

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1992

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
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

ments to assets provided for in section 1 of this Act begins with the assessment calculated for the 6-month period ending December 31, 1992.

See title page for effective date.

CHAPTER 670

H.P. 1489 - L.D. 2101

An Act to Authorize the Establishment of Nondepository Trust Companies

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

Sec. 1. 9-B MRSA §131, sub-§17, as enacted by PL 1975, c. 500, §1, is amended to read:

17. Financial institution. "Financial institution" means a trust company, nondepository trust company, savings bank, industrial bank or savings and loan association organized under the laws of this State; and each ~~shall~~ **must** represent a type of institution. As the term "financial institution" is used in Parts 1 and 2 and in chapter 46, it ~~shall include~~ **includes** credit unions organized pursuant to the laws of this State.

Sec. 2. 9-B MRSA §131, sub-§28-A is enacted to read:

28-A. Nondepository trust company. "Nondepository trust company" means any financial institution organized under chapter 31 with powers expressly restricted or otherwise limited to the conduct of general trust business.

Sec. 3. 9-B MRSA §311, as enacted by PL 1975, c. 500, §1, is amended to read:

§311. Applicability of chapter

The provisions of this chapter ~~shall~~ govern the organization and management of trust companies, nondepository trust companies, savings banks and savings and loan associations operating as stock financial institutions.

Sec. 4. 9-B MRSA §343, sub-§3, as repealed and replaced by PL 1977, c. 155, §2, is amended to read:

3. Vote of stockholders, corporators or members. The conversion plan of a trust company, nondepository trust company or a mutual savings bank, as approved by the superintendent, ~~shall~~ **must** be submitted to the stockholders or corporators for their approval at an annual meeting, or at a special meeting; called for that purpose, pursuant to the requirements of section 352, subsection 3

or section 353, subsection 3. Approval ~~shall require~~ **requires** a 2/3 vote of those entitled to vote ~~thereon~~.

The conversion plan of a savings and loan association, as approved by the superintendent, ~~shall~~ **must** be submitted to the members for their approval at an annual meeting, or at a special meeting; called for that purpose, pursuant to the requirements of section 352, subsection 3 or section 353, subsection 3. Approval by a savings and loan association ~~shall require~~ **requires** a majority vote of those entitled to vote. Each holder of a savings account in a savings and loan association ~~shall be~~ **is** entitled to cast one vote for each \$100 or fraction thereof, of the withdrawable value of ~~his the holder's~~ accounts, up to a maximum of 50 votes. A borrowing member of a savings and loan association ~~shall be~~ **is** permitted, as a borrower, to cast one vote and to cast the number of votes to which ~~he the borrowing member~~ may be entitled as the holder of savings accounts. The members who ~~shall be~~ **are** entitled to vote at the meeting of the members to adopt the conversion plan ~~shall~~ **must** be holders of savings accounts and borrowing members of record on the books of the association as of such date as may be prescribed by the superintendent.

See title page for effective date.

CHAPTER 671

H.P. 1699 - L.D. 2379

An Act Making Supplemental Appropriations for Fiscal Year 1991-92

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, 1992; 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. Supplemental appropriations from General Fund. There are appropriated from the General Fund for the fiscal year ending June 30, 1992, to the departments listed, the following sums.

1991-92

CONSERVATION, DEPARTMENT OF**Administrative Services - Conservation**

Positions - Legislative Count (-0.5)
Personal Services (\$6,875)

Provides for the deappropriation of funds through the transfer of 1/2 Account Clerk II position to the administrative services conservation program dedicated revenue account in fiscal year 1991-92.

Forest Fire Control - Division of

Capital Expenditures (40,000)

Provides for the deappropriation of funds to reflect the purchase and lease-back of vehicles through the Central Motor Pool.

DEPARTMENT OF CONSERVATION TOTAL (46,875)

CORRECTIONS, DEPARTMENT OF**State Prison**

Capital Expenditures (215,000)

Provides for the deappropriation of funds to reflect the purchase and lease-back of vehicles through the Central Motor Pool.

Youth Center - Maine

Capital Expenditures (25,000)

Provides for the deappropriation of funds to reflect the purchase and lease-back of vehicles through the Central Motor Pool.

DEPARTMENT OF CORRECTIONS TOTAL (240,000)

FINANCE, DEPARTMENT OF**Maine Residents Property Tax Program**

All Other (647,574)

Provides for the deappropriation from grant funds not required to meet actual and estimated returns for fiscal year 1991-92.

DEPARTMENT OF FINANCE TOTAL (647,574)

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**Enforcement Operations - Inland Fisheries and Wildlife**

Capital Expenditures (58,000)

Provides for the deappropriation of funds to reflect the purchase and lease-back of vehicles through the Central Motor Pool.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL (58,000)

MARINE RESOURCES, DEPARTMENT OF**Marine Patrol - Bureau of**

Personal Services 20,000
All Other (20,000)

TOTAL -0-

Provides for the appropriation of funds through a transfer between line categories from All Other to Personal Services to cover retroactive payments for a salary schedule error in the reclassification of 2 Marine Patrol Sergeants.

DEPARTMENT OF MARINE RESOURCES TOTAL -0-

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF**Mental Health Services - Community**

All Other (138,764)

Provides for the deappropriation of funds due to the late start-up of the new residential program for persons with mental illness.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
TOTAL _____
(138,764)

SECTION A-1
TOTAL APPROPRIATIONS _____
(\$1,131,213)

Sec. A-2. Allocation. The following funds are allocated from the Federal Expenditures Fund for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Comprehensive Land Use Planning

Positions - Other Count (1.0)
 Personal Services \$8,250

Provides for the allocation of funds for one Chief Planner, Public Lands position transferred from the General Fund.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
TOTAL _____
8,250

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Oil and Hazardous Materials Control

Positions - Other Count (-4.0)
 Personal Services (21,908)
 All Other (659)

TOTAL _____
(22,567)

Provides for the deallocation of funds through the elimination of two Environmental Specialist III positions, one Environmental Specialist II position and one Environmental Specialist IV position due to reduced federal funding.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
TOTAL _____
(22,567)

SECTION A-2
TOTAL ALLOCATIONS _____
(\$14,317)

Sec. A-3. Allocation. The following funds are allocated from Other Special Revenue for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Augusta Mental Health Institute

Positions - Other Count (-19.0)
 Personal Services (\$454,495)
 All Other (257,433)
 Capital Expenditures (32,000)

Provides for the deallocation of funds from the elimination of the following positions: 2 Heavy Equipment Operator positions, one Laborer II position, 6 Laborer I positions, one Institutional Custodian position, 3 Mental Health Worker II positions, one Employment Counselor II position, one Accountant I position, one Storekeeper II position, one Storekeeper I position, one Stores Clerk position and one Clerk I position, due to the closure of the GROW workshop located on the grounds of Augusta Mental Health Institute.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION
TOTAL _____
(743,928)

SECTION A-3
TOTAL ALLOCATIONS _____
(\$743,928)

Sec. A-4. Allocation. The following funds are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.

HUMAN SERVICES, DEPARTMENT OF

1991-92

1991-92

Administration - Regional - Human Services

All Other (212,500)

Provides for the deallocation of funds through a freeze on some leased space rents.

DEPARTMENT OF HUMAN SERVICES TOTAL

(212,500)

SECTION A-4 TOTAL ALLOCATIONS

(212,500)

PART B

Sec. B-1. Supplemental appropriations from General Fund. There are appropriated from the General Fund for the fiscal year ending June 30, 1992 to the departments listed, the following sums.

1991-92

ADMINISTRATION, DEPARTMENT OF

Buildings and Grounds Operations

All Other \$350,000

Provides for the appropriation of funds for increased fuel and utility costs.

DEPARTMENT OF ADMINISTRATION TOTAL

350,000

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Administration - Agriculture

All Other 25,200

Provides for the appropriation of funds to continue the Hunger Prevention Program.

Harness Racing Commission

Positions - Legislative Count (1.0)
Personal Services 28,919
All Other (28,919)

TOTAL -0-

Provides funds for a State Racing Steward position,

extending a seasonal State Racing Steward position from 16 to 24 weeks, and earned compensating time off to accommodate increased race dates awarded by the commission and to fulfill the requirements of Public Law 1991, chapter 579.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL

25,200

CORRECTIONS, DEPARTMENT OF

Bangor Pre-Release Center

All Other 45,000

Provides for the appropriation of funds for workers' compensation expense.

Capital Construction - Repairs - Improvements - Corrections

All Other 56,000

Provides for the appropriation of funds for the removal of guano and the removal of snow from the administration building at the Maine Youth Center.

Central Maine Pre-Release Center

Personal Services 10,000

Provides for the appropriation of funds for unbudgeted overtime.

Correctional Program Improvement

All Other (300,000)

Provides for the deappropriation of funds from the reduction of All Other to reduce the number of prisoners boarded out to the county jails.

Correctional Center

All Other 704,000

Provides for the appropriation of funds for increased medical costs, repairs and maintenance.

costs and supplies and general operating expenses.

Downeast Correctional Facility

Personal Services	44,069
All Other	51,000
TOTAL	95,069

Provides for the appropriation of funds for unbudgeted overtime, increased medical costs and additional operating costs due to increased population.

Food - Downeast Correctional Facility

All Other	6,000
Provides for the appropriation of funds for additional food expenditures as a result of reductions in All Other operating funds.	

Food - Maine Youth Center

All Other	64,181
Provides for the appropriation of funds for increased food costs.	

State Prison

Personal Services	800,000
Provides for the appropriation of funds for unbudgeted overtime.	

Unemployment Compensation - Corrections

Personal Services	28,000
Provides for the appropriation of funds estimated to be necessary by the reduction of the Department of Corrections work force.	

Youth Center - Maine

All Other	41,400
Provides for the appropriation of funds for increased medical	

Correctional Services

All Other	8,600
Provides funds for Day One.	

