

# 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.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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stages and shall be completed on or before July 1, 1988. The Joint Standing Committee on Appropriations and Financial Affairs shall review the Maine Vocational-Technical Institute's transition implementation.

**Sec. 9. Carry forward.** The General Fund appropriations for the Maine Vocational-Technical Institute System and individual vocational-technical institutes shall carry forward to fiscal years 1988 and 1989 to be used for the same purposes.

**Sec. 10. Study.** The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs shall conduct a study to evaluate and determine the cost of implementing the administrative structure of the vocational-technical institute system as a body corporate and politic and a public instrumentality of the State. This study shall include financial and personnel administration. In addition, this study shall evaluate the cost of implementing the administrative structure proposed by the board of trustees following their review of the system.

The committee shall organize a subcommittee to investigate these issues.

The committee members shall receive the legislative per diem rate, as defined in the Maine Revised Statutes, Title 3, section 2. Members shall be reimbursed for expenses upon application to the Executive Director of the Legislative Council.

The committee shall issue a report together with any proposed legislation to the Second Regular Session of the 113th Legislature by February 1, 1988.

**Sec. 11. Funding for fire training and education.** It is the intent of the Legislature that \$123,033 of the funds appropriated to the Board of Trustees of the Maine Vocational-Technical Institute System in fiscal year 1987-88 shall be used for fire training and education.

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

Effective June 30, 1987.

**CHAPTER 533**

S.P. 537 — L.D. 1623

**AN ACT Making Allocations for the Expenditure of Funds Received by the State as a Result of a Federal Court Order in the Stripper Well Overcharge Case.**

**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 will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of certain state departments 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:

**Sec. 1. 10 MRSA §962, sub-§2-A is enacted to read:**

2-A. Interest subsidies; grants. Provide interest rate subsidies on commercial loans or grants to businesses and nonprofit organizations;

**Sec. 2. Establishment of fund.** There is established the "Stripper Well Fund" within the Office of Energy Resources. Any funds received by the State from the Federal Government relating to the Stripper Well Oil Overcharge case shall be deposited to the fund. Interest accruing on these funds shall be deposited to the fund to be used for the same purposes.

**Sec. 3. Allocations.** There is allocated from the Stripper Well Fund for fiscal years ending June 30, 1988, and June 30, 1989, to the departments listed, the following sums:

	1987-88	1988-89
<u>ADMINISTRATION, DEPARTMENT OF</u>		
Bureau of Public Improvements Capital Construction, Repair and Improvements Program		
All Other	\$ 455,000	
Provides funds to be used for those projects concerning energy conservation and weatherization repairs to state buildings that are the highest priority on the list of projects submitted to the Joint Standing Committee on Appropriations and Financial Affairs.		
<u>DEPARTMENT OF ADMINISTRATION</u>		
TOTAL		\$ 455,000
<u>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</u>		
Bureau of Oil and Hazardous Materials Control		
Positions	(2)	(2)
Personal Services	\$ 60,000	\$ 60,000
Provides funds for one Senior Geologist to determine the extent of ground water contamination caused by underground storage tanks which have leaked. Also provides funds for one Environmental		

Specialist III to supervise the Under-ground Storage Tank Removal Program.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
TOTAL \$ 60,000 \$ 60,000

EXECUTIVE DEPARTMENT

Office of Energy Resources  
Energy Extension Service

All Other \$ 350,000

Provides funds to continue the Energy Extension Service Outreach Program for 2 years, by offering direct assistance to small businesses, homeowners and organizations in methods of energy conservation.

Schools and Hospitals

All Other 300,000

Provides funds for grants to schools and hospitals qualified under the federal "Institutional Conservation Program" of which a portion is to be allocated to qualified state-owned schools and hospitals.

Weatherization Rebates

All Other 750,000

Provides funds for a demonstration program to reimburse homeowners for 50% of the cost of the weatherization materials. Any homeowner who received a weatherization rebate under Public Law 1985, chapter 818, shall not be eligible under this program. No single household may receive more than \$200 in assistance from this program.

Division of Community Services  
Low-income Home Energy Assistance

All Other 200,000

Provides funds to be used in the Central Heating Improvement Program (CHIP) for grants to repair or replace dangerous, inefficient or inoperative heating systems for eligible low-income households.

Energy and Weatherization

All Other \$ 75,000

Provides funds to be used to support weatherization projects in Piscataquis and Penobscot Counties through Penquis CAP.

State Planning Office

All Other 50,000

Provides funds for Maine's share of the funding for a New England Governors' Conference 3-year study of the region's electric power needs, including the assurance of cost-effective electricity supplies, transmission-related issues, conservation, load management and cogeneration options and NEPOOL rules and utility interaction.

EXECUTIVE DEPARTMENT  
TOTAL \$1,650,000 \$ 75,000

FINANCE AUTHORITY OF MAINE

Commercial and Governmental Under-ground Tank Removal and Replacement Program

All Other \$1,000,000

Provides interest rate subsidies to businesses and local units of government to remove and replace leaking underground oil storage tanks. Tanks must be integral parts of building heating systems. Priority shall be given to those underground oil storage tanks identified by the Department of Environmental Protection as posing an immediate environmental threat. Any use of these funds for replacement purposes should be limited, where practical and feasible, to above-ground tanks. The Finance Authority of Maine and the Department of Environmental Protection shall promote this program using available resources.

FINANCE AUTHORITY OF MAINE  
TOTAL \$1,000,000

MAINE STATE HOUSING AUTHORITY

Residential Underground Tank Removal and Replacement Program

All Other \$2,500,000

Provides \$1,500,000 for grants to be made exclusively to persons whose gross family income does not exceed 150% of the state poverty income standard for a family of 4 to remove leaking underground oil storage tanks. Tanks must be integral parts of building heating systems. Any funds remaining for this purpose 12 months after the effective date of this Act may be used for grants or interest rate subsidies regardless of income.

It also provides \$1,000,000 for interest rate subsidies or grants to homeowners seeking to remove leaking underground oil storage tanks. Tanks must be integral parts of building heating systems.

Priority in both categories shall be given to those underground oil storage tanks identified by the Department of Environmental Protection as posing an immediate environmental threat. Any use of these funds for replacement purposes should be limited, where practical and feasible, to above-ground tanks. The Maine State Housing Authority and the Department of Protection shall promote this program using available resources.

MAINE STATE HOUSING AUTHORITY  
TOTAL \$2,500,000

HUMAN SERVICES, DEPARTMENT OF

Bureau of Maine's Elderly

All Other \$500,000

Provides funds to be distributed through the various area agencies for aging to those elderly persons needing weatherization assistance whose household income is \$13,400 or less per year. The bureau shall develop a simple form for self-declaration of income. This demonstration program shall reimburse homeowners for 50% of the cost of weatherization materials. No single household may receive more than \$500 in assistance from this program and the area agencies may contract with local groups to provide service.

Bureau of Maine's Elderly

Elder Ride Share Pilot Program

All Other \$ 50,000

Provides funds to develop an Elder Ride Share Pilot Program. This pilot program will provide funds, not to exceed \$30 a month per individual, for gasoline to volunteer elder drivers who provide transportation to other seniors for services such as shopping, church, medical appointments, meal sites and other trips necessary to maintain independence.

DEPARTMENT OF HUMAN SERVICES		
TOTAL	\$ 550,000	_____
TOTAL APPROPRIATIONS	\$6,215,000	\$ 135,000

**Sec. 4. Allowance for state administration purposes.** An allowance for the use of funds allotted in this Act, not to exceed 5% of the funds allocated to each agency, shall be available to each of the agencies funded under this Act.

**Sec. 5. Unexpended balances carried forward.** Any unexpended balances of allocations made from this fund on June 30, 1988, shall not lapse, but shall carry through June 30, 1989, to be used for the same purposes. The Governor, through the Office of Energy Resources, shall report annually to the Legislature, beginning on December 1, 1987, as to the progress on the expenditures of funds and to recommendations for the reallocation of funds.

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

Effective June 30, 1987.

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## CHAPTER 534

H.P. 1324 — L.D. 1808

**AN ACT to Create the Department of Economic and Community Development, to Establish Consistency among Economic Development Laws and to Establish a Capital Budgeting and Planning Process.**

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

### PART A

**Sec. 1. 2 MRSA §6, sub-§1, as amended by PL 1985, c. 785, Pt. A, §1, is further amended to read:**

1. Range 91. The salaries of the following state officials and employees shall be within salary range 91:

- Commissioner of Transportation;
- Commissioner of Conservation;
- ~~Director of State Development Office;~~
- Commissioner of Finance;
- Commissioner of Administration;
- Commissioner of Educational and Cultural Services;
- Commissioner of Environmental Protection;
- Commissioner of Human Services;
- Commissioner of Mental Health and Mental Retardation;
- Commissioner of Public Safety;
- Commissioner of ~~Business Occupational and Professional and Financial~~ Regulation;
- Commissioner of Labor;
- Commissioner of Agriculture, Food and Rural Resources;
- Commissioner of Inland Fisheries and Wildlife;
- Commissioner of Marine Resources; ~~and~~
- Commissioner of Corrections; and
- Commissioner of Economic and Community Development.

**Sec. 2. 3 MRSA §507-B, sub-§9, as enacted by PL 1985, c. 737, Pt. A, §11, and c. 763, Pt. A, §8, is repealed.**

**Sec. 3. 3 MRSA §507-B, sub-§9-A is enacted to read:**

9-A. Agencies scheduled for termination on June 30, 1985. Pursuant to section 507, subsection 6, paragraph B, the following agencies scheduled for termination on June 30, 1985, are continued or modified by an Act of the Legislature passed prior to June 30, 1985:

- A. Public Utilities Commission;