

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE COUNCIL

JUNE 7, 1985

PRELIMINARY AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. SECRETARY'S REPORT

- Minutes of May 22, May 24, May 28, and May 30, 1985, Council Meetings.

IV. DIRECTOR'S REPORT

- Approved Step Increases
- Notification of NCSL Grant Award

VI. OLD BUSINESS

VII. NEW BUSINESS

Item #1: Submission of Report by State Budget Officer

Item #2: After Deadline Requests

Item #3: Request from the Joint Standing Committee on Energy and Natural Resources to Carry Over L.D. 286, "An Act to Create the Northern and Eastern Maine Emergency Forestry District", to the Second Regular Session.



HELEN T. GINDER, DIRECTOR  
HAVEN WHITESIDE, ASST. DIRECTOR  
GILBERT W. BREWER  
DAVID ELLIOTT  
MARTHA FREEMAN  
CHRISTOS GIANOPOULOS  
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE  
OFFICE OF LEGISLATIVE ASSISTANTS  
ROOM 101  
STATE HOUSE, STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-2486

SARAH HOOKE  
JULIE S. JONES  
JOHN B. KNOX  
EDWARD POTTER  
MARGARET J. REINSCH  
LARS RYDELL  
JOHN SELSER  
ANDREA COLNES, Res. Asst.

May 29, 1985

Honorable John N. Diamond  
Chairman, Legislative Council  
State House  
Augusta, ME 04333

Dear Rep. Diamond:

Enclosed is a copy of a letter to me from Peggy Siegel who is the NCSL staff person responsible for the NCSL-NIE cost sharing awards. As there is no indication the letter was copied to the Council, I am enclosing a copy of the letter and the memorandum of agreement needed to indicate the Legislature's acceptance of the grant.

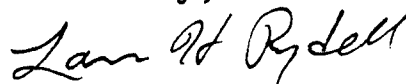
The first page of the memorandum, third line, needs to be completed designating who in the Legislature is formally accepting the grant. The memorandum uses the work consultant, but they really mean an entity, committee or council, of the Legislature. Under the proposal, the Joint Standing Committee on Education was the entity of the Legislature applying for the grant with the endorsement of President Pray and Speaker Martin as required by the proposal. The Legislative Council could choose to be the designated entity or have the Education Committee enter into the agreement for the Legislative Council. Whichever alternative is chosen, its chair has to sign (as the consultant) on the bottom of page 6.

As indicated in the third paragraph in her letter, Peggy Siegel would like the contracts returned as soon as possible. I would appreciate being able to respond to her request in a timely fashion and hope that you will be able to fit consideration of this matter into your increasingly busy schedule. We hope to find a graduate student to help complete the major portion of the work on the project this summer. The

earlier the confirmation of the Legislature's acceptance of the award, the better chance we have of finding a well qualified candidate.

Please let me know if you have any questions.

Sincerely,



Lars H. Rydell  
Policy Analyst

LHR/1k/2556

Enc.

cc: Sen. Larry Brown  
Rep. Ada Brown  
Helen Ginder  
Sally Diamond



**National  
Conference  
of State  
Legislatures**

Office of  
State  
Federal  
Relations

444  
North Capitol  
Street, N.W.  
Suite 203  
Washington, D.C.  
20001  
202/737-7004

President  
John T. Bragg  
Deputy Speaker  
House of Representatives  
State of Tennessee  
  
Executive Director  
Earl S. Mackey

May 23, 1985

Lars Rydell  
Office of Legislative Assistants  
State House  
Augusta, Maine 04333

Dear Lars:

Congratulations on being selected to receive a cost-sharing award this year by the National Conference of State Legislatures' Education and Labor Committee. I am looking forward to working with you as you conduct your study. If NCSL can be of any assistance, do not hesitate to call me at (202) 737-7004.

Enclosed you will find a Memorandum of Agreement for the cost-sharing awards. The committee did not reduce your budget request nor include any special instructions on revising your proposed work statement. Therefore your original proposal may serve as Attachment A, the revised proposal mentioned in the Memorandum of Agreement. Once you have completed the appropriate sections - including designating a project officer - and signed the last page, please return everything to me for signature. I will then send you the completed copy and forward a voucher to our accounting office in Denver which will issue you a check for one-half of the award.

I have also included a list of this year's award recipients for your files. Fifteen states submitted proposals, totalling \$240,000 in requests. The committee had a total sum of \$100,000 to distribute and chose to fund ten states. However, it did designate several runner-up states. Therefore, if you determine that you will not be using your total award, please let me know as soon as possible so that NCSL can contact these other states. Last year, we were able to fund an additional study this way.

Please feel free to call me if you have any questions about the Memorandum of Agreement or if you would like information on any of the studies being conducted by other states.

All good wishes,

Peggy M. Siegel  
Education Program Manager

Enclosures (3)

SENATE

RONALD E. USHER, DISTRICT 28, CHAIR  
JUDY C. KANY, DISTRICT 17  
JEROME A. EMERSON, DISTRICT 9

DAVID ELLIOTT, LEGISLATIVE ASSISTANT  
WILLIAM T. GLIDDEN, LEGISLATIVE ASSISTANT  
ALICE SCHLOSSER, COMMITTEE CLERK



HOUSE

MICHAEL H. MICHAUD, EAST MILLINOCKET,  
CHAIR  
PAUL F. JACQUES, WATERTOWN  
JAMES MITCHELL, FREEPORT  
VINTON T. RIDLEY, SHAPLEIGH  
JAMES REED COLES, HARPSWELL  
ANNETTE M. HOGLUND, PORTLAND  
EDWARD L. DEXTER, KINGFIELD  
DARRYL N. BROWN, LIVERMORE FALLS  
MURIEL D. HOLLOWAY, EDGECOMB  
STEPHEN J. LAW, DOVER-FOXCROFT

STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
COMMITTEE ON ENERGY AND NATURAL RESOURCES

June 6, 1985

Rep. John Diamond, Chair  
Legislative Council  
State House  
Augusta, Maine

Dear Rep. Diamond:

The purpose of this letter is to request permission to hold and study LD 286, An Act to Create the Northern and Eastern Maine Emergency Forestry District.

Two new drafts were submitted to the committee which differ substantially in their intent and administrative implications. In addition, the potential fiscal impact of the these proposals on General Fund revenues was not clearly defined. Finally, it was not clear that the proposal represented the most effective way of mitigating the spuce-fir shortfall. While the committee is in complete agreement that some action in this area is necessary, we feel that additional time is warranted to consider the implications of such a major committment of state resources.

We are prepared to appoint a subcommittee of three to work on the bill during the interim with the staff support of the Office of Legislative Assistants. This subcommittee would report its recommendations to the full committee at the beginning of the next regular session.

Thank you for your consideration of this matter.

Sincerely,

Rep. Michael Michaud  
House Chair

Sen. Ronald Usher  
Senate Chair

2652M

## RECOMMENDED COMMITTEE STUDY

1. COMMITTEE: Energy and Natural Resources

2. SUBJECT OF STUDY:

Desireability of tax credits as a means of promoting intensive spruce-fir management. (see LD 286)

3. PRIORITY NUMBER: Third

4. COMPLETION DATE: January 31, 1986

5. ANALYSIS OF THE PROBLEM:

The spruce-fir resource of the state, the backbone of most forest products manufacturing, has suffered a severe insect attack over the past ten years. Recent analysis indicates serious shortfalls in the supply of this material within the next twenty years.