DEPARTMENT OF CORRECTIONS TOTAL	1,558,250
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DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF

Administration - Maine Emergency Management Agency

All Other	661,404
Provides for the appropriation of funds for the remaining balance of the State's share, 25%, requirement in the Disaster Assistance Program. Funds appropriated to alleviate disaster-related hardships carry forward from year to year until all disaster-related projects have been completed.	

DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL	661,404
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ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Business Development

Personal Services	(10,500)
Provides for the deappropriation of funds from the transfer of Personal Services to cover Personal Services shortfalls in the Office of Tourism and the International Commerce Division.	

Office of Community Development

Personal Services	10,000
Provides for the appropriation of funds for a shortfall in Personal Services due to delayed layoffs. Funds are available from a	

deappropriation in the Comprehensive Land Use Planning program.

International Commerce

Personal Services 5,000

Provides for the appropriation of funds for increased Personal Services costs due to a vacant position being filled by a current state employee. Funds are available from a deappropriation in the Office of Business Development.

Comprehensive Land Use Planning

Personal Services (10,000)

Provides for the deappropriation of funds from the transfer of Personal Services to cover Personal Services shortfall in the Office of Community Development.

Legal Defense Fund

All Other 76,658

Provides for the appropriation of funds to correct a deappropriation in Public Law 1991, chapter 622. As a result of the repeal of the Legal Defense Fund, \$56,658 of the Legal Defense Fund within the Office of Comprehensive Land Use Planning in the Department of Economic and Community Development must lapse to the General Fund on June 30, 1992.

Office of Tourism

Personal Services 5,500

Provides for the appropriation of funds for increased Personal Services costs due to unemployment costs and bumping rights. Funds are available from a deappropriation in the Office of Business Development.

**DEPARTMENT OF ECONOMIC AND
COMMUNITY DEVELOPMENT
TOTAL**

76,658

EDUCATION, DEPARTMENT OF**Education in Unorganized Territory**

All Other 214,521

Provides funds to meet tuition obligations to local public and private schools by June 30, 1992.

Education in Unorganized Territory

Capital Expenditures 59,735

Provides for the appropriation of funds for the purchase of capital equipment and grounds improvement.

Vocational Training - Program Services

Personal Services (867)
All Other 867

TOTAL -0-

Provides funds from salary savings to cover unbudgeted workers' compensation payments in All Other.

**DEPARTMENT OF EDUCATION
TOTAL**

274,256

FINANCE, DEPARTMENT OF**Taxation - Bureau of**

Positions - Legislative Count (12.0)
Personal Services 85,400
All Other 12,780

TOTAL 98,180

Provides for the appropriation of funds to establish the following: 4 Tax Examiner positions, one Senior Tax Examiner position, 4 Revenue Agent positions, one Senior Revenue Agent position and 2 Clerk Typist III positions effective April 1, 1992.

Taxation - Bureau of

Positions - Legislative Count (8.0)
Personal Services 55,514

All Other	17,531
Capital Expenditures	56,560
TOTAL	129,605

Provides for the appropriation of funds to establish one Senior Tax Examiner position, 5 Tax Examiner positions, one Data Entry Operator position and one Clerk Typist III position. Positions to be funded effective March 30, 1992. This action will result in additional General Fund revenue of \$268,750 in fiscal year 1991-92.

Executive Branch Departments and Independent Agencies - Statewide

All Other	284,131
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Provides funds to offset the deappropriations in Public Law 1991, chapter 591, Part QQ and chapter 622, Part A related to lease consolidations and savings in the Augusta - Capitol Complex Area that can not be achieved in fiscal year 1991-92.

DEPARTMENT OF FINANCE	
TOTAL	511,916

HUMAN SERVICES, DEPARTMENT OF

Aid to Families with Dependent Children

All Other	2,734,710
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Provides for the appropriation of funds to meet increased Aid to Families with Dependent Children caseload costs.

General Assistance - Reimbursement to Cities and Towns

All Other	2,300,000
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Provides for the appropriation of funds to meet anticipated needs of general assistance programs, including \$250,000 for the Emergency Assistance Program.

General Assistance - Reimbursement to Cities and Towns

All Other	832,665
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Provides for the appropriation of funds to meet the increased needs in the general assistance programs.

Intermediate Care - Payments to Providers

All Other	1,423,293
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Provides for the appropriation of funds for an anticipated deficit in the intermediate care payments to providers as a net of an increase for reimbursement for Medicaid enrollees in nursing facilities.

Intermediate Care - Payments to Providers

All Other	576,707
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Provides for the appropriation of funds for meeting higher than anticipated costs due to rebasing authorized in Public Law 1989, chapter 588 and other inflationary factors.

Medical Care - Payments to Providers

All Other	4,394,000
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Provides for the appropriation of funds to meet anticipated shortfall in the Medical Care - Payments to Providers account.

DEPARTMENT OF HUMAN SERVICES	
TOTAL	12,261,375

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Atlantic Sea Run Salmon Commission

Personal Services	14,269
Capital Expenditures	(14,269)

TOTAL	-0-
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Provides for the transfer of funds through the elimination of capital equipment to fund accrued vacation time for a Clerk Typist II position

participating in the retirement incentive program, additional payroll expense due to bumping after layoffs and a shortfall of federal matching funds.

Enforcement Operations - Inland Fisheries and Wildlife

Personal Services (2,350)

Provides for the deappropriation of funds from the elimination of one intermittent Recreational Safety Coordinator position. Funds to be used for the reorganization of one Clerk Steno III position to one Clerk IV position in the Fisheries and Hatcheries Operations program.

Fisheries and Hatcheries Operations

Personal Services 2,350

Provides for the appropriation of funds for the reorganization of a Clerk Steno III position to a Clerk IV position. Permanent funding is provided through the elimination of one intermittent Recreational Safety Coordinator position in Enforcement Operations - Inland Fisheries and Wildlife program.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL

-0-

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

All Other 1,000,000

Provides for the appropriation of funds for additional mandatory lease payments due to the Maine Court Facilities Authority for the \$8,500,000 20-year Maine Court Facilities Authority lease revenue bonds issued on August 16, 1990.

Courts - Supreme, Superior, District and Administrative

All Other 200,000

Provides for the appropriation of funds for operation of the courts primarily for juror payments, witness fees, telephone, postage, security costs, workers' compensation payments and retirement payments for judges who retired prior to December 1, 1984.

Indigent Defense

All Other 350,000

Provides for the appropriation of funds for indigent defense counsel costs due to an increase in the number of cases, as well as invoices carried forward from fiscal year 1990-91.

JUDICIAL DEPARTMENT TOTAL

1,550,000

MAINE STATE LIBRARY

Library Development Services

Personal Services (6,390)

Provides for the deappropriation of funds from available salary savings.

MAINE STATE LIBRARY TOTAL

(6,390)

MARINE RESOURCES, DEPARTMENT OF

Marine Development - Bureau of

Personal Services 19,881
All Other (19,881)

TOTAL

-0-

Provides for the appropriation of funds through a transfer between line category from All Other to Personal Services to cover the short-term shortfall in Personal Services due to a delay

in initiating layoffs enacted by Public Law 1991, chapter 591.

Marine Patrol - Bureau of

Positions - Legislative Count (1.0)
 Personal Services 49,984

Provides for the appropriation of funds for one position count for a Marine Patrol Officer position eliminated in error in Public Law 1991, chapter 591.

Marine Sciences - Bureau of

Personal Services 14,250
 All Other (14,250)
 TOTAL -0-

Provides for the appropriation of funds through a transfer between line category from All Other to Personal Services to cover short-term shortfall in Personal Services due to the delay in layoffs mandated by Public Law 1991, chapter 591.

DEPARTMENT OF MARINE RESOURCES TOTAL

49,984

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Augusta Mental Health Institute

Personal Services 200,000
 All Other 762,363
 TOTAL 962,363

Provides for the appropriation of funds to cover the unbudgeted retroactive physician reclassifications, workers' compensation, utility costs and to delay the elimination of the following positions assigned to the Adolescent Unit from December 1, 1991 to March 1, 1992: 5 Mental Health Worker I positions, 3 Mental Health Worker II positions, 2 Mental Health Worker III positions, one Licensed Practical Nurse position and one Nurse III position.

Augusta Mental Health Institute

Personal Services (412,759)
 Provides for the deappropriation of funds resulting from excess employer health insurance appropriation that could not be adjusted in accordance with Public Law 1991, chapter 591, Part LLL.

Bangor Mental Health Institute

All Other 1,300,000
 Provides for the appropriation of funds for the unbudgeted costs of workers' compensation, emergency repairs and utilities.

Medicaid Services - Mental Retardation

All Other 3,000,000
 Provides for the appropriation of funds to offset a projected deficit in the Intermediate Care Facilities - Mental Retardation Medicaid Seed account.

Pineland Center

All Other 663,000
 Provides for the appropriation of funds to support the cost of unbudgeted workers' compensation and emergency repairs.

Unemployment Compensation - Mental Health and Mental Retardation

Personal Services 370,600
 Provides for the appropriation of funds for unemployment compensation.

Augusta Mental Health Institute

Positions - Legislative Count (17.5)
 Personal Services 118,773
 All Other 19,991
 TOTAL 138,764

Provides for the appropriation of funds for 2 Licensed Practical

Nurse positions, 2 Psychological Social Worker II positions, 2 Mental Health Worker I positions, 9 Mental Health Worker II positions, one Mental Health Worker V position, one Physician Assistant position and one 1/2-time Licensed Practical Nurse position and related expenses that were eliminated in Public Law 1991, chapter 622. This action postpones the closure of 4 halfway houses located on the grounds of Augusta Mental Health Institute.

