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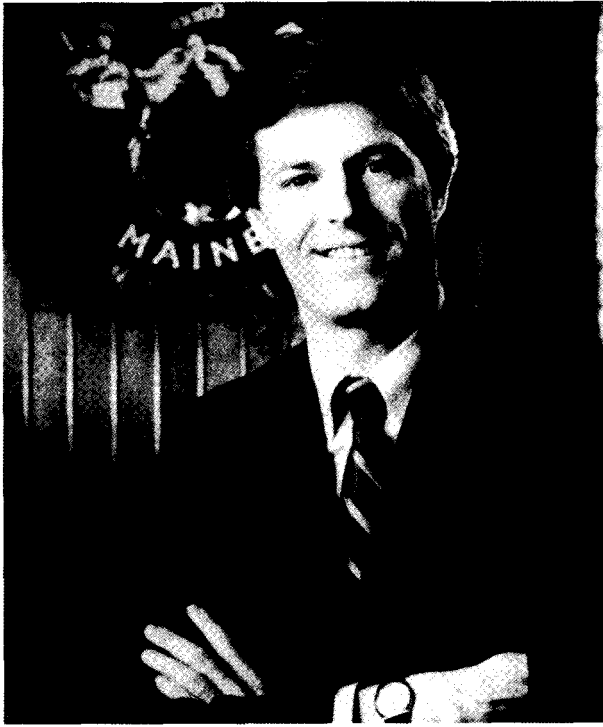
# MAINE STATE GOVERNMENT ANNUAL REPORT 1993-1994



A Compilation of  
Annual Reports of  
State Departments and Agencies

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**John R. McKernan, Jr.  
Governor of Maine**

*Compiled and edited by the*  
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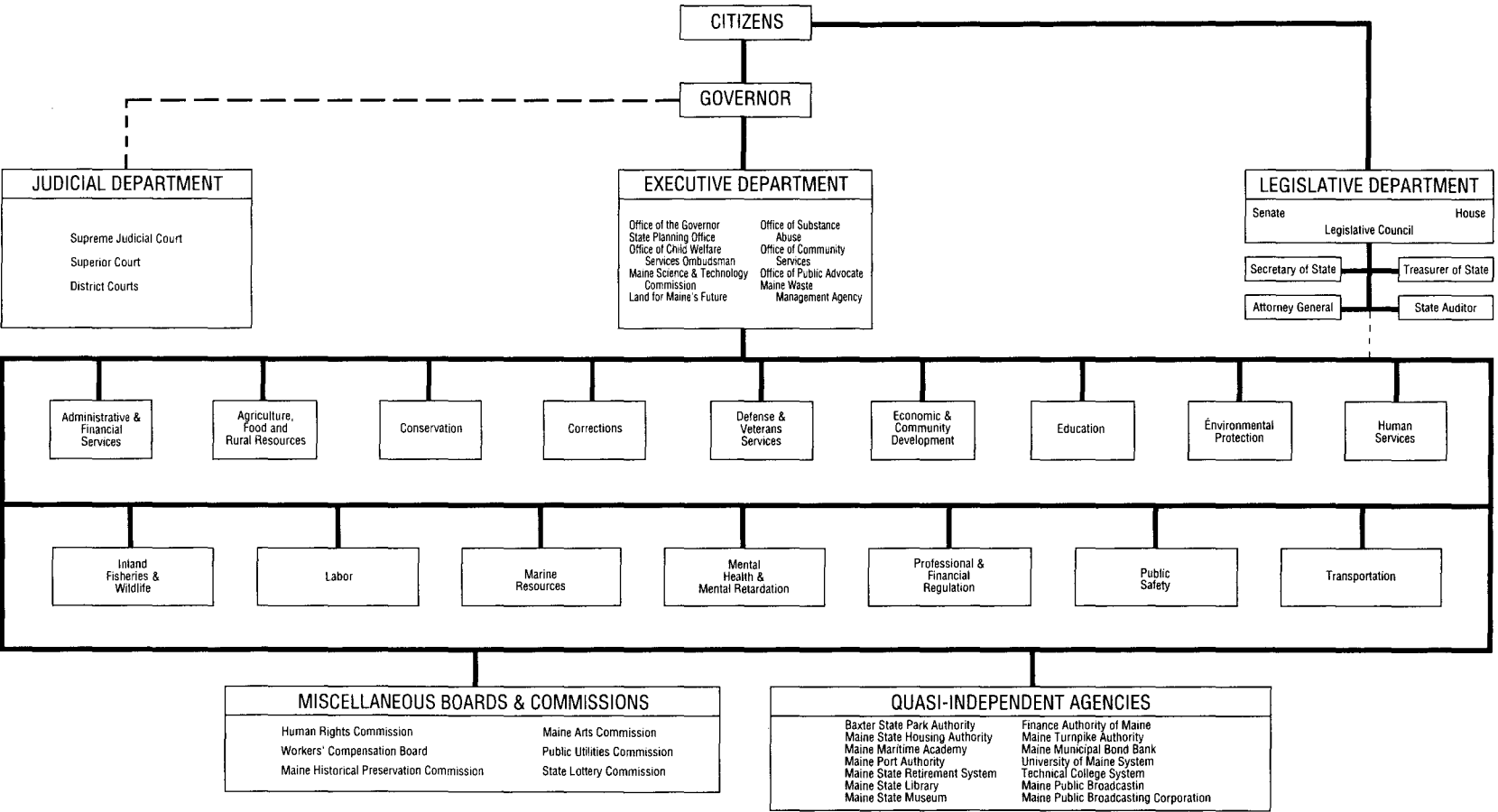
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The text of the Maine State Government Annual Report is meant to be a lightly-edited narrative report of the organizational units of state government and is not intended as legal authority either for judicial notice or legal citation.

STATE OF MAINE  
ORGANIZATION CHART OF STATE GOVERNMENT  
Based on Elective or Appointive Line of Authority

Major State Agencies





# FOREWORD

The *Maine State Government Annual Report* is compiled and published by the Bureau of the Budget on behalf of the Governor pursuant to the Maine Revised Statutes, Title 5, Chapter 3, Sections 43-46. It documents, in convenient reference form, the administrative and financial structure, activities and accomplishments of the agencies of the State Government. In accordance with legislative intent, it replaces a profusion of costly annual or biannual reports independently published by State departments and agencies, and it establishes a new accountability with respect to many agencies, boards and commissions not previously subject to reporting requirements.

This *Maine State Government Annual Report* reflects the scope and diversity of Maine State Government operations during the fiscal period covered by this report. The mass of reports accumulated by the Bureau of the Budget have been edited and revised as necessary to conform to statutory requirements and the overall report concept.

Individual reports of departments, their principal subdivisions, and other agencies generally feature seven basic elements of construction, as follows:

1. Identification Summary
2. Purpose
3. Organizational Background
4. Program
5. Licenses, Permits, etc.
6. Publications
7. Finances, Fiscal Year

This form of construction is used wherever possible in all reports. However, in view of certain inconsistencies and questions which may arise concerning nomenclature, the following discussion of terms and report construction may be of assistance to the serious reader.

**IDENTIFICATION SUMMARY.** This section "headlines" the report of each agency and serves to identify the agency, its executive officers, central office location and telephone number. Specific items appearing in the agency heading, which may require some interpretation, include the following:

**Established:** This is usually the year in which the agency was created as a statutory or administrative entity, despite a subsequent change of name. If, at some point in time, the agency experienced a major reorganization in terms of administrative structure, purposes or functions, the year in which this occurred is considered the year established.

**Sunset Review Required By:** This date is established by the "Maine Sunset Act" found in 3 MRSA Section 921-932. Each agency or independent agency of state government, through the joint standing committee having jurisdiction over audit and program review matters, shall prepare and submit a justification report no later than March 31st of the calendar year **prior** to the review year specified.

## Reference:

**Policy Area.** There are 8 broad areas of emphasis under which all activities of State Government are categorized. Each organizational unit reported in the Maine State Government Annual Report, the State Budget Document, and the Maine State Government Reference Manual is assigned to the Policy Area which most appropriately identifies the prevailing nature of its legislation.

Each of the 8 Policy Areas has been assigned a name and a 2-digit number as follows:

- |                          |                      |
|--------------------------|----------------------|
| 00 General Government    | 04 Manpower          |
| 01 Economic Development  | 05 Natural Resources |
| 02 Education and Culture | 06 Public Protection |
| 03 Human Services        | 07 Transportation    |

**Umbrella.** In order to make the list of some 470 organizational units manageable, they have been classified by the relationship between them. This was done by two criteria:

a) Each *State Department, the Public Utilities Commission, Maine Maritime Academy, and the Board of Trustees of the University of Maine System* was assigned a different 2 digit number and each unit which was, by law, determined to be a part of one of these was assigned to that 2 digit "umbrella" number. Thus all units carrying an "01" in front of their 3 digit unit number are part of the Department of Agriculture, Food and Rural Resources, for example.

Each of these Umbrellas has been assigned a name and a 2-digit number as follows:

- 01 Department of Agriculture, Food and Rural Resources
- 02 Department of Professional and Financial Regulation
- 03 Department of Corrections

- 04 Department of Conservation
- 05 Department of Education
- 06 Department of Environmental Protection
- 07 Executive Department
- 09 Department of Inland Fisheries and Wildlife
- 10 Department of Human Services
- 12 Department of Labor
- 13 Department of Marine Resources
- 14 Department of Mental Health and Mental Retardation
- 15 Department of Defense and Veterans Services
- 16 Department of Public Safety
- 17 Department of Transportation
- 18 Department of Administrative and Financial Services
- 19 Department of Economic and Community Development
- 26 Department of the Attorney General
- 27 Department of Audit
- 28 Treasury Department
- 29 Department of The Secretary of State
- 30 Legislative Department
- 40 Judicial Department
- 65 Public Utilities Commission
- 75 Maine Maritime Academy
- 78 Board of Trustees of the University of Maine System

b) The many independent units—*not* a part of the umbrellas listed above—were assigned to *one of 5 two digit umbrella numbers* which helped to classify the units in terms of the prevailing nature of their statutory or other authority or relationship to State Government. Thus umbrella “90” identifies those that “Regulate”, “92” those that “Advise”, etc.

Each of these Umbrellas has been assigned a name and a 2-digit number as follows:

- 90 Independent Agencies—Regulatory
- 92 Independent Agencies—Advisory
- 94 Independent Agencies—Other
- 98 Independent Agencies—Interstate Compact
- 99 Independent Agencies—Not Part of State Government

**Unit.** Each State Government organizational unit created by the Constitution, Statute or Private and Special Law has been assigned a different *three (3) digit number*. Each unit created by Legislative Order, by Judicial Order, by Executive Order of the Governor—or, in a few cases, by other acceptable authority—has been assigned its *parent’s 3 digit unit number PLUS a letter*.

**Unit Citation.** Reported here is the legal citation which created the organizational unit. When one locates this citation in the appropriate document, one should find additional data relating to its purpose, authority and membership close by. If such a citation appears in the Statutes, that is the entry used since it has closer proximity to additional meaningful data than, for example, a Constitutional citation.

**Average Count—All Positions and Legislative Count.** One, both or neither of these items may appear in the heading, depending on whether or not the information was provided in the agency’s original report. Where neither are included, the agency generally has no paid employees. The *Average Count—All Positions* as reported by the agency is the average count of employees on the payroll of the agency, paid out of any and all funds. The *Legislative Count*, where applicable, is the number of *permanent* positions reported by the agency as authorized to it in the Appropriation Acts, passed by the Legislature for the time frame covered by this Report. In general, an average count which exceeds Legislative count may usually be attributed to contractual or federally-funded positions which do not require Legislative approval.

**Organizational Units.** Listed under this heading are all organizational units, both statutorily and administratively-created, which are an integral part of the agency. Most of these organizational units are either discussed in the accompanying text or are presented separately in a successive report.

**PURPOSE:** This is a brief expression of the agency's overall objective, purpose or mission. Any revision was based, insofar as possible, on the original statement of the agency as contained in its report but modified to make the sentence structure more continuous. This section also outlines the primary responsibilities of the agency as specified by statute or expressed in other legal instruments which authorize the agency to perform certain functions or conduct certain activities. There is no attempt to state the full extent of any agency's powers and duties which are often interspersed throughout the law. One interesting aspect of the laws relating to the Executive Branch is that the statutes seldom confer powers of the State upon administrative units, but rather upon administrative officials. This is reflected in many reports where a department or agency created by statute is indicated as functioning solely through the authority vested in its executive head. There are some reports, however, where this distinction is not noted.

**ORGANIZATION:** It is characteristic of the State Government to exist in an organizational flux as it is modified and altered by each successive Legislature and each Administration to meet contemporary needs for programs and services. This section offers some clarification of the past and present administrative position of each principal agency in the hierarchy of Maine State Government in an effort to minimize confusion caused by name-changing, establishment, abolishment, transfer and merger of agencies and their subdivisions. While such organizational shuffling has occurred since Maine became a state in 1820, it may be observed that two major reorganizations have tended to shape the State Government of today, one taking place in 1931 and the other in the period from 1971 through 1973. Their impact on the organizational development of each agency is highlighted in this section along with other significant administrative and organizational details. The organizational background information is based upon that contained in original agency reports, but greatly expanded and authenticated through use of the *Maine Revised Statutes Annotated, 1964*, as amended, the *Public Laws of the State of Maine*, and *Agencies of Government, State of Maine, 1820-1971*, published by the Maine State Archives.

**PROGRAM:** Although the identification, administration and organization of State agencies are significant to the purposes of this report, an account of their specific activities and accomplishments during the past fiscal year is fundamental. It is intended that the program of each agency be reproduced essentially as authorized in its original report; however, various standard editing policies have become necessary. Material presented in an outline or catalogue format was rewritten in narrative form; reference to particular personalities and strong editorial comment were deleted, as were vigorous pleas for increased funding and additional personnel; acronyms were researched and, wherever possible, their representations substituted; abbreviated or improper agency and institution names were corrected; and other grammatical and remedial changes were made as necessary to promote maximum clarity and readability and maintain a factual, objective approach without altering the context of the original material.

At the departmental level, the program summary generally consists of a broad review of overall departmental activity, with details provided in the reports of component organizational units which follow. Several departments are unique in that they embrace a number of somewhat autonomous units under the general administrative direction of an executive head. In such instances, the department's program summary may be comprised solely of the reports of its component units.

**LICENSES, PERMITS, ETC.:** Many state agencies issue licenses, permits, registrations or certificates. This heading is an attempt to assemble such information in a broad-interest document.

**PUBLICATIONS:** This section provides an opportunity for an agency to make known additional information concerning its programs and products, by listing its available publications.

**FINANCES, FISCAL YEAR:** Financial data relating to agency operations during the past fiscal year displays all agency expenditures by category and type of fund.

This data is generated from the Bureau of Budget's computer-based *MFASIS* system supplemented by data not included in the State's accounting system or not carried in sufficient completeness as to

present a useful picture. Examples of the latter are the University of Maine System and the Maine Maritime Academy. Data relating to enterprise-type accounts reflects only those expenditure elements which are included in the work program process.

Expenditures of the agency are indicated by fund and line category detail in general accordance with the State's accounting system. Some categories are split and some are combined in an effort to meet what is interpreted to be the intent of the Annual Report law.

The chief administrative unit of each department-type umbrella will have two financial displays: one which records the summary of all expenditures for the umbrella; and one for those expenditures relevant only to the operation of the chief administrative unit.

Since the *MFASIS* system deals with "rounded" whole dollars, some small dollar differences will exist between this report and the Financial Report issued by the State Controller.

• • • •

This *Maine State Government Annual Report* is the culmination of a joint effort to produce an understandable documentation of the structure and operations of Maine State Government during a particular year in its history. It has been an attempt to create a factual, objective and definitive reference of permanent value in a manner, hopefully, in keeping with the spirit and intent of the law and in the interests of promoting greater comprehension of the workings of the State Government and its responsibility and responsiveness to the public it serves. How closely this report achieves these objectives is left to the judgement of those who will use it.

THE EDITOR

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## **GUIDE TO ORGANIZATIONAL UNIT CHANGES: Abolishment, Creation, or Renaming**

Organizational units of Maine State Government are not static entities. As time passes decision-makers readjust unit structures to reflect new missions, or the completion of a unit's usefulness. Thus, some units are dissolved or become inactive, and others are created, renamed, or occasionally, combined. Hopefully the following listings will aid in tracing the organizational lives of those recently altered units and, through the umbrella/unit number, provide the key for background research in previous documents.

**Organizational Units Recently Abolished.** The repeal of an authorizing or creating citation does not necessarily imply that the performance of a unit's functions and responsibilities have ceased altogether. Several actions could have transpired. For examples, the services may still be performed by administrative direction, or the Legislature may have reassigned the functions.

Still other units may have been created with an established life span as a component of their authorizing legislation.

**Organizational Units Which Were Inactive During the Report Period.** These units, though inactive during the reporting period, are listed in the index.

**Organizational Units Which Have Been Recently Created or Renamed.** These units are included in this section if the unit became operational during the report year; or if it was created during the year but did not become effective until the following fiscal year (90 days after the close of the Legislative session for example.)

Organizational units whose names have been changed are listed in the Index by the new name.

The following listings are irrespective of the Sunset Law which has established termination and/or review dates for the majority of Maine State Government units. The assigned sunset date is found in the heading of each unit as appropriate.



## NEWLY CREATED UNITS—FY94

<i>UM-Unit</i>	<i>Name</i>	<i>Citation</i>
19-559	Economic Conversion Division	5 MRSA §13062A
10-560	Maine Public Drinking Water Commission	22 MRSA §2660B
92-566	Integrated Pest Management Advisory Committee	7 MRSA §2403
92-567	Oil Spill Advisory Committee	38 MRSA §551A
92-568	Great Pond Task Force	38 MRSA §1842
92-569	Citizens' Advisory Group	38 MRSA §1527A
07-570	Task Force on Defense Realignment and The Economy	5 MRSA §3307E
19-571	Economic Development and Business Assistance Coordinating Council	5 MRSA §13001
92-572	Region II Crisis Intervention Advisory Board	34B MRSA §3624
02-036	Adjuster License Advisory Board	24A MRSA §1525

# **ABOLISHED ORGANIZATIONAL UNITS—FY94**

<i>UM-Unit</i>	<i>Name</i>	<i>Repealing Citation</i>
359	Maine Medical Laboratory Commission	Laws 1993, c. 800 sec. 1311
508	Interdepartmental Services to Children and Families	Laws 1993, c. 738 sec. B-5
569	Citizens' Advisory Group	Laws 1993, c. 884 sec. 19

## INACTIVE UNITS

<i>Unit</i>	<i>Name</i>	<i>Citation</i>
345	Advisory Board to the Maine State Housing Authority	30A MRSA §4723
145	Advisory Committee on Improving Outdoor Recreation Opportunities	22 MRSA §3099
576	Board of Maine Children's Trust, Inc.	22 MRSA §3883
528	Interagency Task Force on Homelessness and Housing Opportunities	30A MRSA §5041
548	Maine Area Health Education Centers Advisory Committee	20A MRSA §12856
464	Regional Agriculture Comm.	Res. 1983, C. 46

## UNITS THAT DID NOT SUBMIT AN INDIVIDUAL REPORT

<i>Unit</i>	<i>Name</i>	<i>Citation</i>
563	Advisory Board to Privatize the Maine Health Program	22 MRSA §3189A
319	Board of Emergency Municipal Finance	30A MRSA §6101
518	Continuing Education Advisory Committee	24A MRSA §1876
404	Mining Excise Tax Trust Fund Board of Trustees	5 MRSA §453A
314	Office of Waste Reduction and Recycling	38 MRSA §2131
584	Fund Insurance Review Board	38 MRSA §568B
490	Apportionment Review Panel	39 MRSA §57B
549	Maine Criminal Justice Commission	5 MRSA §335B
470	Hospital Advisory Committee (To MHCFC)	22 MRSA §398P
559	Economic Conversion Division	5 MRSA §13062A
560	Maine Public Drinking Water Commission	22 MRSA §2660B
566	Integrated Pest Management Advisory Committee	7 MRSA 2403
460	Payor Advisory Committee (To MHCFC)	
460	Professional Advisory Committee (To MHCFC)	



## ADMINISTRATIVE & FINANCIAL SERVICES

# DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES

H. SAWIN MILLETT, JR., COMMISSIONER  
DALE DOUGHTY, DEPUTY COMMISSIONER

*Central Office:* State Office Bldg., Augusta; *Floor:* 3

*Telephone:* 624-7800

*Mail Address:* State House Sta. #78, Augusta, Maine 04333

*Established:* June 30, 1992

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 00; *Umbrella:* 18; *Unit:* 106; *Citation:* 5 M.R.S.A., Sect. 21002

*Average Count—All Positions:* 1,126

*Legislative Count:* 818

### *Organizational Units:*

Bureau of Employee Relations  
Bureau of Information Services  
Bureau of General Services  
Central Motor Pool  
Bureau of Taxation  
Bureau of the Budget

Bureau of Human Resources  
State Employee Health Commission  
Risk Management Division  
Division of Financial and Personnel Services  
Bureau of Accounts and Control  
Bureau of Alcoholic Beverages and Lottery  
Operations

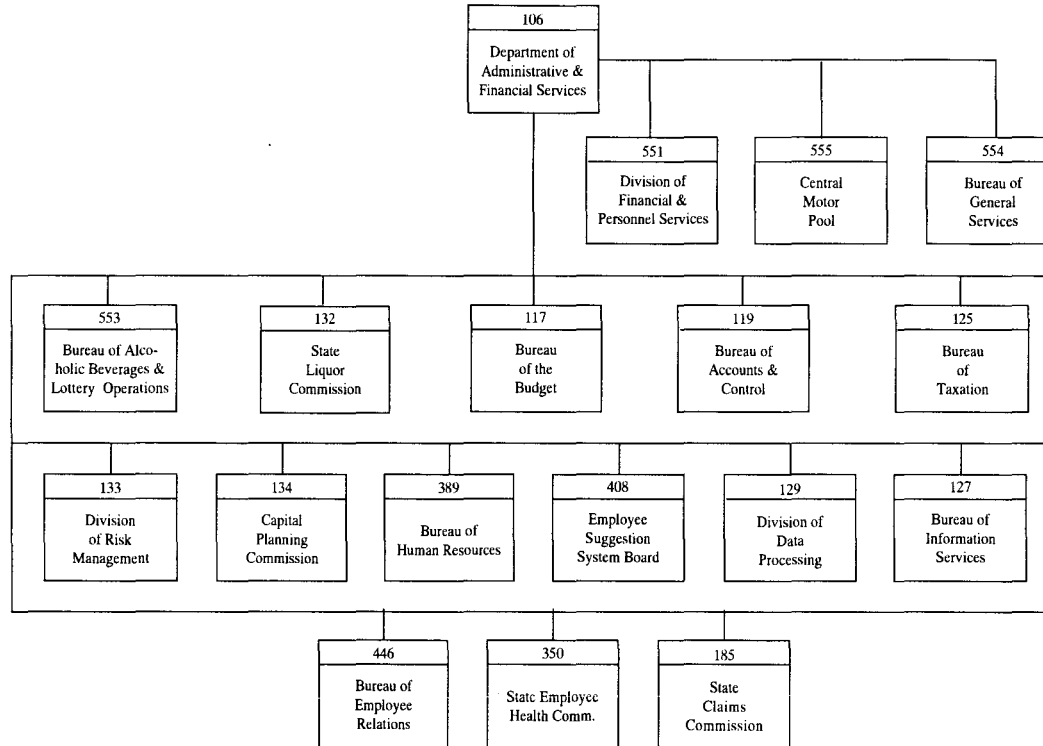
**PURPOSE:** The Department of Administrative and Financial Services is responsible for providing central administrative and financial services to the departments and agencies of State government.

**ORGANIZATION:** The Department of Administration was established through Chapter 785 of the Public Laws of 1985, effective July 1, 1986. This legislation provided for a major reorganization of central financial and administrative units in State government. The former Department of Finance and Administration was dissolved, with fiscal management and revenue units placed in the Department of Finance and administrative service units placed in the Department of Administration. PL 1991 Chapter 780 merged the Department of Administration and the Department of Finance.

**PROGRAM:** The programs of the department are implemented through its component units. The primary emphasis is to provide responsive, high quality and cost effective services to State departments and agencies and related public institutions.

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

**ORGANIZATIONAL CHART  
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES  
UMB 18**



ADMINISTRATIVE & FINANCIAL SERVICES

Approved by the Bureau of the Budget

## ADMINISTRATIVE & FINANCIAL SERVICES

### CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Cost of Goods Sold	33,914,929	13,859,178	1,117,787	451,635	13,070	18,473,259
Health Benefits	3,006,522	1,750,105	-145,985	66,860	2,197	1,333,345
Retirements	4,373,858	2,353,836	207,280	65,805	2,038	1,744,899
Other Fringe Benefits	276,715	144,936	10,643	5,951	223	114,962
Other Contract Services—State	11,303,140	1,419,802	584,345	48,308		9,250,685
Computer Services—State	6,986,081	5,315,853	129,338	31,153		1,509,737
Other Contractual Service	21,353,457	4,347,969	300,781	595,083	2,619	16,107,005
Rents	7,289,487	1,131,531	476,768	97,795		5,583,393
Commodities	1,848,954	997,922	36,967	64,358		749,707
Grants—Subsidies—Pensions	20,754,737	14,446,883	5,756,457	37,203		514,194
Purchases of Land	2,046,056	1,401,000	645,056			
Building Improvements	513,656	488,039	17,762	435	7,420	
Interest—Debt Retirement	530,436	272,681	35	1,035		256,685
Transfers to Other Funds	107,911,972		68,729	3,368	251	107,839,624
<b>TOTAL EXPENDITURES</b>	<b>222,110,000</b>	<b>47,929,735</b>	<b>9,205,963</b>	<b>1,468,989</b>	<b>27,818</b>	<b>163,477,495</b>

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	167,317	167,317				
Health Benefits	10,897	10,897				
Retirements	23,002	23,002				
Other Fringe Benefits	3,081	3,081				
Other Contract Services—State	136,481	92,939		43,542		
Computer Services—State	2,531	2,531				
Other Contractual Service	36,303	31,652		4,651		
Commodities	13,333	12,479		854		
Grants—Subsidies—Pensions	6,801	6,801				
Building Improvements	4,400	3,965		435		
Interest—Debt Retirement	5	5				
<b>TOTAL EXPENDITURES</b>	<b>404,151</b>	<b>354,669</b>		<b>49,482</b>		



## BUREAU OF ACCOUNTS AND CONTROL

DAVID A. BOURNE, STATE CONTROLLER

*Central Office:* State Office Bldg., Augusta; *Floor:* 3

*Telephone:* 626-8420

*Mail Address:* State House Sta. #14, Augusta, Maine 04333

*Established:* 1931

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 119; Citation: 5 M.R.S.A., Sect. 21006

*Average Count—All Positions:* 33

*Legislative Count:* 33

**PURPOSE:** The Bureau of Accounts and Control is responsible for the maintenance of the official accounting records of the State government. The powers and duties of the Bureau are detailed in section 1541 of Title 5 of the Maine Revised Statutes Annotated.

**ORGANIZATION:** The Bureau of Accounts and Control was created in 1931 as an organizational unit of the Department of Administrative and Financial Services. The Bureau is under the direction of the State Controller who is appointed for an indefinite period by the Commissioner of Administrative and Financial Services subject to the approval of the Governor.

**PROGRAM:** The Bureau is an administrative agency responsible for maintaining central accounting records for all State expenditures and financial transactions. It examines bills and payrolls to insure the legality and correctness of all items and prepares warrants for payment. The State Controller's office maintains the official financial records for all agencies and programs administered by the State with the exception of certain quasi-governmental units. A Comprehensive Annual Financial Report is prepared each year and is subject to audit by the State Auditor.

The Bureau oversees the State's automated Accounting System and, jointly with the Bureau of the Budget and the Bureau of Human Resources, oversees the State's automated Human Resource Management System. During the period from early 1988 through mid 1990, these systems were upgraded to current technology integrated systems. The systems are commonly known as MFASIS (Maine Financial and Administrative Statewide Information Systems).

The Accounting System processes approximately 1.5 million payments annually and approximately 160,000 other accounting transactions. All accounting transactions are reviewed and approved by the Controller's Office. The system provides on-line access, subject to appropriate security, to current financial information and status; and produces daily, monthly and annual accounting information for individual agencies and central statewide reporting.

The Human Resource Management System retains current personnel, payroll and position control information. This system issues over 400,000 payroll payments annually, and maintains and controls tax withholding and payroll deduction transactions. This system is also used to process and record several thousand personnel and position control transactions.

### PUBLICATIONS:

State of Maine Financial Report (free).

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## ADMINISTRATIVE & FINANCIAL SERVICES

BUREAU OF ACCOUNTS AND CONTROL	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	826,938	826,938				
Health Benefits	106,875	106,875				
Retirements	132,843	132,843				
Other Fringe Benefits	7,031	7,031				
Other Contractual Services—State	80,813	80,813				
Computer Services—State	2,839,740	2,839,740				
Other Contractual Service	145,024	145,024				
Rents	160,124	160,124				
Commodities	26,028	26,028				
Grants—Subsidies—Pensions	13,785	13,785				
Building Improvements	70,167	70,167				
<b>TOTAL EXPENDITURES</b>	<b>4,409,368</b>	<b>4,409,368</b>				

## BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS

DAVID S. CAMPBELL, DIRECTOR

*Central Office:* 10-12 Water St., Hallowell; *Floor:* 1  
*Mail Address:* State House Sta. #8, Augusta, Maine 04333

*Telephone:* 287-3721  
*FAX:* 207-287-4049

*Established:* June 30, 1992

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 00; *Umbrella:* 18; *Unit:* 553; *Citation:* 5 M.R.S.A., Sect. 21006

*Average Count—All Positions:* 191

*Legislative Count:* 181

**PURPOSE:** The Bureau of Alcoholic Beverages and Lottery Operations was established to provide the most satisfactory public service for the complete distribution and sale of liquors, wines, malt beverages, instant, pick 3, pick 4, Megabucks and Cash 5 lottery tickets. The Bureau is authorized to serve, through its Director, as the chief administrative officer of the State Liquor and Lottery Commission having general charge of the office and records, employing personnel and making expenditures as necessary; and to conduct, under the supervision of the Commission, all phases of the merchandising of liquor through State stores and the sale of lottery products through licensed lottery agents.

**ORGANIZATION:** The State's regulation of liquor originated in 1862 with the establishment of a Commissioner to Regulate Sale of Intoxicating Liquors to have control of liquors kept and sold for medicinal and manufacturing purposes. In 1905, a Liquor Enforcement Commission was established to enforce the law against the manufacture and sale of intoxicating liquors. Both of these agencies were abolished in 1911. A State Liquor Licensing Board was created in 1933, consisting of three members appointed by the Governor, with the advice and consent of the Council, for terms of three years; the chairman designated by the Governor. The Board was renamed the State Liquor Commission in legislation effective in 1934, which outlined responsibilities in the State control of liquor still basic to the Commission in conjunction with the present Bureau of Alcoholic Beverages. In 1987 the Commission was increased to five members.

A state lottery was approved by public referendum in November 1973 for the purpose of generating additional revenues for deposit to the State's General Fund. The agency is administered by the State Lottery Commission and the State Lottery Director.

PL 1991 Chapter 780 merged the Bureau of Alcoholic Beverages and the Bureau of Lottery.

**PROGRAM:** The merger of Liquor and Lottery operations is completed. The programs continue to run as in past years with goals being reached and revenues generated to the general fund.

## ADMINISTRATIVE & FINANCIAL SERVICES

### LICENSES, PERMITS, ETC.:

PL 1991 Chapter 780 merged Liquor Licensing into the Department of Public Safety, Bureau of Liquor Enforcement. (This included liquor auditing and taxation).

Licenses (Lottery):

Lottery Sales Agency Licensing

### PUBLICATIONS:

1. Annual Report (Fiscal Year 1994)—Free
2. Winner's Newsletter—Free
3. Information Kit: ME State Lottery—Free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	4,049,036					4,049,036
Health Benefits	511,338					511,338
Retirements	644,425					644,425
Other Fringe Benefits	33,710					33,710
Other Contract Services—State	8,777,424					8,777,424
Computer Services—State	418,750					418,750
Other Contractual Service	9,082,052					9,082,052
Rents	15,524					15,524
Commodities	194,425					194,425
Grants—Subsidies—Pensions	288,113					288,113
Interest—Debt Retirement	982					982
Transfers to Other Funds	98,415,501					98,415,501
<b>TOTAL EXPENDITURES</b>	<b>122,431,280</b>					<b>122,431,280</b>

## BUREAU OF THE BUDGET

**JOHN R. NICHOLAS, STATE BUDGET OFFICER**

**KEITH E. TODD, DEP. STATE BUDGET OFFICER**

*Central Office:* State Office Bldg., Augusta; Floor: 3

*Telephone:* 624-7810

*Mail Address:* State House Sta. #58, Augusta, Maine 04333

*Established:* 1931

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 117; Citation: 5 M.R.S.A., Sect. 21006

*Average Count—All Positions:* 13

*Legislative Count:* 13

**PURPOSE:** The Bureau of the Budget is authorized to prepare and submit biennially to the Governor or the Governor-elect a State budget document; to examine and recommend for approval the work program and quarterly allotments of each department and agency of State Government before the appropriations or other funds of such departments or agencies become available for expenditure; to examine and recommend for approval any changes in such work programs and quarterly allotments during the fiscal year; to constantly review the administrative activities of departments and agencies of the State, study organization and administration, investigate duplication of work, formulate plans for better and more efficient management, and report periodically to the Governor and on request to the Legislature; and to make rules and regulations, subject to the approval of the Commissioner of Administrative and Financial Services, for carrying out State budget laws.

## ADMINISTRATIVE & FINANCIAL SERVICES

**ORGANIZATION:** The Bureau of the Budget is a departmental division, headed by a State Budget Officer appointed by the Commissioner.

### PROGRAM:

**Budget Process.** Activities of the Bureau of the Budget primarily involve the State's budgetary process. On or before September 1st of even-numbered years, all departments and agencies of State Government, and corporations and associations desiring to receive State funds under provisions of law, prepare and submit to the Bureau estimates of their expenditure and appropriation requirements for each fiscal year of the ensuing biennium.

Upon receipt of the budget estimates submitted, the Bureau, in conjunction with the Governor-elect or the Governor, reviews the budget estimates, adjusting them as deemed necessary. The Bureau, at the direction of the Governor-elect or the Governor, then prepares a State Budget Document which must be transmitted to the Legislature.

**State Budget Document.** The State Budget Document is a complete financial plan for the operation of State Government for each year of the ensuing biennium. The document is divided into three parts: 1) the budget message by the Governor-elect or the Governor which outlines the financial policy of the State government for the ensuing biennium; 2) detailed budget estimates, both of expenditures and revenues, including statements of the State's bonded indebtedness; and 3) complete drafts or summaries of budget bills, the legislative measures required to give legal sanction to the complete financial plan when adopted by the Legislature.

**Work Program.** After legislative appropriation, an aspect of the budgetary process which is a concern of the Bureau of the Budget throughout the fiscal year is the review and consideration of requested allotments with respect to the work program of each department or agency of State government. Work programs for the ensuing fiscal year are required to be submitted to the Bureau no later than June 1st of each year. Work programs may be revised during the fiscal year, subject to the approval of the State Budget Officer and the Governor.

During FY 94, this office began the process of automating the Work Program. This effort allows each department and agency to gain electronic access to the Budget Management System in order to improve the efficiency by which work programs are processed, analyzed and implemented.

**State Cost Allocation Program.** The Bureau of the Budget represents the State of Maine in preparing a Consolidated Cost Allocation Plan and in negotiating the allocation of dollars in identified State central service costs to State operating agencies. The allocation of approved central service costs is through the medium of an Indirect Cost Proposal prepared by State departments and submitted through the Bureau to the appropriate cognizant federal agency. The Bureau also establishes for each legislatively created unit of government an indirect cost rate designed to recover the non-general fund share of central service costs which benefits each agency.

**Maine State Government Annual Report.** As part of its function to study and report on the organization and administration of State Government, the Bureau of the Budget designs the format, gathers the data from State agencies, edits, assembles and produces the Maine State Government Annual Report in accordance with statutory mandate.

**Budget Planning and Control.** This office began an effort towards streamlining and improving the budget review process as part of the Total Quality Management effort.

**Revenue Forecasting.** This office continued its efforts to improve the estimating of General Fund and Highway Fund revenues through consensus forecasting pursuant to Executive Order 4 FY 92/93.

### PUBLICATIONS:

*State Budget Document*

*Budget in Brief*

*Maine State Government Annual Report.* Available from the Department of Administrative and Financial Services, Division of Purchases, Central Printing Division, State House Station #9, Augusta.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## ADMINISTRATIVE & FINANCIAL SERVICES

BUREAU OF THE BUDGET	TOTAL FOR					
	ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	432,307	432,307				
Health Benefits	345,056	45,056				
Retirements	86,685	86,685				
Other Fringe Benefits	4,777	4,777				
Computer Services—State	863	863				
Other Contractual Service	21,384	21,384				
Rents	2,739	2,739				
Commodities	1,691	1,691				
Building Improvements	9,000	9,000				
<b>TOTAL EXPENDITURES</b>	604,502	604,502				

## CAPITOL PLANNING COMMISSION

JAMES H. KEIL, SECRETARIAT  
JON OXMAN, Chairperson

*Central Office:* B.G.S., Room 211, State Office Building

*Telephone:* 287-4000

*Mail Address:* State House Sta. #77, Augusta, Maine 04333

*Established:* 1967

*Sunset Termination Scheduled to Start by:* June 30, 1990

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 134; Citation: 5 M.R.S.A., Sect. 298

*Average Count—All Positions:* 9

*Legislative Count:* 0

**PURPOSE:** The Capitol Planning Commission was established to institute the development of a master plan to guide future State policy in the expansion of the States' physical plant and in the locating of State buildings and other public improvements in the Capitol area; to submit the completed plan to the Legislature for adoption; and to submit amendments as it deems necessary to the Legislature for adoption and inclusion in the official State master plan. The intended policy for development of the Capitol area is to proceed with economy, careful planning, aesthetic consideration and with due regard to the public interests involved.

**ORGANIZATION:** The Capitol Planning Commission was established in 1967, abolished in 1972 and recreated in 1973. The Commission consists of the Director of the State Planning Office, ex-officio, seven members appointed by the Governor, and a member of the Augusta City Council. The Governor's appointees must include: two residents of the Capitol Planning District; one resident of the City of Augusta; and four Maine citizens. The Commission elects a chairman from its membership and, while the Bureau of General Services serves as a secretariat of the Commission in exercising its administration, it may employ such assistance as it deems necessary. The Bureau of General Services also provides staff support. The Commission must meet at least once every four months.

**PROGRAM:** The Capitol Planning Commission again met only once in the last year. The reason for the inactivity was a continuation of a moratorium placed on governmental expansion.

### LICENSES, PERMITS, ETC.:

Sign Permits for:

Businesses

Any building within Capitol Complex

## ADMINISTRATIVE & FINANCIAL SERVICES

### PUBLICATIONS:

Capitol Planning Commission Rules and Regulations

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of General Services.

## STATE CLAIMS COMMISSION

**ROBERT C. TREWORGY, CHAIRMAN**

**RONALD M. ROY, Chief Counsel & Clerk**

*Central Office:* State Office Bldg., Augusta; *Floor:* 4

*Telephone:* 287-4031

*Mail Address:* State House Sta. #49, Augusta, Maine 04333

*Established:* 1961

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; *Umbrella:* 18; *Unit:* 185; *Citation:* 23 M.R.S.A., Sect. 152

*Average Count—All Positions:* 2

*Legislative Count:* 2

**PURPOSE:** The State Claims Commission was established to assure that the rights of property owners and/or interested parties are protected and just compensation is awarded in highway condemnations in the State of Maine. The primary responsibilities of the Commission are to conduct hearings relative to real property taken by the State; to afford property owners and/or interested parties the opportunity to appear, present their case and have their rights fully protected without the necessity of retaining professional assistance; to determine and award just compensation for highway takings, relocation assistance, grading and well damage claims, outdoor advertising signs, the relocation, removal or disposal of automobile graveyards and junkyards, assessment of damages for takings by the Portland Water District and by the Maine Turnpike Authority, and to make rules and regulations and prescribe forms to secure speedy, efficient and inexpensive disposition of all condemnation proceedings; and, in addition thereto, to approve, partially approve, or disapprove of certain claims against the State or any of its agents, which are not submitted under specific statutory provisions, and which do not exceed the sum of \$2,000.00 for each claim.

**ORGANIZATION:** Compensation for highway acquisitions was formerly under the jurisdiction of a Joint Board, composed of members of the State Highway Commission and the Board of County Commissioners of the County wherein the land was located. The Joint Board was superseded by the Land Damage Board in September, 1961. Under the Act Affecting the Organization of the Department of Business Regulation, effective September 23, 1983, the Board was placed under the supervision and direct control of the Commissioner of Finance and Administration.

The Land Damage Board whose name was statutorily changed to the State Claims Board and most recently to the State Claims Commission consists of five members, four of whom are appointed by the Governor for terms of four years. Two of these appointees must be qualified appraisers and two must be attorneys at law. The Governor designates one of the latter as chairman. The fifth member of the Commission is appointed for each hearing or series of hearings within the County where the land is situated. He or she must be a member of that County's Board of County Commissioners, and is appointed by the chairperson of the State Claims Commission.

**PROGRAM:** The State Claims Commission scheduled 158 cases for hearings during FY 94. There were 25 land damage cases which were settled prior to hearings. The Commission heard 18 cases and 56 cases were continued. There were also 59 cases that were disposed of by default judgments and 77 additional land damage cases were received but settled and, therefore, hearings were not required.

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**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE CLAIMS COMMISSION	TOTAL FOR	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS					
<b>EXPENDITURES</b>						
Salaries and Wages	55,687			55,687		
Health Benefits	2,867			2,867		
Retirements	3,477			3,477		
Other Fringe Benefits	1,273			1,273		
Other Contract Services—State	3,951			3,951		
Computer Services—State	3,875			3,875		
Other Contractual Service	13,295			13,295		
Rents	435			435		
Commodities	5,881			5,881		
Grants—Subsidies—Pensions	16,270			16,270		
Transfers to Other Funds	2,734			2,734		
<b>TOTAL EXPENDITURES</b>	109,745			109,745		

## DIVISION OF DATA PROCESSING

**RICHARD F. HINKLEY, ACTING DIRECTOR**

*Central Office:* State Office Bldg., Augusta; *Floor:* 4

*Telephone:* 287-3631

*Mail Address:* State House Sta. #61, Augusta, Maine 04333-0061

*Established:* July 1, 1986

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 129; Citation: 5 M.R.S.A., Sect. 1887

*Average Count—All Positions:* 154

*Legislative Count:* 0

### *Organizational Units:*

- Administrative Support
- Computer Operations
- Customer Assistance
- Customer Support Services
- Office of Geographic Information Systems
- Systems and Programming
- Systems Software and Planning

**PURPOSE:** The Division of Data Processing (DDP) was established to provide major data processing services in State Government, including computer operations, programming and applications systems development, technical support and networking services, and geographic information systems. These services are not only provided on DDP's own computers but also on departmental computers and local area networks as requested by its customer agencies. The Division, as authorized by the Director of the Bureau of Information Services (BIS), strives to ensure consistency in programming services, stability in data processing functions, reliability in the operation and maintenance of systems throughout State Government, and the responsiveness and flexibility to react to changing customer needs and situations. DDP also contributes to the development and deployment of information systems architectural principles and standards to maximize effective connection between various departmental computers and to improve the ability to exchange electronic information.

**ORGANIZATION:** The Division of Data Processing (DDP) was created by legislation merging the Department of Finance and the Department of Administration July 1, 1992. As the Office of Information

## ADMINISTRATIVE & FINANCIAL SERVICES

Services was transformed into the Bureau of Information Services in the process, the Division similarly was transformed from its prior existence as the Bureau of Data Processing which, in turn, was created from Central Computer Services on July 1, 1986. The responsibilities and duties of the Division of Data Processing remain essentially unchanged.

On July 1, 1993, the Office of Geographic Information Systems (OGIS) was moved via legislation from the Department of Conservation to DDP. During this first year, DDP and OGIS have successfully integrated with each other and are exploring new GIS opportunities for State Government.

DDP is guided by a Customer Service philosophy that it continues to strengthen by permeating it into the routine and daily actions of its staff. The Division holds periodic Customer Group meetings to inform customers and hearing from our customers what their needs are. The Bureau holds an annual Focus Group comprised of a cross-section of its customers for assessing the effectiveness of our service delivery by DDP, and to identify longer term trends and opportunities for improvement. The Division also communicates weekly with its customers to keep them informed of scheduled technical changes, thereby better ensuring successful coordination. Key changes were made this year in our software and hardware to improve system capacity and performance, and to provide the resources and functions needed by our customer agencies. This includes helping many of our customers migrate to the State's Wide Area Network (WAN) which typically provides vastly increased functionality and performance for essentially similar or less cost.

While providing these improvements, DDP was pleased to be able to continue decreasing its overall rates in FY94, making the customer agencies' cost of doing business with DDP more cost effectively than ever. Keeping unit costs down was again partly achieved by continuing our aggressive pursuit of acquiring hardware from the used market. This has worked well, particularly for used IBM equipment. It is DDP's plan to continue to exploit used market prices and to find ways of reducing unit costs whenever possible.

### PROGRAM:

**Computer Operations:** The goal for Operations is and has been to give our customers the best possible service regarding computer processing in whatever form is best suited to their needs. Our staff is constantly trying to find ways of improving their responsiveness and service to our customers in any way needed. In this vein, we are in the process of upgrading our second Xerox high-speed printer (HSP) to be able to print on-line and to make it switchable with the other high-speed printer. This will give us a back-up for the on-line print facility, including the ability of printing from cassette tapes as well as the round tapes used today. Our HSP printing has continued to climb and is now an average of two and one half to three million pages per month. We're currently in the process of testing pressure sealer equipment from Moore to have this production, when the application allows, leave our shop ready for mailing. We expect use of this technology will not only save the State money, but also improve the time in which the State's clients receive their forms and/or information.

The Network Control group continues to stay abreast of our customers' needs. They are looking into matrix switching and other methods of improving network availability and serviceability. Network Control enjoys being one of the first lines of contact with DDP customers and is involved with assisting in new "open technologies" such as TCP/IP and Local Area Network (LAN) connections that are becoming much more prevalent in our customer agencies.

The mainframes continue to be the cornerstones of our computer operations. However, we are expanding services and currently provide 24 hour coverage for several servers. We expect such support to expand during the upcoming year as agencies move to newer technologies.

We're also forming steering committees to review automation tools that will allow us to increase our monitoring capabilities, take on additional work without adding Operations' staff, and, in general, assist us in keeping costs down while demand for services increases.

**Customer Assistance:** Customer Assistance is responsible for disaster recovery planning and preparation, security, risk assessment and monitoring, a help desk function which has incorporated a problem resolution process to improve customer productivity, supplies and inventory, problem response oversight, change control tracking, customer equipment leasing, and the Bureau's customer service planning and management.

The division continues to provide state agencies with guidelines for security and insurance assessment, customer help procedures and a plan for Disaster Recovery.

The division provides state agencies with Disaster Recovery planning and security, software and training, and has improved the Supply & Services section to ensure continued customer assistance. The division is responsible for the review and implementation of standard security procedures that meet Federal requirements for matching fund systems. Additionally, the computer leasing program has



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assisted our customers in meeting their data processing needs by providing cost-effective systems and support of statewide computer networks.

**Customer Support Services:** Customer Support Services' (CSS) primary objective is to respond to agency requests for assistance with departmental information systems. Services provided include: local and wide area network design; research and development in emerging information systems technology; consultation services for network operating systems and office automation needs, including hardware, ranging from small local area networks to large scale departmental systems; analysis of work flow for system acquisition; and assistance in global Internet access and services. In addition, Customer Support Services provides acquisition, evaluation, negotiation, and contract services for agencies regarding information systems. CSS develops, implements, and administers statewide contracts when economies can be achieved.

**Office of Geographic Information Systems (GIS):** The Office of GIS coordinates GIS activities within state government to promote the effective use of geographic information and to maximize the efficient use of state GIS resources. To this end, OGIS operates a GIS computer center, develops standards and guidelines, manages the State's GIS database, and ensures data integrity through quality assurance/quality control programs. The Office also works with local government, the private sector and other interested parties to encourage the effective use of GIS technology and to facilitate access to geographic data in the public domain. The Office of GIS provides a full range of application development services including analysis, design, programming, ongoing technical support, map production, GIS training and distribution of data to the public. This year, the Office was successfully integrated into operations of the Division of Data Processing. Subsequent enhancements to GIS computers, output devices, and telecommunications have improved customer services. Standard ARC/INFO map libraries were created to improve customer access to state geographic data, and georeferencing and metadata standards were developed. Two hundred twenty-five (225) U.S.G.S. 7.5-minute quadrangles were digitized and progress made towards digitizing 360 National Wetland inventory maps. Over 1 gigabyte of geographic data was delivered to the public and private sectors. In addition, application development services were requested by many agencies. Application work includes E911, marine oil spill response, gypsy moth mapping, targeting human services, radon analysis, and nonpoint source pollution source mapping.

**Systems and Programming:** This section provides a full range of application development services (project management, analysis, design, programming, database administration) for State Government on a consulting basis. Support is provided for Bull and IBM mainframes, departmental UNIX systems, Novell LANs and PCs.

The Database group provides database design and performance monitoring services for both mainframe and departmental systems. Some of these systems include Taxation's MATS system, the Marine Resources system, the Corrections Master Record and Good Time systems, and the DOT BAMS system. The group has been instrumental in enabling information management technology such as the data warehousing capability for MFASIS.

The Contract programming teams have allowed agencies undergoing major automation efforts to augment their own staff with additional trained and experienced data processing staff as needed. This enables agencies to apply resources to their large projects in a timely manner to make the project successful but without the long-term overhead of additional permanent staff. Contract teams are working now with Taxation and the Secretary of State.

The MFASIS group supports the State's Budgeting, Accounting, and Human Resource Systems. Over the past year, major vendor software upgrades and enhancements have been implemented on both the Accounting and Budget systems. New features allow agencies to submit work program and budget submissions electronically. A major initiative to add information warehouse capability to the Human Resource system provides the ability for agencies to access and analyze their data flexibly and powerfully for management purposes. Several changes were implemented to support the Federal Cash Management Information Act as well as State Legislative and labor contract mandates. Also, an information statement was issued to all employees. The Human Services group supports the Department of Human Services' New England Child Support Enforcement System (NECSSES). During the past year, a substantial number of enhancements have been completed in the Enforcement, Financial, and Locate subsystems. Included in these enhancements was the development of the License Revocation program, which was one of several recent Legislative initiatives.

The Development group had, this past year, completed the Corrections' Goodtime system, the DHS Primary Care Case Management system, the Medical Claims Electronic File Transfer system, DEP's Multi-media Database Management (MDMS) system and the Tax Electronic Filing (ELF) system from analysis to implementation. The analysis phase was completed and system requirements delivered to

## ADMINISTRATIVE & FINANCIAL SERVICES

Central Fleet Management and the Board of Registration in Medicine. The Analysis and Design phases were completed for DEP's Tank Registration system and Secretary of State's Elections system. The Construction phase of DEP's Residential and Commercial Waste Water Discharge (RESCOM) system was successfully completed and the system implemented. This group also provides maintenance support and enhancement services to many agencies on a variety of platforms.

**Systems Software and Planning:** This division is responsible for the implementation, integration, and maintenance of the mainframe and data communications systems software used by DDP's customers. Systems Software and Planning is also responsible for the installation and maintenance of third-party vendor software, capacity planning, performance tuning, and coordinating the successful connection of departmental and remote computer systems to DDP platforms.

Much of our efforts this past year was directed toward handling a continuing increase in customer workload on our IBM mainframe computer, including improving the performance of the Bureau of Taxation's automated taxation system (MATS). Toward this end, we upgraded our IBM software platforms, including both MVS/ESA and DB2; and enhanced our STROBE application tuning software by adding the DB2 and APM Power component. We also upgraded our IBM processor from a 3090 200J to a 50% larger 3090 300J with additional expanded memory; added more high speed lines to our AT&T COMTEN network to accommodate our customers' needs; and began replacing our older IBM 3380 disk drives with more efficient IBM 3390 model 3's. Our joint efforts to this end have met with good success, and our customers were able to process more work faster and at a lower cost per transaction this year than last.

**Telecommunications Division:** The Bureau of Information Services, Telecommunications Division's primary work has centered around the deployment of advanced and effective technology while substantially reducing per unit costs. The verification of approximately 1000 NYNEX monthly invoices against the Division's internal records was completed. Essentially, every business line, trunk, data circuit, tie line, and T1 was verified in regards to cost, location, current user, etc. Once verified, the BTNs were categorized and compiled into approximately 10 summary bills, which has greatly decreased the effort necessary to pay bills each month. Through new reporting; moves, adds, and changes can be better identified and consequently verified. A new version of the utility management system used by the Division (Telco Research System) is being installed which will permit further automation of NYNEX invoice processing.

Internal processing procedures have been reviewed in Total Quality Management (TQM) groups consisting of Division staff and customers. Several changes are being implemented which will improve overall customer satisfaction, and a higher quality of service. The Division is also participating in departmental TQM efforts, as departments work to better utilize telecommunications in a way that saves employee time yet improves services to the public.

The Division's R&D efforts concentrated on improving cost performance while increasing manageability of the network, security and internetworking. The Division continues to be an AT&T beta and Controlled Introduction (CI) site for new products and software enhancements. The Division is also beta testing Verilink products which will enhance the management of DDS II tail circuits while greatly reducing DSU costs. Verilink is a major provider of the Division's DSU's, and Verilink systems are increasingly being used as an alternative to expensive network multiplexors.

The Maine State Lottery renegotiated its contract with GTEC, the provider of systems for the Tri-State Megabucks system (Maine, New Hampshire, and Vermont). The renegotiated contract required the installation of digital circuits, however, it did not include the costs of DSU's, installation and rewiring. The Division and NYNEX negotiated a contract that lowers network costs substantially, while including the DSU's, installation, etc. Maine continues to be the only State in the tri-state system to provide the network for Lottery use.

Deployment is moving ahead swiftly on the wide area network based on ETHERNET and TCP/IP. Ultimately it will move to other protocols. The Division has chosen to bridge locally and route regionally, while it reviews frame relay and ATM approaches. Filtering of unnecessarily chatty packets is eliminating over 70% of traffic that would otherwise travel across a bridged network. By bridging and filtering, versus routing, the Telecommunications Division has experienced great savings in regards to labor. Approximately 100 locations are currently tied to the wide area data network. Work continues in regards to network security. While the network design incorporates security measures, the Internet gateway is being braced with a new firewall, and work continues in regards to educating the local area network customer base on how best to secure themselves.

The Division has engaged a consultant to develop preliminary rates and a new cost allocation plan which will integrate with our utility management reporting/billing process. Rates have not been adjusted by the Division in approximately 10 years.

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The Telecommunications Division, in conjunction with the Department of Corrections and the Legislature, is in the process of issuing an RFP for inmate phone systems. The State also issued a bid for cellular phone services, which should reduce the cost of cellular equipment and service. Working with the Courts and Cumberland County, the Division is assisting in the installation of a compressed video arraignment system, a pilot for Maine Courts.

### PUBLICATIONS:

1992-1995 Directions Document  
Disaster Recovery Planning Guide  
Views—GIS Newsletter  
GIS Digital Data Catalog  
Data Standards for Maine GIS

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>DIVISION OF DATA PROCESSING</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	3,793,266					3,793,266
Health Benefits	423,791					423,791
Retirements	621,823					621,823
Other Fringe Benefits	47,166					47,166
Other Contract Services—State	268,288					268,288
Computer Services—State	563,929					563,929
Other Contractual Service	2,608,284					2,608,284
Rents	1,365,515					1,365,515
Commodities	408,171					408,171
Grants—Subsidies—Pensions	39,534					39,534
Interest—Debt Retirement	2,631					2,631
Transfers to Other Funds	145,481					145,481
<b>TOTAL EXPENDITURES</b>	<b>10,287,879</b>					<b>10,287,879</b>

## STATE EMPLOYEE HEALTH COMMISSION

**FRANK A. JOHNSON, CO-CHAIR**

**WILLIAM McPECK, CO-CHAIR**

**JO A. GILL, EXECUTIVE DIRECTOR**

*Central Office:* 220 Capitol St., Augusta

*Telephone:* 287-6780

*Mail Address:* State House Sta. #114, Augusta, Maine 04333

*Established:* August 4, 1988

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 350; Citation: 5 M.R.S.A. Sect. 285-A

*Average Count—All Positions:* 12

*Legislative Count:* 0

**PURPOSE:** The State Employee Health Commission was established to serve as trustee of the State Employee's Health Insurance Program, including health and dental insurances, and to advise the Executive Director and the Director of the Bureau of Human Resources on issues related to employee health and wellness, and the employee assistance program.

**ORGANIZATION:** The Commission was established by the 113th Legislature in 1988 replacing the Board of Trustees, Group Accident and Sickness or Health Insurance and the Labor/Management Committee on Employee Health. Membership of the Commission consists of sixteen (16) labor and

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management representatives as follows: one labor member from each bargaining unit recognized under Title 26, Chapter 9-B, appointed by the employee organization certified to represent the unit; one labor member from the largest bargaining unit recognized under Title 26, Chapter 14, appointed by the employee organization authorized to represent the unit; one labor member appointed by the retiree chapters of the Maine State Employees Association; one member appointed by the Maine Association of Retirees; four management members appointed by the Commissioner of Administrative and Financial Services; one management member appointed by the Court Administrators; and the Executive Director of Health Insurance, ex officio.

**PROGRAM:** The Commission conducted competitive bidding and selected Blue Cross and Blue Shield of Maine for the policy year ending June 30, 1994. The contract provided that a managed care health plan, Maine State Select, be continued. Additionally, Green Spring of Maine provides managed care services for substance abuse and mental health treatment; Medco provides a prescription drug benefit. After completing the competitive bid process, the Commission also renewed the dental insurance contract with Northeast Delta Dental.

### PUBLICATIONS:

Northeast Delta Dental: Dental Plan Description (free)  
Maine State Select (free)  
Directory of Maine State Select Physicians (free)  
Professional Directory of Participating Dentists (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE EMPLOYEE HEALTH COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
EXPENDITURES						
Salaries and Wages	219,885		219,885			
Health Benefits	-255,669		-255,669			
Retirements	41,709		41,709			
Other Fringe Benefits	1,574		1,574			
Other Contract Services—State	252,792		252,792			
Computer Services—State	17,957		17,957			
Other Contractual Service	92,722		92,722			
Commodities	6,609		6,609			
Grants—Subsidies—Pensions	2,290		2,290			
<b>TOTAL EXPENDITURES</b>	<b>379,869</b>		<b>379,869</b>			

## BUREAU OF EMPLOYEE RELATIONS

KENNETH A. WALO, DIRECTOR

*Central Office:* State Office Bldg., Augusta; *Floor:* 2

*Telephone:* 287-4447

*Mail Address:* State House Sta. #79, Augusta, Maine 04333

*Established:* July 1, 1986

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 446; Citation: 26 M.R.S.A., Sect. 979A

*Average Count—All Positions:* 7

*Legislative Count:* 7

**PURPOSE:** The Bureau of Employee Relations functions as the Governor's designee for employee relations for the State of Maine. The Bureau's mission is to:

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- (a) Develop and execute employee relations policies, objectives and strategies consistent with the overall objectives of the Governor;
- (b) Conduct negotiations with certified and recognized bargaining agents under applicable statutes;
- (c) Administer and interpret collective bargaining agreements, and coordinate and direct agency activities as necessary to promote consistent policies and practices;
- (d) Represent the State in all bargaining unit determinations, elections, prohibited practice complaints and any other proceedings (including MLRB and Court cases) growing out of employee relations, and collective bargaining activities;
- (e) Coordinate the compilation of all data and information needed for the development and evaluation of employee relations programs and in the conduct of negotiations;
- (f) Coordinate the State's resources as needed to represent the State in negotiations, mediation, factfinding, arbitration, and other proceedings; and
- (g) Provide staff advice on employee relations to the various departments and agencies of State government, including providing for necessary supervisory and managerial training.

**ORGANIZATION:** Chapter 785, Public Laws of 1985, established the Bureau of Employee Relations within the Department of Administration. PL 1991 Chapter 780 established the Bureau of Employee Relations within the newly merged Department of Administrative and Financial Services.

**PROGRAM:** In FY 1994, the Bureau completed negotiations for successor collective bargaining agreements for two (2) bargaining units for the period from July, 1993, to June 30, 1995. The Bureau also continued to administer collective bargaining agreements, and was actively involved in several major cases before the Maine Labor Relations Board, Arbitrations and the Courts concerning the impact of the 1991 shutdown of state government.

The Bureau was also actively pursuing unit clarification petitions involving hundreds of positions before the Maine Labor Relations Board.

The Bureau continued its aggressive actions in the resolution of grievances including the continuation of the mediation process before arbitration. The Bureau began implementation of TQM activities consistent with Departmental goals. The Bureau was also responsible for management representation on ongoing labor-management committees dealing with employee health and health insurance, safety, and other bargaining related activities. Finally, the Bureau continued to be involved in intensive negotiations of achieving legislatively deappropriated savings for state employees health insurance.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF EMPLOYEE RELATIONS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	300,068	300,068				
Health Benefits	24,345	24,345				
Retirements	60,135	60,135				
Other Fringe Benefits	2,347	2,347				
Other Contract Services—State	53,449	43,449				
Computer Services—State	17,104	17,104				
Other Contractual Service	53,732	53,732				
Rents	213	213				
Commodities	6,480	6,480				
Grants, Subsidies, Pensions	9,639	9,639				
<b>TOTAL EXPENDITURES</b>	<b>527,512</b>	<b>527,512</b>				

## EMPLOYEE SUGGESTION SYSTEM BOARD

DALE DOUGHTY, DEPUTY COMMISSIONER OF  
ADMINISTRATIVE AND FINANCIAL SERVICES

*Central Office:* State Office Bldg., Augusta; Floor: 4

*Telephone:* 287-4520 (Voice)

*Mail Address:* State House Sta. #74, Augusta, Maine 04333

287-4537 (TDI)

*Established:* 1992

*Sunset Review Required by:* June 30, 2000

*Reference: Policy Area:* 00; *Umbrella:* 18; *Unit:* 408; *Citation:* 5 M.R.S.A., Sect. 642

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Employee Suggestion System Board has responsibility for the guidelines for administration of the State Employee Suggestion Award Program (5 MRSA, Section 642) and for making final determinations on suggestions submitted under these guidelines.

**ORGANIZATION:** Under the enacting statute, Board membership was defined as the Commissioner of Personnel, the Commissioner of Finance and Administration, and one other Commissioner of a State department to be appointed by the Governor. The Commissioner of Professional and Financial Regulation was appointed as the third member of the original board.

In July 1986, the Department of Finance and Administration was divided into two separate departments and, for continuity, the Board consisted of the Commissioner of Personnel, the Commissioner of Finance and the Commissioner of Administration.

The 1987, the enacting statute was amended and Board membership was redefined as the Commissioner of Finance, the Commissioner of Administration and one other Commissioner of a State department to be appointed by the Governor (the Commissioner of Transportation).

In December 1991, the Departments of Finance and Administration were merged to form the Department of Administrative and Financial Services.

In June 1992, the enacting statute was amended to redefine the membership of the Board as the Commissioner of Administrative and Financial services and two other commissioners appointed by the Governor. In addition, the responsibility for the day-to-day administration of the Suggestion Program was shifted from the former Department of Administration to the Bureau of Human Resources.

**PROGRAM:** During FY 93-94, the Employee Suggestion System received and processed 30 suggestions as follows:

- 7 suggestions were found ineligible for a cash award
- 2 suggestions were found eligible for a cash award; one for \$100 and one for \$21.10
- 21 suggestions were pending evaluation on 6/30/94

By a sunset amendment to 5 MRSA, §642, the cash award for employee suggestions was increased to 10% of the first year's savings or \$10,000 whichever is less. This increase to cash awards will remain in effect until June 30, 1995..

### PUBLICATIONS:

Guidelines for the Maine State Employee Suggestion System (free).

**FINANCES, FISCAL YEAR 1994:** Cash awards were charged to the State agency fund for which savings were realized.

## ADMINISTRATIVE & FINANCIAL SERVICES

### DIVISION OF FINANCIAL AND PERSONNEL SERVICES

EDWARD KARASS, DIRECTOR

GILBERT M. BILODEAU, FINANCIAL ANALYST

PATRICIA L. BEAUDOIN, PERSONNEL MANAGER

*Central Office:* State Office Bldg., Augusta; *Floor:* 4  
*Mail Address:* State House Sta. #74, Augusta, Maine 04333

*Telephone:* 287-4500  
*FAX:* 287-4032

*Established:* June 30, 1992

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 551; Citation: 5 M.R.S.A., Sect. 284

*Average Count—All Positions:* 35

*Legislative Count:* 35

**PURPOSE:** The Division of Financial and Personnel Services was established to provide consolidated administrative, financial and personnel management services for the Department of Administrative and Financial Services. The Division is authorized to provide administrative and financial management support and services to all bureaus of the Department of Administrative and Financial Services.

**ORGANIZATION:** The Division of Financial and Personnel Services was established by statute on June 30, 1992 through the merger of the Department of Finance and the Department of Administration.

**PROGRAM:** The technical assistance and support provided bureaus within the Department of Administrative and Financial Services include accounting, auditing and budgetary functions, and departmental personnel functions.

#### PUBLICATIONS:

Affirmative Action Plan—(Free)

Department Employee Information Booklet—(Free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system and are included within the Department of Administrative and Financial Services financial chart.

DIVISION OF FINANCIAL AND PERSONNEL SERVICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	870,140	318,316	551,824			
Health Benefits	107,264	34,316	72,948			
Retirements	157,944	63,145	94,799			
Other Fringe Benefits	8,423	2,425	5,998			
Other Contract Services—State	1,868	329	1,539			
Computer Services—State	20,289	10,900	9,389			
Other Contractual Service	38,180	18,786	19,394			
Rents	2,523	644	1,879			
Commodities	15,926	5,325	10,601			
Grants—Subsidies—Pensions	5,121	5,121				
Building Improvements	5,229	1,485	3,744			
Transfer to Other Funds	57,410		57,410			
<b>TOTAL EXPENDITURES</b>	1,290,317	460,792	829,525			

## BUREAU OF GENERAL SERVICES

JAMES H. KEIL, DIRECTOR

*Central Office:* State Office Bldg., Augusta; *Floor:* 2  
*Mail Address:* State House Sta. #77, Augusta, Maine 04333

*Telephone:* 287-4000

*Established:* December 23, 1991

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 554; Citation: 5 M.R.S.A., Sect. 1725

*Average Count—All Positions:* 234

*Legislative Count:* 160

**PURPOSE:** The Bureau of General Services was established to provide one centralized bureau to manage and oversee the state's procurement process, insurance advise and services for all state agencies, and to provide planning, development and monitoring of the construction of all public improvements. In addition, the bureau maintains and controls property records and inventories for state property and removable equipment. It is authorized to plan and develop long-range public improvement programs and to make recommendations to the governor and the legislature regarding such programs. It advises on and approves engineering and architectural services, proposals, plans, specifications and contracts for public improvements to state facilities and public school construction, inspects materials, equipment, methods used and changes in plans in the process of making public improvements, and in inspecting public improvements during the course of construction or repair. It maintains records of construction costs and progress of public improvements, and in inspecting public improvements during the course of construction or repair. It maintains records of construction costs and progress of public improvements, supervises, controls and maintains land and buildings in the State Capitol Complex. It manages and records the leasing of all grounds, buildings, facilities and office space required by all departments and agencies of state government, and records and manages asbestos in those state-owned buildings and facilities. It also assists the Capitol Planning Commission in the establishment and maintenance of a master plan for the orderly future development of the Capitol Area in Augusta. The director serves as secretariat of that commission.

**ORGANIZATION:** The Bureau of General Services was established in 1991 as part of the merger of the Departments of Administration and Finance. It consists of the following divisions:

- Professional Services
- Property Management
- Custodial Services
- Property Records
- Space Management
- Purchases
- Central Fleet Management
- Risk Management

### PROGRAMS:

**Professional Services Division.** The professional services staff oversees renovations, maintenance and repairs of roughly 2,000 state-owned buildings consisting of approximately 7,000,000 square feet. The planning, design, review and construction monitoring staffs serviced approximately \$55,850,100 worth of public improvements during the past year. This has consisted of 29 public schools constructed worth \$47,470,969 and capital construction projects on 88 state projects worth \$8,379,116. Architectural and engineering costs, contingency, as well as other project costs on the above projects total approximately an additional \$5,600,000.

The Energy Conservation and Management unit continues to explore funding options for energy conservation in state facilities under the state's "Green Lights" partnership with the U.S. EPA to upgrade lighting efficiency in at least 90% of existing facilities.

**Property Management Division.** This division has responsibility for operations, maintenance and housekeeping services of 52 buildings and 3 small related operations/storage buildings in the Capitol Complex and the Hallowell Annex and is currently overseeing the Oak Grove-Coburn property pending construction/operations changes. Building sizes and structure vary from older wood homes modified for office use to the seven-story State Office Building. Total area of floor space is approximately 1.6 million



## ADMINISTRATIVE & FINANCIAL SERVICES

square feet with 28 acres of manicured grounds, numerous parking lots, limited roadways, limited grounds of 125 acres at the Hallowell Annex, plus the 500 acres at Oak Grove-Coburn on a temporary basis.

The division is split into two specific sections. The Superintendent of Buildings is responsible for all operations and maintenance except custodial care and recycling which are the responsibility of the Director of Housekeeping and Custodial Services. Both positions report to the Director of the Bureau of General Services.

This was a year of many accomplishments which include utilization of a computer program of in-house design which allows tracking of use and cost of all utilities and fuels. This program immediately pointed out potential savings in sewer costs which was implemented and saved over \$19,000 in 5-1/2 months with expected future annual savings of over \$40,000. Initiated electronic imaging for filing to save space and time, replaced several roofs, installed a previously non-existent fire alarm at State Police and upgraded another system, resolved a long standing drainage problem at Ray building, resolved a major electrical problem at D.O.T. building which previously was causing many building wide electrical failures, upgraded the electrical system on the 4th floor of the State Office Building, installed a card access system in the State Office Building and security system in the Governor's area of the State House, resolved the Vietnam Memorial lighting problem, and initiated a difficult exterior renovation project at the Blaine House. All buildings within the complexes have been posted with signage to meet the American with Disabilities Act (ADA) and six elevators were brought up to date to meet the ADA requirements.

The office paper recycling program recycled 353 tons of paper and cardboard resulting in \$4,000 in revenue and \$19,500 in avoided landfill costs. In addition, a new program was initiated to recycle cafeteria food waste for composting. This program is resulting in savings of \$1,000 a year in landfill costs.

**Property Records Division.** The year started with the Property Records ledgers showing a total cost valuation for Plant and Equipment of \$400,487,434. During the year, this division audited and accounted for \$43,368,555 additions and \$20,924,273 retirements to the Capital Equipment Accounts, and Plant Reports were prepared showing additions of \$14,054,889 and retirements of \$7,787,604 to the Land, Building and Structures and Improvements Accounts. The 1991 year closed with a cost valuation for plant and equipment of \$429,199,001.

**Space Management Division.** This division has the responsibility to obtain acceptable office space either through use and renovation of existing state-owned facilities or leasing suitable office space from the private sector. Staff assist the user agency in developing requests for proposals, lease specifications, office layout and negotiations for cost and term of the lease.

Work is on-going to establish regional office centers in areas where more than one agency has a regional office. This should result in lease savings to the State of Maine by reducing the need for duplicate common space, such as bathroom facilities, conference space, lobbies, etc.

Space planning for large projects is provided by an architectural firm on contract to the bureau. Projects are reviewed by staff to assure the proper allocation of available space. Planning is complete for a center in Ellsworth that will house seven agencies in a single facility of approximately 22,000 square feet. An RFP for the Portland region is being developed for a facility in excess of 100,000 square feet. We were also successful in developing a regional campus setting in Fort Kent where four agencies have come together.

Space planning for large projects is provided by an architectural firm on contract to the bureau. Projects are reviewed by staff to assure the proper allocation of available space. The division has been able to expand its CAD file to include all of the State Office Building and several large lease locations. This enables us to track space and renovate space more efficiently.

The division works closely with the Property Management Division during the renovation process in state-owned facilities to optimize the use of space available to the user agency. Staff review all modular furniture purchases and works with Property Management to oversee its installation, in accordance with applicable fire and handicap accessibility codes.

There are currently 53 locations in the Augusta area, with a total square footage of 386,944 under lease to the state. This compares with 58 locations and 420,695 square footage in 1993. Statewide for the current period shows 284 leases with 1,211,853 square feet at an annual cost of \$10,155,471; compared with 1993 data of 340 leases at 1,236,006 square feet costing \$10,644,188.

Negotiations are on-going to reduce the cost per square foot, as well as any escalators, in current leases for a period of two years. Leases are being renewed only where there can be a substantial savings to the state and still meet the state's specifications.

## ADMINISTRATIVE & FINANCIAL SERVICES

**Purchases Division.** The Bureau of Purchases became a "division" under the Bureau of General Services in 1992. Within the division are the divisions of Postal Services, Warehousing, Central Printing, Central Convenience Copiers, Central Photography, State Surplus services and Central Fleet Management (Central Motor Pool). The division is the designated state agency to receive and distribute federal surplus property.

The purpose of the Bureau of Purchases is to manage a procurement program that will result in obtaining the maximum projected value for each dollar of expenditure in an open and competitive manner assuring fairness and integrity. The division is authorized to purchase all services, supplies, materials and equipment required by the state government or by any department or agency thereof; to promulgate rules for the award and appeal of state contracts; to adopt and enforce specifications applying to services, supplies, materials and equipment purchased for the use of the state government; to establish and conduct a central duplicating service available to all state departments and agencies and to charge for the use of such facilities and supplies; to establish and operate, with the approval of the Commissioner of Administrative and Financial Services, storerooms as necessary for the storage and distribution of supplies, materials and equipment for governmental use; to transfer to or between state departments and agencies, or sell supplies, materials and equipment which are surplus, obsolete or unused; to establish and conduct a central mailing room for state departments and agencies; and to permit any political subdivision or school administrative district in the state to make purchases of materials, equipment and supplies through the division, subject to procedures, rules and regulations prescribed by the Director of the Division of Purchases.

A Blind-Made Products Committee was established to determine the price of all products which meet specifications prescribed by the Director of Purchases which are manufactured by Maine institutions for the blind and offered for sale to the state or any political subdivision.

During FY 1994, the Division of Purchases directly produced 21,770 purchase orders and releases totaling \$60,447,767. In addition, the division approved 1414 requests for proposal, contracts and amendments for special services totaling \$40,679,902.

The division is responsible for delegating small purchases authority to agencies of state government. This process was selected as one of the pilot Process Action Teams in Maine's Total Quality Management effort. The team has recommended changes that are expected to yield savings in time and money of over \$250,000.

**Central Fleet Management.** *Purpose:* The Central Motor Pool, operating under the name Central Fleet Management, was established to centrally procure, maintain, distribute and dispose of passenger and light truck vehicles for most agencies of state government.

*Program: Lease Line.* The lease line provides 1,119 passenger and light truck vehicles to using agencies across state government. Maintenance and repair is accomplished through a central service garage and contracted services. Fuel, parts, vehicles and light maintenance is collectively bid to reduce costs and provide widespread availability of services.

A user group was developed in FY 1994 which offers feedback and recommendations to the management team. Improvements in specifications, availability of service and customer satisfaction have resulted.

**Rental Line.** The rental line provides daily vehicle needs to all of state government. Agencies can request various regular and special purpose vehicles on a daily, weekly or monthly basis, allowing the optimum use of all state vehicles throughout the year.

**Risk Management Division.** The objective of the Risk Management Division is to provide insurance advice to the state government and administer all state insurance and self-funded plans and programs. The Director reviews annually the entire subject of insurance as it applies to all state property and activities; develops and maintains accurate records of all buildings and contents, state-owned vehicles, aircraft, ocean marine requirements and other pertinent information to properly apply insurance coverage; recommends to the Commissioner of Administrative and Financial Services such protection as deemed necessary or desirable for the protection of all state property and activities; recommends a limit of self-insurance on state-owned buildings, contents, furniture, fixtures, and activities consistent with adequate capitalization and administration of the Self-Insurance Fund; and provides insurance coverage for unusual or unique situations and conditions, as deemed necessary.

## STATE PROPERTY INSURANCE

Company: Aetna

Agency: Morse, Payson & Noyes

Term: 7/1/92 to 7/1/95

Insured Amount: \$1,869,342,031

## **ADMINISTRATIVE & FINANCIAL SERVICES**

### **BOILER**

Company: Travelers  
Agency: Dunlap  
Term: 7/1/93 to 7/1/94  
Deductible: \$5,000/optional \$1,000  
Insurance and Inspection services for 563 boilers

### **COMPREHENSIVE BLANKET BOND**

Company: State of Maine Self-Insurance Fund  
Agency: Risk Management Division  
Term: 7/9/93 to 7/9/94  
Coverage: Employee Fidelity, Monies & Securities  
Number of Employees: 15,982

### **FOOD STAMP BOND**

Companies: Hartford, USF&G, and Aetna C&S  
Agency: The Dunlap Agency  
Term: Continuous  
Coverage: Food Stamps in the amount of \$22,000,000

### **OCEAN MARINE/BOAT INSURANCE**

Company: AIG New Hampshire Insurance  
Agency: Allen Agency  
Term: 7/1/93 to 7/1/94  
138 vessels of the state

### **POLICE PROFESSIONAL LIABILITY\***

Company: State of Maine Self-Insurance Fund  
Agency: Risk Management Division  
Term: 7/26/93 to 7/26/94  
423 Police Officers

### **AUTOMOBILE FLEET LIABILITY INSURANCE\***

Company: State of Maine Self-Insurance Fund  
Agency: Risk Management Division  
Term: 9/8/93 to 9/8/94  
Limits: \$300,000 per occurrence  
4,541 vehicles

### **AIRCRAFT FLEET INSURANCE**

Company: United States Fire Insurance Co.  
Agency: Johnson & Higgins/Maine, Inc.  
Term: 8/6/93 to 8/6/94  
15 aircraft

### **TORT CLAIMS ACT LIABILITY\***

Company: State of Maine Self-Insurance Fund  
Agency: Risk Management Division  
Term: 7/1/93 to 7/1/94  
Coverage: Specifically Named Tort Claims Act Coverage  
10,877 employees

### **FEDERAL LAW SECTION 1983 CIVIL RIGHTS COVERAGE\***

Company: State of Maine Self-Insurance Fund  
Agency: Risk Management Division  
Term: 7/1/93 to 7/1/94  
Coverage: Federal Civil Rights Act  
10,877 employees

## ADMINISTRATIVE & FINANCIAL SERVICES

### FOSTER PARENT AND RESPITE CARE LIABILITY INSURANCE\*

Company: State of Maine Self-Insurance Fund  
 Agency: Risk Management Division  
 Term: 12/16/93 to 12/16/94  
 Coverage: Foster Parent and Respite Care Liability  
 1,366 foster homes & respite facilities

### EXCESS STOPLESS AGGREGATE LIABILITY INSURANCE

Company: Crum & Forster, Sedgewick James  
 Term: 7/1/93 to 7/1/94  
 Limits: \$5,000,000 Annually  
 Deductible: \$2,500,000 Annually

\* Marked insurance are subject to excess liability coverage.

### LICENSES, PERMITS, ETC.

Parking Permits for:  
     Service Vehicles                      Car Pooling  
     Outside Agency                      Commissioners

### PUBLICATIONS:

Rules and Regulations — Capitol Planning Commission — n/c  
 Life Cycle Analyses — n/c  
 Homeowner's Manual for Asbestos

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF GENERAL SERVICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
EXPENDITURES						
Salaries and Wages	4,751,354	2,915,570	19,160	395,948		1,420,676
Health Benefits	722,240	426,829	2,727	63,993		228,691
Retirements	782,083	480,241	3,137	62,328		236,377
Other Fringe Benefits	44,771	25,390	179	4,678		14,524
Other Contract Services—State	267,195	123,420	15,594	815		127,366
Computer Services—State	278,765	41,321	39,740	27,278		170,426
Other Contractual Service	3,244,629	1,889,462	133,267	577,137		644,763
Rents	5,384,358	862,780	474,760	97,360		3,949,458
Commodities	923,997	737,324	8,359	57,623		120,691
Grants—Subsidies—Pensions	228,981	151,173		20,933		56,875
Purchase of Land	2,046,056	1,401,000	645,056			
Building Improvements	11,812	10,067	1,745			
Interest—Debt Retirement	277,741	272,335	35	1,035		4,336
Transfers to Other Funds	8,839,370		6,546	634		8,832,190
<b>TOTAL EXPENDITURES</b>	<b>27,803,352</b>	<b>9,336,912</b>	<b>1,350,305</b>	<b>1,309,762</b>		<b>15,806,373</b>

## BUREAU OF HUMAN RESOURCES

NANCY J. KENNISTON, DIRECTOR

*Central Office:* State Office Bldg., Augusta; *Floor:* 2

*Mail Address:* State House Sta. #4, Augusta, Maine 04333

*Established:* July 1, 1987

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 389; Citation: 5 M.R.S.A., Sect. 7033

*Average Count—All Positions:* 35

*Telephone:* 287-3761 (Voice)

287-4537 (TDD)

*Sunset Review Required by:* June 30, 2000

*Legislative Count:* 33

**PURPOSE:** The Bureau of Human Resources is responsible for centralized administration of the State's Civil Service System. The mission of the Bureau is to adopt, amend and enforce Civil Service Rules and Regulations to ensure that positions essentially alike in duties and responsibilities are treated alike in pay and other civil service processes; to ensure that applicants for State positions are afforded fair and equal opportunity to obtain employment on the basis of merit and fitness; and through these merit programs and employee development and training programs, to promote effective services and economy for the conduct of State business. The Bureau of Human Resources is a service agency to the rest of State Government, and the Bureau's enacting legislation mandates a civil service system that is responsive to the needs of agencies and employees and contains provisions for the increased involvement of agencies in establishing policy and identifying problems and finding solutions to these problems.

**ORGANIZATION:** In 1937, the State of Maine enacted legislation (referred to as the Personnel Law) to parallel Federal Civil Service Law. Power and authority for administration of this Personnel Law was vested in a three-member State Personnel Board and a Bureau of Personnel (within the then Department of Finance). The Bureau was headed by a Director of Personnel who was jointly appointed by the Governor and the State Personnel Board to serve at the pleasure of the Board.

This organization for administration of the Civil Service System changed in 1941 when the Bureau of Personnel was afforded the status of an independent State agency referred to as the Department of Personnel. With this change, the power and authority remained vested in the Personnel Board and a Director appointed to serve at its pleasure.

In 1947, the State Personnel Board was provided statutory authority to appoint a State Advisory Council on Personnel comprised of representatives from the Legislature, the Governor's Office, the Governor's Executive Council, department heads, the employees' association, the Budget Office and the Public.

In 1953, membership on the State Personnel Board was increased from three to five members by adding a State employee selected by the Maine State Employees' Association and a member selected from department heads.

In 1975, the five member Board was made an all public body by deleting the special memberships added in 1953, and the Board's authority for an advisory council was discontinued.

In 1976, the organization for administration of the State Civil Service System experienced a major change. The Department of Personnel was made a Cabinet level department, headed by a Commissioner appointed by the Governor, to serve at the pleasure of the Governor. The Commissioner was provided the power and authority formerly vested in the State Personnel Board and the State Personnel Board was redefined as an advisory and appellate body.

In January 1981, the Governor placed the Office of Employee Relations under the direction of the Commissioner of Personnel and a Director of Employee Relations was appointed by the Commissioner to manage labor relations and collective bargaining activities.

In 1986, legislation was enacted which significantly altered the mission and purpose of the Department of Personnel and provided a year of transition for the Department to become a Bureau within the newly established Department of Administration. During the transition period, the responsibilities established by this legislation for the Director of the Bureau of Human Resources were carried out by the Commissioner of Personnel. All of the following changes were effective with the start of the transition period on July 1, 1986. The State Personnel Board was discontinued and replaced by the State Civil Service Appeals Board. A Policy Review Board was established to provide advice and assistance to the Commissioner of Administration and the Director of Human Resources with respect to Civil Service policy and program development. The Office of Employee Relations was established as a Bureau within the Department of Administration and the former Training Division of the Office of Employee Relations was placed under the Bureau of Human Resources.

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In July 1987, the transition required by the 1986 legislation was completed and the Bureau of Human Resources was established as the replacement organization for administration of the State's Civil Service System.

In July 1991, the organization of the Bureau of Human Resources was expanded as part of a consolidation effort to include the State Employee Health Insurance Program, the Employee Assistance Program, and the Workers' Compensation Program. In addition, the functions previously performed by the Bureau of State Employee Health were modified and reassigned to the Bureau of Human Resources.

In December 1991, the Departments of Finance and Administration were merged to form the Department of Administrative and Financial Services, and the Bureau of Human Resources was placed under the jurisdiction of this new department.

**PROGRAM:** The goals for administration of the State's Civil Service System continue to be:

- To provide agencies and departments of Maine State Government with timely and effective human resource services and benefits administration.
- To ensure that individuals who are hired have the knowledge and skills necessary for the effective operation of State government and to encourage the retention of qualified employees.
- To enhance the ability of State agencies to implement effective Affirmative Action Programs.
- To establish that "quality professional development" is an accepted and supported policy of all State government.

During FY 93-94 the Bureau of Human Resources continued its role in the administration of the several cost savings measures and worked closely with agency personnel managers, the Bureau of Employee Relations, and the Bureau of the Budget to accomplish the administration of these measures.

**MFASIS.** During FY 93-94 the Bureau made effective use of the State's automated system for human resource management, payroll and position control to administer the several cost savings programs and actions that were implemented during the fiscal year or carried forward from the prior fiscal year. And, the data capability of MFASIS proved useful in generating the reports needed by the Administration and State agencies to make important budget and program decisions, and for capturing the participation levels and savings generated by the various cost savings measures.

Looking to the future, the Bureau played a key role in defining requirements for the MFASIS Data Warehouse. When completed, the Data Warehouse will allow State agencies to access human resource management information quickly and easily, using the same wide area network and PC reporting tools. Access to this data will greatly enhance the ability of State agencies to generate selective management information reports.

**Merit System and Operations.** During FY 93-94 the Bureau continued to administer shut down and furlough days, legislated salary reductions, the continued Voluntary Cost Savings Programs, the Seventy Percent Retirement Program, and the reduced workweek program. Changes to these programs involved the design of special forms and the use of MFASIS to provide State agencies and the Bureau a system for monitoring individual program requirements and salary savings and for keeping an account of lost earnings that must be restored for retirement purposes. In addition, the Bureau provided special transitional assistance and information to employees who were laid off from State agencies as the result of reductions in force, consolidation of programs, and the elimination of several boards and commissions. And, the Bureau continued to serve as a central information and assistance resource to agency personnel responsible for managing employee layoffs. The Bureau has continued to reduce the backlog of reclassification appeals. The backlog has been reduced by 75% since the effort began two years ago.

During FY 93-94 the Bureau undertook several pilot recruitment and testing projects that form cooperative relations between the Bureau and hiring agencies. These pilots were used to test new methods of recruitment and testing that were developed to provide State agencies with more flexibility to match applicants to the particular demands of their positions. Based on the highly successful results of these pilots, new testing and recruitment methods will be incorporated by the Bureau.

**Affirmative Action.** During FY 93-94, the Bureau continued to provide direction, support and technical assistance to State agencies in the implementation of Affirmative Action Programs, complaint investigations and related employee/supervisory training. As part of its statewide affirmative action effort, the Bureau continued operation of the Supported Employment and Special Appointment programs to employ people with severe disabilities in State positions. Again this year emphasis has been on the statewide implementation of the Americans With Disabilities Act in both programs and employment.

**State Training and Development.** Training and management consulting services were provided to approximately 2,960 employees (3,591 participant training days) and 30 State agencies. Training included courses and programs in management skills; labor relations; personnel policies; stress

## ADMINISTRATIVE & FINANCIAL SERVICES

management; interviewing skills; New Employee Orientation; and other subjects relevant to management and the professional career development of State employees. The Bureau uses a training cadre of line agency staff to assist with the delivery of training programs and works with the University for professional development programming.

Training and Development has continued to respond to a large number of special requests for management and professional development programs, including Total Quality Management (TQM). The Bureau's responses to special requests has resulted in the design and delivery of comprehensive management training programs, and the training provided by these programs has helped State managers to develop consistent management practices and has provided managers reinforcement through interaction and sharing of common problems.

A new undertaking by Training and Development was in the area of organizational development to provide coordination and consultation services to the executive branch in order to support the legislative resolve to implement Total Quality Management (TQM) in each branch of government. TQM is a comprehensive system, structure, and process characterized by employee involvement, strategic planning, team efforts and quantitative measures focused on continued process improvement. Consultation services and training in TQM have been provided to all executive branch departments and the executive department in order to establish a State Quality Management Council and councils in each department. The State Council has representation from management, labor, the legislature and private industry. The department councils are comprised of labor and management representatives who manage the TQM process in their respective departments.

**Workers' Compensation.** During FY 93-94 the Bureau provided direction, support and technical assistance in the administration of claims filed with the Executive, Legislative and Judicial branches of Government. During the fiscal year the Bureau provided case management services, rehabilitation programs and training in Safety Programs.

The summary of Workers' compensation claims and expenses for FY 93-94 follows:

New Claims	\$ 1261.00
Payments on New Claims	\$ 1,229,349.00
Total Payments on <u>All</u> Claims	\$12,213,597.00

**State Employees' Health Insurance Program.** During FY 93-94, the Bureau provided centralized administration of the State's health, dental, utilization review, and prescription drug programs. Related responsibilities included the coordination of payroll deductions, health and dental eligibility determinations, enrollment processing, and benefits communication.

**Employee Assistance Program.** The Bureau contracted with Affiliated Healthcare Systems to provide employee assistance program (EAP) services during FY 93-94.

The services provided by Affiliated Healthcare Systems continue to include several program improvements, including expanded accessibility and the availability of short-term counselling. The EAP continues to offer free, voluntary, and confidential counselling sessions with employees, their families, and retirees to provide assessment and referral services. The EAP contractors also coordinates the delivery of treatment with the State's substance abuse and mental health managed care vendor, Green Spring of Maine. The primary goal of the EAP is to restore valuable employees to full productivity. The EAP is designed to identify employees with family, substance abuse, emotional, financial, or other personal problems; motivate those employees to seek help; provide short-term professional counselling and assessment; direct employees toward the most appropriate treatment; and provide continued support and guidance for troubled employees.

**PUBLICATIONS:** The following publications are obtained through the Bureau of Human Resources unless otherwise noted:

State of Maine Civil Service Rules (also available through Central Warehouse, Bureau of Purchases, Order #F-139A) (\$1.54 ea.)

Salary Schedules (Available through Central Warehouse, Bureau of Purchases, Order #F-139) (\$4.61 per set)

Alphabetical Listing of classes and ranges (Available through Central Warehouse, Bureau of Purchases, Order #F-139B) (\$1.91 ea.)

Affirmative Action Plan (Available through Central Warehouse, Bureau of Purchases, Order #F-135) (\$2.70 ea.)

Instructional Pamphlet for Oral Examination Candidates (free)

Informational Pamphlet on Veterans Preference in Maine State Service (free)

A Listing of Classes Continuously Open To Recruitment for both non-state employees and state employees (free)

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- A Listing of Classes Continuously Open To Recruitment for state employees (free)
- A Listing of Direct Hire Classes Open To Recruitment for both non-state employees and state employees (free)
- Career Opportunity Bulletins (Examination Announcements for classes not continuously open to recruitment) (free)
- State of Maine Application for Employment (also available from branch offices of the Maine Job Service) (free)
- State Training Catalogue (free)
- Training Workbook—Performance Management (free for course participants)
- Training Workbook—Discipline (free for course participants)
- Training Workbook—Selection Interviewing (free for course participants)
- New Employee Orientation (free for course participants and available through Central Warehouse, Order #F-141, \$3.10 ea.)
- EEO Guide for Employers in Maine (free for course participants and available through Central Warehouse, Order #F-135, \$2.71 ea.)
- Americans With Disabilities Act Workbook for State Agency ADA Coordinators.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF HUMAN RESOURCES</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	972,045	960,522	11,523			
Health Benefits	87,496	87,358	138			
Retirements	193,407	191,030	2,377			
Other Fringe Benefits	7,340	7,170	170			
Other Contract Services—State	57,647	6,683	50,964			
Computer Services—State	38,228	34,132	4,096			
Other Contractual Service	140,347	107,876	32,471			
Rents	15,792	15,663	129			
Commodities	50,156	40,661	9,495			
Grants—Subsidies—Pensions	86	86				
Building Improvements	1,710		1,710			
Transfer to Other Funds	472		472			
<b>TOTAL EXPENDITURES</b>	<b>1,564,726</b>	<b>1,451,181</b>	<b>113,545</b>			

## BUREAU OF INFORMATION SERVICES

### ARTHUR W. HENRY, JR., DIRECTOR

*Central Office:* State Office Building *Telephone:* 624-7840  
*Mail Address:* State House Sta. #145, Augusta, Maine 04333 *FAX:* 287-4563  
*Established:* June 30, 1992 *Sunset Review Required by:* 2000  
*Reference:* Policy Area: 00; Umbrella: 18; Unit: 127; Citation: 5 M.R.S.A., Sect. 21006  
*Average Count—All Positions:* 45 *Legislative Count:* 34

**PURPOSE:** In order to make the best of the very valuable data and information that is continuously created throughout State Government, it is necessary to develop the means by which coordination of effort and use may be achieved. It is in the best interest of the State to be able to develop and use computer data and information in the most efficient manner possible.



## **ADMINISTRATIVE & FINANCIAL SERVICES**

It is also essential that when confidentiality of computer data and information is necessary or desirable, the confidentiality of this information can be assured. Therefore, the Bureau of Information Services was created to be responsible for providing information services in data processing and telecommunications and for assuring the coordination of data processing throughout State Government.

**ORGANIZATION:** Legislation enacted by the 115th Legislature during the 115th Second Regular Session established the Bureau of Information Services (BIS) (formerly Office of Information Services (OIS) established July 1, 1986) as a functional unit of the Department of Administrative and Financial Services (formerly Department of Administration, Department of Finance) effective July 1, 1992. When BIS was originally established in 1986 the 112th Legislature, Second Regular Session created an Information Services Policy Board to assist the Director, BIS (formerly Deputy Commissioner of OIS) in meeting the purpose and mission of the Bureau.

Also created as of July 1, 1992 within the Bureau of Information Services was the Division of Data Processing (formerly the Bureau of Data Processing), consisting of a Systems & Programming unit, Computer Operations unit, Customer Assistance unit, Systems Software & Planning unit, and a Customer Support Services unit; the Division of Telecommunications consisting of a Customer Service/Training unit, Network Operations unit, Installation/Plant Management unit, and a Network Design/Development unit; and the Division of Information Resource Management which consists of a Planning & Management unit, Training & Development unit, and a Standards & Policies unit.

### **PROGRAMS:**

#### **Information Resource Management Services**

The Bureau was actively involved in many initiatives that promoted sharing resources and partnerships between agencies. Some examples are the Public Access Work Group, a working committee with 17 agencies represented that is exploring ways for agencies to improve public access to information and ways for State agencies to share resources to make public access more effective. Another example, is a partnership between the Department of Labor and the Bureau of Information Services to share expertise and resources in order to deliver a one-stop shopping expert system for the Department of Economic and Community Development. The Bureau, along with the Information Services Policy Board, sponsored a very successful Technology Conference. Over 250 people attended and they had the opportunity to view how State agencies are using technology to solve agency business problems. There were also many technical seminars and roundtables that delved into topics of interest to State government.

#### **Planning and Management**

The Division is working with the Department of Human Services and Federal agencies in the planning, transfer, development and implementation of a Family Assistance management Information System (FAMIS). The FAMIS project will be an on-line integrated eligibility system designed to support the Department of Human Services' AFDC, Food Stamps, JOBS, Transitional Services, and MEDICAID Eligibility programs. These programs will be integrated within a common database, fully supporting the programs' administration and functionality. The FAMIS will provide the foundation for all subsequent Human Services automation projects. The project is currently completing the planning phase with the procurement of a vendor, expected to be on board by November, 1994. The Division has worked closely throughout the year with the Federal agencies involved, as well as, with Congressional delegates to move the project forward with the most advantageous funding for the State.

The Division continues its support to the Maine Criminal Justice Information System (MCJUSTIS) computerization project. This effort is now governed by the Maine Criminal Justice Information System Policy Board sponsored by the Department of Public Safety.

Accomplishments included conversion by the State Bureau of Identification from a manual name index to a computerized system; the first step in providing law enforcement agencies statewide access to criminal history information.

The Division continues to actively work with the Department of Public Safety. It is assisting with a variety of development and installation projects related to statewide and national law enforcement activities.

The Division is working with the interdepartmental GIS Steering Committee to shift the state's GIS initiative from base data development into distribution of data and support for spatial analysis. The Division has led efforts to develop a GIS career ladder and to establish WAN requirements for GIS users. Assistance has been provided to agencies for GIS planning and implementation. The Division sponsors the Maine GIS User Group which involves public and private sector members.

### TELECOMMUNICATIONS

The Bureau of Information Services, Telecommunications Division's primary work has centered around the deployment of advanced and effective technology while substantially reducing per unit costs. The certification of approximately 1000 NYNEX monthly invoices against the Division's internal records was completed. Essentially, every business line, trunk, data circuit, tie line, and T1 was verified in regards to cost, location, current user, etc. Once verified, the BTNs were categorized and compiled into approximately 10 summary bills, which has greatly decreased the effort necessary to pay bills each month. Through new reporting, moves, adds, and changes can be better identified and consequently verified. A new version of the utility management system used by the Division (Telco Research System) is being installed which will permit further automation of NYNEX invoice processing.

Internal processing procedures have been reviewed in Total Quality Management (TQM) groups consisting of Division staff and customers. Several changes are being implemented which will improve overall customer satisfaction, and a higher quality of service. The Division is also participating in departmental TQM efforts, as departments work to better utilize telecommunications in a way that saves employee time yet improves services to the public.

The Division's R&D efforts concentrated on improving cost performance while increasing manageability of the network, security and internetworking. The Division continues to be an AT&T beta and Controlled Introduction (CI) site for new products and software enhancements. The Division is also beta testing Verilink products which will enhance the management of DDS II tail circuits while greatly reducing DSU costs. Verilink is a major provider of the Division's DSU's, and Verilink systems are increasingly being used as an alternative to expensive network multiplexors.

The Maine State Lottery renegotiated its contract with GTEC, the provider of systems for the Tri-State Megabucks system (Maine, New Hampshire, and Vermont). The renegotiated contract required the installation of digital circuits, however, it did not include the costs of DSU's, installation and rewiring. The Division and NYNEX negotiated a contract that lowers network costs substantially, while including the DSU's, installation, etc. Maine continues to be the only State in the tri-state system to provide the network for Lottery use.

Deployment is moving ahead swiftly on the wide area network based on ETHERNET and TCP/IP. Ultimately it will move to other protocols. The Division has chosen to bridge locally and route regionally, while it reviews frame relay and ATM approaches. Filtering of unnecessarily chatty packets is eliminating over 70% of traffic that would otherwise travel across a bridged network. By bridging and filtering, versus routing, the Telecommunications Division has experienced great savings in regards to labor. Approximately 100 locations are currently tied to the wide area data network. Work continues in regards to network security. While the network design incorporates security measures, the Internet gateway is being braced with a new firewall, and work continues in regards to educating the local area network customer base on how best to secure themselves.

The Division has engaged a consultant to develop preliminary rates and a new cost allocation plan which will integrate with our utility management reporting/billing process. Rates have not been adjusted by the Division in approximately 10 years.

The Telecommunications Division, in conjunction with the Department of Corrections and the Legislature, is in the process of issuing an RFP for inmate phone systems. The State also issued a bid for cellular phone services, which should reduce the cost of cellular equipment and service. Working with the Courts and Cumberland County, the Division is assisting in the installation of a compressed video arraignment system, a pilot for Maine Courts.

#### ***Training and Staff Development***

Active participation and increasing demand for training programs continued at the State Computer Training Center which is managed by BIS Training and Staff Development Services (TSDS). There were over 2,300 participants in programs sponsored by TSDS or conducted by State agencies (such as Departments of Conservation, Education, Administrative and Financial Services, Environmental Protection and Human Services) to meet their specific computer training needs. This is a 34% increase in activity from last year. The Center continued to be the training site for NECSES (the New England Child Support Enforcement System) and for MATS (Maine Automated Tax System). All sessions supported BIS initiatives for implementing a Wide Area Network and Local Area Networks, for fully utilizing relational database products on mainframe and midframe computer platforms, for providing entry-level training on small computer systems and applications to the State's non-technical personnel, as well as providing all State agencies with the opportunity to use a fully-equipped facility for their own training purposes.

## ADMINISTRATIVE & FINANCIAL SERVICES

### PUBLICATIONS:

Telecommunications Facilities & Wiring Specifications

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF INFORMATION SERVICES</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	8,816,005					8,816,005
Health Benefits	118,316					118,316
Retirements	175,939					175,939
Other Fringe Benefits	13,128					13,128
Other Contract Services—State	36,006					36,006
Computer Services—State	161,895					161,895
Other Contractual Service	840,873					840,873
Rents	251,337					251,337
Commodities	18,487					18,487
Grants—Subsidies—Pensions	427					427
Interest—Debt Retirement	98,492					98,492
Transfers to Other Funds	35					35
<b>TOTAL EXPENDITURES</b>	10,530,940					10,530,940

## STATE LIQUOR AND LOTTERY COMMISSION

EDWIN W. BOWDEN, CHAIRMAN

*Central Office:* 10-12 Water St., Hallowell, ME 04347

*Telephone:* 287-3721

*Mail Address:* State House Sta. #8, Augusta, Maine 04333

*Established:* 1993

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 00; Umbrella: 18; Unit: 364; Citation: 8 M.R.S.A., Sect. 373

*Average Count—All Positions:* 5

*Legislative Count:* 0

**PURPOSE:** The Commission was established to provide satisfactory public service for the controlled distribution and sale of liquor and lottery products so that it may effectively generate additional revenues for the support of the State government.

The Commission has the following powers and duties: control and supervision of the purchase, importation, transportation and sale of alcohol; authority to buy and have in their possession wine and spirits for sale to the public; promulgate and amend rules; make recommendations and set policies; assign to the Director of the Bureau of Alcoholic Beverages and Lottery Operations, under its supervision, all powers and duties relating to all phases of the operation and to transact other business that may be properly brought before it.

**ORGANIZATION:** The State's regulation of liquor originated in 1862 with the establishment of a Commissioner to Regulate Sale of Intoxicating Liquors to have control of liquors kept and sold for medicinal and manufacturing purposes. In 1905, a Liquor Enforcement Commission was established to enforce the law against the manufacture and sale of intoxicating liquors. Both of these agencies were abolished in 1911. A State Liquor Licensing Board was created in 1933 consisting of three members appointed by the Governor, with the advice and consent of the Council, for terms of three years, the chairman designated by the Governor. The Board was renamed State Liquor Commission in legislation effective 1934 which outlined responsibilities in the State control of liquor still basic to the Commission

## ADMINISTRATIVE & FINANCIAL SERVICES

in conjunction with the present Bureau of Alcoholic Beverages. In 1953, a Business Administrator for the Commission was authorized, and in 1963, the Commission's chairman was named Chief Administrative Officer, to have general charge of the office and records. In State government reorganization legislation of 1972, the position of Business Administrator was abolished and the Bureau of Alcoholic Beverages was created as a unit of the Department of Finance and Administration, under a State Director who, although not a member of the Commission, assumed the role of chief administrative officer. Also in this reorganization, the Commission's liquor enforcement function, assigned to its informal Enforcement Division was transferred to the newly-created Department of Public Safety. As of 1977 the members of the Commission are appointed by the Governor, subject to confirmation by the Legislature. In 1987 the Legislature raised the membership from 3 to 5 Commissioners.

In November 1973, a public referendum approved a State lottery to generate additional revenues for deposit to the State's General Fund. The first State Lottery Commission was appointed in January 1974. The State Lottery Commission was established to develop, implement and operate the Maine State Lottery so that it may effectively generate additional revenues for the support of the State government. The Commission is authorized to promulgate and amend rules relating to State lotteries, including the apportionment of the total annual revenues for prizes, to make recommendations and set policy for State lotteries; to approve or reject reports of the Director of State lotteries; and to transact other business that may be properly brought before it.

In July 1993, the Maine State Liquor and Lottery Commission were merged into a single, combined Commission of five (5) members.

### **PROGRAM:**

(See Bureau of Alcoholic Beverages and Lottery Operations Annual Report).

**LICENSES, PERMITS, ETC.:** (See Bureau of Alcoholic Beverages and Lottery Operations Annual Report).

**PUBLICATIONS:** (See Bureau of Alcoholic Beverages and Lottery Operations Annual Report).

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Lottery.

## **BUREAU OF TAXATION**

**JOHN D. LAFAVER, STATE TAX ASSESSOR**

*Central Office:* State Office Bldg., Augusta; *Floor:* 5  
*Mail Address:* State House Sta. #24, Augusta, Maine 04333

*Telephone:* 287-2076

*Established:* April 2, 1931

*Sunset Review Required by:* June 30, 1990

*Reference:* Policy Area: 00; *Umbrella:* 18; *Unit:* 125; *Citation:* 5 M.R.S.A., Sect. 283

*Average Count—All Positions:* 328

*Legislative Count:* 299

### *Organizational Units:*

Sales and Excise Tax Division  
Audit Division  
Enforcement Division  
Income and Estate Tax Division  
Operations Division

Property Tax Division  
Research Division  
Appellate Division  
Legal Research Division  
Systems Development Division

**PURPOSE:** The Bureau of Taxation was established to collect revenues necessary to support Maine state government through the assessment of taxes as required by law, and to improve the administration of tax laws in Maine at both state and local levels. The Bureau, through the State Tax Assessor, is

## ADMINISTRATIVE & FINANCIAL SERVICES

empowered to assess and collect the following state taxes: Sales and Use Taxes, Individual and Corporate Income Taxes, Motor Fuel Taxes, Estate Taxes, Business Taxes, Cigarette and Tobacco Taxes, Special Industry Taxes, and Property Taxes in the Unorganized Territory. In addition, the Bureau administers the Household Property Tax and Rent Refund Program, exercises general supervision of local assessing officials, administers the assessment and collection of the Spruce Budworm Management Fund Tax, administers the Real Estate Transfer Tax, and determines eligibility for the Elderly Low Cost Drug Program.

**ORGANIZATION:** The Bureau of Taxation originated in 1891 with the creation of a three-member Board of State Assessors to equalize and apportion State taxes among the several towns and unorganized townships in the State and to assess all taxes upon corporate franchises. In 1931, the Board was replaced by the Bureau of Taxation within the newly-established Department of Finance, under the administrative direction of the State Tax Assessor who was appointed by the Commissioner of Finance with the approval of the Governor. In addition to the duties of the Board, the new Bureau assumed responsibility for administration of the Gasoline Tax which was transferred from the State Auditor. At the same time, a Board of Equalization was established, chaired by the State Tax Assessor, to equalize State and county taxes among the towns and unorganized territories of the State.

Duties of the Board were assigned to the State Tax Assessor when it was replaced in 1969 by the Municipal Valuation Appeals Board. The Bureau assumed administration of the Cigarette Tax in 1941, Inheritance and Estate Taxes in 1947, Sales and Use Taxes in 1951 and Individual and Corporate Income Taxes in 1969. Administration of the Elderly Householders Tax and Rent Refund Act of 1971 was assumed by the Bureau in 1972. Also in 1972, appointment of the State Tax Assessor was changed to include approval by both the Governor and the Council. Currently, the Commissioner of Administrative and Financial Services appoints the State Tax Assessor, subject to confirmation by the Governor. Effective July 1, 1974, all property tax functions were transferred to the new Bureau of Property Taxation, formerly a division of the Bureau of Taxation, and effective July 1, 1975 all property tax functions were returned to the Bureau of Taxation and the Bureau of Property Taxation was abolished.

The Bureau is composed of 10 operating divisions, some of which contain several sections.

### PROGRAM:

**Income and Estate Tax Division.** This division has responsibility for the income and succession tax systems. Major functions include designing and distributing the forms, processing tax returns filed by taxpayers, initiating refunds and tax notices, and providing tax information to taxpayers and others. It also administers the Maine residents property tax relief program and certifies eligibility for low-cost drug cards. Annual processing volume includes 600,000 tax returns, 82,000 withholding and estimated tax payment accounts, and 81,000 taxpayer benefit applications.

**Sales and Excise Tax Division.** This division, through its two sections, has responsibility for the sales and use tax and all excise taxes administered by the Bureau and oversees the central tax records facility.

**Sales and Use Tax Section.** This section manages the accounts of 53,000 registered sellers which includes an average turnover of over 700 each month. It monitors the payment of required tax by individuals on out-of-state purchases and casual sales of motor vehicles, special mobile equipment, camper trailers, livestock trailers, aircraft, and boats. The sales tax exemption/refund program for machinery and equipment purchases by commercial fishermen and farmers is also administered. This section administers the "Recycling Assistance Fee" imposed on furniture, appliances, tires and batteries.

**Excise Tax Section.** This section administers 20 taxes concerning motor fuels, tobacco, illegal drugs, businesses and special industries, as well as 13 related refund programs. In the course of a year, it processes 54,000 tax returns and 15,000 refund claims.

**Property Tax Division.** The functions of the division involve administration of the property tax laws statewide and tax assessment and collection in the Unorganized Territory. The division supervises and assists municipal assessors in determining local property tax assessments, determines valuations for classified forest lands (11.2 million acres), recommends values for classified farmlands, electric utilities and selected industrial facilities, performs ratio studies to ensure uniformity statewide and annually determines the State Valuation for each municipality. Staff maintain Unorganized Territory ownership records and tax maps in order to assess and collect property taxes and audit Unorganized motor vehicle and watercraft excise tax receipts. The division administers the State Telecommunications Property Tax, Commercial Forestry Excise Tax and Real Estate Transfer Tax. It also prepares Rules, Regulations, Tax

## ADMINISTRATIVE & FINANCIAL SERVICES

Bulletins and municipal statistics for distribution, audits municipal claims and certifies Tree Growth and Veteran's exemption reimbursements, manages the Elderly Property Tax Deferral program and conducts assessor training and Assessor Certification programs.

**Operations Division.** Provides mail processing, revenue accounting, control of office supplies and equipment, and budget services. Contract employees are used to assist with peak workloads. Second shift operations are also important in providing efficient service during the individual income tax filing season.

**Systems Development Division.** Designs, maintains, and operates the Bureau's automated systems including Data Entry. It participates in research concerning plans for data processing contract work and provides specialized statistical analysis concerning computerized data bases. The acquisition and overall coordination of computer hardware is also handled by this section.

The mainframe computer facilities at the Bureau of Information Services is used for both on-line and batch work. The primary systems currently reside on the IBM mainframe. Most of the 500 terminals and personal computers (PCs) connected to mainframe computers have access to both the Bull HN and IBM mainframes.

**Enforcement Division.** This division was established in 1986 to consolidate the state tax enforcement and compliance efforts. In addition to generating additional revenue, enforcement activities maintain the public's confidence in the State's tax programs. The division consists of four sections: one section concentrates on delinquent accounts, the second section pursues taxpayers who fail to file returns, the third section applies the advanced enforcement tools of field investigations, levy and seizure, and the fourth section provides clerical support for Enforcement Division activities.

Collection efforts on the 68,000 unpaid state tax liability accounts consumes the bulk of available resources. Routine collection procedures are exhausted before employment of the more stringent actions permitted by statute. Debtors are contacted by telephone and by mail at regular intervals over an extended period to effect satisfaction of the obligation. Those unable to pay lump sum are encouraged to pay according to an agreed upon installment schedule.

Extenuating taxpayer circumstances are given every consideration. Finally, the judicious application of forceful measures is used for those debtors who continue to disregard the debt. To protect the State's interest in the tax debts, civil collection action can be taken in Maine courts and the courts of other states, liens can be placed on tangible property, assets can be levied and seized, or a taxpayer's authority to do business in Maine can be curtailed.

**Audit Division.** The division conducts examinations of tax returns filed by taxpayers with the Bureau of Taxation and assesses any additional tax necessary to effect compliance with the provisions of the State tax laws. The audits are performed at the taxpayer's place of business. Division staff also visit at business locations for the purpose of either educating taxpayers as to tax law or assisting in the collection of overdue tax liabilities. Operations are supervised from the central office located on Capital Street and from the field offices in Augusta, Bangor and Portland. About one-half of the tax auditors are headquartered at the field offices, while the remainder are based in other locations throughout the State.

The staff are trained to audit all the major revenue-producing tax systems. Examinations of the returns of taxpayers whose principal place of business is outside Maine are conducted by one or more members of a special team.

The division completed 1,028 taxpayer audits during the first 10 months of fiscal 1994 which resulted in additional tax assessments of \$24,753,662.

**Research Division.** The division provides technical support for the administration of the state taxes which are the responsibility of the Bureau of Taxation. It develops complex economic models for tax policy analysis and conducts studies of state taxes and administrative procedures. Statistical analyses of tax revenues are maintained, and revenue estimates are prepared for current tax systems and for proposed changes in tax rates and tax bases.

Some project reports are produced at regular intervals. After the adjournment of a legislative session, a digest is written of the statutes which have an impact on the responsibilities of the Bureau. A financial report is compiled of Bureau revenues for each fiscal year. Estimates of expected revenues by month are prepared annually for the Bureau of the Budget, and for each biennium a projection of yearly revenues and a report on the tax expenditure items reflected in Maine law is prepared. Annual updates of current tax laws are assembled for inclusion in publications such as the Legislature's Compendium of State Fiscal Information, Moody's Municipal and Government Manual, and the Government of the District of Columbia's nationwide comparison of tax rates and tax burdens.

The division has responsibility for the maintenance of a computer file of historical tax revenue data. Reports are generated quarterly, after programming any changes in the revenue detail accounts and updating the master historical dataset. The reports are used in estimating both future revenues and fiscal impacts of proposed law changes.

## ADMINISTRATIVE & FINANCIAL SERVICES

**Appellate Division.** The division was established February 1, 1988. It serves the State Tax Assessor with respect to his statutory responsibilities and authority to take final agency action on all taxpayer petitions for reconsideration of assessments, denials of claims for refund, requests for abatement, denials and revocations of exemption certificates and licenses issued by the Bureau of Taxation. The division conducts conferences as requested by taxpayers; determines the appropriate application of statutory provisions; and drafts decisions of the State Tax Assessor, including decisions to cancel any tax which has been levied illegally and to abate, subject to the approval of the Governor, all or any part of any tax assessed by the State Tax Assessor. The division functions to promote uniformity and consistency in administration of the tax laws in accordance with constitutional requirements, statutes, regulations, court decisions, Attorney General opinions, and administrative practices. The Appellate Division operates independently from all other divisions in the Bureau and is directly responsible to and subject only to direction of the State Tax Assessor.

Over the first 10 months of Fy '94, the Appellate Division has received an average of 33 cases per month, and issued an average of 40 decisions per month.

**Legal Research Division.** The Legal Research Division provides the State Tax Assessor with legal research into all aspects of tax law and related fields such as constitutional law, conflicts, contracts, and procedure. The Assessor regularly consults the Legal Research Division on a broad range of special projects, including drafting of legislation; review, revision, and promulgation of agency rules; establishing and drafting agency policies; review and revision of contracts; and review of numerous and miscellaneous documents created by agency staff. The division also reviews and comments on the determinations prepared for the Assessor's signature by the Bureau's Appellate Division, and serves as a communications liaison between the Bureau and the Attorney General's office.

While representation of the State Tax Assessor in state court proceedings continues to be provided by the Attorney General, the Legal Research Division represents the Assessor in federal Bankruptcy Court, and also provides supervisory and training services within the Bureau with respect to bankruptcy law, procedure, and case management.

### Summary of Net Revenue (preliminary data)

Fiscal 1994

Thousands of dollars

Income taxes	\$702,027,078
Sales and use taxes	615,058,281
Gross Receipts Tax	58,692,702
Motor fuel taxes	141,451,819
Business taxes	194,699,461
Cigarette, tobacco & illegal drug taxes	48,246,719
Succession taxes	10,080,223
Real estate transfer tax	8,885,412
Property taxes	15,905,250
Special industry taxes	3,787,626
Recycling Assistance Fee	2,599,350
Maine Tax Amnesty	19,968
Total taxes	1,801,453,890

### LICENSES, PERMITS, ETC.:

Sales Tax Sellers Certificate

Tobacco Tax:

Cigarette License (annual)—distributors, wholesale dealers, nonresident distributors

Tobacco Products Distributors License (annual)

Gasoline Tax:

Distributors Certificate

Exporters Certificate

Importers Certificate

Special Fuel Tax:

Suppliers Certificate

Users License

Blueberry Processors & Shippers License (annual)

Potato Shippers Certificate

Sardine Packers Certificate

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Mahogany Quahog Dealers Certificate  
 Certified Maine Assessor Certificate  
 Certified Assessment Technician Certificate

### PUBLICATIONS:

Except where noted, the following publications are available free of charge:  
 Rules adopted by the Bureau  
 Income tax forms and instructions  
 Sales tax instruction bulletins  
 Property tax bulletins  
 Municipal Valuation Return Statistical Summary (property taxes-annual)  
 Bureau Revenue Report (annual)  
 Pamphlets of various tax statutes  
 State of Maine Assessment Manual (pub. 1978)—\$7.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

	TOTAL FOR		Special			
BUREAU OF TAXATION	ALL	General	Revenue	Highway	Federal	Misc.
	FUNDS	Fund	Funds	Fund	Funds	Funds
<b>EXPENDITURES</b>						
Salaries and Wages	7,954,187	7,938,140	2,977		13,070	
Health Benefits	1,016,626	1,014,429			2,197	
Retirements	1,318,793	1,316,755			2,038	
Other Fringe Benefits	92,938	92,715			223	
Other Contract Services—State	1,062,169	1,062,169				
Computer Services—State	2,369,262	2,369,262				
Other Contractual Service	2,086,444	2,080,053	3,772		2,619	
Rents	89,368	89,368				
Commodities	167,934	167,934				
Grants—Subsidies—Pensions	19,943,400	14,260,278	5,683,122			
Building Improvements	400,775	393,355			7,420	
Interest—Debt Retirement	341	341				
Transfer to Other Funds	598		347		251	
<b>TOTAL EXPENDITURES</b>	36,502,835	30,784,799	5,690,218		27,818	



## DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

BERNARD W. SHAW, COMMISSIONER  
CARL W. FLORA, Deputy Commissioner

*Central Office:* Deering Bldg. (AMHI), Augusta  
*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Telephone:* 287-3871

*Established:* 1852

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001; Citation: 7 M.R.S.A., Sect. 1

*Average Count—All Positions:* 233.5

*Legislative Count:* 83

### *Organizational Units:*

Administrative Services Division	Division of Resource Development
Bureau of Agricultural Marketing	Board of Pesticides Control
Division of Market Development	State Harness Racing Commission
Division of Quality Assurance	State Soil and Water Conservation Commission
Maine Potato Board	Bureau of Public Services
Maine Dairy and Nutrition Council	Division of Regulation
Maine Dairy Promotion Board	(Office of) Sealer of Weights and Measures
Bureau of Agricultural Production	Maine Milk Commission
Division of Veterinary Services	Maine Agricultural Bargaining Board
Division of Plant Industry	Maine Pull Events Commission
(Office of) State Horticulturist	Commissioner's Office
Seed Potato Board	Research Unit
Division of Production Development	
Bureau of Agricultural and Rural Resources	

**PURPOSE:** The Department of Agriculture, Food and Rural Resources was established to improve Maine agriculture through: the conservation and improvement of the soil and cropland of the State; the development, compilation and dissemination of scientific and practical knowledge; the marketing and promotion of agricultural products; the detection, prevention and eradication of plant and animal diseases; the protection of the consuming public against harmful and unsanitary products and practices; and the sound development of the natural resources of the State.

The Commissioner of Agriculture and/or the appropriate boards or commissions within the Department have authority to establish and promulgate grades and standards for Maine agricultural products, and promote the use of such products; to inspect agricultural products, and the premises and conveyors on which such products are stored, handled or processed, and issue certificates of inspection; to grant licenses and permits; to collect fines and legal and usual fees; to hold hearings for the purpose of obtaining essential information; to establish, promulgate and maintain a full record of necessary regulations, and provide for the enforcement of the same; to establish milk prices; to establish harness racing schedules; to register pesticides and license their use; to participate in the investigation and prosecute cases of cruelty to animals; to administer the agricultural bargaining law; to appoint all officials, boards, and commissions as provided by law; and to employ personnel necessary to carry out these responsibilities.

**ORGANIZATION:** The State Board of Agriculture was created in 1852 and continued as a Board until 1901 when the Department of Agriculture was established and the position of Commissioner of Agriculture was created.

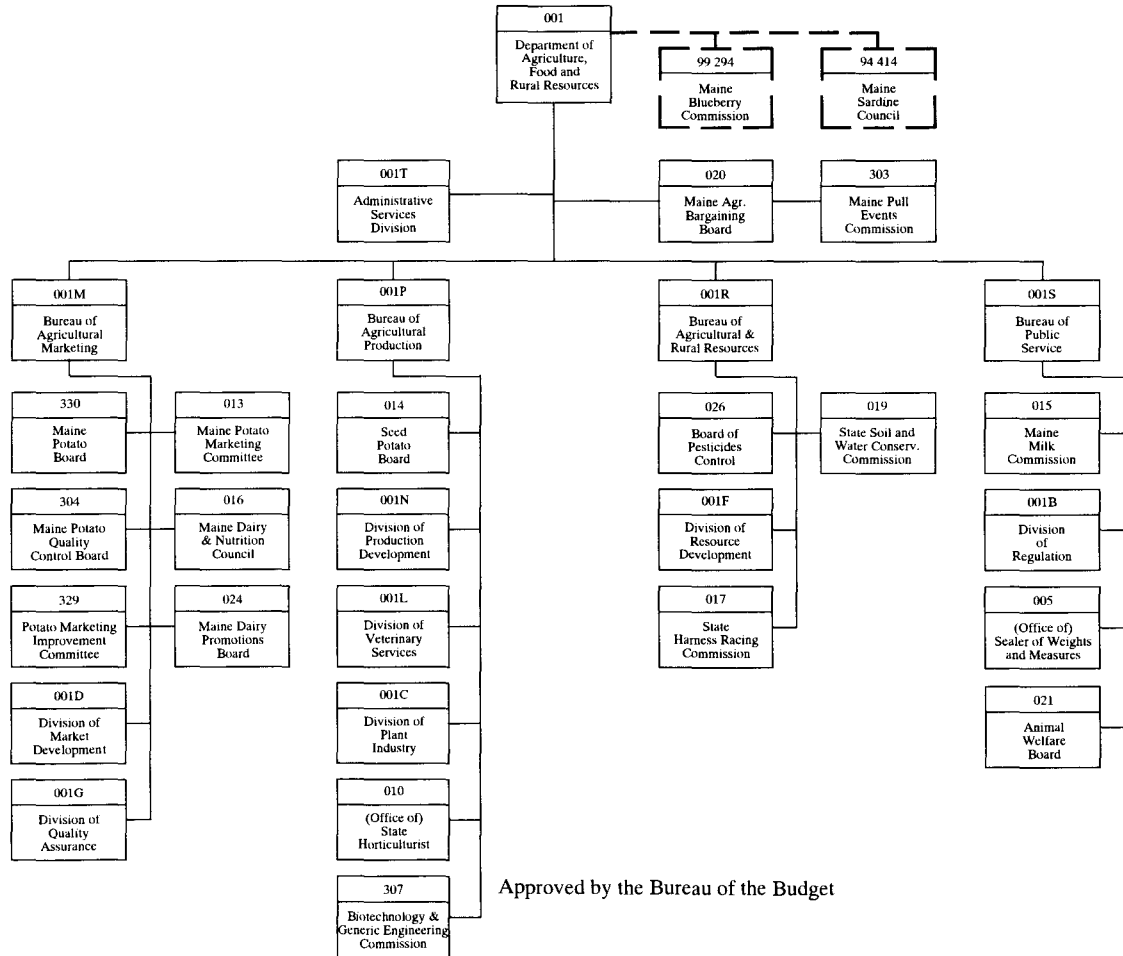
Concurrent with the Board was the establishment of a State Cattle Commissioner in 1887, whose duties were granted to a Livestock Sanitary Commissioner in 1911. Ten years later, all responsibility for animal disease control was vested in the Commissioner of Agriculture. The Veterinary Examiners Board (now Board of Veterinary Medicine) was created in 1905.

The Agricultural Development Act of 1980, enacted by the 109th Legislature and effective July 1980, changed the department's name to the Department of Agriculture, Food and Rural Resources and authorized the reorganization of the department into four bureaus containing the existing divisions and agencies as depicted on the department's organizational chart.

# ORGANIZATIONAL CHART

## DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

### UMB 01



Approved by the Bureau of the Budget

# **AGRICULTURE, FOOD AND RURAL RESOURCES**

## **CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES**

	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	5,268,584	2,408,325	1,924,660	33,505	554,647	347,447
Health Benefits	637,418	304,939	220,881		66,825	44,773
Retirements	853,213	406,956	304,030		85,919	56,308
Other Fringe Benefits	61,308	26,456	22,206		8,603	4,043
Other Contract Services—State	701,733	190,391	344,994		135,967	30,381
Computer Services—State	316,117	205,907	86,572		23,626	12
Other Contractual Service	1,802,029	612,588	1,022,421	8,118	73,497	85,405
Rents	36,099	15,671	7,423		72	12,933
Commodities	365,840	77,180	155,615		14,297	118,748
Grants—Subsidies—Pensions	8,556,708	106,928	8,302,745		119,779	27,256
Building Improvements	75,754	55,376	16,171	1,000	3,207	
Interest—Debt Retirement	858	124	181		3	550
Transfers to Other Funds	347,862	238,083	101,656			8,123
<b>TOTAL EXPENDITURES</b>	<b>19,023,523</b>	<b>4,648,924</b>	<b>12,509,555</b>	<b>42,623</b>	<b>1,086,442</b>	<b>735,979</b>

## AGRICULTURE, FOOD AND RURAL RESOURCES

**PROGRAM:** Specific activities of the department during FY 94 are discussed in the individual reports of the various units within the department.

**LICENSES, PERMITS, ETC.:**

(Listed under the appropriate program units in following reports.)

**PUBLICATIONS:**

*Maine Agricultural Statistics* (annual), single copies free

*Farming in Maine*, free

*"Maine Agricultural Report"* (published weekly from April to September and bi-weekly from October to March)—\$15 annual subscription.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Administrative Services Division.

## ADMINISTRATIVE SERVICES DIVISION (AGRICULTURE)

**RICHARD B. BURNHAM, DIRECTOR**

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-2001

*Mail Address:* State House Sta. #28, Augusta, Maine 04333-0028

*Established:* 1919

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001T; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 18

*Legislative Count:* 15.5

**PURPOSE:** The Administrative Services Division provides centralized administrative support to the Department of Agriculture with primary responsibilities in the areas of budgeting, accounting for receipts and expenditures, purchasing of equipment, supplies and services, and personnel administration. Additionally, the division assists the Commissioner and bureau and division directors by providing technical assistance in financial planning, program evaluation, and management studies.

**ORGANIZATION:** The Division of Administration is part of the Office of the Commissioner and includes a Human Resources Unit directed by a Human Resources Manager and a Finance Unit directed by a Chief Accountant.

**PROGRAM:**

**Finance.** The Finance Unit assists the Commissioner's office and Bureau/Division Directors in financial planning and in the preparation and management of annual and biennial budgets and work programs. It maintains centralized accountability for all department expenditures and financial transactions in order to insure their legality and correctness. The unit maintains the accounting records for all revenues and expenditures, processes bills and expense accounts for payment, maintains and controls leases and contracts, prepares purchase orders, maintains vehicle records and capital equipment inventory control records.

**Human Resources.** The Human Resources Unit handles broad personnel and labor relations functions including processing all department payrolls and personnel actions, maintaining personnel records, providing technical assistance in writing job descriptions and understanding the performance appraisal system, advising staff at all levels on personnel rules and regulations, administering worker's compensation claims, overseeing employee safety programs, and administering the department's Affirmative Action plan.

## AGRICULTURE, FOOD AND RURAL RESOURCES

**Food Assistance Program.** The Food Assistance Program distributes federal donated commodities from the USDA Emergency Food Assistance Program (TEFAP), the Hunger Prevention Program (SKFB) and Maine-grown produce to food pantries, soup kitchens and temporary shelters across Maine.

(The FINANCES display below includes expenditures of the Office of the Commissioner, the Administrative Services Division, and the Food Assistance Program.)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ADMINISTRATIVE SERVICES DIVISION (AGRICULTURE)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	606,085	508,060	9,816		51,367	36,842
Health Benefits	67,107	55,772	1,394		4,997	4,944
Retirements	108,398	92,729	1,564		8,116	5,989
Other Fringe Benefits	6,249	4,885	37		702	625
Other Contract Services—State	156,261	9,499			118,209	28,553
Computer Services—State	8,769	8,769				
Other Contractual Service	197,606	180,636	3,121		2,094	11,755
Rents	9,698	9,659				39
Commodities	33,114	32,059				1,055
Grants—Subsidies—Pensions	483,057	3,403	366,721		87,933	25,000
Building Improvements	23,740	23,740				
Interest—Debt Retirement	54	52				2
Transfers to Other Funds	38,164		36,959			1,205
<b>TOTAL EXPENDITURES</b>	1,738,302	929,263	419,612		273,418	116,009

## BUREAU OF AGRICULTURAL AND RURAL RESOURCES

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3511

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1980

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001R; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 1

*Legislative Count:* 1

**PURPOSE:** Since three of the divisions are concerned with some aspect of the natural resource base, it is accurate to represent this Bureau as being primarily concerned with the conservation and sound utilization of the resource base in order to assure sustained agricultural productivity and also has responsibility for developing programs responsive to the changing needs of agriculture, such as the Agricultural Viability Program and the Farmland Adjacency Program, coordinating with the State's Growth Management Program and the acquiring of farmland under the Land for Maine's Future Board.

**ORGANIZATION:** The Bureau of Agricultural and Rural Resources includes the Soil and Water Conservation Commission, the Pesticides Control Board, the Harness Racing Commission, the Division of Resource Development, Maine Rural Rehabilitation Scholarship program and Hunger Prevention programs. The specific functions and programs of each are described separately in this report.

### PROGRAM:

One of the functions performed at the Bureau level was to continuously assess current and upcoming natural resource issues facing agriculture. Based on this ongoing assessment, the Bureau Director and

## AGRICULTURE, FOOD AND RURAL RESOURCES

staff have been able to plan and initiate new programs to address those issues. After July 1990, the Bureau Director position was vacant and only one clerical person remained on staff. Consequently, no new program initiatives were undertaken and the existing programs were continued in reduced form.

**Farmland Purchase of Development Rights.** Because of farmland being included as eligible for purchase under the Land for Maine's Future Bond issue, we have actively participated in the development of the procedures of the Land for Maine's Future Board.

Failure of a bond issue to receive public approval in November 1990 resulted in a halt to any additional purchase of development rights activities. Further activity will depend on funding for the Land For Maine's Future Program.

The Division of Resource Development staff has been designated to provide an ongoing link between the Department and the Land For Maine's Future staff.

**Groundwater Protection.** As both the Pesticides Board and the Soil and Water Conservation Commission have objectives of protecting groundwater quality, the Bureau Director has participated in the development of State and EPA's Groundwater Strategy and DEP's Non-Point Source Planning efforts. In addition, as a result of the Director's participation in EPA's efforts, Maine was one of four (4) states that received a discretionary grant from EPA to investigate means of recruiting contamination of groundwater from agricultural chemicals.

In the same vein, the Bureau Director co-chaired a Task Force with the University of Maine Extension Cooperative Specialist to develop a Groundwater Best Management Manual.

The responsibilities for continuing to monitor activities in these areas have been assigned to staff with the Soil and Water Conservation Commission and the Division of Production Development.