LD 2863 proposes a tax credit system for a wide range of forest management activities in the spruce-fir region of the state. Substantial increases in Maine Forest Service staff and budget were also proposed to design, implement and oversee the program. Finally, additional appropriations were proposed to support a "mid-cycle survey" of the spruce-fir resource. This final element has subsequently been proposed as a Part II budget item.

6. REASON FOR STUDY:

The effectiveness of tax credit programs in the forest management sector is not well documented. At this point, it is not known how many or which landowners and which management practices should be eligible for the credits. The fiscal impact of such a program (through foregone tax revenues) on the state's General Fund has also not been clearly identified although preliminary estimates have ranged anywhere from \$5 to 15 million annually. A pilot program concept would be considered to limit the initial fiscal risk.

7. MEMBERS OF SUBCOMMITTEE:

Subcommittee of three: Not yet selected

AFTER DEADLINE REQUESTS

June 7, 1985

LR4226

SPONSOR: Dexter,E

TITLE: AN ACT to Authorize Aroostook County to Raise \$1,432,085 for Renovations and Additions to the Franklin County Court House.

LR4225

SPONSOR: McSweeney,J  
COSPONSOR: Descoteaux,A,r  
COSPONSOR: Warren,D,r  
COSPONSOR: Beaulieu,E,r

TITLE OR DESCRIPTION: JOINT RESOLUTION MEMORIALIZING THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE AT THE CONGRESS OF THE UNITED STATES IN SUPPORT OF AN AMENDMENT TO THE UNITED STATES CODE OF FEDERAL REGULATIONS TO INCLUDE APPRENTICESHIP AND ON THE JOB TRAINING PROGRAMS

LR4227

SPONSOR: Zirnkilton,S

TITLE: AN ACT Relating to Shares of Stock of Asti-Kim Corporation.

adagenda06/07

TABLED AFTER DEADLINE REQUESTS

For consideration at the June 7, 1985 meeting of the Legislative Council

LR1760

SPONSOR: Martin, John

TITLE: AN ACT to Establish an Electric Utility Ratepayer Voting Trust.

LR3768

SPONSOR: Pray, C

TITLE: AN ACT Concerning the Job Development Training Fund.

adtabagenda06/07



State of Maine

**DEPARTMENT OF FINANCE AND ADMINISTRATION**  
**Bureau of the Budget**

State House - Station 58

Augusta, Maine 04333

May 28, 1985

Representative John Diamond  
Chairman, Legislative Council  
State House  
Augusta, Maine 04333

Dear Representative Diamond:

As required by 5 M.R.S.A., Section 8-F, the rules and regulations established and promulgated by each department concerning the provision of housing and food to employees are to be approved by the State Budget Officer and transmitted to the Legislative Council for its review biennially.

I am herewith transmitting the rules and regulations from the Departments of Conservation, Corrections, Educational and Cultural Services, Inland Fisheries and Wildlife and Mental Health and Mental Retardation. These are the only departments directly affected by Sections 8-B and 8-C.

The Department of Transportation provides housing for employees at remote locations to aid their winter maintenance efforts and ferry service schedule. The Seed Potato Board provides employee housing at the Masardis farm and in Florida. These employees are not charged rent under the exception provided in Section 8-B, as they are all below range 25 and the housing is provided for the convenience of the state.

On occasion, the Department of Marine Resources provides meals to employees on its larger vessels. In many situations it is far more efficient to provide a meal than return boat to shore. As this is analogous to the Department of Inland Fisheries and Wildlife's special duty assignments, I would suggest the Department of Marine Resources be added to the exception provided in Section 8-C.

I am also enclosing for the Council's review the "Guidelines on State Housing" developed by the Bureau of the Budget to provide uniformity between departmental rules and regulations.

Sincerely,

A handwritten signature in cursive script that reads "G. W. Buker".

G. William Buker  
State Budget Officer

GWB/df  
Enclosures

# STATE OF MAINE

Inter-Departmental Memorandum Date May 26, 1981

To G. William Buker, State Budget Officer

Dept. Bureau of the Budget

From Richard B. Anderson, Commissioner

Dept. Conservation

Subject D.O.C. Housing Policy

**APPROVED**

JUN 1 1981

STATE BUDGET OFFICER

Enclosed are copies of the existing Housing Policies for the Bureau of Forestry and the Bureau of Parks and Recreation. The other bureaus do not have policies and at the present time, a need for one does not exist.

In the near future, I plan to meet with the five (5) bureau directors to discuss this matter and to develop a Housing Policy for the Department of Conservation to be used by all five bureaus.

/ehp

Enclosures

cc: Nancy Kenniston  
Bureau Directors

BUREAU OF FORESTRY  
FIRE CONTROL DIVISION

APPROVED

JUN 1 1981

STATE BUDGET OFFICER

FIRE CONTROL POLICY #3

SUBJECT: DEPARTMENT LIVING QUARTERS AND UTILITIES, AND PERSONAL USE  
OF STATE BUILDINGS AND GROUNDS

The policy on the provision of housing and utilities for State employees of the Bureau of Forestry is found in the statutes (MRSA, Title 5, Chapter 1, §8-B) as follows:

"It is the intent of the Legislature to discourage the construction, reconstruction and equipping of new housing facilities for state employees at state institutions and all other areas of State Government and to cause the termination of existing provisions of housing facilities to state employees whenever other housing facilities are reasonably available to such employees and their residence elsewhere will not substantially impair the effective management and operation of the State Department or institution by which such persons are employed. The housing facilities of each State Department shall be reviewed periodically by the State Department involved, and the provision of any such housing facilities shall be terminated whenever the above stated criteria are met. \*Except as otherwise provided, in each instance of the provision of housing facilities by the State, a rental charge shall be made to cover the total operation cost of any such facility. These costs shall include, but not be limited to, rates charged to the State, in operating such facility, for water, electricity, heat, telephone and furnishings and any other maintenance costs. Such costs shall not include charges for telephones used primarily for state business. In determining the feasibility of any such facility, the department shall consider the availability of living facilities for its employees, particularly in the unorganized territory and rural areas of the State. Any facility used on a seasonal basis shall be partially exempt from rental charges, at the discretion of the department. No charge shall be made for the provision of housing facilities when the state employee involved receives a salary less than the salary received by an employee at pay range 21, merit service Step E of the compensation plan for classified employees."

\* Fire Control housing provided as a condition of employment is exempt from rental.

1. Permanent Fire Control Employees must occupy living quarters during the fire season. Occupancy during the off season (inclusive dates established by Regional Ranger) may not be required by special exception of the Regional Ranger. Year round occupancy is encouraged.
2. Employees, permanent or seasonal, living in State living quarters as a condition of employment will not be charged rent.
3. Any Fire Control Employees living in State quarters not as a condition of employment will be charged rent at a rate of  $3\frac{1}{2}\%$  of the State's insured value per annum payable monthly. Formula for determining assessment -  $.000481 \times V =$  weekly rent.
4. All State buildings are subject to frequent inspections by District Rangers, Regional Rangers and State Supervisor.
5. Electric utilities: Separate meters will be installed by the State wherever practical and the permanent employee shall be responsible for the power used in the living quarters. In the absence of separate metering, a charge of \$15 per month will be charged for electric power.
6. All Seasonal Employees who occupy a State facility as a condition of employment will be exempt from paying utilities.

Seasonal employees who occupy a State facility during the off season (while not on the State payroll) will be required to pay rent based on the same formula as in item #3 and will be responsible for paying all utilities during this period.