Maine Public Broadcasting Network

All Other 34,542

Provides for the transfer of funds from the University of Maine System Educational and General Activities program to correct a fiscal year 1988-89 appropriation in Public Law 1987, chapter 816 to implement the University of Maine System collective bargaining agreement in order to properly align the accounts in anticipation of the merger of MPBN and WCBB-TV.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL

6,021,968

BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM TOTAL

-0-

SECRETARY OF STATE, DEPARTMENT OF THE

SECTION B-1 TOTAL APPROPRIATIONS

\$23,346,921

Administration - Archives

All Other 12,300

Provides for the appropriation of funds for microfilming, which will result in revenues to the General Fund of \$25,300 in fiscal year 1991-92.

Sec. B-2. Allocation. The following funds are allocated from Federal Expenditures for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.

1991-92

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Administration - Agriculture

Positions - Other Count (1.0)

Provides head count for one Clerk Typist III position that expires April 30, 1992.

DEPARTMENT OF THE SECRETARY OF STATE TOTAL

12,300

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - University of Maine System

All Other (34,542)

Provides for the transfer of funds to the Maine Public Broadcasting Network program to correct a fiscal year 1988-89 appropriation in Public Law 1987, chapter 816 to implement the University of Maine System collective bargaining agreement in order to properly align the accounts in anticipation of the merger of MPBN and WCBB-TV.

Pesticides Control - Board of

All Other \$30,500

Provides for the allocation of funds for anticipated increase in grant awards for new programs.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL

30,500

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

Positions - Other Count	(1.0)
Personal Services	4,650
All Other	185
TOTAL	<u>4,835</u>

Provides for the allocation of funds for one Senior Legal Secretary position and expenses to provide legal assistance for Assistant Attorneys General. This position was established by Financial Order #3739F1.

Provides for the allocation of funds to continue existing federal cost-share programs under the Forest Stewardship Program, Agricultural Conservation Program and the Forest Incentive Program.

Geographic-based Information Services

Positions - Other Count	(1.0)
Personal Services	6,139

Provides for the allocation of funds to continue one Geographic-based Information Services Coordinator position in fiscal year 1991-92 originally established by a pending financial order.

Geological Survey

All Other	36,798
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Provides for the allocation of funds to provide internships and curriculum for 30 earth science teachers through the Crest project.

DEPARTMENT OF CONSERVATION TOTAL

198,212

CORRECTIONS, DEPARTMENT OF

Justice - Planning, Projects and Statistics

All Other	4,875
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Provides for the allocation of funds for the Juvenile Justice Advisory Group grant.

State Prison

All Other	2,000
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Provides for the allocation of funds for an education grant to the Maine State Prison.

Youth Center - Maine

Positions - Other Count	(1.0)
Personal Services	14,070
All Other	116

TOTAL	<u>14,186</u>
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Administration - Attorney General

Positions - Other Count	(1.0)
Personal Services	7,165
All Other	721
TOTAL	<u>7,886</u>

Provides for the allocation of funds for one Assistant Attorney General position and expenses to provide legal services to the Department of Environmental Protection on hazardous waste matters. The position was established by Financial Order #3740F1.

DEPARTMENT OF THE ATTORNEY GENERAL TOTAL

12,721

CONSERVATION, DEPARTMENT OF

Administrative Services - Conservation

Personal Services	2,209
All Other	33
TOTAL	<u>2,242</u>

Provides for the allocation of funds to correct a reclassification action in fiscal year 1990-91, Public Law 1991, chapter 591. Reclassification of one Account Clerk I position to one Account Clerk II position was inadvertently approved under special revenue funds.

Forest Management, Utilization and Marketing

Personal Services	25,197
All Other	127,836
TOTAL	<u>153,033</u>

Provides for the allocation of funds for one Teacher Aide position to provide assistance to Chapter I teachers in nonteaching and clerical responsibilities.

Provides funds to continue one part-time (16 hours) Education Specialist II position and one part-time (30 hours) Clerk Typist II position as established by Financial Order #3267F1.

**DEPARTMENT OF CORRECTIONS
TOTAL**

21,061

Alcohol and Drug Education Services

Positions - Other Count (-1.0)

Provides for the elimination of a position count for one Clerk Stenographer II position that was established in error in Public Law 1991, chapter 591.

Curriculum - Education

All Other (449,726)

Provides for the deallocation of funds from an over estimation of the federal grant funds under the Dwight D. Eisenhower Grant Award.

Special Education - Exceptional Children

Positions - Other Count (1.5)
Personal Services 6,714

Provides for the allocation of funds to continue one Education Specialist II position and to convert one part-time Clerk Stenographer II position to a full-time position as created by Financial Order #3668F1.

**DEPARTMENT OF EDUCATION
TOTAL**

(438,777)

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Air Quality Control

Positions - Other Count (2.0)
Personal Services 11,318
All Other 345

TOTAL 11,663

EDUCATION, DEPARTMENT OF

Administration - Education

Positions - Other Count (1,0)
Personal Services 4,235

Provides for the allocation of funds from the 105 Air Federal Environmental Protection Agency grant to continue one Environmental Specialist III

position and one Environmental Specialist IV position established under Financial Order #3704F1.

Air Quality Control

Personal Services	5,000
All Other	153
TOTAL	5,153

Provides for the allocation of funds from an Environmental Protection Agency Risk Reduction grant to continue one Environmental Specialist II project position established under Financial Order #3632F1.

Air Quality Control

Personal Services	10,000
All Other	305
TOTAL	10,305

Provides for the allocation of funds from an Air Toxics program sponsored by the Environmental Protection Agency to continue 2 Environmental Specialist II project positions established under Financial Order #3637F1.

Oil and Hazardous Materials Control

Positions - Other Count	(5.0)
Personal Services	51,132
All Other	7,338
TOTAL	58,470

Provides for the allocation of funds for the continuation of one Geologist position and one Environmental Specialist III position established under Financial Order #3422F1, the establishment of one Civil Engineer I position, one Oil and Hazardous Materials Specialist I position and one Environmental Specialist III position in fiscal year 1991-92 to investigate, remediate and clean up hazardous sites at Department of Defense installations in Maine.

Oil and Hazardous Materials Control

Positions - Other Count	(1.0)
Personal Services	5,200
All Other	156
TOTAL	5,356

Provides for the allocation of funds for one Oil and Hazardous Materials Specialist I position to determine compliance with requirements for handling, storage, transportation, treatment and disposal of polychlorinated biphenyls through a new federal toxic substance control grant.

Oil and Hazardous Materials Control

Positions - Other Count	(3.5)
Personal Services	25,582
All Other	15,012
TOTAL	40,594

Provides for the allocation of funds for the continuation of one Geology Technician position, one Environmental Specialist II position and one 1/2-time Environmental Specialist II position established by Financial Order #3635F1 and establishes one 26-week seasonal Conservation Aide position.

Water Quality Control

Positions - Other Count	(5.0)
Personal Services	29,232
All Other	892
TOTAL	30,124

Provides for the allocation of funds from a Section 319 Non Point Source grant to continue one Assistant Engineer position established under Financial Order #3634F1 and one Environmental Specialist III position, one Environmental Specialist IV position, one Clerk Typist III position and one Civil Engineer I position established under Financial Order #3498F1.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
TOTAL

161,665

in Public Law 1991, chapter 622 for a freeze on some leased-space rents.

EXECUTIVE DEPARTMENT

Administration - Income Maintenance

Head Start

All Other (2,000)
 Capital Expenditures 2,000
TOTAL -0-

Positions - Other Count (1.0)
 Personal Services 11,319

Provides for the allocation of funds from the transfer from All Other to Capital Expenditures for the purchase of a laser printer.

Provides for the allocation of funds through the transfer of one Income Maintenance Unit Supervisor position from the Regional Income Maintenance Program.

Aid to Families with Dependent Children

All Other 4,454,325

Maine Science and Technology Commission

Positions - Other Count (1.5)
 Personal Services 3,477

Provides for the allocation of funds for one Planner II position and one 1/2-time Accountant I position for the Environmental Protection Agency and Department of Energy Experimental Program to Stimulate Competition Research programs.

Provides for the allocation of funds to match the Aid to Families with Dependent Children General Fund appropriation.

Blind and Visually Impaired - Division for the

Positions - Other Count (1.0)
 Personal Services 11,254

Planning Office

Positions - Other Count (2.0)
 Personal Services 17,494

Provides for the allocation of funds for the continuation of one Senior Planner position through November 30, 1992 and one Policy Development Specialist position established by Financial Orders #3501F1 and #3581F1.

Provides for the allocation of funds to establish one Mobility and Orientation Instructor position in Portland created through Financial Order #3588F1.

Blind and Visually Impaired - Division for the

Capital Expenditures 25,700

Provides for the allocation of funds to increase the Capital Equipment allocation in this account.

EXECUTIVE DEPARTMENT
TOTAL

20,971

Disability Determination - Division of

Positions - Other Count (2.0)
 Personal Services 9,733

HUMAN SERVICES, DEPARTMENT OF

Administration - Regional - Human Services

All Other 212,500

Provides for the allocation of funds to correct an over deallocation of matching funds

Provides for the allocation of funds to continue 2 Disability Claims Examiner positions created through Financial Order #3511F1.

Disability Determination - Division of

Positions - Other Count (1.0)
 Personal Services 6,764

Provides for the allocation of funds for one part-time Disability Claims Adjudicator position.

Disability Determination - Division of

Positions - Other Count (2.0)
 Personal Services 19,472

Provides for the allocation of funds to establish 2 Disability Claims Examiner positions.

Elder and Adult Services - Bureau of

All Other 4,054

Provides for the allocation of funds for building coalitions through grants to area agencies and community organizations.

Elder and Adult Services - Bureau of

Positions - Other Count (-1.5)
 Personal Services (15,152)
 All Other 15,152

TOTAL -0-

Provides for the allocation of funds for a line category transfer from Personal Services to All Other in fiscal year 1991-92.

Health - Bureau of

Positions - Other Count (2.0)
 Personal Services 25,561

Provides for the allocation of funds to establish 2 Chief of Community Health Program positions needed to respond to the increased requirements of the federal Safe Drinking Water Act.

