

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
OCTOBER 9, 1991

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

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J.S. McCarthy Company  
Augusta, Maine  
1991

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FIFTEENTH LEGISLATURE**

**1991**

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**Whereas**, displaying a United States flag is a means of showing support for armed services personnel and their families; 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 §252-H** is enacted to read:

**§252-H. United States flag plates**

The Secretary of State is authorized to design and issue a special plate depicting the United States flag. A person may display the United States flag plate on a vehicle registered up to 9,000 pounds or on a motor home by covering, but not removing, the normal front registration plate. The Secretary of State shall charge a fee of \$5 for each United States flag plate issued. Municipal agents appointed pursuant to section 52-A may charge \$1 in addition to the fee required by this section for each United States flag plate issued, the service charge to be retained by the municipality. The authorization to display the United States flag plate on a registered vehicle expires March 30, 1992.

A person who displays the United States flag plate in place of the normal registration plate after March 30, 1992 violates section 2183.

**Sec. 2. Allocation.** The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

1990-91

**SECRETARY OF STATE, DEPARTMENT OF**

**Administration - Motor Vehicles**

All Other \$67,717

Provides funds for postage, scotchlite, aluminum and other general operating expenses required to manufacture and distribute 25,000 flag plates.

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

Effective March 7, 1991.

## CHAPTER 8

H.P. 553 - L.D. 790

### An Act to Make a Technical Correction in the Enabling Legislation of the St. Croix International Waterway Commission

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

**Whereas**, the St. Croix International Waterway Commission, composed of members representing Maine and New Brunswick, has been established to coordinate planning, development and management of the St. Croix waterway; and

**Whereas**, the St. Croix International Waterway Commission has been granted nonprofit corporation status for tax purposes under the laws of New Brunswick and Canada; and

**Whereas**, the Internal Revenue Service of the United States Department of Commerce refuses to grant nonprofit corporation status to the St. Croix International Waterway Commission unless a technical change is made in the enabling legislation; and

**Whereas**, nonprofit corporation status under the United States law is essential to the operation and funding of the St. Croix International Waterway Commission; 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:**

**38 MRSA §998, sub-§8** is enacted to read:

**8. Dissolution.** Upon dissolution of the commission, any net assets must be distributed for charitable purposes within the meaning of the Internal Revenue Code, Section 501 (c)(3).

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

Effective March 7, 1991.

## CHAPTER 9

H.P. 192 - L.D. 274

### An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Laws

**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, 1991; and

Whereas, it is the intent of the Governor and the Legislature that the financial order curtailing 3rd quarter allotments be rescinded with the enactment of legislation to balance the fiscal year 1990-91 budget; 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**

**Sec. A-1. Appropriation.** There are appropriated from the General Fund for the fiscal year ending June 30, 1991 to the departments listed, the following sums.

1990-91

**ADMINISTRATION, DEPARTMENT OF**

**Office of the Commissioner - Administration**

Positions - Legislative Count	(-2.0)
All Other	(\$12,000)

Provides for the elimination of a vacant Accountant I position and the layoff of a Clerk IV position and reduces All Other spending. General Fund undedicated revenues will be increased \$72,494.

**Administration - Human Resources**

Positions - Legislative Count	(-7.0)
Personal Services	(44,616)
All Other	(62,203)
Capital Expenditures	(4,479)
<b>TOTAL</b>	<b>(111,298)</b>

Provides for the deappropriation of funds from the reductions in general operating expenses, the

delay in purchasing capital equipment and the elimination of the following positions: two Senior Personnel Analyst positions, 2 Clerk Typist II positions, one Human Resources Development Assistant position, an Accountant I position and a Staff Development position.

**Buildings and Grounds Operations**

Positions - Legislative Count	(-32.0)
Personal Services	(26,000)

Provides for the deappropriation of funds from the elimination of 13 Custodial Worker I positions, 3 Custodial Worker II positions, 3 Boiler Operator positions, 3 Laborer I positions, 2 Window Maintenance Mechanic positions, one Information Security Guide position, one Clerk Typist II position, one Carpenter position, one Executive Housekeeper position, one Building Control Supervisor position, one Maintenance Mechanic position and 2 Painter positions.

**Capital Construction - Repairs - Improvements - Administration**

Capital Expenditures	(668,266)
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Provides for the deappropriation of funds from the termination of several capital projects.

**Information Services**

Positions - Legislative Count	(-5.0)
Personal Services	(58,168)
All Other	(457)

<b>TOTAL</b>	<b>(58,625)</b>
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Provides for the deappropriation of funds from the elimination of a Secretary position, a Management Analyst II position, an Assistant Deputy Commissioner position, a Planning and Research Associate I position and a System Team Leader position.

**Public Improvements - Planning-Construction - Administration**

Positions - Legislative Count	(-7.0)	<b>MAINE ADVOCACY SERVICES</b>	
Personal Services	(18,000)	<b>TOTAL</b>	<u>(9,437)</u>
Provides for the deappropriation of funds from the elimination of one Administrative Assistant position, one Planning and Research Associate I position, one Account Clerk II position, one Accountant I position, one Accountant II position, one Engineering Technician position and one Assistant Engineer position.		<b>MAINE COMMITTEE ON AGING</b>	
		<b>Maine Committee on Aging</b>	
		Positions - Legislative Count	(-0.5)
		Personal Services	(12,000)
		All Other	(7,245)
		Provides for the deappropriation of funds for 1/2 of an Advocate position. This funding will be allocated from Federal Expenditures.	
<b>Public Improvements - Division of Safety and Environmental Services</b>		<b>MAINE COMMITTEE ON AGING</b>	
Positions - Legislative Count	(-2.0)	<b>TOTAL</b>	<u>(19,245)</u>
Personal Services	(48,449)	<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>	
Provides for the deappropriation of funds from the elimination of a vacant Asbestos Project Manager position and a vacant Assistant Engineer position.		<b>Administration - Agriculture</b>	
		Positions - Legislative Count	(-2.5)
		Personal Services	(20,143)
		All Other	(7,200)
		Capital Expenditures	(2,000)
<b>Bureau of Purchases</b>		<b>TOTAL</b>	<u>(29,343)</u>
Positions - Legislative Count	(-6.0)	Provides for the deappropriation of funds from the reclassification of a Deputy Commissioner position to an Assistant to the Commissioner for Resource Management position, elimination of 2 Clerk Stenographer III positions and a part-time Planning and Research Assistant position and related expenses.	
Personal Services	(34,959)	<b>Agricultural Production</b>	
All Other	(2,634)	Positions - Legislative Count	(-2.0)
<b>TOTAL</b>	<u>(37,593)</u>	Personal Services	(33,640)
Provides for the deappropriation of funds from the elimination of a vacant Assistant Buyer position, a Chief Buyer position, a vacant Clerk Typist II position, a Secretary position, a Buyer II position, a Planning and Research Associate I position and related expenses.		All Other	(11,803)
		Capital Expenditures	(11,000)
<b>DEPARTMENT OF ADMINISTRATION</b>		<b>TOTAL</b>	<u>(56,443)</u>
<b>TOTAL</b>	<u>(980,231)</u>	Provides for the deappropriation of funds from the elimination of one Assistant Horticulturist position and the layoff of one Clerk Typist II position, reductions in support services and the delay in the purchase of one vehicle.	
<b>MAINE ADVOCACY SERVICES</b>			
<b>Maine Advocacy Services</b>			
All Other	(9,437)		
Provides for the deappropriation of funds from reductions in the Client Assistance Program services and the termination of the Information and Referral Program.			

**Agricultural and Rural Resource Development**

Positions - Legislative Count	(-1.0)
Personal Services	(30,763)
All Other	(24,807)
Capital Expenditures	(720)
<b>TOTAL</b>	<b>(56,290)</b>

Provides for the deappropriation of funds from the elimination of a Bureau Director position and general operating expenses.

**Public Service - Agriculture**

Positions - Legislative Count	(-3.0)
Personal Services	(47,814)
All Other	(9,888)
Capital Expenditures	(1,278)
<b>TOTAL</b>	<b>(58,980)</b>

Provides for the deappropriation of funds from the elimination of a Weights and Measures Inspector position and the layoff of 2 Inspector Seed, Feed and Fertilizer positions and related expenses.

**Harness Racing Commission**

Capital Expenditures	(2,400)
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Provides for the deappropriation of funds from the delay in the purchases of video equipment.

**Harness Racing Commission**

Positions - Legislative Count	(-2.0)
Positions - Other Count	(-0.5)
Personal Services	(15,040)
All Other	23,040
<b>TOTAL</b>	<b>8,000</b>

Provides for the deappropriation of funds from the elimination of a Veterinarian position and one full-time and one 16-week Pari-mutuel Supervisor position. A 25-week Pari-mutuel Supervisor position for the Northern Maine Fair and the County Raceway is not affected by this deappropriation. Also provides funds for contractual services to handle the veterinarian responsibilities.

**Marketing Services - Agriculture**

Positions - Legislative Count	(-5.0)
Personal Services	(113,420)
All Other	(19,338)
Capital Expenditures	(665)
<b>TOTAL</b>	<b>(133,423)</b>

Provides for the deappropriation of funds from the elimination of a Bureau Director position, a Director of Marketing Development position, a Clerk Typist II position, a Produce Inspector III position, transferring an Assistant to the Commissioner position and related expenses resulting from the reorganization of the bureau to a dedicated revenue account.

**Seed Potato Board**

Positions - Legislative Count	(-1.0)
Personal Services	(14,097)

Provides for the deappropriation of funds from the transfer of a Clerk Stenographer III position to the enterprise account.

**Soil and Water Conservation Commission**

Positions - Legislative Count	(-1.0)
Personal Services	(26,020)
All Other	(2,269)
<b>TOTAL</b>	<b>(28,289)</b>

Provides for the deappropriation of funds from the layoff of an Executive Director position and related expenses.

**DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES**

<b>TOTAL</b>	<b>(371,265)</b>
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**ANIMAL WELFARE BOARD**

**Animal Welfare**

Personal Services	(7,600)
All Other	(5,700)

Provides for the deappropriation of funds from reductions in Personal Services and general operating expenses.

**ANIMAL WELFARE BOARD**  
**TOTAL** (13,300)

**MAINE ARTS COMMISSION****Arts - Administration**

Personal Services (11,118)

Provides for the deappropriation of funds through temporary layoffs of Arts Associate positions for approximately 8.31 pay periods and a 2-day workweek for a Clerk Typist position.

**Arts - Administration**

Personal Services 33,194

Provides funds for a projected Personal Services shortfall.

**MAINE ARTS COMMISSION**  
**TOTAL** 22,076

**ATTORNEY GENERAL,  
DEPARTMENT OF THE****Administration - Attorney General**

Personal Services (100,000)  
All Other (51,000)

Provides for the deappropriation of funds from the layoff of up to 6 Assistant Attorney General positions and other projected savings.

**DEPARTMENT OF THE  
ATTORNEY GENERAL**  
**TOTAL** (151,000)

**AUDIT, DEPARTMENT OF****Audit - Departmental Bureau**

Personal Services (43,158)  
All Other (52,250)

Provides for the deappropriation of funds for salary savings, in-state travel, out-of-state travel, supplies and contract services.

**DEPARTMENT OF AUDIT**  
**TOTAL** (95,408)

**CONSERVATION, DEPARTMENT OF****Administration - Forestry**

Personal Services (8,495)  
All Other (1,000)

**TOTAL** (9,495)

Provides for the deappropriation of funds from salary savings of a vacant Enforcement Coordinator Forester II position.

**Administrative Services - Conservation**

Positions - Legislative Count (-2.0)  
Personal Services (42,775)  
All Other (1,500)  
Capital Expenditures (2,260)

**TOTAL** (46,535)

Provides for the deappropriation of funds through the elimination of a vacant Clerk Typist II position and a vacant Accountant III position and other salary savings.

**Capital Construction - Repairs -  
Improvements - Conservation**

All Other (10,750)  
Capital Expenditures (4,097)

**TOTAL** (14,847)

Provides for the deappropriation of funds through the elimination of some building repairs and capital improvements.

**Capital Construction - Repairs -  
Improvements - Conservation**

All Other (9,000)

Provides for the deappropriation of funds through reductions in repairs.

**Division of Forest Fire Control**

Positions - Other Count (-4.5)  
Personal Services (208,342)  
Capital Expenditures (120,274)

**TOTAL** (328,616)

Provides for the deappropriation of funds through the elimination of 4 full-time and one part-time



Watchperson positions as a result of closing the fire towers at Johnson Hill, Chase Hill, Agamenticus Mountain, Norway Bluff, Green Mountain and termination of plans to consolidate field facilities.

Positions - Legislative Count	(-1.0)
Personal Services	(46,588)
All Other	(7,990)
<b>TOTAL</b>	<u>(54,578)</u>

**Forest Management - Utilization Marketing**

Personal Services	(116,679)
All Other	(13,978)
<b>TOTAL</b>	<u>(130,657)</u>

Provides for the deappropriation of funds through salary savings from 5 vacant Forester I positions and 2 vacant Forester II positions and related expenses.

Provides for the deappropriation of funds through the elimination of a Maine Land Use Regulation Commission Division Manager position and related expenses.

**Policy Planning and Information**

Positions - Legislative Count	(-1.0)
Personal Services	(27,875)

Provides for the deappropriation of funds through the elimination of a vacant Clerk Typist II position.

**Geographic-based Information Services**

All Other	(11,113)
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Provides for the deappropriation of funds through reductions in software maintenance costs, elimination of travel and reduced utility costs.

**Engineering and Realty**

Positions - Legislative Count	(-1.0)
Personal Services	(12,265)

Provides for the deappropriation of funds through the layoff of a Right-of-way Appraiser II position.

**Maine Geological Survey**

Personal Services	(12,560)
All Other	(54,314)
<b>TOTAL</b>	<u>(66,874)</u>

Provides for the deappropriation of funds through the elimination of the United States Geological Survey National Mapping Cooperative.

**Parks - General Operations**

Personal Services	(34,866)
All Other	(23,000)

<b>Total</b>	<u>(57,866)</u>
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Provides for the deappropriation of funds from salary savings and reduced parks operations.

**Insect and Disease Management**

Positions - Legislative Count	(-1.0)
Personal Services	(28,387)
Capital Expenditures	(3,000)
<b>TOTAL</b>	<u>(31,387)</u>

Provides for the deappropriation of funds through the elimination of an Entomologist II position and from the delay in the purchase of field vehicles.

**DEPARTMENT OF CONSERVATION TOTAL**

<u>(801,108)</u>
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**CORRECTIONS, DEPARTMENT OF**

**Administration - Corrections**

Positions - Legislative Count	(-6.0)
Personal Services	(85,637)
All Other	(60,261)
Capital Expenditures	(4,785)

<b>TOTAL</b>	<u>(\$150,683)</u>
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Provides for the deappropriation of funds for training, contracted auditing and general operations, the layoff of one Clerk Typist III

**Maine Land Use Regulation Commission**

position, and the elimination of the following vacant positions: one Associate Commissioner position, one Jail Inspector position, one Psychologist IV position, one Secretary position and one Staff Development Coordinator position.

Provides for the deappropriation of funds required for the purchase of food.

**Bangor Pre-release Center**

All Other (\$10,000)

Provides for the deappropriation of funds for a medical services contract.

**Justice - Planning, Projects and Statistics**

All Other (\$88,500)

Provides for the deappropriation of funds for out-of-state travel and funds for discretionary grants.

**Central Maine Pre-release Center**

Capital Expenditures (\$18,500)

Provides for the deappropriation of funds for the purchase of equipment.

**Bureau of Juvenile Corrections**

All Other (\$1,357)

Provides for the deappropriation of funds for travel, office supplies and general expenses.

**Correctional Program Improvement**

All Other (\$267,279)

Provides for the deappropriation of funds through the elimination of 2 community contracts and decreasing the department's ability to board inmates in the county jails.

**Parole Board**

Personal Services (\$1,969)  
All Other (1,138)

TOTAL (\$3,107)

Provides for the deappropriation of funds by reducing the number of members attending meetings to reduce per diem costs and related travel expenses.

**Correctional Center**

Personal Services (\$47,344)

Provides for the deappropriation of funds by rescheduling staff.

**State Prison**

Positions - Legislative Count (-19.0)  
Personal Services (\$183,440)  
All Other (416,512)  
Capital Expenditures (43,113)

TOTAL (\$643,065)

**Downeast Correctional Facility**

All Other (\$124,365)  
Capital Expenditures (11,800)

TOTAL (\$136,165)

Provides for the deappropriation of funds from medical services, travel, clothing and plant operations, and the reduction of capital purchases.

Provides for the deappropriation of funds by the elimination of the following vacant positions: six Guard positions, one Guard Sergeant position, one Vocational Trades Instructor position, 4 Correctional Trades Instructor positions, one Clerk Typist II position, one Electrician II position, one Accountant I position, one Correctional Caseworker position, one Physician Assistant position and 2 Nurse positions; by reducing the number of inmates boarded at

**Food - State Prison**

All Other (\$60,000)

<p>federal prisons; and general operations.</p>		<p>Provides for the deappropriation of funds through salary savings and reductions of general operating expenses.</p>
<b>Correctional Services</b>		
<p>All Other</p> <p>Deappropriates funds due to 22 community contracts having been terminated as of January 31, 1991 by administrative action of the commissioner. Community contracts affected provide services in the areas of substance abuse, sex offender, mental health counselling; home-based services; halfway house services; employment services; prevention services; and family and outreach services.</p> <p>The department shall enter into contracts with the agencies terminated as soon as possible with the funds that are still available in this program for the remainder of fiscal year 1990-91.</p>	<p>(\$300,000)</p>	<p><b>Administration - Maine Emergency Management Agency</b></p> <p>Personal Services (6,784) All Other (80,158)</p> <hr/> <p>TOTAL (86,942)</p> <p>Provides for the deappropriation of funds through salary savings from an anticipated retirement and the reduction of disaster assistance funds.</p>
<b>Departmentwide</b>		
<p>Personal Services</p> <p>Deappropriates funds no longer needed for overtime. General Fund programs within the department are to be reduced to achieve a total reduction of \$450,000. The department shall notify the Joint Standing Committee on Appropriations and Financial Affairs as soon as possible with a plan as to how these reductions will be achieved.</p>	<p>(\$450,000)</p>	<p><b>Military Training and Operations</b></p> <p>Personal Services (49,106) All Other (118,242)</p> <hr/> <p>TOTAL (167,348)</p> <p>Provides for the deappropriation of funds through the deferment of work at armories.</p>
<b>Veterans' Memorial Cemetery</b>		
		<p>All Other (12,600)</p> <p>Provides for the deappropriation of funds through reductions in the general upkeep at the Veterans' Memorial Cemetery.</p>
<b>Veterans' Services</b>		
		<p>All Other (15,609)</p> <p>Provides for the deappropriation of funds from reductions in travel and general operating expenses.</p>
<b>DEPARTMENT OF CORRECTIONS</b>		
<b>TOTAL</b>	<u>(\$2,176,000)</u>	
<b>DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF</b>		
<b>Administration - Defense and Veterans' Services</b>		
<p>Personal Services (34) All Other (747) Capital Expenditures (428)</p> <hr/> <p>TOTAL (1,209)</p>		<p><b>Commission on Vietnam and Atomic Veterans</b></p> <p>Personal Services (540) All Other (6,000)</p> <hr/> <p>TOTAL (6,540)</p> <p>Provides for the deappropriation of funds through salary savings and reductions in travel.</p>

**Capital Construction - Repairs - Improvements - Defense and Veterans' Services**

All Other (61,000)

Provides for the deappropriation of funds through the elimination of repairs to armory facilities.

All Other (20,392)

Provides for the deappropriation of funds from reductions in travel, contractual services and general operating expenses.

**DEPARTMENT OF DEFENSE AND VETERANS' SERVICES**

**TOTAL** (351,248)

**International Commerce**

All Other (25,000)

Provides for the deappropriation of funds from the reductions of All Other for grants.

**MAINE DEVELOPMENT FOUNDATION**

**Development Foundation**

All Other (16,182)

Provides for the deappropriation of funds from reduced operating expenses.

**Job Opportunity Zones**

All Other (2,750)

Provides for the deappropriation of funds from the reduction in All Other allotment for administration of grants.

**MAINE DEVELOPMENT FOUNDATION**

**TOTAL** (16,182)

**Comprehensive Land Use Planning**

All Other (201,077)

Provides for the deappropriation of funds from reductions in general operating expenses from the Growth Management Program.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community Development**

Positions - Legislative Count (-1.0)  
 Personal Services (6,487)  
 All Other (3,250)  
 Capital Expenditures (5,000)

**TOTAL** (14,737)

**Legal Defense Fund**

All Other (81,186)

Provides for the deappropriation of funds from reduction of the Legal Defense Fund appropriation for fiscal year 1990-91 to \$18,814.

Provides for the deappropriation of funds from the elimination of the State Data Center, which includes a Research Associate I position, capital equipment purchases and All Other expenses.

**Maine Small Business Commission**

All Other (4,398)

Provides for the deappropriation of funds from the reduction in the grants to the subcenters.

**Office of Community Development**

All Other (33,045)

Provides for the deappropriation of funds from reductions in travel, contractual services and grants to communities.

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

**TOTAL** (382,585)

**Community Development Block Grant Program**

**STATE BOARD OF EDUCATION**

**State Board of Education**

Personal Services	(1,100)	<b>School-based Child Care</b>	
All Other	(4,369)	All Other	(23,000)
Provides for the deappropriation of funds from reduced per diem and general operating expenses.		Provides for the deappropriation of funds from school-based child care grants.	
<b>STATE BOARD OF EDUCATION TOTAL</b>	<u>(5,469)</u>	<b>Curriculum - Education</b>	
<b>EDUCATION, DEPARTMENT OF</b>		Personal Services	(37,492)
<b>Administration - Education</b>		All Other	(107,278)
Personal Services	(3,521)	<b>TOTAL</b>	<u>(144,770)</u>
Provides for the deappropriation of funds from salary savings.		Provides for the deappropriation of funds from salary savings and reductions in out-of-state travel, innovative grants and early childhood grants and other available balances.	
<b>Administrative Services - Education</b>		<b>General Purpose Aid for Local Schools</b>	
Personal Services	(10,384)	All Other	(5,400,000)
Provides for the deappropriation of funds from salary savings.		Provides for the deappropriation of funds in excess of requirements in general purpose aid to local schools.	
<b>Adult Education</b>		<b>Alcohol and Drug Education Services</b>	
Personal Services	(101,061)	All Other	(41,000)
All Other	(17,200)	Deappropriates funds used in workshops, travel and other related services.	
<b>TOTAL</b>	<u>(118,261)</u>	<b>State Agency Clients</b>	
Provides for the deappropriation of funds from salary savings and reductions in contractual services, in-state travel, telephone utility, general operating expenses and office supplies.		All Other	(250,000)
<b>Assessment of Student Performance</b>		Deappropriates funds not needed by the end of the current fiscal year.	
Personal Services	(2,472)	<b>Governor Baxter School for the Deaf</b>	
All Other	(11,500)	Personal Services	(130,894)
<b>TOTAL</b>	<u>(13,972)</u>	Provides for the deappropriation of funds from salary savings.	
Provides for the deappropriation of funds from salary savings, reduced out-of-state travel and general operating expenses.		<b>Governor Baxter School for the Deaf</b>	
<b>Certification, Placement and Teacher Education</b>		Positions - Other Count	(-2.0)
All Other	(6,120)	Personal Services	(35,160)
Provides for the deappropriation of funds from reductions in in-state travel and general operating expenses.			

Provides for the deappropriation of funds from the elimination of 3 vacant positions: two part-time Teacher of the Deaf positions and one Watchperson position.		<b>Transportation Program - Local Schools</b>	
		Personal Services	(9,020)
		Provides for the deappropriation of funds from salary savings.	
<b>Handicapped Children Services - Preschool</b>		<b>Vocational Training - Program Services</b>	
All Other	(94,450)	Personal Services	(25,951)
Provides for the deappropriation of funds from preschool handicapped grants and state administration.		All Other	(3,500)
		<b>TOTAL</b>	<u>(29,451)</u>
<b>Higher Education Services</b>		Provides for the deappropriation of funds from salary savings, reduced in-state travel, reduced out-of-state travel and reduced general operating expenses.	
Personal Services	(19,916)		
Provides for the deappropriation of funds from salary savings.		<b>DEPARTMENT OF EDUCATION TOTAL</b>	<u>(6,458,194)</u>
<b>Nutrition Program - Local Schools</b>		<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
All Other	(25,526)	<b>Administration - Environmental Protection</b>	
Provides for the deappropriation of funds from reduced per pupil meal reimbursement and reduced grants to schools for equipment.		Positions - Legislative Count	(-2.0)
		Personal Services	(26,698)
		All Other	(7,521)
<b>Planning and Management Information - Education</b>		<b>TOTAL</b>	<u>(34,219)</u>
Personal Services	(1,957)	Provides for the deappropriation of funds through the layoff of a Planning and Research Associate I position and the transfer of a Programmer Analyst position to other funds and reductions in general operating costs.	
All Other	(14,000)		
Capital Expenditures	(8,301)	<b>Air Quality Control</b>	
<b>TOTAL</b>	<u>(24,258)</u>	Positions - Legislative Count	(-2.0)
Provides for the deappropriation of funds from salary savings, reduced general operating expenses and the elimination of a microcomputer purchase.		Personal Services	(18,838)
<b>Special Education - Exceptional Children</b>		Provides for the deappropriation of funds and transfers an Environmental Specialist IV position and a Chemist III position to a federal account.	
Personal Services	(9,405)		
All Other	(69,086)	<b>Environmental Impact Studies</b>	
<b>TOTAL</b>	<u>(78,491)</u>	Personal Services	(5,000)
Provides for the deappropriation of funds from salary savings and gifted and talented grants.		Provides for the deappropriation of funds through salary savings.	

**Lake Environmental Protection Fund**

All Other (148,142)

Provides for the deappropriation of funds through the reduction in local grants to cover costs of litigation to protect lake quality.

Provides for the deappropriation of funds through the transfer of expenditures to the dedicated account and the elimination of all Capital Expenditures.

**Board of Environmental Protection**

Personal Services (22,134)

Provides for the deappropriation of funds by journaling costs incurred to the board's dedicated fund.

**Lake Restoration and Protection Fund**

Personal Services (18,270)

All Other (50,000)

TOTAL (68,270)

Provides for the deappropriation of funds from an Assistant Engineer position and related costs.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL**

(469,640)

**COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES**

**Land Quality Control**

Personal Services (47,249)

Provides for the deappropriation of funds through salary savings.

**Commission on Governmental Ethics and Election Practices**

Personal Services (5,318)

All Other (1,952)

**Oil and Hazardous Materials Control**

Positions - Legislative Count (-1.0)

Personal Services (43,140)

Provides for the deappropriation of funds through the transfer of expenditures to other accounts and the transfer of an incumbent Oil and Hazardous Materials Specialist II position to a vacancy in another account.

Provides for deappropriation of funds from general operating expenses and salary savings.

**COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES TOTAL**

(7,270)

**EXECUTIVE DEPARTMENT**

**Administration - Executive - Governor's Office**

**Solid Waste Management**

Positions - Legislative Count (-2.0)

Personal Services (52,310)

Provides for the deappropriation of funds through the layoff of the Bureau Director position and a Division Director position in the 4th quarter, resulting from the consolidation of the Bureau of Solid Waste Management and the Bureau of Oil and Hazardous Materials Control.

Personal Services (58,000)

All Other (26,251)

Capital Expenditures (2,000)

TOTAL (86,251)

Provides for the deappropriation of funds through extended personnel leave without pay and from reductions in general operating costs.

**Administration - Community Services**

**Water Quality Control**

Personal Services (5,300)

Capital Expenditures (25,038)

TOTAL (30,338)

Positions - Other Count (-2.0)

Personal Services (36,737)

All Other (11,079)

TOTAL (47,816)

Provides for the deappropriation of funds from salary savings and the layoff of an Auditor II position, a Receptionist position and reductions in general operating expenses.

Provides for the deappropriation of funds from the disencumbrance of contracts with expert witnesses.

**Blaine House**

Personal Services	(2,000)
All Other	(2,000)
<b>TOTAL</b>	<b>(4,000)</b>

Provides for the deappropriation of funds from salary savings and reductions in general operating costs.

**Maine Science and Technology Commission**

Positions - Legislative Count	(-1.0)
All Other	(145,115)

Provides for the deappropriation of funds from reductions in stand-alone centers and research programs and elimination of one Development Director position effective May 1, 1991.

**Blaine House Renovations and Repairs Fund**

All Other	(2,000)
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Provides for the deappropriation of funds from reductions in repairs.

**Planning Office**

Personal Services	(57,497)
All Other	(43,000)
Capital Expenditures	(1,322)

<b>TOTAL</b>	<b>(101,819)</b>
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Provides for the deappropriation of funds from savings in Personal Services, All Other and Capital Expenditures.

**Federal - State Coordinator - Executive**

Personal Services	(6,000)
All Other	(8,000)
<b>TOTAL</b>	<b>(14,000)</b>

Provides for the deappropriation of funds from not filling a vacant position and reductions in general operating costs.

**Office of Substance Abuse**

All Other	(256,621)
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Provides for the deappropriation of funds from data processing, in-state travel, out-of-state travel, office supplies, maintenance of the statewide information system and the elimination of the statewide prevention conference and other available balances.

**Head Start**

All Other	(1,380)
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Provides for the deappropriation of funds from reductions in out-of-state travel.

**Office of Volunteer Services**

Personal Services	(1,000)
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Provides for the deappropriation of funds from salary savings.

**Low-income Home Energy Assistance**

All Other	(2,986)
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Provides for the deappropriation of funds from reductions in travel costs for the Advisory Board.

**State Planning Office - Water Resource Management Board**

All Other	(1,394)
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Provides for the deappropriation of funds from the reduction in general operating expenses.

**Public Advocate**

All Other	(13,755)
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**EXECUTIVE DEPARTMENT TOTAL**

<b>(678,137)</b>
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**FINANCE, DEPARTMENT OF**

**Administration - Finance**

Personal Services (14,095)

Provides for the deappropriation of funds from not filling the Assistant to the Commissioner position.

**Administrative Services - Finance**

Positions - Legislative Count (-2.0)  
All Other (10,000)

Provides for the deappropriation of funds from the elimination of a vacant Account Clerk I position, a Field Examiner II position and related operating costs. Personal Services savings have already been offered through the Voluntary Cost Savings Program.

Clerk I position and the following vacant positions: three Revenue Agent positions, one Senior Revenue Agent position, one Senior Tax Examiner position, one Clerk Typist I position, one Data Base Administrator position, one Tax Division Assistant Executive position, one Computer Programmer position, one Programmer Analyst position, 2 Tax Enforcement Officer positions, one Clerk III position, one Planning and Research Associate II position, one Data Entry Specialist position, one Property Tax Appraiser I position and one Property Tax Appraiser II position. The Clerk Typist position involved in assisting municipalities with the excise tax issues is not affected by this deappropriation.

**Bureau of Accounts and Control**

Positions - Legislative Count (-11.5)  
Personal Services (61,779)

Provides for the deappropriation of funds from the elimination of one Clerk I position, one Clerk Typist I position, 3 Clerk Typist II positions, 3 Data Entry Specialist positions, one Data Entry Supervisor position, one Data Control Specialist position, one Account Clerk II position and one part-time Laborer I position.

**Tree Growth Tax Reimbursement**

All Other (500,000)

Provides for the deappropriation of funds from eliminating an anticipated balance at the end of fiscal year 1990-91. Notwithstanding the Maine Revised Statutes, Title 36, section 578, a municipality that has not submitted an annual return in accordance with Title 36, section 383 is eligible for tree growth tax reimbursement for fiscal year 1990-91.

**Bureau of Accounts and Control - Systems Project**

Personal Services (23,500)

Provides for the deappropriation of funds from not filling the Assistant to the Controller position.

**Salary Plan (8,300,000)**

Deappropriates funds no longer needed. These funds will be replaced by transfers to this account by June 30, 1991.

The State Budget Officer shall calculate the amount that applies against each General Fund account based on the same proportion as each account's payroll is to the total of all payrolls for each action affected by these changes.

**Bureau of Taxation**

Positions - Legislative Count (-22.0)  
Personal Services (296,990)

Provides for the deappropriation of funds from the elimination of 2 Property Tax Appraiser I positions, 2 Property Tax Appraiser II positions, one

Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer

shall prepare Financial Orders for the Governor's approval transferring these calculated amounts to the Salary Plan.

**DEPARTMENT OF FINANCE**  
**TOTAL** (9,206,364)

**MAINE HISTORIC PRESERVATION COMMISSION**

**State Restoration Grants Program**

All Other (9,172)

Provides for the deappropriation of funds from a 29% reduction in the Historic Building Restoration Grant Program.

**Historic Preservation Commission**

All Other (13,367)

Provides for the deappropriation of funds from a 14% reduction in the Maine Historic Resources Survey.

**MAINE HISTORIC PRESERVATION COMMISSION**  
**TOTAL** (22,539)

**MAINE HUMAN DEVELOPMENT COMMISSION**

**Human Development Commission**

All Other (2,537)

Provides for the deappropriation of funds from general operating expenses.

**MAINE HUMAN DEVELOPMENT COMMISSION**  
**TOTAL** (2,537)

**MAINE HUMAN RIGHTS COMMISSION**

**Human Rights Commission - Regulation**

Positions - Legislative Count (-1.0)  
 Personal Services (20,694)  
 All Other (11,701)

Provides for the deappropriation of funds through the elimination of a Field Investigator position.

**MAINE HUMAN RIGHTS COMMISSION**  
**TOTAL** (32,395)

**HUMAN SERVICES, DEPARTMENT OF**

**Administration - Human Services**

Positions - Legislative Count (-20.0)  
 Personal Services (189,243)  
 All Other (10,000)

**TOTAL** (199,243)

Provides for the deappropriation of funds from the elimination of the following positions: three Clerk Typist II positions, 2 Clerk II positions, one Account Clerk II position, one Personnel Officer position, 2 Computer Programmer positions, one Programmer Analyst position, one Word Processing Operator position, one Clerk Typist III position, one Planning and Research Associate I position, one Statistician III position, one Nosologist position, one System Team Leader position, one Staff Development Specialist II position, 2 Staff Development Specialist IV positions and one Comprehensive Health Planner II position.

**Administration - Regional - Human Services**

All Other (135,878)

Provides for the deappropriation of funds associated with the closing of offices in South Paris, Mexico and the Bangor suboffice. The Presque Isle WEET office must be maintained at a lease cost of \$12,000 for the remainder of fiscal year 1990-91. This lease must be negotiated downward by July 1, 1991.

**Administration - Income Maintenance**

Positions - Legislative Count (-6.0)  
 Personal Services (52,500)  
 All Other (10,500)

**TOTAL** (63,000)

Provides for the deappropriation of funds for the administration of public assistance programs through the elimination of the following positions: one Clerk Typist III position, one Income

Maintenance Program Manager position, one Income Maintenance Field Supervisor position and 3 Income Maintenance Specialist positions.