7. Heating: Wood for heating and cooking in State facilities during the period of employment may be provided through the use of Division employees for cutting, hauling, etc. at the discretion of the Regional Ranger. Wood heat is encouraged as a conservation measure.

Other types of fuel will not be provided unless a Regional Ranger has an exceptional special requirement and then only with the State Supervisor's approval.

8. Telephone: Telephones will be provided by the State in all Bureau owned quarters. Telephones will be provided to other Bureau employees in non-Bureau owned structures provided the employee is regularly conducting Bureau business from his/her home. Provision of telephones under other circumstances may be possible with approval of the State Supervisor.

Personal toll calls will be paid by the employee by either (1) charging the calls to an employee owned phone or (2) by credit card. Direct payments to the Bureau for personal toll calls will not be accepted as a regular procedure for payment.

9. State employees, their spouses and immediate families who are housed in State owned facilities may exercise personal use of this property (both buildings and grounds) to the extent that it:

- (1) does not conflict with any uses desired by the State;
- (2) does not affect permanent changes in the property;
- (3) does not adversely affect the appearance of the property;
- (4) is maintained in a neat and orderly condition;
- (5) is agreeable with neighboring residents;
- (6) has the approval of the employees' supervisors.

Maintenance of housing facilities will be provided as deemed necessary by the Regional Ranger:

1. State will provide heating units, ranges, water heaters, pumps and other permanent or built-in appliances.
2. The State will not provide or replace refrigerators, dishwashers, waste disposals, furniture, wall coverings, or floor coverings, except that floor coverings may be provided for bathrooms and kitchens and wall to wall carpeting may be provided if floor surfaces are bad at the discretion of the Regional Ranger.

ISSUED: 10/25/79 by Earle S. Williams  
SUPERSEDES: Circular Letters 73-7 and 74-2  
DISTRIBUTION: All Manuals

Bureau of Parks and Recreation  
Housing Policy

APPROVED

JUN 1 1981

EM. 12.

STATE BUDGET OFFICER

EM. 12. HOUSING

It is the law and policy of the State to discourage the construction, reconstruction and equipping of new housing facilities for state employees at state institutions and all other areas of State Government and to cause the termination of existing provision of housing facilities to state employees whenever other facilities are reasonably available to such employees and their residence elsewhere will not substantially impair the effective management and operation of the state department or institution by which such persons are employed.

With this in mind, the following is the housing policy for the Bureau of Parks & Recreation.

12. a. HOUSING PROVISIONS

Housing facilities are provided for park employees only when such facilities exist on park property, and only under the following conditions:

1. when an employee is required as a condition of his/her employment to reside in state housing OR;
2. when such a provision would prove advantageous to the state for reasons of security, supervision or emergency maintenance.

State housing is assigned to employees who fall under these conditions in the following order of priority:

1. Supervisory employees who are required as a condition of employment to live in state housing.
2. Non-supervisory employees who are required as a condition of employment to live in state housing.
3. Supervisory employees who are not required as a condition of employment to live in state housing, but whose presence would prove advantageous to the State.
4. Non-supervisory employees who are not required as a condition of employment to live in state housing, but whose presence would prove advantageous to the State.

In a case where two or more employees fall under any one level of this priority list, assignment will be determined on a basis of seniority.

12. b. CONDITIONS OF HOUSING

1. Utilities

It is the responsibility of the employee living in state housing to provide and/or pay for water, electricity, heat, personal telephone, and any other utility costs. However, if the actual operation of the park requires the use of any of these utilities, the Bureau will

(continued)

(continued)

pay the fees for that utility and the employee will be charged by the Bureau for the proportionate amount of that utility used by the employee for personal use. Computation of this charge will be worked out by the Bureau, and is usually paid for by the employee on a payroll deduction basis. This charge is deducted from the "Maintenance" column of the pay check stub.

EXAMPLE I: A Ranger at Wispering Willows State Park lives in a state-owned Ranger's cabin. The electricity for that cabin is not metered separately from the Park's electricity. Therefore, the Bureau will assess the Ranger for that part of the electricity bill which is estimated as electricity used by the Ranger at that cabin (personal use).

EXAMPLE II: The Park Manager at Wispering Willows State Park lives in a state-owned house adjacent to the park rest rooms. The water for those rest rooms is pumped from the Manager's house with the manager's electricity. Therefore, the State pays the Manager's electricity bill and deducts from the Manager's paycheck (with the Manager's approval) the proportionate amount of the electric bill estimated as used by the Manager. This deduction will show under the "Maintenance" column of the Manager's paycheck stub.

## 2. Rent

If an employee is not required as a condition of employment to live in state housing, but is allowed to live in state housing under the provisions of section 12 . a . , that employee may be charged a rent in addition to charges for utilities. This rent amount is determined by the Bureau, based on the valuation of the housing facility in which the employee lives. Again, this rent is usually paid for by the employee on a payroll deduction basis.

## 3. Seasonal Employees

In some instances, in exchange for providing security, surveillance and occasional maintenance, a seasonal employee may be allowed to remain in state housing during the layoff period. Approval for such an arrangement is granted on an individual case basis, and may be suspended or altered at any time with prior notice.

## 4. Furnishing

It is the responsibility of the employee living in state housing to provide furnishings for that housing. Major appliances may be supplied at the discretion of the Bureau.

## 5. Repairs, Improvements and Maintenance

It is the responsibility of the Bureau to provide and pay for all necessary repairs, improvements and maintenance work for state-owned housing facilities. No such work can be done without prior approval. Improvements done at the employee's expense is strongly discouraged

(continued)

(continued)

and will usually be denied. It is important that all employees living in state housing provide notice and estimated costs of all necessary repairs and maintenance regularly.

#### 6. Damage and Insurance

The cost of repairing damage done to state-owned housing facilities by an employee or an employee's family is the responsibility of the employee. Likewise, damage done by an employee's guest(s) is the ultimate responsibility of the employee.

Insurance for a state-owned housing facility structure is the responsibility of the State. However, it is highly advisable that employees living in such housing facilities secure insurance for possession held within that structure (ie. renter's insurance), as compensation for loss of such possession is not the responsibility of the State.

DEPARTMENT OF CONSERVATION  
Bureau of Parks and Recreation

Personal Use of State Buildings

1. Bureau employees and members of their immediate family who are housed in State owned facilities may have personal house guests at any time they occupy said buildings.
2. On occasion, in the off season when a building is not normally occupied, it may be used to house Bureau employees, or employees of other agencies, provided use is in connection with some official function of the employee. Said use will be allowed only with the Director's approval, and a report on accomplishment of tasks will be made to the Director.
3. The Director's approval will take into account the following considerations:
  - (a) does not incur added cost to the State;
  - (b) does not conflict with any other uses desired by the Bureau;
  - (c) does not cause permanent changes to the property unless authorized by the Director;
  - (d) does not adversely affect the appearance of the property;
  - (e) has the approval of the employees' supervisors;
  - (f) is not exclusively for private recreational purposes.