Health - Bureau of

Positions - Other Count (1.0)
 Personal Services 8,299

Provides for the allocation of funds to establish one Health

Program Manager position to administer the State Office of Rural Health grant created through Financial Order #3711F1.

Health - Bureau of

Positions - Other Count (1.0)
 Personal Services 7,635

Provides for the allocation of funds to establish one Planning and Research Associate II position for the Pregnancy Risk Assessment Monitoring System created through Financial Order #3710F1.

Health - Bureau of

Positions - Other Count (3.0)
 Personal Services 17,839
 All Other 6,000

TOTAL 23,839

Provides for the allocation of funds to establish one Epidemiologist position, one Public Health Educator II position and one Clerk Typist III position for the Data Based Information Research in Public Health Agencies for Cancer Prevention and Control Program created through Financial Order #3589F1.

Health - Bureau of

Positions - Other Count (3.0)
 Personal Services 18,393
 All Other 15,000

TOTAL 33,393

Provides for the allocation of funds to establish one Public Health Nurse Consultant position, one Public Health Nurse II position and one Clerk Typist III position for the TB Control/AIDS Screening at Bath Iron Works Program created through Financial Order #3591F1.

Health - Bureau of

Positions - Other Count	(3.5)
Personal Services	18,353
All Other	8,000
TOTAL	<u>26,353</u>

Provides for the allocation of funds for one part-time Public Health Physician position, 2 Public Health Nurse II positions and one Clerk Typist III position for the Occupational Health and Safety Surveillance through Nurses in Agriculture Program.

Health - Bureau of

Positions - Other Count	(1.0)
Personal Services	5,628

Provides for the allocation of funds to continue one Public Health Nurse II position to be created by a pending financial order.

Health - Bureau of

Positions - Other Count	(6.0)
Personal Services	26,192
All Other	72,951
TOTAL	<u>99,143</u>

Provides for the allocation of funds to continue one Health Program Manager position, 2 Public Health Educator III positions, one Planning and Research Assistant position and 2 Word Processing Operator positions as created by Financial Order #3644F1.

Health - Bureau of

Positions - Other Count	(2.0)
Personal Services	24,226
All Other	13,500
Capital Expenditures	1,500
TOTAL	<u>39,226</u>

Provides for the allocation of funds for 2 Environmental Specialist II positions to meet requirements of the federal Safe Drinking Water Act.

Income Maintenance - Regional

Positions - Other Count	(-1.0)
Personal Services	(11,319)

Provides for the deallocation of funds through the transfer of one Income Maintenance Unit Supervisor position to the Income Maintenance - Administration Program.

Intermediate Care - Payments to Providers

All Other	3,319,149
-----------	-----------

Provides for the allocation of funds for federal match to meet higher than anticipated costs due to rebasing authorized in Public Law 1989, chapter 567 and other inflationary factors.

Medical Care - Payments to Providers

All Other	7,285,532
-----------	-----------

Provides for the allocation of funds for federal match to meet anticipated shortfall in the Medical Care - Payments to Providers account.

Medical Care Administration

Positions - Other Count	(2.0)
Personal Services	12,236
All Other	3,500
TOTAL	<u>15,736</u>

Provides for the allocation of funds to establish one Information System Support Specialist position and one Planning and Research Associate II position to support the HCFA demonstration project created through Financial Order #3469F1.

Medical Care Administration

Positions - Other Count	(2.0)
Personal Services	10,079
All Other	2,000
TOTAL	<u>12,079</u>

Provides for the allocation of funds to continue one Nurse

Education Consultant position and one Clerk Typist II position as created by Financial Order #3512F1.

**DEPARTMENT OF HUMAN SERVICES
TOTAL**

16,006,120

Medical Care Administration

Positions - Legislative Count	(1.0)
Personal Services	3,529
All Other	630
TOTAL	4,159

Provides for the allocation of funds to establish one Clerk Typist II position to maintain the Nurse Aide Registry required under the Federal Nursing Home Reform Statute.

**Rehabilitation - Vocational
Rehabilitation - Bureau of**

Positions - Other Count	(4.0)
Personal Services	40,197

Provides for the allocation of funds to establish 4 Rehabilitation Counselor positions in field offices statewide.

**Rehabilitation - Vocational
Rehabilitation - Bureau of**

Positions - Other Count	(2.0)
Personal Services	14,186

Provides for the allocation of funds to establish 2 Clerk Typist II positions.

**Rehabilitation - Vocational
Rehabilitation - Bureau of**

Capital Expenditures	52,200
----------------------	--------

Provides for the allocation of funds to increase the Capital Equipment allocation in this account.

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

All Other	250,000
-----------	---------

Provides for the allocation of funds for Emergency Assistance Programs.

LABOR, DEPARTMENT OF

Administration - Bureau of Labor Standards

Positions - Other Count	(3.0)
Personal Services	19,546
All Other	4,769
TOTAL	24,315

Provides for the allocation of funds for one Labor Statistics Technician position, one Statistician III position and one Programmer Analyst position as established by Financial Order #3777F1.

Employment Security Services

All Other	13,000,000
-----------	------------

Provides for the allocation of funds in order to pay Federal Unemployment Insurance benefits under the federal Emergency Unemployment Compensation (EUC) Act.

Regulation and Enforcement

Positions - Other Count	(3.0)
Personal Services	20,146
All Other	550
TOTAL	20,696

Provides for the allocation of funds for one Clerk Typist II position, one Occupational Health Specialist position and one Occupational Safety Engineer position and related All Other expenditures for a pilot project to target high-hazard worksites. These positions were established on a limited period basis by Financial Order #3776F1.

**DEPARTMENT OF LABOR
TOTAL**

13,045,011

LIBRARY, MAINE STATE

Library Development Services

Positions - Other Count	(1.0)
Personal Services	3,817
All Other	(3,817)

Provides for the allocation of funds to continue one Librarian II position as created by Financial Order #3474F1.

**MAINE STATE LIBRARY
TOTAL**

-0-

**MARINE RESOURCES, DEPARTMENT
OF**

Marine Sciences - Bureau of

Positions - Other Count	(2.0)
Personal Services	14,640

Provides for the allocation of funds to continue one Planning and Research Associate II position and one Marine Resources Scientist II position originally authorized by Financial Order #3778F1.

**DEPARTMENT OF MARINE
RESOURCES
TOTAL**

14,640

PUBLIC SAFETY, DEPARTMENT OF

Criminal Justice Academy

Positions - Other Count	(1.0)
Personal Services	9,189
All Other	106

TOTAL ----- 9,295

Provides for the allocation of funds for one Field Examiner II position to assist in the administration of the federal drug control and systems improvement grants.

State Police

Positions - Other Count	(4.0)
Personal Services	73,634

Provides for the allocation of funds for 2 Identification Specialist II positions and 2 Data Entry Specialist II positions to assist in approval of

Criminal History Record Information.

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

82,929

**SECTION B-2
TOTAL ALLOCATIONS**

\$29,163,403

Sec. B-3. Allocation. The following funds are allocated from Other Special Revenue for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.

1991-92

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

Dairy and Nutrition Council Committee

All Other \$25,000

Provides for the allocation of funds for the purchase and distribution of nutrition education supplies and information.

Marketing Services - Agriculture

Positions - Other Count	(1.0)
Personal Services	63,000
All Other	12,500

TOTAL ----- 75,500

Provides for the allocation of funds for one Assistant to the Commissioner for Potato Pricing position transferred from the General Fund by Public Law 1991, chapter 591.

Milk Commission

Capital Expenditures 7,000

Provides for the allocation of funds for a lap top computer, printer and various computer equipment.

Agricultural Production

Positions - Other Count	(1.0)
Personal Services	13,300

Provides for the allocation of funds for one Clerk Typist II

position transferred from the General Fund in Public Law 1991, chapter 591.

TOTAL

(1,698)

Provides for the deallocation of funds to correct a reclassification action in fiscal year 1990-91 in Public Law 1991, chapter 591. Reclassification of one Account Clerk I position to one Account Clerk II position was inadvertently approved under special revenue funds.

Aroostook Water and Soil Management Fund

All Other 110,000

Provides for the allocation of funds as state match for federal contributions in support of the Aroostook Water and Soil Management Program.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL

230,800

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

Personal Services 218,000
All Other 12,600

TOTAL 230,600

Provides for the allocation of funds for legal and investigatory services for the Department of Environmental Protection for oil spill, air and land use violations.

Administration - Attorney General

Personal Services 18,000
All Other 1,200

TOTAL 19,200

Provides for the allocation of funds for increased legal services for the Department of Professional and Financial Regulation.

DEPARTMENT OF THE ATTORNEY GENERAL TOTAL

249,800

CONSERVATION, DEPARTMENT OF

Administrative Services - Conservation

Personal Services (1,673)
All Other (25)

Administrative Services - Conservation

Positions - Other Count (0.5)
Personal Services 6,875
Capital Expenditures 4,000

TOTAL 10,875

Provides for the allocation of funds to transfer 1/2 of an Account Clerk II position from the Administrative Services-Conservation Program, General Fund and capital purchases to upgrade working conditions in the administrative area.

Forest Fire Control - Division Of

Capital Expenditures 15,000

Provides for the allocation of funds for the repair of the Maine forestry district facilities to meet Occupational Safety and Health Administration standards.

Land Use Regulation Commission

Positions - Other Count (0.5)
Personal Services 1,839
All Other 20

TOTAL 1,859

Provides for the allocation of funds to continue one 1/2-time limited period Environmental Specialist II position established by pending Financial Order to monitor best management practices to reduce nonpoint source pollution.

Off-road Recreational Vehicles Program

Personal Services	2,000
All Other	14,732
Capital Expenditures	4,000
TOTAL	<u>20,732</u>

Provides for the allocation of funds to cover collective bargaining costs, grants to municipalities for trail management and this program's share of a storage building for trail maintenance equipment.