Provides for the deappropriation of funds by reducing to 1/2 time a Public Health Physician position assigned to the Division of Disease Control.

**Administration - Social Services**

Positions - Legislative Count	(-6.0)
Personal Services	(75,499)
All Other	(24,426)
<b>TOTAL</b>	<b>(99,925)</b>

Provides for the deappropriation of funds through the elimination of the following positions: one Clerk Typist II position, one Account Clerk I position, one Public Relations Representative position, one Social Services Program Specialist I position and 2 Social Services Program Specialist II positions.

**Alcoholism and Drug Abuse Prevention - Human Services**

Positions - Legislative Count	(-1.0)
Personal Services	(13,000)

Provides for the deappropriation of funds from the elimination of one Clerk Typist II position.

**Child Care Services**

All Other	(145,000)
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Provides for the deappropriation of funds from reducing the funds received by the 10 resource development centers by \$6,000 each and from available balances.

**Congregate Housing**

All Other	(193,207)
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Provides for the deappropriation of funds for supportive services to elderly residents living in subsidized housing, except that Biddeford and Fort Kent shall not be affected by this reduction.

**Crippled Children Services**

Positions - Legislative Count	(-0.5)
Personal Services	(12,510)

**Division of Driver Education Evaluation Programs**

Positions - Legislative Count	(-1.0)
Personal Services	(6,400)
All Other	(52,500)
<b>TOTAL</b>	<b>(58,900)</b>

Provides for the deappropriation of funds by reducing the Weekend Offender Program and by not implementing the Automated Offender Evaluation Program through the elimination of one Clerk Typist II position.

**Bureau of Elder and Adult Services**

Positions - Legislative Count	(-4.0)
Personal Services	(43,477)
All Other	(90,500)
Capital Expenditures	(4,000)
<b>TOTAL</b>	<b>(137,977)</b>

Provides for the deappropriation of funds from the Bureau of Elder and Adult Services, grants to Area Agencies on Aging, general operating expenses and the elimination of 2 Social Services Program Specialist I positions, one Clerk Typist III position and the transfer of one Clerk Typist II position salary to federal funds.

**Emergency Medical Services**

All Other	(21,243)
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Provides for the deappropriation of funds for the operation of the Maine Emergency Medical Services, or MEMS, System.

**Adaptive Equipment Loan Program Fund Board**

All Other	(400)
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Provides for the deappropriation of funds for administrative

support to the Adaptive Equip-  
ment Loan Fund.

**Health Insurance Subsidy Program**

All Other (1,000,000)

Provides for the deappropriation of funds for a supplemental health insurance program for former Aid to Families with Dependent Children recipients, which is no longer required.

Provides for the deappropriation of funds from the elimination of the following positions with determination of eligibility for public assistance programs: five Income Maintenance Specialist positions, one Clerk Typist II position and one Income Maintenance Unit Supervisor position.

**Interdepartmental Council - Medicaid Enhancement**

All Other (2,577)

Provides for the deappropriation of funds from a contract for consultation services on Medicaid enhancement.

**Bureau of Health**

Positions - Legislative Count (-11.0)  
Personal Services (95,458)  
All Other (135,109)  

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TOTAL (230,567)

Provides for the deappropriation of funds for the Bureau of Health Administration program management, service delivery and purchase of community-based services through the elimination of the following positions: three Sanitarian II positions, 3 Clerk Typist III positions, one Clerk Typist II position, one Librarian I position, one Public Health Educator I position, one Public Health Educator II position and one Microbiologist II position.

**Intermediate Care - Payments to Providers**

All Other (125,401)

Provides for the deappropriation of funds for drug rebates for ICF/MR residents.

**Legal Services - Human Services**

Positions - Legislative Count (-2.0)  
Personal Services (28,734)

Provides for the deappropriation of funds from the transfer of 2 Assistant Attorney General positions to federal funds.

**Health Planning and Development**

Positions - Legislative Count (-3.0)  
Personal Services (34,638)  
All Other (3,286)  

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TOTAL (37,924)

Provides for the deappropriation of funds by decreasing the capability of Certificate of Need determination, implementation of special projects, preparation of key planning documents and the elimination of 2 Comprehensive Health Planner II positions and one Health Care Financial Analyst position.

**Long-term Care - Human Services**

All Other (61,000)

Provides for a 4% reduction in administrative funds available to the Area Agencies on Aging and Alpha I for the Home-based Care Program.

**Medical Care Administration**

Positions - Legislative Count (-11.0)  
Personal Services (188,944)

Provides for the deappropriation of funds from the elimination of the following positions: two Clerk Typist II positions, one Health Services Consultant position, one Social Service

**Income Maintenance - Regional**

Positions - Legislative Count (-7.0)  
Personal Services (96,278)  
All Other (4,500)  

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TOTAL (100,778)

Program Specialist I position, one Social Service Program Specialist II position, 2 Medical Claims Evaluator positions, one Word Processing Operator position, one Accountant II position, one Medical Services Utility Supervisor position and one Medical Services Utility Assistant Director position.

**Purchased Social Services**

All Other (740,000)

Provides for the deappropriation of funds to purchase social services that are delivered by community agencies. A proposed 3% across-the-board reduction in contracted services will not take place and day care vouchers will not be affected by this deappropriation.

**Bureau of Rehabilitation - Vocational Rehabilitation**

All Other (290,608)

Provides for the deappropriation of funds to substitute state vocational rehabilitation case service funds with federal funds.

**Social Services - Regional**

Positions - Legislative Count (-5.0)  
 Personal Services (50,635)  
 All Other (10,000)  
 TOTAL (60,635)

Provides for the deappropriation of funds from the elimination of 3 Human Services Casework Supervisor positions, 2 part-time Paralegal Assistant positions, one Social Services Program Specialist position. The Human Services Casework Supervisor position in Sagadahoc County is not affected by this deappropriation.

**State Supplement to Federal Supplemental Security Income**

All Other (447,000)

Provides for the deappropriation of available funds.

**Welfare Employment, Education and Training**

Personal Services (15,000)  
 All Other (749,000)  
 TOTAL (764,000)

Provides for the deappropriation of available funds. No ASPIRE client is to be dropped as a result of this deappropriation. Funds are not eliminated for services purchased in Bangor, \$10,000.

**Medical Care Payments to Providers**

All Other (200,000)

Provides for the deappropriation of funds from the anticipated collection of unpaid debts owed to the department from health care providers.

**General Assistance - Reimbursement to Cities and Towns**

All Other (680,530)

Provides for the deappropriation of funds for reimbursement to municipalities for general assistance expenditures.

**Medical Care - Payments to Providers**

All Other (1,467,000)

Provides for the deappropriation of funds from implementing: an out-patient radiology fee schedule; managed care initiatives, including prior authorization, 2nd surgical opinion and concurrent utilization review; a federally mandated discount from pharmaceutical companies; and reduced payments in cases when Medicaid supplements Part B Medicare.

**Medical Care - Payments to Providers**

All Other (500,000)

Deappropriates funds no longer required.

**General Assistance - Reimbursement to Cities and Towns**

All Other	(1,250,000)	Provides for the deappropriation of funds from not filling a vacant Account Clerk II position, reductions in general operating expenses and the delay in the purchase of one vehicle.	
Deappropriates funds no longer required.			
<b>Welfare Employment, Education and Training</b>			
All Other	(200,000)		
Provides for the deappropriation of surplus funds available from transitional services for ASPIRE clients.			
<b>Administration - Income Maintenance</b>			
Personal Services	(120,040)		
All Other	(429,960)		
TOTAL	(550,000)		
Provides for the deappropriation of funds due to the availability of Federal Food Stamps overpayment incentive funds in the special revenue account.			
<b>DEPARTMENT OF HUMAN SERVICES TOTAL</b>	<u>(10,005,981)</u>		
<b>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</b>			
<b>Office of the Commissioner - Inland Fisheries and Wildlife</b>			
Personal Services	(23,000)		
All Other	(52,475)		
Capital Expenditures	(6,500)		
TOTAL	(81,975)		
Provides for the deappropriation of funds from not filling a vacant Clerk Typist II position and a vacant Clerk Stenographer III position, from reductions in general operating expenses and the delay in the purchase of one film processor.			
<b>Administrative Services - Inland Fisheries and Wildlife</b>			
Personal Services	(12,000)		
All Other	(16,438)		
Capital Expenditures	(10,146)		
TOTAL	(38,584)		
		<b>Atlantic Sea Run Salmon Commission</b>	
		All Other	(407)
		Capital Expenditures	(3,200)
		TOTAL	<u>(3,607)</u>
		Provides for the deappropriation of funds through the reduction of general operating costs and the delay in the purchase of one fish transportation tank.	
		<b>ATV Safety and Educational Program</b>	
		All Other	(1,555)
		Provides for the deappropriation of funds from reductions in general operating expenses.	
		<b>Endangered Nongame Operations</b>	
		All Other	(233)
		Provides for the deappropriation of funds from reductions in out-of-state travel.	
		<b>Enforcement Operations - Inland Fisheries and Wildlife</b>	
		Personal Services	(56,625)
		All Other	(576,751)
		Capital Expenditures	(80,144)
		TOTAL	<u>(713,520)</u>
		Provides for the deappropriation of funds from the elimination of 25 vacant intermittent Game Warden Assistant positions, reductions in general operating expenses and the delay in purchasing 5 vehicles and miscellaneous equipment.	
		<b>Fisheries and Hatcheries Operations</b>	
		Personal Services	(29,000)
		All Other	(43,309)
		Capital Expenditures	(91,549)
		TOTAL	<u>(163,858)</u>

Provides for the deappropriation of funds from not filling 2 vacant Fish and Game Technician positions, reductions in general operating expenses and the delay in the purchase of land and miscellaneous equipment.

**Licensing Services - Inland Fisheries and Wildlife**

All Other	(8,585)
Capital Expenditures	(3,316)
<b>TOTAL</b>	<u>(11,901)</u>

Provides for the deappropriation of funds from reductions in general operating expenses and the delay in the purchase of a printer.

**Resource Management Services - Inland Fisheries and Wildlife**

Personal Services	(20,000)
All Other	(50,950)
Capital Expenditures	(967)
<b>TOTAL</b>	<u>(71,917)</u>

Provides for the deappropriation of funds from not filling 2 vacant Biology Specialist positions, reductions in general operating expenses and the delay in the purchase of office equipment.

**Office of the Commissioner - Inland Fisheries and Wildlife**

All Other	(10,354)
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Provides for the deappropriation of funds no longer needed.

<b>DEPARTMENT OF INLAND FISHERIES AND WILDLIFE</b>	
<b>TOTAL</b>	<u>(1,097,504)</u>

**JUDICIAL DEPARTMENT**

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

Positions - Legislative Count	(-2.0)
Personal Services	(50,000)
All Other	(100,000)
<b>TOTAL</b>	<u>(150,000)</u>

Provides for the deappropriation of funds from the layoff of a part-time Research Analyst position and a part-time Assistant Purchasing Manager position and from salary savings associated with reducing the hours of the State Court Library Supervisor from 37.5 hours to 25 hours and reducing the hours of an Assistant Librarian in Bangor from 18.75 hours to 12.5 hours and from reductions in general operating expenses.

**Indigent Defense**

All Other	(400,000)
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Provides for the deappropriation of funds by reducing the hourly fee for indigent defense from \$40 to \$30.

<b>JUDICIAL DEPARTMENT</b>	
<b>TOTAL</b>	<u>(550,000)</u>

**LABOR, DEPARTMENT OF**

**Administration - Labor**

Personal Services	(2,720)
All Other	(405)
<b>TOTAL</b>	<u>(3,125)</u>

Provides for the deappropriation of funds from the overall reduction in general operating expenses.

**Administration - Bureau of Labor Standards**

Personal Services	(5,102)
All Other	(6,586)
<b>TOTAL</b>	<u>(11,688)</u>

Provides for the deappropriation of funds from not filling a vacant Statistical Program Supervisor position, discontinuing intradepartmental mail service and reductions in travel.

**Displaced Homemakers Program**

All Other	(42,153)
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Provides for the deappropriation of funds associated with employ-

ment and training activities of the Displaced Homemakers Program.

**Job Training Partnership Program**

Personal Services	(3,719)
All Other	(105,333)
<b>TOTAL</b>	<b>(109,052)</b>

Provides for the deappropriation of funds through voluntary cost savings and reductions associated with employment and training activities of the Maine Training Initiative, MTI, and the Health Occupations Training, HOT, programs.

**Maine Labor Relations Board**

Personal Services	(25,771)
All Other	(2,831)
<b>TOTAL</b>	<b>(28,602)</b>

Provides for the deappropriation of funds from not filling a vacant Labor Attorney-mediator position and reductions of travel, utility services and professional training.

**Maine Occupational Information Coordinating Committee**

All Other	(18,965)
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Provides for the deappropriation of funds associated with career education and occupational information activities, which include materials development, training and technical assistance.

**Regulation and Enforcement**

Positions - Legislative Count	(-3.0)
Personal Services	(84,530)
All Other	(12,800)
<b>TOTAL</b>	<b>(97,330)</b>

Provides for the deappropriation of funds from the elimination of one Assistant Chief Boiler Elevator position, one Occupational Safety position, one Statistician I position and related expenses.

**STAR**

Personal Services	(16,128)
All Other	(109,276)
<b>TOTAL</b>	<b>(125,404)</b>

Provides for the deappropriation of funds from voluntary cost savings and from savings with employment and training activities of the Strategic Training for Accelerated Reemployment, STAR, program.

**DEPARTMENT OF LABOR TOTAL** (436,319)

**LEGISLATURE**

**Legislature**

All Other	(1,457,000)
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Provides for the deappropriation of funds from operations. The Legislature is authorized to achieve the amount specified for deappropriation through savings in all line categories, including Personal Services, All Other and Capital Expenditures from all its various accounts. Included in this deappropriation is \$184,722 of unused salary plan funds from fiscal year 1989-90 which shall be transferred from balances left in the salary plan.

**LEGISLATURE TOTAL** (1,457,000)

**MAINE STATE LIBRARY**

**Administration - Library**

All Other	(2,393)
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Provides for the deappropriation of funds from general operating expenses and supplies.

**Library Development Services**

All Other	(118,579)
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Provides for the deappropriation of funds through decreases in Media Services and Special Services and to phase out the film and video program.



**Reader and Information Services - Library**

Personal Services (2,230)  
 All Other (99,600)  
 Capital Expenditures (8,000)

**TOTAL (109,830)**

Provides for the deappropriation of funds from salary savings and a reduction in the Maine Cat program.

**MAINE STATE LIBRARY TOTAL (230,802)**

**MARINE RESOURCES, DEPARTMENT OF**

**Bureau of Marine Development**

All Other (124,893)

Provides for the deappropriation of funds from shifting some general operating costs to the dedicated account.

**Bureau of Marine Patrol**

All Other (174,684)  
 Capital Expenditures (3,453)

**TOTAL (178,137)**

Provides for the deappropriation of funds from shifting some general operating costs to the dedicated account.

**Bureau of Marine Sciences**

All Other (231,151)

Provides for the deappropriation of funds from shifting some of the general operating costs to the dedicated account and from other available balances.

**DEPARTMENT OF MARINE RESOURCES TOTAL (534,181)**

**MAINE MARITIME ACADEMY**

**Maritime Academy - Operations**

All Other (40,000)

Provides for the deappropriation of funds from reductions in general operating expenses.

**MAINE MARITIME ACADEMY TOTAL (40,000)**

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

**Administration - Mental Health and Mental Retardation**

Positions - Legislative Count (-3.5)  
 Personal Services (55,506)  
 All Other (10,000)  
 Capital Expenditures (4,000)

**TOTAL (69,506)**

Provides for the deappropriation of funds through the elimination of one Director of Planning and Management Information position, one Staff Development Coordinator position, one Social Services Program Specialist I position, one part-time Reimbursement Specialist position and reductions in capital.

**Aroostook Residential Center**

Positions - Legislative Count (-1.0)  
 Personal Services (19,138)

Provides for the deappropriation of funds through the elimination of one Psychologist II position.

**Augusta Mental Health Institute**

Positions - Legislative Count (-18.0)  
 Personal Services (194,995)  
 Capital Expenditures (35,000)

**TOTAL (229,995)**

Provides for the deappropriation of funds through the elimination of the following positions and related expenses: two Clerk Typist II positions, 6 Mental Health Worker I positions, one Staff Development Coordinator position, one Psychologist I position, one Chief Volunteer Services position, one Tailor position, one Occupational Therapist II position, one Food Service Worker position, one

Nurse IV position, one nurse III position, one Cook I position, one Carpenter Foreman position, general operating expenses and the delay in the purchase of capital equipment.

**Bangor Mental Health Institute**

Positions - Legislative Count	(-33.5)
Personal Services	(345,684)
All Other	(41,200)
Capital Expenditures	(30,000)
<b>TOTAL</b>	<b>(416,884)</b>

Provides for the deappropriation of funds through the elimination of the following positions: six Mental Health Worker I positions, 3 Mental Health Worker II positions, 3 Assistant Team Leader positions, one Team Leader position, one Nurse III position, 2 LPN positions, one Ward Clerk position, 3 Institutional Custodial Worker positions, one Psychiatric Social Worker II position, one Audio Visual Specialist position, one Boiler Engineer position, one part-time Heavy Equipment Operator position, one Mason position, one Clerk Typist II position, one Watchperson position, one part-time Lab Technician I position, 2 part-time Cook I positions, one Program Services Director position, one full-time and one part-time, 16 hours, Switchboard Operator positions, 1/2 of a Print Shop Manager position, 1/2 of a Chaplain I position, one part-time Clerk Typist II position, one Furniture Repair position and one Volunteer Assistant position, and not purchasing 2 12-passenger vans.

**Bath Children's Home**

Positions - Legislative Count	(-1.0)
Personal Services	(7,937)
Capital Expenditures	(3,000)
<b>TOTAL</b>	<b>(10,937)</b>

Provides for the deappropriation of funds through the elimination

of one Laundry Worker position and capital equipment.

**Elizabeth Levinson Center**

Positions - Legislative Count	(-1.0)
Personal Services	(10,401)
Capital Expenditures	(14,000)
<b>TOTAL</b>	<b>(24,401)</b>

Provides for the deappropriation of funds through the elimination of one Carpenter position and the delay in the purchase of medical supplies.

**Mental Health Services - Children**

All Other	(130,000)
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Provides for the deappropriation of funds from the increase in Medicaid funding, which will have little impact on actual clients.

**Mental Health Services - Community**

Positions - Legislative Count	(-1.0)
Personal Services	(15,265)
All Other	(300,000)
<b>TOTAL</b>	<b>(315,265)</b>

Provides for the deappropriation of funds through the elimination of one Community Support Services Coordinator position and the elimination of existing encumbrances.

**Mental Retardation Services - Community**

Positions - Legislative Count	(-2.0)
Personal Services	(9,161)
Capital Expenditures	(4,000)
<b>TOTAL</b>	<b>(13,161)</b>

Provides for the deappropriation of funds through the elimination of one Mental Retardation Specialist position and one Physical Therapist position and the delay of the purchase of capital equipment.

**Pineland Center**

Positions - Legislative Count	(-12.5)
Personal Services	(124,156)

Capital Expenditures	(40,000)
<b>TOTAL</b>	<u>(164,156)</u>

Provides for the deappropriation of funds through the elimination of 10 full-time and one part-time Mental Retardation Trainer positions, one Planning and Research Associate position, one Supervisor of Grounds and Transportation position and the delay in the purchase of residential furnishings.

**Substance Abuse Services - Mental Health and Mental Retardation**

All Other	(50,000)
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Provides for the deappropriation of funds through the cancellation of planned training and consultation on relapse prevention and substance abuse.

<b>DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL</b>	<u>(1,443,443)</u>
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**MAINE STATE MUSEUM**

**Administration - Museum**

Personal Services	(12,955)
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Provides for the deappropriation of funds through the suspension of holiday hours, the closing of the 2nd floor of the museum and cancellation of school demonstration programs.

**Exhibit Design and Preparation - Museum**

Positions - Legislative Count	(-1.0)
Personal Services	(7,339)
All Other	(66,146)
<b>TOTAL</b>	<u>(73,485)</u>

Provides for the deappropriation of funds through the elimination of one Senior Professional position and the suspension of plans to complete the archaeology exhibition.

**Research and Collection - Museum**

Positions - Legislative Count	(-1.0)
Personal Services	(9,293)
All Other	(39,137)

<b>TOTAL</b>	<u>(48,430)</u>
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Provides for the deappropriation of funds through the elimination of one Senior Professional position and the elimination of conservation care for the museum's collection.

**State House and Blaine House Art Fund - Museum**

All Other	(4,905)
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Provides for the deappropriation of funds through the elimination of the program.

<b>MAINE STATE MUSEUM TOTAL</b>	<u>(139,775)</u>
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**PINE TREE LEGAL ASSISTANCE**

**Legal Assistance**

All Other	(12,131)
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Provides for the deappropriation of funds from program activities.

<b>PINE TREE LEGAL ASSISTANCE TOTAL</b>	<u>(12,131)</u>
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**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Administration - Professional and Financial Regulation**

Positions - Legislative Count	(-2.0)
Personal Services	(37,725)
All Other	(9,618)

<b>TOTAL</b>	<u>(47,343)</u>
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Provides for the deappropriation of funds from the transfer of the Commissioner and one Senior Secretary position and related expenses to a special revenue account, and the elimination of out-of-state travel.

**Bureau of Banking**

All Other	(17,963)
Capital Expenditures	(5,671)

<b>TOTAL</b>	<u>(23,634)</u>
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Provides for the deappropriation of funds from the elimination of out-of-state travel, reductions in general operating expenses and the delay in purchasing capital equipment.

Provides for the deappropriation of funds through the reduction of authorized overtime and funds for local and county agents.

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION  
TOTAL**

(70,977)

**STATE BOARD OF PROPERTY TAX REVIEW**

**State Board of Property Tax Review**

All Other

(2,922)

Provides for the deappropriation of funds by reducing All Other.

**STATE BOARD OF PROPERTY TAX REVIEW  
TOTAL**

(2,922)

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety**

Positions - Legislative Count  
Personal Services

(-1.0)  
(14,600)

Provides for the deappropriation of funds through the transfer of funding for one Administrative Secretary position to the dedicated account.

**Bureau of Capitol Security**

Positions - Legislative Count  
Personal Services

(-1.0)  
(9,695)

Provides for the deappropriation of funds through the elimination of one vacant Watchperson position.

**Criminal Justice Academy**

All Other

(15,000)

Provides for the deappropriation of funds through the transfer of obligations to the dedicated account.

**Intergovernmental Drug Enforcement**

Personal Services  
All Other

(150,000)  
(280,000)

**TOTAL**

(430,000)

**Liquor Enforcement**

Positions - Legislative Count  
Personal Services

(-1.0)  
(9,921)

Provides for the deappropriation of funds through the elimination of one Liquor Enforcement Officer II position, to be vacated due to retirement.

**State Police**

Positions - Legislative Count  
Personal Services  
All Other

(-7.0)  
(675,164)  
(89,097)

**TOTAL**

(764,261)

Provides for the deappropriation of funds through travel and fuel conservation and the elimination of 3 Detective positions, one Trooper position, one Police Communications Operator position, paid overtime and the elimination of 2 State Police Commissioned Officer positions.

**DEPARTMENT OF PUBLIC SAFETY  
TOTAL**

(1,243,477)

**PUBLIC UTILITIES COMMISSION**

**Public Utilities - Administrative  
Division**

Personal Services

(61,646)

Provides for the deappropriation of funds from salary savings.

**Public Utilities - Administrative Division**

Positions - Legislative Count  
Personal Services

(-21.0)  
(437,117)

Provides for the deappropriation of funds effective January 1, 1991 from the transfer of all authorized positions to the Public Utilities Commission Regulatory Fund.

**PUBLIC UTILITIES COMMISSION  
TOTAL**

(498,763)

**MAINE STATE RETIREMENT SYSTEM,  
BOARD OF TRUSTEES OF THE**

**Retirement System - Retirement Allowance  
Fund**

All Other (12,048)

Provides for the deappropriation of funds from reductions in retirement benefits of retired governors or surviving widows.

**BOARD OF TRUSTEES OF THE  
MAINE STATE RETIREMENT SYSTEM  
TOTAL**

(12,048)

**SECRETARY OF STATE,  
DEPARTMENT OF THE**

**Administration - Secretary of State**

Personal Services (10,000)

All Other (54,692)

Capital Expenditures (103,500)

**TOTAL (168,192)**

Provides for the deappropriation of funds from salary savings, reduction in All Other and the reduction of the information system lease purchase payment in fiscal year 1990-91.

**Administration - Archives**

All Other (6,000)

Provides for the deappropriation of funds from staff training, travel, equipment repairs, operational supplies and microfilm preservation.

**Departmentwide**

All Other (50,000)

Deappropriates funds no longer required. All General Fund programs within the department are to be reduced equitably to achieve a total reduction of \$50,000. The Secretary of State shall notify the Joint Standing Committee on Appropriations and Financial Affairs as soon as possible with a plan as to how these reductions will be achieved.

The Secretary of State shall also submit recommendations to establish a line-item budget for all programs and funds in the Department of the Secretary of State to the Joint Standing Committee on Appropriations and Financial Affairs no later than May 1, 1991. The committee shall review the recommendation and incorporate some form of line-item budgeting for the Department of the Secretary of State in the 1992-93 "Current Services Budget" legislation.

**DEPARTMENT OF THE SECRETARY  
OF STATE  
TOTAL**

(224,192)

**MAINE TECHNICAL COLLEGE SYSTEM,  
BOARD OF TRUSTEES OF THE**

**Maine Technical College System -  
Board of Trustees**

All Other (200,000)

Provides for the deappropriation of funds by maintaining position vacancies and reducing capital equipment purchases and All Other expenses.

**BOARD OF TRUSTEES OF THE  
MAINE TECHNICAL COLLEGE SYSTEM  
TOTAL**

(200,000)

**TRANSPORTATION, DEPARTMENT OF**

**Administration - Ports and Marine  
Transportation**

All Other (56,500)

Provides for the deappropriation of funds by reducing operating funds transferred to the Maine State Ferry Service.

**Air Search and Rescue**

All Other (22,000)

Provides for the deappropriation of funds for the reimbursement of other agencies for air search and rescue efforts.

**Highway and Bridge Improvement**

Capital Expenditures (736,212)

Provides for the deappropriation of funds through deferring action on highway projects.

Provides for the deappropriation of funds from operating expenses.

**Railroad Assistance Program**

Personal Services (9,300)

Provides for the deappropriation of funds from reduced Personal Services costs of Railroad Inspector positions.

**State Plane**

Personal Services (19,900)  
All Other (18,000)

TOTAL (37,900)

Provides for the deappropriation of funds through decreased aircraft usage and not filling a temporary vacancy for an Executive Aircraft Pilot position.

**DEPARTMENT OF TRANSPORTATION TOTAL**

(861,912)

**TREASURER OF STATE****Administration - Treasury**

Positions - Legislative Count (-1.0)  
Personal Services (10,136)  
All Other (60,846)  
Capital Expenditures (1,500)

TOTAL (72,482)

Provides for the deappropriation of funds for one Clerk Typist I position, All Other operating costs and capital equipment.

**TREASURER OF STATE TOTAL**

(72,482)

**UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE****Educational and General Activities - University of Maine System**

All Other (1,642,947)

Provides for the deappropriation of funds from operating expenses.

**Maine Public Broadcasting Network**

All Other (26,916)

**BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM TOTAL**

(1,669,863)

**MAINE COMMISSION FOR WOMEN****Maine Commission for Women**

Personal Services (9,200)  
All Other (1,735)

Provides for the deappropriation of funds from salary savings and reductions in printing and supply expenditures.

**MAINE COMMISSION FOR WOMEN TOTAL**

(10,935)

**MAINE HEALTH POLICY ADVISORY COUNCIL****Maine Health Policy Advisory Council**

Personal Services (4,389)  
All Other (6,499)

Provides for the deappropriation of funds through the reduction in the workweek of a Clerk Typist III position from 40 hours to 32 hours.

**MAINE HEALTH POLICY ADVISORY COUNCIL TOTAL**

(10,888)

**MAINE WORLD TRADE ASSOCIATION****Maine World Trade Association**

All Other (9,375)

Provides for the deappropriation of funds through reductions in All Other.

**MAINE WORLD TRADE ASSOCIATION TOTAL**

(9,375)

**SECTION A-1 TOTAL APPROPRIATIONS**

(\$43,062,448)

**Sec. A-2. Allocation.** The following funds are allocated from Federal Expenditures for the fiscal year ending June 30, 1991 to carry out the purposes of this Act.

1990-91

**Administration - Human Services**

**MAINE COMMITTEE ON AGING**

**Maine Committee on Aging**

Positions - Other Count (0.5)  
 Personal Services \$12,000

Provides for the allocation of funds for 1/2 of an Advocate position to reflect a deappropriation from the General Fund.

Positions - Other Count (-1.0)  
 Personal Services (\$6,505)  
 All Other (76,000)  


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 Total (\$82,505)

Provides for the deallocation of funds to match a General Fund deappropriation to include the layoff of one Administrative Assistant position.

**MAINE COMMITTEE ON AGING TOTAL**

\$12,000

**Welfare Employment, Education and Training**

All Other (\$1,693,382)

Provides for the deallocation of funds to match a General Fund deappropriation.

**EXECUTIVE DEPARTMENT**

**Energy and Weatherization**

Positions - Other Count (-9.0)  
 Personal Services (\$109,045)  
 All Other (2,121,117)

Provides for the deallocation of funds due to the transfer of the Energy Weatherization Program to the Maine State Housing Authority, and the elimination of the following positions: four Energy Technician positions, one Account Clerk II position, one Staff Development Specialist position, one DCS Program Specialist position, one System Analyst position and one Management Analyst II position.

**Intermediate Care - Payments to Providers**

All Other (\$129,633)

Provides for the deallocation of funds to match a General Fund deappropriation.

**EXECUTIVE DEPARTMENT TOTAL**

(\$2,230,162)

**Administration - Regional - Human Services**

All Other (\$221,817)

Provides for the deallocation of funds to match a General Fund deappropriation associated with closing of certain offices in Part A.

**HUMAN SERVICES, DEPARTMENT OF**

**Bureau of Elder and Adult Services**

Positions - Other Count (-3.0)  
 Personal Services (\$35,512)  
 All Other 35,512

Total -0-

Provides for the deallocation of funds to match a General Fund deappropriation to include the layoff of one Planning and Research Associate I position, one Social Services Program Specialist II position and one Field Examiner II position.

**Income Maintenance - Regional**

Positions - Other Count (-7.0)  
 Personal Services (\$76,683)  
 All Other (20,546)  


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 Total (\$97,229)

Provides for the deallocation of funds to match a General Fund deappropriation to include the elimination of one Income Maintenance Supervisor position, one Income Maintenance Specialist position and 5 Clerk Typist II positions.

**Administration - Income Maintenance**

Positions - Other Count	(-6.0)	
Personal Services	(\$39,355)	
All Other	(30,760)	
<b>Total</b>	<u>(\$70,115)</u>	

Provides for the deallocation of funds to match a General Fund deappropriation to include the layoff of 2 Clerk Typist II positions, one Social Services Program Specialist II position and 3 Income Maintenance Specialist positions.

**Medical Care Administration**

Positions - Other Count	(-8.0)	
Personal Services	(\$92,333)	
All Other	(102,633)	
<b>Total</b>	<u>(\$194,966)</u>	

Provides for the deallocation of funds to match a General Fund deappropriation to include the layoff of one Clerk III position, one Clerk Typist II position, one Management Analyst I position, one Bureau of Medical Services Assistant Director position, 2 Provider Relations Specialist positions and 2 Medical Social Work Consultant positions.

**Medical Care -Payments to Providers**

All Other	(2,598,965)	
Provides for the deallocation of funds to match a General Fund deappropriation.		

**Legal Services**

Positions - Other Count	(-1.0)	
Personal Services	(27,401)	
Provides for the deallocation of funds for one Attorney position.		

<b>DEPARTMENT OF HUMAN SERVICES TOTAL</b>	<u>(\$5,116,013)</u>	
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<b>SECTION A-2 TOTAL ALLOCATIONS</b>	<u>(\$7,334,175)</u>	
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**Sec. A-3. Allocation.** The following funds are allocated from Other Special Revenue for the fiscal year ending June 30, 1991 to carry out the purposes of this Act.

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

1990-91

**Agricultural Production**

Positions - Other Count	(1.0)
Personal Services	\$13,098

Provides funds for the transfer of a Clerk Typist II position from the General Fund.

**Marketing Services - Agriculture**

Positions - Other Count	(1.0)
Personal Services	\$29,450
All Other	7,000
<b>Total</b>	<u>\$36,450</u>

Provides funds for the transfer of the Assistant to the Commissioner for Potato Marketing position and related expenses from the General Fund.

<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL</b>	<u>\$49,548</u>
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**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Administration - Environmental Protection**

Positions - Other Count	(1.0)
Personal Services	\$20,000
All Other	7,521
<b>Total</b>	<u>\$27,521</u>

Provides for the allocation of funds to transfer a Programmer Analyst position and related general operating costs from the General Fund.

<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL</b>	<u>\$27,521</u>
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**LABOR, DEPARTMENT OF**

**Safety Education and Training Programs**

Positions - Other Count	(2.0)
Personal Services	\$17,416



Provides funds for the transfer of one Occupation Safety Compliance Engineer position and one Statistician I position from the General Fund.

**DEPARTMENT OF LABOR**  
**TOTAL** \$17,416

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Administrative Services - Professional and Financial Regulation**

Positions - Other Count	(2.0)
Personal Services	\$43,870
All Other	5,832
<b>Total</b>	<u>\$49,702</u>

Provides for the allocation of funds for the transfer of the Commissioner and a Senior Administrative Secretary position and related expenses from the General Fund.

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**  
**TOTAL** \$49,702

**SECTION A-3**  
**TOTAL ALLOCATIONS** \$144,187

**Sec. A-4. Allocation.** The following funds are allocated from the Highway Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Act.

1990-91

**PUBLIC SAFETY, DEPARTMENT OF**

**State Police**

Personal Services	(\$12,858)
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Provides for the deallocation of funds through the layoff of 2 State Police Commissioned Officers.

**DEPARTMENT OF PUBLIC SAFETY**  
**TOTAL** (\$12,858)

**SECTION A-4**  
**TOTAL ALLOCATIONS** (\$12,858)

**Sec. A-5. Allocation; State Lottery Fund.** In order to provide for the necessary expenses of operation and administration of the Department of Finance, Bureau of Lottery,

the following amounts, or as much as may be necessary, are allocated from the revenues derived from operations of the State Lottery Fund.