2/26/80

GUIDELINES ON STATE HOUSING

- A. Eligibility for State Housing. The State of Maine shall provide a housing facility to a State employee only when the employee's "residence elsewhere will ... substantially impair the effective management and operation of the State department or institution" (Title 5, M.R.S.A., Section 8-B).
- B. Excess Housing. Where the amount of available housing at any facility exceeds housing required to meet the criteria of Section A, the agency should consider alternative uses for such excess housing. Alternatives might include conversion of facilities to another use, transferring ownership to another State agency, "mothballing" or sale of facilities.
- C. Housing as Compensation. Provision of State housing is NOT intended to be a form of compensation. In addition, no State funds, regardless of source, shall be paid to any employee to compensate the employee for the expense of housing, whether State-owned, privately owned or rented.
- D. Dislodgment Notice. A State agency shall give an individual renting State housing 60 days written notice if the agency requires the individual to vacate such housing.
- E. Housing as a Condition of Employment. "No rental charge shall be made for the provision of housing facilities when the State employee involved is required as a condition of his employment to reside in such housing facilities and when the State employee involved receives a salary less than the salary received by an employee at pay range 23 E of the compensation plan for classified employees." (Title 5, M.R.S.A., Section 8-B - Emphasis added) The provision of housing under this condition must be authorized by the appropriate department or agency head and is subject to existing Executive policy or any agreement resolved pursuant to Title 26, M.R.S.A., Section 979.
- F. Housing Provided when it is Beneficial to the State. When provision of State housing cannot be justified as a condition of employment, but yet is determined to be beneficial to the State, a rent should be charged based on insured value and the cost of fuel and utilities (see Sections G & H). The provision of housing under this condition must be authorized by the appropriate department or agency head and is subject to existing Executive policy or any agreement resolved pursuant to Title 26, M.R.S.A., Section 979.
- G. Billings for Fuel and Utilities.
- (1) Wherever it is feasible, the cost of fuel and utilities should be directly billed to the occupant(s) using the facility; in no instance will these expenses be billed to the State. This policy will apply to ALL occupants of State housing regardless of whether or not they are required to live in State housing as a condition of their employment.

- (2) Wherever it is not feasible for the cost of fuel and utilities to be directly billed to the appropriate individuals, a determination should be made to see if the cost of the alterations necessary for direct billings is less than the previous year's fuel and utilities expense. If the cost of alterations is less expensive, those alterations should be instituted.
- (3) Any facilities that are not insulated (exterior walls, roof and windows) and are needed for employees who qualify for housing as a condition of their employment, should be insulated at State expense. Before any direct billings to employees for fuel and electricity (where the facility is heated electrically) occurs, proper insulation should be completed.

#### H. Rent Determination.

- (1) Rents should be based on 2½% of the structure's insured value (i.e., the Actual Cash Value, unless the building is insured at Replacement Cost and this is less than the Actual Cash Value) to recover the costs of capital, insurance and maintenance. In some cases a structure will be insured for only a demolition value. When this occurs the department should establish a rental charge based on a review of similar employee housing within the state and equitable treatment for the employees involved. The insured value should not include the value of State-owned furnishing. For those facilities which must have the fuel and utilities billed to the State, the rent should also recover these expenses (by prorating the cost of fuel and utilities on a square foot basis).
- (2) Over a period of twelve months, a multiunit dwelling must derive at least 75% of the projected maximum rental. If less than 75% of the yearly revenue is received, the rental rates should be adjusted so that all costs to the State are recovered, or the provision of Section B should be followed. A shortfall of projected revenue resulting from the provision of housing as a condition of employment should not force the adjustment of the established rentals as long as 75% of the units are occupied.
- (3) Employees occupying residences rented/leased by the State from private parties should not be charged a rent in that this practice should occur only when housing is provided as a condition of employment.

#### I. Shared Residences

- (1) Whenever a residence (including dormitory style rooms) is occupied by more than one employee, each employee should pay an equal share of the rental as determined under Section H.

- (2) Rooms other than those regularly utilized and charged to the host employees which are occupied by nonofficial guests visiting employees with the approval of the head of the institution or facility should be charged at a daily rate of at least one-thirtieth of the full rent for the residence.
- J. Rental Responsibility. No reduction in rent is allowed for any absence. If the resident employee is off the State payroll, he continues, nevertheless, to be responsible for the rental charge until he officially gives up his assigned quarters and vacates the premises of all his personal property.
- K. Repairs and Maintenance. Repairs and maintenance should be carried out as needed to keep the structure in adequate condition. Major rehabilitation should be undertaken only when the structure is necessary for "the effective management and operating of the State department or institution" and when economically feasible.
- L. Rentals to other than State Employees. Rentals to non-State employees should not occur in accordance with the provisions of Section A.
- M. Updating Rental Charges. It is the responsibility of each agency providing housing to update the rental charges in accordance with the above Sections A through L at the beginning of each fiscal year. The revised charges shall be collected by the agency. The Bureau of the Budget shall be notified of the rental charge for all units of housing on copies of the form provided with this guideline. Any exceptions to this policy shall be approved by the appropriate agency head and the Budget Officer.

HOUSING RENTAL REPORT FOR FY \_\_\_\_

1. AGENCY OR INSTITUTE \_\_\_\_\_ No. Rooms (exclude baths) \_\_\_\_\_

2. FACILITY'S NAME \_\_\_\_\_

3. \_\_\_\_\_ House \_\_\_\_\_ Apartment

4. No. of Occupants \_\_\_\_\_ Occupants Name & Classification \_\_\_\_\_

5. Range & Step of Occupant \_\_\_\_\_

COMPUTATION OF COST  
July 1, \_\_\_\_ to June 30, \_\_\_\_

	Water	Electricity	Fuel	Sewer	Telephone
July					
Aug.					
Sept.					
Oct.					
Nov.					
Dec.					
Jan.					
Feb.					
Mar.					
Apr.					
May					
June					
Total					


MAINTENANCE COSTS:

Insured Value of Facility \$ \_\_\_\_\_ x 2½% \_\_\_\_\_

Total Cost Per Year \_\_\_\_\_

COST PER WEEK \_\_\_\_\_

7. Submitted by: \_\_\_\_\_

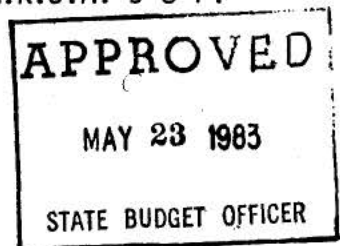
<b>POLICIES AND PROCEDURES</b>		<b>No.</b> 2.13
<b>Title:</b> STAFF HOUSING		Page 1 of 4
<b>Chapter:</b> 2. FISCAL MANAGEMENT		
 <b>State of Maine DEPARTMENT OF CORRECTIONS</b>		<b>RELATED ACA STANDARDS:</b>
<b>Effective Date:</b> July 1, 1983 <b>Revised:</b>		

I. **AUTHORITY.** This policy is adopted by the Commissioner of Corrections as an internal management tool and pursuant to the provisions of 5 M.R.S.A. § 8-F.

II. **APPLICABILITY.** All correctional facilities.

III. **DEFINITIONS.** See Glossary

IV. **DEPARTMENT POLICY.**



It is the Departmental policy to make housing available on its institutional grounds only for those institutional employees whose presence on the grounds is essential because their residence elsewhere would substantially impair the effective management of the institution. These employees will be designated by the institutional superintendent or warden subject to the written approval of the Commissioner. Provision of State Housing is not intended to be a form of compensation and no State funds, regardless of source, shall be paid to any employee to compensate for the expense of housing, whether State owned, private owned or rented. The provision of State housing to non-State employees is prohibited. The provision of State housing should not be offered as a condition of employment unless otherwise provided by statute or upon the written authorization of the Commissioner. No charge shall be made for the provision of housing facilities when the State employee involved is required as a condition of his employment to reside in such housing facilities and when the State employee involved receives a salary less than the salary received by an employee at pay Range 23, merit service Step E of the compensation plan for classified employees.