**Farmland and Open Space Tax Law.** This program for current use assessment for farmland is intended to help strengthen agricultural viability while insuring that farmland is not converted to nonagricultural use. In recent years it has been jointly managed by the Bureau of Taxation and the Agricultural Viability Coordinator. Following the elimination of the Ag Viability Program, the remaining Bureau staff maintained copies of application forms and informational material and answered questions from the public. These responsibilities have been transferred to the Division of Resource Development.

### PUBLICATIONS:

*Dairy Profile, 1986*  
*Potato Profile, 1986*  
*Beef Profile, 1986*  
*Commodity Screen: Spinach, 1987*  
*Commodity Screen: Carrots, 1987*  
*Commodity Screen: Lettuce, 1987*  
*Ag-Viability Notes, March 1987*  
*Ag-Viability Notes, July 1987*  
*Ag-Viability Notes, May 1988*  
*Ag-Viability Notes, March 1989*  
*Report of the Original Four Ag. Viability Regions, Fall 1987*  
*Handout for Landowners about the Farm and Open Space Tax Law*  
 All above publications are free.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF AGRICULTURAL AND RURAL RESOURCES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	18,035	18,035				
Health Benefits	2,691	2,691				
Retirements	2,921	2,921				
Other Fringe Benefits	66	66				
Other Contractual Service	2,448	2,448				
Commodities	628	628				
<b>TOTAL EXPENDITURES</b>	26,789	26,789				

## MAINE AGRICULTURAL BARGAINING BOARD

JAMES LEIBY, CHAIRMAN

*Central Office:* Deering Bldg., (AMHI), Augusta

*Telephone:* 287-3871

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1973

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 020; Citation: 13 M.R.S.A., 1956

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine Agricultural Marketing and Bargaining Act authorizes producers of agricultural products to form organizations for the purpose of bargaining with handlers of those products with respect to price and other terms and conditions of their sale. The Act provides for the certification of those producer organizations which meet the statutory criteria for qualification and requires qualified associations and handlers to bargain in good faith. When an association and a handler cannot reach agreement, the statute provides for binding final offer arbitration.

**ORGANIZATION:** The Agricultural Marketing and Bargaining Act was first enacted in 1973 by the 106th Legislature. The Act established the Agricultural Bargaining Board, made up of five members appointed by the Governor. One member represents the interests of producers, one member represents the interests of handlers, and three are public members.

**PROGRAM:** From the enactment of the statute in 1973 until 1984, only one organization was certified, representing producers of potatoes used for processing. In 1984, the Board certified an organization representing producers of poultry. In 1988, the last remaining poultry handler closed its facilities in Maine leaving only the one organization representing the producers of potatoes and peas.

Amendments in 1987, 1989 and 1991 established binding final-offer arbitration as the final step in the dispute resolution process, established criteria for the arbitrator's decision, made procedural clarifications to the contract bargaining, mediation and arbitration provisions, and removed specific standards applicable only to associations of blueberry producers.

During 1991 and 1992, the Board entertained a handler's Petition to Decertify the association representing potato and pea producers on the grounds that it no longer represented the requisite percentages of producers and volumes of commodities. A few days before full hearings on the merits began, the handler withdrew its petition because the association had been able to bolster its membership.

### **LICENSES, PERMITS, ETC.:**

Certification of qualified associations.

### **PUBLICATIONS:**

Rules of Procedure for the MABB.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Administrative Services Division.

## BUREAU OF AGRICULTURAL MARKETING

P.N. MOSHER, DIRECTOR

*Central Office:* Deering Bldg. (AMHI), Augusta  
*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Telephone:* 287-3117

*Established:* 1980

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001M; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 86

*Legislative Count:* 13

**PURPOSE:** The Bureau of Agricultural Marketing was created to coordinate, expand and improve the domestic and foreign marketing of Maine agricultural products. The Bureau reestablishes the department's capability for creative market development.

**ORGANIZATION:** The Bureau has two operating divisions and four marketing agencies reporting to it. These are the Division of Market Development, Division of Quality Assurance, Potato Marketing Committee, Potato Marketing Improvement Committee, Dairy and Nutrition Council and Dairy Promotion Board.

**PROGRAM:** The following programs are the specific responsibility of the Director:

*Export Promotion:* The Bureau aids potential exporters of agricultural and agriculturally related products to find and utilize international markets. For maximum effect it joins other Northeastern states in a regional approach through membership in Eastern United States Agricultural and Food Export Council, Inc. (EUSAFEC).

The Bureau, in cooperation with the USDA Foreign Agricultural Service and EUSAFEC, offers support for international trade shows, provides technical assistance to businesses interested in expanding to foreign markets, and is capable of offering Trade Export Assistance (TEA) and Value-Added Promotion Program (VAPP) grants to Maine agricultural and sea product producers, processors and their representatives.

*Marketing Orders:* Marketing Orders and Agreements are designed to improve returns to growers through orderly marketing. They are programs through which producers of agricultural products can work together to solve marketing problems that they cannot solve individually. The Bureau holds hearings and referendums on behalf of, and at the request of, producers, producer groups, and processors to determine if specific orders shall become law. Currently, marketing orders exist for fresh wild blueberries, Russet potatoes, apples, and broccoli.

*Quality Trademark Program:* The new Maine Quality Trademark Program was created during the second session of the 113th Legislature. The program is designed to assist Maine agricultural producers and processors in positioning their products as quality assured products from Maine. The purpose is to improve the value of the product and therefore the profitability to the Maine producer and processor.

The Maine Quality Program is a cooperative effort between the Division of Quality Assurance and the Division of Market Development. In addition, representatives of wholesale and retail food distribution organizations and producers and processors serve on two separate advisory boards.

Other activities are included separately in the reports of the Bureau's sub-units.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.



## AGRICULTURE, FOOD AND RURAL RESOURCES

BUREAU OF AGRICULTURAL MARKETING	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,294,290	413,036	519,931		361,323	
Health Benefits	158,751	54,362	53,009		51,380	
Retirements	206,964	66,808	82,808		57,348	
Other Fringe Benefits	13,997	2,855	6,678		4,464	
Other Contract Services—State	27,206	10,263	16,943			
Computer Services—State	106,277	106,277				
Other Contractual Service	218,640	114,599	100,379		3,662	
Rents	442	130	312			
Commodities	4,167	3,186	911		70	
Grants—Subsidies—Pensions	54,956	19,342	28,544		7,070	
Interest—Debt Retirement	20	7	13			
<b>TOTAL EXPENDITURES</b>	2,085,710	790,865	809,528		485,317	

## BUREAU OF AGRICULTURAL PRODUCTION

**PETER N. MOSHER, DIRECTOR**

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3117

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1980

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001P; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 37.5

*Legislative Count:* 16.5

**PURPOSE:** The Bureau of Agricultural Production was established by the Agricultural Development Act of 1980 to provide increased capability for the development of livestock and crop enterprises as well as feed and cover crops, oil crops, and vegetables. To carry out this responsibility, the Bureau has developed programs to prevent, control and eliminate plant and animal diseases; to develop and expand production of the livestock, poultry and plant industries in the State; to encourage improved potato production and promising new field crops; and to promote horticulture and animal husbandry.

**ORGANIZATION:** To conduct and administer its programs, the Bureau is organized into three divisions: the Division of Veterinary Services, the Division of Plant Industry and the Division of Production Development. The Division of Veterinary Services is responsible for the prevention of contagious diseases among domestic animals, and for supervision of the Federal-State disease control laboratory and the milk quality laboratory. The Division of Plant Industry has four major activities: certification of seed potatoes, production of nuclear seed, horticulture programs and crop development. The Division of Production Development is responsible for the Technology Transfer and Special Projects Program, as well as crop and livestock development programs.

**PROGRAM:** Specific activities and accomplishments of the Bureau are included separately in the reports of its sub-units.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## AGRICULTURE, FOOD AND RURAL RESOURCES

<b>BUREAU OF AGRICULTURAL PRODUCTION</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	978,218	482,043	474,382		21,793	
Health Benefits	119,241	53,588	62,926		2,727	
Retirements	153,925	78,278	72,124		3,523	
Other Fringe Benefits	9,645	5,643	3,612		390	
Other Contract Services—State	40,063	5,030	22,060		12,973	
Computer Services—State	48,035	5,878	42,157			
Other Contractual Service	237,422	101,613	131,441		4,368	
Rents	7,067	3,622	3,445			
Commodities	93,472	22,520	70,898		54	
Grants—Subsidies—Pensions	16,277	4,182	395		11,700	
Building Improvements	5,260		5,260			
Interest—Debt Retirement	75	6	69			
Transfers to Other Funds	75,000	75,000				
<b>TOTAL EXPENDITURES</b>	<b>1,783,700</b>	<b>837,403</b>	<b>888,769</b>		<b>57,528</b>	

### **AROOSTOOK WATER AND SOIL MANAGEMENT BOARD**

**DIRECTOR (Not Established to Date)**

*Central Office:* Not Established to Date

*Mail Address:*

*Established:* September 29, 1987

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 328; Citation: 7 M.R.S.A., Sect. 332

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** To provide coordination with the Army Corps of Engineers to implement the Research and Demonstration Program for Irrigation and Conservation in Aroostook County. The Board will function in the areas of coordination, planning, contracting, and information dissemination for the program.

**ORGANIZATION:** The Board is comprised of the following members: Chairman of the Maine Potato Board; one person designated by the Maine Potato Board who is a farmer with irrigation experience; one farmer from each of the three Aroostook County Soil and Water Conservation Districts, selected by the boards of supervisors of the three districts; Director of the Maine Agricultural Experiment Station; Director of the University of Maine Cooperative Extension Service; State Conservationist of the U.S. Department of Agriculture Soil Conservation Service; Director of the Maine Geological Survey; Director of the Northern Maine Regional Planning Commission; and the Maine Commissioner of Agriculture.

**PROGRAM:** In 1989 the Legislature passed a bill to appropriate \$120,000.00 as a match to Federal funding of \$300,000.00. In August of 1989 the Army Corps accepted responsibility for the program and met with the Department to develop the Scope of Work and local cooperative agreement.

The Aroostook Board has met and reviewed the program, established subcommittees, and developed the documents to support the program.

The Scope of Work, LCA, and administrative procedures to accomplish the research and demonstration program began in 1990 and a cooperative agreement was completed in 1991.

A Research Program was started in 1992 to evaluate the effects of irrigation on potato yield and quality, utilize the best conservation practices for building soil structure, and demonstrate these practices to participating farmers. In addition, a demonstration program was established to show farmers how to set up irrigation and use best management practices.

## AGRICULTURE, FOOD AND RURAL RESOURCES

The Board is also responsible to review and expand existing knowledge of water needs, water supply, and a review of regulatory concerns. The Board has entered into a cooperative agreement with the U.S. Geological Service to monitor streams as potential water supplies, and with the Central Aroostook Soil and Water District to survey grower's needs for irrigation.

The Board was given responsibility in 1993 to address nuisance complaints regarding noise levels of irrigation pumps, as well as review state and federal environmental regulations regarding pond developments.

The Board started an analysis of Noise Issues related to pumps and contracted with an acoustics engineering firm to evaluate potential human impacts of noise. In addition the Board began work with DEP to evaluate water resource use and pond development in Aroostook County.

The Board was instrumental in receiving third year funding of \$252,000 from the Army Corps of Engineers for fiscal year 1994.

### **PUBLICATIONS:**

Aroostook Water and Soil Management Board Annual Report, 1992-93.

Aroostook Water and Soil Management Progress Report, 1993.

Irrigation Pump Noise Diagnostic Measurements—Aroostook County, 1993.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## **MAINE DAIRY AND NUTRITION COUNCIL**

**DIXIE HARRIS, CHAIR**

**GRACE R. ADDITON, DIRECTOR**

*Central Office:* Cony Rd. (Shop), Augusta

*Telephone:* 287-3621

*Mail Address:* State House Sta. #97, Augusta, Maine 04333

*Established:* January 1, 1975

*Sunset Review Required by:* June 30, 2002

*Reference: Policy Area:* 01; *Umbrella:* 01; *Unit:* 016; *Citation:* 36 M.R.S.A., Sect. 4523

*Average Count—All Positions:* 3.5

*Legislative Count:* 0

**PURPOSE:** The Maine Dairy and Nutrition Council was established to develop a statewide program of nutritional education in food selection and use, to teach consumers what to eat and why, and to aid in the training of professionals and consumers in the science of nutrition. The primary responsibility of Council members is to evaluate, recommend and supervise a course of action that will promote the welfare of the Maine dairy industry, particularly that segment of the industry doing business primarily within the State. The Legislature finds that the optimal health of the citizens of the State of Maine may be more fully achieved by providing guidance in nutrition and nutrition education based on the concept of a balanced diet, including milk and its products in accordance with scientific recommendations, and that the interests of all the people of Maine will be protected by strengthening and preserving the dairy industry of this State.

**ORGANIZATION:** The Maine Dairy and Nutrition Council was originally established in 1949 under the name of Maine Milk Advisory Committee, and funded at the rate of 1 cent per cwt, shared by Maine milk dealers and producers shipping on the Maine market. Promotion functions were then under supervision of the Maine Development Commission. In 1951, the Advisory Committee was renamed the Maine Dairy Council Committee, its cwt fees for nutritional education activities were increased to 2 cents in 1953; Maine Development supervision of promotion activities was repealed in 1955, and in 1969 cwt fees for nutrition education were increased to 3 cents. The Committee was incorporated within the Department of Agriculture in 1969, with the Commissioner of Agriculture being delegated responsibility for employing Committee personnel and prescribing their duties. In 1975 the Maine Dairy Council was renamed the Maine Dairy and Nutrition Council.

## AGRICULTURE, FOOD AND RURAL RESOURCES

The 111th Legislature enacted a law that leaves dealer contributions at 1-1/2 cents per cwt, but adds assessments from the milk shipped to Boston to the revenues starting on 1 June 84. On 1 June 85, the assessment became 2 cents per hundredweight of milk, regardless of market. The dairymen have a single assessment for Dairy Promotion paid from the Milk Pool, and the Maine Dairy and Nutrition Council is funded from that same assessment.

The law provides for Council appointments along marketing lines and limits the length of service of dairymen appointed.

Professional staff for the Council is comprised of two Nutrition Educators II supervised by the Director. Overall supervision is provided by the Director of the Bureau of Agricultural Marketing.

**PROGRAM:** The Maine Dairy and Nutrition Council, an affiliated unit of National Dairy Council®, conducts a state-wide nutrition education program in the concept of a balanced diet including dairy foods in accordance with scientific recommendations.

An integral part of the total program is a sequential nutrition education program called NUTRITION...IT'S ELEMENTARY, developed by National Dairy Council. The early childhood nutrition education curriculum called FOOD...EARLY CHOICES® is used extensively by Headstart, daycare centers and daycare providers. NUTRITION...IT'S ELEMENTARY, the elementary nutrition curriculum, was developed to teach students healthy snack habits. Both early childhood and elementary educators attend workshops in implementing these curriculums.

Other educational programs include: FOOD POWER for coaches, Milk From Cow To You and Eat The Five Food Group Way!.

The Maine Dairy and Nutrition Council provides consumer nutrition education programs and public service messages to the media through a series of timely and current nutrition topics. Additionally, the Maine Dairy and Nutrition Council provides nutritional and educational materials, exhibits at conferences, and offers a free video library service. Materials and programs used by the Maine Dairy and Nutrition Council have been developed by National Dairy Council in Rosemont, IL and have been reviewed and/or endorsed by such organizations as the American Dental Association, American Academy of Pediatrics, National Education Association and the American Federation of Teachers.

As an affiliated unit of National Dairy Council, the Maine Dairy and Nutrition Council has at its disposal current nutrition resources and research information. It uses this information to contribute to the optimal health and well-being of the citizens of Maine.

**PUBLICATIONS:** Catalog and Order blank listing all available materials with a brief description of each. (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE DAIRY AND NUTRITION COUNCIL	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	90,398		90,398			
Health Benefits	10,562		10,562			
Retirements	14,477		14,477			
Other Fringe Benefits	785		785			
Other Contractual Service	18,719		18,719			
Commodities	47,051		47,051			
Grants, Subsidies, Pensions	4,409		4,409			
Transfers to Other Funds	1,956		1,956			
<b>TOTAL EXPENDITURES</b>	188,357		188,357			

## MAINE DAIRY PROMOTION BOARD

HAROLD LARRABEE, CHAIR

GRACE R. ADDITON, DIRECTOR

*Central Office:* Cony Rd. (Shop), Augusta

*Telephone:* 287-3621

*Mail Address:* State House Sta. #97, Augusta, Maine 04333

*Established:* 1953

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 024; Citation: 36 M.R.S.A., Sect. 4503

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The Maine Dairy Promotion Board was established to promote the prosperity and welfare of the dairy industry of the State of Maine by fostering promotional, educational, advertising and research programs. The Board is charged with the responsibility of a promotional and advertising campaign designed to increase the consumption of Maine fluid milk, thereby improving the ratio of Class I to Class II milk marketed by the Maine dairy farmer. This, in effect, increases the blend price actually received by the dairyman without increasing the price of milk to the consumer. Further, the Board may take whatever action it deems appropriate to promote the dairy industry of the State of Maine.

**ORGANIZATION:** Established in 1953, the Maine Milk Tax Committee statutes have been amended from time to time to increase the fees paid by dairy farmers in order to more adequately finance a strong promotional program for Maine-produced milk. As a result of a reorganization act passed by the 105th Legislature, the Committee was incorporated within the Department of Agriculture, with the Commissioner of Agriculture being delegated the responsibility for developing operating budgets and of hiring necessary personnel to administer the program.

Dairy farmer assessment for promotion is established at \$.10/cwt., of which \$.02/cwt. is turned over to the Maine Dairy and Nutrition Council. This amount comes out of the \$.15/cwt. assessment established by Federal law.

**PROGRAM:** The Maine Dairy Promotion Board, an affiliated member of the United Dairy Industry Association™ (UDIA), implements a promotion and advertising program on behalf of the dairy farmers in Maine.

Since television is considered the most effective communication vehicle for promoting the use of fluid milk by consumers, the major part of the promotion budget is devoted to this medium supplemented by radio and print.

The advertising program is supplemented by several special promotions designed to call attention to the dairy industry and to encourage the consumption of milk and dairy products. Promotional events include shopping mall displays, fair exhibits, and Trade Shows.

Although the Maine Dairy Promotion Board carries out its own programs of media advertising, it contracts with Milk Promotion Services, Inc., located in Montpelier, Vermont, to implement promotional programs aimed at consumers in restaurants and grocery stores.

For the benefit of Maine producers selling milk on the Boston Regional Market, the Maine Dairy Promotion Board also contracts with Milk Promotion Services, Inc. to carry out a similar program in that marketing area.

UDIA is a federation of state/regional dairy product promotion groups and affiliated Dairy Council units throughout the United States.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## AGRICULTURE, FOOD AND RURAL RESOURCES

MAINE DAIRY PROMOTION BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	47,922		47,922			
Health Benefits	3,040		3,040			
Retirements	7,586		7,586			
Other Fringe Benefits	857		857			
Other Contract Services—State	930		930			
Other Contractual Service	206,179		206,179			
Rents	35		35			
Commodities	1,480		1,480			
Grants—Subsidies—Pensions	195,295		195,295			
Building Improvements	2,527		2,527			
Transfer to Other Funds	1,346		1,346			
<b>TOTAL EXPENDITURES</b>	<b>467,197</b>		<b>467,197</b>			

## STATE HARNESS RACING COMMISSION

### PHILIP M. TARR, CHAIR

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3221

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* April 4, 1935

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 017; Citation: 8 M.R.S.A., Sect. 261

*Average Count—All Positions:* 9

*Legislative Count:* 6

**PURPOSE:** The State Harness Racing Commission was established to maintain honesty and integrity in pari-mutuel harness racing in the State of Maine and to insure that pari-mutuel racing is conducted in the best interest of horsemen, associations and the general public. The primary responsibilities of the Commission are to make rules and regulations for holding, conducting and operating all harness horse races or meets for public exhibition in the State and for the operation of race tracks on which any such race or meet is held; to assign dates for holding harness horse races or meets for public exhibition with pari-mutuel pools as will best serve the interests of the agricultural associations of Maine; to grant tracks a license to operate day or night harness racing; to license or register participants in harness horse racing pari-mutuel employees and race officials, upon application, and charge a fee for such license not to exceed \$100; to regulate, supervise and check the making of pari-mutuel pools and the distribution therefrom; to establish a schedule of fines not to exceed \$1,000 and to adopt a schedule of suspensions which may include lifetime suspensions from participating in the sport; and to encourage and promote the breeding of a strain of Maine standardbred horse.

**ORGANIZATION:** The State Harness Racing Commission was established in 1935 as the State Racing Commission. It received its present name in 1951, and in 1973 was placed within the Department of Agriculture. During 1988, the Legislature expanded responsibility activities related to breeding farms involved in breeding standardbred trotters and pacers in Maine; and to coordinate activities of mutual interest to the Department of Agriculture, Food and Rural Resources and the various agricultural fairs. The Commission consists of five members appointed by the Governor. One member must be a member of the general public with no industry affiliation. One member must be affiliated with an agricultural society that conducts an annual agricultural fair. The other three members must be persons with a knowledge of harness racing. The members must be appointed to provide a broad geographic representation. With the exception of the Chair, members of the Commission serve three year terms. A vacancy is filled by appointment for the remainder of the unexpired term. Members whose terms expire serve until their successor is qualified and appointed. The Governor shall appoint one of the five commission members as Chair. Beginning July 1, 1992 this position is a full-time, unclassified, major

## AGRICULTURE, FOOD AND RURAL RESOURCES

policy influencing position. The Chair serves at the pleasure of the Governor. The Commissioner of Agriculture or his designee serves ex officio as secretary to the Commission, but is not a voting member.

Pursuant to the provisions of Ch. 579 of the Public Laws of Maine 1991, the Commission's authority was expanded to include jurisdiction over off-track betting facilities. Furthermore, Chapter 579 provided that the Commission has the authority to contract for judges of harness racing meets and expanded the Commission's role concerning the employment of Commission staff members. The same law requires that the Commission's budget be submitted unchanged to the Committee having jurisdiction over Agriculture.

**PROGRAM:** Major emphasis has been directed toward overall improvement of the sport and promotion of a breed of Maine Standard Bred horses. The Commission feels improvement of the breed, and a desire of persons in other areas to breed to Maine studs will guarantee future State incomes from this source and a healthy expanding industry, and will encourage involvement of youth in horse ownership, breeding and care.

Drug control programs are a continuing effort to eliminate as nearly as possible drug use on race horses within the State.

The colt program received its original funding by the 108th Legislature. It was increased by the 113th Legislature, allowing the Commission to pay amounts equal to 1.566% of the exotic wager and .073% of the straight wager into a fund to supplement purses for two and three year old eligible colts. Together with nomination, sustaining, starting and other various fees, purses for the Colt races exceed \$300,000 annually.

The Agricultural Fair Promotional Coordination will include Department sponsored educational efforts conducted at various fairs and supplementing capabilities of each fair by proper exposure and utilization of Department of Agriculture resources, funds and personnel.

### LICENSES, PERMITS, ETC.:

#### License:

- Standard Bred Horse Owners
- Drivers/Trainers Standard Bred Horses
- Various Pari-Mutuel Racing Officials
- Pari-Mutuel Racing Association—
- Fairs or Extended Meets
- Grooms of Standard Breed Horses

**PUBLICATIONS:** Rules and Regulations of the Maine State Harness Racing Commission, \$8.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE HARNESS RACING COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	254,584	218,793	35,791			
Health Benefits	27,491	23,653	3,838			
Retirements	42,087	36,270	5,817			
Other Fringe Benefits	2,594	2,463	131			
Other Contract Services—State	271,337	157,957	113,380			
Computer Services—State	81,561	81,561				
Other Contractual Service	96,205	88,146	8,059			
Rents	1,728	1,728				
Commodities	21,306	12,581	8,725			
Grants—Subsidies—Pensions	960,142	418	959,724			
Building Improvements	1,636	1,636				
Interest—Debt Retirement	46	36	10			
Transfers to Other Funds	1,998		1,998			
<b>TOTAL EXPENDITURES</b>	1,762,715	625,242	1,137,473			

## (OFFICE OF) STATE HORTICULTURIST

ANN GIBBS, STATE HORTICULTURIST

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3891

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1907

*Sunset Review Required by:* June 30, 1991

*Reference: Policy Area:* 01; *Umbrella:* 01; *Unit:* 010; *Citation:* 7 M.R.S.A., Sect. 2211

*Average Count—All Positions:* 4

*Legislative Count:* 0

**PURPOSE:** The State Horticulturist has responsibility for implementation of plant, insect and disease laws and quarantines, and the certification of plant materials involved in interstate and international movement.

**ORGANIZATION:** A State Horticulturist was authorized in 1907 as State Entomologist under a Bureau of Entomology. These designations were changed to State Horticulturist and Bureau of Horticulture in 1911 (the Office of State Entomologist was reestablished independently in 1929). The State Horticulturist later was placed under the Division of Plant Industry and is responsible to the Director of that Division. The Bureau of Horticulture as an organizational unit was abolished in 1972.

Professional staff in this office includes the State Horticulturist and 2 Assistant Horticulturists under the direct supervision of the Director of the Division of Plant Industry. Overall supervision is provided by the Director of the Bureau of Agricultural Production.

**PROGRAM:** Nursery and greenhouse inspections, and periodical inspection and licensing of all plant sales outlets are major responsibilities of this office. Under the 1980 reorganization of the Department the horticulture staff was authorized to carry out development and extension activities.

1898 inspections were made at nurseries, greenhouses and plant dealers in 1993. More than 100 different disease and insect pests were identified including the Tomato Spotted Wilt Virus and Bacterial Blight of Geranium. This disease had a devastating effect on a number of geranium crops.

In 1993, 311 lots of plant material were inspected and certified using phytosanitary certificates to assist growers in marketing products to other states in the US and foreign countries. The increase in certified lots of plants was due to a change in regulations concerning shipments of potatoes to Canada.

Additionally, Division personnel are often called upon to work on educational programs, judge at fairs, attend executive meetings of commodity associations and answer many calls from the general public about plant culture.

In 1994 a plant pathologist was hired to fill the vacant Assistant Horticulturist position.

### LICENSES, PERMITS, ETC.:

License:

Nursery

Certificate:

Phytosanitary

Permit:

Maine Permit Certificate (interstate)

### PUBLICATIONS:

List of Licensed Producers and Dealers of Nursery Stock—annual (free)

The Maine Leaf—four copies per year (free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Agricultural Production.



## **DIVISION OF MARKET DEVELOPMENT**

**JUDITH POWELL, DIRECTOR**

*Central Office:* Deering Bldg. (AMHI), Augusta  
*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Telephone:* 287-3491

*Established:* 1981

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001D; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 3

*Legislative Count:* 0

**PURPOSE:** The purpose of the Division of Market Development is to develop new and expanded markets for Maine agricultural products and resources. This division is responsible for implementing those policies of the Bureau of Agricultural Production and Marketing which concern market development; collecting and disseminating market information in order to find optimal market structures and to enhance the competitive position of Maine growers. Promotional activities to further Maine agricultural interests statewide, regionally, nationally, and internationally are also the responsibilities of the division.

**ORGANIZATION:** The Division Director supervises professional staff comprised of one Marketing Specialist and one secretary.

### **PROGRAM:**

**Direct Marketing** involves the sale of agricultural products through a direct transaction between producers or producer cooperatives, and consumers. It offers the potential for supplying fresh and reasonably priced quality food to consumers while providing more profitable returns to farmers, and encouraging local production. The Division facilitates direct marketing by assisting farmers in the formation and operation of farmers' markets and marketing cooperatives, and by printing and distributing the "Producer to Consumer" and other directories to bring farmers and food buyers together. The division also offers technical assistance to producers interested in direct marketing.

A growing segment of Maine's food production industry is that of specialty and gourmet foods and value-added agricultural products. The Division works closely with these producers and processors in marketing their unique products by means of mail-order, wholesale, and trade show sales both in and out of state.

**Market Service** programs provide farmers, governmental agencies and consumers with information related to agricultural production and marketing in Maine and, to a more limited extent, New England, the United States and foreign market areas. The Division gathers and disseminates statewide commodity information reports and publishes various data.

**Promotion** of Maine agricultural commodities involved a number of programs. The "Maine Produces" campaign is intended to promote the support of Maine agriculture, give new visibility to Maine's agricultural industries, and create increased demand for Maine-grown products. The Division also makes use of special events to increase public awareness of Maine products. Promotion of Maine agriculture through participation in trade shows and expositions has become a long standing function of the Division. Promotional assistance is also available to commodity organizations for events such as the Maine Wool Pool, Feeder Cattle Sales, Farm Days, National Apple Week, etc.

The Division also administers the Maine Apple Market Order and the Maine Beef Checkoff and provides technical guidance to their Marketing Boards.

### **LICENSES, PERMITS, ETC.:**

The Division of Market Development licenses use of the copyrighted "Maine Produces" symbol to identify fresh or processed agricultural products of the State of Maine and the "Maine Quality Trademark," in conjunction with the Division of Quality Assurance.

### **PUBLICATIONS:**

Producer to Consumer Directory, a guide to Direct Sources of Maine agricultural products.  
Maine Agricultural Products Buyers' Guide  
Maine Specialty Food Products  
Maine Farmers' Markets

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The Division also publishes promotional and informational fliers targeted to buyers on maple syrup, blueberries, apples, beans, berries, honey, Christmas trees, wool, wreaths, meats, and other Maine agricultural products, and development materials targeted to growers/producers.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Agricultural Production and Marketing.

### MAINE MILK COMMISSION

**MICHAEL A. WIERS, CHAIR**

**ROBERT K. PLUMMER, Executive Director**

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3741

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* February 27, 1935

*Sunset Review Completed:* June 30, 1991

*Reference: Policy Area:* 01; *Umbrella:* 01; *Unit:* 015; *Citation:* 7 M.R.S.A., Sect. 2952

*Average Count—All Positions:* 4

*Legislative Count:* 0

**PURPOSE:** The Maine Milk Commission was established to exercise economic control over the purchasing, distribution and sale of milk within the State while taking into due consideration the public health and welfare and insuring an adequate supply of pure and wholesome milk. The Commission has the power to supervise, regulate and otherwise control the sale of milk within the State in such a manner as to supplement such supervision and regulations as are now imposed by existing statutes. It also has the power to conduct hearings, subpoena and examine under oath dealers with their records, books and accounts, and any other person from whom information may be desired. The Commission may have access to all books and records relating to milk for the purpose of ascertaining facts to enable it to administer the law. It may act as mediator or arbitrator to settle any controversy or issue among producers, dealers and consumers, any of whom may petition the Commission to change prices or conditions in any market area.

**ORGANIZATION:** The Maine Milk Control Law was enacted by the 87th Legislature in 1935. Under the law, a Maine Milk Control Board was created to exercise general economic supervision over the industry. The Board initially was comprised of one milk dealer, one producer-dealer, two producers and the Commissioner of Agriculture. In 1951, a consumer was added to the membership and the agency's name was changed to the Maine Milk Commission.

Effective October 2, 1975, the law was completely amended requiring the Commission to be comprised of 4 consumer members and the Commissioner of Agriculture, ex officio. None of the remaining 4 members of the Commission shall at the time of appointment or while serving as a member of the Commission, and no employee of the Commission, shall have any official business or professional connection with any person or firm whose activities are subject to the jurisdiction of the Commission.

The Commission holds regular meetings on the third Thursday of each calendar month and special meetings may be called by the chairman whenever requested in writing by 2 or more members. The Commission is financed by a hundredweight fee assessment on industry members and receives no State tax monies. It was incorporated into the Department of Agriculture as an agency in the State Government reorganization legislation of 1973.

**PROGRAM:** In accordance with its statute, as interpreted by the State Supreme Court in two decisions, the Commission established and has in place an ongoing uniform system of accounts for reporting and allocating costs of processing, packaging and distributing milk within the State of Maine. Recent studies have been conducted to determine the cost of handling milk in retail food stores, cost of the most efficient delivery of packaged product and cost of operating the most efficient processing plant. Studies completed

## AGRICULTURE, FOOD AND RURAL RESOURCES

in 1994, determined cost of Maine raw milk production and dealer processing and distribution costs. An ongoing study will determine cost of milk handling in major retail stores.

The Commission does not set fixed prices but merely establishes minimum prices based on the lowest achievable cost at which milk purchased from Maine producers can be received, processed, packaged and distributed within the State at a just and reasonable return, while insuring an adequate supply of pure and wholesome milk to Maine consumers.

The Commission's price order, Order #85-2 which became effective January, 1985 and was subsequently adjusted to reflect the results of the Superior Court decisions of February 4, 7 and 15, 1985 invalidated the volume delivery pricing schedule adopted by the Commission. The Commission's most recent price order, Order #90-11 Dealer Margin became effective November 1, 1990. This order establishes dealer margins and sets minimum wholesale prices based on the lowest achievable costs. This order continues the butterfat differentials at whole, 2%, 1-1/2%, 1% and skim. This pricing order is to be updated by Order #94-8 Dealer Margins by August, 1994. The minimum wholesale and retail prices are adjusted monthly based on the latest Class I, II and III prices as announced by the Market Administrator in Federal Order One. Order #94-8 Dealer Margin resulted from Commission studies, collection of data and scheduling of extensive rule making hearings in 1993-1994. Order #94-8 Dealer Margin continues the advancement and refinement of the procedure and analysis that went into all the previous pricing orders.

On November 15, 1990, the Commission adopted Order #90-14 Retail Margins which sets new retail margins. This order followed the same thorough procedures of study, investigation and hearing that preceded Order #87-2 through Order #89-6DM. The retail margins will be updated by a new pricing order before the end of 1994.

By the enactment of P.L. 1983, c. 573, the Maine Legislature created the Maine Milk Pool, intended to "smooth out differences in milk prices" (7 M.R.S.A. Section 3151) paid to milk producers on the Maine and Boston markets. By agreement with the Commissioner of the Department of Agriculture, Food and Rural Resources, the Milk Commission serves as Pool Administrator. Rules governing the Pool's operation and administrative costs were adopted. Just prior to implementation of the Pool Program, its constitutionality was challenged and an injunction against its operation was issued by the Superior Court. The State and supporting intervenors appealed the Superior Court's decision to the Maine Supreme Court which overruled the lower court decision in December, 1984. A subsequent challenge in federal court was also unsuccessful. The Pool became operational in January, 1985 and during the first year of operation had accounted for 584 million lbs. of milk and redistributed 3.1 million dollars to Maine producers at a cost of 37 thousand dollars. In 1993 the Pool accounted for 644 million pounds of milk. It redistributed 4.8 million dollars to 644 Maine producers at a cost of less than \$5,300/month. Since September of 1988 the Commission has been setting special Class I premiums which returned over 302 thousand dollars to producers selling to Maine Market Dealers in 1993.

By the enactment of P.L. 1983, c. 484 the Maine Legislature enacted an emergency Destructive Competition Law which becomes effective in the event minimum wholesale or retail prices are not in effect. The Commission has adopted rules to govern the operation of the below cost law.

In 1991 the Maine Legislature passed and the Governor signed into law the Maine Dairy Farm Stabilization Act. This Act, as amended by PL 1993 c 274, §4, sets a monthly excise tax on packaged milk sales of from \$0.04 to \$0.24 per gallon based on the Commission's minimum Class I price. The Commission administers this Act for the Department. In the first 30 months of operation (August, 1991 to Dec., 1993) over \$6.1 million dollars has been paid out to Maine milk producers. This \$6.1 million represent 94% of the \$6.4 million collected by Bureau of Taxation. Another 4% or \$257,000 has gone to the State WIC program. This Act was scheduled to sunset November 7, 1993; however, the 116th Legislature rescinded the sunset clause. The Act has provided stability to consumer prices and served as an important income stabilizer to the producers of the State. The Act is under legal change by Cumberland Farms. U.S. First Circuit Court will receive final written briefs July 1994.

The Commission was recognizing a cost of production premium on minimum producer prices until the Stabilization Act was amended in April 1994. A further premium on Class I of \$0.10/cwt. is representative of prevailing premiums being paid by dealers in "southern New England".

### LICENSES, PERMITS, ETC.:

License:

Maine Milk Dealers and Subdealers

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### PUBLICATIONS:

Laws Relating to the Maine Milk Commission (free)  
Rules and Order to Effectuate Maine Milk Commission Law (Mimeographed—free)  
Hearing Procedures for Maine Milk Commission (Mimeographed—free)  
State of Maine Milk Commission Order #89-6DM. Effective June 1, 1989 (available in Maine Milk Commission Office)  
Rules governing operation and administrative costs of the Maine Milk Pool (Mimeographed—free)  
Milk Processing and Distribution Costs: The Maine Model (Fee—Available in Milk Commission Office)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE MILK COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	112,416		112,416			
Health Benefits	9,941		9,941			
Retirements	15,137		15,137			
Other Fringe Benefits	2,884		2,884			
Other Contract Services—State	26,033		26,033			
Computer Services—State	23,804		23,804			
Other Contractual Service	34,288		34,288			
Rents	1,767		1,767			
Commodities	2,384		2,384			
Grants—Subsidies—Pensions	6,454,824		6,454,824			
Building Improvements	2,228		2,228			
<b>TOTAL EXPENDITURES</b>	6,685,706		6,685,706			

## BOARD OF PESTICIDES CONTROL

THOMAS SAVIELLO, Ph.D., CHAIRMAN

ROBERT I. BATTEESE, JR., DIRECTOR

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-2731

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1965

*Sunset Review Required by:* June 30, 2001

*Reference: Policy Area:* 01; *Umbrella:* 01; *Unit:* 026; *Citation:* 7 M.R.S.A., Sect. 601 et seq. and 22 M.R.S.A. Chapter 258-A, Sect. 1471 A-W

*Average Count—All Positions:* 20.5

*Legislative Count:* 0

**PURPOSE:** The Board of Pesticides Control was established to protect the public health and safety and the public interest in the soils, water, forests, wildlife, agricultural and other resources of the State by assuring safe, scientific and proper use of chemical pesticides. The primary responsibilities of the Board are to register all pesticide products to be sold and used in Maine; to examine and license all persons involved in commercial application of pesticides and all dealers and private growers involved in the sale or application of restricted use pesticides; to promulgate regulations regarding pesticide use; to issue permits for limited-use pesticides; investigate use of pest control chemicals; to prosecute violations or initiate license-suspension actions; and to cooperate with other agencies in environmental monitoring and protection.

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**ORGANIZATION:** The Board of Pesticides Control was established in 1965, funded in 1969, staffed with a supervisor and secretary in 1970, and in 1973 placed within the Department of Agriculture. In 1981 the Legislature transferred to the Board all the authority of the Commissioner of Agriculture to register pesticides. The original Board was composed of the Commissioners of eight State agencies, but in 1980 the Legislature reconstituted the Board to comprise seven public members appointed by the Governor for a four-year term. Qualifications for three of the members are prescribed by statute to include persons knowledgeable about pesticide use in agriculture, forestry and commercial application, while one person must have a medical background and another be either an agronomist or entomologist at the University of Maine. The remaining two public members must have a demonstrated interest in environmental protection and represent different geographic areas of the State. The Board annually elects a chairman from its membership and employs personnel as necessary.

The Board's professional staff is comprised of a Director, Chief of Certification and Enforcement, Toxicologist, Pesticides Registrar, Certification and Licensing Specialist, Public Information Officer, Pesticide Planner, and one full-time and four seasonal Pesticides Inspectors. Overall supervision is provided by the Director.

### PROGRAM:

**Registration.** In 1993 the Board registered 6,035 products which represented a 3.4% increase over 1991. The accompanying fees were deposited in the Pesticide Control Fund to cover normal operating costs of the Board and the Department's Integrated Pest Management Program. In addition, these funds were used to continue having hazard assessments conducted on selected pesticides, so that the Board could determine if their registration status needed to be reviewed.

**Licensing.** The Board certifies and licenses private and commercial pesticide applicators and all dealers selling restricted or general use pesticides to assure that pesticides used in the state will be handled properly to prevent human or environmental harm. In 1993 there were 2,000 private applicators licensed for a three year period, and 1,068 commercial applicators 75 restricted and 545 general pesticide dealers licensed on an annual basis.

**Monitoring and Enforcement.** The Board monitors the sale and applications of pesticides and investigates complaints of misuse. This includes inspection of application equipment, storage and disposal areas; observation of applications; sampling pesticides in use or storage; and sampling pesticide residues on crops, foliage, soil, water or elsewhere in the environment. Violations of the Board's rules are subject to enforcement action, which could include suspension or revocation of applicator or dealer license, and imposition of fines.

**Public Education.** The Board strongly supports public education as a means to minimize both problems and concerns with pesticide use in the state. This effort is coordinated by a public information officer who presents public policy issues through a quarterly newsletter, press releases, brochures and speaking engagements before school children.

**Returnable Pesticide Containers.** 1993 marked the eighth year of implementation of this unique and very successful program. Dealers and applicators have come to recognize that it solves a major disposal problem, and compliance continued to be very good with over 98% of the returned containers meeting the triple rinsed standard.

**Obsolete Pesticide Pickup.** The Board maintains a list of homeowners and applicators who seek assistance in the removal and disposal of cancelled or otherwise unusable pesticides. When funding is available, the Board collects these materials and delivers them to a contractor for disposal. Currently the Board has exhausted its funding from a 1988 appropriation but still has a listing of 181 people representing more than seven tons of material requiring proper disposal.

### LICENSES, PERMITS, ETC.:

#### License:

- Commercial Pesticide Applicators
- Restricted Use Pesticide Dealers
- General Use Pesticide Dealers
- Private Pesticide Applicators
- Government Pesticide Supervisors
- Monitors/Spotters
- Spray Contracting Firms

#### Permit:

- Limited-Use Pesticide
- Variance from Drift Standards

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### PUBLICATIONS:

Board of Pesticides Control Statutes, Free  
Board of Pesticides Control Regulations, Free  
Maine Pesticide Control Act of 1975, Free  
Maine Board of Pesticides Control Communicator, free quarterly newsletter  
Before You Use Pesticides, Free Booklet  
Licensing Requirements for Pesticide Applicators, Free Brochure  
Pesticide Use and Personal Protective Equipment, Free Brochure

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BOARD OF PESTICIDES CONTROL</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	516,396		396,232		120,164	
Health Benefits	51,494		43,773		7,721	
Retirements	78,452		61,520		16,932	
Other Fringe Benefits	6,540		3,493		3,047	
Other Contract Services—State	9,263		5,276		3,987	
Computer Services—State	35,264		12,987		22,277	
Other Contractual Service	120,607		79,947		40,660	
Rents	474		402		72	
Commodities	12,602		5,559		7,043	
Grants—Subsidies—Pensions	43,018		31,597		11,421	
Building Improvements	4,902		1,695		3,207	
Interest—Debt Retirement	2				2	
<b>TOTAL EXPENDITURES</b>	<b>879,014</b>		<b>642,481</b>		<b>236,533</b>	

## DIVISION OF PLANT INDUSTRY

**TERRY L. BOURGOIN, DIRECTOR**

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 289-3891

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1919

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001C; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 25

*Legislative Count:* 0

*Organizational Units:*

(Office of) State Horticulturist

**PURPOSE:** The Division of Plant Industry was established to protect the public from hazards associated with the sale, transport or growing of weak, diseased or insect-infested commercial plant stock, fruits or seed; and to encourage the keeping of bees. Its primary responsibilities are to enforce the statutes relating to the certification of seed potatoes; to ensure an adequate supply of foundation seed potatoes for the state's commercial seed potato producers; to inspect nurseries and greenhouses; and to license beekeepers and inspect their hives. The Division enforces regulations dealing with quarantine procedures, seizure, disinfection, destruction or other disposition of any plant material or bees carrying disease or insect infestation. A professional roguing service was transferred from the Maine Seed Potato Board to the Division in 1988. This service assists seed potato producers to improve the quality of Maine seed potatoes. The winter potato disease testing program, conducted on a farm owned by the State of Maine in Homestead, Florida, was transferred from the Maine Seed Potato Board in FY 92. This program assesses the disease content of samples of Maine seed potatoes to ensure they meet tolerances established by State rule.

## AGRICULTURE, FOOD AND RURAL RESOURCES

**ORGANIZATION:** The Division of Plant Industry was established in 1919. In the early years, the Division was primarily involved in insect control having to do with the corn borer, gypsy moth, browntail moth, Japanese beetle, and greenhead fly. As these functions were assumed by others, the emphasis of the Division shifted to work with commercial seed potato growers, nurserymen, orchardists, florists, bee keepers, small fruit, and vegetable growers.

A State Horticulturist was authorized in 1907 as State Entomologist under a Bureau of Entomology. These designations were changed to State Horticulturist and Bureau of Horticulture in 1911 (the office of State Entomologist was reestablished independently in 1929). The State Horticulturist later was placed under the Division of Plant Industry. The Bureau of Horticulture as an organizational unit was abolished in 1972.

In 1981 an Entomologist III was added to the Department with the assignment of working on Integrated Pest Management (IPM).

The State Apiarist was transferred to the direct supervision of the Division Director in 1988.

Chapter 731 of Public Laws of 1979 repealed the Statutory reference which created this unit. P.L. 731 also required this division to report to a Bureau Director rather than directly to the Commissioner.

The Division's professional staff is comprised of a state apiarist, a state horticulturist and two assistants, an entomologist III, ten seed potato specialists (one specialist also serves as a grain inspector), a supervisor to the specialists, and a certified seed lab director. Immediate supervision is provided by the Division Director with overall supervision by the Director of the Bureau of Agricultural Production and Marketing.

### PROGRAM:

**Seed Potato Certification.** A major activity of this Division is the certification of seed potatoes, a self-supporting service paid through fees charged to seed potato producers. The Maine Seed Potato Certification Program inspected approximately 29,120 acres of potatoes in 1993. This represents a 4% decrease over 1992 inspection acreage. Of this total, 28,539 acres were certified by 328 seed growers. The Superior was the leading variety in acres certified, followed by Atlantic, Norwis, Katahdin, Allegany, and Snowden.

The certification staff also inspected and certified nearly 750 acres of grain. Oats comprised the majority of this acreage with a lesser acreage of barley inspected and certified. This is the second consecutive year that barley has been involved in the grain certification program. Prior to 1991, the last year barley was certified in Maine was 1982.

The survey for the necrotic strain of Potato Virus Y (PVY-N) in Maine potato fields, was phased down in 1993, with approximately 60 fields involved in 1993. No PVY-N was found in the survey. This was good news for Maine's potato industry, because the disease is under quarantine by both the US and Canada. The Canadian Provinces of New Brunswick and Prince Edward Island both reported a small number of positive fields for PVY-N; however the U.S. Department of Agriculture and Agriculture Canada was able to reach agreement on a plan to deregulate this disease and manage it through the seed potato certification programs in each country.

**Beekeeping.** The State Apiarist licensed 432 beekeepers who registered 10,913 colonies in the state. Approximately 2,050 colonies were inspected for regulated diseases and mites. Additionally, 33,000 hives of commercial beekeepers (local and out-of-state) hired by blueberry growers for pollination were surveyed for disease and mites. Over 1,500 colonies were inspected for Varroa mite, a serious honeybee pest first discovered in the U.S. in 1987. All migratory operations were positive for Varroa mite. Division staff also continued to renovate a chamber to be used to fumigate hives infected with American Foulbrood.

**Integrated Pest Management.** The Division's IPM Specialist continued work with vegetable and small fruit growers to optimize their use of agrichemicals. Insect surveys were conducted on field and forage crops, including surveys for the presence of pests in cranberry bogs. Some time was also spent responding to nuisance complaints resulting from insect infestations.

The ongoing goal of IPM is a more judicious use of pesticides resulting in less total pesticides used overall.

**Horticulture.** The State Horticulturist is administratively located in the Division of Plant Industry. The purpose of the Horticultural Unit is to implement plant, insect and disease laws and quarantines, and the certification of plant materials involved in interstate and international movement. The activities and accomplishments of the Horticultural Unit are reported in the (Office of) State Horticulturist report.

## AGRICULTURE, FOOD AND RURAL RESOURCES

### LICENSES, PERMITS, ETC.:

#### License:

Nurseryman

Beekeepers

#### Certificate:

Phytosanitary

Health Certificate for Certified Seed Potatoes

Health Certificate for Honeybees

#### Permit:

Maine (intra- and interstate) Plants

Maine (interstate) Honeybees

Imported Seed Potatoes

### PUBLICATIONS:

List of Seed Potato Growers—annual (free)

List of Licensed Producers and Handlers of Nursery and Ornamental Stock—annual (free)

List of Registered Beekeepers—annual (free)

Survey of Ornamental Horticulture in Maine (free)

The Maine Leaf—6 issues annually (free)

Honey Bee Diseases and Pests (free)

Miscellaneous Honey Bee Information Sheets (free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Agricultural Production.

## MAINE POTATO BOARD

**ROBERT A. BARTLETT, PRESIDENT**

**DAVID R. LAVWAY, Executive Director**

*Central Office:* 744 Main St., Presque Isle; *Room:* 1

*Mail Address:* 744 Main St., Room 1, Presque Isle, Maine 04769

*Established:* August 1, 1986

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 330; Citation: 36 M.R.S.A., Sect. 4603

*Average Count—All Positions:* 6

*WATS:* 1-800-553-5516

*Telephone:* 769-5061

*FAX:* 764-4148

*Sunset Review Required by:* June 30, 1991

*Legislative Count:* 0

**PURPOSE:** The Maine Potato Board was established to provide for the advancement of the Maine potato industry in the public interest and for the public good, under the auspices of a state agency. Under the Board, all elements of the Maine potato industry are represented and work together under the leadership of a unified, public board to solve the problems facing the industry.

**ORGANIZATION:** The Board is an eleven-member group, serving two-year terms, representing grower, processor and shipper elements of the industry. The Board selects a president, vice-president, treasurer and secretary from its members, and appoints an Executive Director to administer programs and policies established by the Board.

**PROGRAM:** Potato tax revenue for the 12-month period ending June 30, 1994 was \$851,631.39. Maine growers harvested 80,000 acres, producing 22 million hundredweight of potatoes. The planted acreage was composed of 65% round whites, 24% Russet-type potatoes, and 11% Shepody (long whites). Approximately 29,028 acres were entered for seed certification.

The tax revenues of the Maine Potato Board in 1993-94 were used as follows:

Administration (Board)	24%
Advertising/Marketing	36%



## AGRICULTURE, FOOD AND RURAL RESOURCES

Research	20%
Other Grants	11%
Other	9%

**Promotional Events:** The Board was represented with exhibits at trade shows.

**Research Programs:** The Maine Potato Board financed research through the Maine Agricultural Experiment Station, the Cooperative Extension, and the Maine Seed Potato Board. Again this year the greatest amount of research money was directed toward a Maine potato variety breeding program. Other projects including educational, also benefit from the Maine Potato Board research grants.

### PUBLICATIONS:

Maine Potato Recipe booklets (printed—free)  
*Maine Potato News* (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE POTATO BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	147,189		147,189			
Health Benefits	20,201		20,201			
Retirements	28,609		28,609			
Other Fringe Benefits	2,056		2,056			
Other Contract Services—State	74,139		74,139			
Other Contractual Service	361,388		361,388			
Rents	1,206		1,206			
Commodities	4,091		4,091			
Grants—Subsidies—Pensions	258,605		258,605			
Interest—Debt Retirement	68		68			
Transfers to Other Funds	59,397		59,397			
<b>TOTAL EXPENDITURES</b>	956,949		956,949			

## MAINE POTATO MARKETING COMMITTEE

BERNARD W. SHAW, COMMISSIONER OF AGRICULTURE

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-2161

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1953

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 013; Citation: 7 M.R.S.A., Sect. 995

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine Potato Marketing Committee's purpose is to correlate potato marketing, to provide for uniform grading, to develop new markets, to establish orderly marketing procedures and to eliminate or reduce economic waste in the marketing of potatoes, upon the issuance of a marketing order. Such order is effective only upon approval of two-thirds of Maine's potato producers participating in a referendum for that purpose.

**ORGANIZATION:** The Committee consists of 8 members, of whom 5 are producers and 3 are handlers. For each member of the Committee there must be an alternate who has the same qualifications as the member. Persons selected as Committee members or alternates to represent producers are individuals who are producers in the respective district for which selected or officers or employees of a corporate

producer in that district and such persons shall be residents of the respective district for which selected. Persons selected as Committee members or alternates to represent handlers are individuals who are handlers in the State or officers or employees of a corporate handler in this State and such persons must be residents of the State.

**PROGRAM:** The Maine Potato Marketing Committee was constituted for the first time since authorization by the establishment of a Maine Russet Potato Marketing Order in August 1979. The Committee's responsibility is limited to the marketing of russet varieties of Maine potatoes.

**FINANCES, FISCAL YEAR 1994:** This unit did not receive or expend funds in FY 94.

## POTATO MARKETING IMPROVEMENT COMMITTEE

BERNARD W. SHAW, COMMISSIONER OF AGRICULTURE

*Central Office:* 744 Main Street, Presque Isle

*Telephone:* 764-2105

*Mail Address:* 744 Main Street, Presque Isle, Maine 04769

*Established:* 1981

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 329; Citation: 7 M.R.S.A., Sect. 972

*Average Count—All Positions:* 1

*Legislative Count:* 0

**PURPOSE:** The Potato Market Improvement Committee's purpose is to help stimulate the improvement of the potato industry, to advise the Commissioner on the development and implementation of improved potato marketing systems, particularly storage and central packing facilities, and to advise the commissioner concerning funding and expenditures of the Potato Market Improvement Fund.

**ORGANIZATION:** The committee consists of 10 members appointed by the Commissioner, of whom one member represents the University of Maine; one member representing the Farmers Home Administration; one member representing the Farm Credit System; one member represents the Department of Economic and Community Development; and one member represents the public. Each executive council established pursuant to Title 36, Section 4603, Subsection 3, shall appoint one person to serve as a member of the committee.

**PROGRAM:** The Committee's principal responsibility is to advise the Commissioner of Agriculture on the disposition of loan funds made available through the sale of State revenue bonds. Pursuant to the Committee's advice, the Commissioner adopted rules outlining the criteria for loans in four separate areas: sprout inhibition, storage retrofits, facility expansions, and new facility construction.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Agriculture, Food and Rural Resources.

## MAINE POTATO QUALITY CONTROL BOARD

BERNARD W. SHAW, COMMISSIONER OF AGRICULTURE

*Central Office:* 744 Main Street, Presque Isle  
*Mail Address:* 744 Main St., Presque Isle, Maine 04769

*Telephone:* 769-5061

*Established:* 1981

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 304; Citation: 7 M.R.S.A., Sect. 1033

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine Potato Quality Control Board's purpose is to improve the quality of Maine potatoes; recommend grades for potatoes and identification to be used on consumer packs of potatoes packed in Maine bags; to hear and resolve grievances regarding inspections; and to recommend a fee schedule for inspection of potatoes packed in Maine bags.

**ORGANIZATION:** The Board consists of nine members, of whom two are elected by the Maine Potato Board; one a representative of the department, one appointed by the Governor to represent consumers, and an additional five members are elected by the Maine Potato Board, one from District No. 1, one from District No. 3, one from District No. 4, and two from District No. 2. Members serve for staggered 2 year terms.

**PROGRAM:** The Board and the Commissioner of Agriculture, Food and Rural Resources shall jointly prepare grade standards for potatoes packed in bags readily identifiable as originating in Maine ("Maine Bags"). Those grades are superior to the standard US No. 1. The Board also adopted rules adopting the State of Maine Quality Trademark as its official logo to be used on "Maine Bags." Additionally, in conjunction with the Maine Potato Board, it is promoting that package to the trade.

One objective of Quality Control Board activities is to increase the percentage of potatoes inspected. The Board recommended that the Commissioner establish inspection fees for potatoes in the Federal-State Inspection program at a reduced rate for participants in the Maine Bag Program. The basic fee was set at 14 cents/cwt for shipping point inspections, but participants in the Maine Bag Program were charged only 7 cents/cwt.

**FINANCES, FISCAL YEAR 1994:** This unit did not receive or expend any funds in FY 94.

## DIVISION OF PRODUCTION DEVELOPMENT

JOHN R. HARKER, DIRECTOR

*Central Office:* Deering Bldg. (AMHI), Augusta  
*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Telephone:* 287-7618

*Established:* 1985

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001N; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 3

*Legislative Count:* 0

**PURPOSE:** The Division administers and promotes programs and implements policies to assist the agricultural commodity groups in strategic planning, in adopting new agricultural production systems and in developing new crops and livestock enterprises. The Division evaluates issues affecting agricultural production and recommends policy to the Commissioner. The Division is responsible for acquiring data and information needed to develop these programs and policies.

**ORGANIZATION:** The Division of Production Development was established in 1985, pursuant to Chapter 501 PL 1985, as part of a reorganization of the Bureau of Agricultural Production.

The Division has a Director and Agricultural Development Agent assigned to carry out the responsibilities of the Division. The Director manages the crop development programs and administers the Technology Transfer Grant Program. The Development Agent is responsible for the livestock development programs. Both are responsible for issue assessment and planning.

### **PROGRAM:**

**Technology Transfer and Special Research Projects Program.** The Technology Transfer Program was in its seventh year of operation in 1993-94. The goal of the program is to maintain the profitability and competitiveness of agricultural businesses by improving the adoption rate of appropriate new technology. Its objectives are to grant monies to test and demonstrate new and appropriate production, storage and processing technology.

The program is administered by the Division Director in conjunction with two Commissioner's advisory committees. The Technology Transfer Advisory Committee reviews project applications and recommends projects for the Commissioner's approval. The seven-member Committee is made up of representatives from Industry, Cooperative Extension Service, Agricultural Experiment Station, a financial institution, and the Department. A Program Review Committee consists of the Commissioner, Director of the Agricultural Experiment Station and Director of the Cooperative Extension Service. The Program Review Committee meets yearly to review the program and evaluate program effectiveness.

No grants were made in 1993-94. The Division continued to direct a major effort to develop a cranberry technology transfer educational program and republishing of the Cranberry Agriculture in Maine Report. The program continues to fund projects on new technology adoption in all the major commodities when monies are available.

**Commodity Planning Assistance.** The Division provides professional expertise to any commodity group or industry organization in organizational and strategic planning.

In 1993-94 Division staff assisted with the beef, sheep, apple, cranberry and vegetable grower organizations to develop survey and needs assessment documents. Staff also helped AGCOM, a multi-commodity industry task force to coordinate industry public relations, advocacy and establish goals and objectives.

**Commodity Policy Assessment.** Division staff reviews legislation and other issues that have an impact on production agriculture and acquires data and information in development of policy. In 1993-94, the Division reviewed issues in pesticide regulation, Apple Harvest H-2A regulations, Animal Damage Control, Cranberry Wetlands Regulations, and Worker Protection Standards.

**New Crop and Livestock Evaluation and Development.** The Division provides planning and technical assistance in the evaluation and development of new crops. In addition, staff are involved in helping Maine farmers to diversify their operations by adopting new crop enterprises. Creating new market opportunities and production technology is important to the long-term profitability and sustainability of agricultural businesses and food processors.

The Division continued a major effort to reintroduce the cranberry industry into Maine. A state action plan was completed and a new Grower's Guide was published. The Department secured Federal funds for technical assistance (\$50,000) and low interest loans (\$2 million). Division staff assisted in development of an Advisory Committee of growers. Fiber Flax is another new crop evaluated in 1993. Division staff assisted in a demonstration trial of 200 acres in Aroostook County and in production of a Grower's Guide/Economic Analysis Report. Staff also assisted a grower in securing a \$5,000 grant to test flax production systems.

**Crop and Livestock Production Improvement Program.** Division staff are working with the University of Maine and commodity groups in developing and maintaining programs to improve production, genetic diversity, and improvement of crop and livestock breeds in Maine.

In livestock, staff are assisting in genetic improvement testing of sheep flocks (Ram Test), and encouraging the use of computerized recordkeeping for breed selection. The Beef Cattle Improvement Program provides weighing and grading services to beef producers in order to manage and improve the genetics of breeding herds throughout the state. A new program in video sales was started in 1993.

In crops, staff have served as consultants for apple and small fruit crops, cranberries, vegetables, and greenhouse crops. The Division secured a \$50,000 grant to study upland cranberry production and engineering designs. In addition staff are working with other states to establish a variety trial for cranberries.

Maintaining or developing genetic improvement programs is a critical need for creating pest resistance, improving quality and productivity, and developing new products for a wide range of crops

## AGRICULTURE, FOOD AND RURAL RESOURCES

and livestock. Genetic improvement programs include variety trials, formal crop and livestock breeding programs, germplasm collection for new crop development, and bioengineering.

**Public Awareness/Communications Program.** The Division picked up responsibility for writing, editing and publishing the Department's Newsletter to growers. The program is subscription-fee based and currently runs about 1200 subscribers. The newsletter is published bi-weekly. In addition the Division developed an Agricultural Fact Brochure and Teacher Resource Brochure in 1993.

### PUBLICATIONS:

1988 Beef Cattle Improvement Program Survey of Recommendations Report to the Commissioner of Agriculture.

The Sheep Industry in Maine: A Plan of Work. A Report of the Sheep Industry Task Force, October 10, 1989.

The Beef Industry: A Plan of Work, A Report of the Maine Beef Industry Planning Committee, October, 1989.

The Vegetable and Small Fruit Industry in Maine: Growing for the 1990's.

Cranberry Agriculture in Maine: Growers Guide, Enhancing Maine's Natural Resource Based Industries, October, 1993.

The Maine Apple Industry—Looking Ahead to the 1990's.

Maine Apple Industry—Issues and Findings. Current changes in Orchard Practices as they affect the reporting of prevailing apple harvest wages.

Maine Cranberry Industry, Issues and Findings. Cranberry Development Wetland and Water Dependency.

Environmental Regulations applicable to Cranberry Plantation Development.

Maine Agriculture, Issues and Findings: Impact of Wildlife on Agriculture crops and livestock.

Maine Agriculture Food For Thought Brochure.

Teaching Children About Maine Agriculture Today. A resource directory.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Agricultural Production.

## BUREAU OF PUBLIC SERVICE

### PETER W. CURRA, DIRECTOR

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3219

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1980

*Sunset Review Required by:* June 30, 1991

*Reference: Policy Area:* 01; *Umbrella:* 01; *Unit:* 001S; *Citation:* 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 25.5

*Legislative Count:* 25.5

**PURPOSE:** The Bureau of Public Service was established as part of the Agricultural Development Act of 1980 to consolidate regulatory and consumer protection responsibilities. It administers a number of regulatory programs aimed at protecting the public welfare by ensuring a safe, adequate and economical supply of food; assuring producers and purchasers that they will receive proper grades and weights for foods, feeds, seeds, fertilizers and fuel; and enforcing the labeling laws of the State. In addition, this Bureau administers the returnable container law, and animal welfare laws relating to animal shelters, pet shops, boarding and breeding kennels and dog licensing.

**ORGANIZATION:** The Bureau includes the Division of Regulations, the Maine Agricultural Bargaining Board, the (Office of) Sealer of Weights & Measures, the Maine Milk Commission, and the Animal Welfare Board, all of which report separately in this annual report.

**PROGRAM:** Specific activities and accomplishments of the Bureau are included separately in the reports of its sub-units.

## AGRICULTURE, FOOD AND RURAL RESOURCES

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF PUBLIC SERVICE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	854,203	730,115	90,583	33,505		
Health Benefits	122,126	109,929	12,197			
Retirements	138,135	123,747	14,388			
Other Fringe Benefits	12,078	10,405	1,673			
Other Contract Services—State	88,549	1,518	86,233		798	
Computer Services—State	12,395	3,422	7,624		1,349	
Other Contractual Service	224,442	114,711	78,900	8,118	22,713	
Rents	788	532	256			
Commodities	27,489	5,843	14,516		7,130	
Grants—Subsidies—Pensions	4,869	583	2,631		1,655	
Building Improvements	35,461	30,000	4,461	1,000		
Interest—Debt Retirement	44	22	21			1
<b>TOTAL EXPENDITURES</b>	1,520,579	1,130,827	313,483	42,623	33,646	

## PULL EVENTS COMMISSION

**PETER W. CURRA, CHAIRMAN**

*Central Office:* Dept. of Agriculture

*Telephone:* 287-3219

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* May 3, 1988

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 303; Citation: 7 M.R.S.A., Sect. 75

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Pull Events Commission was established during the Second Session of the 113th Legislature to develop rules for the certification of pull superintendents and for actions to be taken in the event of violation of pull laws and rules.

**ORGANIZATION:** The eight-member Pull Events Commission is comprised of representatives of the Maine Draft Horse and Ox Association, Maine Pony Association, Animal Welfare Board, Maine Association of Agricultural Fairs, Maine Federation of Humane Societies, Maine Animal Coalition and the Commissioner of Agriculture.

The 116th Legislature expanded the Commission to include two members of the Maine Draft Horse and Ox Association and one member of the Pine Tree Ox Association.

**PROGRAM:** The Commission determines the qualifications for certification as a pull superintendent, develops penalties for violation of pull laws/rules and conducts hearings on violations.

### LICENSES, PERMITS, ETC.:

- Pull Superintendent License
- Pull Event License

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Administrative Services Division (Agriculture).

## DIVISION OF QUALITY ASSURANCE

DAVID E. GAGNON, DIRECTOR

*Central Office:* Deering Bldg. (AMHI), Augusta  
*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Telephone:* 287-2161

*Established:* 1917

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001G; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 87

*Legislative Count:* 0

**PURPOSE:** The Division of Quality Assurance was established to provide a voluntary quality control service for members of Maine's agricultural industries on a fee basis, and to regulate the quality of certain agricultural products not utilizing the voluntary quality control service. Promotional activities to further Maine agricultural interests statewide, regionally and nationally are also the responsibilities of the division.

**ORGANIZATION:** The Division's internal organization is comprised of Produce Inspectors, who work under the supervision of Produce Inspection Managers. Overall supervision is provided by the Director. A specific count of professional staff is included in the program description of this Division.

### PROGRAM:

**Fruit and Vegetable Inspection.** The Fruit & Vegetable Inspection Program operates on a fee-for-service basis. Participants in this voluntary program request inspection service at packing and shipping points. Inspectors are then assigned to inspect and certify the quality, condition and grade of potatoes, apples, blueberries, peas, broccoli and other products.

**Poultry and Egg Grading.** Like the Fruit & Vegetable Program, the Poultry & Shell Egg Inspection Program is a voluntary program; however, participants in this program pay the USDA for grading services and the State is reimbursed by a Federal Trust Agreement. Egg inspectors are responsible for checking eggs after they have been graded and packed in order to assure the packers that the product meets the grade marked on the container. These inspectors also have the responsibility of ensuring that all poultry and egg processing plants maintain a certain level of sanitation. Facilities, equipment, chemical compounds and sanitation solutions as well as processes are checked in order to ensure that products are processed and packaged in a clean and sanitary environment.

**Official Use of State of Maine Quality Trademark.** The Quality Trademark Program, another voluntary program, allows members of the agricultural industry in Maine to affix a trademark seal to their products which certifies that they are top-quality Maine-produced products.

**Quality Assurance.** The Branding Law Inspection Program is the only mandatory produce inspection program in this division. Employees in this program are charged with inspecting a random sample of all agricultural products produced and sold in Maine to ensure that they meet certain minimum standards and are properly packaged, graded and certified. These inspections are made at point of origin, point of distribution and at retail stores. Products are also inspected en route through a "truck-stop" program where semi-trailer trucks carrying raw agricultural products destined for market are stopped and inspected for quality and branding compliance. When violations are found, products are held for repackaging (under supervision), or are sent back to the packer to be reinspected and repackaged (under supervision).

**Licensing Laws.** The Division enforces the Maine Potato Licensing law and Dry Bean Licensing law, requiring all buyers, dealers, brokers, agents and processors (not including retailers) buying Maine potatoes and dry beans (in wholesale or jobbing quantities) to obtain a license.

**Minimum Standards for Planting—Potatoes.** The Division enforces the Minimum Standards for Planting law. This is accomplished by Branding Law inspectors performing audits on forms submitted by growers to certify that certified seed has been planted. The intent of the law is to improve the overall quality of the potato crop by reducing disease content in potato seed.

**Objective Yield on Potatoes.** Four people are used on this work starting in mid-August and lasting through harvest. These workers are loaned to the U.S. Department of Agriculture Statistical Reporting Service. The salary and expenses for these employees are reimbursed by the USDA.

**Market News Program.** This program provides farmers, shippers, governmental agencies, businesses and consumers with information related to the marketing of potatoes in Maine, the United

## AGRICULTURE, FOOD AND RURAL RESOURCES

States and, to a limited extent, foreign market areas. The Division and U.S.D.A. cooperatively fund a Market News Office in Presque Isle which issues a daily potato bulletin during the potato shipping season. An annual marketing summary is also available.

**Market Advisory Program.** This program reduces the instability in the price and demand for Maine Potatoes by reporting conditions and fair market value of potatoes offered for sale by first handlers. The program encourages the orderly marketing of potatoes grown within this State and reduces economic waste in marketing.

**Special Events and Promotion.** The Division also makes use of special events to increase public awareness of Maine products. Promotion of Maine agriculture through participation in trade shows and expositions has become a long standing function of the Division. The Division of Quality Assurance manages the Maine Agricultural Trades Show and displays Maine agricultural products at the Eastern States Exposition held annually in West Springfield, Massachusetts.

### LICENSES, PERMITS, ETC.:

Licenses:

- Users of Blue, White & Red Trademark
- Providers (of trademark supplies)
- Potato Dealer's
- Dry Bean Dealer's
- Users of State of Maine Quality Trademark

Registration:

- Controlled Atmosphere Apple Storage

### PUBLICATIONS:

- Laws relating to Establishing Licensing for the Marketing of Potatoes (Mimeographed—free)
- Laws relating to Establishing Licensing for dry bean dealers (free)

(The following are all mimeographed sheets—free)

- Regulations Pertaining to the Operation of Controlled Atmosphere Storage for Apples
- Requirements for Use of State of Maine Blue, White and Red State Trademark
- Maple Regulations
- Maine Apple Grading Law
- Maine Potato Branding Law
- Requirements for Official Use of State of Maine Quality Trademark

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Agricultural Marketing.

## DIVISION OF REGULATION

CLAYTON F. DAVIS, DIRECTOR

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3841

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1919

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001B; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 31.5

*Legislative Count:* 0

*Organizational Units:*

(Office of) Sealer of Weights and Measures

**PURPOSE:** The Division of Regulation was established to ensure a safe and adequate food supply for citizens of the State of Maine and its visitors and to protect the public economically through the proper administration of the State food and weights and measures laws. Its primary responsibilities are to inspect



all foods, food processing establishments, food salvage operations, dairy farms, stores and other food outlets; to inspect feeds, seeds, fertilizers and hazardous substances and to perform the duties of the State Sealer of Weights and Measures. It is also responsible for the Animal Welfare Unit.

The Division is further responsible for the continuing surveillance of the "Returnable Container Law" and bottle redemption centers. Furthermore, it causes to be sampled and analyzed all of the items it inspects. The Division responds to consumer complaints on food items, analyzes all suspicious products, and investigates the tampering of food products.

The Division researches regulations and consumer concerns about new food processing technology and biotechnology influence on food, ice and the raising of game animals and birds for consumer foods. It is also responsible for assessing evidence received from other agencies, public hearings and industry in order to determine if given levels of mutagenic, teratogenic and carcinogenic properties are potentially harmful to the public food supply, and for the reduction of toxics in packaging.

**ORGANIZATION:** The Division of Inspections, created in 1919, was renamed Division of Consumer Protection in 1967, with the original designation restored by 1972 State government reorganization legislation. In 1980 the Division received its present name.

The State Sealer of Weights and Measures was first authorized in 1839, and in 1911 the Commissioner of Agriculture was named to serve as the State Sealer.

The Division of Regulation is comprised of professional staff as follows: Supervisor of Consumer Foods with nine inspectors; Supervisor of Weights and Measures, one Metrologist and eight inspectors; Supervisor of Dairy Inspection and 3 inspectors; and a Animal Welfare Agent.

### **PROGRAM:**

**Food Program.** The program administers and enforces inspection and licensing of retail food stores, home food processing businesses, commercial food processing establishments, food warehouses, food salvage operations, ice manufacturers, mobile food vendors, beverage plants, bottle redemption centers, apple cider plants, bakeries, and maple syrup processing plants. It is also responsible for enforcement of the Returnable Container Law. Inspectors have the responsibility to assist food business in order to insure proper compliance. Presently, inspectors are working to establish safe handling practices for game animals and bird raisers in the interest of consumer food. One inspector is a Food and Drug Administration Certification Officer and has state standardized other inspectors.

The Division works in cooperation with the Federal Food and Drug Administration on recall of products, and constructively inspects to benefit the industry and the consumer. It responds to consumer complaints regarding food establishments and products, recalls food products, and investigates food product damage incurred in fires, floods, extended power outages or damage in transit.

**Dairy Inspection.** The program is responsible for the Inter-State Milk Shippers Program and the Pasteurized Milk Ordinance Code. Dairy farms are inspected two times a year and milk processing plants four times a year. Pasteurization equipment is tested and sealed, milk products sampled, farm bulk tanks calibrated and farm calls are made to offer assistance on construction of buildings, installation of equipment and operation of water supplies. Calls are made at plants to offer similar assistance. Licenses are issued to milk dealers in and out of state. Bulk milk handlers and their equipment are inspected to insure proper producer samples. Wholesale frozen dessert (ice cream) manufacturers are inspected and licensed yearly. Producer composite samples are checked to assure proper testing. Two inspectors are FDA Certified Milk Sanitation Rating Officers and milk sampling surveillance officers.

**Feed Program.** This program includes the regulation of all animal feeds (livestock, poultry, dogs, cats and specialty pets). A product registration and sampling program is maintained to determine any adulteration and/or misbranding of products being distributed in the state.

**Seed Program.** The seed program is a regulatory program involving the sale and distribution of agricultural, vegetable and tree and shrub seeds. Compliance is maintained through market inspection and seed sample analysis.

**Fertilizer Program.** The fertilizer program involves the regulatory control of the sale and distribution of plant food products. It maintains a registration and sampling program to determine any adulteration and/or misbranding of products being distributed in the state.

**Plant and Soil Amendment Program.** The Plant and Soil Amendment Program regulates the sale of plant and soil amendment products through registration and a limited sampling program.

**Animal Welfare Unit.** On April 1, 1992 the division assumed the responsibility of Animal Welfare. The division inspects all breeding kennels, boarding kennels, animal shelters, animal control shelters and pet shops. Complaints are routed to animal control officers.

## AGRICULTURE, FOOD AND RURAL RESOURCES

### LICENSES, PERMITS, ETC.:

#### License:

- Seed
- Weighmasters
- Weighing Device Dealers & Repairmen
- Wood Scaler
- Milk Dealers
- Babcock Testers
- Food Establishments
- Beverage Plants
- Wholesale Frozen Dairy Products
- Redemption Centers
- Sardine Packers
- Boarding Kennels
- Animal Shelters
- Pet Shops
- Breeding Kennels
- Dog

#### Registration:

- Fertilizer Products
- Feed Products
- Lime Products
- Plant & Soil Amendment Products

#### Certificate:

- Certificate of Competency—Milk Handler

#### Permit:

- Blueberry Processors and Packers
- Dairy Farm

### PUBLICATIONS:

#### Laws:

- Feed (free)
- Food (free)
- Seed (free)
- Hazardous Substances Labeling (free)
- Milk and Frozen Dairy Products (free)
- Commercial Fertilizer and Lime (free)
- Beverage Containers (free)
- Plant and Soil Amendment Act (free)
- Mimeographed rules and regulations pertaining to many of the above laws (free)
- Consumer Information Bulletins (free)
- Seed Report (annual) (free)
- Recognizing Can Defects (free)
- Annual Year End Report (free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Public Services.

## DIVISION OF RESOURCE DEVELOPMENT

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3511

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1980

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001F; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 1

*Legislative Count:* 1

**PURPOSE:** The Division of Resource Development was established to respond to the changing economy and structure of agriculture.

The Division's goals during FY '93 were to facilitate effective utilization of natural resources such as waste products and naturally occurring products for agricultural uses as fertilizers or soil conditioners; to encourage efforts to support small scale agriculture; to encourage conservation and development of

## AGRICULTURE, FOOD AND RURAL RESOURCES

both conventional and alternative energy sources; to provide scholarship assistance to children of Maine farmers and woodsmen; and to respond to the needs of farmers by cooperating with other organizations.

**ORGANIZATION:** The Division was involved in various programs to facilitate effective utilization of natural resources. In addition to a Planning and Research Associate II the staff included one part-time position from the Senior Community Service Project.

### **PROGRAM:**

#### **Waste Utilization.**

The Division has served on the Board of the Maine Sludge and Residuals Utilization Research Foundation, established with the passage of L.D. 2260. Staff cooperated with a board comprised of industrial generators, municipal officials, university staff, state agencies, and environmental groups in developing research priorities, and administrative and funding mechanisms for the research program and information clearinghouse.

In cooperation with the Cooperative Extension Service, and Maine Waste Management Agency, division staff cooperated with public and private sector groups to develop a program for composting state cafeteria waste materials. Staff provided the technical expertise for conducting all phases of the project. The project served as a model for schools and municipalities across the state seeking cooperative solutions to organic waste disposal problems.

Staff completed research and demonstration projects including composting apple processing wastes. The staff has also initiated projects utilizing various seafood processing wastes.

Division staff has worked in cooperation with the Division of Veterinary Services to develop comprehensive rules for the disposal of animal carcasses. Special attention has been given to procedures for responding to emergencies and to the use of composting as a disposal alternative for poultry.

Staff distributed standards for compost products as mandated by P.L. 1989, Ch. 585, Subsection 1812-C. These standards have been adopted by rule by the Department and have been adopted by policy by the Maine Department of Transportation. A nationwide review of standards rated Maine's as the most complete and comprehensive in the country. These standards are now referenced in the EPA's proposed procurement guidelines.

Staff has prepared and presented talks, on waste utilization and composting at several conferences.

Division staff have been an integral part of a Task Force that is updating Maine's Manure Management Guidelines that were last revised in 1972. The Division has taken primary responsibility for preparation of sections on state and local regulations and on composting and other manure management options.

#### **Ag in the Classroom.**

The Division represented the Department on the Maine Ag in the Classroom Association (MAITC).

The association includes broad representation from agricultural organizations, commodity groups, educational organizations, governmental agencies, and the University of Maine. Its goals are to assist educators in developing classroom activities for integrating agricultural concepts into curriculums; to develop policies, programs and materials for improving public understanding of agriculture; and to assist in coordination of State AITC activities.

#### **Maine Farm Internship and Training Program.**

The Division provided information about the Maine Farm Internship and Training Program.

#### **Maine Rehabilitation Scholarship Fund.**

The Division coordinates the activities of the Maine Rural Rehabilitation Scholarship Fund for the children of Maine farmers interested in postsecondary education. These activities included funding scholarships to 48 students, implementing new program policies, revising materials and working to resolve delinquent accounts with the fund.

#### **Labor.**

The Division participated in the Migrant and Seasonal Farm Labor Task Force with the Maine Ambulatory Care Association.

#### **Food Programs.**

Division staff worked with the Community Action Programs and many community agencies to operate and improve two food programs. The two programs are the Temporary Emergency Food Assistance Program (TEFAP) and the Hunger Prevention Program. The Division also obtained approximately 100 tons of commodities donated by farmers.

## AGRICULTURE, FOOD AND RURAL RESOURCES

**Maine Farm and Open Space Tax Program.** Division staff offered information and assistance to farmers having questions about the Current Use Tax Programs.

### PUBLICATIONS:

Report of Energy Use in Agriculture Task Force  
Saving Energy in Maine, or Who is Doing What on The Farm  
Maine Small Farm Statistics  
Usable Waste Products for the Farm—\$8.50/copy  
Report of the Governor's Task Force on Ag in the Classroom.  
Waterville-Winslow Leaf Composting Project Technical Report—Draft  
Update: Usable Waste Products for the Farm  
Report on the Spear Farm Compost Demonstration  
Blueberry Compost Project Technical Report  
Standards for Compost Products  
Apple Compost Project Technical Report

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Agricultural, Food and Rural Resources.

## (OFFICE OF) SEALER OF WEIGHTS AND MEASURES

BERNARD W. SHAW, STATE SEALER

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3841

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1839

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 01; *Umbrella:* 01; *Unit:* 005; *Citation:* 10 M.R.S.A., Sect. 2401

*Average Count—All Positions:* 10

*Legislative Count:* 0

**PURPOSE:** To protect the public economically through the proper enforcement of the State weights and measures laws and to determine that equity prevails in all commercial transactions involving determinations of quantity.

**ORGANIZATION:** The Commissioner of Agriculture, Food and Rural Resources is, by statute, the State Sealer of Weights and Measures. The Deputy State Sealer serves as supervisor of the Weights and Measures section within the Division of Regulations. This section's professional staff consists of one Metrologist and eight Weights and Measures inspectors. Administratively, the Deputy State Sealer of Weights and Measures is responsible to the director of the Division of Regulation. Overall supervision is provided by the Director of the Bureau of Public Service.

**PROGRAM:** The Division of Regulation's Weights and Measures unit is responsible for all standards of weights and measures with continual certification by the National Institute of Standards and Technology. This involves inspection and calibration of all commercial large capacity scales, liquid flow meters, LP gas meters, and small capacity scales, gas pump meters, the linear measuring devices, and spot-check of packages put up prior to sale for correct labeling and correct net weight and measure. It is responsible for uniform standards for the measurement of wood and enforcement of the Wood Measurement Law and regulations as well as verification of radar guns used by the State and local police to monitor excessive speeding. Other areas of impact include local sealers, parking meters, worm counts, licensing of scale mechanics and weighmasters, and gasoline testing.

The State standards of weights and measures maintain traceability through the National Institute of Standards and Technology at its own Metrology Lab located in Augusta. This laboratory, considered one of the best on the East coast, is utilized by some other New England states on a fee basis.

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### LICENSES, PERMITS, ETC.:

Weighmasters  
Weighing Device Dealers and Repairmen  
Wood Scaler

### PUBLICATIONS:

Laws pertaining to Maine Weights and Measures (free)  
Established Fees for Testing Weighing and Measuring Devices (mimeographed—free)  
Wood Measurement Rules (free)  
Annual Year End Report (free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Public Services.

## SEED POTATO BOARD

**FRANK S. KEARNEY, SR., CHAIR**

**TERRY L. BOURGOIN, Secretary**

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3891

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1945

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 014; Citation: 7 M.R.S.A., Sect. 2151

*Average Count—All Positions:* 18.5

*Legislative Count:* 0

**PURPOSE:** The Seed Potato Board was established to foster and improve the seed potato industry of the State of Maine. Its primary responsibilities are to produce or cause to be produced through contract or otherwise, such acreages of foundation seed potatoes of varieties as it may determine for distribution and sale to Maine potato growers; to work with and through the Maine Agricultural Experiment Station of the University of Maine in conducting a program of foundation seed potatoes annually; to purchase, own, sell or convey farm real estate and farm equipment as necessary for the purpose of producing acreages of seed potatoes; and to make rules and regulations pertaining to its program of production, distribution and sales of seed potatoes. Proceeds from sales are credited to the operating account of the Board.

**ORGANIZATION:** The Seed Potato Board was organized in April, 1945. It consisted of six members appointed by the Governor from specified areas for terms of three years, and the Commissioner of Agriculture served as chairman. A number of changes in the Board's structure have occurred since then. The Commissioner now is the appointing authority and the Board elects its chairman. Membership has been expanded to eight, one of whom must be primarily a tablestock producer and one primarily a processing producer. The Board is authorized to employ a secretary who need not be a member. Traditionally, the Director of the Division of Plant Industry has served as Secretary to the Board.

**PROGRAM:** The quality of the Board's seed potato crop in FY 94 was of similar good quality as the FY 93 crop. Due to good yields and disease results, the Board had an adequate volume of disease-free seed for sale to Maine potato farmers. Consequently, the Board was able to increase its operating surplus which will allow the Board to undertake some much needed capital improvements.

Over 2,400 samples were grown at the Board's Florida Farm to evaluate the disease content of seed potatoes produced by Maine farmers. The results of this winter evaluation indicated that 79 percent of the samples had a total virus disease content of less than 0.5 percent and 99 percent had a total virus disease content of less than 5.0 percent. These figures represent a continued improvement in the overall quality of seed produced by Maine seed potato growers compared to 1992 when the virus disease mentioned above affected the quality of Maine seed.

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The Board continued to implement changes in its policies as a result of the study released by the Maine Agricultural Experiment Station on June 1, 1991. The Board continued to pre-contract all its production at least one year in advance, and fine-tuned its method of allocating seed to Maine growers. These changes are designed to streamline the operation of the Board and to assist in improving its financial situation. The Porter Farm Program Manager hired in late March, 1993 has brought stability to the Board's programs and has provided leadership for the Board's staff.

### PUBLICATIONS:

Report of Florida Test on Seed Potatoes—annual (free)  
The Maine Seed Potato Board (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

SEED POTATO BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	310,700	95				310,605
Health Benefits	39,829					39,829
Retirements	50,319					50,319
Other Fringe Benefits	3,418					3,418
Other Contract Services—State	1,828					1,828
Computer Services—State	12					12
Other Contractual Service	73,650					73,650
Rents	12,894					12,894
Commodities	117,693					117,693
Grants—Subsidies—Pensions	2,256					2,256
Interest—Debt Retirement	548					548
Transfer to Other Funds	170,001	163,083				6,918
<b>TOTAL EXPENDITURES</b>	<b>783,148</b>	<b>163,178</b>				<b>619,970</b>

## STATE SOIL AND WATER CONSERVATION COMMISSION

L. HERBERT YORK, CHAIRMAN

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-2666

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* March 25, 1941

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 019; Citation: 12 M.R.S.A., Sect. 51

*Average Count—All Positions:* 1

*Legislative Count:* 1

**PURPOSE:** The State Soil and Water Conservation Commission was established to provide for the protection, proper use, maintenance and improvement of the soil, water and related natural resources of the State of Maine. The primary responsibilities of the Commission are to assist Soil and Water Conservation Districts in the preparation and implementation of their locally developed programs, accomplished through direct assistance, technical and financial assistance, and coordination with other State and Federal agencies; to develop and carry out public works projects for prevention of soil erosion, flood prevention, conservation, development, utilization and disposal of water; to assist in the completion of the National Cooperative Soil Survey; to conduct surveys, investigations, and research as necessary for implementation of other functions; to coordinate the floodplain studies of various Federal

## AGRICULTURE, FOOD AND RURAL RESOURCES

agencies; to coordinate the Small Watershed program statewide; and to coordinate the Resource Conservation and Development Programs.

**ORGANIZATION:** The State Soil and Water Conservation Commission, established in 1941 as the State Soil Conservation Committee, was renamed to the State Soil and Water Conservation Committee in 1965, and received its present name and structure in 1969. The Commission consists of twelve members, six of whom serve ex officio: Vice President for Research & Public Service of the University of Maine, Commissioner of Agriculture, Commissioner of Conservation, Commissioner of Inland Fisheries and Wildlife, Commissioner of Marine Resources and Commissioner of Environmental Protection; six of whom are Soil and Water Conservation District Supervisors, one representing each of the six specified Areas of the State, elected at an annual meeting of District Supervisors within the Area.

The sixteen Soil and Water Conservation Districts (SWCD) in Maine and their office locations by respective Area are as follows:

**Area I**

Central Aroostook SWCD, Presque Isle  
Southern Aroostook SWCD, Houlton  
St. John Valley SWCD, Fort Kent

**Area II**

Washington County SWCD, Machias  
Hancock County SWCD, Ellsworth  
Oxford County SWCD, South Paris

**Area III**

Penobscot County SWCD, Bangor  
Piscataquis County SWCD, Dover-Foxcroft  
Somerset County SWCD, Skowhegan

**Area IV**

Kennebec County SWCD, Augusta  
Knox-Lincoln SWCD, Rockland; and  
Waldo County SWCD, Belfast

**Area V**

Androscoggin Valley SWCD, Lewiston  
Franklin County SWCD, Farmington

**Area VI**

York County SWCD, Sanford  
Cumberland County SWCD, Westbrook

Professional staff for the Commission is comprised of a Soil Scientist.

**PROGRAM:** The accomplishments of the Soil and Water Conservation Commission (SWCC) are apparent in the conservation practices applied to the land of more than 10,635 private landowners that are cooperators with Maine's 16 Soil and Water Conservation Districts. During FY 93, 1,373 groups and individuals applied some form of conservation practices to their land in an effort to control erosion and other soil and water problems. New conservation plans were formulated for 43,916 acres of land, making the total State acreage covered by conservation plans to 1.8 million acres.

The Commission and Districts reviewed and evaluated over 500 resource alteration applications submitted to the Department of Environmental Protection (DEP), Land Use Regulation Commission (LURC), State Planning Office (SPO) and the Department of Inland Fisheries and Wildlife (DIF&W) during the past year. The recommendations proposed by the Commission and Districts were often included as conditions of approval in the permits granted through these applications. The present DEP policy on the mining of topsoil was written by the Commission's Soil Scientist. Commission review involves the following considerations:

1. Soil Suitability
2. Erosion and Sediment Control
3. Relation to Floodplains and Wetlands
4. Stormwater Management and Drainage
5. Protection of Prime Agricultural Lands where Appropriate

The Commission will continue to use their long range plan as a base document for future A.P.O.'s.

The Commission Soil Scientist provides training for state regulatory staff and district personnel and has developed an exam for the National Envirothon, soil portion.

The Commission provides basic grant monies to the 16 soil and water conservation districts and provides oversight to their programs.

The Commission acts as a liaison between the districts and other federal and state agencies.

### PUBLICATIONS:

Soil Suitability Guide for Land Use Planning in Maine\*

Maine Guidelines for Municipal Sewage Treatment Plant Sludge Disposal on the Land\*

Maine Guidelines for Septic Tank Sludge Disposal on the Land\*

Native and Introduced Wildlife Shrubs of Maine\*

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Environmental Quality Handbook—Revised 1986\*  
Maine Association of Conservation Districts—affiliate Membership Brochure  
Reasons Why?—Affiliate Membership Brochure  
Alternatives to Topsoil Mining  
The Maine Soil & Water Conservation Challenge Grant Program—1984 the First Year\*  
Personnel Management Guidebook for District Supervisors  
Stabilization of Disturbed Soil Areas by Permanent Seeding of Grasses\*  
Who, What, Where—Brochure—A guide to your Soil and Water Conservation Agencies

All above publications are free.

\* Available for on-location use only by appointment. Third floor, Deering Bldg., AMHI Complex, Augusta.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE SOIL AND WATER CONSERVATION COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	38,148	38,148				
Health Benefits	4,944	4,944				
Retirements	6,203	6,203				
Other Fringe Benefits	139	139				
Other Contract Services—State	6,124	6,124				
Other Contractual Service	10,435	10,435				
Commodities	363	363				
Grants—Subsidies—Pensions	79,000	79,000				
Interest—Debt Retirement	1	1				
<b>TOTAL EXPENDITURES</b>	145,357	145,357				

## DIVISION OF VETERINARY SERVICES

**DAVID F. DINEEN, D.V.M., DIRECTOR**

*Central Office:* Deering Bldg. (AMHI), Augusta

*Telephone:* 287-3701

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1919

*Sunset Review Required by:* June 30, 1991

*Reference:* Policy Area: 01; Umbrella: 01; Unit: 001L; Citation: 7 M.R.S.A., Sect. 3

*Average Count—All Positions:* 10

*Legislative Count:* 0

**PURPOSE:** The purpose of the Division of Veterinary Services is to prevent the introduction and spread of contagious, infectious, and parasitic diseases among poultry and livestock, especially those diseases transmitted to man either directly or indirectly and those of greatest economic importance; to maintain fair and equitable practices in the buying and selling of poultry and livestock and to encourage practices in those transactions which will eliminate diseased and unfit animals; to supervise and maintain the State-Federal Diagnostic Laboratory for disease control purposes; to protect the welfare of commercial farm animals, race horses and animals used in pulling events; to supervise and maintain the Department of Agriculture Milk Quality Laboratory where milk and milk products are tested as required by the Food and Drug Administration; to evaluate and certify private milk laboratories operating in the State; and to promote animal husbandry and welfare in the State.

**ORGANIZATION:** The Division of Animal Industry was established in 1919 as a unit of the Department of Agriculture. Under the Maine Agricultural Development Act of 1980 the name was



## AGRICULTURE, FOOD AND RURAL RESOURCES

changed to Poultry and Livestock in the Bureau of Agricultural Production. In 1985, the Division was renamed as Veterinary Services.

Professional staff is comprised of one chemist, three Lab Technicians and two Veterinarians supervised by the Division Director. Overall supervision is provided by the Director of the Bureau of Agricultural Production. N.P.I.P. Pullorum–Typhoid Testers and Salmonella enteritidis sample collectors have been recruited, trained and certified by the Division to assist with these programs.

**PROGRAM:** Disease control through regulation and education is the Division's objective. The Program is implemented in the following manner.

**Control of Livestock and Poultry Disease:** The Division of Veterinary Services personnel provide the technical assistance necessary to control livestock and poultry disease. The enforcement of permit regulations controlling the movement of animals, the prompt diagnosis of disease, surveillance testing programs in the laboratory, a reportable disease list, the supervision of accredited veterinarians, licensed livestock dealers and auction sales are key ingredients of this activity. Specific diseases such as Rabies, Bovine Leucosis, Bluetongue, Anaplasmosis, Salmonella enteritidis, Pseudorabies and Trichinosis are targeted and laboratory diagnostic tests and management strategies are recommended.

Egg type breeding flocks of Maine poultry remain free of Avian Influenza, and are Pullorum/Typhoid clean, U.S. M. gallisepticum clean and U.S. S. enteritidis monitored. The health of pet animals and birds entering the State for resale is regulated.

**Milk Quality:** The Division provides the services of two veterinarians to assist dairymen in upgrading production techniques and the quality of their milk.

The Division tests and analyzes dairy products, tests milk producers' water samples and certifies commercial and industry milk laboratories involved in the Interstate Milk Shippers Program.

**Livestock Promotion:** Disease free animals and the high quality products obtained from such will always be in demand. The Division of Veterinary Services is dedicated to providing the professional and technical assistance required to assist producers in meeting this demand.

**Agricultural Fairs:** Agricultural Fairs are the showcase of our production. The Division enforces health regulations and monitors for the presence of disease and the use of illegal drugs.

**Animal Welfare:** Division veterinarians assist the Bureau of Public Service and the Animal Welfare Board in carrying out its responsibilities when requested; investigates complaints that involve commercial farmers, harness racing horses and animals used in pulling events to determine if acceptable animal husbandry practices are being followed; train and certify animal control officers and oversee equine activities.

### LICENSES, PERMITS, ETC.:

#### License:

- Swine Garbage Feeders
- Livestock & Poultry Dealers
- Boarding Stables and Commercial Riding Facilities
- Custom Slaughter Houses

#### Permit:

- Livestock Auction Sales
- Importation
- Equine Activities

#### Certificate:

- Veterinary Inspection

### PUBLICATIONS:

Suggested Guidelines in Managing Maine's Most Common Infectious and Parasitic Disease of Livestock. (free)

Laws and Regulations Relating to Disease Control of Domestic Animals. (free)

State of Maine Protocol for Rabies Management

Udder Side—Quarterly Dairy Management Bulletin.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Agricultural Production.

## ATTORNEY GENERAL

# DEPARTMENT OF ATTORNEY GENERAL

**MICHAEL E. CARPENTER, ATTORNEY GENERAL**

**LINDA M. PISTNER, Chief Deputy Attorney General**

**CROMBIE J.D. GARRETT, JR., Director, Administrative Agency Unit**

**H. CABANNE HOWARD, First Assistant Attorney General**

**FERNAND LAROCHELLE, Director, Criminal Prosecution Unit**

**CHRISTOPHER LEIGHTON, Director, Health & Institutional Care Unit**

**JEFFREY PIDOT, Director, Environmental Protection Unit**

**DEANNA L. STAPLES, Director, Children & Families Unit**

**THOMAS D. WARREN, Director, Litigation Unit**

**STEPHEN L. WESSLER, Director, Public Protection Unit**

**BRIAN MacMASTER, Director, Investigations Unit**

*Central Office: State Office Bldg., Augusta; Floor: 6*

*Telephone: 626-8800*

*Mail Address: State House Sta. #6, Augusta, Maine 04333*

*Established: 1820*

*Sunset Review Required by: June 30, 1997*

*Reference: Policy Area: 00; Umbrella: 26; Unit: 239; Citation: 5 M.R.S.A., Sect. 191*

*Average Count—All Positions: 177*

*Legislative Count: 97.5*

*Organizational Units:*

Administration

District Attorneys

Office of Chief Medical Examiner of the State of Maine

*Units:*

Administrative Agency

Health & Institutional Care

Children & Families

Investigations

Criminal

Litigation

Environmental Protection

Public Protection

Regulatory Agency

**PURPOSE:** The Attorney General's primary responsibility is to protect public rights and preserve order through serving as the State's Chief Law Enforcement Officer and legal representative of the State. In this capacity, the Attorney General insures enforcement of Maine laws through instituting, conducting, and maintaining such actions and proceedings as the public interest may require. No State agency may appear and advocate positions before a court without the approval of the Attorney General.

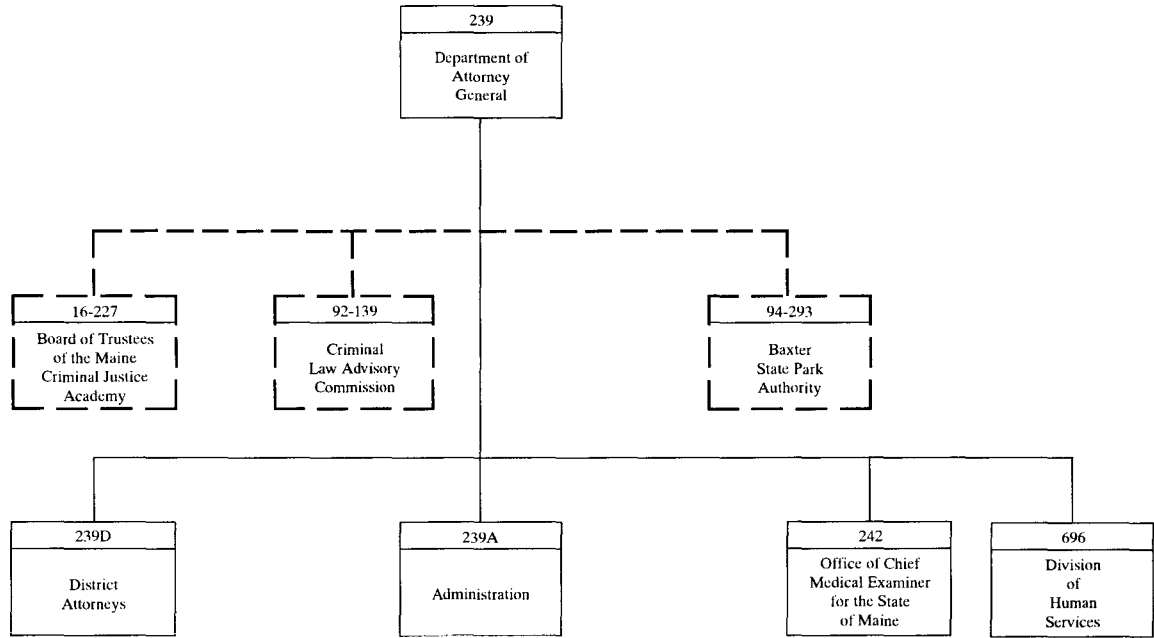
The Department is authorized to (a) appear for the State, or any State agency or official, in all civil actions and proceedings in which the State is a party or interested, or in which the official acts of such officers are questioned in State or Federal courts or Federal agencies; (b) control and direct the investigation and prosecution of homicides and other major crimes, including frauds against the State; (c) render all legal services required by State officers, boards and commissions in matters relating to their official duties; (d) issue written opinions upon questions of law submitted by the Governor, the head of a State department or agency, or by either branch of the Legislature or any member of the Legislature on legislative matters; (e) enforce due application of funds given or appropriated to public trusts and charities within the State and prevent breaches of trust in the administration thereof; (f) consult with and advise the District Attorneys in matters relating to their duties, and, in his discretion, act in place of or with them in instituting and conducting prosecutions for crime; and (g) administer and enforce the State unfair trade practices and antitrust laws.

Beyond the general purposes discussed above, the Attorney General has a wide range of duties which the Office is specifically directed to perform. These duties include review and approval as to form and legality of all interlocal agreements, all regulations of State agencies subject to the Administrative Procedure Act, and certain State contracts. The Attorney General must also review and approve write-offs of debts owed the State, participate in making investment decisions regarding the State trust funds and perform many other specific statutory functions.

The Attorney General is an ex-officio member of many State agencies, including the Baxter State Park Authority, the Judicial Council, the Criminal Law Advisory Commission, and the Advisory Committees to the Supreme Judicial Court on Civil Rules and Criminal Rules.

**ORGANIZATION:** The Attorney General is chosen biennially by joint ballot of both Houses of the Legislature, a manner of election unique among the 50 states. The Attorney General may appoint one

**ORGANIZATIONAL CHART  
DEPARTMENT OF ATTORNEY GENERAL  
UMB 26**



ATTORNEY GENERAL

# ATTORNEY GENERAL

## CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF ATTORNEY GENERAL

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	7,004,217	3,684,681	1,050,243	916,689	1,352,604	
Health Benefits	673,294	426,008	94,388		152,898	
Retirements	1,365,394	903,273	197,776		264,345	
Other Fringe Benefits	70,409	45,022	9,553		15,834	
Other Contract Services—State	93,217	93,133	84			
Computer Services—State	110,727	46,982	2,810		60,935	
Other Contractual Service	816,383	622,734	99,329		94,320	
Rents	6,689	4,271			2,418	
Commodities	70,737	53,355	3,018		14,364	
Grants—Subsidies—Pensions	5,109	5,109				
Building Improvements	87,418	63,907	14,092		9,419	
Interest—Debt Retirement	49	49				
Transfers to Other Funds	85,516		29,297	15,999	40,220	
<b>TOTAL EXPENDITURES</b>	10,389,159	5,948,524	1,500,590	932,688	2,007,357	

## ATTORNEY GENERAL

or more Assistant Attorneys General, Investigators, and Research Assistants. The Department of the Attorney General is organized by law, 5 M.R.S.A. c. 9, with the Attorney General as its Chief Executive.

The Department consists of nine operating units. Each Unit is under the direction of an experienced Assistant Attorney General, or, in the case of the Investigations Unit, a career law enforcement officer. The Criminal Unit exercises the Department's criminal law responsibilities. The civil Units oversee aspects of the Department's civil and investigatory responsibilities and are Administrative Agency; Children & Families; Environmental Protection; Health & Institutional Care; Investigations; Litigation; Public Protection; and Regulatory Agency. The nine operating Units report to the Chief Deputy Attorney General, who in turn reports to the Attorney General.

Supporting the professional legal staff of the Department, now numbering 75 attorneys, are paralegal assistants, investigators, secretaries and clerks. The Administrative Services Unit oversees the financial and personnel affairs of the Department, plus coordinates and oversees the work of the secretaries and clerks.

**PROGRAM:** The following is a description of the Units of the Office, along with their primary duties and their activities.

**Administrative Agency Unit.** The Administrative Unit is comprised of nine attorneys representing the following Departments and major agencies of State Government : Finance, Taxation, Labor, Treasurer, Alcoholic Beverages, Lottery, Property Tax Review, and Secretary of State (for corporate and business regulation matters). The work of the unit is broken down into three categories: (1) defensive litigation for all of the agencies it represents; (2) enforcement litigation and white collar crime prosecution against persons who violate the laws relating to these agencies; and (3) a large administrative law practice.

During the past fiscal year, the Unit's attorneys have successfully handled a number of significant matters in the areas of tax litigation, unfair labor practices, and alcoholic beverages. These attorneys handled over ten cases in the Maine Supreme Judicial Court as well as several hundred cases at the Superior Court, District Court and administrative levels, and a significant number of cases in Bankruptcy Court and the U.S. District Court. This unit also collected over \$2 million dollars in tax litigation and over \$1 million dollars in unpaid unemployment compensation taxes, and handled the bond counsel work for the issuance of more than \$50 million in general obligations of the State. The unit expects that its workload will expand in most areas during the next fiscal year.

**Children & Families Services Unit.** The Children & Families Services Unit consists of 16 lawyers and 4 paralegal assistants who represent the Department of Human Services exclusively. Assistant Attorneys General assigned to this Unit discharge a variety of functions including prosecution of child abuse cases and the enforcement of child support laws. The Unit is spread out over three offices—Augusta, Portland and Bangor. In Aroostook County, the Department of Human Services' child protection and child support work is done by the District Attorney's Office. The Unit defends tort and civil rights actions brought against the Department and its employees, and a significant amount of time is spent in both the State and Federal courts.

The Children & Families Services Unit has one of the most persistent and heaviest caseloads of any Unit in the Office of the Attorney General. In calendar year 1990, more than 3,000 child protective cases, 600 support cases and upwards of 100 appellate cases were handled by the attorneys in the Unit.

**Criminal Prosecution Unit.** The Criminal Prosecution Unit comprises 10 lawyers and is principally concerned with prosecution of offenses defined in the Maine Criminal Code. The Criminal Prosecution Unit has exclusive responsibility for the prosecution of all homicide cases in the State and, in addition, has concurrent prosecutorial jurisdiction with the 8 popularly elected District Attorneys over other crimes. The Unit handles a substantial number of appeals to the Supreme Judicial Court of Maine not only of its own criminal cases, but also, on request, those of the District Attorneys. In addition, the Unit represented the State in petitions for post-conviction relief filed by convicted criminal defendants. Finally, the Unit provides other substantial services to the law enforcement community primarily directed toward keeping the law enforcement community abreast of current developments in the law.

Working with the State Police and various local police departments, the Unit investigated 26 homicides which occurred during the fiscal year and continued the investigation of 59 homicides which had occurred in previous years. During the fiscal year 1993-94, 15 homicide cases were tried, 14 of which resulted in convictions. The Unit's victim/witness advocates worked with dozens of family members and friends of deceased victims to provide them with emotional support in the days, weeks and months following a homicide. In addition to networking with these friends and family members, the advocates also kept these persons informed of the progress of the related criminal case if an arrest had been made and attended hearings and/or trial with them to help them through that difficult time.

## ATTORNEY GENERAL

The Criminal Prosecution Unit handled a total of 45 cases on appeal to the Maine Supreme Court. Sixteen appeals were initiated by defendants during the year; the State initiated one appeal, and the balance were cases carried over from prior years.

The Criminal Prosecution Unit was responsible for handling the paperwork in 49 closed extraditions; 28 of the 49 were fugitives sent out of state and 21 demands were made on other states to return fugitives to Maine for prosecution. There are presently 5 active extraditions.

During fiscal year 1993-94, 26 post-conviction habeas corpus petitions were initiated, 23 cases were closed, and 41 were carried over from prior years.

The Criminal Prosecution Unit also represents the Secretary of State Bureau of Motor Vehicles. In addition to providing legal interpretations of the Motor Vehicle Code, the Criminal Prosecution Unit handles all Superior Court appeals from Secretary of State driver license suspensions. In Fiscal Year 1993-94, 20 petitions for judicial review were filed in the Superior Court during the year and 14 petitions were carried over from prior years.

Besides handling various criminal and noncriminal matters for state departments and agencies, the Criminal Prosecution Unit provided other unique services to various governmental bodies; for example, attorneys in the Unit provided legal counsel to the Department of Public Safety, as well as representing other divisions, bureaus, and boards within state government and other state law enforcement agencies.

Assistant Attorneys General and Assistant District Attorneys assigned to work with the Maine Drug Enforcement Agency (MDEA) prosecuted 750 task force drug cases and initiated 259 petitions for forfeiture of vehicles, weapons and other equipment used in violation of Maine's drug laws. The total monetary value of these forfeitures amounts to \$422,500.

The Criminal Prosecution Unit also works with the Department of Human Services in investigating cases of fraud and abuse in the Aid to Families with Dependent Children. All restitution now ordered by the Court is paid directly through the Department of Corrections, Division of Probation and Parole.

In addition, members of the Criminal Prosecution Unit handled approximately 277 liquor law violations with the total fines recovered in this area surpassing \$78,875.00.

In addition to the normal caseload and activity directly related to criminal prosecution, the Unit contributed several articles to the All Points Bulletin, a quarterly publication designed to keep law enforcement officers abreast of current developments in the law. Also, attorneys and investigators from the Unit participated as lecturers, teachers and panelists in training programs at the Maine Criminal Justice Academy, at local police departments, and at seminars and conferences relating to criminal law and law enforcement.

**Environmental Protection Unit.** During the 1994 fiscal year, the Environmental Protection Unit consisted of eight lawyers who advise and represent all of the environmental and natural resource agencies of state government including the following: Department and Board of Environmental Protection; Department of Inland Fisheries & Wildlife; Solid Waste Management Agency; Department of Conservation (including Bureaus of Forestry, Public Lands, Parks & Recreation, Geology and Land Use Regulation Commission); Department of Marine Resources; Department of Agriculture (including the Pesticides Control Board, Maine Milk Commission, Harness Racing Commission, Soil & Water Conservation Commission, and Animal Welfare Board); State Planning Office; Department of Defense (including the Maine Emergency Management Agency); and Department of Economic & Community Development.

During the 1994 fiscal year, the Environmental Protection Unit dealt with substantial numbers of administrative and judicial enforcement actions, with many of these concluded in the imposition of fines, penalties, damages, reimbursements and restitution, as well as substantial environmental remedial and restoration work. The Unit represented natural resources agencies at the administrative level, in rulemaking and throughout the court system.

Major enforcement cases which were satisfactorily concluded during the year included prosecution of significant wastewater discharge violations, air emission violations, hazardous waste violations, and land use regulation violations. In addition, the Unit provided assistance to the Legislature and agencies in connection with the enactment of new environmental laws and regulations.

**Health & Institutional Care Unit.** The Health & Institutional Care Unit consists of nine lawyers who represent a number of clients: Department of Mental Health & Mental Retardation; Department of Corrections; and within the Department of Human Services, the Bureaus of Medical Services, Health, Elder & Adult Services and the Division of Child Care Licensing. The Unit is principally concerned with the enforcement of health-related laws, adult protective laws, welfare law, the licensure of nursing homes, boarding homes, hospital expansions, both adult and child day care, and represent the Department's interests in federal benefit programs such as Medicaid and AFDC. The Unit defends tort

## ATTORNEY GENERAL

and civil rights actions brought against the Departments and its employees, and a significant amount of time is spent in appellate work in both the State and Federal courts.

**Investigations Unit.** The Investigations Unit of the Department of the Attorney General is comprised of 13 investigators with full law enforcement powers and three secretaries. Three of the investigators are State Police officers on long-term assignment to the Investigation Unit. The Unit is headed by the Director of Investigations who is directly responsible to the Attorney General. The Unit is responsible for conducting a myriad of investigations. In addition to carrying out the statutory requirements of 5 M.R.S.A. § 200-C pertaining to fraud against the State, the Unit provides investigative services for other Units of the Department and, to some extent, the District Attorneys. Moreover, the Unit serves as a resource for other law enforcement agencies providing specialized investigative assistance and advice. At the same time, the Director of Investigations coordinates statewide or multi-jurisdictional investigations, and serves as the Attorney General's designee on the Board of Trustees of the Maine Criminal Justice Academy. The Unit is also active in helping to establish and coordinate law enforcement policy in the State. The Unit continues to provide instructors for the Maine Criminal Justice Academy and conducts certain in-service training for law enforcement agencies.

In FY 1993-94, the Unit opened 147 new investigations while continuing to work on 221 other investigations. At the close of the fiscal year, the Unit continued to carry 162 open cases. In addition, the Unit handled 1,443 other matters which, while not full-scale investigations, involved varying degrees of investigator participation.

The 147 new investigations opened by the Unit in FY 93-94 generally consisted of the following: theft or embezzlement; public officials (state, county, municipal, school, police); environmental (criminal); workplace fatalities; election violations; consumer fraud; Medicaid fraud; professional licensing; civil rights, and police involved deaths.

**Litigation Unit.** This Unit of six experienced trial lawyers is the resource for all litigation in the Department and directly handles tort claims against the State and those court actions either not concerning any agency or sufficiently complex to involve the litigation expertise of the Unit. The Litigation Unit handles a sizeable amount of major litigation independently and offers assistance and advice in other litigation efforts in the Department. Among the most recent lawsuits in which the Unit has been involved are cases challenging certain transportation fees under the interstate commerce clause, several environmental enforcement cases against unlicensed tire dumps, cases challenging the Superintendent of Banking's approval of mutual savings bank conversions. The Unit is responsible for defending suits against the Judiciary and for defending the State in workers' compensation cases. The Litigation Unit is also responsible for a variety of affirmative litigation, examples of which are suits brought on behalf of the Maine State Retirement System, suits to enforce environmental laws, and suits to enforce Maine's securities laws. In addition, attorneys in the Unit supervise and coordinate many of the Department's white collar crime cases. Finally, the Unit reviews all complaints and edits all appellate briefs filed by the Attorney General's Office in civil cases.

**Opinions/Counsel.** The First Assistant Attorney General has primary responsibility for the preparation of formal opinions of the Attorney General requested by the Governor, State agencies and the Legislature. This attorney also represents the Maine State Retirement System.

**Public Protection Unit.** The Public Protection Unit consists of four and a half lawyers who handle enforcement action in the following areas: consumer fraud protection, white collar criminal enforcement, Medicaid fraud enforcement, antitrust enforcement and civil rights enforcement. The Unit operates a Consumer Complaint Mediation Program which utilizes volunteer mediators supervised by Complaint Examiners. The Unit does not represent any agencies of State government, but proceeds on the basis of complaints from citizens or on its own initiative when it perceives violations of statutes which it enforces. The Unit also administers and enforces the Petroleum Market Share Act, the Hospital Cooperation Act, the Lemon Law Arbitration Program and the Victim's Compensation Program. During fiscal year 1993, the Lemon Law Arbitration Program and the Consumer Mediation Program handled over 10,712 complaints and inquiries from consumers and recovered in excess of \$811,497 for consumers.

**Regulatory Agency Unit.** This Unit is comprised of seven attorneys representing the Department of Professional & Financial Regulation, which includes the Bureaus of Banking, Insurance, and Consumer Credit Protection. These attorneys also represent 42 professional and occupational licensing boards, which license and regulate the conduct of professions including those in the health care field (such as medical and osteopathic doctors, dentists, nurses, psychologists, social workers), various trades (such as electricians, plumbers, and oil & solid fuel technicians), and other occupations (such as accountants, architects, and engineers), as well as the Real Estate Commission and the Manufactured Housing Board.

## ATTORNEY GENERAL

The attorneys in this Unit provide advice to these agencies in the conduct of their administrative responsibilities, participate in hearings held by these agencies, bring enforcement actions before the agencies or in court in cases where state law or regulations have been violated, and defend the agencies' actions in suits brought against them. During the fiscal year, these attorneys participated in significant bank and insurance company reorganizations, proceedings to allocate workers' compensation residual market deficits and substantial litigation arising therefrom, settlement of a major securities fraud class action and related licensing issues, and numerous disciplinary and enforcement proceedings involving professional and occupational licenses.

**Organization.** The State is divided into eight prosecutorial Districts each headed by a District Attorney.

District 1—York;

Michael Cantara, District Attorney

District 2—Cumberland;

Stephanie Anderson, District Attorney

District 3—Oxford, Franklin, Androscoggin;

Janet T. Mills, District Attorney

District 4—Kennebec, Somerset;

David W. Crook, District Attorney

District 5—Penobscot, Piscataquis;

R. Christopher Almy, District Attorney

District 6—Sagadahoc, Knox, Lincoln, Waldo;

Geoffrey Rushlau, District Attorney

District 7—Hancock, Washington;

Michael E. Povich, District Attorney

District 8—Aroostook;

Neale T. Adams, District Attorney

All the District Attorneys and Assistant District Attorneys receive their salaries and benefits paid from the State treasury from funds appropriated to the Attorney General for this purpose.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENT OF ATTORNEY GENERAL (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	6,692,951	3,398,382	1,025,276	916,689	1,352,604	
Health Benefits	649,056	405,762	90,396		152,898	
Retirements	1,314,429	856,475	193,609		264,345	
Other Fringe Benefits	67,002	41,767	9,401		15,834	
Other Contract Services—State	5,638	5,554	84			
Computer Services—State	70,943	7,198	2,810		60,935	
Other Contractual Service	709,335	552,408	62,607		94,320	
Rents	5,487	3,069			2,418	
Commodities	46,600	30,098	2,138		14,364	
Grants—Subsidies—Pensions	5,109	5,109				
Building Improvements	70,349	48,900	12,030		9,419	
Interest—Debt Retirement	49	49				
Transfers to Other Funds	84,098		27,879	15,999	40,220	
<b>TOTAL EXPENDITURES</b>	<b>9,721,046</b>	<b>5,354,771</b>	<b>1,426,230</b>	<b>932,688</b>	<b>2,007,357</b>	



## ATTORNEY GENERAL

### ADMINISTRATION (ATTORNEY GENERAL)

*Central Office:* State Office Building, Augusta; *Floor:* 6  
*Mail Address:* State House Sta. #6, Augusta, Maine 04333

*Telephone:* 626-8800

*Established:* 1820

*Sunset Review Required by:* June 30, 2001

*Reference:* Policy Area: 00; Umbrella: 26; Unit: 239A; Citation: 5 M.R.S.A., Sect. 191

**PROGRAM:** See report for the Department of the Attorney General.

### DISTRICT ATTORNEYS

**MICHAEL E. CARPENTER, ATTORNEY GENERAL**

*Central Office:* State Office Building, Augusta; *Floor:* 6  
*Mail Address:* State House Sta. #6, Augusta, Maine 04333

*Telephone:* 626-8800

*Established:* January, 1974

*Sunset Review Required by:* June 30, 2001

*Reference:* Policy Area: 00; Umbrella: 26; Unit: 239D; Citation: 5 M.R.S.A., Sect. 199

*Average Count—All Positions:* 50

*Legislative Count:* 0

**PURPOSE:** The District Attorney is an elected law enforcement officer vested by law with a duty to maintain public order, to prosecute offenders, or to make arrests for crimes. The District Attorney for each prosecutorial district appears for each county within the district for which he/she is elected, under the direction of the County Commissioners, in all actions and other civil proceedings in which any county is a party or interested. All such actions, whether civil or criminal in which the State is a party, shall be prosecuted by him/her or under his/her direction. The District Attorney is the legal advisor to the County Commissioners.

**ORGANIZATION:** The State is divided into eight prosecutorial Districts each headed by a District Attorney.

District One—York—Michael Cantara, District Attorney

District Two—Cumberland—Stephanie Anderson, District Attorney

District Three—Oxford, Franklin, Androscoggin—Janet T. Mills, District Attorney

District Four—Kennebec, Somerset—David W. Crook, District Attorney

District Five—Penobscot, Piscataquis—R. Christopher Almy, District Attorney

District Six—Sagadahoc, Knox, Lincoln, Waldo—Geoffrey Rushlau, District Attorney

District Seven—Hancock, Washington—Michael E. Povich, District Attorney

District Eight—Aroostook—Neale T. Adams, District Attorney

#### **PROGRAM:**

**District Attorneys.** The District Attorney is an elected law enforcement officer vested by law with a duty to maintain public order, to prosecute offenders, or to make arrests for crime. The District for each prosecutorial district appears for each county within the district for which he/she is elected, under the direction of the County Commissioners, in all actions and other civil proceedings in which any county is a party or interested. All such actions, whether civil or criminal in which the State is a party, shall be prosecuted by him or under his direction. The District Attorney is the legal advisor to the County Commissioners.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are included in those of the Department of Attorney General.

# ATTORNEY GENERAL

## OFFICE OF CHIEF MEDICAL EXAMINER FOR THE STATE OF MAINE

HENRY RYAN, M.D., CHIEF MEDICAL EXAMINER

Central Office: 34A Hospital Street, Augusta

Telephone: 624-7180

Mail Address: State House Sta. #37, Augusta, Maine 04333

Sunset Review Required by: June 30, 2001

Reference: Policy Area: 00; Umbrella: 26; Unit: 242; Citation: 22 M.R.S.A., Sect. 3022 §30

Average Count—All Positions: 8

Legislative Count: 8

**PURPOSE:** The Office of the Chief Medical Examiner is headed by the Chief Medical Examiner, who is appointed by the Governor for a term of seven years. Through its staff, it is empowered to combine the functions of the coroner's physician and coroner in that it is responsible for determining the cause of death by medical examination and laboratory testing and the manner of death by inquiry in all deaths that cannot be certified by private physicians. Medical examiner cases include death due to trauma or poisoning or occurring under suspicious circumstances. When there is no private physician capable of certifying a death, even if apparently due to natural causes, the Medical Examiner must assume responsibility for such cases.

The Medical Examiners that serve the office are appointed by the Chief Medical Examiner, take a constitutional oath of office, serve for a statutory fee or a per case basis and are responsible for determining the cause, manner, circumstances, place, date and time of death, and the identity of the deceased and for procuring evidence from the person of the deceased for the investigative purposes of other agencies and/or legal proceedings. This is accomplished through the process of inquiry, investigation, physical examination, autopsy and other laboratory studies as needed to the end of certifying such deaths. The Medical Examiner reports are filed centrally and are intended for legal and vital records purposes.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF CHIEF MEDICAL EXAMINER FOR THE STATE OF MAINE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	286,299	286,299				
Health Benefits	20,246	20,246				
Retirements	46,798	46,798				
Other Fringe Benefits	3,255	3,255				
Other Contract Services—State	87,579	87,579				
Computer Services—State	39,784	39,784				
Other Contractual Service	70,326	70,326				
Rents	1,202	1,202				
Commodities	23,257	23,257				
Building Improvements	15,007	15,007				
<b>TOTAL EXPENDITURES</b>	593,753	593,753				

ATTORNEY GENERAL

**DIVISION OF HUMAN SERVICES**

**CHRISTOPHER LEIGHTON, ASSISTANT ATTORNEY GENERAL**

*Central Office:* State Office Bldg., Augusta; *Floor:* 6

*Telephone:* 626-8800

*Mail Address:* State House Station #6, Augusta, Maine 04333

*Established:* 1991

*Sunset Review Required by:*

*Reference:* Policy Area: 00; Umbrella: 26; Unit: 696; Citation: 5 M.R.S.A., Sect. 191

*Average Count—All Positions:* 20

*Legislative Count:* 10

**PROGRAM:** The Human Services Division consists of 22 lawyers and 4 paralegals who represent the Department of Human Services exclusively. Assistant Attorneys General assigned to this Division discharge a variety of functions ranging from prosecution of child abuse cases, the enforcement of child support laws, the enforcement of health-related laws, adult protective laws, welfare law, the licensure of nursing homes, boarding homes, hospital expansion, both adult and child day care, and represent the Department's interests in federal benefit programs such as Medicaid and AFDC. The Division defends tort and civil rights actions brought against the Department and its employees, and a significant amount of time is spent in appellate work in both the State and Federal courts.

The Human Services Division has one of the most persistent and heaviest caseloads of any division in the Office of the Attorney General. In fiscal year 1990, more than 3,000 child protective cases, 600 support cases and upwards of 100 appellate cases were handled by the attorneys in the Division.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this program are included in those of the Department of Attorney General.

**VICTIM COMPENSATION BOARD**

**MATTHEW DYER, ESQ., CHAIR**

**JEANETTE HAGEN, EXECUTIVE DIRECTOR**

*Central Office:* Attorney General's Office

*Telephone:* 626-8800

*Mail Address:* State House Sta. #6, Augusta, Maine 04333

*Established:* June 30, 1992

*Reference:* Policy Area: 00; Umbrella: 26; Unit: 550; Citation: 5 M.R.S.A., Sect. 3360A

*Average Count—All Positions:* 1.5

*Legislative Count:* 1.5

**PURPOSE:** To assist innocent victims of crime with medical/medically related expenses.

**ORGANIZATION:** The Victim Compensation Board is composed of three members appointed by the Attorney General. One must be a physician licensed to practice in Maine; one must be an attorney licensed to practice in Maine, and one must be experienced in working with victims of crime.

**PROGRAM:** The Board meets on a monthly basis to review claims and determine awards. In FY '94, the Board met six times and approved 32 cases totalling approximately \$37,000.

**PUBLICATIONS:**

An informational pamphlet—free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ATTORNEY GENERAL

VICTIM COMPENSATION BOARD	TOTAL					
	FOR	General	Special	Highway	Federal	Misc.
	ALL	Fund	Revenue	Fund	Funds	Funds
EXPENDITURES	FUNDS		Funds			
Salaries and Wages	24,967		24,967			
Health Benefits	3,992		3,992			
Retirements	4,167		4,167			
Other Fringe Benefits	152		152			
Other Contractual Service	36,722		36,722			
Commodities	880		880			
Building Improvements	2,062		2,062			
Transfers to Other Funds	1,418		1,418			
TOTAL EXPENDITURES	74,360		74,360			

## AUDIT

# DEPARTMENT OF AUDIT

RODNEY L. SCRIBNER, CPA, STATE AUDITOR

RICHARD H. FOOTE, CPA, DEPUTY STATE AUDITOR

*Central Office:* 187-189 State Street, Augusta

*Telephone:* 287-2201

*Mail Address:* State House Sta. #66, Augusta, Maine 04333-0066

*Established:* 1907

*Sunset Review Required by:* June 30, 2001

*Reference: Policy Area:* 00; *Umbrella:* 27; *Unit:* 244; *Citation:* 5 M.R.S.A., Sect. 241

*Average Count—All Positions:* 44

*Legislative Count:* 24

*Organizational Units:*

Departmental Bureau

Municipal Bureau

Unorganized Territory

**PURPOSE:** The Department of Audit was established to provide a postaudit of all accounts and other financial records of the State government or any department or agency thereof, including the Judiciary and Executive Department of the Governor and to report annually on this audit and at such other times as the Legislature may require. The Department is authorized to install accounting systems and to perform postaudits, on a fee for services basis, for counties, municipalities, and school units; to serve as a staff agency to the Legislature or any of its committees, or to the Governor in making investigations of any phase of the State's finances, and to report to the Governor and Legislature evidences of improper transactions or any other improper practice of financial administration; to review and study departmental budgets and capital programs for better and efficient management of the State government; to review and study expenditures of the dedicated funds of independent boards and commissions, and to report its findings, with recommendations, on any review or study to the Legislature.

The State Auditor is authorized to provide assistance to the Commission on Governmental Ethics and Election Practices in making investigations of any phase of the Commission's work and has all necessary powers to carry out his responsibilities.

**ORGANIZATION:** The Department of Audit originated in 1883 with the establishment of a three-member Committee to Examine Accounts of State Treasurer. Abolished in 1907, the Committee was replaced by a State Auditor who was to examine all accounts and demands against the State, including all matters requiring payment from the State Treasury, and in 1931, the Department of Audit was created under the administrative direction of the State Auditor who is elected by joint ballot of the Legislature for a term of four years.

In January, 1945, a reorganization of departmental auditing procedures was undertaken. The position of Deputy Auditor was established, and the "resident-auditor plan" under which individual auditors were permanently assigned to certain departments to make a continuous postaudit of books and records, was eliminated. At present, one or more auditors are assigned to specific jobs as scheduled, and work is done periodically rather than by the resident-auditor plan. The use of an audit certificate was introduced and is included in each report of audit to a department, agency, municipality, institution, etc.

**PROGRAM:** The program of the Department is implemented through its Bureaus and Divisions.

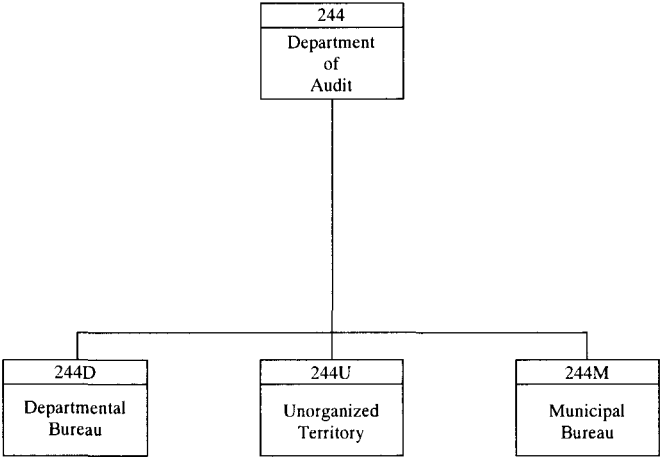
### PUBLICATIONS:

State Auditors' Annual Report

**FINANCES, FISCAL YEAR 1994:** The expenditures of this department include those of the Departmental Bureau, Municipal Bureau and Unorganized Territory Program. The following consolidated financial display was generated from department accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

**AUDIT**

**ORGANIZATIONAL CHART  
DEPARTMENT OF AUDIT  
UMB 27**



Approved by the Bureau of the Budget

# AUDIT

## CONSOLIDATED FINANCIAL CHART FOR FY94 DEPARTMENT OF AUDIT

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,029,618	767,732	261,886			
Health Benefits	105,421	74,084	31,337			
Retirements	176,359	132,336	44,023			
Other Fringe Benefits	9,173	6,895	2,278			
Other Contract Services—State	20,907	678	20,229			
Computer Services—State	2,882	2,680	202			
Other Contractual Service	130,478	93,332	37,146			
Rents	1,422	274	1,148			
Commodities	18,512	12,248	6,264			
Building Improvements	4,396		4,396			
Interest—Debt Retirements	10	10				
Transfer to Other Funds	3,836		3,836			
<b>TOTAL EXPENDITURES</b>	<b>1,503,014</b>	<b>1,090,269</b>	<b>412,745</b>			

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>DEPARTMENT OF AUDIT (Chief Administrative Unit)</b>						
<b>EXPENDITURES</b>						
Other Contract Services—State	580	580				
Other Contractual Service	127	127				
Commodities	2,172	2,172				
<b>TOTAL EXPENDITURES</b>	<b>2,879</b>	<b>2,879</b>				

## AUDIT

### DEPARTMENTAL BUREAU (AUDIT)

CAROL A. LEHTO, CPA, CIA, DIRECTOR

MICHAEL J. POULIN, CIA, DIRECTOR

*Central Office:* 187-189 State Street, Augusta

*Telephone:* 287-2201

*Mail Address:* State House Sta. #66, Augusta, Maine 04333-0066

*Established:* 1907

*Sunset Review Required by:* June 30, 2001

*Reference:* Policy Area: 00; Umbrella: 27; Unit: 244D; Citation: 5 M.R.S.A., Sect. 243

*Average Count—All Positions:* 24

*Legislative Count:* 24

**PURPOSE:** The purpose of the Departmental Bureau is to perform postaudits of accounts and other financial records of Maine State Government and report on these audits.

**ORGANIZATION:** Authorized personnel in the bureau total 24, including the State Auditor, Deputy State Auditor, two Directors, eight Auditor IIIs, eight Auditor IIs, three Auditor Is, and a Business Manager.

**PROGRAM:** The major goal of this bureau is to perform the annual statewide Single Audit of Maine as required by the Federal Single Audit Act of 1984. This audit addresses financial and compliance audit issues of the agencies and departments of Maine State Government.

#### PUBLICATIONS:

State Auditor's Annual Report

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENTAL BUREAU (AUDIT)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	767,732	767,732				
Health Benefits	74,084	74,084				
Retirements	132,336	132,336				
Other Fringe Benefits	6,895	6,895				
Other Contract Services—State	98	98				
Computer Services—State	2,680	2,680				
Other Contractual Service	93,205	93,205				
Rents	274	274				
Commodities	10,076	10,076				
Interest—Debt Retirement	10	10				
<b>TOTAL EXPENDITURES</b>	1,087,390	1,087,390				



## AUDIT

### MUNICIPAL BUREAU (AUDIT) DIRECTOR, VACANT

*Central Office:* 187-189 State Street, Augusta  
*Mail Address:* State House Sta. #66, Augusta, Maine 04333-0066

*Telephone:* 287-2201

*Established:* 1907

*Sunset Review Required by:* June 30, 2001

*Reference:* Policy Area: 00; Umbrella: 27; Unit: 244M; Citation: 5 M.R.S.A., Sect. 243

*Average Count—All Positions:* 18

*Legislative Count:* 0

**PURPOSE:** The purpose of the Municipal Bureau is to conduct audits of counties, cities and towns, school administrative units and other quasi-municipal corporations upon request.

**ORGANIZATION:** The Municipal Bureau is headed by a Director. Authorized personnel in the bureau total 18, consisting of one Director, six Auditor IIIs, three Auditor IIs, five Auditor Is and three clerical staff.