1990-91

**FINANCE, DEPARTMENT OF**

**Lottery Operations**

Positions - Legislative Count	(-1.0)
Personal Services	(\$7,093)
All Other	(137,000)
<b>Total</b>	<u>(\$144,093)</u>

Provides for the deallocation of funds from reductions in All Other and the layoff of a Deputy Director of Sales position. General Fund undedicated revenue will increase by \$144,093.

**DEPARTMENT OF FINANCE**  
**TOTAL** (\$144,093)

**SECTION A-5**  
**TOTAL ALLOCATIONS** (\$144,093)

**Sec. A-6. Allocation of Public Utilities Commission Regulatory Fund.** The following funds are allocated from the Public Utilities Commission Regulatory Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Act.

1990-91

**PUBLIC UTILITIES COMMISSION**

**Regulatory Fund - Public Utilities Commission**

Positions - Legislative Count	(21.0)
Personal Services	\$468,000

Provides for the allocation of funds to transfer 21 positions from the General Fund.

**PUBLIC UTILITIES COMMISSION**  
**TOTAL** \$468,000

**SECTION A-6**  
**TOTAL ALLOCATIONS** \$468,000

**Sec. A-7. Allocation.** The following funds are allocated from the Stripper Well Fund to carry out the purposes of this Act.

	<b>1990-91</b>
<b>HUMAN SERVICES, DEPARTMENT OF</b>	
<b>General Assistance - Reimbursement to Cities and Towns</b>	\$1,250,000
Provides for the allocation of stripper well funds for the purpose of reimbursing the state share of general assistance administrative costs associated with payments to recipients for energy-related expenses for the entire state fiscal year 1990-91.	
<b>DEPARTMENT OF HUMAN SERVICES TOTAL</b>	<u>\$1,250,000</u>
<b>SECTION A-7</b>	
<b>TOTAL ALLOCATIONS</b>	<u>\$1,250,000</u>

**Sec. A-8. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 5, section 1507, \$500,000 is authorized to be transferred from the State Contingent Account to General Fund undedicated revenues by June 30, 1991, and an additional \$50,000 is authorized to be transferred from the Job Development Training component of the State Contingent Account to General Fund undedicated revenues by June 30, 1991.

**PART B**

**Sec. B-1. Appropriation.** There are appropriated from the General Fund for the fiscal year ending June 30, 1991, to the departments listed, the following sums.

	<b>1990-91</b>
<b>ADMINISTRATION, DEPARTMENT OF</b>	
<b>Buildings and Grounds Operations</b>	
All Other	\$369,800
Provides funds for increased fuel oil and electricity costs.	
<b>State Police Headquarters Building Maintenance</b>	
All Other	\$8,200
Provides funds for increased fuel oil and electricity costs.	
<b>DEPARTMENT OF ADMINISTRATION TOTAL</b>	<u>\$378,000</u>

<b>CONSERVATION, DEPARTMENT OF</b>	
<b>Maine Land Use Regulation Commission</b>	
Positions - Legislative Count	(1.0)
Head count proposal only. Funding was appropriated for an Environmental Specialist III position for fiscal year 1990-91, but the position was inadvertently excluded. Funding and head count to continue this position beyond fiscal year 1990-91 will be necessary.	
<b>Maine Land Use Regulation Commission</b>	
Positions - Legislative Count	(1.0)
Personal Services	\$10,273
All Other	4,120
Capital Expenditures	3,600
<b>TOTAL</b>	<u>\$17,993</u>

Provides funds for an Environmental Specialist III position and contractual work to process mining permit applications pending before the Maine Land Use Regulation Commission.

<b>DEPARTMENT OF CONSERVATION TOTAL</b>	<u>\$17,993</u>
<b>CORRECTIONS, DEPARTMENT OF</b>	
<b>Bangor Pre-Release Center</b>	
Personal Services	\$33,756
All Other	35,000
<b>TOTAL</b>	<u>\$68,756</u>

Provides funds for unbudgeted overtime, employee health insurance, workers' compensation and contracted medical services.

<b>Central Maine Pre-Release Center</b>	
Personal Services	\$22,970
Provides funds for unbudgeted overtime and employee health insurance.	

**Charleston Correctional Facility**

Personal Services	\$155,085	Provides funds for the increased costs of food.	
All Other	31,723		
<b>TOTAL</b>	<u>\$186,808</u>	<b>Food - Maine Youth Center</b>	
Provides funds for unbudgeted overtime, employee health insurance, inmate medical costs and workers' compensation.		All Other	\$90,089
<b>Community Based Corrections</b>		Provides funds for the increased costs of food, \$45,000, and unpaid invoices as of June 30, 1990, \$45,089, paid in fiscal year 1990-91.	
All Other	\$616,000	<b>Food - State Prison</b>	
Provides funds to reimburse the county jails for the remainder of fiscal year 1990-91.		All Other	\$120,000
<b>Correctional Services</b>		Provides funds for the increased costs of food.	
Personal Services	\$3,512	<b>Fuel - Corrections</b>	
All Other	45,000	All Other	\$473,296
<b>TOTAL</b>	<u>\$48,512</u>	Provides funds for increased fuel costs.	
Provides funds for employee health insurance and 9 home-based services programs.		<b>Probation and Parole</b>	
<b>Correctional Center</b>		Personal Services	\$254,594
Personal Services	\$826,992	All Other	55,255
All Other	1,650,300	<b>TOTAL</b>	<u>\$309,849</u>
<b>TOTAL</b>	<u>\$2,477,292</u>	Provides funds for salaries, wages, employee health insurance, all other expenditures and rental of office space.	
Provides funds for unbudgeted overtime, employee health insurance, inmate medical costs and increased operating costs due to increased inmate population.		<b>State Prison</b>	
<b>Downeast Correctional Facility</b>		Personal Services	\$638,025
Personal Services	\$84,453	All Other	408,512
All Other	138,531	Capital Expenditures	47,113
Capital Expenditures	11,800	<b>TOTAL</b>	<u>\$1,093,650</u>
<b>TOTAL</b>	<u>\$234,784</u>	Provides funds for unbudgeted overtime, employee health insurance costs, workers' compensation, medical services and capital purchases.	
Provides funds for unbudgeted overtime, employee health insurance, medical services, plant operations, equipment and restoration of psychological services.		<b>State Prison - Farm Program</b>	
<b>Food - Maine Correctional Center</b>		Personal Services	\$10,000
All Other	\$253,500	All Other	(10,000)
		<b>TOTAL</b>	<u>-\$0-</u>
		Provides funds for unbudgeted overtime costs.	

**Unemployment Compensation - Corrections**

Personal Services \$78,209  
 Provides funds for increased unemployment costs.

**Maine Youth Center**

Personal Services \$420,223  
 All Other 174,412  
**TOTAL \$594,635**

Provides funds for unbudgeted overtime, employee health insurance, medical costs, repairs and workers' compensation.

**DEPARTMENT OF CORRECTIONS TOTAL \$6,668,350**

**EDUCATION, DEPARTMENT OF**

**Administration - Local School Services**

Personal Services \$7,028  
 Provides funds through a transfer from Governor Baxter School for the Deaf in order to cover a projected Personal Services shortfall.

**Alcohol and Drug Education Services**

Positions - Legislative Count (1.0)  
 Personal Services \$5,271  
 All Other (5,271)  
**TOTAL -\$0-**

Provides funds for an Education Specialist II position to correct the effect of Public Law 1989, chapter 934 on the position transfer in Public Law 1989, chapter 875.

**Certification, Placement and Teacher Education**

Personal Services \$20,772  
 Provides funds for a projected Personal Services shortfall through a transfer from the Governor Baxter School for the Deaf.

**Donated Commodities Program - Local Schools**

Personal Services \$2,743  
 Provides funds for a projected Personal Services shortfall through a transfer from the Governor Baxter School for the Deaf.

**Education in Unorganized Territory**

Personal Services \$70,000  
 Provides funds to meet Personal Services costs in the 4th quarter of fiscal year 1990-91. General Fund costs will be offset by additional General Fund undedicated revenues.

**Education in Unorganized Territory**

All Other \$168,000  
 Provides funds to cover additional operational needs. General Fund costs will be offset by additional General Fund undedicated revenues.

**Governor Baxter School for the Deaf**

Personal Services (\$30,543)  
 Provides for the deappropriation of funds from salary savings to transfer Personal Services appropriations to the following programs to cover projected Personal Services shortfall: seven thousand twenty-eight dollars to Administration - Local School Services; \$2,743 to Donated Commodities Program - Local Schools; and \$20,772 to Certification, Placement and Teacher Education.

**Grant-Loan-Scholarship Fund**

All Other \$247,800  
 Provides funds to offset effect of a double deappropriation in Public Law 1989, chapter 698 and Public Law 1989, chapter 875 from this account.

**DEPARTMENT OF EDUCATION TOTAL \$485,800**

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Departmentwide - Department of  
Environmental Protection**

All Other \$90,000

Provides funds for the payment of an arbitration settlement against the department regarding compressed workweek.

**DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
TOTAL**

\$90,000

**FINANCE AUTHORITY OF MAINE**

**Student Financial Assistance Programs**

All Other (\$247,800)

Provides for the deappropriation of funds from a double appropriation in Public Law 1989, chapter 698 and Public Law 1989, chapter 875.

**FINANCE AUTHORITY OF MAINE  
TOTAL**

(\$247,800)

**HUMAN SERVICES, DEPARTMENT OF**

**Aid to Families with Dependent Children**

All Other \$10,716,627

Provides funds to meet increased case loads.

**General Assistance - Reimbursement to  
Cities and Towns**

All Other \$6,568,277

Provides funds to meet increased case loads.

**Intermediate Care - Payments to Providers**

All Other \$14,162,450

Provides funds to cover projected shortfall due to federal regulations and higher-than-anticipated fuel costs and other recession-related problems.

**Medical Care - Payments to Providers**

All Other \$9,834,095

Provides funds for increased hospital costs, increases in prescribed drug costs and increases resulting from the federal deficit reduction bill.

**Medical Care Administration**

All Other \$585,496

Provides funds to cover an anticipated shortfall resulting from increased costs associated with EPSDT outreach regulations.

**Social Services - Regional**

Personal Services \$1,336,804

Provides funds to meet expected payroll costs.

**Free Drugs to Maine's Elderly**

All Other \$650,000

Provides funds for the Free Drugs for Maine's Elderly Program to meet increased client load and increased drug costs.

**DEPARTMENT OF HUMAN SERVICES  
TOTAL**

\$43,853,749

**JUDICIAL DEPARTMENT**

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

All Other \$600,000

Provides funds for civil jury trials and increased court security costs.

**Indigent Defense**

All Other \$400,000

Provides funds for increased indigent defense counsel costs due to an increase in the number of cases, as well as invoices carried forward from fiscal year 1989-90.

**JUDICIAL DEPARTMENT  
TOTAL**

\$1,000,000

**LEGISLATURE**

**Commission to Implement the  
Computerization of Criminal History  
Record Information**

All Other \$4,000

Provides additional funding to allow the commission to complete its work.

**LEGISLATURE**  
**TOTAL** \$4,000

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

**Administration - Mental Health and Mental Retardation**

All Other \$68,500

Provides funds to meet the cost of operating the forensic service of the State.

**Administration - Mental Health and Mental Retardation**

All Other \$175,000

Provides funds to establish the Office of the Court Master required under the consent decree and for payment of plaintiff's attorney's fees, expert consultants and management structure required to monitor the State's compliance with the terms and conditions of the decree.

**Aroostook Residential Center**

Personal Services \$97,455  
All Other 15,000

**TOTAL** \$112,455

Provides funds for the unbudgeted costs of collective bargaining, holiday and overtime pay and costs associated with a workers' compensation claim.

**Augusta Mental Health Institute**

Personal Services \$1,201,111  
All Other 1,377,727

**TOTAL** \$2,578,838

Provides funds for the unbudgeted costs of collective bargaining and overtime as well as All Other expenses such as workers' compensation, utilities, patient medical bills and drugs.

**Augusta Mental Health Institute**

Personal Services \$25,714  
All Other 126,000

**TOTAL** \$151,714

Provides funds to begin implementation of consent decree requirements.

**Bangor Mental Health Institute**

Personal Services \$921,556  
All Other 1,897,072

**TOTAL** \$2,818,628

Provides funds for payroll, workers' compensation, psychiatrist contracts, drugs, patient medical bills, insurance and peer and death review expenses.

**Bath Children's Home**

All Other \$20,500

Provides funds for unbudgeted expenditures relating to a workers' compensation claim.

**Elizabeth Levinson Center**

Personal Services \$133,798  
All Other 61,564

**TOTAL** \$195,362

Provides funds to support the unbudgeted costs of collective bargaining, overtime and holiday pay, workers' compensation and utilities.

**Food for Institutions - Mental Health and Mental Retardation**

All Other \$475,000

Provides funds to support food costs over and above those presently budgeted.

**Fuel for Institutions - Mental Health and Mental Retardation**

All Other \$280,000  
 Provides funds to support fuel costs over and above those budgeted.

unemployment compensation account.  
**Mental Health Services - Community**  
 All Other \$340,000

**Mental Health Services - Children**  
 All Other \$115,000  
 Provides funds for a diversion program for adolescents.

Provides funds for additional community services for the mentally ill in response to decreased staff and other resources at Augusta Mental Health Institute and Bangor Mental Health Institute. These funds carry forward to June 30, 1992.

**Mental Health Services - Community**  
 Personal Services \$52,129  
 Provides funds for collective bargaining increases and holiday coverage through overtime.

**DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION**  
**TOTAL** \$10,280,732

**Mental Health Services - Community**  
 All Other \$54,000  
 Provides funds for fulfilling immediate obligations, under the consent decree, through training and by moving patients into community placements.

**SECRETARY OF STATE, DEPARTMENT OF THE Administration-Secretary of State**  
 All Other \$45,165

**Mental Retardation Services - Community**  
 All Other \$120,308  
 Provides funds for unanticipated and unbudgeted demands placed on the Bureau of Mental Retardation, presenting the bureau with a budget shortfall.

Provides funds for printing, postage and related expenses for the November 1990 referenda, less available savings in this program.

**Pineland Center**  
 Personal Services \$2,000,066  
 All Other 498,682  
TOTAL \$2,498,748

**DEPARTMENT OF THE SECRETARY OF STATE**  
**TOTAL** \$45,165

**OFFICE OF TREASURER OF STATE**  
**Debt Service - Treasury**  
 All Other \$2,010,503

Provides funds to support unbudgeted costs of collective bargaining increases, holiday and overtime pay and workers' compensation.

Provides funds for payment of debt service on outstanding bonds.  
**OFFICE OF TREASURER OF STATE**  
**TOTAL** \$2,010,503

**Unemployment Compensation - Mental Health and Mental Retardation**  
 Personal Services \$224,550  
 Provides funds to meet a projected shortfall in the department's centralized

**SECTION B-1**  
**TOTAL APPROPRIATIONS** \$64,586,492

**Sec. B-2. Allocation.** There are allocated from Federal Expenditures for the fiscal year ending June 30, 1991 the following sums.

	1990-91	All Other	293
<b>EDUCATION, DEPARTMENT OF</b>		<b>TOTAL</b>	<u>\$53,895</u>
<b>Alcohol and Drug Education Services</b>		Provides funds for the transfer of an Environmental Specialist IV position and a Chemist III position and continues a Senior Meteorologist position funded through the Federal Clean Air Act and established by Financial Order #2715.	
Positions - Other Count	(2.5)		
Personal Services	\$13,437		
All Other	574		
<b>TOTAL</b>	<u>\$14,011</u>		
Provides funds for the continuance of 2 Education Specialist II positions and one part-time Clerk Stenographer II position in order to carry out the responsibilities of the federal Drug Free Schools and Communities Act of 1986.		<b>Lake Restoration and Protection Fund</b>	
		Positions - Other Count	(1.0)
		Personal Services	\$6,600
		All Other	60
		<b>TOTAL</b>	<u>\$6,660</u>
<b>Special Education - Exceptional Children</b>		Provides funds for an Environmental Services Specialist II position to complete studies and restoration of area lakes.	
Positions - Other Count	(5.0)		
Personal Services	\$24,962		
All Other	1,066		
<b>TOTAL</b>	<u>\$26,028</u>	<b>Land Quality Control</b>	
Provides funds for 2 Education Specialist II positions, an Education Specialist III position, a Clerk Typist III position and a Clerk Stenographer II position for the continuance of a student assistance team for high-risk youth.		Positions - Other Count	(1.0)
		Personal Services	\$6,418
		All Other	195
		<b>TOTAL</b>	<u>\$6,613</u>
<b>DEPARTMENT OF EDUCATION</b>		Provides funds for the continuation of an Environmental Specialist III position funded through the federal RCRA 8001(a) (1) grant from the Environmental Protection Agency.	
<b>TOTAL</b>	<u>\$40,039</u>	<b>Land Quality Control</b>	
<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>		Positions - Other Count	(1.0)
<b>Administration - Environmental Protection</b>		Personal Services	\$8,736
All Other	\$7,000	All Other	266
Capital Expenditures	22,876	<b>TOTAL</b>	<u>\$9,002</u>
<b>TOTAL</b>	<u>\$29,876</u>	Provides funds to continue an Environmental Specialist IV position funded through federal RCRA 8001(a) (1) grant from the Environmental Protection Agency and established by a financial order, which is in process.	
Provides funds for computer equipment, networking and software to support implementation of the comprehensive automation plan.		<b>Oil and Hazardous Materials Control</b>	
<b>Air Quality Control</b>			
Positions - Other Count	(3.0)		
Personal Services	\$53,602		



Positions - Other Count	(1.0)
Personal Services	\$8,784
All Other	362
<b>TOTAL</b>	<u>\$9,146</u>

Provides for the continuation of an Environmental Specialist III position funded through the Federal Core Grant II and established by Financial Order #2640.

**Oil and Hazardous Materials Control**

Positions - Other Count	(1.0)
Personal Services	\$6,418
All Other	195
<b>TOTAL</b>	<u>\$6,613</u>

Provides funds for an Environmental Specialist III position funded through the Federal Hazardous Waste Grant from the Environmental Protection Agency.

**Solid Waste Management**

Positions - Other Count	(1.0)
Personal Services	\$8,176
All Other	337
<b>TOTAL</b>	<u>\$8,513</u>

Provides funds for the continuation of an Oil and Hazardous Material Specialist II position funded through the Federal Asbestos Program Enhancement Grant and established by Financial Order #2638.

**Water Quality Control**

Positions - Other Count	(3.0)
Personal Services	\$21,032
All Other	645
<b>TOTAL</b>	<u>\$21,677</u>

Provides funds for a Casco Bay Estuary Project Coordinator position, established by Financial Order #2642, a Program Analyst position and a Planning and Research Associate II position.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

\$151,995

**EXECUTIVE DEPARTMENT**

**Head Start**

Positions - Other Count	(2.0)
Personal Services	\$10,493
All Other	412
<b>TOTAL</b>	<u>\$10,905</u>

Provides funds for a Head Start Director position and a Secretary position for a new State Office of Head Start.

**Planning Office**

Positions - Other Count	(1.0)
Personal Services	\$4,751
All Other	(4,751)
<b>TOTAL</b>	<u>-\$0-</u>

Provides funds for the continued development of the Maine Shore Stewards Program under the Coastal Grant, by transfer of All Other to Personal Services.

**Planning Office**

Personal Services	\$7,830
Provides funds for increased Personal Services for personnel to perform a state biomass energy study.	

**EXECUTIVE DEPARTMENT**

**TOTAL** \$18,735

**HUMAN SERVICES, DEPARTMENT OF**

**Aid to Families with Dependent Children**

All Other	\$18,635,954
Provides funds to match the General Fund emergency request for fiscal year 1990-91.	

**Intermediate Care - Payments to Providers**

All Other	\$8,267,313
Provides funds to match the General Fund emergency request for fiscal year 1990-91.	

**Medical Care - Payments to Providers**

All Other	\$6,235,482
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Provides funds to match the General Fund emergency request for fiscal year 1990-91.

prevention and control through Financial Order 2947.

**Medical Care Administration**

Positions - Other Count	(2.0)
Personal Services	\$27,118
All Other	850
<b>TOTAL</b>	<b>\$27,968</b>

Provides funds from Title XIX for one Social Services Program Specialist I position and one Medicaid Surveillance and Utilization Assistant Director position for the Division of Residential Care.

**Bureau of Health**

Positions - Other Count	(3.5)
Personal Services	\$22,192

Provides funds for the continuation of a half-time Public Health Physician position, 2 Public Health Nurse II positions and one Clerk Typist III position for the occupational health and safety surveillance of agriculture-related injuries and illnesses through Financial Order 2946.

**Bureau of Child and Family Services**

Positions - Other Count	(1.0)
Personal Services	\$9,070
All Other	10,000
<b>TOTAL</b>	<b>\$19,070</b>

Provides funds for improving child care licensing and registration requirements and monitoring child care services provided to children receiving aid under the State IV-A Plan and includes the continuation of one Planning and Research Associate I position established by financial order.

**Bureau of Health**

Positions - Other Count	(3.0)
Personal Services	\$19,828

Provides funds for the continuation of one Public Health Nurse Consultant position, one Public Health Nurse II position and one Clerk Typist III position for screening tuberculosis at Bath Iron Works, Bath, medical and nursing intervention and treatment and supporting documentation through Financial Order 2854.

**Medical Care Administration**

Positions - Other Count	(1.0)
Personal Services	\$7,488
All Other	1,166
<b>TOTAL</b>	<b>\$8,654</b>

Provides funds from Title XIX for a Health Services Consultant position.

**Bureau of Health**

Positions - Other Count	(0.5)
Personal Services	\$4,962

Provides funds for a half-time Planning and Research Associate I position for a data-based prenatal hepatitis B screening program and prevention and control of vaccine preventable diseases through Financial Order 2795.

**Bureau of Health**

Positions - Other Count	(3.0)
Personal Services	\$16,322

Provides funds for the continuation of one Epidemiologist position, one Public Health Educator II position and one Clerk Typist III position for data-based information research in public health agencies for cancer

**Bureau of Health**

Positions - Other Count	(0.5)
Personal Services	\$4,962

Provides funds for one half-time Planning and Research Associate I position to research, plan and provide educational programs to physicians and health care professionals through the various media through Financial Order 3070.

**Medical Care Administration**

Positions - Other Count	(2.0)
Personal Services	\$21,181
All Other	3,500
<b>Total</b>	<b>\$24,681</b>

Provides funds for one Education Specialist II position and one Clerk II position to maintain the nurse aide registry required under federal nursing home reform laws.

**Medical Care Administration**

Positions - Other Count	(4.0)
Personal Services	\$47,400
All Other	5,831
Capital Expenditures	3,450
<b>Total</b>	<b>\$56,681</b>

Provides funds for 3 Medicare Surveyor Positions, one Clerk II position and All Other and Capital Expenditures for the mandated home health agency complaint investigation unit for this survey agency.

**Medical Care Administration**

Positions - Other Count	(2.0)
Personal Services	\$26,171
All Other	3,334
Capital Expenditure	1,500
<b>Total</b>	<b>\$31,005</b>

Provides funds for 2 Nursing Home Surveyor positions to comply with increased federal survey requirements under OBRA 1987 and the Federal match is 90% for fiscal year 1990-91.

**Medical Care Administration**

Positions - Other Count	(2.0)
Personal Services	\$26,582
All Other	3,000
<b>Total</b>	<b>\$29,582</b>

Provides funds for one Systems Analyst position and one Planning and Research Associate II position required to implement

the cooperative agreement with HCFA for purposes of demonstrating health insurance programs for children.

**Medical Care Administration**

Positions - Other Count	(1.0)
Personal Services	\$7,402
All Other	4,000
<b>Total</b>	<b>\$11,402</b>

Provides funds for one Clerk Typist II position for the HCFA demonstration grant to expand Medicaid eligibility. The Department of Human Services has received approval to administer this grant.

**Medical Care Administration**

Positions - Other Count	(3.0)
Personal Services	\$27,737
All Other	13,329
Capital Expenditures	53,773
<b>Total</b>	<b>\$94,839</b>

Provides funds for one Case Mix Manager position, one Quality Assurance Director position and one MIS Coordinator position for implementation and maintenance of the case mix quality assurance payment system for nursing facilities.

**Aid to Families with Dependent Children - Foster Care**

All Other	\$584,155
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Provides funds for child welfare training and increases in child welfare services costs.

**Administration - Social Services**

All Other	\$76,000
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Provides funds to eligible crime victims programs to enhance crime victims services.

**Administration - Social Services**

Positions - Other Count	(1.0)
Personal Services	\$9,070
All Other	10,000
<b>Total</b>	<b>\$19,070</b>

Provides funds for the continuation of one Planning and Research Associate I position for improving child care licensing and registration requirements and monitoring child care services provided to children receiving aid under the State IV-A Plan.

All Other	(\$800)
Capital Expenditures	800
	<hr/>
TOTAL	-\$0-

**DEPARTMENT OF HUMAN SERVICES**  
TOTAL \$34,190,122

**PUBLIC SAFETY, DEPARTMENT OF**

**Criminal Justice Academy**

Positions - Other Count	(3.0)
Personal Services	\$39,102
All Other	411

Provides funds for the continuation of 2 Planning and Research Associate II positions and one Clerk Stenographer I position to administer the Federal Drug Control and Systems Improvement Grant.

**DEPARTMENT OF PUBLIC SAFETY**  
TOTAL \$39,513

**SECTION B-2**  
TOTAL ALLOCATIONS \$34,440,404

**Sec. B-3. Allocation.** The following funds are allocated from Other Special Revenue for the fiscal year ending June 30, 1991 to carry out the purposes of this Act.

1990-91

**ADMINISTRATION, DEPARTMENT OF**

**Accident - Sickness - Health Insurance**

Capital Expenditures	\$100,000
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Provides funds for the continued development and analysis of alternative health insurance plans to rebid the Health Maintenance Organization contract and to comply with collective bargaining agreements.

**DEPARTMENT OF ADMINISTRATION**  
TOTAL \$100,000

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

**Agriculture Production**

**Dairy and Nutrition Council Committee**

All Other	\$55,000
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Provides funds for purchasing nutrition education materials.

**Dairy Promotions Board**

All Other	\$55,000
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Provides funds for increased media advertising.

**DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES**  
TOTAL \$110,000

**CONSERVATION, DEPARTMENT OF**

**Parks - General Operations**

All Other	\$70,532
Unallocated	1,629

TOTAL	<u>\$72,161</u>
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Provides funds for access improvements expected to be transferred from Land for Maine's Future Fund, the Maine Revised Statutes, Title 5, section 6203.

**Parks - General Operations**

Personal Services	\$13,651
All Other	267
Unallocated	819

TOTAL	<u>\$14,737</u>
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Provides funds from the unencumbered balance forward to fund salary increases and reimburse Wolfe's Neck Woods State Park Fund.

**DEPARTMENT OF CONSERVATION**  
TOTAL \$86,898

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Administration - Environmental  
Protection**

All Other	\$1,557
Capital Expenditures	68,567
<b>TOTAL</b>	<u>\$70,124</u>

Provides funds for computer equipment, networking and software to assist implementation of the comprehensive automation plan.

**Maine Environmental Protection Fund**

Personal Services	\$655
All Other	20
<b>TOTAL</b>	<u>\$675</u>

Provides funds for the reclassification through reorganization of 2 Environmental Specialist II positions to Oil and Hazardous Material Specialist I positions.

**Technical Studies - Department of  
Environmental Protection**

All Other	\$28,178
Capital Expenditures	6,000
<b>TOTAL</b>	<u>\$34,178</u>

Provides funds for additional planned activities and Capital Expenditures by the advisory commission.

**Oil and Hazardous Materials Control**

Personal Services	\$2,154
All Other	65
<b>TOTAL</b>	<u>\$2,219</u>

Provides funds for 2 limited-period Conservation Aide positions to be used for 16 weeks as general purpose employees.

**Oil and Hazardous Materials Control**

Personal Services	\$2,154
All Other	65
<b>TOTAL</b>	<u>\$2,219</u>

Provides funds for 2 limited-period Conservation Aide positions to be used for 16 weeks as general purpose employees.

**Oil and Hazardous Materials Control**

Personal Services	\$2,154
All Other	65
<b>TOTAL</b>	<u>\$2,219</u>

Provides funds for 2 limited-period Conservation Aide positions to be used for 16 weeks as general purpose employees.

**Oil and Hazardous Materials Control**

Personal Services	\$60,000
All Other	2,100
<b>TOTAL</b>	<u>\$62,100</u>

Provides funds for Personal Services in the surface account.

**Radioactive Waste Evaluation Fund**

All Other	\$14,355
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Provides funds for additional planned activities by the Advisory Commission on Radioactive Waste.

**DEPARTMENT OF ENVIRONMENTAL  
PROTECTION**

**EXECUTIVE DEPARTMENT**

**Petroleum Violation Escrow**

Positions - Other Count	(1.0)
Personal Services	\$3,975

Provides funds to increase Personal Services in the Standard Oil, Coline Gas Account, to administer a grant award.

**Office of Siting and Disposal Operations**

Positions - Other Count	(1.0)
Personal Services	\$11,888
All Other	108,460
Capital Expenditures	5,500
<b>TOTAL</b>	<u>\$125,848</u>

Provides funds for an Environmental Specialist III position and the development of a hazardous waste disposal program as mandated by the Maine Revised Statutes, Title 38, section 2164.

**Planning Office**

Personal Services \$12,057

Provides funds for an increase in 4th-quarter allotment in Personal Services for the State Nuclear Safety Advisor.

**EXECUTIVE DEPARTMENT TOTAL** \$141,880

**HUMAN SERVICES, DEPARTMENT OF**

**Medical Care - Payments to Providers**

All Other \$200,000

Provides for the allocation of funds received from collection of unpaid debts owed to the department from health care providers.

**Bureau of Health**

Positions - Other Count (0.5)  
Personal Services \$4,962

Provides funds to research, plan and provide educational programs to physicians and health care professionals through various media to include one half-time Planning and Research Associate I position authorized in Financial Order 3070 F1.

**Free Drugs for Maine's Elderly**

All Other \$125,000

Provides funds for the Free Drugs for Maine's Elderly Program to meet increased client load and increased costs available from nursing home depreciation recapture.

**AFDC - Foster Care**

All Other \$486,000

Provides funds for the state share of increased costs of foster care.

**DEPARTMENT OF HUMAN SERVICES TOTAL** \$815,962

**MAINE STATE LIBRARY**

**Library Development Services**

Positions - Other Count (1.0)  
Personal Services \$2,369  
All Other (2,369)

**TOTAL** -\$0-

Provides funds to reestablish one Laborer II position by the transfer of funds between line items.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Special Services**

Positions - Other Count (1.0)  
Personal Services \$5,850

Provides funds for the continuation of an Information Support Specialist position established by Financial Order 02772 FO.

**DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL** \$5,850

**PUBLIC SAFETY, DEPARTMENT OF**

**Criminal Justice Academy**

Positions - Other Count (1.0)  
Personal Services \$3,539  
All Other 35

Provides for the continued employment of one Maine Criminal Justice Academy Training Coordinator position for the expanded in-service training program.

**DEPARTMENT OF PUBLIC SAFETY TOTAL** \$3,574

**SECTION B-3 TOTAL ALLOCATIONS** \$1,452,253

**Sec. B-4. Allocation.** The following funds are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1991 to carry out the purposes of this Act.