In addition, no charge shall be made for the provision of housing facilities for employees at the Maine State Prison required to reside in such housing facilities, regardless of pay range and step and are covered by the Supervisory Services Bargaining Unit of the Maine State Employees Association contract agreement with the State of Maine.

Each institution shall give an employee renting State housing 30 days notice if the institution requires the individual to vacate such housing. Housing occupied by employees must conform to existing State Fire and/or Insurance Codes.

# POLICIES AND PROCEDURES

No.

**Title:** STAFF HOUSING

2.13

**Chapter:** 2. FISCAL MANAGEMENT

Page 2 of 4

## Housing Defined

Housing assigned to employees is of two general types--housekeeping quarters and non-housekeeping quarters. Non-housekeeping quarters may consist of a room a suite, or an apartment not equipped for the cooking and serving of meals.

All detached residences are considered to be housekeeping quarters within the meaning of these rules and regulations. All apartments equipped for the cooking and serving of meals are likewise considered to be housekeeping quarters.

## Rental Charges

Rental charges for occupancy of housing should be at the rates per week as approved by the State Budget Officer. A schedule of the approved rates is provided when revisions are made.

## Non-housekeeping Quarters

a. Primary Use. Non-housekeeping quarters are intended primarily as bachelor quarters for employees without dependents. Such quarters shall not be assigned for family occupancy on a continuing basis. When available, such quarters may be assigned on a temporary basis for family occupancy. (Example: A new employee coming from another community needing time to look for a place in which to live.) This shall not preclude husband and wife employees from sharing the same room.

b. Limit of Occupants. Rentals established for non-housekeeping rooms are for occupancy by one person.

c. Linens. Bedding and towels and laundering of same may not be supplied to non-housekeeping quarters unless costs of such services are included in the rental charge.

d. Cleaning Services. Cleaning service for corridors, public rooms and windows may be supplied for buildings which contain non-housekeeping quarters. However, no cleaning service or domestic service by state employees shall be provided for the rooms occupied by employees. Each employee is required to maintain clean and sanitary quarters to the satisfaction of the institution head.

e. Household Supplies. Household supplies shall not be furnished to non-housekeeping rooms.

## Housekeeping Quarters

a. Assignment. Housekeeping quarters, as available, may be assigned to employees for occupancy by the employee and his immediate family in accordance with the housing policy.

b. Limitation of Occupants. The term "immediate family" is defined as the employee's spouse, unmarried dependent children and a parent or parent-in-law if,

# POLICIES AND PROCEDURES

No.

**Title:** STAFF HOUSING

2.13

**Chapter:** 2. FISCAL MANAGEMENT

Page 3 of 4

in fact, dependent children and their spouses are not eligible for the occupancy of housing except for temporary visits of not more than 30 days per year.

c. Commercial Use. Quarters may not be rented, leased, subleased, or in any other manner let out in whole or in part by the assigned occupants.

d. Rental Rate. The rentals established for housekeeping quarters are without regard to the number of occupants.

e. Domestic Services Excluded. No domestic services of any kind will be supplied by state employees to housekeeping quarters. No bedding, towels or laundry services shall be supplied to housekeeping quarters.

f. Furnishings. Houses and other quarters will not be furnished by the State except for cooking ranges and refrigerators. Those quarters presently furnished may remain so but may not be replaced.

g. Purchase of Furniture and Furnishings. No furniture or furnishings of any kind except cooking ranges and refrigerators shall be purchased by the State for quarters.

h. Repairs and Improvements. Except for routine repairs, no alterations, painting, remodeling or extensive renovating shall be undertaken with respect to housing facilities without prior written approval of the Commissioner.

Requests for authority to undertake such work shall include the following information:

1. Statement of the condition or conditions (or other circumstances) that make the proposed work necessary.
2. Statement of the exact nature and extent of the work proposed. In the case of painting, state the exact area or areas to be painted and the date or dates when these areas were last painted.
3. Statement of the manner in which it is proposed to accomplish the work; i.e., by contract or by institutional employee.
4. Estimate the cost of labor and materials if to be done by institution, or estimate of total cost if to be performed by contract.

The term "routine repairs" as used in this section is defined as repair of minor defects in order to prevent deterioration, and such repairs as are necessary to maintain services such as plumbing, electricity, etc. Alterations to quarters shall be undertaken solely by the State.

i. Household Supplies. Household supplies shall not be furnished for housekeeping quarters.

# **POLICIES AND PROCEDURES**

**No.**

2.13

**Title:** STAFF HOUSING


**Chapter:** 2. FISCAL MANAGEMENT

Page 4 of 4

## Telephones

Telephones will not be installed in housing facilities at State expense unless used primarily for State business.

Telephones may be installed with the permission of the superintendent for the convenience of the employee. In such instances the telephone will be billed directly to the employee and is a personal contract between the employee and the telephone company.

<b>POLICIES AND PROCEDURES</b>		<b>No.</b> 2.14
<b>Title:</b> STAFF FOOD SERVICES		Page 1 of 3
<b>Chapter:</b> 2. FISCAL MANAGEMENT		
 <b>State of Maine DEPARTMENT OF CORRECTIONS</b>		RELATED ACA STANDARDS:
<b>Effective Date:</b> July 1, 1983		<b>Revised:</b>

**I. AUTHORITY.** This policy is adopted by the Commissioner of Corrections as an internal management tool and pursuant to the provisions of 5 M.R.S.A. § 8-F.

**II. APPLICABILITY.** All correctional institutions

**III. DEFINITIONS.** See Glossary

**IV. DEPARTMENT POLICY.**

**A. Purchase of Meals**

Institutions currently allowing meals for employees by either payroll deduction or cash payments are authorized to continue the practice.

**1. Payroll Deduction**

Rates for meals shall be deducted bi-weekly from the employee's payroll check.

**2. Cash Payments**

Single or occasional meals may be purchased by employees and or visitors with the approval of the head of the institution and the knowledge of the Food Service Manager, providing such arrangements are completed no later than two hours before the meal. A cash receipt for the purchase of the meals must be presented when served. Accurate records of such sales shall be documented and payments made accordingly to the General Fund.

**B. Cost of Meals**

Prices charged for meals shall be revised periodically by Central Office staff on the basis of actual departmental costs. The meal shall include the actual total cost of purchasing, preparing and serving such food or supplies. The rates shall be the same for both occasional meals and payroll deductions.

**APPROVED**  
  
MAY 23 1983  
  
STATE BUDGET OFFICER

# POLICIES AND PROCEDURES

No.

2.14

**Title:** STAFF FOOD SERVICES

**Chapter:** 2. FISCAL MANAGEMENT

Page 2 of 3

## C. Meals Provided to Certain Employees Without Charge

1. With the approval of the Commissioner and the head of the institution involved, a meal may be provided a departmental employee providing services or visiting the institution on official business.

2. Foster grandparents and students whose contracts with the institution so state, shall be entitled to a free meal or meals daily, respectively. Such meals shall be included in the count.

3. The foregoing policies do not preclude the provision of a meal or meals during an emergency. Authorization for such meals shall be issued only from the head of the institution or the Commissioner.

## D. Meals for Outside Groups

Food or meals shall not be served to outside organizations or groups unless approved by the Commissioner. Prepared meals may be brought into the institution by a commercial caterer or group of individuals for the visitors' consumption.

Fees to cover the cost shall be collected from the group or paid out of an institutional account other than food and shall be based on the actual total cost of purchasing, preparing and serving such food or food supply.

