

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

Sec. D-2. 29-A MRSA §515-A, as enacted by PL 1997, c. 287, §1 and affected by §2, is amended to read:

§515-A. Motorcycle registration plates

Motorcycle registration plates must bear the words "Ride Safe." Motorcycle registration plates issued prior to January 1, 1998 may be replaced, upon a registrant's request, by plates issued under this ~~subsection~~ section. The registrant shall surrender the original plates and pay a one-time \$5 fee for the replacement plates.

Motorcycle plates issued under sections 457 and 517 are exempt from this ~~subsection~~ section.

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

Effective June 5, 1997, unless otherwise indicated.

CHAPTER 394

H.P. 455 - L.D. 618

An Act to Make Allocations from the Transportation Safety Fund for the Fiscal Years Ending June 30, 1998 and June 30, 1999 and to Accelerate the Starting Date of the State Police Training Academy

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

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

Whereas, certain obligations and expenses incident to the operation of the Department of Public Safety and the Department of the Secretary of State will become due and payable on or immediately after July 1, 1997; 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. 29-A MRSA §561, sub-§3, ¶A, as amended by PL 1995, c. 273, §1, is further amended to read:

A. There must be allocated to the Department of Public Safety for the State Police no more than ~~\$2,200,000~~ \$2,800,000 in fiscal year ~~1995-96~~ 1997-98 and ~~\$2,300,000~~ \$2,600,000 in fiscal year ~~1996-97~~ 1998-99 for duties imposed by this chapter and Title 35-A and for related activities.

Sec. A-2. Allocation of funds. Income to the Transportation Safety Fund for the next 2 fiscal years, from July 1, 1997 to June 30, 1998 and from July 1, 1998 to June 30, 1999, must be segregated, apportioned and disbursed as designated in the following schedule.

	1997-98	1998-99
PUBLIC SAFETY, DEPARTMENT OF		
Traffic Safety - Commercial Vehicle Enforcement		
Positions - Legislative Count	(41,000)	(41,000)
Personal Services	\$2,040,288	\$2,088,960
All Other	302,881	308,601
Capital Expenditures	380,000	147,000
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	\$2,723,169	\$2,544,561
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
Positions - Legislative Count	(18,000)	(18,000)
Personal Services	\$563,597	\$577,456
All Other	105,314	108,340
DEPARTMENT OF THE SECRETARY OF STATE		
TOTAL	\$668,911	\$685,796

Sec. A-3. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer, with the approval of the Governor, to specifically cover those adjustments determined necessary under any salary plan approved by the Legislature and those reclassifications or range changes that have been approved by the Department of Administrative and Financial Services and submitted for legislative review prior to the effective date of this Act.

Sec. A-4. Encumbered balance at year end. At the end of each fiscal year, all encumbered balances may not be carried more than once.

PART B

Sec. B-1. Nonlapsing funds.

Notwithstanding any other provision of law, \$145,546 of unencumbered balance remaining on June 30, 1997 in the Highway Fund State Police program in the Department of Public Safety may not lapse but must be carried forward to June 30, 1998 to be used in accordance with section 2 of this Part.

Sec. B-2. Maine State Police Training Academy. The Commissioner of Public Safety is authorized to allot \$145,546 made available through section 1 of this Part by financial order, upon the recommendation of the State Budget Officer and the approval of the Governor, in order to accelerate the start date of the Maine State Police Training Academy to no sooner than July 1, 1997. The commissioner may not start the academy between July 1, 1997 and September 8, 1997 unless the carry forward balance under section 1 of this Part is at least \$145,546.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1997.

Effective July 1, 1997.

CHAPTER 395

H.P. 833 - L.D. 1138

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1997, June 30, 1998 and June 30, 1999

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 are due and payable on or immediately after July 1, 1997; and

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

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

PART A

Sec. A-1. Supplemental appropriations from General Fund. There are appropriated from the General Fund for the fiscal year ending June 30, 1997 to the departments listed, the following sums to carry out the purposes of this Part.

1996-97

**CONSERVATION,
DEPARTMENT OF**

Forest Fire Control - Division of

Personal Services	\$692,000
All Other	(182,500)

Provides for the appropriation of funds for the retroactive portion of approved reclassifications. This will result in an increase of General Fund undedicated revenue of \$203,800 in fiscal year 1997-98.

**DEPARTMENT OF
CONSERVATION
TOTAL**

509,500

**HUMAN SERVICES,
DEPARTMENT OF**

**State Supplement to Federal
Supplemental Security Income**

All Other	1,718,478
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Provides for the appropriation of funds in the Boarding Home Account to cover increased costs based on expenditure estimates.

**Intermediate Care - Payments to
Providers**

All Other	(1,718,478)
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Provides for the deappropriation of funds from the Nursing Facilities program based on expenditure estimates.