	1990-91
<b>EDUCATION, DEPARTMENT OF</b>	
<b>Education in Unorganized Territory</b>	
All Other	\$4,063
Capital Expenditures	3,764
Provides funds for fiscal year 1990-91 Chapter II grant carryover.	
<b>DEPARTMENT OF EDUCATION TOTAL</b>	<u>\$7,827</u>
<b>SECTION B-4 TOTAL ALLOCATIONS</b>	<u>\$7,827</u>
<b>Sec. B-5. Allocation.</b> The following funds are allocated from the Highway Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Act.	
	1990-91
<b>ADMINISTRATION, DEPARTMENT OF</b>	
<b>Transportation Building Maintenance</b>	
All Other	\$165,000
Provides funds for increased fuel oil and electricity costs.	
<b>State Police Headquarters Building Maintenance</b>	
All Other	\$8,200
Provides funds for increased fuel oil and electricity costs.	
<b>DEPARTMENT OF ADMINISTRATION TOTAL</b>	<u>\$173,200</u>
<b>PUBLIC SAFETY, DEPARTMENT OF</b>	
<b>State Police</b>	
Personal Services	\$152,027
All Other	(152,027)
Provides funds to meet payroll obligations.	
<b>DEPARTMENT OF PUBLIC SAFETY TOTAL</b>	<u>-\$0-</u>
<b>SECTION B-5 TOTAL ALLOCATIONS</b>	<u>\$173,200</u>

	1990-91
<b>PART C</b>	
<b>Sec. C-1. Appropriation.</b> There are appropriated from the General Fund for the fiscal year ending June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.	
	1990-91
<b>ADMINISTRATION, DEPARTMENT OF</b>	
<b>Public Improvements - Planning and Construction - Administration</b>	
Personal Services	\$5,134
<b>DEPARTMENT OF ADMINISTRATION TOTAL</b>	<u>\$5,134</u>
<b>AGING, MAINE COMMITTEE ON</b>	
<b>Maine Committee on Aging</b>	
Personal Services	\$1,030
<b>MAINE COMMITTEE ON AGING TOTAL</b>	<u>\$1,030</u>
<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>	
<b>Marketing Services - Agriculture</b>	
Personal Services	\$52,596
<b>Soil and Water Conservation Commission</b>	
Personal Services	\$3,869
<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL</b>	<u>\$56,465</u>
<b>CONSERVATION, DEPARTMENT OF</b>	
<b>Engineering and Realty</b>	
Personal Services	\$3,452
<b>Parks - General Operations</b>	
Personal Services	\$2,918
<b>DEPARTMENT OF CONSERVATION TOTAL</b>	<u>\$6,370</u>
<b>CORRECTIONS, DEPARTMENT OF</b>	

<b>Charleston Correctional Facility</b>		<b>Air Quality Control</b>	
Personal Services	\$3,427	Personal Services	\$3,149
<b>Correctional Center</b>		<b>Land Quality Control</b>	
Personal Services	\$10,118	Personal Services	\$1,928
<b>Probation and Parole</b>		<b>Water Quality Control</b>	
Personal Services	\$611	Personal Services	\$921
<b>State Prison</b>		<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
Personal Services	\$2,187	<b>TOTAL</b>	<u>\$14,975</u>
<b>Maine Youth Center</b>		<b>EXECUTIVE DEPARTMENT</b>	
Personal Services	\$2,062	<b>Office of Substance Abuse</b>	
<b>DEPARTMENT OF CORRECTIONS</b>		Personal Services	\$9,580
<b>TOTAL</b>	<u>\$18,405</u>	<b>Planning Office</b>	
<b>DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF</b>		Personal Services	\$1,508
<b>Administration - Defense and Veterans' Services</b>		<b>Public Advocate</b>	
Personal Services	\$4,204	Personal Services	\$3,343
<b>DEPARTMENT OF DEFENSE AND VETERANS' SERVICES</b>		<b>EXECUTIVE DEPARTMENT</b>	
<b>TOTAL</b>	<u>\$4,204</u>	<b>TOTAL</b>	<u>\$14,431</u>
<b>EDUCATION, DEPARTMENT OF</b>		<b>FINANCE, DEPARTMENT OF</b>	
<b>Administrative Services - Education</b>		<b>Bureau of Accounts and Control</b>	
Personal Services	\$1,055	Personal Services	\$12,240
<b>Alcohol and Drug Education Services</b>		<b>Bureau of Taxation</b>	
Personal Services	\$1,250	Personal Services	\$11,353
<b>Education in Unorganized Territory</b>		<b>DEPARTMENT OF FINANCE</b>	
Personal Services	\$15,392	<b>TOTAL</b>	<u>\$23,593</u>
<b>Finance - Education</b>		<b>GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON</b>	
Personal Services	\$2,732	<b>Commission on Governmental Ethics and Election Practices</b>	
<b>DEPARTMENT OF EDUCATION</b>		Personal Services	\$3,825
<b>TOTAL</b>	<u>\$20,429</u>	<b>COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES</b>	
<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>		<b>TOTAL</b>	<u>\$3,825</u>
<b>Administration - Environmental Protection</b>		<b>HUMAN SERVICES, DEPARTMENT OF</b>	
Personal Services	\$8,977		



**Administration - Human Services**

Personal Services \$17,768

**Administration - Regional - Human Services**

Personal Services \$871

**Alcoholism and Drug Abuse Prevention - Human Services**

Personal Services \$480

**Bureau of Health**

Personal Services \$12,960

**Medical Care Administration**

Personal Services \$15,808

**DEPARTMENT OF HUMAN SERVICES TOTAL**

\$47,887

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**Fisheries and Hatcheries Operations**

Personal Services \$129,217

**Licensing Services**

Personal Services \$2,338

**Office of the Commissioner**

Personal Services \$1,670

**Resource Management Services**

Personal Services \$11,716

**DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL**

\$144,941

**LABOR, DEPARTMENT OF**

**Labor Relations Board**

Personal Services \$2,755

**DEPARTMENT OF LABOR TOTAL**

\$2,755

**MAINE STATE LIBRARY**

**Administration**

Personal Services \$1,513

**Library Development Services**

Personal Services \$6,677

**Reader and Information Services**

Personal Services \$4,823

**MAINE STATE LIBRARY TOTAL**

\$13,013

**MARINE RESOURCES, DEPARTMENT OF**

**Administration - Marine Resources**

Personal Services \$1,324

**Bureau of Marine Development**

Personal Services \$7,198

**Bureau of Marine Patrol**

Personal Services \$4,101

**Bureau of Marine Sciences**

Personal Services \$2,813

**DEPARTMENT OF MARINE RESOURCES TOTAL**

\$15,436

**SECRETARY OF STATE, DEPARTMENT OF THE**

**Administration**

Personal Services \$4,878

**DEPARTMENT OF THE SECRETARY OF STATE TOTAL**

\$4,878

**WORKERS' COMPENSATION COMMISSION**

**Workers' Compensation Commission**

Personal Services \$12,375

**WORKERS' COMPENSATION COMMISSION TOTAL**

\$12,375

**SECTION C-1 TOTAL APPROPRIATIONS**

\$410,146

**Sec. C-2. Allocation; Highway Fund.** There are allocated from the Highway Fund for the fiscal year ending June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1990-91
<b>PUBLIC SAFETY, DEPARTMENT OF</b>	
<b>Administration - Public Safety</b>	
Personal Services	\$859
<b>State Police</b>	
Personal Services	\$4,490
<b>DEPARTMENT OF PUBLIC SAFETY</b>	
<b>TOTAL</b>	<u>\$5,349</u>
<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
<b>Administration - Motor Vehicles</b>	
Personal Services	\$11,734
<b>Fuel Use Decal Program</b>	
Personal Services	\$963
<b>DEPARTMENT OF THE SECRETARY OF STATE</b>	
<b>TOTAL</b>	<u>\$12,697</u>
<b>TRANSPORTATION, DEPARTMENT OF</b>	
<b>Administration and Planning</b>	
Personal Services	\$4,571
<b>Highway Maintenance</b>	
Personal Services	\$1,459
<b>DEPARTMENT OF TRANSPORTATION</b>	
<b>TOTAL</b>	<u>\$6,030</u>
<b>SECTION C-2</b>	
<b>TOTAL ALLOCATIONS</b>	<u>\$24,076</u>

**Sec. C-3. Allocations; Federal Expenditures.**  
 There are allocated from Federal Expenditures for the fiscal year ending June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1990-91
<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>	
<b>Marketing Services</b>	
Personal Services	\$45,961
<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES</b>	
<b>TOTAL</b>	<u>\$45,961</u>

<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
<b>Air Quality Control</b>	
Personal Services	\$7,555
<b>Municipal Sewerage Construction</b>	
Personal Services	\$921
<b>Oil and Hazardous Materials Control</b>	
Personal Services	\$2,084
<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>	
<b>TOTAL</b>	<u>\$10,560</u>
<b>HUMAN SERVICES, DEPARTMENT OF</b>	
<b>Administration</b>	
Personal Services	\$8,271
<b>Bureau of Health</b>	
Personal Services	\$2,230
<b>Income Maintenance - Regional</b>	
Personal Services	\$4,278
<b>Medical Care Administration</b>	
Personal Services	\$24,915
<b>DEPARTMENT OF HUMAN SERVICES</b>	
<b>TOTAL</b>	<u>\$39,694</u>
<b>SECTION C-3</b>	
<b>TOTAL ALLOCATIONS</b>	<u>\$96,215</u>

**Sec. C-4. Allocations; Other Special Revenue.**  
 There are allocated from Other Special Revenue for the fiscal year ending June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1990-91
<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>	
<b>Dairy and Nutrition Council Committee</b>	
Personal Services	\$8,747
<b>Marketing Services - Agriculture</b>	
Personal Services	\$61,295

DEPARTMENT OF AGRICULTURE, FOOD  
AND RURAL RESOURCES  
TOTAL \$70,042

**BAXTER STATE PARK AUTHORITY**

**Baxter State Park Authority**

Personal Services \$51,729

BAXTER STATE PARK AUTHORITY  
TOTAL \$51,729

**CONSERVATION, DEPARTMENT OF**

**Boating Facilities Fund**

Personal Services \$985

DEPARTMENT OF CONSERVATION  
TOTAL \$985

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Dam Registration**

Personal Services \$3,856

**Maine Environmental Protection Fund**

Personal Services \$2,743

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
TOTAL \$6,599

**HUMAN SERVICES, DEPARTMENT OF**

**Bureau of Health**

Personal Services \$709

DEPARTMENT OF HUMAN SERVICES  
TOTAL \$709

**PUBLIC SAFETY, DEPARTMENT OF**

**Licensing and Enforcement - Beano -  
Games of Chance**

Personal Services \$2,732

DEPARTMENT OF PUBLIC SAFETY  
TOTAL \$2,732

**PUBLIC UTILITIES COMMISSION**

**Public Utilities - Administration Division**

Personal Services \$17,497

PUBLIC UTILITIES COMMISSION  
TOTAL \$17,497

**SECRETARY OF STATE,  
DEPARTMENT OF THE**

**Administration - Secretary of State**

Personal Services \$1,856

DEPARTMENT OF THE SECRETARY  
OF STATE  
TOTAL \$1,856

SECTION C-4  
TOTAL ALLOCATIONS \$152,149

**Sec. C-5. Allocations; Federal Block Grant funds.** There are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1991, to the department listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1990-91

**HUMAN SERVICES, DEPARTMENT OF**

**Crippled Children Services**

Personal Services \$8,360  
All Other (\$8,360)

DEPARTMENT OF HUMAN SERVICES  
TOTAL \$ -0-

SECTION C-5  
TOTAL ALLOCATIONS \$ -0-

**Sec. C-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 Part C of this Act are effective upon approval of this Act.

**Sec. C-7. Nonlapsing funds.** Funds appropriated in section C-1 of this Act may not lapse on June 30, 1991, but must be carried forward for the same purpose.

**PART D**

**Appropriation.** There are appropriated from the General Fund for the fiscal year ending June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1990-91

**ADMINISTRATION, DEPARTMENT OF**

**Public Improvements - Planning and  
Construction - Administration**

Personal Services (\$5,134)

<b>DEPARTMENT OF ADMINISTRATION TOTAL</b>	<u>(\$5,134)</u>	<b>DEPARTMENT OF CORRECTIONS TOTAL</b>	<u>(\$18,405)</u>
<b>AGING, MAINE COMMITTEE ON</b>		<b>DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF</b>	
<b>Maine Committee on Aging</b>		<b>Administration - Defense and Veterans' Services</b>	
Personal Services	(\$1,030)	Personal Services	(\$4,204)
<b>MAINE COMMITTEE ON AGING TOTAL</b>	<u>(\$1,030)</u>	<b>DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL</b>	<u>(\$4,204)</u>
<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>		<b>EDUCATION, DEPARTMENT OF</b>	
<b>Marketing Services - Agriculture</b>		<b>Administrative Services - Education</b>	
Personal Services	(\$52,596)	Personal Services	(\$1,055)
<b>Soil and Water Conservation Commission</b>		<b>Alcohol and Drug Education Services</b>	
Personal Services	(\$3,869)	Personal Services	(\$1,250)
<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL</b>	<u>(\$56,465)</u>	<b>Education in Unorganized Territory</b>	
<b>CONSERVATION, DEPARTMENT OF</b>		Personal Services	(\$15,392)
<b>Engineering and Realty</b>		<b>Finance - Education</b>	
Personal Services	(\$3,452)	Personal Services	(\$2,732)
<b>Parks - General Operations</b>		<b>DEPARTMENT OF EDUCATION TOTAL</b>	<u>(\$20,429)</u>
Personal Services	(\$2,918)	<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>	
<b>DEPARTMENT OF CONSERVATION TOTAL</b>	<u>(\$6,370)</u>	<b>Administration - Environmental Protection</b>	
<b>CORRECTIONS, DEPARTMENT OF</b>		Personal Services	(\$8,977)
<b>Charleston Correctional Facility</b>		<b>Air Quality Control</b>	
Personal Services	(\$3,427)	Personal Services	(\$3,149)
<b>Correctional Center</b>		<b>Land Quality Control</b>	
Personal Services	(\$10,118)	Personal Services	(\$1,928)
<b>Probation and Parole</b>		<b>Water Quality Control</b>	
Personal Services	(\$611)	Personal Services	(\$921)
<b>State Prison</b>		<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL</b>	<u>(\$14,975)</u>
Personal Services	(\$2,187)	<b>EXECUTIVE DEPARTMENT</b>	
<b>Maine Youth Center</b>		<b>Office of Substance Abuse</b>	
Personal Services	(\$2,062)		

Personal Services	(\$9,580)	<b>DEPARTMENT OF HUMAN SERVICES</b>	
<b>Planning Office</b>		<b>TOTAL</b>	<u>(\$47,887)</u>
All Other	(\$1,508)	<b>INLAND FISHERIES AND WILDLIFE,</b>	
<b>Public Advocate</b>		<b>DEPARTMENT OF</b>	
Personal Services	(\$3,343)	<b>Fisheries and Hatcheries Operations</b>	
<b>EXECUTIVE DEPARTMENT</b>		Personal Services	(\$129,217)
<b>TOTAL</b>	<u>(\$14,431)</u>	<b>Licensing Services - Inland Fisheries and</b>	
<b>FINANCE, DEPARTMENT OF</b>		<b>Wildlife</b>	
<b>Bureau of Accounts and Control</b>		Personal Services	(\$2,338)
Personal Services	(\$12,240)	<b>Office of the Commissioner - Inland Fisheries</b>	
<b>Bureau of Taxation</b>		<b>and Wildlife</b>	
Personal Services	(\$11,353)	Personal Services	(\$1,670)
<b>DEPARTMENT OF FINANCE</b>		<b>Resource Management Services - Inland</b>	
<b>TOTAL</b>	<u>(\$23,593)</u>	<b>Fisheries and Wildlife</b>	
<b>GOVERNMENTAL ETHICS AND</b>		Personal Services	(\$11,716)
<b>ELECTION PRACTICES,</b>		<b>DEPARTMENT OF INLAND FISHERIES</b>	
<b>COMMISSION ON</b>		<b>AND WILDLIFE</b>	
<b>Commission on Governmental Ethics and</b>		<b>TOTAL</b>	<u>(\$144,941)</u>
<b>Election Practices</b>		<b>LABOR, DEPARTMENT OF</b>	
Personal Services	(\$3,825)	<b>Labor Relations Board</b>	
<b>COMMISSION ON GOVERNMENTAL</b>		Personal Services	(\$2,755)
<b>ETHICS AND ELECTION PRACTICES</b>		<b>DEPARTMENT OF LABOR</b>	
<b>TOTAL</b>	<u>(\$3,825)</u>	<b>TOTAL</b>	<u>(\$2,755)</u>
<b>HUMAN SERVICES, DEPARTMENT OF</b>		<b>MAINE STATE LIBRARY</b>	
<b>Administration - Human Services</b>		<b>Administration - Library</b>	
Personal Services	(\$17,768)	Personal Services	(\$1,513)
<b>Administration - Regional - Human Services</b>		<b>Library Development Services</b>	
Personal Services	(\$871)	Personal Services	(\$6,677)
<b>Alcoholism and Drug Abuse</b>		<b>Reader and Information Services - Library</b>	
<b>Prevention - Human Services</b>		Personal Services	(\$4,823)
Personal Services	(\$480)	<b>MAINE STATE LIBRARY</b>	
<b>Bureau of Health</b>		<b>TOTAL</b>	<u>(\$13,013)</u>
Personal Services	(\$12,960)	<b>MARINE RESOURCES,</b>	
<b>Medical Care Administration</b>		<b>DEPARTMENT OF</b>	
Personal Services	(\$15,808)	<b>Administration - Marine Resources</b>	
		Personal Services	(\$1,324)

<b>Bureau of Marine Development</b>	
Personal Services	(\$7,198)
<b>Bureau of Marine Patrol</b>	
Personal Services	(\$4,101)
<b>Bureau of Marine Sciences</b>	
Personal Services	(\$2,813)
<b>DEPARTMENT OF MARINE RESOURCES</b>	
<b>TOTAL</b>	<u>(\$15,436)</u>
<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
<b>Administration - Secretary of State</b>	
Personal Services	(\$4,878)
<b>DEPARTMENT OF THE SECRETARY OF STATE</b>	
<b>TOTAL</b>	<u>(\$4,878)</u>
<b>WORKERS' COMPENSATION COMMISSION</b>	
<b>Workers' Compensation Commission</b>	
Personal Services	(\$12,375)
<b>WORKERS' COMPENSATION COMMISSION</b>	
<b>TOTAL</b>	<u>(\$12,375)</u>
<b>PART D</b>	
<b>TOTAL APPROPRIATIONS</b>	<u>(\$410,146)</u>

**PART E**

**Sec. E-1. 4 MRSA §153, sub-§3**, as amended by PL 1981, c. 201, is further amended to read:

**3. Western Aroostook.** Western Aroostook consists of the municipalities and unorganized territory known as Hamlin Plt., Cyr Plt., T17 R3, T17 R4, T16 R5, T15 R6, Winterville Plt., T15 R8, T15 R9, T14 R10, T14 R11, T14 R12, T14 R13, T14 R14, T14 R15, T14 R16, and all municipalities and unorganized territory in Aroostook County lying to the west and north of these. The District Court for Western Aroostook shall must be held at Madawaska for ~~criminal and civil business and at~~ Fort Kent and Van Buren ~~solely for criminal business, traffic infractions and civil violations.~~

**Sec. E-2. 4 MRSA §812** is enacted to read:

**§812. Attorneys' Client Security Fund**

The Supreme Judicial Court shall establish by rule a program to ensure that clients of an attorney admitted to the

bar of this State may be reimbursed for losses incurred due to fraud or defalcation in breach of an attorney's duty to a client. That program must include the Attorneys' Client Security Fund. The Attorneys' Client Security Fund is a dedicated, nonlapsing fund to be used to carry out the purposes of this section.

**1. Rules.** The Supreme Judicial Court may adopt rules to implement this program, including a schedule of surcharges on an annual registration fee for attorneys, subject to subsection 2, qualifications or standards for reimbursement, procedures for making claims and determining the validity of claims and methods of payment.

**2. Surcharge.** A surcharge of \$20 on the annual attorney registration fee for 1991 must be imposed immediately. For subsequent years, the Supreme Judicial Court may establish an appropriate surcharge amount that establishes a maximum amount available in the Attorneys' Client Security Fund of \$300,000.

**3. Deposit.** The surcharge must be transferred to the Treasurer of State:

A. In fiscal year 1990-91, as undedicated revenue to the General Fund; and

B. In fiscal year 1991-92 and thereafter, into the Attorneys' Client Security Fund.

**4. Credit.** On December 31, 1991, the Treasurer of State shall transfer from the General Fund an amount equal to the amount of the fiscal year 1990-91 surcharges after deduction for claims paid.

**5. Payment.** The Treasurer of State shall make payment of a claim from the Attorney's Client Security Fund on direction from the Supreme Judicial Court.

**Sec. E-3. 5 MRSA §16, sub-§1-A** is enacted to read:

**1-A. Advancement of vacation time.** A state employee who has vacation time credited in advance and who uses some or all of that advanced vacation time and subsequently leaves state service is responsible for reimbursing the State for the dollar value at that state employee's current wage for all advanced but unearned vacation time. A state employee who leaves state service may be paid only for vacation time earned and may not be paid for vacation time credited in advance.

**Sec. E-4. Effective date.** The effective date of that section of this Part that enacts the Maine Revised Statutes, Title 5, section 16, subsection 1-A, is the effective date of this Act.

**Sec. E-5. 5 MRSA §1511**, as amended by PL 1987, c. 816, Pt. O, §1, is further amended to read:

**§1511. Reserve for General Fund Operating Capital**

The State Controller may, at the close of each fiscal year, transfer from the Unappropriated Surplus of the General Fund to the Reserve for General Fund Operating Capital such amounts as may be available from time to time up to an amount of \$1,000,000 a year until a maximum of \$25,000,000 is achieved. The State Controller is further authorized, at the close of each fiscal year, to transfer from the Unappropriated Surplus of the General Fund to the Loan Insurance Reserve amounts as may be available from time to time, up to an amount of \$1,000,000 per year. The balance of this reserve ~~shall~~ must be paid to the Finance Authority of Maine if such payment ~~would~~ does not cause the balance in the reserve fund maintained by the authority, when added to amounts held in the Finance Authority of Maine Mortgage Insurance Fund ~~which that~~ are not committed or encumbered for another purpose, to exceed \$10,000,000. Any balance in the Loan Insurance Reserve is appropriated for this purpose. The State Controller on or before June 30, 1991 shall transfer the balance in the Reserve for General Fund Operating Capital to the Unappropriated Surplus of the General Fund.

**Sec. E-6. 5 MRSA §1585, sub-§1**, as amended by PL 1985, c. 737, Pt. B, §7, is further amended to read:

**1. Transfer procedures.** Any balance of any appropriation or subdivision of an appropriation made by the Legislature for any state department or agency, which at any time may not be required for the purpose named in such appropriations or subdivision, may be transferred at any time prior to the closing of the books to any other appropriation or subdivision of an appropriation made by the Legislature for the use of the same department or agency for the same fiscal year subject to review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Financial orders describing such transfers ~~shall~~ must be submitted by the Bureau of the Budget to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. Positions, or funding for those positions, that are currently funded with federal or other funds may not be transferred by financial order to the General Fund.

**Sec. E-7. 5 MRSA §17151, sub-§2**, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

**2. Intent.** It is the intent of the Legislature that there shall be appropriated and transferred annually to the retirement system the funds necessary to meet the system's long-term and short-term financial obligations based on the actuarial assumptions established by the board upon the advice of the actuary. Funds that have been appropriated must be considered assets of the retirement system.

A. The goal of the actuarial assumptions shall be to achieve a fully funded retirement system.

B. The retirement system's unfunded liability for persons formerly subject to the Maine Revised Statutes of 1944, chapter 37, sections 212 to 220 shall be

repaid to the system from annual appropriations over the funding period of the retirement system.

C. This section may not be construed to require the State to appropriate and transfer funds to meet the obligations of participating local districts to the retirement system.

**Sec. E-8. 12 MRSA §602, sub-§4**, as amended by PL 1989, c. 875, Pt. E, §10, is further amended to read:

**4. Fees for services and accommodations.** With the consent of the Governor ~~and Council~~, the bureau may:

A. Furnish accommodations and render services to the public on state parks and parks under state control; and

B. Charge reasonable fees for such services and accommodations.

All fees received under this subsection accrue to the General Fund, except that effective July 1, 1990, all revenues resulting from an increase in fees in the Allagash Wilderness Waterway accrue to a dedicated revenue account to be used for capital improvements in the Allagash Wilderness Waterway and, in fiscal year years 1990-91 and 1991-92 only, engineering plans for reconstruction of Churchill Dam. In cases where fees may be more efficiently collected through 3rd party contracts, a percentage of the fee may be retained by the contractor for services, as agreed upon by the bureau.

Fifteen percent of all day use and camping fees received under this subsection in any state-owned land under jurisdiction of the bureau must be apportioned and paid to all municipalities having such land within their boundaries. In determining the payment to each municipality, the bureau shall assign one unit per front foot for each foot of lake, pond, ocean or major river frontage and 5 units for each acre of all said lands within the municipality. Frontage and acreage must be determined as of April 1st for the year in which revenue is being apportioned and computed to the nearest whole unit. The bureau shall increase the fees charged by it under this subsection by an amount that will reflect the loss of revenue to the State occasioned by such payment to the municipalities;

**Sec. E-9. 12 MRSA §685-B, sub-§2, ¶B**, as amended by PL 1989, c. 681, §1, is further amended to read:

B. The fee prescribed by the commission rules, that fee to be a minimum of \$40, except that the fee for accessory structures or minor shoreline alterations is \$25, but no greater than 2/10 of 1% of the total ~~construction~~ development costs. Zoning petitions submitted by other than a state or federal agency range from \$50 to \$500 depending on size and complexity. The fees apply to all amendments except for minor changes to building permits;

**Sec. E-10. 12 MRSA §7052, sub-§2**, as amended by PL 1985, c. 785, Pt. B, §72, is further amended to read:

**2. Compensation.** The compensation of the wardens ~~shall be appointed pursuant to section 7051, subsection 1 is determined under the Civil Service Law. Assistant game wardens appointed pursuant to section 7051, subsection 2 are not entitled to compensation.~~

**Sec. E-11. 14 MRSA §7484**, as amended by PL 1989, c. 702, Pt. E, §7, is repealed.

**Sec. E-12. 14 MRSA §7484-A** is enacted to read:

**§7484-A. Procedures**

**1. Rules by Supreme Judicial Court.** The procedures with respect to the commencement of the action, the fee, the notice to the parties, the settlement or hearing, the judgment, appeal and post judgment proceedings must be set forth in rules of procedure adopted by the Supreme Judicial Court.

**2. Service of statement of claim and notice of disclosure.** When requested by the plaintiff, the clerk shall cause the statement of claim and the notice of disclosure, including the notice of the place, date and time of hearing, to be served upon the defendant. A fee must be charged to the plaintiff for service. A plaintiff may elect to arrange for service of the statement of claim and the notice of disclosure, including the notice of the place, date and time of hearing, by someone other than the clerk.

**Sec. E-13. 20-A MRSA §10952, sub-§7**, as amended by PL 1989, c. 578, §1, is further amended to read:

**7. Borrow money.** To borrow money pursuant to this chapter and issue evidences of indebtedness to finance the acquisition, construction, reconstruction, improvement or equipping of any one project, or more than one, or any combination of projects, or to refund evidences of indebtedness hereafter issued or to refund general obligation debt of the State previously issued to finance any project or projects, or to refund any such refunding evidences of indebtedness or for any one, or more than one, or all of those purposes, or any combination of those purposes, and to provide for the security and payment of those evidences of indebtedness and for the rights of the holders of them, except that any borrowing pursuant to this chapter, exclusive of borrowing to refund evidences of indebtedness, to refund general obligation debt of the State, or to fund issuance costs or necessary reserves, ~~shall may~~ not exceed in the aggregate principal amount outstanding at any time ~~\$18,000,000~~ **\$27,000,000**, and except that no borrowing may be effected pursuant to this chapter unless the amount of the borrowing and the project or projects are submitted to the Legislative Office of Fiscal and Program Review for review by the Joint Standing Committee on Appropriations and Financial Affairs at least 60 days before closing on such borrowing for the project or projects is to be initiated;

**Sec. E-14. 23 MRSA §1961, sub-§2**, as enacted by PL 1987, c. 793, Pt. A, §6, is amended to read:

**2. Cooperation with the Department of Transportation.** The Department of Transportation ~~shall~~ must be

provided each year a maximum amount of \$8,700,000 of the total annual operating revenue after money has been put aside to pay operating expenses and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority, except that for state fiscal year 1990-91, the Department of Transportation must be provided an additional \$8,700,000 as provided in section 1974, subsection 4. Any funds received by the department under this provision in excess of \$4,700,000 ~~shall~~ must be expended for highway and bridge improvements within counties which contain turnpike mileage. These amounts are deemed necessary for use by the department for construction, reconstruction, operation and maintenance of access roads on the state highway system which serve and benefit users of the turnpike by providing direct and indirect access to and from the turnpike as part of the integrated highway system. Due to the utilization of the state highway system by users of the turnpike, the turnpike and its users have received and will continue to receive a benefit from, or have caused and will continue to cause, or both, the State acting by and through the Department of Transportation to incur costs for the construction, operation and maintenance of the state highway system, which provides direct and indirect access to and from the turnpike to areas in the State for which the State may properly be and should be compensated from the tolls to be collected. The Maine Turnpike Authority should be maintained to carry out the purposes of this chapter in cooperation with the Department of Transportation.

**Sec. E-15. 23 MRSA §1965, sub-§1, ¶O**, as repealed and replaced by PL 1987, c. 793, Pt. A, §7, is amended to read:

O. Provide an annual amount not to exceed a maximum of \$8,700,000 subject to the limitations in section 1961, except that for state fiscal year 1990-91, the annual amount may not exceed \$17,400,000, as provided in section 1974, subsection 4, as the department shall request and the authority shall determine pursuant to section 1974, subsection 4, to be necessary for the use of the department each year for the construction, operation and maintenance of access roads and costs related thereto, after money has been set aside or adequate provision has been made, to pay operating expenses and to meet the requirements of any resolution authorizing bonds of the authority;

**Sec. E-16. 23 MRSA §1974, sub-§3**, as amended by PL 1981, c. 698, §§103 and 104, is further amended by adding at the end a new paragraph to read:

In state fiscal year 1990-91, the authority shall make a \$6,300,000 early payment representing amounts agreed to be paid by the authority for the Scarborough interchange project.

**Sec. E-17. 23 MRSA §1974, sub-§4**, as amended by PL 1987, c. 793, Pt. A, §8, is further amended by amending the first paragraph to read:

**4. Revenues for access roads and the state highway system.** Subject to the terms and conditions of this chapter, the authority, semi-annually on July 1st and January 1st of



each fiscal year commencing July 1, 1983, shall, upon making the determination referred to in this subsection, authorize turnpike revenues to be transferred to the Department of Transportation for the costs of construction, reconstruction, operation and maintenance of access roads provided, first, that the department provide certification as to the utilization of all or a part of the state highway system by turnpike users with respect to the benefit received by the turnpike and its users and the costs incurred by the department for the construction, reconstruction, operation and maintenance of the access roads caused by the turnpike and its users and supporting the transfer of turnpike revenues for each 2-year period. The department ~~shall may~~ not request and the authority ~~shall may~~ not approve a transfer of turnpike revenues under this subsection in any year that exceeds the cost to the department for construction, reconstruction, operation and maintenance of access roads fairly attributable to vehicular traffic traveling to or from the turnpike, except that for state fiscal year 1990-91, an additional \$8,700,000 may be transferred even in excess of that cost and is to be considered an early payment of the state fiscal year 1991-92 amount. Based on the certification and such other information as the authority deems necessary, the authority shall determine whether or not the turnpike and users thereof are so benefited by the system, and thereupon the authority shall have and exercise sole discretion to determine the level of revenues to be so transferred to the department, but that transfer annually ~~shall may~~ not exceed \$8,700,000, except that for state fiscal year 1990-91, that transfer annually may not exceed \$17,400,000. In making its report, the department, as a basis for requesting those revenues, and the authority in determining the level of revenues to be transferred, may consider the following factors, no one of which may necessarily be determinative:

**Sec. E-18. 34-B MRSA §1217** is enacted to read:

**§1217. Application of consent decree**

It is the intent of the Legislature that the principles of the consent decree issued on August 2, 1990 by the Superior Court, Kennebec County, in Civil Action Docket No. 89-88 as they relate to the development of a comprehensive mental health system apply to all persons with severe and prolonged mental illness. The individualized support plan process as contained in the decree in paragraphs 49 through 74, to the extent possible and within available resources, must be applicable to current and future patients of the Bangor Mental Health Institute. In addition, patient assessments must be provided to Bangor Mental Health Institute patients beginning July 1, 1991 and must be completed quarterly until individualized support plan implementation is developed.

**Sec. E-19. 35-A MRSA §116, sub-§1**, as amended by PL 1989, c. 58, §1, is further amended to read:

**1. Utilities subject to assessments.** Every electric, gas, telegraph, telephone and water utility and ferry subject to regulation by the commission ~~shall be~~ is subject to an assessment of not more than ~~25%~~ 35% on its intrastate gross operating revenues to produce no more than ~~\$2,696,000 in~~ revenues annually beginning in the 1989-90 fiscal year and not

~~more than \$2,910,000~~ \$3,378,000 in revenues annually beginning in the 1990-91 fiscal year. The commission shall determine the assessments annually prior to May 1st and assess each utility for its pro rata share. Each utility shall pay the assessment charged to the utility on or before July 1st of each year. Any increase in the assessment that becomes effective subsequent to May 1st may be billed on the effective date of the act authorizing the increase.

A. The assessments charged to utilities under this section are just and reasonable operating costs for rate-making purposes.

B. For the purposes of this section, "intrastate gross operating revenues" means intrastate revenues derived from filed rates, except revenues derived from sales for resale.

C. Gas utilities subject to the jurisdiction of the commission solely with respect to safety shall not be subject to any assessment.

D. The commission may correct any errors in the assessments by means of a credit or debit to the following year's assessment rather than reassessing all utilities in the current year.

E. The commission may exempt utilities with annual intrastate gross operating revenues under \$50,000 from assessments under this section.

**Sec. E-20. 35-A MRSA §116, sub-§2**, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

**2. Committee recommendations; legislative approval of budget.** The joint standing committee of the Legislature having jurisdiction over public utilities may make recommendations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs regarding all expenditures from the fund established pursuant to this section. Except as otherwise provided, the assessments and expenditures provided in this section are subject to legislative approval in the same manner as the budget of the Public Utilities Commission is approved. The commission shall make an annual report in accordance with section 120 of its planned expenditures for the year and on its use of funds in the previous year. The commission shall also receive other funds as appropriated by the Legislature.

**Sec. E-21. 35-A MRSA §116, sub-§4**, as amended by PL 1989, c. 875, Pt. E, §44, is further amended to read:

**4. Use of funds.** The Public Utilities Commission may use the revenues provided in accordance with this section to fund ~~48~~ 69 employees and 2 seasonal legal researchers and to defray the costs incurred by the commission pursuant to this Title, including administrative expenses, general regulatory expenses, consulting fees and all other reasonable costs incurred to administer this Title.

**Sec. E-22. 35-A MRSA §120, sub-§1**, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

**1. Budget.** The commission's planned expenditures for the year and its use of funds in the previous year, including the expenditures from the Public Utilities Commission Regulatory Fund as established pursuant to section 116; and

**Sec. E-23. 36 MRSA §1951**, as amended by PL 1977, c. 679, §6-A, is repealed.

**Sec. E-24. 36 MRSA §1951-A** is enacted to read:

**§1951-A. Collection of tax; report to State Tax Assessor**

**1. Monthly report and payment.** Every retailer shall file with the State Tax Assessor, on or before the 15th day of each month, a report made under the pains and penalties of perjury on such form as the State Tax Assessor may prescribe that discloses the total sale price of all sales made during the preceding calendar month and such other information as the State Tax Assessor requires. The State Tax Assessor may permit the filing of returns other than monthly. The State Tax Assessor, by rule, may waive reporting nontaxable sales. Upon application of a retailer, the State Tax Assessor shall issue a classified permit establishing the percentage of exempt sales. The classified permit may be amended or revoked as to its classification whenever the State Tax Assessor determines that the percentage of exempt sales is inaccurate. The State Tax Assessor may for good cause extend for not more than 30 days the time for making returns required under chapters 211 to 225. Every person subject to the use tax shall file similar reports, at similar dates, and pay the tax or furnish a receipt for the same from a registered retailer.

**2. Estimated payment.** Every retailer that had a tax liability under this Part in excess of \$250,000 for the preceding calendar year and is required to file a monthly return shall pay over to the State Tax Assessor by the 21st day of each month an amount equal to 66% of the retailer's liability under this Part for the corresponding month in the prior year or 66% of the retailer's liability under this Part for the actual month. Payments made pursuant to this subsection must be credited against tax due with the monthly return. The State Tax Assessor shall prescribe the voucher required to be filed with the payment. If the retailer does not file the required voucher, the amount of the retailer's liability is equal to an amount that is 66% of the retailer's liability under this Part for the corresponding month in the prior year.

**Sec. E-25. 36 MRSA §5253, sub-§1**, as amended by PL 1989, c. 875, Pt. E, §48 and affected by §49, is further amended to read:

**1. General.** Every person required to deduct and withhold tax under this Part shall, for each calendar quarter, on or before the 21st day of the month following the close of such the calendar quarter or such other reporting period as the State Tax Assessor may require, file a withholding return as prescribed by the assessor and pay over to the assessor or to a depository designated by the assessor, the taxes so required to be deducted and withheld State Tax Assessor. The State Tax Assessor may, by rule, require or permit the filing of returns and paying over of taxes withheld on other than a

~~quarterly basis. Whenever, for federal income tax purposes under the Code, Section 6302 and regulations adopted to the Code, an employer is required to deposit withholding taxes on an 8th-monthly period, the employer shall pay over the amount required to be withheld by this Part to the State Tax Assessor within 3 days of the last day of each month for which the amount equals or exceeds \$3,000 or within 3 days of the end of any other 8th-monthly period for which the amount required to be withheld by this Part but not yet paid over during the month equals or exceeds \$3,000. All other persons shall pay over to the State Tax Assessor taxes required to be withheld by this Part at the time they are required to file a withholding return. The State Tax Assessor shall prescribe the voucher required to be filed with the payment.~~

**Sec. E-26. Application.** That section of this Part that amends the Maine Revised Statutes, Title 36, section 5253, subsection 1, applies to taxes required to be withheld on or after May 1, 1991.