**PROGRAM:** The statutes provide that each county, municipality and quasi-municipal corporation shall have an annual postaudit made of its accounts, covering the last complete fiscal year, by the State Department of Audit or by a qualified public accountant. Upon request, the municipal bureau audited 60 governmental organizations including counties, towns, school administrative units, and quasi-municipal corporations for the fiscal year ending June 30, 1994.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MUNICIPAL BUREAU (AUDIT)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	199,574		199,574			
Health Benefits	22,694		22,694			
Retirements	33,827		33,827			
Other Fringe Benefits	1,210		1,210			
Other Contract Services—State	20,119		20,119			
Computer Services—State	102		102			
Other Contractual Service	32,579		32,579			
Rents	942		942			
Commodities	4,699		4,699			
Transfer to Other Funds	2,994		2,994			
<b>TOTAL EXPENDITURES</b>	318,740		318,740			

## AUDIT

### UNORGANIZED TERRITORY (AUDIT)

DOREEN L. SHEIVE, FISCAL ADMINISTRATOR

Central Office: 187-189 State Street, Augusta

Telephone: 287-2201

Mail Address: State House Sta. #66, Augusta, Maine 04333-0066

Established: 1985

Sunset Review Required by: June 30, 2001

Reference: Policy Area: 00; Umbrella: 27; Unit: 244U; Citation: 5 M.R.S.A., Sect. 246

Average Count—All Positions: 2

Legislative Count: 0

**PURPOSE:** The purpose of the Fiscal Administrator is to provide assistance to the state and/or county agencies which request funds from the unorganized territories.

**PROGRAM:** The major goal of this office is to review the budgets and expenditures of all state and/or county service providers and report to the joint standing committee of the Legislature having jurisdiction over taxation. It is expected the administrator will assist and/or review the state agencies and counties which provide services in the unorganized territory.

**PUBLICATIONS:** Annual Unorganized Territory Financial Report

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System.

UNORGANIZED TERRITORY (AUDIT)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	62,312		62,312			
Health Benefits	8,643		8,643			
Retirements	10,196		10,196			
Other Fringe Benefits	1,068		1,068			
Other Contract Services—State	110		110			
Computer Services—State	100		100			
Other Contractual Service	4,567		4,567			
Rents	206		206			
Commodities	1,565		1,565			
Building Improvements	4,396		4,396			
Transfer to Other Funds	842		842			
<b>TOTAL EXPENDITURES</b>	94,005		94,005			

## CONSERVATION

# DEPARTMENT OF CONSERVATION

C. EDWIN MEADOWS, JR., COMMISSIONER

E. SHIPPEN BRIGHT, Deputy Commissioner

*Central Office:* AMHI—Harlow Building, Augusta; *Floor:* 3

*Telephone:* 287-4900

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* October 3, 1973

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 056; Citation: 12 M.R.S.A., Sect. 5011

*Average Count—All Positions:* 673

*Legislative Count:* 255.5

### *Organizational Units:*

Division of Planning and

Program Services

Administrative Services Division

Land Use Regulation Commission

Bureau of Public Lands

Coastal Island Registry

Bureau of Forestry

(AKA Maine Forest Service)

Bureau of Parks and Recreation

Maine Geological Survey

**PURPOSE:** The Department of Conservation was established to preserve, protect and enhance the land and water resources of the State of Maine; to encourage the wise use of the State's scenic, mineral and forest resources; to ensure that coordinated planning for the future allocation of lands for recreation, forest production, mining and other public and private uses; and to provide for the effective management of public lands.

The primary responsibilities of the Commissioner of the Department of Conservation are to coordinate and supervise the activities and programs of the bureaus and agencies which are part of the Department; to undertake comprehensive planning and analysis with respect to the functions and responsibilities of the Department; to develop and implement procedures and practices to promote economy, efficiency and coordination in and between the various agencies and bureaus of the Department; and to recommend to the Governor and Legislature changes in the laws relating to the organization, functions, services or procedures of the agencies and bureaus and to strengthen conservation and wise use of natural resources.

**ORGANIZATION:** The Department of Conservation was created in 1973 under State Government reorganization legislation combining the Forestry Department, the Department of Parks and Recreation, the Land Use Regulation Commission, the Bureau of Geology (formerly a division of the Department of Forestry), and the Bureau of Public Lands.

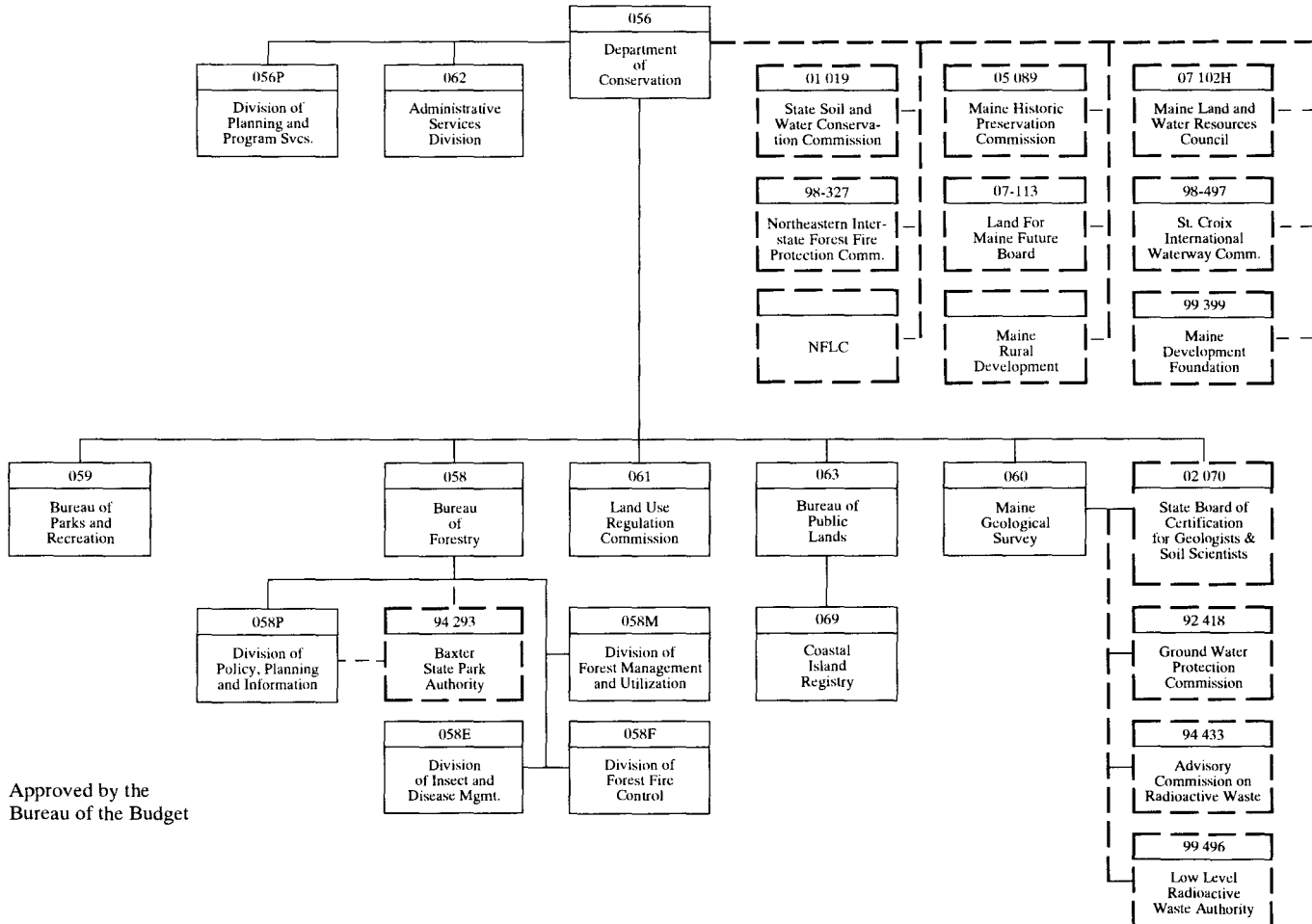
The Commissioner's office is organized into two major divisions, the Division of Planning and Program Services and the Division of Administrative Services.

The Division of Planning and Program Services is responsible for the Information and Education function, the growth management review process, program review and evaluation, policy development, Northern Forest Lands program, long-range departmental planning, and affirmative action. Due to budget reductions which forced the Department to make choices to fund only its highest priority programs, two programs formerly under this division were unfunded. Since these two programs, the Maine Conservation Corps and the Geographic Information System, were important to State government as a whole the Department of Conservation worked with other Departments and the Legislature to assure that they continued to provide their services. The Maine Conservation Corps was moved to the Department of Labor and the Geographic Information System was moved to the Department of Administrative and Financial Services, Bureau of Information Services. Both of these programs were moved as of July 1, 1994.

The Division of Administrative Services provides support services to the Department which includes personnel, payroll, budget, accounting, bookkeeping, telecommunications, and information systems support and management. Many of the management and administrative functions of the former Division of Engineering and Realty, which was significantly downsized by budget reductions, have also been added to the responsibilities of Administrative Services.

**PROGRAM:** Department of Conservation operational activities, goals, objectives and plans are reflected in the reports of the individual bureaus and in the Division of Administrative Services and Planning and Program Services.

**ORGANIZATIONAL CHART  
DEPARTMENT OF CONSERVATION  
UMB 04**



CONSERVATION

Approved by the  
Bureau of the Budget

# CONSERVATION

## CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF CONSERVATION

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	11,655,256	9,253,822	1,977,111		424,323	
Health Benefits	1,332,073	1,026,632	260,031		45,410	
Retirements	2,081,986	1,691,531	322,965		67,490	
Other Fringe Benefits	146,079	116,473	23,447		6,159	
Other Contract Services—State	727,333	405,436	115,398		202,395	4,104
Computer Services—State	174,501	52,735	58,979		61,676	1,111
Other Contractual Service	2,263,993	1,743,069	360,874		158,782	1,268
Rents	325,304	209,457	99,599		16,248	
Commodities	1,214,301	859,608	257,534		97,035	124
Grants—Subsidies—Pensions	1,965,122	331,179	1,120,954		509,699	3,290
Purchases of Land	151,978		52,978			99,000
Building Improvements	416,332	315,795	54,086		46,451	
Equipment	455,784	2,400	301,203		100,001	52,180
Interest—Debt Retirement	1,989	1,792	169		24	4
Transfers to Other Funds	64,533		49,205		15,298	30
<b>TOTAL EXPENDITURES</b>	<b>22,976,564</b>	<b>16,009,929</b>	<b>5,054,533</b>		<b>1,750,991</b>	<b>161,111</b>

## CONSERVATION

### PUBLICATIONS:

Listed separately by the Department's organizational units.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENT OF CONSERVATION (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	14,261		14,261			
Health Benefits	2,251		2,251			
Retirements	2,315		2,315			
Other Fringe Benefits	155		155			
Other Contract Services—State	2,639					2,639
Computer Services—State	1,111					1,111
Other Contractual Service	1,306		1,200			106
Rents	1,239	1,000	239			
Commodities	348		348			
Purchases of Land	99,000					99,000
Building Improvements	4,099		4,099			
Equipment	52,180					52,180
Transfers to Other Funds	920		920			
<b>TOTAL EXPENDITURES</b>	181,824	1,000	25,788			155,036

## ADMINISTRATIVE SERVICES DIVISION (CONSERVATION)

**WILLARD HARRIS, DIRECTOR**

*Central Office:* AMHI—Harlow Building, Augusta

*Telephone:* 287-2211

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* October 3, 1973

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 062; Citation: 12 M.R.S.A., Sect. 5012

*Average Count—All Positions:* 25

*Legislative Count:* 16

**PURPOSE:** The Division of Administrative Services provides central department administration and management for financial, personnel, administrative and technical procedures in conformance with state and federal requirements. It also provides administrative and technical support services to the Department's Bureaus and programs and assists with department initiatives such as the development of a department-wide office information system.

**ORGANIZATION:** The Administrative Services Division is composed of four functional units: Personnel and Labor Relations; Information Systems; Business Management, and Engineering and Realty.

**PROGRAM:** Under the overall supervision of the Director, this Division is responsible for financial management including budgeting, bookkeeping, auditing; business management including purchasing, contracting, leasing, property and inventory recordkeeping, personnel and labor relations including organization and staff development, position classification, payroll, workers' compensation administration, safety and training; and information systems management including systems development and programming, systems upgrade and maintenance, telecommunications, and coordination with central State systems.

## CONSERVATION

One of the most significant events which the Division oversaw this year was the upgrade of the Department's computer system and the conversion of that system to a pc-based local area network (LAN) system. This has allowed the Department to take advantage of advances in computing technology which will provide more reliable and timely data, as well as being able to attach to the state's wide area network (WAN) to take advantage of electronically centralized functions.

Another significant change is the addition of the engineering and realty function under the Division of Administrative Services. Due to funding reductions the former Division of Engineering and Realty was reduced to one position. This position was then placed under Administrative following the retirement of the previous Division Director in 1994.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ADMINISTRATIVE SERVICES DIVISION (CONSERVATION)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	768,843	555,897	126,189		86,757	
Health Benefits	85,571	57,705	17,526		10,340	
Retirements	129,915	97,230	19,533		13,152	
Other Fringe Benefits	7,526	4,343	1,490		1,693	
Other Contract Services—State	159,238	16,057			143,181	
Computer Services—State	18,211	6,476	3,182		8,553	
Other Contractual Service	79,597	43,606	24,649		11,342	
Rents	3,060	2,625	435			
Commodities	42,363	22,134	18,866		1,363	
Grants—Subsidies—Pensions	19,750	2,191	17,559			
Building Improvements	21,263		12,510		8,753	
Interest—Debt Retirement	3	3				
<b>TOTAL EXPENDITURES</b>	1,335,340	808,267	241,939		285,134	

## COASTAL ISLAND REGISTRY

### STEPHEN OLIVERI

*Central Office:* Harlow Building, A.M.H.I.

*Telephone:* 287-3061

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* July 5, 1973

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 069; Citation: 33 M.R.S.A., Sect. 1203

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Coastal Island Registry was established to identify and secure title to those coastal islands remaining within the State of Maine.

**ORGANIZATION:** The 106th Legislature created the Coastal Island Registry in 1973, assigning it first to the Bureau of Forestry and then, in 1974, to the Bureau of Public Lands, where it currently resides, 33 M.R.S.A., Chapter 25.

**PROGRAM:** The Coastal Island Registry Act provides that all coastal islands within the State of Maine (having less than four residential structures thereon) shall be registered with the Bureau of Public Lands by their purported owners. The Bureau is then directed to search all registered titles to determine the "true" owners. Those islands for which such a determination discovers against a purported owner, as well as those islands for which no registration was submitted, fall to the care and custody of the State of Maine, until such time as a "true" owner comes forward to establish title. (See report for Bureau of Public Lands.)

## CONSERVATION

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Public Lands.

### DIVISION OF FOREST FIRE CONTROL

THOMAS PARENT, ACTING SUPERVISOR

Central Office: AMHI, Harlow Bldg., Augusta  
Mail Address: State House Sta. #22, Augusta, Maine 04333

Telephone: 287-2791

Established: 1973

Sunset Review Required by: June 30, 1995

Reference: Policy Area: 05; Umbrella: 04; Unit: 058F; Citation: 12 M.R.S.A., Sect. 8901

Average Count—All Positions: 141

Legislative Count: 111.5

**PURPOSE:** The primary objective of this Division is to provide forest fire protection at the least cost with minimum damage to Maine's 17,749,000 acres. This objective is accomplished by doing four major tasks (1) prevention—25% to 30% of time and funds are expended in this effort, (2) detection—presently utilizing 12 contracted detection aircraft, (3) presuppression—training of municipal and Division employees and maintenance and development of specialized equipment, (4) suppression—extinguishing fires that do occur.

**ORGANIZATION:** In 1891 the Office of Forest Commissioner was established resulting from action by the Legislature to establish a Forest Commission for the protection of the forest. Until this time this office had been known as the Land Office and the Land Agent. In 1909 an act creating the Maine Forestry District was approved giving forest fire protection throughout the "Unorganized Towns" and some plantations. The disastrous forest fires of 1947 gave stimulus for statute changes in 1949 that made the Forest Commissioner responsible for *all* forest fire control over the entire State. The Department of Conservation was established in 1973 and the Maine Forestry Department, also called the Maine Forest Service, became the Bureau of Forestry under Conservation. Fire Control was assigned to the Bureau as the Division of Forest Fire Control.

**PROGRAM:** The primary goal of the Division is to keep the annual acreage burned to less than .02% (3500 acres) of the total acreage of the State and hold annual fire occurrence to 59 fires per million acres protected (1,000 fires). During 1993 there were 822 forest fires burning 1861 acres.

Another major goal of the Division is to enforce all laws dealing with forest and forest preservation. These laws include fire laws, forest practices, timber theft and trespass, Christmas tree laws, all terrain vehicle and snowmobile laws. Forest fire prevention continues to play a very important role in meeting the Division's objectives. Fire Prevention consists of activities such as public service announcements, newspaper articles, Smokey Bear Programs in schools, law enforcement, and spark arrestor inspections on chainsaws, skidders, and other equipment used in the woods.

Presuppression or preparedness is another key to a successful forest fire control program. Continued efforts are maintained in building and equipment maintenance and preplanning. Most of this work is done by Division personnel.

Many hours of training, both in-service and with volunteer and municipal groups, were conducted throughout the State. In addition, special training programs were developed for hotshot crews, scouts, and industry personnel in forest fire suppression techniques. Specially trained and equipped fire overhead teams were trained and maintained.

All Forest Rangers were trained in the Basic Conservation Officer Academy; a Code of Conduct was adopted; entry level requirements for rangers have been upgraded to reflect the present ranger job; and the Incident Command System used as the system of operation on large fires. A Standard Forest Ranger Academy was developed and implemented for new hires.



## CONSERVATION

### LICENSES, PERMITS, ETC.:

#### Permits:

Burning Permits

#### Appointments:

Town Wardens

General Deputies

### PUBLICATIONS:

Forest Fire Prevention Materials—varies according to annual theme

Posters

Pamphlets

Smokey Bear Kits

(All Free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF FOREST FIRE CONTROL	TOTAL FOR	General Fund	Special	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS		Revenue Funds			
EXPENDITURES						
Salaries and Wages	3,367,882	3,304,214			63,668	
Health Benefits	440,537	437,050			3,487	
Retirements	732,630	722,876			9,754	
Other Fringe Benefits	53,457	52,683			774	
Other Contract Services—State	202,805	195,205	5,000		2,600	
Computer Services—State	60	60				
Other Contractual Service	1,104,951	1,077,286	308		27,357	
Rents	181,875	165,801			16,074	
Commodities	570,974	499,661			71,313	
Grants—Subsidies—Pensions	280,926	228,285	−10,418		63,059	
Purchase of Land	5,058		5,058			
Building Improvements	251,132	248,280			2,852	
Equipment	2,400	2,400				
Interest—Debt Retirement	768	746			22	
Transfers to Other Funds	2,210		58		2,152	
TOTAL EXPENDITURES	7,197,665	6,934,547	6		263,112	

## DIVISION OF FOREST MANAGEMENT AND UTILIZATION

GEORGE BOURASSA, DIRECTOR

Central Office: AMHI, Harlow Bldg., Augusta

Telephone: 287-2791

Mail Address: State House Sta. #22, Augusta, Maine 04333

Established: 1947

Sunset Review Required by: June 30, 1995

Reference: Policy Area: 05; Umbrella: 04; Unit: 058M; Citation: 12 M.R.S.A., Sect. 8002

Average Count—All Positions: 22.5

Legislative Count: 20

**PURPOSE:** The primary functions of the Division of Forest Management and Utilization are to (1) provide technical assistance to forest owners to properly manage their woodlands; (2) provide assistance to forest product operators and wood using mills for product marketing and utilization; (3) provide technical assistance to municipalities on care and maintenance of shade trees; (4) assist in administration and enforcement of forest practices act. Technical assistance is provided through educational workshops, field demonstrations, media presentations and limited one on one contact between forester and owner. Policy limits are established on actual technical assistance available to individual landowners.

## CONSERVATION

**ORGANIZATION:** The Division of Forest Management and Utilization has three components—field foresters, utilization and marketing section and administrative staff. The division director reports to the State Forester.

**PROGRAM:** During FY 94, foresters provided technical and educational assistance to 3,724 private non-industrial forest owners. Included were recommendations for timber harvest, timber stand improvement, tree planting, insect and disease and forest fire control, pesticide use, Christmas tree management, fuelwood management and conservation laws. Other assistance was given to municipalities, civic organizations, University of Maine, schools, and state and federal agencies. The following accomplishments were obtained on Maine's privately owned woodlands: 4,197 acres timber stand improvement, 420 acres reforestation, 317 forest management plans involving 21,846 acres and 80 referrals to private consulting foresters.

Technical assistance was provided by staff foresters to forest land owners being cost-shared through the federal Agricultural Conservation Program and Forestry Incentives Programs and the Stewardship Improvement Program for timber stand improvement work, reforestation plans, soil and water resource protection, and wildlife habitat management.

The division also provided technical assistance to many Maine saw mills, provided marketing advice to Maine landowners, loggers and mills, assisted the State Development Office and entrepreneurs with industrial development and wood exports, and assisted in the compilation of the annual timber cut report, stumpage and mill delivered price reports, primary processors list, logger list, and issued special marketing bulletins.

Division field foresters working with other Bureau personnel to continue enforcement and educational activities under the Forest Practices Act. The federally funded Stewardship Incentive Program, administered by the division, resulted in the development of 239 forest management plans on 24,919 acres of non-industrial, privately owned forestlands. Management Division administration of the federally funded Urban Forestry Program resulted in grants to 62 municipalities amounting to \$484,000.

### PUBLICATIONS:

Forest Trees of Maine — \$1.00  
 Factors to Consider When Buying Woodland as an Investment — free  
 Boundary Information Sheet — free  
 Weeding Young Forests — free  
 The Profit in Pruning — free  
 Biomass Harvesting & Whole Tree Chipping — free  
 Management of a Forest Tree Plantation — free  
 Tree Pruning Information — free  
 Selecting a Logger—free  
 Forestry Cost-Share Assistance—free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF FOREST MANAGEMENT AND UTILIZATION	TOTAL FOR		Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS	General Fund				
<b>EXPENDITURES</b>						
Salaries and Wages	462,514	408,895			53,619	
Health Benefits	56,779	48,287			8,492	
Retirements	77,424	68,615			8,809	
Other Fringe Benefits	5,757	4,955			802	
Other Contract Services—State	4,463	1,798			1,200	1,465
Computer Services—State	45	45				
Other Contractual Services	84,208	66,780			16,266	1,162
Rents	1,996	1,963			33	
Commodities	18,573	13,709			4,740	124
Grants—Subsidies—Pensions	278,067	6,413			268,364	3,290
Building Improvements	13,142				13,142	
Interest—Debt Retirement	12	6			2	4
Transfer to Other Funds	1,081				1,051	30
<b>TOTAL EXPENDITURES</b>	1,004,061	621,466			376,520	6,075

## CONSERVATION

### **BUREAU OF FORESTRY (also known as MAINE FOREST SERVICE) SUSAN J. BELL, DIRECTOR**

*Central Office:* AMHI—Harlow Building; Floor: 2

*Telephone:* 287-2791

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* 1891

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 058; Citation: 12 M.R.S.A., Sect. 8001

*Average Count—All Positions:* 4

*Legislative Count:* 2

*Organizational Units:*

Division of Forest Management  
and Utilization  
Division of Forest Fire Control

Division of Insect and Disease Management  
Division of Policy, Planning and Information

**PURPOSE:** The Bureau of Forestry, also known as Maine Forest Service, was established to ensure for present and future generations of Maine citizens the greatest economic and social benefits from trees and the forest lands of the State. The primary responsibilities of the Bureau are: to encourage and promote appropriate forest land management practices on public and private lands to provide maximum benefits from forest products, recreation and related resources such as soil, water and wildlife; to provide advice and assistance in forest management to woodland owners; to produce, distribute and plant forest seedlings to aid in accomplishment of these forest land management practices; to promote improved markets, utilization and manufacture of forest products, to maintain a thriving forest industry; to initiate and maintain up-to-date economic data, including a forest inventory for purposes of identifying current and future forest industry trends; to promote productivity and current use as the basis for forest land taxation; to encourage long-term forest management objectives; to protect the forest resource from fire, insects, diseases and other natural enemies; to encourage and promote the planting, care and protection of shade trees, shrubs and forest growth by individuals, municipalities and State agencies; to maintain and improve the scenic beauty, wildlife habitat and recreational values of Maine; to determine, encourage and conduct needed research in forest resource and shade tree management; and to develop through information, education and formal publications a greater public awareness and appreciation of forests as Maine's basic economy and renewable resource, of the need to protect the forest resource, and of the economic and social benefits to be derived from multiple use of forest lands.

**ORGANIZATION:** The Bureau of Forestry originated in 1824 with the appointment of a Land Agent who, in 1891, was also designated Forest Commissioner. The Land Agent title was abolished in 1923 and the Agent's duties were assigned to the Forest Commissioner. In 1965, the Maine Forest Service which had evolved under the Commissioner was statutorily recognized as the Forestry Department. State Government reorganization legislation of 1973 renamed the Department as the Bureau of Forestry within the newly-created Department of Conservation, and designated the Forest Commissioner as Director of the Bureau of Forestry.

The Bureau is divided into 4 functional divisions: Forest Fire Control, Forest Management and Utilization, Insect and Disease Management, and Policy, Planning and Information. Each division is administered by a chief executive officer who is in charge of all division activities. Field operations are administered through functional regional supervisors.

**PROGRAM:** The Bureau of Forestry's total program is reflected in the program statements of the various Divisions. In addition, the Director's office manages Maine State forestry related issues with the USDA Forest Service including all grants and other forestry related federal agency programs; directs the Maine Forest Service participation in the Northeastern Forest Alliance; is responsible for budget preparation and management; manages legislative proposals; and is responsible for overall administration of federally funded forestry cost share and Small Business Administration urban forestry grants programs.

## CONSERVATION

### LICENSES, PERMITS, ETC.:

#### Permit:

- Campfire (Unorganized Territories)
- Gypsy Moth Quarantine
- Open Burning of Slash and Debris

### PUBLICATIONS:

All publications are listed under organizational units.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF FORESTRY</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	125,824	79,283			46,541	
Health Benefits	13,704	7,671			6,033	
Retirements	23,120	15,561			7,559	
Other Fringe Benefits	2,413	1,717			696	
Other Contract Services—State	350	350				
Computer Services—State	75	75				
Other Contractual Service	32,163	25,720			6,443	
Rents	285	285				
Commodities	4,373	4,373				
Grants—Subsidies—Pensions	8,716	3,716			5,000	
Interest—Debt Retirement	7	7				
Transfers to Other Funds	742				742	
<b>TOTAL EXPENDITURES</b>	<b>211,772</b>	<b>138,758</b>			<b>73,014</b>	

## OFFICE OF GEOGRAPHIC INFORMATION SYSTEMS

**DANIEL H. WALTERS, Administrator**

*Central Office:* Augusta

*Telephone:* 287-3897

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* July 1, 1985

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 064; Citation: 12 M.R.S.A., 1752

*Average Count—All Positions:* 5

*Legislative Count:* 2

**PURPOSE:** The Office of Geographic Information Systems (OGIS) guides and promotes the implementation of GIS in-state programs for the purpose of improving state government products and services. OGIS is also responsible for facilitating the use of state-maintained geographic data by the private sector and public. OGIS maintains and operates a geographic information system center, develops and administers standards, and provides geographic information system services to the public and state agencies. The Office maintains Maine's GIS database, provides technical support and training, and is the focal point for GIS data distribution to the public.

**ORGANIZATION:** The GIS program moved to the Department of Administrative and Financial Services, Bureau of Information Services beginning July 1, 1993.

**PROGRAM:** The Office of Geographic Information System and staff provides ARC/INFO and SUN operating system technical support, system administration, and facility management for users of the Office's equipment.

Three formal ARC/INFO training, as well as ad hoc training, was provided on an ongoing basis to interested state agencies.

## CONSERVATION

The Office supported and hosted a wide array of activities by the Departments of Conservation, Environmental Protection, Marine Resources, Transportation, Inland Fisheries and Wildlife, Public Safety, Human Services, the Executive Department, the Low-Level Radioactive Waste Authority, and the University of Maine.

The Office continued to contract with private vendors to digitize geographic information for the Maine GIS database. This year 100 USGS basemaps were digitized with another 80 maps under contract. The Office with other state agencies has added U.S. Census TIGER files with links to demographic data, statewide land use and land cover maps, statewide satellite imagery and public lands mapping. It has started mapping of unorganized territories, public water supplies and national wetlands inventory data.

GIS data was provided to an array of clients included municipalities, water companies, water districts, private consultants, and the federal government.

### PUBLICATIONS:

Data Standards for Maine Geographic Information Systems, 1990. Free.  
Views, Maine GIS Newsletter

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>GEOGRAPHIC INFORMATION SERVICES</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	103,196	68,982	12,515		21,699	
Health Benefits	11,421	7,446	1,437		2,538	
Retirement	22,824	15,876	2,541		4,407	
Other Fringe Benefits	1,406	858	211		337	
Other Contract Services—State	3,493	640	2,853			
Computer Services—State	20	20				
Other Contractual Service	28,737	17,997	10,212		528	
Rents	34,928	13,081			21,847	
Commodities	2,621	1,505	1,116			
<b>TOTAL EXPENDITURES</b>	<b>208,646</b>	<b>126,405</b>	<b>30,885</b>		<b>51,356</b>	

## MAINE GEOLOGICAL SURVEY

WALTER A. ANDERSON, DIRECTOR

*Central Office:* AMHI—Ray Building

*Telephone:* 287-2801

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* August 28, 1973

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 060; Citation: 12 M.R.S.A., Sect. 541

*Average Count—All Positions:* 16

*Legislative Count:* 16

### *Organizational Units:*

Administration, Mineral & Technical  
Services  
Hydrogeology Division

Bedrock and Surficial Geology Division  
Marine Geology Division  
Earth Resources Information Division

**PURPOSE:** The Maine Geological Survey was established to map, interpret and publish geologic (physical resource) information and provide advisory assistance to the minerals industry and interpretive information for planning and regulatory agencies. The Survey is authorized to direct a program of effective geologic inventory, employing professional geologists for mapping purposes; to support an

## CONSERVATION

active minerals industry; to publish and sell geologic literature; to provide geologic information for public industry and State agencies; to cooperate with other State and Federal agencies; and to manage the work of the Mapping Advisory Committee.

**ORGANIZATION:** The Maine Geological Survey was originally established in 1957 as the Division of Geological Survey within the Department of Economic Development (D.E.D.). It was renamed the Division of Science, Technology and Mineral Resources in 1962 and, in 1971, it was transferred from the former D.E.D. to the Forestry Department as the latter Department's Division of Geology. Under State Government reorganization legislation of 1973, it was again transferred and reestablished within the Department of Conservation.

**PROGRAM:** The Maine Geological Survey's principal programs involve physical resource inventories and evaluation as carried out by the following divisions within the Maine Geological Survey.

**Bedrock and Surficial Geology Division.** This Division deals with the basic geologic mapping and interpretation of: surficial materials such as sand, gravel and clay, and bedrock mapping and interpretation of rock types and rock structures. This basic geologic mapping effort is the foundation for the evaluation, appraisal and inventory of specific physical resources, mineral occurrences, and geologic hazards in the State of Maine. This Division is involved in cooperative and applied programs with the U.S. Geological Survey, the Nuclear Regulatory Commission, and the U.S. Department of Energy.

**Hydrogeology Division.** This Division inventories ground and surface water conditions, with emphasis on ground water supply and prevention of ground water pollution. Studies are conducted by the Division in cooperation with the U.S. Geological Survey and the Maine Department of Environmental Protection. Water well records are obtained on a voluntary basis from drillers throughout the State. Maps depicting ground water flow, yield and depth have been prepared for sand and gravel aquifers in the inhabited portions of the State. The Division has completed a study of yield and water quality of significant aquifers in southern, central, and eastern Maine. The mapping is now in progress for Aroostook County. The study includes evaluation of land use over aquifers and its effects on ground water quality. A pilot bedrock aquifer mapping program continues.

**Earth Resources Information Division.** This Division prepares and publishes the results of the Survey's geologic field investigations and research projects. The Division operates a cartographic production facility which includes a drafting section, a photographic darkroom, and a diazo reproduction center. The Division produces maps ranging from single-color diazo prints to multi-color printed geologic quadrangles.

**Marine Geology Division.** The Marine Geology Division conducts research in the Gulf of Maine and provides technical services to other State agencies involved in the coastal zone. A search for beach nourishment sources, dredge spoils disposal sites and ore minerals is being conducted on the sea floor with funding from the minerals management service. The Division is also conducting sea level rise and subsurface geologic studies along the coast in cooperation with the Nuclear Regulatory Commission and the University of Maine. The Division has provided technical comments to the Department of Environmental Protection on the Sand Dune and Wetlands Acts, and to the Maine Sea Grant and the State Planning Office regarding the merit of research proposals in the coastal zone.

**Administration, Mineral, and Technical Services.** The Maine Geological Survey and the Bureau of Public Lands have administrative jurisdiction over prospecting and mineral development on those lands owned or held in trust by the State of Maine that are open for mineral exploration. This jurisdiction extends over 400,000 acres of public lands, the littoral bottom to three miles, and all lake bottoms, but not to mineral activities on private or federal lands. In the case of the latter two, permission should be obtained from the landowner or the appropriate management agency.

Procedures for exploration, claiming, and mining state lands are outlined in the "Mining on State Lands Statutes," copies of which may be obtained from the Survey. Exploration permits and claim recording applications, as well as mining leases must be obtained from the Survey. Mineral development on state held lands is subject to the appropriate environmental regulations as well. The Survey also maintains an active file of current mineral development activities on state lands.

### LICENSES, PERMITS, ETC.:

- Mineral Activity on State Land
- 1. Exploration Permit
- 2. Claim Recording Certificates
- 3. Land Use Ruling

## CONSERVATION

4. Mining Leases on State Land
5. Machinery and Explosives for Exploration

**PUBLICATIONS:** The Survey publishes technical reports concerning surficial, ground water, bedrock, and marine geology. Numerous recent maps and reports have been prepared for the planner and layman. Several of the Survey's publications are listed below. Please add 6% state sales tax to the purchase price when ordering.

*Informational Literature:*

Publications List—contains a complete listing of available Survey publications. (free)

Index Map Series—a series of maps which indicate coverage of surficial, bedrock, marine, ground water, and wetlands map series (free)

*Open-File Reports and Maps:* a series of preliminary reports and maps available as diazo copies. Contact the Survey for a full listing of open-file information and prices. Several open-file map series are listed below.

Reconnaissance Surficial Geology Maps

Reconnaissance Bedrock Geology Maps

Sand and Gravel Aquifer Maps

Coastal Marine Geologic Environments Maps

Fresh-Water Wetlands Maps

*Publications:*

Bedrock Geologic Map of Maine, scale 1:500,000, compiled and edited by Philip H. Osberg, Arthur M. Hussey II, and Gary M. Boone. Price \$5.00

Surficial Geologic Map of Maine, scale 1:500,000, compiled and edited by Woodrow B. Thompson and Harold W. Borns, Jr. Price \$4.50

A Collector's Guide to Maine Mineral Localities, by W.B. Thompson and others. Price: \$8.00

The Geology of Mount Desert Island—A Visitor's Guide to the Geology of Acadia National Park, by R.A. Gilman and others; 1988. Price: \$8.00

Studies in Maine Geology, Volume 1-6, edited by R.D. Tucker and R.G. Marvinney; 1989  
Price: \$10.00 per volume

Neotectonics of Maine: Studies in Seismicity, Crustal Warping, and Sea-Level Change, edited by W.A. Anderson and H.W. Borns, Jr., 1989. Price: \$10.00 per volume

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE GEOLOGICAL SURVEY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	542,441	538,046	4,395			
Health Benefits	49,378	48,800	578			
Retirements	81,847	81,162	685			
Other Fringe Benefits	3,853	3,774	79			
Other Contract Services—State	90,348	32,009	5,600		52,739	
Computer Services—State	53,543	420			53,123	
Other Contractual Service	87,738	25,816	12,945		48,977	
Rents	2,211	1,581	630			
Commodities	207,932	119,304	77,785		10,843	
Grants—Subsidies—Pensions	32,246	500			31,746	
Building Improvements	4,870				4,870	
Interest—Debt Retirement	2	2				
Transfers to Other Funds	9,141		1m152		7,989	
<b>TOTAL EXPENDITURES</b>	<b>1,165,550</b>	<b>851,414</b>	<b>103,849</b>		<b>210,287</b>	

## CONSERVATION

### DIVISION OF INSECT AND DISEASE MANAGEMENT

DAVID STRUBLE, DIRECTOR, STATE ENTOMOLOGIST

*Central Office:* AMHI, Harlow Bldg., Augusta

*Telephone:* 287-2791

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* 1921

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 058E; Citation: 12 M.R.S.A., Sect. 8002

*Average Count—All Positions:* 16

*Legislative Count:* 14

**PURPOSE:** The mission of the Division of I. & D.M. is to evaluate the actual and potential impact of forest and shade tree insects and diseases; to gather, analyze and report impact data, and to develop integrated pest management techniques. Additional responsibilities include providing technical assistance, implementing control actions when justified, and administering State and Federal laws pertaining to insect and disease quarantine. The State Entomologist is authorized to go onto any lands for the purpose of surveying and inspecting any shade, ornamental or forest trees whenever he suspects the presence of any dangerous native or exotic insect or disease. If the survey work requires the placing of "trap" material on developed lands in incorporated areas, the State Entomologist is required to first notify the landowner of his plans.

**ORGANIZATION:** The Division of I. & D.M. originated in 1921 as the Division of Entomology for the purpose of protecting Maine's forest and shade trees from insects and diseases. The Director of the Maine Forest Service appoints the State Entomologist, who serves as Director of the Division of Insect and Disease Management. Operating within an administrative division of the Maine Forest Service, the State Entomologist is statutorily responsible for answering all calls for information on forest insects and diseases including their identification and control. The State Entomologist is also required to assist other departments working in this field.

**PROGRAM:** Surveys of Maine forests indicated that the infestation of hemlock looper was subsiding. Aerial reconnaissance detected 42,100 acres of moderate damage from east central Penobscot County to central Washington County. This was a sharp reduction from the more than 218,000 acres noted in 1992. The I&DM Division notified 77 municipalities of the anticipated situation and worked directly with 1 to develop a targeted insecticide application and provide oversight and guidance to a 65 acre neighborhood control project, minimizing unnecessary pesticide application. The division worked with six commercial timberland owners to develop focused and scheduled harvesting options to assist long term management and minimize timber resource loss.

Studies on approximately 28,300 acres with contiguous severe hemlock looper damage found 51% of the hemlock trees, representing 430,000 cords of wood, were killed. This acreage represented less than 10% of the total area which had been infested; the additional loss of scattered individual trees, although hard to quantify, would enlarge this figure significantly.

Maine's gypsy moth outbreak continued to subside. Although 50,694 of defoliation were noted in York County, this represented a 92% reduction from the almost 621,000 defoliated in 1991. The Division notified 49 municipalities of their anticipated situation, worked directly with 4 to develop targeted control options, and provided oversight and guidance to 5 local neighborhood projects totalling 250 acres.

Egg mass surveys conducted during the winter of 1993-94 indicated continued decline in the gypsy moth outbreak, with heavy defoliation anticipated for 1994 only in localized spots in southwestern Maine. All municipalities with anticipated problems were notified.

Balsam twig aphid populations caused heavy damage to fir tips throughout western Maine and in scattered spots across the rest of the state. The Division worked with the Christmas tree and wreath brush industries to minimize raw material shortages and forestall marketability impacts.

Browntail moth populations continued to intensify in the Casco Bay area. Established populations were detected from Cape Elizabeth to the Kennebec River. During 1993 populations in some island sites were sufficiently heavy to cause complete defoliation, and reports of allergic reactions from exposed people were more common. In addition to providing site specific information and advice to 10 threatened and infested municipalities, the Division cooperated with city of Portland, designing and overseeing an experimental cooperative pest suppression/damage prevention project on Little Diamond Island. Sixty-five acres of sensitive coastal area were treated with the environmentally benign insecticide (BT).



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The white pine blister rust control program conducted survey and coincident control on 5000 acres of commercial white pine stands in York and Cumberland Counties. The Division continued evaluation of this program to improve efficiency and benefit:cost ratio.

The Division surveyed known stands of dogwood and butternut, and determined that dogwood anthracnose and butternut canker, two newly discovered diseases devastating these tree species nationally, are infecting trees in southern Maine.

As the DOC's representative to the State Lyme Disease Working Group, the Division cooperated in monitoring the occurrence of the disease and its vectors. Over 200 specific tick identifications were directly driven by this effort. In 1993, 18 cases of Lyme disease were confirmed from Maine, bringing the total since the disease was first reported to roughly 80 cases.

In addition to surveys for specific pests, the Division provided technical advice and assistance to the public and forest and shade tree industries on a variety of pests of forests, home grounds, and humans; responding to approximately 2000 public requests for assistance and providing direct training on biological and pesticide issues to over 3000 cooperators/clients. Targeted and general pest alerts and 8 periodic pest condition newsletters were published and sent to interested parties. The Division developed and conducted arborist and nursery training programs (in cooperation with the Urban and Community Forestry Program).

I&DM personnel facilitated wood shipment relative to various state and federal quarantine restrictions, issuing 453 shipping permits to 61 local shippers and maintaining compliance agreements with local mills.

The Division continued to monitor the health of Maine's forest resource utilizing several cooperatively funded projects: Evaluations conducted as part of the Cooperative North American Maple Decline Project continue to demonstrate that Maine's maple resource is healthy. The Division initiated a cooperative state/federal project to evaluate the current statewide dieback/decline of Maine's brown ash resource, investigating possible causal stress factors. I&DM personnel also revisited and remeasured 137 permanent plots associated with Maine's portion of the cooperative New England Forest Health Monitoring Project; preliminary results indicate no inexplicable decline in the health of Maine's overall forest resource.

In its mission to develop integrated pest management techniques, the Division conducted an experimental control project against browntail moth to obtain registration of new materials and new control options, and evaluated stand harvesting practices to develop options which minimize the adverse impacts of beech bark disease.

### LICENSES, PERMITS, ETC.:

Gypsy Moth Quarantine Permits are issued to meet Canadian requirements for transporting logs from Maine to Canada.

Larch Canker Quarantine permits are issued or compliance agreements are negotiated to control the spread of European larch canker.

Hemlock Woolly Adelgid Quarantine compliance agreements are negotiated to control introduction of Hemlock Adelgid to Maine.

### PUBLICATIONS:

Insect Primer

Field Book of Destructive Insects

Forest Health Research and Monitoring Activity in Maine 1989-1990

Planting and Care of Shade Trees

Insect and Disease Information and Control Sheets—various specific pests

Pest Alerts—various new or expanding pest species

Forest and Shade Tree Insect and Disease Conditions For Maine—Summary reports for 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993

The Forest Insect Survey of Maine—Order Hymenoptera, Order Diptera, Order Coleoptera

The Balsam Gall Midge—an Economic Pest of Balsam Fir Christmas Trees

Chemical Control of Balsam Gall Midge *Paradiplosis tumifex* (Diptera : Cecidomyiidae)

Efficacy of Selected Insecticides Against the White Pine Weevil (Coleoptera : Curculionidae)

New Approaches to Chemical Control of White Pine Weevil Damage

The Distribution of Eastern Hemlock Looper [*Lambdina fiscellaria fiscellaria* (Gn.)] Eggs on Eastern Hemlock [*Tsuga canadensis* (L.) Carr] and Development of an Egg Mass Sampling Method on Hemlock.

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A Method to Predict Defoliation of Eastern Hemlock [*Tsuga canadensis* (L.) Carr] by Eastern Hemlock Looper [*Lambdina fiscellaria* (Gn.)] Using Egg Sampling

Forest Health Monitoring Evaluation: Brown Ash (*Fraxinus nigra*) in Maine, A Survey of Occurrence and Health

Incidence of White Pine Blister Rust in Maine After 70 years of a Ribes Eradication Program

An Economic Assessment of the White Pine Blister Rust Control Program in Maine.

Healthy Forests for America's Future—A Strategic Plan

Sugar Maple Crown Conditions Improve Between 1988 and 1990

Resurvey of Spruce Budworm Damage in the Moosehorn National Wildlife Refuge, 1981

Ten-Year Impact of Spruce Budworm on Spruce-Fir Forests of Maine

The New England Forest: Baseline for New England Forest Health Monitoring

Forest Health Monitoring in New England: 1990 Annual Report

Forest Health Monitoring in the Northeast—Summary Report: 1991, 1992

Northeastern Area Forest Health Report—1992

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF INSECT AND DISEASE MANAGEMENT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	509,800	410,113			99,687	
Health Benefits	57,571	47,772			9,799	
Retirements	83,629	67,530			16,099	
Other Fringe Benefits	5,671	4,153			1,518	
Other Contract Services—State	10,782	8,107			1,518	
Computer Services—State	2,532	2,532				
Other Contractual Service	89,581	50,743	5		38,833	
Rents	959	888			71	
Commodities	20,447	11,625	169		8,653	
Grants—Subsidies—Pensions	148	45			103	
Building Improvements	16,834				16,834	
Interest—Debt Retirement	41	41				
Transfers to Other Funds	1,959		2		1,957	
<b>TOTAL EXPENDITURES</b>	<b>799,954</b>	<b>603,549</b>	<b>176</b>		<b>196,229</b>	

## MAINE LAND USE REGULATION COMMISSION

DAVID BOULTER, DIRECTOR

*Incoming WATS Line:* 1-800-452-8711

*Central Office:* AMHI—Harlow Building

*Telephone:* 287-2631

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* October 1, 1969

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 061; Citation: 12 M.R.S.A., Sect. 683

*Average Count—All Positions:* 30.5

*Legislative Count:* 30

**PURPOSE:** The Maine Land Use Regulation Commission was established in 1969 to serve as the planning and zoning board, with broad regional responsibilities, for areas of Maine which lack local governments empowered to exercise local land use authority. It is responsible for promoting the health, safety and general welfare of the people of the State of Maine by planning for the appropriate use of the resources within its jurisdiction and guiding land use activities. The Commission's jurisdiction includes over 10 million acres in the northern, eastern, and western parts of the State which occur in townships,

## CONSERVATION

towns and plantations which have no local land use standards. The primary responsibilities of the Commission are to prepare a comprehensive land use plan for these areas; to determine the boundaries of areas within the unorganized areas of the State that fall into the various land use districts (zoning); to prepare land use standards for each district; and to review applications for development in the unorganized areas of the State.

**ORGANIZATION:** The Maine Land Use Regulation Commission is governed by a 7-member independent decision-making body, with members appointed by the Governor subject to review by the Joint Standing Committee on Energy and Natural Resources and approval by the Legislature. They serve 4 year staggered terms. The Commission has a staff of approximately 30, including an Executive Director, at regular meetings held at least monthly at various locations in or near its jurisdiction. The Commission makes decisions on permit applications, enforcement actions, zoning boundaries and land use standards.

**PROGRAM:** In FY 1993, while the Commission conducted a normal business agenda and handled a number of permit applications as well as compliance and enforcement actions, it continued efforts to: (1) improve on the efficiency of the Commission's permitting process; (2) apply an effective compliance policy assuring equitable remediation and deterrence of land use violations; (3) increase its public outreach/educational efforts; and (4) engage in a participative planning and resource management process with owners of large tracts of land for long-term concept plans and began its review and update of its Comprehensive Land Use Plan.

### LICENSES, PERMITS, ETC.:

Permits: (Plantations and Unorganized Townships):

- Building
- Development
- Subdivision
- Road Construction
- Bridge Construction
- Zoning Petitions
- Forestry Operations
- Utility Lines
- Hydropower Projects
- Advisory Rulings
- Water Quality Certifications

### PUBLICATIONS\*:

Subdividing in the Wildlands of Maine	No Charge
Comprehensive Land Use Plan for the Unorganized Areas of the State of Maine—1983	No Charge
Statutes Administered by LURC	No Charge
Land Use Districts and Standards	No Charge
A Guide to Creative Site Planning in the Unorganized Areas of Maine	No Charge
Land Use Handbook	
Section 3, Maine Land Use Regulation Commission	No Charge
Section 4, How to Apply for a L.U.R.C. Building Permit	No Charge
Section 5, Design Ideas	No Charge
Section 6, Erosion Control on Logging Jobs	No Charge
Section 6, Erosion Control on Logging Jobs (French Version)	No Charge

\*No charge for individual copies; nominal charge for multiple copies

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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MAINE LAND USE REGULATION COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	795,594	795,594				
Health Benefits	101,424	101,424				
Retirements	130,978	130,978				
Other Fringe Benefits	10,165	10,165				
Other Contract Services—State	138,833	138,833				
Computer Services—State	38,986	38,986				
Other Contractual Service	132,537	132,537				
Rents	3,748	3,748				
Commodities	50,559	50,559				
Grants—Subsidies—Pensions	5,160	5,160				
Building Improvements	20,987	20,987				
<b>TOTAL EXPENDITURES</b>	1,428,971	1,428,971				

## BUREAU OF PARKS AND RECREATION

### HERBERT HARTMAN, DIRECTOR

*Central Office:* AMHI—Harlow Building; *Floor:* 1  
*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Telephone:* 287-3821

*Established:* April 5, 1935

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 059; Citation: 12 M.R.S.A., Sect. 602

*Average Count—All Positions:* 189

*Legislative Count:* 49.5

#### *Organizational Units:*

Division of Operations and Maintenance  
 Boating Facilities Division  
 Division of Grants and Community Recreation

Division of Planning and Research  
 Off-Road Vehicle Division

**PURPOSE:** The Bureau of Parks and Recreation was established to administer programs to acquire, design, construct, operate and maintain areas for public enjoyment and recreation. The primary responsibilities of the Bureau are to acquire, develop and manage State parks and historic sites; to study and report to the Governor the needs for such facilities; to provide information and trails for snowmobiles and all-terrain vehicles; to preserve, protect, develop and manage the Allagash Wilderness Waterway; to provide and manage public facilities for boats; to mark selected waters of the State for hazards or remove same; and to manage the Penobscot River Corridor.

**ORGANIZATION:** The Bureau of Parks and Recreation originated in 1935 with the establishment of a State Park Commission consisting of five members, including the Commissioner of Inland Fisheries and Game and the Forest Commissioner, ex officio, and three citizen members appointed by the Governor with the advice and consent of the Council. The Commission was renamed Maine State Park and Recreation Commission in 1963 to meet federal requirements for U.S. Bureau of Outdoor Recreation funds. Administration of the Allagash Wilderness Waterway was assigned to the Commission in 1965. In 1971, the Commission was abolished and its duties assumed by a new Parks and Recreation Department which, in state government reorganization of 1973, became the Bureau of Parks and Recreation in the Department of Conservation.

#### **PROGRAM:**

**Director's Office.** The Director's Office oversaw the activities of all of the agency's divisions, formulated bureau policy, coordinated finances and budget preparation, negotiated land transactions, drafted legislation and testimony and appeared at public hearings. The director served as senior staff to the Land for Maine's Future Board, participating in the Bureau's acquisition negotiations and/or planning

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efforts for lands at Turner, Lake George, the Aroostook Valley Railroad Right-of-Way, and the Bangor and Aroostook Right-of-Way. The director also began work as a member of the Forest Legacy Committee and was assigned the task of beginning negotiations for the Mattawamkeag Lake proposal.

The director served as the chair of the steering committee for the State-wide Comprehensive Outdoor Recreation Plan, which was completed in December 1993 (and subsequently approved by the National Park Service), and as the commissioner's designee on the St. Croix International Waterway and the Wells National Estuarine Research Reserve Management Authority. Under the director's leadership, work also began, in cooperation with the Department of Inland Fisheries and Wildlife, on a strategic plan for providing public access to Maine waters for boating and fishing.

With the continuation of timber harvesting at Mt. Blue State Park, the director was involved extensively in managing protests, monitoring the harvest, and attempting to negotiate acquisition of outstanding timber rights.

In FY94, several initiatives required the involvement of the Director's Office e.g. planning for expenditure of a \$3.1 million bond issue for water quality projects at state parks, implementation of a constitutional amendment requiring legislative approval of sale or change of use of bureau lands, promotion and sale of conservation license plates, and total quality management.

**Operations and Maintenance Division.** During the fiscal year 1994, the Operations and Maintenance Division provided recreational and educational opportunities for more than 1.9 million state park and historic site visitors. Income to the general fund was \$1,756,526, revenue sharing provided \$281,937 in payments to towns that contain Bureau of Parks and Recreation lands.

The Division manages 34 developed and staffed state parks, 22 historic sites, the Allagash Wilderness Waterway, the Penobscot River Corridor, and 52 public boat ramp facilities. The Division also monitors public use and resource protection at 21 undeveloped properties, 15 conservation easement areas, and 70 state-owned, locally operated parks and boat access sites. The Division continues to provide access at Land for Maine's Future properties including Mt. Kineo on Moosehead Lake, Shackford Head in Eastport, additional acreage at Bradbury Mountain State Park, Sabattus Mountain in Lovell, and 2,000 acres on the Androscoggin River in Turner and Leeds. Some additional land was purchased to complement these existing parcels.

Budget reductions from previous years continued to show their effects. The condition of the state park system continued to deteriorate from lack of funding despite the efforts of the staff.

The Division worked with the Department of Motor Vehicles to promote the sale of the new loon plates, from which the state park system will receive income. Although the divisions all other account was reduced, the sale of plates may provide enough income to allow the state parks and historic sites to remain open. In addition, Division staff developed and sold T-shirts and hats using the loon logo and "A Natural Treasure" slogan to increase revenues to the Environmental Trust Fund.

As in previous years, the Division continued outreach programs aimed at 3rd, 4th and 5th graders. The programs, which included education materials and visits to schools by park staff, focused on preserving the quality of the environment in Maine's state parks and historic sites. This year's annual poster contest for students across the state focused on promoting the loon plate and the importance of natural resource agencies.

Training continued to be a high priority with special emphasis on workplace safety. The annual ranger and lifeguard academies were held to train new staff for the state park system and prepare and retest skills for all staff working as lifeguards.

New initiatives during FY94 included:

- an experimental mountain bike trail at Camden Hills State Park;
- Maine Volunteers in Parks (MVP), a volunteer program for the state park system;
- three new citizens support groups, the Friends groups of Fort Edgecomb, Friends of Peary's Eagle Island, and Friends of Colonial Pemaquid;
- a new self guided trail at Mount Blue State Park;
- work on the water quality bond issue which will fund water quality improvement projects at approximately 12 parks and historic sites;
- concentrated efforts to develop a long overdue plan for access to state parks by people with disabilities;
- a new natural history booklet for the Allagash Wilderness Waterway;
- the introduction of golf carts at some state parks as alternative means of transportation for staff and equipment;
- the purchase of computers, fax machines and VCR equipment to improve communications among Division offices and field sites;

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- the installation of credit card machines at 11 state park campgrounds to increase sales and promote customer service; and
- the introduction of a new customer satisfaction program for the state park system.

The Division continues to seek alternative funding sources, encourage citizen support groups, and to work in cooperation with other agencies in an effort to provide quality recreation and education experiences and act as responsible stewards of the public investment in Maine's state parks system.

**Planning and Research Division.** In December, 1993, the State Comprehensive Outdoor Recreation Plan (SCORP) was completed and published. During FY94, the Division also continued to monitor beach level profiles at Sebago Lake State Park and a commercial timber harvest at Mt. Blue State Park. A demonstration harvest at Camp Tanglewood in Camden Hills State Park was completed.

The second half of FY94 saw the initiation of planning processes for an Allagash Management Plan; a State Park and Historic Site Natural and Ecological Area inventory, and a State Trails Plan. A draft revision to the Allagash harvesting guidelines was also prepared.

**Grants and Community Recreation Division.** In its second year back with the Bureau of Parks and Recreation, the program secured approval from the National Park Service for 7 new community park development and acquisition projects plus 2 State Bureau of Parks and Recreation projects totalling \$290,100 in federal Land and Water Conservation Fund monies.

In addition to new projects, over 25 existing federal acquisition and development projects were administered. The program was also responsible for post completion management of approximately 678 recreationally designated sites acquired or developed with Land and Water Conservation Fund assistance.

This year the program managed 11 Symms National Recreation Trails Fund Act projects with Maine's FY 1993 allocation of \$154,000 from the Federal Highway Administration (FHwy) to provide development grants and technical assistance to State and local governments and private sector applicants. Projects were selected for funding and submitted to FHwy and received approval by August 1, 1993. No federal funds were appropriated for this program during the State FY 94.

The "Recreation Bulletin" newsletter was published twice and distributed to over 900 community and school officials with notices of grant availability, technical bulletins and general recreation administration information. Other technical assistance to communities involved the drafting of several preliminary plans for recreation development projects and distribution of recreation management materials.

Working with other Bureau and Department programs and the Towns of Skowhegan and Canaan through the Lake George Corporation, the division facilitated the planning and development of the West Side of Lake George Regional Park. LAWCON funds were used to match the access improvement funds available through the Land For Maine's Future \$35 million bond issue and passed on to the Corporation. The West Side portion of the park, complete with new access road, parking areas and restrooms with full accessibility for people with disabilities was ready for use in August, 1993. An additional \$100,000 was made available through the program from Land and Water Conservation Funds for the planning and development of the East Side access improvements which are to be initiated in the fall of 1994.

In liaison with the Maine Recreation and Parks Association, the division continued promotion of youth sports coaches education and certification.

**Boating Facilities Division.** Grants to local communities and others provided new or improved boat access sites at: Freedom, Sandy Pond; Milford, Penobscot River; Princeton, Long Lake; Baileyville, St. Croix River; Skowhegan, Lake George; Washburn, Aroostook River; and Ellsworth, Union River. Capital expenditures on state-owned sites provided new or improved boat access sites at: Winthrop, Upper Narrows Pond; Seboomook, W.B. Penobscot River; T26ED, Penniman Pond and T26ED, First Chain Lake.

The Division began work with the Department of Inland Fisheries and Wildlife to produce the "Strategic Plan for Providing Public Access to Maine Waters for Boating and Fishing." The plan will be completed during the next fiscal year.

The Division works extensively with other state agencies, advisory groups, and federal officials to develop a process for providing and reviewing specifications for construction of boat sites that are accessible to people with disabilities.

The Division's Navigational Aids program currently identifies hazards and places navigational aids and regulatory markers in 19 waterbodies, assists associations in the marking of 6 waterbodies, and supplies marking material for one municipally-marked waterbody.

### **Off-Road Vehicle Division.**

**Snowmobile Program.** The Program continued to work closely with 270 active snowmobile clubs, providing them with assistance in program and membership development. Technical and financial

## CONSERVATION

assistance also provided clubs and interested municipalities with trail planning, development and winter grooming. The Program also continued its close working relationship with the Maine Snowmobile Association in a variety of snowmobile related activities such as regional meetings, workshops and the projects concerning the Interconnecting Trail System.

During the past fiscal year, the Program: processed 220 club grant applications, approving 218; approved 98 municipal projects which involved 157 municipal and/or county governments and several unorganized townships; and awarded 2 contracts to individuals to maintain approximately 65 miles of regionally significant trails in relatively remote sections of northern Maine. The total trail mileage included in all the snowmobile grant projects was 10,615, a slight increase over the 1992-93 season. The total expenditures under the club and municipal grant programs during the 1993-94 season was \$909,902. The Program continued the administration of five major snowmobile trail systems located on state and private land, as well as several smaller use areas within the state park system and the snowmobile trail network in the Evans Notch District of the White Mountains National Forest.

The Interconnecting Trail System (ITS) continued to be a growing tourist attraction for long distance snowmobiling. Extensions of some ITS trails were realized and others had to be relocated. A map of the ITS, including state-administered areas as well as other information and educational material about state laws and Program services, was a high-demand publication. A Northeast Snowmobile Trail (N.E.S.T.) marked through Maine, New Hampshire, Vermont, and Quebec continued to grow in popularity and expansion into New Brunswick, Prince Edward Island, Nova Scotia, New York, and Ontario are planned.

**ATV Program.** During the past year the ATV Program has helped develop several new ATV clubs while several others were disbanded. The Program assisted the Maine All-Terrain Vehicle Association in the further development of its program. Trail signs were available for the Program and information and educational material development was ongoing. There continues to be a problem gaining access to land for authorized trails and changing attitudes of landowners and ATV owners alike.

The maximum amount for club grants is \$1,500. Seven club grants were awarded during the fiscal year. A liability insurance program continued in place for landowners and clubs to protect them against liability claims on authorized trails. This incentive has been successful encouraging landowners to open their land. Our municipal grant program successfully approved 3 applications providing municipal guidance for new trails. The state administered ATV trail developed at Mt. Blue State Park opened in late FY92 as a multi use recreation trail. In addition, several abandoned railroad rights-of-way continued to be incorporated into a multi use trail system. The popularity of our authorized ATV trail map continues to increase. The map directs ATV owners to authorized areas to ride.

## LICENSES, PERMITS, ETC.:

**Operations & Maintenance:** Allagash Wilderness Waterway Timber Harvesting Permits.

## PUBLICATIONS:

1. Outdoors in Maine—free
2. The Allagash Wilderness Waterway—free
3. Rules & Regulations for State Parks and Historic Sites—free
4. Rules & Regulations for the Allagash Waterway—free
5. Maine Public Facilities for Boats Program—free
6. Maine Uniform State Waterway Marking System and Rules & Regulations—free
7. 1993 Maine State Comprehensive Outdoor Recreation Plan—free
8. Statewide Snowmobile Trail Map and ATV Trail Map—free
9. All-Terrain Vehicle Trail Marking Techniques—free
10. Brochures on Club & Municipal Grant Information—free
11. Moose River Bow Trip: Resource Assessment—free
12. Review of Current Recreational Boating Use of the Dead River and Rapid River—free
13. Outdoor Recreation Activity Participation and Trends—free
14. Various brochures on specific parks and historic sites and the campsite reservation system
15. Resource Inventory of the St. George River, Maine—free
16. Visitor Distribution, Characteristics, and Preferences on the Allagash Wilderness Waterway—free
17. 1987 Survey of State Park and Historic Site Day-Use Visitor Characteristics—free
18. 1987 Survey of State Park Camping Party Characteristics and Attitudes—free
19. Land and Water Conservation Fund Application Booklet—Free to municipalities and State

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Agencies upon acquisition or development site qualification.

20. Land and Water Conservation Fund Brochure—free
21. Maine Trails Funding Program Application Booklet—free
22. Recreation and Open Space Planning Workbook—free
23. Municipal Recreation Handbook—free to municipalities (limited supply)
24. Playing field design/development guidelines 1992—free
25. Tennis Court Minimum Specifications—free
26. Basketball Minimum Specifications—free
27. Recreation Program and Facility Schedule Software, IBM PC Compatible—free to municipal recreation departments
28. Municipal Recreation Budget Survey—free
29. Recreation Administration Information Library—free
30. Public Land Maps (10 sections)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF PARKS AND RECREATION</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	3,826,214	2,971,234	810,278		44,702	
Health Benefits	372,374	259,480	108,246		4,648	
Retirements	615,317	474,770	133,232		7,315	
Other Fringe Benefits	40,031	32,969	6,901		161	
Other Contract Services—State	58,805	9,116	49,689			
Computer Services—State	5,867	3,893	1,974			
Other Contractual Service	410,484	271,570	129,836		8,978	
Rents	68,991	25,537	43,384		70	
Commodities	205,198	117,896	87,179		123	
Grants—Subsidies—Pensions	1,292,489	84,869	1,066,193		141,427	
Purchases of Land	47,920		47,920			
Building Improvements	62,057	46,528	15,529			
Equipment	278,574		178,573		100,001	
Interest—Debt Retirement	1,021	987	34			
Transfers to Other Funds	21,434		20,445		989	
<b>TOTAL EXPENDITURES</b>	<b>7,306,776</b>	<b>4,298,949</b>	<b>2,699,413</b>		<b>308,414</b>	

## DIVISION OF PLANNING AND PROGRAM SERVICES

**E. SHIPPEN BRIGHT, Deputy Commissioner**

*Central Office:* AMHI Harlow Bldg., Augusta

*Telephone:* 287-4900

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* October 24, 1977

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 056P; Citation: 12 M.R.S.A., Sect. 5012

**PURPOSE:** The Division of Planning and Program Services is responsible for the department's information and education function, program review and evaluation, legislation, policy development, long-range departmental planning, the growth management review process, Affirmative Action, and Total Quality Management.

**ORGANIZATION:** The Director of the Division is Deputy Commissioner of the Department.



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**PROGRAM:** The Division has five sections. They are: Public Information & Education, Legislation, Planning, the growth management review process and Affirmative Action. The Division as a whole provides program staff support to the Commissioner and has responsibility for the programs and policies of the Department as a whole.

The Public Information Section is staffed by a full-time director of conservation information and education supported by a part-time secretary. This section provides public information and education services to the Land Use Regulation Commission; the Maine Geological Survey; the bureaus of Parks and Recreation, Forestry, and Public Lands; and the commissioner's office.

These services include the preparation and dissemination of essential public information and education releases. Examples of this work include public information about forest fire and flood hazard and conditions; state park public use advisories; announcements of events and activities at public facilities including state parks, public lands, and historic sites; announcements of public meetings; the adoption of rules, regulations, and fees; permit requirement changes; forest protection advisories; and announcements of public conservation program participation opportunities and deadlines.

The Section cooperates with the Maine Publicity Bureau and the Office of Tourism to prepare weekly, statewide fall foliage condition reports requested by instate/out-of-state media and tourism information providers using information gathered in the field by the Maine Forest Service.

Desktop publishing services are provided to department programs including preparation of camera ready materials needed for the printing of signs and markers for state parks and public lands, park visitor information brochures, meeting announcements, and public information advisories. The section prepares a monthly employee newsletter and a departmental newsletter (A Report on Maine's Forests Park and Lands).

The Legislative Section is responsible for coordinating the Department's legislative program with the Legislature and with the Governor's Office. The Section assists in the development and preparation of legislation, the presentation of legislation to interested groups, as well as the Legislature, coordinates communication from the Legislature to the Department and its various bureaus, evaluates legislation which is presented by those outside the Department, and advises the Governor's Office on the merits of legislation presented to him for his signature.

The Affirmative Action program is responsible for the updating and monitoring of the department's plan relative to achieving diversity in our work force and to providing employment opportunities for women, minorities and persons with disabilities.

The Planning Section coordinates the development and review of Department policy papers, coordinates the work of various bureaus on matters of inter-bureau concern, and assists various bureaus on matters of Departmentwide concern. This Planning Section coordinates the Total Quality Management (TQM) efforts of the department. This Section is responsible for coordinating the Department of Conservation's review process of municipal comprehensive plans as required by the Comprehensive Planning and Land Use Regulation Act (30 M.R.S.A. Sec. 4960) and the Office of Comprehensive Planning in the Department of Economic and Community Development.

The Division also responds to requests from other Departments and the Governor's Office for information concerning Departmental programs, affirmative action, federal grant applications, and natural resources' issues of inter-Departmental concern.

### PUBLICATIONS:

The following publications are available free of charge.

1. "Maine Forests, Parks and Lands," the Department's semiannual newsletter, is available upon request.
2. "Treat-Me-Right"—a guide for recreation use of private lands.

**FINANCES, FISCAL YEAR 1994:** This unit had no expenditures in FY 94.

## CONSERVATION

### DIVISION OF POLICY, PLANNING AND INFORMATION

THOMAS C. DOAK, DIRECTOR

*Central Office:* AMHI—Harlow Building, Augusta

*Telephone:* 287-2791

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* 1989

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 058P; Citation: 12 M.R.S.A., Sect. 8003

*Average Count—All Positions:* 6

*Legislative Count:* 5

**PURPOSE:** The purpose of the Division of Policy, Planning and Information is to provide information and educational services for forest management; implement the Forest Practices Act (P.L. 89 c. 555) and associated rules; gather and evaluate information regarding forest activities and long term forest resource trends; gather, analyze and publish tax information as required by statute.

**ORGANIZATION:** The Division of Policy, Planning and Information maintains 1-800 telephone service, the forest notification tracking system, policy and planning formulation services for the Bureau, primary forest information acquisition and analysis services, office automation and information management services, and technical Forest Practices Act enforcement consultation services.

**PROGRAM:** The Division of Policy, Planning and Information (PPI) acquires, analyzes and publishes forest resource, wood and wood product, and taxation information. The Division maintains the NOTAR information system of all forest harvest notifications in the state, the first ever roster of Tree Growth Tax Law properties in organized territories, as well as other required forest information.

PPI recently completed an assessment of Maine's wood supply detailing past and present wood harvest volumes and projecting future supply and demand for all the major tree species in the forest. The Division reviewed municipal comprehensive plans and consulted with municipalities creating forest ordinances as required by law.

PPI maintains a 1-800 information number for instate callers needing information about forest resources, forest practices, forest management activities as well as related forest regulations.

PPI coordinates all forestry information and education programs for the Bureau. The Division provides resource materials and support to educators and the general public. Activities include educational projects for Arbor Week, and the environmental education program "Project Learning Tree (PLT)." PLT is a forestry education program designed for teachers and other educators working with primary and secondary students to help develop skills, knowledge, and attitudes necessary to make wise decisions regarding conservation practices and resource use.

#### **PUBLICATIONS:**

Report on Stumpage Price Statistics by County (annual)

Silvicultural Practices Report (annual)

Total Value of Stumpage Harvested by County (annual)

Erosion & Sedimentation Control Handbook for Maine Timber Harvesting Operations—Best Management Practices—1991

Forest Regeneration and Clear-cutting Standards—MFS Rules Chapter 20

Maine Forest Practices Act (text of P.L. 89 c. 555)

The Use and Potential Impacts of Forestry Herbicides in Maine.

Assessment of Maine's Wood Supply

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## CONSERVATION

DIVISION OF POLICY, PLANNING AND INFORMATION	TOTAL FOR		General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS						
<b>EXPENDITURES</b>							
Salaries and Wages	177,052	147,703				29,349	
Health Benefits	19,071	16,460				2,611	
Retirements	30,918	26,116				4,802	
Other Fringe Benefits	2,096	1,581				515	
Other Contract Services—State	3,961	3,961					
Computer Services—State	243	243					
Other Contractual Service	46,313	45,727				586	
Rents	5,998	5,998					
Commodities	20,109	20,109					
Transfer to Other Funds	418					418	
<b>TOTAL EXPENDITURES</b>	<b>306,179</b>	<b>267,898</b>				<b>38,281</b>	

## BUREAU OF PUBLIC LANDS

THOMAS A. MORRISON, DIRECTOR

*Central Office:* AMHI—Harlow Building, Augusta

*Telephone:* 287-3061

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* October, 1973

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 04; Unit: 063; Citation: 12 M.R.S.A., Sect. 551

*Average Count—All Positions:* 40.5

*Legislative Count:* 0

*Organizational Units:*

Operations

Planning

Financial Management

**PURPOSE:** The Bureau of Public Lands, a dedicated revenue agency, is responsible for the management and administration of Maine's 480,000 acres of Public Reserved Lands, Submerged Lands, the Coastal Island Registry and other public lands as provided by law. It was created in 1973 by the 106th Legislature.

**ORGANIZATION:** The Bureau of Public Lands is divided into four administrative divisions (Business Management, Planning, Operations, and Silviculture) and four Regional Offices. The Business Management Division, in addition to overseeing business and financial matters, is responsible for the Submerged Lands Program. The Planning Division is responsible for formulation of policy and land use plans, land acquisition and communications, recreation, and management of coastal islands under the Bureau's jurisdiction. The Operations Division and the four field offices are concerned primarily with the administration of resource programs on the Public Reserved Lands. The Silviculture Division has primary responsibility for timber management. The Recreation Division has primary responsibility to formulate recreation policies and develop recreation sites. Field offices are located in Augusta (Southern Region), Farmington (Western Region), Presque Isle (Northern Region) and Old Town (Eastern Region).

**PROGRAM:** The following material deals with (1) Public Reserved Lands, (2) Submerged Lands, (3) Coastal Islands and (4) Public Lands.

### 1. THE PUBLIC RESERVED LANDS.

**Historical Perspective.** The primary workload of the Bureau is associated with the management of the Public Reserved Lands—a task which was initiated to expand the management program on this landbase, making it more available for public use and enjoyment and recapturing outstanding timber and grass rights which were sold to various private interests during the latter half of the 19th Century.

This landbase remains from the original sale of the public domain (1786-1878), when the Massachusetts General Court (and later the Maine Legislature) reserved land for public purposes from the sale of

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each township. In 1973, about 400,000 acres of this reserved land remained. It was scattered throughout the Unorganized Territory in parcels of roughly 1,000 acres or less.

**Development of the Landbase.** Through a combination of litigation and land trades with surrounding private landowners, the State has succeeded in recapturing exclusive title to the entire 400,000 acres and has expanded the system by an additional 80,000 acres, including about 30,000 acres through the Land for Maine's Future Fund. About 300,000 acres are now consolidated into 22 management units ranging in size from 3,000 to 30,000 acres.

**The Management Program.** The Bureau administers these lands under the principles of multiple use-sustained yield management, which means that all resource values are considered in the development of management plans and that the production of goods and services is undertaken in such a manner as to ensure the long term productivity of the landbase. The primary elements of this program include: commercial forestry, wildlife management, opportunities for dispersed/primitive recreation, maintenance of soil and water quality, preservation of aesthetic values and protection of species and habitat. Although the program is described as "multiple use", it is more properly applied as "dominant use"—which acknowledges that some portions of the landbase are more suited for a particular type of management than others. Thus, a remote area of the forest may be managed principally for commercial forestry (the dominant use) with supporting consideration for wildlife; and a shoreland zone along a river, although designated for wildlife management, will also be incorporated within the Bureau's recreational program.

**Resources.** The following material reflects a summary of the Bureau's resource programs, as contained in policies adopted in 1985.

(1) **Timber Management.** Timber management is the chief manipulative tool available for the management of the forest environment whether for commercial purposes (revenue production), recreation site development, road construction or wildlife habitat improvement. It is estimated that the commercial forest within the Public Reserved Lands System (land capable of producing 35 cubic feet of wood per acre per year—and available for harvest) extends over 325,000 acres. On an annual basis, the Bureau removes between 80,000 and 100,000 cords of timber. The revenue from the sale of this wood is deposited within a Public Reserved Lands Management Fund and used by the Bureau to cover program and operating costs.

(2) **Recreation.** The consolidated management units within the Public Reserved Lands System embrace some of the most picturesque areas of the Maine landscape, including both alpine and water resources ideally suited for recreational use. Among the more notable areas are the Mahoosuc and Bigelow Mountain ranges of Western Maine, both of which include portions of the Appalachian Trail; Nahmakanta in northern central Maine which also embraces part of the Appalachian Trail; the Deboullie-Red River country of northern Aroostook County; the Cutler Coast in Washington County; and the Donnell Pond-Tunk Lake region of Hancock County. Printed recreational materials are available from the Bureau for people interested in visiting these areas. The Bureau's management program in these areas is geared to dispersed, primitive recreation, emphasizing the quality of the "backcountry" experience in isolated locations, as opposed to high-density development normally associated with Parks. An additional part of the Bureau's recreation program is devoted to campplot leases—281 of which exist on the Public Reserved Lands, as a result of policies in effect years ago. Although the Bureau will take no action to jeopardize existing leaseholders, it will not issue any new leases.

(3) **Wildlife.** The Bureau's wildlife program—which is an integral part of the timber program—stresses diversity of (timber) species and age-classes to provide the broadest spectrum of habitat opportunities for all indigenous wildlife populations. Of particular significance, the Bureau has incorporated into its general management program the identification and management of "riparian zones"—a strip along all water resources and wetlands in which wildlife resources are managed as the "dominant" of the several multiple uses. The Bureau has also completed a volume of wildlife guidelines to enable Bureau foresters to incorporate wildlife management into forest management programs.

(4) **Soil/Water Management.** All management activities are designed, in accordance with standards of the Land Use Regulation Commission, to either maintain or improve existing soil and water quality.

(5) **Visual Resources.** Along waterways, through travel influence zones (major roads) and in sensitive mountain areas exposed to public view, timber harvesting is modified to retain as much of the natural character of the landscape as possible.

(6) **Critical Areas.** The Bureau has conducted broadscale surveys of almost 300,000 acres of Public Lands, with more intensive Natural Resource Inventories on 80,000 acres seeking areas of special significance. When significant critical areas are located, they are given appropriate protection in the management plan for the area.

(7) **Other Uses.** At the discretion of the Director, as prescribed in the Statutes, the Public Reserved Lands may also be made available for the construction of public roads, power lines, mining, mill and water rights and a number of other activities which serve the general public interest.

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### 2. SUBMERGED LANDS.

The people of the State of Maine have a proprietary interest in the several thousand miles of submerged lands which underlie Maine's coastal waters, as well as to the bottoms of all Great Ponds (10 acres or larger), which comprise inland waters. The Bureau of Public Lands is responsible for administering the use of this landbase, ensuring that the "public" has access to the State's waters and that they are properly compensated in those situations where such land is devoted to the private and exclusive use of individuals and organizations for commercial purposes. A policy governing the use and administration of these lands was updated in 1992.

### 3. COASTAL ISLANDS.

The Coastal Island Registry, created by the Legislature in 1973, resides within the Bureau of Public Lands. The purpose of the registry is to examine and clarify titles to Maine's Coastal Islands—principally, to identify islands which are properly in public ownership and to remove any question which may exist with respect to potential public interest in purportedly private islands. In the course of its work, the Registry has examined the titles of roughly 1,500 privately claimed islands, identifying incurable defects in an estimated 100 and incorporating into public administration some 1,300 islands for which no private claim or title has been advanced. Of the 1,300 islands for which no private claim was discovered, about 300 have been leased or transferred to other agencies of State government, conservation organizations and municipalities—in order to ensure that they are managed in a fashion most consistent with their character and resources. A user guide to selected state owned islands on the Maine Coast is available for people interested in visiting this unique resource. Recreation on some of the islands is managed cooperatively with the Maine Island Trail Association.

### 4. PUBLIC LANDS.

The Bureau manages a number of tracts which do not have the same Constitutional Status as the Public Reserved Lands, but which are managed in a manner similar to the Public Reserved Lands. As with the Public Reserved Lands, these lands are managed for multiple use and sustained yield of all resource values. These are chiefly former institution lands, such as those which once supported the agricultural enterprise of the Augusta Mental Health Institute. Although these lands are now managed for a variety of uses (agriculture, recreation, etc.), their primary purpose is to be available to cover the future administrative needs of State government.

### LICENSES, PERMITS, ETC.:

#### Permits:

- Timber Stumpage
- Gravel
- Bear Baiting

#### Leases:

- Submerged Lands
- Right of Way
- Agricultural
- Public Land (includes a variety of possible uses)

### PUBLICATIONS:

- General Recreation and Management brochures
- Management Plans for the Major Reserved Land Units
- Submerged Lands Brochure
- Wildlife Guidelines
- Your Islands on the Coast Brochure
- Recreational Brochures on Dodge Point and Bigelow Preserve

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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BUREAU OF PUBLIC LANDS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,021,988		1,021,988			
Health Benefits	131,430		131,430			
Retirements	167,200		167,200			
Other Fringe Benefits	14,822		14,822			
Other Contract Services—State	55,109		55,109			
Computer Services—State	53,823		53,823			
Other Contractual Service	191,931		191,931			
Rents	54,911		54,911			
Commodities	73,187		73,187			
Grants—Subsidies—Pensions	47,620		47,620			
Building Improvements	21,948		21,948			
Equipment	122,630		122,630			
Interest—Debt Retirement	135		135			
Transfers to Other Funds	26,628		26,628			
<b>TOTAL EXPENDITURES</b>	1,983,362		1,983,362			

## CORRECTIONS

# DEPARTMENT OF CORRECTIONS

DONALD L. ALLEN, COMMISSIONER

*Central Office:* Room 400, State Office Bldg., Augusta; *Floor:* 4  
*Mail Address:* State House Sta. #111, Augusta, Maine 04333

*Telephone:* 287-4360

*Established:* 1981

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; *Umbrella:* 03; *Unit:* 201; *Citation:* 34A M.R.S.A., Sect. 1202

*Average Count—All Positions:* 1203

*Legislative Count:* 1235.5

### *Organizational Units:*

Division of Probation and Parole  
Maine State Prison  
Juvenile Justice Advisory Group  
Office of Advocacy  
State Parole Board

Maine Correctional Center  
Maine Youth Center  
Charleston Correctional Facility  
Downeast Correctional Facility  
Bureau of Juvenile Corrections

**PURPOSE:** The Department of Corrections was established to control all of the state's correctional facilities, provide for the safety of guards and committed offenders, undertake appropriate programming for the classification, education and rehabilitation, and maintenance of committed offenders and to assure an effective system for the supervision of parolees and probationers.

The Department is responsible for the direction and general administrative supervision of the Maine State Prison, the Maine Correctional Center, the Charleston Correctional Facility, the Maine Youth Center, the Downeast Correctional Facility, the Maine Correctional Institution—Warren, and the Division of Probation and Parole.

The Department is authorized to adopt and implement rehabilitative programs, including work-release, within penal and correctional institutions; to establish regulations for and permit institutions under its control to grant an inmate or prisoner furlough from the institution in which he is confined; to establish programs which provide an environment of community living and control, pursuant to rules and regulations adopted by the Department of Corrections. The Department is authorized to expend correctional institution appropriations on persons within that portion of its sentenced or committed populations participating in halfway house, pre-release, vocational training, educational, drug treatment or other correctional programs being administered physically apart from the institutions to which such persons were originally sentenced or committed, for the purpose of defraying the direct and related costs of such persons participation in such programs. The Department of Corrections may provide or assist in the provision of correctional services throughout the State as authorized by Maine law, and the Department is responsible for setting standards and inspection of municipal and county jails.

**ORGANIZATION:** The Department of Corrections was created by the Legislature in 1981 to improve the administration of correctional facilities, programs and services for committed offenders.

**PROGRAM:** The program activities of the Department are discussed in the individual reports of its program components except for the following:

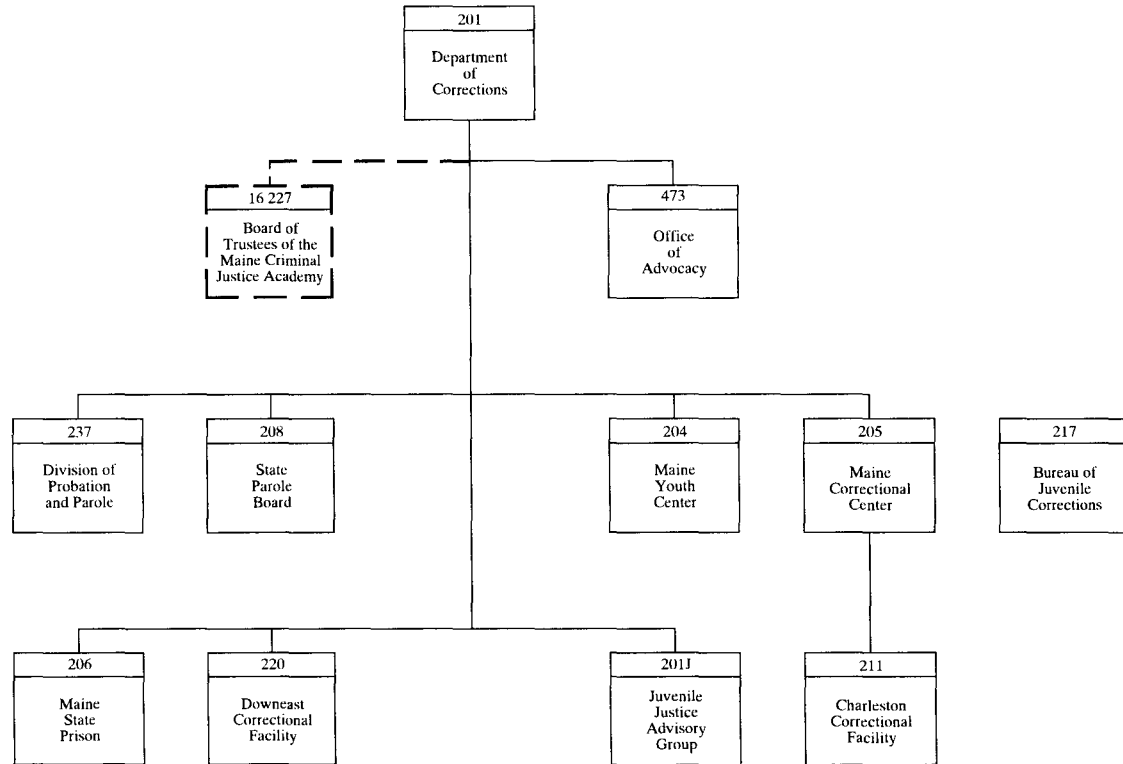
**Correctional Services.** A State-wide Correctional Improvement Program was enacted into law in 1975 to enable the development, expansion and improvement of correctional programs throughout the State and to encourage participation in such programs by persons, unincorporated associations, charitable nonstock corporations, local and county governmental units and State agencies.

The program is also funded for mental health services to correctional clients including those having drug and alcohol problems.

**Correctional Training Program.** The 108th Legislature passed into law mandatory training for all correctional officers working in municipal, county and state correctional facilities. The Department coordinated the development of the curriculum for this training with the cooperation of the county sheriffs and municipal jail staff to be conducted by the Maine Criminal Justice Academy.

**Jail Inspections.** The Department continues to set standards and inspect all county and municipal jails and detention centers.

**ORGANIZATIONAL CHART  
DEPARTMENT OF CORRECTIONS  
UMB 03**



Approved by the Bureau of the Budget



# CORRECTIONS

## CONSOLIDATED FINANCIAL CHART FOR FY94 DEPARTMENT OF CORRECTIONS

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	33,285,927	32,701,569	15,167		430,906	138,285
Health Benefits	4,458,462	4,389,496	3,135		48,473	17,358
Retirements	6,280,085	6,182,424	2,446		70,304	24,911
Other Fringe Benefits	402,920	396,140	252		5,704	824
Other Contract Services—State	4,502,274	4,172,434	15,949		182,441	131,450
Computer Services—State	101,737	64,694			37,043	
Other Contractual Service	3,929,382	3,802,109	10,587		49,591	67,095
Rents	375,994	324,914	17,213		414	33,453
Commodities	4,254,341	3,941,821	192,604		66,463	53,453
Grants—Subsidies—Pensions	3,811,943	3,672,370	642		138,931	
Purchase of Land	511,909	184,373				327,536
Building Improvements	96,202	34,557	32,243		29,402	
Interest—Debt Retirement	4,980	4,899	42			39
Transfers to Other Funds	11,547		1,996		7,154	2,397
<b>TOTAL EXPENDITURES</b>	<b>62,027,703</b>	<b>59,871,800</b>	<b>292,276</b>		<b>1,066,826</b>	<b>796,801</b>

## CORRECTIONS

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENT OF CORRECTIONS (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	966,622	905,644	13,560		47,418	
Health Benefits	96,215	89,804	2,831		3,580	
Retirements	174,945	165,099	2,197		7,649	
Other Fringe Benefits	9,363	8,771	225		367	
Other Contract Services—State	422,637	330,470	17,650		74,517	
Computer Services—State	15,499	15,499				
Other Contractual Service	139,584	131,316	237		8,031	
Rents	13,430	13,430				
Commodities	698,414	698,414				
Grants—Subsidies—Pensions	2,983,855	2,861,062	642		122,151	
Purchase of Land	328,181	645				327,536
Interest—Debt Retirement	31	31				
Transfers to Other Funds	4,678		963		3,715	
<b>TOTAL EXPENDITURES</b>	5,853,454	5,220,185	38,305		267,428	327,536

## OFFICE OF ADVOCACY

### EARL C. MERCER, CHIEF ADVOCATE

*Central Office:* Room 400, State Office Building, Augusta  
*Mail Address:* State House Sta. #111, Augusta, Maine 04333

*Telephone:* 287-2711

*Established:* January 15, 1984

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 03; Unit: 473; Citation: 34A M.R.S.A., Sect. 1203

*Average Count—All Positions:* 3

*Legislative Count:* 3

**PURPOSE:** The Office of Advocacy is established within the Department of Corrections to investigate the claims and grievances of clients, to investigate, in conjunction with the Department of Human Services, as appropriate, allegations of adult and child abuse or neglect in correctional facilities and detention facilities and to advocate for compliance by the Department of any correctional facility, any detention facility, or any contract agency with all laws, administrative rules and institutional and other policies relating to the rights and dignity of clients.

**ORGANIZATION:** There is a full-time Chief Advocate located at the Department of Corrections—Central Office who reports directly to the Commissioner of Corrections. At the present time there are three additional authorized Advocate positions, one full-time and two half-time. These may be assigned, as needed, to any facility or agency within the Department, including the State Prison, the Maine Correctional Center, the Maine Youth Center, Charleston Correctional Facility, Downeast Correctional Facility, the Pre-Release Centers, or the Division of Probation and Parole.

**PROGRAM:** The Office of Advocacy receives requests and complaints from prisoners and clients located in any institution or facility operated by the Department of Corrections or under contract with the Department of Corrections. The Office is also frequently contacted by family members, attorneys, legislators or persons from other public or private agencies with advocacy concerns. Complaints are investigated and reports and recommendations are provided directly to the Commissioner of Corrections, other administrators and staff within the Department and to the Legislature's Corrections Committee. The Chief Advocate also attends policy meetings with the Commissioner's staff and serves as advisor to the Commissioner and to Correctional Administrators on Human Rights issues and policies and procedures as they affect prisoner's rights and welfare.

## CORRECTIONS

The Office of Advocacy also provides for civil legal services to correctional clients through a contract agreement with Pine Tree Legal Assistance, Inc. This contract also provides for postconviction review and access to Maine courts for Maine prisoners who have been transferred by the Department to federal institutions and correctional institutions in other states.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF ADVOCACY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	84,712	84,712				
Health Benefits	7,447	7,447				
Retirements	13,865	13,865				
Other Fringe Benefits	1,053	1,053				
Other Contractual Service	999	999				
<b>TOTAL EXPENDITURES</b>	108,076	108,076				

## CHARLESTON CORRECTIONAL FACILITY

JEFFREY D. MERRILL, DIRECTOR

*Central Office:* Charleston, Maine

*Telephone:* 285-3307  
941-3055

*Mail Address:* RR#1, Box 1400, Charleston, Maine 04422

*Established:* 1980

*Sunset Review Required by:* June 30, 1994

*Reference: Policy Area:* 03; *Umbrella:* 03; *Unit:* 211; *Citation:* 34A M.R.S.A., Sect. 3601

*Average Count—All Positions:* 105

*Legislative Count:* 108

*Organizational Units:*

Charleston Correctional Facility

Bangor Pre-Release Center

**PURPOSE:** The purpose of the Charleston Correctional Facility is to confine and rehabilitate prisoners classified as minimum security. The facility has the additional purpose to provide educational/vocational opportunities and provide public restitution programs as part of a progressive corrections system.

The purpose of the Bangor Pre-Release Center is to confine and rehabilitate prisoners classified as community security. The program is designed to provide prisoners the opportunity to work for pay while incarcerated thus enabling the incarcerated prisoner with the opportunity to provide financial assistance to his family, pay victim restitution, and aid in establishing community corrections prior to release.

**ORGANIZATION:** The Charleston Correctional Facility is located on the site of the former Charleston Air Force Station in Charleston, Maine. The site was secured through a 30-year lease from the federal government. The facility opened under the administrative control of the Maine Correctional Center in 1980. In 1985, the facility was removed from that administrative structure and assumed primary responsibility for its own development and operation.

Prisoners confined at the facility are received from other more secure institutions such as the Maine Correctional Center in Windham, the State Prison in Thomaston, and the Downeast Correctional Facility in Bucks Harbor, Maine.

Bangor Pre-Release Center was established by the Maine State Prison in 1974. Due to the close proximity and availability of support services, it was administratively transferred to the control of the Charleston Correctional Facility in 1988. Prisoners are transferred to the facility from minimum facilities such as Charleston Correctional Facility, the Bolduc Correctional Facility in Warren, and the Downeast Correctional Facility.

## CORRECTIONS

**PROGRAM: Charleston Correctional Facility.** Through a comprehensive classification process, prisoners are housed at facilities which are designed to meet their security needs. Prisoners classified as minimum security, with less than three years remaining on their sentences are eligible to be transferred to Charleston Correctional Facility. This process also reviews the prisoners' needs for rehabilitative services such as educational, vocational, psychological, psychiatric, and substance abuse needs. Each facility provides available services based on the prisoners' individual needs.

*Education:* Educational services are provided by three academic teachers through a learning center/library located on facility grounds. Instruction is offered in GED preparation and testing, Adult Basic Education, i.e., literacy, remedial math, language arts, and basic computer skills instruction. In addition, this staff also coordinates parenting classes, life skills enrichment programs, and employment skills training.

*Vocational:* Vocational programs are provided in four areas: Basic Welding, Building Maintenance Trades, Small Sawmill Operation, and Forestry/Woodharvesting. The primary focus of these 16-week programs is to teach entry-level employment skills. Upon successful completion, prisoners receive certificates of competency. When needed, each program works in conjunction with the maintenance department to provide specialized tasks. The Woodharvesting and Sawmill programs work in conjunction with each other and through a cooperative agreement with the Department of Inland Fisheries and Wildlife to provide land management services for the Bud Leavitt Wildlife Management Area. In exchange for prisoner labor, the facility receives the wood harvested. In 1993-94, the Woodharvesting program produced over 731 cord of fuelwood which is used in the facility's boiler plant to provide heat and hot water for the entire physical plant. This has saved the facility over \$75,000 annually in fuel cost by eliminating the need for 110,000 gallons of fuel oil. In addition, over 73,000 board feet of lumber was produced which is used by the facility, other facilities within the Department of Corrections, and other state agencies.

*Restitution Programs:* Charleston Correctional Facility has an active public restitution program. In 1993-94, a total of 12,638 prisoner-hours were expended on projects for area municipalities, non-profit organizations and other state agencies. These included major renovations of the Brewer Police Department, a Mobile Crime Lab for the Maine State Police, roadside brush clearing, roofing projects, ramp at a hospital, painting of churches, school classrooms, and equipment boxes for the Maine Forest Service. On grounds improvements included re-roofing several buildings, completing interior renovations of three dorms, expanding emergency power, and completing upgrade of fire alarm systems.

*Firefighting:* Through an ongoing agreement with the Department of Conservation, over 60 prisoners were trained in forest fire fighting procedures.

*Substance Abuse:* Substance Abuse treatment is provided in group and individual sessions through the services of one part-time counselor. A.A. and N.A. groups are active and well attended.

*Psychological Services:* Currently, eight hours of psychological services are provided weekly by a contracted psychologist.

*Medical/Dental:* Two contracted R.N.'s from St. Joseph's Hospital screen minor medical problems for necessary treatment and make referrals to Dr. Thomas Haywood, the contracted physician in East Corinth. Necessary dental care is provided to prisoners in the main institutions prior to their transfer. When a prisoner requires emergency dental work, he is transported to a local contracted dentist.

*Religious Services:* Religious services are provided to all denominations by volunteers from area churches.

*Recreation:* The facility has an excellent gymnasium where prisoners are provided the opportunity to participate in basketball, volleyball, weight lifting, and billiards. There is also a softball field which is utilized extensively in the summer.

**PROGRAM: Bangor Pre-Release Center.** The pre-release program is the last of several progressive steps in the correctional system. Prisoners are encouraged to become more independent and self-sufficient. While the primary priority of the program is provide public safety by confining, containing, and controlling all prisoners within the institution, Bangor Pre-Release Center's secondary focus is to provide the prisoners with the educational, public restitution, and work release opportunities necessary so that they will return to society as productive members. Prisoners are afforded the opportunity to be released into the community to participate in gainful employment. Once prisoners are employed, they are responsible to contribute to their living expenses. During 1993-94, prisoner gross wages were \$238,699 from which \$4,048 was paid in federal taxes, \$2,122 in state taxes, and \$12,652 in FICA. In addition, prisoners paid \$44,060 in housing fees, contributed \$19,714 to family support, \$7,471 to victim restitution and \$99,444 in savings accounts for money for their release.

## CORRECTIONS

Prisoners not eligible to be released to the community or unable to find employment are assigned to restitution projects. Prisoner labor is used to supplement maintenance/laundry and kitchen services at Bangor Mental Health Institute. A total of 17,924 prisoner-hours were devoted to these tasks.

*Education:* Educational opportunities are available through local adult education programs.

*Substance Abuse:* Counseling and A.A. are provided on-site. Additional A.A. services are made available in the local community.

*Medical/Dental:* One contracted R.N. screens minor medical problems for necessary treatment and make referrals to Dr. Toby Adkins, the contracted physician. Necessary dental care is provided to prisoners in the main institutions prior to their transfer. When a prisoner requires emergency dental work, he is transported to a local contracted dentist.

*Recreation:* Recreational opportunities are limited to a fitness room, horseshoes, and softball.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

CHARLESTON CORRECTIONAL FACILITY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,572,380	2,534,922	1,607		35,851	
Health Benefits	401,435	393,397	304		7,734	
Retirements	512,094	505,958	242		5,894	
Other Fringe Benefits	34,151	33,522	27		602	
Other Contract Services—State	181,347	176,007			5,340	
Computer Services—State	11,918	11,918				
Other Contractual Service	240,759	239,684	292		783	
Rents	58,808	58,808				
Commodities	299,679	296,319	1,942		1,418	
Grants—Subsidies—Pensions	12,876	12,876				
Building Improvements	8,000		8,000			
Interest—Debt Retirement	63	63				
Transfers to Other Funds	307		22		285	
<b>TOTAL EXPENDITURES</b>	<b>4,333,817</b>	<b>4,263,474</b>	<b>12,436</b>		<b>57,907</b>	

## DOWNEAST CORRECTIONAL FACILITY

C. MARK CATON, DIRECTOR

*Central Office:* Machiasport, Maine

*Telephone:* 255-4554

*Mail Address:* HCR 70, Box 428, Bucks Harbor, Maine 04618

*Established:* 1984

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 03; Unit: 220; Citation: 34A M.R.S.A., Sect. 3901

*Average Count—All Positions:* 61

*Legislative Count:* 62

**PURPOSE:** The Downeast Correctional Facility was established by the Legislature in September 1984 for the confinement and rehabilitation of persons who have been duly sentenced and committed to the Department of Corrections.

**ORGANIZATION:** Funds were appropriated to purchase, renovate, and make the former Bucks Harbor Air Force Station operational as a correctional facility. The facility is a medium/minimum security institution and the prisoner count is at 107.

**PROGRAM:** Programs at the Downeast Correctional Facility are diversified.

*Educational.* Programs are in education and vocational training such as electrical, welding, and building trades. The education program has two certified teachers who are responsible for all testing and academic instruction. The academic instruction, though primarily geared for high school equivalency

## CORRECTIONS

(GED), will also focus on business courses emphasizing everyday life skills. These academic courses will be taught primarily on a semi-tutorial basis to meet the educational needs of the prisoner.

The vocational programs are staffed with instructors with competency and expertise in the following career areas: Electrical, Welding, and Buildings Trades.

*Religious Services.* A minister is providing services as a Chaplain. He coordinates services and meetings for prisoners of different denominations. He is also responsible for religious counseling to the prisoners and their families.

*Medical.* A Nurse is assigned to screen minor medical problems for necessary treatment and/or referral to the contracted medical service. A sick call service is provided. Emergency care and treatment is provided by the local area hospital.

*Dental.* Dental care is provided to any prisoner as the need arises. Prisoners are transported to the dentist by a Corrections Officer.

*Psychological Services.* A psychologist is under contract to meet the basic needs of prisoners.

*Caseworker.* A caseworker assists prisoners and their families in making recommendations for treatment programs within the community and in therapeutic and rehabilitative settings. The caseworker places the prisoner in aftercare programs which may involve foster home placement, mental health clinics, referrals, schools and/or vocational training agencies.

*Classification Committee.* This committee has a direct impact on the prisoner; for its primary responsibility is to orientate each new prisoner to the facility, its housing, care and/or its treatment and programs. The committee is virtually responsible for the safety and well being of each prisoner assigned to the Downeast Correctional Facility. The classification committee carefully analyzes all input to determine the initial anniversary and/or requested changes to the security status of prisoners housed at the facility.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DOWNEAST CORRECTIONAL FACILITY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,592,281	1,592,281				
Health Benefits	233,553	233,553				
Retirements	309,473	309,473				
Other Fringe Benefits	18,959	18,959				
Other Contract Services—State	87,398	83,981	-2,376		5,793	
Computer Services—State	7,129	7,129				
Other Contractual Service	120,883	120,347	170		366	
Rents	17,797	17,703	94			
Commodities	234,402	229,874	3,511		1,017	
Grants—Subsidies—Pensions	1,373	1,373				
Building Improvements	23,264	23,264				
Interest—Debt Retirement	13	7	6			
Transfer to Other Funds	33		5		28	
<b>TOTAL EXPENDITURES</b>	2,646,558	2,637,944	1,410		7,204	

## BUREAU OF JUVENILE CORRECTIONS

A. L. CARLISLE, ASSOCIATE COMMISSIONER

*Central Office:* Room 400, State Office Bldg.

*Telephone:* 287-2711

*Mail Address:* State House Sta. #111, Augusta, Maine 04333

*Established:* 1989

*Sunset Review :* Not Established

*Reference:* Policy Area: 03; Umbrella: 03; Unit: 217; Citation: 34A M.R.S.A., Sect. 6003

*Average Count—All Positions:* 2

*Legislative Count:* 2

## CORRECTIONS

**PURPOSE:** The purpose of the Bureau of Juvenile Corrections is as follows:

- A. Strengthen the capacity of families, natural helping networks, self-help groups, and other community resources to support and provide services to juveniles.
- B. Facilitate the planning, promotion, coordination, delivery, and evaluation of a comprehensive system of services to juveniles and their families, that system to be organized on a regional basis throughout the State.

**ORGANIZATION:** The Bureau is under the direction of the Associate Commissioner of the Department, who reports directly to the Commissioner.

**PROGRAM:** During FY 1994, the Bureau continued its work to implement the plan contained in "Towards the Year 2000." The Bureau will concentrate on continuing to implement this plan, as resources permit. Programs and activities related to juveniles continue to be coordinated by the Bureau.

**PUBLICATIONS:**

"Towards the Year 2000"—available on request for cost of printing.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF JUVENILE CORRECTIONS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	58,117	58,117				
Health Benefits	5,447	5,447				
Retirements	11,126	11,126				
Other Fringe Benefits	81	81				
Other Contractual Service	904	904				
Commodities	9	9				
<b>TOTAL EXPENDITURES</b>	75,684	75,684				

## JUVENILE JUSTICE ADVISORY GROUP

**MICHAEL E. SAUCIER, CHAIRMAN**

*Central Office:* Hallowell State Office Complex, Flagg-Dummer Bldg.,  
Winthrop Street, Hallowell

*Telephone:* 624-6025

*Mail Address:* State House Sta. #144, Augusta, Maine 04333

*Established:* 1979

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 03; Unit: 201J; Citation: 34A M.R.S.A., Sect. 1209

*Average Count—All Positions:* 1

*Legislative Count:* 0

**PURPOSE:** The Juvenile Justice Advisory Group (JJAG) was created in response to the requirements of the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended by PL 102-586 (the JJDP Act). In Maine, the overall responsibility of the Juvenile Justice Advisory Group is to participate in the development of the State's juvenile justice plan and to review and act on all juvenile justice and delinquency prevention grant applications for Federal formula grant funds. In addition, the Juvenile Justice Advisory Group advises the Governor and the Legislature on matters related to delinquency, the prevention of delinquency, and the requirements of the Act for detaining and incarcerating juveniles; develops more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and improvement of the juvenile justice system; and

reviews the progress and accomplishments of juvenile justice and delinquency prevention projects funded under the State plan.

**ORGANIZATION:** The Juvenile Justice Advisory Group was established in 1975 as a committee of the Maine Criminal Justice Planning and Assistance Agency Board of Directors. It was formalized by Executive Order 4 FY 80 on October 5, 1979, and authorized by statute in 1984 (34A M.R.S.A. § 1209). Consistent with Sec. 223(a) (3) of the JJDP Act, the advisory group consists of not less than fifteen and not more than thirty-three representatives of the following interests: representatives of units of local government, law enforcement and juvenile justice agencies, including law enforcement, corrections or probation personnel, and juvenile court judges; representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, or youth services departments; representatives of private organizations concerned with delinquency prevention or treatment, neglected or dependent children, and the quality of juvenile justice, education or social services for children; representatives of public/private agencies which utilize volunteers to work with delinquents or potential delinquents; representatives of community-based delinquency prevention or treatment programs; representatives of business groups and businesses employing youth; representatives with special experience and competency in addressing the problems of school violence and vandalism; and representatives with special experience with the problems of learning disabilities.

In addition, a majority of members (including the chairman) may not be full-time employees of the federal, state or local government. At least one-fifth of the members must be under the age of 24 at the time of appointment, and at least three members must have been or currently be under the jurisdiction of the juvenile justice system.

Since July 1, 1982, the Governor has delegated his responsibilities for administrative support of the JJAG and management of the federal formula grant funds to the Commissioner of the Department of Corrections.

**PROGRAM:** The federal allocation for Maine's Juvenile Justice and Delinquency Prevention Program for federal FY 93 was \$343,658, including funds for grants programs and administration. Of this amount, \$24,375 was allocated for the administration of the program and \$17,183 was allocated for the expenses of the JJAG, leaving \$302,100 for grants to private, not-for-profit organizations and units of state and local government for projects designed to remediate or prevent delinquency.

The JJAG met six times to conduct regular business, including regular monitoring for state compliance with the requirements of the Act and to develop the Comprehensive Juvenile Justice and Delinquency Prevention Plan for 1992 to 1993. In addition, its several standing and ad hoc committees met as necessary to further JJAG initiatives in conformance with Plan objectives.

**Grants Committee.** Programs funded in FY 94 were two pilot projects to develop alternatives to jail for juvenile offenders, one operating in Penobscot, Piscataquis, Aroostook, Washington, Hancock, and Waldo Counties and the other in Cumberland County, a statewide delinquency prevention project, a delinquency prevention project of the Penobscot Indian Nation and a grant to support education for legislators on juvenile justice issues.

**Legislative Committee.** The Legislative Committee reviewed all bills submitted to the 116th Legislature which might affect juvenile offenders and those at risk of delinquency. The Committee regularly took positions on such bills, especially those which had some bearing on Act requirements, as they are applied in Maine, or which related to initiatives described in the Plan.

**Jail Monitoring/Futures Committee.** The Jail Monitoring Committee has for some years had primary responsibility for developing, revising, and promoting implementation of Maine's plan to remove juveniles from adult-serving jails and lockups. Now, recent changes in Maine law bring Maine into compliance with the federal jail removal mandate. Consequently, the committee is shifting its planning focus from compliance to broader issues of juvenile justice system effectiveness and economy. The committee will continue to monitor state compliance with all JJDP Act requirements.

**Prevention Committee.** The JJAG has had a long-standing commitment to promote the incorporation into state policies and programs of strategies to prevent the occurrence of delinquency and other harmful or counterproductive juvenile behaviors. The Prevention Committee is responsible for finding opportunities and developing activities for accomplishing this goal.

**Violent and Chronic Offender Committee.** This committee assesses the treatment and security needs of violent juvenile offenders and of chronic juvenile offenders. It then develops strategies for meeting those needs.

**Additional Activities.** The JJAG, as a matter of policy, makes itself available for cooperative efforts with public and private agencies which request planning, evaluation, or technical assistance for programs



## CORRECTIONS

consistent with the goals articulated in the Comprehensive Juvenile Justice and Delinquency Prevention Plan. The JJAG possesses, as well, a limited ability to respond to public and private inquiries for research and other information on the subject of delinquency and its prevention.

### **PUBLICATIONS:**

Copies of the following publications may be obtained, free of charge, from the JJAG, Department of Corrections, State House Station 144, Augusta, Maine 04333:

Maine Comprehensive Juvenile Justice and Delinquency Prevention Plan, 1994-1996, and annual updates.

Juvenile Corrections in Maine: An Action Plan for the 1990s (Report of the Juvenile Corrections Planning Commission)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Corrections.

## **MAINE CORRECTIONAL CENTER**

**JAMES R. CLEMONS, SUPERINTENDENT**

**JAMES F. HOWARD, Assistant Superintendent, Rehabilitative Services**

**RICHARD McKEEN, Assistant Superintendent, Security**

*Central Office:* 17 Mallison Falls Road, Windham

*Telephone:* 892-6716

*Mail Address:* 17 Mallison Falls Road, Windham, Maine 04062

*Established:* 1919

*Sunset Review Required by:* June 30, 1994

*Reference: Policy Area:* 03; *Umbrella:* 03; *Unit:* 205; *Citation:* 34A M.R.S.A., Sect. 3401

*Average Count—All Positions:* 291

*Legislative Count:* 285

### *Organizational Units:*

Care & Treatment Unit

Custody & Control Unit

Pre-Release Centers

Business Services

**PURPOSE:** The Maine Correctional Center, formerly known as the Men's Correctional Center, was established for the confinement and rehabilitation of persons over the age of 18 years who have been duly sentenced and committed to the custody of the Department of Corrections pursuant to MRSA 34-A, §3401 and in addition is the State prison for adult female offenders committed to the Department of Corrections. The Center may also accept transfers from the Maine State Prison and other state correctional facilities for participation in Center programs. The Center holds a limited number of Federal detainees for U.S. District Court in Portland.

All persons committed to the Center are detained and confined in accordance with the sentence of the court and rules and regulations of the Center. Provisions for the safekeeping or employment of prisoners are made for the purpose of teaching such prisoners a useful trade or profession and improving their mental and moral condition. The Superintendent has supervision and control of the prisoners, employees, grounds, buildings and equipment at the Center.

**ORGANIZATION:** The Maine Correctional Center at Windham was established in 1919 as the State Reformatory for Men, administered by trustees. It was originally designed for the incarceration of male offenders for any crime except murder and as a medium security institution with a maximum security capability for short duration confinement. In 1931, the Reformatory was placed under the Department of Health and Welfare, and in 1939 under the Department of Institutional Service which, in 1959, became the Department of Mental Health and Corrections. The Department of Corrections was established in 1981. The Reformatory was renamed the Men's Correctional Center in 1967. On April 13, 1976 a law was enacted which changed the name to the Maine Correctional Center and combined the Women's Correctional Center and the Men's Correctional Center together on the grounds of the Men's Correctional Center in Windham making this Center co-educational.

## CORRECTIONS

**PROGRAM:** The program of the Maine Correctional Center has several facets.

**Care, Treatment, Custody and Security.** The merger of the Women's and Men's Correctional Centers was accomplished while attempting to retain the most effective services of both programs. By statute and by program desire, the housing facilities for the men and women are separate. Through classification, prisoner needs are identified and consequently programs have been developed to meet these needs. The Center has medical, dental and nursing services. Consulting psychological and psychiatric services are currently available on a limited basis.

**Religious and Educational Theology Programs.** These services are offered by a community clergy, special programs are offered by various religious groups within the community providing further enrichment to this program. In addition, there is an active community clergy visitation program and a volunteer program.

**Substance Abuse Treatment.** Chemically dependent residents have access to the self-help fellowships of Alcoholics Anonymous (A.A.), and Alanon. The self-help groups are generously supported by outside community members.

**Social Services.** The Social Services Program consists of six licensed social workers and a Social Services Supervisor. This program assists residents with adjustment to the institution, provides rehabilitation counseling and coordinates the utilization of institutional and community resources.

**Education Program.** The Education Program has a teacher-principal and two academic teachers, who are federally funded. These two people are responsible for all academic instruction including Remedial Reading and Arithmetic, High School Equivalency (GED), High School Completion. The academic courses are taught on a semi-tutorial basis with each student's program being tailored to meet the indicated needs in an atmosphere conducive to the learning process while striving to develop an appreciation of the value of education. The school has received a two year federal grant for a program to improve prisoners literacy.

The vocational area is staffed with four instructors, all of whom are state funded. These instructors offer courses in the following fields: Graphic Arts, Meat Cutting, Fleet Maintenance, and Business and Office Procedures.

**Classification Committee.** This Committee determines individual programs within the institution and utilizes the community when a need can apparently be better met there than in the Institution. Once it is determined that the individual prisoner has no known problem areas which could be of danger to the society and can accept the responsibility of being in the community, the prisoner, upon approval, may be placed on a paying job through Work Release. Or, the prisoner may be placed in the community for educational purposes on the Study Release Program and housed either at the Center, or a pre-release center. The Furlough Program also allows the Center, for specific reasons, to allow the prisoners to be in the community for limited periods of time.

**Recreation.** The recreation department utilizes the gymnasium, outdoor playing field, and numerous leisure time activities including a canteen room. Offground activities are minimal due to the large number of inmates and the length of sentences.

**Housing Areas Program.** A prisoner may move through a program of housing areas as determined by a multi-level classification process. The correctional officer staff and classification committee are responsible for determining the prisoner's needs, and moving the prisoner to the area in which these needs can best be met, and helping him/her to meet the standards and living conditions of that area and move to another area which will further broaden his/her capability of making social adjustments so once he/she returns to the community he/she will be better able to be socially accepted in society.

The Correctional Center also has responsibility for the Central Maine Pre-Release Center in Hallowell.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## CORRECTIONS

MAINE CORRECTIONAL CENTER	TOTAL FOR		Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS	General Fund				
<b>EXPENDITURES</b>						
Salaries and Wages	7,328,666	7,181,732			146,934	
Health Benefits	1,019,031	1,004,000			15,031	
Retirements	1,438,667	1,414,791	7		23,869	
Other Fringe Benefits	94,692	93,176			1,516	
Other Contract Services—State	2,010,574	1,922,142	675		87,757	
Computer Services—State	12,375	12,375				
Other Contractual Service	552,210	534,957	9,511		7,742	
Rents	47,367	31,875	15,492			
Commodities	1,178,672	971,823	180,023		26,826	
Grants—Subsidies—Pensions	98,274	98,274				
Building Improvements	12,858		10,815		2,043	
Interest—Debt Retirement	604	568	36			
Transfers to Other Funds	2,341		957		1,384	
<b>TOTAL EXPENDITURES</b>	13,796,331	13,265,713	217,516		313,102	

## MAINE YOUTH CENTER

**RICHARD J. WYSE, SUPERINTENDENT**

**FRANCIS A. CAMERON, Assistant Superintendent, Rehabilitative Services**

**ROBERT LANCASTER, Assistant Superintendent, Care Custody and Security**

*Central Office:* 675 Westbrook Street, South Portland

*Telephone:* 822-0000

*Mail Address:* 675 Westbrook Street, South Portland, Maine 04106

*Established:* March, 1853

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 03; Unit: 204; Citation: 34A M.R.S.A., Sect. 3801

*Average Count—All Positions:* 191

*Legislative Count:* 201

**PURPOSE:** The Maine Youth Center was established to rehabilitate clients committed to the Center as juvenile offenders so that they eventually return to the community as more responsible, productive, law-abiding citizens. The Center is responsible for the rehabilitation of juvenile offenders committed by Maine courts, applying the disciplines of education, casework, group work, psychology, psychiatry, medicine, nursing, vocational training and religion as it relates to human relations and personality development. Boys and girls between the ages of eleven and eighteen may be committed to the Center for the term of their minority. The Superintendent acts as a guardian to all children committed, and may place any such child on entrustment with any suitable person or persons or public or private child care agency.

**ORGANIZATION:** The Maine Youth Center at South Portland was established in 1853 as the State Reform School, administered by a Board of Trustees. It was renamed State School for Boys in 1903. The Board of Trustees was abolished in 1911, and its duties were assumed by the Trustees of Juvenile Institutions. In 1931, the school was placed under the Department of Health and Welfare, and in 1939, transferred to the Department of Institutional Services, which later (1959) became the Department of Mental Health and Corrections. In 1981, the Department of Corrections was established. In 1959, the School was renamed the Boys Training Center. In 1976, the 107th Maine State Legislature, in special session, established the Maine Youth Center as the only coeducational institution for juvenile offenders.

**PROGRAM:** The Maine Youth Center continues to redefine many of its program functions to enable a total multi-disciplined team approach in working with those committed and held within the facility. The Maine Youth Center functions as a total coeducational rehabilitative resource within the state-wide correctional setting.

## CORRECTIONS

*Care, Custody and Security:* This department, which encompasses cottage life, admissions unit, control units, intensive care units, security treatment unit and the Hayden Special Treatment Unit, has continued to experience the excitement and satisfaction of functioning within an ever improving program. Our experience has mandated that we develop specialized programs in the areas of drug and alcohol, work release and independent living, violence and sex offender and a program for residents with educational problems. We have also divided the female program into two separate treatment units. The treatment teams, represented by staff from various disciplines with which each client is involved, function in an integrated and cooperative manner in the rehabilitation process of each individual client entrusted to the care of the Center.

The cottage life units, under the supervision of a Unit Director, function as the hub of the Center's total program. Each unit has a regular team which works with the Unit Director who is the liaison between various disciplines. The team has become involved in the programing, counseling and disciplining of the residents. Other staff may also have been assigned to the team. These staff are from disciplines such as Education, Physical Education and Recreation and, when the need arises, the Psychologist and a Psychiatrist also participate. Accountability on the part of the residents has become an integral part of our program. Each resident is accountable for his or her actions immediately. Our tendency continues to be more "Reality Therapy" oriented.

The team concept has increased participation in programs throughout the institution. The staff, through this active participation, has become more involved with the total rehabilitation of the clients. The teams are constantly reviewing, and when necessary, suggesting and implementing program adjustment. Over and above the regular weekly meetings, special meetings are called in order that the team might deal with any emergency or special situation which arises. The common treatment approach utilized by the team in working with clients is an involvement process in which staff members exercise the concepts of Reality Therapy as they relate to presenting the client with the opportunity to choose to change to a more positive behavior. Off-grounds shopping trips, movies, work experience, weekend leaves and extended leaves are a few examples of privileges which are available and earned. Each client is assigned to a member of the team who is responsible for tracking the client's individual program. This tracking system continues to ensure a greater degree of success for each client within his or her individualized program. Clients of both sexes have benefited from an expanded coeducational program.

The Student Committee, comprised of student representatives and their alternates elected through a democratic process, convenes monthly to deal with a wide variety of subjects. The committee contributes to the development and review of the Center's programs and policies and seeks to ensure fair treatment for all students committed to the Center's care.

The Control Unit served as a most important communications and dispatch area for the Center. The team concept continued to be an asset to these units as a result of improved communications and increased team recommendations which, in most cases, and after review, were implemented. These areas of responsibility required a defined working order and consistency in handling the numerous and varied problems encountered. The Intensive Care Unit served as a relief valve for the open cottage community by providing accommodations for clients who acted in aggressive and/or assaultive types of behavior or who otherwise conducted themselves to the detriment of the programs.

The Hayden Treatment Unit is made up of three closely coordinated and functionally interrelated components: the educational component, the social services component and the cottage life component. The Unit is different from other more traditional treatment units within the Center, and is able to provide a comprehensive range of "in-house" services, tailored to the needs of each client. A few of the elements utilized within the Hayden Treatment Program are referral and intake processes, development of individualized treatment plans, individual and group therapy sessions and family therapy sessions.

The Security Treatment Unit deals primarily with clients who have proven by their own actions that they are unable to function in any of the other existing programs at the Maine Youth Center. Assignment of clients to this unit is made to stabilize client behavior in order that they may re-enter other less secure programs within the institution and function in a responsible and accountable manner.

*Rehabilitative Services:* During the past year, the Center's Psychology Department continued to expand services in carrying out its mandate to provide all necessary psychological services for each committed student. Diverse and varied programs of psychological services have been developed on the basis of careful studies of emergent psychological needs of the students themselves. The scope of our program has been broadened and challenged due to the ever increasing and, at times, complex psychological needs of the population. Salient features of this work have reflected the Center's concern with each client as a whole person.

*Social Services Division:* The Maine Youth Center's Social Services Division continues to function in coordinating residential and aftercare programs. Within fiscal limitations and continued stringent

## CORRECTIONS

interpretations of juveniles' rights, the interdepartmental staff through a coordinated effort are developing and implementing a strong program. The intake orientation procedure continued to schedule social services and other professional staff to interview and familiarize each new client with the Center, its staff and its programs. The Director of Social Services, in collaboration with the Unit Directors, continues to participate in cottage teams, counseling, coordinating emergency and privileged leaves, preparing reports for Reception Staffing and Clinical Services Committee meetings, and communicating with Juvenile Services Caseworkers, parents and/or interested parties involved with their clients. Their routine includes visiting clients assigned to the Intensive Care Unit on a daily basis and those assigned to the intermediate security cottage on a biweekly basis and attending regularly scheduled visiting days.

Juvenile Services Caseworkers continue to provide community based clients of the Maine Youth Center with extended services. In addition, the Juvenile Services Caseworkers maintain contact with families and community organizations of our residents during their stay. They provide a constant communications link between the Maine Youth Center and the communities.

The Reality Therapy model at the Center has brought changes through the Classification Committee and Social Services. Rather than a time limited contract system, each case is presented as a plan for the "rehabilitation" of that individual with objective, specifiable goals and long and short-run objectives. This rather major change in emphasis has some far-reaching implications for the juvenile justice system in Maine.

*Hold for Court Evaluations:* The court continues to send many clients to the Center for evaluation and hold.

*Diagnostic Services:* In accordance with the statutes of the State of Maine, the Maine Youth Center continues to provide diagnostic services to adjudicated juveniles. Basically, three reports — Social Summary, Psychological Evaluations and Psychiatric Evaluations — were submitted to the requesting court on particular clients. This includes services for female juvenile offenders, as well as those already established for male juvenile offenders. Also, additional educational testing and medical examination results were occasionally provided on request. The number of requests for this service has increased significantly each year in that this service has been offered to the courts.

*Substance Abuse:* The Social Service Director and/or counselors have continued to conduct in-residence counseling training for staff and volunteer personnel. This, coupled with staff participation in professional substance abuse workshops, has helped this agency gain awareness of the high incidence of drug abuse among clientele. An Alcoholics Anonymous (A.A.) program has recently been started, reaching out to our youth who need help. One cottage is a certified chemical abuse treatment facility. The Maine Youth Center program continues to work with established community drug and alcohol agencies in order to provide treatment for youth.

*Education:* The Arthur R. Gould School of the Maine Youth Center is approved by the Department of Educational and Cultural Services for the purpose of providing a full range of educational services to residents to include traditional academic classes; remediation; special education; supportive Chapter I programs; vocational education; equivalency diploma (GED); tutoring; achievement and diagnostic testing (to include educational psychological evaluation); and general socialization and survival skills. The School's basic role is to provide students with the opportunity to make significant educational gains, both in terms of knowledge and skill attainment and credit accumulation, and to make every effort to transition students back into their public schools as quickly and smoothly as possible. Efforts over the past several years to enhance and legitimize special education programming and services has resulted in compliance with P.L. 94-142. Arthur R. Gould School educators have recently completed a School Improvement self-study and submitted a five year School Improvement Plan to the Department of Educational and Cultural Services in order to meet continued school approval status. This document will also become the basis for determining the school's compliance with the Education Reform Act of 1984. New positions which have been funded with the beginning of the 1987-88 School Year are necessary for full compliance to be realized include guidance, fine arts, foreign language, computer sciences and career education. The school has also developed a comprehensive plan for pre- and in-servicing educators and providing opportunities for professional growth.

In conjunction with the institution moving to a Reality Therapy Treatment model, the Arthur R. Gould School is implementing a Schools Without Failure educational model to include such innovations as non-graded classes, daily success lessons, classroom meetings and a discipline procedure based on Reality Therapy.

*Volunteer Services:* Volunteers at the Center provide group counseling, one-to-one counseling, religious conference retreats, religious education, conduct moral inventory testing, function as reading aides, and provide supportive friendships.

## CORRECTIONS

*Worship Services:* Worship is offered to the students in the form of Protestant services on Saturday, led by the chaplain and volunteers. On a voluntary basis, Roman Catholic Masses are offered on Friday afternoons.

*Foster Grandparents:* Our grandparents provide moral inventory testing, interviewing, cottage friendships, sewing, knitting, fly tying and model building, along with a number of other activities.

*Medical:* The provision of medical and dental services for admitted and Hold For Court clients was determined following the physical and dental examinations. The assessment and plan for each client was determined and when applicable, consisted of community referrals to Maine Medical Center, Mercy Hospital, Family Planning and other medical specialists. Services to clients that may have been started prior to their committal were continued with the respective physicians until care was completed. Each assessment and plan was reviewed and updated as necessary. Individual health care for the prevention of infection and contagion, along with the establishment of good health habits, is stressed by the Medical Department. Medications and treatments were administered, as prescribed by our attending physician who visited each week for one-half day.

*Physical Education:* The Center's Department of Physical Education, Recreation and Athletics continues to provide a built-in flexibility to the program which can better meet the needs of the clients. The broad scope of the program includes such areas as individual instruction, leisure time sports, intramurals, physical education classes and a varied program of activities such as games, dancing and in-cottage contests. Additional programs have been developed and will continue to be developed to meet the needs of a coeducational program.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE YOUTH CENTER	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	5,730,885	5,534,930			195,955	
Health Benefits	672,627	650,651			21,976	
Retirements	1,065,844	1,033,745			32,099	
Other Fringe Benefits	61,191	58,033			3,158	
Other Contract Services—State	314,218	309,534			4,684	
Computer Services—State	8,940	8,940				
Other Contractual Service	414,495	399,419			15,076	
Rents	78,493	78,079			414	
Commodities	365,224	330,962	1,230		33,032	
Grants—Subsidies—Pensions	212,671	212,671				
Building Improvements	10,203	10,203				
Equipment	29,683	11,293			18,390	
Interest—Debt Retirement	2,629	2,629				
Transfers to Other Funds	1,323		5		1,318	
<b>TOTAL EXPENDITURES</b>	8,968,426	8,641,089	1,235	q	326,102	

## NORTHERN MAINE REGIONAL JUVENILE DETENTION FACILITY NOT YET BUILT

*Central Office:* Not yet built

*Mail Address:* Not yet built

*Reference: Policy Area:* 03; *Umbrella:* 03; *Unit:* 225; *Citation:* 34A M.R.S.A., Sect. 4101

## CORRECTIONS

**PURPOSE:** The purposes of the Northern Maine Regional Juvenile Detention Facility are:

1. **Detention.** To detain juveniles prior to juvenile court appearances when a court orders that the juvenile be securely detained;
2. **Diagnostic evaluation.** To administer court-ordered diagnostic evaluations pursuant to Title 15, section 3309-A and court-ordered examinations pursuant to Title 15, section 3318; and
3. **Confinement.** To confine juveniles ordered detained pursuant to Title 15, section 3314, subsection 1, paragraph H.

**ORGANIZATION:** This facility is still in the planning stages.

**FINANCES, FISCAL YEAR 1994:** This unit did not expend funds in fiscal year 1993-94.

## STATE PAROLE BOARD

**PETER J. TILTON, Secretary**

*Central Office:* Room 400, State Office Bldg., Augusta; *Floor:* 4

*Telephone:* 287-4381

*Mail Address:* State House Sta. #111, Augusta, Maine 04333

*Established:* 1931

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 03; Unit: 208; Citation: 34A M.R.S.A., Sect. 5201

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The State Parole Board was established to rehabilitate and restore persons convicted of crime to useful membership in society by offering the institutionalized convict the opportunity to make good on his own outside prison walls. The primary responsibilities of the Board are to determine the time of parole for each inmate and prisoner or to revoke parole when warranted due to parole violation. The Board also determines the time of discharge of parolees from parole supervision, formulates policies, adopts regulations and establishes procedures

**ORGANIZATION:** The State Parole Board, created in 1931 under the name of Parole Board, originally consisted of three members: the Commissioner of Health and Welfare and any two members of the Executive Council designated by the Governor. From 1931 to 1939, the Board was under the Department of Health and Welfare, and from 1939 to 1957 under the Department of Institutional Service. In 1957, the Parole Board was abolished and its duties were assumed by the State Probation and Parole Board. In 1967, a Division of Probation and Parole was created within the Bureau of Corrections to administer probation and parole services in conjunction with the Board's parole duties. The Board was redesignated State Parole Board in 1971, to consist of five members appointed by the Governor, for terms of four years. In January 1984, the Board began to hear entrustment revocation proceedings for those juveniles alleged to have violated their conditions of release on entrustment from the state's juvenile correctional institutions. As of September 1990, the Board is no longer responsible for hearing juvenile entrustment revocation hearings. The Board elects its own chairman and meets at least bi-monthly. It may meet as often as necessary.

**PROGRAM:** The State Parole Board hears cases at the Maine State Prison for those sentenced prior to May 1976 to determine when inmates should be released on parole, when they have committed violations of parole, how much violation time should be served, if any, and when a prisoner or inmate is to be discharged. In addition, the Board hears entrustment dispositional cases at the Maine Youth Center to recommend to the Superintendent of the facility what disposition would be in the best interests of the juvenile and the community.

## CORRECTIONS

*Maine State Parole Board Action  
Annual Report  
Fiscal Year—1993-1994  
Adult*

Paroled .....	3
Paroled & Discharged .....	0
Paroled & Discharged (to New Sentence) .....	0
Denied .....	3
Continued (Pending) .....	1
(Resolved) .....	2
TOTAL Parole Eligible .....	10
Early Discharge Requests .....	5
Others .....	3
TOTAL Cases Heard .....	23

During the fiscal year 1993-94, the Parole Board met a total of 6 times and considered 23 cases; 3 parole violators were heard.

### PUBLICATIONS:

Parole Board Rules and Policy—Free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE PAROLE BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,375	1,375				
Other Contract Services—State	75	75				
Other Contractual Service	1,987	1,987				
<b>TOTAL EXPENDITURES</b>	<b>3,437</b>	<b>3,437</b>				

## MAINE STATE PRISON

**MARTIN A. MAGNUSSON, WARDEN**

**ARTHUR T. KISKILA, Deputy Warden**

**BRUCE WENTWORTH, Deputy Warden**

*Central Office:* Thomaston, Maine

*Telephone:* 354-2535

*Mail Address:* State Prison, Box A, Thomaston, Maine 04861

*Established:* 1823

*Sunset Review Required by:* June 30, 1994

*Reference: Policy Area:* 03; *Umbrella:* 03; *Unit:* 206; *Citation:* 34-A M.R.S.A., Sect. 3201

*Average Count—All Positions:* 411.5

*Legislative Count:* 420.5

*Organizational Units:*

Bolduc Correctional Facility

Maine Correctional Institution

**PURPOSE:** The State Prison was established to confine convicted offenders and to provide correctional treatment and rehabilitation programs designed to prepare such offenders for eventual release. The institution is responsible for the custody, control, employment and government, as provided by law, of adult male offenders lawfully committed to the prison. Inmates classified as maximum or high maximum custody may be transferred to the Maine Correctional Institution. In addition, the prison may establish



## CORRECTIONS

vocational training programs and transfer inmates to the State Prison Bolduc Unit at South Warren to participate in work or educational release programs outside the institution.

**ORGANIZATION:** The State Prison at Thomaston was opened officially in July, 1824, to serve as a penitentiary where convicts were sentenced to hard labor for life or for any term of time not less than one year. Additions to the prison were built in 1828 and 1843 and, after a fire in 1850, an expanded prison was completed in 1854. In 1923, the prison was again destroyed by fire and replaced with the present structure in 1924.

The prison has always been a maximum security facility for adult felons. Women were sentenced to the institution until 1935 when they were transferred to the Women's Correctional Center in Skowhegan. Until 1970, the prison was partially supported by a farm in South Warren which was destroyed that year by fire. The former barracks at South Warren now serve as the State Prison Bolduc Unit.

The prison was initially administered by a warden and inspectors and later (1917) by a Board of Prison Commissioners. In 1931, the prison was placed under the Department of Health and Welfare, and in 1939, under the Department of Institutional Service which, in 1959, became the Department of Mental Health and Corrections. The Department of Corrections was established in 1981.

On April 18, 1978, the official name of the minimum security unit was changed to the Ronald P. Bolduc Unit in honor of Ronald P. Bolduc, a long time employee of the Department of Corrections.

On October 19, 1992 the first inmates were transferred to the Maine Correctional Institution, located in Warren. This unit was built to house Maine's "high risk" inmates. Organizationally, MCI is a unit of the Maine State Prison and employs 83 staff personnel. The Maine State Prison and the Bolduc Correctional Facility provide many support services for this unit.