Boating Facilities Fund

Personal Services	1,956
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Provides for the allocation of funds for the reorganization of 2 seasonal Laborer I positions and one seasonal Laborer II position to Assistant Park Ranger positions, and one seasonal Laborer II position to a seasonal Park Ranger position to operate and maintain boat launching facilities.

DEPARTMENT OF CONSERVATION TOTAL	<u>48,724</u>
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ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Comprehensive Land Use Planning

Positions - Other Count	(1.0)
Personal Services	13,200

Provides for the allocation of funds for one 1/2-time Planner II position and one 1/2-time Planning and Research Associate II position transferred from the General Fund.

Office Of Tourism

All Other	35,000
-----------	--------

Provides for the allocation of funds for increased printing of publications.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	<u>48,200</u>
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EDUCATION, DEPARTMENT OF

Student Loan Insurance Fund

Positions - Other Count	(-2.0)
Personal Services	(80,704)

Provides for the deallocation of funds through the elimination of one Accountant II position and one Education Specialist I position from the transfer to the Finance Authority of Maine as authorized in Public Law 1989, chapter 698.

DEPARTMENT OF EDUCATION TOTAL	<u>(80,704)</u>
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Oil and Hazardous Materials Control

Personal Services	3,048
All Other	91

TOTAL	<u>3,139</u>
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Provides for the allocation of funds for the reorganization of one Oil and Hazardous Materials Specialist I position to one Oil and Hazardous Materials Specialist II position to effectively cover hazardous materials response activities.

Oil and Hazardous Materials Control

All Other	309,303
-----------	---------

Provides for the allocation of funds for hazardous spill response activities and related legal costs.

Oil and Hazardous Materials Control

Capital Expenditures	1,530,000
----------------------	-----------

Provides for the allocation of funds for the purchase of 2 vehicles and 2 oil spill recovery barges as part of the public and private sector oil spill response plan.

Solid Waste Management

Positions - Other Count (2.0)
Personal Services 77,424

Provides for the allocation of funds for one Environmental Specialist II position and one Environmental Specialist III position to correct an error in Public Law 1991, chapter 591, Part KKK, section 4.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
TOTAL 1,919,866

EXECUTIVE DEPARTMENT**Public Advocate**

Personal Services (12,000)
All Other 12,000

TOTAL -0-

Provides for the allocation of funds for State Cost Allocation Program in All Other that was originally allocated in Personal Services.

Planning Office

Positions - Other Count (1.0)
Personal Services 1,857

Provides for the allocation of funds for one Planner II position through July 31, 1992.

EXECUTIVE DEPARTMENT
TOTAL 1,857

HUMAN SERVICES, DEPARTMENT OF**Health - Bureau of**

All Other 10,000

Provides for the allocation of funds through assessment of fees to support rabies testing.

DEPARTMENT OF HUMAN SERVICES
TOTAL 10,000

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**Licensing and Enforcement**

Personal Services 800

Provides for the allocation of funds for a step increase for one Account Clerk position approved through arbitration.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
TOTAL 800

PUBLIC SAFETY, DEPARTMENT OF**Administration - Public Safety**

Personal Services 38,341

Provides for the allocation of funds for one Communications Technician position through a transfer from the General Fund account.

Private Investigator Licensing

Positions - Other Count (1.0)
Personal Services 5,268
All Other 144

TOTAL 5,412

Provides for the allocation of funds for one Clerk Typist I position to assist the State Police Licensing Unit in issuing concealed firearms permits.

Licensing and Enforcement - Beano and Games of Chance

Personal Services 10,051
All Other 277

TOTAL 10,328

Provides for the allocation of funds for the collective bargaining agreement between the State of Maine and the Maine State Troopers Association.

Motor Carrier Safety

Personal Services 102,792
All Other 2,826

TOTAL 105,618

Provides for the allocation of funds for the collective bargaining agreement between the State of Maine and the Maine State Troopers Association.

Traffic Safety

Personal Services	20,643
All Other	577
TOTAL	21,220

Provides for the allocation of funds for the collective bargaining agreement between the State of Maine and the Maine State Troopers Association.

Turnpike Enforcement

Personal Services	88,828
All Other	2,277
TOTAL	91,105

Provides for the allocation of funds for the collective bargaining agreement between the State of Maine and the Maine State Troopers Association.

DEPARTMENT OF PUBLIC SAFETY TOTAL	272,024
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SECTION B-3 TOTAL ALLOCATIONS	\$2,701,367
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Sec. B-4. Allocation. The following funds are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.

1991-92

EXECUTIVE DEPARTMENT

Administration - Community Services

All Other	\$225,038
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Provides for the allocation of funds for community-based programs that assist in understanding the causes and consequences of poverty.

EXECUTIVE DEPARTMENT TOTAL	225,038
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HUMAN SERVICES, DEPARTMENT OF

Maternal and Child Health

All Other	977,108
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Provides for the allocation of funds to continue teen and young adult health, injury control, community health nursing, services for special needs children, genetics and nutrition.

Purchased Social Services

All Other	212,500
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Provides for the allocation of funds for community-based purchased social services for Augusta Mental Health Institute consent decree class member children in legal custody of the Department of Human Services.

DEPARTMENT OF HUMAN SERVICES TOTAL	1,189,608
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MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Mental Health Services - Community

All Other	25,000
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Provides for the allocation of funds due to increased federal funding.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL	25,000
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SECTION B-4 TOTAL ALLOCATIONS	\$1,439,646
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Sec. B-5. Allocation. The following funds are allocated from the Office of Information Services Training Fund for the fiscal year ending June 30, 1992 to carry out the purposes of this Act.

1991-92

ADMINISTRATION, DEPARTMENT OF

Information Services

Positions - Other Count (7.0)
 Personal Services \$45,524

Provides for the allocation of funds for the following positions transferred from the General Fund: one Deputy Commissioner for Information Services, one Administrative Secretary, 4 System Analysts and one Assistant Deputy Commissioner.

DEPARTMENT OF ADMINISTRATION
TOTAL 45,524

SECTION B-5
TOTAL ALLOCATIONS \$45,524

PART C

Sec. C-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1992 to the departments listed, the following sums.

1991-92

CONSERVATION, DEPARTMENT OF

Administrative Services - Conservation

Personal Services (\$12,322)

Deappropriates funds no longer required. Funds are available from action taken in Part A, section A-1 of this Act.

DEPARTMENT OF CONSERVATION
TOTAL (12,322)

CORRECTIONS, DEPARTMENT OF

Charleston Correctional Facility

All Other (4,440)

Deappropriates funds no longer required.

State Prison

All Other (4,716)

Deappropriates funds no longer required.

Youth Center - Maine

All Other (11,387)

Deappropriates funds no longer required.

DEPARTMENT OF CORRECTIONS
TOTAL (20,543)

EDUCATION, DEPARTMENT OF

Curriculum - Education

Personal Services (12,829)

Deappropriates funds no longer required. Funds are available from action taken in Public Law 1991, chapter 622.

DEPARTMENT OF EDUCATION
TOTAL (12,829)

EXECUTIVE DEPARTMENT

Maine Science and Technology Commission

Personal Services (1,225)

Deappropriates funds no longer required. Funds are available from action taken in Public Law 1991, chapter 622.

EXECUTIVE DEPARTMENT
TOTAL (1,225)

FINANCE, DEPARTMENT OF

Accounts and Control - Bureau of

Personal Services (11,092)

Deappropriates funds no longer required. Funds are available from action taken in Public Law 1991, chapter 622.

Taxation - Bureau of

All Other (5,198)

Deappropriates funds no longer required.

DEPARTMENT OF FINANCE
TOTAL (16,290)

HUMAN SERVICES, DEPARTMENT OF

Medical Care Administration

Positions - Legislative Count (-1.0)
 Personal Services (9,760)

Provides for the deappropriation of funds from the elimination of one Reimbursement Specialist position.

**DEPARTMENT OF HUMAN SERVICES
TOTAL** (9,760)

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

Licensing Services

Positions - Legislative Count (-1.0)
Personal Services (18,549)

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

**DEPARTMENT OF INLAND FISHERIES
AND WILDLIFE
TOTAL** (18,549)

**MARINE RESOURCES, DEPARTMENT
OF**

Marine Sciences - Bureau of

All Other (2,014)

Deappropriates funds no longer required.

**DEPARTMENT OF MARINE RESOURCES
TOTAL** (2,014)

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

**Administration - Mental Health and
Mental Retardation**

All Other (1,084)

Deappropriates funds no longer required.

**Office of Advocacy - Mental Health and
Mental Retardation**

All Other (8,162)

Deappropriates funds no longer required.

**DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION
TOTAL** (9,246)

PUBLIC SAFETY, DEPARTMENT OF

Criminal Justice Academy

All Other (1,160)

Deappropriates funds no longer required.

**DEPARTMENT OF PUBLIC SAFETY
TOTAL** (1,160)

**PART C
TOTAL APPROPRIATIONS** (\$103,938)

PART D

Sec. D-1. Appropriation. The following sums are appropriated from the General Fund for the fiscal years ending June 30, 1992 and June 30, 1993 to the departments listed, in order to reflect the number of pay-days in fiscal years 1991-92 and 1992-93 for pay cycle A.