## E. Miscellany

### 1. Food for programs other than regular meals

Food for classroom activities and half-way house programs shall be purchased, issued, recorded and charged to the proper activity within an appropriate account other than food. Food shall be prepared in addition to the regular menus, only for resident activity programs such as picnics, socials, etc. It shall not be prepared nor made available for food sales, teas, receptions, dedications, retirement parties, etc. The purchasing of food and food supplies for any person by requisition or otherwise is prohibited.

### 2. Employee Meals

Unless otherwise authorized by the Commissioner, meals and portions served to employees shall be identical to those provided for institutional residents. No special diet for employees shall be honored. A log to establish eligibility for meals shall be maintained in each facility. All employees, students, inmates, foster grandparents, visitors from other institutions and guests, etc., shall register before being served. Food prepared and served to employees shall be consumed only in a designated area as determined by the institution head preferably a dining area within the institution and shall not be sent or taken to staff housing or other such facilities. Employees who are required to eat with residents or who are not permitted to leave their posts may be an exception on the recommendation of the institution head and with the approval of the Commissioner.

# POLICIES AND PROCEDURES

No.

2.14

**Title:** STAFF FOOD SERVICES

**Chapter:** 2. FISCAL MANAGEMENT

Page 3 of 3

## 3. Meal Counts

Records of meals served shall be maintained by the Food Service Department and shall include, in addition to the resident count, identification of both free and paid meals served to employees, students, foster grandparents, visitors from other institutions or Central Office and guests.

## F. Violation of Policies

Any state officer or employee detected eating or removing residents' food unless duly authorized by the head of the institution shall be considered in violation of these policies and subject to prosecution and/or dismissal from state service. (Title 5, Section 8-H).

APPROVED

JUN 1 1981

STATE BUDGET OFFICER

The Maine State Board of Education  
The Department of Educational and Cultural Services

Policy Statement: Revised May 12, 1981

Relating to the Furnishing of Housing and Food Supplies to State Personnel

The State Board of Education, along with the Department of Educational and Cultural Services, fully understands that "it is the intent of the Legislature to discourage the construction, reconstruction and equipping of new housing facilities for State employees at the State institutions and all other areas of State government, and to cause the termination of existing provisions of housing facilities to State employees whenever other housing facilities are reasonably available to such employees, and their residence elsewhere will not substantially impair the effective management and operation of the State department or institution by which such persons are employed." And that, "the housing facilities of each State department shall be reviewed periodically by the State department involved, and the provision of such housing facilities shall be terminated whenever the above stated criteria are met."

It is the policy of the Maine State Board of Education and the Department of Educational and Cultural Services to authorize housing for State employees only in accordance with the above legislative intent, and that it is in the best interest of the State in certain cases to have administrative, professional and maintenance personnel housed on vocational technical institute campuses. The purpose of such residence is to provide either security of persons and property or professional direction of programs and services, which may be sought on a twenty-four hour basis. Subject to the availability of suitable facilities, those holding the following positions may be eligible for on-campus housing: V.T.I. directors, plant maintenance engineers or supervisors, house parents or proctors. Others may be eligible if, after evaluation by the department, it is considered to be in the best interest of the State.

Implementation of the policy has over the years resulted in housing having been provided for various vocational technical institute personnel whenever it was beneficial to the State, as a condition of employment as in the case of house guardians and dormitory supervisors.

Housing for directors has been available at Southern Maine Vocational Technical Institute and Northern Maine Vocational Technical Institute, since the schools were first established. Eastern Maine Vocational Technical Institute has a residential building which was donated by Bangor Mental Health Institute in 1972. This residence is occupied by the Assistant Director, who is on call twenty-four hours a day for any problems that occur on campus. Housing was not available at Central Maine Vocational Technical Institute until July 1, 1979. The two remaining institutes, Washington County Vocational Technical Institute and Kennebec Valley Vocational Technical Institute, do not have facilities for housing directors at this time.

The State Board of Education and the Department of Educational and Cultural Services continue to support the policy and practice of providing

on-campus housing for vocational technical institute directors.

A resident director provides important educational and operational benefits to the institute and to the State, which cannot be provided by non-resident directors. Some of these benefits include the following: (1) presence of a director has a stabilizing effect on campus life; (2) a director is more closely associated with campus life and is more aware of student needs; (3) helps to establish a positive image in the community and with local citizens living near the institute; (4) helps create a community setting which is supported by parents who are concerned about dormitory living; (5) provides availability of responsible person in case of emergencies (fire, injury, sickness, police, etc.); (6) inter-relates with dormitory students and is in a position to make immediate decisions; (7) is able to serve as an advisor and counselor to students; (8) living on campus demonstrates a serious commitment by the director to the institute; (9) enhances bargaining power of the State Board of Education and the Department of Educational and Cultural Services in recruiting outstanding individuals for these positions; (10) provides campus leadership for protection and security of students on State property; (11) provides supervision and leadership during nights, weekends, vacations and periods when staff are not on duty; (12) generates revenues to the State through rental fees approved by Finance and Administration; (13) helps to eliminate payment for overtime to custodians and maintenance staff, who are called on campus for various reasons. Historically, institutions of higher learning have provided for, and in the majority of cases have required that institutional heads reside on campus.

Within the University System, a number of campuses have living accommodations for the president. The practice of providing housing was also in effect when the teacher colleges were under the Department of Education.

The State Board of Education and the Department of Educational and Cultural Services believes in, supports, and will promote the position, that for effective management and operation, it is a benefit to the institute, to the students, and to the State, to have vocational technical institute directors housed on campus.

No rental charges shall be made to those State employees who are required to reside in State Housing Facilities as a condition of employment and who receive salaries less than those at pay range 23, merit service step E of the compensation plan for classified employees.

Rates: Monthly rental charges to State employees housed on campus as a convenience to the State, but not as a condition of employment, shall be no less than the sum of costs applicable to that portion of the facility used by the tenant. Costs shall include, but not be limited to, rates charged to the State in operating such facilities, for water, electricity, heat, telephone, furnishings, and other maintenance costs. Such costs shall not include charges for telephones used primarily for State business. Employees living in State facilities are advised to obtain credit cards for their personal use in making long distance calls.

Meals: No charge will be made for meals provided to State employees who eat such meals within the scope of their employment and in so doing serve a function of their employment.

Meals purchased and prepared for school use may be sold to State employees or to other than State employees, based on the actual total cost of purchasing, preparing and serving such food.

# STATE OF MAINE

Inter-Departmental Memorandum Date May 28, 1981

To G. William Buker, State Budget Officer

Dept. Bureau of the Budget

From Glenn H. Manuel, Commissioner

Dept. Inland Fisheries & Wildlife

Subject Review of Housing Pursuant to 5 MRSA § 8A - 8H and Guidelines for Employee Housing

As we have stated several times in prior months state owned housing controlled by the Department of Inland Fisheries and Wildlife is located at air plane hangers, fish hatcheries, the game farm, and in remote areas of the State. A great majority of the housing facilities are under paragraph E of the Guidelines provided by your office, as the housing is a condition of employment and to the state's benefit to protect facilities from vandalism and theft. No activities covering 5 MRSA § 8B-8C are taken place or are contemplated.

You have on file at your office the Departmental Housing Policy established in 1976 by former Commissioner Marsh. As I stated on my memo of May 27, 1981, there has been no change in the housing policy since the policy established in 1976.

I hope this information is satisfactory.

