

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
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ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

nished by the board pursuant to section 6053 shall satisfy this requirement. When coverage is sought other than through an agent or broker, the insurer shall provide the certification required by this section.

2. Rules; penalties. Subject to the applicable requirements and procedures of the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II, the superintendent shall adopt rules regarding the notification process and penalties for violations of this section.

§6061. Sunset provision

Unless continued or modified by law, the organization shall cease enrollments and renewals of participants no later than June 30, 1991, and shall be subject to review by the joint standing committees of the Legislature having jurisdiction over audit and program review and banking and insurance.

If either or both of the joint standing committees consider continuing the organization, the committee or committees shall consider methods of funding the reserve fund other than by an assessment on hospitals. This consideration shall include funding the reserve fund from the General Fund of the State.

CHAPTER 72

SPECIAL SELECT COMMISSION ON ACCESS TO HEALTH CARE

§6071. Commission established

There is established a Special Select Commission on Access to Health Care that shall investigate and make proposals to assure access to adequate health care for persons without adequate health insurance or other coverage.

§6072. Membership; appointment; duties

1. Membership. The commission shall have 11 members as follows: One Senator; 2 Representatives; one member representing providers of direct medical care; one member representing health care institutions; one member representing the health insurance industry; one member representing nonprofit hospital and medical service organizations; one member representing employers; one member representing labor; and 2 members representing consumers of health care who are currently inadequately covered by insurance or medical assistance programs.

2. Appointment. The members of the commission shall be appointed by the Speaker of the House and the President of the Senate.

3. Duties. The commission shall investigate and make recommendations to the Governor, the Commissioner of Human Services and the Legislature to assure access to adequate health care for all citizens. The com-

mission's investigation shall include, but not be limited to, a review of all Medicaid options in which the State does not presently participate, and the possibilities of private and public medical insurance programs for people who cannot purchase their own insurance.

4. Staff and assistance. The Special Select Commission on Access to Health Care may request technical and staff assistance from the Department of Human Services for the purposes of providing oversight of the research needed by the commission's investigation. The Department of Human Services and the Bureau of Insurance shall give unrestricted access to their records, rules, policies and data, except for those items which are legally confidential.

Sec. 6. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1987-88	1988-89
<u>LEGISLATURE</u>		
Special Select Commission on Access to Health Care		
Personal Services	\$ 990	\$ 990
All Other	3,300	5,200
Total	<u>\$ 4,290</u>	<u>\$ 6,190</u>
<u>HUMAN SERVICES, DEPARTMENT OF</u>		
Health Care Benefits for Uninsured Individuals		
All Other	\$ 36,640	\$ 38,140
General Assistance — reimbursement to cities and towns		
All Other	(\$200,000)	(\$295,000)
TOTAL HUMAN SERVICES, DEPARTMENT OF	<u>(\$163,360)</u>	<u>(\$256,860)</u>
<u>MAINE HIGH RISK INSURANCE ORGANIZATION</u>		
All Other		\$ 50,000

Sec. 7. Effective date. This Act shall take effect 90 days after adjournment of the Legislature. The sale of policies under this Act shall take effect July 1, 1988.

Effective September 29, 1987.

CHAPTER 348

H.P. 1342 — L.D. 1834

AN ACT to Make Supplemental Allocations from the Highway Fund for the Fiscal Years Ending June 30, 1987, June 30, 1988, and June 30, 1989.

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 will become due and payable on or immediately after July 1, 1987; 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:

Sec. 1. 29 MRSA §51-A, as enacted by PL 1971, c. 523, is amended to read:

§51-A. Offices

The Secretary of State shall maintain ~~4~~ **additional 12** full-time offices at convenient places in the State as he deems necessary to carry out his duties relating to applications for registration of and licenses for the operation of motor vehicles.

Sec. 2. Supplemental Allocation of Highway Fund. Income to the Highway Fund for the fiscal years ending June 30, 1987, June 30, 1988, and June 30, 1989, shall be segregated, apportioned and disbursed as designated in the following schedule:

	<u>1986-87</u>	<u>1987-88</u>	<u>1988-89</u>
ADMINISTRATION, DEPARTMENT OF			
Maintenance of State Police Headquarters			
All Other	\$ 0	\$19,500	\$21,600
Provides funds for Highway Fund portion of crime laboratory maintenance costs, 75% of total.			
Transportation Building			
All Other	0	18,000	18,000
Provides funds to meet increased costs of electricity due to new usage pricing approved by the Public Utilities Commission.			
DEPARTMENT OF ADMINISTRATION TOTAL	<u>0</u>	<u>\$37,500</u>	<u>\$39,600</u>

FINANCE, DEPARTMENT OF

State Contingency Account

Unallocated 0 \$1,400,000 \$4,000,000

Provides funds for unbudgeted future obligations of State Government. Such funds shall only be allocated for expenditures after specific legislative approval and shall carry forward to June 30, 1989.