	1991-92	1992-93
ATTORNEY GENERAL, DEPARTMENT OF THE		
District Attorneys' Salaries		
Personal Services	\$124,359	(\$124,359)
DEPARTMENT OF THE ATTORNEY GENERAL TOTAL	<u>124,359</u>	<u>(124,359)</u>
CORRECTIONS, DEPARTMENT OF		
Parole Board		
Personal Services	933	(933)
Probation and Parole		
Personal Services	190,922	(190,922)
Administration - Corrections		
Personal Services	54,244	(54,244)
Correctional Services		
Personal Services	8,875	(8,875)
Justice - Planning, Projects and Statistics		
Personal Services	1,604	(1,604)
Bureau of Juvenile Corrections		
Personal Services	2,473	(2,473)
State Prison		
Personal Services	364,199	(364,199)

State Prison - Farm Program		
Personal Services	2,308	(2,308)
Correctional Center		
Personal Services	353,267	(353,267)
Central Maine Pre-Release Center		
Personal Services	20,697	(20,697)
Downeast Correctional Facility		
Personal Services	74,941	(74,941)
Charleston Correctional Facility		
Personal Services	109,218	(109,218)
Bangor Pre-Release Center		
Personal Services	16,733	(16,733)
Youth Center - Maine		
Personal Services	304,826	(304,826)
DEPARTMENT OF CORRECTIONS TOTAL	<u>1,505,240</u>	<u>(1,505,240)</u>
MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF		
Mental Health Services - Community		
Personal Services		(31,307)
Mental Retardation Services - Community		
Personal Services		(216,813)
Mental Health Services - Children		
Personal Services		(67,051)
Bath Children's Home		
Personal Services		(19,178)
Administration - Mental Health and Mental Retardation		
Personal Services		(140,040)
Office of Advocacy - Mental Health and Mental Retardation		
Personal Services		(19,981)
Substance Abuse Services - Mental Health and Mental Retardation		
Personal Services		(1,750)

Augusta Mental Health Institute		
Personal Services	820,664	(984,714)
Bangor Mental Health Institute		
Personal Services	100,000	(751,886)
Pineland Center		
Personal Services	537,000	(731,850)
Elizabeth Levinson Center		
Personal Services		(54,132)
Aroostook Residential Center		
Personal Services		(24,718)
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL		
	<u>1,457,664</u>	<u>(3,043,420)</u>
TRANSPORTATION, DEPARTMENT OF		
Administration - Aeronautics		
Personal Services	7,678	(7,678)
State Plane		
Personal Services	3,402	(3,402)
Railroad Assistance Program		
Personal Services	3,677	(3,677)
DEPARTMENT OF TRANSPORTATION TOTAL		
	<u>14,757</u>	<u>(14,757)</u>
TOTAL APPROPRIATIONS PART D		
	<u>\$3,102,020</u>	<u>(\$4,687,776)</u>

PART E

Sec. E-1. Appropriation. The following funds are appropriated from the General Fund for the fiscal year ending June 30, 1992 to the departments listed, the following sums, for the purpose of distributing the reduction in every position that has been vacant since on or before January 1, 1990, in accordance with Public Law 1991, chapter 591, Part NN.

1991-92

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Public Services - Agriculture

Positions - Legislative Count (-1.0)
 Personal Services (\$29,599)

Provides for the deappropriation of funds from the elimination of one Dairy Inspector position.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL

(29,599)

CORRECTIONS, DEPARTMENT OF

Correctional Center

Positions - Legislative Count (-5.0)
 Personal Services (129,893)

Provides for the deappropriation of funds from the elimination of 2 Vocational Trades Instructor Mental Health and Mental Retardation positions, one Physician Assistant position and 2 Industrial Shop Supervisor positions.

Probation and Parole

Positions - Legislative Count (-2.0)
 Personal Services (50,178)

Provides for the deappropriation of funds from the elimination of 2 Probation Officer positions.

Youth Center - Maine

Positions - Legislative Count (-2.0)
 Personal Services (53,197)

Provides for the deappropriation of funds from the elimination of one Vocational Trades Instructor position and one Unit Director, Maine Youth Center position.

DEPARTMENT OF CORRECTIONS TOTAL

(233,268)

EDUCATION, DEPARTMENT OF

Governor Baxter School for the Deaf

Positions - Legislative Count (-2.0)
 Positions - Nonlegislative Count (-3.0)
 Personal Services (126,307)

Provides for the deappropriation of funds from the elimination of one Clerk Stenographer III position, one Speech and Hearing Consultant position, one Housekeeper II position, one Psychologist III position and one Light Equipment Operator position. The Housekeeper II position was substituted for an Account Clerk II position that was needed for the program.

DEPARTMENT OF EDUCATION TOTAL

(126,307)

HUMAN SERVICES, DEPARTMENT OF

Administration - Income Maintenance

Positions - Legislative Count (-1.0)
 Personal Services (39,130)

Provides for the deappropriation of funds from the elimination of one Income Maintenance Unit Supervisor position.

Administration - Social Services

Positions - Legislative Count (-3.0)
 Personal Services (119,215)

Provides for the deappropriation of funds from the elimination of 2 Social Services Supervisor positions and one Social Services Program Specialist II position.

Division of Driver Education Evaluation Programs

Positions - Legislative Count (-1.0)
 Personal Services (34,218)

Provides for the deappropriation of funds from the elimination of one Rehabilitation Counselor II position.

Health - Bureau of

Positions - Legislative Count (-2.0)
 Personal Services (92,782)

Provides for the deappropriation of funds from

the elimination of one Planning and Research Associate I position, one Chemist II position and 5 seasonal Sanitarian I positions.

Income Maintenance - Regional

Positions - Legislative Count (-1.0)
 Personal Services (23,804)

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

Medical Care Administration

Positions - Legislative Count (-3.0)
 Personal Services (84,963)

Provides for the deappropriation of funds from the elimination of one Health Services Consultant position, one Clerk II position and one Clerk Typist III position.

Social Services - Regional

Positions - Legislative Count (-4.0)
 Personal Services (112,369)

Provides for the deappropriation of funds from the elimination of one Human Services Casework Supervisor position and 3 Clerk Typist II positions.

DEPARTMENT OF HUMAN SERVICES TOTAL

(506,481)

LABOR, DEPARTMENT OF

Administration - Bureau of Labor Standards

Positions - Legislative Count (-1.0)
 Personal Services (18,869)

Provides for the deappropriation of funds from the elimination of a Statistical Program Supervisor position. Salary savings in fiscal year 1991-92 were removed for this position in Public Law 1991, chapter 622.

DEPARTMENT OF LABOR TOTAL

(18,869)

LEGISLATURE

Legislature

Positions - Legislative Count (-3.0)

Provides for the decrease in head count from the elimination of one Deputy Director position, one Information Services Director position and one Program Director position. Salary savings were removed for these positions in Public Law 1991, chapter 591.

LEGISLATURE TOTAL

-0-

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Augusta Mental Health Institute

Positions - Legislative Count (-3.0)
 Personal Services (66,903)

Provides for the deappropriation of funds from the elimination of one Mental Health Worker II position, one Mental Health Worker IV position and one Occupational Therapy Aide position. The Occupational Therapy Aide position is currently filled.

Bangor Mental Health Institute

Positions - Legislative Count (-7.0)
 Personal Services (317,330)

Provides for the deappropriation of funds from the elimination of one Nurse IV position, one Physician II position, 4 Occupational Therapy Assistant positions and one Psychologist III position. Funds and head count for the Nurse IV position and one Occupational Therapy Assistant position were removed in Public Law 1991, chapter 591 for fiscal year 1992-93.

**DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION**
TOTAL (384,233)

**SECRETARY OF STATE,
DEPARTMENT OF THE**

Elections and Commissions

Positions - Nonlegislative Count (-.5)
Personal Services (4,969)

Provides for the
deappropriation of funds from
the elimination of one seasonal
Clerk Typist I position. The
position is currently filled.

**DEPARTMENT OF THE SECRETARY
OF STATE**
TOTAL (4,969)

PART E
TOTAL APPROPRIATIONS (\$1,303,726)

PART F

Sec. F-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1992 to the departments listed, the following sums for the purpose of distributing the salary savings achieved through the delay in filling vacant positions authorized in Public Law 1991, chapter 591, in accordance with Public Law 1991, chapter 591, Part OO.

1991-92

ADMINISTRATION, DEPARTMENT OF

Administration - Human Resources

Personal Services (\$2,213)

DEPARTMENT OF ADMINISTRATION
TOTAL (2,213)

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

Public Services - Agriculture

Personal Services (10,945)

**DEPARTMENT OF AGRICULTURE,
FOOD AND RURAL RESOURCES**
TOTAL (10,945)

**ATTORNEY GENERAL, DEPARTMENT
OF THE**

Administration - Attorney General

Personal Services (13,325)

**DEPARTMENT OF THE ATTORNEY
GENERAL**
TOTAL (13,325)

CONSERVATION, DEPARTMENT OF

Parks - General Operations

Personal Services (12,779)

DEPARTMENT OF CONSERVATION
TOTAL (12,779)

**DEFENSE AND VETERANS' SERVICES,
DEPARTMENT OF**

Veterans' Services

Personal Services (9,074)

**DEPARTMENT OF DEFENSE AND
VETERANS' SERVICES**
TOTAL (9,074)

EDUCATION, DEPARTMENT OF

**Certification, Placement and Teacher
Education**

Personal Services (5,057)

Governor Baxter School for the Deaf

Personal Services (34,476)

DEPARTMENT OF EDUCATION
TOTAL (39,533)

EXECUTIVE DEPARTMENT

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

Personal Services (5,803)

EXECUTIVE DEPARTMENT
TOTAL (5,803)

FINANCE, DEPARTMENT OF

Taxation - Bureau of

Personal Services (283,191)

DEPARTMENT OF FINANCE
TOTAL (283,191)

HUMAN SERVICES, DEPARTMENT OF

Administration - Income Maintenance

Personal Services (94,788)

Medical Care Administration

Personal Services (101,004)

Elder and Adult Services - Bureau of

Personal Services (60,387)

**Rehabilitation - Vocational
Rehabilitation - Bureau of**

Personal Services (6,639)

Administration - Social Services

Personal Services (13,878)

Income Maintenance - Regional

Personal Services (34,788)

**DEPARTMENT OF HUMAN SERVICES
TOTAL** (311,484)

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

Licensing Services

Personal Services (8,619)

**DEPARTMENT OF INLAND FISHERIES
AND WILDLIFE
TOTAL** (8,619)

JUDICIAL DEPARTMENT

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

Personal Services (20,163)

**JUDICIAL DEPARTMENT
TOTAL** (20,163)

TREASURER OF STATE, OFFICE OF

Administration - Treasury

Personal Services (13,286)

**OFFICE OF TREASURER OF STATE
TOTAL** (13,286)

**WORKERS' COMPENSATION
COMMISSION**

Workers' Compensation Commission

Personal Services (70,064)

Office of Medical Coordination

Personal Services (24,159)

**WORKERS' COMPENSATION
COMMISSION
TOTAL** (94,223)

**TOTAL APPROPRIATIONS
PART F** (\$824,638)

PART G

Sec. G-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1992 to the departments listed, the following sums representing adjustments to carry out the provisions of Public Law 1991, chapter 591, Part Q pertaining to the Medicaid Health Care Assessment Plan.