**Sec. E-27. 38 MRSA §351**, as amended by PL 1987, c. 787, §5, is further amended by adding at the end a new paragraph to read:

The commissioner may, subject to the approval of the Governor, apply for, accept on behalf of the State and deposit to the fund, funds, grants, bequests, gifts or contributions from any person, corporation or governmental entity. The funds must be allocated by the Legislature and expended consistent with the purposes of the department as established in section 341-A.

**Sec. E-28. Public Law 1991, c. 5, §3** is amended to read:

**Sec. 3. Treasurer of State authorization.** The Treasurer of State is authorized to set aside sufficient General Fund revenues in fiscal year 1990-91 in the event there are insufficient resources in the debt service account established in section 32 of this Act to meet principal, interest and related payments. The Treasurer of State shall report to the Joint Standing Committee on Appropriations and Financial Affairs the amount, if any, of General Fund revenue set aside.

**Sec. E-29. P&SL 1985, c. 135, §4, last sentence**, as affected by PL 1989, c. 878, Pt. A, §§147 and 148, is amended to read:

The commission shall present its final report and recommendations, together with any recommended legislation, to the First Regular Session of ~~115th~~ 116th Legislature by March 1, ~~1991~~ 1993.

**Sec. E-30. Resolve 1989, c. 99, §3, first ¶** is repealed and the following enacted in its place:

**Sec. 3. Initial intervention, treatment and support services. Resolved:** That within the limits of funds available for this purpose, the Coordinated Response System includes, but is not limited to, such initial intervention, treatment and support services as:

**Sec. E-31. Resolve 1989, c. 99, §10** is repealed and the following enacted in its place:

**Sec. 10. Financing. Resolved:** That the Department of Human Services is encouraged to seek funding from the Federal Government or other sources, or provide Title IV-E administrative reimbursement funds, as available, to establish this model and implement this legislation on January 1, 1992.

**Sec. E-32. Resolve 1989, c. 99, §11** is repealed and the following enacted in its place:

**Sec. 11. Effective date.** This resolve takes effect January 1, 1992.

**Sec. E-33. Retroactivity.** Those sections of this Part that affect Resolve 1989, chapter 99 apply retroactively to January 1, 1991.

**Sec. E-34. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 39, section 57, subsection 6, \$375,738 is authorized to be transferred from the Second Injury Fund of the Workers' Compensation Commission to General Fund undedicated revenues by June 30, 1991.

**Sec. E-35. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 22, section 391, subsections 1 to 6, \$18,338 is authorized to be transferred from the Health Care Finance Commission Fund account of the Maine Health Care Finance Commission to General Fund undedicated revenues by June 30, 1991.

**Sec. E-36. Transition provision.** Notwithstanding the Maine Revised Statutes, Title 5, sections 1728-A to 1736, or any other provision of law, the Commissioner of Administration is authorized to transfer from the reserve fund for self-insured retention losses to the General Fund \$2,000,000 by June 30, 1991 to ensure the prompt payment of workers' compensation claims by state agencies supported by the General Fund, as required by law.

**Sec. E-37. Transfer of funds.** General Fund repayment of the \$2,000,000 transfer to the General Fund authorized in this Part from the reserve fund for self-insured retention losses must be made by June 30, 1993 at an interest rate of 5% per annum calculated on the unpaid balance.

**Sec. E-38. Funding for Bureau of State Police.** Notwithstanding Public Law 1987, chapter 793, Part B, section 4, the Legislature determines that, for fiscal year 1990-91 only, funding for the Department of Public Safety, Bureau of State Police must be provided as follows: Seventy-five percent must be allocated from the Highway Fund and 25% must be appropriated from the General Fund.

**Sec. E-39. Transfer.** The Department of Transportation shall transfer \$10,000,000 of the \$15,000,000 increase received from the Maine Turnpike Authority under this Part from the Highway Fund to the General Fund by June 30, 1991 as repayment of a portion of the \$13,200,000 appropriated from the Maine Rainy Day Fund in Public Law 1987, chapter 793.

**Sec. E-40. Repayment to Highway Fund.** Funds advanced from the Maine Turnpike Authority under this Part, as an early payment of the Maine Turnpike Authority's fiscal year 1991-92 Highway Fund obligation, must be repaid to the Highway Fund in the amount of \$5,000,000 on August 1, 1991 and in the amount of \$10,000,000 on July 1, 1992.

**Sec. E-41. Educational technicians not to become members of retirement system.** An employee of a school administrative unit who was promoted from a Teacher Aide position or Educational Technician I position to an Educational Technician II position or Educational Technician III position based upon misinterpretation of the Department of Education rules, chapter 115, section 14, as amended by the State Board of Education on November 15, 1989, effective February 6, 1990, may not be a member of the Maine State Retirement System as a teacher.

**Sec. E-42. Lewiston-Auburn College; increase in borrowing authority.** The increase in the borrowing authority, pursuant to the amendment in this Part to the Maine Revised Statutes, Title 20-A, section 10952, subsection 7, from \$18,000,000 to \$27,000,000 must be used primarily to acquire the Lewiston-Auburn College facility of the University of Southern Maine.

**Sec. E-43. Financial orders; rescindment.** On the effective date of this Act, Financial Order #03064 F1 approved January 4, 1991 and Financial Order #03075 F1 approved January 8, 1991 must be rescinded.

**Sec. E-44. Legislative intent.** It is the intent of the Legislature to confirm the efforts of the Judicial Department in providing additional General Fund revenue of \$500,000 in fiscal year 1990-91 over the current General Fund revenue estimates established by the State Budget Officer. These efforts will generate additional revenue by rule or increased administrative action of the Judicial Department, including: \$200,000 in revenue from the State of Maine Tax Offset Program; an additional \$100,000 in revenue from the Comprehensive District Court Collection Program; and \$200,000 from the establishment of a jury fee in the Superior Court.

**Sec. E-45. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1990-91

PUBLIC SAFETY, DEPARTMENT OF

State Police

Personal Services (\$5,000,000)

Deappropriates funds no longer required in order to adjust State Police funding to approximately 25% General Fund and 75% Highway Fund for fiscal year

1990-91 only. State Police funding will return to 50% General Fund and 50% Highway Fund for fiscal year 1991-92 and thereafter.

**Sec. E-46. Allocation.** The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

1990-91

**PUBLIC SAFETY, DEPARTMENT OF**

**State Police**

Personal Services \$5,000,000

Provides funds for a change in State Police funding for fiscal year 1990-91 only to approximately 75% Highway Fund and 25% General Fund. State Police funding will return to 50% General Fund and 50% Highway Fund for fiscal year 1991-92 and thereafter.

**PART F**

**Commission established.** The Commission to Study the State's Seed Farms is established and is authorized to conduct a study of the Porter Farm and Homestead Farm. The study must include an examination of the history, functions and responsibilities of the operations of the Porter Farm and the Homestead Farm.

The Dean of the College of Applied Sciences and Agriculture of the University of Maine shall serve as the commission chair. The chair shall select 6 additional members that must include 2 representatives of the seed potato industry, 2 economists, an agronomist and an agent of the Maine Cooperative Extension Service.

The commission shall submit a report regarding the comprehensive review of the farms and any related issues together with any implementing legislation to the First Regular Session of the 115th Legislature by June 1, 1991. The study report must include recommendations for improving the efficiency and effectiveness of the farms.

**PART G**

**Sec. G-1. 5 MRSA §203**, as amended by PL 1973, c. 567, §20, is repealed and the following enacted in its place:

**§203. Appropriations**

**1. Expenses charged to appropriation.** Such sum as may be appropriated for the purposes of this chapter may be expended under the direction of the Attorney General. The

Attorney General shall, at the request of any state department, make or cause to be made investigations in behalf of the department and the Attorney General shall prosecute any case to such extent as may seem advisable with all the rights, powers and privileges of district attorneys. The expense of any such investigation and of any prosecution that results from the investigation is charged to this appropriation.

**2. Legal services to agency with dedicated revenue.**

Notwithstanding any other provision of law, when the Attorney General provides legal services to any board or state agency that is financed in whole or in part by dedicated revenues, the Attorney General may bill the board or agency at a reasonable rate to be determined by the Attorney General. After reimbursement to an account in the Office of the Attorney General is made, the remaining balance must be deposited in the General Fund.

**3. Allocation of work.** Notwithstanding any other provision of law, the Attorney General has discretion to allocate legal work among the attorneys in the Department of the Attorney General without reference to position counts contained in any appropriation. If the provisions of this section are used to seek reimbursement for legal services for which there is specific appropriation, the Attorney General shall keep time records demonstrating the amount of legal services performed for which reimbursement is sought. The Attorney General shall submit a quarterly report detailing the manner in which legal work has been allocated among attorneys in that office pursuant to this subsection to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over audit and program review.

**Sec. G-2. 14 MRSA §1522** is enacted to read:

**§1522. Litigation costs**

**1. Costs allowed.** In any action or proceeding brought by the Attorney General pursuant to any of the provisions listed below or to enforce any of the provisions listed below, the court shall allow litigation costs, including court costs, reasonable attorney's fees and reasonable expert witness fees, to be deposited in the General Fund of the State if the State or any of its officers or agencies is a prevailing party in the action or proceeding:

A. Title 5, section 209;

B. Title 5, section 4681;

C. Title 10, section 1104, subsection 2;

D. Title 10, section 1104, subsection 3;

E. Title 26, section 46;

F. Title 26, section 354;

G. Title 26, section 625-B;

H. Title 26, section 626;

I. Title 26, section 629-B;

J. Title 26, section 631;

K. Title 26, section 781;

L. Title 32, section 10602;

M. Title 32, section 11301;

N. Title 32, section 11302;

O. Title 32, section 11303;

P. Title 38, section 348;

Q. Title 38, section 349;

R. Title 38, section 552;

S. Title 38, section 570;

T. Title 38, section 1319-G;

U. Title 38, section 1319-J; and

V. Title 38, section 1367.

**2. Affect.** Costs allowed under subsection 1 do not affect any fees, costs or expenses otherwise recoverable by the State or any of its officers or agencies.

**3. Application.** This section applies to any action or proceeding that is pending on the effective date of this section.

**Sec. G-3. 22 MRSA §1714**, as enacted by PL 1989, c. 34, is repealed.

**Sec. G-4. 22 MRSA §1714-A** is enacted to read:

**§1714-A. Debts owed the department by providers**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A. "Boarding home"** means any facility that meets the definition of section 7901-A, subsection 4.

**B. "Debt"** means any amount of money that is owed to the department as a result of:

(1) Overpayments that have been determined by a department audit pursuant to the applicable principles of reimbursement, overpayments as reported by a provider in an unaudited cost report or overpayments that have been discovered in any other manner;

(2) The department's authority to recapture depreciation;

(3) The assessment of fines and sanctions;

(4) Projected overpayments reported in an interim cost report. If an interim report is not filed at least 30 days prior to the transfer, "debt" also includes 5% of Medicaid reimbursement or cost reimbursement for the last fiscal year or \$50,000, whichever is less; or

(5) A final reconciliation decision and order by the Maine Health Care Finance Commission.

**C. "Former provider"** means the person reimbursed by the department for the provision of health care services at a nursing home, boarding home or hospital prior to its transfer.

**D. "Hospital"** means any facility licensed pursuant to sections 1811 and 1817.

**E. "Interim cost report"** means a cost report that covers the current fiscal year and any prior periods not covered by a previously filed cost report. Cost incurred in the 90 days prior to the transfer need not be covered in the interim cost report.

**F. "Nursing home"** means any facility that meets the definition of section 1812-A, including an intermediate care facility for the mentally retarded.

**G. "Person"** means any natural person, partnership, association, corporation or other entity including any county, local or other governmental unit.

**H. "Provider"** means a person reimbursed by the department for the provision of health care services.

**I. "Transfer"** means any change in the ownership or control of a nursing home, boarding home or hospital, including, but not limited to, a sale, lease or gift of the land, building or operating entity, that results in:

(1) The department reimbursing a person other than the former provider for the provision of care or services; or

(2) The discontinuation of the provision of care or services.

**J. "Transferee"** means any person to whom a nursing home, boarding home or hospital is transferred.

**2. Establishment of debt.** A debt is established by the department when it notifies a provider of debt, or when the Maine Health Care Finance Commission notifies a hospital that the hospital owes the department pursuant to a final reconciliation decision and order. A debt is collectible by the department 31 days after exhaustion of all administrative appeals.

3. Notice of debt. Any notice of debt issued to a provider by the department, must include the following:

- A. A statement of the debt accrued;
- B. A statement of the time period during which the debt accrued;
- C. The basis for the debt;
- D. The debtor's right to request a fair hearing within 30 days of receipt of the notice; and
- E. A statement that after a debt is established, the department may proceed to collect that debt through administrative offset, lien and foreclosure, or other collection action.

4. Successor liability. Liability of transferees is governed by this subsection.

A. When a nursing home, boarding home or hospital is transferred, the transferee is liable for debts owed to the department by the former provider unless by the time of sale:

- (1) All debts owed by the former provider to the department have been paid, except as stated in subparagraph (2);
- (2) If the indebtedness is the subject of an administrative appeal, an escrow account has been created and funded in an amount sufficient to cover the debt as claimed by the department; or
- (3) An interim cost report has:
  - (a) Been filed and an escrow account has been created and funded in an amount sufficient to cover any overpayment identified in the report; or
  - (b) Not been filed and an escrow account has been created and funded in an amount sufficient to cover 5% of Medicaid reimbursement or cost reimbursement for the last fiscal year or \$50,000, whichever is less.

B. Any person affected by this subsection may request that the department identify the amount of any debt owed by a nursing home, boarding home or hospital. When the department receives such a request, it shall identify the debt within 30 days. Failure to identify the amount of a debt when a request is made in writing at least 30 days prior to the transfer precludes the department from recovering that debt from the transferee.

C. The department shall provide written notice of the requirements of this law to the transferee in a letter

acknowledging receipt of a request for a certificate of need or waiver of the certificate of need for a nursing home or hospital transfer or in response to a request for an application for a license to operate a boarding home.

D. If a transferee becomes liable for a debt pursuant to this subsection, the transferee shall succeed to any defenses to the debt that could have been exercised by the former provider.

E. Nothing in this subsection may limit the liability of the former provider to the department for any debts whether or nor they are identified at the time of sale. In addition, a transferee has a cause of action against a former provider to the extent that debts of the former provider are paid by the transferee, unless the transferee has waived the right to sue the former provider for those debts.

**Sec. G-5. 24 MRSA §2321, sub-§2,** as amended by PL 1979, c. 558, §2, is further amended to read:

**2. Filing information.** When a filing is not accompanied by the information upon which the organization supports such filing, or the superintendent does not have sufficient information to determine whether such filing meets the requirements that the rates shall not be excessive, inadequate or unfairly discriminatory, ~~he~~ the superintendent shall require the organization to furnish the information upon which it supports the filing. A filing and supporting information ~~shall be~~ is a public record within the meaning of Title 1, section 402, subsection 3 and ~~shall become~~ becomes part of the official record of any hearing held pursuant to section 2322. For the purpose of determining whether the filing produces rates that are not excessive, inadequate or unfairly discriminatory, the superintendent and the Attorney General each may employ consultants, including actuaries, and the reasonable costs of the consultants, including actuaries, which ~~shall~~ must include costs of testifying at any hearing held pursuant to section 2322, ~~shall~~ must be borne by the organization making such filing.

**Sec. G-6. Report by Attorney General.** The Department of the Attorney General shall submit a report detailing the manner in which legal work has been allocated among attorneys in the department pursuant to the Maine Revised Statutes, Title 5, section 203, subsection 3 to the Joint Standing Committee on Appropriations and Financial Affairs and to the Joint Standing Committee on Audit and Program Review by March 31, 1992.

**PART H**

**Sec. H-1. PL 1989, c. 881, §2, the line relating to State CAP charge** is amended to read:

State CAP charge - <del>43%</del> <u>15%</u>	<del>1,005,160</del> <u>1,159,800</u>
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**Sec. H-2. PL 1989, c. 881, §2, the line relating to Total State Agencies** is amended to read:

Total State Agencies \$8,737,159  
\$8,891,799

**Sec. H-3. PL 1989, c. 881, §2, the line relating to TOTAL REQUIREMENTS** is amended to read:

TOTAL REQUIREMENTS \$11,156,019  
\$11,310,659

**Sec. H-4. PL 1989, c. 881, §2, under the caption "COMPUTATION OF ASSESSMENT," the first line** is amended to read:

Requirements \$11,156,019  
\$11,310,659

**Sec. H-5. PL 1989, c. 881, §2, under the caption "COMPUTATION OF ASSESSMENT," the 5th line** is amended to read:

Miscellaneous Revenues 80,000  
234,640

**Sec. H-6. PL 1989, c. 881, §2, under the caption "COMPUTATION OF ASSESSMENT," the 6th line relating to TOTAL** is amended to read:

TOTAL \$270,000  
\$424,640

**Sec. H-7. PL 1989, c. 881, §2, under the caption "COMPUTATION OF ASSESSMENT," the line relating to TOTAL DEDUCTIONS** is amended to read:

TOTAL DEDUCTIONS \$1,097,958  
\$1,252,598

**PART I**

**Sec. I-1. 5 MRSA §3514**, as amended by PL 1985, c. 527, §3, is further amended to read:

**§3514. Division of Community Services**

There is established, to carry out the purposes of this chapter, the Division of Community Services in the Executive Department, which shall carry out the responsibilities of State Government relating to planning and financing community services and community action agencies and shall administer state and federal community services' programs and other block grants that may be available, including, but not limited to, energy assistance, ~~energy conservation, food assistance~~ and Head Start.

**Sec. I-2. 5 MRSA §3515, sub-§2, ¶E**, as amended by PL 1985, c. 527, §4, is further amended to read:

E. Advise the Governor and other officials of State Government on matters relating to fuel assistance programs ~~and energy conservation services for low income people~~, and other authorized programs and services of the division;

**Sec. I-3. 5 MRSA §3518, sub-§1**, as amended by PL 1985, c. 527, §6, is further amended to read:

1. **Federal, state and other funds.** Through plans and contracts developed with advice from the board, the division shall obtain, distribute and administer federal, state and other community services' funds, including block grants, energy assistance, ~~energy conservation, food assistance~~, Head Start and other funds as may become available. Any balances of funds appropriated to the ~~Division of Community Services~~ division remaining at the end of a fiscal year ~~shall may not~~ lapse, but ~~shall must~~ be carried forward from year to year to be expended for the same purpose.

**Sec. I-4. 5 MRSA §3518-A**, as enacted by PL 1985, c. 737, Pt. A, §17, is amended to read:

**§3518-A. Administration of the fuel assistance program**

The Executive Department, Division of Community Services, shall administer a fuel assistance and energy conservation programs program as provided in this chapter.

1. **Administration of fuel assistance.** The division may select local program operators, except that, in the case of the fuel assistance program, the municipalities that served as local program operators in 1984 shall be given the option to serve as local program operators of the fuel assistance program within their municipality, as long as they comply with the program operating standards established by the ~~Division of Community Services~~ division by rule in accordance with the Maine Administrative Procedure Act, chapter 375.

The ~~Division of Community Services~~ division, by rule, shall provide, at a minimum, the following standards that shall apply to local program operators and administrators:

- A. Standards that require generally acceptable accounting and bookkeeping procedures that meet the requirements of the Federal Government and the State Auditor;
- B. Standards that prohibit conflicts of interest by local program operators and administrators. These standards shall, at a minimum, meet the standards that apply to Legislators as defined in Title 1, section 1014;
- C. Standards requiring the adherence of the local program operators to confidentiality with respect to program recipients;
- D. Standards requiring local program operators and administrators to be available to the general public for a minimum specified period of time each week; and
- E. Standards that will assure that qualified program recipients will be expeditiously provided with assistance by the local program operator or administrator.

Any municipality that the ~~Division of Community Services~~ divisions finds to be in violation of the standards adopted by

the division pursuant to this section, may be prohibited from acting as a local program operator or administrator of the fuel assistance program.

For the purpose of this section, "fuel assistance" means assistance paid to fuel vendors on behalf of an eligible household or directly to eligible tenants who pay heating costs as an undesignated portion of rent.

**Sec. I-5. 5 MRSA §12004-J, sub-§3**, as amended by PL 1989, c. 576, §§2 and 5, is repealed.

**Sec. I-6. 7 MRSA §2, 4th ¶**, as amended by PL 1989, c. 501, Pt. DD, §18, is further amended to read:

In addition, the commissioner shall be concerned with the quality of life of Maine farmers and rural communities. The commissioner shall promote: ~~Farm~~ farm financing and rural development proposals; conservation and preservation of agricultural lands; increased and improved production of beef, poultry, sheep, dairy beef and other livestock; expanded and improved production of potatoes, fruits and other vegetables and horticultural ventures; coordinated foreign and domestic marketing of Maine agricultural products; in conjunction with the university, crop development and integrated pest management; and conservation of nonrenewable energy resources and utilization of renewable energy resources in conjunction with the State Planning Office. To accomplish these objectives, the commissioner is authorized for, or on behalf of, Maine's farmers and rural community: ~~To~~ to engage in research and educational programs; to participate directly or indirectly in programs to encourage and enable individuals to enter agricultural or other rural enterprises; to institute litigation or upon request to represent farmers or other members of the rural community in litigation where the commissioner determines that such litigation may be beneficial to agricultural industry as a whole; and to exercise all other powers of an agency of State Government. The commissioner may study such issues and, consistent with statute, take such actions either individually, for, or on behalf of, the State's farmers or rural residents, or jointly with such other persons, agencies or organizations as the commissioner determines may benefit the State's farmers and rural communities. To further accomplish these objectives, the commissioner is authorized beginning July 1, 1991, on behalf of the State's rural community, to administer food assistance programs including the receipt, distribution and administration of federal and state funds, including block grants, for food assistance.

**Sec. I-7. 30-A MRSA §4722, sub-§1, ¶¶V to X** are enacted to read:

V. Administer energy conservation programs;

W. Obtain, distribute and administer federal and state funds, including block grants for energy conservation; and

X. Advise the Governor and other officials of State Government on matters relating to energy conservation.

**Sec. I-8. Effective date.** That section of this Part that enacts the Maine Revised Statutes, Title 30-A, section 4722, subsection 1, paragraphs V to X takes effect April 1, 1991.

**Sec. I-9. Report.** The Department of Human Services, Bureau of Income Maintenance and the Maine State Housing Authority shall jointly study alternatives to maximize the use of available federal funds and any other funds to provide services for low-income citizens. Their report must be submitted to the Joint Standing Committee on Appropriations and Financial Affairs by June 30, 1991.

**Sec. I-10. Transition provisions.**

1. The Maine State Housing Authority is the successor in every way to the powers, duties and functions of the Division of Community Services within the Executive Department in the area of energy conservation, except the State shall indemnify the Maine State Housing Authority for all costs, expenses and losses of whatever kind and nature arising out of the Division of Community Services activities and operations in the area of conservation prior to April 1, 1991.

2. Notwithstanding the provisions of the Maine Revised Statutes, Title 5, all accrued expenditures, assets, liabilities, balances or appropriations, allocations, transfers, revenues or other available funds in an account or subdivision of an account of the former Division of Community Services must be transferred to the proper accounts by the State Controller upon the request of the State Budget Officer and with the approval of the Governor.

**Sec. I-11. Allocation.** The following funds are allocated from Federal Expenditures to carry out the purposes of this Part.

1990-91

**MAINE STATE HOUSING AUTHORITY**

**Energy Conservation**

All Other	\$2,230,162
Provides for the allocation of funds associated with the transfer of the energy weatherization program from the Division of Community Services to the Maine State Housing Authority.	

**MAINE STATE HOUSING AUTHORITY TOTAL**

\$2,230,162

**TOTAL ALLOCATIONS - PART I**

\$2,230,162

**PART J**

**Sec. J-1. 25 MRSA §2399, 2nd ¶**, as amended by PL 1987, c. 816, Pt. HH, §1, is further amended to read:



Every fire insurance company or association ~~which that~~ does business or collects premiums or assessments in the State shall pay to the State Tax Assessor, in addition to the taxes now imposed by law to be paid by those companies or associations, ~~95 of 1%~~ 1.4% of the gross direct premiums for fire risks written in the State, less the amount of all direct return premiums thereon and all dividends paid to policyholders on direct fire premiums. That tax ~~shall~~ must be paid as provided for insurance premium taxes as specified in Title 36, section 2521-A, except that the tax prescribed by this section ~~shall~~ must be paid on an estimated basis at the end of each quarter starting with the first quarter of 1983, with each installment equal to at least 25% of the estimated total tax to be paid for the current calendar year. The State Tax Assessor shall pay over all receipts from that tax to the Treasurer of State daily. ~~These~~ Of these funds ~~shall~~ 75.7% must be used to defray the expenses incurred by the Commissioner of Public Safety in administering all fire preventive and investigative laws; ~~and rules and regulations~~ and in educating the public in fire safety and ~~are~~ is appropriated for those purposes and to carry out the administration and duties of the Office of the State Fire Marshal. ~~In addition, 10.5% of~~ Of these funds shall also 24.3% must be used to defray the expenses of the fire training and education program as established in Title 20-A, chapter 319. ~~An additional \$175,000 shall be allocated in state fiscal year 1988-89 to defray the expenses of the fire training and education programs in the State. If additional funds are needed in fiscal year 1989-90 and thereafter, the State Fire Marshal shall make a recommendation to the Legislature.~~

**Sec. J-2. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

1990-91

**MAINE TECHNICAL COLLEGE SYSTEM,  
BOARD OF TRUSTEES OF THE**

**Maine Technical College System -  
Board of Trustees**

All Other \$277,000

Provides \$257,000 for the fire training and education program and \$20,000 for the firefighter training facilities grant program. The Department of Public Safety and the Maine Technical College System shall cooperate to achieve this level of funding for the remainder of fiscal year 1990-91.

**PART K**

**Sec. K-1. 22 MRSA §3104, sub-§11** is enacted to read:

11. Food stamp overpayment recovery. Any money recovered by the department as a result of the overpayment

of food stamps must be deposited to the General Fund, including any money up to a maximum of \$81,475 recovered prior to the effective date of this subsection.

**Sec. K-2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1990-91

**HUMAN SERVICES, DEPARTMENT OF**

**Administration - Income Maintenance**

All Other \$81,475

Provides funds for general administrative costs associated with the food stamp program.

**PART L**

**Sec. L-1. 5 MRSA §1742, sub-§19**, as amended by PL 1989, c. 596, Pt. N, §2, is repealed.

**Sec. L-2. 5 MRSA §1742, sub-§19-A** is enacted to read:

19-A. Real property leases required by State. Except as provided in section 1742-D, to locate, negotiate and manage all real property leases required by departments and agencies of State Government;

**Sec. L-3. 5 MRSA §1742-D** is enacted to read:

§1742-D. Bureau of Public Improvements; real property leases

1. Work closely with all departments and agencies. The Bureau of Public Improvements shall work closely with all departments and agencies in locating real property leases to ensure that agency program requirements are met to the maximum extent possible. The bureau shall:

A. Maintain records of state agency real property leasing needs and all available space owned, leased and potentially available for lease, and make this information available to all state agencies;

B. Monitor market prices for real property leases on a regional basis and establish rates to be charged to state agencies on an annual basis; and

C. Hold all real property leases to ensure they are negotiated and managed to the best economic advantage of the State.

2. Establish standards; waiver. The Bureau of Public Improvements shall establish the following:

A. Standards for occupant safety and comfort in leased space must be consistent with law and all applicable

building, fire, handicapped accessibility and environmental codes; and

B. By July 1, 1991, standards for space use for all state facilities that ensure the equitable and efficient distribution of available floor space, including common areas, consistent with cost, program and functional objectives.

The Director of Public Improvements may provide a waiver of the standards and criteria established under this section if the director concludes that the unique conditions of location, program or employee function require such a waiver.

**3. Real Property Lease Internal Service Fund Account established.** The Bureau of Public Improvements shall establish, through the Bureau of Accounts and Control, the Real Property Lease Internal Service Fund Account. The funds deposited in the account must include, but not be limited to, appropriations made to the account, funds transferred to the account from within the Department of Administration and funds received from state departments and agencies using leasing services provided by the bureau.

**4. Charges for leasing services.** The Bureau of Public Improvements may levy charges according to a rate schedule recommended by the Director of Public Improvements and approved by the Commissioner of Administration against all departments and agencies using leasing services pursuant to this section.

**5. Submission of budget.** The Bureau of Public Improvements shall submit a budget of estimated revenues and costs incurred by the account in connection with the leasing services established in this section.

**6. Staff.** The Director of Public Improvements shall appoint, subject to the Civil Service Law, staff necessary to carry out the purposes of this section.

**7. Payment by department or agency.** Each department or agency using the services of this program must budget adequate funds to pay the leasing services provided by the Bureau of Public Improvements.

**8. Report.** The Director of Public Improvements shall report to the joint standing committees of the Legislature having jurisdiction over state and local government matters and appropriations and financial affairs matters by January 31st of each year with respect to the status of current leases, projected real property leasing requirements and anticipated costs for each fiscal year.

**Sec. L-4. Transition.** Beginning July 1, 1991, the Department of Administration, Bureau of Public Improvements shall renew all leases and enter into all new leases in the name of the Department of Administration, Bureau of Public Improvements. This allows the bureau to implement the terms of the Maine Revised Statutes, Title 5, section 1742-D, subsection 1, paragraph C.

**Sec. L-5. Leases and staffing requirements report.** By May 15, 1991, the Director of Public Improvements shall report to the Joint Standing Committee on Appropriations and Financial Affairs on the status of all real property leases currently in force, projected real property leasing requirements, and the anticipated leasing costs for fiscal year 1991-92. The director shall also present staffing requirements to the committee to implement this Act for the 1992-93 biennium.

## PART M

**Sec. M-1. 22 MRSA §3741-B, first ¶,** as enacted by PL 1987, c. 856, §2, is amended to read:

~~Teenage parents may be~~ are required to register participate in a ~~program administered by the department specifically designed to encourage completion of education and enhance self-sufficiency~~ the ASPIRE-JOBS program established in section 3781.

**Sec. M-2. 22 MRSA §3741-H,** as enacted by PL 1989, c. 839, §1, is amended to read:

**§3741-H. Child care during participation in employment, education and training**

The department shall provide child care in accordance with the federal Family Support Act of 1988, Public Law 100-485, when the child care is necessary to permit a federal Aid to Families with Dependent Children eligible family member to ~~accept employment, remain employed or~~ participate in an education or training the ASPIRE-JOBS program as defined in section 3781.

**1. Method of providing child care.** ~~The federal Aid to Families with Dependent Children recipient may choose one of the following methods for receiving child care under this section:~~

~~A. Receiving direct prospective payment for the cost of care;~~

~~B. Directing that the department make payment, on the recipient's behalf, directly to a child care provider; or~~

~~C. Accepting other care available at no cost to the family.~~

**2. Child care rate.** The department shall provide a ~~family's~~ an ASPIRE-JOBS program participant's actual cost for child care up to the maximum rate authorized by federal law. In determining the maximum rate, the State shall use a method that results in an amount that equals, or most closely approaches, the actual market rate in different regions of the State for various types of child care services received by families in the State participating in the ~~Additional Support for People in Retraining and Education~~ ASPIRE-JOBS program.

**Sec. M-3. 22 MRSA §3781, sub-§1**, as amended by PL 1989, c. 839, §3, is further amended to read:

**1. Administration.** The Additional Support for People in Retraining and Education program is administered by the Department of Human Services. ~~The Department of Human Services shall, consistent with the goals of the Additional Support for People in Retraining and Education program, contract with the Department of Labor to implement this program. The department may also contract with other public agencies, as well as private agencies and individuals, to implement this program in selected areas of the State. The department may not contract for the delivery of the program in its entirety in any area of the State that was not under contract on March 1, 1990. Contracts entered into under this subsection may not exceed one year in duration.~~

~~If the department contracts for the provision of program services under this subsection, it shall monitor each contract agency at least annually to ensure compliance with sections 3786 and 3788 and to ensure compliance with the contracts entered into by the parties. The department shall adopt rules in accordance with the Maine Administrative Procedure Act by which satisfactory performance is measured. The rules must identify the circumstances under which sanctions, including contract suspension, reduction or termination are applied.~~

**Sec. M-4. 22 MRSA §3781, sub-§2**, as enacted by PL 1987, c. 856, §7, is amended to read:

**2. Purpose.** The purpose of this program is to provide services and support to recipients of Aid to Families with Dependent Children and food stamps and to reduce dependence on public assistance to the extent that adequate funding is available for that purpose. The principal goal ~~shall be~~ is to assist the recipient in securing stable employment ~~which that~~ that pays wages sufficient to maintain adequate family income without public assistance and to increase the basic life skills and self-confidence of the recipient. If the department determines that funding is inadequate, services and support may be reasonably limited or reduced. The department shall adopt rules that include the methods to achieve this purpose.

**Sec. M-5. 22 MRSA §3781, sub-§3**, as amended by PL 1989, c. 501, Pt. Y, §2, is further amended to read:

**3. Employability plan.** ~~The~~ To the extent that sufficient funds, training sites and employment opportunities are reasonably available, the department and the ~~client~~ participant shall enter into an employability plan to embody the goals of the ~~client~~ participant and the services and support of agencies' services offered by the program. If the department determines that funding is inadequate, services and support may be reasonably limited or reduced. The department shall adopt rules that include the methods to achieve this purpose.

**Sec. M-6. 22 MRSA §3782**, as amended by PL 1989, c. 501, Pt. Y, §3, is repealed.

**Sec. M-7. 22 MRSA §3782-A** is enacted to read:

### §3782-A. Program

**1. Case management services.** The department may provide case management services, including the determination of eligibility for and the provision of support services directly to Additional Support for People in Retraining and Education program participants. For the purposes of this subsection, "support services" includes all support services for which Additional Support for People in Retraining and Education program participants are eligible, including those services directly related to education or training, such as tuition, fees, books, uniforms, tools and other related services.

**2. Purchase of services.** The department may contract with the Department of Labor's Maine Job Training System to provide to participants referred by the department, job counseling, job placement, job development, structured group job-seeking services and other employment and training services necessary to meet the participant's employment goals.

The department may also contract with other public and private agencies and individuals to deliver these employment and training services and other specified services for program participants consistent with the purposes of the Additional Support for People in Retraining and Education program.

Additional Support for People in Retraining and Education program funds may not be used to purchase services from an agency under this subsection that are available on a nonreimbursable basis, if those nonreimbursable services meet the needs of the participant.