PCB/jsh

APPROVED

JUN 1 1981

STATE BUDGET OFFICER

*Chris*

# STATE OF MAINE

Inter-Departmental Memorandum Date September 21, 1976

To Otto W. Siebert, State Budget Officer

Dept. Bureau of Budget

From Maynard F. Marsh, Commissioner

Dept. Inland Fisheries & Wildlife

Subject Compliance of Guidelines for State Housing

State owned housing controlled by the Department of Inland Fisheries & Wildlife is located at airplane hangers, fish hatcheries, the game farm, and in remote areas of the State.

The great majority of housing falls under paragraph E of the Guidelines, as the housing is a condition of employment and to the State's benefit to protect the valuable facilities from vandalism and theft.

In reference to fish hatcheries and game farm, it is necessary for a State Employee to be in attendance at all times in order to protect an approximate investment of \$500,000, both in physical facilities and in live fish and animals, particularly pheasants. Water flows must be maintained and at some of the facilities there are mechanical filters and ultra-violet systems which must operate at all times or the fish will die. Similarly, power losses, heavy rains, and other adverse conditions will result in losses of pheasants, particularly during the brooding and rearing stages. There is also a need for someone in attendance at all times to prevent vandalism and theft of the fish or pheasants that are being reared. The one exception to this is the Dry Mills Hatchery which has four housing units, two of which are rented to non-hatchery employees. These units are located on the hatchery premises and cannot be sold.

The Greenville and Eagle Lake warden houses are located adjacent to hangers and repair facilities. At Greenville our aircraft mechanic is assigned to this residence and is responsible for these facilities. Usually located here are two to three airplanes, two helicopters, plus valuable repair equipment and extensive docking facilities for float equipped aircraft. Replacement value would be in the neighborhood of \$400,000 to \$500,000. The Department should assume the cost of all utilities and provide rent free housing in return for the security of these premises. The Eagle Lake house is located adjacent to hanger and docking facilities and should be rent free for the same reasons.

The residences at Estcourt Station, St. Pamphile, Wesley, two at Daaquam and at Ripogenus Dam are all in remote areas where other housing is totally unavailable. If the department did not provide housing, then we could not assign a warden to patrol these areas. Because of the remoteness, lack of schools, shopping and other essentials necessary to family living, I do not feel that these wardens should be assessed rent or be billed for cost of fuel and utilities.

The costs and proposed rental of the Dry Mills housing units is attached.

I intend to implement this policy on November 1, 1976, unless I hear from you or your staff to the contrary.

MMF/jsh

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION  
411 State Office Building  
Augusta, Maine 04333

APPROVED

JUN 20 1983

STATE BUDGET OFFICER

DEPARTMENTAL POLICY NO: 9

EFFECTIVE DATE: Revised July 1, 1983

SUBJECT: FOOD

BASIS FOR POLICY: The statutory reference upon which this policy is based can be found in Title 5, M.R.S.A., Chapter 1, Sections 8-A, 8-C, 8-D, 8-F and 8-H.

Preamble: This policy shall not be interpreted as a mandate to feed employees, particularly if a commercial food service is available. The use of vending machines provides equitable opportunities for employees on all shifts. Funds are appropriated by the Legislature for the purpose of feeding residents. Money received from the sale of meals reverts to the General Fund, not to the food account. The feeding of employees should not be encouraged to prevent depleting resources for feeding residents.

A. Purchase of Meals

Institutions currently allowing meals for employees by either payroll deduction or cash payments are authorized to continue the practice.

1. Payroll Deduction

Charges for meals shall be deducted bi-weekly from the employee's payroll check.

2. Cash Payments

Single or occasional meals may be purchased by employees and/or visitors with the approval of the head of the institution and the knowledge of the Food Service Manager, providing such arrangements are completed no later than two hours before the meal. A cash receipt for the purchase of the meals must be presented when served. Accurate records of such sales shall be documented and payments made accordingly to the General Fund.

B. Cost of Meals

Prices charged for meals shall be revised periodically by each facility on the basis of actual costs. The meal shall include the actual total cost of purchasing, preparing and serving such food or supplies. The rates shall be the same for both occasional meals and payroll deductions.

C. Meals Provided to Certain Employees Without Charge

1. With the approval of the Commissioner and the head of the institution involved, a meal may be provided an institutional employee without charge providing the employee consumes the meal within the scope of his employment and in so doing serves a function of his employment (Title 5, M.R.S.A., Section 8-C). It shall be the Commissioner's

prerogative to deny all or parts of any written requests. Approvals shall be granted on an as needed basis and in writing to the institutional head.

2. Cottage and Halfway House parents and Military & Naval Children's Home staff shall be considered exceptions to the foregoing, but shall be identified in the meal count as employees. These programs shall be periodically reviewed by the Commissioner for determination of effectiveness and continuation.
3. Foster grandparents and students whose contracts with the institution so state, shall be entitled to a free meal or meals daily, respectively. Such meals shall be included in the count.
4. Residents of other departmental institutions providing services or visiting the institution on official business shall be entitled to a free meal to be included in the guest meal count.
5. The foregoing policies do not preclude the provision of a meal or meals during emergencies. Authorization for such meals shall be issued only from the head of the institution.

D. Meals for Outside Groups

Food or meals shall not be served to outside organizations or groups unless approved by the Associate Commissioner of Administration. Prepared meals may be brought into the institution by a commercial caterer or group of individuals for the visitors' consumption. No institutional food service equipment, food and supplies or employees shall be used for this activity. Fees to cover the costs shall be collected from the group or paid out of an institutional account other than food.

E. Miscellany

1. Food for Programs other than Regular Meals

Food for classroom activities and halfway house programs shall be purchased, issued, recorded and charged to the proper activity within an appropriate account other than food. Food shall be prepared in addition to the regular menus, only for resident activity programs such as picnics, socials, etc. It shall not be prepared nor made available for food sales, teas, receptions, dedications, retirement parties, etc. The purchasing of food and food supplies for any person by requisition or otherwise is prohibited.

2. Employee Meals

Meals and portions served to employees shall be identical to those provided for institutional residents. No special diets for employees shall be honored. A log to establish eligibility for meals shall be maintained. All employees, students, foster grandparents, visitors from other institutions and guests shall register before being served.


Food prepared for institutional residents and served to employees shall be consumed only in a designated employees' dining area within the institution and shall not be sent or taken to housing or other facilities. Employees who are required to eat with residents or who are not permitted to leave their posts shall be the only exception.

3. Meal Counts

Records of meals served shall be maintained by the Food Service department at each institution and shall include, in addition to the resident count, identification of both free and paid meals served to employees, students, foster grandparents, visitors from other institutions or Central Office and guests.

F. Violation of Policies

Any state officer or employee detected eating or removing residents' food unless duly authorized by the head of the institution shall be considered in violation of these policies and subject to prosecution and/or dismissal from State service. (Title 5, M.R.S.A., Section 8-H, "Any violation of Sections 8-A to 8-F is a civil violation from which a forfeiture not to exceed \$1,000 may be adjudged and any person violating any of those sections shall be dismissed from State service.")

  
Kevin W. Concannon, Commissioner

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION  
411 State Office Building  
Augusta, Maine 04333

**APPROVED**

**JUN 20 1983**

**STATE BUDGET OFFICER**

DEPARTMENTAL POLICY NO: 8

EFFECTIVE DATE: Revised July 1, 1983

SUBJECT: HOUSING

(5 M.R.S.A., Section 8-F. "Each department shall establish and promulgate, subject to the approval of the Budget Officer, rules and regulations to carry out the purposes of Sections 8-B to 8-C. Such rules and regulations shall be transmitted to the Legislative Council for its review biennially.")