1991-92

ADMINISTRATION, DEPARTMENT OF

Buildings and Grounds Operations

All Other (\$200,633)

Provides for the deappropriation of funds to transfer that portion of the Augusta Mental Health Institute fuel costs related to disproportionate share hospital to Other Special Revenue Fund.

**DEPARTMENT OF ADMINISTRATION
TOTAL** (200,633)

FINANCE, DEPARTMENT OF

**Executive Branch Departments
and Independent Agencies -
Statewide**

All Other 96,003,844

Provides funds to offset the deappropriation for the Augusta Mental Health Institute and the Bangor Mental Health Institute disproportionate share hospital and up-front hospital payments.

DEPARTMENT OF FINANCE
TOTAL 96,003,844

HUMAN SERVICES, DEPARTMENT OF**Medical Care - Payments to Providers**

All Other (69,157,605)

Provides for the deappropriation of funds to offset the appropriation for the Augusta Mental Health Institute and the Bangor Mental Health Institute disproportionate share General Fund match and up-front hospital payments.

DEPARTMENT OF HUMAN SERVICES
TOTAL (69,157,605)

MENTAL HEALTH AND MENTAL RETARDATION DEPARTMENT OF**Augusta Mental Health Institute**

Positions - Legislative Count (-562.5)
 Personal Services (21,540,919)
 All Other (2,338,631)
 Capital Expenditures (690,630)

TOTAL (24,570,180)

Provides for the deappropriation of funds to transfer that portion of the Augusta Mental Health Institute disproportionate share hospital to Other Special Revenue Fund based on the detailed plan submitted to the Joint Standing Committee on Appropriations and Financial Affairs in accordance with Part Q of Public law 1991, chapter 591.

Bangor Mental Health Institute

Positions - Legislative Count (-363.0)
 Personal Services (13,115,520)
 All Other (2,500,841)
 Capital Expenditures (19,304)

TOTAL (15,635,665)

Provides for the deappropriation of funds to transfer that portion of the

Bangor Mental Health Institute disproportionate share hospital to Other Special Revenue Fund based on the detailed plan submitted to the Joint Standing Committee on Appropriations and Financial Affairs in accordance with Part Q of Public Law 1991, chapter 591.

Food for Institutions - Mental Health and Mental Retardation

All Other (633,437)

Provides for the deappropriation of funds to transfer that portion of the Augusta Mental Health Institute and the Bangor Mental Health Institute fuel costs related to disproportionate share hospital to Other Special Revenue Fund.

Fuel for Institutions - Mental Health and Mental Retardation

All Other (197,913)

Provides for the deappropriation of funds to transfer that portion of the Bangor Mental Health Institute fuel costs related to disproportionate share hospital to Other Special Revenue Fund.

Unemployment Compensation - Mental Health and Mental Retardation

Personal Services (200,437)

Provides for the deappropriation of funds to transfer that portion of the Augusta Mental Health Institute and the Bangor Mental Health Institute unemployment compensation costs related to disproportionate share hospital to Other Special Revenue Fund.

Disproportionate Share Hospital Match

Personal Services 12,523,521
 All Other 2,087,254
 Capital Expenditures 298,179

TOTAL 14,908,954

**DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION**
TOTAL _____
(26,328,678)

SECTION G-1
TOTAL APPROPRIATIONS _____
\$316,928

Sec. G-2. Allocations. There are allocated from Other Special Revenue funds for the fiscal year ending June 30, 1992 to the department listed, the following sums representing adjustments to carry out the provisions of Public Law 1991, chapter 591, Part Q, pertaining to the Medicaid Assessment Plan.

1991-92

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

Augusta Mental Health Institute

Positions - Other Count	. (562.5)
Personal Services	\$21,666,806
All Other	2,893,417
Capital Expenditures	690,630
TOTAL	_____ 25,250,853

Provides funds to transfer that portion of the Augusta Mental Health Institute disproportionate share hospital from the General Fund based on the detailed plan submitted to the Joint Standing Committee on Appropriations and Financial Affairs in accordance with Part Q of Public Law 1991, chapter 591.

Bangor Mental Health Institute

Positions - Other Count	(363.0)
Personal Services	13,190,070
All Other	2,978,038
Capital Expenditures	19,304
TOTAL	_____ 16,187,412

Provides funds to transfer that portion of the Bangor Mental Health Institute disproportionate share hospital from the General Fund based on the detailed plan submitted to the Joint Standing Committee on Appropriations and Financial Affairs in accordance with Part Q of Public Law 1991, chapter 591.

**DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION**
TOTAL _____
41,438,265

SECTION G-2
TOTAL ALLOCATIONS _____
\$41,438,265

PART H

Sec. H-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1992 to the departments listed, the following sums.

1991-92

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

Seed Potato Board

Personal Services	\$708
All Other	(708)

Provides for the transfer of funds between Personal Services and All Other to remove a negative appropriation in Personal Services resulting from Public Law 1991, chapter 591.

**DEPARTMENT OF AGRICULTURE,
FOOD AND RURAL RESOURCES**
TOTAL _____
-0-

**ATTORNEY GENERAL, DEPARTMENT
OF THE**

Human Services Division

Personal Services	(33,545)
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Provides for the deappropriation of funds to provide the offsetting entry to remove a negative appropriation in the Department of Human Services, Legal Services - Human Services that was transferred to the Department of the Attorney General by Public Law 1991, chapter 591.

**DEPARTMENT OF THE ATTORNEY
GENERAL**
TOTAL _____
(33,545)

CONSERVATION, DEPARTMENT OF

Forest Planning, Evaluation and Research

All Other 439

Provides for the appropriation of funds to remove a negative appropriation resulting from Public Law 1991, chapter 591.

Policy Planning and Information

All Other (439)

Provides for the deappropriation of funds to offset a negative appropriation balance in the Forest Planning, Evaluation and Research program as a result of Public Law 1991, chapter 591.

DEPARTMENT OF CONSERVATION TOTAL -0-

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Board of Environmental Protection

Personal Services 373

Provides for the appropriation of funds to remove a negative appropriation resulting from Public Law 1991, chapter 591. Notwithstanding the Maine Revised Statutes, Title 38, section 341-G, \$373 in fiscal year 1991-92 must be transferred from the Department of Environmental Protection, Board of Environmental Protection Fund account to General Fund undedicated revenue by June 30, 1992.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL 373

EXECUTIVE DEPARTMENT

Public Advocate

Personal Services 3,365

Provides for the appropriation of funds to remove a negative appropriation resulting from

the transfer of this program to the Public Advocate Regulatory Fund account. Notwithstanding the Maine Revised Statutes, Title 35-A, section 116, subsection 8, \$3,365 in fiscal year 1991-92 must be transferred from the Executive Department, Public Advocate Regulatory Fund account to General Fund undedicated revenue by June 30, 1992.

Office of Substance Abuse

All Other (109)

Provides for the deappropriation of funds to provide the offsetting entry to remove a negative appropriation in the Department of Human Services, Alcoholism and Drug Abuse Prevention - Human Services program that was transferred to the Office of Substance Abuse by Public Law 1991, chapter 601.

EXECUTIVE DEPARTMENT TOTAL 3,256

HUMAN SERVICES, DEPARTMENT OF

Alcoholism and Drug Abuse Prevention - Human Services

All Other 109

Provides for the appropriation of funds to remove a negative appropriation resulting from the transfer of this program to the Office of Substance Abuse in Public Law 1991, chapter 601.

Legal Services - Human Services

Personal Services 33,545

Provides for the appropriation of funds to remove a negative appropriation resulting from the transfer of this program to the Department of the Attorney General in Public Law 1991, chapter 591.

DEPARTMENT OF HUMAN SERVICES TOTAL 33,654

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Administrative Services - Professional and Financial Regulation

Personal Services	745
Provides funds to remove a negative appropriation resulting from the transfer of this program to the Other Special Revenue account, Administrative Services, Professional and Financial Regulation. Notwithstanding the Maine Revised Statutes, Title 10, section 8003, subsection 6, \$745 in fiscal year 1991-92 must be transferred from the Department of Professional and Financial Regulation, Administration - Professional and Financial Regulation account to General Fund undedicated revenue by June 30, 1992.	

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL

745

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division

Personal Services	10,141
Provides for the appropriation of funds to remove a negative appropriation resulting from the transfer of this program to the Public Utilities Commission Regulatory Fund account. Notwithstanding the Maine Revised Statutes, Title 35-A, section 116, subsections 1 to 6, \$10,141 in fiscal year 1991-92 must be transferred from the Public Utilities Commission, Public Utilities Commission Regulatory Fund account to General Fund undedicated revenue by June 30, 1992.	

PUBLIC UTILITIES COMMISSION TOTAL

10,141

SECTION H-1 TOTAL APPROPRIATIONS

\$14,624

Sec. H-2. Allocation. There are allocated from the Federal Expenditure Fund for the fiscal year ending June 30, 1992 to the departments listed, the following sums.

1991-92

EDUCATION, DEPARTMENT OF

Special Education - Exceptional Children

All Other	\$7,187
Provides funds to remove a negative allocation resulting from the transfer of this program in Public Law 1991, chapter 591.	

DEPARTMENT OF EDUCATION TOTAL

7,187

SECTION H-2 TOTAL ALLOCATIONS

\$7,187

Sec. H-3. Allocation. There are allocated from Other Special Revenue for the fiscal year ending June 30, 1992 to the departments listed, the following sums.

