

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR  
FIRST REGULAR SESSION  
NON-EMERGENCY LAWS IS  
OCTOBER 13, 1993

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

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J.S. McCarthy Company  
Augusta, Maine  
1993

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

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

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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Provides for the appropriation of funds, when used in conjunction with available resources, to cover the February 17, 1993 payroll due to the delays in closing nursing home wards.

**Mental Health Services - Community**

All Other (\$230,000)

Provides for the deappropriation of funds through savings from reductions in administrative costs in community mental health agencies.

**DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL** \_\_\_\_\_ \$0

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

Effective February 11, 1993.

**CHAPTER 6**

**H.P. 24 - L.D. 27**

**An Act to Make Additional Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending 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 will become due and payable prior to July 1, 1993; and

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

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

**PART A**

**Sec. A-1. Appropriation.** There are appropriated from the General Fund for the fiscal year ending

June 30, 1993 to the departments listed, the following sums.

1992-93

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Buildings and Grounds Operations**

All Other \$896,990

Provides for the appropriation of funds to maintain heat, lights, other utilities, rubbish removal and basic maintenance services in the capitol complex.

**Maine Residents Property Tax Program**

All Other (896,990)

Provides for the deappropriation of funds no longer needed to meet the requirements of this program.

**Taxation - Bureau of**

Positions - Other Count (-4.5)  
Personal Services (110,000)  
All Other 45,000

TOTAL (65,000)

Provides for the deappropriation of funds from the elimination of 8 seasonal Clerk I positions and 3 seasonal Clerk Typist I positions and 2 seasonal Clerk II positions; elimination of overtime; the increase in contractual services for clerical support; and the upgrade of 2 seasonal, 18-week Clerk I positions to seasonal, 40-week Clerk III positions.

**Tree Growth Tax Reimbursement**

All Other (1,000,000)

Provides for the deappropriation of funds through the reduction of tree growth reimbursements to municipalities.

**DEPARTMENT OF  
ADMINISTRATIVE AND  
FINANCIAL SERVICES  
TOTAL**

(1,065,000)

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

**Harness Racing Commission**

Personal Services 30,000  
All Other (30,000)

Provides for the appropriation of funds through a line category transfer for accumulated leave for laid-off employees and for earned compensating time off resulting from increased race dates and grievance resolution.

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

-0-

**ATLANTIC SEA RUN SALMON  
COMMISSION**

**Atlantic Sea Run Salmon Commission**

Positions - Legislative Count (3.0)  
Personal Services 57,055  
All Other 13,328  
Capital Expenditures 7,435

TOTAL 77,818

Provides funds to establish the Atlantic Sea Run Salmon Commission as a separate entity for budgeting purposes.

**ATLANTIC SEA RUN SALMON  
COMMISSION  
TOTAL**

77,818

**ATTORNEY GENERAL,  
DEPARTMENT OF THE**

**Administration - Attorney General**

Personal Services (5,822)

Provides for the deappropriation of funds through salary savings as a transfer to the Office of the Chief Medical Examiner.

**Chief Medical Examiner - Office of**

Personal Services 5,822

Provides for the appropriation of funds for overtime to the Assistant Medical Examiners due to shutdown days and reduced work weeks as a transfer from the administrative account.

**DEPARTMENT OF THE ATTORNEY  
GENERAL  
TOTAL**

-0-

**CONSERVATION, DEPARTMENT  
OF**

**Forest Fire Control - Division of**

Personal Services (136,866)  
All Other 136,866

Provides for the appropriation of funds through a line category transfer from the unencumbered balance forward for payment of unbudgeted fire control costs.

**DEPARTMENT OF CONSERVATION  
TOTAL**

-0-

**CORRECTIONS, DEPARTMENT OF**

**Administration - Corrections**

Personal Services (31,507)

Provides for the deappropriation of funds from salary savings.

**Administration - Corrections**

All Other 5,765  
Capital Expenditures (5,765)

TOTAL -0-

Provides for the appropriation of funds through the line category transfer of funds for vehicle rental expenses.

**Office of Advocacy**

Personal Services (22,142)

Provides for the deappropriation of funds from salary savings.

**Bangor Pre-Release Center**

Personal Services 24,934

All Other 152,000

TOTAL 176,934

Provides for the appropriation of funds for unbudgeted overtime and unbudgeted workers' compensation awards and medical expenses.

**Central Maine Pre-Release Center**

Personal Services 19,494

Provides for the appropriation of funds to cover overtime costs.

**Charleston Correctional Facility**

All Other 16,682  
Capital Expenditures (16,682)

TOTAL -0-

Provides for the appropriation of funds through a line category transfer for the costs associated with the replacement of 51 prison doors and for unbudgeted workers' compensation expenses.

**Charleston Correctional Facility**

Personal Services (51,843)

Provides for the deappropriation of funds from salary savings.

**Correctional Program Improvement**

All Other 130,148

Provides for the appropriation of funds for the increased costs at Green Acres Nursing Home including Certified Nurse Assistant coverage.

**Correctional Program Improvement**

All Other (14,901)

Provides for the deappropriation of funds from boarding inmates at county jails.

**Correctional Services**

Positions - Legislative Count (-1.0)

Personal Services (23,397)

All Other (1,898)

TOTAL (25,295)

Provides for the deappropriation of funds from the elimination of one vacant Substance Abuse Program Specialist position, salary savings and grants.

**Correctional Center**

Personal Services 275,000

All Other 187,316

TOTAL 462,316

Provides for the appropriation of funds for overtime costs, utilities and workers' compensation.

**Correctional Center**

All Other 32,782

Capital Expenditures (32,782)

TOTAL -0-

Provides for the appropriation of funds through a line category transfer for vehicle rental expenses.

**Downeast Correctional Facility**

All Other 8,425

Capital Expenditures (8,425)

TOTAL -0-

Provides for the appropriation of funds through a line category transfer to cover extraordinary medical expenses of inmates.

**Food - Maine Correctional Center**

All Other (90,000)

Provides for the deappropriation of funds from food savings.

transfer for rental expenses and necessary training.

**State Prison**

Personal Services 206,053

Provides for the appropriation of funds for emergency overtime utilization.

**Food - State Prison**

All Other (64,043)

Provides for the deappropriation of funds from food savings realized due to delayed openings at the Maximum Security Prison-Warren and the Bolduc Minimum Security Unit.

**State Prison**

All Other (150,000)  
Capital Expenditures (41,300)

TOTAL (191,300)

**Fuel - Corrections**

All Other 43,457

Provides for the appropriation of funds for increased fuel costs.

Provides for the deappropriation of funds through the savings from reduced costs in the Thomaston Sewer Project and the elimination of 2 vehicles and other equipment.

**Warren Correctional Facility**

Personal Services 206,977

Provides for the appropriation of funds for operational needs related to overtime costs.

**Bureau of Juvenile Corrections**

Personal Services (600)

Provides for the deappropriation of funds from salary savings.

**Warren Correctional Facility**

All Other (288,839)

Provides for the deappropriation of funds through savings in reduced costs for the Camden and Rockland Water Company.

**Parole Board**

All Other (1,643)

Provides for the deappropriation of funds from general operating expenses.

**Youth Center - Maine**

Personal Services 236,520  
All Other 19,018

TOTAL 255,538

**Probation and Parole**

Personal Services (150,482)

Provides for the deappropriation of funds from salary savings.

Provides for the appropriation of funds for increased overtime and medical expenses.

**Youth Center - Maine**

Personal Services (44,809)  
All Other 48,749  
Capital Expenditures (3,940)

TOTAL -0-

All Other 4,000  
Capital Expenditures 18,500

TOTAL 22,500

Provides for the appropriation of funds through a line category

Provides for the appropriation of funds for the main heating plant fuel tank.

**Youth Center - Maine**

All Other	(103,018)
Capital Expenditures	(18,500)
<b>TOTAL</b>	<u>(121,518)</u>

Provides for the deappropriation of funds from reductions in contract funds and equipment.

**DEPARTMENT OF CORRECTIONS TOTAL**

469,304

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF****Office of Community Development**

Positions - Legislative Count	(1.0)
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Provides for the transfer of headcount for one Senior Planner position from Comprehensive Land Use Planning.

**Comprehensive Land Use Planning**

Personal Services	(24,000)
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Provides for the deappropriation of funds from salary savings.

**Comprehensive Land Use Planning**

Positions - Legislative Count	(-1.0)
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Provides for the transfer of headcount for one Senior Planning position to the Office of Community Development.

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL**

(24,000)

**EDUCATION, DEPARTMENT OF****Finance - Education**

Personal Services	(1,505)
All Other	1,505
<b>TOTAL</b>	<u>-0-</u>

Provides for the appropriation of funds through a line category transfer to pay workers' compensation salary benefits.

**Governor Baxter School for the Deaf**

Personal Services	(97,941)
All Other	97,941

**TOTAL** -0-

Provides for the appropriation of funds through a line category transfer for contracting with educational and therapeutic professionals.

**Vocational Training - Program Services**

Personal Services	(5,410)
All Other	5,410

**TOTAL** -0-

Provides for the appropriation of funds through a line category transfer to pay workers' compensation salary benefits.

**DEPARTMENT OF EDUCATION TOTAL**

-0-

**EXECUTIVE DEPARTMENT****Driver Education and Evaluation Program - Substance Abuse**

All Other	195,500
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Provides for the appropriation of funds for the operation of all Driver Education and Evaluation programs. General Fund undedicated revenue will be increased by \$346,725 in fiscal year 1992-93.

**EXECUTIVE DEPARTMENT TOTAL**

195,500

**HUMAN SERVICES, DEPARTMENT OF****Aid to Families with Dependent Children**

All Other	(2,601,000)
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Provides for the deappropriation of funds by



reducing all Aid to Families with Dependent Children payments to the May 1, 1988 level, eliminating the special housing allowance and eliminating the "gap", effective March 1, 1993.

**Elder and Adult Services - Bureau of**

Positions - Legislative Count (-1.0)  
Personal Services (22,498)

Provides for the deappropriation of funds from the elimination of one Human Services Aide III position.

**Aid to Families with Dependent Children**

All Other 2,600,000

Provides for the appropriation of funds to meet projected Aid to Families with Dependent Children costs.

**Family Services Program**

All Other (200,000)

Provides for the deappropriation of funds through the reduction of the Family Services Program that assists Aid to Families with Dependent Children teen recipients in becoming self-supporting.

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

All Other 1,444,000

Provides for the appropriation of funds for the state share of Aid to Families with Dependent Children - Foster Care, including increased cost due to the loss of federal funds from Title IV-E administrative reimbursement.