**PROGRAM:** The addition of the Maine Correctional Institution in Warren as Maine's newest correctional facility, and the first unit to specifically house Maine's highest risk inmates, is an asset valuable to Corrections and the people of Maine. The ability to separate high risk inmates reduces the stress for staff and inmates throughout the adult correctional facilities, and this new facility serves as a deterrent for those inmates that may be inclined to jeopardize security at other facilities. This unit opened in October 1992.

Renovations at the Bolduc Correctional Facility were completed in September of 1992. A new housing unit was added and this facility had a population of 110 minimum security inmates as of 6/28/94. The old "barracks" was renovated and consists of new educational, visitation, food service, and administrative office space. A new infirmary was added, as well as 1 full-time RN position. Other improvements include a new Plumbing and Heating vocational program, and a Land Management Program. This consists of a small wood harvesting and saw mill operation which became operational in '93.

The Maine State Prison has not undergone any major changes in the physical plant this year but renovation is planned for the Control Room, Visitation Room, and the administrative offices in FY96. There has been a significant decrease in the protective custody population at this facility, due largely in part to the addition of the new maximum security facility (MCI) that has enabled the prison to re-assign high risk inmates and at the same time provided a more relaxed environment for those inmates previously confined in protective custody units. The industries program has been reviewed and has been revamped to better control costs and provide an improved product to the public. Evaluation of all programs is a continuous process to determine need for change and effectiveness.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## CORRECTIONS

STATE PRISON	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	11,003,009	10,859,976			4,748	138,285
Health Benefits	1,566,211	1,548,701			152	17,358
Retirements	2,112,671	2,086,967			793	24,911
Other Fringe Benefits	143,881	142,996			61	824
Other Contract Services—State	1,481,344	1,345,544			4,350	131,450
Computer Services—State	6,378	6,378				
Other Contractual Service	1,773,773	1,706,142	377		159	67,095
Rents	145,809	110,729	1,627			33,453
Commodities	1,438,198	1,378,847	5,898			53,453
Grants—Subsidies—Pensions	380,460	380,460				
Purchase of Land	173,525	173,525				
Buildings and Improvement	13,428		13,428			
Interest—Debt Retirement	1,616	1,577				39
Transfers to Other Funds	2,498		44		57	2,397
<b>TOTAL EXPENDITURES</b>	<b>20,242,801</b>	<b>19,741,842</b>	<b>21,374</b>		<b>10,320</b>	<b>469,265</b>

## DIVISION OF PROBATION AND PAROLE

PETER J. TILTON, DIRECTOR

*Central Office:* State Office Bldg., Augusta; *Floor:* 4

*Telephone:* 287-4381

*Mail Address:* State House Sta. #111, Augusta, Maine 04333

*Established:* 1967

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 03; Unit: 237; Citation: 34A M.R.S.A., Sect. 5401

*Average Count—All Positions:* 125

*Legislative Count:* 127

**PURPOSE:** The Division of Probation and Parole was established to provide effective counseling, direction, and motivation to committed offenders and adjudicated juveniles on probation or parole, so as to enable them to become more productive and constructive members of society. In its role as the Administrator of Probation and Parole Services, the Division is responsible for conducting pardons and commutation investigations for the Governor, pre-sentence investigations for the courts, post-sentence pre-parole and other investigations for the state's correctional institutions, and for the handling of adult and juvenile interstate compact cases for other states. In addition to administering probation and parole services, the Division is also responsible for providing juvenile court intake services throughout the state. Juvenile intake duties include the screening of all detention requests by law enforcement agencies to determine if it is necessary for a youth, following arrest, to be detained in a secure detention facility, and the screening of all juvenile cases referred by law enforcement agencies for formal court proceedings to determine which cases are appropriate to be adjusted on an informal basis without involving the juvenile in the court system. The Director of the Division appoints, subject to personnel law, district probation and parole officers/juvenile caseworkers and provides for their instruction and training; makes recommendations to the State Parole Board in cases of violation of parole; issues warrants for the arrest of parole violators; establishes and administers standards, policies and procedures for the field probation and parole service and institutional parole officers; and acts as the executive officer and secretary of the State Parole Board.

**ORGANIZATION:** The Division of Probation and Parole was created in 1967. In January, 1984, the Office of Juvenile Intake was consolidated into the Division. In August 1986 the Intensive Supervision Program was enacted and came under the control of the Division. The Division consists of adult probation and parole officers, intensive supervision officers, juvenile caseworkers, and other administrative employees in classified state service.

## CORRECTIONS

**PROGRAM:** The Division of Probation and Parole is responsive to Maine's court system by performing juvenile intake services, conducting investigations and making recommendations on disposition when requested, supervising probationers, and developing diversionary programs. The Division also supervises adults on parole from the state's penal and correctional centers and youth released on entrustment from the Maine Youth Center. The Division also supervises inmates sentenced to the Intensive Supervision Program. In addition, Division personnel conduct investigations for the State Parole Board and the various correctional institutions; counsels, finds employment and refers clients to appropriate service agencies such as mental health centers, family counseling services, etc. The Division is primarily a community-based agency that cooperates with all other phases of the Department of Corrections.

The administrator for both the adult and juvenile interstate compacts is the director of the Division of Probation and Parole. Under the terms of the two compacts, he oversees the supervision of both adult and juvenile probationers and parolees who are referred to this State from other jurisdictions. In turn, Maine probationers and parolees, both adult and juvenile, who are residents of, or desire to move to, another state are referred to another compact state for similar supervision.

### *Clients Under Supervision*

*June 30, 1994*

<i>Adults</i>	<i>Juveniles</i>	<i>Intensive Supervision</i>
9,000 approximate	2,400 approximate	10

\*This figure includes probationers and parolees being supervised under interstate compacts.

### **PUBLICATIONS:**

Division of Probation and Parole—Policies and Procedures Manual—on location

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF PROBATION AND PAROLE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	3,947,880	3,947,880				
Health Benefits	456,496	456,496				
Retirements	641,400	641,400				
Other Fringe Benefits	39,549	39,549				
Other Contract Services—State	4,681	4,681				
Computer Services—State	39,498	2,455			37,043	
Other Contractual Service	683,788	666,354			17,434	
Rents	14,290	14,290				
Commodities	39,743	35,573			4,170	
Grants—Subsidies—Pensions	122,434	105,654			16,780	
Building Improvements	8,969				8,969	
Interest—Debt Retirement	24	24				
Transfer to Other Funds	367				367	
<b>TOTAL EXPENDITURES</b>	5,999,119	5,914,356			84,763	

## DEPARTMENT OF DEFENSE AND VETERANS SERVICES

MAJ. GENERAL NELSON E. DURGIN, COMMISSIONER

*Central Office:* Camp Keyes, Augusta

*Telephone:* 626-4271

*Mail Address:* State House Sta. #33, Augusta, Maine 04333-0033

*Established:* 1973

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 06; Umbrella: 15; Unit: 210; Citation: 37B M.R.S.A., Sect. 1

*Average Count—All Positions:* 162

*Legislative Count:* 77.5

*Organizational Units:*

Military Bureau

Division of Veterans Services

Maine Emergency Management Agency

Administrative Services Division

**PURPOSE:** The Department of Defense and Veterans Services was established to coordinate and improve the discharge of the State Government's responsibility relating to military, veterans and civil emergency preparedness through the authorization, planning, provision of resources, administration, operation and audit of activities in these areas.

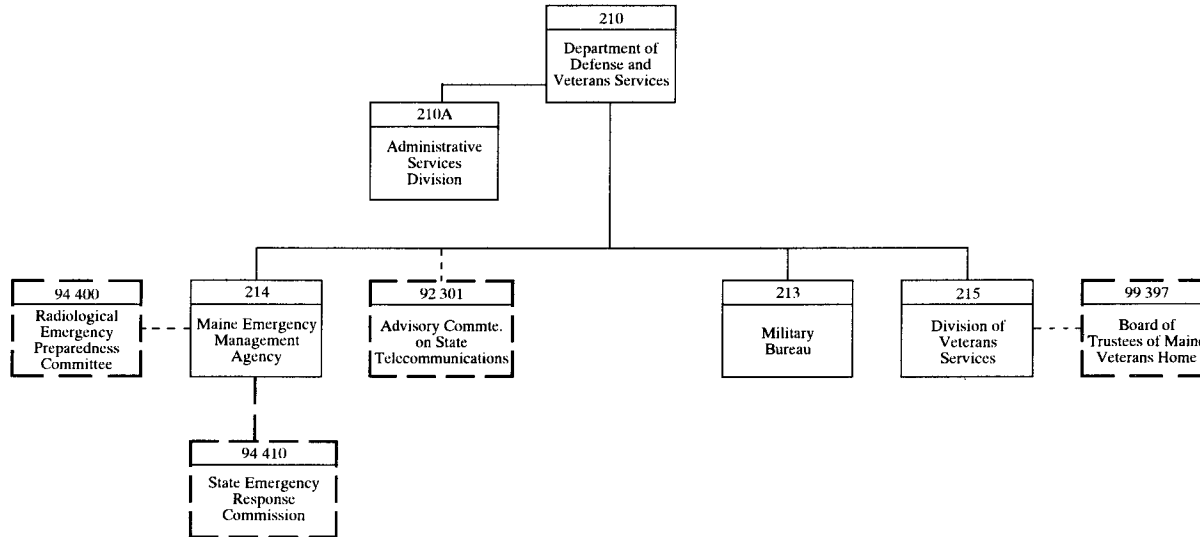
**ORGANIZATION:** The Department of Defense and Veterans Services was created by State Government reorganization legislation of 1972 under the original name of Department of Military, Civil Defense and Veterans Services. In this legislation, the administrative offices of the Adjutant General became the Military Bureau; the former Civil Defense and Public Safety Agency became the Bureau of Civil Defense; and the former Department of Veterans Services became the Bureau of Veterans Services; with the Adjutant General designated as both Commissioner of the new department and Director of the Military Bureau. Effective in June, 1974, the 106th Legislature, on the recommendation of the Maine Management and Cost Survey, revised the law to direct the appointment of the Deputy Adjutant General as Director of the Military Bureau, thus freeing the Adjutant General to function solely as Commissioner of the Department. This revision also renamed the Bureau of Civil Defense as the Bureau of Civil Emergency Preparedness. On October 1, 1975, the Department was redesignated Department of Defense and Veterans Services. During the 113th Legislature the requirement was eliminated that the Director of the Military Bureau be the Deputy Adjutant General and the Bureau of Civil Emergency Preparedness was renamed to the Maine Emergency Management Agency (MEMA). At the direction of the 115th legislature, the Bureau of Veterans Services was changed to the Division of Veteran's Services and the position of Bureau Director deleted. By action of the 116th Legislature, the position of Director of Operations was added and the position of Veteran Supervisor deleted to align Veterans Services responsibilities in the agency.

**PROGRAM:** The programs of the Department of Defense and Veterans Services are outlined in the reports of its operating units.

**PUBLICATIONS:**

Maine National Guard Annual Report 1994 (free)

**ORGANIZATIONAL CHART  
DEPARTMENT OF DEFENSE AND VETERANS' SERVICES  
UMB 15**



DEFENSE AND VETERANS' SERVICES

Approved by the Bureau of the Budget

# DEFENSE AND VETERANS' SERVICES

## CONSOLIDATED FINANCIAL CHART FOR FY94 DEPARTMENT OF DEFENSE AND VETERANS SERVICES

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	4,015,040	1,636,644	48,287		2,330,109	
Health Benefits	526,645	229,920	6,788		289,937	
Retirements	660,164	277,004	7,915		375,245	
Other Fringe Benefits	56,680	16,376	434		39,870	
Other Contract Services—State	342,851	17,653	123,770		201,428	
Computer Services—State	3,668		2,655		1,013	
Other Contractual Service	911,578	362,406	41,081		508,091	
Rents	926,715	66,163	1,681		858,871	
Commodities	421,110	203,561	7,903		209,646	
Grants—Subsidies—Pensions	8,645,325	1,532,393	236,619		6,876,313	
Building Improvements	46,472		36,612		9,860	
Interest—Debt Retirement	5,903	2,326	17		3,560	
Transfers to Other Funds	71,443		10,091		61,352	
<b>TOTAL EXPENDITURES</b>	<b>16,633,594</b>	<b>4,344,446</b>	<b>523,853</b>		<b>11,765,295</b>	

## DEFENSE AND VETERANS' SERVICES

### ADMINISTRATIVE SERVICES DIVISION

RAYMOND N. DUTIL, DIRECTOR

*Central Office:* Camp Keyes, Bldg. #7, Augusta

*Telephone:* 287-4070

*Mail Address:* State House Sta. #104, Augusta, Maine 04333

*Established:* 1973

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 06; Umbrella: 15; Unit: 210A; Citation: 37B M.R.S.A., Sect. 3

*Average Count—All Positions:* 4.5

*Legislative Count:* 4.5

**PURPOSE:** The Administrative Services Division provides for centralized control in planning, data processing, budgeting, accounting, purchasing authorization, auditing, personnel management, affirmative action, training, and other administrative resources necessary to the general operations of the Department's various major programs and activities.

**ORGANIZATION:** The Administrative Services Division was organized from a nucleus of the old Adjutant General's Department in 1973. Personnel were also drawn from the Bureaus of Veterans Services and Civil Defense to round out the Division so that it could fulfill those functions described in its Purpose.

**PROGRAM:** In carrying out its staff function of assisting the Commissioner, Bureau Directors, and Program Managers in the various daily operations of the Agency, this Unit has continued its routine tasks of: preparing biennial budget requests, annual work programs, and financial and budget orders; initiating purchase requisitions and orders when appropriate; processing invoice and contract payments, including workers' compensation obligations; billing for federal service contracts, and other funds due the State; maintaining revenue and expenditure ledgers, accounts receivable, and real property/capital equipment inventory control records; processing personnel actions, including labor related activities; maintaining Agency Personnel and time records; providing training and orientation sessions for supervisory personnel, and new employees; conducting internal audit reviews and providing other administrative services as required. Additionally, staff members offer a centrally coordinated information base to Program managers that assists them in their daily operational decision-making process and thereby enhances management effectiveness through a much higher degree of control by those delegated that responsibility.

#### PUBLICATIONS:

Departmental Affirmative Action Plan. (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ADMINISTRATIVE SERVICES DIVISION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	152,425	152,425				
Health Benefits	12,611	12,611				
Retirements	27,307	27,307				
Other Fringe Benefits	1,709	1,709				
<b>TOTAL EXPENDITURES</b>	194,052	194,052				

## MAINE EMERGENCY MANAGEMENT AGENCY

DAVID D. BROWN, DIRECTOR

*Incoming WATS: Emergency only 800-452-8735*

*Central Office: State Office Bldg., Augusta*

*Telephone: 287-4080*

*Mail Address: State House Sta. #72, Augusta, Maine 04333*

*Established: 1949*

*Sunset Review Required by: June 30, 2002*

*Reference: Policy Area: 06; Umbrella: 15; Unit: 214; Citation: 37B M.R.S.A., Sect. 701*

*Average Count—All Positions: 35*

*Legislative Count: 10*

*Organizational Units:*

Administration Division

State Radiological Emergency Preparedness Committee

Operations Division

State Emergency Response Commission

Planning Division

**PURPOSE:** The Maine Emergency Management Agency is responsible for the coordination and protection of citizens from all emergencies, both natural and man-made. This Agency coordinates prevention, mitigation, and damage recovery from disasters or catastrophes, such as forest fire, flood, hurricane, earthquake, nuclear power accidents, or enemy attack. It also provides guidance and assistance to county and local governments for their efforts to provide protection to citizens and property.

The Agency uses planning, training, exercising and public education to accomplish this mission. A five step planning process developed by the National Governor's Conference has been adopted: 1) hazards are identified; 2) mitigation actions are considered; 3) capabilities are identified; 4) procedures are developed to meet the threat; and 5) resources are identified to aid in recovery. The agency's commitment is to develop a comprehensive emergency management plan containing guidelines to address the unforeseen, as well as the identified hazards. Emergency plans and all related activities are coordinated with other departments of the State, Federal agencies, county and local governments, as well as neighboring states and Canada.

**ORGANIZATION:** The Maine Emergency Management Agency was originally established under the Maine Civil Defense and Public Safety Act of 1949, which authorized the Governor to establish, within the Executive Department, a Civil Defense and Public Safety Agency. A 1972 amendment, retitled the Maine Civil Defense Act, caused the agency to be redesignated as the Bureau of Civil Defense within the Department of Military. In 1974 the Department of Military was redesignated as the Department of Defense and Veterans Services and the bureau name changed to the Bureau of Civil Emergency Preparedness. The 113th Legislature changed the agency's name. Public Law, Ch. 370, signed by the Governor on June 19, 1987, redesignated the Bureau of Civil Emergency Preparedness as the Maine Emergency Management Agency effective September 29, 1987.

The Interstate Civil Defense and Disaster Compact was enacted in 1972 and provides for and facilitates the use of mutual aid between states to cope with a disaster regardless of cause.

The Radiological Emergency Preparedness Committee as established by state law, Title 37B MRSA, Section 954, oversees planning and preparedness for the consequences of a major accident at the Maine Yankee nuclear power plant.

The Governor, thru Executive Order, created the Emergency Response Commission in April of 1987 to coordinate the state government's role in carrying out Maine's planning and preparedness responsibilities for hazardous materials in compliance with Title III of the Federal Superfund Amendments and Reauthorization Act of 1986, Emergency Planning and Community Right-To-Know. The Maine Emergency Management Agency carries out the planning and preparedness activities for the Commission.

The Maine Emergency Management Agency is internally organized into three divisions: Administration, Planning and Operations based on functional responsibilities. The primary responsibilities of the Agency are to coordinate, for the Governor, state government operations with that of county and local governments for emergencies resulting from natural disaster, technological hazards or national security incidents. The Agency's ability to function effectively during an emergency is dependent on the state agencies who staff the State Emergency Operations Center, and to a great extent, upon the responses of county and local organizations throughout the state which are comprised of both paid and volunteer personnel.



## DEFENSE AND VETERANS' SERVICES

**PROGRAM:** The Federal Emergency Management Agency (FEMA) provides the majority of the Agency's funding. The FEMA allocation of federal matching funds for fiscal year FY 94 for personnel and administrative services was \$653,912. It covers the federal fiscal year of October 1, 1992 through September 30, 1994. The funds are distributed by the State based on Annual Submission Requests from 30 towns, 16 counties and the State itself. The remainder is provided by state, county and local funding.

Programs are administered by a Comprehensive Cooperative Agreement between the Federal Emergency Management Agency and the State of Maine Emergency Management Agency.

**Direction and Control.** In an emergency, MEMA's EOC (Emergency Operations Center) is the coordinating location for State activities. Appointed liaison representatives from Maine State agencies join the MEMA staff, providing information and their expertise in decision making. This group is called the State Emergency Response Team (ERT). It is activated whenever a serious threat exists in the State or an adjoining state. When the governor determines that a disaster is imminent, the Disaster Response Team (DRT), comprised of other State of Maine agencies plus federal and private representatives, assemble at the EOC and provide necessary assistance to the people of Maine.

With a modern facility, MEMA has an efficient and appropriately equipped work area for all organizations who participate in the coordination of Maine's response to an emergency. The Maine EOC gives members of the ERT an enhanced work area while concurrently providing the governor and selected staff immediate accessibility to representatives from all concerned agencies, and privacy for consultation and decision making. The DRT, located adjacent to the EOC, also has direct access to current information, the ability to keep their offices updated and access to unique resources. The communications system is capable of rapid expansion and is equipped with ring-down lines, computer network(s), monitors and radio systems. This permits State agencies to respond to the needs of its citizens in an expeditious manner.

Computer enhancements have been completed at the State EOC and most of the County EMA organizations. All County EOC's have a PC computer installation for data management and cost accounting. An interactive computer system at the State EOC is available for administrative matters, graphics and the collection and dissemination of resource data.

**Communications & Warning.** The communications and warning section operates and maintains communications systems that provide direct contact between the State Emergency Operations Center (EOC) and federal, state and local government agencies and field forces. The EOC's Communications Center is operated on a daily basis. Regularly scheduled tests and exercises are conducted to insure that a high level of operational readiness is maintained. Systems development and equipment maintenance are provided by the communications section.

A statewide emergency communications system provides dedicated channels to emergency managers for coordination. Communications with public safety agencies such as police, fire and medical services are conducted on their assigned frequencies. Cellular telephone and facsimile augment radio communications. Interstate communications are accomplished with high frequency (HF) radio, and off-net (private) telephone voice and data circuits. The Maine Emergency Broadcast System (EBS) provides a means to release official government information from the EOC directly to the public over the State's commercial radio and TV broadcast stations. Planning support and equipment acquisition for EBS and the Maine Yankee Emergency Planning Zone (EPZ) is provided by the communications section.

**Plans.** Hazard Identification studies are annually updated for county and local jurisdictions, as well as for the State. Based on this information, Comprehensive Emergency Management Plans are being developed. Sections of these plans include: a summary of the general policies, responsibilities, and procedures used in emergency management and annexes describing emergency functions such as direction and control, evacuation, and resource management. Appendices to each function are added as needed for specific hazards identified as having the greatest potential for impact on the area. All sections of each plan are reviewed using federal guidance and validated through an exercise.

Hazard analyses, basic plans, and detailed annexes and procedures for county and local jurisdictions in the State are placed in the Emergency Operations Center central file as they are developed and are available for quick reference if the need arises. Also included are federal and State emergency response plans, as well as interagency plans and those of private industries and organizations. These are for the use of the Emergency Response Team.

**Population Protection Planning.** Population Protection Planning (PPP) is a Federal Emergency Management Agency program funded at 100%, designed to develop comprehensive multi-hazard emergency management plans. The planners assist all levels of government in developing, maintaining, and exercising emergency operations plans which delineate how hazard mitigation, emergency preparedness, emergency response, and recovery activities are accomplished. State, county, and municipal governments are required by Maine statute to develop and maintain such plans.

## DEFENSE AND VETERANS' SERVICES

These emergency plans consist of a basic plan with functional annexes and hazard specific appendices. The basic plan is a summary of general policies, responsibilities, and procedures used in emergency management. Each annex provides more specific information. Functional annexes describe how emergency tasks such as decision making, warning, evacuation, shelter, etc. are accomplished. Hazard specific appendices to the functional annexes describe the emergency tasks and procedures for a particular hazard which may have specific characteristics requiring non-standard responses.

The planners have provided ongoing support to County and local Emergency Management Agency (EMA) Directors in the development of Emergency Operations Plans (EOP) by on-site assistance and training workshops, along with tracking and review of completed plan components.

Computerization of emergency management functions has included staff training and implementation of the Emergency Information System. This system offers computerized resource management, event logging, development of checklists of response actions, the analysis of hazards, maintenance of situation reports, and identification of special needs groups, shelter and transportation resources.

**Radiological Defense.** The Federal Emergency Management Agency provides 100% funding for the Radiological Protection Planning and Development Program and the Radiological Instrument, Maintenance and Calibration Facility. In accordance with FEMA's Integrated Emergency Management Systems (IEMS) a coordinated program of radiological protection planning, training and instrumentation is accomplished.

Specific goals within this program are written radiological plans at all levels of government, training programs to instruct police, fire, rescue and volunteer personnel to understand the basics of radiation and to use specialized radiation detection equipment.

A key part of this program is the Radiological Instrumentation/Maintenance and Calibration Facility which repairs, calibrates and deploys sets of instruments throughout Maine. This facility is 100% federally funded.

**Disaster Preparedness Improvement.** The Disaster Preparedness Improvement (DPI) Grant program is authorized under Public Law 93-288 as amended. Annual matching awards are provided to states to improve or update their disaster assistance plans and capabilities.

The Damage Assessment Form, used for quick reports of damage in disaster situations, was reviewed and updated.

**Hazardous Materials.** The State Emergency Response Commission (SERC), established pursuant to the Superfund Amendments and Reauthorization Act of 1986 (SARA), Title III, met on 11 occasions during the previous year in the offices of the Maine Emergency Management Agency (MEMA). The SERC provided assistance and guidance to the State's sixteen Local Emergency Planning Committees (LEPC's), and published policies and procedures for State implementation of the SARA, Title III program.

MEMA's planning staff has developed and revised hazardous materials planning models to comply with federal planning requirements. These models will continue to be published to assist LEPC's and facilities with their development of hazardous materials plans.

The number of facilities reporting under SARA, Title III guidelines in Maine has increased. This massive amount of information has necessitated the state legislature to enact a reporting fee which has provided funding for an additional hazardous materials planner and provided financial resources for the LEPC's, as well as training grants. The bill, L.D. 1475, was enacted by the 114th Legislature and signed by Governor John McKernan on June 26, 1989.

**Public Information.** Public Information within this Agency is accomplished on a collateral duty basis.

The Agency issues approximately 30 Public Service Announcements (PSA) each fiscal year. These PSA's usually are in the form of public safety techniques associated with natural and man-made disasters or safety procedures which should be observed in the work place or around the home.

**Emergency Management Training & Exercise.** This is a Federal Emergency Management Agency 100% funded program to coordinate the delivery of FEMA training courses. The training section is responsible for providing training and exercising to personnel of state, county, and local governments; representatives of social welfare and public assistance agencies; and other response personnel from the private sector. This training focuses on mitigation, preparedness and management aspects of response to emergencies. Training is also provided for dealing with radiological and hazardous materials emergencies. This section assists in the development and conduct of simulation exercises to evaluate emergency plans and the capability to respond to emergencies by state, county, and local governments. During FY 92, over 2,500 students participated in a wide range of training and exercise activities conducted by the Agency. This section also coordinated attendance at federal training facilities for 25 state and local personnel.

## DEFENSE AND VETERANS' SERVICES

Within many counties of this state the past efforts in planning, training and exercising were tested under actual disaster conditions.

This section administers the distribution of films and video tapes from the Agency's library to schools, private organizations and local governments.

### LICENSES, PERMITS, ETC.:

Completion of Agency sponsored courses and those field courses sponsored by the National Emergency Training Center result most generally in one of the following:

Continuing education credits for police, fire, and EMT's.

Certificate of completion

College credit for semester hours.

### PUBLICATIONS: (All available at no cost)

When You Return to a Storm Damaged Home

Questions and Answers on the National Flood Insurance Program

Winter Storms

After the Fire: Returning to Normal

In Time of Emergency

Protection in the Nuclear Age

Handbook for Radiological Emergency Workers

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE EMERGENCY MANAGEMENT AGENCY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	488,866	118,903	48,287		321,676	
Health Benefits	57,547	7,821	6,788		42,938	
Retirements	81,843	24,797	7,915		49,131	
Other Fringe Benefits	4,845	964	434		3,447	
Other Contract Services—State	36,626	400	13,461		22,765	
Computer Services—State	2,655		2,655			
Other Contractual Service	121,778	16,028	40,423		65,327	
Rents	8,121	1,340	1,681		5,100	
Commodities	35,737	1,681	7,903		26,153	
Grants—Subsidies—Pensions	8,317,351	1,263,670	236,619		6,817,062	
Building Improvements	12,809		2,949		9,860	
Interest—Debt Retirement	51				51	
Transfers to Other Funds	49,071		9,544		39,527	
<b>TOTAL EXPENDITURES</b>	9,217,300	1,435,604	378,659		7,403,037	

## DEFENSE AND VETERANS' SERVICES

### MILITARY BUREAU

BRIG. GEN. EUGENE L. RICHARDSON, DIRECTOR

*Central Office:* Camp Keyes, Augusta

*Telephone:* 626-4224

*Mail Address:* State House Sta. #33, Augusta, Maine 04333-0033

*Established:* 1972

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 06; *Umbrella:* 15; *Unit:* 213; *Citation:* 37B M.R.S.A., Sect. 2

*Average Count—All Positions:* 111

*Legislative Count:* 39

*Organizational Units:*

Maine Army National Guard

Maine Air National Guard

**PURPOSE:** The Military Bureau was established to provide for the protection of life and property and the preservation of peace, order and public safety. In fulfilling this mission, the Bureau is empowered to provide the Army and Air National Guard with units organized, equipped and trained to function efficiently at existing strength; and to muster, on order of the Governor, any or all of these units in the State of Maine to perform disaster relief, control of civil disturbance or provide other support to civil authority as required. The Bureau will also respond to a civil emergency involving nuclear attack, and report for federal service on call of the President of the United States in the event of war or other national emergency. Should the National Guard be federalized and moved out of the State, other forces may be organized under the law (M.R.S.A., Title 37-B, Chapter 3), to be known as the Maine State Guard.

**ORGANIZATION:** The Military Bureau was created in July, 1972, under State Government reorganization legislation, to encompass what previously had been the Office of the Adjutant General, established in 1921 by the Maine Constitution. In the reorganization, the Governor, as Commander in Chief of the Maine militia, appointed the Adjutant General as administrative head of the Department of Military, Civil Defense and Veterans Services and as Director of the Military Bureau. The law has been revised several times to more appropriately reflect and meet the needs and actual functions of the Department. The most recent revisions have eliminated the requirement that the Director of the Military Bureau be the Deputy Adjutant General and changed Civil Defense to the Maine Emergency Management Agency (MEMA).

The Maine National Guard is comprised of the Maine Army National Guard and the Maine Air National Guard. Both are under the command of the Adjutant General, who is appointed by the Governor to supervise and direct their operations.

The Maine Army National Guard: Current Organizational Structure—

#### Headquarters — Maine Army National Guard

Headquarters and Headquarters Detachment — State Area Command	Augusta
<b>Troop Command</b>	Bangor
Company B, 172d Infantry (Mountain)	Brewer
Company C, 192d Aviation	Bangor
112th Medical Company (Air Ambulance)	Bangor
121st Public Affairs Detachment	Augusta
181st Air Traffic Control Detachment	Bangor
195th Army Band	Bangor
<b>1st Battalion, 152d Field Artillery</b>	
Headquarters and Headquarters Battery	Caribou
Battery A	Presque Isle
Battery B	Houlton
Battery C	Fort Kent
Service Battery	Fort Fairfield
<b>286th Supply and Service Battalion</b>	Gardiner
152d Heavy Equipment Maintenance Company	Augusta
314th Medical Company	Bath
1136th Transportation Company	Bangor
3620th Movement Control Detachment	Gardiner

## DEFENSE AND VETERANS' SERVICES

### **240th Engineer Group**

Waterville

#### **133d Engineer Battalion**

Headquarters and Service Company  
Company A  
Company B  
Company C

South Portland  
Belfast  
Saco  
Lewiston

### **Headquarters Maine Air National Guard**

#### **101st Air Refueling Wing**

101st Mission Support Flight  
101st Communications Flight  
101st Security Police Squadron  
101st Civil Engineer Squadron  
101st Services Flight  
101st Maintenance Squadron  
101st Logistics Squadron  
101st Medical Squadron  
132d Air Refueling Squadron

Bangor  
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Bangor  
Bangor  
Bangor

#### **243d Engineering Installation Squadron**

South Portland

#### **265th Combat Communications Squadron**

South Portland

**PROGRAM:** The Maine National Guard today proudly continues its historic missions as an integral part of national defense and state support. As an integral part of the defense of national security, our purpose is to contribute to deterrence of aggression and protection of national interests. If deterrence fails, we are prepared to fight and win decisively as we did during Desert Storm.

The Maine National Guard provides units trained and equipped to protect the lives and property of Maine's citizens and to preserve peace, order and public safety under competent orders of State authorities.

The Maine National Guard consists of two components, the Army National Guard and the Air National Guard. The Army National Guard provides more than 2,600 trained soldiers in combat, combat service support and combat support units located from Fort Kent to Saco. The Air National Guard is a combat ready force of more than 1,300 men and women immediately available for mobilization to support active Air Force requirements. In addition, the Air National Guard supports Air Force missions in a nonmobilized status in Europe, the Middle East, Central America, South America and Greenland.

The current Department of Defense drawdown of military forces is having a dramatic impact on the Maine National Guard. Our challenge in the 1990s is to efficiently use the limited resources entrusted to us.

The Maine National Guard's role in the war on drugs is growing. During the past ten years, the Guard has increased its role in counter narcotics activities as concern about illicit drug use in the United States has grown. The Maine National Guard supports law enforcement agencies using Army and Air National Guard resources. The eradication program employs 37-60 people at any given time to support the "War on Drugs".

Increased emphasis is being placed on education and prevention of drug use through a Demand Reduction Program aimed at school age children. This program will support existing agencies and organizations in fighting drug use.

### **Maine Army National Guard**

Statewide Army Guard strength is more than 2,650 soldiers who drill one weekend each month and for two weeks of "Annual Training". The 240th Engineer Group trained in Guatemala as part of Exercise Fuertes Caminos '94, and completed several projects of benefit to Maine's towns.

The Maine Army National Guard has two major training areas within the state. Bog Brook Training Area, located near the New Hampshire border in Gilead, consists of facilities capable of accommodating 150 soldiers. External agencies including the Army Special Forces, Marine Corps, U.S. Army Reserve, and other State's National Guard units use the area. The Deepwoods Training Area consists of 711,000 acres of Champion Paper Company land east of Bangor. This area does not have permanent facilities, but does offer the opportunity for a mix of tactical and technical engineer training that is not available anywhere else on the east coast. Aviation units from throughout New England use the airspace over Deepwoods for Night Vision Goggle Training and Low Level Tactical flying.

## DEFENSE AND VETERANS' SERVICES

The Army National Guard responded twice this past year to calls to State Active Duty. Last November, Governor McKernan directed that we assist the Maine Department of Environmental Protection in mitigating potential fire danger at the Emerson Tire Dump in Durham. A fire in a tire dump of several million tires such as this would have been a environmental disaster for mid-coast Maine. Due to a joint effort, the danger has been greatly reduced. Approximately fifteen engineers from the 133rd Engineer Battalion worked with their bulldozers, graders and loaders to cut several fifty foot fire lanes thru the tire dump.

This past spring, during the flooding in Fort Fairfield, the Governor again called for help. Eleven members of the 152d Field Artillery Battalion assisted local, county and state police in controlling access to Fort Fairfield until flooding subsided.

### **Maine Air National Guard**

The Maine Air National Guard provides units trained and equipped to protect the lives and property of Maine's citizens and to preserve peace, order and public safety under orders of state authorities. All Maine Air National Guard units are also combat ready to serve Federal missions of Air Refueling, Combat Communications and Engineering Installations.

### **Bangor Air National Guard Base**

The 101st Air Refueling Wing, headquartered at Bangor IAP, Bangor, Maine, provides over 1300 citizen airmen supporting state and community programs and worldwide USAF operations. MAINEiacs, of the 101st Air Refueling Wing, are proud of the accomplishments they have attained during 1993-1994. Truly a "milestone" to remember for years to come is the 1993 Air National Guard Flight Safety Award which carried with it the Air Mobility Command Unit Mishap-Free Flying-Year Milestone Award for over 20 years of mishap free flying. Combined with this was the Flying-Hour Milestone Award for over 50,000 hours of mishap free service.

All this was achieved while maintaining an outstanding mission effectiveness rating while providing world-wide air refueling support to all major commands of the United States Air Force, United States Navy, United States Marines, Air Force Reserve, and the Air National Guard. During the last year, the 101st has flown 1257 sorties, 3274 hours, and off-loaded 12,599,100 pounds of fuel to 1700 aircraft. Two hundred and nineteen higher headquarters directed missions were also provided world-wide air refueling support.

The accomplishments of the Air Guard's 101st Air Refueling Wing continue to be numerous. The many awards received by the different 101st Air Refueling Wing Units and several individuals within the units assigned, clearly are the hallmark of an exceptional unit. MAINEiacs are known "the world over" for their excellent performance, outstanding esprit-de-corps and a "can-do" attitude.

### **South Portland ANG Station**

The 243 Engineering Installation Squadron and the 265 Combat Communications Squadron are located at South Portland. They train for mobility and the 243 EIS is rated by the Air Force Command, Control, Communications, and Computer Agency and the 265 CCS is rated by the Air Combat Command. Their high state of readiness enables them to deploy to support the Department of Defense worldwide.

Throughout Maine, Air National Guard personnel have been involved in civic action projects similar to those conducted by the Army National Guard. Ball field lighting, pole setting and community playground construction are three examples of the type of projects involving Air National Guard members. This type of project provides a dual benefit as guard members perform required training in their specialties which also enables them to meet readiness requirements. Communities, the State, and non-profit organizations receive the design and workmanship needed to complete these projects.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## DEFENSE AND VETERANS' SERVICES

MILITARY BUREAU	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,862,239	868,303			1,993,936	
Health Benefits	379,376	135,104			244,272	
Retirements	467,399	143,649			323,750	
Other Fringe Benefits	44,016	7,854			36,162	
Other Contract Services—State	286,333	9,418	110,309		166,606	
Computer Services—State	1,013				1,013	
Other Contractual Service	713,855	280,360	658		432,837	
Rents	913,907	61,676			852,231	
Commodities	362,506	185,885			176,621	
Grants—Subsidies—Pensions	295,716	237,942			57,774	
Interest—Debt Retirement	5,850	2,324	17		3,509	
Transfers to Other Funds	21,377		547		20,830	
<b>TOTAL EXPENDITURES</b>	6,353,587	1,932,515	111,531		4,309,541	

## DIVISION OF VETERANS' SERVICES

**HOWARD E. EISMAN, SUPERVISOR**

*Central Office:* Camp Keyes, Bldg. 7, Ground Floor, Rm. G8

*Telephone:* 626-4464

*Mail Address:* State House Sta. #117, Augusta, Maine 04333

*Established:* 1947

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 06; Umbrella: 15; Unit: 215; Citation: 37B M.R.S.A., Sect. 501-507

*Average Count—All Positions:* 24.5

*Legislative Count:* 23

**PURPOSE:** The Division of Veterans' Services was established to provide services to Maine Veterans and their dependents who seek assistance through various benefit programs providing housing, medical and hospital care, educational aid and compensation or pension based on disabilities and survivors benefits.

The Division, through its chain of local offices, assists veterans and their dependents in claiming and obtaining the various State and Federal benefits to which they are entitled in connection with service in the Armed Forces of the United States. The Division also administers a program of financial aid to needy veterans and to needy dependents of incapacitated or deceased veterans; awards educational benefits to children, spouses or widows/widowers of veterans who died or became 100% permanently and totally disabled because of service in the U.S. Armed Forces; issues certificates of eligibility to war veterans seeking state guarantees of small business loans; keeps and maintains records of Military service of all Maine veterans; and provides burial and perpetual grave care at the Maine Veterans Memorial Cemetery for war veterans discharged under honorable conditions and to eligible members of their immediate family.

**ORGANIZATION:** The Division of Veterans' Services was created by Council Order in 1945 as the Division of Veterans Affairs. The agency received authorization in 1947 and was established with a state office and seven local offices. In 1950, a claims office was established at the Veterans Administration Center at Togus. The Division was renamed the Department of Veterans Services in 1963, and in the spring of 1970, the Maine Veterans Memorial Cemetery became operational. Under State Government reorganization legislation of 1972, the agency received its present name and was placed within the new Department of Military, Civil Defense and Veterans Services which, in 1974, was redesignated the Department of Defense and Veterans Services.

The Maine Veterans Small Business Loan Authority Board was established in 1973, and was in 1983, redesignated under the Finance Authority of Maine as the Maine Veteran's Small Business Loan Program, with the Division Director of Operations of Veteran's Services serving as a member of the Veterans Advisory Committee.

## DEFENSE AND VETERANS' SERVICES

By virtue of his position as Director of Operations of the Division of Veterans Services, he serves as ex-officio member on the Maine Veterans Nursing Home, Board of Trustees.

**Special Veterans Services:** Resource agency to Vietnam and Atomic Veterans. Develop and present a response to federal agencies concerning veterans and their exposure to radiation and toxic chemicals.

Actively seek out veterans who may have been exposed to radiation and toxic chemicals and attempt to involve them in available programs and act as an ombudsman for them.

**PROGRAM:** Veterans Services encompass all of the administrative functions and financial aid programs of the Division of Veteran's Services.

**Claims Service.** During the fiscal year, 740 new authorizations to have the Division represent claimants to the Veterans Administration for claims were developed, making for an approximate total of 25,777 clients represented by the Division of Veteran's Services. A total of 974 claims for compensation and pension were filed on behalf of Maine veterans or their survivors. These claims were originated by veterans counselors assigned to the Division's eight local offices and channeled to the Division claims office at the Veteran's Administration Center at Togus. The claims specialist there, who serves as the claimant's advocate, filed the claims with the V.A. for adjudication. In the process, appropriate action was taken as indicated to obtain new or additional evidence to determine the correctness of actions by the V.A., or appeals on disputed cases were filed. The Division had 96,397 contacts by veterans or dependents on veterans affairs and \$5,433,487 in new or augmented benefits were awarded to claimants by the V.A. as a result of actions by the Division.

**Financial Aid.** During the year, 0 award of financial aid (Veterans Financial Assistance) was made to Maine veterans and/or to their families.

**Veterans Dependents Educational Benefits.** Under this program, up to \$300 per year towards the costs of higher education and free tuition in state-supported institutions of higher education may be awarded to children, spouses or widows/widowers of veterans who became 100% permanently and totally disabled or died as a result of service in the Armed Forces of the United States. New applicants who are awarded benefits after 6/30/80 receive either full tuition in any state-supported institution or if attending a non-state supported institution of higher learning, a maximum of \$300 per year is payable. Four hundred and thirty-one persons received benefits during the year as follows: 355 attended State-supported colleges, 28 attended Private In-State colleges and 48 attended Private Out-of-State colleges. A total of \$5,850 was expended to assist these students.

**Certification of Eligibility for Small Business Loan Guarantees.** The Division certified 31 veterans as eligible for guaranty of loans by the Finance Authority of Maine, Maine Veteran's Small Business Loan Program. The Board has two programs. There is a Veteran's Small Business Program of which a veteran may apply for up to \$600,000. There is also a program for non-veterans of which individuals may apply for up to \$500,000. A veteran who has a certificate of eligibility may apply for both programs which would make for a guarantee of possibly \$1,000,000. Under the veteran program a guarantee of 100% will be given on amounts up to \$75,000 and 85% on amounts greater than \$75,000. Under the non-veteran program the only guarantee will be 85%.

**Records of Military Service.** The Division maintains the records of Maine veterans who were discharged from service in the Armed Forces of the United States. Approximately 432,000 such records are now on file in the Division.

**Maine Veterans Memorial Cemetery.** During the year, 532 burials were made, of which 384 persons were veterans, 148 were spouses, and 0 were dependent children and at the end of the year, 8,725 persons were buried in the cemetery. Three hundred and four reservations for burial were made by surviving veterans, spouses and dependent children and at the end of the year there were 4,179 reservations for future burial on file.

### LICENSES, PERMITS, ETC.:

Certificate of Eligibility for Maine Veteran's Small Business Loan Program. The Division issues a Certificate of Eligibility to qualified Maine war veterans to make them eligible under the state guaranty program of the Maine Veteran's Small Business Loan Program, administered by the Finance Authority of Maine.

### PUBLICATIONS: (All free)

Maine Veterans Memorial Cemetery (Brochure).  
1980 Maine Veterans Census.



## DEFENSE AND VETERANS' SERVICES

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF VETERANS' SERVICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	511,510	497,013			14,497	
Health Benefits	77,111	74,384			2,727	
Retirements	83,615	81,251			2,364	
Other Fringe Benefits	6,110	5,849			261	
Other Contract Services—State	13,142	1,085			12,057	
Other Contractual Service	70,948	61,021			9,927	
Rents	4,687	3,147			1,540	
Commodities	21,761	14,889			6,872	
Grants—Subsidies—Pensions	32,258	30,781			1,477	
Building Improvements	33,663		33,663			
Interest—Debt Retirement	2	2				
Transfers to Other Funds	995				995	
<b>TOTAL EXPENDITURES</b>	<b>855,802</b>	<b>769,422</b>	<b>33,663</b>		<b>52,717</b>	

# DEFENSE AND VETERANS' SERVICES

## FISCAL REPORT OF BURIALS JULY 1, 1993—JUNE 30, 1994 Maine Veterans Memorial Cemetery (MVMC)

### TOTAL BURIALS DURING FY=532

Vets	Spouses	Children
384	148	0

### TOTAL DISINTERMENTS DURING FY=2

Vets	Spouses	Children
2	0	0

### TOTAL RESERVATIONS DURING FY=304

Vets	Spouses	Children
79	223	2

### TOTAL RESERVATIONS FILLED DURING FY=117

Vets	Spouses	Children
43	74	0

### TOTAL RESERVATIONS CANCELLED DURING FY=1

Vets	Spouses	Children
0	1	0

### TOTAL BURIALS SINCE MVMC BEGAN=8737

Vets	Spouses	Children
6777	1852	108

### TOTAL DISINTERMENTS SINCE MVMC BEGAN=12

Vets	Spouses	Children
8	4	0

### TOTAL BURIED AS OF 6/30/94=8725

Vets	Spouses	Children
6769	1848	108

### TOTAL RESERVATIONS SINCE MVMC BEGAN=5434

Vets	Spouses	Children
1309	4056	69

### TOTAL RESERVATIONS FILLED AS OF 6/30/94=1225

Vets	Spouses	Children
430	786	9

### TOTAL RESERVATIONS CANCELLED AS OF 6/30/94=32

Vets	Spouses	Children
7	23	2

### TOTAL UNFILLED RESERVATIONS AS OF 6/30/94=4179

Vets	Spouses	Children
874	3247	58

### MVMC ELIGIBILITIES CERTIFIED DURING FY=611

(In-State) Certificates = 468

(Out-of-State) Certificates = 143

# **CONTACTS AND CLAIMS REPORT** **1993-94**

	Bangor	Caribou	Lewiston	Machias	Portland	Belfast	Waterville	Togus	State Office	Agen/O	Grand Totals
<b>Total Contacts</b>	8,109	9,563	7,996	2,810	7,792	2,100	6,534	28,399	19,587	3,507	96,397
Personal	1,461	3,462	1,885	911	1,159	482	755	7,242	871	830	19,058
Meetings	9	11	17	6	14	0	15	15	151	12	250
Telephone	5,217	3,665	3,635	959	4,267	957	3,858	5,513	10,877	1,781	40,729
House Call	41	0	20	28	39	12	31	7	2	51	231
Correspondence	1,381	2,425	2,439	906	2,313	649	1,875	15,622	7,686	833	36,129
Mail Received Count	6,862	2,484	2,669	1,993	2,218	1,569	4,325	15,201	10,177	661	48,159
Claims Filed	165	136	107	101	176	35	203	0	0	51	974
Recoveries	1,264,077	559,561	423,952	419,728	884,773	773,274	1,108,122	0	0	0	\$5,433,487

<b>Fiscal</b>		
<b>Year</b>	<b>Contacts</b>	<b>Recoveries</b>
1989-90	83,825	\$3,695,703
1990-91	91,050	\$3,177,157
1991-92	81,755	\$4,391,989
1992-93	77,891	\$6,530,107
1993-94	96,397	\$5,433,487

**VETERANS DEPENDENTS EDUCATIONAL BENEFITS PROGRAM**  
**July 1, 1993 through June 30, 1994**

<b>State Supported Colleges</b>		<b>Private Colleges In-State</b>		<b>Private Colleges Out-of-State</b>		<b>Total</b>
New Applications	90	New Applications	4	New Applications	4	98
Applications Granted	77	Applications Granted	4	Applications Granted	6	87
Denied Applications	8	Denied Applications	1	Denied Applications	1	10
Students Enrolled	355	Students Enrolled	28	Students Enrolled	48	431

## DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

MICHAEL W. AUBE, COMMISSIONER

MARY FAYE LAFAVER, Director of Economic Development

CAROLYN MANSON, Director of Community Development

*Central Office:* 33 Stone Street, Augusta;

*Telephone:* 287-2656

*Mail Address:* State House Sta. #59, Augusta, Maine 04333

*Established:* 1987

*Sunset Review Required by:* June 30, 1999

*Reference: Policy Area:* 01; *Umbrella:* 19; *Unit:* 100; *Citation:* 5 M.R.S.A., Sect. 13053

*Average Count—All Positions:* 79

*Legislative Count:* 43

*Organizational Units:*

Office of the Commissioner/Administration

Office of Business Development

Office of Community Development

**PURPOSE:** The Department of Economic and Community Development has three major policy functions: business attraction and assistance, tourism development and management, and community development and planning. The Commissioner of Economic and Community Development designs and implements programs to meet these purposes. A significant number of programs require the Department to coordinate a variety of activities with Maine's public and private sectors.

This Office of the Commissioner is responsible for: financial management, including budgeting, accounting and bookkeeping; business management, including purchasing, contracting and information automation; personnel and labor relations; payroll; administration and support functions to the advisory councils and commissions.

**ORGANIZATION:** The Maine Development Commission, established in 1933, was reorganized as the Department of Development of Industry and Commerce in 1955. In 1957, it became the Department of Economic Development. In 1971, as part of a general reorganization of state government, it became the Department of Commerce and Industry. The Department was abolished in June 1975, and its functions were transferred to other new or existing agencies. At the same time, the State Development Office was established within the Executive Department and was assigned the general development functions of the former Department of Commerce and Industry.

On October 1, 1987, the State Development Office was abolished. Its functions, together with development activities formerly conducted by the State Planning Office and the Department of Conservation, were assigned to the new, cabinet-level Department of Economic and Community Development.

The Department of Economic and Community Development has several subsidiary offices and divisions. The Department includes the Office of the Commissioner, the Office of Business Development, the Office of Tourism, and the Office of Community Development.

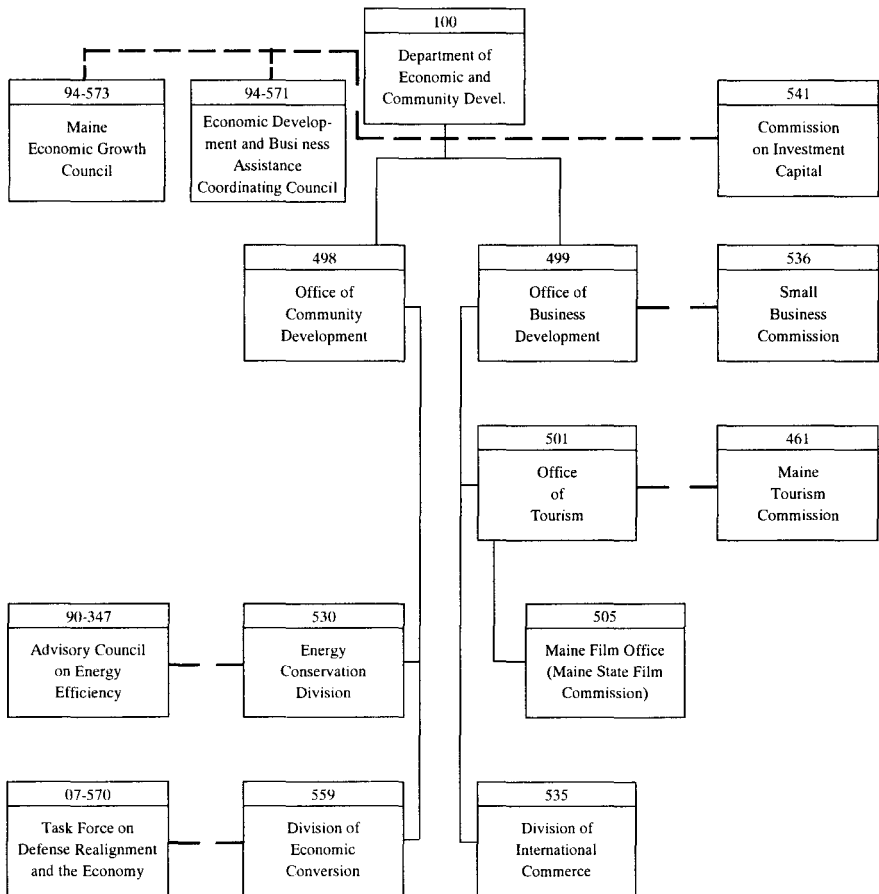
The Office of the Commissioner provides central Department administration and management of financial, personnel, and administrative procedures to conform with state and federal requirements. It provides administrative and technical support services to the department's divisions and programs; and responds to requests for public information. This office has an average count—all positions of 11 and a legislative count of 11.

The Department also provides administrative and other support functions to the Maine Economic Growth Council, the Economic Development and Business Assistance Coordinating Council, the Maine Tourism Commission, the Maine State Film Commission, Small Business Commission, and a number of task-oriented citizen and professional groups whose purposes are to advise the Department or the Governor.

**PROGRAM:** For program information, see portions of this report dealing with specific divisions within the Department of Economic and Community Development.

# ECONOMIC AND COMMUNITY DEVELOPMENT

## ORGANIZATIONAL CHART DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT UMB 19



Approved by the Bureau of the Budget

# ECONOMIC AND COMMUNITY DEVELOPMENT

## CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,129,331	1,330,364	132,985		665,982	
Health Benefits	217,062	128,834	13,478		74,750	
Retirements	319,974	191,769	22,248		105,957	
Other Fringe Benefits	32,403	20,682	1,863		9,858	
Other Contract Services—State	3,414,749	2,082,886	1,247,235		84,628	
Computer Services—State	16,258	15,175			1,083	
Other Contractual Service	785,273	644,163	53,819		87,291	
Rents	18,261	18,043			218	
Commodities	78,921	60,590	307		18,024	
Grants—Subsidies—Pensions	18,465,263	1,532,065	465,682		10,223,486	6,244,030
Building Improvements	20,163	12,163			8,000	
Interest—Debt Retirement	14	11			3	
Transfers to Other Funds	29,808	180	4,791		24,837	
<b>TOTAL EXPENDITURES</b>	<b>25,527,480</b>	<b>6,036,925</b>	<b>1,942,408</b>		<b>11,304,117</b>	<b>6,244,030</b>

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	408,3203	355,909			52,394	
Health Benefits	39,153	34,618			4,535	
Retirements	54,963	48,858			6,105	
Other Fringe Benefits	5,226	4,328			898	
Other Contract Services—State	84,074	16,770	30,000		37,304	
Computer Services—State	3,108	3,108				
Other Contractual Service	96,082	87,642	6,710		1,730	
Rents	3,113	3,113				
Commodities	12,032	11,938			94	
Grants—Subsidies—Pensions	327,903	327,903				
Building Improvements	2,310	2,310				
Interest—Debt Retirement	3	3				
Transfers to Other Funds	5,912		1,553		4,359	
<b>TOTAL EXPENDITURES</b>	<b>1,042,182</b>	<b>896,500</b>	<b>38,263</b>		<b>107,419</b>	

## OFFICE OF BUSINESS DEVELOPMENT

JOAN ANDERSON COOK, DIRECTOR

*Central Office:* 33 Stone Street, Augusta;

*Telephone:* 287-3153

*Mail Address:* State House Sta. #59, Augusta, Maine 04333

*Established:* October 1, 1987

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 01; Umbrella: 19; Unit: 499; Citation: 5 M.R.S.A., Sect. 13061

*Average Count—All Positions:* 13

*Legislative Count:* 11

**PURPOSE:** The Office of Business Development exists to encourage the initiation, expansion and location of businesses in Maine to increase quality employment opportunities for Maine citizens. The Office encourages business by removing barriers to growth, by facilitating exploration of opportunities and providing assistance necessary to enhance business consistent with the State's economic development strategy.

**ORGANIZATION:** The Director of Business Development directs the activities of the Office of Business Development, which includes two major functional areas: Business Assistance and Business Development. The Division of International Commerce and the Maine Small Business Commission also function within the Office of Business Development.

### PROGRAM:

**Business Assistance:** There are five major business assistance activities: Business Answers, the Small Business Commission, Maine Products Marketing, the Maine Supplier Access System, and the Government Marketing Assistance Program.

The **Business Answers Program** has served over 80,000 individuals and businesses since its inception in October of 1986, responding to questions about doing business in Maine, particularly in regard to government regulations and permits.

The **Small Business Commission** funds and oversees the Small Business Development Center program in Maine. This network offers business counseling services to small businesses. There are seven centers currently in operation throughout the state. (Refer to detailed report under "Small Business Commission").

The **Maine Products Marketing Program** offers Maine firms assistance in marketing their industrial and consumer products through selected trade shows and an umbrella marketing campaign. Since the program's inception in 1989, participating companies have increased to 500.

The **Maine Supplier Access System (MAX)** links Maine producers and suppliers with subcontractors and businesses both in-state and out-of-state. The program offers procurement assistance to Maine businesses through the Market Development Center in Bangor. MAX has assisted companies with 229 contractor and 47 subcontractor awards totalling over \$40 million in federal contracts over the past year.

The **Government Marketing Assistance Program (GMAX)** assists Maine firms with procurement of federal, state and local contracts for goods and services. Offices are located in Portland and Bangor.

#### **Business Development:**

The Office of Business Development also facilitates business and job growth through business attraction, expansion and retention activity. Business Development Specialists provide technical assistance such as information on labor, wages, taxes, transportation, utilities, and environmental regulations.

Site location assistance is provided with the maintenance of a comprehensive file of available industrial buildings and sites; financial assistance through federal, state and local financial programs; training assistance through federal and state training and vocational education programs; and marketing assistance by identifying specific foreign and domestic trade opportunities and conversely, reliable producers of Maine products. (Refer to "International Commerce" for more information on foreign trade).

The **Maine Education and Training Export Partnership** is a consortium of public and private colleges, universities, technical schools and businesses who provide education, training, business development and technical assistance to developing countries. Four resource action groups focus on Industrial Development and Training; Small Enterprise Development; Health Care Training and Development; and Participant Training.



## ECONOMIC AND COMMUNITY DEVELOPMENT

### PUBLICATIONS:

"A Guide To Doing Business in Maine"/Business Start-up Kit 1993 (\$4.00)  
Maine: A Statistical Summary (free)  
Maine Made: America's Best Product Catalog 1993 (free to wholesale buyers)  
Public Development Financing Brochure (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF BUSINESS DEVELOPMENT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	347,222	318,600			28,622	
Health Benefits	29,032	26,209			2,823	
Retirements	48,150	43,688			4,462	
Other Fringe Benefits	7,173	6,803			370	
Other Contract Services—State	151,041	151,041				
Computer Services—State	32	32				
Other Contractual Service	167,304	163,317			3,987	
Rents	1,747	1,747				
Commodities	29,423	16,341			13,082	
Grants—Subsidies—Pensions	468,650	468,650				
Building Improvements	17,853	9,853			8,000	
Transfer to Other Funds	5,246				5,246	
<b>TOTAL EXPENDITURES</b>	<b>1,272,873</b>	<b>1,206,281</b>			<b>66,592</b>	

## OFFICE OF COMMUNITY DEVELOPMENT

CAROLYN MANSON, DIRECTOR

*Central Office:* 219 Capitol Street, Augusta

*Telephone:* 624-6800

*Mail Address:* State House Sta. #130, Augusta, Maine 04333

*Established:* October 1, 1987

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 01; Umbrella: 19; Unit: 498; Citation: 5 M.R.S.A., Sect. 13072

*Average Count—All Positions:* 41

*Legislative Count:* 12

**PURPOSE:** The Office of Community Development assists municipalities in planning for and achieving economic growth and development while, at the same time, preserving and protecting their resources and assets. To achieve this purpose, the Department, through the Office, strives to remove barriers to balanced economic growth, and provides planning, technical and financial resources to the municipalities to enhance economic development.

**ORGANIZATION:** The Director of the Office of Community Development oversees all activities of the Office, which include: the Community Development Block Grant Program; the Division of Energy Conservation; the Division of Community Planning, and State Initiatives (Community Industrial Building Program/Economic Opportunity Fund).

### PROGRAM:

**Community Development Block Grant Program:** The Department of Economic and Community Development assumed responsibility for administering the Small Cities Community Development Block Grant Program (CDBG) on October 1, 1987, from the State Planning Office which had been

## ECONOMIC AND COMMUNITY DEVELOPMENT

administering the program since 1982. In the period from 1982 through 1990, CDBG funds were awarded through three programs: Community Revitalization, Development Fund, and Planning Grants. This was expanded to six programs in 1990 with the addition of the Urgent Need, Emerging Opportunity Fund (later renamed the Regional Assistance Fund), and Housing Planning Grant programs. Beginning in 1993, the Community Revitalization Program was divided into the subcategories of Housing Assistance, Public Facilities Infrastructure, Economic Development Infrastructure, Micro-Loan, and Public Service, while the Housing Planning Grant program was eliminated. In 1994 two new planning programs for Defense Conversion and Main Street Revitalization were added. Total program funding for FY '94 was \$14,339,000.

The objective of the CDBG program is to serve as a catalyst for local governments to implement programs which: (1) benefit low and moderate income people; (2) are part of a long-range community strategy; (3) provide the conditions and incentives for further public and private investment; (4) improve deteriorated residential and business districts and local economic conditions; and (5) foster partnerships among communities.

**Energy Conservation Division:** This division administers programs that provide Maine's citizens with educational, technical and financial assistance on energy conservation matters. (Refer to the Division of Energy Conservation section for more information.)

**Division of Community Planning** (formerly, Office of Comprehensive Land Use Planning): This division exists to implement and administer Maine's Growth Management Program, and to provide planning assistance to municipal governments. Activities within the Division include: administration of Municipal Planning and Assistance Grants, review of comprehensive plans and ordinances, administration of the training and certification program for local code enforcement officers, local liaison for the National Flood Insurance Program, the Natural Areas Program, and administration of the local activities of Maine's Coastal Program.

**Community Planning Program.** The Community Planning Program distributes grants to municipalities to fund the development and implementation of comprehensive plans. Plans and the zoning ordinances that implement portions of these plans are reviewed for consistency with the Planning and Land Use Regulation Act. To date 342 communities have received planning grants and 75 communities have received implementation grants. The Program administers contracts to Regional Councils to enhance their capacity to provide planning technical assistance to local governments. \$194,000 was awarded from State general funds and an additional \$105,000 in Federal funds to Regional Councils located in coastal areas. The Program also offers direct assistance to communities through workshops, meetings and handbooks on comprehensive and land use planning.

**CEO Training and Certification Program.** The Code Enforcement Training Program develops and delivers training sessions for municipal code enforcement officers on various topics applicable to the five job responsibilities of CEOs. The Program administers certification examinations for new code officers and administers recertification through continuing education. As of June 1994, 378 individuals have been certified through the program.

**Coastal Program.** To help coastal municipalities and regional councils improve local compliance with the State's nine Coastal Policies, the Office administers a variety of federally funded contracts and programs. Grants to eight coastal Regional Councils are used to provide direct assistance to municipal planning boards and other local committees in areas such as shoreland zoning, subdivision review, and code enforcement. Through workshops, individual meetings, and handbooks, the Office also helps coastal municipalities with projects related to comprehensive planning, harbor management, watershed protection, public access, and coastal erosion. Current ongoing programs include: the Damariscotta River Estuary Project, Small Ports Assistance Project, Marine Boat Pump-Out Grants Project, and the Public Access Rights-of-Way Rediscovery Project.

**Floodplain Management Program.** The Department, through its Office of Community Development, is the coordinating agency for the National Flood Insurance Program (NFIP) in the State of Maine. The NFIP provides \$476,261,000 in flood insurance protection for 5,798 owners of structures in Maine's Special Flood Hazard Areas. Close to 90% of Maine's communities participate in the NFIP and over \$21.7 million has been paid out in claims from flood damage since 1978.

The Office works closely with municipal officers and Regional Council staff on the administration and enforcement of local floodplain ordinances. In addition, technical assistance related to flood damage reduction is provided to businesses, surveyors, appraisers, banks, insurance agents and other individuals throughout the State. Over 250 Code Enforcement Officers from around the State have attended workshops aimed at helping them administer their local ordinances.

The Floodplain Management Program has helped 15 Maine communities enter the Community Rating System (CRS), a program that provides lower flood insurance premiums for local floodplain

## ECONOMIC AND COMMUNITY DEVELOPMENT

management efforts that exceed federal minimum requirements. These 15 communities represent over 25% of the Maine flood insurance policy base.

**Natural Areas Program (MNP).** MNP was created in July 1993, when the Department's Natural Heritage Program was combined with the State Planning Office's Critical Areas Program. MNP coordinates and inventories ecologically significant natural features (rare plants, animals and natural communities) to track their location and status in Maine. Information from inventories is used for development, land use, and conservation planning by the public and private sectors, and for environmental review and scientific research and education. DEP, the Department of Inland Fisheries & Wildlife, and other State agencies cooperate with MNP to assure that data on rare features is appropriately used in environmental planning.

The program is supported entirely through non-general fund cooperative agreements and contracts for inventory, information management, and technical assistance with numerous federal, state and private agencies and organizations, including the Nature Conservancy which provides critical private cooperation. In FY '94, MNP provided data and technical assistance to support local comprehensive planning, and carried out a major contract from EPA concerning wetland biodiversity in Southern Maine. The program also managed research and an inventory of federally listed endangered plants in Maine, and began a project with the Maine Army National Guard for ecological inventory and management at one of the Guard's training facilities.

### STATE INITIATIVES:

**The Economic Opportunity Fund** (formerly CIB, Community Industrial Building Revolving Loan Program) loans local development corporations funds to construct speculative buildings in industrial parks to promote job creation and broaden the local tax base.

### PUBLICATIONS:

- (1) Maine Shore Access—Public Access Series (free)
- (2) 1991 Model Subdivision Regulations (\$5.00)
- (3) Code Enforcement Officer Handbook (free)
- (4) Comprehensive Planning and Shoreland Zoning (free)
- (5) Coastal Management Techniques: A Handbook (free)
- (6) Maine Floodplain Management Handbook (free)
- (7) 1995 CDBG Proposed Statement (free)
- (8) CDBG Application Handbook (free)
- (9) Maine Wetlands and Their Boundaries (\$5.00)

(A complete listing of publications is available)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF COMMUNITY DEVELOPMENT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,036,875	318,924	132,985		584,966	
Health Benefits	112,177	31,307	13,478		67,392	
Retirements	174,444	56,806	22,248		95,390	
Other Fringe Benefits	14,925	4,472	1,863		8,590	
Other Contract Services—State	104,151	43,593	13,234		47,324	
Computer Services—State	13,096	12,013			1,083	
Other Contractual Service	270,668	187,131	5,905		77,632	
Rents	11,133	10,915			218	
Commodities	23,977	18,875	307		4,795	
Grants—Subsidies—Pensions	17,163,917	577,046	119,355		10,223,486	6,244,030
Interest—Debt Retirement	11	8			3	
Transfers to Other Funds	18,582	180	3,238		15,164	
<b>TOTAL EXPENDITURES</b>	18,943,956	1,261,270	312,613		11,126,043	6,244,030

## ECONOMIC AND COMMUNITY DEVELOPMENT

### ECONOMIC CONVERSION DIVISION

*Central Office:* 219 Capitol Street, Augusta, Maine

*Telephone:* 624-6800

*Mail Address:* State House Station #130, Augusta, Maine 04333

*Established:* June 30, 1993

*Sunset Review Required by:* July 1, 1995

*Reference: Policy Area:* 01; *Umbrella:* 19; *Unit:* 559; *Citation:* 5 MRSA, Sect. 13062-A

*Average Count—All Positions:* 1

*Legislative Count:* 1

**PURPOSE:** The Economic Conversion Division was established to assist businesses, communities and workers mitigate the impacts of defense industry downsizing. A primary responsibility of the Division is to serve as a clearinghouse and repository for data and information on conversion efforts in Maine, as well as to coordinate all interagency state economic conversion and diversification resources, activities and programs. In addition, the Division monitors federal sources of conversion funds and assists communities in obtaining federal funds for conversion purposes.

The Division provides staff support to the Task Force on Defense Realignment and the Economy, and is charged with implementing Task Force recommendations.

**ORGANIZATION:** The Division is composed of one professional staff person who works under the direction of the Director of the Office of Community Development.

**PROGRAM:** During fiscal year 1994, the Division began its operations and established itself as a resource and clearinghouse for defense dependent firms, workers and communities. The Division created and manages a database of information concerning defense dependency and conversion resources. It has participated with several organizations to coordinate service delivery within the State, and monitors all publications for sources of funding and innovative strategy to respond to defense downsizing. The Division has also developed a program in conjunction with the Small Business Development Centers to train business counselors throughout the State about the particular needs and characteristics of defense dependent firms. The goal of the program is to strengthen the existing service delivery system's capacity to respond to the needs of defense dependent firms.

During FY'94 the Division also coordinated five meetings of the State Task Force on Defense Realignment and the Economy and prepared a report to the Legislature on behalf of the Task Force.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ECONOMIC CONVERSION DIVISION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	12,204	12,204				
Health Benefits	1,141	1,141				
Retirements	1,903	1,903				
Other Fringe Benefits	212	212				
Other Contract Services—State	5,245	5,245				
Other Contractual Service	7,992	6,580			1,412	
Rents	30	30				
Commodities	1,787	1,734			53	
Transfers to Other Funds	6				6	
<b>TOTAL EXPENDITURES</b>	30,520	29,049			1,471	

## ECONOMIC AND COMMUNITY DEVELOPMENT

### ENERGY CONSERVATION DIVISION

PETER THIBEAULT, DIRECTOR

*Central Office:* 219 Capitol Street, Augusta, Maine

*Telephone:* 624-6800

*Mail Address:* State House Station #130, Augusta, Maine 04333

*Established:* July 1, 1990

*Sunset Review:* Not Established

*Reference:* Policy Area: 01; Umbrella: 19; Unit: 530; Citation: 5 MRSA, Sect. 13084

*Average Count—All Positions:* 11

*Legislative Count:* 1

**PURPOSE:** The Energy Conservation Division administers programs that provide Maine's citizens with educational, technical and financial assistance on energy conservation matters.

**ORGANIZATION:** On January 1, 1990 the energy conservation and education programs of the Office of Energy Resources were transferred to the Department of Economic and Community Development. In July, 1990, the legislature created the Energy Conservation Division in the Office of Community Development.

**PROGRAM:** The Energy Conservation Division provides energy conservation information and education for Maine's homeowners and businesses. In addition to state mandated programs, the ECD administers energy programs under the federal Energy Conservation and Policy Act and the National Energy Extension Service and Conservation Act.

**Institutional Conservation Program (ICP).** The ICP, a federal matching program administered since 1979, awards grants throughout the state to schools and hospitals for energy conservation projects. Through FY 94, \$8.7 million in federal assistance and \$1.86 million in oil overcharge funds have been received by Maine schools and hospitals. It is estimated that Maine's participating institutions are saving \$5.9 million in annual energy costs.

**Energy Extension Service (EES).** The three Energy Extension Agents provide direct assistance to individuals and small businesses across the State. The agents operate out of offices in Presque Isle and Augusta. During FY 1994, these outreach workers conducted seminars for builders and provided Maine citizens and small businesses with technical assistance on energy conservation, woodstove safety, and energy standards in buildings. EES agents also conducted presentations on energy issues to community groups, adult education classes, clubs, and schools at all levels. The EES developed and conducted workshops, conferences and seminars for homeowners, builders, real estate licensees and small businesses during FY 94.

**State Energy Conservation Program (SECP).** The State Energy Conservation Program was established by the National Energy Policy and Conservation Act (EPCA) to promote the conservation of energy and to reduce the rate of growth of energy demand. The SECP, through the U.S. Department of Energy, establishes energy conservation goals and develops program activities designed to promote energy conservation in Maine.

**Residential Conservation Service Program (RCS).** The Residential Conservation Service (RCS) was established by the National Energy Conservation Policy Act in 1978. The federal RCS program expired in July, 1989; however, Maine law has authorized continuation of the Residential Conservation Service. The ECD, through the State Residential Conservation Service Program, continued to monitor the residential conservation program activities of Maine's two largest electric utilities, the Central Maine Power Company and the Bangor Hydro-Electric Company. The ECD certifies energy auditors, solar energy installers and weatherization installers as part of its administration of the RCS program.

**Mandatory Energy Efficiency Building Standards.** Since 1989, Maine law has required energy efficiency building standards for residential and commercial and institutional buildings. ASHRAE 90 Standards (American Society of Heating, Refrigerating and Air-Conditioning Engineers) are required for commercial and institutional buildings. Beginning in October 1994 owners of new commercial or institutional buildings must certify to the state that the building will meet the energy standards before permanent electric service can be installed. Prescriptive insulation standards are applied to residential construction, with exceptions for owner-built, owner-contracted, and log homes. Rules were promulgated in the Fall of 1989. The ECD is responsible for the administration and enforcement of the building standards.

## ECONOMIC AND COMMUNITY DEVELOPMENT

**Energy Efficiency Standards for Subsidized Multi-Family Housing.** P.L. 1991, Chapter 275, prohibits the installation of electric heat as the primary source of heat in multi-family buildings that are funded in whole or in part with public funds. The law does allow for a waiver to install electric heat if the building will be constructed to meet a super-insulated standard as prescribed by the law. The Department of Economic and Community Development issues the waiver and the Energy Conservation Division administers and enforces the law.

**Maine Energy Education Program (MEEP).** MEEP is an innovative public/private partnership, working to promote energy education in Maine schools. During FY 94, the State's participation included funding for staff and program development. MEEP is affiliated with the national Energy Education Development Project.

**Student Energy Management Training (SEMT).** SEMT provides in school training for high school students to learn about school energy use and conservation.

**Business and Industrial Audit Assistance Program.** The Small Business program (SBP) provides energy audits and technical assistance for small businesses (fewer than 20 employees) throughout the State. By working directly with business owners, this program will identify appropriate energy savings improvements, recommend energy management assistance programs and identify financial assistance services. In conjunction with the SBP, audit and technical assistance services are offered to industries around the State. This program is linked to the manufacturing Assessment and Process Improvement program for defense dependent manufacturers.

**Innovative Transportation Development Program.** ITDP provides support for innovative transportation initiatives in public transport and alternative fuels, and sponsorship of alternative demonstration and awareness programs, with a focus on sponsorship of the Tour de Sol race.

### LICENSES, PERMITS, ETC.:

Energy Auditor Certification

### PUBLICATIONS:

- (1) Maine Wood Burning Guide (free)
- (2) Home Energy Conservation (\$1.00)
- (3) Moisture & Energy Conservation (\$2.00)
- (4) Major Energy Conservation Retrofits (\$5.00)
- (5) Maine Guide to Energy Efficient Construction: A Manual of Accepted Practices (\$7.00)
- (6) Indoor Air Quality (\$1.00)
- (7) Heat Recovery Ventilation (\$2.00)
- (8) Fact Sheets (on various subjects) (free)

(A complete listing of ECD publications is available)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## MAINE FILM OFFICE (MAINE STATE FILM COMMISSION) D. LEA GIRARDIN, DIRECTOR

*Central Office:* 33 Stone Street, Augusta;

*Telephone:* 287-5707

*Mail Address:* State House Sta. #59, Augusta, Maine 04333

*Established:* October 1, 1987

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 01; Umbrella: 19; Unit: 505; Citation: 5 M.R.S.A., Sect. 13095

*Average Count—All Positions:* 2

*Legislative Count:* 2

**PURPOSE:** The Maine Film Office was created by law to serve as the official liaison between the film and video production communities and the State of Maine. The Office's broad directive is to introduce

## ECONOMIC AND COMMUNITY DEVELOPMENT

the filmmaking and broadcast industry to the variety of locations available in Maine and to assure the support of technically skilled people and cooperation from the State and local authorities and the communities at large.

**ORGANIZATION:** The Maine Film Office is comprised of two (2) professional staff and is part of the Office of Tourism. An eleven-member commission appointed by the Governor serves in an advisory capacity for the Film Office.

**PROGRAM:** The Maine Film Office's two major objectives are: 1) to attract film and video production to Maine, and 2) to assist film and video productions that are taking place in Maine or are considering Maine as a location. To accomplish these objectives, the Film Office responds daily to a wide variety of production related requests, supplying in-depth location information and assisting with crew, equipment and accommodation contacts.

The Office also publishes a production guide, as a resource for producers who are considering working in Maine. This manual serves the double purpose of promoting Maine people, services and companies, and being an information tool for production companies.

In fiscal year 1994, the Film Office responded to over 1,500 inquiries and requests. In addition to sending the production guide, the Office supplied detailed information, materials and services to approximately 300 production companies. Of these requests, the Film Office secured Maine as a shooting site for 40 productions, consisting of 6 feature films, 15 television shows and specials, 4 commercials, 4 still ads and 11 miscellaneous projects with total expenditures of more than \$1 million in the state.

The Maine Film Commission is an eleven-member board appointed by the Governor which supports the Maine Film Office through advisory, fund raising and legislative liaison activities. In fiscal year 1994, the Film Commission met six times and sponsored a network gathering for Maine professionals in the production industry.

### **PUBLICATIONS:**

Production Manual, Maine State Film Commission (free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Office of Tourism.

## DIVISION OF INTERNATIONAL COMMERCE

*Central Office:* 33 Stone Street, Augusta;

*Telephone:* 287-3153

*Mail Address:* State House Sta. #59, Augusta, Maine 04333

*Established:* October 1, 1987

*Sunset Review Required by:* June 30, 1999

*Reference: Policy Area:* 01; *Umbrella:* 19; *Unit:* 535; *Citation:* 5 M.R.S.A., Sect. 13101

*Average Count—All Positions:* 2

*Legislative Count:* 2

**PURPOSE:** The Division of International Commerce was established to ensure that international commerce development is grounded in thorough, accurate and timely economic information coupled with careful analysis in order to make the maximum use of the limited resources available for international commerce development activities.

**ORGANIZATION:** The Division is comprised of two professional staff who work under the direction of the Deputy Commission for Business Development.

## ECONOMIC AND COMMUNITY DEVELOPMENT

### PROGRAM:

The three major components of the Division of International Commerce are: investment attraction, trade promotion, and research and analysis. Major activities included:

**Investment Attraction.** The Division organized a trade investment mission of ten Maine companies, led by the Governor, to the South American countries of Chile, Argentina and Brazil.

**Trade Promotion.** The Division established cooperative agreements with the Korea-U.S. Economic Council (KUSEC), and with Aomori Prefecture, Japan.

**Research and Analysis.** The Division's research includes analyses of significant trade issues and data, and the maintenance of Maine export statistics by industry and destination.

**PUBLICATIONS:** All available without charge.

"The Maine Canada Connection: New Opportunities for Maine Businesses" (produced in partnership with the Canadian American Center), 1989.

"The Canada-U.S. Free Trade Agreement and Potential Effects on Major Sectors of the Maine Economy", 1990.

"Maine U.S.A.: We're the Future for Business in America" (in German, English and French and in Japanese), 1989 (3-Language).

"Maine, Canada's U.S. Connection: New Opportunities for Canadian Business.", 1991.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF INTERNATIONAL COMMERCE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	47,916	47,916				
Health Benefits	5,975	5,975				
Retirements	7,990	7,990				
Other Fringe Benefits	831	831				
Other Contract Services—State	93,605	93,605				
Other Contractual Service	69,015	66,485			2,530	
Commodities	4,358	4,358				
Grants—Subsidies—Pensions	7,400	7,400				
Transfer to Other Funds	62					62
<b>TOTAL EXPENDITURES</b>	237,152	234,560			2,592	

## MAINE SMALL BUSINESS COMMISSION

MICHAEL W. AUBE, COMMISSIONER, DECD

RODNEY L. SCRIBNER, STATE AUDITOR

TIMOTHY P. AGNEW, CHIEF EXECUTIVE DIRECTOR, FAME

*Central Office:* 33 Stone Street, Augusta

*Telephone:* 287-3153

*Mail Address:* State House Sta. #59, Augusta, Maine 04333

*Established:* July 1, 1990

*Sunset Review Required by:* June 30, 1999

*Reference: Policy Area:* 01; *Umbrella:* 19; *Unit:* 536; *Citation:* 5 M.R.S.A., Sect. 13032

**PURPOSE:** The Small Business Commission negotiates and oversees the annual contract with the U.S. Small Business Administration's identified administrative unit, as well as the funds which are allocated to the regional subcenters to provide small business assistance. Additionally, the Commission is responsible for the review and evaluation of State small business assistance programs, and for advising the Governor, Legislature and the Commissioner of the Department of Economic and Community Development with respect to these programs.



## ECONOMIC AND COMMUNITY DEVELOPMENT

**ORGANIZATION:** The Commission consists of the State Auditor, the Commissioner of the Department of Economic and Community Development and the CEO of the Financial Authority of Maine, and is supported by one program administrator.

**PROGRAM:** The most significant and comprehensive program of business counseling and support available in the State of Maine is delivered through the Maine Small Business Development Center (SBDC) network headquartered at the University of Southern Maine in Portland. The SBDC program receives the majority of its funding and oversight through the Maine Small Business Commission, with the balance provided by the U.S. Small Business Administration, the University of Maine System, and program income generated through nominal fees for conferences, workshops and trade shows. Operating from seven sub-centers and fifteen satellite offices throughout the state, the SBDC program delivers individual business counseling, technical and marketing assistance, training and research support to Maine's small business community.

The total SBDC program budget for fiscal year 1994 was \$1,274,280, of which \$585,211 was provided by the State.

During this year, the Maine Small Business Commission provided business counseling to 1,762 one-time clients, and 1,239 continuous clients. Of the continuous clients, 640 received more than six hours of direct individual counseling. In addition to its business counseling services, the Maine SBDC program also conducted 70 workshops and seminars, covering a wide range of current business topics, with more than 1,450 attendees.

The Northern New England Products Trade Show (NNEPTS), organized and conducted by the Maine SBDC in cooperation with the Vermont and New Hampshire SBDCs, is an opportunity for small businesses to market their products, develop trade show and production expertise, and meet with other small business operators. In 1994, the NNEPTS had 305 Maine, Vermont, and New Hampshire exhibitors and attracted 2,500 buyers from across the country.

For more information, call the SBDC central office at 780-4420.

**FINANCES, FISCAL YEAR 1993:** The expenditures of this unit are, by administrative decision, combined with those of the Office of Business Development.

## MAINE TOURISM COMMISSION HILARY N. SINCLAIR, DIRECTOR OF TOURISM

*Central Office:* 33 Stone Street, Augusta;

*Telephone:* 289-5711

*Mail Address:* State House Sta. #59, Augusta, Maine 04333

*Established:* September 23, 1983

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 01; Umbrella: 19; Unit: 461; Citation: 5 M.R.S.A., Sect. 13067

**PURPOSE:** The purpose of the Maine Tourism Commission is to advise the Director of Tourism on matters related to the marketing and management of the tourism industry.

The Maine Tourism Commission also has the responsibility of recognizing and informing the Office of Tourism of immediate or long-term opportunities and problems affecting this vital segment of the State's economy which warrant the Governor's attention. The Commission monitors local, state, federal and international developments that affect the balanced growth and quality of this industry and its impact on life in Maine.

**ORGANIZATION:** The Commission is appointed by the Governor and is made up of nine representatives of various segments of the tourism industry and the eight regions of Maine. Persons serve staggered 4-year terms. Additional ex-officio members represent the Department of Transportation, the Department of Economic and Community Development, the Maine Publicity Bureau, the Bureau of Parks and Recreation, the Department of Inland Fisheries and Wildlife, the Bureau of Public Improvements and the Department of Agriculture. The Commission meets monthly and elects a chairperson from among its membership.

## ECONOMIC AND COMMUNITY DEVELOPMENT

**PROGRAM:** The Maine Tourism Commission has served as an advisory group to both the Department of Economic and Community Development and the Governor in the last year. In addition to its ongoing responsibility of monitoring opportunities and problems relating to tourism, in FY 1994 the commission undertook a number of specific projects to assist the state in formulating tourism policy.

The Commission sponsored its Unity Dinner and Hospitality Awards Program to recognize outstanding achievement by employees of the Maine tourism industry. The successful "Tourism Day" for Maine legislators was repeated with a dinner sponsored for the Legislature in conjunction with the Maine Innkeepers Association, the Maine Campground Owners Association, and the Ski Maine Association.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Office of Tourism.

### OFFICE OF TOURISM

HILARY N. SINCLAIR, DIRECTOR

*Central Office:* 33 Stone Street, Augusta;

*Telephone:* 287-5711

*Mail Address:* State House Sta. #59, Augusta, Maine 04333

*Established:* October 1, 1987

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 01; Umbrella: 19; Unit: 501; Citation: 5 M.R.S.A., Sect. 13065

*Average Count—All Positions:* 8

*Legislative Count:* 8

**PURPOSE:** The Office of Tourism was created by law to serve as a single, official spokesman of tourism policy with the authority to implement marketing, management and research programs. The office's broad directive is to promote Maine as a four season destination to both consumers and the trade.

To accomplish this the Office is authorized to: conduct travel-product planning and research to determine market demand; implement public relations and promotional programs designed to market Maine's travel product; print materials as needed to fulfill requests for information about Maine by consumers and the travel trade; encourage the development of travel-product facilities and activities; operate tourist information centers; serve as a liaison between private industry groups and local, state, and federal agencies involved in tourism promotion and development; and provide basic support and discretionary grants to local, regional and statewide tourism agencies.

**ORGANIZATION:** The Office is supervised by the Director of Tourism who oversees the activities of five professionals and one support staff, and the two staff of the Film Office. Overall supervision of the Office of Tourism is provided by the Commissioner of Economic & Community Development.

**PROGRAM:** During the past year the Office engaged in promotional efforts that focused on print, radio, editorial promotion, participation in trade shows and presentations before professional, consumer and media groups. Local outreach programs were instituted and included seminars, conferences and a cooperative advertising program with the Maine tourism industry.

**Marketing:** There were several important marketing objectives in Fiscal Year 1994:

- to cultivate new visitors from the Mid-Atlantic states;
- to expand paid advertising through cooperative opportunities with the private sector;
- to create an awareness of the variety of opportunities and activities that Maine has to offer;
- to encourage travel writers from national newspapers and magazines to write feature stories about Maine; and
- to continue working with travel agents and tour operators to "package" Maine as a destination.

**Visitor Information.** The Office of Tourism's Visitor Information Program provides visitors and potential visitors with specific information on destinations and services of interest to them. This is accomplished through mail and telephone inquiries and operating and staffing state-owned visitor information centers at Houlton, Calais, Yarmouth, Kittery, and Hampden.

## ECONOMIC AND COMMUNITY DEVELOPMENT

**Research.** To provide the statistics and data necessary for planners, developers, marketers and managers of tourism-related projects throughout Maine, the Office of Tourism conducts research in various areas.

**Group Travel.** During the past year, the Office attended the following marketplaces: American Bus Association, National Tour Association, and Ontario Motor Coach Association. Ongoing service to tour operators assists with the development of itineraries, slides and information about tourist attractions.

**Maine Tourism Partnership Program.** In FY'94, the Maine Tourism Partnership Program awarded \$405,000 in grants to 25 local and regional organizations for marketing and promotion. This program is designed to assist local and regional groups in promoting their areas and events by attending trade shows, producing brochures and videos, and completing marketing studies.

### PUBLICATIONS:

- 1) Tourism Annual Report (free)
- 2) Meeting and Conference Guide (free)
- 3) Tourism Fact Sheet (free)
- 4) Quarterly Tourism Indicators (free)
- 5) Quarterly Tourism Newsletter (free)
- 6) Group Tour Manual (free)
- 7) Experience A Maine Vacation (free)
- 8) International Brochure (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF TOURISM	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	276,811	276,811				
Health Benefits	29,584	29,584				
Retirements	32,524	32,524				
Other Fringe Benefits	4,036	4,036				
Other Contract Services—State	2,434,189	1,230,188	1,204,001			
Computer Services—State	22	22				
Other Contractual Service	173,991	132,787	41,204			
Rents	2,238	2,238				
Commodities	7,344	7,344				
Grants—Subsidies—Pensions	497,393	151,066	346,327			
<b>TOTAL EXPENDITURES</b>	3,458,132	1,866,600	1,591,532			

## DEPARTMENT OF EDUCATION

LEO G. MARTIN, COMMISSIONER

POLLY WARD, Deputy Commissioner

MARY MAJOROWICZ, Deputy Commissioner

*Central Office:* Education Building, Augusta

*Telephone:* 287-5800

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* April 2, 1931

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 071; Citation: 20A M.R.S.A., Sect. 201

*Average Count—All Positions:* 417

*Legislative Count:* 173

*Organizational Units:*

Administration

Applied Technology and

State Board of Education

Adult Learning

Governor Baxter School for the Deaf

**PURPOSE:** The overall emphasis of this agency is to ensure that high quality educational services are available to all citizens of the State of Maine through comprehensive educational planning and leadership that relates such services to other social, economic, cultural and governmental programs and activities.

The Department of Education is authorized to supervise, guide and plan a coordinated system of public education for all Maine citizens; to interrelate public education to other social, economic, physical and governmental activities, programs and services; to encourage and stimulate public interest in the advancement of education; to encourage in-service education and staff development for teachers in cooperation with local school officials; to compile and distribute copies of school laws to municipal and school officers; to act upon applications for additions to and dissolution of School Administrative Districts; to prescribe the studies to be taught in the schools; to furnish record books to the school officers of each administrative unit for recording all matters relating to monies appropriated; to control and manage all public schools established and maintained by gifts or bequests; to perform all duties imposed by any charter granted by the Legislature to educational institutions in the State; to report annually to the Governor the facts obtained from school returns, with recommendations to promote the improvement of public schools; to inspect schools; to issue high school equivalency diplomas; to produce or contract for educational television programs; to cooperate with the federal Department of Education in carrying out the Bilingual Educational Program Act; to approve schools with out-of-state enrollment; to enter into contracts for applied technology education programs; and to certify teachers and other professional personnel for service in any public school in the State or any school that accepts public funds.

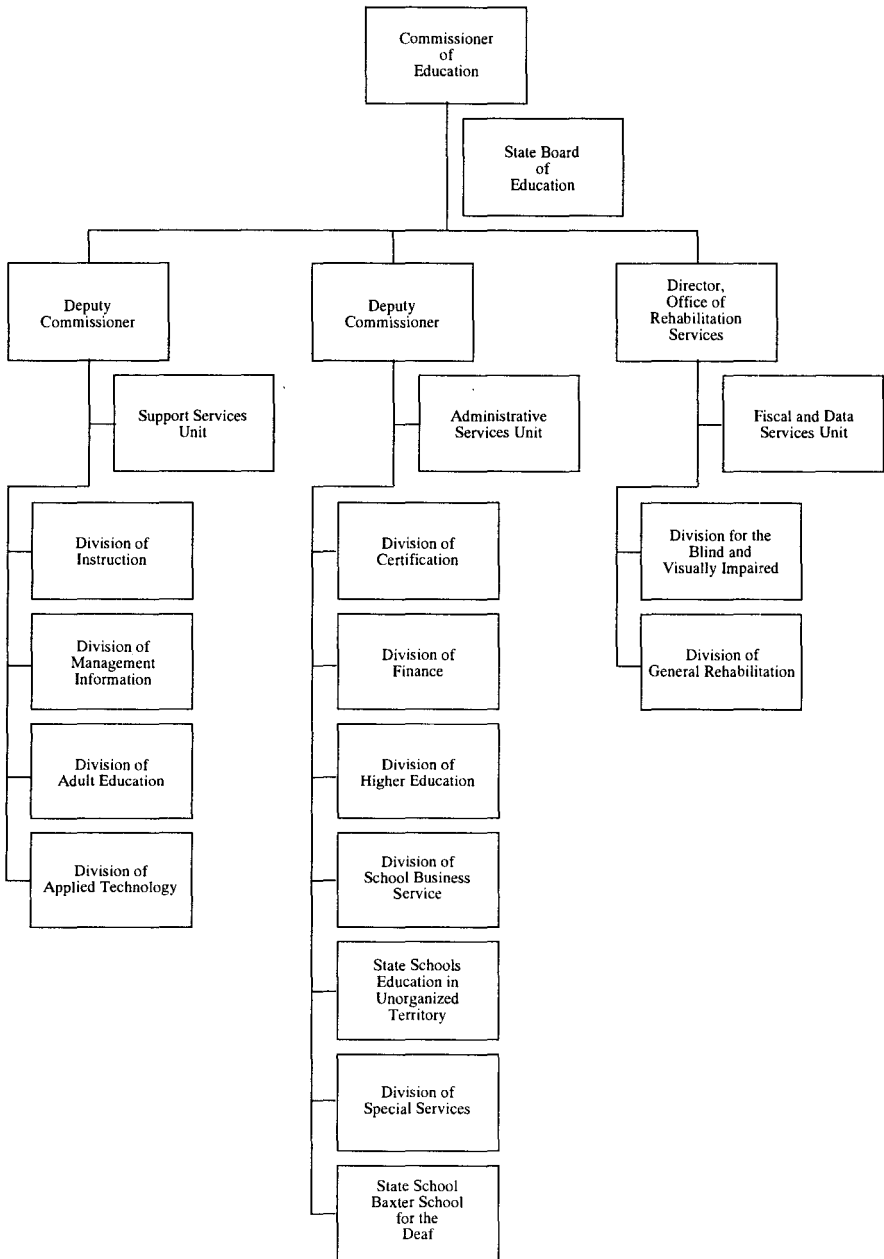
**ORGANIZATION:** The Department of Education originated in 1846 with the establishment of the first Board of Education, consisting of one member from each county of the State. The Board was abolished in 1850, and in 1852, County Commissioners of Common Schools were established. The County Commissioners were replaced in 1854 by a Superintendent of Common Schools, and in 1869, a new State Board of Education was established, with a membership consisting of the Superintendent and new County Supervisors of Public Schools. In 1872 the Board was again abolished along with the County Supervisors, and public education responsibilities of the State were shifted to the Superintendent who in 1897, became Superintendent of Public Schools and in 1923, Commissioner of Education.

In a major State Government reorganization of 1931, the Department of Education was created to assume the powers and duties formerly assigned solely to the Commissioner of Education, and to supervise State Normal Schools, the Maine State Library (established in 1839) and the State Museum (established in 1919) and to administer the Teachers' Retirement System. In 1939, the Library and the Museum were separated from the Department to become independent agencies of the State, and in 1947, the Teachers' Retirement System was merged with the new State Employees' Retirement System.

The State Board of Education was reestablished in 1949 with greatly expanded powers over the public education activities of the State, including authority to appoint the Commissioner of Education and select personnel of the Department. At this time, the Board also assumed the duties of the Vocational Education Board, originally established in 1917 as the State Board for Vocational Education, and of the State Normal School and Teacher's College Board, established in 1873 as the Board of Trustees of State Normal Schools. In 1961, the Board assumed the duties of the School District Commission which was

# EDUCATION

## ORGANIZATIONAL CHART DEPARTMENT OF EDUCATION UMB 05



Approved by the Bureau of the Budget

## EDUCATION

### CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	13,954,232	7,808,114	293,105		5,853,013	
Health Benefits	1,596,809	878,917	29,530		688,362	
Retirements	2,325,958	1,317,263	47,965		960,730	
Other Fringe Benefits	156,640	87,903	2,743		65,994	
Other Contract Services—State	3,589,218	2,679,306	92,158		817,754	
Computer Services—State	123,020	105,736	–5,000		22,284	
Other Contractual Service	8,444,608	6,972,651	82,001		1,389,956	
Rents	261,044	172,152	22,925		65,967	
Commodities	568,365	441,083	11,424		115,858	
Grants—Subsidies—Pensions	614,008,426	517,184,842	15,021,214		81,802,370	
Purchase of Land	58,343	33,243			25,100	
Building Improvements	238,200	105,533	27,042		105,625	
Interest—Debt Retirement	4,932	4,539	5		388	
Transfers to Other Funds	101,400,100	101,110,616	6,984		282,500	
<b>TOTAL EXPENDITURES</b>	<b>746,729,895</b>	<b>638,901,898</b>	<b>15,632,096</b>		<b>92,195,901</b>	

## EDUCATION

created in 1957 to develop plans for the establishment of appropriate school districts in the State, and in 1967, normal school and teachers' college functions of the Board discontinued as these institutions became part of the University of Maine system. In 1969, the Vocational Rehabilitation Division, created in 1959 to be under the general supervision of the Board, was transferred to the Department of Health and Welfare.

The powers of the board were further diminished in State Government reorganization of 1971 when the Department of Education became the Department of Educational and Cultural Resources and the authority to appoint the commissioner was transferred from the board to the Governor with the advice and consent of the council. This reorganization also placed several previously independent State agencies within the administrative structure of the Department, including the Maine Education Council (created 1967), the Maine State Commission for the Higher Education Facilities Act of 1963 (created 1967), the Maine Advisory Council on Vocational Education (created 1955), the Maine School Building Authority (created 1951), the Governor Baxter State School for the Deaf (created 1876), the Maine State Commission on the Arts and Humanities (created 1965), the Maine State Library (created 1839) and the State Historian (created 1907).

In additional reorganization in 1973, the Department was renamed Department of Educational and Cultural Services and expanded to include the Maine Historic Preservation Commission (created 1971) and the State Board of Education. The role of the board was changed to be advisory to the Commissioner of Educational and Cultural Services, but with specific powers relative to the organization and administration of the State's public school system, and with responsibility for administration of the federal Higher Education Facilities Act of 1963 and, in 1974, of the Higher Education Act of 1965 through the Maine State Commission for the Higher Education Facilities Act of 1963 and the Maine Postsecondary Education Commission (created 1974) respectively. Also in this reorganization, four agencies transferred to the Department in 1971 were established as statutory bureaus: State Museum Bureau, Maine State Commission on Arts and Humanities, Maine State Library Bureau and Bureau of Vocational Education. Several other subdivisions have been created administratively since 1971 under the commissioner's authority to form such bureaus as the Commissioner deems necessary to carry out the functions of the Department. In 1993, the bureau-level subdivisions were eliminated.

Since July 1990 the State's Cultural agencies have been administered separately by the Maine State Cultural Affairs Council. The Department is once again known as the Department of Education.

As of April 7, 1983, the Commissioner must be appointed by the Governor after consultation with the State Board of Education as established and is subject to review by the Joint Standing Committee on Education and confirmation by the Legislature.

**Truancy, Dropout and Alternative Education**—The Advisory Committee is required by statute to report annually by February 1st to the joint standing committee on Education.

**PROGRAM:** The Program of the Department is implemented through its component units.

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENT OF EDUCATION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Commodities	-2,735				-2,735	
Transfers to Other Funds	353		436		-83	
<b>TOTAL EXPENDITURES</b>	-2,382		436		-2,818	

## ADMINISTRATIVE SERVICES UNIT

POLLY WARD, CHIEF EXECUTIVE

*Central Office:* Education Bldg., Augusta

*Telephone:* 287-5112

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* August 1, 1993

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 071A

**PURPOSE:** This unit consists of Administrative Services which support the operations of the Department of Education in the areas of personnel, affirmative action, legislative activity, and support for the State Board of Education. Each of the activities has broad responsibilities for both supporting the work of all other organizational units in the Department and representing the Department within these areas of responsibility.

**ORGANIZATION:** This Unit reports directly to the Office of the Commissioner. The Unit was created through a restructuring which was approved by the Legislature in the First Regular Session of the 116th Legislature. This restructuring reduced the number of offices and divisions within the Department of Education and created organizational units which more clearly reflect the needs of the people both inside and outside of the Department who are served by these units.

### PROGRAM:

**Affirmative Action Unit/National Origin Desegregation.** This program is responsible for providing information and technical assistance about federal and state laws, regulations and procedures to local school districts. The program works in cooperation with the affirmative action officer for vocational education, the Department's personnel officer, the Office of the Attorney General, the State Personnel Affirmative Action Coordinator, the Maine Human Rights Commission, the U.S. Office for Civil Rights, and the U.S. Department of Education. This program participates in, and has substantial responsibility for, Maine's Methods of Administration for Civil Rights Compliance in Vocational Education. In addition, the program has demonstrated leadership in the Department's compliance with the Americans with Disabilities Act.

**Office of Personnel.** The Office of Personnel provides a wide range of personnel-related services to the Department's employees. With the decentralized system of personnel management (one or more employees at each of three locations is responsible for coordinating personnel activities), the communication of personnel information, forms, procedures, etc. is the primary responsibility. Also, labor relations activities (contract negotiations, handling of informal and formal employee grievances, interpretation of five different state-union contracts) require continuous attention. The decisions which can have significant consequences to individual employees and their work life are continuously assessed, explained, and implemented with the assistance of the Office of Personnel. In addition, planning for the transfer of the Office of Rehabilitation Services from the Department of Human Services to the Department of Education has been a major activity for the Personnel Office in order to ensure that employees are treated appropriately in this transfer process.

**Legislative Liaison.** This program oversees all legislative activity for the Department with the Legislature and the Governor's Office, and is the legislative liaison to the State Board of Education. This involves coordination with state and educational associations and local school administrative units. The program is also the Commissioner's liaison to the University System's instructional television system and participates on the University of Maine System Telecommunications Oversight Committee. The program chairs the Department's Telecommunications Committee and is the Commissioner's liaison to the Northeast Regional Distance Learning Advisory Committee. The program also functions as the Commissioner's liaison to the Secretary of State's office on procedures relative to the Administrative Procedures Act.

**Bilingual Education, Refugee Assistance and National Origin Desegregation.** The Title IV civil rights office provides workshops and technical assistance to schools, K-12. It has been active in developing equitable programs and planning for all linguistic minority children throughout Maine, generally in the form of training and materials in English as a second language and bilingual education.

The Title VII coordinator has been the department liaison with the U.S.D.O.E. for federally supported projects for schools, including ESL, bilingual education, academic excellence, and teacher training projects in bilingual education and ESL. The coordinator has been responsible for assisting in



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the development of programs funded under ESEA Title VII. Data collection on the state's population is part of the Department's charge with U.S.D.O.E.

The Emergency Immigrant Education Program (EIEP) will be funded through M.D.O.E. this year for one eligible school district.

The Department awards sub-grants to local educational agencies in accordance with the rules and regulations governing EIEP. M.D.O.E. monitors eligible sites that serve immigrant children. The department also provides technical assistance to schools, and appropriate leadership materials enabling them to serve refugee children. The numbers of immigrant children have increased in recent years; so have M.D.O.E. technical assistance services under these federal programs.

ADMINISTRATIVE SERVICES UNIT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	265,461	136,759			128,702	
Health Benefits	28,5967	12,482			16,114	
Retirements	49,948	27,237			22,711	
Other Fringe Benefits	2,825	507			2,318	
Other Contract Services—State	13,481				13,481	
Computer Services State	18	18				
Other Contractual Services	82,145	39,491			42,654	
Rents	589	120			469	
Commodities	4,955	517			4,438	
Grants—Subsidies—Pensions	11,038				11,038	
Building Improvements	1,320				1,320	
Transfers to Other Funds	7,499				7,499	
<b>TOTAL EXPENDITURES</b>	<b>467,875</b>	<b>217,131</b>			<b>250,744</b>	

## DIVISION OF ADULT AND COMMUNITY EDUCATION

### DR. PAUL R. WALKER, DIVISION DIRECTOR

*Central Office:* Education Bldg., Augusta; *Floor:* 2

*Telephone:* 287-5854

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*FAX:* 287-5894

*Established:* 1971

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 076; Citation: 20A M.R.S.A., Sect. 202

*Average Count—All Positions:* 2

*Legislative Count:* 5

### PROGRAM:

#### Division of Adult and Community Education

*Maine Adult and Community Education:* Adult education programs in Maine are operated and funded as authorized by MSRA title 20-A, Chapter 315, subsection 8601-8611 and MSRA title 20-A, Part 1, Chapter 3, sub-chapter 2, subsection 257 of the Maine law relating to public schools, provides adults with continuing opportunities to acquire the knowledge and skills necessary to function more effectively in society. The categorical program areas of Maine's adult education are:

*Adult Vocational Education:* Programs that provide entry-level and intermediate skills training to Maine citizens seeking to learn new job skills or improve existing job skills. Covering a wide range of occupational areas from health to mechanics, from computers to business specific skill training, these programs operate through local adult education programs and counted enrollment of 27,600 students.

*Adult High School Completion:* Adult High School Completion activities include the traditional high school diploma pursued through adult diploma courses with normal credit requirements, and the GED (General Educational Development) courses and tests series that lead to the Maine High School

Equivalency Diploma. Another unique component of the Adult High School completion program is the ECO (External Credit Option) that permits a guided self study for those unable to attend classes due to time, travel, child care or handicapping conditions. Offered through local Adult Education programs, these activities counted close to 20,000 enrollments and awarded close to 3500 credentials in FY94.

*Adult Handicapped:* Adult handicapped programs provide assistance over and above that normally available within traditional adult education programs so that handicapped persons may have access and support services that will enable them to be successful in adult education programs.

*Adult Basic Education (ABE):* A federally-funded competitive grant program which provided funds to local public and private non-profit agencies for the purpose of improving educational activities for adults who lack the level of literacy skills requisite for effective citizenship and productive employment. Instructional services include classes or tutorials in reading, writing, computational skills as well as English as a Second Language. A total of 89 programs were funded and served 9,868 adults from non-readers to those preparing for high school diploma classes or the GED. ABE efforts are managed by public school adult education programs in local school units (90%) and community-based organizations (10%). Accessibility of services is a primary goal of the projects. Instructional sites include in-town learning centers, public schools, banks, fire stations, workplace sites, homeless shelters, jails, homes, libraries, and other community places. The projects employ over 813 teachers and tutors (94% part-time). There are 479 volunteers working in varying capacities with 66% working as tutors.

*Community Programs:* Community programs are not funded by the state but are offered at the local level on a self-sustaining basis. In addition to community service programs such as hunter safety, CPR, Community Health, and Home Fire Safety, etc., community interest programs also provide avocational activities of interest to their individual communities. Local programs counted almost 80,000 enrollments in this category last year.

*Center for Adult Learning and Literacy (CALL):* Funded jointly with State and Federal grants, this resource center provides current resources and staff training to Maine's 133 programs and their 5,000 adult education teachers. Designated by the Governor to facilitate interagency training across agencies such as the Department of Labor, Department of Human Services, Community Action Programs and the University of Maine, the center organized 196 events with over 3,840 participants.

*Family Literacy:* An intergenerational education program for parents and their children that integrates four essential components including: (1) basic skills instruction for the children's parents or primary caregivers, (2) developmental education for young children, (3) parent and child interaction time to share in learning experiences, and, (4) parent education and support groups to share experiences and overcome obstacles in family learning. Of the ongoing family literacy programs, four are funded through the Chapter I Even Start competitive grant program.

*Maine Literacy Coalition:* A forum to promote collaborative efforts designed to advocate on behalf of adult literacy. Current membership includes the Division of Adult and Community Education liaison, and representatives from Guy Gannett Communications, Literacy Volunteers of America-Maine, Public School Adult Education, Maine Library System, Bath Iron Works, Northeast Publishing, Time Warner, Hussey Seating Co., Central Maine Power, Georgia Pacific Corp., Saco Defense, Business Week Magazine, University of Southern Maine, other agencies, businesses and organizations.

*Adult Learning Opportunities Wide Area Telephone Service (W.A.T.S.):* The toll-free telephone line is promoted in all media campaigns and is a cooperative activity with Literacy Volunteers of America-Maine and the Maine Department of Education for the purpose of providing information and referrals to local programs.

*Homeless Education:* Funded through the Federal Stewart B. McKinney Act and managed through the Division of Adult and Community Education, operating through seven local adult education programs, this project delivered instruction in soup kitchens, housing projects, halfway houses, homeless shelters and other locations to 607 homeless people.

These program areas together recorded 134,000 enrollments delivered through 133 local adult education programs in more than 200 Maine communities. The Maine State Department of Education, Division of Adult and Community Education, is responsible for the administration of state and federal funds to these local programs and provides leadership, technical assistance and program evaluation.

### **PUBLICATIONS:**

Maine Adult and Community Education Directory 1992-93—free

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DIVISION OF ADULT AND COMMUNITY EDUCATION	TOTAL FOR		Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS	General Fund				
<b>EXPENDITURES</b>						
Salaries and Wages	223,364	147,767			75,597	
Health Benefits	20,470	14,029			6,441	
Retirements	36,336	24,086			12,250	
Other Fringe Benefits	1,224	1,001			223	
Other Contract Services—State	129,723	112,914			16,809	
Other Contractual Services	70,670	55,041			15,629	
Rents	3,695	3,595			100	
Commodities	2,411	1,933			478	
Grants—Subsidies—Pensions	5,242,688	3,731,838			1,510,850	
Transfers to Other Funds	3,837				3,837	
<b>TOTAL EXPENDITURES</b>	<b>5,734,418</b>	<b>4,092,204</b>			<b>1,642,214</b>	

## DIVISION OF APPLIED TECHNOLOGY

### CHRISTOPHER D. LYONS, DIRECTOR

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*Telephone:* 287-5854

*Mail Address:* State House Sta. #23, Augusta, Maine 04333-0023

*FAX:* 287-5894

*Established:* 1993

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05A; Unit: 071T

*Organizational Units:*

State Administration Unit

State Leadership Unit

**PURPOSE:** It is the policy of the State Board of Education and the Maine Department of Education that a broad range of clearly defined pathways into the world of work should be available to all Maine students. Preparing all Maine citizens for high performance and productive employment is a vital key to Maine's future prosperity. To promote these ends, the State Board and the department, acting through the Division of Applied Technology, provide financial support, technical assistance, and oversight to the statewide network of regional vocational/applied technology centers.

The primary mission of the Division of Applied Technology is to serve as the staff of the State Board for the administration of federal funds available to the state through the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 (Public Law 101-392). The division also exercises certain regulatory responsibilities in relation to the applied technology regions and centers, under the provisions of 20A MRSA Chapter 313.

In addition, the division has been selected by Governor John R. McKernan, Jr. and Commissioner of Education Leo G. Martin to serve as the coordinating agency for Maine's comprehensive, statewide school-to-work opportunities system, Career Opportunities 2000, being implemented under the provisions of the School-To-Work Opportunities Act of 1994 (P.L. 103-239).

Through the authority vested in the State Board of Education and the Commissioner of Education, the division is responsible for developing a biennial State Plan for Applied Technology Education, for review by the Maine Council on Vocational education and approval by the State Board; reviewing local applications for federal assistance from secondary applied technology centers and the postsecondary Maine Technical College System; awarding grants of Perkins Act funds to eligible recipients under Perkins Title II, Part C, and monitoring and evaluating their use; providing technical assistance to applied technology education providers; contracting with appropriate institutions of higher education for applied technology education staff training and personnel development; and coordinating the planning and operation of applied technology education programs with the employment and training programs operated under the Job Training Partnership Act (Public Law 97-300) and with other human resource development programs, in cooperation with the Maine Council on Vocational Education and the Maine Human Resource Development Council; assuring fiscal and program compliance with all applicable Federal and State laws, including services and activities for individuals who are members of special

populations; administering the programs for single parents, sex equity, and correctional applied technology education authorized under Perkins Title II, Part B; and administering the special programs for school-to-work transition, consumer and home economics education, and tech prep under Perkins Title III.

**ORGANIZATION:** Until July 1, 1993, the Maine Department of Education was organized into three distinct bureaus, one of which—called the Bureau of Applied Technology and Adult Learning at the time of its dissolution—was assigned responsibility for the administration of applied technology education. The bureau originated in 1917 as the State Board of Vocational Education, created to cooperate with the Federal Board of Vocational Education in the administration of the Smith-Hughes Vocational Education Act. The board consisted of the Commissioner of Education, who served as chair, and two additional members appointed by the Governor.

In 1931, the board was abolished and its duties assumed by a Vocational Education Board established within the newly-created Department of Education. In addition to the Commissioner of Education, who remained the chair, the new board consisted of the Commissioners of Health and Welfare and Labor. In 1949, this board was abolished and its duties transferred to the State Board of Education. A Bureau of Vocational Education was established within the Department of Education to serve as the staff of the State Board for vocational education purposes.

During the general reorganization of State Government in 1972-73, a new Department of Educational and Cultural Services was created, which incorporated the Bureau of Vocational Education. Four divisions made up the bureau into the 1980s: the Division of Secondary Vocational Education, the Division of Postsecondary Vocational Education, the Division of Adult and Community Education, and the Division of Program Services and Finance.

In April of 1986, the postsecondary division withdrew to become the administrative nucleus of the independent Maine Vocational Technical Institute System (which was later renamed the Maine Technical College System). Shortly afterward, following sunset review, the bureau was reorganized into the Bureau of Adult and Secondary Vocational Education, made up of the three remaining divisions.

In 1992, the State Legislature changed the words “*vocational education*” to “*applied technology education*” throughout all State statutes, bringing Maine usage into conformity with the newly reauthorized Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990. The bureau and its two vocational divisions were correspondingly renamed at the same time, becoming the Bureau of Applied Technology and Adult Learning, the Division of Applied Technology Education, and the Division of Applied Technology Administration, respectively. During the same period, the Department of Educational and Cultural Services was itself renamed, returning to the name Department of Education upon the withdrawal of the four “cultural bureaus” added in 1973.

In 1993, as part of a general down-sizing of State Government due to a severe recession and a corresponding State budget crisis, the Department of Education was again reorganized. The bureau structure was abandoned altogether, and a number of smaller units were consolidated into larger divisions. The two separate applied technology divisions were merged as of July 1, 1993 into the single Division of Applied Technology. During 1993-1994, the director of the division reported to Deputy Commissioner Mary Majorowicz, who in turn was supervised by Commissioner Leo G. Martin.

In addition to the Office of the Division Director, two distinct organizational units make up the consolidated division: the State Leadership Unit and the State Administration Unit. Broadly speaking, the responsibilities of the two units, whose names are derived from funding categories in Title I of the Carl D. Perkins Act, are similar to the responsibilities of the two separate applied technology divisions prior to consolidation.

### **1. State Leadership Unit:**

The primary responsibilities of the State Leadership Unit include:

- Approving, overseeing, conducting program quality assessments of, and providing technical assistance to the occupational, technical, and career preparation programs offered by the applied technology centers and regions;
- Coordinating and assisting curriculum development, field testing, and dissemination efforts supported with Carl D. Perkins Act funds, including “DACUM” (“Developing A CUrriculuM”) job task analyses carried out by technical committees authorized by the Perkins Act;
- Overseeing and providing technical assistance to the technology education, consumer and home economics education, agricultural education, and business education programs offered by Maine high schools;
- Assisting the Division of Certification of the Department of Education with certification of applied technology education instructors in Maine;

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- Overseeing the applied technology education preservice and inservice staff development programs offered by the University of Southern Maine;
- Providing state-level leadership and supervision to applied technology student organizations;
- Collecting data for use in planning and evaluation, collaborating with the evaluation functions of the State Administration Unit, and fostering program improvement and accountability.

### **2. State Administration Unit:**

The primary responsibilities of the State Administration Unit include:

- Planning, research, evaluation, and public relations;
- Overseeing and providing technical assistance to programs for disadvantaged individuals and individuals with disabilities, single parents, displaced homemakers, single pregnant women, women in nontraditional programs, and correctional institutions inmates;
- Overseeing and providing technical assistance to career guidance and placement initiatives, the Maine Tech Prep Consortium, and school-to-work-transition programs;
- Coordinating the planning and evaluating of applied technology education with employment training programs; and
- Coordinating and administering the "Methods of Administration for Civil Rights in Applied Technology Education" on-site review process.

The Office of the Division Director is made up of the *division direction* (who also serves as coordinator of school-to-work opportunities planning, department tech prep coordinator, and liaison with youth apprenticeship, pre-apprenticeship, and the Jobs for Maine's Graduates program), an *accountant* (who serves as division business manager, grant manager, and fiscal compliance officer), and one support staff.

The State Leadership Unit is made up of a unit leader (the *coordinator of curriculum development and dissemination*, who also serves as state supervisor of trade and industrial education and technology education), a *state supervisor of business education and marketing and distributive education*, a *state supervisor of health occupations education and cooperative education*, a *state supervisor of agribusiness and natural resources education*, a halftime *Certified Nursing Assistant testing specialist*, and two support staff.

The State Administration Unit is made up of a unit leader (the *coordinator of planning and evaluation*), an *administrator for single parent and sex equity programs*, an *administrator for consumer and homemaking education programs*, a *special populations compliance officer* (who also serves as MOA team leader, supervisor of career guidance and counseling programs, and corrections education programs supervisor), and two support staff.

In addition, a halftime Perkins-funded *data collection clerk* is assigned to work out of the Division of Management Information.

**PROGRAM:** The common goal of the two units and the division as a whole is to improve occupational, technical, career development, and school-to-work programs in the State of Maine through the administration of Carl D. Perkins and School-To-Work Opportunities Act funds and the provision of technical assistance to the statewide network of applied technology centers and technical colleges.

**Career Opportunities 2000:** On April 1, 1994, acting on behalf of a broad coalition of public and private agencies and organizations, the Division of Applied technology submitted an application to the U.S. Department of Education and Labor for a grant of Carl D. Perkins Act Cooperative Demonstration Program funds in the amount of \$9 million per year for five years, to implement a comprehensive, statewide School-To-Work Opportunities System—Career Opportunities 2000 (CO2)—meeting the standards of the new School-To-Work Opportunities Act of 1994 (STWOA) (Public Law 103-239).

Announced by President Clinton in September of 1993, the STWOA represents a major new initiative in the area of educational opportunities for non-college bound students. Along with the Goals 2000 Educate America Act, it constitutes one of the centerpieces of the educational strategy of the Clinton Administration.

Following STWOA guidelines, the State of Maine projects that upwards of 75% of all high school juniors and seniors—including students with disabilities, disadvantaged and at-risk students, and women interested in careers that are not traditional for their gender—will be served by the CO2 system if Maine's application is successful and the new system becomes fully operational by the year 2000.

Six clearly articulated career/life pathways will constitute the core of the CO2 system:

- *Youth Apprenticeship;*
- *Pre-Apprenticeship;*
- *Tech Prep;*
- *Occupational Preparation;*

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- *Cooperative Education*; and,
- *Career Preparation* (Jobs for Maine's Graduates).

Fully developed, all six pathways will incorporate—in an integrated, coherent, “seamless” way—both academic and occupational skill development, both school-based and work-based learning, and both secondary and (linked) postsecondary education. But at the same time, each will offer Maine students a different balance of school-based and work-based learning, a different level of investment in postsecondary technical education, and a different range of occupational and career opportunities, keyed to current and emerging local, regional, State, national, and even global labor markets.

As the gateway to both the College Prep course of study and the six CO2 pathways, all Maine students will be expected to achieve—typically at around age 16, at the end of what is now the 10th grade—a *Certificate of Core Mastery*, demonstrating mastery of a set of common core competencies required for success and self-sufficiency in the modern global economy.

To ensure that all students successfully achieve mastery of the core competencies, a comprehensive safety net of support programs will be implemented under the auspices of the Jobs for Maine's Graduates program, including a *Project Reach* early intervention program for students in grades 7-8 and an *Opportunity Awareness Program* dropout prevention system for grades 9-10.

Following achievement of a Certificate of Core Mastery, each student will develop, with the support of counselors, teachers, coaches, and parents, an *Individual Opportunity Plan* (IOP)—an individualized education/employment/career/life plan—to structure their program of work and learning experiences in grades 11-13 and beyond and document their initial career and life objectives in relation to their school- and work-based learning program.

Each student's IOP will be reviewed and updated or revised annually and on an as necessary basis, and formal protocols will be developed to ensure easy movement from one career pathway to another.

To empower students to make the decisions required for the development of an IOP that is both realistic in terms of the labor market (local, regional, State, national, or global) and appropriate in relation to their interests, temperaments, aptitudes, abilities and aspirations, Maine plans to offer a comprehensive program of career guidance and counseling and development to every student in grades K-10.

In addition, to ensure that all students enrolled in a CO2 career/life pathway complete their program and make a successful entry into the world of work, a broad spectrum of career guidance and student support services will be afforded to every student in grades 11-13.

Each CO2 career pathway will incorporate a pathway-specific skills assessment/student evaluation system (built upon assessment systems already in place in academic high schools and applied technology centers) providing regular and continuing assessment of each participating student's progress in the mastery of basic and higher order academic, career, employment, industrial, and occupational competencies—benchmarked against industry-verified, program-specific, pathway-specific, State and national skill standards and learning outcomes.

Students who successfully meet first year CO2 benchmarks in the 11th grade will continue into the second year of their program in the 12th grade. Students who meet second year benchmarks and satisfy statutory requirements will be awarded a high school diploma at the end of the 12th grade and will be eligible for enrollment into a linked program of study at a campus of the Maine Technical College System (representing the third year of their program).

Students who satisfy all program standards will receive a portable, and “warranted” *Certificate of Skill Mastery*, plus a certificate of completion or an associate degree (as appropriate) from the MTCS. Successful completers of a Pre-Apprenticeship career pathway will also achieve journey worker status at the completion of their registered apprenticeship.

Each CO2 pathway will extend systematic, intensive, and individualized job (or educational) placement and follow-up services to each completer, for up to 18 months after completion. JMG will provide placement and follow-up services to Career Preparation participants and Youth Apprentices. Other pathways will offer equivalent services meeting the national standards of the JAG and JTPA networks.

A *CO2 Program Evaluation System* will provide for continuous, in-depth, high validity/high reliability evaluations of the effectiveness of all CO2 program offerings. Pending promulgation of national standards, CO2 program performance will be measured against the Core Measures and Standards of Performance adopted by the State Board of Education in compliance with the Carl D. Perkins Act.

At the State level, the Department of Education will serve as the fiscal agent for the CO2 system Implementation Grant, in collaboration with the Departments of Labor, Economic and Community Development, and Mental Health and Mental Retardation, the Office of the Governor, the Maine Technical College System, and the Jobs for Maine's Graduates program.

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Again at the State level, development and implementation of the CO2 system will be overseen by the *Maine Career Opportunities 2000 Partnership*—a broad advisory council organized to ensure the active and continued involvement of employers, union leaders, state agency representatives, and many other key stakeholders. A 25-member CO2 Steering Committee will meet on a regular and as necessary basis to coordinate collaboration between lead agencies.

A total of ten Local CO2 Partnerships will be constituted—one for each of ten planning regions defined for the purposes of the Carl D. Perkins Act—that together encompass the entire State of Maine. A full spectrum of business, union, education, state agency, local government, student, parent, and community representatives will be included among the participants in each Local Partnership.

The implementation of the CO2 system will involve two distinct phases:

- Statewide expansion and implementation of the Maine Youth Apprenticeship Program;
- Reengineering and integrating existing career/life pathways to create a comprehensive, “seamless” system meeting the standards of STWOA and the needs of at least 75% of all Maine students.

Maine’s intention is to pursue both phases simultaneously, providing sufficient support for implementation becomes available through the STWOA, the Carl D. Perkins Act, and other Federal, State, and local public and private sources.

The specific requirements of the federal School-to-Work Opportunities program will bring major changes to the vast majority of education for work programs throughout the United States. With the notable exception of the Youth Apprenticeship programs currently under development in many states and of the relatively small number of Pre-Apprenticeship (school-to-registered apprenticeship) programs, few existing programs meet the essential core requirements set forth in the STWOA:

- integrated academic and occupational competency-building;
- integrated school-based and work-based learning (including some paid work experience);
- articulated secondary and postsecondary education (including at least one year at the postsecondary level); and,
- systematic job placement and follow-up and other connecting activities

In Maine as elsewhere, the development and implementation of a comprehensive school-to-work opportunities system will require a substantial reengineering of most education for work programs except for Youth Apprenticeship and Pre-Apprenticeship:

- Tech Prep includes secondary-postsecondary articulation, but no work-based learning;
- Cooperative Education includes work-based learning, but no postsecondary component;
- Occupational Preparation (vocational) programs require neither paid work experience nor secondary-postsecondary articulation.

At the same time, as many as seven distinct career pathways are already available to juniors and seniors in a growing number of Maine high schools. In addition to the College Prep course of study, which is based on the Liberal Arts curriculum and leads through a four-year college degree (or higher) to a career in a professional occupation, six Applied Technology pathways have been defined, corresponding to the six career pathways of the future CO2 system: Occupational Preparation, Cooperative Education, Pre-Apprenticeship, Jobs for Maine’s Graduates, Tech Prep, and, most recently, Youth Apprenticeship.

The following is a summary status report on the six Applied Technology courses of study, based on the latest data available:

### Occupational Preparation

Secondary-level Occupational Preparation programs are offered in Maine by a statewide network of regional applied technology centers, established two decades ago. This course of study—traditionally called “vocational education”—typically takes the form of two-year programs (for high school juniors and seniors) of occupationally-specific skill training.

According to the *Criteria of Program Quality* adopted by the State Board in 1990, specific occupational preparation programs in the State of Maine should include:

- a. related academic instruction or applied academics integrated into skill training courses;
- b. pre-employment competency building;
- c. an introduction to all aspects of the industrial setting of the target occupations;
- d. participation in a student leadership/community service applied technology youth organization;
- e. preparation for immediate entry into a specific occupation for which secondary-level skill training is the preparation of choice.

In a somewhat different form, the same criteria are included in the revised 1994 criteria adopted in December of 1993.

Over 35 different occupationally-specific programs are currently available, in areas ranging from horticulture to information processing to health occupations to computer electronics to machine shop to graphic design, most incorporating competency-based curricula developed with the assistance of the

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Vocational Curriculum Resource Center of Maine using the DACUM (Developing A CURriculum) process.

Nearly 5,000 juniors and seniors were enrolled in specific occupational preparation programs during the 1993-94 school year. Over 700 more were enrolled in cluster vocational programs, and over 350 in diversified vocational special needs programs.

Under Maine law, two types of area vocational schools make up the statewide applied technology network; *regional applied technology centers* and *Maine applied technology regions*.

Both applied technology centers and applied technology regions enroll students on a regional basis, from sending high schools throughout a service area defined in state law. But centers are governed by the school board of a single school administrative unit, while regions are administered by a cooperative board intended to represent all the school units within their service areas. Centers may operate "satellite programs" in sending high schools, regions "external programs."

Applied technology centers are currently located in Augusta, Bath, Biddeford, Bridgton, Calais, Caribou/Van Buren, Dexter, Ellsworth, Farmington, Lewiston, Machias, Portland, Presque Isle, Sanford, the St. John Valley, Skowhegan, Waterville, and Westbrook.

Applied technology regions are located in Bangor, Belfast, Brunswick, Houlton, Lincoln, Mexico, Norway, and Rockland.

The occupationally-specific and occupational cluster skill training programs offered by the regions and centers are traditionally grouped into seven broad program areas. In addition to *Technical Education*, which by definition involves programs primarily offered at the postsecondary level, these include: *Agriculture/Agribusiness and Natural Resources Education*; *Business and Office Education*; *Meeting and Distributive Education*; *Occupational Home Economics Education*; *Health Occupations Education*; and *Trade and Industrial Education*.

*Agriculture/Agribusiness and Natural Resources Education*: Twenty-five agricultural and natural resources education programs are currently offered in the State of Maine, covering such program areas as aquaculture, forest management, horticulture, production agriculture, biotechnology, floriculture, agricultural mechanics, and computers in agriculture.

As an integral part of the curriculum of agribusiness and natural resources programs, students are offered membership in the national agricultural education youth organization, Future Farmers of America (FFA). Students are able to develop leadership, scholarship, service, cooperation and citizenship skills in a series of sequential learning activities and programs—including:

- Proficiency Awards;
- Achievement Awards;
- Volunteerism Awards;
- Agri-science Awards;
- Public Speaking;
- Judging Contests; and,
- Leadership Conferences.

The division sponsors workshops and other professional development opportunities for agricultural educators. To encourage other educators to consider the value of agriculture and natural resources education, training sessions in Natural Resources Education and interdisciplinary approaches to agricultural education are offered in cooperation with the Department of Agriculture and other agencies.

*Business and Office Education*: General Business Education is a broad and diverse discipline which is available to students in approximately 125 high schools in Maine. Occupational business education and/or computer information processing is available at a majority of the applied technology regions and centers. Interest in developing comprehensive applied technology, apprenticeship and school-to-work business education programs is increasing. Programs of this nature offer a sequence of topics/courses/work experience designed to provide students with the essential knowledge, skills, and abilities required to enter the workforce upon graduation or pursue further education or training at the postsecondary level.

A competency-based "General Office Worker" curriculum has been developed as a follow-up to the DACUM process, which identifies specific duties and task statements relating to the general office worker.

Students enrolled in occupational business education are encouraged to participate in the FBLA (Future Business Leaders of America) youth leadership organization. FBLA provides an opportunity for students to develop specific leadership skills, compete in local, state and national contests, and attend State and national leadership conferences.

Business Educators in Maine participate in BEAM (Business Education Association of Maine). The state supervisor of business education is a member of the BEAM Board of Directors, which provides an opportunity for close working relationships between the State and local school districts.



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*Marketing and Distributive Education:* Marketing and Distributive Education programs provide students with the necessary skills and knowledge to enter directly into the work force following graduation, or pursue postsecondary education or training in the retail trades and services industry.

Students enrolled in marketing and distributive education programs may participate in DECA (Distributive Education Clubs of America), a youth leadership organization for marketing students. This organization provides opportunities for students to develop specific leadership and occupational skills necessary to enter the work force or pursue postsecondary education or training. DECA students may also participate in various local, state, and national contests designed to challenge their academic and occupational skills. In addition, students may also participate in the Annual State DECA Conference.

There is a growing interest in apprenticeship and school-to-work programs for marketing students. The state supervisor works closely with the Teachers Marketing Association, which provides an opportunity for close working relationships between the State and local school districts.

*Occupational Home Economics Education: Hospitality/Food Service:* A new competency-based curriculum was disseminated and implemented in the Fall of 1992 which placed emphasis upon "Hospitality" as the umbrella for other major program focuses such as Food Preparation and Food Service. Because Maine's number one industry is tourism—with its various components, e.g. food service, lodging—this seemed to be a more realistic approach to training students to meet industry's needs.

*Early Childhood Occupations Education:* A newly-revised competency-based curriculum resulted in a "new program name." These programs were formerly known as "Child Care Occupations."

Secondary Early Childhood Occupations instructors have organized an applied technology affiliate known as ECOE (Early Childhood Occupations Educators). It is hoped that this professional affiliate will provide a vehicle for improved communications among programs and an increased opportunity to organize and implement needed workshops, seminars, technical updates, and other professional development activities.

*Health Occupations Education:* Following a series of "Train-the-Trainer" workshops, twenty-nine instructors were trained to teach a CNA (Certified Nursing Assistant)-Bridge Course. The Bridge Course was designed to "bridge the gap" between Maine's 150-hour training requirement and that of other States, which may fall between the Federal 75-hour requirement and Maine's 150 hours.

To date, six courses have been successfully conducted to serve the needs of candidates from other States who have moved to Maine and need the "Bridge" in order to meet the State of Maine Registry requirement for employment in Maine.

*Health Occupations Students of America (HOSA):* Maine's Health Occupations programs at the secondary level continue to foster the growth of HOSA. Last spring's State conference in Portland was the largest ever held and resulted in several schools (and individual students) taking top honors in competitive events which followed the National HOSA guidelines. One Maine Health Occupations student from Portland Regional Vocational-Technical Center won the gold medal at the Nationals.

*Activities Coordinator Curriculum:* A new curriculum to teach Activities Coordinators who are employed by long-term care facilities was completed and disseminated in the Fall of 1992. To date, three programs have been offered and successful completers were certified to practice in the State of Maine.

*Trade and Industrial Education:* Trade and industrial education program curricula are based upon standards established by industry, and reflect the duties and tasks—competencies—which are essential for individuals to master in order to secure and maintain employment within specific occupational areas or pursue related postsecondary training.

Each occupational preparation program must establish and maintain a Program Advisory Committee, made up of business and industry representatives. The advisory committees are responsible for providing technical assistance and advice to program staff on curriculum, facilities, equipment, and budget issues.

The positive working relationships which have developed at regions and centers across the State—between school staff, administration, parents, and business and industry representatives—have made a tremendous contribution to the development and delivery of quality programs of instruction which meet the needs of both students and the labor market.

During the 1993-1994 school year, trade and industrial educators participated in a variety of staff development and training activities, focusing on competency-based curriculum development, trade and technical updates, and youth leadership activities. Students enrolled in trade and industry programs are eligible to participate in VICA (Vocational Industrial Clubs of America), the national trade and industry youth leadership organization. Nearly 1,000 students were enrolled during the past year, with over 750 taking part in State Skill Olympics. One hundred and thirty-two students and staff members represented Maine in Kansas City, Missouri, this year at the U.S. Skill Olympics.

### Competitive Education

In addition to school-based Occupational Preparation programs, the centers and regions also offer work-based learning opportunities in the form of Cooperative Education. Like specific occupational preparation, cooperative education is designed for high school juniors and seniors who intend to enter the labor market immediately upon graduation. But occupational preparation programs are primarily classroom and ship-based, whereas co-op education programs encompass a broad range of occupations for which on-the-job training and experience is the most cost-effective form of preparation.

Each co-op program is individualized to meet the needs of a particular student, includes both part-time work in the student's chosen field and related academic and skill instruction, and is structured by a formal agreement with the participating employer.

During the 1993-1994 school year, nearly 1,000 students were enrolled in the co-op education programs. The Departments of Education and Labor cooperatively participated in an audit of all of Maine's Cooperative Education programs. This was accomplished via the review of the Student Work Agreement Forms (EFV-120) which by statute must be on file with cooperating employers.

