
which will be adminis-
tered through the
Maine Development
Foundation.

Maine Development Foundation
Total

\$135,000

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Grand Total

\$4,652,933

PART B

Sec. 1. 28 MRSA §56, as amended by PL 1981, c. 607, §§1 and 2, is amended to read:

§56. Working capital

The net profits of the commission shall be general revenue of the State. The commission is authorized to keep and have on hand a stock of wines, except table wines, and spirits for sale, the value of which, when priced for resale, shall be computed on less carload price quotations f.o.b. warehouse filed by liquor and wine vendors. The inventory value shall be based upon actual cost for which payment may be due and shall not at any time exceed the amount of working capital authorized. Wines and spirits shall not be considered in the inventory until payment has been made therefor. The maximum permanent working capital of the commission is established at ~~\$5,000,000~~ \$3,500,000 and permanent advances up to this amount may be authorized by the Governor upon recommendation of the commission with the approval of the Commissioner of Finance and Administration. The permanent working capital of the commission may be supplemented by temporary loans from other state funds upon recommendation of the commission and by approval of the Commissioner of Finance and Administration and the Governor.

At the end of each fiscal year the State Controller is authorized to transfer from the Unappropriated Surplus of the General Fund an amount not to exceed the excess of the actual revenues received over the budgeted estimated revenues resulting from the sales of alcoholic beverages until the total working capital advance of ~~\$5,000,000~~ is achieved. Notwithstanding this section, the total General Fund revenues from all sources must exceed the budgeted estimated revenues each year by at least the excess revenues produced by the sale of alcoholic beverages for this transfer to be implemented.

Sec. 2. Effective date. This Part shall become effective February 1, 1985.

PART C

Appropriation. There is appropriated from the General Fund for the fiscal year ending June 30, 1985, the sums identified in the following tabulations:

	<u>1984-85</u>
<u>HUMAN SERVICES, DEPARTMENT OF</u>	
Supplemental Payment for Social Security Income	
All Other	\$ (900,000)
Deappropriates funds not needed due to a reduction in boarding home beds.	
Intermediate Care-Payments to Providers	
All Other	<u>(1,200,000)</u>
Deappropriates funds not needed due to the discontin- uance of the 3% reduction in federal matching rates.	
Department of Human Services Total	\$(2,100,000)
<u>LEGISLATURE</u>	
Unallocated	\$100,000
Provides funds for structural repairs to the Senate balcony.	
Legislature Total	<u>\$100,000</u>
GRAND TOTAL	<u>(\$2,000,000)</u>

PART D

Allocation. There is allocated from federal block grant funds for the fiscal year ending June 30, 1985, the sums identified below.

	<u>Fiscal Year</u> <u>1985</u>
<u>HUMAN SERVICES, DEPARTMENT OF</u>	

1984-85

Social Services Block Grant	
Purchased Social Services	
All Other	<u>\$310,130</u>

Adjusts block grant allocation to provide increased funds to purchase sexual abuse treatment services.

Social Services Block Grant	
Total	\$310,130

Effective December 11, 1984.

CHAPTER 866

H.P. 1897 - L.D. 2493

AN ACT to Ensure the Payment of Taxes due on Watercraft.

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

PART A

Sec. 1. 36 MRSA §1504, sub-§9, ¶C is enacted to read:

C. Failure to pay the tax required by this chapter is a civil violation for which a forfeiture not to exceed \$100 may be adjudged.

PART B

Sec. 1. 12 MRSA §7794, sub-§1, as amended by PL 1983, c. 632, Pt. B, §1, is further amended to read:

1. Motorboats requiring. The owner of every motorboat, including airmobiles, used on the waters of the State as the state of principal use shall obtain a certificate of number for the motorboat from the commissioner. Beginning March 31, 1985, no certificate of number may be issued unless the owner submits proof that the personal property tax on the watercraft, assessed under Title 36, Part 2, has been paid