**Low-cost Drugs to Maine's Elderly**

All Other (188,500)

Provides for the deappropriation of funds through doubling the copayments for "generic" and "brand name" drugs as defined in the Maine Revised Statutes, Title 22, section 254, subsection 4-A to \$6 and \$10, respectively; requiring a "brand name" copayment when a "brand name" drug is purchased and a "generic" drug is not available; and increasing the pharmaceutical rebate from 11% to 15%, retroactive to January 1, 1993.

**Child Care Services**

All Other (516,540)

Provides for the deappropriation of funds through the reduction in funding to community-based child care service programs.

**Health - Bureau of**

All Other (200,000)

Provides for the deappropriation of funds through the elimination of the Community Health Grants Program.

**Child Welfare Services**

All Other 1,548,000

Provides for the appropriation of funds for foster care and adoption programs, including increased costs due to the loss of federal funds from Title IV-E.

**Intermediate Care - Payments to Providers**

All Other 1,884,945

Provides for the appropriation of funds for nursing facilities costs.

**Congregate Housing**

All Other (50,000)

Provides for the deappropriation of funds from grants to community agencies.

**Long-Term Care - Human Services**

Positions - Legislative Count (-1.0)  
Personal Services (32,178)

Provides for the deappropriation of funds from the elimination of one Social Services Program Specialist position.

Department of Human Services memorandum. In administering the \$250,000 reduction, the department shall streamline the contract amendment process to ensure that the reduction is distributed over as many of the remaining months of fiscal year 1992-93 as possible.

**Medical Care - Payments to Providers**

All Other 13,106,995

Provides for the appropriation of funds for Medicaid costs.

**Rehabilitation - Vocational Rehabilitation, Bureau of**

All Other (350,000)

Provides for the deappropriation of funds through the reduction of funds in the Vocational Rehabilitation Program.

**Medical Care - Payments to Providers**

All Other (168,000)

Provides for the deappropriation of funds due to increasing the copayments for "generic" and "brand name" drugs to \$2 and \$3, respectively and redefining "brand name" drug in the Maine Revised Statutes, Title 22, section 3173-C, subsection 2; removing the monthly limit of copayments; requiring a 1¢ per mile reduction in Medicaid reimbursement to transportation providers; and requiring copayments for various Medicaid services.

**Social Services - Regional**

All Other 75,000

Provides for the appropriation of funds for travel costs for child protective workers.

**State Supplement to Federal Supplemental Security Income**

All Other (500,000)

Provides for the deappropriation of funds from available balances.

**Medical Care Administration**

All Other 900,000

Provides for the appropriation of funds for the early and periodic screening, diagnosis and treatment program.

**Aid to Families with Dependent Children**

All Other (60,000)

Provides for the deappropriation of funds due to increased child support collections achieved through automatic withholding of unemployment compensation.

**Purchased Social Services**

All Other (1,233,460)

Provides for the deappropriation of funds in the amount of \$983,460 due to the transfer of certain expenses to available federal funds and in the amount of \$250,000 by reducing contracts to certain community service providers as described in a January 27, 1993

**Intermediate Care - Payments to Providers**

All Other (73,000)

Provides for the deappropriation of funds no longer required due to savings achieved through the consolidated refinancing of nursing home mortgages.

**DEPARTMENT OF HUMAN SERVICES**  
**TOTAL**

15,363,764

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

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

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

Capital Expenditures (9,500)

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

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

Capital Expenditures (21,500)

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

**Atlantic Sea Run Salmon Commission**

Personal Services (13,163)

Provides for the deappropriation of funds through savings from the retirement incentive program.

**DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**  
**TOTAL**

(375,081)

**JUDICIAL DEPARTMENT**

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

All Other 791,957

Provides for the appropriation of funds for additional mandatory lease payments due to the Maine Court Facilities Authority for debt service on the \$8,500,000 Maine Court Facilities Authority 20-year lease. The lease payments equal the principal and interest payments due on the Maine Court Facilities Authority bond.

**Atlantic Sea Run Salmon Commission**

Positions - Legislative Count (-3.0)  
Personal Services (57,055)  
All Other (13,328)  
Capital Expenditures (7,435)  
**TOTAL** (77,818)

Provides for the deappropriation of funds due to establishing the Atlantic Sea Run Salmon Commission as a separate entity for budgeting purposes.

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

All Other 34,987

Provides funds for emergency renovations to the Biddeford District Court.

**Enforcement Operations - Inland Fisheries and Wildlife**

Capital Expenditures (235,000)

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

**District Court Building Fund**

All Other (34,987)

Provides for the deappropriation of available funds.

**Fisheries and Hatcheries Operations**

Capital Expenditures (18,100)

**Indigent Defense**

All Other 800,000

Provides funds for additional Indigent Defense expenses.

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

Personal Services (175,000)  
 All Other 800,000  
 Capital Expenditures (250,000)  


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 TOTAL 375,000

Provides for the transfer of funds to support All Other liabilities, including phone bills, leases, juror fees, bailiffs, witness fees, janitorial services, postage and disability payments.

**JUDICIAL DEPARTMENT TOTAL**

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1,966,957

**LEGISLATURE**

**Legislature**

Personal Services (263,699)  
 All Other (1,625,854)  


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 TOTAL (1,889,553)

Provides for the deappropriation of available funds.

**Study Commissions - Funding**

Personal Services (24,291)  
 All Other (183,709)  


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 TOTAL (208,000)

Provides for the deappropriation of available funds.

**Special Joint Commission on Access to Health Care**

Personal Services (1)  
 All Other (1,980)  


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 TOTAL (1,981)

Provides for the deappropriation of available funds.

**Committee to Advise the Department of Human Services on AIDS**

All Other (466)

Provides for the deappropriation of available funds.

**Legislative Apportionment Commission**

All Other 150,000

Provides for the appropriation of funds to establish a separate account for legislative apportionment expenditures.

**Legislature**

All Other (150,000)

Provides for the deappropriation of funds to establish a separate account for the Legislative Apportionment Commission.

**LEGISLATURE TOTAL**

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(2,100,000)

**MARINE RESOURCES, DEPARTMENT OF**

**Marine Development - Bureau of**

All Other 150,000

Provides for the appropriation of funds for unanticipated workers' compensation costs associated with a single workers' compensation claim.

**Marine Development - Bureau of**

Capital Expenditures (25,000)

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

**Marine Patrol - Bureau of**

Capital Expenditures (103,000)

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

Provides for the appropriation of funds needed due to the delays in closing nursing wards, unfunded overtime and increased workers' compensation costs.

**DEPARTMENT OF MARINE RESOURCES**

**TOTAL** 

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 22,000

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

**Administration - Mental Health and Mental Retardation**

All Other 17,804

Provides for the appropriation of funds for workers' compensation fee assessments.

**Administration - Mental Health and Mental Retardation**

Personal Services (7,291)

Provides for the deappropriation of funds from salary savings to fund the retroactive portion of an approved reclassification in the Office of Advocacy.

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

Personal Services 7,291

Provides for the appropriation of funds for the retroactive portion of an approved reclassification.

**Aroostook Residential Center**

Personal Services (40,000)

Provides for the deappropriation of funds due to salary savings.

**Augusta Mental Health Institute**

Personal Services 1,220,435  
All Other 600,000

**TOTAL** 

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 1,820,435

**Augusta Mental Health Institute**

Positions - Legislative Count (3.0)  
Personal Services 127,231

Provides for the appropriation of funds for the transfer of one Psychiatric Social Worker I position, one Physician Assistant position and one Occupational Therapy Aide position from the disproportionate share account to the General Fund.

**Bangor Mental Health Institute**

Personal Services 995,341  
All Other 395,000

**TOTAL** 

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 1,390,341

Provides for the appropriation of funds needed due to the delays in closing nursing wards, unfunded overtime and increased workers' compensation costs and authorization to convert one Medical Laboratory Supervisor position to one part-time Pharmacist position.

**Bangor Mental Health Institute**

Positions - Legislative Count (47.0)

Provides for an increase in the headcount to correct Public Law 1991, chapter 780.

**Bangor Mental Health Institute**

Capital Expenditures (1,500)

Provides for the deappropriation of funds to reflect the purchase and leaseback of vehicles from the Central Motor Pool.

**Bath Children's Home**

All Other 25,000

Provides for the appropriation of funds for additional workers' compensation, conversion to Central Fleet Management, postage and travel costs.

All Other 53,000

Provides for the appropriation of funds for additional workers' compensation, conversion to Central Fleet Management, increased utilities, clothing and supply costs.

**Bath Children's Home**

Personal Services 9,000

Provides for the appropriation of funds for unbudgeted overtime.

**Medicaid Services - Mental Retardation**

All Other 300,000

Provides for the appropriation of funds for state match for additional community services.

**Disproportionate Share Hospital Match**

Personal Services (48,400)

Provides for the deappropriation of funds from the transfer of one Psychiatric Social Worker I position, one Physician Assistant position and one Occupational Therapy Aide position from the disproportionate share account to the General Fund account at the Augusta Mental Health Institute.

**Mental Health Services - Children**

All Other (78,000)

Provides for the deappropriation of funds from delaying or curtailing service expansions.

**Disproportionate Share Hospital Match**

All Other 147,769

Provides for the appropriation of funds for underfunded supplies, workers' compensation and state cost allocation program costs at the Bangor Mental Health Institute.

**Mental Health Services - Children**

Personal Services (35,000)

Provides for the deappropriation of funds due to salary savings.

**Disproportionate Share Hospital Match**

Personal Services (158,320)  
All Other 158,320

TOTAL -0-

Provides for the appropriation of funds through a line category transfer for the purpose of contractual coverage for doctors and nurses at the Augusta Mental Health Institute.

**Mental Health Services - Community**

Personal Services 10,000

Provides for the appropriation of funds for increased Personal Services costs.

**Mental Health Services - Community**

All Other (375,776)

Provides for the deappropriation of funds through the across-the-board reduction in the administrative costs only of community mental health services; reductions in education, training and consultation services; elimination of contractual hearing officer services; and savings

**Elizabeth Levinson Center**

through the accelerated conversion of existing programs to federal Medicaid funds.

**Mental Retardation Services - Community**

Positions - Legislative Count (-1.5)  
 Personal Services (162,000)

Provides for the deappropriation of funds from the elimination of one vacant Mental Health and Mental Retardation Caseworker position and one vacant part-time Mental Health and Mental Retardation Caseworker position.

**Pineland Center**

All Other 700,000

Provides for the appropriation of funds to meet workers' compensation costs.

**Pineland Center**

Personal Services (350,000)  
 All Other 350,000  
 TOTAL -0-

Provides for the appropriation of funds through a line category transfer as a result of salary savings to cover increased utilities and workers' compensation costs.

**Unemployment Compensation - Mental Health and Mental Retardation**

Personal Services (50,000)

Provides for the deappropriation of funds due to fewer than expected unemployment claims.

**DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION**  
 TOTAL 3,809,904

**TREASURER OF STATE, (OFFICE OF)**

**Debt Service - Treasury**

All Other 2,933,388

Provides for the appropriation of funds for the payment of state bond principal and interest.