The forms were reviewed for compliance with State and Federal laws and regulations impacting all programs, e.g., hazardous orders, wage/hour requirements, worker's compensation coverage, didactic and work site education components, etc.

This cooperative effort pinpointed areas needing attention or corrections and resulted in a product (final Student Work Agreement) which employers, coordinators and administrators approved.

### Pre-Apprenticeship

Another work-based course of study, secondary-level Pre-Apprenticeship Preparation was inaugurated in 1989, having been developed through a cooperative effort on the part of the Department of Education and Labor, the MTCS, the Maine State Apprenticeship & Training Council (MSA&TC), and the U.S. Bureau of Apprenticeship & Training.

The Maine Pre-Apprenticeship Program prepares high school juniors and seniors to enroll upon graduation in a formal apprenticeship program registered with the Department of Labor. Each Pre-Apprenticeship Preparation program combines part-time paid employment, systematic on-the-job training, and rigorous related academic instruction.

During the most recent year for which final figures are available, 39 employers agreed to sponsor Pre-Apprenticeship programs and 25 students were enrolled.

The Maine Pre-Apprenticeship Program (MPAP) allows students to experience the world of work simultaneously with classroom studies, before they are pushed into it without basic skills. Left without basic educational and work skills, the young people of today become the unemployment and underemployment statistics of tomorrow.

The MPAP represents a bridge between skill training programs in secondary applied technology centers and postsecondary technical college education. At the same time, it also leads high school graduates into Registered Apprenticeship Programs.

In addition, Pre-Apprenticeship represents a major arena for the involvement of business and industry in the educational process. It is designed to help ensure that Maine develops a highly-skilled work force for the twenty-first century.

At the present time, few high school graduates enter an Apprenticeship immediately after graduation. Too many graduates drift from job to job for a number of years. In addition, Apprenticeship has attracted too few women and minorities—even in traditionally female occupations. The Maine Pre-Apprenticeship program is designed to help young women and young people in general overcome barriers to better paying jobs in nontraditional, highly-skilled occupations.

High school juniors and seniors enrolled in the Maine Pre-Apprenticeship Program are full-time students and part-time workers. Upon entry into a Registered Apprenticeship Program, the participant becomes a full-time worker and a part-time technical college student.

Among the specific objectives of the MPAP are the following:

- Provide a source of skilled workers that will be in demand in the twenty-first century;
- Provide business and industry involvement in the educational process;
- Provide employers an opportunity to train future employees at a reasonable cost. Time spent on-the-job training is the greatest investment;
- Provide a system for students to be exposed to occupations not offered as a regular program at a secondary applied technology center;
- Enable students to be trained on the latest state-of-the-art equipment which in most cases is beyond the reach of high school budgets;
- Target women and minorities for exposure to high technology occupations;

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- Allow employers the opportunity to assess student skills and potential before hiring and committing to a full Apprenticeship.

At the present time employers and students have a choice of over 800 apprenticeable occupations. A corresponding Registered Apprenticeship program must be in place before a Pre-Apprenticeship Program can be established. This linkage allows the Pre-Apprentice to continue their career as a Registered Apprentice for approximately four more years after successful completion of a Pre-Apprenticeship.

In the Maine Pre-Apprenticeship Program, the employer signs a "Letter of Intent to Hire" which states that the Pre-Apprentice will be given due and preferential treatment in the selection process for future apprentices.

The employee/employer relationship is embedded in the Pre-Apprenticeship model. Every Employer/sponsor in the Registered Apprenticeship Program is a potential Pre-Apprenticeship site. There are currently over 500 registered sponsor/employers.

Among the positive outcomes of the Maine Pre-Apprenticeship program are the following:

- increased student confidence and self esteem;
- meaningful student exposure to the world of work;
- increased access of women and minorities to nontraditional occupations;
- increased high school graduation rate;
- student opportunities to work with skilled journey workers;
- student achievement of essential work competencies;
- measurable student gains in occupational skills and knowledge; and,
- student advancement to a full Registered Apprenticeship Program in an occupation consistent with their career objective.

The average wage paid in the State of Maine for a Graduate Apprentice is \$11.03. The Pre-Apprentice is paid from \$4.25 to \$7.00 per hour, according to MSA&TC records.

### **Career Preparation/Jobs for Maine's Graduates**

Another relatively new and rapidly expanding career pathway is represented by the Jobs for Maine's Graduates (JMG) school-to-work transition program. A accredited member of the nationwide program network affiliated with Jobs for America's Graduates, Inc. (JAG), JMG's basic goal is to assist at-risk students to complete high school and make a successful entry into the world of work. In effect, the JAG/JMG model extends to "General" students and others at risk of dropping out or becoming unemployed after graduation all the traditional benefits of applied technology education except for specific skill training.

Legislation recently passed by the Maine Legislature established JMG, Inc., as an important part of Maine's educational infrastructure, a recognition of its impact on the lives of Maine students. The Legislature's commitment of funds in the last biennium helped underwrite a doubling of program sites and signaled its long-term support for both the concept and the outcomes of JMG.

JMG projects were operational at over a dozen sites during the 1991-1992 school year, located at both academic high schools and applied technology centers. Thirty-one projects were operational during 1993-94 at 22 schools (including four applied technology centers) serving over 1,400 students.

These numbers may triple again in the coming year, based on widespread demand and the potential advent of funding under CO2. Success rates of the Maine programs have consistently exceeded national parameters in every category.

The JAG/JMG program currently has both a school-to-work (STW) model aimed at high school seniors, and the Opportunity Awareness Program (OAP), a dropout prevention program aimed at 10th and 11th grade students. Key features of these two models include:

- The employment of "Specialists" at each site who provide career competency instruction, guidance, remediation, and advocacy for 35 to 40 students;
- Instruction in career exploration, job attainment, and employer/employee relations competencies developed with private sector assistance to assure that students meet workforce requirements upon graduation. The course is yearlong and meets four days per week, providing the student with one academic credit per year;
- Student participation in the Maine Career Association—a highly motivated youth organization which helps students develop the self confidence and leadership skills necessary to compete in the workplace and to articulate personal growth.
- Provision of remediation and basic skills education drawn from available resources in the community;

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- Core curricula offerings in the OAP program by specialists certified to teach in those areas;
- Nine-month follow-up service upon graduation to support both students and employers during the critical school-leaving period; and,
- Intensive job development activities to secure employment opportunities related to the participants' career interests.

### **Tech Prep (Technical Preparation)**

A very different pathway into the world of work is represented by Tech Prep (Technical Preparation), a new course of study being implemented around the state (and throughout the country) which creates a bridge between secondary-level occupational or career preparation and postsecondary technical education. Title III, Part E of the Carl D. Perkins Vocational and Applied Technology Education Act of 1990 established a new special program—Tech-Prep Education—designed to promote “the establishment of systematic technical education articulation agreements between secondary schools and postsecondary educational institutions.”

Broadly speaking, Technical Preparation programs play the same role in relation to occupational education and the practical arts curriculum that College Preparation programs play in relation to academic education and the liberal arts curriculum. Where College Prep programs prepare secondary school students to enter a four-year college or university program and pursue a professional career, Tech Prep programs prepare secondary school students to enter a two-year technical institute or technical college and pursue a technical career.

Although the new Title III(E) Perkins Act program represents the first major federal involvement in Tech Prep Education, many states and localities have already implemented Tech Prep programs using a variety of federal, state, and local resources. The 1987 Commissioner's Task Force to Study Secondary Vocational Education in Maine, the Maine Council on Vocational Education, and many other organizations and educational leaders in Maine have endorsed the Tech Prep concept in recent years. In December of 1990, Tech Prep was given official recognition by the State Board of Education.

Taking the form of “2+2” programs to prepare high school juniors and seniors for entry into technical education, and structured by formal articulation agreements between secondary and postsecondary institutions, the Tech Prep course of study combines preliminary skill training or technology familiarization at a regional applied technology center with state-of-the-art applied academics equivalent in rigor to that of the traditional College Prep course of study.

At the secondary level, the content of each Tech Prep course of study will be keyed to the unique demands of the corresponding postsecondary program and its target occupations. In general, however, Tech Prep programs should typically combine:

- a. rigorous preparation in mathematics, science, communications, and other basic academic and workplace skills;
- b. a preparatory introduction to the world of work and the role of technical occupations and technology in the modern economy; and, whenever feasible and appropriate,
- c. preliminary training through an applied technology region or center in the specific technology chosen for postsecondary study.

A second objective of the program is to review and reassess overlaps, duplications, linkages and divisions of labor between secondary and postsecondary programs with the same occupational objectives. At least 25 or the 70 occupationally-specific skill training programs available in the State of Maine today are offered at both the secondary and postsecondary levels. To meet the Perkins Act objective “to provide, in a systematic manner, strong, comprehensive links between secondary schools and postsecondary educational institutions,” the relationships between secondary and postsecondary applied technology and technical education programs must be clarified.

During the implementation of the Tech Prep course of study, decisions can be made—on a systematic and rationalized basis, using occupational and labor market information as well as program quality and performance data—about the most effective and beneficial division of labor between secondary and postsecondary occupational skill training: which programs are most appropriate at the secondary level; which programs are most appropriate at the postsecondary level; which should properly be offered at both levels; and, which should be articulated within a Tech Prep framework.

Section 343 of the new Perkins Act requires that all Title III(E) funds be awarded to consortia of eligible secondary and postsecondary educational institutions. Under Maine laws, the most appropriate format for Tech Prep development was the formation of a single statewide consortium—made up of the Maine Technical College System (MTCS), the 26 applied technology regions and centers, and their respective sending schools.

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A six-member consortium board has been established to make awards of Tech Prep program funds to individual tech prep projects. Three members were selected by the Board of Trustees of the MTCS and three by the Maine School Boards Association. Representatives of the Division of Applied Technology, the MTCS System Office, the Maine Council on Vocational Education, the Technology Education Association of Maine, and the Maine Adult Education Association serve ex officio, with voice but no vote.

The MTCS Office serves as the fiscal agent for the consortium, and each year submits a formal application for a Title III, Part E Special Project Grant to the State Board of Education on behalf of the consortium. Five regional Tech Prep development projects were operational during the 1993-1994 school year, each administered by a local consortium made up of at least one technical college, at least one applied technology center, and at least one academic high school, and potentially encompassing every technical college, applied technology center, and academic high school in the state. Each received a grant of Title III(E) funds of approximately \$100,000.

As required by the Tech Prep Consortium Board, each regional consortium proposal was counter-signed by at least one technical college president, at least one applied technology director, and at least one sending school principal. CMTC convened the local consortium representing the Androscoggin Valley area, KVTC convened the Kennebec Valley consortium, EMTC the Penobscot Valley consortium, and SMTC the Southern Maine consortium. NMTC and WCTC convened a broad consortium subsuming both the Northern Maine and Down East areas. A new consortium may be formed next year by the newly established York County Technical College (YCTC), representing the South Coast area.

An additional \$30,000 has been awarded each year to the Technology Education Association of Maine (TEAM) for projects involving the participation of technology educators in Tech Prep development and implementation efforts.

A variety of expenditures directly related to program development and implementation are allowable under Title III(E). Tech Prep development project funds can support local project coordinators on a regional basis. Inservice training of teachers and counselors is specifically referenced. Also, instructional personnel can be reimbursed for extra-contractual participation in curriculum articulation and development. All of these activities were incorporated into the projects funded in 1993-1994.

### **Youth Apprenticeship**

Developed in 1992 through a collaborative effort on the part of the Office of the Governor, the MTCS, the MDOE and the MDOL, the Maine Youth Apprenticeship Program (MYAP) is the centerpiece of Maine's School-To-Work Opportunities effort. It is coordinated at the State level by the Center for Youth Apprenticeship in South Portland, and administered regionally by the six technical colleges.

Patterned after training models developed and thoroughly tested and proven in Denmark, Germany and other European countries, the Youth Apprenticeship concept has been articulated and promoted with increasing success over the last several years by Jobs for the Future, the William T. Grant Foundation Commission on Youth and America's Future, the Pew Charitable Trust, the U.S. DOL Office of Work-Based Learning, the U.S. DOE Office of Educational Research and Improvement, the Council of Chief State School Officers (CCSSO), and other members of a broad coalition called the Consortium on Youth Apprenticeship.

Despite its name, Youth Apprenticeship is not, strictly speaking, a variation on existing pre-apprenticeship preparation and apprenticeship training programs. *Youth Apprenticeship* and *adult apprenticeship* programs are quite distinct in programmatic terms:

- Participants in pre-apprenticeship preparation programs at the secondary level are being prepared for immediate entry into the world of work upon graduation (simultaneously with enrollment in a registered apprenticeship training program).
- In contrast, Youth Apprenticeship programs combine two years of secondary level preparation with at least one year of postsecondary technical education;
- Both programs feature rigorous on-the-job and in-plant skill training. But participants in a registered Apprenticeship Training program are already employed full-time on a permanent basis in the occupation for which they are receiving training, while Youth Apprenticeship participants alternate full-time study with full-time on-the-job training;
- Adult apprenticeship programs are restricted to a limited set of apprenticeable occupations, defined in statute or regulations. Youth Apprenticeships, on the other hand, extend to a broad range of occupations excluded from registered apprenticeships;
- The primary credential objective of a registered apprenticeship program is a *journey worker certificate*. But Youth Apprenticeship programs lead instead to a Certificate of Skill Mastery and possibly an associate degree (Associate of Applied Science).

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Youth Apprenticeship can best be understood as a *new form of Tech Prep*, which incorporates:

- highly structured cooperative work experiences at both the secondary and postsecondary levels;
- a strong commitment to integrating academic and occupational skill building within an applied learning/experiential learning environment; and,
- a systematic and pro-active role for business, labor, and community members in the development and administration of the program.

During the summer and fall of 1991, a series of formal and informal discussions were held in Maine about the *America's Choice* report issued in 1990 by the Commission on the Skills of the American Workforce, the *Maine's Challenge* systemic change agenda, and youth apprenticeship. In addition to Governor McKernan himself and other members of the Governor's Office, the participants in these discussions included representatives of Jobs for the Future (JFF), Jobs for America's Graduates, the Maine Development Foundation, and the MTCS, MDOE, and MDOL.

These discussions crystallized in the establishment by Governor McKernan of a *Maine Youth Apprenticeship Design Team*—made up of representatives of the MTCS, the MDOE, and the MDOL, as well as the Office of the Governor—charged with completing the design, development, and implementation of a comprehensive Maine Youth Apprenticeship Program, as well as with the identification of any policy changes necessary to support or facilitate the new program.

The Maine Youth Apprenticeship Program is the product of the deliberations of this team, informed and refined through discussions with representatives of the private sector and by a tour of European youth apprenticeship programs undertaken by Governor McKernan, MTCS President John Fitzsimmons, and others. MYAP's basic goal is to offer a new pathway into the world of work:

- geared toward the high technology, high quality, high productivity economy which Maine must develop to meet the needs of its citizens in the 1990s and beyond; and,
- readily accessible to "the forgotten 80%"—the large majority of Maine students who don't secure a four-year college degree and a career in the traditional professions.

*Overview:* Through a combination of intensive classroom learning and structured workplace learning, the Maine Youth Apprenticeship Program brings together two traditionally separate entities—school and work—and provides students with both solid occupational preparation and rigorous academics. The program comprises the junior and senior years of high school and includes an additional year at a technical college.

By providing this direct link to postsecondary education, Maine is impressing upon its youth the importance—indeed the necessity—of acquiring education and training beyond high school, an element that experts agree is essential to any successful school-to-work effort. By including postsecondary education, the Maine Youth Apprenticeship Program (MYAP) is preparing students for success in a high-tech, global economy that demands an educated and skilled workforce.

The program involves employers directly in education, including assessing students' performance, creating curriculum relevant to the workplace, and developing occupational skills standards specific to a given industry. The program also requires that educators become better acquainted with the needs and demands of the modern workplace, so that they are able to offer youth apprentices coursework relevant to the youth apprenticeship experience.

The MYAP has garnered the participation of many of Maine's leading businesses from a variety of industries, including health care, insurance, manufacturing, and retail. The program has also gained attention outside of the state. Last year, it earned a Distinguished Performance Award from the National Alliance of Business, naming it the "1993 School-To-Work Program of the Year."

The program currently begins in the spring semester of the junior year, with students alternating in blocks of time between school and work (about 50% of time spent at each).

At the present time, MYAP offers employers and schools a choice of two schedules—one is a weekly schedule of alternating work days and school days, and, the other has apprentices in work or school for several weeks at a time. Either way, youth apprentices follow one of these schedules in the 11th and 12th grades, and if they meet their high school's graduation requirements, they receive their high school diploma. During the summer, Youth Apprentices work full time. During the third year of the program, current students will alternate between work and classes at a technical college.

Those who satisfactorily complete the third year receive a Certificate of Skills Mastery, guaranteed by the educational institutions, listing the skills they possess. Youth apprentices also receive half of the credits needed to obtain a two-year associate degree from the technical college.

In addition to academic courses, students are exposed to the world of work, workplace safety and worker responsibilities. On the job, participants continue their education as they master a series of specific occupational and workplace skills taught by the employer. Apprentices earn a weekly stipend

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while at work or at school, sending the important message that work and school are interrelated and that both have significant value. Also, apprentices receive free tuition for one year of classes at the technical college.

Employers are assessed an annual fee of approximately \$5,000 for each youth apprentice, which covers the student stipend, insurance premiums and future tuition costs for the program's third year.

*Current Status:* The Maine Youth Apprenticeship Program began as a pilot project in southern Maine in 1992-93, securing the participation of nine employers and enrolling 15 juniors from four different high schools. In 1993-94, MYAP expanded into four other regions of the state, bringing in more than 25 high schools and 40 employers, both private and public, enrolling approximately 100 students.

In 1994-95, MYAP plans to expand into more high schools in the five regions, and to the state's two remaining regions, offering apprenticeships to hundreds of students. Before the end of the decade, MYAP should be available in a substantial majority of Maine high schools, offering apprenticeships to at least 1,000 students every year.

MYAP began by offering apprenticeships in seven occupational clusters, and has now expanded its offerings to 19 clusters, including insurance services, banking and finance, metalworking, medical rehabilitation therapy, graphic arts, and telecommunications—all fields that are projected to have stable or growing employment in Maine over the next decade. The more than 50 job titles incorporated by the clusters include financial services representative, medical rehabilitation aide, claims specialist, computer held desk analyst, engineering aide, and laboratory technician.

The Center for Youth Apprenticeship's Research & Curriculum Development Division will continue to expand the number of clusters and specific job titles available.

The program has a regional delivery system, with School/Workplace Coordinators administering the program in the respective regions. These coordinators are based at technical colleges, and they are charged with ensuring the implementation of the program and coordinating ongoing communication between existing participants (businesses, students, and schools).

While meeting the needs of the school and business community, MYAP also knows that students need a guide, or personal advocate, to follow them on their school/work/home journey. Recognizing the performance of the Jobs for Maine's Graduates specialists throughout the state, the CYA contracted with JMG, Inc. to provide the Student Liaison services for their students at each site.

The Student Liaison also coordinates the activities of the Student Apprentice Guild, a student-driven body that organizes team-building activities, professional workshops and leadership activities for youth apprentices. The guild also ensures personal and social opportunities for the students who choose to accept the challenge of apprenticeship. Through the guild, and during employability skills training sessions, students learn and practice competencies necessary to their survival on the job, such as appropriate dress, safety, and communications. Leadership and team work are strongly emphasized.

The Center for Youth Apprenticeship offers training seminars and workshops for workplace supervisors (currently called "meisters") and educators involved with the program. These workshops will be greatly enhanced and expanded as statewide development continues.

*Governance and Administration:* The Center for Youth Apprenticeship is under the administrative oversight of the Maine Technical College System, and the Maine Youth Apprenticeship Program is established as a not-for-profit, wholly-owned subsidiary of the System. The Maine Technical College System provides policy and administrative support in a variety of areas, including legal requirements, program design, articulation, financial management, public affairs and more.

The Center for Youth Apprenticeship has an Executive Director who provides day-to-day oversight and policy direction for the Maine Youth Apprenticeship Program and the Research & Curriculum Development Division. These two branches each have their own directors, with additional staff members.

The Center also has an International Advisory Board of Governors made up of distinguished leaders in business, labor, education and government. Members of this board include: Dr. George Piskaty, director of the Institute for Educational Research of the Austrian Economy; Bertel Haarder, Denmark's former minister of Education & Research; Hermann Schmidt, president of Germany's Federal Institute for Vocational Training; Paul Cole, secretary/treasurer of the New York State AFL-CIO; Caspar Weinberger, former U.S. Secretary of Defense; and Marc S. Tucker, president of the National Center for Education & the Economy.

A MYAP Skills Standards Board, as well as several craft committees, provides ongoing advice on the design and implementation of the youth apprenticeship program in Maine. These bodies are comprised of local representatives from business, labor and education.

*Equal Opportunity:* MYAP and the MTCS realize the potential value of youth apprenticeship to special needs students in the state's high schools. While being aware of some of the unique needs and

requirements of businesses involved with the program, MYAP will make every attempt to provide opportunities to disabled students, as well as to members of minority groups.

In addition, the Youth Apprenticeship is committed to gender equity, creating apprenticeships in occupations considered nontraditional for both men and women, and encouraging students to explore opportunities in any of the available apprenticeships.

**Resources:** The State of Maine has made a considerable commitment to youth apprenticeship, providing more than \$1.5 million for the program for fiscal years 1994 and 1995, enabling the creation of the pilot program, and the subsequent expansion to other regions of the state. Until local school districts are able to transfer their own funds for school-to-work programs, however, outside support is essential.

The future and rate of expansion of the MYAP hinge on a significant federal funding commitment. The initial federal STWOS Planning Grant of \$300,000, awarded to Maine this winter by the U.S. Departments of Education and Labor, has allowed the CYA to continue its long-term planning and will be sufficient for Maine to prepare for statewide implementation.

It is important to note that MYAP is breaking new ground in the school-to-work transition movement, both nationally and in the state. This means that considerable resources will have to be expended creating the curricula and program delivery systems for which appropriate models do not exist.

While that will be a costly, though necessary, process for Maine, the State's experience should help other States avoid some of the same start-up and development time and costs, should others take on similar ventures. While there is an assumption that a large amount of this development will be done by experts on a contract basis, as the Maine Youth Apprenticeship Program evolves the staff mix may move toward the addition of permanent staff members.

**Maine's Challenge:** The backdrop to the development in 1993-1994 of the proposal for a comprehensive, statewide, school-to-work opportunities system was the 1991-1992 discussion of the *Maine's Challenge* agenda. *Maine's Challenge* represented a comprehensive agenda for long-range systemic change, designed to raise the education and skill levels of Maine's workforce to meet the emerging demands of the new world economy. Three basic dimensions of the agenda included:

- The refinement and fostering of a high performance model for public education at all levels;
- The development and implementation of a comprehensive, statewide, school-to-work transition system and a lifelong workplace skill development program, geared toward the creation of a high skills workforce; and,
- The definition and promotion of a high productivity/high wage orientation for the Maine economy. Some core programmatic components included:
- A root-and-branch transformation of public education, toward *student-centered, individualized, self-paced, and competency-based education*, beginning with universal early childhood education and culminating in the attainment of a Certificate of Core Mastery by all students around age 16;
- Replacement of the "General" course of study by a broad spectrum of structured pathways into the world of work, culminating in the award of a Certificate of Employability, a Certificate of Skill Mastery, a technical degree, or a professional degree.
- Development of a statewide network of community education/employment centers—comprehensive, "one-stop" adult education/career exploration/employment training/dropout recovery/job search/human service "Skill Clinics;" and,
- The convening of a new public sector/private sector partnership—the *Maine Coalition for Work and Quality*—to provide leadership and technical assistance to enterprises, institutions, and organizations committed to moving toward a high productivity/high skill/high wage base for Maine's economy.

Evolving out of a discussion launched by Governor McKernan and Commissioner Bither in the summer of 1991, the *Maine's Challenge* agenda was framed in terms broadly consistent with the *America's Choice: high skills or low wages!* report, issued in June of 1990 by the W.T. Grant Foundation Commission on the Skills of the American Workforce, but it also incorporates a number of existing and proposed programs and policies in the State of Maine.

Subsuming a range of objectives and activities addressed to the National Education Goals, school restructuring, and other initiatives, it represented a *broad but integrated strategic framework for educational revolution*.

Preliminary discussions of the agenda were held during 1991-1992 with a variety of "stakeholders": division directors and other members of the department; members of the State Board of Education, the Maine Council on Vocational Education, and the Maine Association of Vocational Education Administrators; other members of the educational community; and representatives of other state agencies and private organizations such as Jobs for the Future (JFF).



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Draft legislation was prepared to enlist the support of the Legislature, but was not introduced during the 1991-92 session—due in part to competition from the state budget crisis. Portions were incorporated into the resolve supporting the MYAP, and almost all of the key components of the 1991-1992 Maine's Challenge agenda were ultimately incorporated into the 1994 plan for the CO2 system.

### **Other State Leadership and State Administration Activities**

*Consumer and Home Economics Education:* In 1993-94, there were 108 senior high schools and 73 middle/junior highs offering Consumer and Home Economics Education to girls and boys. Thirty-seven of the senior high teachers also taught junior high classes. Of the 15,030 students served in Grades 9-12, 30% were males.

At the junior high/middle schools, 22,300 students were enrolled in Consumer and Home Economics. The total represented about 50% each of boys and girls. In those schools offering the program, 97% required that all students be enrolled.

Scheduled visits were made to four schools. Others were made to provide technical assistance to first-year or returning teachers, to help instructors with curriculum development, to assist administrators who requested service, and to evaluate programs funded with Carl D. Perkins Act Consumer and Home Economics money.

Federal Consumer and Home Economics funds, totaling \$133,000, were awarded to six grant recipients. Programs in depressed and non-depressed areas qualified for the funding. Projects focused on such issues as parenting, child development, and nutrition. Other grants were awarded for the Maine Home Economics and Health Occupations Resource Center and The Work and Family Institute.

The Work and Family Institute was continued part-time to deliver work and family seminars to employees/employers to help them balance work and family. About 250 people were served through the seminars. Half of the participants were male.

The Maine Home Economics and Health Occupations Resource Center continued to serve home economics, health occupations, home economics related occupations teachers, and some related community organizations. Staff at the Center circulated 6,000 resources to those identified. Several workshops were provided by the Coordinator addressing such issues as project TAKING CHARGE, a family life education curriculum for junior high students; parenting education; and available Consumer and Home Economics resources. The Home Economics Consultant serves as a member of the Center Advisory Board which met twice during the year to provide input for new resources and to assist the Coordinator with administrative decisions.

About 175 junior and senior high school students affiliated with the Future Homemakers of America (FHA), an applied technology youth organization for students who have taken or are enrolled in Home Economics. State and national medals were won by several students who participated in competitive events.

The Maine Parenting Education Curriculum was completed and distributed to high school Consumer and Home Economics teachers, the State Board of Education, the Education Committee of the Maine Legislature, state Home Economics supervisors in the other 49 states, and to those who have requested a copy. Workshops were held around the state to help teachers implement the curriculum guide.

The state consultant served as chairman of the committee to address Goal I of the National Education Goals: "By the Year 2000, All Children in Maine Will Start School Ready to Learn." A Maine progress report addressing all six goals was written by the chairs and committee members and distributed to the public.

The Home Economics consultant provided technical assistance to local high school staff to start a school-based child care center for teen parents. That brings the total to 13 centers serving parents while they complete their education. The Home Economics consultant also served on and provided technical assistance to a newly formed advisory committee to establish a pilot project to explore a career opportunities and life skills program at the seventh and eighth grade levels. The project will be reviewed and recommendations made whether or not to proceed on a statewide level.

Work has begun to revise and update the Maine Future Homemakers of America Handbook.

*Technology Education:* Approximately 200 Technology Education/Industrial Arts programs are currently offered in Maine secondary schools, 130 at the high school level and 70 in junior high and middle schools. Teachers and students are currently in the process of transitioning from the traditional Industrial Arts curriculum to Technology Education, which provides greater opportunity for students to develop an understanding and appreciation of the role of technology in modern society.

*Sex Equity and Single Parent and Homemaker Programs:* Projects funded under the Sex Equity and Single Parent and Homemaker Programs are designed to focus on the special needs and interests of single

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parents and homemakers, especially those issues which are a result of sex bias and sex role stereotyping or to encourage women and girls to consider applied technology programs or occupations which have traditionally been considered nontraditional for their sex.

### *Projects funded through the University*

- UM Augusta Displaced Homemakers Project
- UM Augusta CADRE & Gender Equity Staff Development

Two projects are being funded through the university system. The Displaced Homemakers Project provides prevocational training (personal and career development), supportive services (child care, transportation, and scholarships), employability and training (placement and follow-up), and an introduction to entrepreneurship. The project serves women who are divorced, widowed, separated, or who have a disabled spouse. Ages range from 25 years and up. The CADRE and Gender Equity Staff Development Project provides staff development activities to recipients of single parent and displaced homemaker funds as well as recipients of sex equity funds.

### *Projects funded through Secondary Education:*

- Applied Technology Region 2 Sex Equity CADRE
- Applied Technology Region 3 Sex Equity CADRE
- Applied Technology Region 4 Sex Equity CADRE
- Applied Technology Region 8 Sex Equity CADRE
- Applied Technology Region 11 Sex Equity CADRE
- Kenneth Foster RVC Sex Equity CADRE
- Lewiston RTC Sex Equity CADRE
- Portland RVTC Sex Equity CADRE
- Skowhegan RVC Sex Equity CADRE
- Waterville RVC Sex Equity CADRE
- Applied Technology Region 2 Alternative Applied Technology & Academic Education
- Biddeford RTC Alternative Applied Technology & Academic Education
- MSAD #59, Madison Alternative Applied Technology & Academic Education
- Applied Technology Region 2 Child Care and Transportation
- Applied Technology Region 4 Child Care and Transportation
- Capitol Area TC Child Care and Transportation
- Waterville RVC Child Care and Transportation
- MSAD #54, Skowhegan Child Care and Transportation

The Alternative Applied Technology Education programs provide vocational and academic instruction for personal development and career development. In addition, the sex equity CADRE project seeks to correct the imbalance in male/female enrollments in the centers.

### *Projects funded through the Maine Technical College System:*

- Central Maine TC Child Care and Transportation
- Kennebec Valley TC Child Care Assistance & Curriculum Resource Center
- Southern Maine TC Child Care Assistance Program
- Eastern Maine TC Child Care Assistance Program
- Northern Maine TC Child Care Assistance Program
- Washington County TC Child Care Assistance Program
- Central Maine TC Women Unlimited Nontraditional Occupations Training
- Kennebec Valley TC Nontraditional Curriculum Development Program
- Kennebec Valley TC Sex Equity Resource Center
- Central Maine TC Gender Equity Project
- Eastern Maine TC Gender Equity Project
- Kennebec Valley TC Gender Equity Project
- Northern Maine TC Gender Equity Project
- Southern Maine TC Gender Equity Project
- Washington County TC Gender Equity Project

The child care projects provide child care to the children of students who are single parents, homemakers, and students enrolled in programs nontraditional for their sex, who have a financial need and are not eligible for other child care assistance programs.

The Women Unlimited program offered through Central Maine Technical College is designed to give women skills necessary to enter trade and technical careers and focuses on trade and technical skills, job-based literacy and math, personal and career development, and physical conditioning.

### *Projects funded through Adult Education:*

- Lubec Adult Education Prevocational Applied Technology Education

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- Sanford Adult Education Child Care and Transportation
- Portland Adult Education Child Care and Transportation
- Deer Isle Adult Education Child Care and Transportation
- Lisbon Adult Education Child Care and Transportation
- Old Orchard Beach Adult Education Child Care and Transportation
- Augusta Adult Education Child Care and Transportation
- Lewiston Adult Education Child Care and Transportation
- Region 2 Adult Education Child Care and Transportation
- Region 3 Adult Education Child Care and Transportation
- MSAD #44, Bethel Adult Education Child Care and Transportation

These projects are primarily alternative education programs for single parents. Some serve women over 25 years of age while others serve those 14 through 25. They all provide career and personal development, academic development, and parenting and child care either directly or in coordination with others. Programs offer GED and adult high school diploma options.

### *Projects funded through Community-Based Organizations:*

- Educational Skills, Inc. Trade & Technical Careers Applied Technology Education Project
- Only one project is being funded through community-based organizations. Educational Skills, Inc. out of Skowhegan is funded to work with employers to strengthen their capacity to serve nontraditional employees and to assist the entry of women into trade and technical careers. The project also provides 500 hours of comprehensive preparatory/workplace skills training, vocational skills training through on-the-job training, and support services.

*Occupational Career Guidance and Counseling:* During the 1993-94 program year, the activities carried out in the state of Maine under Title II, Part B, of the Carl D. Perkins Act in support of occupational career guidance and counseling included the following:

- Funding and support of career guidance counselors at applied technology centers and regions;
- Comprehensive career guidance planning which included occupational career guidance and counseling for all students in grades K-12.
- The PREP (Preparing to Realize your Educational Potential) program entered its seventh year. This project provided career awareness and educational planning options for all eighth grade students throughout Maine.
- The Maine Vocational Guidance Association (MVGA) held a workshop in March 1994 to further refine activities of the association such as: assessment of student needs, recruitment, enrollment, comprehensive career guidance and counseling program system-wide, and development of a plan by which the MVGA can better assist applied technology directors in their future undertakings.

*Services to Students with Disabilities:* Applied technology education programs for individuals with disabilities in secondary schools are designed to teach job skills at levels commensurate with ability. The capabilities and individual needs of students are determined by Pupil Evaluation Teams and are outlined in the Individual Education Plans. These projects must insure that appropriate support (related) services are provided to help students with disabilities benefit from applied technology education. These services include job placement and follow-up, specialized occupational counseling, remedial instruction, job coaching, curriculum modification, equipment modification, transition assistance from school to the world of work, and others. A total of 28 projects (both secondary and postsecondary) were funded by the Division of Applied Technology with Federal funds. During the year, 1,460 students with disabilities received special services.

*Services for Criminal Offenders in Correctional Institutions:* Criminal offenders served through programs in correctional institutions: 54. Two adult applied technology programs are provided by the Charles ton Correctional Facility), designed to give skills that lead to jobs after prison release. Training is provided on public lands under the supervision of the Department of Inland Fisheries and Wildlife.

The *Forestry and Wood Harvesting* program provides students with basic knowledge and skills in ideal forest management. Students learn safe methods to remove forest products from the woods without damage to the residual stands. The program also has an added value: it makes the students aware of their working relationship with nature. No student has left the program without a better feeling for themselves and the environment. The *Small Sawmill Operator* program provides training in all aspects of sawmill operation. The students also have the opportunity to operate a planer and do some light construction and routine maintenance around the sawmill.

Other educational opportunities are made available to both woodharvesting and sawmill program students through cooperative agreements with the Maine Department of Inland Fisheries and Wildlife. These opportunities include: brushsaw operations, chainsaw felling and operation activities, wildlife tree

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management (including identifying, marking, pruning, and fertilizing) and soil erosion control by roadside fertilizing and seeding.

*Services for Women Offenders in the Windham Correctional Center—Maine Impact: Preparing Women for Work:* A Career exploration/discussion meeting was held with female inmates to determine what specific needs and concerns they had about seeking gainful employment upon release. Four areas of greatest concern were: women as rape victims, incest, sexually transmitted diseases, and how to communicate women's health needs. Community and outside agencies provided speakers, role models, and instruction. During the discussion sessions, each participant had the opportunity to explore her future needs and to know where to go for help in the community. Participants commented that the topics of discussion were relevant to them and would help them to find employment upon release. Thirty-two women participated in the program.

### PUBLICATIONS:

*Maine State Plan for Applied Technology Education, Program Years 1995-1996:*  
*School/Work 2000—Planned Uses of Federal Support for Applied Technology Education*  
*Planning Instructions for Local Applications for Assistance Under Title II, Part C*  
*Uniform Guidelines for Local Applications for Assistance Under Title II(B) and Title III*  
*Quality Control & Accountability in Applied Technology Education, State of Maine*  
*Education for Work: Applied Technology Education Handbook, State of Maine*  
*Outlook '95—Occupational Supply/Demand Analysis Notebook for the State of Maine*  
*Career Opportunities 2000—State of Maine Application for a Statewide School-To-Work Opportunities System Implementation Grant, April 1, 1994*  
*Gender Equity in Education and the Workplace—A Competency Profile for Achieving Equity*  
*Maine's Challenge: An Action Agenda for Systemic Change, 3/26/93*  
*Applied Technology: Today's Training, Tomorrow's Jobs*  
*APR 91: Annual Performance Report on Programs Funded Under the Carl D. Perkins Act*  
*Education for Work, Number 1, Fall 1989*

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF APPLIED TECHNOLOGY	TOTAL FOR					
	ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	462,022	107,247			354,775	
Health Benefits	50,170	11,206			38,964	
Retirements	78,705	17,590			61,115	
Other Fringe Benefits	6,458	1,673			4,785	
Other Contract Services—State	732,103	726,738			5,365	
Other Contractual Service	78,388	21,512			56,876	
Rents	7,950	2,898			5,052	
Commodities	6,847	2,712			4,135	
Grants—Subsidies—Pensions	5,301,015	7,537	22,939		5,270,539	
Building Improvements	7,433				7,433	
Interest—Debt Retirement	376	376				
Transfers to Other Funds	17,783				17,783	
<b>TOTAL EXPENDITURES</b>	<b>6,749,250</b>	<b>899,489</b>	<b>22,939</b>		<b>5,826,822</b>	

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### DIVISION FOR THE BLIND AND VISUALLY IMPAIRED HAROLD LEWIS, DIRECTOR

*Central Office:* 35 Anthony Ave., Augusta

*Telephone:* 624-5323

*Mail Address:* 35 Anthony Avenue, Augusta, Maine 04333-0150

*Established:* 1941

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 05; Unit: 150; Citation: 22 M.R.S.A., Sect. 3500

*Average Count—All Positions:* 32

*Legislative Count:* 12

**PURPOSE:** The Division was established to provide a program of services to blind citizens of Maine, including the prevention of blindness; the location and registration of blind persons; the provision of certain education services to blind and visually-impaired children from birth to age 21; vocational rehabilitation services to accomplish the placement of blind persons in employment, including installation in any public building of a vending facility to be operated by a blind person licensed by the Division; and the provision of other social services to the blind.

**ORGANIZATION:** The Division was established in 1941 as the Division for the Blind in the Department of Health and Welfare, assuming responsibilities formerly assigned to other service units of the Department and of the Department of Education. In 1994 Legislation established the Division as a separate Vocational Rehabilitation program for blind individuals, and moved it from Dept. Human Services to Dept. of Education, as part of the new Office of Rehabilitation Services. The Division maintains direct service staff in seven offices throughout the state.

**PROGRAM:** The program has the following areas of focus:

**Register of Blindness.** Maine Law requires the Division to register newly blind persons for the purpose of evaluating their need for service. Approximately 250 new names are received each year from cooperating physicians and optometrists. These individuals are contacted and provided with information on services available to them from the division.

**Prevention of Blindness.** The Division has supported the creation of a private non-profit agency, Maine's Prevention of Blindness Program, Inc. This public-private cooperative effort has as its goal the reduction of the incidence of blindness through public education, visual screening of high risk population and the coordination of existing services.

**Education of Blind Children.** The Division, in 1983, was designated as the agency responsible for the provision of those specialized services needed by blind children ages 0-21 (braille instruction, low vision services, mobility, special educational materials, itinerant teacher services, etc.) so that they may receive an appropriate education in local schools.

During this reporting period, the Division provided special education services to over 450 blind and severely visually-impaired children in Maine. All but approximately 15 of these children were served in Maine's local public schools.

These legislatively mandated services are provided in close cooperation with local education agencies. Services are specified in the individual education plan of each student, which is written by the local Pupil Evaluation Team.

**Vocational Rehabilitation.** The purpose of the Vocational Rehabilitation Program is to assist blind persons to retain or to enter gainful employment.

During this reporting period, over 300 blind and severely visually-impaired men and women received services under this program, of which over 60 were placed into gainful employment.

**Business Enterprise Program.** (Randolph Sheppard Act) In order to enhance the economic opportunities of blind persons, both state and federal statutes grant to the Division the authority to install in municipal, state or federal buildings, vending facilities or snack bars to be operated by licensed blind persons.

To carry out this activity the Division, to date, has established twenty-seven (27) vending facilities throughout the state, including new locations on the Interstate highways and in state parks.

**Other Services.** The Division, in close cooperation with the Maine Center for the Blind, maintains a program of independent living for the older blind of Maine, for the purpose of assisting them to remain in their own homes rather than being placed in institutional or nursing home settings.

The Division will not only continue to use its own resources to enhance services for the blind in Maine, but will also increase its efforts in working with the private sector in order to strengthen existing services programs.

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### LICENSES, PERMITS, ETC.:

Certifying agency for legal blindness relative to exemption of Real Estate Tax based on Blindness. (See 36 MRSA Sect. 654.)

State Licensing Agency for operators of vending facilities under the Randolph-Sheppard Act as amended by P.L. 93-516.

### PUBLICATIONS:

1. Comprehensive Services for Visually Impaired and Blind Individuals of All Ages—free
2. Independent Living Services for Older People with Visual Impairments—free
3. What Do You Do When You See a Blind Person
4. Facts About Blindness And Visual Impairment
5. The Eye And How We See
6. Understanding Eye Language

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION FOR THE BLIND AND VISUALLY IMPAIRED	TOTAL FOR ALL	General	Special	Highway	Federal	Misc.
	FUNDS	Fund	Revenue Funds	Fund	Funds	Funds
<b>EXPENDITURES</b>						
Salaries and Wages	907,531	345,038			562,493	
Health Benefits	106,286	34,208			72,078	
Retirements	148,021	56,164			91,857	
Other Fringe Benefits	5,831	2,123			3,708	
Other Contract Services—State	18,927	386	944		17,597	
Computer Services—State	800	800				
Other Contractual Service	101,058	33,220	16,890		50,948	
Rents	4,874		4,874			
Commodities	11,079	383	7,984		2,712	
Grants—Subsidies—Pensions	2,509,205	1,167,889			1,341,316	
Purchase of Land	25,100				25,100	
Building Improvements	40,264		26,550		13,714	
Interest—Debt Retirement	21		3		18	
Transfers to Other Funds	18,542		684		17,858	
<b>TOTAL EXPENDITURES</b>	<b>3,897,539</b>	<b>1,640,211</b>	<b>57,929</b>		<b>2,199,399</b>	

## DIVISION OF CERTIFICATION AND PLACEMENT

NANCY IBARGUEN, DIVISION DIRECTOR

Central Office: Education Bldg., Augusta

Telephone: 287-5944

Mail Address: State House Sta. #23, Augusta, Maine 04333

Established: July 1, 1993

Sunset Review Required by: June 30, 1998

Reference: Policy Area: 02; Umbrella: 05; Unit: 071C

**PURPOSE:** The major responsibility of the Division of Certification is to license educational personnel to be employed in Maine's schools. Applications for the initial teacher, educational specialist, and administrator certificates are reviewed and issued to individuals who have met requirements established by the State Board of Education under Chapter 502, effective July 1, 1988. Individuals may also receive assistance in planning routes to obtain necessary requirements for certification. In addition, the Division approves local support system plans on a 5-year cycle and provides technical assistance to local units regarding the renewal of educational credentials. The Division is directly responsible for assisting administrators with the needs assessment and action planning procedures for certification renewal where

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an optional regional administrator support system is available. The Division is directly responsible for the issuance of individual letters of authorization to educational technicians.

The Division also serves as advisory to the Commissioner and State Board of Education concerning the preparation of educational personnel at approved teacher training institutions both in Maine and nationwide.

The Placement Office conducts a nationwide recruitment program, maintains a placement service which provides job vacancy information to certified candidates, and assists superintendents in their search for qualified educators.

The certification of all teachers, educational specialists, and administrators in Maine is the primary purpose of the Division of Certification and Placement. This represents the evaluation, issuance, and renewal of certificates as well as the screening for possible criminal or immoral conduct.

**FUNCTIONS:** The Division has five primary responsibilities under which there are secondary functions.

*Issuance of Certificates:* Evaluate transcripts, analyze files for approved program and interstate reciprocity status; write certificates; initiate and maintain files; distribute renewal applications and supplemental materials; distribute administrator monitoring forms; analyze administrator portfolio material; screen all applicants for criminal or immoral conduct; hold informal and formal hearings for those exercising their right to an adjudicatory hearing; work with colleges and universities for course and program approval; work with other states for interstate compact agreements; work with the Northeast Regional Laboratory, the New England states, New York, and Pennsylvania for the issuance of regional credentials for teachers, administrators, and special educators; work with the State Board of Education and three pilot projects on result-based initial certification.

*Issuance of Authorizations:* Evaluate transcripts and other forms of professional development activities; write authorizations; initiate and maintain files; hold formal and informal hearings for those exercising their right to an adjudicatory hearing; and provide technical service to school systems.

*Collection of Revenue:* Collect/monitor fees for initial evaluations and the renewal of inactive certificates;

*Monitor and Assist School Systems:* Review/analyze/disseminate/and assist with a personnel violation list; assist with information of certification status of personnel; approval initial teacher support system plans for private schools; approve revisions and waivers to existing teacher support system plans; approve initial administrator support system plans; approve revisions to administrator support systems; review/approve educational technicians working in school systems; issue letters of authorization to educational technicians; review/approve substitutes working in school systems; and

*Placement Services:* Maintain current educational vacancies in Maine; assist educators seeking positions in Maine; provide information and list of candidates to local school systems; and assist the Division of Special Services with recruitment efforts mandated by the federal government.

### OPERATIONAL METHODS AND PROCEDURES:

*Issuance of Certificates*—One Educational Specialist III, one Educational Specialist II, a portion of the Director, a portion of another Educational Specialist II, along with the support from two and a half support staff are assigned the overall task of evaluation, writing, and issuance of certificates. Another Educational Specialist II, a legal consultant, is assigned the task of dealing with all of the criminal and immoral conduct incidences, and informal and formal adjudicatory hearings for certification applicants. The Director, one Educational Specialist II, and the Educational Specialist III work with all Maine colleges/universities for program and course approval. The interstate reciprocity agreement and the Northeast Regional Laboratory are tasks primarily of the Director and an add-on for the Educational Specialist III.

*Issuance of Authorizations*—A portion of one Educational Specialist III, a portion of one Educational Specialist II, a portion of the Director, along with the support of a portion of three support staff are assigned the overall task of evaluation, writing and the issuance of educational technician authorizations. Another Educational Specialist III, a legal consultant, is assigned the task of dealing with all criminal and immoral conduct incidence and the adjudicatory hearings for authorization candidates.

*Collection of Revenue*—Revenue collection is carried out by one support staff person and as an add-on function of educational specialists and the director.

*Monitor and Assist School Systems*—Two educational specialists and the director review, analyze and assist school systems with the annual violations list. All staff carry out the function of assisting school systems with the certification status of educational personnel. The director has the task of reviewing and approving all initial teacher and administrator support system plans as well as the revisions and waivers

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to these plans. A portion of one support staff person is assigned the task of reviewing and approving of all educational technicians and substitutes. Two educational specialists and one support staff person will perform the tasks of evaluating and issuing letters of authorization for all educational technicians.

*Placement Services*—This task is the primary responsibility of one Educational Specialist II, a major portion of one support staff person and an add-on for the director.

**Accomplishments:** Outcomes for the Division for FY94 include:

- processed in excess of 2600 initial certificates
- processed in excess of 6800 renewal certificates
- answered/made more than 12,000 telephone calls
- collected \$265,000 in fees
- handled approximately 44,000 pieces of correspondence
- distributed in excess of 9300 renewal applications
- distributed in excess of 7000 initial certification packets
- reviewed or granted revisions to twenty support system plans
- screened in excess of 14,000 applicants for criminal or immoral charges
- implemented legislative changes to certification regulations and certificates
- reviewed and approved in excess of 4500 educational technicians
- reviewed and approved in excess of 4500 substitutes

**Objectives:** The Division has three major objectives for the biennium:

- 1) review, revise and distribute Chapters 013, 115-A, 115 Part I, and 115 Part II, and 118-A; and
- 2) analyze the files of and disseminate individual evaluations to all holders of speech and hearing certificates. This is in preparation for compliance with federal regulations.

**Actions:** The Division plans the following activities to carry out its objectives:

- Introduce/develop/implement changes to Chapters 013, 115-A, 115 Part I, 115 Part II, and 118-A through the Administrative Procedures Act;
- Analyze/evaluate/identify needed coursework for compliance with federal regulations for all people certified as Speech and Language Clinicians; correspond with each individual regarding their evaluation of same; and
- Develop materials/correspondence/folders/evaluative tools and procedures for the issuance of letters of authorization to educational technicians.

### STATEMENT OF PURPOSE, OBJECTIVES, CASELOAD, FEDERAL OR OTHER MATCHING AS WELL AS JUSTIFICATION FOR REQUESTED OR PROJECTED FIGURES:

The Division of Certification and Placement has four areas of responsibility.

- I. *Certification:* All educational personnel working in state-approved schools, both public and private, must hold proper state certification. The Division of Certification is responsible for issuing certificates to new personnel, as well as renewing periodically the credentials of experienced educators. Approximately 2600 new certificates were issued to beginning educators, approximately 8400 renewal certificates were issued, 44,000 pieces of correspondence were handled, and more than 12,000 phone calls were made or received. The large volume of certificates and constant contact with the educational community require a professional and clerical staff, as well as the necessary office equipment to operate the certification process in an efficient and effective manner.
- II. *Teacher and Administrator Education:* Teacher preparation and in-service education make up the bulk of the field services provided by the Division. These activities include working with the State Board of Education in the development and implementation of certification standards necessary for the efficient operations for school systems and for the certification of educators. The Division also collaborates with the Division of Higher Education on the approval of higher education programs which prepare teachers, specialists, and administrators. Additionally, the Division monitors and works closely with local teacher and administrator support systems for the induction process of new teachers and the professional development of all educators.
- III. *In-service Education:* The Certification Division is responsible for approving various recertification options undertaken by certificate holders. These activities include the review and evaluation of individual professional growth activities, providing technical assistance to school units with their execution of staff development plans, and coordinating activities between local school systems and higher education institutions.



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- IV. *Collection of Revenue:* The Division collects, records, and monitors fees for initial evaluations and the renewal of inactive certificates. Annually, the Division collects approximately \$220,000, which is part of Maine's general funds.
- V. *Placement Services:* The Division of Certification and Placement operates a placement service which provides assistance to educators seeking positions in Maine. The placement service serves as a clearinghouse for teachers, educational specialists, and administrators who register with the placement office and, at the same time, provides information and lists of candidates to local school systems seeking to fill positions with professional educators.
- VI. *Issuance of Authorizations:* All educational technicians working in state-approved schools, both public and private, must hold proper state authorization. The Division of Certification and Placement is responsible for issuing authorizations to all educational technicians. The initial 4500 authorizations were issued by 2-1-95. The volume of authorizations, development of related materials, and constant contact with the educational community require a professional and clerical staff, as well as the necessary office equipment to operate the authorization process in an efficient and effective manner.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF CERTIFICATION AND PLACEMENT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	249,640	249,640				
Health Benefits	33,219	33,219				
Retirements	40,721	40,721				
Other Fringe Benefits	3,267	3,267				
Other Contract Services—State	880	880				
Other Contractual Service	39,461	39,461				
Rents	5,615	5,615				
Commodities	6,696	6,696				
Grants—Subsidies—Pensions	3,066	3,066				
Interest—Debt Retirement	23	23				
<b>TOTAL EXPENDITURES</b>	<b>382,588</b>	<b>382,588</b>				

## OFFICE OF THE COMMISSIONER

**LEO G. MARTIN**  
**POLLY WARD**  
**MARY MAJOROWICZ**

*Central Office:* Education Bldg., Augusta

*Telephone:* 287-5114

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* July 1, 1993

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 071D

**PURPOSE:** The overall emphasis of this agency is to ensure that high quality educational services are available to all Maine people through comprehensive educational planning and leadership that relates such services to other social, economic, cultural and governmental programs and activities.

The Department of Education is authorized to supervise, guide and plan a coordinated system of public education for all Maine people; to interrelate public education to other social, economic, physical and governmental activities, programs and services; to encourage and stimulate public interest in the advancement of education; to encourage in-service education and staff development for teachers in cooperation with local school officials; to compile and distribute copies of school laws to municipal school officers; to act upon applications for additions to and dissolution of school Administrative

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Districts; to prescribe the studies to be taught in the schools; to furnish record books to the school officers of each administrative unit for recording all matters relating to monies appropriated; to control and manage all public schools established and maintained by gifts or bequests; to perform all duties imposed by any charter granted by the Legislature to educational institutions in the State; to report annually to the Governor the facts obtained from school returns, with recommendations to promote the improvement of public schools; to inspect schools; to issue high school equivalency diplomas; to produce or contract for educational television programs; to approve schools with out-of-state enrollment; to enter into contracts for applied technology education programs; and to certify teachers and other professional personnel for service in any public school in the State or any school that accepts public funds.

**ORGANIZATION:** The Department of Education originated in 1846 with the establishment of the first Board of Education, consisting of one member from each county of the State. The Board was abolished in 1850, and in 1852, County Commissioners of Common Schools were established. The County Commissioners were replaced in 1854 by a Superintendent of Common Schools, and in 1869, a new State Board of Education was established, with a membership consisting of the Superintendent and new County Supervisors of Public Schools. In 1872, the Board was again abolished along with the County Supervisors, and public education responsibilities of the State were shifted to the Superintendent who in 1897, became Superintendent of Public Schools and in 1923, Commissioner of Education.

In a major State Government reorganization of 1931, the Department of Education was created to assume the powers and duties formerly assigned solely to the Commissioner of Education, and to supervise State Normal Schools, the Maine State Library (established in 1839) and the State Museum (established in 1919) and to administer the Teachers' Retirement System. In 1939, the Library and the Museum were separated from the Department to become independent agencies of the State, and in 1947, the Teachers' Retirement System was merged with the new State Employees' Retirement System.

The State Board of Education was reestablished in 1949 with greatly expanded powers over the public education activities of the State, including authority to appoint the Commissioner of Education and select personnel of the Department. At this time, the Board also assumed the duties of the Vocational Education Board, originally established in 1917 as the State Board of Vocational Education, and of the State Normal School and Teacher's College Board, established in 1873 as the Board of Trustees of State Normal Schools. In 1961, the Board assumed the duties of the School District Commission which was created in 1957 to develop plans for the establishment of appropriate school districts in the State, and in 1967, normal school and teachers' college functions of the Board discontinued as these institutions became part of the University of Maine system. In 1969, the Vocational Rehabilitation Division, created in 1959 to be under the general supervision of the Board, was transferred to the Department of Health and Welfare.

The powers of the Board were further diminished in State Government reorganization of 1971 when the Department of Education became the Department of Educational and Cultural Resources and the authority to appoint the commissioner was transferred from the board to the Governor with the advice and consent of the council. This reorganization also placed several previously independent State agencies within the administrative structure of the Department, including the Maine Education Council (created 1967), the Maine State Commission for the Higher Education Facilities Act of 1963 (created 1967), the Maine Advisory Council on Vocational Education (created 1955), the Maine School Building Authority (created 1951), the Governor Baxter State School for the Deaf (created 1876), the Maine State Commission on the Arts and Humanities (created 1965), the Maine State Library (created 1839) and the State Historian (created 1907).

In additional reorganization in 1973, the Department was renamed Department of Educational and Cultural Services and expanded to include the Maine Historic Preservation Commission (created 1971) and the State Board of Education. The role of the board was changed to be advisory to the Commissioner of Educational and Cultural Services, but with specific powers relative to the organization and administration of the State's public school system, and with responsibility for administration of the federal High Education Facilities Act of 1963 and in 1974, of the Higher Education Act of 1965 through the Maine State Commission for the Higher Education Facilities Act of 1963 and the Maine Postsecondary Education Commission (created 1974) respectively. Also in this reorganization, four agencies transferred to the Department in 1971 were established as statutory bureaus: State Museum Bureau, Maine State Commission on Arts and Humanities, Maine State Library Bureau, and Bureau of Vocational Education. Several other subdivisions have been created administratively since 1971 under the Commissioner's authority to form such bureaus as the Commissioner deems necessary to carry out the functions of the Department.

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Since July 1990, the State's cultural agencies have been administered separately by the Maine State Cultural Affairs Council. The Department is once again known as the Department of Education.

As of April 7, 1983, the Commissioner must be appointed by the Governor after consultation with the State Board of Education as established and is subject to review by the Joint Standing Committee on Education and confirmation by the Legislature.

In the biennial budget established during the First Regular Session of the 116th Legislature, the Department was reorganized with the elimination of the three remaining departmental bureaus—Bureau of School Management, Bureau of Instruction, Bureau of Applied Technology and Adult Learning. The reorganization eliminated the associate commissioner positions which had been responsible for these bureaus and changed the position of assistant to the commissioner to deputy commissioner, thus, creating two deputy commissioner positions. The reorganization further reduced the number of individual divisions and offices through consolidation: the Office of Personnel, the Office of the Legislative Liaison, and the Affirmative Action/National Origin Desegregation Office were combined into the Administrative Services Unit; the Division of Higher Education and the Division of Veterans Services were combined into the Division of Higher Education; the Division of Compensatory Education and the Division of Special Education were combined into the Division of Special Services; the Division of Applied Technology Education and the Division of Applied Technology Administration were combined into the Division of Applied Technology; the ESEA Chapter 2 program and the Special Services/Public Information Unit were combined into the Support Services Unit; the Division of Curriculum, the Division of Educational Assessment, and the Truancy, Dropout and Alternative Education program were combined into the Division of Instruction; and the Divisions of School Nutrition and Food Distribution, School Facilities, and Transportation were combined into the Division of School Business Services. The legislation also transferred all of the General Fund positions and support for the Division of Alcohol and Drug Education Services from the Department of Education to the Office of Substance Abuse in the Executive Department. The Department retained the Federally-funded positions and programs which had formerly been administered by the Division of Alcohol and Drug Education Services. These functions were transferred to the Division of Instruction.

The first regular session of the 116th Legislature also began the transfer of the Bureau of Rehabilitation from the Department of Human Services to the Department of Education. This organizational unit will be returned to the Department at the beginning of the 1994-95 fiscal year and will consist of two divisions—Division for the Blind and Visually Impaired and Division of General Vocational Rehabilitation.

**PROGRAM:** The program of the Department is implemented through its component units.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF THE COMMISSIONER	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	261,826	261,826				
Health Benefits	25,118	25,118				
Retirements	52,612	52,612				
Other Fringe Benefits	3,611	3,611				
Other Contract Services—State	6,096	6,096				
Other Contractual Service	78,929	53,309	25,620			
Rents	351	351				
Commodities	4,614	4,614				
Grants—Subsidies—Pensions	1,000		1,000			
Interest—Debt Retirement	12	12				
Transfer to Other Funds	773		773			
<b>TOTAL EXPENDITURES</b>	434,942	407,549	27,393			

## **ADVISORY COMMITTEE FOR THE DIVISION OF DEAFNESS**

**WILLIAM NYE, CHAIRMAN**

*Central Office:* 35 Anthony Ave., Augusta, Maine 04333-0150

*Telephone:* 624-5318

*Mail Address:* 35 Anthony Avenue, Augusta, Maine 04333-0150

*Established:* 9-19-85

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 05; Unit: 161; Citation: 22 M.R.S.A., 3074

**PURPOSE:** The Advisory Committee, Division of Deafness, advises the Director of the Office of Rehabilitation Services and the Director of the Division of Deafness on the development and coordination of services to people who are deaf and hard of hearing. The Committee evaluates the progress toward goals and recommendations and advises the Division on implementation plans.

**ORGANIZATION:** The Committee has 23 members and 3 non-voting member-at-large positions. One-third of the members are deaf or hard of hearing persons. The Committee meets quarterly on the second Thursday of January, April, June and October. Meetings are held in Augusta. The chairperson is elected by the Committee and serves a 2-year term.

**PROGRAM:** The Committee's activities this past year were focused on community service centers for the deaf, needs assessment, telecommunications devices for the deaf (TTY), legislative, Maine-Lines newsletter, hearing impaired children, substance abuse, elderly, interpreting issues, updates on the state telecommunication access plans for state departments and agencies, and TV/media access.

At the annual meeting in October, the Clifton R. Rodgers memorial award for outstanding service to the deaf community was presented to Mary Jane Olson of Portland.

Members attended public hearings of the Legislature on bills relating to deafness.

### **PUBLICATIONS:**

Report of Research Committee on Community Center—free

Report of Hearing Impaired Children—free

Report of the Statewide Needs Assessment of the Deaf Community in Maine

Report on Interpreting Issues in the Deaf Community—1989

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Office of Rehabilitation Services.

## **DIVISION OF DEAFNESS**

**NORMAN R. PERRIN, DIRECTOR**

*Central Office:* 35 Anthony Ave., Augusta

*Telephone:* 624-5318

*Mail Address:* 35 Anthony Avenue, Augusta, Maine 04333-0150

*Established:* 9-19-85

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 05; Unit: 160; Citation: 22 M.R.S.A., 3071

*Average Count—All Positions:* 4

*Legislative Count:* 0

**PURPOSE:** The Division of Deafness was established to provide a program of services to deaf citizens of Maine including information and referral; advocacy; statewide registry; promoting of accessibility; plan for coordination; study of the needs of people who are deaf and hard of hearing, to recommend legislation to change or improve services; and to provide rehabilitative services to deaf and hard of hearing children from birth to age 20. Other programs include Telecommunications Devices (TTY's)/

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T.V. Decoder Programs, Legal Interpreting, Identification Cards, Hearing-Ear-Dog registration and Maine-Lines for the Deaf Newsletter.

**ORGANIZATION:** The Division of Deafness was established administratively on November 1, 1982 and was known as the Office of Deafness. The Division received its present name in September 1984 when the Bureau was reorganized. In 1985, Governor Joseph E. Brennan signed Public Law Chapter 160 (22 MRSA c. 714) establishing the Division as a statutory unit of the Office of Rehabilitation Services.

The advisory committee of the Division continues to give a strong voice for consumers much as it did in the mid 1970's when it was known as the Ad-Hoc Committee on Deafness to the Bureau.

**PROGRAM:** The Division of Deafness has the following focus:

**Statewide Registry:** The Division maintains, coordinates, and updates a voluntary statewide registry of deaf persons in order to assess their needs for services. Presently, there are 3,141 persons on the registry who are deaf.

**Vocational Rehabilitation:** The purpose of Vocational Rehabilitation is to assist eligible deaf and hard of hearing clients toward employability and independence. The vocational rehabilitation program served 250 deaf and hearing impaired clients during this reporting period.

Five rehabilitation specialists (RCD's) provide counseling and case management statewide.

**Telecommunications Devices for Deaf (TTY):** The Division administers two programs providing Telecommunications Devices for the Deaf (TTY)/T.V. Decoder Programs under Maine Statutes (35 MRSA, Section 2361).

The cost sharing program allows the Bureau to provide up to 50% of the cost of a TTY to any organization or municipality paying the remaining funds for TTY's for deaf, hard of hearing and speech impaired. This law was enacted in 1980 with appropriations in 1981.

A subsequent enactment in 1983 provided funding for TTY's on a lease basis at no charge to the deaf, hard of hearing or speech impaired persons. An audiologist or physician must verify proof of disability. In addition, financial need must be shown.

During the period of time 1982 thru 1993, the Division provided a total of 1105 TTY's and decoders to individuals.

**Interpreting in Legal Proceedings:** Enactment of laws in 1978 and 79 respectively, the latter being amendments, entitles a deaf, hard of hearing persons in a legal proceeding to have an interpreter. Under statute 5 MRSA, Section 48, the interpreter is reimbursed by the Office of Rehabilitation Services.

Approximately 878 hours of interpreting were provided during this reporting year.

**Information Networking:** The Division maintains a toll-free number in order to provide a channel for deaf and hard of hearing and their families to receive information relating to the disability. The Division cooperates with other advocacy, referral, and vocal relay agencies in providing appropriate direction to requests.

Approximately 300 calls a month are logged in for information, advocacy, referral, and other related needs.

**Children's Program:** The Division of Deafness provides rehabilitative and restoration services for children ages 0-20 who have a sensorineural or permanent non-correctable hearing loss. Services provided are diagnostic evaluations by audiologists and physicians, auditory and speech-language therapy, counseling, sign language and/or cued speech training, hearing aids, and loan of auditory trainers.

Our five rehabilitation counselors for the deaf provide case management for the children's program statewide.

Approximately 500 children are being served during this reporting period.

The legislative mandate and appropriations for this program were approved by Governor Joseph E. Brennan on July 1, 1985 (PL Chapter 501). In April 1986, PL Chapter 761, was signed providing for a position of consultant within the Division of Deafness for the Children's Program.

**LICENSES, PERMITS, ETC.:** The Division provides identification cards for deaf citizens in cooperation with the Secretary of State and Division of Motor Vehicles. These ID cards assist deaf in emergency, legal, or other situations.

Also, the Division certifies hearing ear dogs that are professionally trained as alert dogs for deaf persons. The Division provides an identification card which allows the owner and hearing ear dog access to public places in Maine.

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### **PUBLICATIONS:**

1. Report of Hearing Impaired Children
2. Report of Committee on Community Center Research
3. Report on Registry of Deaf
4. Annual Report of Persons Served in the VR Program
5. Report on Dissemination of Telecom Equipment
6. Directory of Sign Language Classes in Maine
7. Directory of Organizations Serving Maine (deaf)
8. Maine-Lines for the Deaf
9. TTY Directory
10. Other miscellaneous program brochures upon request
11. Report of the Statewide Needs Assessment of the Deaf Community in Maine

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Office of Rehabilitation Services.

## **EDUCATION FINANCE DIVISION**

**STANLEY R. SUMNER, DIRECTOR**

*Central Office:* Education Bldg., Augusta

*Telephone:* 287-4485

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* 1931

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 02; *Umbrella:* 05; *Unit:* 071F; *Citation:* 20-A M.R.S.A., Sect. 202

*Average Count—All Positions:* 13

*Legislative Count:* 13

**PURPOSE:** The major purpose of the Division of Finance is to provide centralized control over the fiscal operations of the department. Fiscal operations include: budget preparation and monitoring, receipt and deposit of revenues, pre-audit of expenditures, control over equipment and supplies, fiscal analysis, reporting and auditing.

**ORGANIZATION:** There are three sections within this Division: the Budget Control Section, the Accounting and Reporting Section and the Audit Section.

**PROGRAM:** The Division accomplishes its purpose with an organization and system designed to support the goals and objectives of the various programs of the department while applying sound fiscal management principles.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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EDUCATION FINANCE DIVISION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	348,064	348,064				
Health Benefits	41,214	41,214				
Retirements	59,229	59,229				
Other Fringe Benefits	3,249	3,249				
Other Contract Services—State	60,344		60,344			
Computer Services—State	13,177	18,177	-5,000			
Other Contractual Service	49,156	19,293	29,863			
Rents	18,946	960	17,986			
Commodities	1,094	680	414			
Grants—Subsidies—Pensions	1,976	4,976	-3,000			
Building Improvements	492		492			
Interest—Debt Retirement	2		2			
Transfers to Other Funds	101,113,730	101,110,616	3,114			
<b>TOTAL EXPENDITURES</b>	101,710,673	101,606,458	104,215			

## GOVERNOR BAXTER SCHOOL FOR THE DEAF

**DAVID STOCKFORD, SUPERINTENDENT INTERIM**

**SUZANNE P. MANLY, Business Services Manager**

*Central Office:* Mackworth Island, Falmouth

*Telephone:* 781-3165 (Voice and TDD)

*Mail Address:* P.O. Box 799, Portland, Maine 04104—0799

*Established:* 1876

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 02; *Umbrella:* 05; *Unit:* 090; *Citation:* 20A M.R.S.A., Sect. 7503

*Average Count—All Positions:* 112

*Legislative Count:* 43

**PURPOSE:** The Governor Baxter School for the Deaf was originally established for the purpose of providing an educational and residential program for deaf children in Maine. The purpose and organization of GBSD has evolved and expanded in response to changing federal and state regulations with regard to Special Education and, in particular, deaf education. Governor Baxter School for the Deaf has become the core of a developing and far-reaching system to identify and meet the educational and related needs of Maine's hearing impaired citizens. The mission is to integrate these educational opportunities into a single state-wide unit in order to provide optimum services for hearing impaired infants, children, adults, their families, and the community at large.

Governor Baxter School for the Deaf has met school approval standards developed by the Maine Department of Educational and Cultural Services. It is also accredited by the Conference of Educational Administrators Serving the Deaf, a national association of schools and programs serving deaf students.

**ORGANIZATION:** The Governor Baxter School for the Deaf had its origin as the Portland School for the Deaf, which was founded in 1876. It operated on Spring Street as part of the Portland School System until 1897. At that time, Portland deeded the land and buildings to the State. The school became known as the Maine School for the Deaf within the Department of Institutions. When the Bureau of Institutions was dissolved, the organization was placed in the Department of Mental Health and Corrections. It remained there until transferred to the Department of Educational and Cultural Services. Since 1982 the Department's Office of Federal-State-Local Relations has served as liaison to the Commissioner and Legislature and resource on administrative and policy matters.

In 1943, former Governor Percival P. Baxter donated Mackworth Island to the State. He was later influenced by deaf people to help find a new site for the school when it had outgrown its Spring Street location. In 1953, funds donated by Governor Baxter and funds granted by the Legislature were used for the construction of a new educational, residential facility for the deaf on Mackworth Island. In 1957, the

## EDUCATION

Legislature honored the Governor by officially changing the name of the school to Governor Baxter School for the Deaf.

### PROGRAM:

GBSD provides a wide range of services for students, families, professionals and citizens in the State. Comprehensive programming includes five departments:

**The Academic Program** includes Elementary, Middle and High School, local and regional Athletic Program, and a Project Adventure Component.

**The Residential Program** includes a recreation program, Health Center, and Independent Living Program.

**Statewide Educational Consulting Services** include the Parent/Infant Program, Preschool Program, Preschool Outreach, Public School Outreach, Family Education, Aroostook Program, GBSD Mainstream Program, and Language Delay Preschool Program.

**Therapy and Evaluation Services** include Educational Assessment, Psychological Services, Occupational and Physical Therapy, Audiological Services, Speech/Language Therapy, Mental Health Counseling, Vocational Education Evaluations, Social Services, P.E.T. meetings and Statewide Comprehensive Evaluation Services.

**The Resource Center on Deafness** includes Deaf Community Networking and Resource Programs, Library/Media Center, American Sign Language Program, Captioned Film and Video Depository, Community Relations, and I.T.V.

GBSD also features an extensive Sound and Technology Laboratory. Annual summer programming includes the Parent/Infant Program, the Preschool Program, the Family Learning Vacation and the Portland-Falmouth Teachers/ Academy.

In addition to the functions mentioned, GBSD serves as the contact for the Gallaudet University Information Center on Deafness and works closely with Gallaudet University Pre-College Programs in Washington, D.C., and the Gallaudet Regional Center at Northern Essex Community College in Haverhill, Massachusetts.

### LICENSES, PERMITS, ETC.:

High School Diplomas. (The school is approved by the Maine State Department of Educational and Cultural Services and is accredited by the Conference of Educational Administrators Serving the Deaf).

### PUBLICATIONS:

"The Beak"—school newsletter

"Watch Tower" Yearbook—\$15.00

Directory of Deaf Resources—\$5.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

GOVERNOR BAXTER SCHOOL FOR THE DEAF	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,494,271	2,468,739			25,532	
Health Benefits	279,947	277,282			2,665	
Retirements	439,899	435,356			4,543	
Other Fringe Benefits	35,536	35,049			487	
Other Contract Services—State	365,635	334,397	31,238			
Computer Services—State	840	840				
Other Contractual Service	355,409	354,414	950		45	
Rents	51,573	51,573				
Commodities	238,766	233,498	2,337		2,931	
Grants—Subsidies—Pensions	76,244	75,969	275			
Interest—Debt Retirement	3,679	3,676			3	
Transfers to Other Funds	348		173		175	
<b>TOTAL EXPENDITURES</b>	<b>4,342,147</b>	<b>4,270,793</b>	<b>34,973</b>		<b>36,381</b>	



## EDUCATION

### DIVISION OF HIGHER EDUCATION

**FRED DOUGLAS, Director**

*Central Office:* Department of Education, Augusta

*Telephone:* 287-5803

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* July 1, 1993

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 017H

#### **PURPOSE:**

**ORGANIZATION:** The Division consists of a Director, a Program Administrator (Veterans Education), two Consultants, one in Higher Education and one in Veterans Education. The Division has several statutorily required functions and provides services to postsecondary educational institutions, the general public, and military veterans and their dependents.

#### **PROGRAM:**

**Division of Higher Education Services.** The Division provides many and varied services to and for the public, private, and proprietary post-secondary educational institutions in the State of Maine.

The Division carries out procedures established to respond to requests from Maine private postsecondary institutions seeking legislative authorization to confer a new degree and approval from the State Board of Education for institutions seeking to offer an additional degree. The Division also processes requests from out-of-state institutions which seek to offer academic credit courses or programs in Maine with final approval granted or denied by the State Board of Education. Application forms and copies of procedures, rules and regulations are provided through the Division.

The Division carries out an evaluation process through which postsecondary teacher education preparation programs conducted by public and private institutions are approved by the State Board of Education.

All academic records of students' attendance at postsecondary schools now closed are maintained by the Division. Copies of transcripts are made available to students on request and upon payment of a processing fee.

Other activities carried on by the Division include coordinating of data collection from postsecondary institutions under the Integrated Postsecondary Education Data System (IPEDS) of the National Center for Education Statistics; the licensing of cosmetology and barber schools; the licensing of private business, trade, and technical schools of a proprietary nature; the licensing of postsecondary correspondence schools; and determining eligible schools in Maine for cancellation of National Direct Student Loans/Perkins Loans for teachers. The Division is also responsible for the conduct of the Veterans Education program which has the responsibility to work with officials of schools and job training establishments to maintain and enhance the quality of education and training provided to military personnel, veterans and their eligible dependents. This program conducts a wide range of approval and supervisory activities with approximately 12 institutions of higher learning, schools that offer non-college degree programs and off-campus branches of these institutions. In addition, the program personnel were involved in approval and supervisory activities with approximately 6 training establishments which offer one or more on-the-job training programs. There were approximately 1800 veterans and other eligible persons participating monthly in education and training programs throughout the fiscal year.

The Division assists the Department in implementing the State Postsecondary Review Program (SPRP) as required by provisions of the Reauthorization of the Higher Education Act of 1965 as amended. The Department of Education has been designated by the Governor as the state agency responsible for the conduct of the program.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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DIVISION OF HIGHER EDUCATION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	428,382	100,578	239,390		88,414	
Health Benefits	41,437	8,108	23,960		9,369	
Retirements	63,951	10,262	39,177		14,512	
Other Fringe Benefits	4,476	1,706	1,776		994	
Other Contract Services—State	3,585	2,716			869	
Other Contractual Service	152,173	133,806			18,367	
Rents	1,770	1,770				
Commodities	2,441	843			1,598	
Grants—Subsidies—Pensions	105,865	25			105,840	
Building Improvements	1,397				1,397	
Transfers to Other Funds	3,805				3,805	
<b>TOTAL EXPENDITURES</b>	<b>809,282</b>	<b>259,814</b>	<b>304,303</b>		<b>245,165</b>	

### **(OFFICE OF) STATE HISTORIAN** **ROBERT M. YORK, STATE HISTORIAN**

*Central Office:* RFD #1, Box 833, Orrs Island, Maine 04066

*Telephone:* 833-2861

*Mail Address:* RFD #1, Box 833, Orrs Island, Maine 04066

*Established:* March 20, 1907

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area: 02; Umbrella: 05; Unit: 087; Citation: 27 M.R.S.A., Sect. 261*

**PROGRAM:** The State Historian continues to hold active membership in seven historical societies. He taught two courses in Maine's history during the summer of 1992 and spring of 1993, gave a mini course in Maine History at First Point Church in Brunswick, and gave talks before several women's clubs and historical societies and service clubs. He also advised visiting scholars and aspiring students on various facts of Maine history.

During the summer of 1993, the State Historian taught two courses at the University of Southern Maine, taught two mini courses on Maine at Brunswick First Parish Church and provided several programs on various aspects of Maine history in Portland, Yarmouth, Wilton, Gorham and Rockland. Additionally, he carried on extensive correspondence with aspiring students and researchers. Interest in Maine history appears to be higher than in the immediate past.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

(OFFICE OF) STATE HISTORIAN	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contractual Service	1,441	1,441				
<b>TOTAL EXPENDITURES</b>	<b>1,441</b>	<b>1,441</b>				

## DIVISION OF INSTRUCTION

ROBERT KAUTZ, DIVISION DIRECTOR

*Central Office:* Education Bldg., Augusta

*Telephone:* 287-5928

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* July 1, 1993

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 02; *Umbrella:* 05; *Unit:* 0711

*Average Count—All Positions:* 90.5

*Legislative Count:* 33.0

**PURPOSE:** The Division fulfills leadership, technical assistance and regulatory functions. Technical assistance and leadership responsibilities include working with school administrative units in assessing needs and developing programs in curriculum, instruction, and staff development. This Division also bears the major responsibility for implementing Maine's common core of learning and also conducts the Maine Educational Assessment. Consultants, furthermore, organize local and statewide teacher and administrator training and develop programs in all basic curriculum areas—language arts, social studies, math, science, health, and foreign languages. Additionally, the Division administers the AIDS Education Federal Program. The Division is also responsible for a number of regulatory functions. These include basic school approval, secondary accreditation, home instruction, and school transfer meals.

### ORGANIZATION:

#### PROGRAM:

**The Maine Educational Assessment (MEA) Program** has completed its 9th year of assessing all students in grades 4, 8, and 11 in the subjects of reading, writing, mathematics, science, social studies, and humanities. A unique feature of the MEA is its assessment of writing which requires students to spend approximately one hour developing an essay. The 15,000-plus essays are then scored analytically by Maine teachers.

The MEA assessment design involves both common achievement testing for individuals in reading, writing and mathematics, and sampling across a broad range of knowledge and skills in all six subject areas listed above. Results from the common section of the assessment are reported directly to parents. Students who score above the 95th percentile receive a certificate recognizing their outstanding achievement. School and district summary reports describe overall student performance and include a detailed analysis of that information in relation to student and community characteristics.

**Drug-Free Schools and Communities Program:** The Division is administering the Drug-Free Schools and Communities Act of 1986 for Maine. This includes formula grants for school administrative units to use toward comprehensive program implementation and the Governor's Discretionary Funds for grants funding community prevention programs and programs for high risk youth. Under the Drug Free Schools Recognition Program, four schools in Maine were selected for awards for their prevention and education programs in either the comprehensive or innovative categories.

**School Improvement Plans:** All of Maine's public schools have submitted a School Improvement Plan as required by regulations. The plans are based on a Comprehensive Needs Assessment and contain goals, activities, and evaluation criteria directed at improving educational conditions. Each year, school units are required to submit an update of the plan which indicates progress in meeting goals and sets new goals and directions.

**Math:** The mathematics consultant provides technical assistance to teachers and administrators K-12, in mathematics content, methodology, in developing mathematics curriculum, and in restructuring. The consultant manages the Dwight D. Eisenhower program and assists school systems/institutes of higher education in developing appropriate Dwight D. Eisenhower programs. Collaboration is undertaken among the math departments of colleges and schools, industry, professional mathematics organizations and the state mathematics consultant to promote a high standard of excellence in mathematics education in Maine using the documents "Curriculum and Evaluation Standards," "The Professional Standards," and "The Assessment Standards," published by the National Council of Teachers of Mathematics. These efforts are under one umbrella—The Maine Mathematics Alliance. Cooperation between the science consultant and the mathematics consultant in developing K-12 programs to enhance science and mathematics for students is ongoing. Together they also manage student and teacher recognition programs such as The Presidential Awards Program.

**Science:** The science education consultant works on a variety of projects and initiatives designed to improve the teaching and learning of science, from preschool through graduate school. Current projects include: Elementary/Secondary School Director for the federal Dwight D. Eisenhower Program; Chair of Science Advisory Committee for the Maine Educational Assessment; Program Director, Christa McAuliffe Fellowship Program; Principal Investigator of the Curriculum Frameworks Project; Principal Investigator of the National Science Foundation (NSF) Statewide Systemic Initiative; Principal Investigator of Curriculum Resources for Earth Science Teachers (NSF grant to the Maine Department of Conservation) Coordinator of the Presidential Awards for Excellence in Science Training, U.S. Department of Energy High School Student Honors Program, and National Youth Science Camp; and serve on advisory committees or executive boards of groups such as the Maine Science Teachers Association, Maine Mathematics and Science Alliance, Earthminders, Maine Energy Education Program, ScienceWorks, Project WET, Environmental Science Partners of Maine, and Maine Waste Management Agency. In addition, the science education consultant serves as a member of the Regional Alliance Statewide Action Team, runs an electronic conferencing system—MEnet, and is an active user of the state's Interactive Television System.

**Health Education:** Through a collaborative effort with the Maine Department of Human Services, the Maine Department of Education has two health education consultants and through funding from the Centers of Disease Control, an HIV Education Coordinator. These consultants promote health education and provide services in curriculum development, teacher consultation, teacher resources, health promotion, and in-service training. The Health Education Office also coordinates the Maine Schoolsite Health Promotion Program and oversees the Health ME/Healthy Maine Program. The HIV Prevention Education Program delivers training and technical assistance to agencies that serve out-of-school youth to prevent the spread of HIV disease. Currently, consultants are assisting in the inclusion of health education in the Maine Educational Assessment for grades 4, 8, and 11. They also serve on both state and federal committees representing Maine and health's role in education.

**Accreditation.** Accreditation is used as a measure of quality and a focus for future planning for individual school improvements. The process involves a year-long self-study by teachers, administrators, community members, and students followed by an on-site visit by a committee of outside educators. The visiting committee makes recommendations for program improvement based on an assessment of the self-study materials and a review of the school's programs and services. The Division of Instruction is in the process of implementing new accreditation standards for elementary and secondary schools. The new accreditation process is now in place.

## Publications:

- Chapter 125 — School Approval Standards
- Chapter 127 — Curriculum and Graduation Standards
- Chapter 130 — Equivalent Instruction Through Home Study
- Chapter 138 — Accreditation Standards
- Chapter 250 — School Approval for Nontraditional Limited Purpose Schools

**Innovative Educational Grants.** Innovative Educational Grants are available on a competitive basis to provide incentives to school systems for thoughtful, creative and meaningful systemic change based on Maine's Common Core of Learning. Funds support building the capacity at the local level to develop learning environments in which all students can achieve at high levels. Progress toward this result involves examining the entire system in which teaching and learning occurs—including the classroom, the school, the school system and the community.

Local education agencies are invited to apply for one of two types of grants: a district-based grant or a classroom-based grant. The district-based grants (up to \$10,000) must be district wide in scope and include activities designed to build capacity for system-wide change. Classroom-based grants (up to \$2,000) support groups of educators investigating questions about teaching and learning and the need for change based on Maine's Common Core of Learning.

This program is administered by the Innovative Education Grants coordinator and a team of Department school change consultants. Services provided by the coordinator include technical assistance to grant recipients and support to those interested in developing a grant proposal.

**Guidance/Counseling:** This office is responsible for the administration of guidance and counseling. Leadership, service, and regulatory functions include information and assistance provided to counselors, administrators, teachers, students, citizens, legislators, and allied agencies in the broad area of guidance and counseling; student records; suspension and expulsion; issues of privacy, student rights and responsibilities; career and vocational education guidance; and protection of pupil rights.

**Language Arts:** The Language Arts consultant works with teachers and administrators to design curriculum, review programs and upgrade the quality of instruction in reading and writing in grades K-

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12. The consultant works with committees of educators to design the reading and writing portions of the MEA and supervise the scoring of the writing portion of the MEA. The consultant also works with professional organizations such as the Maine Council for English Language Arts and Maine Reading Association and on special projects to provide teachers and administrators with a wide variety of opportunities for professional growth and development.

**Foreign Languages:** Technical assistance is provided to teachers and school administrators in foreign language research, methodology, curriculum development, instruction and assessment. The consultant works closely with the Foreign Language Association of Maine to provide teachers with a variety of opportunities for professional development. Additionally the consultant manages the Foreign Languages Assistance Program, a federally funded grant program that supports model foreign language programs in elementary and secondary schools.

**Truancy, Dropout and Alternative Education/Homeless Education:** The office provides technical assistance and consultant services to public and private schools for identifying students at risk of school failure, and the development of prevention strategies and alternative education programs.

The consultant for Truancy, Dropout and Alternative Education serves as the Department's Coordinator of Homeless Education in accordance with federal statutes. The office provides technical assistance and consultant services to assure that federal and state regulations regarding the rights of homeless students to a free and appropriate education are followed by all schools.

Resource Guides, Publications, Research Documents and other publications are available on request.

### PUBLICATIONS:

The following publications are offered by the Division of Instruction:

Home School Equivalent Instruction Guidelines  
Maine's Common Core of Learning (\$5.00 out-of-state)  
NCTM Standards—\$17.00  
The Guide to the Maine Educational Assessment

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF INSTRUCTION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	970,993	478,198	53,715		439,080	
Health Benefits	94,084	40,514	5,570		48,000	
Retirements	158,973	77,966	8,788		72,219	
Other Fringe Benefits	11,101	4,166	967		5,968	
Other Contract Services—State	1,221,435	937,644	-368		284,159	
Computer Services—State	1	1				
Other Contractual Service	419,147	274,257	8,665		136,225	
Rents	7,354	5,087	65		2,202	
Commodities	48,010	21,901	689		25,420	
Grants—Subsidies—Pensions	4,300,104	1,378,342			2,921,762	
Buildings and Improvement	1,385				1,385	
Interest—Debt Retirement	123	32			91	
Transfers to Other Funds	32,661		1,804		30,857	
<b>TOTAL EXPENDITURES</b>	7,265,371	3,218,108	79,895		3,967,368	

## MANAGEMENT INFORMATION DIVISION

JAMES E. WATKINS, JR., DIRECTOR

*Central Office:* Education Bldg., Augusta

*Telephone:* 287-5841

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* 1971

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 02; *Umbrella:* 05; *Unit:* 071M; *Citation:* 20A M.R.S.A., Sect. 202

*Legislative Count:* 13

**PURPOSE:** This Division administers the School Finance Act and controls distribution of state subsidies for all school administrative units. Local school accounting and reporting systems are coordinated to provide the basis for State support of local education and accountability of the program.

The program of data processing support includes collection, control, processing, programming, production, and dissemination of financial and statistical data in support of most departmental programs (Teacher Certification, Nutrition, Scholarships, Special Education, Vocational Education, Local Staff Information, etc.) and Legislative, local, and public needs.

Services of the Division are extended to consultative and leadership functions relative to management information for local educational agencies and State agencies.

**ORGANIZATION:** The Division functions organizationally in two sections: School Finance and Accounting and Data Management.

**PROGRAM:** The Division's annual production goals were met with completion of all programs. In school finance, the actual distribution of 1993-94 school subsidies was processed and analyses and management information were prepared and distributed for the 1994-95 subsidy program and legislative actions.

The legislative program in school financing, including the submission of actual costs and the Commissioner's funding levels for the subsequent year was prepared in accordance with the School Finance Act of 1985, which became effective on July 1, 1985.

### **PUBLICATIONS:**

1. Maine Educational Directory—\$8.00
2. Maine Educational Staff—\$3.00
3. Maine Educational Facts—\$3.00
4. Public Full-Time Staff Average Salaries—\$3.50
5. April First Census, Students Educated at Public Expense—\$3.50
6. Resident Per Pupil Operating Costs—\$3.00
7. School Finance Act of 1985—(free)
8. Elementary & Secondary Tuition Rates—(free)
9. State of Maine Accounting Handbook for Local School Systems—(free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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MANAGEMENT INFORMATION DIVISION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	398,074	398,074				
Health Benefits	47,557	47,557				
Retirements	67,261	67,261				
Other Fringe Benefits	3,206	3,206				
Other Contract Services—State	23,670	23,670				
Computer Services—State	64,960	64,960				
Other Contractual Service	114,299	114,299				
Rents	28,057	28,057				
Commodities	-6,211	-6,211				
Grants—Subsidies—Pensions	519,822,299	504,822,299	15,000,000			
Interest—Debt Retirement	19	19				
<b>TOTAL EXPENDITURES</b>	<b>520,563,191</b>	<b>505,563,191</b>	<b>15,000,000</b>			

## OFFICE OF PERSONNEL

**ALAN YORK, Personnel Manager**

*Central Office:* Education Bldg., Augusta

*Telephone:* 287-4483

*Mail Address:* State House Sta. #23, Augusta

*Established:* 1969

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 071P; Citation: 20A M.R.S.A., Sect. 202

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The purpose of this office is to provide a complete range of personnel services for all areas in the Department of Education.

**ORGANIZATION:** This office has two positions: the Personnel Manager and a Clerk Typist III.

**PROGRAM:** The MDOE Office of Personnel continued to provide a wide range of personnel related services to the Department's employees. With a decentralized system of personnel management (one or more employees at each of four locations is responsible for coordinating personnel activities) the communication of personnel information, forms, procedures, etc., becomes a primary responsibility. Also, labor relations activities (contract negotiations, handling of informal and formal employee grievances, interpretation of five different State-Union contracts) require continuous attention. The decisions which can have significant consequences to individual employees and their work life are continuously assessed, explained and implemented with the assistance of the MDOE Office of Personnel.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Education.

## OFFICE OF REHABILITATION SERVICES

PAMELA TETLEY, DIRECTOR

*Central Office:* 35 Anthony Ave., Augusta

*Telephone:* 624-5300

*Mail Address:* 35 Anthony Avenue, Augusta, Maine 04333-0150

*Established:* 1969

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 05; Unit: 152; Citation: 22 M.R.S.A., Sect. 3052

*Average Count—All Positions:* 250.5

*Legislative Count:* 46

*Organizational Units:*

Division of Disability Determination Services

Division for the Blind & Visually Impaired

Division of Deafness

Regional Rehabilitation Services

Vocational Rehabilitation Services

**PURPOSE:** Through the authority vested in the Commissioner of Education, the Office of Rehabilitation consolidates the administration of various State rehabilitation services available to individuals with handicaps. The Office is authorized to provide a comprehensive program of rehabilitation services, including independent living services, vocational rehabilitation services, and provide evaluation and work adjustment services for purposes of the Federal Rehabilitation Act and the Social Security Act and their amendments and additions. The Office also makes determination of disability as required under these Acts, applies for and receives Federal assistance under these Acts, and cooperates with the Federal Government in carrying out the purposes of any Federal statutes pertaining to vocational rehabilitation. Furthermore, the Office provides a specific program of services to individuals with visual impairments. Lastly, the Office coordinates the services of the Governor's Committee on Employment of People with Disabilities.

**ORGANIZATION:** The Office of Rehabilitation originated in 1921 with the creation of the Vocational Rehabilitation Division under the general supervision of the State Board of Education. In 1969, legislation directed that a functional unit of rehabilitation services be created within the Department of Health and Welfare and that a Vocational Rehabilitation Services unit also be created in the Department to administer services related to Federal vocational rehabilitation programs. This legislation resulted in the establishment of the Office of Rehabilitation and the transfer of the Vocational Rehabilitation Services to the Department and placed administratively within the new Bureau. The Division of Disability Determination Services, while operating as a small unit of the Department since 1956, was also made an administrative unit of the Bureau at that time. The Division of Eye Care was added to the Bureau in 1970, and Division of Deafness in 1982. In 1994 legislation placed the Bureau (now known as the Office of Rehabilitation Services) under the Department of Education. The Division for the Blind and Visually Impaired became a separate vocational rehabilitation program and the Disability Determination Services was moved out of the Office of Rehabilitation.

All of these programs have the goal of assisting individuals with disabilities to function at their highest level of potential.

**PROGRAM:** The programs of the Office are conducted through several service areas:

**General Rehabilitation Services.**

Under the auspices of the General Rehabilitation Services Program, the Office provides a broad spectrum of programming which is not necessarily vocationally based but addresses the needs of people who have a disabling condition to be as independent as possible. These services include the Independent Living General Rehabilitation Services Program; personal care attendants; the hearing impaired children's program; telecommunication devices for deaf people; adaptive skill training for people with vision impairments and technical assistance in providing barrier-free structures.

These programs assist individuals with severe disabilities to remain at home or in the community, thus avoiding the necessity of placement in nursing homes, hospitals, or other institutions away from home and family.

In the context of providing services to people with disabilities and placing them in employment, the Office supports the State Accessibility Office. Staff of this office assist organizational recipients of federal funding to comply with Section 504 of the Rehabilitation Act of 1973 which requires that they



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provide employment and accessibility to qualified handicapped persons. The Bureau also supports coordination of Americans with Disabilities Act jointly with the Bureau of Human Resources.

The goal of *Vocational Rehabilitation (VR) Services* is to assist individuals who are disabled by a physical, mental, or emotional impairment to prepare for and obtain suitable employment. These services include, but are not limited to, evaluation of rehabilitation potential to determine eligibility, as well as the nature and scope of services to be provided; counseling and guidance; physical and mental restoration; vocational training; occupational licenses; tools and equipment; job placement and post-employment assistance enabling individuals to maintain or regain employment. VR also administers facility services which are implemented through fee-for-service agreements with private non-profit agencies which provide an array of services to assess rehabilitation potential, develop social and vocational skills, provide transitional and supported employment and prepare people with disabilities for the job market.

**Division of Deafness.** The Division of Deafness was legislatively established in 1985 to provide a program of services to people who are deaf and hard of hearing. The Division maintains a registry of deaf persons and interpreter service programs. Telecommunication devices and (TTY) T.V. Decoder Programs for people who are deaf are provided through a cost sharing and loaner program. Identification cards are available free of charge to assist deaf people in emergency, medical, social, or legal situations where an interpreter is needed. A separate ID card is available for owners of "hearing ear dogs". In addition, any eligible deaf or hard of hearing person may receive the full range of vocational rehabilitation services required to meet individual needs. The Division also provides evaluation and services to deaf children whose loss is sensorineural in nature.

### **Division for the Blind and Visually Impaired.**

The Division for the Blind and Visually Impaired was established legislatively to provide a program of services to blind citizens, including the prevention of blindness, the location and registration of blind persons, the provision of education services to blind children ages 0-21, vocational rehabilitation services, including the placement of blind persons in employment, administration of vending facilities in public buildings to be operated by a blind person licensed by the Division, and provision of other social services. (See additional report following this section.)

## **PUBLICATIONS:**

Each program publishes brochures describing its services and eligibility requirements. Assorted educational pamphlets are also available on many disabling conditions as well as descriptive reports and publications promoting general public awareness. Most publications are free and may be obtained during working hours in the respective program offices.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF REHABILITATION SERVICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	3,257,385	553,072			2,704,313	
Health Benefits	396,041	71,124			324,917	
Retirements	536,607	90,806			445,801	
Other Fringe Benefits	28,454	4,517			23,037	
Other Contract Services—State	269,799	112,428			157,371	
Computer Services—State	22,554	18,650			3,904	
Other Contractual Service	855,680	328,597			527,083	
Rents	20,193	59			20,134	
Commodities	29,096	-15			29,111	
Grants—Subsidies—Pensions	9,222,184	2,630,389			6,591,795	
Buildings and Improvement	50,583				50,583	
Interest—Debt Retirement	113	2			111	
Transfers to Other Funds	114,284				114,284	
<b>TOTAL EXPENDITURES</b>	<b>14,802,973</b>	<b>3,810,529</b>			<b>10,992,444</b>	

## EDUCATION

### DIVISION OF SCHOOL BUSINESS SERVICES

WALTER T. RUARK, DIRECTOR

*Central Office:* Education Bldg., Augusta

*Telephone:* 287-5903

*Mail Address:* State House Sta. #23, Augusta, Maine 04333-0150

*Established:* July 1, 1993

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 02; *Umbrella:* 05; *Unit:* 171B

**PURPOSE:** The Division of School Business Services administers three distinct programs: School Nutrition and Food Distribution, School Facilities, and School Transportation.

The purpose of the School Nutrition and Food Distribution Programs is to provide technical assistance, guidance, supervision, financial assistance, and federal donated commodities to public and private schools, charitable and residential child care institutions, and summer camps, through the National School Lunch and Breakfast programs, the Summer Food Program, the School Milk Program, the Nutrition Education and Training Program and the Food Distribution Program.

The purposes of the School Facilities Program are: (1) to approve all major school construction projects, in cooperation with the Commissioner of Education and State Board of Education; and (2) to operate the school leasing program.

The purpose of the Transportation Program is to approve the commitment of state funds for bus purchases and bus note subsidies.

#### **PROGRAM:**

**School Nutrition and Food Distribution Programs:** During the 1993 fiscal year, the School Nutrition and Food Distribution Programs reimbursed \$18,461,323 in federal and state funds to schools and other food service sponsors for serving nutritious meals to school children. Meals subsidized in whole or in part during the year include:

- 16,951,749 school lunches;
- 2,779,425 school breakfasts; and
- 1,082,637 half pints of milk.

The School Nutrition and Food Distribution Programs, through a private storage and transportation contract, distributed United States Department of Agriculture commodity foods valued at \$3,700,358. Working with an advisory council of school administrators, the School Nutrition and Food Distribution Programs provided 75% funding for the purchase of food service equipment to improve or upgrade public school food service programs with \$100,000 of state matching funds. The Nutrition Education and Training Program targets educators and food service staff and, this year, has funded interactive television courses, regional in-service training programs, and a state institute at the University of Maine (Orono) in August. Maine is a minimum grant state, receiving a \$62,500 federal training grant for its program. In addition, state staff have assisted local food service personnel in program accountability, menu development and implementation, nutrient analysis, equipment selection and procurement, and facility design. State staff also participated in numerous New England and national training and educational programs.

**School Facilities Program:** During the 1994 fiscal year, there were 12 construction projects approved at a total estimated cost of \$36,126,986. School leases numbered 331 at a total cost of \$5,367,462.

**Transportation Programs:** One hundred (100) bus purchase approvals were issued and the expenditure of \$4.5 million in school bus purchases and bus note payments was certified for fiscal year 1994. Regional school bus safety conferences were conducted throughout the state.

#### **PUBLICATIONS:**

"Food For Thought" School Nutrition and Food Distribution Programs newsletter (published quarterly for food service staff in local schools)—Free (available to anyone on request)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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DIVISION OF SCHOOL BUSINESS SERVICES	TOTAL FOR		Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS	General Fund				
<b>EXPENDITURES</b>						
Salaries and Wages	510,299	287,345			222,954	
Health Benefits	57,332	27,688			29,644	
Retirements	84,347	47,782			36,565	
Other Fringe Benefits	3,853	2,252			1,601	
Other Contract Services—State	4,281				4,281	
Other Contractual Service	72,947	47,961	13		24,973	
Rents	1,843	329			1,514	
Commodities	6,476	5,552			924	
Grants—Subsidies—Pensions	19,340,506	1,135,075			18,205,431	
Interest—Debt Retirement	17				17	
Transfers to Other Funds	9,733				9,733	
<b>TOTAL EXPENDITURES</b>	20,091,634	1,553,984	13		18,537,637	

## DIVISION OF SCHOOL OPERATIONS

**FOSTER M. SHIBLES, DIRECTOR**

*Central Office:* Education Bldg., Augusta

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*Established:* July 1, 1993

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 171U

**PURPOSE:** The Division of School Operations in the Department of Education serves as the administrative unit responsible for education and related services for students residing in the Unorganized Territories. Chapter 119, Title 20-A, Sections 3201 through 3255 establishes the Commissioner's authority and responsibility for providing school privileges for "all persons" between 5 and 20 years of age "without charge to themselves or their parents." Section 3251 concludes with the following sentence:

"Education shall be provided under the direction of the Commissioner and shall meet the general standards for elementary and secondary schooling and special education established pursuant to this title." (i.e. Title 20-A).

The purpose of the program then is to:

1. Provide or contract for school programs for all U.T. students, ages 5 through 20.
2. Establish or contract for such programs for students, ages 3 to 5 years old as the Commissioner may deem appropriate.
3. Expend the funds necessary to carry out Chapter 119 subject to the provisions of Title 20-A, Section 3351, sub-section 1 & sub-section 2, paragraphs A through M.

**ORGANIZATION:** The Division's organization consists of a Director, Secretary, Business Manager, Special Services Coordinator and part time account clerk. They provide support for seven state owned and operated elementary schools located in the Unorganized Territories of the state. Additionally, the Division is responsible for paying tuition, providing transportation and providing special services as required for approximately 1,100 tuition students not served by state operated schools.

**PROGRAM:** The Division of School Operations is responsible for the education of all children residing in the Unorganized Territories of Maine. This includes the administration of seven elementary schools (Benedicta Elementary, Brookton Elementary, Connor Consolidated, Edmunds Consolidated, Kingman Elementary, Patrick Theriault School in Sinclair and the Rockwood Elementary School) with a total enrollment of 296. Additionally, over 1,100 students are tuitioned and transported to local school systems. The Division employs a total staff of 85, including principals, teachers, aides, cooks, janitors,

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and bus drivers. Thirty (30) buses are operated by the Division and private conveyors are also utilized to transport students in the most remote areas of the State.

### PUBLICATIONS:

"Food For Thought" School Nutrition and Food Distribution Programs newsletter (published quarterly for food service staff in local schools)—Free (available to anyone on request)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF SCHOOL OPERATIONS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,844,807	1,681,550			163,257	
Health Benefits	222,202	204,056			18,146	
Retirements	297,055	270,412			26,643	
Other Fringe Benefits	21,428	18,930			2,498	
Other Contract Services—State	346,056	339,556			2,498	
Computer Services—State	2,290	2,290				
Other Contractual Service	5,427,123	5,425,346			1,777	
Rents	62,843	62,843				
Commodities	157,132	154,953			2,179	
Grants—Subsidies—Pensions	175,383	175,383				
Purchase of Land	33,243	33,243				
Building Improvements	108,482	105,533			2,949	
Interest—Debt Retirement	375	375				
Transfers to Other Funds	7,651				7,651	
<b>TOTAL EXPENDITURES</b>	<b>8,706,070</b>	<b>8,474,470</b>			<b>231,600</b>	

## DIVISION OF SPECIAL SERVICES

DAVID NOBLE STOCKFORD

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*Established:* July 1, 1993

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 171E

### PROGRAM:

**Education of Exceptional Students:** Twenty-nine thousand and five students (29,005) were provided special education and related services in 1992-93 under P.L. 101-476 (formerly P.L. 94-142) and P.L. 100-297 (formerly P.L. 89-113). This represents 12.9 percent of the average school-age (5-17) population in Maine in 1991-1992 (224,670).

The majority of students (12,235) were identified as learning disabled. This represents 42.1 percent of all exceptional students served, or 5.4 percent of Maine's 5-17 school-age population. Seven thousand, nine hundred, and thirty-one students (7,931) were identified as speech and language impaired. This represents 3.5 percent of Maine's 5-17 school-age population.

There were 4,269 students served who had behavioral needs and 1,657 students served who were identified as mentally retarded.

Of the 29,005 students provided with special education and related services in Maine's schools, 49.9 percent (14,492) were enrolled in special education and received regular classroom instruction for at least

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80% of the day. Twenty-seven percent (7,751) received resource room instruction. Eighteen percent (7,751) received resource room instruction. Eighteen percent received resource room/composite, self-contained and/or self-contained/composite instruction. Three percent received instruction in separate day programs, (both public and private), while another one percent received instruction in residential placement.

The related service most frequently provided to Maine's exceptional students was speech and language (29.4 percent), followed by occupational services (14.3 percent), other related services (13.7 percent), social work services (12.5 percent), counseling (7.2 percent), and psychological services (5.8 percent).

Of the exceptional students between the ages of 13 and 21, seven thousand, two hundred, and thirty (7,230) or 76.0 percent are still receiving special education while two thousand, one hundred and seventy-one (2,171) exited special education. Seven hundred and sixty-seven (35.3 percent) graduated with a diploma, while two hundred and sixty-four (12.2 percent) dropped out of school.

Seventeen year olds (87) and eighteen year olds (72) comprised the majority of students who dropped out. Five hundred and twelve (23.5 percent) of those exiting special education returned to regular education.

Of the anticipated services needed by exceptional students between the ages of 13 and 21, vocational training and job placement (19.5 percent) is the greatest need. Case management/counseling (16.3 percent), post-secondary education (14.2 percent) and mental health services (9.4 percent) were also priority needs. Approximately fourteen percent of exceptional students between the ages of 13 and 21 had no service needs.

Special education enrollment increased by 114 students from 1992 to 1993. This represents one of the largest increases in recent years. The number of learning disabled students increased by 438 students, approximately 33 students higher than the year before (405). The number of speech and language impaired students served increased by 330, an increase of 4.3 percent from the previous year, while two years before saw an 8.6 percent increase. The number of students being educated in regular classrooms increased by 160 students from the previous school year. The previous year saw a decrease of 172 students educated in the regular classroom.

Speech and language services as the primary related service increased 1.4 percent from the previous year. Psychological services increased from 5.4 percent to 5.8 percent while occupational therapy (14.3), and social work services (2.5) also increased. Only counseling services decreased.

The number of 13 to 21 year-old exceptional students still receiving special education increased by 12.1 percent. The number of exceptional students dropping out increased from 264 in 1990 to 265, an increase of 1 student over the previous year.

The anticipated services needed for 13 to 21 year olds remained somewhat consistent for 1992-93. Vocational training and job placement, case management/counseling, post-secondary education and mental health services, in that order, were identified as the greatest need. This is the same as identified in 1991-92.

**Special Education Expenditures:** The enactment of Individuals with Disabilities Education Act (I.D.E.A.), Public Law 101-476 (formerly P.L. 94-142, E.H.A.), the Education of All Handicapped Children Act, considerable progress has been made toward assuring that children and youth with disabilities of Maine have a genuine opportunity to receive an education commensurate with their needs. Federal, state and local funds have increased significantly since the enactment of P.L. 100-476. However, most of the fiscal effort to provide special education and related services has come from state and local funding.

State funding, including subsidies for special education and related services, preschool programs for exceptional children, and gifted and talented programs has remained at 65.8 million; the same as that in 1991-92. This is the same as it was for 1989-90. The actual State subsidy in 1992-93 was 54.3 million because of other adjustments in subsidy. This occurred because of reductions in subsidy to school administrative units to offset a deficit in revenues to the State of Maine.

Local funding also remained at \$40.3 million in 1992-93, the same as in 1991-92. This was up from the 38.9 million in 1990-91. However, the same adjustments in subsidy were made resulting in a decrease in local funding for special education to 35.4 million in 1992-93.

Clearly, as the State has reduced subsidy to school administrative units, these units have been forced to reduce expenditures for special education.

Federal funding increased from \$14.0 million in 1991-92 to \$15.9 million in 1991-92.

Although costs have increased, the distribution of cost sharing has changed. In 1981-82, the State supported 37 percent of these costs while in 1992-93 the State's share rose to 62.0 percent. In 1981-82,

the local share was 66 percent, while in 1992-93 the local share was 37.9 percent, a decrease from 39.2 in 1990-91. In 1981-82, the Federal share equaled 20 percent of these costs while in 1992-93 the Federal share was 15.6 percent.

The State's share of special education has increased by 25.0 percent, while the local share had decreased by 23.8 percent in the last eleven years. The Federal share of special education in this same period decreased by 12.5 percent even though the amount of federal funds has increased over this period. In 1992-93 State funding for State Wards equaled 4.3 million, while funding for State Agency Clients equaled 7.3 million.

**Program Review and Technical Assistance:** The Program Review and Technical Assistance staff for the past two school years has consisted of one Educational Specialist III and two Instructional Support Group (ISG) members. The ISGs are professionals from the field, usually administrators, who serve on a one-year basis assisting the Division of Special Services in monitoring and technical assistance activities required by Federal statute, Individuals with Disabilities Education Act (I.D.E.A.) and Maine statute, Title 20A, Chapter 303, Section 7205. During the 1993-1994 school year monitoring and technical assistance site visits were conducted in 28 superintendencies. Follow-up monitoring and technical assistance for active Corrective Action Plans was conducted in 34 other superintendencies. The Program Review staff also worked as liaison to a three-member task force in making major revisions in the Model Special Education Forms, a technical assistance publication widely used in local and regional special education programs.

**Comprehensive System of Personnel Development (CSPD):** Maine's revitalized CSPD Advisory Council has representation from local school districts, parent organizations, faculty from institutions of higher education (IHEs), and other agencies, i.e. Bureau of Rehabilitation, Child Development Services (early intervention), Compensatory Education and Migrant Education to advise and oversee the development of an interagency, comprehensive system of personnel development. This council surveys the training needs, establishes priorities and provides training arranged by the Department of Education, IHEs, local school districts, private schools, collaboratives, training projects and other agencies.

**Recruitment:** The Placement Office in the Department of Education in collaboration with the CSPD Advisory Council has developed a recruitment plan targeting participants at in-state and out-of-state conferences, college students and high school students. Efforts are made to recruit minorities and those with disabilities. These activities will be evaluated and the plan refined annually.

In addition, for the past three years, the Maine Department of Education has worked with the Network of the Regional Laboratory in Andover, Massachusetts, the other five New England states, and the state of New York, in the establishment of a regional credential for special education personnel to address the shortages. This type of regional certification, when fully implemented within the next 2-3 years, will permit flexibility and movement of personnel within the New England and state of New York region. The mobility of qualified personnel should have a positive impact on the region's supply and demand issues.

**Retention:** The Maine Department of Education supports regional activities to promote retention of special education personnel. Currently, there are three regional consortiums providing support for regular and special educators. There is one state network for special education administrators and one for special education teachers. These networks receive discretionary grant monies.

**Staff Development:** There are nineteen projects funded under Part B discretionary funds. These projects encourage improvement in classroom instruction and program development and awareness of emerging trends in special education.

The Division of Special Services, Special Education Unit continues to expand an electronic network between school districts, special education projects and Division staff via SpecialNet, a nationwide telecommunications network. Thirty-four school districts, 3 regional groups, 2 private schools, 17 special education projects, 5 university offices, one Child Development Services Office, and 35 Division of Special Services staff are participating in this network using computers and modems.

Office of Compensatory Education (Chapter 1 of Title 1 of the Elementary and Secondary Education Act of 1995, as amended). This office administers over 200 local school administrative unit grants statewide (totaling more than \$24 million). The office has responsibility for approval, program compliance, performance, and evaluation of Chapter 1 ESEA activities as set forth in Public Law 100-297 and its amendments. The office also administers approximately 60 project sites of the Maine Migrant Education Program. This program serves children of parents who must move to seek temporary or seasonal employment in agriculture, fishing, or wood harvesting. The office also operates Chapter 1 projects for children in institutions for the neglected or delinquent, as well as for those in adult correctional centers. All services available through Chapter 1 funding must be designed to supplement existing school programs in the areas of reading and mathematics. Additionally this office manages

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statewide implementation of the Reading Recovery program, an early intervention program for children who are at risk of failing to learn to read in first grade. There are currently ten teacher leader sites in Maine. To date 131 teachers have completed a year-long training for implementing this program.

Services provided by this office include: interpretations of Federal Laws and regulations for state and local school administrative units operating Chapter 1 ESEA Projects; investigation of specific allegations of misuse of chapter 1 ESEA funds under appropriate statutes, and enforcement of compliance with applicable Federal and State rules, regulations, and guidelines; technical assistance through annual program review visitations to more than 35 percent of the 280 contracts in local school administrative units each year; development and coordination of inservice training for Chapter 1 ESEA administrators, teachers, paraprofessionals, and parents on an annual basis at several statewide sites to up-grade and strengthen programs in the major basic skill areas of reading, and math; close liaison with other federal, state, local and private agencies and organizations to make local units aware of nationally validated programs that can be implemented locally to increase the effectiveness of remedial reading and mathematics projects; responsibility for the compilation, analysis and preparation of statewide evaluation in the basic competency skills of reading and math, and provision of evaluation workshops and individual visitations through a cooperative effort with the Regional Technical Assistance Center located in Portsmouth, New Hampshire; and additional services as contracted for schools in program improvement.

**Early Childhood/Early Intervention:** The Department of Education is designated as the state education agency responsible for carrying out the state's obligations under the federal Individuals with Disabilities Education Act (I.D.E.A.).

The State IEU has been established by law, as part of the C-D-System, to develop and adopt statewide policies and rules for carrying out the provisions of 20-A MRSA c. 307-A to meet the federal obligations under I.D.E.A., Part H and Part B, Section 619. These obligations include: personnel standards, comprehensive system of personnel development program monitoring, data collection, interagency agreements, and public awareness.

During the past year the State IEU at times, in concert with Task Forces and Workgroups, has:

1. Developed Speech Language Guidelines for Early Childhood Team consideration.
2. Established a networked computer system, governed by Administrative Data Policies to ensure successful implementation.
3. Developed a statewide model IFSP form for utilization by all early intervention service personnel.
4. Developed data confidentiality requirements and a model release form for CDS regional sites.
5. Developed, with DOE staff, Transition Guidelines to address the movement of children from the early intervention system to the public schools.
6. Developed a state level HeadStart/CDS Interagency Agreement.
7. Developed a state level Interagency Agreement between the Departments of Education, Human Services and Mental Health/Mental Retardation.
8. Developed Standards of Practice for Family Focused Early Intervention in Maine including the self assessment tool and reviewers guide.
9. Amended the *Comprehensive Childfind and Early Intervention Services rule* to address new federal Part H language and to provide further clarification in several areas.
10. Developed and submitted to the Office of Special Education Programs both the Part B State Plan and the Part H Fifth Year Application.
11. Provided technical assistance to programs and services for families and young children, birth to under age 6 who are disabled, in synchrony with the Comprehensive Childfind and Early Intervention Services rule M-D of G Reg. 180 (October 31, 1994).
12. Conducted an update of the Provider Resource directory and Data requirements regarding the availability of personnel and services for the target population.
13. Maintained and enhanced the Childrens Data System throughout the State of Maine for all families and children, birth to under age 6, enrolled in the interdepartmental service delivery system in order to comply with federal data reporting requirements, and to develop resource priorities within and throughout the State of Maine, and to provide a local management tool for each of the sixteen CDS sites in the provision of mandated services and forms of assistance.
14. Established more detailed fiscal reporting forms to monitor the expenditure of state and federal funds.

The Child Development Services system is established for the purpose of maintaining a coordinated service delivery system for the provision of Childfind activities for children from birth to under age 6, early intervention services for eligible children, from birth to under age 3, and free, appropriate and public education services for eligible children from age 3 to under age 6, who have a disability. The Child

Development Services system consists of regional sites organized as intermediate educational units or as private nonprofit corporations, one state-level intermediate educational unit and the Interdepartmental Coordinating Council for Early Intervention advisory board.

**Interdepartmental Activities:** The Department of Education, continues its active participation in and support of Maine's sixteen year history of interagency collaboration. The legislatively established goals for the Interdepartmental Council (IDC) include the continued development of a statewide system of coordinated services, evaluation of the allocation of resources to insure the availability of quality services, and the continuation of the development of a comprehensive approach to the initiation and revision of policies affecting services to children and their families.

The Interdepartmental Coordinating Council for Early Intervention (ICCEI) as established in Title 5, section 12004-G, subsection 8-A is established as an advisory body to the Commissioner regarding the coordination of policies and programs aimed at implementing federal I.D.E.A. for children birth to under age 6.

The council is required to consider, with the advice of the CDS regional site Boards of Directors and the State Intermediate Education Unit, contemporary issues affecting early intervention services in the State, including, but not limited to the following:

- A. Successful early intervention strategies;
- B. Personnel preparation and continuing education;
- C. Childfind activities and methods as required by federal Individuals with Disabilities Education Act;
- D. Public awareness as required by federal Individuals with Disabilities Education Act;
- E. Contemporary research.

**Gifted and Talented Programs:** The 112th Legislature passed legislation that requires all school administrative units to establish educational programs and services for gifted and talented children and youth, kindergarten through grade 12, in academics and the arts. Recognizing the significant scope of this effort, the law requires each school administrative unit to establish a plan for phasing-in gifted and talented educational programs by 1995-1996. Subsequent legislation provides that school units comply with the provisions of their plans by the school year 1996-1997. School administrative units across Maine are continuing to refine and restructure their services for gifted and talented students in the context of system-wide improvement efforts that increasingly recognize and address the learning needs of individual students. Local plans, which are updated annually, indicate progress toward achieving program goals. These efforts are then reflected in annual applications for program approval at the state level.

As of the 1992-1993 school year, one hundred and nine (109) school systems in Maine received program approval and approval of program costs for gifted and talented education. In addition, 39 local school administrative units in 8 regions collaborated to provide regional programs for secondary students statewide. These programs bring talented high school students together with artists, writers, scientists and other professionals to pursue advanced level work within and across the disciplines. Approximately 11,081 students K-12 were served in gifted and talented programs during the 1992-1993 school year. This represents about 5% of the total kindergarten through grade 12 school population enrolled in Maine public schools for that year.

While the annual applications represent varying degrees of implementation toward comprehensive programming, the breadth and depth of the programs reported represent a significant undertaking on the part of school systems statewide. A diverse array of educational services are provided to students—including in-class modifications to curriculum, instruction and assessment; cross-grade instructional groupings; subject matter acceleration; advanced placement courses; and dual enrollment in high school and college. These options are complemented and supported by restructuring initiatives which eliminate age/grade learning barriers, promote individual pacing to allow students to progress at their own rate and move through the curriculum as they demonstrate mastery, and encourage more rigorous and challenging standards for content and performance.

A range of State-level services support local school systems in building their capacity to provide exceptionally advanced students appropriate opportunities to learn. These efforts include dissemination of current research documents, conferences, regional workshops, networking meetings, on-site technical assistance workshops, and consulting services for administrators, teachers, specialists and parents. Staff collaborates with educational leadership organizations including gifted education organizations, e.g., Maine Educators of the Gifted and Talented and Maine Parents for Gifted and Talented Youth to support professional development and training for educators and parents and to link local systems to state, national and federal efforts and resources designed to recognize and support the educational needs of gifted and talented students in Maine schools.



The 116th Legislature passed legislation to establish the Maine School of Science and Mathematics. This residential school will provide high-achieving secondary school students with an intensive curriculum emphasis in science and mathematics. The school will be located in Limestone and serve students throughout the state. The Legislation also establishes a task force on the Maine School of Visual and Performing Arts to develop a plan for such a school to be located in the Portland area. These schools will provide high-level learning opportunities for students who are exceptionally advanced and will be a resource to the state to promote higher standards of challenging curriculum in these areas.

**Maine Consumer Information Training and Technology Exchange (ME CITE):** ME CITE activities for Year Five of the grant include: UMF Early Intervention—training pre-service teachers to use assistive technology in the classroom. TLC Training—a workshop to train teams, including parents, to assess needs for and use of assistive technology for babies, birth to three years old. CAST/Rural Network Training—A partnership with CAST to provide training to five teachers to use computer technology (adaptive software) in the classroom. ITV Access Training—a production of ITV broadcast for local school administrators which will provide technical assistance for assuring access to sites and programs. The production of a Parent Guidebook to Assistive Technology which is an awareness document on issues around assistive technology for children and youth. Marketed nationally to over 2,300 individuals and organizations in 15 states.

**Committee on Transition (COT):** Statewide system for coordinating programs, policies and resources for school-to-community transition for individuals with disabilities, ages 14-26. Services include: identification of individuals in communities who need transition services; technical assistance for student education and transition plan development and implementation; training on new strategies, techniques and practices related to transition services; information and referral; parent and student support; and facilitation of interagency communication, collaboration, and the development of formal cooperative agreements. Ten local projects are funded and/or to plan and deliver new services and approaches where needs exist. In the 1993-94 year, the COT managed the third year of a five-year federally-funded project designed to implement new transition services, particularly those identified in the federal Individuals with Disabilities Education Act (IDEA) of 1990, and the Rehabilitation Act amendments of 1992. Under the federal project the COT provides extensive training, an extensive lending library of transition materials, local resource and capacity development, local transition team building, and technical assistance to schools and adult service providers.

**Kids in the Middle:** A grant to the State of Maine to examine the effectiveness of services to seriously emotionally disturbed students in Maine's middle schools. Research will be conducted at the middle school level directly by staff assigned to the project and contracted personnel with the University of Maine.

The Local Education for All in Regular Neighborhood Schools (LEARNS), Maine's statewide initiative for inclusive schools is coordinated by the Center for Community Inclusion, Maine's UAP, University of Maine. Learns builds the capacity of local schools to meet the educational needs of all students, including those with disabilities. Activities include staff development and training for educators and parents; technical assistance; collaboration with parents, educators, school administrators and other service agencies; publication of monographs, materials and resources on inclusive schools.

**Assistance Team Unit:** Within the Maine State Department of Education, in the Division of Special Services, the Student Assistive Team Unit provides leadership, training and resources to school personnel in the development, implementation and evaluation of student assistance teams. These school building level, multi-disciplinary teams work collaboratively with other school and community efforts at prevention and intervention for children at risk of school/social failure. This program is partly funded through the Governor's High Risk Youth Portion of Maine's state allocation from the U.S. Department of Education's Drug Free Schools and Communities Act award. The program also is supported within the Division of Special Services.

**Rational for the Student Assistance Team model:** Every student deserves individualized attention to insure their success in school. Because many children attend school every day with significant psychosocial needs that inhibit their ability to learn, a multi-disciplinary team approach is critical to providing services to students and their families. For the past six years, the Department of Education has worked with local school personnel in developing appropriate strategies for assisting schools in addressing the needs of students who are at high risk of school failure, truancy, dropout, substance abuse, and other destructive behaviors which keep them from reaching their full potential.

This program enables school personnel, Kindergarten through grade twelve, to provide educational programming for all students based on individual strengths and needs. This is in concert with the Department of Education's goal to provide increased choices and heighten performance for all Maine students as presented in Maine's Common Core of Learning. The Student Assistance Team model is also part of the Department's recommendations to implement the National Education Goals: Maine 2000.

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**Training and Technical Assistance for Student Assistance Team Implementation:** During FY-94, the Student Assistance Team Unit conducted 11 two-day, initial team development trainings for 83 schools statewide. Other trainings and consultation services were provided to 304 school personnel. These trainings, as well as other training activities in the past three years, has brought the number of building level student assistance teams to 279 in total. This program has had a waiting list for LEAs for services for over three years in a row. The past year, the Unit staff has also conducted a wide range of other workshops and technical assistance activities including:

- 12 Regional Technical Assistance/Networking Workshops
- Inter-Active Television Programs through the University System
- 1 Workshop on Prevention and School Restructuring
- Awareness Presentations to School Personnel and Community Agencies statewide.
- Evaluation of Student Assistance Team model: 1993-1994

**Evaluation of the S.A.T. Model:** Due to a decrease in funding, the original evaluation design has been reduced to a survey process comparing S.A.T. sites to non-S.A.T. sites statewide. The results of this comparison will be available in November 1994. S.A.T. Unit staff conduct an annual survey which provides feedback on program services needs. Each training and consultation event is evaluated by participants and the program is continuously improved to best meet customer demands.

**Student Assistance Team:** The Student Assistance Team Unit is a program of the Division of Special Services. Responsibilities include: leadership of the Student Assistance Team Unit in the development and training of Student Assistance teams (S.A.T.) statewide for identification, intervention, and pre-referral to the special education process for managing and working with students exhibiting at-risk behaviors; S.A.T. concept presentations to school personnel; liaison with interdepartmental and interdepartmental agencies related to involvement in the Student Assistance Team Process. Regional follow-up networking meetings for S.A.T. team members are conducted by staff in 5 geographic regions of the state every three months during the school year. The Unit offers technical assistance to teams across the state for skills retraining and team maintenance needs. Use of the ITV system for effective intervention strategy information and dissemination occurs on a quarterly basis. To date, over 270 teams have been trained to implement this process.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF SPECIAL SERVICES	TOTAL FOR ALL	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	FUNDS					
<b>EXPENDITURES</b>						
Salaries and Wages	1,001,432	100,346			901,086	
Health Benefits	114,901	10,291			104,610	
Retirements	158,187	16,228			141,959	
Other Fringe Benefits	10,118	1,221			8,897	
Other Contract Services—State	310,881	81,777			229,104	
Computer Services—State	18,380				18,380	
Other Contractual Service	463,271	37,291			425,980	
Rents	26,448	1,090			25,358	
Commodities	31,572	145			31,427	
Grants—Subsidies—Pensions	46,073,582	2,052,054			44,021,528	
Building Improvements	12,873				12,873	
Interest—Debt Retirement	146				146	
Transfers to Other Funds	56,914				56,914	
<b>TOTAL EXPENDITURES</b>	<b>48,278,705</b>	<b>2,300,443</b>			<b>45,978,262</b>	

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### SUPPORT SERVICES UNIT

MARY MAJOROWICZ, DEPUTY COMMISSIONER

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*Telephone:* 287-5113

*Established:* 1971

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 05; Unit: 071S; Citation: 20A M.R.S.A., Sect. 202

**PURPOSE:** The primary responsibility of this office is to assist the Commissioner in carrying out the policy-making and administrative functions of the Department; to supervise the ESEA Chapter 2 program; to supervise and guide the public information, printing, technical processing, and mailing services provided by the Department; to oversee teacher recognition and scholarship programs; to coordinate Department efforts to implement the National Education Goals and Maine 2000 activities; and to serve as a liaison with offices and organizations at the federal level regarding education concerns.

**ORGANIZATION:** The office was administratively created in 1971 and is statutorily authorized within the Commissioner's Office. The major purpose has been to assist the Commissioner in carrying out the policy-making and administrative functions of the Department, with additional administrative functions assigned at the discretion of the Commissioner.

#### PROGRAM:

**ESEA Chapter 2 Program.** This program provides funds to improve education at the local and state level. Eighty percent of the funds are distributed to local education agencies according to a formula based on public and private school enrollment figures, adjusted by higher per pupil allocations for economically disadvantaged students. Twenty percent of the grant is reserved for state leadership projects and administrative costs.

**Special Services/Public Information Unit.** This unit is responsible for the dissemination of information about public education in Maine to a statewide audience and is composed of a public information unit, duplication center, mail services, and technical processing services. Implementation of the public information effort is through news releases, special publications, newsletters, compilations of Maine education laws, and the Annual Performance Report on Maine's Public Schools.

**Christa McAuliffe Fellowship Program.** This program is designed to reward excellence in teaching by encouraging outstanding teachers to continue their education, to develop innovative programs, to consult with local educational agencies and private schools, or to engage in other educational activities that will improve the knowledge and skills of teachers and the education of students.

**Maine Educator Award Program.** This annual award program is designed to give public recognition and financial rewards to outstanding teachers, principals, and other educational professionals who make exemplary contributions to excellence in education.

**Blue Ribbon Schools: Primary/Secondary School Recognition Program.** The purpose of this program is to give public recognition to outstanding primary/secondary schools across the nation.

**Goals 2000.** The following are the six national education goals of Goals 2000 with the addition of two more in March, 1994:

1. All Maine families, communities, and schools will support children in their learning.
2. At least 90% of Maine students will graduate from high school.
3. All Maine high school graduates will demonstrate mastery of the Common Core of Learning.
4. Maine students will meet world class performance standards in mathematics and science.
5. All Maine adults will be literate and will be prepared for lifelong learning, responsible citizenship, and productive employment.
6. All Maine schools will be free of drugs and violence and will offer a safe and orderly environment conducive to learning.
7. Teacher Education and Professional Development.
8. Parental Participation.

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### PUBLICATIONS:

Performance Report on Maine's Public Schools—1994 (Free)  
 Report on Maine's Progress on the National Education Goals—1993 (Free)  
 MAINE 2000 Brochure (Free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

SUPPORT SERVICES UNIT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	330,681	143,871			186,810	
Health Benefits	38,235	20,821			17,414	
Retirements	54,106	23,551			30,555	
Other Fringe Benefits	12,003	525			11,478	
Other Contract Services—State	82,322	104			82,218	
Other Contractual Service	83,311	-6,088			89,399	
Rents	18,943	7,805			11,138	
Commodities	26,122	12,882			13,240	
Grants—Subsidies—Pensions	1,822,271				1,822,271	
Building Improvements	13,971				13,971	
Interest—Debt Retirement	26	24				2
Transfers to Other Funds	12,187				12,187	
<b>TOTAL EXPENDITURES</b>	<b>2,494,178</b>	<b>203,495</b>			<b>2,290,683</b>	

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEAN C. MARRIOTT, COMMISSIONER  
DEBRAH RICHARD, Deputy Commissioner

*Central Office:* AMHI, Ray Building  
*Mail Address:* State House Sta. #17, Augusta, Maine 04333  
*Established:* July 1, 1972  
*Reference:* Policy Area: 05; Umbrella: 06; Unit: 096; Citation: 38 M.R.S.A., Sect. 341  
*Average Count—All Positions:* 459  
*Telephone:* 287-7688  
*Incoming WATS line:* 1-800-452-1942  
*Sunset Review Required by:* June 30, 1996  
*Legislative Count:* 75

*Organizational Units:*

Board of Environmental Protection	Bureau of Hazardous Materials and Solid Waste
Bureau of Air Quality Control	Control
Bureau of Land and Water Quality	Bureau of Administration

**PURPOSE:** The Department of Environmental Protection is charged by statute with the protection and improvement of the quality of our natural environment and the resources which constitute it, and the enhancement of the public's opportunity to enjoy the environment by directing growth and development which preserves for all time an ecologically sound environment. The Department will advocate programs and regulatory decisions that contribute to the achievement of this mission.

In pursuing this mission, it is the policy of the Department to treat its employees and the public with courtesy, respect and consideration and to be fair and honest in its dealings, and to be mindful of the special qualities that make Maine a unique place to live and work.

The Department, through authority vested in the Commissioner and the Board of Environmental Protection, exercises the police powers of the state to prevent the pollution of the natural environment. It recommends to the Legislature measures for elimination of environmental pollution; grants licenses, and initiates enforcement actions. Its staff negotiates agreements with federal, state and municipal agencies, administers laws relating to the environment, educates the public and regulated community on environmental issues and obligations, and exercises whatever other duties that may be delegated by the Board.

**ORGANIZATION:** The Department of Environmental Protection is descended from the Sanitary Water Board, created in 1941, to study, investigate and recommend means of eliminating pollution and to prevent pollution of waters used for recreational purposes in the state. In 1951, it was renamed the Water Improvement Commission. The Commission was renamed the Water and Air Environmental Improvement Commission in 1967 when its duties were expanded to include air pollution. That title was shortened to Environmental Improvement Commission in 1969.

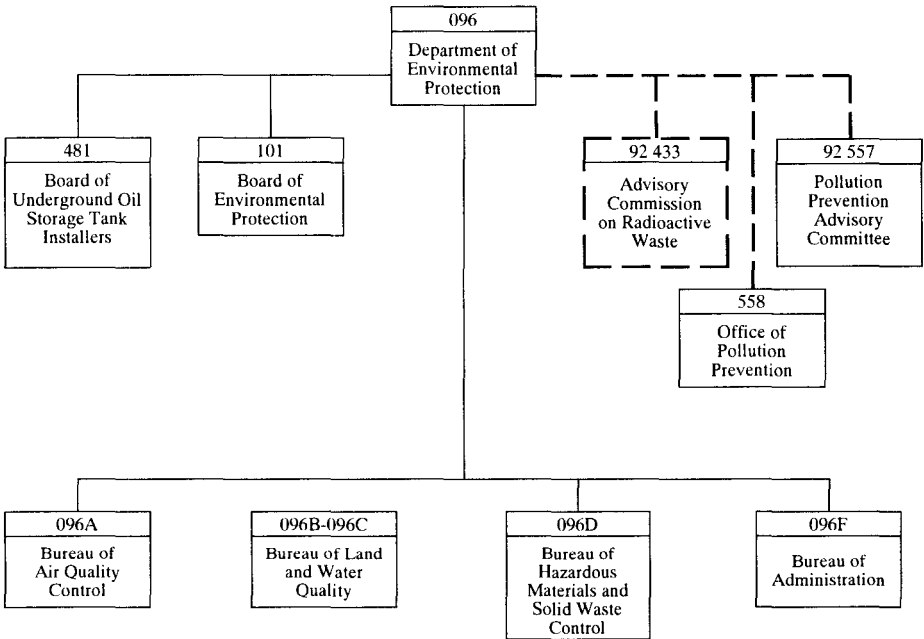
On July 1, 1972, the Commission became the Board of Environmental Protection (BEP) and a new Department of Environmental Protection (DEP) was created, consisting of the Bureaus of Air Quality Control, Land Quality Control and Water Quality Control. A Bureau of Oil and Hazardous Waste Control was added in 1980, and a Bureau of Solid Waste Management was added in 1988. In 1991, the latter two bureaus were consolidated into a single Bureau of Hazardous Materials and Solid Waste Control. In 1994, the Bureaus of Land Quality Control and Water Quality Control were combined into a single Bureau of Land and Water Quality.