**3. Monitoring of contract agencies.** If the department contracts for the provision of program services under this section, it shall monitor each contract agency at least annually to ensure compliance with sections 3786 and 3788, to ensure compliance with the contracts entered into by the parties and to ensure that quality services are provided to or for Additional Support for People in Retraining and Education program participants. The department shall adopt rules in accordance with the Maine Administrative Procedure Act by which satisfactory performance is measured. The rules must identify the circumstances under which sanctions, including contract suspension, reduction or termination, are applied.

**4. Rural access.** The department shall adopt rules in accordance with the Maine Administrative Procedure Act to provide access to Additional Support for People in Retraining and Education program services for recipients of Aid to Families with Dependent Children living in rural areas. Services must be provided on an equitable basis throughout the State. Access to these services may be reasonably limited by the department due to factors such as availability of staff and funding. The rules adopted by the department must include, in addition to other methods necessary to achieve this goal, adequate provisions for itinerant service stationing.

**Sec. M-8. 22 MRSA §3786, last ¶**, as enacted by PL 1987, c. 856, §7, is amended to read:

Rules governing services provided under this chapter shall apply equally to all participating Aid to Families with

Dependent Children recipients, whether those services are provided by the Department of Human Services or the Department of Labor or any other agency, organization or individual providing services to Additional Support for People in Retraining and Education program participants.

**Sec. M-9. Legislative intent.** It is the intent of the Legislature that Additional Support for People in Retraining and Education program services continue to all current program participants in order to minimize disruption of participants' ongoing education and training plans. The department shall adopt rules to reduce services equitably, consistent with the intent of this provision, in the event that there are insufficient funds to continue all current participants in their education and training programs through September 30, 1991.

Any reduction in program services may only be made pursuant to reasonable projections of estimated necessary expenditures for all persons currently enrolled in the program.

This section is repealed September 30, 1991, and any rules or action implementing this section must terminate on September 30, 1991.

## PART N

**Sec. N-1. 22 MRSA §14, sub-§1,** as repealed and replaced by PL 1989, c. 778, §1, is amended to read:

**1. Recovery procedures.** When benefits are provided or will be provided to a beneficiary under the Medicaid program administered by the department pursuant to the United States Social Security Act, Title XIX, or under the Maine Health Program, section 3189, for the medical costs of injury, disease, disability or similar occurrence for which a 3rd party is, or may be, liable, the commissioner shall have the right to may recover from that party the reasonable value of the benefits provided. The Medicaid program ~~is~~ and Maine Health Program are the payer payors of last resort and should provide medical coverage only when there are no other available resources. The Attorney General, or counsel for any fiscal intermediary with the permission of the Attorney General, may, to enforce this right, institute and prosecute legal proceedings against the 3rd party or, pursuant to this subsection, against the recipient, in the appropriate court, either in the name of the commissioner or in the name of the injured person, beneficiary, guardian, personal representative, estate or survivor.

If a recipient of medical assistance receives a settlement or award from a 3rd party, the settlement or award is subject to disbursement as provided in subsection 2-F.

The commissioner may compromise, or settle and execute a release of, any claim or waive any claim, in whole or in part, if the commissioner determines the collection will not be cost-effective.

In any case in which 3rd-party liability is found under this section, the commissioner shall be subrogated to the rights of the individual for whom medical assistance was made available.

**Sec. N-2. 22 MRSA §14, sub-§2-A,** as enacted by PL 1981, c. 24, §2, is amended to read:

**2-A. Assignment of rights of recovery.** The receipt of benefits under the Medicaid program administered by the department pursuant to the ~~Federal~~ United States Social Security Act, Title XIX, shall constitute or under the Maine Health Program, section 3189, constitutes an assignment by the recipient or any legally liable relative to the department of the right to recover from ~~third 3rd parties~~ for the medical cost of injury, disease, disability or similar occurrence for which the recipient receives medical benefits. The department's assigned right to recover ~~shall be~~ is limited to the amount of medical benefits received by the recipient and ~~shall does~~ not operate as a waiver by the recipient of any other right of recovery against a ~~third 3rd party~~ which that a recipient may have.

The recipient ~~shall is~~ also be deemed to have appointed the commissioner as ~~his the recipient's~~ attorney in fact to perform the specific act of submitting claims to insurance carriers or endorsing over to the department any and all drafts, checks, money orders or any other negotiable instruments connected with the payment of ~~third party 3rd-party~~ medical claims.

**Sec. N-3. 22 MRSA §14, sub-§§2-B and 2-C,** as enacted by PL 1987, c. 203, are amended to read:

**2-B. Direct reimbursement to health care provider.** When an insured is eligible under the Medicaid program administered by the Department of Human Services, pursuant to the United States Social Security Act, Title XIX, or under the Maine Health Program, section 3189, for the medical costs or injury, disease, disability or similar occurrence for which an insurer is liable, and the insured's claim is payable to a health care provider as provided or permitted by the terms of a health insurance policy or pursuant to an assignment of rights by an insured, the insurer shall directly reimburse the health care provider to the extent that the claim is honored.

**2-C. Direct reimbursement to the Department of Human Services.** When an insured is eligible under the Medicaid program administered by the Department of Human Services, pursuant to the United States Social Security Act, Title XIX, or under the Maine Health Program, section 3189, for the medical costs of injury, disease, disability or similar occurrence for which an insurer is liable, and the claim is not payable to a health care provider under the terms of the health insurance policy, the insurer shall directly reimburse the Department of Human Services, upon request, for any medical services paid by the department on behalf of a Medicaid or Maine Health Program recipient to the extent that those medical services are payable under the terms of the health insurance policy.

**Sec. N-4. 22 MRSA §14, sub-§§2-D and 2-E,** as enacted by PL 1987, c. 621, are amended to read:

**2-D. Notification of claim.** A Medicaid or Maine Health Program recipient, or any attorney representing a

Medicaid or Maine Health Program recipient, who makes a claim to recover the medical cost of injury, disease, disability or similar occurrence for which the party received medical benefits under the Medicaid program, pursuant to the United States Social Security Act, Title XIX, or the Maine Health Program, section 3189, shall advise the department in writing with information as required by the department of the existence of the claim.

**2-E. Notification of pleading.** In any action to recover the medical cost of injury, disease, disability or similar occurrence for which the party received medical benefits under the Medicaid program or Maine Health Program, the party bringing the action shall notify the department of that action at least 10 days prior to filing the pleadings. Department records indicating medical benefits paid by the department on behalf of the recipient ~~shall be~~ are prima facie evidence of the medical expenses incurred by the recipient for the related medical services.

**Sec. N-5. 22 MRSA §14, sub-§2-G**, as enacted by PL 1989, c. 397, §2, is amended to read:

**2-G. Claims against estates of certain Medicaid recipients.** The Department of Human Services shall have a claim against the estate of a Medicaid or Maine Health Program recipient ~~where when~~, subsequent to the death of the recipient:

A. Property or other assets are discovered ~~which that~~ existed and were owned by the recipient during the period when Medicaid or Maine Health Program benefits were paid to the recipient; and

B. Disclosure of that property or assets at the time benefits were being paid would have rendered the recipient ineligible to receive the benefits.

The amount of Medicaid or Maine Health Program benefits paid and recoverable under this section ~~shall~~ must be a claim against the estate of the deceased recipient pursuant to the Probate Code, Title 18-A, Article III, Part 8.

**Sec. N-6. 22 MRSA §14, sub-§3**, as amended by PL 1989, c. 778, §3, is further amended to read:

**3. Definitions.** For purposes of this section, "3rd party" means any entity including, but not limited to, an insurance carrier ~~which that~~ may be liable under a contract to provide health, automobile, workers' compensation or other insurance coverage that is or may be liable to pay all or part of the medical cost of injury, disease, disability or similar occurrence of an applicant or recipient of Medicaid or Maine Health Program benefits.

**Sec. N-7. 22 MRSA §396-G, sub-§5** is enacted to read:

**5. Differentials; Maine Health Program.** The commission shall provide that any differential determined pursuant to this section for the Maine Health Program applies to

charges incurred by the Maine Health Program from October 1, 1990.

**Sec. N-8. 22 MRSA §3189, sub-§5, ¶G**, as enacted by PL 1989, c. 588, Pt. A, §43, is amended to read:

G. Notwithstanding subsection 3, if at any time during the fiscal year the department determines that the funds available for the program are inadequate to continue the program pursuant to the requirements of subsection 3, the department, in accordance with this subsection and subsection 9, may take action to limit the program for the full or partial fiscal year for which the department determines funding is inadequate. The priority of making reductions ~~shall be~~ is as follows:

(1) With regard to new applicants only, the income limit for persons aged 18 or older may be reduced to such lower percentage of federal poverty level as the department determines appropriate;

(2) With regard to new applicants only, the income limits for all otherwise eligible persons may be reduced to such lower percentages of the federal poverty level as the department determines appropriate;

(3) With regard to all otherwise eligible persons, the department may restrict the scope and amount of medical assistance to be provided;

(4) With regard to new applicants only, no persons aged 18 or older may be found eligible for the program; and

(5) No new applicants may be found eligible for the program. For the purposes of this paragraph, an individual who has been enrolled in the Maine Health Program and who is required to recertify eligibility or an individual who has been enrolled in the Maine Health Program and is for a period of time eligible for Medicaid is not a applicant to the Maine Health Program.

Sixty days prior to the effective date of any proposed reduction of benefits or eligibility recommended pursuant to this paragraph, the department shall provide copies of the proposed rule together with a concise statement of the principal reason for the rule, including the balance remaining in the account for the program, an analysis of the proposed rule and the savings anticipated by the adoption of the proposed rule to the Governor and to each member of the joint standing committee of the Legislature having jurisdiction over insurance matters and appropriations matters.

**Sec. N-9. 22 MRSA §3189, sub-§5, ¶H**, as enacted by PL 1989, c. 588, Pt. A, §43, is repealed and the following enacted in its place:

H. The department shall maximize the use of federal funds in order to minimize expenditures under the Maine Health Program. Any person eligible for benefits under Medicaid or the United States Family Support Act of 1988, Public Law 100-482 is ineligible to receive those benefits under the program. To maximize the use of federal funds, the department shall take all reasonable and necessary steps to apply for and seek federal Medicaid and other demonstration grants for children and adults, including, but not limited to, the grant programs pursuant to United States Public Law 101-508, Sections 4745 and 4747, and explore Medicaid options and less restrictive income and resource methodologies for medically needy applicants in the Medicaid program.

**Sec. N-10. 22 MRSA §3189, sub-§5, ¶G-1** is enacted to read:

G-1. The Task Force to Evaluate and Revise the Maine Health Program shall make a recommendation to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs concerning controls, restrictions and requirements to ensure the program expenditures do not exceed the supplemental appropriation. Notwithstanding paragraph G, if the task force fails to make a recommendation to the committee by April 15, 1991 or makes a recommendation that in the judgment of the department fails to meet the objective of ensuring that projected expenditures from the General Fund for the balance of the fiscal year do not exceed the supplemental appropriation, the department may initiate emergency rulemaking to further reduce expenditures by reducing eligibility or scope and amount of benefits, or both, as necessary to stay within available appropriations. The department shall give immediate notice to the committee of the proposed rule and the factual basis for the proposed rule. The rule may not take effect for 10 days following notice to the committee.

**Sec. N-11. Retroactivity.** That section of this Part that enacts the Maine Revised Statutes, Title 22, section 396-G, subsection 5, is retroactive to October 1, 1990.

## PART O

**Sec. O-1. P&SL 1967, c. 167, §7,** is amended to read:

**Sec. 7. Issue of bonds.** The Treasurer of State is authorized, under the direction of the Governor and Council, to issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$4,000,000 for the purposes of this Act. Said bonds shall be deemed a pledge of the faith and credit of the State. Said bonds shall not run for a longer period than 20 years from the date of the original issue thereof. The Treasurer of State is authorized to invest the proceeds of the sale of the bonds during the period when the proceeds are not needed for the purposes set forth in this Act and the interest therefrom shall be paid into the fund

created by section 6. On or before April 1, 1991, the Treasurer of State shall transfer the unexpended balance in the Maine State Park and Recreation Area Fund and the interest-earning account established for that fund to the debt service account in the Office of the Treasurer of State. By June 30, 1992, the Treasurer of State shall restore to the Maine State Park and Recreation Area Fund and the interest-bearing account established for that fund the amounts transferred to debt service under this section.

**Sec. O-2. P&SL 1979, c. 53, §5** is amended to read:

**Sec. 5. Appropriation balances at year-end.** At the end of each fiscal year, all unencumbered appropriation balances representing state ~~moneys~~ ~~shall~~ ~~money~~ carry forward from year to year, except that the unexpended balance of \$115,000 to acquire railroad right-of-way for the Eastport and Bingham branches must be deposited in the debt service account established for the retirement of these bonds by April 1, 1991 if the Department of Transportation has not concluded negotiations for the acquisition of the railroad right-of-way by that date.

**Sec. O-3. P&SL 1979, c. 106, §3, last sentence** is amended to read:

Any unencumbered balances remaining at the completion of the projects in section 6 ~~shall~~ must lapse to the debt service account established for the retirement of these bonds by April 1, 1991.

**Sec. O-4. Aid to families with dependent children payrolls.** The Department of Finance, Bureau of Accounts and Control, the Department of Human Services and the Treasurer of State shall take corrective actions to prohibit charging payrolls of aid to families with dependent children to General Fund prepaid expense and subsequently journaling those expenditures to the Federal Expenditures fund. This practice has decreased the average daily cash balance in the General Fund and, therefore, decreased interest earnings to the General Fund. The Treasurer of State shall prepare appropriate journal entries before June 30, 1991 so that \$58,614 is credited to the General Fund to correct cumulative incorrect earning distributions to date.

**Sec. O-5. Appropriation.** The following funds are appropriated from the General Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

### TREASURER, OFFICE OF

#### Debt Service - Treasury

All Other (\$1,077,279)

Provides for the deappropriation of funds in conjunction with the authority to transfer an additional \$1,077,279 in fiscal year 1990-91

from the General Fund Debt Service Account set up for the retirement of bonds and notes authorized under the Maine Revised Statutes, Title 5, section 151-A which will provide sufficient funds to cover the projected debt service requirement.

**PART P**

**Sec. P-1. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	<b>1990-91</b>
<b>EDUCATION, DEPARTMENT OF</b>	
<b>Teachers' Retirement</b>	
All Other	(\$49,100,000)
Deappropriates funds no longer required as a result of the transfer of surpluses in the Disability Retirement Benefit Fund, Survivors' Benefit Fund and Accidental Death Fund to the Retirement Allowance Fund as authorized by the Board of Trustees of the Maine State Retirement System.	
<b>DEPARTMENT OF EDUCATION TOTAL</b>	<u>(\$49,100,000)</u>
<b>FINANCE, DEPARTMENT OF</b>	
<b>Low-income Tax Relief</b>	
All Other	(\$350,000)
Provides for the deappropriation of funds from allotment reserve balances to December 31, 1990 due to an anticipated surplus.	
<b>DEPARTMENT OF FINANCE TOTAL</b>	<u>(\$350,000)</u>
<b>HUMAN SERVICES, DEPARTMENT OF</b>	
<b>Cystic Fibrosis - Treatment of</b>	
All Other	(\$5,000)
Provides for the deappropriation of funds from allotment reserve balances to December 31, 1990 due to funds exceeding program	

requirements for fiscal year 1990-91.

**Health Care Benefits for Uninsured Individuals**

All Other	(\$36,230)
Provides for the deappropriation of funds from allotment reserve balances to December 31, 1990 due to funds exceeding program requirements for fiscal year 1990-91.	

**Social Services - Regional**

Capital Expenditures	(\$55,083)
Provides for the deappropriation of funds from allotment reserve balances to December 31, 1990 due to funds exceeding program requirements for fiscal year 1990-91.	

**Income Maintenance - Regional**

All Other	(\$110,000)
Provides for the deappropriation of funds from allotment reserve balances to December 31, 1990 due to funds exceeding program requirements for fiscal year 1990-91.	

**DEPARTMENT OF HUMAN SERVICES TOTAL**

(\$206,313)

**JUDICIAL DEPARTMENT**

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

Personal Services	(\$14,331)
Provides for the deappropriation of funds from allotment reserve balances to December 31, 1990 due to funds exceeding program requirements for fiscal year 1990-91.	

**JUDICIAL DEPARTMENT TOTAL**

(\$14,331)

**SECTION P-1 TOTAL APPROPRIATIONS**

(\$49,670,644)

**Sec. P-2. Allocation; Federal Expenditures.** The following funds are allocated from Federal Expenditures to carry out the purposes of this Part.

	<b>1990-91</b>	
<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>		
<b>Administration - Archives</b>		
Personal Services	\$9,796	
All Other	1,500	
Provides funds for a one-year Planning and Research Associate II project position to develop a statewide records and cultural preservation plan for the State.		
<b>DEPARTMENT OF THE SECRETARY OF STATE</b>		
<b>TOTAL</b>	<u>\$11,296</u>	
<b>SECTION P-2</b>		
<b>TOTAL ALLOCATIONS</b>	<u>\$11,296</u>	

**Sec. P-3. Allocation; Other Special Revenue.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

	<b>1990-91</b>	
<b>CONSERVATION, DEPARTMENT OF</b>		
<b>Maine Land Use Regulation Commission</b>		
Positions - Other Count	(0.5)	
Personal Services	\$8,775	
All Other	2,783	
Provides funds for one half-time Environmental Specialist II position to monitor best management practices to reduce nonpoint source pollution in the State's forest.		
<b>DEPARTMENT OF CONSERVATION</b>		
<b>TOTAL</b>	<u>\$11,558</u>	

**JUDICIAL DEPARTMENT**

**Judicial - Augusta Mental Health Institute Decree**

Positions - Other Count	(1.0)
Personal Services	\$22,767
Provides funds for the Master of Augusta Mental Health Institute position to June 30, 1991.	

<b>JUDICIAL DEPARTMENT</b>	
<b>TOTAL</b>	<u>\$22,767</u>

**LABOR, DEPARTMENT OF**

<b>Curriculum Workshops and Training</b>	
Capital Expenditures	\$10,022
Provides funds for audio and visual equipment for presentations.	
<b>Safety Education and Training Programs</b>	
Capital Expenditures	\$10,550
Provides funds for audio and visual equipment to assist training personnel.	

<b>DEPARTMENT OF LABOR</b>	
<b>TOTAL</b>	<u>\$20,572</u>

<b>SECTION P-3</b>	
<b>TOTAL ALLOCATIONS</b>	<u>\$54,897</u>

**Sec. P-4. Allocation; Federal Block Grant funds.** The following funds are allocated from Federal Block Grant funds to carry out the purposes of this Part.

	<b>1990-91</b>
<b>EXECUTIVE DEPARTMENT</b>	
<b>Community Services</b>	
All Other	\$475,681
Provides funds for overall community action agency operations and to enhance and assist other programs as needed.	
<b>EXECUTIVE DEPARTMENT</b>	
<b>TOTAL</b>	<u>\$475,681</u>
<b>SECTION P-4</b>	
<b>TOTAL ALLOCATIONS</b>	<u>\$475,681</u>

**PART Q**

**Sec. Q-1. Vacant positions in the General Fund.** The following vacant positions are deauthorized from the General Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

	<b>1990-91</b>
<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>	
<b>Marketing Services - Agriculture</b>	



<p>Positions - Legislative Count</p> <p>Provides for the elimination of a vacant part-time Stores Clerk position.</p>	<p>(-0.5)</p>	<p>position and 2 vacant Forest Ranger IV positions.</p>
<p><b>Agricultural Production</b></p>		
<p>Positions - Legislative Count</p> <p>Provides for the elimination of a vacant Agricultural Development Agent position.</p>	<p>(-1.0)</p>	<p><b>Maine Geological Survey</b></p> <p>Positions - Legislative Count</p> <p>Provides for the elimination of the following vacant positions: one Geologist position, one Cartographer position and one Clerk Typist III position.</p>
<p><b>ADMINISTRATION, DEPARTMENT OF</b></p>		
<p><b>Office of the Commissioner - Administration</b></p>		
<p>Positions - Legislative Count</p> <p>Eliminates one vacant Assistant to the Commissioner - Policy and Planning position.</p>	<p>(-1.0)</p>	<p><b>Maine Land Use Regulation Commission</b></p> <p>Positions - Legislative Count</p> <p>Provides for the elimination of a vacant part-time Senior Information System Support Specialist position.</p>
<p><b>ATTORNEY GENERAL, DEPARTMENT OF THE</b></p>		
<p><b>Administration - Attorney General</b></p>		
<p>Positions - Legislative Count</p> <p>Provides for the elimination of 2 vacant Assistant Attorney General positions and a vacant Account Clerk II position.</p>	<p>(-3.0)</p>	<p><b>Parks General Operations</b></p> <p>Positions - Legislative Count</p> <p>Positions - Other Count</p> <p>Provides for the elimination of the following vacant positions: six Lifeguard positions, one Park Ranger position, 2 Park Receptionist positions, one Maintenance Mechanic Foreman position, one Clerk I position and one Laborer I position.</p>
<p><b>AUDIT, DEPARTMENT OF</b></p>		
<p><b>Audit - Departmental Bureau</b></p>		
<p>Positions - Legislative Count</p> <p>Provides for the elimination of 2 Auditor I positions.</p>	<p>(-2.0)</p>	<p><b>DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF</b></p>
<p><b>CONSERVATION, DEPARTMENT OF</b></p>		
<p><b>Division of Engineering and Realty</b></p>		
<p>Positions - Legislative Count</p> <p>Provides for the elimination of a vacant Engineering Technician III position.</p>	<p>(-1.0)</p>	<p><b>Military Training and Operations</b></p> <p>Positions - Legislative Count</p> <p>Eliminates 3 vacant Building Custodian positions, one vacant Heavy Equipment Operator position, one vacant Laborer II position, one vacant Plumber II position and one vacant Military Training Officer position. Also eliminated are 2 vacant intermittent Building Custodian positions, 3 vacant seasonal Building Custodian positions, one vacant project Clerk Typist II position and one vacant project Data Entry Operator position.</p>
<p><b>Division of Forest Fire Control</b></p>		
<p>Positions - Legislative Count</p> <p>Provides for the elimination of one vacant Forest Ranger II</p>	<p>(-3.0)</p>	<p><b>Dam Safety Program</b></p> <p>Positions - Legislative Count</p>

Eliminates one vacant Civil Engineer II position and one vacant part-time Word Processing Operator position.

Eliminates one 1/2-time Clerk Typist II position and one Education Specialist III position.

**Veterans' Services**

Positions - Legislative Count (-1.0)

Eliminates one vacant Director of Veterans' Services position.

**Alcohol and Drug Education Services**

Positions - Legislative Count (-1.0)

Eliminates one Education Specialist III position and one Education Specialist II position, no head count.

**Veterans' Memorial Cemetery**

Positions - Other Count (-1.0)

Eliminates 2 vacant seasonal Laborer I positions.

**Adult Education**

Positions - Legislative Count (-1.0)

Eliminates one vacant Education Specialist II position.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Office of Business Development**

Positions - Legislative Count (-1.0)

Eliminates a vacant Development Program Manager position.

**Special Education - Exceptional Children**

Positions - Legislative Count (-1.0)

Eliminates one vacant Supervisor of Visually Impaired position.

**EDUCATION, DEPARTMENT OF**

**Governor Baxter School for the Deaf**

Positions - Legislative Count (-3.0)  
Positions - Other Count (-7.0)

Eliminates one vacant Carpenter position, one vacant Cook III position, one vacant Custodial Worker I position, one vacant Food Service Worker position, one vacant Nursing Assistant II position, one vacant Physical Therapist I position, one Program Specialist-Deaf position, one Program Supervisor-Deaf position, one Residential Advisor-Deaf position and one Psychologist II position.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Water Quality Control**

Positions - Legislative Count (-1.0)

Eliminates one vacant Assistant Engineer position.

**Solid Waste Management**

Positions - Legislative Count (-1.0)

Eliminates one vacant Geologist position.

**EXECUTIVE DEPARTMENT**

**Administration - Executive Governor's Office**

Positions - Legislative Count (-1.5)

Eliminates one full-time and one part-time vacant Governor's Special Assistant positions.

**Administrative Services - Education**

Positions - Legislative Count (-1.0)

Eliminates one vacant Clerk Typist II position.

**Planning Office**

Positions - Legislative Count (-2.0)

Eliminates one vacant Deputy State Economist position and one vacant Planner II position.

**Curriculum - Education**

Positions - Legislative Count (-1.5)

**FINANCE, DEPARTMENT OF**

**Bureau of Taxation**

Positions - Legislative Count (-2.0)

Provides for the elimination of one vacant Senior Revenue Agent position, one vacant Revenue Agent position and one seasonal Clerk II position.

**Bureau of Accounts and Control**

Provides for the elimination of one vacant part-time Laborer I position and one vacant intermittent Data Entry Specialist position.

**HUMAN SERVICES, DEPARTMENT OF**

**Administration - Human Services**

Positions - Legislative Count (-1.0)

Provides for the elimination of one vacant Laborer I position.

**Administration - Income Maintenance**

Positions - Legislative Count (-2.0)

Provides for the elimination of the following vacant positions: one Clerk Typist II position and one Social Services Program Specialist I position.

**Income Maintenance - Regional**

Positions - Legislative Count (-11.0)

Provides for the elimination of the following vacant positions: four Clerk Typist II positions, 6 Income Maintenance Specialist positions and one Income Maintenance Unit Supervisor position.

**Elder and Adult Services - Bureau of**

Positions - Legislative Count (-3.0)

Provides for the elimination of the following vacant positions: one full-time and one part-time Clerk Typist II positions, one Human Services Aide III position and one part-time Planning and Research Associate II position.

**Social Services - Regional**

Positions - Legislative Count (-5.5)

Provides for the elimination of the following vacant positions: three full-time and one part-time Clerk Typist II positions and 2 Human Services Aide III positions.

**Legal Services - Human Services**

Positions - Legislative Count (-1.0)

Provides for the elimination of a vacant Legal Secretary position.

**Bureau of Health**

Positions - Legislative Count (-1.0)

Provides for the elimination of a Sanitarian II position.

**Welfare Employment, Education and Training**

Positions - Legislative Count (-3.0)

Provides for the elimination of the following vacant positions: one Social Services Supervisor position and 2 Social Services Program Specialist II positions.

**Blind and Visually Impaired - Division of**

Positions - Legislative Count (-1.5)

Provides for the elimination of one full-time and one part-time vacant Visually Handicapped Children Counselor positions.

**Administration - Regional - Human Services**

Positions - Legislative Count (-2.5)

Provides for the elimination of the following vacant positions: two full-time and one part-time Clerk Typist II positions.

**Health Planning and Development**

Positions - Legislative Count (-1.0)

Provides for the elimination of a vacant Comprehensive Health Planner II position.

**Administration - Social Services**

Positions - Legislative Count (-1.0)

Provides for the elimination of a vacant Community Care Worker position.

Provides for the elimination of the following vacant positions: a Biologist II position, 2 Fish and Game Technician positions, a Fish Hatchery Worker position and a Conservation Aide position.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF****Administration Services - Inland Fisheries and Wildlife**

Positions - Legislative Count (-2.0)

Provides for the elimination of a Right-of-way Appraiser II position and one Account Clerk II position.

**Enforcement Operations - Inland Fisheries and Wildlife**

Positions - Legislative Count (-3.0)  
Positions - Other Count (-0.5)

Provides for the elimination of the following vacant positions: two Game Warden positions, one Game Warden Specialist position, a part-time Clerk I position, one Recreation Safety Coordinator position and 25 Game Warden Assistant positions that are not assigned position counts.

**Licensing Services - Inland Fisheries and Wildlife**

Positions - Other Count (-1.5)

Provides for the elimination of 2 part-time Clerk I positions and one part-time Clerk Typist I position.

**Atlantic Sea Run Salmon Commission**

Positions - Legislative Count (-1.0)

Provides for the elimination of a Biologist II position.

**Office of the Commissioner - Inland Fisheries and Wildlife**

Positions - Legislative Count (-3.0)

Provides for the elimination of the following vacant positions: a Clerk Typist II position, a Division Director of Inland Fisheries and Wildlife position, a Clerk Stenographer I position and an intermittent Clerk Stenographer III position.

**LABOR, DEPARTMENT OF****Maine Occupational Information Coordinating Committee**

Positions - Legislative Count (-1.0)

Eliminates one vacant Education Specialist II position.

**Maine Labor Relations Board**

Positions - Legislative Count (-1.0)

Eliminates a vacant Labor Attorney-Mediator position.

**Resource Management Services - Inland Fisheries and Wildlife**

Positions - Legislative Count (-2.0)

Provides for the elimination of the following vacant positions: a Biologist Specialist position, a Clerk II position, 2 intermittent Biology Aide positions and an intermittent Data Entry Operator position.

**MAINE STATE LIBRARY****Library Development Services**

Positions - Legislative Count (-3.0)

Eliminates a vacant Community Services Librarian position, a vacant Laborer II position and a vacant Librarian II position.

**Fisheries and Hatcheries Operations**

Positions - Legislative Count (-4.0)  
Positions - Other Count (-1.0)

**Reader and Information Services - Library**

<p>Positions - Legislative Count (-1.0)</p> <p>Eliminates a vacant Library Assistant position.</p> <p><b>MAINE STATE MUSEUM</b></p> <p><b>Exhibit Design and Preparation - Museum</b></p> <p>Positions - Legislative Count (-1.0)</p> <p>Eliminates a vacant Museum Specialist I position.</p> <p><b>MARINE RESOURCES, DEPARTMENT OF</b></p> <p><b>Marine Development - Bureau of</b></p> <p>Positions - Legislative Count (-2.0) Positions - Other Count (-0.5)</p> <p>Provides for the elimination of the following vacant positions: one 1/2-time Conservation Aide position, a Marketing Specialist position and a Seafood Technologist position.</p> <p><b>Marine Sciences - Bureau of</b></p> <p>Positions - Legislative Count (-1.0)</p> <p>Provides for the elimination of a vacant Carpenter position.</p> <p><b>Marine Patrol - Bureau of</b></p> <p>Positions - Legislative Count (-9.0)</p> <p>Provides for the elimination of 9 vacant Marine Patrol Officer positions.</p> <p><b>MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF</b></p> <p><b>Administration - Mental Health and Mental Retardation</b></p> <p>Positions - Legislative Count (-5.5)</p> <p>Provides for the elimination of the following vacant positions: one Associate Commissioner position, one Assistant to the Commissioner position, one full-time and one part-time Clerk Typist II positions, one Secretary position and one Planning and Research Associate II position.</p>	<p><b>Mental Retardation Services - Community</b></p> <p>Positions - Legislative Count (-1.0)</p> <p>Provides for the elimination of a vacant Carpenter position.</p> <p><b>Bath Children's Home</b></p> <p>Positions - Legislative Count (-1.0)</p> <p>Provides for the elimination of a vacant Food Service Worker position.</p> <p><b>Augusta Mental Health Institute</b></p> <p>Positions - Legislative Count (-8.0)</p> <p>Provides for the elimination of the following vacant positions: two Food Service Worker positions, one Painter position, one Mason position, one Tailor position, one Heavy Equipment Operator position, one Boiler Operator position and a Clerk Stenographer III position.</p> <p><b>Bangor Mental Health Institute</b></p> <p>Positions - Legislative Count (-6.5)</p> <p>Provides for the elimination of the following vacant positions: one Custodial Worker II position, one Maintenance Mechanic position, one part-time Medical Secretary position, one Painter position, one Plumber Foreman position, one Staff Development Coordinator position and one Tailor position.</p> <p><b>Pineland Center</b></p> <p>Positions - Legislative Count (-1.5)</p> <p>Provides for the elimination of the following vacant positions: one Mental Health and Mental Retardation Casework Supervisor position and one part-time Domestic Worker I position.</p> <p><b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</b></p> <p><b>Bureau of Banking</b></p> <p>Positions - Legislative Count (-1.0)</p>
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Eliminates a vacant Securities Examiner position.

**PUBLIC SAFETY, DEPARTMENT OF**

**Public Safety Liquor Enforcement**

Positions - Legislative Count (-2.0)

Provides for the elimination of 2 vacant Liquor Enforcement Officer I positions.

**Bureau of Capitol Security**

Positions - Legislative Count (-2.0)

Provides for the elimination of 2 vacant Capitol Security Police Officer positions.

**Drug Enforcement Bureau**

Positions - Legislative Count (-2.0)

Provides for the elimination of 2 vacant Regional Commander BIDE positions.

**State Police**

Positions - Legislative Count (-11.0)

Provides for the elimination of the following vacant positions: an Auto Mechanic position, a Clerk Stenographer II position, a Clerk Typist II position, a Communications Technician position, a Data Entry Specialist position, a Department Computer Operator position, a State Police Corporal position, 3 State Police Detective positions and a State Police Forensic Specialist position.

**SECRETARY OF STATE, DEPARTMENT OF THE**

**Administration - Secretary of State**

Positions - Legislative Count (-1.5)

Provides for the elimination of one vacant full-time and one part-time Clerk Typist II positions. Also eliminates a seasonal Clerk Typist I position, a seasonal Clerk I position and 2 seasonal Laborer I positions.

**Administration - Archives**

Positions - Legislative Count (-1.0)

Provides for the elimination of a vacant Archivist III position.

**WORKERS' COMPENSATION COMMISSION**

Positions - Legislative Count (-14.0)

Positions - Other Count (-1.0)

Eliminates a vacant Accountant I position, 6 vacant Clerk Typist II positions, 2 vacant Clerk Typist III positions, 2 vacant Data Entry Operator positions, one vacant Rehabilitation Assistant Administrator position, one vacant Workers' Compensation Assistant position, one Workers' Compensation Regional Administrator position and 2 vacant seasonal Paralegal Assistant positions.

**SECTION Q-1**  
**TOTAL POSITIONS: GENERAL FUND**

Legislative Count (-168.5)

Other Count (-13.5)

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**TOTAL** (-182.0)

**Sec. Q-2. Vacant positions in the Federal Expenditure Fund.** The following vacant positions are deauthorized from the Federal Expenditure Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

**1990-91**

**CONSERVATION, DEPARTMENT OF**

**Maine Geological Survey**

Positions - Other Count (-3.0)

Provides for the elimination of a Cartographer position, a Clerk Typist II position and a Senior Geologist position.

**DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF**

**Military Training and Operations**

Positions - Other Count (-9.0)

Provides for the elimination of the following vacant positions: one Laborer II position, 6

Military Firefighter positions and  
2 Security Guard positions.

**Radiological Account**

Positions - Other Count (-2.0)

Provides for the elimination of the following vacant positions: one Radiological Instrument Repair Technician position and one Storekeeper II position.

**Maine Emergency Management Agency**

Positions - Other Count (-2.5)

Provides for the elimination of the following vacant positions: one Civil Engineer I position and one full-time and one part-time Clerk Typist II positions.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Office of Energy Resources**

Positions - Other Count (-1.5)

Eliminates a vacant Program Assistant position and a vacant part-time Resource Planner position.

