

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

CHAPTER 15**H.P. 122 - L.D. 153****An Act to Increase the Fee Charged
by Bail Commissioners****Be it enacted by the People of the State of
Maine as follows:**

Sec. 1. 15 MRSA §1023, sub-§5, as amended by PL 1989, c. 185, is further amended to read:

5. Fees. A bail commissioner ~~shall~~ is entitled to receive a fee not to exceed ~~\$25~~ \$40 for the charges pursuant to which the defendant is presently in custody. The bail commissioner shall submit such forms as the Judicial Department ~~shall direct~~ directs to verify the amount of fees received under this subsection. The sheriff of the county in which the defendant is detained may create a fund for the distribution by the sheriff or the sheriff's designee for the payment in whole or in part of the ~~\$25~~ \$40 bail commissioner fee for those defendants who do not have the financial ability to pay that fee.

See title page for effective date.

CHAPTER 16**H.P. 455 - L.D. 618**

**An Act Making Unified
Appropriations and Allocations for
the Expenditures of State
Government, General Fund and
Other Funds, and Changing Certain
Provisions of the Law Necessary to
the Proper Operations of State
Government for the Fiscal Years
Ending June 30, 1999, June 30, 2000
and June 30, 2001**

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 preserva-

tion 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, 2000 and June 30, 2001, the following sums as designated in the following tabulations are appropriated or allocated out of any money not otherwise appropriated or allocated.

Sec. A-2. Allotments required. Upon receipt of allotments duly approved by the Governor based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures of these funds, together with expenditures for other purposes necessary to the conduct of State Government on the basis of these allotments and not otherwise. Allotments for Personal Services, Capital Expenditures and amounts for All Other departmental expenses may not exceed the amounts shown in the budget document or as they may be revised by the joint standing committee of the Legislature having jurisdiction over these appropriations and allocations, unless recommended by the State Budget Officer and approved by the Governor in accordance with established law.

Sec. A-3. Personal Services funding. The amounts provided for Personal Services in appropriated and allocated accounts are subject to the provision that the total number of positions and the costs thereof in any account may not, during any fiscal year, vary from either the positions included in computing the total dollars appropriated or allocated for Personal Services or in the specific cost of each position upon which the appropriations and allocations are based. The State Budget Officer shall take the action necessary to ensure compliance with this section except as provided for in section 6 of this Part and as follows.

An appointing authority shall comply with the Civil Service Law, rules and regulations and collective bargaining agreements pertaining to the hiring, promoting, demoting and bumping of state employees. The Legislature shall act upon any recommendation for additional appropriations or allocations in order to fund additional requirements created by complying with this paragraph.

Except as indicated below, savings accruing from unused funding of employee benefits may not be used to increase services provided by employees. Except as indicated below, accrued salary savings generated from vacant positions within an appropria-