The Board consists of ten members appointed by the Governor, for terms of four years. The Board, the Commissioner, the Deputy Commissioner and the Office of the Commissioner form the Executive Branch of the Department. The Board presides over public hearings and makes findings of fact and orders on projects which are not delegated to the Commissioner, reviews staff recommendations and licensing decisions, serves as an appeals body for environmental decisions and promulgates rules and policies interpreting the statutes administered by the Department.

The Commissioner is the Chief Executive Officer for the Department and also serves as a liaison between the Board and the staff. The Deputy Commissioner is the Chief Operating Officer for the Department and is responsible for coordination of the day-to-day operations of the Department's line bureaus and the regional offices.

ENVIRONMENTAL PROTECTION

ORGANIZATIONAL CHART  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
UMB 06



Approved by the Bureau of the Budget

# ENVIRONMENTAL PROTECTION

## CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF ENVIRONMENTAL PROTECTION

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	11,879,926	2,570,011	5,313,333		3,996,582	
Health Benefits	1,333,466	268,620	585,687		479,159	
Retirements	1,947,726	404,800	882,718		660,208	
Other Fringe Benefits	142,557	24,554	63,635		54,368	
Other Contract Services—State	4,847,617	158,769	2,552,910		242,445	1,893,493
Computer Services—State	766,171	31,841	430,764		187,614	115,952
Other Contractual Service	6,927,257	313,016	6,005,754		501,247	107,240
Rents	106,113	24,090	58,417		23,556	50
Commodities	548,171	48,164	341,098		127,887	31,022
Grants—Subsidies—Pensions	12,896,323	25,005	2,255,155		412,252	10,203,911
Purchase of Land	230,948		223,948		7,000	
Building Improvements	794,723	874	531,204		262,645	
Interest—Debt Retirement	23,134	290	2,273		20,565	6
Transfers to Other Funds	400,756		290,691		110,065	
<b>TOTAL EXPENDITURES</b>	<b>42,844,888</b>	<b>3,870,034</b>	<b>19,537,587</b>		<b>7,085,593</b>	<b>12,351,674</b>

## ENVIRONMENTAL PROTECTION

The Commissioner and Deputy Commissioner represent the Department before the Governor, the State Legislature, special and public interest groups, and the media and also at special meetings and workshops which pertain to the Department's function. They are also responsible for administrative decisions not delegated to staff.

The Office of the Commissioner provides assistance to the Commissioner and Deputy Commissioner in carrying out their day-to-day responsibilities. The office is divided into two sections: a Planning and Environmental Education Unit and an Enforcement and Procedures Unit. The Planning and Environmental Education Unit coordinates the drafting of departmental legislation and testimony and acts as a liaison between the Department and the Governor's Office and the Legislature. The Unit also acts in a public information capacity by preparing materials for print and electronic media, publishing a newsletter, providing departmental consistency to reports and brochures, and responding to requests for speakers and special programs. The Enforcement and Procedures Unit is involved in inter-bureau policy analysis, licensing and enforcement tracking, and management functions in general. The Office of the Commissioner as a whole is responsible for coordinating inter- and intra-departmental issues and special projects as needed by the Commissioner and Deputy Commissioner.

There are four discrete programs administered from within the Office of the Commissioner. One is the Department's Office of Pollution Prevention, created in 1991 by an amendment to Maine's Toxic Use Reduction Law to review departmental programs and recommend means of incorporating pollution prevention into existing and proposed initiatives. Some of the functions of the Office include: establishing priorities for pollution prevention in Maine; coordinating pollution prevention programs and activities with other agencies and groups in the state, region and nation; implementing and tracking compliance with Maine's Toxic Use Reduction Program; implementing Maine's Small Business Assistance Program for Clean Air Act requirements; creating a technical information clearinghouse for use by government and industry; and working with the State procurement system to encourage the purchase of products consistent with pollution prevention objectives.

The Casco Bay Estuary Project is also administered from the Office of the Commissioner. The project seeks to employ a watershed management approach to protect and restore Casco Bay. Five priority issues have been identified for the initial focus of the project: promotion of environmentally appropriate use and development of land and marine resources; minimization of adverse environmental impacts from stormwater runoff and combined sewer overflows; minimization of environmental impacts from individual wastewater disposal systems; determination of the effects of existing sediment contamination on the health of Casco Bay; and promotion of responsible stewardship of Casco Bay and its watershed. The project is expected to continue through 1995.

A third initiative administered through the Office of the Commissioner is the Maine Environmental Priorities Project. The project is a collaborative effort with members of business, environmental organizations, state and local government, academia and the general public. Its purpose is to identify, analyze and rank Maine's most serious environmental problems according to their risk. Once the problems are ranked, action strategies to address issues and reduce risk are identified and implemented. The Maine Environmental Priorities Project is a tool to bring the best scientific information as well as the concerns and values of Maine people to bear in environmental policy making and setting Maine's environmental priorities. The project is expected to continue through 1995.

Finally, the Federal Facilities Program is also administered through the Office of the Commissioner. This program oversees the clean-up of sites governed by federal hazardous materials and waste laws and other hazardous waste sites on federal lands. Loring Air Force Base, Brunswick Naval Air Station and Portsmouth Naval Shipyard are examples of facilities currently in the program. The Federal Facilities staff oversee clean-up, coordinate with federal and state agencies and educate the public on the results of investigations and clean-up options. The program focuses on the rapid investigation and clean-up of sites at closing military bases so that civilian reuse of the base can happen quickly.

**PROGRAM:** The Department of Environmental Protection's activities, goals, objectives and plans are reflected in the reports of the individual bureaus. Support services are provided to the Department by the Bureau of Administration in the areas of the Budget and Finance, Human Resources and Computer Services.

The Bureau of Air Quality Control administers state air pollution laws and the Federal Clean Air Act. The bureau consists of three divisions: Field Services, Technical Services, and Licensing and Enforcement. The Division of Field Services has staff in each of the four regional offices in Augusta, Bangor, Portland and Presque Isle.



## ENVIRONMENTAL PROTECTION

The Bureau of Hazardous Materials and Solid Waste Control is responsible for: managing the generation, transport, storage, treatment or disposal of hazardous wastes, hazardous substances, petroleum products and biomedical waste; administering the solid waste facility licensing program, the asbestos abatement program, and the sludge and residuals landspreading program; responding to discharges or spills of oil products or hazardous matter; directing the cleanup or mitigation of adverse affects associated with uncontrolled hazardous substance sites; and establishing a program for the safe management and disposal of low-level radioactive waste. In addition, the Bureau provides staff support to the Advisory Commission on Radioactive Waste, the Board of Underground Tank Installers and the Oil Spill Advisory Committee. The Bureau is organized into five divisions: Site Investigation and Remediation, Remedial Planning and Technical Services, Oil and Hazardous Waste Facilities Regulation, Solid Waste Facilities Regulation, and Response Services.

The Bureau of Land and Water Quality is responsible for regulating large-scale land development and activities which affect critical resources of state significance, and assessing the quality of Maine's waterways and reporting their uses and recommended classification to the Legislature. Once legal standards have been established, the Bureau must ensure that the classifications are attained and maintained. Many of the Bureau's activities are mandated on an annual basis by federal laws and are funded through the Federal Water Pollution Control Act. The Bureau consists of five divisions: Land Resource Regulation, Water Resource Regulation, Environmental Assessment, Watershed Management, and Engineering and Technical Assistance.

### LICENSES, PERMITS, ETC.

The Department processes more than 75 different licenses, permits, certifications and registrations. Nearly all are issued by the Commissioner. The balance are issued by the Board of Environmental Protection if they involve significant policy issues, generate substantial public interest or are required by statute to be decided by the Board.

#### Licenses:

- Air Emission
- Oil Terminal Facility
- Hazardous Waste Treatment Facility
- Hazardous Waste Storage Facility
- Hazardous Waste Transporter
- Vessels at Anchorage
- Waste Oil Storage Facility
- Waste Oil Dealer
- Waste Oil Transporter
- Hazardous Waste Disposal Facility
- Septage Sites
- Solid Waste Facility
- Waste Water Discharge
- Experimental Discharge

#### Permits:

- Log Storage
- Mining/Rehabilitation of Land
- Site Location of Development
- Small Hydro
- Sludge Utilization
- Natural Resources Protection

#### Certifications:

- Underground Oil Storage Tank Installer
- Underground Hazardous Substance Storage Tank Installer
- Asbestos Abatement Contractor, Design Consultant & Worker
- Asbestos Evaluation Specialist
- Asbestos Project Supervisor
- Water Quality
- National Pollutant Discharge Elimination System Permit
- Waste Water Treatment Facility Operator
- Certification of Persons Servicing and Repairing Sanitary Waste Treatment Facilities
- FAME (Finance Authority of Maine)

## ENVIRONMENTAL PROTECTION

Water Pollution and Water Pollution Control Facilities

Tax Exemption for Pollution Control Facilities

Other:

Shoreland Zoning Variances

Establishment of Mixing Zones

Approval of Sanitary Districts

Approval of Watershed Districts

Uncontrolled Hazardous Substances Sites Designation

Approval of Solid Waste Districts

Dam Registration

Underground Storage Tank Registration

Water Level Hearings

Federal Consistency Determination

Process Third Party Damage Claims

### PUBLICATIONS:

*EnvironNEWS*, bulletin containing reports on current environmental issues.

*DEP Issue Profiles*, which cover a variety of timely topics, including the Lake Phosphorus Control Program, Ground-Level Ozone, the Overboard Discharge Law, Pollution Prevention, Permit By Rule, The Landfill Remediation and Closure Program, and the Mandatory Shore Land Zoning Act.

*DEP Fact Sheets* and *DEP Information Sheets* are published periodically.

*Environmental Resources of Maine*, a directory of environmental issues and organizations.

All are free.

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from accounts as recorded in the files of the Bureau of the Budget's MFASIS system

DEPARTMENT OF ENVIRONMENTAL PROTECTION (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,301,855		1,301,855			
Health Benefits	143,491		143,491			
Retirements	214,877		214,877			
Other Fringe Benefits	15,407		15,407			
Other Contract Services—State	90,469		90,469			
Computer Services—State	34,133		34,133			
Other Contractual Service	270,658		270,658			
Rents	2,815		2,815			
Commodities	21,983		21,983			
Grants, Subsidies, Pensions	77,667		77,667			
Building Improvements	16,876		16,876			
Interest—Debt Retirement	42		42			
Transfers to Other Funds	37,111		37,111			
<b>TOTAL EXPENDITURES</b>	<b>2,227,384</b>		<b>2,227,384</b>			

## ENVIRONMENTAL PROTECTION

### BUREAU OF ADMINISTRATION GEORGE VILES, DIRECTOR

*Central Office:* AMHI, Ray Bldg., Augusta

*Telephone:* 287-2691

*Mail Address:* State House Sta. #17, Augusta, Maine 04333

*Established:* April 28, 1988

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 05; Umbrella: 06; Unit: 096F; Citation: 38 M.R.S.A., Sect. 342

*Average Count—All Positions:* 42

*Legislative Count:* 7

**PURPOSE:** The purpose of the Bureau of Administration is to provide support services to the Department. Areas of support services include: Computer Services, Budget & Finance, Human Resources, Space Management and Planning, and Administrative Support.

**ORGANIZATION:** The Administration Bureau is comprised of 4 divisions: Human Resources, Budget and Finance, Computer Services, and Support Services.

#### **PROGRAM:**

**Computer Services.** This division consists of 5 units: computer operations, systems development, EPA and Geographic Information Systems (GIS), systems software, and micro computer support, providing centralized word/data processing support for the department. The computer operations unit provides: response to user request for assistance, computer hardware preventative maintenance, microcomputer software training support, and batch job processing. The systems development unit provides: project management control, systems analysis, design and implementation, documentation, and training support. This unit is also utilized by senior management for special projects. The EPA/GIS support unit provides: coordination/long range planning for EPA based systems, problem resolution/tracking, and training for all EPA based systems such as AIRS, PCS, STORET, BIO-STORET, GICS and RCRIS. This unit also provides central GIS support and GIS project coordination. The micro computer support unit provides: coordination/long range planning, research and development, application development, maintenance, network administration, standard software support, and training support for all users of micro computers. The systems software unit provides: operating system support/maintenance, research and development, communications planning/support, hardware maintenance, and disaster recovery planning for all systems resident on the department's mini computers and the State's mainframe computers.

The Computer Services Division assisted in the development of a departmental Comprehensive Automation Plan. The Division is working to provide the foundation of hardware, software and technical support staff to carry out priority projects including the Multimedia Data Management System, Tracking Systems improvement, and Project Management Systems.

**Budget and Finance.** This Division provides centralized accounting, and financial management services and is responsible for managing, controlling and reporting fiscal activities of the department in accordance with statutory and regulatory requirements and generally accepted accounting principles. The division also assists purchasing coordinators in the department and provides management analysis as needed.

**Support Services.** This unit is responsible for clerical support to the Bureau of Administration and the Office of the Commissioner. These services consist of general clerical practices. The unit is also responsible for the 800 line, maintaining the access list to Ray Building, departmental ID cards, newsclips and distribution of legislative bills.

**Human Resources.** This unit is responsible for employee benefit administration, labor relations, and staff development and training, and provides a wide range of services to departmental Bureaus, including, creation of positions, recruiting, and filling of vacancies. In addition, it serves as the agency reservoir for knowledge concerning all federal laws, state laws, rules and regulations which govern and control employment practices and activities.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## ENVIRONMENTAL PROTECTION

BUREAU OF ADMINISTRATION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,342,511	354,352	617,444		370,715	
Health Benefits	153,934	24,450	75,786		53,698	
Retirements	212,077	40,452	109,634		61,991	
Other Fringe Benefits	11,614	3,404	4,831		3,379	
Other Contract Services—State	41,747	18,972	22,568		207	
Computer Services—State	48,566	3,984	44,339		243	
Other Contractual Service	325,455	37,054	225,474		62,927	
Rents	41,637	19,183	20,044		2,410	
Commodities	76,439	14,945	51,507		9,987	
Grants—Subsidies—Pensions	1,599		973		626	
Purchase of Land	160,149		160,149			
Building Improvements	198,534		126,777		71,757	
Interest—Debt Retirement	20,626	33	30		20,563	
Transfers to Other Funds	32,795		22,718		10,077	
<b>TOTAL EXPENDITURES</b>	<b>2,667,683</b>	<b>516,829</b>	<b>1,482,274</b>		<b>668,580</b>	

## BUREAU OF AIR QUALITY CONTROL

### DENNIS KESCHL, DIRECTOR

*Telephone:* 287-2437  
*FAX:* 287-7641

*Central Office:* Upham Bldg., Hospital St., Augusta  
*Mail Address:* State House Sta. #17, Augusta, Maine 04333  
*Ozone Hotline:* 1-800-223-1196

*Established:* July 1, 1972  
*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 05; Umbrella: 06; Unit: 096A; Citation: 38 M.R.S.A., Sect. 581

*Average Count—All Positions:* 72.5  
*Legislative Count:* 8

**PURPOSE:** The Air Quality Control Bureau exists to carry out state air pollution law and the Federal Clean Air Act Amendments of 1990.

**ORGANIZATION:** Three divisions compose the Air Quality Control Bureau: the Division of Field Services, the Division of Technical Services, and the Division of Licensing and Enforcement.

#### PROGRAM:

**Field Services.** The quality of Maine's air is judged by the amounts of both "criteria" and "non-criteria" air pollutants present. The criteria pollutants are: total suspended particulate matter, sulfur dioxide, carbon monoxide, nitrogen dioxide, hydrocarbons, ozone and lead. "Non-criteria" pollutants are often referred to as "air toxics." These include benzene, chloroform and tetrachloroethylene, among others.

**Monitoring activities:** Listed below are the numbers of ambient monitoring network sites operated by the Bureau during 1993.

Statewide Network Sites:

	Number of Sites
2	Total Suspended Particulate
4	Sulfur Dioxide (continuous)
2	Oxides of Nitrogen (continuous)
11	Ozone (continuous)
2	Lead
0	Carbon Monoxide (continuous)
0	Hydrocarbon (continuous)
16	Fine Particulate

## ENVIRONMENTAL PROTECTION

- 0 Sulfate
- 0 Nitrate
- 3 Air Toxics (non-criteria pollutants)
- 5 Volatile Organic Compounds
- 7 Meteorological Systems
- 2 Atmospheric Deposition

In addition to data collected by the Bureau, many industries are required to operate private ambient air monitoring programs and submit data to the Bureau. The Bureau supports these programs by conducting independent audits and performance checks to provide a high degree of quality assurance on all air quality data being generated within the state.

### Industrial Statewide Monitoring Sites:

- |    | Number of Sites             |
|----|-----------------------------|
| 9  | Total Suspended Particulate |
| 9  | Sulfur Dioxide (continuous) |
| 22 | Fine Particulate            |
| 1  | Ozone                       |
| 0  | Lead                        |
| 1  | Sulfate                     |
| 0  | Nitrate                     |
| 12 | Meteorological Systems      |

The data collected from these sites, including an analysis of trends and summary of violations of ambient air quality standards, are published in an annual report of air quality in Maine and are available from the Bureau of Air Quality Control.

In addition, the Bureau of Air Quality and others are actively involved in collecting acid precipitation/acid deposition data from Bridgton and Acadia National Park.

With respect to ozone, the Bureau now issues advisories to the local media whenever levels exceed the state ozone standard.

**Compliance activities:** During 1993, the Bureau conducted 140 compliance inspections. In addition 238 citizen complaints, primarily due to dust, odor, and smoke were responded to. During 1993 the divisions coordinated and observed 32 stack tests; issued 21 notices of violation; and sent 18 letters of warning.

In addition, the Bureau of Air Quality and others are actively involved in collecting acid precipitation/acid deposition data from: Bridgton and Acadia National Park. The Bureau has also expanded its attention to the particulate constituents on all "violation" filters including particle size distribution. Also due to Maine's monitored high TSP levels, we have greatly expanded our fine particulate monitoring network to determine whether the size of these particulate are of public health concern. Several new co-generation facilities are now operating that are doing compliance monitoring for lead, chromium and heavy metals.

With respect to ozone, the Bureau now forecasts for local media whenever levels are expected to exceed the unhealthful level on the Pollutant Standard Index (PSI) scale.

**Licensing.** Besides issuing renewal licenses, amendments and transfers, the Bureau has continued to operate the New Source Review Program, implementing provisions of the Federal Prevention of Significant Deterioration Program (PSD) for new major emitting sources. Applicants are not required to obtain a federal PSD permit since Maine's licensing program has been approved as the State Implementation Plan (SIP) by EPA. In conjunction with the licensing activities, sales, use and property tax certifications for pollution control equipment/devices are done by the Bureau.

During 1993 the divisions received 297 applications for new sources or modifications, amendments and renewals and approved 202 new/modified source licenses, amendments and renewals.

**Technical Services.** The Division of Technical Services is responsible for:

1. Program development including the State Implementation Plan for Air Quality Department air regulations and statutes to improve and protect the quality of Maine air.
2. Data management of ambient air quality data and emission inventory for sources of air pollution.
3. Meteorological support including long range pollution transport modeling, for ozone and acid rain;
4. Air toxics program development including special inventory and risk assessment; and
5. Mobile source program development including the inspection and maintenance program.

In 1993 the primary initiatives included the adoption of risk assessment or amendment of regulations governing low sulfur fuel, emergency episodes, gasoline marketing, volatile organic compounds (VOCs) testing procedures, and a state-wide air toxics monitoring study.

## ENVIRONMENTAL PROTECTION

In 1993 the regulatory adoptions include the amendment to the chorine and chlorine dioxide emission standard and total reduced sulfur control from kraft mills. In addition, rulemaking hearings were held on new motor vehicle emission standards, motor vehicle emission inspection program, surface coating facilities, solvent degreasers, cut back asphalt, graphic arts, continuous emission devices, monitoring emission statements, and modeling protocols.

The major regulatory issues which the Bureau has in front of it for 1994 include emission statements, volatile organic compounds (VOCs), reasonably available control technology (RACT) for major sources, new source review revisions, amendments to air emission license regulation for the Clean Air Act Title V requirements, continuous emission monitoring, Stage II rules for gasoline service stations, total reduced sulfur, emission trading, transportation, dry cleaners, inspection maintenance, gasoline marketing, and NO<sub>x</sub> RACT. Other Clean Air Act issues for 1994 are the 15% VOC reduction demonstration, the photochemical grid modeling attainment demonstration, and the implementation of the vehicle inspection and maintenance program in the seven southern counties.

### LICENSES, PERMITS, ETC.:

The Department technically issues all licenses and permits.

### PUBLICATIONS:

- 1) Bureau of Air Quality Control Annual Report — Free
- 2) Bureau of Air Quality Control Annual Air Quality Data Report — Free
- 3) Hazardous Air Pollutants in Maine: Emissions Inventory and Ranking System — Free
- 4) The Air Around Us — Free
- 5) Disposal by Incineration
- 6) Wood Stove Emissions Issue Profile
- 7) Motor Vehicle Emissions Inspection Program Information Sheet—Free
- 8) Ozone Level Advisories Issue Profile—Free
- 9) Clearing the Air—The Ozone Transport Commission—Free
- 10) CFC Compliance Informational Resource Guide—Free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF AIR QUALITY CONTROL	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,206,576	289,386	15,265		901,925	
Health Benefits	131,756	26,912	2,321		102,523	
Retirements	196,150	46,316	2,380		147,454	
Other Fringe Benefits	13,347	1,633	202		11,512	
Other Contract Services—State	47,615	5,108			42,507	
Computer Services—State	30,498	853			29,645	
Other Contractual Service	202,789	25,884	242		176,663	
Rents	20,856	5			20,851	
Commodities	66,001	4,964			61,037	
Building Improvements	106,235				106,235	
Interest—Debt Retirement	114	114				
Transfers to Other Funds	26,819		361		26,458	
<b>TOTAL EXPENDITURES</b>	2,048,756	401,175	20,771		1,626,810	

## ENVIRONMENTAL PROTECTION

### BOARD OF ENVIRONMENTAL PROTECTION

OWEN R. STEVENS, CHAIRMAN

*Central Office:* AMHI-Ray Building, Augusta

*Telephone:* 287-2812

*Mail Address:* State House Sta. #17, Augusta, Maine 04333

*Established:* 1972

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 05; Umbrella: 06; Unit: 101; Citation: 38 M.R.S.A., Sect. 341-C

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The purpose of the Board of Environmental Protection is to provide informed, independent and timely decisions on the interpretation, administration and enforcement of the laws relating to environmental protection and to provide for credible, fair and responsible public participation in department decisions. The Board shall fulfill its purpose through rulemaking, decisions on selected permit applications, review of the Commissioner's licensing and enforcement actions and recommending changes in the law to the Legislature.

**ORGANIZATION:** The Board of Environmental Protection consists of 10 members appointed by the Governor, subject to review by the Joint Standing Committee on Natural Resources and approval by the Legislature. The Board has a staff of 2; an Executive Director and an Administrative Secretary. Members serve for a term of 4 years. The Governor appoints one member to serve as chairman.

Members receive \$55 per day for each meeting or hearing attended. They also receive reimbursement for travel expenses incurred while attending any meetings of the Board or for any other travel in connection with official board business while under the specific authority of the Board.

Regular meetings are held twice monthly in Augusta; other meeting times and places are determined by the Board. Six members of the Board constitute a quorum for the purpose of conducting any meeting. Six members are a quorum for a rule-making hearing and three members are a quorum for an adjudicatory hearing.

**PROGRAM:** The Board holds regular meetings on the second and fourth Wednesdays of each month. These meetings are open to the public. In addition, the Board holds public hearings on proposed rules and individual applications of significant public interest. Board members receive material on all pending matters in advance of the regular meetings and are mailed copies of all transcripts of testimony at public hearings, if requested.

#### LICENSES, PERMITS, ETC.:

Approvals by the Department are usually given by the Commissioner except those licenses and permits that have a major policy impact or generate substantial public interest.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the Bureau of the Budget's MFASIS system.

BOARD OF ENVIRONMENTAL PROTECTION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	25,770		25,770			
Health Benefits	2,564		2,564			
Retirements	2,508		2,508			
Other Fringe Benefits	263		263			
Other Contractual Service	23,116		23,116			
Commodities	163		163			
Transfer to Other Funds	1,600		1,600			
<b>TOTAL EXPENDITURES</b>	55,984		55,984			

# BUREAU OF LAND AND WATER QUALITY

MARTHA KIRKPATRICK, DIRECTOR

Central Office: AMHI, Ray Bldg.,

Telephone: 287-3901

Mail Address: State House Sta. #17, Augusta, Maine 04333

Established: July 1, 1972

Sunset Review Required by: June 30, 1996

Reference: Policy Area: 05; Umbrella: 06; Unit: 096B-096C;

Citation: 38 M.R.S.A.,  
Sect. 1301; 361-A

Average Count—All Positions: 92

Legislative Count: 41

**PURPOSE:** The Bureau of Land and Water Quality was organized in January 1994 by merging the Bureau of Land Quality Control and the Bureau of Water Quality Control. The Bureau is responsible for administering environmental laws designed to protect and improve the quality of Maine's surface and ground water, and reviewing land development projects that may have an adverse impact on the natural environment and resources of the state.

The state laws administered by the Bureau include: Site Location of Development Act; Natural Resources Protection Act; Mandatory Shoreland Zoning Act (administered jointly with the Land Use Regulation Commission); Maine Waterway Development and Conservation Act.

The Bureau receives some funding under the Coastal Zone Management Act in return for state-level enforcement and administration of the core laws. The Bureau is also responsible for the completion of Federal Consistency reviews.

Many of the activities of the Bureau are mandated on an annual basis by federal laws and are funded through the Federal Water Pollution Control Act. Federal funds for the past fiscal year included approximately \$2.9 million of program grant funds to aid the Bureau in carrying out its responsibilities under both state and federal laws. State funding levels for the water pollution control program must remain constant or increase in order for the department to remain eligible for federal program and wastewater treatment plant planning and construction management grants. To date the Bureau has assisted in the construction of over 130 municipal waste treatment plants and related facilities with a combined construction cost of more than \$750 million dollars. As a result of these efforts and those of industry, Maine's percentage of waterways which meet or exceeds federal standards is the nation's highest.

**ORGANIZATION:** There are five divisions in this bureau: the Division of Land Resource Regulation, the Division of Water Resource Regulation, the Division of Environmental Assessment, the Division of Watershed Management, and the Division of Engineering and Technical Assistance.

## PROGRAM:

**The Division of Land Resource Regulation** reviews applications under the Site Location law and Natural Resources Protection Act and prepares recommendations to the Board of Environmental Protection or the Commissioner.

The following is a summary of actions during 1993.

Site Location	395
Coastal Wetlands	93
Sand Dunes	48
Great Ponds	32
Freshwater Wetlands	88
Rivers, Streams or Brooks	86
Water Quality Certifications Consistency Actions	2
Delegation of Authority to Qualified Communities	1
Permit by Rule	2,219

TOTAL 3,002

Rulemaking in 1993 included the revisions to the Chapter 305, Permit by Rule program under the Natural Resources Protection Act and developing a program to regulate medium-sized gravel pits.

**Land Enforcement and Field Services:** Enforcement and field services staff are located in the four regional offices in Augusta, Portland, Bangor, and Presque Isle. They are responsible for complaint



## ENVIRONMENTAL PROTECTION

resolution, compliance inspections, and enforcement actions. As Bureau representatives in the field they also assist the licensing staff in disseminating information about the application procedures and explaining the laws and regulations administered by the Bureau.

Last year, the enforcement staff responded to 807 citizens complaints. The Bureau accomplished complaint resolutions through a variety of means ranging from voluntary compliance, referral to other appropriate State agencies or municipalities, formal enforcement actions such as Administrative Consent Agreements and Enforcement Orders, Court Actions under Rule 80K, or referral to the Office of the Attorney General.

The **Division of Water Resource Regulation** regulates the discharge of pollutants to surface or ground waters of the state as authorized under the Protection and Improvement of Waters Law with a combination of licensing, certification, enforcement and inspection activities. The Division also issues licenses and water quality certifications to hydropower facilities. The investigation of citizen complaints is also performed by the division. The following is a summary of Division activities during FY 94:

### State Licenses Issued (renewals, new, and modifications)

Municipal	23
Industrial	18
Commercial	22
Residential	119
Aquatic Pesticides	0
Experimental	0
License Applications Denied	2
Certification of U.S. EPA NPDES Permits	30
Certification of Tax Exemptions Approved	12
Certification of Tax Exemptions Denied	0
Administrative Enforcement Agreements Issued	3
Referrals to Attorney General's Office	2
Cases Processed Under Rule 80(k) of the District Court Civil	
Rules of Procedure	0
Superior Court Cases Settled (AG)	3
Inspections of wastewater treatment plants:	
Municipal and Industrial	451
Residential/Commercial	3100
Citizen Environmental Complaints	237
Pretreatment Inspections	12

**Division of Engineering and Technical Assistance.** The division oversees the operation of all wastewater treatment facilities in the State of Maine. The Division administers four funding programs for the planning design and construction of wastewater treatment facilities. The State Revolving fund (SRF) maintains Maine's existing inventory of municipal wastewater treatment facilities by funding rehabilitation and upgrade projects. The Small Communities and Combined Sewer Overflow Programs are focused on other municipal point source water quality problems throughout the state. The Overboard Discharge Law allows grants to individuals with licensed systems. The Priority is to eliminate discharges to shellfishing areas and public nuisance conditions.

**Division of Environmental Assessment.** The division is responsible for monitoring and assessing ground and surface water quality to provide the scientific foundation for the land and water programs, as well as for developing environmental indicators to evaluate program effectiveness. Expertise in the Division includes biology/ecology, geology, engineering, hydrology, and water chemistry. Special services include biological and toxicological lab analysis, specialized computer modeling of wastewater impacts and complete ambient monitoring and investigative capabilities.

**Division of Watershed Management.** The purpose of this division is to look at water resources holistically, and coordinate regulatory and nonregulatory approaches that are tailored to specific problems. It contains the Nonpoint Source program under the Federal Clean Water Act, Section 319, and the Mandatory Shoreland Zoning Act.

**Other Services:** The Bureau provided 161 advisory opinions during 1993. The Bureau made field determinations at 339 sites in 1993.

Bureau staff are available for technical assistance on issues related to bureau administered laws and regulations. Staff members are on call from 8:00 A.M. to 5:00 P.M. Monday-Friday to handle telephone calls and walk-in visits. The Bureau handles over 500 calls per day for information.

### LICENSES, PERMITS, ETC.:

Site Location of Development permits

## ENVIRONMENTAL PROTECTION

Natural Resources Protection Act permits  
 401 Water Quality Certifications  
 Waste Discharge Licenses  
 Coastal Zone Management Consistency Determinations  
 Hydropower Permits  
 Shoreland Zoning Municipal Ordinance Approvals  
 IRS certification for five year amortization  
 IRS certification for tax exempt bonding  
 FAME certification for loan applicants compliance with environmental laws  
 National Pollutant Discharge Elimination System Permit Certification  
 Personal Property Tax exemption  
 Sales & Use Tax exemption

### PUBLICATIONS:

The following publications are available from the Bureau free of charge: (they are also available from the Planning and Environmental Education Unit as described under the Departmental heading).

Site Location of Development  
 Guidelines For Municipal Shoreland Zoning Ordinance  
 Hydropower Development Regulations  
 Maine Dam Inspection Registration & Abandonment Act  
 Natural Resource Protection Act (1988) (Revised 1992)  
 Natural Resource Protection Act Permit By Rule (February 1989) (Revised 1992)  
 Wetland Protection Rules (June 1990)  
 Coastal Sand Dune Rules (January 1988)  
 Maine's Natural Resources, A Guide for Municipal Officials (1991)  
 Pre-Application Handbook  
 Metallic Mineral Exploration, Advanced Exploration and Mining Rules (1991)  
 Protecting Maine Lakes, An Overview  
 Protecting Maine Lakes from Phosphorus  
 Controlling Lake Phosphorus from Existing Sources  
 Comprehensive Planning for Lake Protection  
 Implementation Strategies for Lake Water Quality Protection  
 Comprehensive Planning for Lake Watersheds  
 Watershed: An Action Guide to Improving Maine Waters  
 Town Ordinance for Protecting Make Lakes  
 Treat It Right (Septic Systems)  
 Environmental Management: A Guide for Town Officials

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF LAND AND WATER QUALITY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,310,927	955,281	30,976		324,670	
Health Benefits	149,100	105,174	2,640		41,286	
Retirement	268,807	195,390	6,293		67,124	
Other Fringe Benefits	19,313	12,998	118		6,197	
Other Contract Services—State	51,108	7,062	13,247		30,799	
Computer Services—State	98,530	20,046			78,484	
Other Contractual Service	143,195	104,159	428		38,608	
Rents	103	38			65	
Commodities	12,975	8,890			4,085	
Grants—Subsidies—Pensions	65	65				
Buildings and Improvement	2,495				2,495	
Interest—Debt Retirement	5	5				
Transfers to Other Funds	18,785		1,046		17,739	
<b>TOTAL EXPENDITURES</b>	<b>2,075,408</b>	<b>1,409,108</b>	<b>54,748</b>		<b>611,552</b>	

## BUREAU OF HAZARDOUS MATERIALS AND SOLID WASTE CONTROL

ALAN M. PRYSUNKA, DIRECTOR

Central Office: AMHI, Ray Bldg., Augusta

Telephone: 287-2651

Mail Address: State House Sta. #17, Augusta, Maine 04333

Established: October, 1980

Sunset Review Required by: June 30, 1996

Reference: Policy Area: 05; Umbrella: 06; Unit: 096D; Citation: 38 M.R.S.A., Sect. 541

Average Count—All Positions: 172.5

Legislative Count: 19

**PURPOSE:** This Bureau administers the State's oil, hazardous materials and solid waste control programs, which include the following areas of responsibility:

1. Emergency response for oil and hazardous materials spills;
2. Regulation of all underground oil storage facilities;
3. Processing third party damage claims for oil contamination problems;
4. Licensing and inspection of hazardous waste, waste oil, biomedical waste and solid waste facilities and transporters;
5. Licensing and inspection of oil terminals;
6. Licensing and regulation of the spreading and utilization of residuals;
7. Administering and overseeing asbestos management/disposal;
8. Licensing and inspection of septage disposal;
9. Investigation and clean-up of all uncontrolled hazardous substances sites;
10. Enforcement of all oil and hazardous materials control laws;
11. Management of the Maine Coastal and Inland Surface Oil Clean-Up Fund, the Ground Water Oil Clean-Up Fund, the Hazardous Waste Fund, the Uncontrolled Sites Fund, the Solid Waste Fund and the Uncontrolled Hazardous Waste Site, Underground Oil Tank and Solid Waste Bond accounts.

In addition, this Bureau provides staff support to the Advisory Commission on Radioactive Waste and the Board of Underground Storage Tank Installers.

**ORGANIZATION:** In 1980 the Bureau was created by combining the Bureau of Water Quality Control's Division of Oil Conveyance Services and the Bureau of Land Quality Control's Hazardous Waste Unit. In 1991, the Bureau was reorganized and assumed the duties of the former Bureau of Solid Waste Management. Its name was changed to the current one to reflect the major additions in duties.

The Bureau consists of the Divisions of Site Investigation and Remediation, Response Services, Technical Services, Oil and Hazardous Waste Facilities Regulation, Solid Waste Facilities Regulation, and Management Services. In addition, the Bureau has a Policies & Procedures Support Unit.

The Response Services Division has offices in Augusta, Bangor, Portland and Presque Isle. The remainder of the Bureau has primary offices in Augusta with small staffs in the other three offices.

**PROGRAM:** The more noteworthy accomplishments within the Bureau's programs during the past year are listed below.

- A. Division of Site Investigation and Remediation.** This Division oversees Maine's Uncontrolled Hazardous Substance Site Program which includes coordinating state activities with the federal Superfund Site Cleanup program. At present, the division is coordinating the cleanup of 9 Superfund sites. In addition to these, the division has been involved with another 85 sites in the state over the past year. The division continues to monitor groundwater at several facilities where hazardous waste contamination problems were previously found. Actions aimed at reducing such contaminations are currently in progress. Over the past year the Division's activities included the following:

1. Uncontrolled Sites Designations ..... 4
2. Cleanup Orders Issued by Consent ..... 1
3. Agreements with Agencies, Municipalities, etc. to  
facilitate site cleanups ..... 4
4. State/Superfund Contracts Finalized ..... 1
5. Removal Operations
  - a. State Lead ..... 2
  - b. State Oversight ..... 2
  - c. State/Federal Shared Lead ..... 3

## ENVIRONMENTAL PROTECTION

6.	Remedial Designs (completed or underway) .....	4
7.	Remedial Actions (completed or underway) .....	2
8.	Preliminary Assessments (completed) .....	2
9.	Site Investigations (completed) .....	12
10.	Cost Recoveries (underway) .....	9

In addition, this division also administers the state's landfill remediation and closure program which provides technical and financial assistance to municipalities for landfill remediation and closure activities. To date \$29 million in bonds have been approved by voters for closing municipal solid waste landfills. As of January 1994, about 120 municipalities (or quasi-municipal entities) have received a total of \$15.8 million in the form of either reimbursements for past closure work or grants for ongoing closure projects. An estimated \$2 million will be spent on grant agreements for closure construction work in 1994. In addition, the division has awarded about \$3.1 million to consultants for landfill closure planning/site assessment studies; an additional \$1.5 million in planning/evaluation work will be awarded in 1994.

In 1993, the Legislature established a voluntary cleanup program (P.L. 1993, Ch. 355) which is administered by the division. The program is designed to facilitate the transfer of contaminated properties by providing environmental liability protection to parties undertaking voluntary cleanup actions. To date, the division has issued 7 "no further action/certificate of completions" for completed cleanup work, and is currently processing an additional 9 applications.

**B. Division of Response Services.** This Division is responsible for responding to all reports of spills and releases of oil and hazardous materials to the state's surface and groundwaters. It coordinates the emergency clean-up of such events when appropriate. The Division prepared the State of Maine Oil Spill Contingency Plan and is responsible for updating the plan annually. Major activities of this Division over the last year include: responding to 1482 surface and groundwater oil spills and 268 hazardous waste spills; and performing 306 oil spill investigations, 118 hazardous materials investigations, and 406 leaking underground oil tank investigations. The division has helped identify 53 contaminated wells. During calendar year 1993, 117,227,939.46 barrels of oil were transferred by licensees.

**C. Division of Technical Services.** The major activity of this Division is to provide technical support to all Bureau programs in the fields of engineering, geology and chemistry. This is accomplished through the review of hazardous and solid waste facility and oil terminal license applications, enforcement cases, landfill closure plans and cleanup actions for technical adequacy and by conducting inspection and sampling programs. In addition, the division provides technical support staff to the Maine Radioactive Waste Advisory Commission. It also has developed regulatory programs for underground oil and hazardous substance storage tanks and is responsible for the remediation of major leaking underground oil storage facilities, including development of replacement drinking water supplies.

**D. Division of Oil and Hazardous Waste Facilities Regulation.** This division is responsible for continuing oversight of the state's oil, hazardous waste and biomedical waste facility licensing and enforcement program. The division handles damage claims resulting from groundwater contamination by oil. It is also responsible for providing staff assistance to the Maine Board of Underground Oil Storage Tank Installers. Over the past year this division's activities included the following:

1.	Oil Terminals licensed .....	6
a.	Shoreside terminals .....	6
b.	Vessels .....	4
2.	Hazardous Waste Facility Inspections .....	15
3.	Hazardous Waste Complaint Investigations .....	39
4.	Hazardous Waste Facilities Decisions .....	27
a.	Treatment .....	23
b.	Closure Plans .....	1
c.	Storage Facilities .....	2
d.	Treatment and storage .....	1
5.	Hazardous waste, waste oil and biomedical waste transporters .....	135
6.	EPA I.D. Numbers .....	
a.	Permanent .....	14
b.	Temporary .....	904

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7. Underground Tanks	
a. Tanks registered	915
b. Replacement tanks	209
8. Underground Storage Facility Inspections	95
9. New underground oil storage enforcement cases	127
10. Groundwater Insurance Fund Claims	76
11. Damage Claims Received	18
12. Damage Claims Processed for Settlement or Referral	8
13. Cleanup Orders Issued By Consent	0
14. Administrative Cleanup Orders	0
15. Administrative Consent Agreements and Enforcement Orders	13
a. Hazardous Waste	9
b. Oil	3
c. Biomedical Waste	1
16. Hazardous Waste Manifests processed	18,576
17. Biomedical Waste Facilities Decisions	2
a. Treatment	0
b. Transfer	1
c. Disposal	1
18. Biomedical Waste Registrations	150

- E. Division of Solid Waste Facilities Regulation.** This division is responsible for licensing and enforcement activities related to solid waste facilities (including landfills, incinerators, transfer stations, storage and processing facilities and recycling facilities), septage disposal facilities and sludge/residuals land application sites and for regulating the transportation of non-hazardous solid wastes. Citizen complaint response and compliance inspections are conducted from the Presque Isle, Bangor and Portland regional offices as well as from the main Augusta office. The division is also responsible for administration of the asbestos abatement program which includes a certification program for all asbestos abatement workers.

The division is proposing comprehensive revisions to all Chapters of the solid waste rules including those pertaining to landfills and the land application of sludge and residuals. An application for a solid waste program consistency determination has been submitted to the U.S. Environmental Protection Agency pursuant to 40 CFR Parts 257 and 258.

- F. Division of Management Services.** This division is comprised of the clerical, purchasing, data management, and health, safety, and training functions. Additionally, legislative and other support functions are provided.

### LICENSES, PERMITS, ETC.:

The Board of Environmental Protection is the legal authority of the Department and, as such, issues all licenses and permits. Those licenses issued by the Department that are associated with the Bureau of Oil & Hazardous Materials and Solid Waste Control are:

1. Oil Terminal Facility License;
2. Hazardous Waste Facility License;
3. Hazardous Waste License By Rule;
4. Hazardous Waste Transporter License;
5. Registration of Underground Oil Storage Tanks;
6. (Oil) Vessel at Anchorage;
7. Waste Oil Transporter License;
8. Waste Oil Facility License;
9. EPA Hazardous Waste Generator Identification Number;
10. Biomedical Waste Transporter License;
11. Biomedical Waste Transfer Facility License;
12. Biomedical Waste Treatment & Disposal Facility License;
13. Registration of Underground Hazardous Substance Storage Tanks
14. Solid Waste Disposal/Storage/Processing Facility License;
15. Septage Spreading Site License;
16. Land Application of Sludge and Other Residuals License;
17. Asbestos Abatement Certifications;
18. Non-Hazardous Waste Transporter License.

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### PUBLICATIONS:

Copies of the Bureau Rules and Regulations for Oil, Hazardous and Solid Waste Handbook for Maine's Hazardous Waste Generators 1990—free  
 Annual Hazardous Waste Activity Report for 1990—free  
 State of Maine Hazardous Waste Capacity Assurance Plan, October 1989—free  
 Casco Bay Coastal Resources Inventory — \$20.00/set  
     Vol. 1 — Marine Resources  
     Vol. 2 — Marine Wildlife/Marine Flora  
 Underground Oil Storage Tank Installer Study Guide—\$35.00  
 Siting, Design and Cost of Shallow Land Burial Facilities in Northern New England — free  
 MORP Booklet, Maine Oil Recycling Program Directory — free  
 Groundwater Sampling Manual for Underground Storage Tank Sites, Sept. 1989—free  
 Guidance Manual for Aboveground Soil Vapor Extraction of Gasoline Contaminated Soil, March 1992—free  
 Asbestos in Maine (general information package)—free  
 Asbestos and the Homeowner—free  
 Evaluation Report: Procedural Guidelines for Establishing Standards for Remediation of Oil Contaminated Soil and Groundwater, April 1993—free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF HAZARDOUS MATERIALS AND SOLID WASTE CONTROL	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	4,735,909	782,289	2,865,718		1,087,902	
Health Benefits	554,016	90,509	319,682		143,825	
Retirement	962,381	158,692	582,193		221,496	
Other Fringe Benefits	65,027	8,469	38,643		17,915	
Other Contract Services—State	3,756,775	2,643	1,702,357		506,600	1,545,175
Computer Services—State	728,395	2,275	501,513		52,329	172,278
Other Contractual Service	3,844,151	59,993	3,399,563		125,021	259,574
Rents	23,651	102	23,549			
Commodities	282,283	4,006	210,364		10,909	57,004
Grants—Subsidies—Pensions	5,343,903	55	1,334,114			4,009,734
Purchase of Land	34,250		34,250			
Buildings and Improvement	2,179,089		2,144,720		34,369	
Interest—Debt Retirement	2,011	10	1,968			33
Transfers to Other Funds	291,945		248,548		43,397	
<b>TOTAL EXPENDITURES</b>	<b>22,803,786</b>	<b>1,109,043</b>	<b>13,407,182</b>		<b>2,243,763</b>	<b>6,043,798</b>

## OFFICE OF POLLUTION PREVENTION

**RON DYER, DIRECTOR**

*Central Office:* AMHI, Ray Bldg., Augusta

*Telephone:* 287-4152

*Mail Address:* State House Sta. #17, Augusta, Maine 04333

*Established:* 1991

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 05; Umbrella: 06; Unit: 558; Citation: 38 M.R.S.A., Sect. 342(4)(B)

*Average Count—All Positions:* 1

*Legislative Count:* 0

## ENVIRONMENTAL PROTECTION

**PURPOSE:** The Office of Pollution Prevention was established to review Department programs and make recommendations to the commissioner on the means of integrating pollution prevention into Department programs. The duties of the office include:

1. Establishing pollution prevention priorities;
2. Coordinating department pollution prevention activities with those of other agencies;
3. Ensuring activities of the department are consistent with pollution prevention goals;
4. Providing technical assistance, training, and education to the general public, governmental entities, and the regulated community;
5. Establishing an awards program to recognize outstanding or innovative pollution prevention activities;
6. Identify opportunities to use the state procurement system to encourage pollution prevention;
7. Develop procedures to determine the effectiveness of the pollution prevention program;
8. Assume responsibility for the Toxic Use and Hazardous Waste Reduction Program; and
9. Administer the Technical and Environmental Assistance Program.

**ORGANIZATION:** The commissioner designates an employee of the department to manage the functions of the Office of Pollution Prevention.

**PROGRAM:** In 1993, the Office of Pollution Prevention continued to develop the Toxic Use Reduction Guidelines and Reporting Packets and established a small business technical assistance program. The Office of Pollution Prevention also reviewed regulations for consistency with pollution prevention philosophies and provided legislative testimony on pollution prevention. Finally, the Office participated in multimedia "Total Quality Management" programs.

**PUBLICATIONS:** Newsletter titled "New Directions"—free.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF POLLUTION PREVENTION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	32,210				32,210	
Health Benefits	257				257	
Retirement	5,281				5,281	
Other Fringe Benefits	559				559	
Other Contract Services—State	20,571				20,571	
Computer Services—State	34				34	
Other Contractual Service	25,274				25,274	
Commodities	2,327				2,327	
Building ImprovementS	2,858				2,858	
Interest—Debt Retirement	2				2	
Transfers to Other Funds	1,532				1,532	
<b>TOTAL EXPENDITURES</b>	90,905				90,905	

## **BOARD OF UNDERGROUND STORAGE TANK INSTALLER**

**GERALD LaPOINTE, SR., CHAIRMAN**  
**JAMES HYNSON, STAFF**

*Central Office:* Augusta

*Mail Address:* State House Sta. #17, Augusta, Maine 04333

*Established:* June 28, 1985

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 05; Umbrella: 06; Unit: 481; Citation: 32 M.R.S.A., Sect. 10003

*Average Count—All Positions:* 0

*Telephone:* 287-2651

*Legislative Count:* 0

**PURPOSE:** The Board of Underground Storage Tank Installers was established to safeguard the public health, safety and welfare, to protect the public from incompetent and unauthorized persons, to assure the availability of underground storage tank installations of high quality to persons in need of these services.

**ORGANIZATION:** The Board of Underground Storage Tank Installers was established under the authority of PL 1985, Chapter 496, Section 2, and amended by 1987 P.L. Chapter 402, Section 172; 1987 P.L. Chapter 410, Section 1; 1989 P.L., Chapter 312 and Chapter 845; and P.L. 1991 Chapter 817.

**PROGRAM:** The Board of Underground Storage Tank Installers has continued to implement its certification procedures.

Two written examinations were offered in FY 94: December 8, 1993 and April 27, 1994. All examinations are available to applicants. These include the final exams for classes 2 and 3 underground oil tank installers, as well as initial exams for underground gasoline tank removers and underground hazardous substance tank removers, and an on-site examination checklist for underground gasoline tank removers.

A newsletter was continued and made available to all certified persons free of charge. Remaining program development work for FY 95 includes revision of a computer system to track the status of applicants, certified people, and Board activities.

Four (4) applicants successfully completed the entire new certification process in FY 94 and have become certified as oil tank installers.

A total of 333 certificates for underground oil storage tank installers and 53 apprentices have been granted since the inception of the program. For various reasons some have not recertified, and thus the current number of certified underground oil tank installers in Maine is 184. The Board received no applications for underground hazardous substance tank installers and thus issued no certificate under this program. One applicant passed the underground gasoline tank remover exam and is attempting to arrange for on-site examination.

The Board sponsored or approved 14 continuing education workshops for a total of 55 available credit hours for installers to meet continuing education, in addition to ongoing approvals for programs considered in previous years. Several of the programs approved offered multiple sessions scattered throughout the state, thus increasing still further the options available to installers.

Thirty-two (32) complaints against installers, apprentices, or applicants were received and investigated in FY 94. Thirty-three (33), including some initiated the previous year, were resolved and closed. Five (5) investigations remain open.

### **LICENSES, PERMITS, ETC.:**

- Underground Oil Storage Tank Installer Certificate—Class II
- Underground Oil Storage Tank Installer Certificate—Class III
- Underground Oil Storage Tank Inspector Certificate (DEP employees only)
- Underground Hazardous Substance Storage Tank Certificate
- Underground Hazardous Substance Tank Examiner Certificate
- Underground Hazardous Substance Tank Inspector Certificate
- Underground Gasoline Tank Remover Certificate



## ENVIRONMENTAL PROTECTION

### **PUBLICATIONS:**

Study Guides for Various Examinations, including:

- Initial Oil Tank Installer Exam (free to applicants)
- Class 2 Final Exam (free to applicants)
- Class 3 Final Exam (free to applicants)
- Gasoline Tank Remover Exam—\$75
- Hazardous Substance Tank Installer Exam—\$150

Summary and Assessment of Maine's Underground Storage Tank Installer Certification Program (1989)—Free

Annual Reports to the Commissioner of Environmental Protection—Free

"The Maine Installer," a quarterly newsletter available free to certified installers and removers.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Environmental Protection.

## EXECUTIVE DEPARTMENT

# (OFFICE OF) GOVERNOR

JOHN R. McKERNAN, JR., GOVERNOR

*Central Office:* State House, Augusta; *Floor:* 2

*Telephone:* 287-3531

*Mail Address:* State House Sta. #1, Augusta, Maine 04333

*Established:* Circa 1820

*Reference:* Policy Area: 00; *Umbrella:* 07; *Unit:* 102; *Citation:* 2 M.R.S.A., Sect. 1

*Average Count—All Positions:* 25.5

*Legislative Count:* 25.5

**PURPOSE:** The Governor serves to direct the affairs of the state according to law; to take care that the laws be faithfully executed; to give the Legislature information regarding the condition of the State and recommend measures for their consideration; to submit to the Legislature a biennial budget for the operation of State government; to act as Commander-in-Chief of the military forces of the State; to nominate and appoint all judicial, civil and military officers of the State except as otherwise provided by law; to require information from any military officer or any officer in the Executive Branch upon any subject relating to the respective duties; to grant reprieves, commutations and pardons and remit, after conviction, all forfeitures and penalties; and to accept for the State any and all gifts, bequests, grants or conveyances to the State of Maine.

**PROGRAM:** In addition to providing for its own staff support, the (Office of) Governor serves to coordinate and develop the several planning responsibilities of State government; to improve law enforcement in the State; to plan and coordinate manpower training and supportive services; to protect the rights and interests of women and youth of the State; to provide emergency and long-range planning and management of energy resources; to improve the relationship between the State government and its employees; and to operate, maintain and display to the public the Blaine House, as the official residence of the Governor. Some programs are so closely allied to the (Office of) the Governor as to be in reality a part of it. A brief description of each follows.

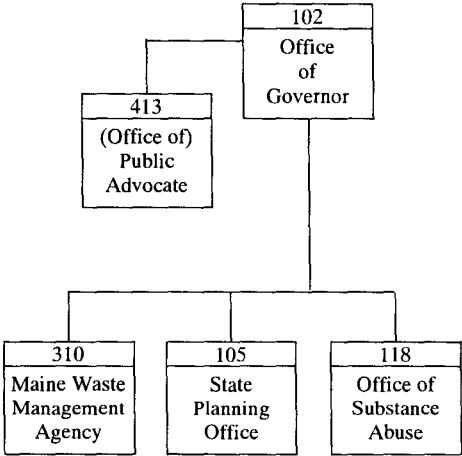
**Governor's Office.** The administrative office of the Governor serves to provide secretarial and staff support to the Governor as Chief Executive of the State of Maine. This support includes functions of correspondence, policy development, legislative relations, inter-governmental relations, national and regional Governor's associations, scheduling, preparation of reports and addresses, public information, executive appointments, case work, and managing the operating budget of the Governor.

**Blaine House.** The Blaine House, a National Historic Landmark, is the official residence of the Governor of the State of Maine. The Blaine House staff provide services for the Governor, the Governor's family and guests; to maintain House offices for the Governor; to display the mansion during public visiting hours; and to assist at official receptions and other gatherings at the Blaine House. The Governor is responsible for the operation of the building and general maintenance of its interior. The Bureau of Public Improvements maintains the grounds, service buildings and the exterior of the mansion, and is authorized to approve and execute any remodeling of the interior.

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

**EXECUTIVE DEPARTMENT**

**ORGANIZATIONAL CHART  
EXECUTIVE DEPARTMENT  
UMB 07**



Approved by the Bureau of the Budget

# EXECUTIVE DEPARTMENT

## CONSOLIDATED FINANCIAL CHART FOR FY94 EXECUTIVE DEPARTMENT

	TOTAL FOR ALL FUNDS	Special General Fund	Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	3,359,684	2,367,955	367,561		624,168	
Health Benefits	336,216	238,942	37,698		59,576	
Retirement	495,377	328,614	62,740		104,023	
Other Fringe Benefits	34,752	25,497	2,803		6,452	
Other Contract Services—State	1,407,275	945,478	212,663		249,134	
Computer Services—State	168,797	107,342	1,102		60,353	
Other Contractual Service	1,043,193	770,877	105,140		167,176	
Rents	18,227	11,488	3,030		3,709	
Commodities	168,902	125,693	11,938		31,271	
Grants—Subsidies—Pensions	9,333,798	4,929,238	8,009		4,396,551	
Purchases of Land	961,852					961,852
Building Improvements	60,188	8,615	19,832		31,741	
Interest—Debt Retirement	20	20				
Transfers to Other Funds	62,061		23,730		38,331	
<b>TOTAL EXPENDITURES</b>	<b>17,450,342</b>	<b>9,859,759</b>	<b>856,246</b>		<b>5,772,485</b>	<b>961,852</b>

(OFFICE OF) GOVERNOR (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	837,706	837,706				
Health Benefits	65,182	65,182				
Retirements	85,290	85,290				
Other Fringe Benefits	13,062	13,062				
Other Contract Services—State	62,887	62,887				
Computer Services—State	11,599	11,599				
Other Contractual Service	262,165	262,165				
Rents	2,838	2,838				
Commodities	32,400	32,400				
Grants—Subsidies—Pensions	42	42				
Interest—Debt Retirement	1	1				
<b>TOTAL EXPENDITURES</b>	<b>1,373,172</b>	<b>1,373,172</b>				

EXECUTIVE DEPARTMENT

**MAINE COUNCIL ON ALCOHOL AND DRUG ABUSE  
PREVENTION AND TREATMENT**  
GRANVILLE HENTHORNE, CHAIRPERSON

*Central Office:* 24 Stone Street, Augusta

*Telephone:* 287-2595

*Mail Address:* State House Sta. #159, Augusta, Maine 04333

*Established:* 1973

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 155; Citation: 5 M.R.S.A., Sect. 2002

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine Council on Alcohol and Drug Abuse Prevention and Treatment, solely advisory in nature, was established to advise, consult and assist State Government officials and agencies on activities related to drug abuse prevention and treatment, including alcoholism.

**ORGANIZATION:** The Maine Council on Alcohol and Drug Abuse Prevention and Treatment was created by the 1973 Alcoholism and Drug Abuse Act. Legislation (P.L. 1983, c. 464) was enacted during Fiscal Year 1984, which expanded and strengthened the role of the Council by: (1) including representatives of community agencies served by the Departments of Corrections, Educational and Cultural Services, Human Services, and Mental Health and Mental Retardation, and (2) reinforcing the responsibility of the Council in the planning process through its direct access to the Governor and the newly established Office of Substance Abuse.

The Council is comprised of 30 members selected from the fields of corrections, education, health, law enforcement, manpower, medicine, mental health, mental retardation, science, social sciences, and related areas. Membership includes representatives of nongovernmental organizations or groups and of public agencies concerned with prevention and treatment of alcoholism, alcohol abuse, drug abuse, and drug dependence. At least 2 members of the Council must be current members of the Legislature, consisting of one member from the House of Representatives appointed by the Speaker of the House to serve at his pleasure and one member from the Senate appointed by the President of the Senate to serve at his pleasure.

The Governor designates the chairman from among the members appointed to the Council. The Council may elect such other officers from its members as it deems appropriate.

**PROGRAM:** During fiscal year 1992, the Council filed its written annual report and recommendations to the Governor, the Legislature, the Judicial Council and OSA with specific prioritized recommendation to each.

The Council continued to review Policy issues, co-sponsoring regional hearings on the Federal Block Grant application, and working through five continuing sub-committees on treatment, prevention, research, education and legal issues.

**FINANCES, FISCAL YEAR 1994:** 22 MRSA, Sect. 20062, provides that expenditures of this unit shall be borne by the Office of Substance Abuse and are, therefore, included in its financial display.

## EXECUTIVE DEPARTMENT

### OFFICE OF CHILD WELFARE SERVICES OMBUDSMAN

**Ombudsman—(Vacant) as of October 31, 1991**

*Central Office:* Stevens School, Flagg-Dummer Bldg., Hallowell

*Telephone:* 287-6540

*Mail Address:* State House Sta. #73, Augusta, ME 04333-0073

*Established:* 1989

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 417; Citation: 22 M.R.S.A., Section 4087

*Average Count—All Positions:* 2

*Legislative Count:* 2

**PURPOSE:** The Office of Child Welfare Services Ombudsman was established to represent the best interests of individuals involved in the State's child welfare system as a class and to investigate and resolve complaints against State Government Agencies that may be infringing on the rights of individuals involved in the State's child welfare system.

**ORGANIZATION:** The office of Child Welfare Services Ombudsman was enacted by 1987 Public Law Chapter 511, § A, 4, effective July 1, 1987. The Office, which is autonomous from any other state agency, was funded by the Legislature in January, 1989 and established within the Executive Department.

**PROGRAM:** The Child Welfare Services Ombudsman provides ombudsman services to individual citizens in matters relating to child welfare services provided by state government. The ombudsman advises, consults and assists the Executive and Legislative branches, especially the Governor, on activities of State Government related to child welfare; reviews and evaluates state and federal policies and programs relating to child welfare services for the purpose of determining the value and impact on individuals involved in the State's welfare system; conducts research, gathers facts and evaluates child welfare services procedures and policies; consults with and advises state agencies on operational and management issues; serves as a coordinator of communication and cooperation for all components of the State's child welfare system; makes referrals for services, when appropriate, and informs the public of the current status of the State's child welfare system.

#### **PUBLICATIONS:**

1989-90 Report of the Office of Child Welfare Services Ombudsman

1990-91 Report of the Office of Child Welfare Services Ombudsman

Informational Brochure: "How Can the Office of Child Welfare Services Ombudsman Help You?"

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF CHILD WELFARE SERVICES OMBUDSMAN	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contractual Service	263	263				
Commodities	260	260				
<b>TOTAL EXPENDITURES</b>	523	523				

## EXECUTIVE DEPARTMENT

# TASK FORCE ON DEFENSE REALIGNMENT AND THE ECONOMY

COMMISSIONER MICHAEL W. AUBE, CHAIR

*Central Office:* 219 Capital Street

*Telephone:* 624-6800

*Mail Address:* State House Sta. #130, Augusta, Maine 04333

*Established:* April 19, 1992

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 570; Citation: 5 M.R.S.A., Section 3307-E

**PURPOSE:** The Task Force on Defense Realignment and the Economy was established to monitor federal reductions in defense spending and to propose solutions and strategies to address the negative impacts of defense downsizing and defense realignment affecting the State. The Task Force is charged with the preparation of a statewide strategy and implementation plan to assist the State and its defense dependent industries, workers and communities to reduce defense dependency. Its responsibilities include coordination of funding, technical assistance and support to defense dependent regional and industry planning committees as well as coordination of State efforts toward the adoption of federal legislation and policies that support economic conversion and diversification planning. The Task Force also identifies and monitors available sources of federal funding for technical development, economic conversion and diversification planning.

**ORGANIZATION:** The Task Force was established in 1992 as part of the State Planning Office. In 1993, it was transferred to the Department of Economic & Community Development and is currently attached to the Department's Division of Economic Conversion.

The membership of the Task Force consists of the Director of the State Planning Office; the Commissioners of the Departments of Economic & Community Development, Labor, Professional & Financial Regulation, Defense and Veteran's Services; and the President of the Maine Technical Colleges system, all of whom serve as ex officio members. The Task Force also includes 1 Senator appointed by the President of the Senate and 2 members of the House of Representatives appointed by the Speaker of the House. There are eighteen public members representing the interests of the public, business, commerce, labor and local, regional, and federal government; nine of whom are appointed by the Governor, and nine of whom are jointly appointed by the President of the Senate and Speaker of the House.

Public and legislative members serve 2 year terms and may be reappointed. The Commissioner of Economic & Community Development is the chair of the Task Force. The Division of Economic Conversion, within the Department of Economic & Community Development, provides staff support to the Task Force.

**PROGRAM:** During FY '94 the Task Force met every other month, and made use of subcommittee work in order to further focus its efforts and expertise. Throughout the year the Task Force has received briefings and information from service providers as well as impacted workers, communities, and businesses, and has implemented a continuing program of visitation of impacted communities in order to identify needs and clarify issues facing Maine's defense dependent businesses, communities, military bases and facilities.

**FINANCES, FISCAL YEAR 1994:** By administrative decision, the expenses of this unit are included with those of the Office of Community Development.

## EXECUTIVE DEPARTMENT

### GOVERNOR'S BOARD ON EXECUTIVE CLEMENCY

MICHAEL L. RAIR, CHAIRMAN

*Mail Address:* State House Sta. #1, Augusta, Maine 04333

*Telephone:* 287-3531

*Established:* 1987

*Sunset Review:* Not Required

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 102J; Citation: Exec. Order 9 FY 86/87

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** As established by Executive Order 9 FY 86/87 on January 16, 1987, the Governor's Board on Executive Clemency is charged with the responsibility of investigating, evaluating and providing advice on all applications for gubernatorial clemency. The Board meets at the call of the Chairman no less than once every three months.

**ORGANIZATIONS:** The Governor's Board on Executive Clemency consists of three members who have demonstrated humanitarian concern as well as a thorough knowledge of the criminal justice system and who have demonstrated such qualities in their private and professional lives which assists them in evaluating the rehabilitation of persons convicted under our criminal justice laws.

The members of the Board are appointed by the Governor to serve at his pleasure.

**PROGRAM:** The Governor's Board on Executive Clemency reviews requests for pardons and commutations in order to determine a petitioner's eligibility for a hearing. After each hearing, the Board meets in executive session to discuss each petition and make recommendations to the Governor.

Information on Executive Clemency and petition forms are available from the Pardon Clerk, Office of the Secretary of State, State House Station #101, Augusta, Maine 04333.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the (Office of) the Governor.

### GOVERNOR'S SELECT COMMITTEE ON JUDICIAL APPOINTMENTS

*Policy:* 00; *Umbrella:* 07; *Unit:* 102P; *Citation:* GFY88, Sec. 4

**PURPOSE:** As established by Executive Order 5 FY 79, The Governor's Select Committee on Judicial Appointments is charged with the responsibility of reviewing, evaluating and providing advice on all applicants for judicial appointments. The Committee meets at the call of the chair.

**ORGANIZATION:** The Committee consists of five members who represent various interests in Maine's legal community. The members are appointed by the Governor and serve at his pleasure.



## EXECUTIVE DEPARTMENT

# MAINE LAND AND WATER RESOURCES COUNCIL

STEPHEN J. ADAMS, CHAIRMAN

*Central Office:* State Planning Office, Augusta

*Telephone:* 287-3261

*Mail Address:* State House Sta. 38, Augusta, Maine 04333

*Established:* March 19, 1976

*Sunset Review:* Not Required

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 102H; Citation: FY 81 Exec. Order 9

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The basic purpose of the Council is to advise the Governor, Legislature, and state agencies in the development of a comprehensive, integrated land and water resources planning and management program for Maine. The Governor's Executive Order, which established the Council, directed the Council to do the following: provide for a substantially improved land and water resources information base for planning purposes, develop a program to interpret and analyze this information base, evaluate Maine's land use regulatory system and recommend necessary improvements, provide direction to the State's comprehensive land use program, encourage inter-agency coordination of land and water resource programs through review of relevant agency work programs, recommend coordinated state policies for major proposals that transcend the concerns of any one agency, and seek cooperation of federal agencies to assure that their programs are in the best interest of the state.

**ORGANIZATION:** The Council was created by Executive Order No. 12 FY 75/76 on March 19, 1976. This Executive Order has been amended by Executive Order No. 9 FY 80/81.

The Council's membership consists of: the Director of the State Planning Office, who is the chair, the Commissioner of the Department of Agriculture, the Commissioner of the Department of Conservation, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Human Services, the Commissioner of the Department of Inland Fisheries and Wildlife, the Commissioner of the Department of Marine Resources, the Commissioner of the Department of Transportation, the Commissioner of the Department of Economic and Community Development, the Director of the State Energy Office, the Vice President for Research and Public Service, University of Maine; and the Chairman of the Regional Planning Commissions Directors' Association.

### PROGRAM:

#### HIGHLIGHTS OF ACTIVITIES

The Council continued to assist in coordination and policy development regarding the State's involvement in federal hydropower proceedings; in the State's Groundwater Protection Strategy, and in the Study of Flood Control.

**GROUNDWATER:** Management of the State's ground water resources continued to be a major focus of the Council's policy formulation activities. Since the late 1970s, Maine has made tremendous strides in identifying and responding to ground water pollution problems, eliminating threats to public health from ground water contamination, and gaining a better understanding of the character of the State's vital ground water resources.

The Ground Water Standing Committee first met in June 1985 and has six subcommittees that focus on selected tasks: Resource Use, Resource Protection, Ground Water Classification, Health Risk Assessment, Interagency Coordination, and Ground Water Education. Representatives from various industrial and trade associations and public advocacy groups with ground water interests serve on these subcommittees as well as state agency representatives.

A State Ground Water Coordinator staffs the Standing Committee, advises the subcommittees, and coordinates the overall implementation of State ground water policy and policy development efforts. Critical to the accomplishment of various recommendations has been hiring of four new professional staff, in addition to the State Groundwater Coordinator: a senior geologist at the Department of Environmental Protection, a hydrologist at the Department of Human Services, and two geologists at the Maine Geological Survey. These personnel enable the State to better accomplish its ground water protection goals.

In FY 90, the Maine Wellhead Protection Program became one of the first programs in the country to receive U.S. Environmental Protection Agency approval.

## EXECUTIVE DEPARTMENT

The Maine Groundwater Management Strategy addresses ten areas of groundwater management, as suggested by the National Groundwater Policy Forum and the U.S. EPA: 1) program coordination; 2) research; 3) classification; 4) data management; 5) contamination controls; 6) compliance evaluation and enforcement; 7) technical assistance; 8) emergency response; 9) education; and 10) public involvement. The appropriate members of the Council concur with the Strategy as the groundwater program of the state. The six groundwater agencies in Maine will implement the Strategy through appropriate administrative and legislative means.

**WATERFLOW:** In 1983, the Council's special Water Flow Management Committee reported a series of findings and recommendations to improve the State's existing flood prediction, response, and prevention programs and policies.

As a result of the Water Flow Management Committee's recommendations, the U.S. and Maine Geological Surveys have formed a permanent Water Flow Advisory Committee. This Committee, consisting of representatives from State and federal agencies and major dam operators throughout Maine, meets semi-annually to exchange information on precipitation, snow pack, and seasonal storage levels, to discuss flooding potentials; to issue a seasonal flood advisory; and to plan for measures to abate excess flows.

The Committee also recommended an in-depth analysis of the Kennebec River watershed as a prototype for similar studies of other rivers.

After the 100-year flood of April 1987, the U.S. Army Corps of Engineers received funding for four flood control studies on the Kennebec, Androscoggin, Saco, and Penobscot Rivers. State oversight was provided by the Committee.

**Data Management.** The Data Management Committee was established by the Council to address what all member agencies agree is a critical problem in natural resources policy implementation and coordination: the gathering, organizing, and dissemination of data necessary to guide policy and decision making. A groundwater data index was implemented in 1988-89 to serve as a source of current information on availability, location, and format of groundwater data in the State. The index serves as a "road map" to groundwater data, but does not store data.

**HYDROPOWER:** By Executive Order, the Council has established a process for coordinating state agency comments to the Federal Energy Regulatory Commission (FERC), on its notices of preliminary permits and licenses for hydropower projects. The Council established a Standing Committee to administer this procedure and to assure effective communication among the affected agencies.

Enactment of the Maine Waterway Development and Conservation Act in 1983 resulted in the consolidation of State hydropower permitting authority under the DEP and LURC. Because of the potential for conflict between the State hydropower permitting decision and the FERC licensing action, the importance of the Council's coordination procedure expanded to assure a consistent assertion of a single State position before FERC.

The FERC Coordinating Committee has recently been charged by the Council with coordinating and developing State policy on the pending federal relicensings of many of the State's major hydropower facilities. This promises to be a major undertaking over the next few years. The Committee produced a volume of state agency hydropower policy statements in 1988.

In 1987, Maine received FERC acceptance of its comprehensive hydropower plan as a guide for federal hydropower licensing decisions.

A report providing basic information on hydropower potential at sites in Maine without existing dams was completed in 1989. No prior analysis of the raw hydropower potential based on topographic hydrologic conditions had been undertaken.

### PUBLICATIONS:

A Management Strategy for Maine's Ground Water Resources  
Recommended Improvements in Computerized Management of Natural Resources Information  
Recommendations of the Ground Water Protection Commission  
Assessment of Ground Water Quantity in Maine  
Interim Report of the Hydropower Study Subcommittee  
Maine State Agency Hydropower Policy Statements  
Maine Wetlands Conservation Priority Plan  
The Planning Process for Local Groundwater Protection  
Maine Groundwater Data Management Study Phase II: Evaluation of Groundwater Data Management Systems  
Maine Groundwater Management Strategy—June 1989

## EXECUTIVE DEPARTMENT

Feasibility Study of Maine's Small Hydropower Potential—January 1989  
Maine Hydropower and Relicensing Status Report—January 1989  
Protecting Prime Sites for Water Dependent Uses—March 1989  
State Groundwater Data Management System—Phase I Study—January 1987

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the State Planning Office.

## LAND FOR MAINE'S FUTURE BOARD

**STEPHEN J. ADAMS, CHAIRMAN**  
**JAMES R. BERNARD, COORDINATOR**

*Central Office:* State Planning Office, Augusta

*Telephone:* 287-3261

*Mail Address:* State House Sta. 38, Augusta, Maine 04333

*Established:* November, 1987

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 113; Citation: 5 M.R.S.A., Chapter 6202

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Land for Maine's Future Board is to administer a \$35 million bond fund to acquire land of state significance representing Maine's heritage of recreational and conservation use.

**ORGANIZATION:** The Board was created by referendum in November 1987 to acquire land over a four-year period. The Board overseeing the fund consists of eleven members (5 MRSA Chapter 353 §6204), six of whom are private citizens and five of whom are state agency commissioners. State agency membership consists of the Director of the State Planning Office, the Commissioner of the Department of Agriculture, Food & Rural Resources, the Commissioner of the Department of Marine Resources, the Commissioner of the Department of Conservation, and the Commissioner of the Department of Inland Fisheries & Wildlife.

**PROGRAM:** The Board has been meeting monthly since February 1988 and has a bi-monthly newsletter, *Gaining Ground*. The Board was charged to complete, by June 1988, an assessment of the State's public land acquisition needs. The needs assessment was composed of five parts: public participation/outreach; a review of data bases significant to acquisition; an assessment of communications from Maine citizens to the Board; creation of a map of state public lands; and a summary of existing acquisition programs.

Nine workshops were held around the state in April and May 1988 to better determine the interests and needs of the public. A questionnaire for workshop participants was developed and the results entered into a data base.

The Board also created the first set of maps of state and federal conservation ownership in Maine by March 1989.

By September 1988, the Board successfully met the legislative mandate of developing a land acquisition strategy and guidelines.

All land acquired is to be of State significance and contain:

- recreation lands;
- prime physical features of the Maine landscape;
- areas of special scenic beauty;
- farmland or open space;
- undeveloped shoreline;
- wetlands;
- fragile mountain areas;
- habitat for plant or animal species or natural communities considered rare, threatened or endangered; or

## EXECUTIVE DEPARTMENT

- lands providing public access to recreation opportunities on the lands listed above.

A scoring system has been devised to enable LMFB to decide the priority for acquisition among proposals. The scoring system assigns points according to the relative values of five criteria: the naturalness of the land; the accessibility of the land; proximity of other state lands; land category-significance and need; and multiple values.

Based on the needs assessment process, the priorities of the LMFB continues to focus on water access lands and lands supporting vital ecological or conservation functions and values. Coequal with the lands above are recreational lands, especially those lands offering hunting and fishing opportunities or trail corridors.

**Acquisition Summary:** Prior to FY 91, the Board had acquired the following properties for the amounts listed to be managed by the listed titleholding agency:

- **Kennebunk Plains**, 1,041 acres, \$2.06 million plus \$373,398 in matching funds and \$540,000 in matching property (105-acre Taunton Bay) both managed by Inland Fisheries and Wildlife;
- **Dodge Point**, 497 acres and 7,000 front feet of shoreline, \$2.05 million plus \$300,000 matching funds, Bureau of Public Lands;
- **Shackford Head**, 90 acres and 2.5 miles of shoreline, \$525,000 plus \$35,000 in matching funds, Bureau of Parks and Recreation;
- **Sandy Point Beach**, 100 acres and 3,000 front feet of shoreline, \$822,125 plus \$35,000 in matching funds, Bureau of Parks and Recreation;
- **Cutler Coast**, 2,100 acres and 4.5 miles of shoreline, \$2.5 million, Bureau of Public Lands;
- **Tide Mill Farm**, 1,523-acre conservation easement and 5.25 miles of shoreline, \$1.075 million, Inland Fisheries and Wildlife;
- **Commissary Point**, 200 acres in fee and 50 acres in easement and 2 miles of shoreline, Inland Fisheries and Wildlife;
- **Alice Wheeler Farm**, 306 acres purchase of development rights and easement, \$380,000, Department of Agriculture, Food and Rural Resources;
- As part of a 37,952-acre, \$11.7 million deal, the following seven properties were acquired:  
**Nahmakanta and Rainbow Townships**, 26,692 acres and 42.25 shoreline miles, Bureau of Public Lands;  
**Androscoggin River**, 2,262 acres and 12 shoreline miles, Bureau of Parks and Recreation;  
**Mattawamkeag River**, 4,119 acres and 4 shoreline miles, Inland Fisheries and Wildlife;  
**Mattagodus Stream**, 1,425 acres and 4 shoreline miles, Inland Fisheries and Wildlife;  
**Little Ossipee River**, 300 acres and 1 shoreline mile, Inland Fisheries and Wildlife;  
**Sabattus Mountain**, 90 acres, Bureau of Parks and Recreation; and  
**Little Concord Pond**, 64 acres, Bureau of Parks and Recreation.
- **Morgan Meadow**, 1,072 acres, \$650,000, Inland Fisheries and Wildlife.

During FY 91 and FY 92, the Board acquired the following properties:

In August 1991, the Board obligated \$225,000 supplemented by cash matching funds in the amounts of \$150,000 from the Bureau of Parks and Recreation, \$10,000 from the Pownal Land Trust, and \$15,000 from the town of Pownal to purchase a 100-acre addition to **Bradbury Mountain State Park**.

With negotiation assistance from The Nature Conservancy, the Board has acquired 1,117 acres on the ridgetops of **Mount Agamenticus** in the towns of York and South Berwick. The individual transactions are listed below. All properties are managed by the Department of Inland Fisheries and Wildlife.

- Amoskeag Corporation, 266 acres, \$175,250, February 1990.
- Paul property, 144 acres, \$108,000, February 1991.
- Ramsdell property, 55 acres, \$41,250, February 1991.
- Weare property, 8 acres, \$6,000, June 1991.
- Parent property, 600.3 acres, \$429,153, December 1991.
- McAlpine property, 43.4 acres, \$26,040, November 1992.

In March 1991, the Board obligated \$300,000 toward the bargain sale purchase of 550-acre **Jamies Pond** including 10,500 front feet of shoreline in the towns of Hallowell, Manchester, and Farmingdale from the Hallowell Water District. \$125,000 from the town of Hallowell and \$25,000 from an anonymous citizen in cash matching funds were contributed to the purchase. The Department of Inland Fisheries and Wildlife is the titleholding agency.

The 20-acre **Walker property** inholding in the Androscoggin River property in Turner was acquired in June 1991 for \$20,000.

## EXECUTIVE DEPARTMENT

In June 1991, 980 front feet of high-quality sand beach on **Sebago Lake** and 35 acres of white pine in the town of Raymond were acquired for \$1,250,000 and is managed by the town under a contract with the Bureau of Parks and Recreation.

In the Board's first rails-to-trails purchase, \$125,000 was obligated in October 1991 to acquire 18 miles of abandoned **Aroostook Valley Railroad Right-of-Way** connecting the towns of Washburn, Caribou, and New Sweden to be managed by the Bureau of Parks and Recreation.

An additional 87 acres were acquired for \$63,602 in December 1991 to be added to the **Sabbatus Mountain** property.

With the assistance of The Nature Conservancy, 24-acre **Mark Island** in Casco Bay with 1 mile of shoreline considered the most valuable seabird and great blue heron nesting island in southern Maine was acquired in March 1992 for \$90,000. A 12-acre property with 3,500 front feet valued at \$40,000 known as the **South Lubec Sand Bar**, a valuable resting area for migratory shorebirds in Cobscook Bay, was contributed as match. Both properties will be managed by Inland Fisheries and Wildlife.

In March 1992, 536 acres and 4 miles of shoreline in the **Forest City** township on Spednic Lake were acquired from Georgia-Pacific Corporation for \$272,000 to maintain outdoor recreation opportunities including hunting, fishing and canoeing. Inland Fisheries and Wildlife will manage the property.

In June 1992, the Board obligated \$80,000 toward the purchase of an additional 9 acres for the **Dodge Point** property supplemented by \$90,000 from the Damariscotta River Association and \$80,000 from the Bureau of Public Lands in cash matching funds.

In June 1992, the Board obligated \$355,000 toward the purchase of 254 acres and 8,070 front feet on **Lake George** in the towns of Skowhegan and Canaan to be matched by \$495,000 from the Bureau of Parks and Recreation to enable the development of a water-recreation oriented park in central Maine.

In January 1993, the Board obligated \$350,000 to purchase 235 acres and over 12,000 front feet on Cobscook Bay in the town of Lubec known as **Horan Head** in a project negotiated by The Nature Conservancy. The headland drops steeply into malachite-green water and serves as waterfowl and bald eagle habitat. Management will be by the Department of Inland Fisheries and Wildlife.

Through June 30, 1993, some 48,842 acres of land including nearly 105 miles of shorefrontage had been acquired by the obligation of \$27,047,323 from the \$35 million Land for Maine's Future Fund. Cash matching funds in the amount of \$2,428,398 have been received from state, federal, municipal, and private sources as well as \$620,000 in matching property and \$295,000 in-kind or cash contributions toward management enabling the Board to significantly extend the impact of the bond funds.

The Board has obligated or spent \$1,173,330 undertaking associated appraisals of property, surveys of land, environmental tests, legal services, archeological surveys, and access improvements. Under a provision of the LMFB companion legislation allowing the expenditure of up to 5% of the appraised value of any property acquired for access improvements, the Board has reserved an additional \$726,945 to enhance access. Obligations and reservations from the fund total \$28,946,668.

A Biennial Report to the Legislature was completed in February 1990 detailing the Board's actions. A second Biennial Report to the Legislature will be completed in August 1993.

### PUBLICATIONS:

Land for Maine's Future Fund Strategy & Guidelines for Acquisition—September 1988, revised August 1990.

Land for Maine's Future Fund Proposal Workbook—September 1988, revised May 1989.

Maine Land in State and Federal Conservation Ownership—A Guide to the Maps—August 1993.

Land for Maine's Future Board Biennial Report—February 1990, updated August 1990.

Land for Maine's Future Board Second Biennial Report—August 1993

Land for Maine's Future Program Brochure—January 1992, revised May 1993.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## EXECUTIVE DEPARTMENT

LAND FOR MAINE'S FUTURE BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
EXPENDITURES						
Purchases of Land	1,430,232					1,430,232
<b>TOTAL EXPENDITURES</b>	<b>1,430,232</b>					<b>1,430,232</b>

## GOVERNOR'S MUNICIPAL ADVISORY COUNCIL

**CHERYL LEEMAN, CHAIRMAN**  
**DANA CONNORS, Liaison**

*Central Office:* State House, Augusta; *Floor:* 2

*Telephone:* 287-3531

*Mail Address:* State House Sta. #1, Augusta, Maine 04333

*Established:* 1979

*Sunset Review:* Not Established

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 102S; Citation: Exec. Order 14 FY 87

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Governor's Municipal Advisory Council ensures a partnership between the chief executive and local governments, enhancing prospects for achieving mutually-held objectives and providing a forum for discussion and resolution of potential conflicts. The Council's duty is to advise the Governor on matters which it feels have substantial impact on the future development of municipalities and the quality of life of their residents. The Council's purpose is to improve mutual understanding and to forge a foundation for more creative and practical solutions to the problems confronting municipalities.

**ORGANIZATION:** The Council consists of twelve members, all of whom are municipal officials representative of all areas of the State. Included in the Council membership are the President of the Maine Municipal Association, and representatives from the Maine Conference of Mayors, Maine Town and City Management Association, Maine Town and City Clerks' Association, Maine Association of Regional Councils, and Maine Association of Assessing Officers. Six other members are appointed for two year terms by the Governor. The Executive Director of the Maine Municipal Association serves as ex-officio. The council is required to meet at least four times a year.

**PROGRAM:** The Governor's Municipal Advisory Council meets with the Governor every two to three months to discuss critical municipal concerns regarding such things as the Governor's legislative program, highway funding, the level of state-local funding, and the status of various programs of local concern.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

EXECUTIVE DEPARTMENT

**GOVERNOR'S COUNCIL ON  
PHYSICAL FITNESS & SPORTS**  
COLEEN RIOUX, ASST. CHAIR

*Mail Address:* State House Sta. #18, Augusta, Maine 04333

*Established:* January 31, 1992

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 102K; Citation: Exec. Order. 13 FY 92

**PURPOSE:** The purpose of the Council is to make recommendations to the State regarding physical fitness initiatives and to facilitate projects that will improve the physical fitness of Maine students.

**ORGANIZATION:** The Council may have up to twenty members, representing a broad spectrum of interest groups that include but are not limited to the business community, the elementary and secondary school system, health and medical professions and sports fitness organizations. The Chair will be appointed by the Governor and will serve at his pleasure. The Department of Education will assist in staffing the Council, when possible.

1. Recommend to the Governor and the Legislature initiatives regarding physical fitness.
2. Initiate programs that will provide greater physical fitness opportunities for Maine students.
3. Act as a liaison for national organizations and interest groups.
4. Raise public awareness of physical fitness initiatives.
5. Facilitate collaboration among schools, business, industry and physical fitness advocates.
6. Identify issues appropriate for legislative and administrative action.
7. Supplement and complement activities of the President's Council on Physical Fitness and Sports.

**Funding:** Members of the Council shall serve without compensation. Funding of Council activities shall be raised from private sources.

**PROGRAM:** On May 4, 1993, we held a Legislative Fitness Day in the State Capitol building. Council members spoke during the year on physical fitness to a number of groups such as the Maine Alliance for Health, Physical Education, Recreation and Dance.

**PUBLICATIONS:** Numerous federal publications on physical fitness available in Office of Chair during normal business hours.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend state funds.

**STATE PLANNING OFFICE**  
STEPHEN J. ADAMS, DIRECTOR

*Central Office:* 184 State Street, Augusta

*Telephone:* 287-3261

*Mail Address:* State House Sta. 38, Augusta, Maine 04333

*Established:* 1968

*Sunset Review Scheduled to Start by:* June 30, 1991

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 105; Citation: 5 M.R.S.A., Sect. 3303

*Average Count—All Positions:* 36.5

*Legislative Count:* 15.0

*Organizational Units:*

Natural Resources Policy Division  
Economics and Energy Policy Division

Management Division

## EXECUTIVE DEPARTMENT

**PURPOSE:** The State Planning Office is responsible for functions which include research, analysis and the formulation, coordination, and management of policy. The State Planning Office assists the Governor and other state agencies in the development of economic, energy, fiscal and regulatory policy; the management of the State's natural and physical resources; the identification of issues and problems of long-term significance to the State; and the coordination of state policy and its implementation on issues of interagency concern.

**ORGANIZATION:** The State Planning Office was established by statute in 1968 as an agency of the Executive Department, assuming certain planning-oriented duties assigned to the former Department of Economic Development. Responsibilities and functions delegated to the Office in addition to its original statutory duties include State Government Reorganization and Water Resources Planning, in 1969; Coastal Zone Act, in 1971; Critical Areas Register and Advisory Board, in 1974; additional economic planning and analysis responsibilities (from the disbanded Department of Commerce & Industry) in 1975; coordination of state responses to the Federal Energy Regulatory Commission hydropower relicensing process in 1987; administration of the Land for Maine's Future land acquisition program in 1987; and comprehensive river resource management planning in 1989. Other organizational activities assigned by Executive Order or designation by the Governor are the Land and Water Resources Council, Maine-Canadian trade analysis, federal activities impact coordination, and Coastal Energy Impact Program administration. In 1989, the Office of Energy Resources was abolished and its energy planning responsibilities were transferred to the State Planning Office.

**PROGRAM:** The mission of the State Planning Office is threefold: 1. *short term issue analysis:* to meet in a timely fashion the requests of the Governor, executive agencies, and the Legislature for information, economic analysis, and policy recommendations on issues of immediate concern; 2. *long range policy analysis:* to conduct in-depth studies on issues of long range significance for the socio-economic and natural resource development of the State and to formulate policy recommendations for state decision makers; and 3. *program coordination:* to maintain current information on development plans and on state and federal development assistance programs, to formulate state positions on the best use of these programs and to coordinate federal, state, and local development efforts. The Office also administers the Maine Coastal Program under the Federal Coastal Zone Management Program, the Maine Critical Areas Program and the Land for Maine's Future Fund.

*Management Division.* The Management Division directs the development and coordination of major policy initiatives as requested by the Office Director or Governor, coordinates planning and policy implementation among the state agencies, and provides general management services to the Office.

The Division is responsible for the coordination of the hydropower permitting process and administering the State's National Community Service Grant Program. Principal policy work during the past year focused on interpretation of the federal Free Trade Agreement, economic defence realignment, electric utility, and telecommunications initiatives. Management functions include legislative affairs, budget, accounting and personnel.

*Economics and Energy Policy Division.* The Economic and Energy Policy Division conducts and coordinates short- and long-term state economic and energy policy development and analysis. The Division also provides a variety of technical information services for use by the Governor, Legislature, state agencies and the public.

The Division monitors the Maine economy and analyzes the State's economic structure and dynamics. It publishes the *Quarterly Economic Report* on the condition of the Maine economy, the *Retail Sales Quarterly Report* on retail trade and an annual review and outlook for the Maine economy. This year the Division published the *Long Range Economic Forecast* for the State. To support its analytic capacity, the Division coordinates and maintains mathematical models for both long-range and short-range and economic simulations. The Division also publishes occasional topical studies.

The Division coordinates Intergovernmental Review, the federal review process which replaced A-95 Review. Intergovernmental Review encompasses grant applications by state government and others; federally required state plans; and federal projects, including Environmental Impact Statements and notices of U.S. Government Surplus Property. The Division coordinates this review by publishing a bi-weekly bulletin.

The Division has responsibility for articulating policies for the wise development of Maine's energy resources and for the development of a biennial energy plan. The Division conducts periodic fuel price surveys, administers the allocation of oil overcharge funds, and designs and administers fuel allocation programs during emergencies. The Division represents Maine in regional and national energy policy organizations and the federal government.



## EXECUTIVE DEPARTMENT

*Natural Resources Policy Division.* The Natural Resources Policies Division performs natural resource policy analysis and coordinates natural resources policy planning within state government. The Division is headed by a director and consists of a multi-disciplinary staff focusing on diverse issue areas. Basic program areas are: coastal management, marine policy, critical areas, land acquisition, river resource management planning, and policy development and analysis of the State's natural resources.

In 1991, the Division by consensus adopted the following Mission Statement:

To devise policies, plans, and strategies that will:

- ensure the wise use of Maine's natural resources and maintain environmental quality for the benefit and enjoyment of current and future generations;
- ensure conservation of the natural resource base, which underlies the State's economic well-being; and
- to protect the intrinsic ecological values and functions of natural systems.

To these ends, the Division will:

- identify the limits within which natural resource can be sustained;
- promote, through acquisition or other means, protection of unique natural areas;
- encourage appropriate public access;
- facilitate interagency coordination; and
- inform, educate and advise public officials, the media, and the general public.

Natural resources policy analysis includes the examination and study of specific issues as directed by the Governor or the Legislature and as requested by other agencies. During the fiscal year major policy research and planning topics included nonpoint source pollution, lake management, comparative risk assessment, aquaculture, estuarine management, public access, river management, and outdoor recreation. In FY 90, the Division, in cooperation with other agencies, completed a comprehensive plan for Moosehead Lake. In FY 91, the economic value of Casco Bay was calculated and a design study for a system of ecological reserves was completed. In FY 92, a Kennebec River Resource Management Plan was developed.

*Coastal Program:* The Coastal Program consists of projects and activities designed to achieve a balance between the conservation of coastal resources and their wise utilization for the economic benefit of Maine people. For the past 13 years, Maine has received an annual grant from the U.S. Department of Commerce's Office of Ocean and Coastal Resources Management; FY 93 annual grant was \$1.7 million. The State Planning Office provides a focal point for coastal activities of the State, Regional Planning Commissions, and local governments.

The Coastal Program provided funds to several state agencies during FY 93 to address various public policy issues of statewide significance. For example, the Program provided funds to the Maine Department of Environmental Protection (DEP) to support nine staff positions. This additional support enabled the DEP to assist developers to apply for permits more efficiently and assure greater compliance with the State's environmental laws. Examples of other issues addressed through special projects include the development of public assistance announcements to raise public awareness concerning growth in the State. The Coastal Program also coordinates annual Coastweek events, including a voluntary beach cleanup program. A Clean Water Conference was successfully carried out this fiscal year.

A large portion of Maine's Coastal Program funds are granted to coastal communities to conduct coastal resource management projects. The local grants portion of the Coastal Program complements State efforts to address significant public policy issues, improve the implementation of State laws and programs, and foster economic development. Communities use these small grants to support projects related to local land use issues (e.g. shoreland protection and land use ordinances), economic development (e.g. ports, harbors, waterfronts and fish piers), recreation and access (e.g. park developments and parking facility planning). These grants enable towns to resolve conflicts and capitalize on opportunities to make the best use of their coastal resources. This results in better management of and improved protection for these irreplaceable resources as well as additional quality jobs for Maine people. Coastal funds for local waterfront acquisition and improvements were available to coastal communities for the first time in 1986.

In addition to local grants, the Coastal Program provides financial support for essential technical information and planning services provided by the SPO and regional planning commissions to local governments. This effort is aimed primarily at decision-makers on the local level who are charged with the local land use regulation responsibilities.

Under auspices of the Coastal Program and with federal funding support, in FY 88 the SPO launched a Gulf of Maine Initiative comprised of four parts: development of a Gulf of Maine Agreement on environmental matters among the Gulf of Maine states and provinces; organization of a Governors and Premiers Gulf of Maine conference; production of a Gulf of Maine Environmental trends and conditions

## EXECUTIVE DEPARTMENT

report; and development of a multilateral Gulf of Maine environmental monitoring program. Natural Resources Policy Division staff served to facilitate this work through a Gulf of Maine Working Group composed of representatives from Maine, New Hampshire, Massachusetts, New Brunswick and Nova Scotia.

In FY 90, a conference—"The Gulf of Maine: Sustaining Our Common Heritage"—organized by SPO, discussed Gulf issues and served as the venue for the signing of an "Agreement on Conservation of the Marine Environment of the Gulf of Maine" by the bordering states and provinces. The Agreement established a Gulf of Maine Council of the Marine Environment and calls for a Gulf of Maine Action Plan that was completed in FY 91 by SPO staff in cooperation with state, provincial and national agencies.

### PUBLICATIONS:

The following is a partial listing of State Planning Office publications.

- Coastlinks: A Resource Guide to Maine's Marine-Related Organizations — 1988
- An Ecological Reserves System for Maine—1993
- The Economic Value of Casco Bay—1992
- The Estuary Book—January 1991
- The Estuary Profile Series—January 1991
- The Gulf of Maine: Sustaining Our Common Heritage
- The Gulf of Maine: Conference Proceedings
- Kennebec River Resource Management Plan—1993
- Long Range Economic Forecast
- The Maine Economy: Year End Review and Outlook, 1993
- Maine Coastal Program: The First Decade and Beyond
- Maine Retail Sales Quarterly
- The Productivity Imperative and the New Maine Economy
- State of Maine Economic Report—Quarterly
- State Nuclear Safety Report—March 1991
- The Gulf of Maine Action Plan—July 1991
- Comprehensive Land Use Plan for the Moosehead Lake Region
- Maine's Finest Lakes: The Results of the Maine Lakes Study
- Public Access to the Maine Coast—August 1986
- The Penobscot Bay Conservation Plan—March 1987
- Maine Aquaculture Development Strategy
- Guide to Federal Consistency
- Coastal Choices: Deciding Our Future — 1988
- Land Use and Cumulative Impacts of Development: A Study Summary — December 1987
- A Dredge Management Study for Maine—Reprinted March 1989
- Waterways

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE PLANNING OFFICE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,062,600	569,621	101,204		391,775	
Health Benefits	99,082	55,230	9,797		34,055	
Retirements	163,216	81,713	15,515		65,988	
Other Fringe Benefits	9,763	4,154	1,021		4,588	
Other Contract Services—State	137,185	24,030	7,041		106,114	
Computer Services—State	11,409	6,936			4,473	
Other Contractual Service	240,728	92,410	43,014		105,304	
Rents	8,778	2,873	2,196		3,709	
Commodities	34,475	13,402	4,096		16,977	
Grants—Subsidies—Pensions	207,895	1,032			206,863	
Building Improvements	34,212		4,991		29,221	
Transfers to Other Funds	28,816		6,356		22,460	
<b>TOTAL EXPENDITURES</b>	2,038,159	851,401	195,231		991,527	

## EXECUTIVE DEPARTMENT

### (OFFICE OF) PUBLIC ADVOCATE

STEPHEN G. WARD, PUBLIC ADVOCATE

WILLIAM C. BLACK, GENERAL COUNSEL

*Central Office:* State Office Bldg., Augusta; *Floor:* 7, Room 705

*Telephone:* 287-2445

*Mail Address:* State House Sta. #112, Augusta, Maine 04333

*Established:* June 19, 1981

*Reference:* *Policy Area:* 00; *Umbrella:* 07; *Unit:* 413; *Citation:* 35-A M.R.S.A. Section 1701,  
24-A M.R.S.A. Section 2363(9)

*Average Count—All Positions:* 7

*Legislative Count:* 7

#### PURPOSE:

The fundamental goals and objectives of the Public Advocate's office are to represent the interests of the consuming public in utility-related proceedings before the Public Utilities Commission, federal agencies and the relevant courts, and to represent the public in matters relating to workers' compensation insurance rate proceedings before the Superintendent of Insurance and the courts.

This year the Public Advocate's office completed its twelfth year of advocacy on behalf of utility consumers before Maine's Public Utilities Commission.

#### SUMMARY OF MAJOR ACHIEVEMENTS IN FISCAL YEAR 1993-1994

While the State continued to experience very sluggish rates of economic growth during 1993-1994, regulatory issues—particularly concerning the pricing of electricity—moved to center stage at the Legislature, in the media and at the PUC. Chief among the events provoking public ire and consumer involvement was CMP's request for a \$95 million increase in electric rates, filed in March 1993 and planned to take effect at the start of the winter heating season in December 1993.

The Public Advocate's Office was actively involved on numerous fronts in opposing CMP's request: as a litigant in the PUC's hearing room during 6 weeks of hearings and depositions, as a coalition member in an active campaign of press conferences (along with an array of environmental, senior citizen and industrial representatives) and as an appellee before the Maine Supreme Court when CMP challenged—on two separate occasions—the PUC's final rate increase decisions. The PUC's most noteworthy accomplishment in its final rate decision was its disallowance of more than \$25 million of expenses due to inadequate management and cost controls at CMP. This was an outcome we had strongly supported.

#### A. ELECTRIC CASES AT THE PUC AND FERC

1. **Central Maine Power Rate Case**—Our involvement in CMP's \$95 million rate increase request was a major preoccupation throughout the 1993/94 fiscal year. One highlight of the 1993 summer was testimony of members of the public at six locations across CMP's territory in July. Large crowds turned out to provide testimony in opposition to CMP's \$95 million rate increase request, the biggest ever filed at the PUC.

On July 14 CMP filed its rebuttal testimony disputing the conclusions of an independent management audit which had identified the potential for significant cost savings at CMP. The audit report identified \$17.5 million in potential savings.

After months of hearings, cross-examination and argument in this major case, we filed on October 14 our brief at the PUC with final recommendations for a rate increase for Central Maine Power, effective December 1. In contrast to CMP's request (revised down to \$82 million), we proposed that rates be increased by \$19 million, less the value of implementing a series of cost-saving measures identified in the management audit of CMP. Deducting the full amount of these potential savings from our witnesses' \$19 million recommendation would have resulted in a rate increase amount which is insignificant—\$2 million or less.

On November 23 the PUC announced its final decision in the CMP rate case, granting a \$26 million increase in CMP's rates (approximately a 3% increase) to take effect with December bills.

2. **CMP's Appeal to the Maine Supreme Court**—On December 27, CMP appealed the PUC's rate increase decision to the Maine Supreme Court, and appealed as well a related decision to impose a \$4 million penalty for poor management of CMP's purchased power contracts. On December 17, Chief Justice Wathen of the Law Court heard formal arguments from CMP as to why the PUC's order approving a \$26 million rate increase should be modified at least

## EXECUTIVE DEPARTMENT

temporarily—to raise the increase amount to be \$30 million. Along with the PUC Staff, we argued that CMP should not be granted the \$4 million increase while the appeal was being considered at the Law Court.

On December 20 the Chief Justice released his decision which granted CMP's request for a stay of the \$4 million penalty while arguments were pending before the Law Court. Largely in order to avoid the substantial risks of an adverse decision in the Law Court, on March 22 we filed with the PUC an agreement signed by CMP and ourselves (subsequently signed by the Alliance to Benefit Consumers, Bath Iron Works and the Industrial Energy Consumer Group and endorsed the AARP and the Neighborhood Action Coalition) which called for the withdrawal of both of CMP's recent appeals to the Law Court. The March 22 agreement also called for a one-time reduction in fuel rates of \$5 million on July 1, and a \$5.5 million write-off of recent expenditures incurred by CMP to buy-out a long-term private power contract. In exchange, CMP received assurance of no further prudence disallowances with respect to three major private power contracts and was guaranteed an October 1, 1994 completion date for all remaining prudence issues pertaining to private power contracts.

Following a hearing on April 1, the PUC voted unanimously on April 4 to approve the multiparty settlement which we had negotiated with CMP. On June 8 the Law Court formally approved the dismissal of the two CMP appeals.

3. **An Alternative Rate Mechanism for CMP**—When the PUC Commissioners began their final deliberations in November in the CMP rate case, they also considered a related set of issues: irrespective of the size of any one-time increase in CMP's rate for 1993, should the Commission authorize a multi-year rate plan with incentives for better cost management by CMP and with greater pricing flexibility?

Our June 15 testimony filed at the PUC opposed implementation at this time of an alternative rate plan for Central Maine Power. Our witnesses contended that the expected path of electricity prices over the 1995 to 2000 period is for an actual *decline* in electricity costs, whether or not a price cap form of regulation is implemented. In these circumstances, we argued that it is not evident that customers will benefit from any drastic lowering of electricity costs as a result of an alternative rate plan, particularly if it locks in high prices over a five-year period.

4. **Bangor Hydro's 1994 Rate Case**—In March 1993, Bangor Hydro filed a \$22 million rate request amounting to a 17% residential increase if it were to be approved in full by the PUC.

On December 22 we filed our 150-page brief proposing that the PUC approve a \$1.7 million rate increase for Bangor Hydro, to take effect in March, instead of the \$18 million which Bangor Hydro has requested. We argued strongly in our brief that it is fundamentally inconsistent for the PUC to subject Bangor Hydro to close scrutiny over management's control of costs but then pre-approve 100% of the Company's budget for 1994.

On February 14 the PUC formally approved an increase in Bangor Hydro's rates of eleven million dollars—the majority (at \$7 million) of which corresponded to projected losses of earnings in 1994 and 1995. Residential rates increased by approximately 9% on March 1, 1994.

5. **Public Advocate Appeal of BHE Order**—On June 15 we filed our formal notice with the Maine Supreme Court initiating an appeal of one aspect of the PUC's February decision to grant Bangor Hydro an \$11 million increase: the \$7 million portion corresponding to expected earnings attrition in 1994 and 1995. This represents only the second time in 12 years that the Public Advocate has appealed a PUC order. Our concern is that the PUC's final order freely acknowledged that Bangor Hydro failed to provide adequate evidence supporting forecasted sales to industrial customers in 1994 and 1995 but nonetheless determined that Bangor Hydro's overall sales in those years will not cover costs.
6. **CMP Avoided Cost/Marginal Cost Case**—In the summer of 1993 we participated in a lengthy and analytical review of CMP's costs of generating and distributing electricity over the next decade. We essentially argued that the fundamental principles of CMP's current rate design should remain in place due to a substantial degree of uncertainty underlying the existing surplus of generating capacity in New England. In its final decision in the case, the PUC Commissioners essentially adopted in virtually every respect the arguments made in our brief and presented either by our witness or the PUC's Staff's own witnesses.
7. **CMP Exempt Wholesale Subsidiary**—On December 8 we took part in a pre-hearing conference in the case at the PUC concerning CMP's proposal for creating a wholesale generation subsidiary. CMP wants to have the freedom to participate in the emerging market for competitive power sales. We are concerned that, without adequate precautions, CMP's

## EXECUTIVE DEPARTMENT

ratepayers could end up footing the bill for ill-considered wholesale transactions—either as a result of negative effects on CMP's financial health or through self-dealing in instances where the subsidiary sells power to CMP at costs higher than otherwise available. In June after months of formal litigation and informal negotiation, we came to terms on the conditions under which we believed that CMP's ratepayers were fully protected from CMP's operation of a generation subsidiary.

8. **CMP Low-Income Rate Programs**—In early August 1993 and again in summer 1994 we met with other interested parties for discussions of changes in the design of CMP's Electricity Lifeline Program for low-income customers. Similar meetings occurred with Bangor Hydro and Maine Public Service.
9. **AIRCO Gases Contract with CMP**—In a brief filed August 17 we argued that a discount contract between CMP and AIRCO (a major user for electricity in the production of certain gases used for manufacturing) should be conditionally approved, subject to tightened provisions restricting AIRCO's ability to unilaterally terminate the contract. On August 19 the PUC Commissioners adopted our argument, including the 5-part standard we recommended be used in similar cases in the future.
10. **Investigation of CMP's Contracts with Private Power Producers**—In August we filed a 70-page brief in the PUC investigation of CMP's management of contracts with private power producers. We joined with the PUC Staff in arguing that in the case of two recent contracts (CMP's contract with AEI for a wood chip unit in Livermore Falls and with MMWAC for a trash incinerator in Auburn) CMP had missed opportunities for cancelling the contract due to the failure of project developers to satisfy financial pre-conditions.

On October 5 the PUC Commissioners adopted major portions of our argument. The PUC accepted the argument that ratepayers had been injured by CMP's lack of diligence but disagreed as to the proper remedy for this injury. In contrast to the Examiners' recommendation that recoverable contract expense in the fuel clause be reduced approximately \$3.5 million per year, the PUC Commissioners decided instead to reduce the allowed level of CMP's return for equity shareholders by .5%, creating a \$4 million penalty for poor contract management. In conjunction with CMP's agreement to withdraw two pending Supreme Court appeals in April 1994 (see item #2 above), we agreed on, and the PUC concurred in, a negotiated termination of this prudence investigation. As a result the litigation over contract prudence effectively ceased on April 6, 1994.

11. **Fairfield Energy Venture Buy-Out**—On June 15, 1994 CMP filed a proposal for a \$78 million buy-out of a power contract with the Fairfield Energy Venture which would realize \$35 million in net savings for CMP's customers over the next 6 years. This buy-out is to be financed by FAME under the provisions of recently-enacted legislation (LD 1997), "An Act to Encourage Electric Rate Stabilization"). At year-end we are continuing to study the filing but are generally disposed to support it because: 1) the Legislature contemplated some lay-offs as an acceptable price for securing electricity price reductions; 2) Maine Public's rates for electricity are currently the lowest in the State at 11.1¢/KWH for residential customers (more than a cent lower than CMP); 3) CMP ratepayers could receive the benefit of owning and operating the unit in the future if the current capacity surplus evaporates and operation of the unit becomes economic.

12. **Madison Electric Works Contract with Northeast Utilities**—In December Madison Electric Works requested PUC approval of a proposed contract with Northeast Utilities in Connecticut. As a result of these new arrangements CMP faced an annual loss of \$5 million or more due to the loss of its sales to Madison Electric Works and to Madison Paper Industries.

In May we joined in a multi-party agreement (also endorsed by MEW, Madison Paper, Northeast Utilities, CMP, and the PUC Staff) which permitted the Northeast Utilities contract to go forward on the condition that CMP receive \$10 million in payments through 2001 and, further, benefit from a capacity sharing agreement with Northeast Utilities at times when Maine Yankee is not operating. On May 19 the PUC Commissioners unanimously approved the agreement, thereby avoiding the prospect of vigorous and complicated litigation in federal court if the MEW/NU contract had been rejected.

13. **Maine Yankee Rate Case at FERC**—Following negotiation sessions in both November and December at the Federal Energy Regulatory Commission in Washington, we succeeded by the end of the month in reaching a settlement of the decommissioning litigation at FERC with the various parties to this rate case, including the Maine PUC, the Rhode Island Attorney General

## EXECUTIVE DEPARTMENT

and assorted wholesale customers of Maine Yankee. The result is the annual amount collected by Maine Yankee for decommissioning the Wiscasset unit in 2008 will increase from \$9 million per year to \$14.9 million per year—a level which provides more certainty that an adequate amount of money will have been collected from ratepayers (both within Maine and elsewhere in New England) as of the date of decommissioning. The increase took effect on April 1, 1994.

### B. WORKERS COMPENSATION CASES AT THE BUREAU OF INSURANCE

1. **“Fresh Start” Proceeding at the Bureau of Insurance**—After reviewing the case presented by the NCCI, in March 1994 we participated in the cross-examination of NCCI witnesses in the proceeding before the Superintendent of Insurance regarding the magnitude of any “Fresh Start” deficit surcharge to be assessed on policies for workers compensation coverage in Maine’s residual market. On May 6 we filed with the Bureau of Insurance a 31-page brief on the size of the “Fresh Start” deficit or surplus in the residual market for policy years 1988-1992 which recommended that the Superintendent find “Fresh Start” deficits for 1989, and for 1990 and a zero deficit for 1991 and 1992 due to the existence of surpluses in both years. On May 27, the Superintendent issued a final decision adopting many of these recommendations and ordering an overall 2% increase in the existing “Fresh Start” surcharge.
2. **Superior Court Appeal of 1992 BOI Decision**—On May 2 we filed a 100-page brief at the Kennebec County Superior Court defending the Superintendent’s imposition of a \$40 million disallowance in 1992 for poor claims handling by workers’ compensation insurers in Maine’s residual market. Our position was compatible with that of the Attorney General Department in defending the Superintendent’s 1992 decision.

### C. TELEPHONE REGULATION AT THE MAINE PUC

1. **New England Telephone Rate Design/Cost Allocation Case**—On September 15 we filed our brief in the PUC’s examination of New England Telephone’s rate design. We opposed NET’s proposal that increases in basic residential service be used to fund decreases in in-state toll charges. Nonetheless we urged that the PUC increase charges for certain enhanced services (Caller ID, line search and so on) in order to fund toll charge decreases, while leaving basic service rates where they are.

We refiled with the PUC our earlier motion that the NET proposal for major, long-term increases in flat rate service (from \$12 currently to \$35 per month) is prohibited by statute on the grounds that Maine law currently requires that rates be kept at “as low a cost as possible.” In their final order in this case, the Commissioners rejected NET’s proposed redesign of rates and specifically upheld our argument that the proposal did not satisfy the relevant provisions of Maine law.

2. **PUC Investigation into Regulatory Alternatives for NYNEX**—At year-end we had just begun our participation in a major PUC proceeding which will examine price caps, deregulation and other alternatives to the existing system of regulation for NYNEX. Our expert witness in this case is Dr. Lee Selwyn.

### D. DEVELOPMENTS PERTAINING TO LOW-LEVEL RADIOACTIVE WASTE

1. **Radioactive Waste Compact with Texas**—On November 2 Maine voters approved by a 73% to 27% margin (170,411 in favor, 63,672 opposed) the interstate compact with Texas and Vermont for disposal of Maine’s low-level radioactive waste in Texas. Public Advocate Ward had spoken extensively in favor of the compact on television, radio and in print media and had represented Governor McKernan in the negotiation of that agreement. On November 3 we learned that the federal court in western Texas dismissed a citizen suit brought against the Texas LLRW siting authority and its plans to site a radioactive waste facility in West Texas. All constitutional claims were dismissed by the federal judge, who also assessed court costs to the plaintiffs.

On January 12 a state court in West Texas dismissed a law suit against the Texas Disposal Authority which had been brought by opponents of the Texas facility. This means that objections in both federal and state court to the facility siting process, brought under the U.S. and Texas constitution, have each been dismissed as without merit.

On June 21, 1994 the federal legislation consenting to Texas’ arrangements with Maine and Vermont for the creation of an interstate compact for the disposal of low-level radioactive waste was introduced in the U.S. Senate.

2. **Access to Barnwell Regional Capacity by the Portsmouth Shipyard**—On March 30 Governor McKernan signed emergency legislation permitting the Portsmouth Naval Shipyard to send low-level radioactive waste to Barnwell, South Carolina through June 30 without any

## EXECUTIVE DEPARTMENT

ratification vote by Maine citizens in a statewide referendum. We had supported this limited exception to the referendum approval requirement and forwarded to the Governor for his signature the standard agreement with the Southeast Compact for access to the Barnwell facility. That contract was finalized by the Southeast Compact without any difficulty and, taking effect immediately, enabled the Portsmouth Naval Shipyard to ship approximately 1000 cubic feet for disposal at Barnwell.

### E. WATER UTILITY CASES AT THE PUC

1. **Consumers Water Company Rate Case**—We filed the testimony of two witnesses opposing a rate increase for the newly-merged water companies comprising Consumers Water Company. Together with the other intervenors (the towns of Camden, Rockport, Thomaston, Damariscotta, Newcastle, Freeport, Millinocket and Greenville, and FMC Corporation), we filed testimony and exhibits that recommended that the Commission allow the three Consumers Water Companies an overall rate increase of only \$126,000. The Companies asked for a rate increase of \$3.2 million. The joint intervenors' witness recommended a smaller increase mostly because the Company has either not completed or failed to justify many of the projects in its construction program.

On June 2 the Hearing Examiners released their recommended decision in this major rate case. The Examiners recommended a \$1 million increase (or approximately 20% overall) which is more compatible with our recommended position that it is to the position of the Company or the PUC Staff. The final decision of the PUC Commissioners adopted a slightly higher overall level of rates than the Examiners had recommended but still represented a substantial reduction from the Company's request. At year-end we were awaiting release of the Commission's final order in this major case.

### PUBLICATIONS:

"Guidelines for Consumer Participation in Public Hearings Held by the Maine Public Utilities Commission"—free

Public Advocate Docket List—free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

(OFFICE OF) PUBLIC ADVOCATE	TOTAL FOR		General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL	FUNDS					
<b>EXPENDITURES</b>							
Salaries and Wages	261,961			261,961			
Health Benefits	27,396			27,396			
Retirements	46,540			46,540			
Other Fringe Benefits	1,777			1,777			
Other Contract Services—State	125,856			125,856			
Computer Services—State	1,102			1,102			
Other Contractual Service	56,953			56,953			
Rents	834			834			
Commodities	5,918			5,918			
Grants—Subsidies—Pensions	899			899			
Building Improvements	7,865			7,865			
Transfer to Other Funds	14,627			14,627			
<b>TOTAL EXPENDITURES</b>	551,728			551,728			

## EXECUTIVE DEPARTMENT

# OFFICE OF SUBSTANCE ABUSE

MARLENE McMULLEN-PELSOR, DIRECTOR

*Central Office:* 24 Stone Street, Augusta, State House Station #159

*Telephone:* 287-2595

*Mail Address:* State House Sta. #159, Augusta, Maine 04333

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 118; Citation: 5 M.R.S.A., Sect. 20002

*Legislative Count:* 55

**PURPOSE:** The Office of Substance Abuse (OSA) was established by the 114th Maine Legislature to establish the overall plans, policies, objectives, and priorities for all State substance abuse prevention and treatment functions, except the prevention of drug traffic and the State Employee Assistance Program.

**ORGANIZATION:** The Office of Substance Abuse combines the staff and functions of the Alcohol and Drug Abuse Planning Committee (ADPC) and the staff and contracting, evaluating, fiscal, and prevention functions of the Office of Alcoholism and Drug Abuse Prevention (OADAP)., This consolidation took place July 14, 1990, and the new Office is now part of the Executive Department. The staff (3) of the management information system for substance abuse is also located in this office.

P.L. 1991, c. 601 transferred the Division of Driver Education Evaluation Programs (DEEP) and the Maine Alcohol and Drug Abuse Clearinghouse from the Department of Human Services to the Office of Substance Abuse. This change became effective October 1, 1991.

P.L. 1993, Chapter 410, effective June 30, 1993, transferred the Division of Drug and Alcohol Education Services from the Department of Education to OSA, which established it as the Prevention and Education Division. This legislation also transferred to OSA substance abuse activities formerly administered by the Department of Mental Health and Mental Retardation.

P.L. 1993, Chapter 700, effective July 14, 1994 (FY 1995), transfers the Drug-Free Schools and Communities Program to OSA, where it will function under the Prevention and Education Division. This same legislation also transferred funds formerly managed by the Department of Corrections to OSA.

**PROGRAM:** P.L. 1983, c. 934, "AN ACT to Establish the Office of Substance Abuse," created the Office of Substance Abuse and established the following mandated responsibilities:

1. **Comprehensive Plan.** Develop and provide for the implementation of a comprehensive State plan for alcohol and drug abuse.
2. **Information.** Ensure the collection, analysis, and dissemination of information for planning and evaluation of alcohol and drug abuse services.
3. **Coordination.** Ensure that alcohol and drug abuse assistance and service are delivered in an efficient and coordinated program and, with the advice of the Substance Abuse Services Commission, coordinate all programs and activities authorized to do so by Federal law, and also other State or Federal programs or laws related to drug abuse prevention that are not the specific responsibility of another State agency under Federal or State law.
4. **Budget.** Develop and submit to the Legislature by January 15 of the first year of each legislative biennium recommendations for continuing and supplemental allocations and appropriations from all funding sources for all State alcohol and drug abuse programs.
5. **Contracts and Licensing.**
  - A. Administer all contracts with community service providers for the delivery of alcohol and drug abuse services, and
  - B. Establish operating and treatment standards, and inspect and issue certificates of approval for drug abuse treatment facilities or programs, including residential treatment centers.
6. **Uniform Requirements.** Develop, use, and require the use of uniform contracting, information gathering, and reporting formats by any State-funded substance abuse program. To the extent feasible, information must maintain compatibility with Federal information sharing standards.
7. **Reports.** By January 15 of each year, report to the Legislature on the accomplishments of the past year's programs, the progress toward obtaining goals and objectives of the comprehensive State plan and other necessary or desirable information.
8. **Cooperation.** Provide support and guidance to individuals, local governments, public organizations, and private organizations in their alcohol and drug abuse prevention activities.
9. **Planning.** The Office shall plan alcohol and drug abuse prevention and treatment activities in the State and prepare and submit to the Legislature the following documents:



## EXECUTIVE DEPARTMENT

- A. **Biennial Plan.** By January 15, 1991, and biennially thereafter, a comprehensive plan containing statements of measurable goals to be accomplished during the coming biennium and establishing performance indicators by which progress toward accomplishing those goals will be measured; and
- B. **Four-year Assessment.** By January 15, 1991, and every 4th year thereafter, an assessment of the costs related to drug abuse in the State and the needs for various types of services within the State, including geographical disparities in the needs for various types of services and the needs of special populations of drug abusers.

The Office of Substance Abuse serves as the primary liaison with other Departments, the Legislature, citizen's groups, and service providers on issues pertaining to substance abuse. The Office analyzes and develops policy pertaining to substance abuse.

The Driver Education and Evaluation Programs Division provides or oversees education, evaluation, and/or treatment for all OUI offenders in the State of Maine. Its mission is to lessen the incidence of injury, disabilities and fatalities which result from drinking and driving on Maine highways.

The Prevention and Education Division continues to provide leadership and service delivery strategies to help schools reduce or eliminate the problems attributable to tobacco, alcohol, and other drugs, offering training, consultation, and on-site technical assistance to schools and communities, as well as developing community coalitions and school and community teams.

### LICENSES, PERMITS, ETC.:

*Certification* for outpatient and nonresidential substance abuse treatment programs.

*License* for residential rehabilitation, detoxification programs, halfway houses, extended care, extended shelter, and shelter.

Certificate of Approval

Driver Education Evaluation Programs and Private Practitioners

### PUBLICATIONS: (all free)

1. State Plan for Alcohol and Other Drug Abuse Services in Maine. (1/91 & 1/93).
2. A Management Information System for Maine's Alcohol and Other Drug Abuse Treatment System. (Revised 1/92).
3. 1992 Progress Report (1/92 & 1/93).
4. Regulations for Licensing/Certifying of Substance Abuse Treatment Programs in the State of Maine.
5. Alcohol and Other Drug Abuse Services in the State of Maine; current service directory.
6. Regulations for Certifying of Driver Education Evaluation Programs in the State of Maine.
7. Annual Training Catalogue.
8. Chemically Dependent Women in Maine (1/92).
9. A Report on: An Act to Reform the Statutes Relating to Driving Under the Influence of Intoxicating Liquor or Drugs; annual reports for 1986, 1987, 1988.
10. Annual applications, utilization reports, and independent audit reports on the substance abuse portion of the Federal Alcohol, Drug Abuse, and Mental Health Block Grant are available for review at the Office upon request.
11. State of Maine Alcohol and Drug Use Epidemiology: Using Key Indicators to Assess County and State Needs (10/91)
12. In coordination with the Department of Education, State of Maine Alcohol and Other Drug Use: An Assessment of Student sin Grades 6-12 (8/92)

**Note:** The Information and Resource Center (Tel: 1-800-499-0027), is the Office's primary information unit for substance abuse and may be contacted directly for numerous additional publications, films, videos, and other learning materials.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## EXECUTIVE DEPARTMENT

OFFICE OF SUBSTANCE ABUSE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,197,417	960,628	4,396		232,393	
Health Benefits	144,556	118,530	505		25,521	
Retirements	200,331	161,611	685		38,035	
Other Fringe Benefits	10,150	8,281	5		1,864	
Other Contract Services—State	1,081,347	858,561	79,766		143,020	
Computer Services—State	144,687	88,807			55,880	
Other Contractual Service	483,347	416,302	5,173		61,872	
Rents	5,777	5,777				
Commodities	96,109	79,891	1,924		14,294	
Grants—Subsidies—Pensions	9,124,562	4,928,164	7,110		4,189,688	
Building Improvements	18,111	8,615	6,976		2,520	
Interest—Debt Retirement	19	19				
Transfers to Other Funds	18,618		2,747		15,871	
<b>TOTAL EXPENDITURES</b>	12,525,431	7,635,186	109,287		4,780,958	

## MAINE COUNCIL ON VOCATIONAL EDUCATION

**PHILIP DIONNE, CHAIR**

**YVONNE DAMBORG, Executive Director**

*Central Office:* 160 Capitol St., Augusta, ME 04330

*Telephone:* 622-4709

*Mail Address:* 160 Capitol St., Augusta, ME 04330

*FAX:* 623-8270

*Established:* 1969

*Sunset Review Required by:* June 30, 1990

*Reference:* Policy Area: 00; Umbrella: 07; Unit: 102D; Citation: 1985 Exec. Order 07

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The Maine Council on Vocational Education implements all duties required by P.L. 98-524 which includes the following: (1) meet with the State Board of Education and the Technical College Board of Trustees or their representatives to advise on the development of the state plan; (2) advise the State Board of Education, the Technical College Board of Trustees and make reports to the Governor, the business community and the general public concerning policies which strengthen vocational education and foster private sector initiatives to modernize vocational education programs; (3) analyze and report on the distribution of spending for vocational education as well as on the availability of vocational education activities and services within the state and assess the distribution of financial assistance under the Act, particularly the distribution between secondary and postsecondary programs; (4) consult with the State Board of Education and the Technical College Board of Trustees on evaluation criteria for vocational education programs in the state; (5) emphasize and assess the participation of local employers and labor unions in the provision of vocational education at the local levels; (6) assess equal access to vocational programs and report to the State Board of Education; (7) evaluate and make recommendations to the governor, the State Board of Education, the Technical College Board of Trustees, the Maine Job Training and Coordinating Council, and the Secretaries of Education and Labor regarding the Job Training Partnership Act, with particular attention to the adequacy and effectiveness of the coordination between JTPA and vocational education.

**ORGANIZATION:** The members of the Maine Council on Vocational Education are appointed by the Governor. P.L. 98-524 mandates thirteen members, seven from the private sector. The staff consists of the executive director and an office manager.

## EXECUTIVE DEPARTMENT

**PROGRAM:** MCVE held public meetings and monitored federal and state legislation as well as other organizations involved with or studying vocational education and the Job Training Partnership Act.

Areas of Council Involvement:

- School and JTPA Site Visits and Evaluations
- Business/Education Partnerships
- Promotion of equity for non-traditional students
- Tech Prep
- Total Quality Management

The council completed an annual report, "Journey for Excellence" and its biennial report, "Vocational Education and JTPA—An Evaluation."

### **PUBLICATIONS:**

1993 Biennial Report—"Vocational Education and JTPA—An Evaluation"

1992 Annual Report—"Journey for Excellence"

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive financial data relative to this unit.

## DEPARTMENT OF HUMAN SERVICES

JANE SHEEHAN, COMMISSIONER

*Central Office:* Human Services Bldg., Augusta  
*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Telephone:* 287-2736

*Established:* 1975

*Sunset Review Required by:* June 30, 1993

*Reference: Policy Area:* 03; *Umbrella:* 10; *Unit:* 144; *Citation:* 22 M.R.S.A., Sect. 1

*Average Count—All Positions:* 2685.0

*Legislative Count:* 1336

*Organizational Units:*

Bureau of Health  
Bureau of Rehabilitation  
Bureau of Income Maintenance  
Bureau of Child & Family Services  
Bureau of Elder and Adult Services  
Bureau of Medical Services

Office of Management and Budget  
Office of Public and Legislative Affairs  
Office of Administrative Hearings  
Office Health Planning and Development

**PURPOSE:** To protect and preserve the health and welfare of Maine citizens. This is accomplished by administering programs and providing services established by Federal and State laws. The Department directs a wide-ranging system of programs in social, income maintenance, public health and medical services in order to accomplish its mission.

**ORGANIZATION:** The Department of Health and Welfare originated in 1885 with the creation of the State Board of Health, consisting of six members appointed by the Governor to supervise the interests of health and life of the citizens of Maine. The Board was replaced in 1917 by the Department of Health, under the direction of a Commissioner of Health, and a new Public Health Council. Social welfare functions of the present Department originated in 1913 with the creation of the State Board of Charities and Corrections, consisting of five members appointed by the Governor to supervise the State's system of charity and correctional institutions. This Board was redesignated Department of Public Welfare in 1927 with the Board members becoming Commissioners of the Department of Public Welfare.

In a major reorganization of State Government in 1931, the Department of Health and the Public Health Council were abolished and their duties assumed by a new Bureau of Health; the Department of Public Welfare was abolished and its public welfare and correctional institution duties divided between new Bureaus of Social Welfare and Institutional Service; the whole incorporated into a new Department of Health and Welfare under the direction of the Commissioner of Health and Welfare with the assistance of an Advisory Committee of Health and Welfare. Also at this time, the nucleus of the Department's Office of Administration was formed. Among other organizational changes, the Division of Research and Vital Records, successor to the original Registrar of Vital Statistics dating back to 1891, has been moved to the Bureau of Medical Services. In 1939, the Bureau of Institutional Services was separated from the Department to become the Department of Institutional Service, forerunner of the Department of Mental Health and Mental Retardation and Department of Corrections.

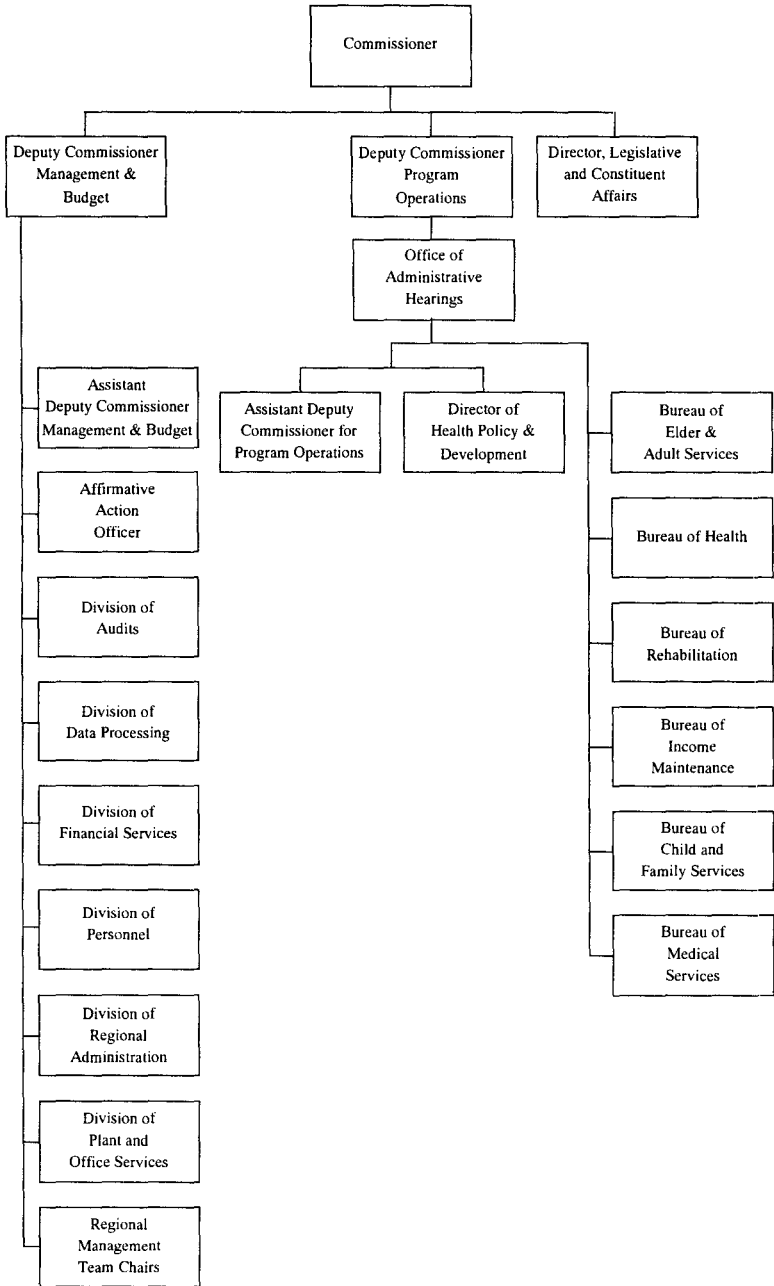
Since 1931 there have been gradual changes in the Department's structure, including a name change to Department of Human Services in 1975. There are now two Deputy Commissioner level offices, six bureaus, as well as five regional offices, each having at least two field offices.

One Deputy Commissioner is in charge of the Bureaus of Health, Rehabilitation, Child and Family Services, Income Maintenance, Medical Services, Elder and Adult Services, Administration Hearings, and Vital Statistics. The other Deputy Commissioner is responsible for the Department's overall administration, including the Division of Regional Administration, the Division of Personnel, Division of Audits, Division of Data Processing, the Employee Assistance Program, Affirmative Action, Division of Finance and Division of Plant & Office Services.

Title 22 M.R.S.A. §1 establishes that the Department of Human Services shall be under the control and supervision of a Commissioner of Human Services who shall be appointed by the Governor, subject to review by the Joint Standing Committee on Human Resources and to confirmation by the Legislature, and shall serve at the pleasure of the Governor. The Commissioner is responsible for administering the Department which has the responsibility to protect and preserve the health and welfare of Maine citizens through planning, authorization, administration and audit of programs established by law and/or adminis-

**HUMAN SERVICES**

**ORGANIZATIONAL CHART  
DEPARTMENT OF HUMAN SERVICES  
UMB 10**



## HUMAN SERVICES

### CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF HUMAN SERVICES

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	60,574,663	31,306,015	3,278,964		25,989,684	
Health Benefits	7,666,877	3,826,972	397,686		3,442,219	
Retirements	9,870,988	5,107,287	538,142		4,225,559	
Other Fringe Benefits	657,558	348,685	33,266		275,607	
Other Contract Services—State	10,985,938	5,627,575	277,658		5,080,705	
Computer Services—State	3,694,448	1,042,185	-90,106		2,742,369	
Other Contractual Service	15,689,776	8,059,142	541,201		7,089,433	
Rents	357,792	145,508	45,988		166,296	
Commodities	2,535,996	1,275,607	279,484		980,905	
Grants—Subsidies—Pensions	1,090,561.178	275,721.417	165,051.442		649,788.319	
Purchase of Land	2,770				2,770	
Building Improvements	546,750	55,378	140,022		351,350	
Interest—Debt Retirement	9,489	5,890	199		3,400	
Transfers to Other Funds	922,560		92,775		829,785	
<b>TOTAL EXPENDITURES</b>	1,204,076,783	332,521,661	170,586,721		700,968,401	

## HUMAN SERVICES

trative fiat and assigned to the Department by the Maine Legislatur, the Governor and other various federal agencies with which the Department has contracts for services.