**EDUCATION, DEPARTMENT OF**

**Governor Baxter School for the Deaf**

Positions - Other Count (-5.0)

Eliminates a vacant Teacher Aide position, a vacant Teacher-Baxter School position, and 3 vacant Teacher of the Deaf positions.

**Administration - Vocational Education**

Positions - Other Count (-0.5)

Eliminates a vacant part-time Clerk Typist II position.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Land Quality Control**

Positions - Other Count (-1.0)

Provides for the elimination of a vacant Environmental Specialist III position.

**Bureau of Water Quality Control**

Positions - Other Count (-2.0)

Provides for the elimination of a vacant Environmental Specialist II position and an Assistant Engineer position.

**Waste Treatment Planning**

Positions - Other Count (-1.0)

Provides for the elimination of a vacant Environmental Specialist II position.

**Construction Grants**

Positions - Other Count (-5.0)

Provides for the elimination of 2 vacant Assistant Engineer positions, a Biologist III position, one vacant Environmental Specialist II position and a vacant Clerk Typist II position.

**Bureau of Oil and Hazardous Material Control**

Positions - Other Count (-2.0)

Provides for the elimination of a vacant Clerk Typist II position and a vacant Planning and Research Associate II position.

**Hazardous Waste - Super Fund**

Positions - Other Count (-1.0)

Provides for the elimination of a vacant Clerk Typist II position.

**Core Program Cooperative Agreement**

Positions - Other Count (-1.0)

Eliminates a vacant Environmental Specialist II position.

**HUMAN SERVICES, DEPARTMENT OF**

**Administration - Human Services**

Positions - Other Count (-6.5)

Provides for the elimination of the following positions: one part-time Clerk Typist II position, one Account Clerk II position, one Accountant I position, one Data

Control Clerk position, one Microfilm Clerk position, one Senior Programmer Analyst position and one Systems Analyst position.

position, one Medical Social Worker Consultant position, one Nutrition Consultant position and one Provider Relations Specialist position.

#### Administration - Income Maintenance

Positions - Other Count (-5.0)

Provides for the elimination of the following vacant positions: two Clerk Typist II positions, 2 Hearing Examiner positions and one Public Relations Specialist position.

#### Rehabilitation - Vocational Rehabilitation - Bureau of

Positions - Other Count (-2.0)

Provides for the elimination of the following vacant positions: one Clerk Typist II position and one Rehabilitation Consultant position.

#### Administration - Regional - Human Services

Positions - Other Count (-2.0)

Provides for the elimination of the following vacant positions: one Clerk II position and one Switchboard Operator position.

#### Rehabilitation - Bureau of

Positions - Other Count (-5.0)

Provides for the elimination of the following vacant positions: one Business Manager II position, one Clerk Typist II position, one Rehabilitation Consultant position and 2 Rehabilitation Counselor II positions.

#### Bureau of Health

Positions - Other Count (-3.5)

Provides for the elimination of the following vacant positions: one Computer Programmer position and 2 full-time and one part-time Public Health Educator II positions.

#### Disability Determination - Division of

Positions - Other Count (-16.0)

Provides for the elimination of the following vacant positions: two Account Clerk I positions, one Clerk I position, 4 Clerk Typist II positions, 2 part-time Disability Claims Adjudicator VR positions, 2 Disability Claims Examiner positions, one Disability Claims Hearing Officer position, 3 Human Services Aide III positions, and 2 Word Processing Operator positions.

#### Income Maintenance - Regional

Positions - Other Count (-13.0)

Provides for the elimination of the following vacant positions: five Clerk Typist II positions, 6 Income Maintenance Specialist positions, one Income Maintenance Unit Supervisor position and one Planning and Research Assistant position.

#### Welfare Employment, Education and Training

Positions - Other Count (-11.0)

Provides for the elimination of the following vacant positions: one Clerk Typist I position, one Clerk Typist II position, one Clerk Typist III position, 4 Human Services Aide III positions and 4 WEET Specialist positions.

#### Medical Care Administration

Positions - Other Count (-8.0)

Provides for the elimination of the following vacant positions: one Clerk II position, one Clerk Typist II position, one Drug Program Coordinator position, one Health Services Consultant position, one Medical Secretary

#### Blind and Visually Impaired - Division of



Positions - Other Count (-2.0)  
 Provides for the elimination of the following vacant positions: one Mobility and Orientation Instructor for the Blind position and one Rehabilitation Counselor II position.

**LABOR, DEPARTMENT OF**

**Employment Security**

Positions - Other Count (-43.5)  
 Provides for the elimination of the following vacant positions: one Clerk Stenographer II position, one Clerk Stenographer III position, 18 Clerk Typist II positions, 3 Economic Research Analyst positions, 8 full-time and one part-time Employment and Training Specialist I positions, 4 Employment and Training Specialist II positions, one Employment Counselor I position, one Job Services Manager I position, one Labor Statistics Technician position, one Laborer I position, one Legal Secretary position, one Principal Economic Research Analyst position, one Unemployment Compensation Manager I position and one Word Processing Operator position.

**Job Partnership Training**

Positions - Other Count (-7.0)  
 Provides for the elimination of the following vacant positions: one Accountant II position, one Clerk IV position, one Clerk Stenographer III position, one Clerk Typist II position, one Management Analyst I position, one Planning and Research Associate II position and one Property Officer position.

**MARINE RESOURCES, DEPARTMENT OF**

**Marine Resources Sciences**

Positions - Other Count (-7.0)  
 Provides for the elimination of a Word Processing Operator position, 2 Marine Resource

Specialist I positions, 2 Marine Resource Scientist II positions, a Marine Resource Port Engineer position and a Fish Extension Agent II position.

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

**Mental Retardation Services - Community**

Positions - Other Count (-1.0)  
 Provides for the elimination of a vacant Comprehensive Health Planner II position.

**SECRETARY OF STATE, DEPARTMENT OF THE**

**Motor Vehicle - Administration**

Positions - Other Count (-2.0)  
 Provides for the elimination of a vacant Clerk IV position and a vacant Clerk Typist II position.

**SECTION Q-2  
 TOTAL POSITIONS: FEDERAL EXPENDITURES**

Positions - Other Count (-171.0)  
 TOTAL (-171.0)

**Sec. Q-3. Vacant positions in the Other Special Revenue Fund.** The following vacant positions are deauthorized from the Other Special Revenue Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

**ADMINISTRATION, DEPARTMENT OF**

**Bureau of Public Improvements - Capital Construction and Repairs**

Eliminates a vacant Civil Engineer I position, a vacant Clerk Typist III position and a vacant Engineering Technician II position. Positions established by financial order carry no head count.

**State Employee Health - Bureau of**

Positions - Legislative Count  
 Positions - Other Count (-2.0)

Eliminates a vacant Psychiatric and Substance Abuse Specialist position and one vacant Public Health Educator III position.

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

**Agricultural Marketing Services**

Provides for the elimination of a vacant seasonal Clerk Typist I position and a vacant Intermittent Clerk Typist II position.

**Bureau of Agricultural Production**

Provides for the elimination of a vacant Intermittent Laboratory Technician II position.

**Agriculture - Bureau of Public Services**

Positions - Other Count (-8.0)

Provides for the elimination of the following vacant positions: a Food Inspection Supervisor I position, a seasonal Food Inspection Supervisor I position, 20 Food Inspector I positions, 4 seasonal Food Inspector II positions, a Laboratory Assistant position, a Laboratory Technician I position, a Sardine Inspection Supervisor position and 2 seasonal Sardine Quality Grader II positions.

**Bureau of Agriculture Production Plant Industry**

Positions - Other Count (-2.0)

Provides for the elimination of 2 vacant seasonal Clerk I positions and an Account Clerk I position.

**Agriculture - Maine Dairy Council**

Positions - Other Count (-1.5)

Provides for the elimination of a vacant part-time Clerk Typist II position and a vacant Laborer I position.

**Maine Milk Commission**

Positions - Other Count (-1.0)

Provides for the elimination of a vacant Auditor II position.

**AUDIT, DEPARTMENT OF**

**Audit - Municipal Bureau**

Positions - Other Count (-5.0)

Provides for the elimination of the following vacant positions: an Assistant Director of Audit position, an Auditor I position, 2 Auditor II positions and a Clerk Typist II position.

**BAXTER STATE PARK AUTHORITY**

**Baxter State Park Authority**

Positions - Other Count (-2.5)

Provides for the elimination of a vacant Baxter Park Campground Ranger position, 2 vacant Baxter Park Gate House Attendant positions and a vacant Business Manager I position.

**BOARD OF THE MAINE CHILDREN'S TRUST FUND**

**Children's Trust Fund Program**

Positions - Other Count (-1.0)

Provides for the elimination of a vacant Clerk Typist II position.

**CONSERVATION, DEPARTMENT OF**

**Maine Mining Operations**

Positions - Other Count (-1.0)

Provides for the elimination of a vacant Clerk Typist II position.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Technical Studies - Department of Environmental Protection**

Positions - Other Count (-1.5)

Provides for the elimination of a vacant Environmental Specialist III position and a part-time Clerk Typist III position.

**Laboratory Special Revenue Account**

Positions - Other Count (-3.0)

Provides for the elimination of a vacant Chemist I position, a vacant Chemist II position and a vacant Accountant II position.

Provides for the elimination of an Assistant to the Commissioner Public Information position.

**Maine Environmental Protection Fund**

Positions - Other Count (-9.0)

Provides for the elimination of the following vacant positions: four Environmental Specialist II positions, 3 Environmental Specialist III positions, an Oil and Hazardous Materials Specialist I position and a Clerk Typist II position.

**Maine State Waste Management Fund - Department of Environmental Protection**

Positions - Other Count (-2.0)

Provides for the elimination of a vacant Environmental Specialist II position and a vacant Environmental Specialist III position.

**HUMAN SERVICES, DEPARTMENT OF**

**Medical Care Administration**

Positions - Other Count (-0.5)

Provides for the elimination of a vacant part-time Clerk Typist II position.

**Bureau of Health**

Positions - Other Count (-3.0)

Provides for the elimination of the following vacant positions: one Laboratory Technician I position, one Planning and Research Associate I position and one Systems Analyst position.

**Division of Laboratory Services**

Position - Other Count (-1.0)

Provides for the elimination of a vacant Accountant II position.

**MARINE RESOURCES, DEPARTMENT OF**

**Marine Resources Development**

Positions - Other Count (-1.0)

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Board of Dental Examiners**

Positions - Other Count (-0.5)

Eliminates a vacant part-time Clerk Typist II position.

**Oil and Solid Fuel Board**

Positions - Other Count (-1.0)

Eliminates a vacant Oilburner Inspector position.

**Plumbers' Examining Board**

Positions - Other Count (-1.0)

Eliminates a vacant Plumbing Inspector position.

**State Board of Cosmetology**

Positions - Other Count (-1.0)

Eliminates a vacant Sanitarian I position.

**SECRETARY OF STATE, DEPARTMENT OF THE**

**Motor Vehicle - Administration**

Positions - Legislative Count (-1.0)

Provides for the elimination of a vacant Clerk Typist II position.

**SECTION Q-3  
TOTAL POSITIONS: OTHER SPECIAL REVENUE**

Positions- Other Count (-49.5)

TOTAL (-49.5)

**Sec. Q-4. Vacant positions in the Highway Fund.** The following vacant positions are deauthorized from the Highway Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

**PUBLIC SAFETY, DEPARTMENT OF**

**Implied Consent - Public Safety**

Positions - Legislative Count (-0.5)

Provides for the elimination of a vacant part-time Clerk Typist I position.

**Administration - Public Safety**

Positions - Legislative Count (-1.0)

Provides for the elimination of a vacant Clerk Typist I position.

**SECRETARY OF STATE, DEPARTMENT OF THE**

**Motor Vehicle - Administration**

Positions - Legislative Count (-4.0)

Provides for the elimination of the following vacant positions: one Clerk III position, one Motor Vehicle Hearings Examiner position, one Motor Vehicle Investigator position, one Motor Vehicle Service Representative position, a seasonal Clerk I position and a seasonal Motor Vehicle Representative position.

**TRANSPORTATION, DEPARTMENT OF**

**Administration and Planning**

Positions - Legislative Count (-1.0)

Provides for the elimination of a Photographer II position.

**Highway and Bridge Improvement**

Positions - Legislative Count (-6.0)  
 Positions - Other Count (-3.5)  
**TOTAL (-9.5)**

Provides for the elimination of 2 Civil Engineer II positions, 6 Engineering Aide I positions, an Engineering Aide II position, an Engineering Technician III position, an Engineering Technician IV position, a Landscape Architect II position and a Right-of-way Agent I position.

**Highway Bridge Maintenance**

Positions - Legislative Count (-1.0)

Provides for the elimination of an Engineering Aide II position.

**Highway Maintenance**

Positions - Legislative Count (-3.0)

Provides for the elimination of a Civil Engineer V position, a Custodial Worker I position and a Highway District Supervisor position.

**SECTION Q-4  
 TOTAL POSITIONS: HIGHWAY FUND**

Positions - Legislative Count (-16.5)  
 Positions - Other Count (-3.5)  
**TOTAL (-20.0)**

**Sec. Q-5. Vacant positions in the Federal Block Grant Fund.** The following vacant positions are deauthorized from the Federal Block Grant Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

**1990-91**

**HUMAN SERVICES, DEPARTMENT OF**

**Maternal and Child Health**

Positions - Legislative Count (-1.0)

Provides for the elimination of a vacant Clerk Typist II position.

**Sec. Q-6. Vacant positions in the State Lottery Fund.** The following vacant positions are deauthorized from the State Lottery Fund for fiscal year ending June 30, 1991 to carry out the purposes of this Part.

**1990-91**

**FINANCE, DEPARTMENT OF**

**Lottery Operations**

Positions - Legislative Count (-0.5)

Provides for the elimination of a vacant part-time Data Entry Operator position.

**Sec. Q-7. Vacant positions in the State Alcoholic Beverages Fund.** The following vacant positions are deauthorized from the State Alcoholic Beverages Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

**1990-91**

**FINANCE, DEPARTMENT OF**

**Alcoholic Beverages - General Operations**

Positions - Legislative Count (-20.0)

Provides for the elimination of the following vacant positions: nine Assistant Retail Store Manager positions, 9 Retail Store Clerk positions, one Account Clerk position and 2 part-time Retail Store Clerk positions.

**Sec. Q-8. Vacant positions from the Seed Potato Enterprise Fund.** The following vacant positions are deauthorized from the Seed Potato Enterprise Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

**AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

**Seed Potato Board**

Provides for the elimination of 14 vacant Seed Potato Inspector positions that are not assigned position counts.

**Sec. Q-9. Vacant positions in the Printing, Postal and Supply Fund.** The following vacant positions are deauthorized from the Printing, Postal and Supply Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

**ADMINISTRATION, DEPARTMENT OF**

**Printing, Postal and Supply Fund  
Bureau of Purchases - Central Services**

Positions - Other Count (-3.0)

Eliminates a vacant Laborer I position, a vacant Reprographics Worker position and a vacant Supervisor of Surplus Property position.

**Sec. Q-10. Vacant positions in the Bureau of Data Processing Fund.** The following vacant positions are deauthorized from the Bureau of Data Processing Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

**ADMINISTRATION, DEPARTMENT OF**

**Bureau of Data Processing Fund  
Bureau of Data Processing - Administration**

Positions - Other Count (-3.0)

Eliminates a vacant Staff Development Specialist III position, a vacant Systems Team Leader position and a vacant Data Entry Specialist position.

**Sec. Q-11. Vacant positions in the Marine Ports Fund.** The following vacant positions are deauthorized from the Marine Ports Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

**TRANSPORTATION, DEPARTMENT OF**

**Marine Ports Fund**

Positions - Other Count (-1.0)

Provides for the elimination of a Transportation Services Specialist position.

**Sec. Q-12. Vacant positions in the Island Ferry Service Fund.** The following vacant positions are deauthorized from the Island Ferry Service Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

**TRANSPORTATION, DEPARTMENT OF**

**Island Ferry Service Fund**

Positions - Other Count (-5.0)

Provides for the elimination of a Clerk II position, 2 Ferry Able Seaman positions, a Ferry Captain position and a Ferry Engineer position.

**Sec. Q-13. Vacant positions in the Highway Garage Fund.** The following vacant positions are deauthorized from the Highway Garage Fund for the fiscal year ending June 30, 1991 to carry out the purposes of this Part.

1990-91

**TRANSPORTATION, DEPARTMENT OF**

**General Overhead**

Positions - Other Count (-1.0)

Provides for the elimination of a Clerk III position.

**Overhead Stockroom Shop and Fuel**

Positions - Other Count (-1.0)

Provides for the elimination of a Mechanic Stores Clerk I position.

1990-91

**PART Q  
POSITION TOTALS**

	1990-91
<u>Position Summary</u>	
General Fund	(-182.0)
Federal Expenditures	(-171.0)
Other Special Revenue	(-49.5)
Highway Fund	(-20.0)
Federal Block Grant	(-1.0)
Miscellaneous Funds	(-34.5)
<b>TOTAL POSITIONS</b>	<u>(-458.0)</u>

**PART R**

Sec. R-1. PL 1989, c. 501, Pt. A, §1, under the caption "MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF" in that part relating to "Systems Assessment Commission," is amended to read:

**Systems Assessment Commission**

Personal Services	\$2,970
All Other	47,030 <u>21,256</u>
<b>TOTAL</b>	50,000 <u>\$24,226</u>

Provides funds for per diem and expenses for commission members and for the Systems Assessment Commission to study the cost of institutions, alternative sites and needs of residents.

Sec. R-2. PL 1989, c. 501, Pt. A, §1, under that part designated "MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF" the last 3 lines, are amended to read:

<b>DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION</b>		
<b>TOTAL</b>	<u>\$13,378,715</u>	<u>\$14,083,469</u>
	<u>\$13,352,941</u>	

Sec. R-3. PL 1989, c. 501, Pt. A, §1, under that part designated PART A, last 2 lines, are amended to read:

<b>PART A</b>		
<b>TOTAL</b>	<u>\$66,665,428</u>	<u>\$68,884,369</u>
	<u>\$66,639,654</u>	

**Sec. R-4. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

**LEGISLATURE**

**Legislature**

Personal Services \$10,000

Provides funds for personal services costs associated with staff services provided to the Systems Assessment Commission.

**LEGISLATURE TOTAL** \$10,000

**MAINE HEALTH POLICY ADVISORY COUNCIL**

**Maine Health Policy Advisory Council**

Personal Services \$5,774

Provides funds for personal services costs associated with staff services provided to the Systems Assessment Commission.

**MAINE HEALTH POLICY ADVISORY COUNCIL TOTAL** \$5,774

**PART R TOTAL APPROPRIATIONS** \$15,774

**PART S**

Sec. S-1. 5 MRSA §12004-J, sub-§9 is enacted to read:

<u>9.</u>	<u>Special</u>	<u>Expenses</u>	<u>5 MRSA</u>
<u>Families,</u>	<u>Commission</u>	<u>Only for</u>	<u>§15193</u>
<u>Health and</u>	<u>on Govern-</u>	<u>Members</u>	
<u>Rehabili-</u>	<u>mental</u>	<u>Who Are</u>	
<u>tation</u>	<u>Restructuring</u>	<u>Not State</u>	
		<u>Employees</u>	

Sec. S-2. 5 MRSA c. 405 is enacted to read:

**CHAPTER 405**

**SPECIAL COMMISSION ON GOVERNMENTAL RESTRUCTURING**

§15193. Commission established

The Special Commission on Governmental Restructuring, as established in Title 5, section 12004-J, subsection 9, is an independent commission that must advise, consult and assist the executive and legislative branches of State Government with implementing this chapter. The commission shall develop and present to the Governor and the Legislature by December 15, 1991 a plan to maximize citizen participation in public policy making by using public resources more effectively. It is the intent of the Legislature that the plan include a proposal to attain this objective by consolidating, restructuring and streamlining existing advisory groups related to the subject matter of this chapter.

1. Membership. The commission consists of no more than 21 members. The Governor shall appoint 11 members. The President of the Senate and the Speaker of the House of Representatives shall jointly appoint 10 members. The chair of the commission must be a qualified member of the commission chosen by vote of the commission. A member of the commission may not be an official, employee, consultant or any other individual employed or retained by the executive branch of State Government. If possible, appointees to the commission must have been or be current members of the Blue Ribbon Commission on Children and Families; the Governor's Task Force to Improve Services for Maine's Children, Youth and Families; the Systems Assessment Commission; the Commission to Study the Level of Services for Maine's Elderly Citizens; or the Special Select Commission on Access to Health Care.

2. Resources available to commission. The following resources are available to the commission.

A. Any balances of funds appropriated to the commission remaining at the end of a fiscal year do not lapse but are carried forward from year to year to be expended for the same purposes.

B. In addition to funds appropriated for the purposes of this chapter and funds otherwise available, the Department of Mental Health and Mental Retardation shall, to the extent possible, provide staff and administrative assistance to support activities of the commission.

3. Appointment. Members must be appointed within 7 days of the effective date of this Act.

**Sec. S-3. Legislative intent.** It is the intent of the Legislature to consolidate, restructure, realign functions of the Department of Human Services, Department of Mental Health and Mental Retardation and other departments, agencies or units of the executive branch of the State Government in order to encourage, enhance and support the human development of children, adults, elderly persons and families.

It is further the intent of the Legislature to streamline administration and services through functional integration of similar operations.

It is further the intent of the Legislature to create unified and functionally integrated operating agencies to

coordinate and consolidate the effective delivery of services to those populations.

It is further the intent of the Legislature to consolidate, restructure and realign functions of the Division of Community Services, State Planning Office, Department of Economic and Community Development and the Office of Alcohol and Drug Abuse Prevention.

**Sec. S-4. Report.** The Special Commission on Governmental Restructuring shall submit a draft plan for restructuring to the Joint Standing Committee on State and Local Government and the Joint Standing Committee on Appropriations and Financial Affairs on or before May 1, 1991.

**Sec. S-5. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1990-91

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

**Special Commission on Governmental Restructuring**

All Other	\$25,000
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Provides funds to establish the Special Commission on Governmental Restructuring.

**PART T**

**Recommendations for restructuring.** The Governor shall develop and submit to the Joint Standing Committee on State and Local Government on or before April 15, 1991 recommendations to reduce by restructuring or realigning functions related to various departments, agencies or units of the Executive Branch of State Government.

The legislative, judicial and constitutional officers including the State Auditor shall, as they determine necessary and appropriate, submit their recommendations to reduce, by restructuring or realigning their various departments on or before May 1, 1991, to the joint standing committee of the Legislature having jurisdiction over that subject matter.

If any of the recommendations presented to the Legislature are implemented prior to fiscal year 1992-93, budget transfers must be included as part of the recommendations.

**PART U**

**Sec. U-1. 22 MRSA §4301, sub-§1,** as amended by PL 1989, c. 322, §1, is further amended to read:

**1. Basic necessities.** "Basic necessities" means food, clothing, shelter, fuel, electricity, nonelective medical services

as recommended by a physician, nonprescription drugs, telephone where it is necessary for medical reasons and any other commodity or service determined essential by the overseer in accordance with the municipality's ordinance and this chapter. "Basic necessities" do not include security deposits for rental property, except for emergency purposes. For the purposes of this subsection, "emergency purposes" means any situation in which no other permanent lodging is available unless a security deposit is paid.

**Sec. U-2. 22 MRSA §4301, sub-§1-A** is enacted to read:

**1-A. Direct costs.** "Direct costs" means the total value of general assistance benefits paid out by a municipality that is in compliance with this chapter and the municipality's general assistance ordinance.

**Sec. U-3. 22 MRSA §4301, sub-§7, ¶¶A and C,** as enacted by PL 1983, c. 577, §1, is amended to read:

**A. ~~Income~~ Real or personal income-producing property,** tools of trade, governmental entitlement specifically treated as exempt assets by state or federal law;

**C. ~~Income~~ Earned income** of children below the age of 18 years who are full-time students and who are not working full time.

**Sec. U-4. 22 MRSA §4305, sub-§5** is enacted to read:

**5. Review of ordinance.** Within 60 days of receiving an ordinance or amendment the department shall review it for compliance with the law. If the department finds that the ordinance or amendment complies with the law, the department shall provide the municipality with a written certificate of compliance. If the department finds that the ordinance or amendment is not in compliance with the law, the department shall notify the municipality in writing specifying what provisions violate the law and provide the municipality with suggested alternative language. The municipality shall have 30 days to appeal the department's decision, pursuant to section 4323, or 60 days to amend its ordinance. If for any reason the department is unable to provide the municipality with either notification of noncompliance or compliance certification within 60 days of receipt of the ordinance, the department shall notify the municipality that it has received the ordinance and the department must be granted an additional 30 days to issue either the notification of noncompliance or compliance certification. The department's grant of compliance certification does not prevent the department's further review of the ordinance, upon complaint, as provided in section 4323, or when the department considers appropriate.

**Sec. U-5. 22 MRSA §4308, sub-§1,** as enacted by PL 1985, c. 489, §§5 and 14, is amended to read:

**1. Initial and subsequent applications.** Any person who makes an application for assistance, who has not applied for assistance in that municipality during the previous 6 12

months, ~~shall~~ must have his eligibility determined solely on the basis of need. In determining an applicant's eligibility on an initial application, a municipality may not require performance of workfare except as provided in section 4316-A. All subsequent applications within 6 12 months in that municipality shall must be considered in accordance with this chapter and the municipal ordinance. In addition, when a person applies for assistance in any municipality, that person may not be considered an initial applicant in any other municipality for a period of 6 months from the date of the initial application. Any application filed within 12 months in the municipality where the initial application was filed, or within 6 months in any other municipality, must be considered a subsequent application and considered in accordance with this chapter and the municipal ordinance.

**Sec. U-6. 22 MRSA §4308, sub-§2, ¶B,** as enacted by PL 1985, c. 489, §§5 and 14, is amended to read:

**B.** Emergency assistance under this subsection is not available to pay a bill for a basic necessity when that bill is more than 2 months old and the person requesting the assistance had sufficient income, money, assets or other resources available to pay for the basic necessity when the bill was received unless, by not granting the assistance, another emergency arises for which the applicant is eligible for assistance and the expense of alleviating the new emergency is greater than the expense of alleviating the first. The person requesting assistance shall ~~be required to~~ provide evidence of income for the applicable time period.

**Sec. U-7. 22 MRSA §4310, first ¶,** as enacted by PL 1983, c. 577, §1, is amended to read:

Whenever an applicant for general assistance states to the administrator that the applicant is in ~~need of an~~ emergency situation and requires immediate assistance to meet basic necessities, the overseer shall, pending verification, issue to the applicant either personally or by mail, within as soon as possible but in no event later than 24 hours of the after application, sufficient benefits to provide the basic necessities needed immediately by the applicant, provided that the following conditions are met.

**Sec. U-8. 22 MRSA §4311, sub-§1-B,** as enacted by PL 1987, c. 833, is amended to read:

**1-B. Reimbursement for administrative expenses.** The department shall reimburse each municipality for the ~~administrative~~ costs of a portion of the direct costs of paying benefits through its general assistance program if the department finds that the municipality was in compliance with all requirements of this chapter during the fiscal year for which reimbursement is sought. The amount of reimbursement to each municipality ~~shall~~ must be an amount equal to:

**A.** Fifty percent of all general assistance granted ~~to by~~ that municipality below the .0003% of all state valuation amount; or



~~B. Reasonable administrative costs of the municipality's general assistance program, defined as 10% of net Ten percent of all general assistance cost granted.~~

Each municipality shall elect to be reimbursed under paragraph A or B at the beginning of the fiscal year for which reimbursement is sought.

Notwithstanding any other provision of law, this subsection ~~shall take~~ takes effect on July 1, 1989.

**Sec. U-9. 22 MRSA §4311, sub-§2**, as amended by PL 1985, c. 567, is further amended to read:

**2. Submission of reports.** Municipalities shall submit reports as follows.

A. For purposes of this section, those municipalities that received reimbursement at 90% during the previous fiscal year of the State and those municipalities ~~which that~~ expect to receive reimbursement at 90% during the current fiscal year of the State must submit monthly reports on forms provided by the department.

B. Those municipalities that did not receive reimbursement at 90% during the previous fiscal year and do not expect to receive reimbursement at 90% for the current fiscal year must submit annual quarterly or semi-annual reports on forms provided by the department.

**Sec. U-10. 22 MRSA §4311, sub-§3**, as enacted by PL 1983, c. 577, §1, is amended to read:

**3. Claims.** The Department of Human Services may refuse to accept and pay any claim for reimbursement ~~which that~~ is not submitted by a municipality to the department within 90 days of the payment ~~upon on~~ which that claim is based or at the end of the reporting period for which reimbursement is sought unless just cause exists for failure to file a timely claim.

**Sec. U-11. 22 MRSA §4316-A, sub-§1**, as enacted by PL 1985, c. 489, §§7 and 14, is amended to read:

**1. Ineligibility for assistance.** An applicant is ineligible for assistance for 60 days if the municipality establishes that the person applicant, without just cause:

- A. Refuses to search for employment when that search is reasonable and appropriate;
- B. Refuses to register for work;
- C. Refuses to accept a suitable job offer under this section;
- D. Refuses to participate in a training or educational program ~~which that~~ would assist him the applicant in securing employment;
- E. Quits work after an initial application for assistance;

F. Willfully fails to perform a job assigned under subsection 2; or

G. Willfully performs a job assigned under subsection 2 below the average standards of that job.

A person may not be required to work under this subsection if that person is physically or mentally incapable of performing the work assigned.

**Sec. U-12. 22 MRSA §4316-A, sub-§2, ¶G** is enacted to read:

G. A person may not be required to work under this subsection if that person is physically or mentally incapable of performing the work assigned.

**Sec. U-13. 22 MRSA §4316-A, sub-§3, ¶E**, as enacted by PL 1985, c. 489, §§7 and 14, is amended to read:

E. Participation in a training program ~~which that~~ is either approved or determined, or both, by the Department of Labor to be reasonably expected to assist the individual in securing employment. This paragraph does not include participation in a degree granting program, except when that program is under the Job Training Partnership Act or the Welfare Employment Education and Training Program a training program operated under the control of the Department of Human Services or the Department of Labor.

**Sec. U-14. 22 MRSA §4316-A, sub-§4**, as enacted by PL 1985, c. 489, §§7 and 14, is amended to read:

**4. Eligibility regained.** A person who has been disqualified by any municipality for not complying with any work requirement of this section may regain his eligibility during the 60-day period by becoming employed or otherwise complying with the work requirements of this section.

**Sec. U-15. 22 MRSA §4318**, as amended by PL 1987, c. 67, is further amended to read:

#### **§4318. Recovery of expenses**

A municipality or the State, which has incurred general assistance program costs for the support of any eligible person, may recover the full amount expended for that support either from the person relieved or from any person liable for the recipient's support, their executors or administrators, in a civil action. In no case may a municipality or the State be authorized to recover through a civil action, the full or part of, the amount expended for the support of a previously eligible person, if, as a result of the repayment of that amount, this person would, in all probability, again become eligible for general assistance.

The department shall enter into an agreement with the Social Security Administration to institute an interim assistance reimbursement for the purpose of the repayment of state and local funds expended for providing assistance to Supplemental Security Income applicants or recipients while

the Supplemental Security Income payments are pending or suspended. Written authorization must be given by the recipients and must be voluntary in nature. No applicant or recipient may be denied general assistance if the individual refuses to sign a voluntary interim assistance agreement.

No A municipality may not recover from any recipient who has been injured while performing work under section 4316-A, subsection 2, any portion of any medical or rehabilitative expenses associated with that injury or any portion of any other general assistance benefits associated with that injury.

Nothing in this section may be construed as limiting or affecting in any way the right of any individual to file an action under the Maine Tort Claims Act, Title 14, chapter 741, except that a municipality that provides general assistance to a minor is absolutely immune from suit on any tort claims seeking recovery or damages by or on behalf of the minor recipient in connection with the provision of general assistance.

**PART V**

**Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1990-91

**HUMAN SERVICES, DEPARTMENT OF**

**Medical Care - Payments to Providers**

All Other (\$675,000)

Provides for the deappropriation of funds held in allotment reserve from fiscal year 1989-90.

**PART W**

**Sec. W-1. Task force established.** The Task Force to Evaluate Restructuring the Aid to Families with Dependent Children Program and the Medical Care - Payments to Providers Program is established.

**Sec. W-2. Membership.** The task force consists of 7 members. The Governor shall appoint 2 members, one of whom must be the Commissioner of Human Services or the commissioner's designee. The President of the Senate and the Speaker of the House of Representatives shall jointly appoint 4 members, one of whom must be a legislator representing the minority party. The final member of the task force is appointed jointly by the Governor, the President of the Senate and the Speaker of the House of Representatives.

**Sec. W-3. Appointments; meetings.** All appointments must be made no later than 5 days following the effective date of this Part. The Commissioner of Human Services and the Executive Director of the Legislative Council must be notified by all appointing authorities once the ap-

pointments have been made. The Commissioner of Human Services shall convene the first meeting of the task force within 3 days of being notified that all appointments have been made. The task force shall select a chair from among its members.

**Sec. W-4. Duties.** The task force shall evaluate all services and costs projected in fiscal years 1991-92 and 1992-93 in the Aid to Families with Dependent Children Program and the Medical Care - Payments to Providers Program. The task force shall conduct a comprehensive review of alternative levels of service and alternative methods of financing for each program with the objective being to generate General Fund savings in the 1992-93 biennium.

The task force is directed to review with the federal Family Support Administration, Department of Health and Human Services, any and all proposals that would reduce the State's share of the Aid to Families with Dependent Children Program. This review must include, but is not limited to, studying any options or waivers that allow the State to reduce the full need standard or any proposal that allows the State to eliminate or reduce the difference between the full need standard and the grant payment while still allowing recipients of Aid to Families with Dependent Children to retain nonchild support income.

**Sec. W-5. Report.** The task force shall report its findings and recommendations to the Governor and the Legislature no later than May 15, 1991. This report must include specific recommendations for lowering the General Fund appropriations needed in fiscal years 1991-92 and 1992-93 for the Aid to Families with Dependent Children Program and the Medical Care - Payments to Providers Program.

**PART X**

**Sec. X-1. Maine Health Program; information report.** Notwithstanding the Maine Revised Statutes, Title 22, section 3189, subsection 3 and subsection 5, paragraph G and section 3191, subsection 2, enrollment of new adult applicants must be suspended with respect to applications received after the close of business February 26, 1991 until July 1, 1991 unless the Department of Human Services determines that sufficient funds are available to resume enrollments at an earlier date.

**Sec. X-2. Task force established.** The Task Force to Evaluate and Revise the Maine Health Program is established.

**Sec. X-3. Task force membership.** The task force consists of 13 members. The Governor shall appoint 4 members, one of whom must be the Commissioner of Human Services or the commissioner's designee, one of whom must be a representative of the Maine Hospital Association, one of whom must be a representative of the Maine Medical Association and one of whom must be a representative of Blue Cross and Blue Shield of Maine.