To comply with 5 M.R.S.A., Sections 8-A to 8-H, relating to housing furnished by state departments, the following rules and regulations are established by the Department of Mental Health and Mental Retardation:

It is the Departmental policy to make housing available on its institutional grounds only for those institutional employees whose presence on the grounds is essential because their residence elsewhere would substantially impair the effective management of the institution. These employees will be designated by the institutional superintendent subject to the written approval of the Commissioner. Provision of State Housing is not intended to be a form of compensation and no State funds, regardless of source, shall be paid to any employee to compensate the employee for the expense of housing, whether State owned, privately owned or rented. The provision of State Housing to non-State employees is prohibited. The provision of State Housing should not be offered as a condition of employment unless otherwise provided by statute or upon the written authorization of the Commissioner. No rental charge shall be made for the provision of housing facilities when the State employee involved is required as a condition of his employment to reside in such housing facilities and when the State employee involved receives a salary less than the salary received by an employee at pay Range 23, merit service Step E of the compensation plan for classified employees.

Each institution shall give an employee renting State Housing 60 days written notice if the institution requires the individual to vacate such housing. Housing occupied by employees must conform to existing State Fire and/or Insurance Codes.

(Title 5, Section 8-B. "It is the intent of the Legislature to discourage the construction, reconstruction and equipping of new housing facilities for State employees at State institutions and all other areas of State government and to cause the termination of existing provision of housing facilities to State employees whenever other housing facilities are reasonably available to such employees and their residence elsewhere will not substantially impair the effective management and operation of the State department or institution by which such persons are employed. The housing facilities of each State department shall be reviewed periodically by the State department involved, and the provision of any such housing facilities shall be terminated whenever the above stated criteria are met. Except as otherwise provided, in each instance of the provision of housing facilities by the state, a rental charge shall be made to cover the total operating cost of any such facility. These costs shall include, but not be limited to, rates charged to the State in operating such facility for water, electricity, heat, telephone and furnishings, and any other maintenance costs. Such costs shall not include charges for telephones used primarily for State business. In determining the feasibility of any such facility, the Department shall consider the availability of living facilities for its employees, particularly in the unorganized territory and rural areas of the State. Any facility used on a seasonal basis shall be partially exempt from rental charges, at the discretion of the Department. No rental charge shall be made for the provision of housing facilities when the State employee involved is required as a condition of his employment to reside in such housing facilities and when the State employee involved receives a salary less than the salary received by an employee at pay Range 23, Merit Service Step E of the compensation plan for classified employees."-emphasis added)

HOUSING DEFINED

Housing assigned to employees is of two general types--housekeeping quarters and non-housekeeping quarters. Non-housekeeping quarters may consist of a room, a suite, or an apartment not equipped for the cooking and serving of meals.

All detached residences are considered to be housekeeping quarters within the meaning of these rules and regulations. All apartments equipped for the cooking and serving of meals are likewise considered to be housekeeping quarters.

RENTAL CHARGES

Rental charges for occupancy of housing will be at rates approved by the institution head and the Associate Commissioner of Administration in accordance with State Budget Office "Guidelines on State Housing". A schedule of the approved rates is provided when revisions are made.

NON-HOUSEKEEPING QUARTERS

a. Primary Use. Non-housekeeping quarters are intended primarily as bachelor quarters for employees without dependents. Such quarters shall not be assigned for family occupancy on a continuing basis. When available, such quarters may be assigned on a temporary basis for family occupancy. (Example: A new employee coming from another community and needing time to look for a place in which to live.) This shall not preclude husband and wife employees from sharing the same room.

b. Limit of Occupants. Rentals established for non-housekeeping rooms are for occupancy by one person.

c. Linens. Bedding and towels and laundering of same may not be supplied to non-housekeeping quarters unless costs of such services are included in the rental charge.

(Title 5, Section 8-E. "No employee of the State of Maine shall be assigned to perform routine housekeeping, food preparation or other chores for employees assigned to and living in housing facilities owned by the State of Maine. This is not intended, however, to prevent bona fide domestic training programs wherein various patients and others in State institutions of Maine are trained for increased employment opportunities.")

d. Cleaning Services. Cleaning service for corridors, public rooms and windows may be supplied for buildings which contain non-housekeeping quarters. However, no cleaning service or domestic service by State employees shall be provided for the rooms occupied by employees. Each employee is required to maintain clean and sanitary quarters to the satisfaction of the superintendent.

e. Household Supplies. Household supplies shall not be furnished to non-housekeeping rooms.

HOUSEKEEPING QUARTERS

a. Assignment. Housekeeping quarters, as available, may be assigned to employees for occupancy by the employee and his immediate family in accordance with this policy.

b. Limitation of Occupants. The term "immediate family" is defined as the employee's spouse, unmarried dependent children and a parent or parent-in-law if, in fact, dependent upon the employee or a bona fide member of his household. The employee's married children and their spouses are not eligible for occupancy except for temporary visits of not more than 30 days per year.

c. Commercial Use. Quarters may not be rented, leased, subleased, or in any other manner let out in whole or in part by the assigned occupants.

d. Rental Rate. The rentals established for housekeeping quarters are without regard to the number of occupants.

e. Domestic Services Excluded. No domestic services of any kind will be supplied by State employees to housekeeping quarters. No bedding, towels or laundry services shall be supplied to housekeeping quarters.

f. Furnishings. Houses and other quarters will not be furnished by the State except for cooking ranges and refrigerators. Those quarters presently furnished may remain so, but will not be replaced at State expense.

g. Purchase of Furniture and Furnishings. No furniture or furnishings of any kind, except cooking ranges and refrigerators, shall be purchased by the State for quarters.

h. Repairs and Improvements. Except for routine repairs, no alterations, painting, remodeling or extensive renovations shall be undertaken with respect to housing facilities without prior written approval of the Associate Commissioner

of Administration. Requests for authority to undertake such work shall include the following information:

1. Statement of the condition or conditions (or other circumstances) that make the proposed work necessary.
2. Statement of the exact nature and extent of the work proposed. In the case of painting, the exact area or areas to be painted and the date or dates when these areas were last painted.
3. Statement of the manner in which it is proposed to accomplish the work; i.e., by contract or by institutional employee.
4. Estimate of the cost of labor and materials if to be done by the institution, or estimate of the total cost if to be performed by contract.

The term "routine repairs" as used in this section is defined as repair of minor defects in order to prevent deterioration, and such repairs as are necessary to maintain services such as plumbing, electricity, etc. Alterations to quarters shall be undertaken solely by the State.

i. Household Supplies. Household supplies shall not be furnished for housekeeping quarters.

(Title 5, Section 8-C. "All commissary-type facilities operated by State departments for the sale of food and food supplies to any person shall be eliminated. Purchasing of food and food supplies for any person by requisition or otherwise is prohibited except that the Department of Inland Fisheries and Wildlife and Bureau of Forestry may requisition food supplies for emergency use or special duty assignments. Meals purchased and prepared for institutional or school use may be sold to employees or to visitors based on the actual total cost of purchasing, preparing and serving such food or food supplies.....")

#### TELEPHONES

Telephones will not be installed in housing facilities at State expense unless used primarily for State business. Telephones may be installed with the permission of the superintendent for the convenience of the employee. In such instances the installation charge and monthly operating costs will be billed directly to the employee and is a personal contract between the employee and the telephone company.

  
Kevin W. Connerman, Commissioner