*Office of Public and Legislative Affairs:* The function of the Office of Public and Legislative Affairs is to maintain a liaison with the Office of the Governor, the Maine State Legislature, and the public in order to monitor legislation affecting the department; to maintain regular contact with the press, radio and television media, consumer groups, other agencies and community associations; to produce informational pamphlets explaining departmental services or educational programs in the field of health care and social services; to advise program managers on communication methods best suited to promote their programs; to develop departmental information programs for employees including publication of a department-wide newsletter, as well as client and agency directed magazines; to prepare departmental information for legislative issues at both the local, state and national level; and to maintain audio-visual equipment inventories for department-wide use.

*Office of Administrative Hearings:* This office conducts all hearings of appeals of Departmental decisions or actions. It renders binding decisions on behalf of the Commissioner except for certain cases where its findings are advisory to the Commissioner.

*Office of Vital Statistics:* This office maintains the State's vital records system and prepares various statistical summaries of demographic, health, or social service information.

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from the Department's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENT OF HUMAN SERVICES (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contractual Services—State	40,976	40,976				
Other Contractual Services	9,720	9,720				
Commodities	12,790	12,790				
Grants, Subsidies—Pensions	39,506	39,506				
<b>TOTAL EXPENDITURES</b>	102,992	102,992				

## CERTIFICATE OF NEED ADVISORY COMMITTEE

JOHN ANNET, CHAIRMAN

*Central Office:* 35 Anthony Ave., Augusta

*Telephone:* 624-5424

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* January 1, 1983

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 212; Citation: 22 M.R.S.A. §307(2-A)

*Average Count—All Positions:* 0

*Legislative Count:* 0

Included in Office of Planning Research and Development Totals.

**PURPOSE:** The Certificate of Need (CON) Advisory Committee was established by the cited statute for the purpose of participating with the Department of Human Services in the public hearing process available at the request of persons directly affected by the review of proposed new health services being conducted by the Office of Health Planning and Development.

The Committee evaluates written reports and oral testimony concerning proposals undergoing CON review, from Department staff, applicants and interested or affected persons, questioning participants in the process. Following a public hearing on the matter, the Committee discusses the information obtained, prepares and votes upon a recommendation to be forwarded to the Commissioner of Human Services, concerning whether or not the Commissioner should grant a Certificate of Need permitting implementation of the proposed new health service and/or capital expenditure.

## HUMAN SERVICES

**ORGANIZATION:** The Committee consists of ten members, nine of whom are appointed by the Governor as representatives of health care provider groups (four members—Hospitals, Nursing Homes, Third-Party Payers, Physicians) and public consumers of health care (five members). The nine appointees serve four-year terms.

The Commissioner of the Department of Human Services has appointed an Associate Deputy Commissioner to serve as her ex-officio, non-voting designee.

### **PROGRAM:**

#### **ACTIVITY**

During FY 94, the Committee conducted 1 public hearing and 1 deliberative session.

### **PUBLICATIONS:**

Monthly Project Summary—Free of Charge.

Certificate of Need Procedures Manual—\$5.00 charge.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Office of Health Planning and Development.

## **BUREAU OF CHILD AND FAMILY SERVICES**

**FREDA L. PLUMLEY, Director**

*Central Office:* Human Services Bldg., Augusta

*Telephone:* 287-5060

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* 1974

*Sunset Review Required by:* June 30, 1993

*Reference: Policy Area:* 03; *Umbrella:* 10; *Unit:* 148; *Citation:* 22 M.R.S.A., Sect. 5308

*Average Count—All Positions:* 125.5

*Legislative Count:* 73

**PURPOSE:** The Bureau of Child and Family Services, with the advice of the Child Welfare Advisory Committee, and subject to the direction of the Commissioner of Human Services, is authorized to establish the overall planning, policy, objectives and priorities for all functions and activities relating to social services, including services to older people funded by the Federal Social Services Block Grant (SSBG). The Bureau also encourages and assists development of more effective and coordinated use of existing and new resources and social services available to Maine residents. It serves as a clearinghouse for information and gathers knowledge and statistics, prepares, publishes and disseminates educational materials dealing with social services. It conducts a continuing evaluation of the social service programs and activities affecting Maine residents and prepares, adopts, and administers, policies, procedures, rules and regulations to govern the development and operation of such programs and activities.

**ORGANIZATION:** The Bureau of Child and Family Services was established as the Bureau of Human Services by statute in 1974 as a separate and distinct organizational unit of the Department of Health and Welfare (now the Department of Human Services). Among its responsibilities were those formerly assigned to the department's Office of Resource Development which was created in 1973 to administer the state's new Priority Social Services Program.

The 107th Legislature changed the bureau's name to the Bureau of Resource Development. The bureau was designated in March of 1975 as the departmental unit responsible for administration and development of Maine's Title XX Comprehensive Annual Services Plan, in addition to the previously assigned Child Welfare Services Plan.

In 1979, by order of the Governor, the U.S. Department of Agriculture Child Care Food Program was transferred from the Department of Educational and Cultural Services to this bureau. This program provides federal assistance to food programs administered through a multitude of child caring agencies.

Also in 1979 the responsibility for statewide refugee coordination was accepted by the Governor from the federal government and assigned to the bureau which has resulted in services to federally



## HUMAN SERVICES

designated refugees throughout the state. This program is administered by the bureau through various purchases of service agreements with community agencies.

In 1980 the 110th Maine Legislature renamed the bureau to the Bureau of Social Services. The Maine Legislature renamed the bureau to the Bureau of Child and Family Services in 1989.

In 1992, the 115th Maine Legislature transferred to the bureau responsibility for administering the Head Start Program and the Maine Children's Trust Fund.

**PROGRAM:** A major task of the Bureau has been to develop and administer Maine's Social Services Block Grant program, formerly the Title XX plan which replaced portions of Titles IV and VI of the Social Security Act, the previous funding source of much of the Department's human services. Key components of the plan include resource allocation by service area, identification of unmet needs, and an inventory of current services provided. A wide range of social services is provided to the state's citizens through this funding mechanism.

With the availability of additional federal and state dollars, specifically for child care services, the Bureau has experienced an expansion of this critically needed service. The Bureau continues to actively support the need for permanent availability of these additional dollars through increase in the SSBG.

Studies on child abuse and neglect and later abuse and neglect of adults, have focused attention on the need to expand the Department's capability to address particularly the preventative aspects of this vulnerable target population. A 24-hour capability for response has been operative since 1977.

The Bureau continues to explore better methods of service delivery. This process requires continuous research as to people's needs and evaluation of the program in meeting those needs.

**Division of Child Welfare Policy and Resource Development** This division is responsible for policy development and quality assurance of child and family services programs administered and delivered by central office and regional offices direct service, management and administrative staff. This includes administration of approximately \$55 million in state and federal funds including federal title IV-B and IV-E. Services under the responsibility of this division include child protective services to children and their families where there are allegations of suspected abuse and neglect as defined in Maine statutes, foster care and residential treatment services for children, adoption and adoption assistance, and administration of the Interstate Compact on Placement of Children and the Interstate Compact on Adoption and Medical Assistance. It is also responsible for the 24-hour Adult and Child Emergency Services (ACES).

**Division of Purchased and Support Services.** This division is responsible for the administration of more than \$40 million in state, federal, and local funds under the SSBG, the Refugee Resettlement Program, and State Child Care funding. It works with private and public agencies seeking to contract with DHS to provide services eligible for funding under the above mentioned programs. It is responsible for the negotiation, administration, and monitoring of contractual services with these community agencies. The division is also responsible for the planning, policy development and recruitment of child care facilities statewide through the Office of Child Care Coordination which was created by the Legislature in 1986.

Programs administered by this division include the State Refugee Resettlement Program, the AIDS Case Management Program, the Victims of Crime Assistance Program, and the Adult and Child Care Food Program. The Division also provides planning and evaluation services to the other divisions of the Bureau.

**Division of Licensing.** Established in early 1989, this division is responsible for the licensing of day care facilities, foster homes, and residential facilities for children. The division houses an institutional abuse investigation team which investigates allegations of child abuse in out of home settings.

**Regional Operations:** This is responsible for the day to day operations of the 5 Regional Offices and 7 Branch Offices and their staff who carry out the child protective services, placement of children, supervision and services to children in out of home placement, family rehabilitation and reunification services, adoption, and independent living services.

### LICENSES, PERMITS, ETC.:

Registrations:

Home Baby Sitting Services

Licenses:

Children's Day Care Facilities

Nursery Schools

Children's Homes, including:

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Family Foster Homes for Children  
Specialized Children's Homes  
Children's Foster Homes Providing Respite Only  
Residential Child Care Facilities  
Emergency Shelters  
Shelters for Homeless Children  
Child Placing Agencies With and Without Adoption Programs

### PUBLICATIONS:

Final State Plan—Social Services Block Grant Plan Report—Social Services Programs  
Annual Statewide Child Welfare Services Plan  
Refugee Resettlement Plan  
Adult and Child Care Food Program Annual Plan  
Choosing Child Care  
School Age Child Care Technical Assistance Papers  
Crime Victims Assistance Plan  
Child Abuse and Neglect Brochure  
Thinking About Adoption, A Guide to Adoption Services in Maine  
State Plan for Independent Living Initiatives

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF CHILD AND FAMILY SERVICES</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	3,288,389	1,999,891			1,288,498	
Health Benefits	365,435	221,638			143,797	
Retirements	531,614	331,811			199,803	
Other Fringe Benefits	27,347	14,775			12,572	
Other Contract Services—State	600,831	342,030	9,274		249,527	
Computer Services—State	291,234	163,920	11,647		115,667	
Other Contractual Service	700,529	558,988	4,489		137,052	
Rents	7,519	7,519				
Commodities	104,881	71,021	10		33,850	
Grants—Subsidies—Pensions	52,562,795	28,237,977	48,951		24,275,867	
Building Improvements	2,333				2,333	
Interest—Debt Retirement	83	66	17			
Transfers to Other Funds	57,105		633		56,472	
<b>TOTAL EXPENDITURES</b>	<b>58,540,095</b>	<b>31,949,636</b>	<b>75,021</b>		<b>26,515,438</b>	

## DIVISION OF DENTAL HEALTH

### VACANT, DIRECTOR

*Central Office:* 151 Capitol St., Augusta  
*Mail Address:* State House, Augusta, Maine 04333  
*Established:* 1975

*Telephone:* 287-2361 and 287-3121

*Sunset Review Required by:*

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 203; Citation: 22 M.R.S.A., Sect. 2094

**PURPOSE:** The purpose of the Division of Dental Health is to establish, subject to the direction of the commissioner, the overall planning, policy, objectives and priorities for all functions and activities relating to dental health, conducted by or supported by the State of Maine. The Division has the objectives of reducing dental disease in Maine residents to a minimal and acceptable level and of improving and

## FINANCE AUTHORITY OF MAINE

expanding dental health services in Maine. The Division serves as the State's primary administrative, coordinating and planning unit for carrying out the following duties: to conduct ongoing review of all possible sources of funding, public and private, for improving dental health and development of proposals to secure these funds when appropriate; to provide technical assistance and consultation to Federal, State, county and municipal programs concerned with dental health, and to provide technical assistance and consultation to schools and to the Department of Education for the purposes of introducing and maintaining in Maine schools dental health education programs.

The Division also conducts studies and develops primary data for the purposes of documenting specific dental problems in the State; provides consultation and program information to the health profession, health professional education institutions and volunteer agencies; conducts reviews of the statutes and guidelines governing use of dental auxiliaries, dentists and other dental personnel and makes recommendations to the Legislature for changes which would benefit the public's health; and coordinates all efforts to improve dental health which are in part or wholly supported by State funds. The Division also has the responsibility to administer funds in accordance with the interest and objectives of the law or within any limitations which may apply from the sources of such funds. The commissioner has the power to receive for the Division all funds granted by any private, Federal, State, county, local or other source.

**ORGANIZATION:** A statutory component of the Department of Human Services, the Division has been administered by a director, appointed by the commissioner.

The Division Director resigned in September 1992 and the position line, frozen as a vacancy, was eliminated in the state's budget for the 1994-95 biennium. Staff continue to carry out the Division's mission and programs with functional supervision by the Director and the Assistant Director of the Bureau of Health while reorganization of the Division is being considered and evaluated.

**PROGRAM:** During fiscal 1994, Division of Dental Health primarily administered dental disease prevention programs, provided consumer education, and conducted education and training sessions for professionals. Division programs were presented at state and national conferences.

The School Dental Health Education Program (SDHEP) administered by the Division and partially funded by a State appropriation continued to provide dental health education materials and fluoride supplements to nearly 60,000 children in about 300 schools across the State. The fluoride mouth rinse component of the program has revised to account for community water fluoridation in certain areas.

The Well Child Clinic Preventive Dental Program continued in conjunction with the Division of Public Health Nursing and Maternal and Child Health within the Bureau of Health. Fluoride supplements, toothbrushes, and dental health education materials were provided to about 1500 eligible children ages birth through 5. Toothbrushes were also distributed to Preventive Health Program coordinators for Medicaid eligible preschoolers.

The Division continued to provide technical assistance to agencies and organizations around issues related to access to care, fluoride supplements and community water fluoridation, AIDS/HIV, development of health education materials, oral screenings, sealant programs, and grant writing. Educational programs related to tobacco use intervention and oral cancer were presented, and a self study loan library for health professionals was maintained. Specific educational campaigns targeted high risk groups of children in Head Start Programs and Day Care Centers, as well as elementary schools that do not participate in the fluoride component of the SDHEP. Special emphasis was given to distributing the Division's easy-to-read dental health education materials. The Division's Resource Directory for Dental Services for Low Income and Elderly Persons, revised and updated to include information on rural community health center services, was distributed to health and social service agencies throughout the state.

The Division administers program activities funded by block grants to six community agencies. These include four dental clinics in high need areas and two preventive dental programs in Aroostook and Washington Counties.

### **PUBLICATIONS:**

A variety of publications are available from the Division; write the Division of Dental Health, Maine Department of Human Services, State House Station 11, Augusta, Maine 04333.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Health.

## HUMAN SERVICES

### DIVISION OF DISABILITY DETERMINATION SERVICES

ANN DeWITT, CHIEF EXECUTIVE

GLORIA POTTLE, DEPUTY CHIEF EXECUTIVE

*Central Office:* Old Max, AMHI

*Telephone:* 287-7900

*Mail Address:* Arsenal St. Ext., Station #116, Augusta, Maine 04333

*Established:* 1956

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144Z; Citation: Title II & Title XVI SSA Act  
Maine RST 22 Part 7

*Average Count, All Positions:* 60

*Legislative Count:* 61

**PURPOSE:** To provide timely, accurate, fair disability decision to Maine citizens filing under the Title II (coverage based) or Title XVI (low income based) sections of The Social Security Act.

DIVISON OF DISABILITY DETERMINATION SERVICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,616,289				1,616,289	
Health Benefits	208,970				208,970	
Retirements	262,346				262,346	
Other Fringe Benefits	12,597				12,597	
Other Contract Services—State	623,712				623,712	
Computer Services—State	298				298	
Other Contractual Service	197,509				197,509	
Rents	6,862				6,862	
Commodities	38,588				38,588	
Grants—Subsidies—Pensions	1,398,889				1,398,889	
Purchase of Land	2,770				2,770	
Building Improvements	20,230				20,230	
Interest—Debt Retirement	10				10	
Transfers to Other Funds	90,561				90,561	
<b>TOTAL EXPENDITURES</b>	4,479,631				4,479,631	

### DIVISION OF DISEASE CONTROL

GREGORY BOGDAN, DR. P.H., Epidemiologist, Director

*Central Office:* 157 Capitol St., Augusta

*Telephone:* 287-3591

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

1-800-821-5821

*Established:* 1972

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144V; Citation: 22 M.R.S.A., Sect. 1019

**PURPOSE:** The Division of Disease Control exists to investigate and maintain data regarding infectious and non-infectious diseases and to implement prevention whenever possible.. Traditionally, the emphasis has been on infection control and epidemic prevention. More recently, increased attention is being given to control or amelioration of chronic diseases (such as cancer), and prevention of illnesses which are attributable to environmental or occupational hazards.

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**ORGANIZATION:** Programs included are: Immunization, HIV and Sexually Transmitted Diseases (STD), Toxicology, the Cancer (Chronic) Disease Surveillance, Occupational Health and Safety, Epidemiology Services, Tuberculosis Control, and Refugee Health Assessment Program.

### PROGRAM:

**Infectious Disease Epidemiology.** This program is responsible for the surveillance of infectious disease entities. A well run surveillance system is critical in order to define and investigate outbreak situations which are potentially preventable by appropriate and timely public health intervention strategies.

Infectious disease surveillance/control is accomplished through:

1. Reports of notifiable diseases submitted by or elicited from physicians, laboratories, school nurses, day care directors, nursing home administrators, health officers, restaurant owners and the general public.
2. Participation in regional, national and international surveillance through the Centers for Disease Control and Prevention.
3. Determination of epidemic levels of disease conditions.
4. Timely investigations of disease outbreaks or clusters, in varying locations, including communities, schools, child care settings, nursing homes, restaurants and public buildings.
5. Identification of causative agents of disease clusters through analysis of disease reports and interviews of infected people.
6. Timely public health intervention strategies directed at causative disease agents identified in epidemic situations.
7. Response to inquiries and provision of technical and professional consultation to disease reporters (see #1).
8. Participation in local, regional, state and federal health policy decisions.
9. Promulgation of legislation, as appropriate, to promote preventive health practice.

Program activities during FY '94 included:

1. Epidemiological activities consisted of outbreak investigations at the following sites: children's camps, child care facilities, nursing homes, university settings, restaurants, community hospitals, and public schools.
2. The Lyme Disease Working Group continues to monitor Lyme Disease statewide, where we have had a slow but steady increase in confirmed cases reported from southern and coastal Maine. The group also works collaboratively with the Maine Medical Center Research Department to address many of the ecological questions surrounding the tick vector.
3. Reports of invasive disease caused by *Neisseria meningitidis* have created public concern within the State, as media attention has focused on mass vaccination programs conducted throughout the country. Invasive Meningococcal disease continues to occur sporadically in Maine. In the first 5 months of 1994, 11 cases were confirmed, compared to 4 cases reported during this same time frame in 1993. None of the recent cases have been epidemiologically linked. From 1988 through 1992, 37% of all cases occurred among school-aged children (ages 5-19) as compared to 1993-1994, where 50% of all cases occurred among school-aged children. In 1993-1994, 60% of all cases of invasive Meningococcal disease were covered by group C organisms. Because vaccination programs targeted at populations affected by group C disease are effective, continued surveillance of yet another emerging infectious disease is necessary in order to respond appropriately to this disease entity.
4. The Rabies Work Group continues to deal proactively with raccoon rabies epizootic as it approaches Maine's borders. The group has finalized a rabies manual that will be distributed to veterinarians, animal control officers, emergency room physicians and to local municipalities within the near future. The group is currently drafting rules to address questions such as who is responsible for euthanizing, transporting and paying for animals suspected of being infected with rabies.
5. The Epidemiology program continues to work on revisions of the Rules for the Control of Notifiable Diseases in an effort to update the list of notifiable disease entities. Such a revision is necessary in order to monitor emerging infectious disease threats, such as *E. Coli*:0157. Further, revision of public health intervention strategies is necessary in order to more effectively deal with potential public health threats.
6. The first large foodborne cryptosporidiosis outbreak ever reported occurred in Maine in 1993. *Cryptosporidium* is a protozoan parasite which commonly causes gastroenteritis. While previous outbreaks have been associated with child care centers and public water supplies, foodborne

outbreaks have not previously been reported. The outbreak was caused by contaminated hand-pressed apple cider produced at an agricultural fair by school students in central Maine and resulted in 160 primary and 53 secondary household cases.

7. *Escherichia coli* 0157/H7 (*E. coli* 0157/H7) is a bacterium which causes acute gastroenteritis and occasionally leads to serious sequelae. Although *E. coli* 0157/H7 is not currently a notifiable disease entity, the Epidemiology Program investigated all *E. coli* 0157/H7 infections reported in Maine during 1993. Of the 25 cases reported, 13 cases ranged from 19 months to 76 years (median=24 years). Fourteen cases resulted in hospitalization. There were five cases of hemolytic uremic syndrome, one of which resulted in death. The United States Department of Agriculture, the Maine Department of Agriculture, and the Division of Health Engineering participated in a detailed investigation of four cases of *E. coli* 0157/H7 infection occurring in children with links to Piscataquis County. We failed to identify a common source of infection for these cases or linkage to other cases reported in Maine in 1993.
8. The Epidemiology Program has attempted to deal proactively with the Institute of Medicine report, *Emerging Infectious Microbial Threats to Health in the United States*. Numerous inquiries have been received by the Epidemiology Program concerning many new and resurging infectious diseases, including group A streptococcal infections and penicillin resistant pneumococcal disease. A recent CDC report: *Addressing Emerging Infectious Disease Threats: A prevention strategy for the United States*, emphasizes the need for implementing a surveillance system to detect, promptly investigate, and monitor emerging pathogens, the diseases they cause, and the factors influencing their emergence. It may no longer be prudent to continually add disease entities of potential public health significance to the list of officially notifiable diseases. Instead, more creativity may be needed to conduct surveillance. The Epidemiology Program plans to explore the current surveillance system and to identify ways to deal effectively with the infectious disease threats of the 1990's.

**Tuberculosis Control.** Tuberculosis, the health problem addressed by this program, is a chronic mycobacterial disease. Tuberculosis can be found in many areas of the body. Eighty-five percent (85%) is found in the lungs (pulmonary tuberculosis) and is the infectious form of the disease. Fifteen percent (15%) can be found in lymph system, bone, kidneys, etc., and is called Extrapulmonary tuberculosis. Active tuberculosis generally develops from an already-infected minority of the population who did not receive preventive treatment at the time of their initial infection. This aggregate constitutes the "reservoir" of the disease.

The Tuberculosis Control Program provides the following services, without charge, to ensure the detection, control and early treatment of individuals with active tuberculosis or tuberculosis-related conditions: clinic services, medication for the treatment and prevention of tuberculosis, laboratory services, public and community health nursing services, professional literature. The program keeps a register of all individuals receiving services. All bills generated by program recipients are submitted to a third party payor prior to reimbursement by Tuberculosis Control.

Direct program services are provided by nurses in the Division of Public Health Nursing and other local nursing agencies, primary care physicians and twelve consultant/clinicians under contract to the Department of Human Services and the Tuberculosis Control Program.

In FY 93, the program served in excess of 5,000 individuals including 28 clients with active disease, those suspected of disease, contacts of active cases and "suspects," tuberculin reactors, preventive cases, cases with other than *M. tuberculosis* (atypical forms of tuberculosis), and those receiving bacteriology services.

In FY 94, program staff continued to address the following objectives: (1) To increase to 96% those with active disease receiving drug therapy. (2) To maintain a 98% rate for active disease receiving appropriate medical follow-up. (3) To maintain a 85% rate for re-examination and bacteriologic conversion for those with positive sputa. (4) To increase to 95% identification, initial and three month follow-up tuberculin tests and medical intervention for significant contacts of active and suspected cases. (5) to increase to 98% final disposition and diagnosis for individuals considered as suspects for active tuberculosis, within three months of referral to the program. (6) Continue to provide funding to the State Public Health Laboratory to provide testing for tuberculosis without charge to patients or providers. (7) Continue to work with the Refugee Health Assessment Program to reduce the numbers of untreated but infected individuals becoming a significant influence on Maine's "reservoir" of potential disease. (8) Continue to promote HIV testing for those with tuberculosis and conversely, tuberculin testing and preventive treatment for those with HIV or AIDS. (9) Continue to cross-reference tuberculosis and tuberculosis-related conditions with the AIDS case registry. (10) Continuing surveillance to reduce tuberculosis to below 2.0/100,000. (11) Conduct surveillance on high risk residents (refugees, inmates

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of correctional facilities and residents of long term care facilities). (12) Informing and educating the Maine public and private health care sectors as to appropriate medical management through workshops, staff meetings and the *Epigram*.

In addition to the above outlined objectives, program staff has also chosen as ongoing objectives: 1) renewed vigilance leading to quality assurance and optimal client/patient care/services and 2) implement activities to ensure cost containment and control of reimbursement and expenditures.

**Refugee Health Assessment Project.** Refugee health services addresses health needs of all those refugees resettling in Maine. Goals of the program are: 1) to prevent and control health problems of public health significance among refugees, and 2) to improve the general health status of the refugee population through health assessment and referral, emphasizing those health problems which may prevent economic self-sufficiency.

In FY93 the program served 295 refugees and in FY 93 the program staff expected to accomplish the following objectives:

- 1) To identify refugees regardless of national origin, who are eligible for specific services for whom no other source of reimbursement is appropriate.
- 2) To provide health assessments for all officially arriving refugees and non-officially arriving refugees (in-migrants) placed in the catchment area of the selected nursing agencies.
- 3) To ensure that refugees in whom assessment findings indicate personal health problems are referred elsewhere for proper medical or dental health attention.
- 4) To increase communication with medical providers including dissemination of information regarding refugee health and feedback from physicians.
- 5) To continue to establish agreements with individuals for interpreter services.

**Immunization.** The Immunization Program is responsible for the prevention and control of vaccine-preventable diseases including diphtheria, tetanus, pertussis (whooping cough), measles, mumps, rubella (German measles), poliomyelitis, Haemophilus influenzae type b (Hib), and hepatitis B.

The Immunization Program supplies vaccine to over 500 private and public health care providers throughout the State. Starting in July 1994 Maine will be one of 11 states that will be completely universal, distributing all vaccines to both public and private providers. The Immunization Program supplies the following vaccines: diphtheria, tetanus, pertussis (DTP), the new combination vaccine diphtheria, tetanus, pertussis, Haemophilus influenzae type b (DTP/Hib), measles, mumps, rubella (MMR) oral polio vaccine (OPV), and Haemophilus influenzae type b (Hib), and hepatitis B vaccine.

Beginning in FY 91, the Immunization Program initiated a program to prevent the transmission of hepatitis B virus from infected mothers to their newborn infants. The program's goal is to identify pregnant women with hepatitis B and immunize their newborn infants and susceptible household and sexual contacts. The program is funded through a grant from the Centers for Disease Control and Prevention.

Ongoing activities of the Immunization Program include: disease investigation (i.e. disease surveillance and case investigation); immunization education and informational campaigns; quality assurance reviews in clinics and health departments; and assessment of immunization levels in child care centers, primary and secondary schools, colleges, and hospitals.

During FY 94, the Immunization Program performed the following activities:

1. Promote age-appropriate immunization for Maine's children, with special emphasis on infants 0-24 months of age.
2. Assess immunization levels in child care centers, secondary and post-secondary schools and hospitals.
3. Conduct quality assurance reviews in publicly funded immunization clinics and some private-sector sites.
4. Identify suspected cases of vaccine-preventable diseases and initiate outbreak containment procedures.
5. Investigate, report, and follow-up all adverse events following immunizations.
6. Provide up-to-date immunization information to Maine residents traveling abroad.

**Sexually Transmitted Disease (STD) Control.** The Maine STD Control Program operates with a combination of state general fund revenues and federal assistance as provided through a cooperative agreement with the Centers for Disease Control. Weekly, monthly and quarterly disease reporting in addition to quarterly narratives document the progress made in meeting stated program goals and objectives.

The rationale of STD Control is simple: to interrupt transmission of those diseases whose societal impact is unacceptable and whose infectious course can be altered. Disease prevention is based upon the capability to test/diagnose active infection and the capability to treat or otherwise alter the course of

infectiousness. Actual program intervention impact is measured by closely tracking many process-minded epidemiologic indices, e.g., the number of sexual contacts who are newly-treated as a result of program contact-tracing over the number of index cases interviewed. The accomplishment of such objectives, in the aggregate, naturally results in disease prevention and decreasing morbidity.

Three primary STD clinics operate in the state and offer a total of 10 hours of clinic services per week. The STD Control Program provides significant assistance to clinic operations in Bangor, Lewiston and Portland in the form of full-time coordinators, part-time clerical and lab personnel, medications, diagnostic media and, except for Portland, site rental. Clinic service fees range from \$20 to \$25 but no one is refused service based on inability to pay. All STD clinics serve as Anonymous Test Sites (ATS) for the Maine AIDS Prevention Program. Funding for clinic operations is precarious in Maine, and there is constant pressure to increase fee-intake from patients for all services in order to keep the doors open.

*STD Control Program.* Operations in Maine utilizes the time-proven methodologies of 1) provision of clinic services for symptomatic volunteers; 2) investigation of positive lab reports (reactor program) to insure treatment of patient and contacts by treating provider or local STD clinic; and 3) performing one-on-one patient interviewing and contact-tracing services to the extent resources allow.

*Gonorrhea infection.* This acute ascending infection which damages the female reproductive tract of infected women, appears well under control. After documenting a 7-9% decrease in the early 80's, we recorded decreases in the range of 25-30% per year in the mid-80's. In 1993 we reported 80 cases, continuing ten years of steady decreases and a 17% decrease from 1991. Since Gonorrhea is commonly diagnosed in private sector patients, continuing investigative outreach through each infected patient is important if we are to continue to reduce gonorrhea in the state. Our goal is to provide a one-on-one interview and sex partner notification services by STD program personnel to 3 of every 4 gonorrhea patients treated in the state.

*Chlamydia Trachomatis Infection.* The complication of advanced infection again involves the female reproductive tract, and may lead to tubal infection resulting in infertility or congenital abnormalities. In addition, when a female chlamydia patient suffers friability of the cervix she is thought to be at increased risk of HIV transmission upon exposure to that virus. In males, chlamydia often appears as a mild and clinically diagnosed and treated urethritis (NGU). In 1993, we reported 1,582 cases; a 21% reduction from 1992's level of 2,015.

*HIV Infection.* Maine's STD clinics offer confidential HIV testing and also serve as anonymous counseling and testing sites for at-risk people. As a result of reorganization of the AIDS and STD Programs, programmatic activity related to HIV counseling, testing & partner notification are under the purview of the STD Control Program. STD Program personnel perform all HIV partner notifications requested by infected persons as well as conduct investigations of alleged non-compliant carriers of HIV.

*HIV/AIDS Surveillance.* By the end of FY 93, physicians had reported a cumulative total of over 500 cases of AIDS diagnosed among Maine residents. More than 100 of these were reported during this fiscal year. Current trends suggest that the epidemic is continuing to become more rural and that 1200-1800 Maine residents may have HIV infection.

In addition to working with physicians and hospitals to improve AIDS case reporting, Surveillance personnel also continue to utilize blinded HIV seroprevalence studies to follow levels of asymptomatic HIV infection among childbearing women and among persons being treated for other sexually transmitted infections at public clinics. These data continue to suggest that approximately 1:4000 women giving birth in Maine are HIV-infected, and that 1:125 STD clinic patients are also infected.

Overall, the scope of the Maine HIV epidemic continues to broaden gradually. While most new AIDS cases continue to be diagnosed among gay and bisexual men, the number of heterosexually-infected women continues to increase gradually, and persons recently diagnosed with AIDS are more likely to reside in small-town and rural Maine than in previous years. A steady but slow increase in the proportion of AIDS cases diagnosed among persons with a history of injection drug use has also been seen. During FY 93, two new cases of AIDS among children age 12 or younger were reported.

The new emphasis on community planning for HIV has refocused the efforts of Surveillance staff to work closely with other groups and agencies to provide data that is useful in guiding prevention activities. The program epidemiologist is active in Maine AIDS Plan Development Project and is a member of its Priority Review Task Force.

**Environmental Health.** The Division of Disease Control's Environmental Health Program was established by the Maine Legislature in 1981. Its mission is to assure that environmental health problems, questions, and issues in the State are satisfactorily addressed by State Government. The Environmental Health Program has separated into three more specific programs: Toxicology, Occupational Health and Safety, and Cancer (Chronic) Disease Surveillance. Major activities in these programs include the following:



**Environmental Toxicology.** The toxicology team provides guidance and leadership on specific toxicological issues confronting the State. Current examples include the assessment of the health risks associated with human consumption of fish and wildlife contaminated with metals or dioxin, evaluation of the potential health risks from selected air pollutants detected at sites in Maine during monitoring in 1991 and 1992, implementation of recommendations for petroleum hydrocarbons in water and air, continuation of health assessments of hazardous waste sites in the state, and developing and implementing a comprehensive risk assessment policy. The Toxicology team provides expert risk assessment consultation to other State Agencies and consults on residential, consumer, and occupational health issues.

**Occupational Health Program.** A statewide occupational disease reporting system was established by the legislature and became effective March 29, 1986. The law requires physicians and hospitals to report to the Department of Human Services, Bureau of Health, all persons diagnosed as having an occupational disease no later than 30 days from the date of diagnosis or discharge from a hospital. The original rules and regulations were revised in November, 1989 to include the following reportable conditions: Asbestosis, Byssinosis, Carpal Tunnel Syndrome, Mesothelioma, Silicosis, Toxic Gas Poisoning, Pesticide Poisoning, Heavy Metal Poisoning, Hypersensitivity Pneumonitis, Solvent Toxicity, and Disease/Illness Outbreaks. Also, in 1989 a Memorandum of Understanding and protocol were developed between the Maine Department of Labor to formalize sharing of information as well as provide for follow up capabilities when necessary.

On June 7, 1993, the occupational disease reporting law was amended by Public Law #270 (LD 1049), entitled "An Act to Permit the Inclusion of Occupational Injury as a Reportable Condition under the Occupational Disease Reporting System." This statute provides a mechanism to require physicians and hospitals to report designated occupational injuries, as established via a Rulemaking procedure. Under this statute, the rules were amended in May 1994 to include as a reportable condition all Agriculturally-Related Injuries Resulting in Death or Medical Care. Physician-extenders (nurse practitioners and physicians' assistants) and Chiropractors were added as reporters in 1994.

During FY 94 program activities were severely hampered as a result of staff vacancies and hiring freezes. With the assistance of staff from other programs and interns, the Occupational Health Program assessed various data sources for accuracy and application to occupational health and safety issues, refined data for analysis, and drafted of an Annual Occupational Disease Report. Referrals and preventive efforts were undertaken with the Maine Department of Labor. It is anticipated that complete staffing will once again be accomplished in FY 95.

**Agricultural Injury and Illness Surveillance:** In October 1990 the National Institute of Occupational Safety and Health (NIOSH) funded a cooperative agreement with the Maine Bureau of Health to establish a surveillance system for illnesses and injuries in agricultural occupations. This multi-year program is designed to establish an accurate picture of work-related health problems occurring in agricultural occupations in Maine and to develop preventive programs targeting these problems.

Surveillance data is being gathered from existing data systems, e.g., hospital discharge data, death certificates, cancer registry, and the occupational disease reporting system. In addition, a network for injury and illness reporting amongst health care providers has been established in primary agricultural areas, e.g. hospital emergency departments, community health centers, and private physicians.

Agricultural injuries and illness targeted for evaluation include: pesticide poisonings and dermatoses, worksite-related injuries and fatalities, noise-induced hearing loss, musculoskeletal disorders, acute airways diseases and bacteria-related diarrheal diseases among migrant agricultural workers and their families.

During Fiscal Year 1994 program activities included newsletter publication, physician and allied health continuing education programs, production of safety and preventive program materials, hearing screenings for noise-induced hearing loss, and surveillance investigations of agricultural and wood-harvesting injuries. Close collaboration in preventive programs was undertaken with the University of Maine Cooperative Extension, agricultural trade organizations, Maine Safe Kids Coalition, Maine Grange, Maine Farm Bureau, and other private and governmental organizations. A statewide Agricultural Safety and Health Conference is planned for Fall 1994.

**Cancer Incidence Registration Program.** The purpose of the Maine Cancer Registry (MCR) is to collect data on cancer incidence in Maine, and to describe the distribution of cancer incidence and mortality, which can be used to:

- 1) plan effective intervention programs and measure the results
- 2) provide data for epidemiological research
- 3) investigate cancer "clusters" when warranted.

The source of the incidence data are the 41 hospitals in Maine, and the cancer registries of

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Massachusetts and New Hampshire which have reciprocal agreements with the Maine Registry. Also, within the last year, the MCR has entered a reciprocal agreement with 16 other states using the Rocky Mountain Cancer Data Systems software which the MCR acquired in September, 1993. Mortality rates are derived from death certificate data supplied by the Department's Office of Data, Research, and Vital Statistics.

The Cancer Registry has provided baseline data for two of the Bureau of Health's programs, and will provide data for the evaluation of their effectiveness:

1. Maine's Health Objectives for the Year 2000. Cancer reduction is one of 13 health priority areas. The specific objectives are to reduce the mortality from total cancer by 5%, breast cancer by 10%, cervical cancer by 65%, and colorectal cancer by 15%. Lung cancer is to be reduced by up to 20% and is among the goals of the Tobacco Prevention and Control Priority Area.
2. Data-Based Intervention Research Project (DBIR). The primary objective of this project, funded by the National Cancer Institute, is a community-based breast cancer intervention which will educate the public and health care providers on issues related to the reduction of breast cancer mortality, especially through regular mammograms.
3. Breast and Cervical Cancer Prevention and Control Program. The BCCPCP, funded by the Centers for Disease Control and Prevention, is currently in a planning phase, but will soon implement a comprehensive breast and cervical cancer screening and education program focusing on low-income and elderly women. The MCR database will be linked with their patient screening file for the purpose of tracking patients, and the success of this program and the DBIR Project will be evaluated by comparing pre- and post-intervention cancer mortality rates and by looking for shifts to earlier stage at diagnosis.

The MCR took part in a study appearing in the January 13, 1994 issue of the New England Journal of Medicine, "Lactation and a Reduced Risk of Premenopausal Breast Cancer" (Newcomb, et al., *NEJM*, 330 (2):81-87). The MCR has also contributed data for an epidemiological study of urban-rural differences in breast cancer incidence in the State of Maine, undertaken by the University of Massachusetts, Amherst, School of Public Health.

### PUBLICATIONS:

1. Rules for Control of Communicable Diseases.
2. Reportable Diseases Reference Guide
3. EPI-Gram
4. Criteria for Reporting Occupational Diseases
5. State of Maine Cancer Registry Annual Report for 1989-1990
6. Petroleum Contamination of Maine's Drinking Water Wells
7. AIDS Resource Material
8. Immunization Certificate
9. Salivary Gland Cancer in Maine: A Case-Control Study
9. Occupational-Related Cancer Incidence and Mortality. 1980-1990

All of above are free

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Health.

## BUREAU OF ELDER AND ADULT SERVICES

### CHRISTINE GIANOPOULOS, DIRECTOR

Central Office: 35 Anthony Ave., Augusta Business Park, Augusta  
Mail Address: State House Sta. #11, Augusta, Maine 04333

Telephone: 624-5335

Established: 1974

Sunset Review Required by: June 30, 1993

Reference: Policy Area: 03; Umbrella: 10; Unit: 149; Citation: 22 M.R.S.A., Sect. 5105

Average Count—All Positions: 94

Legislative Count: 84.5

## HUMAN SERVICES

**PURPOSE:** This agency is designed to assist the older citizens of the State of Maine to secure full and equal opportunity and to maintain dignity, independence and authority in planning and managing their own lives through provision of a full range of essential programs and policies for and with older people. The Bureau is also responsible for managing Maine's Adult Protective Services and Guardianship Programs.

The Bureau of Elder and Adult Services, subject to the direction of the Commissioner of the Department of Human Services, is authorized to establish the overall planning policy objectives and priorities for all functions and activities relating to Maine's elderly which are conducted or supported in the State. The Bureau encourages and assists the development and coordinated use of existing and new resources and services relating to older people; maintains up-to-date data on programs it administers; maintains a clearing house of information on programs and services operated under public or private auspices for older people; and conducts assessments of their adequacy and the need for additional programs and services. The Bureau assists the Legislature and Executive Branches of State Government in the coordination of all government efforts relating to older people. It prepares and administers a comprehensive State Plan relating to older people and administers such plans or programs as are required by the 1973 Act of Maine's Elderly, the Priority Social Services Act of 1973, the United States Older Americans Act of 1965, the Congregate Housing for Maine's Elderly Act of 1979, the In-Home and Community Support Services for Adults with Long-Term Care Needs Act of 1981 and the Adult Day Care Services Act of 1983. The Bureau has responsibility to plan and advocate for necessary or desirable programs for older individuals or groups of individuals; to seek and receive funds from the Federal Government and private sources to further its activities; to enter into agreements necessary or incidental to the performance of its duties; to develop, issue and enforce rules and regulations; and to conduct training programs for persons in the field of serving older people. It convenes and conducts conferences concerned with the development and coordination of programs for older people.

The Bureau of Elder and Adult Services is also responsible for providing or arranging for services to protect incapacitated and dependent adults in danger as specified in the Adult Protective Services Act of 1981. The danger may be as a result of abuse, neglect, or exploitation by others, or as a result of self-neglect. The Bureau is also responsible for the public guardianship and conservatorship of incapacitated adults (other than mentally retarded persons) under the Uniform Probate Code. When less restrictive arrangements are not possible, the Bureau petitions the Probate Court for guardianship and or conservatorship of individuals who are unable to make or communicate responsible decisions for themselves. The goal is to protect and provide continuing care for these individuals. A guardian assumes on-going responsibility for decision making regarding all facets of an individual's life, unless the appointment is limited by the court, or is temporary. A conservator must protect and manage the finances of the person in need of protection from exploitation.

**ORGANIZATION:** The Bureau of Elder and Adult Services originated in 1966 as the Services for Aging Office in the Division of Family Services, Bureau of Social Welfare within the Department of Health and Welfare. In 1973 the office was established by statute as a separate and distinct organizational unit of the Department, under the name of Office of Maine's Elderly. It was renamed Bureau of Maine's Elderly in amended legislation of that year. Legislation was passed in 1989 to bring into the Bureau the Division of Adult Services of the Bureau of Social Services, as of October 1, 1989, and to rename it the Bureau of Elder and Adult Services. It is currently one of six bureaus in the State Department of Human Services. The Bureau operates from a central office in Augusta and from the five regional offices of the Department of Human Services. It has also designated five private non-profit area agencies on aging across the state, under federal and state law to receive and administer Older Americans Act funds for programs for the elderly.

**PROGRAM:** The Bureau's programs for the elderly focus on assisting persons age 60 and over to maintain independent and productive lives. To do so, it budgeted for FY 94 \$17,500,000 dollars of state and federal funds, most of which were granted to the Area Agencies on Aging (AAA).

During FY 94 the Bureau supported a wide range of comprehensive services including information and referral, outreach, care management and in-home care, housing assistance, legal services, employment assistance, adult day care, transportation, health screening, homemakers, and home repair services. In addition, more than 14,938 people were served hot meals in 118 nutrition sites and through home delivered programs across the State. Eighty-two older workers served local agencies through the Senior Community Service Employment Program.

In FY 94 the Bureau continued to work closely with AAAs to develop a variety of resources to meet the needs of the over 1,560 clients who were helped to remain at home through the Home Based Care

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Program and care management services. The Medicaid Waiver for In-Home and Community Services served 1,033 persons who would otherwise be in nursing homes. The Bureau continued its technical assistance to and monitoring of quality of in-home services. It also provided financial support to 24 congregate housing services programs for approximately 220 congregate housing residents.

The Bureau provided protective services to approximately 3,000 people and served as public guardian and/or conservator for 646 people which involved managing client assets of more than \$2,400,000.

The Long Term Care Ombudsman Program, provided through an agreement with Legal Services for the Elderly, investigated more than 448 complaints on behalf of nursing home residents and recipients of in-home care services, resulting in 248 opened cases. In addition, 350 requests for information were handled.

Additional accomplishments of the Bureau included the following: As lead agency for the Department of Human Services, it continued with the implementation of the Department's plan for complying with the Augusta Mental Health Institute Consent Decree Settlement Agreement. Activities continued on the third year of a federally funded project entitled "Project Care", which facilitates coalition building in communities throughout Maine to meet the various unmet needs of older people. The coalitions include churches, civic and service organizations, profit and non-profit agencies, businesses, and volunteer organizations. Work continued on two other federal grants. One provided insurance counseling for older people and involves the coordination of area agencies on aging outreach workers, the Bureau of Insurance, and Legal Services for the Elderly. The second grant is a three year project funded by the US Public Health Service. It will look at the state's service system for people with Alzheimer's Disease, and will also test the feasibility of using trained volunteers to provide in-home respite care for family caregivers of people with Alzheimer's.

The Maine Advisory Council on Elder Affairs was established, to advise the Bureau on matters affecting Maine's older citizens, to advocate for older people, and to provide a forum for discussing services for the elderly and the agencies that provide them.

In collaboration with other agencies and organizations, the Bureau worked on legislation that was passed to protect the rights of alleged incapacitated persons in temporary guardianship proceedings, and to expedite petitions for guardianship and conservatorship regarding placements and the protection of estates.

The Bureau was successful in finding less costly but quality homemaker services in two areas of the state, as a result of issuing requests for proposals ("RFPs"). An RFP was also issued to evaluate home care services funded through the Home Based Care and Medicaid Waiver programs. Working with the Bureau of Medical Services, the Bureau also succeeded in obtaining an additional Medicaid Waiver, to serve non-elderly adults with disabilities.

The assessment form, policies, and instructions for the Home Based Care and Waiver programs were revised to reflect the new nursing facility eligibility requirements established by the Legislature in 1994. Training was provided statewide for all of the various facilities and home care service providers affected by the changes. The overall goal of the new requirements is to reduce state expenditures for nursing home care and use some of the savings to provide more home care options and residential alternatives for older people.

Working with the Bureau of Income Maintenance, procedures were developed to allow older people to use food stamps in participating restaurants.

The Bureau also continued with activities to implement TQM initiatives, including training for all staff and establishing its TQM council. A committee was also set up to plan for training on an ongoing basis, to better identify the training needs of staff and to utilize more effectively the training that is available through other state agencies, especially the Child Welfare Training Institute at the University of Southern Maine. Two training sessions were also held for the outreach workers from the area agencies on aging and the staff of Legal Services for the Elderly, to increase and improve referrals between the agencies and for skills development. Training was also provided for the Bureau's supervisory and management staff regarding supervisory skills, learning styles, and team building. Goals to make computers, networking capabilities, and other timesaving technology available to all staff were met, including training and the availability of technical assistance on an ongoing basis.

### LICENSES, PERMITS, ETC.:

Certification of Congregate Housing Services Programs  
Adult Day Care Licensing

## HUMAN SERVICES

**PUBLICATIONS:** Free and available at the Bureau of Elder and Adult Services are:

- Resource Directory for Older People in Maine (7/94)
- Demographics of Maine's Elderly: Income Levels, Age, Gender, Marital Status, Household Size and Living Arrangements (6/91).
- Health Care: Your Right To Choose (1992)
- Guide to Health Insurance for People with Medicare (NAIC and HCFA, 1994)
- Forms for Durable Power of Attorney for Health Care and Living Will Declarations
- Abuse, Neglect and Exploitation in Licensed Facilities

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF ELDER AND ADULT SERVICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,871,978	2,596,849			275,129	
Health Benefits	288,106	258,415			29,691	
Retirements	466,089	421,074			45,015	
Other Fringe Benefits	28,481	27,321			1,160	
Other Contract Services—State	117,648	115,156			2,492	
Computer Services—State	1,953	1,680			273	
Other Contractual Service	352,356	294,909			57,447	
Rents	686	686				
Commodities	29,595	23,337			6,258	
Grants—Subsidies—Pensions	6,413,544	1,494,803			4,918,741	
Building Improvements	2,394				2,394	
Interest—Debt Retirement	105	105				
Transfer to Other Funds	979		8		971	
<b>TOTAL EXPENDITURES</b>	10,573,914	5,234,335	8		5,339,571	

## EMERGENCY MEDICAL SERVICES BOARD

**CHARLES LITTLE, M.D., CHAIRMAN**

*Central Office:* 353 Water Street  
*Mail Address:* Augusta, Maine 04330

*Telephone:* 287-3953

*Established:* 1982

*Sunset Review Required by:* June 30, 1993

*Reference: Policy Area:* 03; *Umbrella:* 10; *Unit:* 163; *Citation:* 32 M.R.S.A., Sect. 88

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Emergency Medical Services Board, as defined by Chapter 2-B of 32 MRSA, is the central agency responsible for insuring an effective statewide emergency medical services system. Pursuant to the legislative intent, the Board recognizes and accepts its role as a separate, distinct administrative unit of the Department of Human Services. The Board assigns responsibility for carrying out the purposes of Chapter 2-B, 32 MRSA, to Maine Emergency Medical Services within the Department of Public Safety.

The Board further recognizes its responsibility to work cooperatively with the Department of Human Services and all other parties interested in the emergency medical services system, and accepts its role as the authority accountable to the Citizens of the State of Maine.

**ORGANIZATION:** The Board has 13 members. Six represent regions of the State, the others represent for-profit ambulance services, not-for-profit ambulances, first responder services, emergency department nurses, emergency department physicians, the public, and an attorney. The Board meets at least

## HUMAN SERVICES

quarterly by law: its practice is to meet monthly, on the first Wednesday of the month at 9:30 a.m. in Augusta. The Board elects its Chairperson.

(See Also: Office of Emergency Medical Services)

**PROGRAM:** The Board adopted 1993 goals. The Board's licensure responsibilities have been delegated to staff which has overhauled the computer licensure system, previously used to make it more responsive to the needs of EMS service chiefs and other providers.

The Board continued committees to establish more uniform systems of EMS training and testing, and to coordinate medical care protocols. These committees include non-Board members with special expertise, including unprecedented physician participation, and have met monthly to carry out their assignments. New written and practical exams, curricula and instructor outlines, and statewide treatment protocols, are being completed at all levels of prehospital care.

(See also: Office of Emergency Medical Services)

### LICENSES, PERMITS, ETC.:

Ambulance vehicle licenses.

Ambulance and First Responder Service licenses and permits

Ambulance Attendant, Emergency Medical Technician, Emergency Medical Technician Advanced for EOA, Intermediate, Critical Care and Paramedic licensure.

### PUBLICATIONS:

Annual Report, free

Directory of Ambulance Services, free

Laws and Regulations affecting EMS, free

Journal, free

Incidental Reports on Studies of Emergency Care, free

Statewide Protocols, \$5.00

Maine EMS Goals, 1992-93, free

Standard Operating Policies and Procedures Model Manual, \$15.00

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Human Services.

## DIVISION OF HEALTH ENGINEERING

W. CLOUGH TOPPAN, DIRECTOR

*Central Office:* 157 Capitol St., Augusta

*Telephone:* 287-5697

*Mail Address:* State House Sta. #10, Augusta, Maine 04333

*Established:* 1936

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144E; Citation: 22 M.R.S.A., Sect. 2491

**PURPOSE:** The Division of Health Engineering serves the entire state resident and visitor population through the five major programs which are reported in the Program.

**ORGANIZATION:** The Division of Sanitary Engineering was formed prior to 1942 to administer the state plumbing code, investigate water related problems and complaints posed to the Bureau of Health. The name was changed to Division of Health Engineering in 1972.

**PROGRAM:** The Division of Health Engineering serves the entire state resident and visitor population through the following five major programs.

## HUMAN SERVICES

**Community Environmental Health Program.** The population living in Maine communities is exposed to a variety of health hazards from biological, chemical and physical agents.

The Community Environmental Health Program has a long history of surveillance of food and lodging services provided by Maine's recreational industry. Over the years, the Legislature has directed the Division to license an ever-increasing number of related establishments, such as school lunch programs, vending machines, boys and girls camps, monitoring air quality from SCUBA compressors, electrologists, tattooists, swimming pools and spas, etc. General sanitation complaints received by the Division are directed to this program for investigation.

The 8500 licensed establishments are inspected by a field staff of 9 inspectors. In 1993 the field staff conducted over 6000 inspections including routine, follow-up, complaints and other types of inspections. These included some inspections for other programs within the Division. Establishments in serious violation of the rules can be taken to Administrative Court for suspension or revocation of the license or can be issued fines. The staff also participates in emergency situations and drills at the Maine Yankee Atomic Power Plant.

Complaints are investigated by sanitarians on a priority basis. Complaints may be registered with the Eating and Lodging Program in person, by telephone or via the mail. A brief description of each complaint is reviewed and then assigned to the sanitarian covering that particular area where the complaint was registered. The Division received over 200 complaints in 1993.

**Drinking Water Program.** Deficient water supply systems can and do result significant health related problems and have subjected populations to biological, chemical, and physical hazards.

The Drinking Water Program provides water quality surveillance and technical assistance to Maine Public Drinking Water Systems. In 1976, the Department accepted Primacy (primary enforcement authority) for regulating community and non-community water systems in Maine. The Safe Drinking Water Act (1974) and the 1986 Amendments thereof require water testing for a total of 83 contaminants. Many additional water systems have been added to the State inventory since then. More frequent water testing is required and the list of potential water contaminants has grown. Creation of the Maine Public Drinking Water Commission and the Public Drinking Water Fund marked the beginning of the Alternative Funding Initiative, an industry supported effort to fund increased program staffing. State Rules Relating to Drinking Water were adopted in 1977 and amended in 1983. The rules now are updated annually to include Federally required mandates. The recording and reporting of data at the Health and Environmental Testing Laboratory has been computerized and can be automatically transmitted to the Drinking Water Program via modem. The primary concern of the Program remains the quality of drinking water served for consumption by the general public. Secondary roles include the interpretation of water analyses, technical assistance and support for the private sector.

In FY 94, program staff accomplished the following operating objectives: (1) conducted 283 sanitary surveys, 12 inspections, 19 technical assistance visits and 4 drop-in inspections pursuant to the 1986 Amendments to the Federal Safe Drinking Water Act; (2) licensed 119 water treatment plant operators and conducted 4 separate license examination sessions; (3) continued programming of a totally computerized data base system that automatically determines compliance with water quality standards; (4) provided 8 days of training seminars for water treatment plant operators; (5) provided technical review of 35 sets of engineering plans regarding water supply, storage and treatment projects; (6) provided hydrogeologic review of 33 separate groundwater supply projects included 13 new well preapprovals, 9 new well final approvals, 5 incomplete applications (action pending), 4 new systems and 2 unregulated systems; (7) monitored 2,687 water supplies for compliance with mandates of the Safe Drinking Water Act; (8) provided technical assistance to both the private and public sector in reference to drinking water problems; (9) continued implementation of a comprehensive Wellhead Protection Program, including educational outreach; (10) continued development of compliance and enforcement software that generates compliance reports and violation notices; (11) continued joint enforcement efforts with the Manufactured Housing Board (Mobile Home Parks), the PUC and the DEP; (12) reported all changes and additions to public water supplies to the EPA as required under FRDS (the Federal Reporting and Data System); (13) rewrote and adopted the State Drinking Water Rules incorporating newly promulgated Federal EPA rules; (14) issued 8 Bilateral Compliance Agreements, 13 Final Administrative Orders, 12 Pending Administrative Orders to public water supplies using surface water sources; (15) conditionally approved the installation of four new alternative water treatment technologies for 18 public water supplies using surface water sources; (16) continued to monitor 211 orders requiring public water systems using surface water supplies to install filtration; (17) conducted inspections of bottled water facilities; (18) continued development and implementation of a GIS system to facilitate project review and issuance of waivers and exemptions for regulated contaminants; and (19) provided supervision for cross connection control programs for public water supplies.

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**Radiological Health Program.** The program is divided into 7 major areas; a brief description follows.

1. *Environmental Surveillance:* Environmental monitoring for ambient gamma radiation and specific radionuclide analysis in biological media is conducted within a 25 mile radius of Maine Yankee Atomic Power Plant.

Thermoluminescent dosimeters (TLDs) are used to measure ambient gamma radiation. Nine (9) stations near the plant are monitored monthly and fifty-two (52) stations within 25 miles are monitored quarterly. In addition, the State of Maine maintains forty-one (41) TLD stations within 10 miles of the plant under a contract with the U.S. Nuclear Regulatory Commission.

A continuous air sampler is maintained at the plant and filters are replaced and analyzed weekly. Seaweed and water samples are collected weekly near the plant service water discharge outlet. Quarterly, 9 milk samples, 5 seaweed samples, and 19 water samples are analyzed for specific radionuclides.

In March of 1989 a remote monitoring system was installed around Maine Yankee Atomic Power Plant. The system is comprised of seventeen (17) gamma radiation monitors which are linked by radio to a control computer located onsite in the Office of Nuclear Safety. The monitors ring the plant site and range from 0.1 to 0.9 miles from the plant. Data from in-plant radiation monitors is also collected by the system. The control computer supports links to computers in Augusta at the Maine Emergency Management Agency and the Division of Health Engineering.

Environmental monitoring also occurs in York County to determine the background radiation due to the presence of Portsmouth Naval Shipyard and New Hampshire Yankee Atomic Power Plant (Seabrook Station). Fifteen stations monitor gamma radiation within a 30-mile semi-circle in southern Maine.

2. *X-Ray Registration:* Rules Relating to Radiation Protection require the annual registration and periodic inspection of all 965 x-ray facilities and 2,315 machines. Nine hundred and fifty-nine (959) facilities were licensed with a total of 2282 tubes registered. The program conducts inspections of all mammographic x-ray units. These inspections were coordinated with The Division of Licensing and Certification and are required for HCFA reimbursement. The program will contract with the Division of Mammography Quality and Radiation Programs Office of Health and Industry Programs Center for Devices and Radiological Health to perform inspection under the 1992 Mammography Quality Standards Act (MQSA) which will begin on October 1, 1994.
3. *Tanning Salon Registration:* Rules Relating to Tanning facilities (10-144A CMR 223) were promulgated. Currently there are approximately 300 facilities registered. These facilities are inspected yearly by Division of Health Engineering personnel.
4. *Emergency Response:* The Radiation Control Program is prepared to react to radiation emergencies such as could occur at a nuclear power facility, or any holder of radioactive materials (hospitals, institutions, industry). Biannually, the State participates in a federally evaluated emergency drill for Maine Yankee Atomic Power Plant and New Hampshire Yankee Atomic Power Plant. The Radiation Control Program plays a central role in the assessment of the accident and consequences to the public health. Field teams comprised of Division of Health Engineering personnel and under the direction of the Radiation Control Program perform initial monitoring for releases of radioactivity and for long term contamination by radioactivity.
5. *Office of Nuclear Safety:* The Office of the State Nuclear Safety Inspector was established at the Maine Yankee plant with the hiring of the Nuclear Safety Inspector on February 6, 1989. The Nuclear Safety Inspector undertook the responsibility of monitoring Maine Yankee, e.g., monitoring storage and transportation of low-level radioactive waste, observing NRC inspections, and overseeing the State's newly acquired and installed remote radiation monitoring system installed in proximity to Maine Yankee.
6. *Radioactive Materials Licensing:* The State of Maine entered into an agreement with the Nuclear Regulatory Commission (NRC) in April of 1992 to license and inspect all radioactive materials users. The programs scope covers licenses for 116 licensees and for all radioactive materials, some of which the NRC has never regulated. The NRC has retained the licensing rights to low-level waste disposal sites and to crucial quantities of special nuclear materials.
7. *Radon:* The State of Maine, through the federal State Indoor Radon Grant, funded by the U.S. Environmental Protection Agency has a public outreach program for the public. In addition, the Maine Legislature in 1990 mandated a registration requirement for individuals and companies that provide air and water radon services to the public. The public outreach activities involve



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providing information regarding testing for radon in air and water, and testing and providing information on reducing air radon levels in schools. A toll-free telephone which rings to the radon program is available for in-state use. The Radon Registration Act, LD 889, required all radon service providers to be registered with the department. Rules have been promulgated requiring certain training and experience in order to become registered. The legislature provided for annual fees to be charged to those wishing to be registered.

8. **Low-Level Radioactive Waste:** Maine signed a compact agreement with Texas for the disposal of low-level radioactive waste in 1993. As a result, the Maine Low-Level Radioactive Waste Authority was dissolved (Public Law Chapter 664) and Department of Human Services was designated as the agency to fulfill the state regulatory and enforcement requirements for the Texas Low-Level Radioactive Waste Disposal Compact.

The primary objectives of the Radiation Control Program for FY 1995 are to 1.) implement the regulatory requirements of the MQSA for mammography, 2.) integrate the added responsibilities for low-level radioactive waste with the existing radioactive material licensing program, 3.) improve the timeliness of radioactive material licensing actions, 4.) maintain a proactive public outreach program for radon awareness, and 5.) pursue cooperative agreements with MSHA for assistance to low-income home owners for radon testing and mitigation.

**Indoor Air Program.** The Indoor Air Program, established in 1985, consolidated and ultimately established several services related to general hygiene, quality of life or acute health concerns: particularly formaldehyde, lead based paint, volatile organic compounds, ventilation related concerns and radon. Services provided significantly increased to include assessments for contaminants and ventilation in residences, schools and state offices. These services were also available to municipalities.

Due to the need for prioritization of public health responsibilities and limitations of staff and resources within the Bureau of Health, the Indoor Air Program response capabilities have been significantly reduced. This program is unable to perform any additional worksite (state offices or schools) or home investigations. Furthermore, no staff is available to provide technical assistance or to respond to public inquiries or questions. The Indoor Air Program is not a legislatively mandated program and is not adequately funded. This difficult decision to reduce services was made due to layoffs in State government and the need to better utilize the remaining staff to comply with certain requirements of recent lead paint legislation.

**Wastewater and Plumbing Control Program.** Improperly installed plumbing and subsurface wastewater disposal systems can subject man to many biological, chemical and physical health hazards.

The Wastewater and Plumbing Control Program dates back to 1933 with the adoption of the first plumbing code for interior plumbing. The program assists each municipality in Maine to administer a municipal plumbing control program by providing technical assistance and administrative services. The program staff examines and licenses professionals who design subsurface waste water disposal systems.

In FY '94, the program staff accomplished the following objectives:

1. Coordinated the issuance of 24,000 municipal plumbing permits and maintained a billing system for money received.
2. Reviewed new designs of subsurface waste water disposal systems based on an assessment of site conditions by means of established point values.
3. Provided public information about the program through forums, newsletters, news media, and correspondence.
4. Assisted municipalities in the enforcement of applicable rules with investigation of specific problems, preparation of court complaints or as expert court witness.
5. Administered written and field examination for candidates as Licensed Site Evaluators. Ten (10) applicants took the examination; five (5) passed. A total of 286 Licensed Site Evaluators are registered.
6. Investigated complaints and initiated appropriate legal action when determined necessary.
7. Continued a review of Departmental implementation of the Minimum Lot Size Law.
8. Continued a redraft of Subsurface Wastewater Disposal Rules. One (1) public hearing and two (2) written comment periods have been conducted.
9. Conducted several public hearings to improve existing rules.
10. Initiated an Internal Plumbing Rule Review Committee to determine appropriate revisions to the existing Rules.
11. Assisted municipalities in the interpretation and enforcement of the Internal Plumbing and Subsurface Waste Water Disposal rules through 615 appointed Local Plumbing Inspectors plus alternates.

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**Maine Water Well Drilling Commission.** The Commission was organized in April 1992. The Commission met 15 times in 1993 and discussed ramifications pertaining to the law, proposed changes, wrote rules, held a public hearing, and finalized rules.

### LICENSES, PERMITS, ETC.:

#### Licenses:

- Eating Places
- Eating & Lodging Places
- Eating Place Mobile
- Vending Machines
- Eating Place & Vending Machines
- Catering Establishments
- Eating Place & Catering
- Vending Machine Commissary
- Lodging Place (rooms in private homes if more than 3 rooms rented)
- Motels-Hotels
- Cottages (if more than 3 cottages are rented)
- Self-contained R.V.'s only
- Trailer and Tenting
- Recreational Camps
- Day Camps
- Resident Youth Camps
- Trip and Travel Camp
- School Lunch
- School Lunch and Catering
- Class "A" Tavern
- Bed and Breakfast
- Radiation—X-ray License
- Tanning Facilities
- Water—Operator's License
- Wastewater—Site Evaluator's License
- Vending Machine Location
- Senior Citizens Meals
- Eating Place Takeout
- Tattooing Parlors
- Compressed Air (for self-contained breathing apparatus)
- Electrology

#### Permit:

- Mass Gatherings

#### Certificate:

- Local Plumbing Inspector
- Code Enforcement Official—Court Procedures
- Site Evaluator
- Water Testing Laboratories

#### Registration:

- Swimming Pool (public)
- Hot Tubs (public)
- Ioning Radiation

#### Approval:

- Fluoridated Water Supply
- Public Water Supply
- Public Water Supply Engineering Plans
- Public Water Supply Wellhead Protection Plans

### PUBLICATIONS:

- Copies of rules—free, except plumbing and radiation
- Radon in Air and Water—free
- Water Supply—free

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Water Testing Guide—free  
Tanning Facility Rules—free

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Health.

### OFFICE OF HEALTH PLANNING AND DEVELOPMENT

**CARREEN D. WRIGHT, DIRECTOR**

*Central Office:* 35 Anthony Avenue, Augusta  
*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Telephone:* 624-5424

*Established:* 1976

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144N; Citation: 22 M.R.S.A., Sect. 1

*Average Count—All Positions:* 14

*Legislative Count:* 14

**PURPOSE:** The Office addresses health care issues, concerns and activities which cross Bureaus and departments, with focus on development of services, such as recruitment of health providers to rural areas and expansion/changes in health care institutions; provision of data for policy and program development; education of departmental and contract personnel; and the preparation of special reports.

**ORGANIZATION:** The Office of Health Planning includes: the Division of Health Planning, and the Division of Program Analysis and Development (previously Project Review) which were part of the Bureau of Health since 1987.

#### **PROGRAM:**

**Division of Health Planning:** Health Planning provides information and analysis to guide the directions and priorities of health program development, federal, state and foundation funding requests, and implementations of regulatory functions, such as Certificate of Need. The Division has transitioned during the past two years from a primary focus on the publication of health status and health care services information in state health planning reports to the direct involvement with health care providers, consumers, payors and advocates in the coordination and integration of health care services at community and regional levels.

During FY 94 the coordination and integration of health care services was pursued through cooperative efforts to obtain grant funding from federal agencies and private foundations. Grant applications to the federal Public Health Service to continue the Maine Office of Rural Health, the ongoing Cooperative Agreement for Primary Care, and the State Loan Repayment Program were successful. Applications to the Public Health Service to establish the Community Scholarship Program and the Service Education Linkage Grant were also funded. The Division assisted the University of New England's College of Osteopathic Medicine in obtaining grant fund under the Robert Wood Johnson Foundation's Generalist Physician Initiative Phase I and led the State effort to receive Foundation funding for the "Practice Sights in Maine" Program Phase I. Other grant funding initiatives to improve the coordination and integration of community level health care services in Maine were begun this year and will continue for 95.

The new **Office of Primary Health Care** was established to administer the Cooperative Agreement for Primary Care Services and the State Loan Repayment Program.

The Cooperative Agreement for Primary Care Services has completed the "Maine State Plan for Primary Care Services." The first edition is a compilation of health statistics and health resources. The second publication will be completed during 1995 and will contain a plan for filling gaps in health services through local, state or federal interventions. The Cooperative Agreement serves as a technical resource for communities, private and public health care providers as well as rural health centers and hospitals in their efforts to expand primary health care services to underserved populations.

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The Division continues to administer the State Loan Repayment Program. This program encourages physicians and physician extenders to practice in federally designated health professional shortage areas by offering contracts to eligible providers who practice in these areas to use federal and state funds to help repay the debts they incurred in obtaining their medical education.

The **Maine Office of Rural Health**, receives partial grant funding from the federal Office of Rural Health Policy. The Office of Rural Health promotes the coordination and integration of health care services within rural communities throughout the State, maintains a clearinghouse for information on programs and funding opportunities for improving access to health care, providing technical assistance to rural communities on recruiting health care professionals, and issuing a bi-monthly newsletter to keep the Office's constituency informed on the latest developments affecting access to health care services for the rural population of Maine.

The Office of Rural Health conducted 7 forums on rural health issues and a statewide rural health conference. The Office determines eligibility for the Rural Medical Access Program, through which the Bureau of Insurance provides premium assistance for physicians providing prenatal and obstetrical care to underserved populations. It also manages the Community Scholarship Program.

**Division of Program Analysis and Development:** The Division's primary function is to review and provide recommendations to the Commissioner of the Department of Human Services for his/her approval or disapproval of proposed significant changes in the health care system as specified in the Maine Certificate of Need Act of 1978, amended (22 MRSA Sec. 301 *et seq.*).

During calendar year 1993, the Division processed 120 proposals for new health services and/or health care capital expenditures of \$78,151,529. Of those considered, 64 were not subject to review under the Maine Certificate of Need (CON) Act. In accordance with statutory amendments, the Division waived CON review on 16 eligible proposals (\$18,987,421).

A total of 40 full applications were reviewed. Of the decisions rendered 11 applications were approved (\$20,488,161), 3 were withdrawn pending a recommendation for disapproval (\$83,475), 3 were disapproved (\$7,906,398), 22 expired (\$2,452,431 for failure to respond with the necessary documentation related to CON standards and 1 was withdrawn (\$800,000) for reasons not related to CON standards.

### PUBLICATIONS:

- State Primary Care Plan
- 1994 Rural Health Clearing House Matrix
- Maine Office of Rural Health Newsletter
- 1991 Small Area Variation Analysis of Health Status—\$8.00
- 1990 Health Systems Services in Maine Vol. I, Public Health Services—\$8.00
- Maine Certificate of Need Procedures Manual—\$5.00
- Maine Certificate of Need Monthly Project Summary—Free
- Hospital Cooperation Act Program Manual—Free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF HEALTH PLANNING AND DEVELOPMENT (HUMAN SERVICES)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	212,652	193,786	18,866			
Health Benefits	17,137	16,858	279			
Retirements	30,017	27,020	2,997			
Other Fringe Benefits	2,020	1,682	338			
Other Contractual Services—State	1,730	1,730				
Computer Services—State	-59,061	-59,246	185			
Other Contractual Service	66,660	65,849	811			
Rents	366	366				
Commodities	8,686	8,437	249			
Grants—Subsidies—Pensions	8,050	8,050				
Interest—Debt Retirement	55	55				
Transfer to Other Funds	291		291			
<b>TOTAL EXPENDITURES</b>	<b>288,603</b>	<b>264,587</b>	<b>24,016</b>			

## **DIVISION OF HEALTH PROMOTION AND EDUCATION**

**RANDY SCHWARTZ, DIVISION DIRECTOR**

*Central Office:* 151 Capitol St., Augusta

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* 1980

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144P; Citation: 22 M.R.S.A., Sect. 251

*Average Count—All Positions:* 24

*Telephone:* 287-5180

*FAX:* 287-4631

*Sunset Review Required by:* 6/30/2002

*Legislative Count:* 0

**PURPOSE:** The Division of Health Promotion and Education addresses those health problems and conditions in which prevention through education is a major strategy.

**ORGANIZATION:** The Division works closely with a wide variety of groups and organizations in carrying out its mission. Communities, worksites, school systems, hospitals, the University of Maine, health agencies and insurance companies are all involved in various aspects of the Division's work.

**PROGRAM:** The Division of Health Promotion and Education addresses those health problems and conditions in which prevention through public education and other public health interventions major strategies.

Approximately 52% of all deaths in the U.S. and in Maine are due to nine chronic diseases (stroke, coronary heart disease, diabetes, chronic obstructive lung disease, lung cancer, breast cancer, cervical cancer or cirrhosis). Additionally, roughly two-thirds of reported deaths are due to potentially preventable causes. Tobacco alone is the leading risk factor, responsible for 33% of deaths from the nine chronic diseases. In addition to tobacco, principal risk factors associated with unnecessary deaths include high blood pressure, improper nutrition, and lack of screening. Other risk factors include alcohol use, injury and lack of prevention services.

Health promotion means activities intended to reduce the prevalence of risk conditions or behaviors of individuals or communities for the purpose of preventing chronic disease and effecting other definable advances in health status. These activities include the coordination or provision of community organization, regulation, targeted screening and education, as well as informational and other scientifically supported interventions to foster health by affecting related conditions and behaviors.

The Division provides staff support to the Cancer Prevention and Control Advisory Committee. The Division works closely with a wide variety of groups and organizations in carrying out its mission. Communities, worksites, school systems, hospitals, the University of Maine, health agencies and insurance companies are all involved in various aspects of the Division's work. A brief report of the Division's major programs follows:

**Community Health Promotion Program.** This program focuses on the community as the primary level of intervention, utilizing principles of community involvement, planning, quality interventions and evaluation. The primary goal of the program is to establish a statewide network where the Division of Health Promotion and Education works in a partnership with the local communities to establish a methodology for planning, implementing and evaluating community based health promotion programs.

The Division is working with 10 Maine communities to establish the network. Two models of community organizing are being used to address the primary problems of disease prevention and health promotion in their communities. The first, PATCH (Planned Approach to Community Health), developed by Centers for Disease Control and Prevention began in Maine in 1986. PATCH focuses on risk reduction of traditional health issues; heart disease, cancer, etc. The second, Health Communities, developed by WHO (World Health Organization) began in Maine this year. Health Communities places an emphasis on the involvement of local government and has a broad definition of health looking at those items which impact health such as violence, economy, etc. Both models provide a forum through which health education professionals and citizens plan, conduct and evaluate health promotion programs at the community level.

**Cardiovascular Disease Risk Reduction Program.** This program funds local agencies to deliver community based risk reduction activities such as cholesterol and blood pressure screenings, smoking cessation programs, exercise programs and nutrition education. The major risk factors for heart disease are smoking, high blood cholesterol, high blood pressure, and physical inactivity. Secondary risk factors are obesity and diabetes.

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This year, six sites were funded to conduct community based CVD risk reduction programs. Funds for the program were provided by the Preventive Health Block Grant. Approximately 3% of Maine citizens were covered by these programs. Approximately 15,000 individuals were screened for blood pressure and cholesterol. Many individuals attended programs sponsored smoking cessation programs, nutrition education classes, and exercise activities.

In 1990 cardiovascular diseases accounted for 49% of the total deaths in Maine. The Maine Behavioral Risk Factor Surveillance System (BRFSS) indicates that 22% of Maine adults have been told they have high blood pressure, 15% have been told their cholesterol is elevated, and 24% smoke.

**Diabetes Control Project.** Diabetes myelitis is a complex disease characterized by abnormalities in the regulation of blood glucose and abnormalities in insulin production. Common complications of the disease include various disorders of the vascular and nervous systems such as atherosclerosis, adult blindness, end stage renal disease, lower extremity amputations, and loss of nerve functions. Diabetes is one of the ten leading causes of death in Maine, and a contributing factor in many other deaths.

The Diabetes Control Project's objectives are to continue to develop the core capacity in the Bureau of Health for the coordination, planning, evaluation, management, and surveillance of diabetes control activities; to continue to develop and refine ambulatory diabetes education and follow-up programs; to link inpatient education with outpatient education in hospitals having ADEF programs; and to develop and implement the following diabetes complication-specific programs:

1. Diabetic Eye Disease Prevention Program works with eligible eye care providers statewide to ensure the availability of comprehensive eye examinations for persons with diabetes at high risk for developing diabetic eye disease.
2. Maine Diabetes in Pregnancy Program works with health professionals throughout Maine to identify women with diabetes of childbearing age in order to provide patient education on the importance of good glycemic control prior to conception and throughout the pregnancy to prevent and/or reduce adverse outcomes of diabetic pregnancies.
3. Maine Amputation Prevention Program works with health professionals throughout Maine to improve the knowledge, skills and practices of health care providers, patients and families in preventive and therapeutic foot care of the person with diabetes.
4. Diabetes in Cardiovascular Disease Control Activities functions as a clearinghouse and resource referral for health care professionals caring for persons with diabetes and cardiovascular disease.

**Behavioral Risk Factor Survey (BRFS).** Begun in 1986, the Behavioral Risk Factor Survey is a federally-funded monthly telephone survey, using random-digit dialing, of Maine adults, aged 18 and older. Information is collected on health behaviors such as smoking and alcohol use, utilization of preventive measures such as pap smear and mammography, and demographic features.

**Tobacco Prevention and Control Unit.** Smoking is the leading preventable cause of death and disease in Maine and the U.S. It costs the Maine economy about \$250 million each year in health care costs, disability, lost wages, etc. Smoking alone is associated with 33% of deaths from the top nine chronic diseases.

In 1991, Maine was one of seventeen states to be awarded a contract by the National Cancer Institute (NCI) to implement Project ASSIST (The American Stop Smoking Intervention Study for Cancer Prevention).

Project ASSIST is a seven year project in partnership with the National Cancer Institute, the American Cancer Society and 17 state health departments. The goal is to reduce smoking prevalence in all ASSIST sites, combined, to less than 15% of adults by the year 2000. A secondary objective is to reduce by 50% the number of new smokers among adolescents in all award sites by the year 2000.

ASSIST is a community-based intervention directed by state and local voluntary coalitions which plan and implement tobacco control activities. ASSIST does not support direct labor for health services, but will mobilize and activate community resources for smoking prevention and cessation.

**The Workplace Smoking Law.** Staff from the Tobacco Prevention and Control Unit have assisted in a number of activities that resulted from the Workplace Smoking Law, which went into effect January 1, 1986.

**Breast and Cervical Cancer Prevention and Control Program.** Breast and cervical cancer have a significant impact on the health of Maine women. Breast cancer strikes approximately 900 women annually, and is the most commonly diagnosed cancer among women. Incidence of breast cancer has been increasing steadily both in Maine and nationally. It is the second most frequent cause of female cancer mortality in Maine, behind only lung cancer, and kills approximately 225 women each year. Cervical cancer, while it only accounts for approximately 3% of cancers among women, has a 30% higher incidence among Maine women than nationally. Both types of cancer have effective early detection

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methods which can reduce morbidity and mortality. The Papanicolaou, or Pap test, can detect over 90% of cervical abnormalities, most before they ever develop into cancer. Mammography can detect breast cancers in extremely early stages, when they are most curable.

The Maine Breast and Cervical Cancer Prevention and Control Program is among 27 programs around the country funded by the Centers for Disease Control and Prevention to build capacity within state health departments to support comprehensive breast and cervical cancer early detection programs. This planning and capacity building phase has supported an assessment of resources and gaps in the statewide provision of breast and cervical cancer screening, education, diagnosis, treatment and support services. It also identified quality assurance, professional education, and surveillance needs. A Breast and Cervical Cancer Control Plan is being drafted, and will be complete at the end of September, 1994. It describes strategies that Maine can take to reduce morbidity and mortality associated with breast and cervical cancer.

Maine will apply in July 1994 for a comprehensive program, which will provide funds to implement the strategies developed during the capacity building phase and outlined in the Breast and Cervical Cancer Control Plan. The program will pay for screening and diagnostic services for low income and underserved women, and will support statewide and local public education campaigns, professional education, quality assurance, a surveillance and tracking system, and referral and follow-up. The funding for these programs was made available to CDC through the Breast and Cervical Cancer Mortality Preventions Act of 1990.

### PUBLICATIONS:

(available at no charge)

The Maine Health Promoter

Community High Blood Pressure Program Description

Diabetes Control Project Description

Maine Behavioral Risk Factor Survey Report

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Health.

## BUREAU OF HEALTH

**LANI GRAHAM, M.D., M.P.H., DIRECTOR**

*Central Office:* 151 Capitol St., Augusta

*Telephone:* 287-3201

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* 1835

*Reference: Policy Area:* 03; *Umbrella:* 10; *Unit:* 144A; *Citation:* 22 M.R.S.A., Sect. 251

*Average Count—All Positions:* 370

*Legislative Count:* 102

### *Organizational Units:*

Central Administration

Division of Disease Control

Division of Maternal and Child Health

Division of Health Engineering

Office of Data, Research and

Vital Statistics

Division of Public Health and Environmental  
Testing Laboratory

Division of Public Health Nursing

Division of Health Promotion and Education

Division of Dental Health

**PURPOSE:** The purpose of the Bureau of Health is to preserve, protect and promote the health and well-being of the population through the organization and delivery of services designed to reduce the risk of disease by: (1) modifying physiological and behavioral characteristics of population groups ("hosts" of disease); (2) controlling environmental hazards to human health ("agents" of disease); and (3) promoting health/wellness through education, counseling, and access to health services.

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**ORGANIZATION:** The first State sponsored public health activities were delegated to the State Board of Health in 1885.

In 1917, the Board was redesignated Department of Health, administered by a Commissioner of Health and a Public Health Council. A major reorganization in 1931 abolished the Public Health Council and located the Department of Health as the Bureau of Health within the newly-created Department of Health and Welfare, which became the Department of Human Services in 1975. Although the Bureau of Health is established by Statute, its internal structure and functions are subject to definition by the Commissioner of Human Services.

The Bureau of Health has conducted health promotion, disease control and health engineering programs and has offered public health laboratory and public health nursing services since the early part of the century. The Bureau's Division of Maternal and Child Health was created in the early 1930's as a result of the passage of Title V of the Social Security Act, Grants to States for Maternal and Child Welfare.

In the 1960's and 1970's a number of programs such as emergency medical services, childhood lead poisoning, genetic disease prevention, hypertension and diabetes control were organized within the Bureau of Health as a result of federal initiatives and with federal funding. The Department's hospital regulation and assistance activities, and its medical assistance program, were a part of the Bureau of Health until 1977, when they were moved to the newly organized Bureau of Medical Services. A unit administering the Hill-Burton funds for hospital construction, the comprehensive health planning program, the cooperative health statistics, and the health manpower data systems, formerly housed in the Bureau of Health, became a part of Office of Health Planning and Development in 1976.

During the early and mid 1980's, the attention of many public health officials focused upon a new disease—HIV/AIDS. The Bureau of Health created the Office of AIDS, supported by both State and Federal funding. Health promotion and education programs were strengthened during this period, primarily in areas of smoking cessation and breast and cervical cancer prevention. Disease control professionals focused upon new concerns in occupational health while giving increased attention to an old disease—Tuberculosis.

While work continues on the health problems defined above, new concerns are commanding attention in the early 1990's. These include, among others, a focus upon drinking water safety (Water Primacy), hazards of environmental tobacco smoke, food safety, rabies and injury prevention.

**PROGRAMS:** The programs of the Bureau are carried out within the various divisions and offices listed under the organizational units section. Their individual reports detail the specific activities through which the Bureau promotes the public's health.

During FY '94, the Bureau focused attention on a set of Maine public health goals for the Year 2000. This effort involved many state agencies and independent organizations interested in health, as well as individual Maine citizens. Targeted areas include, infectious diseases, HIV infection, chronic diseases, cancer, tobacco use, maternal and child health, teen and young adult health, occupational health, environmental health, substance abuse, oral diseases, injury prevention, and mental health. The goals, and the strategies to reach those goals, were released in September 1993, jointly with the Office of Substance Abuse and the Department of Mental Health and Mental Retardation.

Additionally, during this period, the Office of Data, Research and Vital Statistics was incorporated into the Bureau. The Water Program and the Breast and Cervical Cancer Program expanded. Environmental health issues and data/information needs received increasing attention Bureau-wide, as did the discussion of the role of public health within Health Care Reform.

**Central Administration.** The Director of the Bureau functions as the State's Health Officer. In addition to overseeing the Bureau's programs, the Director is instrumental in furthering cooperative relationships with the medical and public health communities in the State and in the Nation. The Director represents the Bureau of Health's interests through active participation in the work of numerous State boards, committees, and organizations, and at the national level, represents Maine through membership in the Association of State and Territorial Health Officials.

### PUBLICATIONS:

Health Officers Manual

See each of the Bureau's eight Divisions for additional publications

*Healthy Maine 2000: A Health Agenda for the Decade*



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**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF HEALTH</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	7,006,164	2,673,384	1,690,779		2,642,001	
Health Benefits	814,878	300,992	188,245		325,641	
Retirements	1,146,272	437,153	280,220		428,899	
Other Fringe Benefits	78,525	28,861	16,343		33,321	
Other Contract Services—State	1,303,820	7,344	266,508		1,029,968	
Computer Services—State	-83,741	15,250	25,830		-124,821	
Other Contractual Service	1,463,756	542,304	129,023		792,429	
Rents	235,079	83,296	44,706		107,077	
Commodities	1,605,084	822,049	273,479		509,556	
Grants—Subsidies—Pensions	15,977,805	1,099,799	145,971		14,732,035	
Building Improvements	331,003		134,294		196,709	
Interest—Debt Retirement	1,615	1,173	1712		271	
Transfers to Other Funds	132,821		46,724		86,097	
<b>TOTAL EXPENDITURES</b>	<b>30,013,081</b>	<b>6,011,605</b>	<b>3,242,293</b>		<b>20,759,183</b>	

## HEALTH AND ENVIRONMENTAL TESTING LABORATORY

**PHILIP W. HAINES, Dr. P.H., DIRECTOR**

*Central Office:* 221 State St., Augusta

*Telephone:* 287-2727

*Mail Address:* State House Sta. #12, Augusta, Maine 04333

*Established:* 1902 (Rev. 1991)

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144Y; Citation: 22 M.R.S.A., Sect. 565-568

**PURPOSE:** The primary function of the Health and Environmental Testing Laboratory is to provide comprehensive public health and environmental testing for the Department of Human Services and the Department of Environmental Protection, as well as to other state agencies and to the people of Maine for the protection of their health and their environment. Provision of cost-effective and affordable analytical services to state agencies and to the public continues to be a major challenge. The Fee-for-Service system now funds 80% of the cost of the Lab's operation, with state funds supplying 18% and Federal funds 2%.

**ORGANIZATION:** The Health and Environmental Testing Laboratory was established by legislation in 1991 through merger of the Department of Environmental Protection Laboratory with the Public Health Laboratory of the Department of Human Services. This combined laboratory significantly strengthened the State's laboratory capabilities while increasing efficiency and reducing costs.

In the period between 1892-1898, Maine reported 9,735 deaths due to tuberculosis alone, while 6,266 deaths were attributed to other infectious diseases, especially measles, scarlet fever, influenza, whooping cough, diphtheria and typhoid fever. The State Board and local boards realized that there was a need for a fully equipped bacteriological and chemistry laboratory and strongly urged the establishment of such an organization. This organization could provide chemical and bacteriological analysis on water samples, analyze food for purity and prevent adulterations, test the efficacy of various disinfectants and diagnose bacterial diseases. Major advances in the knowledge of the causes of infectious diseases make the diagnosis of bacterial disease an important part of public health. Because of this need, in 1902 the Laboratory of Hygiene was created under the supervision of the State Board of Health. However, the functions were strictly limited since in 1906, the Laboratory was authorized to perform only chemical

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analysis of water and the bacteriological examination of sputum for tubercle bacillus, of blood for the Widal typhoid reaction and of throat swabs for the diphtheria bacillus. In 1917, the Laboratory of Hygiene was placed within the Department of Health which replaced the State Board. In 1969, the Public Health Laboratory moved into new facilities in the Health and Welfare (now Human Services) building consolidating all departmental laboratories.

The Department of Environmental Protection Laboratory was established with that Department in 1972. It has provided chemistry and other analytical expertise and services to the Department of Environmental Protection until the time of the merger with the Public Health Laboratory. Those services are now provided by the combined laboratory.

The Health and Environmental Testing Laboratory is organized in the following sections:

### **Clinical Microbiology**

Virology including serology

Bacteriology/Parasitology

Mycobacteriology/Mycology/Rabies

### **Forensic Chemistry/Toxicology**

### **Inorganics and Nutrients**

### **Organic Chemistry**

### **Administrative Services**

### **Laboratory Certification**

Clinical

Environmental

## **PROGRAM:**

### **Virology Section**

Since 1970 when the virology section was first formed, the section has offered a variety of services which could not be routinely performed at the average hospital laboratory to aid in the diagnosis of clinically ill patients suffering from an acute infectious viral disease. The section is organized along traditional procedures used to diagnose viral (sometimes nonviral) diseases in the laboratory: (1) isolation, culture and identification of the agent; (2) demonstrating the significant increase in serum antibodies during the course of illness in a patient to a particular agent; (3) direct examination of clinical materials for the presence of a particular agent. The last procedure is the most rapid procedure but is generally limited to a few diseases at the present time (e.g., rabies, herpes, encephalitis, etc.).

Virus isolation involves a variety of clinical specimens such as throat swabs, rectal swabs, vesicle fluid, cerebral spinal fluid, tissues, etc., which are then processed and inoculated into suitable animal cell culture for isolation and identification. The most frequent virus isolates are herpes simplex virus, influenza viruses, parainfluenza virus, and enterovirus.

Serologic testing involves a wide variety of tests involving virus and non-viral agents. The tests are designed to either diagnose a recent infection or to provide evidence of past infection to differentiate immunity/susceptibility in individuals. Hospitals are now requesting that their employees be screened to determine whether they are immune to rubella, measles or chickenpox since outbreaks involving these viruses are capable of easily involving hospital patients.

A major public health problem now receiving national and international attention because of the large number of cases involved and fatal consequences is acquired immune deficiency syndrome (AIDS). The Virology Section is testing for serum antibody against the human immunodeficiency virus (HIV) which is the agent responsible for the disease using the enzyme immunoassay (EIA). In late 1986 a Western Blot test was made available in-house to confirm true positive cases. In FY 1991-92, over 16,000 serum specimens were tested for HIV infection. Around 190 cases of clinical AIDS have been reported in this state to date.

Several other sexually transmitted diseases which are of public health importance are herpes simplex, syphilis and chlamydia. The importance of screening pregnant women for primary or recurrent herpes simplex infection in the genital area is to minimize the risk of neonatal herpes which can be devastating to the health of the child resulting in death or permanent brain damage if the infant were to be infected during the delivery process.

### **Bacteriology/Parasitology**

The bacteriology/parasitology section provides a variety of services to the State of Maine. Specimens for examination are received from different public and private agencies, doctors, hospitals and clinics. These specimens come from numerous sources such as foods, human, animal or environmental. The following is a general list of capabilities:

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- |                                  |  |
|----------------------------------|--|
| 1. <b>Chlamydia</b>              | Examine specimens for this significant sexually transmitted disease by DNA probe.  |
| 2. <b>Parasitology</b>           | Identify helminths (worms) like tapeworms or round worms. Examine stools for ova (worm eggs) or protozoa. Protozoans cause amoebic dysentery and giardiasis. |
| 3. <b>Foodborne Illness</b>      | Analyze foods for foodborne bacteria that cause disease. Bacteria that cause botulism, bacillary dysentery and typhoid fever are examples.                   |
| 4. <b>Neisseria gonorrhoeae</b>  | Examine samples for identification by DNA probe. Do drug sensitivity testing on positive cultures.   |
| 5. <b>Special Bacteriology</b>   | Identify bacteria that require special procedures. Bacteria that cause whooping cough, meningitis, plague and brucellosis are just some examples.            |
| 6. <b>Enteric Bacteriology</b>   | Identify bacteria that cause typhoid fever, bacillary dysentery and Yersiniosis.   |
| 7. <b>Anaerobic Bacteriology</b> | Identify bacteria that cause botulism and gas gangrene.  |

### **Mycobacteriology, Rabies, Mycology**

The Tuberculosis Laboratory provides support to the Bureau of Health as well as a service to doctors, hospitals, and clinics. Since *Mycobacterium tuberculosis* may invade any organ of the body, such varied specimens as sputum, all body fluids, pus, urine, and tissues may be sent to the laboratory for examination. The laboratory identifies other mycobacteria as well as *M. tuberculosis*. Drug susceptibility studies are performed on all mycobacteria. The trend indicates a steady increase in the isolation of *M. tuberculosis* and atypical mycobacteria from the general population. There was a noticeable increase in the number of atypical mycobacterial isolates over the previous year. This trend is expected to continue because of the number of immuno-suppressed patients who are susceptible to many diseases.

Rabies diagnosis in animals is performed at the request of individuals, physicians, or veterinarians as well as the Department of Agriculture when an exposure or potential risk is indicated. In the last 5 years we have had only 11 positive bats and three positive cats, which is a big drop from previous years. With the threat of epizootic raccoon rabies nearing the state, the Health and Environmental Testing Lab has added a staff position for rabies testing, and remodeled its facilities for this work. A ten-fold increase in this workload is anticipated when the outbreak strikes Maine.

In the Mycology Laboratory, clinical and reference diagnostic services are provided to doctors, hospitals, and clinics. There is more demand in the identification of mycology cultures, therefore, our numbers of specimens received increased by approximately 15% for this fiscal year.

### **Forensic Chemistry/Toxicology**

The Chemistry Section of the Health and Environmental Testing Laboratory is a well-equipped analytical laboratory with modern instrumentation including IR/UV/VIS spectrophotometry, gas chromatography, high pressure liquid chromatography, and gas chromatography/mass spectrometry.

The Laboratory analyzes such diverse samples as seaweed for radiation and urine for drugs. The most rapidly growing program has been the testing of harness racing samples for drugs.

In response to growing concerns about child lead poisoning accompanied by new Centers for Disease Control standards defining blood lead action levels, the Laboratory has greatly expanded its blood lead analysis capacity to improve identification of affected children. All lead screening is now accomplished using direct blood lead analysis.

In addition, the Legislature has centralized blood lead testing in the HETL to enhance follow-up. During FY '93, the Laboratory processed approximately 24,500 blood lead tests compared to 7,500 during FY '92.

The addition of new analytical equipment has increased the speed and sensitivity of urine drug testing. We currently analyze urine samples from drivers for the Maine State Harness Racing Commission. In addition we support the following programs:

#### **Program Supported** Public Safety

#### **Support Activities**

Drug identification for law enforcement agencies  
Certification of analysts for drug identification  
Blood and breath alcohol analyses  
Certification of analysts for alcohol testing  
Approval and repair of Intoxilyzers  
Arson analyses

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Chief Medical Examiner	Certification of Analysts for OUI-drug testing
Agriculture	Drug toxicology
	Harness racing horse/driver drug toxicology
	Feed and Fertilizer testing
	Food safety testing
Health Engineering	Pesticide testing
	Radiation monitoring
	Indoor air testing for volatiles
Public Health Nursing	Public drinking water testing
General public/various	Lead/EP screening
State agencies	Bulk asbestos screening
	Radon/radiation testing

### Inorganics and Nutrients

The Inorganic and Nutrient Analysis section comprises much of the former water laboratory section as well as the DEP heavy metals and nutrients labs. This section tests drinking water from both public utilities and from private wells, for safety and for other contaminants. It also tests a large range of environmental samples for similar contaminants.

Modern bacteriologic techniques are used to identify and quantitate indicator organisms and specific pathogens in drinking water, and in environmental samples. Tests are employed to measure safety in drinking waters and swimming area samples, and to assess levels of contamination or levels of compliance in environmental samples such as sewage, discharges, leachates, and ambient waters.

Atomic absorption spectrometry, by both graphite furnace and flame atomization, is utilized to measure levels of various heavy metals in water and in biologic and environmental samples. Autoanalyzers, ion selective electrodes, and conventional techniques are used to analyze nutrients, ions, aesthetic contaminants, BOD, and other parameters in various sorts of samples.

Data from this section are a central part of the monitoring and enforcement efforts of the Drinking Water Program in the Division of Health Engineering. Data are also utilized by the Department of Environmental Protection's Water and Land bureaus, by the Department of Transportation's Well Claims Division, and by other state agencies.

Automation and computerization are playing a critical role in maintaining high productivity during times of declining personnel resources. The use of seasonal employees is also important in meeting the fluctuating workload cost effectively.

### Organic Chemistry:

The Organics section is a combination of the pesticides/organics laboratory of the Public Health Lab and the Organics section of the DEP lab. Utilizing highly sophisticated techniques such as gas chromatography and gas chromatography/mass spectrometry, this section analyzes water samples, soils, leachates, and other samples for hydrocarbons such as gasoline, organic chemicals such as PCBs and volatiles, and for pesticides.

This section provides large numbers of tests for the DEP's regulatory and monitoring programs. It also performs volatile organic analyses for the Drinking Water Program, and is the analytical arm for the regulatory efforts of the Board of Pesticide Control.

This section relies heavily on automated instrumentation to manage an increasing sample load, but many sample preparation functions are still of a manual nature. Capital expenditures are an ongoing part of maintaining adequate capability in this area.

### Administrative Services:

The Administrative Services section provides clerical support, billing and accounting functions, sample collection kit preparation, shipping, receiving of both samples and lab supplies, sample log-in, result reporting, and public access services for the entire laboratory. Consolidation of the DEP lab and the Public Health Lab has placed greater strain on this section, highlighting the need for additional commitment to computerization and other automation.

### Laboratory Certification:

#### Clinical:

The Clinical Laboratory certification program combines functions of Licensure of clinical laboratories under the Maine Medical Laboratory Act, Certification of Health Screening Labs, review of proficiency testing results from all clinical labs including physician's office labs, and provision of limited amounts of training to clinical laboratorians. The program also provides, by contract to the Bureau of Medical Services, the technical expertise needed for inspection of hospital labs, and for various

## HUMAN SERVICES

consultative functions required by that Bureau. The Clinical Lab Improvement Program also publishes a quarterly newsletter for clinical lab and public health labs, *LabGab*.

The implementation of the federal Clinical Laboratory Improvement Act of 1988 was finally announced during 1992, and the demands of that law will entail major challenges for the Clinical Lab Certification program during the coming year.

### **Environmental:**

The Environmental Lab certification program has, in the past, involved only certification of drinking water labs as part of the Drinking Water Program in the Division of Health Engineering. Legislation effective in July of 1991 expanded the responsibility of this program to include certification of all laboratories providing monitoring, compliance, or regulatory data to the Department of Human Services or the Department of Environmental Protection. This includes many environmental labs and plant discharge monitoring labs. During FY 1994, rules were adopted for certification of comprehensive environmental laboratories.

### **LICENSES, PERMITS, ETC.:**

#### **License:**

- Independent Clinical Laboratory
- Substance of Abuse Testing Laboratory
- Health Screening Laboratory Service

#### **Certificate:**

- Blood Alcohol Phlebotomist
- Blood Alcohol Analyst
- Drug Analyst
- Breath Alcohol Testing Equipment
- Water Testing Laboratory
- OUI-Drug Analyst
- Environmental Laboratory

### **PUBLICATIONS:**

LAB GAB—quarterly newsletter—sent to hospitals, private laboratories, pathologists, State Public Health Laboratory Directors and other interested parties. (Available free of charge.)

A Correlation and Study of Blood and Breath Alcohol Testing (Available free of charge.)

Directory of Laboratory Services—Maine Health and Environmental Testing Laboratory (1991). (Available free of charge.)

Rabies informational booklet. (Available free of charge.)

Water Testing Guide. (Available free of charge.)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$3,800,000.00 in FY 94 and are, by administrative decision, included with those of Bureau of Health.

## **BUREAU OF INCOME MAINTENANCE**

**PETER E. WALSH, DIRECTOR**

*Central Office:* Whitten Rd., Hallowell

*Telephone:* 287-3106

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* 1913

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144B; Citation: 22 M.R.S.A., Sect. 3101

*Average Count—All Positions:* 917.5

*Legislative Count:* 339.5

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### *Organizational Units:*

Quality Control Unit	Food Stamps
General Assistance	Medicaid Eligibility
Aid to Families with Dependent Children	Emergency Assistance
Division of Support Enforcement and Recovery	A.S.P.I.R.E. JOBS/JET/Family Services

**PURPOSE:** Through the authority vested in the Commissioner of Human Services, the primary responsibilities of the Bureau of Income Maintenance are to administer State and federal income maintenance programs, including Aid to Families with Dependent Children (AFDC), the Food Stamp program, General Assistance, Emergency Assistance, Medicaid eligibility, and optional grants to Supplemental Security Income recipients. The Bureau also enforces child support enforcement and location laws. The Bureau administers the welfare to work training program known as ASPIRE. Furthermore, the Bureau supports the development of management information systems and other management control systems; and, finally, administers quality control activities as required by Federal regulation.

**ORGANIZATION:** The Bureau of Income Maintenance originated in 1913 with the creation of the State Board of Charities and Corrections. In 1927, the Board was renamed Department of Public Welfare, and in a major reorganization of State Government in 1931, the Department became the Bureau of Social Welfare within the newly created Department of Health and Welfare. The Bureau of Social Welfare was renamed Bureau of Income Maintenance by the 110th Maine State Legislature effective September 18, 1981. These central office units provide staff support to the Department's five regional offices. The Bureau is recognized by statute as an administrative unit of the Department of Human Services. Its internal structure and functions are subject to the discretion of the Commissioner.

**PROGRAM:** The most significant accomplishments of the Bureau during FY 94 were: innovations in child support collection methods including license revocation from non-paying obligors, increase in child support collections from absent parents; development of welfare reform procedures and determining correct grant amounts in a timely manner for increasing caseloads and decreasing staff.

**Aid to Families with Dependent Children (AFDC).** The AFDC program provides financial assistance to needy families deprived of parental support and care due to incapacity, unemployment or absence from the home of a parent. This is a categorical assistance program based on sixty-two percent federal and thirty-eight percent State funding. The Income Maintenance Unit processes applications and conducts periodic reviews through the regional offices. The Unit's active caseload averages 21,000 cases. Policy, which must comply with federal regulations, is established centrally and carried out through the regional offices. Effective October, 1985, AFDC for unemployed parents was started. Effective January 1, 1989, AFDC for pregnant women was implemented. Effective April, 1992, additional benefits were made available to families which spent 75% or more of their income on shelter costs.

**General Assistance.** The General Assistance Staff of the Bureau has basic responsibility for reviewing validity of local agency claims, conducting audits and administrative reviews, handling complaints from clients, as well as offering consultation to municipal officials in establishing standards of need.

**Emergency Assistance.** This program is designed to provide assistance to families with dependent children. It is limited in scope, length and frequency of service. Most assistance is granted to alleviate an emergency caused by destitution or homelessness.

**The Telephone Subsidy and Installation Programs.** The Maine State Legislature authorized the Public Utilities Commission to administer the Telephone Subsidy and Installation Programs. The Department's role is to provide information to potential recipients.

**A.S.P.I.R.E. /JOBS Program.** In July 1988, the A.S.P.I.R.E. Program replaced the WEET Program. In June 1988, the Legislature enacted the A.S.P.I.R.E. Program, Additional Support for People in Retraining and Education, a coordinated delivery of education and training programs designed to reduce welfare dependency.

The Bureau of Income Maintenance is responsible for the overall administration and operation of the A.S.P.I.R.E. Program. The Bureau of Income Maintenance contracts with the Department of Labor Job Training System and other community resources to provide education, training, and job placement.

The A.S.P.I.R.E. Program provides the following services to AFDC recipients:

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- Assessment of AFDC recipients employability and employment-related needs for education, training, and support services,
- Case management approach, working with individual A.S.P.I.R.E. participants to put together the particular mix of available education, training, employment, and support services needed by the individual recipients,
- Development of action plan (Individual Opportunity Service Contract) to address client needs,
- Pre-training, including remedial education, career decision-making, social-life skills development,
- Referral to other agencies for support services, education, training, and job placement services,
- Support services to assist AFDC recipients to obtain the education, training, and job search assistance to become self-sufficient, and
- Coordination with other agencies to ensure the availability of and accessibility to services and opportunities for AFDC recipient

**A.S.P.I.R.E./JET Program.** Food Stamp recipients began to receive employment and training services in January 1983, after the Department of Human Services received a contract from the U.S. Department of Agriculture to participate in a national demonstration program to test various job search methodologies. Under the demonstration, a group employment search activity called "Job Club" was tested. After June 1984, Food Stamp recipients were allowed to choose to either participate in an individual, monitored job search or "Job Club."

On April 1, 1987, the Food Security Act of 1985 became effective and allowed for more latitude in the design of employment and training programs for Food Stamp recipients. The Food Security Act of 1985 emphasized improving the employability of Food Stamp recipients and as a result, the Food Stamp Employment and Training (FSET) Program was developed in Maine and was started in April 1987. The FSET Program continued to develop and in October 1987 the Job Exploration and Training (JET) Program evolved. The JET Program provides more services to Food Stamp recipients than earlier programs with some limited support services money.

A.S.P.I.R.E./JET provides the following services to Food Stamp recipients:

- Assessment of Food Stamp recipients employability and employment-related needs for education, training and support services,
- Development of action plans with Food Stamp recipients addressing those needs,
- Referrals to other agencies for a variety of services,
- Job search assistance, on both a group and individual basis,
- Case management approach, working with individual Food Stamp recipients to put together the mix of services to assist them in becoming self-sufficient,
- Limited support services to assist Food Stamp recipients towards self-sufficiency.

**A.S.P.I.R.E./Family Services Program.** Pregnant and parenting teens are at risk for a range of problems that effect their ability to parent and their ability to take advantage of educational, training and employment opportunities. The Family Services Program, utilizing an innovative mix of outreach and case management services, provides opportunities that target the needs of Maine's pregnant and parenting teens to obtain a high school diploma or equivalent education. Eligibility for the Family Services Program is dependent on the teen receiving benefits under the AFDC Program. The Family Services Program operates under a case management model that brings into play the health, education, training, and supportive resources available in the teen parent's community. Upon the teen parent's completion of high school or its equivalent, the Family Services Program serves as a direct link for young parents to Maine's ASPIRE/JOBS Program.

**Division of Support Enforcement and Recovery.** The Division of Support Enforcement and Recovery is responsible for the establishment and enforcement of child support obligations on behalf of children whose parent(s) are not meeting these responsibilities. Associated tasks involve the location of missing parents and the establishment of paternity of children born out-of-wedlock, as well as the initiation of collection/enforcement action to recover past-due support. \$51.4 million dollars was collected this year, 70% of which went to Maine families. 24.5% of AFDC benefits was recovered (national average 11.4%). Support Enforcement Services are available to all who need them irrespective of economic status. In 1989 the Fraud Investigation and Recovery unit was re-assigned to the Division. This unit is responsible for the investigation of alleged welfare fraud and the recovery of overpayments of programs' funds. Overpayments in the amount of almost \$2 million dollars were recovered this year, an increase of 29% over the previous year.

### PUBLICATIONS:

Medicaid in Maine—free at regional offices.

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**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF INCOME MAINTENANCE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	9,717,882	2,335,776	1,290,421		6,091,685	
Health Benefits	1,314,241	276,249	171,101		866,891	
Retirements	1,571,161	369,574	209,415		992,172	
Other Fringe Benefits	99,895	22,702	14,415		62,778	
Other Contract Services—State	2,238,145	168,961	100		2,069,084	
Computer Services—State	1,737,027	351,349	-79,451		1,465,129	
Other Contractual Service	4,241,676	2,202,610	338,616		1,700,450	
Rents	51,303	37,679	305		13,319	
Commodities	176,750	56,534	1,157		119,059	
Grants—Subsidies—Pensions	189,574,045	67,765,658	46,538,648		75,269,739	
Building Improvements	21,513	15,785	5,728			
Interest—Debt Retirement	979	946			33	
Transfers to Other Funds	254,169		39,549		214,620	
<b>TOTAL EXPENDITURES</b>	210,998,786	73,603,823	48,530,004		88,864,959	

## OFFICE OF MANAGEMENT AND BUDGET

**RUDOLPH NAPLES, DEPUTY COMMISSIONER**

**DAVID WINSLOW, Assistant Deputy Commissioner**

*Central Office:* Human Services Bldg., Augusta

*Telephone:* 287-2546

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* 1975

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144M; Citation: 22 M.R.S.A., Sect. 3

*Average Count—All Positions:* 150

*Legislative Count:* 66

**PURPOSE:** The primary function of the Office of Management and Budget is to provide general administrative and financial management services for the entire department.

**ORGANIZATION:** The major divisions of the Office of Management and Budget are as follows: Financial Services, Audits, Personnel and Labor Relations, Affirmative Action, Staff Education and Training, Data Processing, Regional Administration, and Plant and Office Services.

### PROGRAM:

The program of the Department of Human Services Office of Management and Budget is accomplished through its various components:

**Division of Financial Services.** This division is responsible for the preparation of the Department's biennial budget and budget work programs, for all general accounting requirements, for payment of all invoices (except medicaid), for preparation of all federal financial reports and for providing budgetary, accounting, and analytical reports to departmental program managers.

The division comprises four units: account managers responsible for preparation and control of the budget and federal reporting; administrative bills section; client bills section; and cashier unit including receipt of child support payments.

**Division of Audit.** The Division of Audit of the Department of Human Services is responsible for auditing all funding sources of the Department that require audits. These include all contracts and grants issued by the Department, all Medicaid funds for acute care services rendered in hospitals, all Medicaid funds used for Nursing Homes, Intermediate Care Facilities for the Mentally Retarded, Home Health Agencies, Rural Health Agencies, Developmental Training Programs for the Mentally Retarded, and all



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payments made to Boarding Homes under the Boarding Home Program. The contracts and grants are all audited under the MAAD State Single Audit Act. The Hospitals, Home Health Agencies, and Rural Health Agencies are all audited in accordance with the Medicare Principles of Reimbursement and through the Common Audit Agreement with the Medicare Fiscal Intermediary who is Blue Cross and Blue Shield of Maine. The Nursing Home Programs (NURSING, ICF/MR and Developmental Training Programs for the Mentally Retarded) all have a set of Principles of Reimbursement and are fully audited by the Division of Audit of the Department of Human Services. Nursing Facilities and Intermediate Care Facilities for the Mentally Retarded each have their own set of Principles of Reimbursement and are reimbursed on the prospective payment system. The Developmental Training Programs also have Principles of Reimbursement but they are based on the retrospective system of reimbursement. The ICF/MR and the Developmental Program are all audited through 1994. Following that date, the Department of Mental Health and Mental Retardation will perform the audit. The Boarding Home Program has its own set of Principles of Reimbursement and is reimbursed on the retrospective system but costs are limited to a Departmental Ceiling imposed by the Commissioner.

The Division of Audit assigns the rates on a per diem basis for all the Boarding Homes while the rates for the Nursing Facilities are assigned by the Bureau of Medical Services and the rates for the Mentally Retarded Programs are assigned by the Department of Mental Health and Retardation. These rates remain in effect throughout the year and are only changed if additional staffing is required or major capital improvements are made. At the end of the year every facility is required to submit a cost report and a set of financial statements which are then audited and a final settlement is made in a lump sum payment. If the facility has been underpaid the Department will pay them any additional amounts due. However, if an overpayment has been made the Department will require it to be returned.

**Division of Personnel & Employee Relations.** This Division reports to the Deputy Commissioner of Management & Budget and functions as a support division in the administration of personnel/labor relations requirements of the Department. The responsibilities include the interpretation and implementation of personnel policies as it relates to approximately 2,600 employees in 315 job classifications located in 16 geographic locations statewide.

The central personnel office is located in Augusta and administers current union contracts as well as civil service laws and rules necessary in maintaining uniformity in the personnel system. Included with this administrative responsibility is the maintenance of all personnel and payroll records; administration of workers' compensation cases to include approval for payment of claims; and unemployment compensation administration. The labor relations function includes the administration of the bargaining agreements and representing the Department in the resolution of grievances.

**Data Processing.** The Division of Data Processing is the interface between the Department's operations and the state's centralized computers, of which it is the largest user. The division not only maintains computerized applications for the administration of departmental programs, it designs and constructs new applications in response to legislative and federal requirements, and also develops new approaches in response to advances in technology in order to meet the total informational needs of the department. Such new development ranges from the installation of office automation capabilities in its statewide operations, through the transfer of information files for management analysis, to the development of a universal information and referral system for all health, social, and educational services.

**Affirmative Action.** The Affirmative Action Coordinator (AAC) is responsible for the Department's compliance with all applicable state and federal laws, rules and regulations regarding equal employment opportunity. To do this, the AAC monitors and updates the Department's Affirmative Action Plan and monitors hiring practices in the Department. The monitoring involves the use of an expanded certification and coding system which is coordinated by the Bureau of Human Resources. This system enables the AAC to monitor and track applicant flow and build an improved data base for affirmative action goals.

The AAC has taken on the responsibility of coordinating the implementation of the Americans with Disabilities Act, including management of accommodation requests, site evaluations, training and technical assistance.

The AAC also handles internal grievances and complaints that allege discrimination by the Department. The AAC represents DHS at administrative hearings as necessary when complaints are made to outside compliance agencies.

The Affirmative Action Coordinator provides formal training for supervisors regarding Employee Interviewing and Selection Techniques and Affirmative Action Legislation and Regulations. In addition, the AAC provides information and guidance to individual supervisors with specific questions. The AAC also participates in the delivery of training for all employees in the Department. Additionally, mandatory sexual harassment training for Departmental employees is an on-going activity of the AAC.

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The Affirmative Action Coordinator also provides basic career counseling to employees of the Department to assist in their professional growth and development.

**Division of Plant and Office Services.** The Division of Plant and Office Services is a vital support unit whose primary function is to insure the smooth running, efficient operation of the department, by maintaining a continuously updated inventory of office supplies, as well as insuring timely delivery and distribution of incoming and outgoing mail.

In addition, this office supplies the department with all the various forms used, and receives and distributes printed matter that is done by State Printing.

This office is also responsible for insuring that the department's vehicles are kept clean and in good mechanical condition.

The stockroom is responsible for forms that are used by hospital, city and town clerks, funeral homes, doctors, and nursing homes.

Equipment repairs are channeled through this office, and light moving tasks are also performed by Office Services personnel.

### PUBLICATIONS:

State of Maine Principles of Reimbursement for Nursing Facilities—\$10.00

State of Maine Principles of Reimbursement for Boarding Care Facilities—\$10.00

State of Maine Principles of Reimbursement for Intermediate Care Facilities for the Mentally Retarded—\$10.00

MAAP Rules and Regulations of the Single Audit Programs—Free

Directory of Nursing Facilities—\$10.00

Directory of Mentally Retarded Facilities—\$10.00

Directory of Boarding Care Facilities—\$10.00

Directory of Hospitals, Home Health Agencies, Rural Health Agencies and Private Non-Medical Institutions—\$10.00 ea.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF MANAGEMENT AND BUDGET	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	3,928,668	1,680,890	79,633		2,168,145	
Health Benefits	469,782	202,961	9,910		256,911	
Retirements	634,440	279,814	13,061		341,565	
Other Fringe Benefits	42,137	14,944	618		26,575	
Other Contract Services—State	78,969	1,842			77,127	
Computer Services—State	113,073	168,031	-34,758		-20,200	
Other Contractual Service	695,546	296,160	14,776		384,610	
Rents	4,967	1,779	255		2,933	
Commodities	192,755	40,515	1,321		150,919	
Grants—Subsidies—Pensions	76,668	27,093	-386		49,961	
Interest—Debt Retirement	745	321			424	
Transfers to Other Funds	54,208		1,240		52,968	
<b>TOTAL EXPENDITURES</b>	<b>6,291,958</b>	<b>2,714,350</b>	<b>85,670</b>		<b>3,491,938</b>	

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### DIVISION OF MATERNAL AND CHILD HEALTH

ZSOLT H.B. KOPPANYI, M.D., M.P.H., DIRECTOR

*Central Office:* 151 Capitol Street, Augusta

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* 1937

*Telephone:* 287-3311

1-800-698-3624

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144F; Citation: 22 M.R.S.A., Sect. 1950

**PURPOSE:** The goal of this Division is to assure all mothers and children in Maine access to quality maternal and child health services. The program emphasis is on low income and rurally isolated mothers and children, and children who have special health needs.

**ORGANIZATION:** The Division of Child Health was organized as the Division of Maternal and Child Health and Crippled Children's Services within the Bureau of Health in 1937.

#### **PROGRAM:**

**Division of Maternal and Child Health.** The term "Maternal and Child Health (MCH) Services" refers to a group of preventive services which we consider necessary for the health of mothers and children. Because of the focus on the health of children, these services have an ultimate effect on all Maine citizens. Primary responsibility for the delivery of MCH services rests upon Maine's family physicians, obstetricians and pediatricians working in their private offices, hospital based clinics, rural health centers and in the state's five family practice residency programs. Through its MCH Programs, the Division of Maternal and Child Health works with physicians to coordinate and improve these services, make them available to as many people as possible and to encourage the development in Maine of advances in these services as they become known. Within its limited financial resources, the Division of Maternal and Child Health attempts to provide MCH services where they are not available through the private sector.

Programs in the Division of Maternal and Child Health are funded by the MCH Block grant, state match, some categorical state funds and the USDA WIC grant. The Division uses grants to achieve most of its objectives.

There is general agreement around the country concerning the essential maternal and child health services, although some may be emphasized more than others in a particular state or region. The Division of Maternal and Child Health programs are discussed under the headings below of these essential MCH services.

**Perinatal Care.** Through a grant to the Perinatal Outreach Program at the Maine Medical Center, the Division of Maternal and Child Health funds a program of continuing education for the professionals in the state who provide prenatal care. The Division also directs the state's WIC Program which provides food supplements for eligible pregnant women. The Division staff regularly monitors the utilization of prenatal care through vital statistics data, and maintains regular contact with the Executive Committee of the state chapter of the American College of Obstetrics and Gynecology to discuss common objectives. The Division funds perinatal home visits to high risk clients. This year a statewide needs assessment of perinatal services was initiated in all hospitals with delivery services by the Perinatal Outreach Program.

**Nutrition.** The Division of Maternal and Child Health has a nutrition program which is available to all health professionals for nutrition consultation in the maternal and child health areas. In addition, the nutrition program participates in nutrition research and surveillance projects.

In-service education in nutrition is provided for health professionals in the state. Various brochures on MCH nutrition issues are available to anyone who wishes them.

**WIC Program.** The Special Supplemental Food Program for Women, Infants and Children (WIC) was conceived to address identified nutritionally related gestational and early childhood disorders within a high risk (low income) population. The Program provides specific nutritious foods, nutrition education and counseling to pregnant, postpartum, breast feeding and non-breast feeding women, to infants and to children (up to age 5). The Division contracts with local agencies for provision of these services across the state.

**Childbirth Education.** The Division is encouraging the childbirth educators in the state to include parenting education in their classes. See Parenting section.

**Perinatal Care.** The Division provides professional education to nurses and physicians in quality obstetric care through grants to Maine Medical Center and through its own sponsored activities. The

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Division provides funds to transport eligible high risk women to the Perinatal Center for intensive care. The Division encourages Perinatal Review at the hospital level through a review of the linked birth-death certificates each year and the provision of appropriate information to each hospital staff. The Division staff reviews vital statistics data each year and notes any trends.

**Newborn Special Care.** The Division pays for emergency neonatal transport of high risk infants to and from the neonatal special care centers for infants financially eligible for the Coordinated Care Services for Children with Special Health Needs Program. The Division provides professional education in quality newborn care through grants to Maine Medical Center.

**Genetic Disease Screening.** Division of Maternal and Child Health staff coordinates the Maine Newborn Screening Program, assuring all infants born in Maine and those who move here after birth are screened for 5 metabolic disorders. These disorders if left untreated cause mental retardation and/or other serious health conditions. We also offer targeted screening for Sickle Cell Anemia. Infants with abnormal results are followed and referred for appropriate medical care, and other services. Females of childbearing age with PKU receive genetic counseling and are encouraged to participate in the New England Maternal PKU study.

**Parenting Education.** The Division of Maternal and Child Health is concerned about the damage suffered by children from the consequences of family dysfunction and views parenting education as a primary prevention strategy. Educational booklets and films/videos on parenting topics are made available free of charge to the public.

**Routine Well Child Care.** The Division of Maternal and Child Health, through the Division of Public Health Nursing (DPHN) and through grants to other agencies, funds a network of well child clinics for those children who do not have access to private physicians or other care. Well child care includes a physical examination, laboratory tests, counseling, developmental assessment, immunizations and anticipatory guidance. The Division of Maternal and Child Health also provides professional education for the providers of this care throughout the state.

**Immunizations.** The Director of the Division of Maternal and Child Health advises the Director of the Bureau of Health on immunization related matters. In addition, the Division helps fund the immunization program in the Division of Disease Control. Immunizations are also provided in the well child conferences described above and in federally funded rural health centers.

**Genetic Counseling and Education.** The Division of Maternal and Child Health through grants to the Foundation for Blood Research and the Eastern Maine Medical Center helps to support genetic testing, counseling, and diagnostic services in the state including the Alpha fetoprotein screening test to Maine's pregnant women. The Maine Hemophilia Treatment Center (MHTC) is also supported through grants from DMCH. MHTC in Portland provides education counseling, support, treatment and case management for clients in Maine through clinics held in Portland and Bangor. Education in genetics is provided to professionals and the public through these grants and through the Division's own education activities. The Division is working with the New England Regional Genetics Group to regionalize clinical and educational genetic services as well as to assure quality control of these services.

**Dental Health Education.** The Division of Maternal and Child Health provides funds to the Office of Dental Health to assist interested schools in developing dental health education programs and make fluoride supplements available to children attending participating schools, and to start a pilot project in the use of sealants.

**Health Education.** The Division of Maternal and Child Health has health education resource materials that are available singly or in bulk at no charge. The Division also funds a lending library of health education materials at the University of Maine, Farmington and two school health education consultants in the Department of Educational and Cultural Services. The consultants work on the development of the K-12 Comprehensive Health Education Curriculum. The Division also funds a project to increase the awareness in the state's teachers of the benefits of family life education to their students. The Division of Maternal and Child Health also provides professional and public education in family health topics through its various grants and its own activities.

**Adolescent Health Care.** The Division of Maternal and Child Health grants funds to Community Programs to provide a range of basic services to pregnant teens and teenage parents in Maine. Monies are awarded for Peer Facilitation Training Programs through the Lewiston YWCA. The Division also funds school-based clinics. The Division serves on various interdepartmental committees addressing teen and young adult health.

**School Health Services.** The Division of Maternal and Child Health provides start-up funding for local school systems and/or medical providers to establish school-based health services. Funding is on a three year rotation, providing for a year of planning and community development and for two years of

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implementation. Each center has a community based oversight committee providing guidance and advocacy.

The Division is responsible for conducting training for spinal screening certification and recertification.

**Injury Control.** The Division of Maternal and Child Health, through a grant to the Maine Medical Center, helps to fund Maine's Poison Control Center and the Maine Coalition for Safe Kids. The Division supports the child traffic safety education program and child passenger seat loan programs, and collaborates with the Department of Public Safety to increase the availability of child passenger seats through these programs. The Division, through the Division of Public Health Nursing, helps fund programs involving Sudden Infant Death, home monitoring and lead poisoning. Education on home, traffic and recreational safety is available through Injury Control Program resources.

**Coordinated Care Services for Children with Special Health Needs (CCS/CSHN) Program.** The CCS/CSHN Program is a statewide direct service program that assists families of children with special health needs by paying the bills for the specialized medical care they need and might not otherwise receive. Eligibility requirements include Maine residency, age, family's income status, and the presence of a selected chronic disease or condition that interferes with normal growth and effective functioning that reasonably can be improved by specialty medical treatment. The program directly provides medical case management and coordination services and authorizes specialty physician services for low income children suffering from heart disease, scoliosis, cleft lip and palate, spina bifida, juvenile rheumatoid arthritis and other chronic illnesses or physically handicapping conditions.

The Program offers comprehensive planning clinics for infants and children with cleft lip and palate, spina bifida and rheumatoid arthritis. The Program also administers funding to Developmental Evaluation Clinics presently located in Caribou, Bangor, Waterville, Lewiston, and Portland which provide comprehensive, multidisciplinary evaluations for Maine's developmentally delayed children ages 0-3.

**Women's and Children's Preventive Program.** The Division provides service to families via community health nursing services and well child clinics, monitoring access to care and providing education to health professionals.

**Scoliosis and Kyphosis.** The Division of Maternal and Child Health has assumed responsibility for carrying out the activities mandated in the Spinal Screening legislation, specifically assisting the various school systems in Maine in the implementation of the law.

### **Teen and Young Adult Health Program:**

**Family Planning Services.** The Division of Maternal and Child Health manages funds granted to the Family Planning Association of Maine to support clinical family planning services through eight subcontracted agencies throughout Maine and to support educational consultative services to Maine schools. These funds provide high quality, comprehensive family planning services to low income people through a network of 40 clinics. The Family Life Educators provide consultative services to assist Maine schools to provide a quality family life education curriculum.

**Public Health and Community Health Nursing.** The Division of Maternal and Child Health, through support of the Division of Public Health Nursing and through grants to other community health nursing agencies, funds the services of public health nurses throughout the state. Public health nursing provides home visiting services to pregnant women, infants and children who are at high risk for developing health problems including family dysfunction. The Division of Maternal and Child Health also provides professional education for the state's public health nurses.

**Comprehensive School Health Education.** The Division of Maternal and Child Health supports two Health Education Consultant positions within the Department of Education. The Consultants provide consultation to schools to assist them in establishing comprehensive school health education kindergarten through twelfth grade.

The Division also funds a resource library of health education materials that are available on loan to local schools. The resource library is located at the University of Maine, Farmington.

**Adolescent Pregnancy Program:** The Division of Maternal and Child Health funds projects throughout the State that provide guidance, education, and case management to pregnant and parenting adolescents. Projects assist adolescents in obtaining needed medical and social services and encourage the continuation of education.

**Adolescent Primary Prevention Program:** The Division of Maternal and Child Health funds projects designed to increase resiliency to at-risk behavior. These projects include the Peer Facilitator Training program, the Friends of Teens program, and support groups for high risk students.

## HUMAN SERVICES

### LICENSES, PERMITS, ETC.:

Screeners Certificate—Scoliosis and Kyphosis

### PUBLICATIONS:

Newborn Screening Program—A Blood Sample From My Baby?

Baby's First Food

Good Food for Pregnant Teens

Division of Maternal and Child Health Brochure

The Special Supplemental Food Program for Women, Infants and Children

#### Brochures

Your Child Is A Rose

Parents, Children and Discipline

Positive Parenting Bibliographies

Coordinated Care Services for Children  
with Special Needs

Using Child Safety Seats the Right Way

Home Checklist

Perilous Plants

Safety Rules for Parents of Young Bike Riders

ALL BROCHURES ARE FREE

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Health.

## BUREAU OF MEDICAL SERVICES

FRANCIS T. FINNEGAN, JR., DIRECTOR

*Central Office:* 249 Western Avenue, Augusta

*Telephone:* 287-2674

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* 1978

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144D; Citation: 22 M.R.S.A., Sect. 1

*Average Count—All Positions:* 287

*Legislative Count:* 95

#### *Organizational Units:*

Division of Medical Claims Review

Division of Surveillance &  
Utilization Review

Division of Medicaid Policy  
and Programs

Division of Residential Care

Division of Licensing and Certification

Division of Quality Assurance

Division of Managed Care

Division of Reimbursement and Financial Services

**PURPOSE:** The Bureau of Medical Services was created by the Commissioner of the Department of Human Services to administer the Department's major health care financing programs. The Bureau coordinates the programs, assures that they operate under consistent policy in keeping with the Department's goals and Federal mandates, and provides accountability necessary to determine that they are administered in an effective and efficient manner. The specific programs which the Bureau administers are: Medicaid Services, including long-term care facilities, health insurance programs for low income people, Drugs to Maine's Elderly, the Residential Care Program and the licensure and certification of hospitals, nursing homes and a variety of other agencies providing health services. The need for effective administration for these programs is indicated by their aggregate expenditure and its influence on the state budget, Maine's health care delivery system, long term care services and the health status of Maine's citizens. Total projected Medicaid service costs for FY '91 were \$478,714,311. The State share of these costs was 36.08% or \$172,720,123. Administrative costs were 3.0% or \$14,787,596 for all programs administered by the Bureau.

## HUMAN SERVICES

**ORGANIZATION:** The Bureau of Medical Services was established in the spring of 1978 and administers its activities through the following operational units: Division of Medical Claims Review, Division of Surveillance and Utilization Review, Division of Medicaid Policy and Programs, Division of Residential Care, Division of Licensing and Certification, Division of Quality Assurance and the Division of Health Insurance.

The Division of Medicaid Policy & Programs develops coverage for and promotes access to a comprehensive array of health and social services for emphasis on promoting the healthy development of children and young adults. This is accomplished by implementing policies and mechanisms for the purchase of services, assisting providers in understanding Medicaid policy and procedures. This Division also works closely with other state agencies to establish Medicaid coverage of eligible services. This work is accomplished with staff in the Policy Unit, Provider Relations Specialists and the Inquiry Unit. Medicaid Program information and referral services are also available in this Division through its Recipient Relations Staff person.

The Division of Quality Assurance is responsible for implementing systems to assure the continuing improvement of the health services provided for Medicaid recipients. The Division is also responsible for the determination of medical eligibility for long term care services, for professional review of selected medical services, for Drug Utilization Review, and for implementing the Multistate Case Mix and quality Demonstration Project.

The Division of Surveillance and Utilization Review monitors the medical services provided and determines the appropriateness and necessity of the services. These findings are used as a basis for assuring the appropriate quality, quantity and necessity for services reimbursed by the Department. This Division performs post-payment reviews and recovers inappropriate payments from providers where services are identified as insufficient in quality, lacking in medical necessity, or erroneously billed. In addition to the "sentinel effect," 203 provider cases were opened and \$345,000 recouped. This Division also identifies recipients who are high users or abusers of Medicaid health benefits for restriction of services when necessary, attempts to correct the misuse. 464 new cases were opened in FY '94 and 6 recipients were on the Restriction Program at the end of the year.

The Division of Medical Claims Review processed over 6 million claims during FY '94. This Unit has developed and maintains a highly sophisticated automated claims processing system with over 40% of claims now transmitted electronically. This Division also provides professional review of medical services and includes the Third Party Benefit Recovery Unit, which recouped over 11 million in SFY 94. In 1993 an automated voice response system was added to assist providers in determining an individual's eligibility, other insurance, or status of claim. The System receives over 22,000 inquiries per month. Electronic claims are now received from over 40 types of computer systems with the aid of low cost off-the-shelf software. Over 25,000 claims per month are now scanned electronically, avoiding costly keying into the system. A management consultant firm has been hired to assist the state with further cost cutting technological enhancements to its information system in SFY 95. Planned activities are to streamline pharmacy claims, create a fast information retrieval system to help with review and decision-making, and internal office procedures automation.

The Division of Licensing & Certification surveys 540 hospitals, nursing and other medical and health related institutions and agencies to determine if they meet the standards for Medicare Certification, Medicaid Certification and/or State licensure. The Division is also responsible for the certification of 910 laboratories, including physician office laboratories under the provisions of the Comprehensive Laboratory Improvement Amendments of 1988 (CLIA). This Division also operates the State of Maine Registry of Certified Nursing Assistants for over 19,000 Certified Nursing Assistants in Maine. The Division received and/or investigated 400 complaints in FY 1994 about these facilities or agencies.

The Division of Residential Care is responsible for developing and enforcing licensing standards and reimbursement policies for Maine's 569 boarding and foster homes having a total of 4,351 beds. This Division participates in the analysis of the need for new boarding home development for special populations and in various sections of the State. This Division also determines medical eligibility of residents for Medicaid reimbursement for certain services provided in cost-reimbursed homes.

The Division of Managed Care is responsible for the development, implementation, and administration of managed care initiatives for the Medicaid and Maine Health Programs. In FY 94 PrimeCare, a primary care case management system, was piloted for AFDC and Maine Health Program eligibles. During FY 95 the Division will initiate contracts with managed care entities, on a capitated basis, for Medicaid enrollees, with the goal of incorporating the majority of Maine's Medicaid population in a managed care delivery system over the next few years.

The Division of Reimbursement and Financial Services provides guidance on financial/reimbursement issues when developing policy and/or interacting with health providers on related issues. The

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division is an integral part of the Bureau; it often relies on data from other units within the Bureau in providing the financial/reimbursement guidance to formulate policy and assist in costing out health care services.

The Division of Reimbursement and Financial Services in 1993 implemented a case mix reimbursement system for nursing facilities. The goal of this payment system is to tie the resource needs of nursing home residents to the reimbursement levels paid nursing facilities by Medicaid. The division has subsumed the analysis of Medicaid reimbursement strategies for hospitals, case management, substance abuse, mental health, private non-medical institutions and several other health care provider groups. The Division has developed several cost reporting mechanisms to aid in monitoring health care providers compliance with state and federal provisions stipulated in law. The Division is active in providing technical support to other state and local entities on Medicaid reimbursement issues.

**PROGRAM:** The United States spends more per capita on health care than any nation in the world, yet many Americans have no reliable way to finance their access to our health care system.

Medicaid was established in 1965 to provide public medical insurance for America's low income citizens. Today there are over 26 million Americans, of which almost 190,000 are Maine residents, eligible to receive medical services paid for by Medicaid. Medicaid spending has increased by 600% since 1980.

It is a large public health benefit program best understood in the context of the factors that influence the political, economic, and social structure of both the United States and Maine.

The program is a partnership between the state and the federal government. At the federal level it is administered by the Health Care Financing Administration (HCFA). In Maine, the program is administered by the Department of Human Services, Bureau of Medical Services (BMS). Medicaid services are funded by a complex formula that eventually combines state and federal revenues at an approximate 40% state and 60% federal dollar split. Administration is made complex by virtually thousands of state and federal regulations affecting its policies, programs, reimbursement, and operational function.