DEPARTMENT OF FINANCE
TOTAL

0 \$1,400,000 \$4,000,000

PUBLIC SAFETY, DEPARTMENT OF

Administration — Public Safety

Personal Services \$ 700 \$ 411

Provides funds for approved reorganization for Clerk Typist II to a Clerk Stenographer II.

Administration — Public Safety

Positions	(1/2)	(1/2)
Personal Services	8,470	8,470
All Other	315	315

Provides funds for part-time Multilith Operator.

Motor Carrier Safety

Positions	(7)	(7)
Personal Services	249,707	250,280
All Other	29,744	30,911
Capital Expenditures	28,700	

Provides funds for the cost of additional troopers for commercial vehicle enforcement.

Motor Vehicle Inspection

All Other 34,553

Provides funds for the motor vehicle inspection sticker program.

State Police

Capital Expenditures 349,206 (415,272)

Provides funds to adjust the Highway Fund match due to the shifting of the number of vehicles being purchased from fiscal year 1988-89 to fiscal year 1987-88.

CHAPTER 348

PUBLIC LAWS, FIRST REGULAR SESSION — 1987

DEPARTMENT OF PUBLIC SAFETY
TOTAL

0 \$701,395 (\$124,885)

MAINE STATE RETIREMENT SYSTEM, BOARD OF TRUSTEES OF THE

Reserve for Future Funding — State Employees

All Other \$1,365,839

Provides funds to establish reserves for actuarially determined contribution levels.

BOARD OF TRUSTEES OF THE MAINE STATE RETIREMENT SYSTEM
TOTAL

0 0 \$1,365,839

SECRETARY OF STATE, DEPARTMENT OF THE

Administration — Motor Vehicles

All Other \$ 12,000
Capital Expenditures 150,000

Provides funds for optical scanner equipment and general operating expenses to maintain registration system integrity.

Administration — Motor Vehicles

Personal Services 5,048 5,345
All Other 206 217

Provides funds for proposed reclassification of 4 Clerk Typist I positions to 4 Clerk Typist II positions to reduce turnover rate in entry-level positions in Registration Program.

Administration — Motor Vehicles

Personal Services 8,076 8,959
All Other 329 364

Provides funds for the proposed reclassification of 6 entry-level positions to reduce the turnover in the Microfilm Program.

Administration — Motor Vehicles

Positions (1) (1)
Personal Services 16,147 17,464
All Other 2,069 2,036
Capital Expenditures 1,100

Provides funds and personnel for the administrative support of the

Motor Cycle Operator Training Program.

Administration — Motor Vehicles

Positions (3) (3)
Personal Services 67,844 67,844
All Other 31,299 31,033
Capital Expenditures 31,855

Provides funds for the establishment and operation of a facility in the Bath-Brunswick area for processing applications for registrations and licenses for the operation of motor vehicles.

Administration — Motor Vehicles

Positions (5) (5)
Personal Services 82,349 86,794
All Other 4,827 3,540
Capital Expenditures 4,935

Provides funds for 5 window clerks to establish an information window at the department's branch offices.

Administration — Motor Vehicles

Positions (2) (2)
Personal Services 32,416 33,982
All Other 1,511 1,387
Capital Expenditures 2,812

Provides funds for 2 clerical positions for the Heavy Vehicle Use Tax Program.

Administration — Motor Vehicles

All Other 20,000

Provides funds for the reissue of dealer plates. In addition to any other fee, dealers will be required to pay a fee of \$2 per plate for the new issue. Funds to be deposited to the Highway Fund.

Administration — Motor Vehicles

All Other (434,646) 434,646
Capital Expenditures (750,000) 750,000

This is to provide funding for the purchase of computer hardware and related software. The funds were authorized in fiscal year 1986-87; however, the contracts could not be accomplished in that time frame.

DEPARTMENT OF THE
SECRETARY OF STATE
TOTAL

(\$1,184,646) \$1,659,469 \$258,965

TRANSPORTATION,
DEPARTMENT OF

Highway and Bridge Im-
provement

Positions (1) (1)
Personal Services \$32,796 \$35,124

Provides funds for an ad-
ditional engineering po-
sition to meet the in-
creased Highway and
Bridge Improvement
Program during fiscal
year 1988-89.

Administration and
Planning

Positions (1) (1)
Personal Services 22,747 24,377

Provides funds for an ad-
ditional position to meet
increasing computer
programming and analy-
sis requirements in the
department's financial
management areas.

Administration and
Planning

Positions (1) (1)
Personal Services 17,637 18,782

Provides funds for an ad-
ditional position to meet
increasing needs for ad-
ministrative, steno-
graphic and clerical
support in the Bureau of
Finance and Adminis-
tration.

Administration and
Planning

Positions (1) (1)
Personal Services 25,228 27,019

Provides funds for an ad-
ditional engineering po-
sition to staff a new
Bridge Management
unit.

Administration and
Planning

Positions (3) (3)
Personal Services 75,381 81,632

Provides funds for a
Planning Associate I, an
Engineering Technician
V and an Assistant En-
gineer to meet the in-
creased requirement for
highway corridor and im-
provement planning
studies.

Administration and
Planning

Positions (-2) (-2)
Personal Services (94,557) (94,557)

Provides funds for reas-
signment and funding of
positions from the Ad-
ministration and Plan-
ning Program to the
Highway and Bridge Im-
provement Program and
the Collector Road
Program.

Highway and Bridge Im-
provements

Positions (1) (1)
Personal Services 54,544 54,544

Provides funds for the
reassignment of a Civil
Engineer V to the High-
way and Bridge Im-
provement Program to
complete an overall
4-part personnel funding
adjustment.

Radio Operations —
Highway

Capital Expenditures 33,600 32,500

Provides funds to im-
prove routine and emer-
gency radio communica-
tions and to provide per-
sonal computers for im-
proved management and
operations in the Augus-
ta radio facilities.

Administration and
Planning

Capital Expenditures 23,000

Provides funds for an au-
tomatic traffic data cen-
tral control unit and a
micro PC computer to
centralize and improve
existing computerized
graphics capabilities.

Administration and
Planning

Capital Expenditures 98,500 120,500

Provides funds for com-
puter equipment to per-
mit implementation of
new and improved multi-
faceted office automa-
tion programs.

Collector Road Program

Positions (1) (1)
Personal Services 42,801 42,801

Provides funds for reas-
signment and funding of

an authorized position from Administration and Planning to the Collector Road Program.

Highway Maintenance — Summer		
Personal Services	(2,788)	(2,788)
Reflects the net savings of reassignment and funding of authorized positions in the Highway Maintenance and Bridge Improvement Program.		
Administration and Planning		
All Other	(350,000)	
Deallocates funds to fund a lease-purchase or lease with option to purchase agreement.		
Bridge Maintenance		
Capital Expenditures	(150,000)	(100,000)
Deallocates funds to fund a lease-purchase or lease with option to purchase agreement.		
Traffic Service		
Capital Expenditures	(250,000)	
Deallocates funds to fund a lease-purchase or lease with option to purchase agreement.		
Highway Maintenance — Summer		
All Other		850,000
Provides funds for a lease-purchase agreement or lease with option to purchase agreement of highway maintenance equipment and motor vehicles.		
Salary Plan — Transportation		
Unallocated	(1,746,799)	
To deallocate funds needed to fund current services programs.		

DEPARTMENT OF TRANSPORTATION			
TOTAL	<u>\$(1,746,799)</u>	<u>\$(421,111)</u>	<u>\$1,089,934</u>
TOTAL ALLOCATION SECTION 2	<u>\$(2,931,445)</u>	<u>\$3,377,253</u>	<u>\$6,629,453</u>

Sec. 3. Allocation. The following sums are allocated from the Highway Fund, for the fiscal years ending June 30, 1988, and June 30, 1989, in the Personal Serv-

ices line category, to the departments or programs listed, for approved reclassifications and range changes:

	<u>1987-88</u>	<u>1988-89</u>
PUBLIC SAFETY, DEPARTMENT OF		
State Police	\$1,205	\$987
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration — Motor Vehicles	17,952	15,829
TRANSPORTATION, DEPARTMENT OF		
Administration and Planning	\$26,713	\$16,221
TOTAL ALLOCATION SECTION 3	<u>\$45,870</u>	<u>\$33,037</u>

Sec. 4. Legislative intent. It is the intent of the Legislature that the reclassifications and range changes represented by the allocation amounts identified in section 3 shall be considered effective upon approval of this Act and that fiscal year 1987 resources previously identified as available to supplement these amounts shall not lapse, but remain available, for this purpose until June 30, 1988.

Sec. 5. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor, to specifically cover those adjustments determined to be necessary under any salary plan approved by the Legislature, and those reclassifications or range changes which have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

Sec. 6. Encumbered balances at year end. At the end of each fiscal year, all encumbered balances shall not be carried more than once.

Sec. 7. Authorization of the lease with option to purchase or lease-purchase of highway maintenance equipment and motor vehicles. Approval, as required by the Maine Revised Statutes, Title 5, section 1587, is given to the Department of Transportation, Motor Transport Service, to enter into lease with option to purchase or lease-purchase financing arrangements for highway maintenance equipment and motor vehicles, with an outright purchase price not to exceed \$12,500,000. The department and its agencies shall finance the cost with "All Other" funds within their regular budgets.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1987.

Effective July 1, 1987.

CHAPTER 349

H.P. 1364 — L.D. 1867