

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.

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

funds in fiscal year 1994-95 for 2 additional Environmental Specialist II positions, 2 additional Assistant Engineer positions, one additional Informational Systems Support Specialist position and operating costs for the implementation of the federal Clean Air Act amendments of 1990.

DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
TOTAL

\$568,453

\$1,399,963

Sec. 10. Effective date. Section 1 of this Act takes effect November 1, 1993.

See title page for effective date, unless otherwise indicated.

CHAPTER 413

H.P. 92 - L.D. 122

An Act to Maintain the Integrity of Commodity Tax Accounts

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

Whereas, a commodity tax is levied and imposed on a specific industry to benefit that industry; and

Whereas, a commodity tax funds programs essential to maintaining the viability of the industry; and

Whereas, reduction in funding to these programs is detrimental to these industries and impacts the overall economic health of the State; and

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

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

Sec. 1. PL 1991, c. 780, Pt. WW, §2 is amended to read:

Sec. WW-2. Calculation; transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amount in sections 4 to 9 of this Part that applies against each General Fund, Highway Fund, Federal Expenditure, Other Special Revenue, internal service fund and enterprise fund

account for all departments and agencies based on the total General Fund appropriations and various allocations to those accounts. The State Budget Officer shall cause the calculated amount to be transferred from each account, except that savings achieved in the Maine Blueberry Commission, the Maine Potato Board, the Maine Sardine Council, the Maine Dairy Promotion Board, the Maine Dairy and Nutrition Council and the Lobster Promotion Council as a result of the reduced weekly work schedule may not be transferred and must remain available for other purposes.

Sec. 2. PL 1991, c. 780, Pt. WW, §7, under the caption "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF," in that part relating to Departments and Agencies - State-wide, 3rd line is repealed and the following enacted in its place:

Personal Services (\$1,330,009)

Sec. 3. PL 1991, c. 780, Pt. KKK, §1 is amended to read:

Sec. KKK-1. Calculation and transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amount in sections 6 to 9 of this Part that applies against each General Fund, Other Special Revenue, enterprise or internal service fund account for all departments and agencies based on the total appropriations and allocations to those accounts, except for the following accounts: General Purpose Aid to Local Schools; Education in the Unorganized Territory; Debt Service - Treasury; Teacher Retirement; Aid to Families with Dependent Children; Aid to Families with Dependent Children - Foster Care; General Assistance; Maine Health Program; Intermediate Care - Payments to Providers; Medical Care - Payments to Providers; Bureau of Rehabilitation; ~~and~~ Bureau of Rehabilitation - Vocational Rehabilitation; Maine Blueberry Commission; Maine Potato Board; Maine Sardine Council; Maine Dairy Promotion Board; Maine Dairy and Nutrition Council; and Lobster Promotion Council. In addition, the amount of funds appropriated or allocated for higher education programs, grants to municipalities and schools and grants to public and private organizations are excepted from this calculation. The State Budget Officer shall cause the calculated amount to be transferred from each account.

Sec. 4. PL 1991, c. 780, Pt. KKK, §7, under the caption "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF," in that part relating to Departments and Agencies - State-wide, 2nd line is repealed and the following enacted in its place:

Unallocated (\$888,808)

Sec. 5. Organizational study. The Maine Blueberry Commission, the Maine Potato Board, the Maine

Sardine Council, the Maine Dairy Promotion Board, the Maine Dairy and Nutrition Council and the Lobster Promotion Council shall conduct studies of their respective organizations that examine alternative models of organizing their functions in a way so as to maximize services to the populations each organization serves. Each organization shall analyze, at a minimum, the feasibility of separating entirely from State Government and continuing in State Government as a quasi-independent agency such that all employees would leave state service and become employees of their respective organizations. Each organization shall report to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 4, 1994, with their findings and recommendations, including any draft legislation.

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

Effective June 30, 1993.

CHAPTER 414

H.P. 409 - L.D. 522

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund, and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government for the Fiscal Years Ending June 30, 1994 and June 30, 1995

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

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

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

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the 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. Appropriations and allocations. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending

June 30, 1994 and June 30, 1995, the following sums as designated in the following tabulations are appropriated or allocated out of any money not otherwise appropriated or allocated.

	1993-94	1994-95
UNIFIED BUDGET ACT - HIGHWAY FUND CURRENT SERVICES DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
STATE CLAIMS COMMISSION Claims Board		
Highway Fund		
Positions - Legislative Count	(2.0)	(2.0)
Personal Services	\$97,632	\$95,295
All Other	42,197	42,800
Fund Total	139,829	138,095
BUREAU OF GENERAL SERVICES Motor Vehicle Building Maintenance		
Highway Fund		
Positions - Legislative Count	(3.0)	(3.0)
Personal Services	82,990	85,556
All Other	160,696	164,079
Fund Total	243,686	249,635
State Police Headquarters Building Maintenance		
Highway Fund		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	68,105	68,898
All Other	51,269	52,841
Fund Total	119,374	121,739
Other Participating Funds		
**General Fund		
Personal Services	68,105	68,898
All Other	51,270	52,842
Fund Total	119,375	121,740
SUMMARY - STATE POLICE HEADQUARTERS BUILDING MAINTENANCE		
Positions - Legislative Count	(5.0)	(5.0)
Personal Services	136,210	137,796
All Other	102,539	105,683
Program Total	238,749	243,479
Transportation Building Maintenance		
Highway Fund		
Positions - Legislative Count	(14.0)	(14.0)
Personal Services	406,323	403,082
All Other	511,924	534,202
Fund Total	918,247	937,284