

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.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

The abbreviated text that follows distinguishes PL 1991, c. 528, from PL 1991, c. 591.

See Revisor's Note on the next page.

For the full text, refer to

[PL 1991, c. 591](#),

incorporating the small number of differences described on the following pages.

2. All appointments must be made no later than 30 days following the effective date of this Act. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. The Chair of the Legislative Council shall call each meeting of the commission. The commission shall select a chair from its membership.

3. The commission, at the direction of the Legislative Council, shall undertake a study of the benefits that will be provided to state employees and teachers who are new to the Maine State Retirement System, the Maine Judicial Retirement System or the Maine Legislative Retirement System. As part of the study the commission shall:

A. Identify current benefits provided by the retirement systems and the associated costs of each benefit;

B. Review recent studies of the retirement systems;

C. Determine whether the State offers retirement benefits that will meet the needs of the future work force, taking into account expected demographic changes and reviewing the effect of these changes on the financial integrity of the systems;

D. Determine whether the State offers retirement benefits as part of the total compensation package that encourage qualified persons to seek and continue in public employment in furtherance of the legislative intent expressed in the Maine Revised Statutes, Title 5, section 17050; and

E. Identify a range of alternative retirement package options and analyze the current retirement package and each option to determine:

(1) The extent to which each alternative reflects the legislative intent in Title 5, section 17050;

(2) The impact of each alternative on the financial integrity of the retirement systems;

(3) The impact of each alternative on the State Treasury;

(4) The extent to which each alternative takes into consideration future demographic changes; and

(5) How the reductions and enhancements to benefits of each of the alternatives affect the balance of the current benefits available under the retirement systems provided by the State.

4. The commission shall coordinate its efforts with any other commissions studying aspects of retirement benefits provided by the State.

5. The commission shall submit its findings by November 1, 1991.

6. The Maine State Retirement System staff shall provide any necessary staff assistance for the commission and the retirement system's actuaries shall furnish actuarial services to the commission under their contract with the retirement system up to a value of \$20,000. Other state agencies shall provide information requested by the commission.

7. The legislative members of the commission are entitled to the legislative per diem and expenses, as provided in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at commission meetings. The cost of per diems and expenses must be covered by the Maine State Retirement System.

8. The Joint Standing Committee on Aging, Retirement and Veterans shall review the report of the commission.

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

Effective July 5, 1991.

CHAPTER 528

H.P. 1379 - L.D. 1967

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1991, June 30, 1992 and June 30, 1993

REVISOR'S NOTE: Chapter 528 took effect upon approval by the Governor on July 8, 1991. The Act was repealed pursuant to Part RRR on July 11, 1991. Chapter 528 is 634 pages long and is substantially the same as chapter 591, which took effect upon approval by the Governor on July 17, 1991. The Parts of chapter 528 that are identical to Parts in chapter 591 are not printed here, and reference should be made to chapter 591 for those provisions.

Chapter 528, Parts A to HHH are identical to chapter 591, Parts A to HHH.

Chapter 528, Part III, section 1 is different from chapter 591, Part III, section 1. The remainder of chapter 528, Part III is identical to the remainder of chapter 591, Part III. Chapter 528, Part III, section 1 reads as follows:

Sec. III-1. 5 MRSA §7-B is enacted to read:

§7-B. Use of state vehicles for commuting

1991-92

No state-owned or state-leased vehicle may be used by any employee to commute between home and work.

Chapter 528, Parts JJJ to QQQ are identical to chapter 591, Parts JJJ to QQQ.

Chapter 528, Parts RRR and SSS are different from chapter 591, Parts RRR and SSS. Chapter 528, Parts RRR and SSS read as follows:

PART RRR

Repeal. This Act is repealed on July 11, 1991.

PART SSS

Sec. SSS-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1991-92

DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF

Positions - Legislative Count	(-6.0)
Personal Services	(\$45,603)
All Other	(7,150)

Provides for the deappropriation of funds to offset the temporary funding provided by Resolve 1991, chapter 42.

DEPARTMENT OF DEFENSE AND VETERANS' SERVICES

TOTAL (\$52,753)

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services	(\$11,500,000)
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Provides for the deappropriation of funds to offset the temporary funding provided by Private and Special Law 1991, chapters 42 and 43.

DEPARTMENT OF FINANCE

TOTAL (\$11,500,000)

TOTAL APPROPRIATIONS (\$11,552,753)

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

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services	(\$3,500,000)
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Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapters 42 and 43.

Sec. SSS-3. Allocation. The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Act.

1991-92

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services	(\$3,000,000)
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Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapter 43.

Sec. SSS-4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

1991-92

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services	(\$2,000,000)
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Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapter 43.

Sec. SSS-5. Allocation. The following funds are allocated from Federal Block Grant funds to carry out the purposes of this Act.

1991-92

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services (\$400,000)

Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapter 43.

Sec. SSS-6. Allocation. The following funds are allocated from All Other funds to carry out the purposes of this Act.

1991-92

FINANCE, DEPARTMENT OF

Departments and Independent Agencies - Statewide

Personal Services (\$1,000,000)

Provides for the deallocation of funds to offset the temporary funding provided by Private and Special Law 1991, chapter 43.

Sec. SSS-7. Calculation and transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer is authorized to calculate the payments authorized by Resolve 1991, chapter 42 and Private and Special Law 1991, chapters 42 and 43 and to retroactively assign the liabilities for those payments to the appropriate accounts based on the funding authorizations provided by this Act.

Chapter 528 took effect July 8, 1991, unless otherwise indicated in that Act.

CHAPTER 529

H.P. 652 - L.D. 926

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Con-

stitution 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

Appropriations and allocations. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums as designated in the following tabulations are appropriated or allocated out of any money not otherwise appropriated or allocated.

	1991-92	1992-93
UNIFIED BUDGET ACT - HIGHWAY FUND CURRENT SERVICES DEPARTMENT OF ADMINISTRATION		
BUREAU OF PUBLIC IMPROVEMENTS State Police Headquarters Building Maintenance		
Highway Fund		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	60,236	64,998
All Other	40,750	40,964
Fund Total	100,986	105,962
Other Participating Funds		
**General Fund		
Personal Services	60,236	64,998
All Other	40,750	40,964
Fund Total	100,986	105,962
SUMMARY - STATE POLICE HEADQUARTERS BUILDING MAINTENANCE		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	120,472	129,996
All Other	81,500	81,928
Program Total	201,972	211,924
Transportation Building Maintenance		
Highway Fund		
Positions - Legislative Count	(14.0)	(14.0)
Personal Services	372,038	397,013
All Other	203,920	208,244
Fund Total	575,958	605,257
SUMMARY - DEPARTMENT OF ADMINISTRATION		
Highway Fund		
Positions - Legislative Count	(19.0)	(19.0)
Personal Services	432,274	462,011
All Other	244,670	249,208
Umbrella Fund Total	676,944	711,219