

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

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

**PRIVATE AND
SPECIAL LAWS**

OF THE

STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

CHAPTER 115

H.P. 1659 - L.D. 2337

AN ACT Authorizing the Acceptance of Federal Block Grants and Making Allocations from the Federal Block Grants for the Expenditures of State Government.

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 state departments and institutions will become due and payable immediately; 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

Authorization. In accordance with the Maine Revised Statutes, Title 5, section 1670, the State is authorized to accept federal block grants in the following amounts.

	<u>STATE</u> <u>FISCAL YEAR</u> 1986	<u>STATE</u> <u>FISCAL YEAR</u> 1987	<u>FEDERAL</u> <u>FISCAL YEAR</u> 1985
	<u>DEPARTMENT</u> <u>ESTIMATE</u>	<u>DEPARTMENT</u> <u>ESTIMATE</u>	<u>TOTAL FEDERAL</u> <u>BLOCK GRANT</u>
Criminal Justice	\$ 424,767	\$ 29,233	\$ 454,000

	<u>STATE</u> <u>FISCAL YEAR</u> 1986	<u>STATE</u> <u>FISCAL YEAR</u> 1987	<u>FEDERAL</u> <u>FISCAL YEAR</u> 1986
	<u>DEPARTMENT</u> <u>ESTIMATE</u>	<u>DEPARTMENT</u> <u>ESTIMATE</u>	<u>TOTAL FEDERAL</u> <u>BLOCK GRANT</u>
Criminal Justice	\$	\$ 445,000	\$ 445,000

	<u>STATE</u> <u>FISCAL YEAR</u> 1987 <u>DEPARTMENT</u> <u>ESTIMATE</u>	<u>STATE</u> <u>FISCAL YEAR</u> 1988 <u>DEPARTMENT</u> <u>ESTIMATE</u>	<u>FEDERAL</u> <u>FISCAL YEAR</u> 1987 <u>TOTAL FEDERAL</u> <u>BLOCK GRANT</u>
Criminal Justice	\$ 391,313	\$	\$ 391,313

PART B

Allocations. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 1986, and June 30, 1987, the following sums, as designated in the following tabulations, are allocated from the revenues derived from federal block grants. Notwithstanding any other provision of law, all federal block grant allocations included in this Act shall be subject to the Maine Revised Statutes, Title 5, section 1585.

<u>ALLOCATIONS</u> <u>STATE</u> <u>FISCAL YEAR</u> <u>1986</u>	<u>ALLOCATIONS</u> <u>STATE</u> <u>FISCAL YEAR</u> <u>1987</u>
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EDUCATIONAL AND CULTURAL
SERVICES BLOCK GRANT

EDUCATIONAL AND CULTURAL
SERVICES, DEPARTMENT OF

Education Consolida-
 tion and Improvement
 Act - chapter 2

All Other	\$ 69,899	\$ 8,394
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To reallocate fiscal year 1985 unexpended funds and adjust fiscal year 1986 and 1987 funds for projects approved by the United States Educational Consolidation and Improvement Act, chapter 2, PL 97-35, Planning Committee.

Education Consolida-
 tion and Improvement
 Act - chapter 2

	<u>1986</u>	<u>1987</u>
Personal Services	(469)	(8,299)
To adjust for over-allocation of fiscal year 1986 and fiscal year 1987 block grant funds.		
<u>EDUCATIONAL AND CULTURAL SERVICES</u>		
<u>BLOCK GRANT TOTAL</u>	<u>\$ 69,430</u>	<u>\$ 95</u>
<u>MATERNAL AND CHILD HEALTH BLOCK GRANT</u>		
<u>EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF</u>		
Curriculum - Education		
Personal Services		(1,775)
All Other		1,775
To adjust allocation for increased cost of state services.		
<u>DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES</u>		
<u>TOTAL</u>		<u>-0-</u>
<u>HUMAN SERVICES, DEPARTMENT OF</u>		
Maternal and Child Health		
Capital Expenditures		\$ 5,865
To provide funds for office partitions, replacement of 3 typewriters and desks.		
<u>DEPARTMENT OF HUMAN SERVICES</u>		
<u>TOTAL</u>		<u>\$ 5,865</u>
The department shall take whatever actions are appropriate to reduce the current biennial expendi-		

1986

1987

tures in the programs within this block grant, such as leaving positions vacant and reducing All Other and Capital Expenditures to a level that are more commensurable with the federal grant award for the same period.

MATERNAL CHILD HEALTH SERVICES BLOCK GRANT

\$ 5,865

PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT

HUMAN SERVICES, DEPARTMENT OF

Preventive Health and Health Services

Emergency Medical Services

Positions		(-6)
Personal Services	\$ (30,000)	\$ (160,888)
All Other		(232,560)
Capital Expenditures		(10,000)
TOTAL	<u>\$ (30,000)</u>	<u>\$(403,448)</u>

Emergency Medical Services

Positions		(4)
Personal Services		\$127,588
All Other	\$30,000	275,860
TOTAL	<u>\$30,000</u>	<u>\$403,448</u>

To adjust allocation for the Emergency Medical Services Program.

PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT TOTAL

SOCIAL SERVICES BLOCK GRANT

	<u>1986</u>	<u>1987</u>
<u>HUMAN SERVICES, DEPARTMENT OF</u>		
Training Programs and Employee Assistance		
All Other	\$ 22,000	
To reallocate unexpended fiscal year 1984 and fiscal year 1985 Social Services Block Grant Fund for training services and a grant to the Children's Resource Center for childhood day care training services.		
<u>DEPARTMENT OF HUMAN SERVICES</u>		
<u>TOTAL</u>	<u>\$ 22,000</u>	

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Mental Health Services		
- Community		
All Other	\$ 49,261	\$ 519
To reallocate unused block grant funds for grants to community agencies for Mental Health Services.		
Mental Retardation Services - Community		
All Other	21,446	1,736
To reallocate unused block grant funds for grants to community agencies for mental retardation services.		

	<u>1986</u>	<u>1987</u>
Mental Health Community Support - Title XX		
All Other	(273,895)	(273,895)
Reduces current allocation to enable transfer to the newly established Mental Health Services - Community program in order to more consistently account for all Mental Health funds.		
Mental Health Services - Community		
All Other	273,895	273,895
Reallocates funds from Mental Health Community Support - Title XX in order to more consistently account for all Mental Health funds.		
<u>DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION</u>		
<u>TOTAL</u>	<u>\$ 70,707</u>	<u>\$ 2,255</u>
<u>SOCIAL SERVICES BLOCK GRANT TOTAL</u>	<u>\$ 92,707</u>	<u>\$ 2,255</u>
<u>ALCOHOL AND DRUG BLOCK GRANT</u>		
<u>HUMAN SERVICES, DEPARTMENT OF</u>		
Alcohol and Drug Abuse Prevention		
All Other		\$ (4,556)
Capital Expenditures		4,556
To adjust allocation for the purchase of word processing equipment.		
<u>DEPARTMENT OF HUMAN SERVICES TOTAL</u>	<u>\$ -0-</u>	<u>\$ -0-</u>

	<u>1986</u>	<u>1987</u>
<u>MENTAL HEALTH AND MENTAL</u>		
<u>RETARDATION, DEPARTMENT</u>		
<u>OF</u>		
Mental Health Services		
- Community		
Personal Services	\$ (8,000)	
All Other	\$ 8,000	
To adjust allocation to cover increased travel and communication expenses.		
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL		
ALCOHOL AND DRUG ABUSE BLOCK GRANT TOTAL		
<u>CRIMINAL JUSTICE BLOCK GRANT</u>		
<u>CORRECTIONS, DEPARTMENT OF</u>		
Probation and Parole		
All Other	\$4,774	\$4,774
To provide assessment, counseling, consultation and crisis intervention services to clients of the Division of Probation and Parole and inmates at the Central Maine Pre-Release Center.		
Charleston Correctional Facility		
Positions	(1)	(1)
Personal Services	5,453	23,338
All Other	188	831
Capital Expenditures	250	
To provide for vocational education in sawmill operation which will		

	<u>1986</u>	<u>1987</u>
enable placement of 26 inmates - thus alleviating overcrowding at the Maine State Prison and the Maine Correctional Center.		
Administration - Corrections		
All Other	\$ 20,000	
Capital Expenditures	40,000	
To provide for an operational system which will address the informational needs of the state correctional system.		
Justice - Planning, Projects and Statistics		
All Other	20,000	20,000
To provide attendant care and supervised conditional release services to juveniles in lieu of in-jail detention in Cumberland and York Counties.		
<u>DEPARTMENT OF CORRECTIONS</u>	<u> </u>	<u> </u>
<u>TOTAL</u>	\$ 90,665	\$ 48,943
<u>JUDICIAL DEPARTMENT</u>		
Courts - Supreme, Superior, District and Administration		
Positions	(1)	(1)
Personal Services	\$ 9,475	\$ 20,000
All Other		5,000
Capital Expenditures		5,000
To provide funds for a Judicial Protection - Court		

	<u>1986</u>	<u>1987</u>
Security Program to improve the quality of court security and ex- tend judicial pro- tection.		
JUDICIAL DEPARTMENT TOTAL	\$ 9,475	\$ 30,000
<u>PUBLIC SAFETY, DEPARTMENT OF</u>		
Criminal Justice Acad- emy		
Personal Services		\$ 30,000
All Other	\$195,000	411,674
To provide funds for the adminis- tration of the Criminal Justice Block Grant Pro- gram including one project position.		
Drug Trafficking En- forcement		
Personal Services	42,004	90,533
All Other	38,763	41,247
To provide 50% matching for the State Police drug trafficking en- forcement autho- rized in Public Law 1985, chapter 501.		
DEPARTMENT OF PUBLIC SAFETY TOTAL	<u>\$275,767</u>	<u>\$573,454</u>
CRIMINAL JUSTICE BLOCK GRANT TOTAL	<u>\$375,907</u>	<u>\$652,397</u>
TOTAL BLOCK GRANT ALLOCA- TIONS	<u>\$538,044</u>	<u>\$660,612</u>

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

Effective April 18, 1986.

CHAPTER 116

S.P. 951 - L.D. 2386

AN ACT to Fund and Implement Certain Judicial
Department Collective Bargaining
Agreements and to Fund and Implement
Salary Increases and Benefits for
Judicial Department Employees Excluded
from Collective Bargaining.

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 state collective bargaining agreements will become due and payable immediately; and

Whereas, it is the responsibility of the Legislature to act upon those portions of collective bargaining agreements negotiated by the Judicial Branch which require legislative action; and

Whereas, the Chief Justice of the Supreme Judicial Court and the Legislature also share a desire to address the needs of Judicial Department employees excluded from collective bargaining units on a timely basis; 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: