

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

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

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

Sec. 1. 32 MRSA §3271, sub-§1, ¶B, as enacted by PL 1983, c. 741, §1, is amended to read:

B. Graduate from an unaccredited medical school, be evaluated by the Educational Commission for Foreign Medical Graduates ~~subsequent to July 1, 1984~~, and receive a permanent certificate from the Educational Commission for Foreign Graduates ~~subsequent to July 1, 1984~~; or

Sec. 2. 32 MRSA §3271, sub-§2, as amended by PL 1985, c. 542, is further amended to read:

2. Postgraduate training. Each applicant who has graduated from an accredited medical school on or after January 1, 1970 is required to have satisfactorily completed at least 24 months in a graduate educational program approved by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Each applicant who has graduated from an accredited medical school prior to January 1, 1970, is required to have satisfactorily completed at least 12 months in a graduate educational program approved by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Each applicant who has graduated from an unaccredited medical school is required to have satisfactorily completed at least 36 months in a graduate educational program approved by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada or approved by an accrediting body which the board considers an equivalent of the accrediting bodies. Notwithstanding this subsection, any applicant who is board certified in family practice and who graduated prior to July 1, 1974, is board certifiable, board certified or board eligible in emergency medicine and who graduated prior to July 1, 1982, shall be deemed to meet the postgraduate training requirements of this subsection.

Sec. 3. 32 MRSA §3271, sub-§3, as enacted by PL 1983, c. 741, §1, is amended to read:

3. Examination. Each applicant shall achieve a passing score on each component of the uniform examination of the Federation of State Medical Boards or such examinations designated by the board as the qualifying examination or examinations for licensure. Each applicant shall additionally be required to achieve a passing score on a State of Maine examination administered by the board.

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

Effective February 10, 1989.

CHAPTER 6

H.P. 305 - L.D. 419

An Act to Delay the Effective Date of the Recodification of County and Municipal Laws

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

Whereas, the recodification of the county and municipal laws will take effect on March 1, 1989; and

Whereas, the recodification does not include many provisions which were enacted in the past year; and

Whereas, if the recodification is allowed to take effect without the necessary corrections, it would inadvertently repeal many new laws and make other unintended substantive changes in law; and

Whereas, legislation is pending which will make the necessary changes to the recodification but which requires further review by the Legislature; 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:

PL 1987, c. 737, Part C, §106 is amended to read:

Sec. 106. Effective date. This Act shall take effect on ~~March 1~~ April 15, 1989.

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

Effective March 1, 1989.

CHAPTER 7

H.P. 26 - L.D. 24

An Act Making Additional Appropriations from the General Fund and Allocations from Other Funds for the Expenditures of State Government for the Fiscal Year Ending 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 prior to July 1, 1989; 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

Additional appropriations from the General Fund. There are appropriated from the General Fund for the fiscal year ending June 30, 1989 to the departments listed, the following sums:

1988-89

ATTORNEY GENERAL, DEPARTMENT OF Administration - Attorney General

Positions (1)
Personal Services \$7,500

Provides funds for an Assistant Attorney General to be assigned to the Department of Mental Health and Mental Retardation.

DEPARTMENT OF ATTORNEY GENERAL TOTAL \$7,500

AUDIT, DEPARTMENT OF

Audit - Departmental Bureau

All Other \$15,000

Provides funds to move the Department of Audit into leased space in the Key Plaza Building.

DEPARTMENT OF AUDIT TOTAL \$15,000

CONSERVATION, DEPARTMENT OF

Engineering and Realty

Personal Services \$1,214

Provides funds for the upgrade of an Engineering Technician III to an Assistant Engineer.

Parks - General Operations

All Other \$49,700

Provides funds for workers' compensation payments in excess of budget dollars.

Geographic Information System

Personal Services \$1,000

Provides funds to establish the Executive Director at range 30, as approved by the Bureau of Human Resources.

DEPARTMENT OF CONSERVATION TOTAL \$51,914

CORRECTIONS, DEPARTMENT OF

Probation and Parole

Personal Services \$75,458

Provides funds for employee health insurance, dental insurance and health care program.

Probation and Parole

All Other \$97,148

Provides funds for payment of a workers' compensation award and additional operating costs.

Parole Board

Personal Services \$729

Provides funds for employee health insurance, dental insurance and health care program.

Administration - Corrections

Personal Services \$14,608

Provides funds for employee health insurance, dental insurance and health care program.

Youth Center - Maine

Personal Services \$176,995

Provides funds for employee health insurance, dental insurance and health care program.

Youth Center - Maine

All Other \$138,500

Provides funds for additional operating costs relating to medical bills, workers' compensation, utility and other operating expenditures.

Food - Maine Youth Center

All Other \$56,200

Provides funds for increased food expenditures.

Charleston Correctional Facility

Personal Services \$55,776

Provides funds for employee health insurance, dental insurance and health care program.

Charleston Correctional Facility

Personal Services \$129,750
All Other 66,858

TOTAL \$196,608

Provides funds for additional personal services costs and additional operating costs relating to medical services, workers' compensation and supplies.

Correction Center

Personal Services \$151,503

Provides funds for health insurance, dental insurance and health care program.

Correctional Center

Personal Services \$225,000
All Other 162,850

TOTAL \$387,850

Provides funds for additional personal service costs and medical services costs.

Central Maine Pre-Release Center

Personal Services \$12,746

Provides funds for employee health insurance, dental insurance and health care program.

Central Maine Pre-Release Center

Personal Services \$45,000

Provides funds for additional personal services costs.

Food-Maine Correctional Center

All Other \$70,000

Provides funds for increased food expenditures.

Downeast Correctional Facility

Personal Services \$41,516

Provides funds for employee health insurance, dental insurance and health care program.

Downeast Correctional Facility

Personal Services \$94,300
All Other 79,050

TOTAL \$173,350

Provides funds for additional personal services costs and additional operating costs for emergency medical care, emergency repairs and client treatment and supplies.

State Prison

Personal Services \$208,824

Provides funds for health insurance, dental insurance and health care program.

State Prison

Personal Services \$657,000
All Other 389,225

TOTAL \$1,046,225

Provides funds for additional personal services and additional operating costs related to medical and treatment services and workers' compensation.

Correctional Center

All Other \$7,600

Provides funds for attorney fees for Dennis Deabler vs. Maine Correctional Center as ordered by the Workers' Compensation Commission.

Bangor Pre-Release Center

Personal Services \$15,334

Provides funds for employee health insurance, dental insurance and health care program.

Bangor Pre-Release Center

Personal Services \$48,000
All Other 6,500

TOTAL \$54,500

Provides funds for additional personal services costs and additional operational costs.

DEPARTMENT OF CORRECTIONS
 TOTAL \$3,026,470

DEFENSE AND VETERANS' SERVICES,
 DEPARTMENT OF

Capital Construction, Repairs, Improvements -
 Defense and Veterans

Capital Expenditures \$125,000

Provides funds for repairs to the Augusta
 Armory roof and for other "emergency"
 repairs.

Bureau of Veterans' Services

All Other \$103,000

Provides funds for workers' compensation
 obligations.

Veterans' Memorial Cemetery

Personal Services \$763

Provides funds for reclassification of
 Cemetery Superintendent position from
 range 19 to range 21.

Bureau of Veterans' Services

All Other \$25,000

Provides funds for the Veterans' Financial
 Assistance Program due to increased caseload.

Military Training and Operations

All Other \$27,951

Provides funds for payment of general liability
 tort claims for the period November 11, 1988
 to November 1, 1989.

DEPARTMENT OF DEFENSE AND VETERANS'
 SERVICES
 TOTAL \$281,714

MAINE DEVELOPMENT FOUNDATION

Development Foundation

All Other \$125,000

Provides funds for the Maine Aspirations
 Compact - Summer Enrichment Program,
 which is designed to increase the learning
 and work skills, career awareness and self-
 image of 37 high school students. These
 funds shall not lapse but shall carry until
 June 30, 1990 to be used for the same purpose.
 Efforts will be taken by all parties involved
 in the program to rotate the counties
 participating in this program every 2 years.

MAINE DEVELOPMENT FOUNDATION
 TOTAL \$125,000

ECONOMIC AND COMMUNITY DEVELOPMENT,
 DEPARTMENT OF

Comprehensive Land Use Planning

All Other \$80,000
 Capital Expenditures (80,000)

Transfers funds from Capital Expenditures to
 All Other to cover rental fees for additional office
 space at the Capitol Street, Augusta, location.

DEPARTMENT OF ECONOMIC AND
 COMMUNITY DEVELOPMENT
 TOTAL \$ -0-

EDUCATIONAL AND CULTURAL SERVICES,
 DEPARTMENT OF

Administration - Education

All Other \$10,000

Provides funds for meetings with school
 administrative units regarding school
 improvement initiatives.

Teacher Retirement

All Other \$385,835

Provides funds for reimbursement of
 retirement contributions for Maine Indian
 education teachers.

Governor Baxter School for the Deaf

Capital Expenditures \$14,000

Provides funds for the replacement of a
 4-door passenger vehicle at Governor
 Baxter School for the Deaf. The vehicle
 was inoperable, did not meet state inspec-
 tion requirements and was deemed unrepair-
 able. No contingency or budgeted funds
 exist for this purpose.

General Purpose Aid for Local Schools

All Other (\$500,000)

Provides for the deappropriation of funds
 not needed for the original purpose.

Transportation Program - Local Schools

All Other \$35,600

Provides funds in the settlement of a discrimina-
 tion suit against the State, Eddie Jackson vs.
State of Maine, awarded by the Superior Court.

Administrative Services - Education

All Other \$2,115

Provides funds for payment of dues increase for the Council of Chief State School Officers.

State Board of Education

All Other \$5,000

Provides funds for additional cost of State Board of Education activities.

Special Education - Exceptional Children

All Other \$35,000

Provides funds to continue the Summer Humanities Program for the summer of 1989.

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES

TOTAL (\$12,450)

EXECUTIVE DEPARTMENT

Administration - Community Services

All Other \$175,000

Provides funds for pending litigation against Penquis Community Action Program Board of Directors. Any funds recovered as a result of the litigation shall be deposited in the General Fund.

State Planning Office

Personal Services \$6,175

Provides funds for proposed re-classification and range change of a Research Technician to a Planner II.

EXECUTIVE DEPARTMENT

TOTAL \$181,175

FINANCE, DEPARTMENT OF

Bureau of Taxation

All Other \$292,102

Provides funds for increased utilization of data processing for tax collection programs; increased postage for tax forms and information mailings; and maintenance costs on computer software.

Bureau of Taxation

All Other \$25,000
Capital Expenditures 25,000

TOTAL \$50,000

Provides funds to support additional data processing needs for income tax.

Bureau of Taxation

Capital Expenditures \$45,000

Provides funds for the replacement of word processing support capabilities formerly provided by the Department of the Attorney General, but no longer available.

Bureau of Accounts and Control

All Other \$85,300

Provides funds for the rental and maintenance of equipment necessary for the processing, filing and retrieval system of paid invoices. Provides for payment of workers' compensation claims.

Bureau of Accounts and Control

Personal Services \$13,394
All Other 25,000

TOTAL \$38,394

Provides funds for 3 limited-period positions, 2 Data Entry Operators and one Clerk III, and professional services.

Individual Income Tax Surplus Return Fund Program

All Other (\$1,055,000)

Deappropriates funds no longer needed for the program.

Bureau of the Budget

All Other \$30,000

Provides funds for increased data processing charges due primarily to the MSA personnel system.

Tax Rebate Program - 1987

Personal Services \$50,000
All Other 54,404

TOTAL \$104,404

Provides funds for administrative costs for the 1987 partial rebate of individual income tax program. Offsetting funds are available in surplus.

Unorganized Territory, Education and Services Fund - Finance

All Other \$700,000

Provides funds to offset municipal cost component assessments to the unorganized territories in recognition of the State's obligation for payment of the employer's share of teacher retirement costs. This amount covers past years' payments which were assessed in error. This action provides treatment of an equitable nature to that provided for Maine Indian education teachers elsewhere in this Act.

DEPARTMENT OF FINANCE
TOTAL \$290,200

GOVERNMENTAL ETHICS AND ELECTIONS PRACTICES, COMMISSION ON
All Other \$4,525
Provides additional operating funds.

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
TOTAL \$4,525

MAINE HUMAN RIGHTS COMMISSION
Human Rights Commission - Regulation
Personal Services \$4,064
Provides funds for a Staff Attorney who was hired at Step B.

Human Rights Commission - Regulation
Positions (1)
Personal Services \$15,520
Provides funds to move an existing federally-funded position to the General Fund due to a reduction in federal funds received.

MAINE HUMAN RIGHTS COMMISSION
TOTAL \$19,584

HUMAN SERVICES, DEPARTMENT OF
Child Welfare Services
All Other \$600,000
Provides funds required due to the lack of timely payments of bills by the Federal Government. Payments received will be deposited in the General Fund undedicated revenue.

Aid to Families with Dependent Children - Foster Care
All Other \$400,000
Provides funds required due to the lack of timely payments of bills by the Federal Government. Payments received will be deposited in the General Fund undedicated revenue.

Medical Care Administration
Personal Services \$15,854
Provides funds for a limited-period Comprehensive Health Planner II position for performing Medicaid education, marketing and enrollment functions under the Maine Managed Care Insurance Demonstration Project.

Bureau of Rehabilitation - Vocational Rehabilitation
All Other \$240,000

Provides funds for a 20% match of federal funds in order to receive the full federal allotment for the Vocational Rehabilitation "110" Program.

Medical Care Administration
All Other \$260,000
Provides funds for increased charges billed to the Department of Human Services by Central Computer Services.

Bureau of Rehabilitation - Vocational Rehabilitation
All Other \$25,340
Provides funds to the In-home and Community Support Services for Adults with Long-term Care Needs Program to continue program services at the level provided on February 14, 1989, until the agency ensures appropriate arrangements for all program participants as of that date, either through the use of existing program resources in a more efficient manner, such as vouchers or other modes of program delivery, or appropriate alternative resources.

Miscellaneous Acts and Resolves - Human Services
All Other \$175,000
Provides a one-time direct grant payment to the Northern Maine Medical Center to cover start-up costs for the psychiatric care demonstration project authorized in Public Law 1987, chapter 835. The Northern Maine Medical Center shall return to the General Fund any reimbursement for start-up costs received from 3rd-party payors and any portion of this appropriation not needed for start-up expenses.

State Supplement to Federal Supplemental Security Income
All Other (\$1,400,000)
Deappropriates funds not required due to a balance carried forward from fiscal year 1987-88 and lower-than-anticipated reimbursement to boarding homes. The Commissioner of Human Services shall transfer \$150,563 from this account to the Bureau of Health, in accordance with the Maine Revised Statutes, Title 5, section 1585, in order to cover unauthorized expenditures in the Bureau of Health.

Aid to Families with Dependent Children

All Other (\$1,500,000)

Deappropriates funds not required due to increased child support collections, federal incentive payments and a balance forwarded from fiscal year 1987-88.

Intermediate Care - Payments to Providers

All Other (\$1,600,000)

Deappropriates funds not required due to the recapture of depreciation from nursing home sales and a balance forwarded from fiscal year 1987-88.

Child Welfare Services

All Other \$80,000

Provides funds for out-of-state placement for children in need.

Aid to Families with Dependent Children

All Other (\$80,000)

Deappropriates funds not needed due to the increase in child support payment collections.

**DEPARTMENT OF HUMAN SERVICES
TOTAL**

(\$2,783,806)

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

Office of the Commissioner

All Other \$4,000

Provides funds to tear down the former residence building at the Enfield fish hatchery and for improvements to the grounds at that facility. These funds shall carry forward to June 30, 1990.

**DEPARTMENT OF INLAND FISHERIES AND
WILDLIFE
TOTAL**

\$4,000

JUDICIAL DEPARTMENT

**Courts - Supreme, Superior, District and
Administrative**

Personal Services \$300,000

Provides funds for increases in overtime and inflationary increases in health insurance, employee Medicare and other costs.

Indigent Defense

All Other (\$1,000,000)

Deappropriates funds which are not required.

**Courts - Supreme, Superior, District and
Administrative**

All Other \$1,000,000

Provides funds to meet increased costs of operations.

**JUDICIAL DEPARTMENT
TOTAL**

\$300,000

LABOR, DEPARTMENT OF

Administration - Labor

Personal Services \$9,997
All Other 10,596

Provides funds for the General Fund portion of the expenses of the office of the commissioner.

**DEPARTMENT OF LABOR
TOTAL**

\$20,593

LEGISLATURE

Legislature

Positions (12)
Personal Services \$1,312,872
All Other 762,500
Capital Expenditures 229,000

Provides funds for legislative operations.

**LEGISLATURE
TOTAL**

\$2,304,372

MAINE MARITIME ACADEMY

Maritime Academy - Operations

All Other \$50,000

Provides funds to assist in the mitigation of effects of recent increases in medical insurance costs.

**MAINE MARITIME ACADEMY
TOTAL**

\$50,000

MARINE RESOURCES, DEPARTMENT OF

**Capital Construction, Repairs, Improvements -
Marine Resources**

Capital Expenditures \$200,000

Provides funds for Occupational Safety and Health Association mandated laboratory renovations.

**DEPARTMENT OF MARINE RESOURCES
TOTAL**

\$200,000

**MENTAL HEALTH AND MENTAL RETARDATION,
DEPARTMENT OF**

Pineland Center

Positions (15)
 Personal Services \$310,000

Provides funds for costs associated with retaining 15 of 25 Mental Health Worker I positions originally scheduled to be abolished in June 1989.

Pineland Center

All Other \$730,271

Provides funds to alleviate workers' compensation deficit for fiscal year 1988-89 and to impact on reducing workers' compensation future liabilities by a lump sum settlement for 2 long-standing workers' compensation claims.

Bangor Mental Health Institute

All Other \$587,341
 Capital Expenditures 30,000

TOTAL \$617,341

Provides funds to cover workers' compensation and patient medical expenses as well as laboratory equipment to comply with Joint Commission on Accreditation of Hospital Organizations standards.

Mental Health Services - Community

All Other \$8,500

Provides funds to cover Medicaid state share increase from 32.92% to 33.32% as of October 1, 1988.

Administration - Mental Health and Mental Retardation

All Other \$56,704

Provides funds for unanticipated operating expenses and contracted funds to process presentence evaluations as performed by the State Forensic Service.

Food for Institutions - Mental Health and Mental Retardation

All Other \$75,000

Provides funds for an increase in available resources to meet an increase in costs primarily attributable to a significant upgrade in the quality of delivery of meals served.

Fuel for Institutions - Mental Health and Mental Retardation

All Other \$75,000

Provides funds for the department's central fuel account to meet a predicted shortfall in the current year.

Mental Health Services - Children

All Other \$2,500

Provides funds for increased state share of Medicaid seed.

Elizabeth Levinson Center

All Other \$44,000

Provides funds for workers' compensation claims and purchase of medical supplies and nutritional supplements.

Military and Naval Children's Home

All Other \$19,600

Provides funds for workers' compensation costs.

Military and Naval Children's Home

Positions (6)
 Personal Services \$19,592
 All Other 2,000
 Capital Expenditures 75,000

TOTAL \$96,592

Provides funds for preadolescent wing at the Military and Naval Children's Home.

Augusta Mental Health Institute

All Other \$291,676

Provides funds for additional operating expenses.

Augusta Mental Health Institute

Positions (81)
 Personal Services \$449,291
 All Other 22,465
 Capital Expenditures 60,000

TOTAL \$531,756

Provides funds to address health and safety issues, to improve direct patient care, to monitor patient activities and maintain patient charts and records. Includes funding for the following positions: one Central Supply Technician; 3 Clerk Typist II's; 7 Hospital Ward Clerks; 4 Custodial Worker I's; one Personnel Assistant; 4.5 Food Service Workers; one Lab Technician II; 17 Mental Health Worker I's; 7 Mental Health Worker II's; 6 Mental Health Worker III's; one Mental Health Worker IV; one Licensed Practical Nurse; 9 Nurse II's; 3 Nurse III's; 3 Physician Assistants; 2.5 Psychiatric Social Worker II's; one Occupational Therapist I; one

Occupational Therapy Aide; one Recreational Therapist; 2 Recreational Therapy Aides; one Physical Therapist I; 2 Physician III's; and 2 Psychologist III's.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

TOTAL \$2,858,940

PUBLIC SAFETY, DEPARTMENT OF

State Police

All Other \$11,140

Provides funds for 25% General Fund share of increased cost of gasoline.

Bureau of Capitol Security

Personal Services \$3,570

Provides funds for increased cost of health and dental insurance.

Liquor Enforcement

Personal Services \$14,039

Provides funds for increased cost of health and dental insurance.

Criminal Justice Academy

Personal Services \$7,881

Provides funds for increased cost of health and dental insurance.

Administration - Public Safety

Personal Services \$3,131

Provides funds for increased cost of health and dental insurance.

Drug Unit - State Police

Personal Services \$1,465

Provides funds for increased cost of health and dental insurance.

State Police

Personal Services \$59,960

Provides funds for 25% of General Fund share of increased cost of health and dental insurance.

State Police

Personal Services \$12,298

Provides funds for overtime costs related to the International Paper Company strike in Jay.

State Police

Personal Services \$692

Provides funds for the reclassification from a Clerk Typist II to an Identifier Specialist I and from a Fingerprint Classifier II to an Identifier Specialist II.

DEPARTMENT OF PUBLIC SAFETY

TOTAL \$114,176

SECRETARY OF STATE, DEPARTMENT OF THE

Administration - Secretary of State

Positions (3)
 Personal Services \$96,265
 All Other 173,421
 Capital Expenditures 21,240

TOTAL \$290,926

Provides funds for the Bureau of Public Administration. Personal Services includes funding for a Finance Administrator, Research Associate II and an Administrative Assistant; paid overtime; and 9 project positions to assist in corporations backlog, Uniform Commercial Code and general office filing.

DEPARTMENT OF THE SECRETARY OF STATE

TOTAL \$290,926

TRANSPORTATION, DEPARTMENT OF

State Plane

All Other \$13,000

Provides funds required because of additional use of the state plane. A like amount will be generated for General Fund undedicated revenue.

DEPARTMENT OF TRANSPORTATION

TOTAL \$13,000

MAINE COMMISSION FOR WOMEN

Women - Maine Commission for

Capital Expenditures \$2,500

Provides funds for the purchase of an upgraded computer system with hard drive and sufficient memory to meet clerical and budgetary needs.

Women - Maine Commission for

All Other \$2,485

Provides funds to meet increased costs for commission travel.

Women - Maine Commission for

PART B

All Other \$1,000

Provides funds for increased printing and postage costs of publishing quarterly newsletter "Inform" and upgrading of the mailing list.

MAINE COMMISSION FOR WOMEN TOTAL \$5,985

WORKERS' COMPENSATION COMMISSION

Workers' Compensation Commission

All Other \$10,077

Provides funds for additional cost of rent in the Lewiston district office due to an increase in square footage, as well as the Portland and Augusta regional offices, and for a hearing room in the Brunswick area.

Workers' Compensation Commission

All Other \$1,045
Capital Expenditures 6,173

TOTAL \$7,218

Provides funds for increasing the capacity of the commission's open shelf, terminal digit, color-coded filing system.

Workers' Compensation Commission

Positions (1)
Personal Services \$5,746
All Other 2,862
Capital Expenditures 3,891

TOTAL \$12,499

Provides funds for a Product Support Specialist to train employees in the use of the commission's computer system.

Workers' Compensation Commission

Positions (2)
Personal Services \$9,120
All Other 2,000
Capital Expenditures 3,850

TOTAL \$14,970

Provides funds for 2 Clerk Typist II positions, one for the Portland regional office and one for the Lewiston regional office.

WORKERS' COMPENSATION COMMISSION TOTAL \$44,764

TOTAL APPROPRIATIONS PART A \$7,413,582

Sec. 1. Appropriations. There are appropriated from the General Fund for the fiscal year ending June 30, 1989 to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1988-89

ADMINISTRATION, DEPARTMENT OF

Public Improvements - Planning and Construction - Administration

Personal Services \$884

Buildings and Grounds Operations

Personal Services \$2,163

DEPARTMENT OF ADMINISTRATION

TOTAL \$3,047

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Marketing Services - Agriculture

Personal Services \$1,835

Agriculture Production

Personal Services \$4,250

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

TOTAL \$6,085

CONSERVATION, DEPARTMENT OF

Administrative Services - Conservation

Personal Services \$1,652

Insect and Disease Management

Personal Services \$1,972

Geological Survey

Personal Services \$2,593

Maine Land Use Regulation Commission

Personal Services \$8,115

Parks - General Operations

Personal Services \$1,974

DEPARTMENT OF CONSERVATION

TOTAL \$16,306

CORRECTIONS, DEPARTMENT OF

Charleston Correctional Facility

Personal Services \$5,142

Central Maine Pre-Release Center	
Personal Services	\$2,723
Downeast Correctional Facility	
Personal Services	\$5,717
State Prison	
Personal Services	\$13,042
DEPARTMENT OF CORRECTIONS	
TOTAL	<u>\$26,624</u>
EDUCATIONAL AND CULTURAL SERVICES,	
DEPARTMENT OF	
Finance - Education	
Personal Services	\$1,464
Governor Baxter School for the Deaf	
Personal Services	\$11,203
DEPARTMENT OF EDUCATIONAL AND CULTURAL	
SERVICES	
TOTAL	<u>\$12,667</u>
FINANCE, DEPARTMENT OF	
Bureau of Taxation	
Personal Services	\$1,920
DEPARTMENT OF FINANCE	
TOTAL	<u>\$1,920</u>
HUMAN SERVICES, DEPARTMENT OF	
Income Maintenance - Regional	
Personal Services	\$58,898
Bureau of Health	
Personal Services	\$6,452
Administration - Income Maintenance	
Personal Services	\$6,735
Administration - Social Services	
Personal Services	\$5,090
Bureau of Rehabilitation - Vocational	
Rehabilitation	
Personal Services	\$3,061
DEPARTMENT OF HUMAN SERVICES	
TOTAL	<u>\$80,236</u>
LABOR, DEPARTMENT OF	
Administration - Bureau of Labor Standards	
Personal Services	\$2,683

DEPARTMENT OF LABOR	
TOTAL	<u>\$2,683</u>
MENTAL HEALTH AND MENTAL RETARDATION,	
DEPARTMENT OF	
Augusta Mental Health Institute	
Personal Services	\$5,730
Bangor Mental Health Institute	
Personal Services	\$2,938
Pineland Center	
Personal Services	\$2,459
Elizabeth Levinson Center	
Personal Services	\$2,766
DEPARTMENT OF MENTAL HEALTH AND MENTAL	
RETARDATION	
TOTAL	<u>\$13,893</u>
PUBLIC SAFETY, DEPARTMENT OF	
State Police	
Personal Services	\$1,019
DEPARTMENT OF PUBLIC SAFETY	
TOTAL	<u>\$1,019</u>
WORKERS' COMPENSATION COMMISSION	
Personal Services	\$8,788
WORKERS' COMPENSATION COMMISSION	
TOTAL	<u>\$8,788</u>
TOTAL APPROPRIATIONS	<u>\$173,268</u>
Sec. 2. Allocations; Federal Expenditure Fund.	
There are allocated from the Federal Expenditure Fund for the fiscal year ending June 30, 1989, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.	
	1988-89
EDUCATIONAL AND CULTURAL SERVICES,	
DEPARTMENT OF	
Special Education - Exceptional Children	
Personal Services	\$2,561
Education of Children of Low-Income Families - Title I	
Personal Services	\$4,654
Arts - Sponsored Program	
Personal Services	\$9,351

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES
TOTAL \$16,566

HUMAN SERVICES, DEPARTMENT OF

Administration - Human Services

Personal Services \$3,651

Income Maintenance - Regional

Personal Services \$44,595

Bureau of Health

Personal Services \$1,564

Administration - Income Maintenance

Personal Services \$2,383

Bureau of Rehabilitation - Vocational Rehabilitation

Personal Services \$415

Division of Eye Care

Personal Services \$3,138

DEPARTMENT OF HUMAN SERVICES

TOTAL \$55,746

PUBLIC SAFETY, DEPARTMENT OF

Motor Carrier Safety

Personal Services \$1,298

DEPARTMENT OF PUBLIC SAFETY

TOTAL \$1,298

TOTAL ALLOCATIONS
SECTION 2

\$73,610

Sec. 3. Allocations; Other Special Revenue.

There are allocated from Other Special Revenue for the fiscal year ending June 30, 1989, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1988-89

INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF

Licensing Services - Inland Fisheries and Wildlife

Personal Services \$4,350

Enforcement Operations - Inland Fisheries and Wildlife

Personal Services \$2,187

DEPARTMENT OF INLAND FISHERIES
AND WILDLIFE

TOTAL \$6,537

LABOR, DEPARTMENT OF

Safety Education and Training Programs

Personal Services \$2,066

DEPARTMENT OF LABOR

TOTAL \$2,066

PUBLIC SAFETY, DEPARTMENT OF

Traffic Safety

Personal Services \$4,766

DEPARTMENT OF PUBLIC SAFETY

TOTAL \$4,766

TOTAL ALLOCATIONS
SECTION 3

\$13,369

Sec. 4. Allocation; Federal Block Grant funds.

There are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1989, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1988-89

HUMAN SERVICES, DEPARTMENT OF

Crippled Children Services

Personal Services \$2,721
All Other (2,721)

TOTAL \$ -0-

TOTAL ALLOCATIONS
SECTION 4

\$ -0-

Sec. 5. Allocations; Highway Fund. There are

allocated from the Highway Fund for the fiscal year ending June 30, 1989, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1988-89

PUBLIC SAFETY, DEPARTMENT OF

State Police

Personal Services \$16,828

DEPARTMENT OF PUBLIC SAFETY

TOTAL \$16,828

SECRETARY OF STATE, DEPARTMENT OF THE

Administration - Motor Vehicles

Personal Services \$19,868

DEPARTMENT OF THE SECRETARY OF STATE

TOTAL \$19,868

TRANSPORTATION, DEPARTMENT OF

Administration and Planning

Personal Services \$674

Traffic Service

Personal Services \$9,750

DEPARTMENT OF TRANSPORTATION

TOTAL \$10,424

TOTAL ALLOCATIONS SECTION 5

\$47,120

Sec. 6. Legislative intent. It is the intent of the Legislature that the reclassifications and range changes represented by the appropriation and allocation amounts identified in this Part shall be considered effective upon approval of this Act and that the resources provided herein, together with resources previously identified as available to supplement these amounts, shall not lapse but shall remain available for this purpose until June 30, 1990.

PART C

Allocation. There are allocated from the Federal Expenditure Fund for the fiscal year ending June 30, 1989, the following sums.

1988-89

DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF

Administration - Maine Emergency Management Agency

All Other \$1,900,000

Provides funds for anticipated additional requests for payments related to the spring 1987 flood disaster.

HUMAN SERVICES, DEPARTMENT OF

Medical Care Administration

All Other \$410,000

Provides matching funds for increased charges billed to the Department of Human Services by Central Computer Services.

Bureau of Rehabilitation - Vocational Rehabilitation

All Other \$960,000

Provides funds for the Vocational Rehabilitation "110" Program.

Aid to Families with Dependent Children - Foster Care

All Other \$800,000

Provides funds for the payment of invoices backlogged due to lack of timely payments of bills by the Federal Government.

DEPARTMENT OF HUMAN SERVICES

TOTAL \$2,170,000

TOTAL ALLOCATIONS

PART C \$4,070,000

PART D

Allocation. There are allocated from Other Special Revenue funds for the fiscal year ending June 30, 1989, the following sums.

1988-89

HUMAN SERVICES, DEPARTMENT OF

Bureau of Health

Capital Expenditures \$21,000

Allocates funds for a new high pressure "steam" boiler within the Department of Human Services, Bureau of Health, Public Health Laboratory. The existing boiler has ceased operating and is in desperate need of replacement; the boiler is central to the laboratory's daily functions.

Aid to Families with Dependent Children

All Other \$1,500,000

Allocates funds from child support collections and federal incentive payments to reduce the General Fund share of Aid to Families with Dependent Children as authorized in Public Law 1987, chapter 816.

Intermediate Care - Payments to Providers

All Other \$1,600,000

Allocates funds collected from the recapture of depreciation on the sale of nursing homes and from a balance forward. Funds will be used to reimburse providers of nursing home services.

DEPARTMENT OF HUMAN SERVICES

TOTAL \$3,121,000

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Sciences

All Other \$40,000
Capital Expenditures (40,000)

Reallocates funds from Capital Expenditures to All Other to cover charges for use of the vessel "ARGO MAINE" instead of purchasing a replacement vessel.

DEPARTMENT OF MARINE RESOURCES

TOTAL \$ -0-

TOTAL ALLOCATIONS,
PART D \$3,121,000

PART E

Allocation. There are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1989, the following sums.

	1988-89
COMMUNITY DEVELOPMENT BLOCK GRANT	
EXECUTIVE DEPARTMENT	
Planning Office	
All Other	\$10,000
Capital Expenditures	20,000
Reallocates available balance of funds, Community Development Block Grant indirect costs.	
COMMUNITY DEVELOPMENT BLOCK GRANT TOTAL	\$30,000

ALCOHOL AND DRUG TREATMENT BLOCK GRANT	
HUMAN SERVICES, DEPARTMENT OF	
Alcoholism and Drug Abuse Prevention - Human Services	
All Other	\$188,000
Allocates emergency funding for 8 programs.	
ALCOHOL AND DRUG TREATMENT BLOCK GRANT TOTAL	\$188,000

CRIMINAL JUSTICE BLOCK GRANT	
ATTORNEY GENERAL, DEPARTMENT OF THE	
District Attorney Salaries	
All Other	\$10,000
Capital Expenditures	70,000
Reallocates funds authorized by the Legislature in fiscal year 1988-89 that were not expended during that fiscal year.	
CRIMINAL JUSTICE BLOCK GRANT TOTAL	\$80,000
TOTAL ALLOCATIONS PART E	\$298,000

PART F

PL 1987, c. 882, §6, first sentence is amended to read:

The following funds are allocated from the ~~General Fund~~ Maine Nuclear Emergency Planning Fund to carry out the purposes of this Act:

PART G

P&SL 1987, c. 77, Pt. H, §1 is amended to read:

Sec. 1. Carrying clause. Any balances remaining from special accounts established by this Act shall not lapse, but shall be carried forward to June 30, ~~1989~~ 1991.

PART H

Transfer of funds available in General Fund bonds debt service account authorized. In order to meet additional costs of debt service, the Treasurer of State may transfer up to \$3,400,000 in addition to the total previously authorized for fiscal year 1988-89, from funds available in the General Fund bonds debt service account. No increase of appropriation is required.

PART I

Sec. 1. PL 1987, c. 816, Pt. A, §1, in that part designated "ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF" in the first part relating to Comprehensive Land Use Planning, in the next to the last sentence, is amended to read:

Also includes \$100,000 for consulting fees for model development and printing costs, \$10,000 for expenses of the Planning Advisory Board, ~~\$75,000~~ and \$175,000 to inventory critical fish and wildlife habitats and ~~\$100,000 for local enforcement salary reimbursements.~~

Sec. 2. PL 1987, c. 816, Pt. A, §1, in that part designated "ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF," in the part relating to Legal Defense Fund is amended to read:

Legal Defense Fund

All Other	100,000 <u>-0-</u>
Provides funds to assist towns in the enforcement and defense of land use ordinances. Use of the funds shall be targeted to cases with high potential to set precedents in Maine's growth management program.	

PART J

Additional appropriations from the General Fund. There are appropriated from the General Fund for the fiscal year ending June 30, 1989, the following sums.

1989-90

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Military and Naval Children's Home

Personal Services	\$30,000
Augusta Mental Health Institute	
Personal Services	\$500,000
Aroostook Residential Center	
Personal Services	\$20,000
Eltzabeth Levinson Center	
Personal Services	\$25,000
Administration - Mental Health and Mental Retardation	
Personal Services	(\$100,000)
Mental Health Services - Community	
Personal Services	(\$50,000)
Mental Health Services - Children	
Personal Services	(\$50,000)
Bangor Mental Health Institute	
Personal Services	(\$125,000)
Bureau of Mental Health Institute	
Personal Services	(\$250,000)
Adjusts personal services allotments to cover account deficits caused by non-recurring personal services expenditures.	
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION	
TOTAL	-0-

PART K

Sec. 1. Limited Period Position; telecommunications. The Division of Telecommunications, Office of Information Services, Department of Administration, is authorized to establish a limited period position for the remainder of the fiscal year for the planning, research and development of telecommunications networks for voice, data and video traffic critical to the needs of State Government.

Sec. 2. Allocation. The following funds are allocated from the Intergovernmental Telecommunication Fund for the fiscal year ending June 30, 1989.

1988-89

ADMINISTRATION, DEPARTMENT OF

**Division of Telecommunications
Office of Information Services**

Positions	(1)
Personal Services	\$14,264
All Other	(14,264)

DEPARTMENT OF ADMINISTRATION	-
TOTAL	\$ -0-

PART L

Study of renovation costs. The Commissioner of Administration, through the Bureau of Public Improvements, shall, in consultation with the Attorney General, make plans to renovate the 7th floor of the State Office Building, except for the space now occupied by the Public Advocate and the Maine Labor Relations Board, for the Department of Attorney General to complete the consolidation of that department. The commissioner and the Attorney General shall report their progress and submit a specific cost proposal to the Joint Standing Committee on Appropriations and Financial Affairs to be included in the supplemental budget for the biennium starting on July 1, 1989.

PART M

Transfer of funds available in the Bureau of State Employee Health Internal Services Fund. An amount of \$243,000, identified to pay for an expansion of dental insurance benefits, shall be transferred to the General Fund from the Bureau of State Employee Health Internal Services Fund.

PART N

Sec. 1. 22 MRSA §3474, sub-§2, ¶B, as amended by PL 1985, c. 644, §1, is further amended to read:

B. An advocacy agency conducting an investigation under chapter 961, United States Public Law 88-164, Title I, Part C or United States Public Law 99-319, except as provided in subsection 3, paragraph D;

Sec. 2. 22 MRSA §3474, sub-§3, ¶D, as enacted by PL 1985, c. 644, §3, is amended to read:

D. An advocacy agency conducting an investigation under chapter 961 ~~when a complaint has been received by the agency from or on behalf of~~ United States Public Law 88-164, Title I, Part C or United States Public Law 99-319, regarding a developmentally disabled person residing in a facility for the developmentally disabled or mentally ill person who is or who within the last 90 days was residing in a facility rendering care or treatment, when a complaint has been received by the agency or there is probable cause to believe that that individual has been subject to abuse or neglect, and that person does not have a legal guardian or the person is under public guardianship. The determination of what information and records are relevant to the investigation shall be made by agreement between the department and the agency.

Sec. 3. 34-B MRSA §1205, as amended by PL 1987, c. 744, §§13 to 15, is repealed and the following enacted in its place:

§1205. Office of Advocacy

1. Establishment. The Office of Advocacy is established within the department solely to investigate the claims and grievances of clients of the department, to investigate with the Department of Human Services, as appropriate, all allegations of adult and child abuse in state institutions and to advocate on behalf of clients for compliance by any institution, other facility or agency administered by the department with all laws, administrative rules and institutional and other policies relating to the rights and dignity of clients.

2. Chief advocate. A chief advocate shall direct and coordinate the program of the office.

A. The chief advocate shall report administratively to the commissioner and advise, consult with and inform the commissioner on the issues described in this section.

B. The chief advocate shall select other advocates needed to carry out the intent of this section who shall report only to the chief advocate.

C. Both the chief advocate and all other advocates shall be classified state employees.

3. Duties. The Office of Advocacy, through the chief advocate and the other advocates, shall:

A. Receive or refer complaints made by clients of the department and represent the interests of clients in any matter pertaining to the rights and dignity of clients;

B. Intercede on behalf of these clients with officials of the institutions, facilities and agencies administered by the department, except that the Office of Advocacy may refuse to take action on any complaint which it deems to be trivial or moot or for which there is clearly another remedy available;

C. Assist clients in any hearing or grievance proceeding of the department;

D. Refer clients to other agencies or entities for the purpose of advocating for the rights and dignity of these persons;

E. Act as an information source regarding the rights of all clients, keeping itself informed about all laws, administrative rules and institutional and other policies relating to the rights and dignity of the clients and about relevant legal decisions and other developments related to the field of mental health and mental retardation, both in this State and in other parts of the country;

F. Make and publish reports necessary to the performance of the duties described in this section. The chief advocate may report findings of the office to groups outside the department, such as legislative bodies, advisory committees, commissions, law en-

forcement agencies and the press, and may authorize the advocates in the Office of Advocacy to so communicate. At least annually, the chief advocate shall report both in person and in writing to the joint standing committee of the Legislature having jurisdiction over mental health and mental retardation; and

G. Negotiate joint working agreements with the Department of Human Services concerning procedures and respective responsibilities for conducting investigations in state institutions of allegations of abuse pursuant to the Child and Family Services and Child Protection Act, Title 22, chapter 1071.

4. Access to files and records. The Office of Advocacy, through the chief advocate and the other advocates, has access, limited only by the law, to the files, records and personnel of any institution, facility or agency administered by the department. All persons with knowledge about an incident related to client care, including client-to-client assault, staff-to-client assault, client-to-staff assault, excessive use of seclusion or mechanical or chemical restraint, incidents stemming from questionable psychiatric and medical practice or any other alleged abuse or neglect, shall immediately report the details of that incident to the Office of Advocacy. A copy of any incident report shall be provided to the Office of Advocacy by the person making the report.

5. Confidentiality. Requests for action shall be treated confidentially as follows.

A. Any client request for action by the office and all written records or accounts related to the request shall be confidential as to the identity of the client.

B. The records and accounts may be released only as provided by law.

6. Definition. For the purposes of this section, "client" means a person included in the definition of client under section 1001, subsection 2, and a person seeking or requesting services as a client.

7. Protection for advocates. Advocates may not be disciplined or sanctioned for any actions taken on behalf of clients.

8. Budget. When submitting any budget request to the Legislature, the department and the Governor shall provide that any funds for the Office of Advocacy be listed in a separate account.

Sec. 3. 34-B MRSA §1207, sub-§1, ¶B, as amended by PL 1983, c. 626, is further amended to read:

B. Information may be disclosed if necessary to carry out any of the statutory functions of the department, the hospitalization provisions of chapter 3, subchapter IV or, the purposes of Title 22, section 3554, the purposes of United States Public Law 99-319, dealing with the investigatory function of the ~~Protection and Advocacy Agency of the Developmentally Dis-~~

abled in Maine independent agency designated with advocacy and investigatory functions under United States Public Law 88-164, Title I, Part C or United States Public Law 99-319, or the purposes of Title 18-A, section 5-601, subsection (b), where the Department of Human Services is requested by the Department of Mental Health and Mental Retardation to act as public guardian or public conservator;

PART O

Sec. 1. 5 MRSA §1666, as amended by PL 1987, c. 735, §10, is further amended to read:

§1666. Review and revision of estimates

The Governor-elect or the Governor, with the assistance of the State Budget Officer, shall review the budget estimates, altering, revising, increasing or decreasing the items of the estimates as may be deemed necessary in view of the needs of the various departments and agencies and the total anticipated income of the State Government during the ensuing biennium. Such review shall cover all budgets regardless of source of funds, including, but not limited to, budgets related to the Highway Fund, the Alcoholism Prevention, Education, Treatment and Research Fund, the Federal Revenue Sharing Fund, and other special revenue funds. The State Budget Officer, at the direction of the Governor-elect or the Governor shall then prepare a state budget document in the form required by law. The Governor-elect or the Governor shall be fully responsible for all budgetary recommendations made to the Legislature. The Governor shall transmit the budget document to the Legislature not later than the Friday following the first Monday in January of the first regular legislative session. At that time the Governor shall also transmit any emergency bills which authorize additional appropriations or allocations in the current fiscal year that the Governor may wish to propose. A Governor-elect elected to his first term of office shall transmit the budget document to the Legislature not later than the Friday following the first Monday in February of the first regular legislative session. At that time the Governor-elect shall also transmit any emergency bills which authorize additional appropriations or allocations in the current fiscal year that the Governor may wish to propose.

Sec. 2. 5 MRSA §1669, as amended by PL 1985, c. 737, Pt. B, §9, is further amended by adding a new paragraph to read:

All departments and agencies that receive federal funds shall, within 10 working days of receipt of any official notification from the Federal Government concerning the potential or actual increase or reduction in present funding, submit a copy of that notification to the Director of the Legislative Office of Fiscal and Program Review. In addition, departments and agencies shall, within 25 working days of that notification, submit in writing to the Director of the Legislative Office of Fiscal and Program Review their proposed plan of action to address the notification which may include an appeal or an outline of the options that will be examined in detail and a time frame for the examination.

Sec. 3. 5 MRSA §13073, sub-§6 is enacted to read:

6. Encumbered balances at year-end. At the end of each fiscal year, all encumbered balances in the Community Development Block Grant may be carried twice.

Sec. 4. 5 MRSA §13111, sub-§8 is enacted to read:

8. Encumbered balances at year-end. At the end of each fiscal year, all encumbered balances accounts for financial assistance and regional planning grants may be carried twice.

Sec. 5. 20-A MRSA §12506, as enacted by PL 1983, c. 859, Pt. F, §§1 and 2, is amended by adding a new 2nd paragraph to read:

These loans shall only be used to substitute or replace the family contribution or interest-accruing loans.

Sec. 6. 21-A MRSA §1059, sub-§2, as enacted by PL 1985, c. 161, §6, is repealed and the following is enacted to read:

2. Nonelection year reports. A political action committee shall file quarterly reports in any nonelection year within 15 days following the end of each quarter of the State's fiscal year on forms prescribed by the commission.

Sec. 7. PL 1987, c. 816, Pt. A, §1, under the caption "SECRETARY OF STATE, DEPARTMENT OF", last 2 lines, are amended to read:

Provides funds for 2 ~~temporary~~ limited-period employees in the Elections Division.

Sec. 8. Legislative intent. It is the intent of the Legislature that all funds appropriated to the elderly householders' tax refund account and to the low-income tax relief account in the fiscal year ending June 30, 1989, shall not lapse but shall carry forward to the next fiscal year.

Sec. 9. Report. The Commissioner of Human Services shall draft a plan of action concerning the start-up of professional and therapeutic homes for children, therapeutic group homes for children and residential treatment services for children. The commissioner shall report to the Joint Standing Committee on Appropriations and Financial Affairs on the proposed plan of action no later than April 14, 1989.

Sec. 10. Transfer of available funds. The Commissioner of Environmental Protection shall transfer \$30,000 from any available funds in the department to the Bureau of Air Quality Control for the purpose of making committed lease payments.

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

Effective March 8, 1989.

CHAPTER 8

H.P. 105 - L.D. 142

An Act to Amend the Membership of the Advisory Council to the Department of Marine Resources

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

Whereas, implementation of Public Law 1987, chapter 694, section 1 has resulted in an imbalance in the statutorily required representational distribution of the membership of the advisory council to the Department of Marine Resources; 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. 12 MRSA §6024, sub-§1, as amended by PL 1987, c. 694, §1, is further amended to read:

1. Appointment; composition; term; compensation. The advisory council, established by Title 5, section ~~42004~~ 12004-I, subsection ~~40~~ 58, shall consist of 9 ~~10~~ members. One member, who shall be a nonvoting member, shall be the ~~chairman~~ chair of the Lobster Advisory Council, ex officio. Each other member shall be appointed by the Governor and shall be subject to review by the joint standing committee of the Legislature having jurisdiction over marine resources and to confirmation by the Legislature. ~~Seven~~ Eight of the appointed members shall be selected from persons directly engaged in commercial activities or industries based on marine resources, and one of the appointed members shall be selected from persons who represent recreational fishing interests. The composition of the council shall adequately represent the commercial fisheries' activities over which the department has jurisdiction and shall also reflect a geographical distribution along the coast. All appointed members shall be appointed for a term of 3 years, except a vacancy shall be filled in the same manner as an original for the unexpired portion of the term. No member may serve more than 2 consecutive terms at any one time. Members shall serve until their successors are appointed. Members shall be compensated as provided in Title 5, chapter 379.

Sec. 2. 12 MRSA §6024, sub-§1-A is enacted to read:

1-A. Appointment; composition; term; compensation. The advisory council, established by Title 5, section 12004-I, subsection 58, shall consist of 9 members. The chair of the Lobster Advisory Council shall be an ex officio member of the council. Each other member shall be appointed by the Governor and shall be subject to review by the joint standing committee of the Legislature having jurisdiction over marine resources and to confirmation by the Legislature. Seven of the appointed members shall be selected from persons directly engaged in commercial activities or industries based on marine resources. These 7 members shall be selected so as to adequately represent, together with the chair of the Lobster Advisory Council, the various aspects of commercial fisheries' activities over which the department has jurisdiction. One of the appointed members shall be selected from persons who represent recreational fishing interests. The composition of the council shall reflect a geographical distribution along the coast. All appointed members shall be appointed for a term of 3 years, except a vacancy shall be filled in the same manner as an original member for the unexpired portion of the term. No appointed member may serve for more than 2 consecutive terms at any one time. Appointed members shall serve until their successors are appointed. The chair of the Lobster Advisory Council shall serve until a new chair of the Lobster Advisory Council is chosen. Members shall be compensated as provided in Title 5, chapter 379.

Emergency clause. In view of the emergency cited in the preamble, section 1 of this Act shall take effect when approved. Section 2 of this Act shall take effect November 6, 1989. The Maine Revised Statutes, Title 12, section 6024, subsection 1, as amended by this Act shall be repealed on November 6, 1989.

Effective March 8, 1989, except as otherwise indicated.

CHAPTER 9

H.P. 564 - L.D. 768

An Act Concerning the Effective Date of County and Municipal Laws

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

Whereas, the recodification of the county and municipal laws was to take effect on March 1, 1989; and

Whereas, while that date was extended by Public Law 1989, chapter 6, to April 15, 1989, that extension was not finalized until March 1, 1989; and

Whereas, that sequence of events has created technical questions as to the applicability and effective dates of the county and municipal laws; and

Whereas, it is vitally important that any uncertainty as to the applicability and effective dates of the county and municipal laws be immediately resolved; and