**(OFFICE OF) TREASURER OF STATE**  
 TOTAL 2,933,388

**SECTION A-1**  
**TOTAL APPROPRIATIONS** \$21,274,554

**Sec. A-2. Allocation.** The following funds are allocated from the Federal Expenditure Fund for the fiscal year ending June 30, 1993 to carry out the purposes of this Part.

**1992-93**

**ATLANTIC SEA RUN SALMON COMMISSION**

**Atlantic Sea Run Salmon Commission**

Positions - Other Count (4.0)  
 Personal Services \$223,505  
 All Other 88,049  
 Capital Expenditures 21,250  
 TOTAL 332,804

Provides for the allocation of funds to establish the Atlantic Sea Run Salmon Commission as a separate entity for budgeting purposes.

**Atlantic Sea Run Salmon Commission**

Personal Services 2,037

Provides for the allocation of funds to change one seasonal Biologist I position to one full-time Biologist I position.

**ATLANTIC SALMON SEA RUN COMMISSION**  
 TOTAL 334,841

**CONSERVATION, DEPARTMENT OF**

**Geographic Based Information Services**

Positions - Other Count (-1.5)  
 Personal Services (8,243)  
 All Other (520)

Provides for the deallocation of funds from the elimination of one Geographic Based Information Services Coordinator position, 1/2 Programmer Analyst position and related support costs.

Children payments to the May 1, 1988 level, eliminating the special housing allowance and eliminating the "gap," effective March 1, 1993.

**DEPARTMENT OF CONSERVATION**  
**TOTAL** (8,763)

**Aid to Families with Dependent Children**

All Other 4,208,065

**CORRECTIONS, DEPARTMENT OF**

Provides for the allocation of funds to meet increased costs for the program.

**Justice - Planning, Projects and Statistics**

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

Personal Services (2,964)  
All Other (436)  
Capital Expenditures 3,400

All Other 2,337,095

Provides for the allocation of funds through a line category transfer of Personal Services and All Other to purchase computer equipment.

Provides for the allocation of funds for the federal share of Aid to Families with Dependent Children - Foster Care program.

**DEPARTMENT OF CORRECTIONS**  
**TOTAL** -0-

**Health - Bureau of**

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

Capital Expenditures 19,500

**Oil and Hazardous Materials Control**

Provides for the allocation of funds in the Women, Infants and Children Program for additional hardware for enhancement to the present automated data system.

Positions - Other Count (-1.0)  
Personal Services (16,234)  
All Other (409)

**Health - Bureau of**

Provides for the deallocation of funds through the transfer of one Accountant II position and related expenses to the Administration-Environmental Protection program, Other Special Revenue.

Capital Expenditures 126,750

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**TOTAL** (16,643)

**Intermediate Care - Payments to Providers**

**HUMAN SERVICES, DEPARTMENT OF**

All Other 3,050,758

**Aid to Families with Dependent Children**

Provides for the allocation of funds to cover increased costs for the nursing facilities.

All Other (4,209,683)

**Intermediate Care - Payments to Providers**

Provides for the deallocation of funds from reducing all Aid to Families with Dependent



All Other (118,150)  
 Provides for the deallocation of funds due to savings achieved through consolidated financing of nursing homes.

Provides for the deallocation of funds in order to establish the Atlantic Sea Run Salmon Commission as a separate entity for budgeting purposes.

**Medical Care - Payments to Providers**

**DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL**

(332,804)

All Other 21,213,494  
 Provides for the allocation of funds for increased costs in the Medicaid program.

**LABOR, DEPARTMENT OF Regulation and Enforcement**

Positions - Other Count (-1.0)  
 Personal Services (9,578)  
 All Other (8,000)

**Medical Care - Payments to Providers**

Provides for the deallocation of funds through the transfer of one Staff Development Specialist III position and related operating costs to the Safety Education and Training Program account, Other Special Revenue. Federal funding has been discontinued.

All Other (271,906)  
 Provides for the deallocation of funds due to increasing the copayments for "generic" and "brand name" drugs to \$2 and \$3, respectively; removing the monthly limit of copayments; requiring a 1¢ per mile reduction in Medicaid reimbursement to transportation providers; requiring a "brand name" copayment when a "brand name" drug is purchased and a "generic" drug is not available; and requiring copayments for various Medicaid services.

**DEPARTMENT OF LABOR TOTAL**

(17,578)

**SECTION A-2 TOTAL ALLOCATIONS**

\$27,214,976

**Sec. A-3. Allocation.** The following funds are allocated from Other Special Revenue for the fiscal year ending June 30, 1993 to carry out the purposes of this Part.

**Medical Care Administration**

1992-93

All Other 900,000  
 Provides for the allocation of funds for increased costs affiliated with the EPSDT program.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Employee Health Services**

Positions - Other Count (2.0)

**DEPARTMENT OF HUMAN SERVICES TOTAL**

27,255,923

Provides for the correction of headcount only. Public Law 1991, chapter 591, Part KKK, section 4 removed one Public Health Educator III position already removed in Part MM, section 2. Part FFF, section 3, removed one Substance Abuse Specialist position already removed in Part MM, section 2.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**Atlantic Sea Run Salmon Commission**

Positions - Other Count (-4.0)  
 Personal Services (223,505)  
 All Other (88,049)  
 Capital Expenditures (21,250)

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**

**TOTAL** \$-0-

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

**Administration - Agriculture**

Personal Services 271

Provides for the allocation of funds to meet higher-than-anticipated longevity costs.

**Public Services - Agriculture**

Positions - Other Count (-0.5)

Provides for a change in headcount for increasing the hours of one Account Clerk II position from 32 to 40 hours per week and decreasing the authorized hours of one Clerk Typist II position from 32 to 20 hours per week.

**Consumer Services - Agriculture**

All Other 5,000

Provides for the allocation of funds to meet All Other needs in the weights and measures program.

**State Harness Racing Commission**

Personal Services 927

Provides for the allocation of funds to meet higher-than-anticipated longevity costs.

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

**TOTAL** 6,198

**ATLANTIC SEA RUN SALMON COMMISSION**

**Atlantic Sea Run Salmon Commission**

Positions - Other Count (2.0)

Personal Services 30,891

All Other 14,473

Provides for the allocation of funds to establish the Atlantic

Sea Run Salmon Commission as a separate entity for budgeting purposes.

**ATLANTIC SEA RUN SALMON COMMISSION**

**TOTAL** 45,364

**AUDIT, DEPARTMENT OF**

**Audit - Unorganized Territory**

Personal Services 1,480

Provides for the allocation of funds for the reclassification of one Clerk Typist II position to one Secretary position from a reorganization.

**DEPARTMENT OF AUDIT**

**TOTAL** 1,480

**CONSERVATION, DEPARTMENT OF**

**Administrative Services - Conservation**

Capital Expenditures 5,000

Provides for the allocation of funds to replace obsolete computer equipment required to upgrade the central administration computer support network.

**Land Management and Planning**

Capital Expenditures (26,700)

Provides for the deallocation of funds to reflect the purchase and leaseback of vehicles from the Central Motor Pool.

**Maine Conservation Corps**

All Other 5,500

Provides for the allocation of funds for administrative and operational costs of a statewide volunteer day on public lands.

**Off-Road Recreational Vehicles Program**

All Other 10,200

Provides for the allocation of funds from the unencumbered

balance forward for costs associated with the All-terrain Vehicle Recreation Management Fund.

All Other 3,300,000

Provides for the allocation of funds from federal child support collection incentives to meet costs for the program.

**DEPARTMENT OF CONSERVATION**  
**TOTAL** (6,000)

**CORRECTIONS, DEPARTMENT OF**

**Long-term Care - Human Services**

**Charleston Correctional Facility**

All Other (500,000)

Personal Services 18,000  
All Other 2,000

Provides for the deallocation of funds due to the availability of General Fund and other resources.

Provides for the allocation of funds for overtime and related costs associated with fire-fighting efforts.

**DEPARTMENT OF HUMAN SERVICES**  
**TOTAL** 2,860,000

**DEPARTMENT OF CORRECTIONS**  
**TOTAL** 20,000

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Atlantic Sea Run Salmon Commission**

**Administration - Environmental Protection**

Positions - Other Count (-2.0)  
Personal Services (30,891)  
All Other (14,473)

Positions - Other Count (1.0)  
Personal Services 16,234  
All Other (16,234)

Provides for the deallocation of funds in order to establish the Atlantic Sea Run Salmon Commission as a separate entity for budgeting purposes.

Provides for the allocation of funds for the transfer of one Accountant II position from the Oil and Hazardous Materials Control Program in the federal fund.

**DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**  
**TOTAL** (45,364)

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**TOTAL** -0-

**LABOR, DEPARTMENT OF**

**HUMAN SERVICES, DEPARTMENT OF**

**Safety Education and Training Programs**

Positions - Other Count (1.0)  
Personal Services 9,578  
All Other 8,000

**Aid to Families with Dependent Children**

All Other 60,000

Provides for the allocation of funds through the transfer of one Staff Development Specialist IV position and support costs for safety and health-training grants.

Provides for the allocation of funds due to increased child support collections achieved through the automatic withholding of unemployment compensation.

**DEPARTMENT OF LABOR**  
**TOTAL** 17,578

**Aid to Families with Dependent Children**

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

and leaseback of vehicles from the Central Motor Pool.

**Augusta Mental Health Institute**

Personal Services	(256,239)
All Other	256,239
<b>TOTAL</b>	<u>-0-</u>

Provides for the allocation of funds through the transfer of funds from Personal Services to All Other for the purpose of contractual coverage for doctors and nurses.

**Augusta Mental Health Institute**

Positions - Other Count	(-3.0)
Personal Services	(78,831)

Provides for the deallocation of funds through the transfer of one Psychiatric Social Worker I position, one Physician Assistant position and one Occupational Therapy Aide position to the General Fund.

**Augusta Mental Health Institute**

Capital Expenditures	(13,000)
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Provides for the deallocation of funds to reflect the purchase and leaseback of vehicles from the Central Motor Pool.

**Bangor Mental Health Institute**

Personal Services	(255,690)
All Other	255,690
<b>TOTAL</b>	<u>-0-</u>

Provides for the allocation of funds for under-funded supplies, workers' compensation and STA-CAP costs from the transfer of salary savings in Personal Services to All Other.

**Bangor Mental Health Institute**

Capital Expenditures	(17,000)
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Provides for the deallocation of funds to reflect the purchase

**Pineland Center**

Capital Expenditures	(20,000)
----------------------	----------

Provides for the deallocation of funds to reflect the purchase and leaseback of vehicles for the Central Motor Pool.