1991-92

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection

Personal Services	\$800
All Other	(46,444)
TOTAL	(45,644)

Provides for the allocation of funds to remove a negative appropriation resulting from Public Law 1991, chapter 591.

Land Quality Control

All Other	58
Provides for the allocation of funds to remove a negative appropriation resulting from Public Law 1991, chapter 591.	

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

(45,586)

SECTION H-3
TOTAL ALLOCATIONS _____
(\$45,586)

Sec. H-4. Allocation. There are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1992 to the departments listed, the following sums.

	1991-92
HUMAN SERVICES, DEPARTMENT OF	
Legal Services - Human Services	
Personal Services	(\$2,560)
All Other	2,560
TOTAL	_____ -0-

Provides for the transfer of funds between Personal Services and All Other to remove a negative allocation in All Other resulting from the transfer of this program to the Department of the Attorney General in Public Law 1991, chapter 591.

DEPARTMENT OF HUMAN SERVICES
TOTAL _____
-0-

SECTION H-4
TOTAL ALLOCATIONS _____
\$-0-

PART I

Sec. I-1. PL 1991, c. 622, Pt. A, §1, under that part designated "DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF" in that part relating to "Military Training and Operations," last sentence is amended to read:

Provides for the deappropriation of funds through the elimination of one ~~Word Processing Operator Clerk Typist II~~ position, one Oilburner Mechanic Foreman position and 13 Building Custodian positions and the reduction in professional services, travel and office supplies.

PART J

Sec. J-1. PL 1991, c. 622, Pt. A, §1, under the caption "ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF" in that part

relating to "Comprehensive Land Use Planning" is amended by amending the 6th to 25th lines to read:

Provides for the deappropriation of funds through the elimination of 6 Planner II positions, 3 4 Senior Planner positions, ~~one Supervisor of Outdoor Recreation position~~, one Development Program Manager position, one Deputy Commissioner of Comprehensive Planning position, one Clerk Typist III position and one Planning and Research Associate I position, the transfer of one 1/2-time Planner II position and one 1/2-time Planning and Research Associate II position to the Other Special Revenue account, changing one Senior Planner position (range 25, Professional and Technical Services bargaining unit) to a Chief Planner Public Lands position (range 25, Supervisory Services bargaining unit) as a result of the reorganization of the Natural Heritage Program, the transfer of one ~~Senior Chief Planner Public Lands~~ position to the federal account and reductions in general operating expenses and grants to cities and towns.

PART K

Sec. K-1. PL 1991, c. 591, Pt. N, §24, under that part designated "FINANCE, DEPARTMENT OF" in that part relating to "Bureau of Taxation," next to last sentence, as amended by PL 1991, c. 622, Pt. K, §11, is further amended to read:

Provides funds to restore 3 Revenue Agent positions, 2 Tax Enforcement Officer positions, one Senior Tax Examiner position and to establish the following new positions: nine Principal Revenue Agent positions, one District Tax Audit Manager position, one Tax Analyst position, 2 Tax Enforcement Officer positions, 2 Senior Tax Examiner positions, 4 Tax Examiner positions, one Clerk Typist III position and one Clerk III position.

PART L

Sec. L-1. 22 MRSA §254, sub-§§7 and 8 are enacted to read:

7. Wholesale price. Wholesale price means the average price paid by a wholesaler to a pharmaceutical manufacturer for a product distributed for retail sale. Wholesale price includes a deduction for any customary prompt payment discounts.

8. Drug rebate program. Effective May 1, 1992, payment must be denied for drugs from manufacturers that do not enter into a rebate agreement with the department for prescription drugs included in the list of approved drugs under this program. As of that date, the department must have prescription drug rebate agreements with individual pharmaceutical manufacturers of the prescription drugs included in the list of approved drugs under that program. Each agreement must provide that the pharmaceutical manufacturer make semi-annual rebate payments to the department equal to 11% of the manufacturer's wholesale price for the total number of dosage units of each form and strength of a prescription drug that the department reports as reimbursed to providers of prescription drugs, provided payments are not due until 30 days following the manufacturer's receipt of utilization data supplied by the department, including the number of dosage units reimbursed to providers of prescription drugs during the period for which payment is due.

Upon receipt of data from the department, the pharmaceutical manufacturer shall calculate the semiannual payment. If a discrepancy is discovered, the department may, at its expense, hire a mutually agreed-upon independent auditor to verify the pharmaceutical manufacturer's calculation. If a discrepancy is still found, the pharmaceutical manufacturer shall justify its calculation or make payment to the department for any additional amount due. The pharmaceutical manufacturer may, at its expense, hire a mutually agreed-upon independent auditor to verify the accuracy of the utilization data provided by the department. If a discrepancy is discovered, the department shall justify its data or refund any excess payment to the pharmaceutical manufacturer.

If the dispute over the rebate amount is not resolved, a request for a hearing with supporting documentation must be submitted to the Administrative Hearings Unit. Failure to resolve the dispute may be cause for terminating the drug rebate agreement and denying payment to the pharmaceutical manufacturer for any drugs.

All prescription drugs of a pharmaceutical manufacturer who enters into an agreement pursuant to this subsection that appear on the approved list of drugs must be immediately available and the cost of the drugs must be reimbursed and is not subject to any restrictions or prior

authorization requirements. Any prescription drug of a manufacturer that does not enter into an agreement is not reimbursable unless the department determines the prescription drug is essential. The department shall seek a manufacturer's rebate for pharmaceuticals used in the Maine Health Program.

Sec. L-2. 22 MRSA §1812-H, sub-§2, ¶A, as enacted by PL 1991, c. 622, Pt. M, §10, is amended to read:

A. File an application to become a Medicare provider by ~~March 31, 1992~~ January 1, 1993;

PART M

Sec. M-1. 4 MRSA §193 in that part relating to Tier III libraries, as amended by PL 1991, c. 622, Pt. N, §1, is further amended to read:

Tier III libraries must be located in:

Aroostook County, Caribou;

Knox County, Rockland;

Lincoln County, Wiscasset;

Oxford County, South Paris;

Sagadahoc County, Bath;

Somerset County, Skowhegan; and

Washington County, Machias.

PART N

Sec. N-1. Transfer of funds; Maine Health Care Finance Commission. The amount of \$130,000 is authorized to be transferred from the Maine Health Care Finance Commission Other Special Revenue account and must be transferred to General Fund undedicated revenue on or before June 30, 1992.

PART O

Sec. O-1. 5 MRSA §933, sub-§1, ¶G, as amended by PL 1983, c. 862, §11, is further amended to read:

G. Assistant to the Commissioner for Public Information; ~~and~~

Sec. O-2. 5 MRSA §933, sub-§1, ¶H, as enacted by PL 1983, c. 862, §11, is amended to read:

H. Assistant to the Commissioner for Potato Marketing; and

Sec. O-3. 5 MRSA §933, sub-§1, ¶I is enacted to read:

I. Assistant to the Commissioner for Resource Management.

PART P

Sec. P-1. PL 1991, c. 622, Pt. A, §1, under the caption "FINANCE, DEPARTMENT OF," in that part relating to "State Contingency Account - Finance" is repealed.

Sec. P-2. Acceptance of health insurance premium dividends and surplus funds. Notwithstanding the Maine Revised Statutes, Title 5, sections 285 to 286 or any other provision of law, the State Controller is authorized to accept \$1,606,708 of health insurance premium dividends currently on deposit with Blue Cross and Blue Shield of Maine. These dividends and surplus funds include the General Fund and ancillary portions of the 1991 premium dividend, adverse selection surcharge and the 1992 premium dividend. This money must be deposited to the General Fund as undedicated revenue by June 30, 1992.

PART Q

Sec. Q-1. PL 1991, c. 622, Pt. II, §1, next-to-the-last sentence is amended to read:

This section does not apply to nonrepresented faculty department chairs of the University of Maine System, the Maine Technical College System and the Maine Maritime Academy and full-time faculty of the University of Maine School of Law.

Sec. Q-2. PL 1991, c. 622, Pt. II, §2, next-to-the-last sentence is amended to read:

This section does not apply to nonrepresented faculty department chairs of the University of Maine System, the Maine Technical College System and the Maine Maritime Academy and full-time faculty of the University of Maine School of Law.

PART R

Sec. R-1. Supplemental appropriations from General Fund. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1991-92

SECRETARY OF STATE, DEPARTMENT OF THE

Elections and Commissions

All Other \$119,000

Provides funds for the expenses associated with the November 1991 referendum.

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

Effective March 13, 1992, unless otherwise indicated.

CHAPTER 672

H.P. 1025 - L.D. 1498

An Act to Promote Child Safety

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

Sec. 1. 17-A MRSA §554, sub-§1, as amended by PL 1975, c. 740, §71, is repealed and the following enacted in its place:

1. A person is guilty of endangering the welfare of a child if that person:

A. Knowingly permits a child under 16 years of age to enter or remain in a house of prostitution;

B. Knowingly sells, furnishes, gives away or offers to sell, furnish or give away to a child under 16 years of age any intoxicating liquor, cigarettes, tobacco, air rifles, firearms or ammunition; or

C. Otherwise recklessly endangers the health, safety or welfare of a child under 16 years of age by violating a duty of care or protection.

Sec. 2. 17-A MRSA §554, sub-§2, as amended by PL 1989, c. 445, §7, is further amended to read:

2. It is an affirmative defense to prosecution under this section that:

A. The defendant was the parent, foster parent, guardian or other similar person responsible for the long-term general care and welfare of a child under the 16 years of age of ~~16~~ who furnished such the child cigarettes, tobacco or a reasonable amount of intoxicating liquor in the actor's home and presence; or

B. The defendant was a person acting pursuant to authority expressly or impliedly granted in Title 22; or

C. The defendant was the parent, foster parent, guardian or an adult approved by the parent, fos-