

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

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

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

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

allocated from the revenues derived from operations of the State Alcoholic Beverages Fund.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Alcoholic Beverages - General Operation		
Positions - Legislative Count	(236.0)	(236.0)
Positions - Other Count	(10.0)	(10.0)
Personal Services	7,887,634	8,439,515
All Other	3,775,554	3,983,533
Alcoholic Beverages - General Operation		
All Other (Liquor Freight)	481,250	517,400
DEPARTMENT OF FINANCE		
TOTAL	\$12,144,438	\$12,940,448

Sec. 2. Allotments required. Upon receipt of allotments duly approved by the Governor, based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures from these allocations on the basis of these allotments and not otherwise.

Sec. 3. Legislative intent. It is the intent of the Legislature that the allocation of funds by the Legislature, as provided by this Act, applies to the administrative expenses only and that these allocations must be allotted and approved under the Maine Revised Statutes, Title 5. It is not intended to affect the use of the working capital provided for by Title 28-A, or other activities required of the State Liquor Commission by Title 28-A.

Sec. 4. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor, to cover specifically those adjustments determined to be necessary under any salary plan approved by the Legislature, and those reclassifications or range changes that have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

Sec. 5. Exclusion. Exclusive of sections 1 to 4, up to \$100,000 for Capital Expenditures may be expended in each fiscal year.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1991.

Effective July 1, 1991.

CHAPTER 64

H.P. 761 - L.D. 1095

An Act to Make Allocations for the Administrative Expenses of the Department of Finance, Bureau of Lottery, 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 the Bureau of Lottery will become due and payable on or immediately after July 1, 1991; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Allocation. In order to provide for the necessary expenses of operation and administration of the Bureau of Lottery, the following amounts, or as much as may be necessary, are allocated from the revenues derived from operations of the State Lottery Fund.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Lottery Operations		
Positions - Legislative Count	(43.0)	(43.0)
Personal Services	\$1,481,673	\$1,599,861
All Other	1,860,750	1,957,600
DEPARTMENT OF FINANCE		
TOTAL	\$3,342,423	\$3,557,461

Sec. 2. Allotments required. Upon receipt of allotments duly approved by the Governor, based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures from these allocations on the basis of these allotments and not otherwise.

Sec. 3. Legislative intent. It is the intent of the Legislature that the allocation of funds by the Legislature, as provided by this Act, applies to the administrative expenses only and that these allocations are allotted and approved under the Maine Revised Statutes, Title 5.

Sec. 4. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor, to cover specifically those adjustments determined to be necessary under any salary plan approved by the Legislature and those reclassifications or range changes that have been approved by the Department of Administration and submitted for legislative review prior to the effective date of this Act.

Sec. 5. Exclusion. Excluding sections 1 to 4 of this Act, up to \$90,000 each fiscal year may be expended for Capital Expenditures.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect on July 1, 1991.

Effective July 1, 1991.

CHAPTER 65

H.P. 1375 - L.D. 1960

An Act to Fund Collective Bargaining Agreements and Benefits for Certain Employees Excluded from Collective Bargaining

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

Whereas, certain obligations and expenses incident to the operation of state collective bargaining agreements will become due and payable July 1, 1991; and

Whereas, it is the responsibility of the Legislature to act upon those portions of collective bargaining agreements negotiated by the executive branch that require legislative action; and

Whereas, the Governor and the Legislature share a desire to address in a timely manner the needs of certain state employees excluded from collective bargaining units; 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 appropriation from the General Fund. There are appropriated from the

General Fund for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Salary Plan		
Personal Services	\$12,192,500	\$12,440,000
Provides funds necessary to fund the 3rd year of the State's current collective bargaining agreements made by the State and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit, the professional and technical services bargaining unit, the law enforcement services bargaining unit and the operations, maintenance and support services bargaining unit.		

Salary Plan		
Personal Services	(\$12,192,500)	(\$12,440,000)
Provides for the deappropriation of funds from the salary plan from unfilled positions, attrition and other temporary or permanent reductions in the work force. In addition, the State and the Maine State Employees Association may, by August 1, 1991, agree to implement cost-savings measures. If no agreement is reached by August 1, 1991, the Governor may implement such cost-savings measures as are appropriate and necessary and permitted by the collective bargaining agreements referred to in this section.		

DEPARTMENT OF FINANCE		
TOTAL	<u>\$-0-</u>	<u>\$-0-</u>

Sec. A-2. Supplemental allocation from the Highway Fund. There are allocated from the Highway Fund for the fiscal years ending June 30, 1992 and June 30, 1993 the following sums.

	1991-92	1992-93
FINANCE, DEPARTMENT OF		
Salary Plan		
Personal Services	\$5,735,000	\$5,900,000
Provides funds necessary to fund the 3rd year of the		