**Supplemental Security Income Assistance Program**

All Other	(56,404)
-----------	----------

Provides for the deallocation of funds from the elimination of this program. General Fund undedicated revenue will be increased by \$56,404 in fiscal year 1992-93.

**DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION**

<b>TOTAL</b>	<u>(185,235)</u>
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**SECTION A-3**

<b>TOTAL ALLOCATIONS</b>	<u>\$2,714,021</u>
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**Sec. A-4. Allocation.** The following funds are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1993 to carry out the purposes of this Part.

**1992-93**

**HUMAN SERVICES, DEPARTMENT OF**

**Maternal and Child Health**

All Other	\$68,011
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Provides for the allocation of funds to continue Maternal and Child Health and Coordinated Care Services programs with fiscal year 1991-92 carryover funds.

**DEPARTMENT OF HUMAN SERVICES**

<b>TOTAL</b>	<u>68,011</u>
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**MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF**

**Mental Retardation Services - Community**

All Other 24,778

Provides for the allocation of funds for expanded social services to clients.

**DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION**  
**TOTAL**

24,778

**SECTION A-4**  
**TOTAL ALLOCATIONS**

\$92,789

**Sec. A-5. Allocation; State Lottery Fund.** In order to provide for the necessary expenses of operation and administration of the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, the following amounts, or as much as may be necessary, are allocated from the revenues derived from operations of the State Lottery Fund.

1992-93

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Lottery Operations**

All Other \$400,000

Provides for the allocation of funds for advertising costs for new games scheduled between January and June 1993. This allocation will generate \$200,000 of additional General Fund revenue for fiscal year 1992-93.

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**  
**TOTAL**

\$400,000

**SECTION A-5**  
**TOTAL ALLOCATIONS**

\$400,000

**PART B**

**Sec. B-1. 5 MRSA §1511**, as amended by PL 1991, c. 622, Pt. JJ, is further amended to read:

**§1511. Reserve for General Fund operating capital**

The State Controller may, at the close of each fiscal year, transfer from the Unappropriated Surplus of the General Fund to the Reserve for General Fund Operating Capital such amounts as may be available from time to time up to an amount of \$1,000,000 a year until a maximum of \$25,000,000 is achieved. The State Control-

ler is further authorized, at the close of each fiscal year, to transfer from the Unappropriated Surplus of the General Fund to the Loan Insurance Reserve amounts as may be available from time to time, up to an amount of \$1,000,000 per year. The balance of this reserve must be paid to the Finance Authority of Maine if such payment does not cause the balance in the reserve fund maintained by the authority, when added to amounts held in the Finance Authority of Maine Mortgage Insurance Fund that are not committed or encumbered for another purpose, to exceed \$10,000,000. Any balance in the Loan Insurance Reserve is appropriated for this purpose. The State Controller on or before June 30, 1991 shall transfer the balance in the Reserve for General Fund Operating Capital to the Unappropriated Surplus of the General Fund. The State Controller shall transfer, on or before June 30, 1992, \$500,000 from the Reserve for General Fund Operating Capital to the Unappropriated Surplus of the General Fund. The State Controller on or before June 30, 1993 must transfer the balance in the Reserve for General Fund Operating Capital to the unappropriated surplus of the General Fund. On or before June 30, 1994 the State Controller must transfer \$1,500,000 from the unappropriated surplus of the General Fund to the reserve for General Fund Operating Capital as a transfer in excess of any other transfers required under this section.

**Sec. B-2. 8 MRSA §382**, as enacted by PL 1987, c. 505, §2, is amended to read:

**§382. Unclaimed prize money**

Unclaimed prize money for the prize on a winning ticket or share ~~shall~~ must be retained by the director for the person entitled to it for one year after the drawing in which the prize was won. If no claim is made for the money within that year, the prize money ~~shall~~ must be reallocated as prizes in the form of special promotions transferred to the General Fund as undedicated revenue.

**Sec. B-3. 28-A MRSA §64, sub-§3**, as amended by PL 1991, c. 780, Pt. Y, §125, is further amended to read:

**3. Authorized working capital.** The maximum permanent working capital of the commission is established at ~~\$2,000,000~~ \$1,500,000 and permanent advances up to this amount may be authorized by the Governor upon recommendation of the commission with the approval of the Commissioner of Administrative and Financial Services. The permanent working capital of the commission may be supplemented by temporary loans from other state funds upon recommendation of the commission and by approval of the Commissioner of Administrative and Financial Services and the Governor.

**Sec. B-4. Sale of the State Plane.** It is the intent of the Legislature that the Department of Trans-

portation take the necessary steps to sell the State Plane on or before June 30, 1993 with the proceeds of the sale, in an amount at or above the fair market value, deposited to the General Fund as undedicated revenue.

**Sec. B-5. Working capital advance.** The State Controller is authorized to advance to the Maine State Housing Authority, Low-Income Home Energy Assistance-MSHA, up to \$9,000,000 from the General Fund following an agreed-to schedule of disbursements. These funds must be used to provide the working capital advance necessary to make timely fuel assistance payments to elderly and low-income residents until receipt of Low-income Home Energy Assistance Block Grant funds. Funds advanced for this purpose must be returned to the General Fund no later than June 30, 1993.

**Sec. B-6. Accrued salary savings in fiscal year 1992-93.** Notwithstanding Public Law 1991, chapter 591, Part A, section 3, for fiscal year 1992-93 only, accrued salary savings from vacant positions within an appropriation or allocation for Personal Services may be used, in extraordinary or emergency circumstances, in the Personal Services line category or in the All Other line category within the account where the savings exist or in another account in the same department or agency in the same fund.

Financial orders proposing such transfers must be submitted by the Bureau of the Budget to the Office of Fiscal and Program Review requesting the Joint Standing Committee on Appropriations and Financial Affairs waive the 30-day prior submission requirement as described in the Maine Revised Statutes, Title 5, section 1585.

## PART C

**Sec. C-1. 22 MRSA §254, first and 2nd ¶¶,** as affected by PL 1991, c. 780, Pt. R, §§8 and 10, are amended to read:

The Department of Human Services may conduct a program to provide low-cost prescription and nonprescription drugs, medication and medical supplies to disadvantaged, elderly individuals. In any year in which this program is conducted, it must include any prescription drugs used for the treatment of chronic obstructive lung disease. ~~To fund the addition of drugs for this ailment, the amount that a recipient pays toward the cost of any covered purchase is \$3 for generic or single-source drugs or \$5 for brand-name, multisource drugs. If the initial projections for expenditures in the chronic obstructive lung disease program indicate that funding for the total program will be inadequate for the remainder of the fiscal year, that part of the program dealing with chronic obstructive lung disease must be discontinued for the remainder of the fiscal year. The department shall keep cost and utilization records necessary to evaluate the chronic obstructive lung disease program and report on this program to the Legislature by January 1989.~~

In any year in which this program is conducted, it must include antiarthritic drugs ~~and the amount that a recipient pays toward the cost of any covered purchase is \$3 for generic or single-source drugs or \$5 for brand-name, multisource drugs.~~

**Sec. C-2. 22 MRSA §254, 3rd ¶,** as amended by PL 1991, c. 591, Pt. P, §5, is further amended to read:

In any year in which this program is conducted, it must include anticoagulant drugs ~~and the amount that a recipient pays toward the cost of any covered purchase is \$3 for generic or single-source drugs or \$5 for brand-name, multisource drugs.~~

**Sec. C-3. 22 MRSA §254, sub-§4-A,** as affected by PL 1991, c. 780, Pt. R, §§8 and 10, is amended to read:

**4-A. Payment for drugs provided.** The commissioner may establish the amount of payment to be made by recipients toward the cost of prescription or nonprescription drugs, medication and medical supplies furnished under this program provided that the total cost for any covered purchase of a prescription or nonprescription drug or medication does not exceed ~~\$3~~ \$6 for generic ~~or single-source~~ drugs or \$5 \$10 for brand-name, multisource drugs. For the purposes of this section, a brand-name drug is defined as a single-source drug, a cross-licensed drug or an innovator drug for which a lower-cost generic equivalent is available. If a recipient is prescribed a drug in a quantity specifically intended by the provider or pharmacist, for the recipient's health and welfare, to last less than one month, only one payment for that drug for that month is required; and

**Sec. C-4. 22 MRSA §254, sub-§8,** as enacted by PL 1991, c. 671, Pt. L, §1, is amended to read:

**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: according to the following schedule.

A. For the period beginning May 1, 1992 and ending September 30, 1992, the rebate percentage is 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.

B. For the quarters beginning October 1, 1992, the rebate percentage is equal to 15% 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 prescriptions drugs during the period for which payments is due.

Upon receipt of data from the department, the pharmaceutical manufacturer shall calculate the semiannual quarterly 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. C-5. 22 MRSA §3173-C, sub-§1**, as repealed and replaced by PL 1983, c. 240, is amended to read:

**1. Authorization required.** The department shall may not require any Medicaid recipient to make any payment toward the cost of ~~an approved~~ a Medicaid service unless that payment is specifically authorized by this section.

**Sec. C-6. 22 MRSA §3173-C, sub-§2**, as amended by PL 1991, c. 591, Pt. P, §10, is further amended to read:

**2. Prescription drug services.** Except as provided in subsections 3 and 4, a payment of ~~\$1~~ \$2 for generic or ~~single-source~~ drugs and ~~\$2~~ \$3 for brand-name, ~~multi-source~~ drugs is to be collected from the Medicaid recipient for each drug prescription that is an approved Medicaid service. For the purposes of this section, a brand-name drug is defined as a single-source drug, a cross-licensed drug or an innovator drug for which a lower-cost generic equivalent is available. If a recipient is prescribed a drug in a quantity specifically intended by the provider or pharmacist, for the recipient's health and welfare, to last less than one month, only one payment for that drug for that month is required.

**Sec. C-7. 22 MRSA §3173-C, sub-§5**, as enacted by PL 1991, c. 591, Pt. P, §11, is repealed.

**Sec. C-8. 22 MRSA §3173-C, sub-§7** is enacted to read:

**7. Copayments.** Notwithstanding any other provision of law, the following copayments per service per day are imposed and reimbursements are reduced, or both, to the following levels:

A. Outpatient hospital services, \$3;

B. Home health services, \$3;

C. Durable medical equipment services, \$3;

D. Private duty nursing and personal care services, \$5 per month;

E. Ambulance services, \$3;

F. Physical therapy services, \$2;

G. Occupational therapy services, \$2;

H. Speech therapy services, \$2;

I. Podiatry services, \$2;

J. Psychologist services, \$2; and

K. Chiropractic services, \$2.

The department may adopt rules to adjust the copayments set forth in this subsection. The rules may adjust amounts to ensure that copayments are deemed nominal in amount and may include monthly limits or exclusions per service category. The need to maintain provider participation in the Medicaid program to the extent required by 42 United States Code, Section 1392(a)(30)(A) or any successor provision of law must be considered in any reduction in reimbursement to providers or imposition of copayments.

**Sec. C-9. 22 MRSA §3190**, as amended by PL 1989, c. 875, Pt. E, §40, is repealed.

**Sec. C-10. 26 MRSA §1191, sub-§7, ¶¶A and B**, as enacted by PL 1981, c. 548, §1, are amended to read:

A. An individual filing a new claim for unemployment compensation on and after October 1, 1982; shall, at the time of filing the claim, disclose whether or not the individual owes child support obligations as defined under paragraph G. ~~If any such an individual discloses that he that individual~~ owes child support obligations; and is determined to be eligible for unemployment compensation, the commissioner shall notify the state or local child support enforcement agency enforcing the obligation that the individual has been determined to be eligible for unemployment compensation.

The state or local child support enforcement agency shall biweekly provide the commissioner by magnetic tape or other automated process with identification of individuals who owe child support obligations as defined under paragraph G.

B. Notwithstanding any other provisions of this chapter, the commissioner shall deduct and withhold from any unemployment compensation payable to an individual who owes child support obligations ~~as defined and who has been reported under paragraph G A:~~

~~(1) The amount specified by the individual to the commissioner to be deducted and withheld under this subsection. Amounts in excess of income exempt under Title 19, section 502, if neither subparagraph (2) nor subparagraph (3) is applicable applies;~~

(2) The amount, if any, determined pursuant to an agreement submitted to the commissioner under the United States Social Security Act, Section 454 (20) (B) (i), by the state or local child support enforcement agency, unless subparagraph (3) ~~is applicable applies;~~ or

(3) Any amount otherwise required to be so deducted and withheld from the unemployment compensation pursuant to legal process, as that term is defined in the United States Social Security Act, Section 462 (e), properly served upon the commissioner, whether or not the individual has been reported under paragraph A.

**Sec. C-11. Medically needy projected income level.** Notwithstanding the Maine Revised Statutes, Title 22, section 3174, effective March 1, 1993 for the balance of fiscal year 1992-93, the medically needy protected income level may not be less than the level in effect on February 1, 1993.

**Sec. C-12. Adoption of rules.** Notwithstanding any other provision of law, the Department of Human Services is authorized to adopt rules, in the most expeditious manner possible, that authorize a reduction to the mileage reimbursement to Medicaid transportation service providers by 1¢ per mile.

**Sec. C-13. Effective date.** Section 11 of this Part takes effect April 1, 1993.

**Sec. C-14. Retroactivity.** Section 4 of this Part applies retroactively to January 1, 1993.

## PART D

**Sec. D-1. 5 MRSA §1513, sub-§1-B** is enacted to read:

**1-B. Transfer from the Rainy Day Fund.** Notwithstanding subsection 2 and section 1585, in fiscal year 1992-93 an amount not to exceed \$250,000 may be transferred from the available balance in the Rainy Day Fund to the "Capital Construction, Repairs, Improvements - Administration" program and allotted by financial order, upon the approval of the Governor, to be used for emergency capital repairs to state facilities and the State Controller is authorized to transfer \$250,000 from the available balance in the Rainy Day Fund to the unappropriated surplus of the General Fund no later than June 30, 1993.

**Sec. D-2. 36 MRSA §4641-B, last ¶**, as corrected by RR 1991, c. 2, §135, is amended to read:

For the period beginning November 1, 1991 and ending June 30, 1992, the State Tax Assessor shall pay all net receipts to the Treasurer of State who shall credit all such revenue to the General Fund. For the period beginning July 1, 1992 and ending ~~June 30~~ January 31, 1993, the State Tax Assessor shall pay all net receipts to the Treasurer of State, who shall pay ~~\$1,500,000~~ \$875,000 of the revenues to the Maine State Housing Authority in ~~12~~ 7 equal monthly installments for deposit in the Hous-



ing Opportunities for Maine Fund created in Title 30-A, section ~~4843~~ 4853, and shall credit the balance of the revenues to the General Fund. For the period beginning February 1, 1993 and ending June 30, 1993, the State Tax Assessor shall pay all net receipts to the Treasurer of State who shall credit all such revenue to the General Fund. This paragraph is repealed June 30, 1993.

**Sec. D-3. Transfer of funds.** Notwithstanding any other provision of law, \$328,304 must be transferred from the Property Tax Relief Reserve account in the Department of Administrative and Financial Services to General Fund unappropriated surplus on or before June 30, 1993.

**Sec. D-4. Appropriation.** Notwithstanding the Maine Revised Statutes, Title 5, section 1513, subsection 2, the following sums are appropriated from the General Fund to carry out the purposes of this Act.

1992-93

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Rainy Day Fund Program**

Unallocated (\$271,696)

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL**

(271,696)

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

**Administration - Maine Emergency Management Agency**

All Other 600,000

Provides for the appropriation of funds for reimbursement of the State's matching portion of local disaster relief. The Maine Emergency Management Agency shall reimburse municipalities as their first priority before reimbursements are made to state agencies.

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

600,000

**TOTAL APPROPRIATIONS**

\$328,304

**Sec. D-5. Retroactivity.** Section 2 of this Part applies retroactively to January 31, 1993.

**PART E**

**Sec. E-1. Appropriation.** There are appropriated from the General Fund for the fiscal year ending June 30, 1993, to the departments listed, the following sums.

1992-93

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Executive Departments and Agencies**

Personal Services \$2,194,054

Provides for the appropriation of funds from savings in the cost of health insurance pursuant to Public Law 1991, chapter 591, Part P, section 21.

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL**

2,194,054

**JUDICIAL DEPARTMENT**

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

Personal Services (289,062)

Provides for the deappropriation of funds from savings in the cost of health insurance pursuant to Public Law 1991, chapter 591, Part P, section 21.

**Indigent Defense**

Personal Services (1,106)

Provides for the deappropriation of funds from savings in the cost of health insurance pursuant to Public Law 1991, chapter 591, Part P, section 21.

**State Court Library Committee**

Personal Services (649)

Provides for the deappropriation of funds from

savings in the cost of health insurance pursuant to Public Law 1991, chapter 591, Part P, section 21.

**JUDICIAL DEPARTMENT  
TOTAL**

(290,817)

**LAW AND LEGISLATIVE REFER-  
ENCE LIBRARY**

**Law and Legislative Reference Library**

Personal Services (11,894)

Provides for the deappropriation of funds from savings in the cost of health insurance pursuant to Public Law 1991, chapter 591, Part P, section 21.

**LAW AND LEGISLATIVE  
REFERENCE LIBRARY  
TOTAL**

(11,894)

**LEGISLATURE**

**Legislature**

Personal Services (291,343)

Provides for the deappropriation of funds from savings in the cost of health insurance pursuant to Public Law 1991, chapter 591, Part P, section 21.

**LEGISLATURE  
TOTAL**

(291,343)

**SECTION E-1  
TOTAL APPROPRIATIONS**

1,600,000

**Sec. E-2. Transfer of funds.** The Maine State Retirement System shall transfer \$1,000,000 from the surplus in the State Retiree Health Insurance Fund and the State Retired Teachers' Health Insurance Fund to the Retirement Allowance Fund. The Director of the Maine State Retirement System shall notify the State Controller of the transfer by July 1, 1993. The State Controller shall reduce the payments to the Maine State Retirement System in July 1993 by the same \$1,000,000 that must be transferred by the State Controller to the Blue Cross and Blue Shield Withholding Fund on or before July 31, 1993. The June 1993 payment to Blue Cross and Blue Shield of Maine or the insurance carrier of record as of that date must be reduced by \$1,000,000 and transferred by the State Controller from the Blue Cross and

Blue Shield Withholding Fund to the General Fund on or before June 30, 1993. The July 1993 payment to Blue Cross and Blue Shield of Maine must be increased by \$1,000,000.

**Sec. E-3. Calculation and transfer.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the State Budget Officer shall calculate the amount in sections 4 and 5 of this Part that applies against each Other Special Revenue and enterprise fund account for all departments and agencies based on the proportionate share of employer paid health insurance in Personal Services allocations of the affected accounts and transfer the calculated amounts to the General Fund as undedicated revenue on a periodic basis, but not later than June 30, 1993.

**Sec. E-4. Allocation.** The following funds are allocated from the Other Special Revenue fund to carry out the purposes of this Part.

1992-93

**ADMINISTRATIVE AND FINANCIAL  
SERVICES, DEPARTMENT OF**

**Departments and Agencies - Statewide**

Personal Services (471,161)

Provides for the deallocation of funds from savings in the cost of health insurance pursuant to Public Law 1991, chapter 591, Part P, section 21.

**SECTION E-4  
TOTAL ALLOCATIONS**

(471,161)

**Sec. E-5. Allocation.** The following funds are allocated from the various enterprise funds to carry out the purposes of this Part.

1992-93

**ADMINISTRATIVE AND FINANCIAL  
SERVICES, DEPARTMENT OF**

**Departments and Agencies - Statewide**

Personal Services (128,839)

Provides for the deallocation of funds from savings in the cost of health insurance pursuant to Public Law 1991, chapter 591, Part P, section 21.

**SECTION E-5  
TOTAL ALLOCATIONS**

(\$128,839)

**PART F**

**Sec. F-1. PL 1991, c. 591, Pt. II, §4, in that part designated "FINANCE, DEPARTMENT OF" in that part relating to Executive Branch Departments and Independent Agencies - Statewide, is amended by adding at the end a new sentence to read:**

For fiscal year 1992-93 only, in the event the State Budget Officer determines there is insufficient data to calculate the distribution, the State Budget Officer is authorized to distribute the \$180,000 based on the allotment for grants to public and private organizations within each executive department or independent agency calculated as a percentage to the total allotment for grants to public and private organizations for those same executive departments or independent agencies in fiscal year 1992-93.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

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

All Other 1992-93  
\$250,000

Provides for the appropriation of funds for lease consolidation savings that can not be achieved in accordance with Public Law 1991, chapter 591, Part QQ.

**Departments and Independent Agencies - Statewide**

Personal Services 164,127

Provides for the appropriation of funds for the 3% reduction of salaries for all employees with an adjusted salary in excess of \$50,000 in the executive branch of State Government that can not be completely offset in accordance with Public Law 1991, chapter 780, Part III.

**Departments and Independent Agencies - Statewide**

Personal Services 54,063

Provides for the appropriation of funds for the 2% reduction of salaries for all employees with an adjusted salary in excess of \$50,000 in the executive branch of State Government that can not be completely offset in accordance with Public Law 1991, chapter 780, Part III.

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL**

\$468,190

**PART G**

**Sec. G-1. Transfer of funds required.** Notwithstanding the Maine Revised Statutes, Title 38, section 569-A, \$1,385,730 must be transferred from the Underground Oil Storage Replacement Fund account of the Finance Authority of Maine to the General Fund as undedicated revenue no later than June 30, 1993.

**PART H**

**Sec. H-1. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585, for fiscal year 1992-93 only, the balance of funds appropriated to the All Other line category of the Community Correctional Service account in the Department of Corrections, which becomes available as a result of reductions to contracts with group homes receiving reimbursement funds from Medicaid or other 3rd-party payors, must be transferred to the Personal Services line category of the Maine Youth Center account in the Department of Corrections prior to June 30, 1993. The amount to be transferred may not exceed \$300,000 in any circumstance.

**Sec. H-2. Transfer of funds.** Notwithstanding any other provision of law, \$255,000 must be transferred from the Bureau of Medical Services, Other Special Revenue account in the Department of Human Services to the General Fund undedicated revenue by June 30, 1993.

**Sec. H-3. Transfer of funds.** Notwithstanding any other provision of law, \$320,000 must be transferred from the Intermediate Care Services, Other Special Revenue account in the Department of Human Services to the General Fund undedicated revenue by June 30, 1993.

**Sec. H-4. Transfer of funds.** Notwithstanding any other provision of law, \$50,000 must be transferred from the Occupational Safety Loan account in the Department of Labor to the General Fund undedicated revenue by June 30, 1993.

**Sec. H-5. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 34-B, section 1215, \$56,404 must be transferred from the Supplemental Security Income Assistance Program of the Department of Mental Health and Mental Retardation to the General Fund undedicated revenue by June 30, 1993.

**Sec. H-6. Transfer of funds.** Notwithstanding any other provision of law, \$200,000 must be transferred from the Licensing and Enforcement - Beano Games account in the Department of Public Safety to the General Fund undedicated revenue by June 30, 1993.

**PART I**

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

1992-93

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Salary Plan**

Personal Services (\$100,000)

Provides for the deappropriation of funds from savings to be generated through a hiring freeze. The State Budget Officer shall report to the Joint Standing Committee on Appropriations and Financial Affairs no later than April 15, 1993 with a plan to distribute available savings.

**PART J**

**Sec. J-1. 3 MRSA §162-A, first ¶,** as amended by PL 1987, c. 769, Pt. A, §2, is further amended to read:

Notwithstanding any other provisions of law, the salaries of the following legislative officials ~~shall be~~ are at the salary ranges indicated in this section. ~~At~~ Except as provided below, at the time of initial appointment; the salary of each of these officials ~~shall~~ may be set at Step A ~~and, in no case, may it exceed~~ or Step B, ~~but no higher than Step B,~~ of their respective ranges, except that any employees of the office of the Secretary of the Senate or the office of the Clerk of the House of Representatives at the time of initial appointment must have their salary set at a step within their respective salary range so that no loss of gross pay is experienced by those employees. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

**PART K**

**Sec. K-1. 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 \$698,072 of health insurance premium dividends currently on deposit with Blue Cross and Blue Shield of Maine. The dividends and surplus funds include the General Fund and ancillary funds not otherwise estimated under Public Law 1991, chapter 591 and Public Law 1991, chapter 671. This money must be deposited to the General Fund as undedicated revenue by June 30, 1993.

**PART L**

**Sec. L-1. PL 1991, c. 780, Pt. KKK, §1** is amended by adding before the last sentence a new sentence to read:

In addition, the amount of funds allocated as a part of a trust for certain legally designated purposes is excepted from this calculation.

**Sec. L-2. PL 1991, c. 780, Pt. KKK, §8, under the caption "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF," the part related to Departments and Agencies - Statewide, first line** is amended to read:

Unallocated	(\$540,000)
	<u>(\$319,045)</u>

**Sec. L-3. PL 1991, c. 780, Pt. KKK, §9, under the caption "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF," the part related to Departments and Agencies - Statewide, first line** is amended to read:

Unallocated	(\$171,000)
	<u>(\$146,681)</u>

**PART M**

**Sec. M-1. University of Maine System borrowing.** Notwithstanding the review requirements of the Maine Revised Statutes, Title 20-A, section 10952, subsection 7, the University of Maine System is authorized to borrow money at its earliest convenience in order to finance the projects described in a letter dated February 1, 1993 from the University of Maine System to the legislative Office of Fiscal and Program Review. Nothing in this section may be construed to authorize the University of Maine System to exceed the \$27,000,000 limit on the aggregate principal amount established in Title 20-A, section 10952, subsection 7.

PART N

1992-93

**Sec. N-1. 5 MRSA §1583-A**, as enacted by PL 1991, c. 780, Pt. OO, §1, is amended to read:

**§1583-A. Creation of positions**

**1. Prohibition.** Notwithstanding any other provision of law, positions that are intended to be ongoing may not be created with any state or federal funds, including internal service funds, unless funds are specifically appropriated or allocated by the Legislature. Limited-period, project or any other positions with specific end dates may not be established by financial order when the Legislature is not in session, unless a grant that has been received specifies that a position or positions must be established.

**Sec. N-2. Termination of positions.** Any positions that were created by financial order during fiscal year 1992-93 and that were requested to be continued in emergency legislation presented to the First Regular Session of the 116th Legislature are terminated, effective on their respective end dates on or about April 30, 1993.

PART O

**Sec. O-1. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 5, section 1507, the State Controller is authorized to transfer \$100,000 from the State Contingent Account to the unappropriated surplus of the General Fund no later than June 30, 1993.

PART P

**Sec. P-1. General Fund lapsed balances.** The unencumbered balances in the following accounts must lapse to the unappropriated surplus of the General Fund on June 30, 1993: \$359,725 in the Low-income Tax Relief Supplement account and \$50,000 in the Reserve Account Telecommunication account of the Department of Administrative and Financial Services; \$205,398 in the Job Training Partnership Fund account of the Department of Labor; \$53,409 in the Weatherization and Repair account of the Executive Department; and \$6,129 in the Health Insurance Subsidy Program account; \$21,995 in the Drugs to Maine's Elderly Supplement account and \$44,864 in the Head Start account of the Department of Human Services.

PART Q

**Sec. Q-1. Appropriation.** There are appropriated from the General Fund for the fiscal year ending June 30, 1993, to the departments listed, the following sums.

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

**Agricultural Production**

Positions - Legislative Count	(-1.0)
Personal Services	(\$5,000)

Provides for the deappropriation of funds from the elimination of one Assistant Horticulturist position.

**Agricultural Production**

Positions - Legislative Count	(-0.5)
Personal Services	(5,000)

Provides for the deappropriation of funds from the transfer of 1/2 of one Veterinarian Supervisor position to the Agricultural Production (Animal Welfare) dedicated account.

**Marketing Services - Agriculture**

Personal Services	(800)
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Provides for the deappropriation of funds from changing one full-time Planning and Research Associate II position to one 35-hour-per-week part-time Planning and Research Associate II position.

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

<b>TOTAL</b>	(10,800)
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**CONSERVATION, DEPARTMENT OF**

**Administrative Services - Conservation**

Positions - Legislative Count	(-0.5)
Personal Services	(4,132)
All Other	(225)

<b>TOTAL</b>	(4,357)
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Provides for the deappropriation of funds from

the transfer of one 1/2-time Property Officer position and related expenses to the Administrative Services - Conservation program, dedicated fund.

**DEPARTMENT OF CONSERVATION**  
**TOTAL** (4,357)

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

**Administration - Defense and Veterans' Services**

Personal Services (8,100)

Provides for the deappropriation of funds related to 50% federal funding of one Accountant III position under the comprehensive cooperative agreement.

**Military Training and Operations**

Positions - Legislative Count (-1.0)  
Personal Services (7,210)

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

**DEPARTMENT OF DEFENSE AND VETERANS' SERVICES**  
**TOTAL** (15,310)

**EDUCATION, DEPARTMENT OF**

**Adult Education**

Personal Services (25,732)

Provides for the deappropriation of funds from savings in the Director, Secondary Vocational Education position. The incumbent in this position currently is serving on an acting capacity basis.

**Administration - Applied Technology**

Personal Services (46,555)

Provides for the deappropriation of funds from savings due to a vacancy in the

position of Associate Commissioner, Bureau of Applied Technology and Adult Learning.

**Instruction - Bureau of**

Positions - Legislative Count (-1.0)  
Personal Services (17,605)

Provides for the deappropriation of funds from the elimination of one Administrative Secretary position.

**DEPARTMENT OF EDUCATION**  
**TOTAL** (89,892)

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Air Quality Control**

Positions - Legislative Count (-2.0)  
Personal Services (21,364)

Provides for the deappropriation of funds from the transfer of one Environmental Specialist IV position and one Data Control Specialist position to the Air Quality Control program, federal fund.

**Lake Restoration and Protection Fund**

Positions - Legislative Count (-1.5)  
Personal Services (20,159)

Provides for the deappropriation of funds from the elimination of one 1/2-time Clerk Typist II position and one Biologist I position.

**Oil and Hazardous Materials Control**

Positions - Legislative Count (-1.0)  
Personal Services (11,729)

Provides for the deappropriation of funds from the elimination of one Civil Engineer I position.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**TOTAL** (53,252)

**EXECUTIVE DEPARTMENT**

**Maine Science and Technology Commission**

Positions - Legislative Count (-0.5)  
Personal Services (9,172)

Provides for the deappropriation of funds from the elimination of one 1/2-time Accountant I position.

**Planning Office**

Positions - Legislative Count (-3.0)  
Personal Services (44,046)

Provides for the deappropriation of funds from the elimination of one Director of Energy Policy and Planning position, one Planning and Research Associate I position and one Deputy Director position.

**EXECUTIVE DEPARTMENT TOTAL**

(53,218)

**LIBRARY, MAINE STATE**

**Library Development Services**

Positions - Legislative Count (-5.0)  
Personal Services (42,852)

Provides for the deappropriation of funds through accelerating proposed position shifts to federal expenditures by March 1, 1993.

**Reader and Information Services - Library**

Positions - Legislative Count (-2.0)  
Personal Services (22,148)

Provides for the deappropriation of funds through accelerating proposed position shifts to federal expenditures by March 1, 1993.

**MAINE STATE LIBRARY TOTAL**

(65,000)

**PUBLIC SAFETY, DEPARTMENT OF**

**Capitol Security - Bureau of**

Positions - Legislative Count (-0.5)  
Personal Services (8,404)

Provides for the deappropriation of funds from the reduction of one full-time Capitol Security Police Officer position to part-time.

**Liquor Enforcement**

Positions - Legislative Count (-1.0)  
Personal Services (33,176)

Provides for the deappropriation of funds from the elimination of one Liquor Enforcement Officer I position.

**DEPARTMENT OF PUBLIC SAFETY TOTAL**

(41,580)

**SECTION Q-1 TOTAL APPROPRIATIONS**

(\$333,409)

**Sec. Q-2. Allocation.** The following funds are allocated from the Federal Expenditure Fund for the fiscal year ending June 30, 1993 to carry out the purposes of this Part.

**1992-93**

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Air Quality Control**

Positions - Other Count (2.0)  
Personal Services 21,364  
All Other 539

**TOTAL** 21,903

Provides for the allocation of funds through the transfer of one Environmental Specialist IV position and one Data Control Specialist position from the Air Quality Control program, General Fund.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL**

21,903

**LIBRARY, MAINE STATE**

**Library Development Services**

Positions - Other Count (4.0)

Provides headcount for positions transferred from the General Fund.

**MAINE STATE LIBRARY**  
**TOTAL** \_\_\_\_\_ -0-

**SECTION Q-2**  
**TOTAL ALLOCATIONS** \_\_\_\_\_ \$21,903

**Sec. Q-3. Allocation.** The following funds are allocated from Other Special Revenue for the fiscal year ending June 30, 1993 to carry out the purposes of this Part.

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

**Agricultural Production**

Personal Services \$5,000

Provides for the allocation of funds from the transfer of 1/2 of one Veterinarian Supervisor position from the Agricultural Production General Fund account.

**DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES**  
**TOTAL** \_\_\_\_\_ 5,000

**CONSERVATION, DEPARTMENT OF**

**Administrative Services - Conservation**

Positions - Other Count (0.5)  
Personal Services 4,132  
All Other 225

**TOTAL** \_\_\_\_\_ 4,357

Provides for the allocation of funds from the transfer of one 1/2-time Property Officer position and related expenses from the Administrative Services - Conservation program, General Fund.

**DEPARTMENT OF CONSERVATION**  
**TOTAL** \_\_\_\_\_ 4,357

**SECTION Q-3**  
**TOTAL ALLOCATIONS** \_\_\_\_\_ \$9,357

**PART R**

**Sec. R-1. Appropriations.** There are appropriated from the General Fund for the fiscal year ending June 30, 1993, to the departments listed, the following sums.

**1992-93**

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Accounts and Control - Bureau of**

Personal Services (\$37,508)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Budget - Bureau of the**

Personal Services (85,012)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Independent Audit - Administration and Financial**

All Other (72,890)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Purchases - Division of**

Personal Services (9,047)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Taxation - Bureau of**

Personal Services (211,000)

Provides for the deappropriation of funds through projected end-of-the-year savings.



**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**  
**TOTAL**

(415,457)

**ANIMAL WELFARE BOARD**

**Animal Welfare**

Personal Services (14,886)  
 All Other (20,503)

**TOTAL** (35,389)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**ANIMAL WELFARE BOARD TOTAL**

(35,389)

**ATTORNEY GENERAL, DEPARTMENT OF**

**Administration - Attorney General**

Personal Services (22,786)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Human Services Division**

Personal Services (38,797)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**DEPARTMENT OF THE ATTORNEY GENERAL TOTAL**

(61,583)

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

**Administration - Defense and Veterans' Services**

Personal Services (2,091)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Military Training and Operations**

Personal Services (52,217)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Veterans' Memorial Cemetery**

Personal Services (1,193)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Veterans' Services**

Personal Services (14,292)

Provides for the deappropriation of funds through projected end-of-the-year savings.

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

(69,793)

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**International Commerce**

Personal Services (10,000)  
 All Other (7,409)

**TOTAL** (17,409)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Maine Small Business Commission**

All Other (4,089)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL**

(21,498)

**EDUCATION, DEPARTMENT OF****Assessment Of Student Performance**

Personal Services (1,546)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Certification, Placement and Teacher Education**

Personal Services (1,811)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Finance - Education**

Personal Services (1,839)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Higher Education Services**

Personal Services (9,757)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Nutrition Program - Local Schools**

Personal Services (6,244)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Vocational Training - Program Services**

Personal Services (6,796)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**DEPARTMENT OF EDUCATION TOTAL**

(27,993)

**HUMAN SERVICES, DEPARTMENT OF****Administration - Human Services**

Personal Services (142,177)  
Capital Expenditures (11,678)

TOTAL (153,855)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Administration - Regional - Human Services**

Personal Services (33,760)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Administration - Social Services**

Personal Services (160,389)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Child Welfare Services**

Personal Services (50,944)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Cystic Fibrosis - Treatment of**

All Other (4,874)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**Elder and Adult Services - Bureau of**

Personal Services (37,984)  
Capital Expenditures (8)

TOTAL (37,992)

Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Low-cost Drugs To Maine's Elderly</b>	
All Other	(214)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Head Start</b>	
All Other	(4,617)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Health - Bureau of</b>	
Personal Services	(227,038)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Health Planning and Development</b>	
Personal Services	(71,218)
All Other	(41,988)
<b>TOTAL</b>	<hr style="width: 20%; margin-left: 0;"/> (113,206)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Maine Health Program</b>	
All Other	(1,466,211)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Income Maintenance - Regional</b>	
Personal Services	(819,292)
Provides for the deappropriation of funds through projected end-of-the-year savings.	

<b>Long-term Care - Human Services</b>	
Personal Services	(14,816)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Medical Care Administration</b>	
Personal Services	(432,497)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Social Services - Regional</b>	
Personal Services	(431,374)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>Special Children's Services</b>	
All Other	(5,218)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>DEPARTMENT OF HUMAN SERVICES TOTAL</b>	<hr style="width: 20%; margin-left: 0;"/> (3,956,297)
<b>LABOR, DEPARTMENT OF Occupational Information Coordination</b>	
Personal Services	(25,000)
Provides for the deappropriation of funds through projected end-of-the-year savings.	
<b>DEPARTMENT OF LABOR TOTAL</b>	<hr style="width: 20%; margin-left: 0;"/> (25,000)
<b>LIBRARY, MAINE STATE Library Development Services</b>	
All Other	(3,841)

Provides for the deappropriation of funds through projected end-of-the-year savings.		<b>Banking - Bureau of</b>	
<b>Reader and Information Services</b>		Personal Services	(18,255)
All Other	(6,364)	Provides for the deappropriation of funds through projected end-of-the-year savings.	
Provides for the deappropriation of funds through projected end-of-the-year savings.		<b>DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL</b>	<hr/> (18,255)
<b>MAINE STATE LIBRARY TOTAL</b>	<hr/> (10,205)	<b>SECRETARY OF STATE, DEPARTMENT OF THE</b>	
<b>MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF</b>		<b>Administration - Archives</b>	
<b>Administration - Mental Health and Mental Retardation</b>		All Other	(1,000)
All Other	(17,804)	Provides for the deappropriation of funds through projected end-of-the-year savings.	
Provides for the deappropriation of funds as an offset to the recent affirmative vote for an appropriation to this account.		<b>Bureau of Administrative Services and Corporations</b>	
<b>Food for Institutions - Mental Health and Mental Retardation</b>		All Other	(6,000)
All Other	(49,550)	Provides for the deappropriation of funds through projected end-of-the-year savings.	
Provides for the deappropriation of funds through projected end-of-the-year savings.		<b>Elections and Commissions</b>	
<b>Medicaid Services - Mental Retardation</b>		All Other	(60,000)
All Other	(300,000)	Provides for the deappropriation of funds through projected end-of-the-year savings.	
Provides for the deappropriation of funds as an offset to the recent affirmative vote for an appropriation for state match.		<b>DEPARTMENT OF THE SECRETARY OF STATE TOTAL</b>	<hr/> (67,000)
<b>DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL</b>	<hr/> (367,354)	<b>TRANSPORTATION, DEPARTMENT OF</b>	
<b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</b>		<b>Railroad Assistance Program</b>	
		Personal Services	(5,553)
		Provides for the deappropriation of funds through projected end-of-the-year savings.	

**DEPARTMENT OF  
TRANSPORTATION  
TOTAL**

(5,553)

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

**Educational and General Activities -  
University of Maine**

All Other (50,000)

Provides for the deappropriation of funds through projected end-of-the-year savings.

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

(50,000)

**WORKERS' COMPENSATION COM-  
MISSION**

**Workers' Compensation Commission**

All Other (150,000)

Provides for the deappropriation of funds through projected end-of-the-year savings.

**WORKERS' COMPENSATION  
COMMISSION  
TOTAL**

(150,000)

**SECTION R-1  
TOTAL APPROPRIATIONS**

(\$5,281,377)

**PART S**

**Sec. S-1. 12 MRSA §7910, sub-§12**, as enacted by PL 1989, c. 918, Pt. D, §16, is repealed.

**Sec. S-2. 12 MRSA §7910, sub-§13** is enacted to read:

**13. Nonlapsing appropriations.** All General Fund appropriations to the department may not lapse but must be carried forward and expended for the purposes for which the appropriations were made.

**Sec. S-3. Effective date.** Section 1 of this Part takes effect on June 30, 1994.

**PART T**

**Sec. T-1. Authorization.** Notwithstanding any other provision of law, the Department of Human Services shall take the following actions.

1. The department may defer until July 15, 1993 any hospital payment due pursuant to compliance and settlement orders issued by the Maine Health Care Finance Commission between February 1, 1993 and June 1, 1993 and any payments due pursuant to revisions or adjustments to 8th-payment-year revenue limit obligations issued by the Maine Health Care Finance Commission.

2. The department shall aggressively pursue a waiver or waivers with the federal Health Care Financing Administration, referred to in this Part as "HCFA," that would lower reimbursement rates to nursing homes in fiscal year 1992-93 and thereafter to levels comparable to the reimbursement rates currently in effect in the State of Rhode Island. The waiver or waivers applied for or received pursuant to this section are referred to in this Part as the "HCFA waiver." An affirmative response from HCFA authorizes the department, without further legislative action and without any requirement to adopt rules, to initiate immediate and prospective reductions to the "Intermediate Care - Payments to Providers" programs as described in sections 4 and 5 of this Part.

3. If at any time between the effective date of this Act and June 1, 1993 the HCFA waiver requested by the department in subsection 2 is granted, the provisions of sections 4 and 5 of this Part take effect and the department shall transfer funds appropriated to the "Department Contingency" program, established in sections 6 and 7 of this Part, to the "Medical Care - Payment to Providers" program so as to allow any and all hospital payment deferrals authorized in subsection 1 and sections 2 and 3 of this Part to be repaid or negated. If at any time between the effective date of this Act and June 1, 1993 the HCFA waiver requested by the department in subsection 2 is denied, the provisions of sections 4 and 5 of this Part do not take effect and the department shall transfer funds appropriated to the "Department Contingency" program, established in sections 6 and 7 of this Part, to the "Intermediate Care - Payment to Providers" program so as to ensure that nursing home payments planned for the balance of fiscal year 1992-93 are made.

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

1992-93

**HUMAN SERVICES, DEPARTMENT  
OF**

**Medical Care - Payments to Providers**

All Other (\$4,400,000)

Provides for the deappropriation of funds in order to defer certain hospital

payments as authorized in section 1, subsection 1 of this Part.

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

1992-93

**HUMAN SERVICES, DEPARTMENT OF**

**Medical Care - Payments to Providers**

All Other (\$7,121,341)

Provides for the deallocation of funds in order to defer certain hospital payments as authorized in section 1, subsection 1 of this Part.

**Sec. T-4. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1992-93

**HUMAN SERVICES, DEPARTMENT OF**

**Intermediate Care - Payments to Providers**

All Other (\$4,400,000)

Provides for the deappropriation of funds in order to reduce certain nursing home payments as authorized in section 1, subsection 2 of this Part.

**Sec. T-5. Allocation.** The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Part.

1992-93

**HUMAN SERVICES, DEPARTMENT OF**

**Intermediate Care - Payments to Providers**

All Other (\$7,121,341)

Provides for the deallocation of funds in order to reduce certain nursing home payments as authorized in section 1, subsection 2 of this Part.

**Sec. T-6. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1992-93

**HUMAN SERVICES, DEPARTMENT OF**

**Department Contingency**

All Other \$4,400,000

Provides funds to be transferred to offset the reductions in section 2 or 4 of this Part in accordance with the provisions of section 1, subsection 3 of this Part. These funds may not lapse but must be carried forward until June 30, 1994.

**Sec. T-7. Allocation.** The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Part.

1992-93

**HUMAN SERVICES, DEPARTMENT OF**

**Department Contingency**

All Other \$7,121,341

Provides funds to be transferred to offset the reductions in section 3 or 5 of this Part in accordance with the provisions of section 1, subsection 3 of this Part.

**PART U**

**Sec. U-1. Transfer of funds.** Pursuant to section 4 of this Part, notwithstanding the Maine Revised Statutes, Title 5, sections 1728-A to 1736, or any other provision of law, the Commissioner of Administrative and Financial Services is authorized to transfer \$2,956,536 from the reserve fund for self-insured retention losses to the unappropriated surplus of the General Fund between June 15, 1993 and June 30, 1993.

**Sec. U-2. Repayment of transfer.** General Fund repayment of the \$2,956,536 transfer authorized in section 1 of this Part must be made no later than September 30, 1993.

**Sec. U-3. Proposal to further reduce General Fund appropriations in fiscal year 1992-93.** The Commissioner of Administrative and Financial Services

shall present a proposal to the Joint Standing Committee on Appropriations and Financial Affairs that further reduces General Fund appropriations in fiscal year 1992-93 by at least \$2,956,536 no later than April 15, 1993.

**Sec. U-4. Transfer provision.** Sections 1 and 2 of this Part take effect only if the Legislature has not enacted legislation that further reduces General Fund appropriations by at least \$2,956,536 by June 14, 1993.

**PART V**

**Sec. V-1. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 22, section 391, the State Controller is authorized to transfer \$50,000 from Other Special Revenue of the Maine Health Care Finance Commission to the General Fund as undedicated revenue no later than June 30, 1993.

**Sec. V-2. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 35-A, section 116, or any other provision of law, \$50,000 must be transferred from the Public Utilities Commission Regulatory Fund to the General Fund undedicated revenue by June 30, 1993.

**PART W**

**Sec. W-1. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 5, section 1507, the State Controller is authorized to transfer \$100,000 from the State Contingent Account to the unappropriated surplus of the General Fund no later than June 30, 1993.

**PART X**

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

1992-93

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**Human Services Division**

Personal Services	(\$30,000)
Provides for the deappropriation of available funds.	

**DEPARTMENT OF THE ATTORNEY GENERAL TOTAL**

(30,000)

**CORRECTIONS, DEPARTMENT OF**

**Probation and Parole**

Personal Services	(50,000)
Provides for the deappropriation of available funds.	

**Food - Maine Youth Center**

All Other	(50,000)
Provides for the deappropriation of available funds.	

**DEPARTMENT OF CORRECTIONS TOTAL**

(100,000)

**EDUCATION, DEPARTMENT OF**

**Curriculum - Education**

All Other	(50,000)
Provides for the deappropriation of available funds.	

**DEPARTMENT OF EDUCATION TOTAL**

(50,000)

**HUMAN SERVICES, DEPARTMENT OF**

**Aid to Families with Dependent Children**

All Other	2,601,000
Provides for the appropriation of funds to offset a deappropriation in Part A, section 1 of this Act.	

**Aid to Families with Dependent Children**

All Other	(375,000)
Provides for the deappropriation of funds by reducing all aid to families with dependent children payments by approximately 4% effective April 1, 1993.	

**Aid to Families with Dependent Children**

All Other	(100,000)
Provides for the deappropriation of funds to	

reduce the supplemental appropriation in Part A, section 1 of this Act.		<b>LEGISLATURE</b>	
<b>Income Maintenance - Administration</b>		<b>Legislature</b>	
Personal Services	(125,000)	All Other	(46,000)
Provides for the deappropriation of available funds.		Provides for the deappropriation of available funds.	
<b>General Assistance</b>		<b>LEGISLATURE TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin: 0;"/> (46,000)
All Other	(100,000)	<b>MAINE MARITIME ACADEMY</b>	
Provides for the deappropriation of available funds.		<b>Maine Maritime Academy</b>	
<b>General Assistance</b>		All Other	(100,000)
All Other	(300,000)	Provides for the deappropriation of available funds.	
Provides for the deappropriation of funds due to the availability of Stripper Well Fund revenues.		<b>MAINE MARITIME ACADEMY TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin: 0;"/> (100,000)
<b>Family Services Program</b>		<b>MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF</b>	
All Other	(150,000)	<b>Pineland Center</b>	
Provides for the deappropriation of available funds.		All Other	(100,000)
<b>Welfare Employment, Education and Training</b>		Provides for the deappropriation of available funds.	
All Other	(125,000)	<b>DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin: 0;"/> (100,000)
Provides for the deappropriation of available funds.		<b>TRANSPORTATION, DEPARTMENT OF</b>	
<b>Rehabilitation - Bureau of Vocational Rehabilitation</b>		<b>Railroad Assistance Program</b>	
All Other	(50,000)	Personal Services	(30,834)
Provides for the deappropriation of available funds.		All Other	(19,166)
<b>DEPARTMENT OF HUMAN SERVICES TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin: 0;"/> 1,276,000	Provides for the deappropriation of available funds.	
		<b>DEPARTMENT OF TRANSPORTATION TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin: 0;"/> (50,000)
		<b>UNIVERSITY OF MAINE SYSTEM</b>	



**Educational and General Activities**

All Other (300,000)

Provides for the deappropriation of funds. It is the intent of the Legislature that spending reductions in the Chancellor's office be made as the highest priority to meet this deappropriation.

**UNIVERSITY OF MAINE SYSTEM TOTAL** (300,000)

**SECTION X-1 TOTAL APPROPRIATIONS** \$500,000

**Sec. X-2. Allocation.** The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Part.

1992-93

**HUMAN SERVICES, DEPARTMENT OF**

**Aid to Families with Dependent Children**

All Other \$4,209,683

Provides for the allocation of funds to offset a deappropriation in Part A, section 1 of this Act.

**Aid to Families with Dependent Children**

All Other (606,932)

Provides for the deallocation of funds by reducing all aid to families with dependent children payments by approximately 4% effective April 1, 1993.

**Aid to Families with Dependent Children**

All Other (161,849)

Provides for the deallocation of funds to reduce the supplemental allocation in Part A, section 2 of this Act.

**DEPARTMENT OF HUMAN SERVICES TOTAL** 3,440,902

**SECTION X-2 TOTAL ALLOCATION** \$3,440,902

**Sec. X-3. Allocation.** The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

1992-93

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

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

Capital Expenditures \$250,000

Provides funds from the Stripper Well Fund for energy conservation and related projects.

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL** 250,000

**HUMAN SERVICES, DEPARTMENT OF**

**General Assistance**

All Other 300,000

Provides funds from the Stripper Well Fund for energy-related costs.

**DEPARTMENT OF HUMAN SERVICES TOTAL** 300,000

**SECTION X-3 TOTAL ALLOCATIONS** \$550,000

**PART Y**

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

1992-93

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

**Augusta Mental Health Institute**

Personal Services (\$120,000)

Provides for a deappropriation of funds to offset an appropria-

tion in Part A, section 1 as a result of Public Law 1993, chapter 5 funding the February 17, 1993 payroll.

**Bangor Mental Health Institute**

Personal Services (110,000)

Provides for a deappropriation of funds to offset an appropriation in Part A, section 1 as a result of Public Law 1993, chapter 5 funding the February 17, 1993 payroll.

**Mental Health Services - Community**

All Other 230,000

Provides for an appropriation of funds to offset a deappropriation in Part A, section 1 as a result of Public Law 1993, chapter 5 that deappropriates funds through across-the-board reductions in the administrative costs of community mental health services.

**DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION**  
**TOTAL** \_\_\_\_\_ -0-

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

Effective February 18, 1993, unless otherwise indicated.

**CHAPTER 7**

**H.P. 437 - L.D. 563**

**An Act to Amend the Laws Concerning Reapportionment**

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

**Whereas,** this legislation must be enacted as an emergency measure to ensure that the time frame for congressional district reapportionment conforms to the Constitution of Maine; and

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

stitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 21-A MRSA §1201, sub-§7, ¶ C,** as enacted by PL 1985, c. 161, §6, is amended to read:

C. In 1983 and every 10 years thereafter, when the Secretary of State has received notification of the number of congressional seats to which the State is entitled and the Federal Decennial Census population count is final, the apportionment commission established pursuant to the Constitution of Maine, Article IV, Part Third, Section 1-A; shall review the existing congressional districts. If the districts do not conform to Supreme Judicial Court guidelines, the commission shall reapportion the State into congressional districts.

In making such a reapportionment, the commission shall ~~insure~~ ensure that each congressional district is formed of compact and contiguous territory and crosses political subdivisions the least number of times necessary to establish as equally populated districts as possible. The commission shall submit its plan to the Clerk of the House no later than ~~90~~ 120 calendar days after ~~appointment of the commission~~ the convening of the Legislature in which apportionment is required. The Legislature shall enact the submitted plan of the commission or a plan of its own in regular or special session by a vote of 2/3 of the members of each house within 30 calendar days after the plan is submitted to the Clerk of the House. This action is subject to the Governor's approval, as provided in the Constitution of Maine, Article IV, Part Third, Section 2.

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

Effective February 25, 1993.

**CHAPTER 8**

**S.P. 18 - L.D. 8**

**An Act to Legalize Blue-dot Taillights**

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

**Sec. 1. 29 MRSA §946-C, sub-§2, ¶D,** as enacted by PL 1991, c. 444, §5, is amended to read:

D. Emergency lights used on a police vehicle; a Department of Corrections vehicle as described in