The President of the Senate shall appoint 4 members, one of whom must be a Senator representing the majority party, one of whom must be a Senator representing the minority party chosen from recommendations of the minority

leader of the Senate, one of whom must be a representative of business and one of whom must be a representative of the Maine Ambulatory Care Coalition. The Speaker of the House of Representatives shall appoint 4 members, one of whom must be a member of the House of Representatives representing the majority party, one of whom must be a member of the House of Representatives representing the minority party chosen from recommendations of the minority leader of the House of Representatives, one of whom must be a representative of labor and one of whom must be a representative of Consumers for Affordable Health Care.

The final member of the task force must be appointed jointly by the Governor, the President of the Senate and the Speaker of the House of Representatives and must serve as the chair of the task force.

No member of the task force is entitled to receive compensation or reimbursement for expenses.

Seven members constitute a quorum.

**Sec. X-4. Task force appointments; meetings.**

All appointments to the task force must be made no later than 5 days following the effective date of this Act. The Commissioner of Human Services and the Executive Director of the Legislative Council must be notified by all appointing authorities once the appointments have been made. The Commissioner of Human Services shall convene the first meeting of the task force within 3 days of being notified that all appointments have been made.

**Sec. X-5. Task force duties.** The task force shall:

1. Evaluate the services and costs incurred and projected for the Maine Health Program to determine whether there are sufficient controls, restrictions and requirements to ensure that the fiscal year 1991-92 and fiscal year 1992-93 General Fund expenditures for the programs authorized by Public Law 1989, chapter 588, including the Maine Health Program, do not exceed the amount of revenues projected pursuant to Public Law 1989, chapter 588;

2. Compare the costs and services provided to beneficiaries under the Maine Health Program with the costs and services provided under the health insurance program for state employees and with typical employer-supported group health insurance plans;

3. Investigate all cost containment options, including but not limited to copayments, deductibles, managed care, discount programs for medical equipment or services by bid or negotiation and changes in the scope and level of benefits provided under the Maine Health Program;

4. Investigate the feasibility and desirability of having the State contract with a nonprofit hospital and medical service organization or an insurer to administer the Maine Health Program; and

5. Evaluate and recommend emergency procedures to modify the Maine Health Program during the biennium to meet actual revenues.

**Sec. X-6. Powers.** In examining the issues included in this Part, the task force may:

1. Meet at such times and places it determines necessary to complete its work;

2. Hold information sessions for discussions with knowledgeable persons;

3. Conduct, tabulate and analyze the results of any survey of the public or affected persons and groups; and

4. Procure and analyze relevant data, including but not limited to the data required to be provided by this Part.

**Sec. X-7. Study data.** As soon as possible, the Department of Human Services shall provide to the task force the following information pertaining to the Maine Health Program to the extent it is available:

1. The number of participants who have met their spend-down for the medically needy program;

2. The cost per case for all cases and costs per case for the subset of participants who are eligible for the medically needy program;

3. The number of participants in Medicaid-related categories whose assets exceed the medically needy standard;

4. The number of participants with earned income;

5. The number of participants with private health insurance coverage;

6. The distribution of participants among quintiles of income;

7. The number of participants receiving an allowance or a disregard for child care;

8. A distribution of cost incurred for each recipient, with an indication of those recipients on spend-down and their spend-down amount;

9. The amount of benefits paid by the Maine Health Program on behalf of participants who have private insurance coverage and the proportion of those benefits expected to be recovered; and

10. The steps the department has taken to make maximum use of federal funds by applying for amendments to the state Medicaid plan to make use of more liberal methodologies in the Medicaid program and by applying for any available demonstration project grant funds.

**Sec. X-8. Task force report.** The task force shall make and report to the Joint Standing Committee on Appropriations and Financial Affairs by April 15, 1991, or as soon as possible, a finding as to whether there are currently sufficient controls, restrictions and requirements to ensure that the Maine Health Program will not expend state funds in excess of the \$6,550,000 supplemental appropriation for the remainder of fiscal year 1990-91. The task force shall recommend any additional changes to the program that are required to ensure that program expenditures do not exceed the supplemental appropriation. The task force shall report additional findings and recommendations, including appropriate authorizing legislation, to the Governor and the Legislature no later than May 1, 1991. This report shall include specific recommendations for revising the Maine Health Program in order to ensure that the fiscal year 1991-92 and fiscal year 1992-93 General Fund expenditures for the programs authorized by Public Law 1989, chapter 588, including the Maine Health Program, do not exceed the amount of revenues projected pursuant to Public Law 1989, chapter 588.

**Sec. X-9. Task force sunset.** The task force ceases to exist after the submission of the report pursuant to this Part.

**Sec. X-10. Staff assistance.** The task force may request staffing assistance from the Legislative Council. The Department of Human Services and the Department of Professional and Financial Regulation shall provide limited consultation and information as requested by the task force.

**Sec. X-11. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1990-91

**HUMAN SERVICES, DEPARTMENT OF**

**Maine Health Program**

All Other	\$6,550,000
Provides funds for the payment of benefits.	

**PART Y**

**Sec. Y-1. 5 MRSA §7-A, sub-§3** is enacted to read:

3. Annual report. Every department or agency in State Government that has state-owned vehicles must file a report with the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs no later than January 15th of every year that provides detailed information on state-owned vehicles. This report must include, but is not limited to, the following information: the total number of state vehicles within that department or agency; the individual employees to whom a state vehicle is assigned; and the purpose or function to which all other vehicles are assigned.

**Sec. Y-2. 12 MRSA §8906, sub-§2**, as repealed and replaced by PL 1985, c. 506, Pt. A, §17, is amended to read:

**2. Equipment.** The director may establish lookout stations connected by telephone and radio, and construct, equip and maintain office-storehouse headquarters for necessary supplies, tools and equipment and provide for any other facilities essential for forest fire control. All fire lookout towers ~~shall~~ **must** be staffed during periods of fire danger. The director shall notify the joint standing committees of the Legislature having jurisdiction over energy and natural resources and appropriations and financial affairs in writing prior to implementing any major policy changes in the operation and staffing of the fire lookout tower system. Within the unorganized territory, the director may, in addition to this subsection, construct and maintain roads and trails. In the event the director determines that any currently active fire tower should not be reopened for the subsequent fire season, ~~he~~ **the director** shall provide notice to the Legislature of his intended action by January 15th. This notice ~~shall~~ **must** include the location of the fire towers affected and the justifications for the closures. Notice of closures ~~shall~~ **must** be reviewed by the joint standing committee of the Legislature having jurisdiction over natural resources. Unless the Legislature determines otherwise, the director may close towers so indicated. If any fire tower is not reopened, the department shall work closely with the municipality in which the fire tower is located to minimize the impact that action will have on the municipality's responsibility to control forest fires.

**Sec. Y-3. Fire tower plan.** Notwithstanding the Maine Revised Statutes, Title 12, section 8906, subsection 2, the Commissioner of Conservation shall submit a plan to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Energy and Natural Resources before February 15, 1992 that examines the current use of the Maine Forest Service fire towers and a proposal to phase out the staffing of the fire tower system.

**Sec. Y-4. School construction authorization.**

1. The school facility project consisting of structural repairs and installation of a sprinkler system at Katahdin High School, School Administrative District #25 is defined as a school construction project, notwithstanding the provisions of the Maine Revised Statutes, Title 20-A, section 15901, subsection 4.

2. The project is approved for state reimbursement as provided in Title 20-A, chapter 609. Normal school construction processes established pursuant to Title 20-A, chapter 609 and State Board of Education "School Building Construction Rules" are hereby waived.

3. Prior to advertising for bid, the project must secure a favorable local vote and approval of final plans and specifications as provided in Title 20-A, sections 15903 and 15904.

4. Bonds must be sold as provided for in Title 20-A, section 15909 and State Board of Education "School Building Construction Rules," §14. Debt service incurred by this project must be outside the maximum debt service limitations contained in Table 1, Title 20-A, section 15905, subsection 1, paragraph A.

PART Z

**Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1990-91

FINANCE, DEPARTMENT OF

Maine Rainy Day Fund

Unallocated (\$1,100,000)

Provides for the deappropriation of funds from this program.

PART AA

**Sec. AA-1. Geographic isolation adjustment exception.** Any school district that plans to transfer students from one district to another and whose student enrollment does not exceed 50 is eligible for a geographic isolation adjustment under the Maine Revised Statutes, Title 20-A, section 15612, subsection 2.

**Sec. AA-2. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1990-91

EDUCATION, DEPARTMENT OF

General Purpose Aid for Local Schools

All Other \$30,000

Provides funds for the payment of a geographic isolation adjustment to School Administrative District #10 authorized by section AA-1 of this Part.

PART BB

**Sec. BB-1. 22 MRSA §3721, sub-§§5 and 6** are enacted to read:

5. Director. "Director" means the Director of the Division of Community Services.

6. Division. "Division" means the Executive Department, Division of Community Services.

**Sec. BB-2. 22 MRSA §3723, sub-§6**, as amended by PL 1989, c. 700, Pt. A, §83, is further amended to read:

6. Advice and consultation. The board, through the director, shall request the advice and consultation of the Commissioner of Corrections, the Commissioner of Education, the Commissioner of Human Services, the Commis-

sioner of Mental Health and Mental Retardation and the Commissioner of Public Safety shall, upon request, provide the board with technical information and advice.

**Sec. BB-3. 22 MRSA §3724**, as enacted by PL 1987, c. 402, Pt. A, §142, is amended to read:

§3724. Duties

The board shall have the following powers and duties.

**1. Plan.** The board shall develop ~~submit to the director~~ an annual, biennial state plan for the distribution of money in the fund and distribute money in accordance with that plan. In developing the plan, the board shall:

- A. Review and evaluate existing prevention programs;
- B. ~~Assure~~ Ensure that an equal opportunity exists for the establishment of prevention programs and receipt of fund money among all geographic areas in the State; and
- C. Submit the plan to the director and the Legislature annually.

**2. Exchange of information.** The board shall ~~provide for~~ assist in the coordination and exchange of information on the establishment and maintenance of prevention programs.

**3. Criteria for awarding grants.** The board shall ~~develop~~ recommend rules and publicize criteria for awarding grants to eligible organizations.

**4. Grants.** The board shall review applications for grants and shall ~~approve~~ recommend to the director for final approval applications which it considers best address the purposes of the fund.

**5. Review.** The board shall review, ~~approve~~ recommend and monitor the expenditure of grants awarded pursuant to this chapter.

**6. Education.** The board shall provide statewide education and public information to develop public awareness concerning child abuse, neglect and mental illness.

**7. Contracts.** The ~~board~~ division may enter into contracts with public or private agencies or accept any grants or gifts from any federal, state or private source to carry out this chapter.

**8. Recommendations.** The board shall make recommendations to the director, the Governor and the Legislature concerning changes in state laws, rules, programs or policies which will reduce the problem of child abuse, neglect and mental illness and improve coordination among agencies that provide prevention services.

**9. Rules.** The ~~board~~ division shall promulgate rules, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, to carry out this chapter.

10. Staff. The board division may employ a full-time executive director and a clerical assistant to serve at the pleasure of the board staff as is necessary to administer the fund. The executive director and clerical assistant shall not be subject to the Civil Service Law.

A. ~~The executive director shall be a person with knowledge and experience in:~~

- (1) ~~Writing grants and grant applications;~~
- (2) ~~Child neglect and child abuse programs;~~
- (3) ~~Review and evaluation of programs; and~~
- (4) ~~Supervising employees and implementing policies.~~

Sec. BB-4. 22 MRS A §3725, as amended by PL 1987, c. 769, Pt. A, §76, is further amended to read:

§3725. Disbursement of fund money

1. Procedure. The board division shall, by rule, establish a procedure and form for receipt of applications under this chapter. Upon approval of an application, the board division may disburse fund money to eligible organizations for the development or operation of prevention programs under this chapter.

2. Limit on disbursements. Of the first \$100,000 of income each year, the amount remaining after payment of operating expenses and expenses for developing public awareness ~~shall~~ must be expended by the board division in the following proportions: A minimum of 1/3 ~~shall~~ must be allocated to the trust fund and up to 2/3 allocated for grants to local programs. One half of the amount of income each year which exceeds \$100,000, but which does not exceed \$500,000, ~~shall~~ must be set aside for the development of the trust fund. The board division may expend the remainder in accordance with the duties set out in section ~~4084~~ 3724. The board division may not expend the amount of income each year which exceeds \$500,000. For purposes of this section, income includes interest attributed to the fund pursuant to Title 36, section 5285. When the total amount of the fund reaches \$4,000,000, contributions to the fund ~~shall~~ must cease, as provided in Title 36, section 5285, and the expenditures by the ~~board~~ shall be division are limited to the amount of interest credited annually to the fund.

Sec. BB-5. Transition provisions.

1. The Division of Community Services within the Executive Department is the successor in every way to the powers, duties and functions of the Maine Children's Trust Fund.

2. All existing rules and procedures in effect, in operation or promulgated in or by the Board of the Maine Children's Trust Fund or any of its administrative units or officers are declared in effect and continue in effect until rescinded, revised or amended by the proper authority.

3. All existing contracts, agreements and compacts currently in effect in the Maine Children's Trust Fund continue in effect.

4. Notwithstanding the provisions of the Maine Revised Statutes, Title 5, all accrued expenditures, assets, liabilities, balances or appropriations, allocations, transfers, revenues or other available funds in an account or subdivision of an account of the former Maine Children's Trust Fund must be transferred to the proper accounts by the State Controller upon the request of the State Budget Officer and with the approval of the Governor.

5. All records, property and equipment previously belonging to or allocated for the use of the former Maine Children's Trust Fund become, on the effective date of this Part, part of the property of the Division of Community Services.

6. All existing forms, licenses, letterheads and similar items bearing the name of or referring to the Maine Children's Trust Fund may be utilized by the Division of Community Services until existing supplies of those items are exhausted.

7. Any member serving on the Board of the Maine Children's Trust Fund on the effective date of this Part shall continue to serve for the remainder of the term for which the member was appointed.

Sec. BB-6. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

1990-91

BOARD OF THE MAINE CHILDREN'S TRUST FUND

Children's Trust Fund Program

Positions - Other Count	(-2.0)
Personal Services	(\$ 5,018)
All Other	(10,509)
Capital Expenditures	( 7,614)

Provides for the deallocation of funds and the elimination of one Executive Director position and one Clerk Typist II position, effective May 1, 1991, due to a transfer of Maine Children's Trust Fund functions to the Division of Community Services.

BOARD OF THE MAINE CHILDREN'S TRUST FUND

TOTAL (\$23,141)

EXECUTIVE DEPARTMENT

Maine Children's Trust Fund - Community Services

Positions - Other Count	(1.0)
Personal Services	\$ 5,018
All Other	10,509
Capital Expenditures	7,614

Provides funds for one Clerk Typist II position within the Division of Community Services and grants to be awarded to fulfill the purpose of the Maine Children's Trust Fund, effective May 1, 1991.

**EXECUTIVE DEPARTMENT**

**TOTAL** \_\_\_\_\_  
\$23,141

**PART BB**

**TOTAL ALLOCATIONS** \_\_\_\_\_  
-\$0-

**Sec. BB-7. Effective date.** This Part takes effect May 1, 1991.

**PART CC**

**Sec. CC-1. 36 MRSA §5228, sub-§3, ¶B,** as enacted by PL 1985, c. 691, §§35 and 48, is amended to read:

B. An amount equal to ~~80% of the income tax liability for the current year, for individuals or an amount equal to 90% of the income tax liability for the current year for corporations,~~ except that for farmers and fishermen persons who fish commercially this amount shall be is 66 2/3% of the tax liability for the current year.

**Sec. CC-2. Application.** This Part is effective for tax years beginning on or after January 1, 1991.

**PART DD**

**Sec. DD-1. 36 MRSA §5228, sub-§3,** as repealed and replaced by PL 1985, c. 691, §§35 and 48, is amended by amending the first paragraph to read:

**3. Amount of estimated tax to be paid.** Every person required to make payment of estimated tax is liable for an estimated tax which is no less than the smaller of the following; however, large corporations as defined in the United States Internal Revenue Code, Section 6655(q), are subject only to paragraph B, except as provided in subsection 5, paragraph C:

**Sec. DD-2. 36 MRSA §5228, sub-§5, ¶A and B,** as enacted by PL 1985, c. 691, §§35 and 48, are amended to read:

A. The taxpayer establishes by adequate record the actual distribution of tax liability and allowable credits, or both. In this case, the amount of the installment payments should be adjusted accordingly and be determined in accordance with the portion of the taxpayer's estimated tax liability applicable to that portion of ~~his~~ the taxpayer's taxable year completed by the close of

the month preceding the installment's due date less estimated tax payments already made for the taxable year; ~~or~~

B. The taxpayer is a farmer or fisherman in which case a single installment is required; or

**Sec. DD-3. 36 MRSA §5228, sub-§5, paragraph C** is enacted to read:

C. If the taxpayer is a large corporation as defined in the United States Internal Revenue Code, Section 6655(q), then the corporation may elect to determine its first required installment for any taxable year pursuant to subsection 3, paragraph A. However, if the corporation so elects, its 2nd required installment for the taxable year must equal the total amount of estimated tax for the first 2 installments for the taxable year pursuant to subsection 3, paragraph B, less the amount of the first installment for the taxable year allowed pursuant to subsection 3, paragraph A.

**Sec. DD-4. Application.** Sections DD-1 to DD-3 of this Part are effective for installment payments of affected corporations that are due after May 1, 1991.

**PART EE**

**36 MRSA §457,** as amended by PL 1987, c. 769, Pt. A, §150, is repealed and the following enacted in its place:

**§457. State tax on telecommunications personal property**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Telecommunications business" means a person engaged in the activity of providing interactive 2-way communication services for compensation.

B. "Telecommunications personal property" means personal property used for the transmission of any interactive 2-way communications, including voice, image, data and information. Transmission of communications includes the use of any medium such as wires, cables, community antenna television or other broad band cables, microwaves, radio waves, light waves or any combination of those or similar media. Telecommunications personal property includes qualifying property used to provide telegraph service. Telecommunications personal property does not include property used solely to provide value-added nonvoice services in which computer processing applications are used to act on the form, content, code and protocol of the information to be transmitted, unless those services are provided under tariff approved by the Public Utilities Commission. Telecommunications personal property does not include single or multiline standard telephone instruments. Notwithstanding section 551, telecommunications personal property includes any interest of a telecommunications business in poles.

2. Tax imposed. A state tax is imposed on telecommunications personal property.

3. Determination of just value. The state tax is imposed upon the just value and ownership of the property as of April 1st of the taxable year.

4. Assessment. The State Tax Assessor shall assess a tax on telecommunications personal property owned or leased by a telecommunications business. Telecommunications personal property owned or leased by a person who is not a telecommunications business must be assessed a tax by the municipal assessor in the municipality in which the property is located on April 1st of the taxable year.

5. Assessment procedure. The tax on telecommunications personal property of a telecommunications business is assessed in accord with the following.

A. Beginning in January 1992, an annual assessment must be made in June of that year and is payable in 2 equal payments in the following October and May.

B. In June 1991, an annual assessment must be made and is payable in 2 equal payments in June 1991 and in October 1991.

C. An additional assessment must be made in June 1991 to transition the tax imposed by this section to a fiscal year basis and is payable in full in May 1992.

6. Amount of assessment. The amount of assessment is as follows.

A. For all assessment made pursuant to subsection 5, paragraphs A and B, the amount of assessment must be equal to 27 mills multiplied by the previous April 1st just value of taxable property.

B. For all assessment made pursuant to subsection 5, paragraph C, the amount of assessment must be equal to 13.5 mills multiplied by the previous April 1st just value of taxable property.

C. The tax assessed by municipal assessors is at the rate of 27 mills for each taxable year. The date of assessment must be consistent with other property subject to property taxation by the municipality.

7. Collection. Taxes assessed by the State Tax Assessor must be enforced as generally provided by this Title. Taxes assessed by municipal assessors must be enforced as other locally assessed personal property taxes.

## PART FF

**28-A MRSA §64, sub-§3**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

**3. Authorized working capital.** The maximum permanent working capital of the commission is established at ~~\$3,500,000~~ \$2,000,000 and permanent advances up to this

amount may be authorized by the Governor upon recommendation of the commission with the approval of the Commissioner of Finance. The permanent working capital of the commission may be supplemented by temporary loans from other state funds upon recommendation of the commission and by approval of the Commissioner of Finance and the Governor.

## PART GG

**Sec. GG-1. Average daily escheat within cash pool.** Notwithstanding any other provision of law, the State Controller and the Treasurer of State, acting jointly, are authorized to calculate the average daily escheat within the Cash Pool of the Treasurer of State and to determine the General Fund portion thereof. For the period January 1, 1991, to June 30, 1991, the Treasurer of State is authorized to credit the General Fund with interest earned on its share of the average daily escheat within the Cash Pool.

**Sec. GG-2. Acceptance of health insurance premium dividends.** Notwithstanding the Maine Revised Statutes, Title 5, sections 285 to 286 or any other provision of law, the State Controller is authorized to accept \$1,250,000 of health insurance premium dividends currently on deposit with Blue Cross and Blue Shield of Maine. This money must be deposited to the General Fund undedicated revenue by June 30, 1991.

## PART HH

**26 MRSA §62, sub-§1**, as enacted by PL 1985, c. 372, Pt. A, §7, is amended to read:

**1. Establishment of fund.** There is established in the State Treasury a special fund known as the Occupational Safety Loan Fund, for the sole purpose of making loans in accordance with section 63, and of providing funds for the administration of that section. The loan fund ~~shall~~ must be administered by the commissioner. The department ~~shall~~ have has authority over the loan fund and may do all things necessary or convenient in the administration of the loan fund and shall formulate and adopt rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375; governing the administration, maintenance, loan disbursements and loan repayments and collections of the loan fund, and perform all other functions which the laws of this State specifically authorize or which are necessary or appropriate. All money and securities in the loan fund ~~shall~~ must be held in trust by the Treasurer of State for the purposes of the loan program established under section 63 and ~~shall~~ may not be money or property for the general use of the State, except that during the fiscal year ending June 30, 1991, the State may transfer up to \$400,000 to the undedicated General Fund revenues. ~~The Treasurer~~ Treasurer of State shall invest the money of the fund in accordance with law. The fund ~~shall~~ does not lapse.

## PART II

**Sec. II-1. 20-A MRSA §2, sub-§3**, as repealed and replaced by PL 1989, c. 878, Pt. A, §43, is amended to read:



**3. Mandated programs.** Any legislation containing a state mandate enacted by the Legislature after January 1, 1989, which requires additional funding, ~~shall~~ must contain provisions for full funding by the State. The funding requirements to implement the mandate must be identified. Any such legislation for which full state funding is not provided may not be enacted.

State mandates are defined as any state-initiated or statutory action that requires a local school administrative unit to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a state court or any legislation necessary to comply with a federal mandate.

Any legislation or rule containing a state mandate enacted after January 1, 1984 may be deferred by action of a local school board until such time as the State restores state aid to education to the levels required by the laws in effect on January 1, 1990. These mandates include, but are not limited to, minimum pupil-teacher ratios, guidance programs, gifted and talented programs, music programs and art programs.

This subsection is repealed on June 30, 1994, unless reviewed and extended by specific Act of the Legislature.

**Sec. II-2. 20-A MRSA §4502, sub-§5, ¶H,** as enacted by PL 1983, c. 859, Pt. A, §§20 and 25, is amended to read:

H. Student personnel services, including guidance and counseling and, notwithstanding any rules adopted by the department, comprehensive guidance plans to be approved by the commissioner for implementation in the 1995-96 school year;

**Sec. II-3. 20-A MRSA §6602, sub-§1,** as amended by PL 1989, c. 875, Pt. G, §1, is further amended to read:

**1. Participation.** A public school ~~shall~~ must participate in the National School Lunch Program. It ~~shall~~ must provide Type A meals as determined by the United States Department of Agriculture. A public school in which 40% or more of children in attendance are eligible for free or reduced-price meals under applicable federal regulations ~~shall~~ may provide to kindergarten and other part-day students a meal that meets the requirements of the National School Breakfast Program. When fees are permissible for those breakfasts, schools ~~shall~~ must charge and collect a fee for each reduced-price breakfast that is equal to the maximum fee permitted under federal law and a fee 5¢ above that for each full-price breakfast. The money collected through those fees must be used by schools to offset the costs of providing breakfasts under this subsection.

**Sec. II-4. 20-A MRSA §8104, sub-§1,** as enacted by PL 1985, c. 463, §1, is amended to read:

**1. Establishment.** Each school administrative unit ~~shall~~ must, commencing with the 1987-88 school year, establish a plan for phasing in gifted and talented educational programs by ~~1991-92~~ 1995-96.

**Sec. II-5. 38 MRSA §451-A, sub-§1-A,** as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §52 and amended by c. 926, §1, is repealed and the following enacted in its place:

**1-A. Time schedule for salt and sand-salt storage program.** An owner or operator of a salt or sand-salt storage area is not in violation of any ground water classification or reclassification adopted on or after January 1, 1980, at any time prior to October 1, 1999, with respect to discharges to the ground water from those facilities, if by that time the owner or operator has completed all steps then required to be completed by the schedules set forth in this subchapter. The commissioner shall administer this schedule according to the project priority list adopted by the board pursuant to section 411 and the provisions of this subsection.

A. Preliminary plans and engineers' estimates must be completed and submitted to the Department of Transportation by the following dates:

- (1) For Priority 1 and 2 projects - January 1992;
- (2) For Priority 3 project - January 1993;
- (3) For Priority 4 project - January 1994; and
- (4) For Priority 5 project - January 1995.

B. Arrangements for administration and financing must be completed within 12 months of the dates established in paragraph A for each priority category.

C. Detailed engineering and final plan formulation must be completed within 24 months of the dates established in paragraph A for each priority category.

D. Review of final plans with the Department of Transportation must be completed and construction commenced within 36 months of the dates established in paragraph A for each priority category. The Department of Transportation shall consult with the commissioner in reviewing final plans.

E. Construction must be completed and in operation on or before January 1, 1999.

In no case may violations of the lowest ground water classification be allowed. In addition, no violations of any ground water classifications adopted after January 1, 1980, may be allowed for more than 3 years from the date of an offer of a state grant for the construction of those facilities or after January 1, 1999, whichever is earlier.

The department may not issue time schedule variances under subsection 1 to owners or operators of salt or sand-salt storage areas.

An owner or operator of a salt or sand-salt storage area who is in compliance with this section is exempt from the requirements of licensing under section 413, subsection 2-D.

An owner or operator is not in violation of a schedule established pursuant to this subsection if the owner or operator is eligible for a state grant to implement the schedule and the state grant is not available.

**Sec. II-6. 38 MRSA §563-A, sub-§1-A**, as enacted by PL 1989, c. 865, §8, and c. 926, §3, is repealed and the following enacted in its place:

**1-A. Compliance schedule for municipalities and school administrative units.** A municipality or school administrative unit may not operate, maintain or store oil in a registered underground oil storage facility or tank that is not constructed of fiberglass, cathodically protected steel or other noncorrosive material approved by the department after:

A. October 1, 1993, if that facility or tank is more than 25 years old or if that facility or tank is more than 15 years old and is located in a sensitive geological area;

B. October 1, 1995, if that facility or tank is more than 20 years old or if that facility or tank is 15 years old and is located in a sensitive geological area; or

C. October 1, 1998.

**Sec. II-7. 38 MRSA §563-A, sub-§1-B** is enacted to read:

**1-B. Exception.** Airport aviation fuel hydrant piping systems are exempt from the schedule in subsection 1 provided that corrosion-induced leaks have not occurred and the system is not located in a sensitive geologic area. Owners and operators of airport aviation fuel hydrant piping systems must meet all applicable requirements of section 564 and of this subchapter.

## PART JJ

**Sec. JJ-1. PL 1989, c. 586, §4**, as amended by PL 1989, c. 875, Pt. E, §59, is further amended to read:

**Sec. 4. Effective date.** Sections 1 and 3 of this Act first take effect for tax returns due on or before April 15, 1991, and are based on railroad operations in calendar year 1990, except that section the credit can not be claimed prior to July 1, 1991. Any credit that could otherwise have been claimed on April 15, 1991 must be paid to the taxpayer by the State within 30 days of the start of fiscal year 1991-92. Section 1 also takes effect for railroad operations from calendar year 1989 and is applicable to tax returns due on or before April 15, 1992.

**Sec. JJ-2. Retroactivity.** This Part applies retroactively to January 1, 1989.

## PART KK

**26 MRSA §1164**, as amended by PL 1985, c. 518 is further amended to read:

### §1164. Special Administrative Expense Fund

The Special Administrative Expense Fund, as heretofore created, ~~shall be~~ is a special fund in the State Treasury. All interest, fines and penalties collected under this chapter, together with any voluntary contributions tendered as a contribution to this fund, ~~shall must~~ be paid into this fund. The ~~moneys shall~~ money may not be expended or available for expenditure in any manner which would permit ~~their~~ its substitution for or a corresponding reduction in federal funds which would in the absence of ~~said moneys that~~ money be available to finance expenditures for the administration of the Employment Security Law. Nothing in this section may prevent the ~~moneys~~ money from being used as a revolving fund to cover expenditures, necessary and proper under the law, for which federal funds have been duly requested but not yet received, subject to the charging of those expenditures against those funds when received. The ~~moneys~~ money in this fund ~~shall must~~ be used by the commissioner either for the payment of costs of administration which are found not to have been properly and validly chargeable against federal grants or other funds received for or in the Employment Security Administration Fund on or after January 1, 1943, to finance the Maine Wage Assurance Fund established in section 632; or for the payment of costs of administering chapter 26, for which federal funds are not available, except that on or before June 30, 1991, the Commissioner of Labor is authorized to transfer \$100,000 of this fund to General Fund undedicated revenues. The ~~moneys shall~~ money must be available either to satisfy the obligations incurred by the bureau directly or by requesting the Treasurer of State to transfer the required amount from the Special Administrative Expense Fund to the Employment Security Administration Fund or the Maine Wage Assurance Fund. The Treasurer of State shall upon receipt of a written request of the commissioner make any such transfer. The commissioner shall give notice to the commission prior to any expenditures from this fund. The commissioner shall order the transfer of the funds or the payment of any such obligation and the funds ~~shall must~~ be paid by the Treasurer of State on requisitions drawn by the commissioner directing the State Controller to issue ~~his~~ the State Controller's warrant therefor. Any such warrant ~~shall must~~ be drawn by the State Controller based upon bills of particulars and vouchers certified by an officer or employee designated by the commissioner. The ~~moneys~~ money in this fund ~~are~~ is specifically made available to replace, within a reasonable time, any ~~moneys~~ money received by this State pursuant to section 302 of the Federal Social Security Act as amended, which because of any action or contingency, ~~have~~ has been lost or ~~have~~ has been expended for purposes other than, or in amounts in excess of, those necessary for the proper administration of the Employment Security Law. The ~~moneys~~ money in this fund ~~shall must~~ be continuously available to the commissioner for expenditure in accordance with this section and ~~shall may~~ not lapse at any time or be transferred to any other fund except as provided. Any ~~moneys~~ money in the Special Administrative Expense Fund may be used to make refunds of interest, penalties or fines erroneously collected and deposited in the Special Administrative Expense Fund. On June 30th of each year all ~~moneys~~ money in excess of \$100,000 in this fund ~~shall must~~ be transferred to the Unemployment Compensation Fund, except that on June 30, 1986, all money in excess of \$100,000 in this fund ~~shall~~

must be placed in a Dislocated Workers Fund to be used in fiscal year 1986-87 to provide training and supportive services for persons displaced from employment by imports in accordance with chapter 26. Eligibility for assistance shall is not be related to an individual's income or resources.

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

Effective March 14, 1991, unless otherwise indicated.

## CHAPTER 10

H.P. 65 - L.D. 93

### An Act to Authorize Certified Reserve Officers to Enforce Motor Vehicle Registration Laws

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

**29 MRSA §102, 2nd ¶**, as amended by PL 1985, c. 429, §8, is further amended to read:

No vehicle may be operated, or remain upon any way, unless the same is registered and equipped in accordance with this Title, excepting that any officer of the State Police, any sheriff or full-time deputy sheriff or any full-time municipal police officer or certified reserve officer while on duty may, when in his the officer's opinion the same is necessary and not detrimental to the public safety, grant a permit in writing for an unregistered motor vehicle to be towed either by a regular service wrecker or by the use of a towbar. Further, any officer of the State Police, any sheriff or full-time deputy sheriff, any full-time municipal police officer or certified reserve officer while on duty and certain employees of the Motor Vehicle Division so designated by the Secretary of State shall issue a permit to allow the operation of an unregistered motor vehicle only to the owner's residence or to an office of the Motor Vehicle Division for the sole purpose of renewing the registration of that vehicle by the same owner as indicated on the expired registration certificate. For the purposes of this paragraph, a certified reserve officer is an officer who has attended the 100-hour reserve training program sponsored by the Maine Criminal Justice Academy and has received the academy's certification as a reserve officer. The permit shall may be issued only when the previous registration on the vehicle has expired within 30 days. The permit shall may not remain valid for more than 3 consecutive days including the date of issuance. Application for such the registration may be made by mail or otherwise to the Secretary of State upon blanks prepared under his the Secretary of State's authority. The application shall must be signed by the owner and shall contain such particulars as may be required by the Secretary of State, including the name, residence and address of the owner, current mileage, with a brief description of the vehicle, the name of its maker, vehicle identification

number, the amount of motive power, stated in figures of horsepower, the type of motor fuel if other than gasoline as defined in Title 36, section 2902, under the phrase "internal combustion engine fuel" and the actual gross weight of the vehicle if intended for commercial use.

See title page for effective date.

## CHAPTER 11

H.P. 90 - L.D. 131

### An Act to Regulate Further Ozone-depleting Products

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

**38 MRSA §1608** is enacted to read:

#### §1608. Ozone-depleting products

After January 1, 1992, no person may sell or offer for sale in this State the following ozone-depleting products:

1. Cleaning sprays. CFC cleaning sprays for non-commercial or nonindustrial usage in cleaning electronic and photographic equipment;

2. Fire extinguishers. Hand-held halon fire extinguishers for residential use; and

3. Partystreamers and noisemakers. Partystreamers and noisemakers in aerosol containers that contain CFC.

For purposes of this section, "CFC" has the same meaning as in section 1606.

See title page for effective date.

## CHAPTER 12

H.P. 130 - L.D. 186

### An Act to Continue Milk Pool Payments to Dairy Farmers Affected by the Newport Plant Closure

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

**Whereas,** the plant in Newport to which Boston market producers shipped their milk suddenly closed; and

**Whereas,** unless the method for calculating milk pool payments for those producers is immediately modified, many dairy farmers in this State will be adversely affected; and