Medicaid services fall under two general categories, mandatory and optional. Mandatory services are services which the federal government requires as a condition of participation, optional services are services which a state can opt to cover depending on its resources. Maine has a substantial optional program to ensure adequate medical coverage for its low income citizens. The following services, when medically necessary, are covered with some limitations: Ambulance, Audiologyk, Chiropractic, Family Planning Clinic, Home Health Agency, Hospital, Independent Laboratory, Durable Medical Equipment and Supplies, Mental Health Clinic, Physician, Podiatrist, Pharmacy, Psychologist, Rural Health Clinic, Nursing Facility, and Speech and Hearing Clinic and Speech Pathology, Dental Services, Optometry, Optician, Case Management, Psychiatric Hospital Svices, Ambulatory Care Clinic, Ambulatory Surgical Center Services, Nurse Practitioners (Pediatric & Family Practice), Community Support, Day health, Early Intervention, Rehabilitation Services, X-ray Services, Personal Care and Private Duty Nursing, Substance Abuse Treatment, Transportation, Nurse Midwives, Occupational Therapy and Physical Therapy. Individuals under 21 years of age are covered for Early Periodic Screening, Diagnosis & Treatment (EPSDT) Services which include eyeglasses, dental care, and hearing aids and any other medically necessary services. Approximately 6000 medical providers are participating in the program. This program is administered by the State in conformity with Federal regulations and received Federal Financial Participation (FFP) of 63.92% for Medicaid services in FY '91.

**Drugs to Maine's Elderly.** This program was implemented in 1977. It was designed to assist elderly Maine residents who need assistance paying for prescription drugs for certain chronic illnesses, and who did not qualify for Medicaid benefits or other assistance programs. A copayment is required. Approximately 20,663 elderly Maine citizens received assistance in paying for approximately 168,485 prescriptions during FY 94. A client must be 62 (or in some circumstances if receiving Federal disability at least 55), with income of less than \$9,500 for a single person and \$11,800 for a household of two or more.

**Residential Care Program.** In SFY 94, 8 new boarding homes were licensed, but 9 were closed, many due to multiple licensing violations. A total of 42 new foster homes were licensed and 27 closed. There were 569 licensed facilities as of June 30, 1994, with 4,351 beds. The Division received 63 complaints on boarding homes, 22 in adult foster homes and 1 on unlicensed facilities.

### LICENSES, PERMITS, ETC.:

Applications for the following licenses may be made to: Division of Licensing and Certification, Bureau of Medical Services, Department of Human Services, Station #11, Augusta, Maine 04333 (Tel. 624-5443).



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- |                        |  |
|------------------------|--|
| (1) Hospitals          | (3) Intermediate Care Facilities for the |
| (2) Nursing Facilities | Mentally Retarded                        |
|                        | (4) Home Health Care Services Agencies   |
|                        | (5) Ambulatory Surgical Centers          |

Applications for Medicare/Medicaid CLIA Certification may also be made for the following:

- |  |  |
|--|--|
| (1) Home Health Agencies                         | (12) Comprehensive Out-patient Rehabilitation Facilities |
| (2) Rural Health Clinics                         | (13) Hospices  |
| (3) Renal Dialysis Centers                       | (14) Portable X-ray Services                             |
| (4) Renal Transplant Centers                     | (15) Rehabilitation Agencies                             |
| (5) Speech and Hearing Centers                   | (16) Occupational Therapists in Private Practice         |
| (6) Independently Practicing Physical Therapists | (17) Rural Health Clinics                                |
| (7) Psychiatric Hospitals                        | (18) Screening Mammography Services                      |
| (8) CLIA Laboratories                            | (19) Temporary Nurse Agencies                            |
| (9) Chiropractors                                | (20) Community Mental Health Centers                     |
| (10) Hospitals                                   | (21) Prospective Payment Exclusion Units in Hospitals    |
| (11) Ambulatory Surgical Centers                 |  |

Application for the following licenses may be made to the Division of Residential Care, Bureau of Medical Services, Department of Human Services, Station #11, Augusta, Maine 04333 (Tel. 289-2821).

- |                    |                        |
|--------------------|------------------------|
| (1) Boarding Homes | (2) Adult Foster Homes |
|--------------------|------------------------|

### PUBLICATIONS:

Publications available from the Bureau of Medical Services are as follows:

- Annual Medicaid Report (free)
- Maine Medical Assistance Manual—\$50.00
- Regulations for the Licensure of General and Specialty Hospitals (\$15.00)
- Regulations Governing the Licensing and Functioning of Nursing Facilities (\$16.50)
- Regulations Governing the Licensing and Functioning of Home Health Care Agencies (\$11.50)
- Regulations Governing the Licensing and Functioning of Intermediate Care Facilities for the Mentally Retarded (\$14.00)
- Regulations Governing the Licensing of Ambulatory Surgical Facilities—\$11.50
- Regulations for the Licensing and Operation of Boarding Homes—\$10.00
- Principles of Reimbursement for Nursing Facilities —\$18.00
- Principles of Reimbursement for Intermediate Care Facilities for the Mentally Retarded—\$10.00
- Rules and Regulations Governing the Functioning of the Maine Registry of Certified Nursing Assistants—\$2.50
- Principles of Reimbursement for Boarding Care Facilities on Cost Reimbursement—\$10.00
- Rules and Procedures for Licensing and Operation of Adult Foster Homes—\$5.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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BUREAU OF MEDICAL SERVICES (HUMAN SERVICES)	TOTAL FOR					
	ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	5,891,409	1,976,232	61,740		3,853,437	
Health Benefits	768,763	270,462	8,277		490,024	
Retirements	972,077	325,669	10,140		636,268	
Other Fringe Benefits	68,216	23,370	252		44,594	
Other Contract Services—State	5,794,270	4,947,866			846,404	
Computer Services—State	1,553,026	396,054	-16,272		1,173,244	
Other Contractual Service	2,512,653	1,203,618	1,995		1,307,040	
Rents	32,497	8,798			23,699	
Commodities	243,290	201,838			41,452	
Grants—Subsidies—Pensions	823,643,535	176,685,611	118,292,927		528,664,997	
Building Improvements	103,168	39,593			63,575	
Interest—Debt Retirement	4,101	2,036			2,065	
Transfers to Other Funds	136,743		967		135,776	
<b>TOTAL EXPENDITURES</b>	<b>841,723,748</b>	<b>186,081,147</b>	<b>118,360,026</b>		<b>537,282,575</b>	

## OFFICE OF PROGRAMS (HUMAN SERVICES)

**ELIZABETH A. McCULLUM, DEPUTY COMMISSIONER**

**ELIZABETH HUFNAGEL, Assistant Deputy Commissioner**

*Central Office:* Human Services Bldg., Augusta

*Telephone:* 287-2546

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144S; Citation: 22 M.R.S.A., Sect. 3

**ORGANIZATION:** The Office of Programs (Human Services) includes the Bureau of Child and Family Services, Bureau of Rehabilitation, Bureau of Income Maintenance, Bureau of Elder and Adult Services, Bureau of Health and Bureau of Medical Services. The Deputy Commissioner has overall responsibility for the management of these Bureaus, for the operation of the Department's programs across the State and responsibility for the Office of Administrative Hearings, Office of Vital Statistics, the Office of Health Planning and Development.

**PROGRAM:** The Office of Health Planning and Development consists of the following units:

The Division of Health Planning coordinates and integrates the growth of health care services within communities and regions of the State through the development of federal and foundation grant programs and through direct involvement with health care providers, consumers and payers on planned service development initiatives. The Division includes the Office of Primary Health Care and the Office of Rural Health.

The Office of Primary Health Care works to increase access to primary care services for unserved and underserved populations through the recruitment of health professionals, provision of technical assistance to communities and information resources to State and federal officials on primary care issues.

The Office of Rural Health identifies rural health issues, facilitates development of networks among rural health providers, and serves as a clearinghouse through which health care resources and information can flow to rural areas.

The Division of Program Analysis and Development reviews Certificate of Need applications for capital expenditures, according to thresholds established by statute, in the health care sector.

### LICENSES, PERMITS, ETC.:

Certificate of Need—for Health Care Expenditures

All Certificates of Birth, Death, Divorce or Adoption

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### **PUBLICATIONS:**

1991 Maine Social Services Report in conjunction with the Division of Community Services and Department of Mental Health and Mental Retardation—free.

1991 Medicaid Program Report—free.

DHS Response to Homelessness: Report II, March 1991—\$2.00

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Human Services.

## **OFFICE OF PUBLIC AND LEGISLATIVE AFFAIRS (HUMAN SVCS.)**

**PETER M. GORE, DIRECTOR**

*Central Office:* 221 State Street, Augusta

*Telephone:* 287-3707

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established Date:* 1966

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144C; Citation: 22 M.R.S.A., Sect. 3

*Average Count—All Positions:* 5

*Legislative Count:* 0

**PURPOSE:** The purpose of the Office of Public and Legislative Affairs is to maintain a liaison with the Office of the Governor, the Maine State Legislature, and the public in order to monitor legislation affecting the department; to maintain regular contact with the press, radio and television media, consumer groups, other agencies and community associations; to produce informational pamphlets explaining departmental services or educational programs in the field of health care and social services; to advise program managers on communication methods best suited to promote their programs; to develop departmental information programs for employees including publication of departmentwide newsletter, as well as client and agency directed magazines; to prepare departmental information for legislative issues at both the local, state and national level; and to maintain audio-visual equipment inventories for departmental-wide use.

**ORGANIZATION:** This unit was first formed in 1972 as the Office of Information and Education. In 1975 its title was changed to the Office of Public Affairs and Communication and in 1987, its title was changed to the Office of Public and Legislative Affairs. The staff consists of a Director, one aide to the Commissioner, two secretaries and a receptionist.

**PROGRAM:** During the 1993-1994 period, the office produced at least four news releases a month on department affairs, developed public awareness concerning DHS issues, and designing supporting brochures for departmental programs.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Human Services.

## MAINE PUBLIC DRINKING WATER COMMISSION

DENNIS ABBOTT, COMMISSIONER

*Central Office:* 157 Capitol Street, Augusta

*Telephone:* 207-287-5685

*Mail Address:* c/o Division of Health Engineering, Drinking Water Program,  
State House, Station 10, Augusta, Maine 04333-0010

*Established Date:* 1993

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 560; Citation: 22 M.R.S.A., Sect. 2660B

*Average Count—All Positions:* 5

*Legislative Count:* 0

**PURPOSE:** Commission duties include: determining proportion of program effort dedicated to each type of public water system; evaluating program workloads; evaluating staffing and resource needs; determining funding requirements, fee formula, fee assessment and collection schedules for each type of public water system.

**ORGANIZATION:** The Commission was created by the 116th Legislature and consists of nine members; the Commissioner of DHS or designee and eight members appointed by the Governor. The first meeting was held on September 29, 1993 at which time Dennis Abbott was elected chairman and Daniel Jellis was elected vice-chair. The Commission met five times during 1993 and eleven times during 1994.

**PROGRAM:** Deficient water supply systems can and do result in significant health related problems and have subjected populations to biological, chemical, and physical hazards.

The Drinking Water Program provides water quality surveillance and technical assistance to Maine Public Drinking Water Systems. In 1976, the Department accepted Primacy (primary enforcement authority) for regulating community and non-community water systems in Maine. The Safe Drinking Water Act (1974) and the 1986 Amendments thereof require water testing for a total of 83 contaminants. Many additional water systems have been added to the State inventory since then. More frequent water testing is required and the list of potential water contaminants has grown. State Rules Relating to Drinking Water were adopted for the first time in 1977 and amended in 1983. The rules now are updated annually to include Federally required mandates. The recording and reporting of data at the Health and Environmental Testing Laboratory has been computerized and can be automatically transmitted to the Drinking Water Program via modem. The primary concern of the Program remains the quality of drinking water served for consumption by the general public. Secondary roles include the interpretation of water analyses, technical assistance and support for the private sector.

In FY 1994, program staff accomplished the following operating objectives: (1) conducted 283 sanitary surveys, 12 inspections, 19 technical assistance visits and 4 drop-in inspections pursuant to the 1986 Amendments to the Federal Safe Drinking Water Act; (2) licensed 119 water treatment plant operators and conducted 4 separate license examination sessions; (3) continued programming of a totally computerized data base system that automatically determines compliance with water quality standards; (4) provided 8 days of training seminars for water treatment plant operators; (5) provided technical review of 35 sets of engineering plans regarding water supply, storage and treatment projects; (6) provided hydrogeologic review of 33 separate groundwater supply projects, included 13 new well preapprovals, 9 new well final approvals, 5 incomplete applications (action pending), 4 new systems and 2 unregulated systems; (7) monitored 2,687 water supplies for compliance with mandates of the Safe Drinking Water Act; (8) provided technical assistance to both the private and public sector in reference to drinking water problems; (9) continued implementation of a comprehensive Wellhead Protection Program, including educational outreach; (10) continued development of compliance and enforcement software that generates compliance reports and violation notices; (11) continued joint enforcement efforts with the Manufactured Housing Board (Mobile Home Parks), the PUC and the DEP; (12) reported all changes and additions to public water supplies to the EPA as required under FRDs (the Federal Reporting and Data System); (13) rewrote and adopted the State Drinking Water Rules incorporating newly promulgated Federal EPA rules; (14) issued 8 Bilateral Compliance Agreements, 13 Final Administrative Orders, 12 Pending Administrative Orders to public water supplies using surface water sources; (15) conditionally approved the installation of four new alternative water treatment technologies for 18 public water supplies using surface water sources; (16) continued to monitor 211 orders requiring public water systems using surface water supplies to install filtration; (17) conducted

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inspections of bottled facilities; (18) continued development and implementation of a GIS system to facilitate project review and issuance of waivers and exemptions for regulated contaminants; and (19) provided supervision for cross connection control programs for public water supplies.

### **DIVISION OF PUBLIC HEALTH NURSING**

**ELEANOR BRUCE, DIRECTOR**

*Central Office:* 151 Capitol Street, Augusta

*Telephone:* 287-3259

*Mail Address:* State House Sta. #11, Augusta, Maine 04333-0011

*Established:* 1977

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 147; Citation: 22 M.R.S.A., Sect. 1961

**PURPOSE:** The responsibilities of the Division of Public Health Nursing are: (1) to assess the health needs of communities statewide, (2) to develop standards for nursing programs carried out by the department pursuant to state and federal laws or regulations, (3) to provide communities with nursing services primarily related to communicable diseases (including contact investigation), the health of mothers and children, and refugee health, and (4) to assure health care assessments for Maine's citizens who are not otherwise being served, (5) to advocate for families in need of health services. The division also offers consultation services and technical assistance to community agencies.

**ORGANIZATION:** The Division of Public Health Nursing and Child Hygiene was created in 1920. The name was changed to Division of Public Health Nursing in 1935. In 1977, the Division of Public Health Nursing was incorporated into statute (22 MRSAC, 408).

**PROGRAM:** The focus of the Division of Public Health Nursing (DPHN) is on preventive nursing services, specifically disease control, maternal/child health services and refugees.

Direct services are provided to citizens of all ages through home visits, clinics and in schools.

During FY '94 approximately 15,000 home visits were made to children and youth, adults, pregnant teens/women, newborns and infants, and children with special health needs. These visits focused on health promotion (including mental and emotional health) and disease prevention.

Well Child Clinics were offered at thirty-nine (39) sites, statewide, 248 sessions with 3,377 visits logged. Children attending these clinics received well child care, including immunizations while parents/guardians received health education and anticipatory guidance.

Public Health Nurses helped staff special health needs clinics, tuberculosis clinics, and handicapped children clinics (such as child developmental evaluation, cleft palate, cystic fibrosis and spina bifida). Additional services included school health nursing in small school systems, active participation with Child Development Services (CDS), and a specific newborn referral system.

DPHN is involved in standards-setting for nursing practices in the field and, to this end, the Division has developed policies and procedures for visits in these areas. The Division collects and analyzes data in areas of sudden infant death, well child care, and services to high risk infants, to name a few. These activities, in addition to the overall coordination of nursing services on a statewide basis, constitutes the role of the Division. The Division is also involved with various other state departments and outside agencies in providing coordinated health/nursing services and policy development.

#### **Accomplishments in FY '94:**

DPHN staff nurses worked collaboratively with Maine's Tuberculosis (T.B.) Control Program and the Centers for Disease Control and Prevention (CDCP) to provide nursing services for T.B. detection and follow-up care. Staff PHNs, regional Unit Supervisors and the Director of DPHN continue to attend the T.B. Consultants' Meetings, as well as participate in quarterly meetings that deal specifically with nursing issues that relate to T.B. These "core" T.B. Resource nurses were the first to be certified in T.B. testing and reading. This certification was a joint effort with T.B. Control Program and the American Lung Association of Maine.

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The newborn referral program continues to offer a contact or visit to all new mothers. Public health nurses are assigned as liaisons to hospitals in order to improve communications and provide inservice education for the infant screening/referral system which is intended to prevent health problems in children through early identification and intervention.

DPHN continued to offer assistance to Head Start Agencies statewide.

Computers were installed statewide with modem driven Local Area Networks (LAN) to provide referral services to CDS with a tracking system called Child Link.

DPHN personnel provided supervised clinical experience for nursing students, medical residents, and preceptorships for graduate students from various Universities. DPHN also provided a learning opportunity for several ASPIRE candidates.

Several PHN attended an Epidemiology-Vaccine Course sponsored by the CDCP and held in Vermont under the supervision of the Bureau of Health's Immunization Programs.

School nurses were recertified as appropriate.

Participation in Medicaid Enhancement efforts now include reimbursement for: Targeted Case Management Medicaid eligible children 0-5 years who are developmentally delayed; Ambulatory Care Services at Well Child Clinics; and Administrative Case Management.

All PHN staff received education and training on Prenatal Smoking Cessation intervention and data collection.

DPHN continues to offer technical assistance regarding OSHA standards.

DPHN responded to the new Office of Safety and Health Administration (OSHA) standards regarding work site safety and blood borne pathogens prevention. Following an assessment of risk, all DPHN staff were offered Hepatitis B vaccination and policies were developed to address ongoing events.

DPHN continued to collaborate with the Bureau of Children With Special Needs (BCSN) and CDS to improve intervention services for children birth through five years.

DPHN was actively involved, educationally in the national campaign "Reduce the Risk" in the reduction of Sudden Infant Death Syndrome (SIDS) and other infant mortality events.

A public health nurse was honored as Hero of the Week by Channel 6 for her quality of work with a Maine SIDS family.

A SIDS Workshop was held in June, sponsored by DPHN.

A DPHN nursing consultant was selected to serve on the Office of Substance Abuse Maine Team which attended a Community Team Training Institute sponsored by the Center for Substance Abuse Prevention. The purpose was to address strategies for the prevention of perinatal abuse of alcohol and other drugs.

The Division of Public Health Nursing's grant from CDC to enhance the Childhood Lead Poisoning Prevention Program completed its second year. The number of tests for lead elevations in children under the age of six was 18,000 EP blood lead tests (142 with lead levels 20 ug/dL or higher). 85% of these homes investigated were found to have lead-based paint hazards. Rules for licensing environmental lead inspectors and abatement personnel were effective November, 1993. Medical, nursing and environmental services for children are coordinated by the Program's central office staff.

DPHN staff participated in the implementation of the Year 2000 Objectives and issues involving Health Care Reform. Public Health Nursing's involvement covers multiple areas. All staff received training in Total Quality Management and one person served on a Process Action Team.

### PUBLICATIONS:

- Brochure: "Public Health Nurses In Your Community"—free
- Brochure: "The Public Health Nurse And A Visit To You And Your Baby"—free
- Brochure: "Childhood Lead Poisoning Awareness"—free
- Brochure: "What's an FEP"—free
- Brochure: "Sudden Infant Death Syndrome"—free
- Brochure: "Bereavement Support Groups/Community Health Nurses/Cancer Support Groups"—free
- Brochure: "Guidelines For Forming Bereavement Support Groups"—free
- Lead Abatement Poisoning Prevention Program.
- Lead Abatement Contractors
- Lead Abatement Project Supervisors
- Lead Abatement Workers
- Lead Abatement Design Consultants
- Lead Inspector

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**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Health.

### **DIVISION OF REGIONAL ADMINISTRATION (HUMAN SERVICES)**

**ROBERT R. NADEAU, DIRECTOR**

*Central Office:* Human Services Bldg., Augusta

*Telephone:* 774-4581

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Sunset Review Required by:* June 30, 1993

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 144R; Citation: 22 M.R.S.A., Sect. 3

*Average Count—All Positions:* 86.5

*Legislative Count:* 86.5

**PROGRAM:** This unit is responsible for providing generic administrative support services to all program units housed in the five regional offices as well as branch offices in each region. Its major functions fall into five categories: (1) reception services, (2) personnel services, (3) fiscal services, (4) office services, and (5) plant management services. These services, provided for the comfort of the public as well as staff, are offered in Portland, Biddeford, Sanford, Lewiston, Farmington, Augusta, Skowhegan, Rockland, Belfast, Bangor, Ellsworth, Dover, Machias, Calais, Houlton, Caribou, and Fort Kent. These several offices enable the public to receive services in all areas of the state.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>DIVISION OF REGIONAL ADMINISTRATION (HUMAN SERVICES)</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	24,745,344	17,849,207			6,896,137	
Health Benefits	3,284,959	2,279,397			1,005,562	
Retirements	4,042,341	2,915,172			1,127,169	
Other Fringe Benefits	284,591	215,030			69,561	
Other Contract Services—State	7,031	1,670			5,361	
Computer Services—State	107,794	5,147			102,647	
Other Contractual Service	5,119,891	2,884,984			2,234,907	
Rents	16,911	5,385			11,526	
Commodities	89,860	39,086			50,774	
Grants—Subsidies—Pensions	495,712	358,018			137,694	
Interest—Debt Retirement	1,685	1,188			497	
Transfers to Other Funds	165,708				165,708	
<b>TOTAL EXPENDITURES</b>	<b>38,361,827</b>	<b>26,554,284</b>			<b>11,807,543</b>	

## OFFICE OF DATA, RESEARCH AND VITAL STATISTICS

ELLEN M. NAOR, DIRECTOR AND STATE REGISTRAR

*Central Office:* 35 Anthony Ave., Augusta

*Telephone:* 624-5445

*Mail Address:* State House Sta. #11, Augusta, Maine 04333

*Established:* 1892

*Reference:* Policy Area: 03; Umbrella: 10; Unit: 146; Citation: 22 M.R.S.A., Sect. 2701

*Average Count—All Positions:* 28

*Legislative Count:* 0

*Organizational Units:*

Statistical Services Unit  
Survey Operations Unit  
Vital Records Unit

**PURPOSE:** The Office of Vital Statistics provides and facilitates the use of quantitative information for planning, policy development, program management and evaluation within the Department of Human Services. It produces detailed population estimates and projections for use within and outside the Department. It maintains a state-wide system for the registration of vital statistics. The State Registrar is also responsible for directing the activities of municipal clerks in the registration of vital statistics.

**ORGANIZATION:** The Office of Vital Statistics was established in 1892 to maintain a state-wide system for the registration of vital statistics. It has since grown to encompass a variety of data on health status, health care resources, and social services, as indicated by its present name: Office of Data, Research and Vital Statistics.

**PROGRAM:** The Office of Data, Research and Vital Statistics is composed of three units: Survey Operations, Statistical Services and Vital Records. The units function in a complementary manner to manage the State vital statistics system; to collect, process, analyze, and disseminate quantitative data for policy development, planning, program management and evaluation in the areas of health and social services; to provide technical assistance and consultation on survey procedures, statistical analysis and systems development; and, to provide vital registration services for the general public.

A major function of the Office during FY 1993-94 was continuing to develop and maintain core data needs for health and social services, program planning and management. Specific projects included vital statistics, population estimates and projections, demographic information, health status indicators, and surveys of dentists and physicians.

The Office continued its regular program of receiving vital records, filing them, furnishing vital statistics data to the National Center for Health Statistics on magnetic tape and microfilm for the preparation of national vital statistics reports; initiated measures for improving compliance with the rules governing the registration of vital statistics; and continued operation of the Adoption Reunion Registry. The Electronic Birth Certificate (EBC) system is operating in two hospitals and will be expanded to more in the coming year.

This year marked the 15th anniversary of Maine's Adoption Reunion Registry. Since the Registry's inception, 1,200 people have enrolled: 55% are adopted persons and 45%, birthparents. There have been 29 matches to date—approximately 5% of those registered.

During the past year, the Office prepared long-range population projections and continued a local review process for Maine population estimates for minor civil divisions. The Office, through a grant from the Centers for Disease Control, continued surveillance activities designed to identify factors associated with poor pregnancy outcomes: the Pregnancy Risk Assessment Monitoring System (PRAMS).

The Office continued to develop an overall data system for health planning and policy-making, and cooperated with many other health agencies in data collection. Staff provided research, statistical and technical services to other agencies in the Bureau of Health and to the Bureau of Income Maintenance, Elder and Adult Services, and Child and Family Services, as well as the Office Health Planning and Development. A number of statistical reports and directories were published.

This year the Office launched a new format for disseminating its data in support of the core public health functions of surveillance and needs assessment, policy development, outcome evaluation and quality assurance. Fifteen Fact Sheets on teenage pregnancy, pregnancy risk factors, induced abortions, mortality patterns, characteristics of physicians and nurses, and population changes were distributed. The Fact Sheets are mailed to approximately 300 individuals and organizations including legislative



## HUMAN SERVICES

leadership, the governor's office, cabinet members and other officials, the media, professional associations and various other organizations within and outside state government. These are also available to the general public through the state library.

Approximately 1,100 requests for specific data products were received in FY 1994, in addition to the provision of technical consultation and assistance, an increase of 20% over last year. In addition, 35 requests for information came from media representatives, compared to 30 in FY1993. About 18,000 requests for vital records services were processed in FY1994: 11,000 certified copies of vital records, 3,500 legal name changes, 1,000 corrections of vital records on file, 800 adoptions, 1,000 legitimations, and 700 acknowledgments of paternity.

**LICENSES, PERMITS, ETC.:** Certificates of live birth, death, and marriage. Official reports of fetal death and induced abortion. Official records of divorce or annulment.

### **PUBLICATIONS:**

Maine Vital Statistics, 1992—\$10.50

Population Projections by Minor Civil Divisions, Sex, Age Group and County, 1988-1997—\$4.00

Health Data Resources—Free

Maine Registered Nurses: 1990—\$6.00

Adoptions in Maine: 1991—\$3.30

Dentists in Maine: 1990—\$5.50

Population Estimates by Minor Civil Division, 1991—\$4.00

Vital Statistics Registration in Maine: Digest of Laws and Regulations, 1993 Update—Free

Smoking and Pregnancy—Free

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Office of Management and Budget.

## DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

RAY B. OWEN, Commissioner

NORMAN E. TRASK, Deputy Commissioner

Central Office: 284 State Street, Augusta

Telephone: 287-3371

Mail Address: 284 State Street, Augusta, Maine 04333

Established: 1880

Sunset Review Required by: June 30, 1995

Reference: Policy Area: 05; Umbrella: 09; Unit: 137; Citation: 12 M.R.S.A., Sect. 7011

Average Count—All Positions: 332

Legislative Count: 296

### Organizational Units:

Bureau of Administrative Services  
Bureau of Resource Management  
Bureau of Warden Service  
Division of Information and Education  
Division of Planning

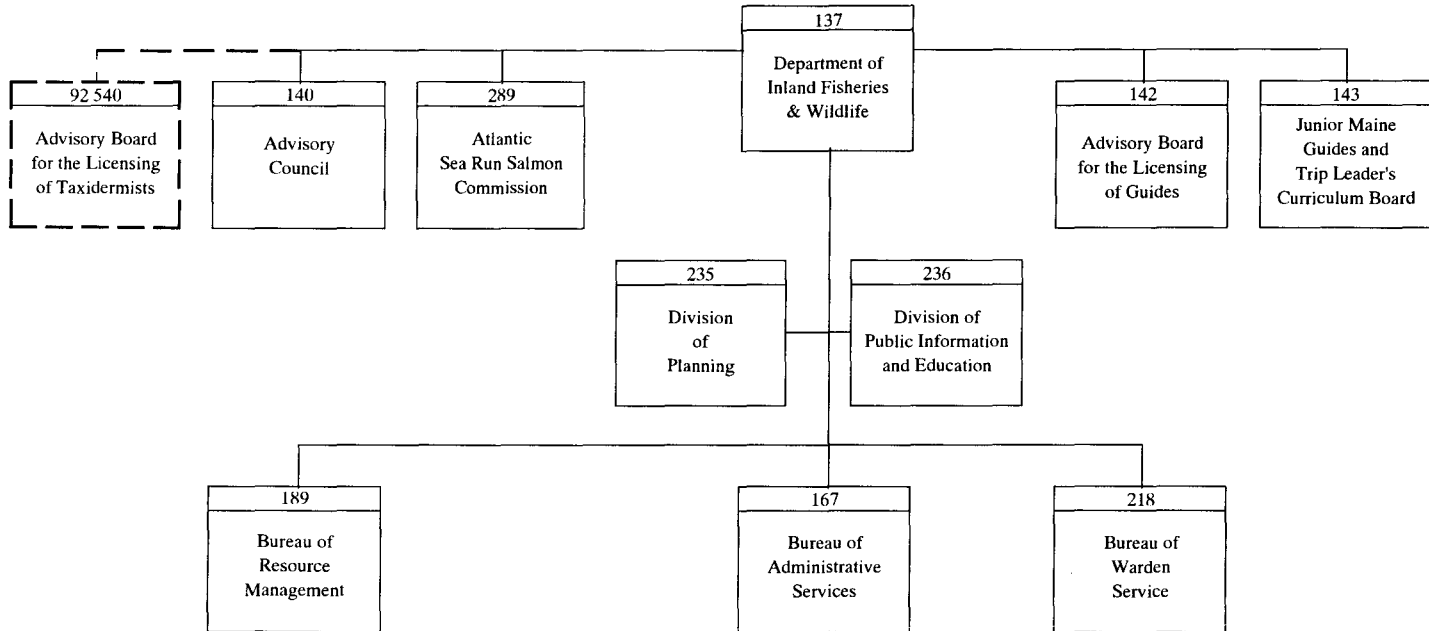
Advisory Council (Inland Fisheries &  
Wildlife)  
Atlantic Sea Run Salmon Commission  
Junior Maine Guides & Trip Leaders  
Curriculum Board  
Advisory Board for the Licensing of Guides

**PURPOSE:** The Department of Inland Fisheries and Wildlife was established to ensure that all species of wildlife and aquatic resources in the State of Maine are maintained and perpetuated for their intrinsic and ecological values, for their economic contribution and for their recreational, scientific and educational use by the people of the State. In addition, the Department is responsible for the establishment and enforcement of rules and regulations governing fishing, hunting and trapping, propagation and stocking of fish, acquisition of wildlife management areas, the registration of snowmobiles, watercrafts, and all-terrain vehicles, safety programs for hunters, snowmobiles and watercraft, and the issuing of licenses (hunting, fishing, trapping, guide, etc.) and permits.

**ORGANIZATION:** The Department of Inland Fisheries and Wildlife (formerly Game) traces back to 1830 when wardens were first appointed by the Governor to enforce the moose and deer law enacted that year. Two Commissioners of Fisheries were appointed in 1867. In 1880, the Commissioners were assigned responsibility for enforcing game laws as well as fish laws, and in 1895, their title was changed to Commissioners of Inland Fisheries and Game. The two Commissioners were replaced by the Commissioner of Inland Fisheries and Game in 1917. Function Divisions were added as the Department mandates and responsibilities were expanded, e.g., first engineer in 1932; flying Warden Service in 1937; Wildlife Division in 1938; Fisheries Division in 1951; Information and Education in 1955; Program Development and Coordination in 1968; Snowmobile Registration in 1969; Realty in 1970; Watercraft Registration and Safety in 1974 which was combined with Snowmobile Registration to form the Division of Recreational Safety and Registration in 1976. Effective October 1, 1975, the Department was renamed the Department of Inland Fisheries and Wildlife. In 1984, the Department underwent its first Sunset Review by the Legislative Committee on Audit and Program Review. As a result, the Department was reorganized into the following: 1. Bureau of Administrative Services—the existing Divisions of Administration, Licensing and Regulation portion of the Division of Recreational Safety and Registration, and the Land Acquisition and Development Division were combined to form the Bureau of Administrative Services; 2. Bureau of Resource Management—the environmental coordination, administration of the Stream Alteration Act, and the computer functions of the Program Development and Coordination Division, Division of Fisheries and Hatcheries and the Division of Wildlife Management and the Visitor's Center were combined to form the Bureau of Resource Management; 3. Bureau of Warden Service—the safety functions (Hunter, Watercraft, and Snowmobile) were transferred from the Division of Recreational Safety and Registration to the Bureau of Warden Service; 4. Office of the Commissioner—the Division of Public Information (renamed Public Information and Education) and the planning function of the Division of Program Development and Coordination were transferred to the Office of the Commissioner.

**PROGRAM:** The Department's program consists of enforcement, applied research studies, surveys and inventories, program development (planning), artificial propagation and stocking of fish and wildlife, coordination of Department interests between state and federal agencies and the private sector,

**ORGANIZATIONAL CHART  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE  
UMB 09**



INLAND FISHERIES AND WILDLIFE

Approved by the Bureau of the Budget

# INLAND FISHERIES AND WILDLIFE

## CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	8,615,226	6,915,525	105,581		1,594,120	
Health Benefits	979,205	825,535	13,685		139,985	
Retirements	2,120,998	1,696,589	15,387		409,022	
Other Fringe Benefits	93,522	86,168	1,540		5,814	
Other Contract Services—State	23,094	217,076	11,750		194,268	
Computer Services—State	195,239	—144,399	4,200		335,438	
Other Contractual Service	2,366,260	2,064,719	83,893		217,648	
Rents	799,078	421,866	23,304		309,049	44,859
Commodities	618,448	488,962	45,534		83,952	
Grants—Subsidies—Pensions	257,716	162,993	18,472		76,251	
Purchase of Land	40,398		37,872		102,526	
Building Improvements	313,721	209,926	18,977		84,818	
Equipment	67,585		67,585			
Interest—Debt Retirement	641	629	12			
Transfers to Other Funds	34,222		2,899		31,323	
<b>TOTAL EXPENDITURES</b>	17,025,353	12,945,589	450,691		3,584,214	44,859

## INLAND FISHERIES AND WILDLIFE

environmental coordination, the search for lost persons, the registration of watercraft, snowmobiles, all-terrain vehicles, and hunter/trapper and ATV education programs, and hunter, snowmobile, boating and ATV safety programs.

The establishment of rules and regulations is an important part of the program carried out by the Department. The Commissioner is charged with having available at all times copies of abstracts of the inland fisheries and wildlife laws and regulations for distribution to the public. The Open Water Fishing Regulations pamphlet and the Ice Fishing Regulations pamphlet as printed and distributed to the public are declared to be official consolidations of fishing rules. These regulation summaries are to be printed on a biennial basis.

Ten regulations summaries (Hunting/Trapping, Open Water Fishing, Ice Fishing, Boating, A.T.V., Migratory Bird, Atlantic Sea Run Salmon, Hunting summary in French, the Department's Laws, and the Department's Rules), were updated, printed and distributed (Total of 541,000 copies).

Seventeen rule changes were processed and 8 boating, 2 hunting, 8 fishing, and 3 endangered species regulation hearings were held in compliance with the Administrative Procedure Act.

A complete reporting of these programs will be included in the reports for the various Bureaus and Divisions.

### License:

- Fishing & Hunting—Complimentary—Holders Medal of Honor
- Junior Guide
- Importation of Wild Birds and Animals
- Stocking of State Waters

### Permit:

- Stream Alteration
- Breeders of Menagerie (Moose, Caribou & Bear)
- To transport Live Animals for Breeding and Advertise

### Fisheries Division

#### Permit:

- Eel, Alewife, & Sucker (over 20 lbs.)
- Bass Tournament
- Scientific Fish Collection
- Private Pond Stocking

### Warden Service

#### License:

- Hunting License, Commercial Shooting Area
- Use of Dog Training (All Categories)
- Field Trial License (Retrievers & Sporting Dogs)
  - Eel (not exceeding 20 lbs. to licensed trapper for trap bait)
- Snowmobile Races

#### Permit:

- Coon Dog Training
- Dog Training Area, Club
- Dog Training (With Raccoons)
- Deer Transportation
- Live Bait-Taking in Closed Waters
- Transportation Tags (Fish)

### Hatchery Division

#### License:

- To Cultivate or Harvest Fish and Private Ponds

#### Permit:

- To Import Live Fresh Water Fish or Eggs

### Wildlife Division

#### License:

- Falconry

#### Permit:

- Bird Banding Permit
- Camping in Game Management Areas
- Permission to Use Poison

## INLAND FISHERIES AND WILDLIFE

- Scientific Collectors Permit
- Swan Island Camping Permit
- Wildlife Control
- License Clerk in Town or City
- License:
  - Archery—Resident
  - Combination Hunting & Fishing—Resident
  - Fishing—Resident
  - Hunting—Resident
  - Combination Serviceman's Resident License
- Stamp:
  - Atlantic Salmon—Resident
  - Pheasant
- License Agent
- License:
  - Archery—Non-Resident
  - Small Game Hunting—Non-resident
  - Big Game Hunting—Non-resident
  - Fishing (season, 15, 7, or 3 day)—Non-resident
- Stamp:
  - Atlantic Salmon—Non-resident
  - Pheasant
- Augusta Office License Clerk
- License:
  - Commercial Shooting Area
  - Deer Skin Dealer
  - Fishing (for blind)
  - Fishing and Hunting for Resident over 70
  - Fur Buyers
  - Game Bird Breeders
  - Game and Fur Farm
  - Guide
  - Indian Hunting, Fishing, Trapping and Archery
  - Live Bait Dealer
  - Roadside Menagerie
  - License to Sell Inland Fish
  - License to Sell Live Smelts
  - Taxidermist
  - Trapping
  - Fishing & Hunting Complimentary—Disabled
  - Fishing & Hunting—Paraplegics, Reciprocity Other States
  - Hunting—Non-resident
  - Fishing—Non-resident
  - Snowmobile Registration
- Permit:
  - Camp Trip Leader
  - Fishing for Patients of Nursing Homes
- Miscellaneous:
  - Game Bird Seal
  - Pheasant Wing Bands
  - Pheasant Importation Wing Bands
  - Atlantic Salmon Stamp—Non-resident
  - Pheasant Stamp

### PUBLICATIONS:

- Laws—Hunting, Fishing, Ice Fishing, Trapping (free)
- Maine Fish and Wildlife Magazine—published quarterly—\$4.50 per copy
- Lake Surveys \$.50 per copy.

## INLAND FISHERIES AND WILDLIFE

Publications Catalogue (free)  
Maine Boat Laws (free)  
All-Terrain Vehicle Laws (free)

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from accounts of the Department as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE (Chief Administrative Unit)	TOTAL FOR ALL	General	Special	Highway	Federal	Misc.
	FUNDS	Fund	Revenue Funds	Fund	Funds	Funds
<b>EXPENDITURES</b>						
Salaries and Wages	302,222	254,295			47,927	
Health Benefits	20,297	15,776			4,521	
Retirements	38,828	26,879			11,949	
Other Fringe Benefits	1,351	1,157			194	
Other Contract Services—State	33,953	33,732			221	
Computer Services—State	849	287			562	
Other Contractual Service	201,471	193,754			7,717	
Rents	47,960	3,045			56	44,859
Commodities	13,563	11,313			2,250	
Grants—Subsidies—Pensions	2,000	2,000				
Transfers to Other Funds	913				913	
<b>TOTAL EXPENDITURES</b>	<b>663,407</b>	<b>542,238</b>			<b>76,310</b>	<b>44,859</b>

## BUREAU OF ADMINISTRATIVE SERVICES

CHARLES A. ATWATER, JR., DIRECTOR

*Central Office:* 284 State St., Augusta  
*Mail Address:* 284 State Street, Augusta, Maine 04333

*Telephone:* 287-5210

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; *Umbrella:* 09; *Unit:* 167; *Citation:* 12 M.R.S.A., Sect. 7012

*Average Count—All Positions:* 40.5

*Legislative Count:* 39

**PURPOSE:** The purpose of the Bureau is to assist the Commissioner and Division Heads with long range financial planning, preparation and management of annual and biennial budgets, and provide centralized service in areas common to all divisions. The responsibilities of the Bureau include, but are not limited to: 1) financial accounting, 2) personnel management, 3) licensing and registrations, 4) engineering, 5) land acquisition, and 6) equipment inventory.

**ORGANIZATION:** In 1984, the 111th Legislature reorganized the Department, thus creating the Bureau of Administrative Services as one of the major Bureaus. This Bureau is structured in the following manner: Accounting Section—headed by a Chief Accountant; Division of Engineering and Realty—headed by a Supervisor; Division of Licensing and Registration—headed by a Director; Personnel Section—headed by a Personnel Officer; Central Purchasing and Supply Section—headed by a Property Officer.

**PROGRAM:** The Bureau carried on its obligation to coordinate the accounts of all Department revenues and expenditures providing the Commissioner, Deputy Commissioner, various Legislative Committees, and others with facts, figures, and reports as needed.

The Personnel Section coordinated all staff personnel activities of the Department including processing all personnel actions, advising employees on personnel rules and regulations and providing other personnel information and statistics as required.

The Licensing Section provided the public with hunting and fishing licenses and miscellaneous permits through the Department's main office and designated license agents. The Section also registered

## INLAND FISHERIES AND WILDLIFE

all watercraft, snowmobiles and All-Terrain vehicles. The operation of these machines is regulated in cooperation with all law enforcement agencies and information is provided as required.

The Engineering and Land Acquisition Section coordinated the design, maintenance and repair of all Department owned facilities either by utilization of Department staff or outside contractors. This Section also coordinates any new acquisition of land for the purpose of protection, preservation and enhancement of our inland fisheries and wildlife resources.

The Central Purchasing and Supply Section coordinated the purchase of capital equipment and supplies and dispersed these items on a Department-wide basis. Adequate inventories of vehicle, snowmobile, and outboard motor parts, clothing, footwear and miscellaneous items are held in stock to be issued to all field personnel.

### LICENSES, PERMITS, ETC.

#### Licenses:

- Archery—resident, nonresident, alien
- Combination hunting and fishing—resident, nonresident, alien
- Fishing—resident, nonresident, alien
- Hunting—resident, nonresident, alien
- Muzzle-loading Hunting—resident, non-resident, alien
- Combination Serviceman resident license
- Combination fishing & archery—resident
- Commercial shooting area license
- Fishing (for the blind)
- Fishing (mentally retarded)
- Fishing & Hunting for resident over 70
- Hide Dealers—resident & nonresident
- Breeders
- Guide
- Bait Retailer
- Baitfish Wholesaler
- Smelt Wholesaler
- Indian hunting, fishing, trapping, archery
- Wildlife exhibitors
- License to sell inland fish
- Taxidermist
- Trapping—resident, nonresident
- Fishing & hunting disabled war vets—resident
- Fishing & hunting paraplegic—reciprocity with other states
- Fishing for childrens camps
- Commercial Whitewater Outfitters
- Motorboat Operator License
- (To carry passengers for hire in inland waters)

#### Permits:

- Any-deer hunting permit
- Bear hunting permit—resident, non-resident
- Camp trip leaders
- Coyote permit
- Fishing for patients at certain institutions
- Moose permits—resident, nonresident
- Turkey permit
- Watercraft Races & Regattas on Inland Waters

#### Miscellaneous

- Game Bird Seal
- Pheasant wing bands
- Pheasant importation wing bands
- Pheasant Stamp
- Motorboat Registrations
- Snowmobile Registrations
- All-Terrain Vehicle Registrations
- Waterfowl Stamp



## INLAND FISHERIES AND WILDLIFE

### PUBLICATIONS:

Watercraft Laws (free)  
 Sportsman and Small Boats (free)  
 All-Terrain Vehicle Laws (free)  
 Snowmobile Laws (free)  
 About Boating Safety (free)  
 Numerous Boating Safety Pamphlets—(U.S. Coast Guard-free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF ADMINISTRATIVE SERVICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	914,726	844,071			70,655	
Health Benefits	133,381	133,381				
Retirements	157,205	133,657			23,548	
Other Fringe Benefits	11,860	11,860				
Other Contract Services—State	35,949	35,949				
Computer Services—State	167,396	144,399			22,997	
Other Contractual Service	585,019	585,406			-387	
Rents	471,475	200,067			271,408	
Commodities	94,347	70,786	23,561			
Grants—Subsidies—Pensions	24,670	17,085	7,585			
Building Improvements	7,858	6,358	1,500			
Interest—Debt Retirement	146	146				
Transfers to Other Funds	1,806		103		1,703	
<b>TOTAL EXPENDITURES</b>	<b>2,605,838</b>	<b>2,183,165</b>	<b>32,749</b>		<b>389,924</b>	

## ADVISORY COUNCIL (INLAND FISHERIES & WILDLIFE)

GARY COBB, CHAIRMAN

C. THOMAS JAGGER, VICE CHAIRMAN

*Central Office:* 284 State Street, Augusta; *Floor:* 2  
*Mail Address:* 284 State Street, Augusta, Maine 04333

*Telephone:* 287-3371

*Established:* 1945

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 09; Unit: 140; Citation: 12 M.R.S.A., Sect. 7033

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** To advise the Commissioner of Inland Fisheries and Wildlife on changes in hunting, fishing, and trapping regulations and other business of the Department. The Advisory Council also renders information and advice concerning the administration of the Department to the Commissioner.

**ORGANIZATION:** The Advisory Council is appointed by the Governor, subject to review by the Joint Standing Committee on Fisheries and Wildlife and to confirmation by the Legislature, and consists of ten members representing one or more counties of the State on fish and wildlife related issues. The commissioner is a nonvoting member of the Council ex officio but may vote to break a tie. Appointments are for 3 years or until successors are appointed and qualified. No person shall serve more than 2 consecutive 3-year terms. Upon the death, resignation, or removal from office of any person so appointed, the Governor shall appoint a member to serve for the unexpired term. The members of the

## INLAND FISHERIES AND WILDLIFE

Advisory Council receive \$25 per day for their services and actual expenses for each fiscal year. The Council holds regular meetings with the commissioner or his deputy in December and May of each year, and special meetings at such other times and places within the State as would seem advisable. At the meeting held in May of each year, the Council may elect one of its members as chairman and one as vice chairman.

**PROGRAM:** The Advisory Council met with the Commissioner to review regulation changes, acquisition of major land parcels, and other department matters 8 times during FY 94.

**FINANCES, FISCAL YEAR 1994:** 12 MRSA, Sect. 7033 provides that expenditures of this unit, which amounted to \$5,960.15 in FY 94, shall be borne by the Department of Inland Fisheries and Wildlife.

### ADVISORY BOARD FOR THE LICENSING OF GUIDES

**RAY B. OWEN, COMMISSIONER OF INLAND FISHERIES AND WILDLIFE**

*Central Office:* 284 State Street, Augusta  
*Mail Address:* 284 State St., Augusta, Maine 04333

*Telephone:* 287-3371

*Established:* 1975

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 09; Unit: 142; Citation: 12 M.R.S.A., Sect. 7301

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Advisory Board for the Licensing of Guides was established:

- A. To provide advice and consent regarding rules proposed by the Commissioner;
- B. At the request of the commissioner, to conduct oral examinations of applicants for guide licenses; and
- C. To advise the commissioner on granting and revoking guide licenses.

**ORGANIZATION:** The Advisory Board for the Licensing of Guides, established by Title 5, section 12004, subsection 10, shall consist of the following 7 members:

- A. One subordinate officer of the department designated by the commissioner;
- B. Two wardens of the department; and
- C. Four representatives of the public, with no more than 3 holding license under this subchapter, to be appointed by the Governor for a term of 3 years to reflect a wide diversity of guiding experience. At least 2 members shall be chosen for their expertise in outdoor recreation. The public members shall be compensated as provided in Title 5, Chapter 379.

**PROGRAM:**

The Advisory Board for the Licensing of Guides met 29 times in FY 94. The Board passed 113 applicants and denied 70. The categories of licenses granted are as follows:

Master	6
Hunting	33
Fishing	18
Recreation	42
Hunting/Fishing	11
Hunting/Recreation	1
Fishing/Recreation	2

## INLAND FISHERIES AND WILDLIFE

Whitewater boards met 15 times in FY 93. The Board passed 100 applicants and denied 13.

Kennebec	70
Penobscot	8
Kennebec/Penobscot x crib	15
Crib	7

### LICENSES, PERMITS, ETC.:

Master Guides License  
Hunting Guides License  
Fishing Guides License  
Recreational Guides License  
Whitewater Guides License

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$5,489.88 in FY 94 and are, by administrative decision, included with those of Department of Inland Fisheries and Wildlife.

## JUNIOR MAINE GUIDES AND TRIP LEADERS' CURRICULUM BOARD

RAY B. OWEN, COMMISSIONER

*Central Office:* 284 State Street, Augusta; *Floor:* 1  
*Mail Address:* 284 State Street, Augusta, Maine 04333

*Telephone:* 287-2571

*Established:* 1979

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 09; Unit: 143; Citation: 12 M.R.S.A., Sect. 7302-7303

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board is empowered to adopt rules and regulations which establish standards of requirements and methods of ascertaining the fitness of candidates for a Junior Maine Guide Certificate. The Board also adopts, approves, and reviews Camp Trip Leaders' safety course curriculum, and certifies candidates for Camp Trip Leaders Permits.

**ORGANIZATION:** PL 151 repealed the Junior Guide Examining Board in April, 1979 and created the Junior Maine Guide and Trip Leader's Curriculum Board. The Commissioner of Inland Fisheries and Wildlife appoints a board of 5 members: one member of which is a Maine camp Director, another a representative of the Fish and Wildlife Department, another a representative of the Department of Human Services, and the others, members of the general public. The Board serves without compensation for 3 years or until successors are appointed.

**PROGRAM:** Pursuant to 12 MRSA, sections 7302-7303 the testing programs were formulated; one for those who wish to lead youngsters afield for trips of more than 2 days and a night and one for those wishing to become Trip Leader Program Instructors. A curriculum was formulated, but candidates may use others if they are equal or more comprehensive. A curriculum was also adopted for testing for Junior Maine Guides Certification.

The Trip Leader Curriculum Board reviewed and revised the examination for permit and Instructor applicants in order to make it easier for the Instructors to use and to update material within.

The number of permits issued has remained consistent with the prior year, with 718 permits issued and 39 certified instructors. In addition, the Board continues to provide up-to-date service for the 250 summer camps in Maine. At least 2 meetings per year are held with the Board and Maine Campground Owners Association.

## INLAND FISHERIES AND WILDLIFE

### **LICENSES, PERMITS, ETC.:**

- Maine Camp Trip Leader Permit
- Maine Camp Trip Leader Instructor
- Instructor Certification for Camp Trip Leader Safety Course Curriculum
- Junior Maine Guide Certificate

### **PUBLICATIONS:**

- Administrative Rules and Regulations adopted Curriculum (outline)
- Resources List (study materials)
- Copies of 12 MRSA §7302-7303
- Associated forms and application blanks
- Wallet ID card for Instructors
- Course summary sheet
- Trip Itinerary Cards
- Information packet—free

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$472.66 in FY 94 and are, by administrative decision, included with those of the Department of Inland Fisheries and Wildlife.

## **DIVISION OF PLANNING**

**FREDERICK B. HURLEY, DIRECTOR OF BUREAU OF RESOURCE MANAGEMENT**

*Central Office:* 284 State Street, Augusta

*Telephone:* 287-3286

*Mail Address:* State House Sta. #41, Augusta, Maine 04333

*Sunset Review Required by:* June 30, 1995

*Reference: Policy Area:* 05; *Umbrella:* 09; *Unit:* 235; *Citation:* 12 M.R.S.A., Sect. 7015

**PURPOSE:** The Planning Division is directly responsible for development, coordination, maintenance and evaluation of the Department's comprehensive fish and wildlife program.

**ORGANIZATION:** The Division was established by administrative directive in 1968, and consisted of a data processing section, a grants coordination section, environmental coordination section and a program development and coordination section.

In 1984, the 111th Legislature reorganized the Department. The Program Development and Coordination Division was renamed the Division of Planning and placed in a staff position in the organization to emphasize its department wide planning function.

The computer and the environmental coordination responsibilities were reassigned to the Bureau of Resource Management.

The director's position was eliminated in 1990. The Warden Service Planner's position was eliminated in 1991. The Director of the Bureau of Resource Management was assigned administrative oversight of the division in 1992.

**PROGRAM:** Work continued on the development and enhancement of procedures for refining species assessments, operational program planning and monitoring of on-going program accomplishments in cooperation with the Wildlife and Fisheries Division. Liaison was maintained with a variety of state and federal agencies, and specific matters were coordinated as required. These agencies included the U.S. Fish and Wildlife Service, U.S. Forest Service, Bureau of Public Lands, Bureau of Parks and Recreation, Land Use Regulation Commission, Critical Areas Program, State Planning Office, Department of Agriculture, Department of Environmental Protection, Department of Economic and Community Development, the University of Maine, College of Forest Resources and the Department of Agriculture

## INLAND FISHERIES AND WILDLIFE

and Resource Economics. Division personnel also served as the Department's representatives to the North Maine Woods organization. The Division coordinated the Department's review of local comprehensive plans.

Numerous other assignments were carried out by Division personnel. These included coordinating the moose hunting lottery and the any deer permit system, and assisting towns with resource inventories and habitat value assessments for growth management planning. Considerable time and effort was also devoted to assisting the Penobscot River Advisory Committee, Atlantic Sea Run Salmon Commission, and River Basin's Planning Committee.

Planning personnel were also involved in the development of goals and objectives for endangered and threatened wildlife species. A public working group reviewed endangered species assessments and recommended goals and objectives to the Commissioner for the grasshopper sparrow.

Coordination was provided for the implementation of new significant habitat protection efforts. Division personnel coordinated the development of definitions for some of the significant wildlife habitats. Work continued on formulation of fish, wildlife and law enforcement program monitoring and control systems, and formulation of regulatory proposals.

The division continued a special assignment to develop and implement the Commercial Whitewater Rafting Regulation Program which included advising the Legislature on proposed changes to the statute controlling commercial rafting.

Division personnel are coordinating the identification of data management needs and preparation of a data management plan for the Bureau.

A Division staff member serves as Total Quality Management Coordinator for the Department and attends State Council and Coordinator's meetings and conducts training sessions. A survey of 5000 ice fishing anglers was conducted.

### PUBLICATIONS:

- Wildlife Strategic Plan (Vol. I, Part 1), 5 books—\$22.00
- Wildlife Strategic Plan Update (Vol. I, Part 2)—\$11.00
- Wildlife and Fisheries Introduction to Strategic Plan (Vol. I & II, Part 1)
- Wildlife Operational Plan (Vol. I, Part 3)—\$12.00
- Fisheries Strategic Plan (Vol. II, Part 1)—\$10.00
- Fisheries Strategic Plan Update (Vol. II, Part 2)—\$3.50
- Fisheries Operational Plan (Vol. II, Part 3)—\$3.50
- Hunter/Trapper Education Plan (Vol. III)—\$5.00
- Boating Education Plan (Vol. IV)—\$3.00
- All-Terrain Vehicle Education Plan (Vol. V)—\$3.00
- A Report on the Program of Landowner Relations—\$5.00
- A Study of the Impact of Game and Nongame Species on Maine's Economy—\$5.00

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$51,066 in FY94 and are, by administrative decision, included with those of Department of Inland Fisheries and Wildlife.

## DIVISION OF PUBLIC INFORMATION AND EDUCATION

**W. THOMAS SHOENER, DIRECTOR**

*Central Office:* 284 State Street, Augusta

*Telephone:* 287-2871

*Mail Address:* State House Sta. #41, Augusta, Maine 04333

*Established:* 1952

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 09; Unit: 236; Citation: 12 M.R.S.A., Sect. 7016

**PURPOSE:** The major function of the Public Information and Education Division is to create and maintain public understanding and support for departmental objectives and programs.

## INLAND FISHERIES AND WILDLIFE

**ORGANIZATION:** The Division was created in 1952, as the Information and Education Division, under authorization granted by the 96th Maine Legislature in 1951. It was reorganized into the Public Information Division, effective July 1, 1980; it was again reorganized, as the Division of Public Information and Education under the Office of the Commissioner, effective April 24, 1984. Another Department reorganization, effective July 1, 1993, established the Division of Public Information and Education as its own unit.

In addition, the Gray Game Farm and Visitors Center was removed from the Division of Wildlife, Bureau of Resource Management, and placed within the Division of Public Information and Education.

**PROGRAM:** The major programs of the Public Information and Education Division involve the production of *Maine Fish and Wildlife* magazine and other educational activities, providing public services, news media relations, and coordinating exhibits and displays for the department. It is also involved with the production of other publications and providing photographic and other services to other divisions in the department.

Project WILD, a national wildlife and conservation education program for grades K-12, was implemented by the division in October, 1989. Through June 1994, 173 seven-hour teacher training workshops have been conducted by the Natural Science Educator and a core of 27 volunteer facilitators at sites throughout Maine. Over 2,800 Maine teachers have participated in Project WILD workshops, where they receive background information on Maine's fish and wildlife resources, a Project WILD or Project WILD Aquatic activity guide, and a variety of related supplemental materials. As an extension to Project WILD, an advanced six-hour workshop for teachers, called WILD School Sites, has been implemented by the Natural Science Educator and several volunteer facilitators. Teachers are assisted in mapping and planning wildlife enhancement projects for their school grounds, and determining how the projects that benefit wildlife are to be incorporated into their curricula.

Work continued on improving the Fish and Wildlife Visitor's Center in Gray which hosted over 60,000 visitors last year. An interpretive building houses a number of interactive exhibits which focus on Maine's fish and wildlife resources and valuable habitats. The United Bikers of Maine focused this year's fund-raising efforts, in cooperation with the non-profit Friends of the Game Farm, to purchase three prefabricated enclosures for the captive bobcat and lynx. Work continues on the construction and landscaping of these spacious new exhibits. Some 900 school children, their teachers and parent volunteers participated in the May and June 1994 weekly wildlife and conservation education programs at the Game Farm and Visitors Center. In addition, similar weekly wildlife programs were offered and held at the Pine Tree State Arboretum in Augusta during March and April of 1994. Over 475 school children attended this educational series.

A new 64-page pocket guide called *On Water, On Wings, In The Woods*, a guide to Maine wildlife watching, was produced by Division staff and made available to the public this spring. The soft-cover booklet, which contains more than two dozen full-color wildlife photographs, describes 62 great places in Maine to go in search of wildlife in its natural setting.

With a grant from the Environmental Protection Agency, a new wetlands and wildlife exhibit is currently being completed on a 3 acre wetland site. The local chapter of Safari Club International donated a new color television and VCR for use in the visitors center building.

Emphasis in the news program continued to be in the television medium, using the division's videotaping capability to gain public exposure for the department's activities. Tapes of a variety of field projects were provided to the commercial stations to complement news broadcasts, and several new public service announcements were produced and distributed. Twenty feature-length video tape productions have been completed and made available for use, and address a variety of Dept. fishery and wildlife management programs, along with a general Department overview. An additional 10 programs will be produced in the coming year. The tapes are broadcast statewide on public and certain commercial television stations. Periodic news releases were written and mailed, and personal contact maintained with state and national news media personnel.

The division coordinated the department's annual representation and display in the Maine building at the Eastern States Exposition in West Springfield, Massachusetts, and at several sportsman's shows and other public events in Maine.

The division also coordinated an art contest to determine the design of the annual Maine Migratory Waterfowl Stamp.

A considerable amount of work of the division continues to be responding to the thousands of public information requests that are directed to the department's Augusta office each year. The division also provides editorial, graphic and photographic support to other divisions of the department.

## INLAND FISHERIES AND WILDLIFE

The Division was involved in hosting the annual conference of the Outdoor Writers Association of America, which occurred in June 1994. Over 900 attendees convened at University of Maine at Orono, the second most well attended conference in the organization's history.

### PUBLICATIONS:

On Water, On Wings, In The Woods	\$5.95
"Gee Mister" Poster	\$5.00
Inland Fisheries and Wildlife Rules	\$3.00
Inland Fisheries and Wildlife Laws	\$5.00
Raising Baitfish for Fun and Profit in Maine	\$3.00
Fishes of Maine	\$5.00
Poster: Coldwater Game Fish	\$1.00
The Landlocked Salmon in Maine	\$3.00
MAINE FISH AND WILDLIFE magazine (quarterly)	\$4.50 (single copy)
Fish Stocking Report	\$2.00
The Amphibians and Reptiles of Maine	\$9.95
Wildlife Division Annual Research and Management Report	\$1.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF PUBLIC INFORMATION AND EDUCATION (IF&W)	TOTAL FOR	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS					
<b>EXPENDITURES</b>						
Salaries and Wages	265,620	265,620				
Health Benefits	32,141	32,141				
Retirements	40,091	40,091				
Other Fringe Benefits	1,685	1,685				
Other Contract Services—State	13,350	9,896	3,454			
Other Contractual Service	132,441	116,208	16,233			
Rents	22,383	9,040	13,343			
Commodities	33,506	18,828	14,678			
Grants—Subsidies—Pensions	64		64			
Purchase of Land	10,840		10,840			
Building Improvements	10,347	5,604	4,743			
Equipment	12,695		12,695			
Interest—Debt Retirement	15	3	12			
Transfers to Other Funds	578		578			
<b>TOTAL EXPENDITURES</b>	<b>575,756</b>	<b>499,116</b>	<b>76,640</b>			

## BUREAU OF RESOURCE MANAGEMENT

FREDERICK B. HURLEY, JR., DIRECTOR

*Central Office:* 284 State Street, Augusta

*Telephone:* 289-5252

*Mail Address:* 284 State Street, Augusta, Maine 04333

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 09; Unit: 189; Citation: 12 M.R.S.A., Sect. 7013

*Average Count—All Positions:* 111.5

*Legislative Count:* 104

**PURPOSE:** The Bureau of Resource Management is responsible for the management of the State's inland fisheries and wildlife resources and the development of rules governing the effective management of these resources.

## INLAND FISHERIES AND WILDLIFE

**ORGANIZATION:** The Bureau of Resource Management was established by the 111th Legislature as a result of recommendations made by the Legislative Program Audit and Review Committee. The Bureau presently consists of the following:

- Division of Wildlife Management
- Division of Fisheries and Hatcheries
- Computer Services Section
- Environmental Coordination Section
- Animal Damage Control

### **PROGRAM:**

#### **Division of Wildlife Management**

**Wildlife Management.** The abundance and use of the major wildlife species are monitored utilizing the latest tools, techniques, and information available. Periodic assessments are made to identify supply and demand imbalances, associated problems and management needs. Wildlife management systems are implemented to accomplish the long-term goals and objectives of species management plans. Important accomplishments included the administration of the regular open seasons on game and furbearers, and the administration of the 1993 regulation hunts for moose, wild turkey, and antlerless deer.

The Endangered and Threatened Species Program continued working on the development and implementation of management systems for endangered species. Work continued on the reintroduction of peregrine falcons to the state, restoration of bald eagle populations, and recovery efforts on eight additional species.

The Animal Damage Control Program focused on a variety of wildlife damage control work. Assistance was provided to orchards, apiaries, sheep growers and owners of forest land regarding the control of problems caused by species such as deer, moose, bear, coyotes, and beavers. Supplemental assistance, through paid and volunteer control agents, was used for coyotes and other wildlife in specific problem areas.

**Habitat Management.** Habitat improvement work is actively carried out in the Department's Wildlife Management Areas. These include approximately 83,000 acres of upland and wetland habitat strategically located throughout the State, as well as 287 coastal seabird nesting islands. In addition, detailed recommendations have been formulated for the preservation of critical habitats such as eagle nest sites, the continuation of significant wildlife habitat inventories for high growth municipalities in support of statewide growth management initiatives, and development of recommendations to protect significant wildlife habitats.

Wildlife appraisals and recommendations are made for proposed developments controlled by numerous Maine and federal environmental laws and forwarded to the appropriate administering agencies. Technical assistance is also provided to other state and federal agencies on a variety of matters affecting wildlife. These included the zoning of important wildlife habitats, such as the approximate 188,254 acres of deer wintering areas, by the Land Use Regulation Commission; the development of management plans and associated cutting prescriptions for over 485,000 acres of land under the control of the Bureau of Public Lands; the development of wildlife assessments and mitigation plans for proposed federal or federally permitted water resource developments by the U.S. Fish and Wildlife Service, and many others too numerous to mention.

**Wildlife Research.** Wildlife research projects continued in cooperation with the Maine Cooperative Wildlife Research Unit to obtain specific types of information needed to better evaluate the needs and status of selected wildlife species. Assessments of Priority Wildlife Species continued to focus on habitat utilization, population densities, and related matters.

**Wildlife Rules and Regulations.** Numerous statutory and regulatory changes have been made in support of wildlife management objectives. These include modification to the deer, moose, bear and waterfowl hunting seasons, and furbearer trapping and hunting seasons. Rules were also adopted to protect a total 274 bald eagle nest sites and 21 roseate tern nesting areas.

#### **Division of Fisheries and Hatcheries**

**Fisheries Management.** Field studies designed to monitor the status of the major game species are routinely carried out. These include habitat and fisheries inventories of lakes, ponds, rivers and streams which are undertaken to obtain basic information regarding the abundance and condition of fish populations in specific waters. Creel surveys and aerial angler counts provide important information on fishing pressure and quality. Comprehensive species management plans are formulated every five years and guide the overall statewide fisheries management programs. In cooperation with the Me. DEP and



## INLAND FISHERIES AND WILDLIFE

EPA, fish were collected from over 120 Maine lakes to monitor for environmental contaminants, i.e. pesticides and heavy metals. More work has been conducted on many of the state's bass waters.

**Propagation of Fish.** The fish needed to support statewide fisheries management programs are produced and reared in the Department's fish hatcheries and rearing stations. Approximately one and one half million fish are stocked annually. The following is a summary of the fish stocked from January 1, 1992 to December 31, 1992:

	Number	Pounds
L.L. Salmon	229,237	43,047
Brown Trout	169,967	49,289
Brook Trout	944,050	102,577
Lake Trout	38,431	5,512
Splake	25,950	4,754

**Habitat Management.** In conjunction with the Department's review agency responsibilities, division biologists assessed environmental impacts of several hundred project applications submitted to state agencies and this Department. They included Great Ponds applications, Stream Alteration applications, Site Location applications, LURC applications, Highway Project and Hydroelectric Projects. Recommendations pertaining to the impact of the State's fisheries resources on each project were forwarded to the permitting agencies.

**Fisheries Research.** Research work focuses on the development of biological principles and management techniques needed to support fisheries management programs. Statewide trawling, Habitat Evaluation Procedures, Instream Flow Methodology Studies associated with hydroelectric projects, baitfish surveys, a special arctic charr study, a brook trout strain evaluation, an anadromous alewife impact study, a study of wild brook trout streams, and studies on bass movements relative to tournaments as well as post-tournament mortalities have been the major focus.

**Computer Services Section.** The majority of work involved data entry, file maintenance and report generation of biological enforcement and administrative data. Technical assistance and data analysis services were provided to other divisions, as was information required by the regulatory process. Data processing activities were coordinated with the Bureau of Data Processing and other state agencies.

**Environmental Services Section.** Biological assessments and technical recommendations were provided to various state and federal regulatory agencies. Permit reviews include hydropower development, Site Location, Natural Resource Protection Act, Mining, Land Use Regulation Commission laws, and Department of Transportation projects.

Active liaison was maintained with state Departments of Environmental Protection; Conservation (LURC, Bureau of Public Lands, Parks and Recreation, Forest Service, Geology); Marine Resources; Human Services (Health Engineering); Executive (State Planning); Maine Low-Level Radioactive Waste Authority; Maine Waste Management Agency; Agriculture; Defense (Civil Emergency Preparedness); Transportation; and Attorney General. Federal agency liaison through the Fish and Wildlife Coordination Act was provided directly and in cooperation with the U.S. Fish and Wildlife Service for project reviews and recommendations under U.S. Army Corps of Engineers and Federal Energy Regulation Commission permit activities.

Intra-departmental education and coordination was continued within Fisheries and Wildlife Divisions and Enforcement Bureau activities relating to environmental concerns. Considerable public informational services regarding environmental laws were also provided.

Policy development and review recommendations for hydropower, peat mining, and fisheries and wildlife management planning in the context of environmental regulations, continues to be an active function.

### LICENSES, PERMITS, ETC.:

- Scientific collectors permits for fish
- Eel, alewife, sucker, & yellow perch permits
- Bass tournament permits
- Permit to stock waters in Maine
- Permit to import live fresh water fish or eggs
- License to cultivate or harvest fish in private ponds
- Maine Falconry Permit
- Maine Scientific Collection Permit
- Maine Bird Banding Permit

## INLAND FISHERIES AND WILDLIFE

Stumpage (Wood Harvesting) Permit  
 Swan Island Campground Permit  
 Fishing Derby Permit

### PUBLICATIONS:

Research and Management Report  
 Fish Stocking Report—\$2.00  
 Fishes of Maine—\$5.00  
 Moosehead Lake Fishery Management—\$3.00  
 Maine Lakes—A Sportsman's Inventory Index of Lake Survey Maps of about 1,500  
 Maine lakes and ponds showing water depths, fish present and management suggestions  
 Individual lake reports—\$.50  
 The Landlocked Salmon in Maine—\$3.00  
 Maine Bass Waters—Free  
 Length Weight Tables for Maine Bass—Free  
 Baitfish for Fun and Profit—\$3.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF RESOURCE MANAGEMENT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	3,141,677	1,696,277	105,581		1,339,819	
Health Benefits	371,722	231,503	13,685		126,534	
Retirements	520,813	172,968	15,387		332,458	
Other Fringe Benefits	20,310	13,317	1,540		5,453	
Other Contract Services—State	264,152	79,423	8,296		176,433	
Computer Services—State	26,291	-240,037	4,200		262,128	
Other Contractual Service	463,296	273,242	18,530		171,524	
Rents	186,570	139,472	9,961		37,137	
Commodities	332,046	251,937	7,295		72,814	
Grants—Subsidies—Pensions	136,165	49,091	10,823		76,251	
Purchase of Land	129,558		27,032		102,526	
Building Improvements	143,555	46,003	12,734		84,818	
Equipment	54,890		54,890			
Interest—Debt Retirement	136	136				
Transfers to Other Funds	29,695		2,046		27,649	
<b>TOTAL EXPENDITURES</b>	5,820,876	2,713,332	292,000		2,815,544	

## BUREAU OF WARDEN SERVICE

**HERBERT VERNON, CHIEF WARDEN (COLONEL)**  
**PARKER K. TRIPP, Deputy Chief Warden (Major)**

*Central Office:* 284 State Street, Augusta

*Telephone:* 287-2766

*Mail Address:* State House Sta. #41, Augusta, Maine 04333

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 09; Unit: 218; Citation: 12 M.R.S.A., Sect. 7014

*Average Count—All Positions:* 127.5

*Legislative Count:* 127.5

## INLAND FISHERIES AND WILDLIFE

**PURPOSE:** The primary function of the Maine Warden Service is to enforce Title 12, Chapters 701-721, to enforce all rules promulgated by the Commissioner, and to enforce the U.S. Migratory Bird Treaty Act. In addition to these duties, the Maine Warden Service enforces the Maine boat laws, recreational vehicle laws, searches for lost persons in the fields and forests of the State of Maine, searches for drowned persons, and has the same duties and powers as sheriffs throughout the several counties of the state as these sheriffs do in their respective counties.

**ORGANIZATION:** The Maine Warden Service dates back to 1830 when the first Warden was appointed by the Governor to enforce the moose and deer laws enacted that year. In 1880 the Maine Warden Service was officially created by the Legislature, and in 1937 the Warden Flying Service was formed. The Maine Warden Service was renamed the Bureau of Warden Service in 1984 as a part of the reorganization statute enacted by the 111th Legislature. The Bureau currently consists of one (1) Game Warden Colonel, one (1) Game Warden Major, five (5) Game Warden Lieutenants, fifteen (15) Game Warden Sergeants, four (4) Game Warden Investigators, three (3) Game Warden Specialists, eighty-seven (87) Game Wardens, three (3) Game Warden Pilots, and twenty-three (23) part-time Assistant Game Wardens.

### PROGRAM:

The Maine Warden Service responded to 11,207 complaints on all matters of conservation law enforcement, prosecuting 4,837 persons and warning 1,953. To accomplish this, the Warden Service drove 2,845,607 miles.

**Search and Rescue.** During 1993 Warden Service searched for 153 lost persons, as well as 12 drowning victims.

**Safety.** During the calendar year 1994, 1,630 volunteer hunter safety instructors certified 6,444 students in 371 hunter safety courses across the State. During the same time, there were 191 snowmobile students certified. 165 ATV instructors taught 49 courses for 338 students. Regional Safety Coordinators visited summer camps and schools; every hunter safety course carried boating safety, and 116 boating safety instructors taught 152 students.

**Data Collection.** During 1994 Maine Warden Service was responsible for compiling the following data for management purposes:

Oversaw the administration of fur tagging stations; which tagged 19,160 instate raw furs for trappers and hunters, and 1541 imported raw furs for fur buyers.

Oversaw the administration of big game registration stations, which tagged 27,402 deer, 2,055 bears, and 934 moose.

In addition, Warden Service did angler counts and creel census for the Department's fisheries division on various Maine bodies of water.

### LICENSES, PERMITS, ETC.:

	Fee (If Any)
Special dog training area license	\$21.00
License to hold field trials for sporting dogs	21.00
Snowmobile race permit	
Import permit (fish and wildlife)	
Eel permit for licensed trappers (20 lbs. of eels)	
Permit to stock rabbit	
Sale of wildlife permit	

### PUBLICATIONS:

Fishery Law Summary—Free

Hunting Law Summary—Free

Complete Copy of All Applicable Statutes and Rules—\$8.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

# INLAND FISHERIES AND WILDLIFE

<b>BUREAU OF WARDEN SERVICE</b>	<b>TOTAL FOR</b>		<b>Special</b>			
	<b>ALL</b>	<b>General</b>	<b>Revenue</b>	<b>Highway</b>	<b>Federal</b>	<b>Misc.</b>
	<b>FUNDS</b>	<b>Fund</b>	<b>Funds</b>	<b>Fund</b>	<b>Funds</b>	<b>Funds</b>
<b>EXPENDITURES</b>						
Costs of Goods Sold	3,990,981	3,855,262			135,719	
Health Benefits	421,664	412,734			8,930	
Retirements	1,364,061	1,322,994			41,067	
Other Fringe Benefits	58,316	58,149			167	
Other Contract Services—State	75,690	58,076			17,614	
Computer Services—State	703	—49,048			49,751	
Other Contractual Service	984,033	896,109	49,130		38,794	
Rents	70,690	70,242			448	
Commodities	144,986	136,098			8,888	
Grants—Subsidies—Pensions	94,817	94,817				
Building Improvements	151,961	151,961				
Interest—Debt Retirement	344	344				
Transfers To Other Funds	1,230		172		1,058	
<b>TOTAL EXPENDITURES</b>	<b>7,359,476</b>	<b>7,007,738</b>	<b>49,302</b>		<b>302,436</b>	

## JUDICIAL

# JUDICIAL DEPARTMENT

HON. DANIEL E. WATHEN, CHIEF JUSTICE

*Central Office:* 70 Center Street, Portland, Maine

*Telephone:* 822-0792

*Mail Address:* Box 4820 Downtown Station, Portland, Maine 04112

*Established:* 1820

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 274; Citation: 4 M.R.S.A., Sect. 1

*Average Count—All Positions:* 381.5

*Legislative Count:* 376.5

**PURPOSE:** The purpose of the Judicial Department is to administer the State courts.

**ORGANIZATION:** Until the signing of the Articles of Agreement for Separation in 1820, Maine was a part of Massachusetts and therefore included in the Massachusetts court system. However, in 1820, Article VI, Section 1, of the new Maine Constitution established the judicial branch of government stating: "The judicial power of the State shall be vested in a Supreme Judicial Court, and such other courts as the Legislature shall from time to time establish". From the start of statehood, the Supreme Judicial Court was both a trial court and an appellate court or "Law Court". The new State of Maine also adopted the same lower court structure as existed in Massachusetts, and the court system remained unchanged until 1852. The Court Reorganization Act of 1852 increased the jurisdiction of the Supreme Judicial Court to encompass virtually every type of case, increased the number of justices and authorized the justices to travel in circuits. The Probate Courts were created in 1820 as county-based courts and have remained so to date.

The next major change in the system came in 1929, when the Legislature created the statewide Superior Court to relieve the overburdened Supreme Judicial Court. Meanwhile, the lower courts continued to operate much as they always had until 1961 when the municipal courts and the trial justices system was abolished and the new District Court created. The most recent change to the Maine Judicial System occurred in 1978 with the addition of the Administrative Court.

The administrative structure of the Maine Judicial Department is similar to that of a corporation. The Supreme Judicial Court serves as the Department's "board of directors" and by statute has general administrative and supervisory authority over the Department. This authority is exercised by promulgating rules, issuing administrative orders, establishing policies and procedures, and generally advising the chief justice. The chief justice is designated as head of the Judicial Department and is assisted by the state court administrator. Each of the four operating courts has a single administrative head, responsible to the chief justice, who also heads the Law Court. Four regional court administrators assist the state court administrator in meeting the operational needs of the courts within their respective regions.

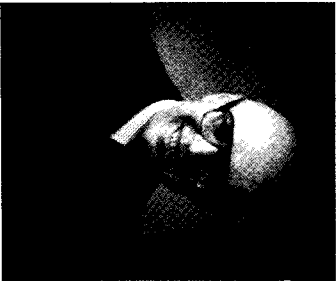
### PROGRAM:

**Judicial Department Committees.** There are numerous functional committees within the Judicial Department. The purpose of these committees, which include judges, lawyers, and private citizens, is to assist the Supreme Judicial Court, as well as the chief justice of the Supreme Judicial Court, the Superior Court chief justice, and the District Court chief judge in carrying out their respective responsibilities.

Efforts to improve efficiency and enhance communication continued, with the ongoing implementation of a regional meeting schedule, an improved statewide newsletter, and written correspondence from the Chief Justice to staff.

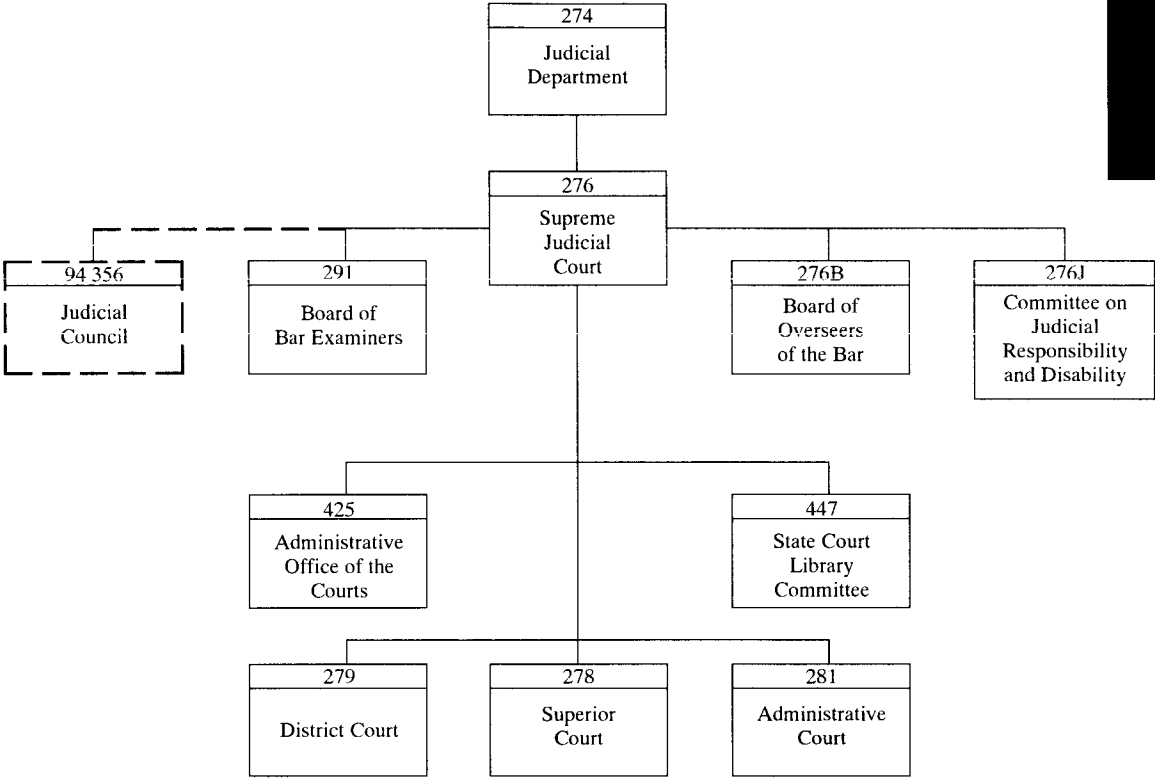
**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

**ORGANIZATIONAL CHART  
JUDICIAL DEPARTMENT  
UMB 40**



**Daniel E. Wathen**  
*Chief Justice*  
*of the Supreme Judicial Court*

JUDICIAL



# JUDICIAL

## CONSOLIDATED FINANCIAL CHART FOR FY 94 JUDICIAL DEPARTMENT

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	12,274,511	12,143,797	130,714			
Health Benefits	1,237,381	1,227,408	9,973			
Retirements	2,640,249	2,614,168	26,081			
Other Fringe Benefits	119,918	119,173	745			
Other Contract Services—State	5,743,184	5,637,941	104,274		969	
Computer Services—State	10,151	10,151				
Other Contractual Service	5,092,699	4,939,081	48,665		104,953	
Rents	112,688	112,688				
Commodities	338,343	318,675	2,578		17,090	
Grants—Subsidies—Pensions	1,990,642	1,990,642				
Purchase of Land	7,216	7,216				
Building Improvements	364,800	164,815			199,985	
Interest—Debt Retirement	1,463,488	1,463,484	4			
Transfers to Other Funds	528		338		190	
<b>TOTAL EXPENDITURES</b>	31,395,798	30,749,239	323,372		323,187	

JUDICIAL DEPARTMENT (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	12,274,511	12,143,797	130,714			
Health Benefits	1,237,381	1,227,408	9,973			
Retirements	2,640,249	2,614,168	26,081			
Other Fringe Benefits	119,918	119,173	745			
Other Contract Services—State	5,680,787	5,637,941	41,877		969	
Computer Services—State	10,151	10,151				
Other Contractual Service	5,056,555	4,939,081	12,521		104,953	
Rents	112,688	112,688				
Commodities	338,120	318,675	2,355		17,090	
Grants—Subsidies—Pensions	1,990,642	1,990,642				
Purchase of Land	7,216	7,216				
Building Improvements	364,800	164,815			199,985	
Interest—Debt Retirement	1,463,484	1,463,484				
Transfers to Other Funds	528		338		190	
<b>TOTAL EXPENDITURES</b>	31,297,030	30,749,239	224,604		323,187	

## JUDICIAL

### ADMINISTRATIVE COURT

HON. ROLAND BEAUDOIN, ADMINISTRATIVE COURT JUDGE

*Central Office:* 205 Newbury Street, Portland  
*Mail Address:* Box 7260, Portland, Maine 04112

*Telephone:* 822-4291

*Established:* 1973

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 281; Citation: 4 M.R.S.A., Sect. 1151

**PURPOSE:** The purposes and objectives of the Administrative Court are twofold: (1) to protect the health, safety and well-being of the general public from wrongful acts of professional, business and trade licensees; and (2) to protect the interests of occupational licensees by means of providing fair and impartial trials and rendering written decisions on administrative complaints, brought against them by numerous State departments, boards and agencies, seeking the suspension or revocation of their licenses.

**ORGANIZATION:** The Administrative Court was created by the Legislature in 1973 and became a part of the Judicial Department in 1978. Prior thereto, the Administrative Court had jurisdiction over suspension and revocation of licenses by a specific list of executive agencies. Pursuant to P.L. 1977, Chapter 551, the Administrative Court was reconstituted and placed within the Judicial Department, effective July 1, 1978 (see 4 M.R.S.A. §1151 et seq. and 5 M.R.S.A. §10051). Other than in emergency situations, the Administrative Court was granted exclusive jurisdiction upon complaint of an agency, or if the licensing agency fails or refuses to act within a reasonable time, upon complaint of the Attorney General, to revoke or suspend licenses issued by the agency, and original jurisdiction upon complaint of a licensing agency to determine whether renewal or issuance of a license of that agency may be refused. Effective in 1983, the Administrative Court also has exclusive jurisdiction to hear appeals from disciplinary decisions of the Real Estate Commission.

There are two judges of the Administrative Court; the Administrative Court judge and the Associate Administrative Court judge. The judges must be lawyers and are appointed by the Governor for seven year terms, with the consent of the Legislature. On assignment by the chief justice of the Supreme Judicial Court, Administrative Court judges regularly sit in the District Court and in the Superior Court, almost exclusively in Portland.

**PROGRAM:** In recent years, the Administrative Court judges and staff have assisted the District and Superior Courts by hearing civil contested matters on a regular basis. Pursuant to P.L. 1990, Chapter 891, the Administrative Court expanded this practice by directing a pilot project for the handling of family law proceedings filed in District and Superior Courts in Portland.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$286,921 in FY 94 and are, by administrative decision, included with those of the Judicial Department.

### ADMINISTRATIVE OFFICE OF THE COURTS

JAMES T. GLESSNER, STATE COURT ADMINISTRATOR

*Central Office:* 70 Center Street, Portland  
*Mail Address:* Box 4820, Portland, Maine 04112

*Telephone:* 822-0792

*Established:* 1975

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 425; Citation: 4 M.R.S.A., Sect. 15

**PURPOSE:** The State Court Administrator under the supervision of the Chief Justice of the Supreme Judicial Court, is required by statute to: (1) survey and study Judicial Department operations to improve administration and management of the court system, develop and recommend long-range plans for the



## JUDICIAL

Judicial Branch; (2) examine the status of all court dockets and make recommendations concerning the assignment of personnel; (3) investigate complaints about the operation of the courts; (4) examine and maintain court statistical systems, and collect and analyze statistical data relating to court operations; (5) prescribe uniform administrative and business methods to be used in all courts; (6) implement standards and policies set by the Chief Justice regarding court hours and the assignment of term parts and justices; (7) act as fiscal officer of the courts including the oversight of all budgetary and accounting functions; (8) examine and supervise arrangements for court facilities, equipment and supplies; (9) act as secretary to the Judicial Conference; (10) submit an Annual Report to the Chief Justice, Legislature and Governor reporting the activities of the preceding fiscal year; (11) maintain liaison with the other branches and agencies of government; (12) prepare and plan for the operation of District and Superior Court clerk's offices; (13) develop and implement educational and training programs for nonjudicial personnel; (14) perform other duties consistent with the powers delegated and assigned to him by the Chief Justice and the Supreme Judicial Court; (15) plan and implement arrangements for court security; (16) report on out-of-state travel; and (17) prepare impact statements for executive orders and proposed legislation.

**ORGANIZATION:** The Administrative Office of the Courts was created in 1975. The office is directed by the State Court Administrator, who is appointed by and serves at the pleasure of the Chief Justice. The Administrative Office staff is appointed by the State Court Administrator with the approval of the Chief Justice. The staff administers the accounting, computer, fiscal, legislative, personnel, purchasing planning, research and security related functions for the court system.

**PROGRAM:** Under the direction of the State Court Administrator, the Administrative Office of the Courts continued its involvement in ongoing areas of court automation, fiscal administration, court security, facilities management and personnel administration. Initiatives were further developed in planning, the implementation of Participatory Management and the development of a staff training program.

### **PUBLICATIONS:**

A Citizen's Guide to the Maine Courts (out of print)  
Judicial Department Annual Report (\$5.00)  
A Guide to Small Claims Proceedings of the Maine District Court (free)  
Traverse Juror Handbook (free)  
State of Maine Child Support Guidelines and Statutes (\$1.00)  
Report of the Commission to Study the Future of Maine's Courts

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$1,891,207 in FY 94 and are, by administrative decision, included with those of the Judicial Department.

## **BOARD OF EXAMINERS FOR THE EXAMINATION OF APPLICANTS FOR ADMISSION TO THE BAR**

CONSTANCE P. O'NEIL, ESQ., CHAIR  
LAURIE A. GIBSON, ESQ., SECRETARY  
DEBRA L. MAZEROLL, ADMINISTRATOR

*Central Office:* 97 Winthrop Street, Augusta  
*Mail Address:* P.O. Box 30, Augusta, Maine 04332-0030  
*Established:* 1899

*Telephone:* 623-2464  
*FAX:* 623-4175

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 291; Citation: 4 M.R.S.A., Sect. 801  
*Average Count—All Positions:* 0

*Legislative Count:* 0

## JUDICIAL

**PURPOSE:** The purpose of the Board of Examiners for the Examination of Applicants for Admission to the Bar is to examine all applicants for admission to the Bar, as to their legal learning and general qualifications to practice in the several courts of the State as attorneys. After passing the examination and compliance with the statutes has been accomplished, the Board issues a certificate of qualification which states the standing of the applicant, and recommends his/her admission to the bar.

**ORGANIZATION:** The Board is composed of 7 lawyers of the State and two representatives of the public appointed by the Governor. As the terms of the present and future members expire, one or more members of the Board will be appointed annually by the Governor on the recommendation of the Supreme Judicial Court, and they will hold office for terms of 5 years, beginning on the first day of January of the year of appointment and ending on the last day of December of the year of expiration of the appointment. The Board holds at least 2 examination sessions annually at such times and places in the State as the Board determines and the Supreme Judicial Court approves. The members of the Board elect from their number a secretary and a chair who may, but need not, be the same person and make such rules and regulations relative to the performance of the duties of the Board and to the examinations which the Board conducts as to them may seem proper. Four members of said Board shall constitute a quorum for the transaction of business.

The administrator of the Board shall be the treasurer thereof and shall receive all fees, charges and assessments payable to the Board and account for and pay over the same according to law.

**PROGRAM:** The following are bar examination results. Modified applicants are persons who have passed bar examinations in other states, as opposed to regular applications.

	Feb. 90		July 90		Feb. 91		July 91		Feb. 92		July 92		Feb. 93		July 93	
	Reg.	Mod.	Reg.	Mod.	Reg.	Mod.	Reg.	Mod.	Reg.	Mod.	Reg.	Mod.	Reg.	Mod.	Reg.	Mod.
Applicants taking exam	33	77	128	76	24	60	131	81	41	72	123	65	31	61	168	66
Number passing exam	21	54	109	69	14	48	92	52	25	57	97	39	16	50	84	48

In its efforts to discharge its statutory duties, the Board must review its policies and practices in such matters as:

1. the necessity of examining applicants who already have been admitted by examination in other jurisdictions;
2. the eligibility of graduates of European, Asian and African law schools to take the bar exam;
3. the fairness and validity of examination procedures and standards;
4. the relationship of a law school education to the bar examination; and,
5. the effectiveness of procedures to determine the character and fitness of applicants to practice law.

The Board works closely with the National Conference of Bar Examiners and the American Bar Association to receive the benefit of the experience of other jurisdictions in bar examination matters.

### LICENSES, PERMITS, ETC.:

Certificate:

Recommending Admission to the Bar

### PUBLICATIONS:

Rules of the Board-(Maine Bar Admission Rules)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## JUDICIAL

BOARD OF EXAMINERS FOR THE EXAMINATION OF APPLICANTS FOR ADMISSION TO THE BAR	TOTAL					
	FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contract Services—State	62,397		62,397			
Other Contractual Service	36,144		36,144			
Commodities	223		223			
Interest—Debt Retirement	4		4			
<b>TOTAL EXPENDITURES</b>	98,768		98,768			

## DISTRICT COURT

HON. SUSAN W. CALKINS, CHIEF JUDGE

*Central Office:* Portland

*Telephone:* 822-4171

*Mail Address:* P.O. Box 66, Portland, Maine 04112

*Established:* 1961

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 279; Citation: 4 M.R.S.A., Sect. 151

**PURPOSE:** The purpose of the District Court is to serve as the court of limited jurisdiction for the State.

**ORGANIZATION:** The District Court was created by the Legislature in 1961 as Maine's court of limited jurisdiction. The Court has original jurisdiction in non-felony criminal cases, traffic infractions and civil violations, can accept guilty pleas in felony cases and conducts probable cause and bail hearings in felony cases. The Court has concurrent jurisdiction with the Superior Court in divorce, non-equitable civil cases involving not more than \$30,000, and also may grant equitable relief in a wide variety of cases including unfair trade practices and cases involving environmental law violations. The District Court hears all child protection cases, termination of parental rights cases, and protection from abuse and harassment cases. The District Court is the small claims court (for cases involving not more than \$3000) and the juvenile court. The District Court has concurrent jurisdiction with the Probate Court to grant equitable relief in proceedings related to consent to minor's abortions. In addition, the Court hears mental health, forcible entry and detainer, quiet title and foreclosure cases. It is the only court available for the enforcement of money judgments.

There are 25 judges in the District Court including the chief judge, who is designated by the chief justice of the Supreme Judicial Court. The judges are appointed by the Governor for seven year terms, with the consent of the Legislature. On assignment by the chief justice of the Supreme Judicial Court, District Court judges may also sit in the Superior Court.

**PROGRAM:** In the District Court, judges are assigned by the Chief Justice to sit in any district court in the state.

**Court Appointed Special Advocate Program (CASA).** The CASA program was established in 1985 within the District Court to address the needs of abused and neglected children by using trained volunteers to represent these children. These volunteers, who are paid only for their travel and expenses, largely replace state-paid attorneys who had routinely served as guardians ad litem to the children prior to the program's development. During 1986, legislation was enacted to establish CASA as a regular part of the Judicial Department structure.

**Court Mediation Service.** The Court Mediation Service program was established in 1978 as a supplementary method of dispute resolution for court cases, and is used primarily for civil cases in domestic relations, and small claims matters. The District Court provides clerical assistance for the Court Mediation Service office and arranges for appropriate facilities in which to hold mediations. Court mediators are independent contractors, receiving per diem fees and travel expenses.

## JUDICIAL

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$15,670,012 in FY 94, and are, by administrative decision, included with those of the Judicial Department.

### COMMITTEE ON JUDICIAL RESPONSIBILITY AND DISABILITY

**MADELEINE R. FREEMAN, CHAIRPERSON (through July 5, 1994)**

**JOHN R. DIMATTEO, CHAIRPERSON (beginning July 5, 1994)**

**MERLE W. LOPER, Executive Secretary**

*Central Office:* Portland, Maine

*Mail Address:* P.O. Box 8058, Portland, Maine 04104-8058

*Established:* 1978

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 276J; Citation: Supreme Judicial Court Order 1978, No. SJ-109; 4 MRSA §9-B

**PURPOSE:** The Committee on Judicial Responsibility and Disability was created by the Supreme Judicial Court by court order dated June 26, 1978, effective July 5, 1978. The Committee is empowered to receive and investigate complaints of judicial misconduct and disability. Judicial misconduct is defined by the Maine Code of Judicial Conduct, which was promulgated by the Supreme Judicial Court. By order of the Court, the Code of Judicial Conduct is binding on all state judges, as set forth in the Code and the Court's order.

**ORGANIZATION:** The Committee on Judicial Responsibility and Disability consists of seven members appointed by the Supreme Judicial Court. Two members are either active or active retired justices of the Superior Court, active or active retired judges of the District Court, or active judges of probate. Two members are attorneys at law admitted to practice in the State of Maine, and three members are representatives of the general public of the State of Maine. The public and attorney members are appointed by the Supreme Judicial Court upon the recommendation of the Governor. Four alternate members are also appointed to serve with respect to any matter from which a regular member is excused or otherwise unavailable.

**PROGRAM:** Proceedings before the Committee are typically begun upon receipt of a complaint concerning the conduct of a judge. If the Committee members decide that the facts involved in the complaint appear to come within its authority, a copy of the complaint is submitted to the judge for a response, unless the allegations or facts available to the Committee show that no disciplinary misconduct is involved. At the time a complaint is submitted to the judge, an investigation is conducted appropriate to the circumstances of the complaint. Based upon its investigation and the judge's response, the Committee determines whether the complaint should be dismissed or an evidentiary hearing is necessary. The Committee cannot itself impose disciplinary sanctions. Unless the complaint is dismissed, the Committee's findings and conclusions, together with recommendations, are reported to the Supreme Judicial Court in any matter in which the Committee finds misconduct warranting formal disciplinary action; thereafter, the matter is in the hands of the Court. The Committee may also seek informal correction of any judicial conduct or practice that may create an appearance of judicial misconduct.

Upon written request of the Governor, the Legislature's Joint Standing Committee on Judiciary, or an appropriate federal agency or official, in connection with consideration of the appointment of a person who is or has been a judge, the Committee is directed to provide information on any complaints made against that person and the Committee's disposition thereof.

The Committee reports annually to the Supreme Judicial Court a summary of each year's activities.

**PUBLICATIONS:** The Committee has available for distribution material describing the Committee's operation and function, as well as the rules that govern the Committee's jurisdiction and procedure.

## JUDICIAL

Copies are available upon request. Copies of the available Annual Reports of the Committee are also distributed upon request.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$44,518 in FY 94 and are, by administrative decision, included with those of the Judicial Branch.

### STATE COURT LIBRARY COMMITTEE

**DONALD G. ALEXANDER, CHAIRMAN**

**JUDITH BENNETT, State Court Library Supervisor**

*Central Office:* 97 Hammond Street, Bangor, Maine 04401

*Telephone:* 947-6124

*Mail Address:* 97 Hammond Street, Bangor, Maine 04401

*Established:* 1981

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 447; Citation: 4 M.R.S.A., Sect. 191

*Legislative Count:* 1

**PURPOSE:** The State Court Library Committee serves as the governing body for Maine's 16 county law libraries, to assure access to basic legal materials for the bench, the bar and the public.

**ORGANIZATION:** The committee is made up of nine voting members—three members of the public, two of the judiciary and four attorneys, all of whom are appointed by the Chief Justice of the Supreme Judicial Court, who also appoints the chairperson. The State Court Administrator, the State Law Librarian, and the University of Maine School of Law Librarian are *ad hoc* members and one member of the judiciary serves as judicial liaison.

The libraries themselves are organized into a four-tier system. Each tier reflects both the size of the collections and the state stipend allocated to maintain them.

**PROGRAM:** Under the direction of the State Court Library Committee, the State Court Library Supervisor is charged with overseeing the professional functions of the county law libraries. These duties include staffing; periodic visits to the libraries and meetings with the local bar association library committees; budgeting and the allocation of state monies for collection development; and the utilization of space-saving items such as micro-film and reader/printers.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$169,019 in FY 94 and are, by administrative decision, included with those of the Judicial Branch.

### BOARD OF OVERSEERS OF THE BAR

**BARBARA E. CHESLEY, CHAIR**

**CURTIS WEBBER, ESQ., VICE CHAIR**

**J. SCOTT DAVIS, BAR COUNSEL**

*Central Office:* Whitten Road, AGC Building

*Telephone:* 623-1121

*Mail Address:* P.O. Box 1820, Augusta, Maine 04332-1820

*FAX:* 623-4175

*Established:* 1978

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 276B; Citation: Judicial Order 1978, Law Docket #4890

## JUDICIAL

**PURPOSE:** The purpose of this Board is to act on behalf of the Supreme Judicial Court, and by its appointment and order, to supervise attorneys admitted to the practice of law in this state, and to assist the Supreme Judicial Court in the disciplining of attorneys who may violate the Court mandated ethical or other rules of practice.

**ORGANIZATION:** The Board of Overseers of the Bar was created by order of the Supreme Judicial Court, effective November 1, 1978 (Maine Bar Rules). The Board consists of nine (9) members selected by the Court, three (3) of whom are lay persons and six (6) of whom are members of the Bar of the State of Maine.

**PROGRAM:** This unit's activities are limited to the performance of its duties as provided in the Maine Bar Rules. (See Maine Rules of Court.) In general, it supervises and administers the registration of all attorneys admitted to practice in this state; investigates and processes claims and reports of violations by attorneys of the rules of practice set forth in the Maine Bar Rules; provides a procedure for the arbitration of disputes between clients and attorneys with respect to legal fees; maintains limited consulting and advisory services with respect to the interpretation and application of the Code of Professional Responsibility (Rule 3 of the Maine Bar Rules relating to ethical standards); and engages in a continuing review and study of the Bar in relation to the public and the Courts for the purpose of making recommendations to the Supreme Judicial Court with respect to the Maine Bar Rules.

**PUBLICATIONS:**

“Legal Fee Arbitration” (Procedures and rules governing the Fee Arbitration Commission of the Board of Overseers of the Bar) (Free); Maine Manual on Professional Responsibility (two volumes).

“Board of Overseers of the Bar—Information About Complaint Procedures and Discipline of Lawyers.” (Free)

“Bar Counsel's Annual Report.” (Free)

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend state funds. All receipts and income are derived from registration fees paid by attorneys pursuant to order of the Supreme Judicial Court, except for payments by the Board of Bar Examiners on account of certain legal, administrative and clerical services performed on its behalf. All disbursements and expenditures are made pursuant to a budget approved by the Supreme Judicial Court.

## SUPERIOR COURT

HON. THOMAS E. DELAHANTY II, CHIEF JUSTICE

*Central Office:* Maine Superior Court, Androscoggin County Courthouse

*Telephone:* 783-5440

*Mail Address:* 2 Turner Street, P.O. Box 3660, Auburn, Maine 04212

*Established:* 1930

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 278; Citation: 4 M.R.S.A., Sect. 101

**PURPOSE:** The purpose of the Superior Court is to serve as the trial court of general jurisdiction for the State of Maine. (4 M.R.S.A. Section 105)

**ORGANIZATION:** The Superior Court was created by the Legislature in 1929 as Maine's trial court of general jurisdiction. The court has original jurisdiction over all matters (either exclusively or concurrently with other courts) which are not within the exclusive jurisdiction of the District Court. This is the only court in which civil and criminal jury trials are held. In addition, justices of this court hear appeals on questions of law from the District Court.

## JUDICIAL

There are 16 justices of the Superior Court who hold sessions of the court in each of the 16 counties. The justices must be trained in the law and are appointed by the Governor for seven year terms, with the consent of the Legislature. A single justice is designated by the Chief Justice of the Supreme Judicial Court to serve as the Chief Justice of the Superior Court. Court administrators oversee the day-to-day administrative activities of the Court.

**PROGRAM:** The Chief Justice of the Superior Court assigns Superior Court justices to serve throughout the state. On a regular basis, the court administrators, in coordination with justices, and clerks, prepare schedules detailing the daily work of justices and court reporters.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$11,096,536 in FY 94 and are, by administrative decision, included with those of the Judicial Branch.

### SUPREME JUDICIAL COURT HON. DANIEL E. WATHEN, CHIEF JUSTICE

*Central Office:* 142 Federal Street, Portland, Maine  
*Mail Address:* Box 368, Portland, Maine 04112

*Telephone:* 822-4146

*Established:* 1820

*Reference:* Policy Area: 00; Umbrella: 40; Unit: 276; Citation: 4 M.R.S.A., § 1

**PURPOSE:** The purpose of the Supreme Judicial Court as the Law Court is to serve as the appellate tribunal for the State. The Supreme Judicial Court also has general administrative and supervisory authority over the Judicial Department and shall make and promulgate rules, regulations and orders governing the administration of the Judicial Department.

**ORGANIZATION:** The Supreme Judicial Court is the highest court in Maine, and as the Law Court is the court of final appeal. The Law Court hears appeals of civil and criminal cases from the Superior Court, appeals from all final judgments, orders and decrees of the Probate Court, appeals of decisions of the Public Utilities Commission and the Workers Compensation Board, appeals from the District Court in parental rights termination and foreclosure cases, interlocutory criminal appeals from the District and Superior Courts, and appeals of decisions of a single justice of the Supreme Judicial Court. A justice of the Supreme Judicial Court has jurisdiction to hear, with his consent, non-jury civil actions, except divorce or annulment of marriage, and can be assigned by the Chief Justice to sit in the Superior Court to hear cases of any type, including post-conviction matters and jury trials. In addition, the Supreme Judicial Court defines and regulates the practice of law and the conduct of attorneys in Maine by the promulgation of Maine Bar Rules, published in the annual Maine Rules of Court. It also is the ultimate authority for admitting lawyers to the bar, and for administering lawyer discipline including disbarment. The justices of the Supreme Judicial Court make decisions regarding legislative apportionment and render advisory opinions concerning important questions of law on solemn occasions when requested by the Governor, Senate, or House of Representatives. Three members of the Supreme Judicial Court serve as the Sentence Review Panel for the review of sentences of one year or more.

The Supreme Judicial Court has seven members; the Chief Justice and six Associate Justices. The justices must be trained in the law and are appointed by the Governor for seven year terms, with the consent of the Legislature. The court sits in Portland six times a year. Each term runs from two to three weeks and handles from 60 to 90 cases.

By statute, the Chief Justice is head of the Judicial Department, and the Supreme Judicial Court has general administrative and supervisory authority over the Judicial Department.

Upon retirement, a Supreme Judicial Court justice may be appointed an Active Retired Justice by the Governor, for a seven year term, with the consent of the Legislature. On assignment by the Chief Justice, an Active Retired Justice has the same authority as an active justice. There were three active retired Supreme Court justices in 1992.

## **JUDICIAL**

### **LICENSES, PERMITS, ETC.:**

Admission to Practice—Attorney At Law, 4 M.R.S.A. § 801

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$2,138,733 in FY 94 and are, by administrative decision, including with those of the Judicial Branch.



## LABOR

# DEPARTMENT OF LABOR

ROLANDA K LAPATCH, ACTING COMMISSIONER

*Central Office:* 20 Union Street, Augusta

*Telephone:* 287-3788

*Mail Address:* P.O. Box 309, Augusta, Maine 04332-0309

*Established:* 1971

*Sunset Review Required by:* June 30, 2000

*Reference: Policy Area:* 04; *Umbrella:* 12; *Unit:* 158; *Citation:* 26 M.R.S.A., Sect. 1401

*Average Count—All Positions:* 781

*Legislative Count:* 41

### *Organizational Units:*

Bureau of Employment Security  
Unemployment Insurance Commission  
Bureau of Labor Standards  
Maine Occupational Information  
Coordinating Committee  
Maine Labor Relations Board

Maine Human Resource Development  
Council  
Department of Labor Advisory Council  
Bureau of Employment and Training  
Programs  
Office of the Commissioner

**PURPOSE:** The Department of Labor was established to achieve the most effective utilization of the labor resources in the State by developing and maintaining an accountable State employment and training policy, by insuring safe working conditions and protection against loss of income and by enhancing the opportunities of individuals to improve their economic status.

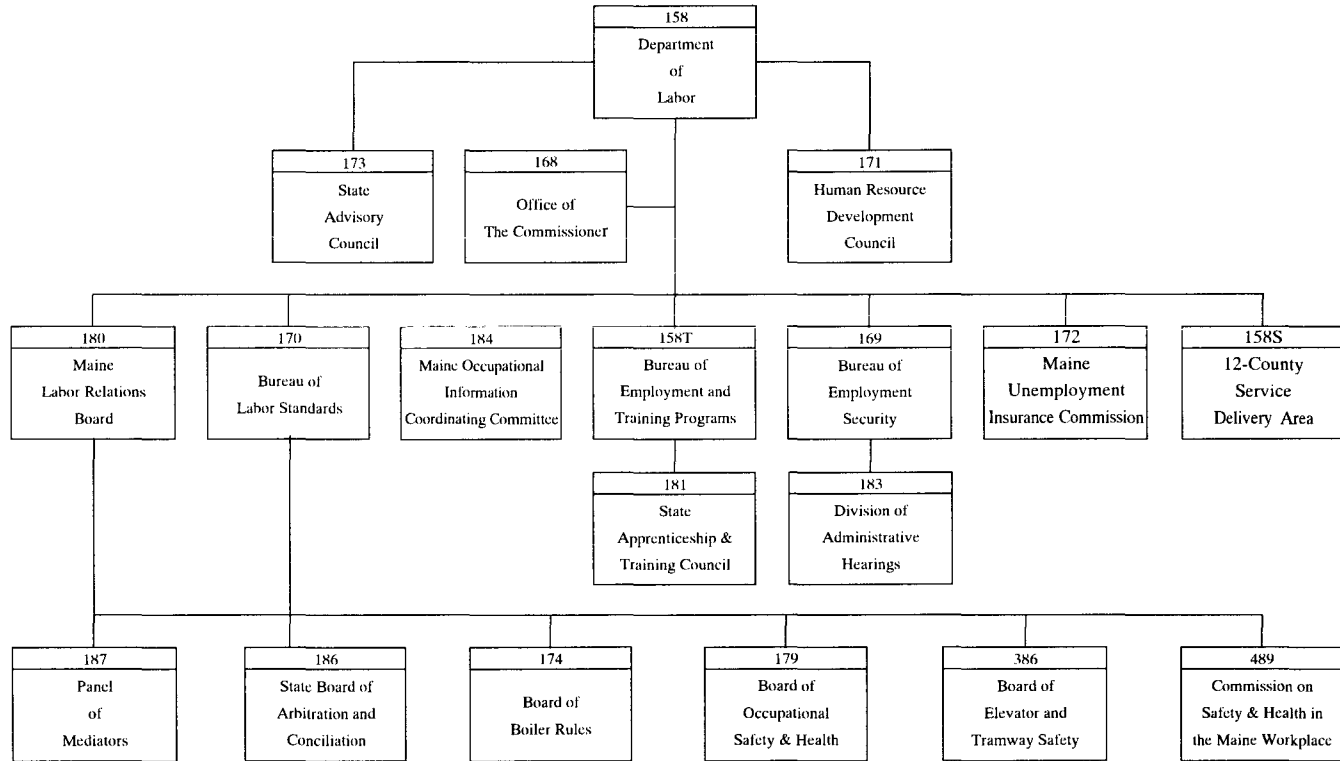
The Department, through specific powers and duties delegated to its component administrative units, is authorized to provide services for all workers and employers in the State who desire assistance, and establish and maintain free public employment offices. The Department collects unemployment taxes from liable employers and pays unemployment benefits to eligible claimants. It also enforces all State laws established for the protection of the health and safety of workers, and laws regulating the payment of wages and employment of minors. The Department also seeks to further harmonious labor-management relations and provide occupational training for the unemployed and underemployed.

**ORGANIZATION:** The Department of Labor was created by State Government reorganization legislation, effective September 24, 1971, to consolidate various employment and training related agencies of the State, including the Bureau of Employment Security and the Employment Security Commission, originally established in 1936; the Bureau of Labor Standards, functioning since 1873; the Maine Labor Relations Board, established in 1972; the Maine Occupational Information Coordinating Committee, originally established in 1979; the Bureau of Employment and Training programs, functioning since 1974; the Office of Administrative Services established in 1982; the Office of the Commissioner established in 1983; and the Maine Human Resource Development Council, established in 1987.

**PROGRAM:** The long-range goal of the Department of Labor is to further consolidate the functions and activities of the interrelated component organizational units.

**FINANCES, FISCAL YEAR 1994:** The following consolidated financial display was generated from the accounts of the Department as recorded in the files of the Bureau of the Budget's MFASIS system.

**ORGANIZATIONAL CHART  
DEPARTMENT OF LABOR  
UMB 12**



Approved by the Bureau of the Budget

## LABOR

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	16,983,826	1,178,554	791,230		15,014,042	
Health Benefits	1,958,504	135,618	92,419		1,730,467	
Retirements	2,811,166	196,916	125,918		2,488,332	
Other Fringe Benefits	130,775	17,513	7,759		105,503	
Other Contract Services—State	1,017,413	95,442	259,721		662,250	
Computer Services—State	29,070	97,063	488,659		-556,652	
Other Contractual Service	5,192,676	193,849	318,207		4,680,620	
Rents	638,923	20,805	10,486		607,632	
Commodities	658,538	26,790	49,830		581,918	
Grants—Subsidies—Pensions	183,176,814	2,589,351	113,701		69,294,809	111,178,953
Purchase of Land	53,519				53,519	
Building Improvement	1,240,673		3,790		1,236,883	
Interest—Debt Retirement	1,272	11			1,261	
Transfers to Other Funds	446,355		55,877		390,478	
<b>TOTAL EXPENDITURES</b>	<b>214,339,524</b>	<b>4,551,912</b>	<b>2,317,597</b>		<b>96,291,062</b>	<b>111,178,953</b>

## DIVISION OF ADMINISTRATIVE HEARINGS

*Central Office:* Augusta 04330

*Telephone:*

*Mail Address:*

*Established:*

*Sunset Review Required by:*

*Reference: Policy Area: 04; Umbrella: 12; Unit: ; Citation:*

**PURPOSE:** The Division of Administrative Hearings is a unit of the Department which services requests for adjudicatory hearings pursuant to the Administrative Procedures Act. Hearings are held in locations from Kittery to Fort Kent. For the convenience of the parties, telephone hearings are held in about 40 percent of the cases, when there are no disputed facts or when parties are situated long distances from each other.

**ORGANIZATION:** Consistent with its primary responsibility to the Department of Labor programs, the division offers its services to other departments in the executive branch. It also hears cases for the Department of Mental Health and Mental Retardation involving the right to refuse treatment and grievances by recipients of services from MH&MR's contracted and licensed programs and it hears Maine State Housing Authority cases under its energy and fuel assistance programs. The division is comprised of a Director and Chief Administrative Hearing Officer, 10 Administrative Hearing Officers, and 9 support staff. In FY 93 the division issued 6,962 unemployment compensation decisions.

**PROGRAM:** The goals of the division are to provide a full opportunity for the parties to present the facts and law regarding a dispute, and to hear and issue decisions in the most efficient manner possible. The division places high value on training of its staff and the use of automation to speed the decision-making process.

**PUBLICATIONS:** In 1993-94 the Division produced a video on "How to Prepare For Your Appeal Hearing." The video will be available to claimants, employers and attorneys at local employment offices and upon request it will be mailed to interested parties.

## LABOR

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$1,062,975.76 in FY 93, and are, by administrative decision, included with those of the Department of Labor, Bureau of Employment Security.

### STATE APPRENTICESHIP AND TRAINING COUNCIL WILLIAM MURPHY, CHAIR

*Central Office:* Hallowell Annex, Central Building  
*Mail Address:* Station #45, Augusta, Maine 04333-0045

*Telephone:* 624-6430

*Established:* 1943

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 181; Citation: 26 M.R.S.A., Sect. 1002

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The State Apprenticeship and Training Council was established to provide to employers a time-tested means of training persons to become proficient craftspeople in the trades through exposure to on-the-job work experiences and attending classes in related theoretical instruction. It is responsible for establishing standards of apprenticeship and issuing certificates of completion to apprentices satisfactorily completing their trade, thus providing employers with trained personnel. Meeting periodically, the Council cooperates with the Maine Technical College System to provide supplemental instruction, and the Veterans Administration in approving apprenticeship training for veterans through the Employment and Training System.

**ORGANIZATION:** The Council is composed of twelve members appointed by the Governor, made up as follows: four members must be representatives of employees and members of a recognized labor organization; four members must be representatives of employers; and four members must represent the public; two of which must represent the interests of women, minorities, and aid to families with dependent children recipients in apprenticeship. Appointments are made so that the term of one member of each group expires each year. The Council elects a chair, vice chair, and secretary. The budget of the Council is incorporated in the overall budget of the Bureau of Employment and Training Program. The Bureau Director exercises supervision over Council employees and the disbursement of funds. The Director of the Division of Applied Technology Administration within the Department of Education, the Director of Workforce Development, the Commissioner of Labor, and the Director of Apprenticeship Training for the Maine Technical College System are non-voting ex-officio members of the Council.

**PROGRAM:** Continued goals of the Council are to provide the highest quality training possible by working with employers, Vocational Education officials, Joint Apprenticeship Training Committees, and the apprentices; and to publicize the educational advantages of apprenticeship training. Further goals of the Council are to work with the Maine Job Training System and Job Service to further place apprentices in programs written for employment and training participants. The Council has a pre-apprentice program to assist in the school to work transition for youth and others not currently job ready. The majority of apprentices and pre-apprentices receive a starting wage greater than the minimum and are earning their livelihood while learning a trade. Periodic wage increases are a requirement of each program.

Pertinent statistics for fiscal year 1992/1993 are as follows:

Apprenticeship	
New Programs Registered	36
Programs cancelled	4
Total Programs to July 1, 1994—556	
New Apprentices Registered	199
Apprentices Reinstated	0

## LABOR

Apprentices Completed	155
Apprentices Cancelled	57
Apprentices Suspended	0
Female Apprentices Registered	24
Female Apprentices Reinstated	0
Female Apprentices Completed	11
Female Apprentices Cancelled	88
Female Apprentices Suspended	0
Minority Apprentices Registered	4
Minority Apprentices Completed	5
Total Apprentices Registered	925

**Certificates:** After certification by the employer or a Joint Apprenticeship Training Committee and approval of a Vocational Education Representative, the Apprenticeship and Training Council issues Certificates of Completion to apprentices who have successfully completed their apprenticeship training.

### **LICENSES, PERMITS, ETC.:**

Certificates of Completion to apprentices who have successfully completed their apprenticeship training.

Certificates of Completion to pre-apprentices who have successfully completed their pre-apprentices training.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of The Bureau of Employment and Training Programs.

## **STATE BOARD OF ARBITRATION AND CONCILIATION**

**ANDREW M. HORTON, CHAIR**

*Central Office:* State Office Bldg., Augusta; *Floor:* 7

*Telephone:* 287-2015

*Mail Address:* State House Sta. #90, Augusta, Maine 04333

*Established:* 1909

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 186; Citation: 26 M.R.S.A., Sect. 931

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine Board of Arbitration and Conciliation was established to further harmonious labor-management relations in the State of Maine by endeavoring to settle disputes, strikes and lockouts between employers and employees. The Board operates in both the public and private sectors. It serves as a Board of Inquiry, as a Board of Conciliation in the private sector, or as a Board of Arbitration with power to inquire and to investigate labor-management disputes in the public or private sector.

**ORGANIZATION:** The Maine Board of Arbitration and Conciliation was originally created in 1909, and experienced major reorganization in 1955 and procedural reform in 1985. The Board consists of three primary members representing labor, management and the public. There are six alternates, two for each of the foregoing permanent positions. All permanent and alternate members of the Board are appointed by the Governor for terms of three years. Appropriations for the Board are included in the budget of the Maine Labor Relations Board.

The favorable impact of Chapter 294 P.L. 1985, which amended the procedures of the Board, was demonstrated during recent fiscal years in the increased percentage of matters which were effectively conciliated by Board panels. Among other things PL 294 confirmed the conciliation authority of the Board in grievance arbitration matters.

## LABOR

**PROGRAM:** In fiscal year 1994, the State Board of Arbitration and Conciliation received a level of requests for its services that was higher than that for the previous year. In FY 94, 57 requests for services were received, compared with 43 requests in FY 93 and a record 75 filings in FY 87. The persistent increase in the variety of employee and employer units who have requested service in the past few years reflects the growing perception in the public sector labor relations community of the Board's stature in providing quality and professional arbitration and conciliation services.

In addition to the new matters filed in FY 94 there were 24 cases carried over from the prior year which required hearing and disposition by the Board or other action. All of the matters carried over from FY 93 have been disposed of, either through the hearing and award process, conciliation efforts, or withdrawal through settlements reached by the parties before or on the day of the hearing.

Of the 57 filings in FY 94, 44 were grievance arbitration requests and 13 were requests for fact finding services. Under the statutes governing public employee collective bargaining the Board is given authority to hear fact-finding and interest arbitration matters when there is a mutual submission for such services. In all, the Board issued 13 formal Decision and Awards during FY 94.

In addition to the matters proceeding to hearing and formal Decision and Award, 11 other issues were conciliated with the assistance of Board panel members or were settled at the hearing. The number of actual hearings and meetings convened and held and the per diem and related expenses disbursed are reported in the annual report to the Secretary of State's office at the end of the calendar year, as is required by statute.

The above review shows that panels of the Board or one of its members convened to hear 24 matters (13 concluded by formal Decision and Award and 11 others resolved at hearing and one pending further hearing) as compared with 17 disposed of through the hearing process in FY 93. Several matters were withdrawn or are scheduled for withdrawal. Withdrawals usually indicate settlement on the issues by the parties, often after a hearing has been scheduled.

Representative of the issues which came before the Board in the past fiscal year include:

- |  |                                   |
|--|-----------------------------------|
| 1. Discharge                             | 10. Rates of pay                  |
| 2. Suspension                            | 11. Promotion procedure           |
| 3. Discipline/just cause                 | 12. Overtime                      |
| 4. Seniority/layoff                      | 13. Posting and filling vacancies |
| 5. Subcontracting                        | 14. Work schedule                 |
| 6. Assignment unit work to students      | 15. Holiday pay                   |
| 7. Non-unit work                         | 16. Temporary service out of rank |
| 8. Use of part-time employees            | 17. Special detail assignment     |
| 9. Unit status of particular individuals | 18. Dental insurance              |

The Board has a long and distinguished history going back to 1909. With the enactment of laws giving public sector employees collective bargaining rights, the Board has seen its responsibilities as a forum for dispute resolution greatly expand in the area of grievance disposition. Whether through the formal hearing process or through its conciliation services, the Board has become a significant dispute resolution medium in the State. The Board of Arbitration and Conciliation is pleased with its achievements, particularly with its good reputation in the labor relations community. The Board's goal is to provide high quality professional services to its clients, assisting them to resolve their disputes and, thereby, improving the labor-management climate in Maine.

### PUBLICATIONS:

Statute Establishing the Procedures of the State Board of Arbitration and Conciliation  
Uniform Arbitration Act

**FINANCES, FISCAL YEAR 1994:** 26 MRSA, Sect. 965, Sub-section 6 provides that expenditures of this unit shall be borne by Maine Labor Relations Board and are, therefore, included in its financial display.

## LABOR

### BOARD OF BOILER RULES

WILLIAM PEABODY, CHAIR

*Central Office:* Hallowell Annex, Central Building

*Telephone:* 624-6420

*Mail Address:* State House Sta. #45, Augusta, Maine 04333-0045

*Established:* 1931

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 174; Citation: 26 M.R.S.A., Sect. 171

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board of Boiler Rules was established to promulgate rules for the safe construction, installation, alteration, repair, use and operation of boilers and pressure vessels covered by the statute. The rules so formulated shall conform as nearly as practicable to the Boiler Code of The American Society of Mechanical Engineers.

**ORGANIZATION:** Laws pertaining to boilers have been in existence in Maine since 1850. The Board of Boiler Rules was established in 1931. The present Board is comprised of the Chairperson, who is the Director of the Bureau of Labor Standards and representatives of boiler owners, boiler manufacturers, operating engineers, boiler inspectors and insurers, boiler operators, and boiler welders.

The statutes provide for the Board's appointment of a Stationary Engineer's and Boiler Operator's Examining Committee which prepares and conducts examinations to determine the qualifications of persons applying for licenses as boiler operators and stationary engineers.

**PROGRAM:** The Board of Boiler Rules met 3 times during FY 94.

Reviewed the rules for engineers and operators for clarity with regards to reorganization of boiler plant personnel by several companies.

The Board accepted a boiler with automatic controls to meet reduced operator attendance.

The Board accepted an over-aged boiler to be run in a locomotive.

The Board reviewed Rules and open items.

The Board reviewed a request to bring in a British made boiler for use in a simulator.

The Board accepted a request for 2 "state specials" to be issued to boilers not meeting ASME code.

#### **LICENSES, PERMITS, ETC.:**

Boiler Operator Permits

High and Low Pressure Boiler Operator Licenses

Engineers Licenses

Boiler Certificates

Welder Certificates

Authorized Boiler Inspector Licenses

**PUBLICATIONS:** Boiler Board rules are issued through the Boiler Division.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$554 in FY94 and are, by administrative decision, included with those of the Bureau of Labor Standards.

## LABOR

### OFFICE OF THE COMMISSIONER ROLANDA KLAPATCH, ACTING COMMISSIONER

*Central Office:* 20 Union Street, Augusta

*Telephone:* 287-3788

*Mail Address:* State House Station 54, Augusta, Maine 04332-0309

*Established:* 1983

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 168; Citation: 26 M.R.S.A., Sect. 1401

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Office of the Commissioner of the Department of Labor is the central administrative unit of the Department. The responsibilities of the Office include review, oversight and coordination of all Departmental functions. The Office provides primary liaison with federal and state agencies, the Legislature, the press and the public. The Office also provides information processing services to the Department.

**ORGANIZATION:** The Office of the Commissioner consists of the Commissioner, the assistant to the Commissioner for Public Affairs, immediate support staff, the Office of Administrative Services, the Office of Human Resources and the Office of Information Processing.

**PROGRAM:** The programs of the Department are implemented through its component units.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system and reflects only the State General Fund portion of expenditures of this office. All Federal and Special Revenue account expenditures are incorporated into the accounts of the various bureaus/units of the Department.

OFFICE OF THE COMMISSIONER	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	39,115	39,115				
Health Benefits	6,459	6,459				
Retirements	9,772	9,772				
Other Fringe Benefits	665	665				
Other Contractual Service	11,862	11,862				
Rents	857	857				
Commodities	2,272	2,272				
<b>TOTAL EXPENDITURES</b>	71,002	71,002				

### BOARD OF ELEVATOR AND TRAMWAY SAFETY WILLIAM PEABODY, CHAIR

*Central Office:* Hallowell Annex, Central Building

*Telephone:* 624-6420

*Mail Address:* State House Sta. #45, Augusta, Maine 04333-0045

*Established:* 1949

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 386; Citation: 26 M.R.S.A., Sect. 475

*Average Count—All Positions:* 0

*Legislative Count:* 0



## LABOR

**PURPOSE:** The purposes of the Board of Elevator and Tramway Safety are as follows: to protect Maine citizens and visitors from unnecessary mechanical hazards in the operation of elevators and tramways, to ensure that reasonable design and construction are used, and that accepted safety devices and sufficient personnel are provided for. The Board also makes sure that maintenance, inspections and adjustments are made which are deemed essential for the safe operation of elevators and tramways. The primary responsibility for design, construction, maintenance and inspection rests with the firm, person, partnership, association or corporation which owns or operates such a device.

**ORGANIZATION:** The Elevator Law was enacted in 1949 and in 1951 the Board of Elevator Rules and Regulations was established which adopted national standards as rules for new elevator installations and existing elevators.

The Passenger Tramway Safety Board was created in 1961, and merged with the Elevator Board in 1977 to form the Board of Elevator and Tramway Safety.

The Director of the Bureau of Labor Standards serves as the Chairperson. The remaining members represent elevator owners, elevator manufacturers, licensed elevator mechanics, ski area operators, licensed professional engineers, the general public, and the physically handicapped. A representative of the Division of Fire Safety also serves on the Board.

**PROGRAM:** The Board held two meetings in FY 94. The Board granted seven variances to install residential elevators for handicapped persons in light usage buildings. The members addressed many questions concerning handicapped accessibility and reviewed designs of proposed installations of new equipment. The Board approved a variance request to accept a ski-lift installation.

### **LICENSES, PERMITS, ETC.:**

- Elevator Mechanic Licenses
- Elevator Certificates
- Incline Lift Certificates
- Vertical Lift Certificates
- Tramway Certificates

**PUBLICATIONS:** Elevator and tramway rules are issued through the Elevator and Tramway Safety Division.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$197.00 in FY 1994 and are, by administrative decision, included with those of Bureau of Labor Standards.

## **BUREAU OF EMPLOYMENT AND TRAINING PROGRAMS**

**MARY LOU DYER, EXECUTIVE DIRECTOR**

*Central Office:* Old Nurses Bldg.—AMHI, Augusta

*Telephone:* 287-3377

*Mail Address:* Hospital Street, State House Sta. #55, Augusta, Maine 04333

*Established:* February 2, 1983

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 158T; Citation: Exec. Order 9 FY 82/83

*Average Count—All Positions:* 86

*Legislative Count:* 0

**PURPOSE:** The Bureau is responsible for providing professional and technical services to the Commissioner of Labor, members of the state job training coordinating council (known as the Maine Human Resource Development Council), to the Service Delivery Areas (SDAs), pursuant to the Job Training Partnership Act (JTPA), as amended in 1992 by Public Law 102-367, the Maine Training

## LABOR

Initiative (MTI) Law (26 MRSA, Sec. 2005), the Health Occupations Training Project (26 MRSA, Sec. 2151 *et seq.* (1988) as amended by Public Law C. 577), and the Strategic Training for Accelerated Reemployment program (26 MRSA, Sec. 2015-A (1988), as amended by Public Law C. 541). The Bureau is responsible for developing operational guidelines and procedures for programs conducted by Maine's Job Training System. Included among the various management systems are monitoring, fiscal accountability, including allocation of funds and audits, and technical assistance and training.

**ORGANIZATION:** The Bureau of Employment & Training Programs operates as a division within the Maine Department of Labor. The Bureau is funded through JTPA Federal funds and state job training funds.

**PROGRAM:** Maine's Job Training System, which is administered at the state level by the Bureau of Employment and Training Programs, provides remedial education and vocational training-related services through three Service Delivery Areas (SDAs). The Training Resource Center provides training activities to Cumberland County residents; the Penobscot Consortium provides training activities in Hancock, Penobscot, and Piscataquis counties; and the 12-County SDA Workforce Development Centers provides training in the remaining twelve counties.

The Job Training System is funded by, and operates according to the requirements of, several state and federal laws. These include the Federal Job Training Partnership Act (JTPA), the Maine Training Initiative (MTI), the Strategic Training for Accelerated Reemployment (STAR) Program, and the Health Occupations Training (HOT) Project. These programs provide classroom training, on-the-job training, work experience, occupational upgrading, assessment, remedial education, and vocational counseling to adults and youth.

**PUBLICATIONS:** The Bureau of Employment & Training Programs publishes state guidelines, a forms preparation handbook, and planning instructions to Service Delivery Areas. These publications detail the methods of administration and management as well as specific program planning instructions for the subsequent fiscal year. The Bureau also publishes an annual report describing the accomplishments of the entire Job Training System. This is a public document available to anyone by writing the Executive Director, Bureau of Employment & Training Programs, Hospital Street, State House Station #55, Augusta, Maine 04333, or by calling (207) 287-3377.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF EMPLOYMENT AND TRAINING PROGRAMS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,076,933	232,189	22,307		822,437	
Health Benefits	103,997	25,302	2,449		76,246	
Retirements	189,551	38,504	3,948		147,099	
Other Fringe Benefits	-20,021	2,918	317		-23,256	
Other Contract Services—State	148,495	91,114	2,168		55,213	
Computer Services—State	351,753	28,625			323,128	
Other Contractual Service	259,554	37,235	1,919		220,400	
Rents	18,477	9,230			9,247	
Commodities	55,157	11,599	3,729		39,829	
Grants—Subsidies—Pensions	10,061,641	2,579,831	-12,226		7,494,036	
Building Improvements	129,379				129,379	
Interest—Debt Retirement	1				1	
Transfers to Other Funds	49,054		1,058		47,996	
<b>TOTAL EXPENDITURES</b>	12,423,971	3,056,547	25,669		9,341,755	

## LABOR

### BUREAU OF EMPLOYMENT SECURITY

ROLANDA KLAPATCH, ACTING COMMISSIONER

*Central Office:* 20 Union Street, Augusta

*Telephone:* 287-3788

*Mail Address:* P.O. Box 309, Augusta, Maine 04332-0309

*Established:* March 25, 1980

*Sunset Review Required by:* June 30, 2000

*Reference: Policy Area:* 04; *Umbrella:* 12; *Unit:* 169; *Citation:* 26 M.R.S.A., Sect. 1082

*Average Count—All Positions:* 615.5

*Legislative Count:* 0

*Organizational Units:*

Administrative Hearings Division  
Job Service Division

Division of Economic Analysis and Research  
Unemployment Compensation Division

**PURPOSE:** The Bureau of Employment Security is the employment security administrative organization within the Department of Labor. The Bureau provides services to help prevent or reduce the adverse social economic impact of unemployment and underemployment. It operates through a federal-state partnership in which all the expenses of administration of the state programs are borne by the federal government. It is responsible for providing effective services for workers and employers desiring assistance. It develops, collects, and disseminates labor market information. It provided a free labor exchange to Maine's employers and job seekers. It is responsible for administering the State's Unemployment Compensation Program and related federal programs. It also issues training allowance payments to eligible participants in various federally-sponsored training programs.

**ORGANIZATION:** The Bureau of Employment Security was originally organized on December 21, 1936, as the Maine Unemployment Compensation Commission. Impetus for the Maine statute establishing the Commission came from federal legislation, primarily certain provisions of the Social Security Act of 1935 and amendments of the Wagner-Peyser Act of 1933. The Employment Service Division, set up in mid-1937, was linked with a nationwide employment service system through affiliation with the United States Employment Service. In 1937, the Bureau of Employment Security opened offices throughout the State to provide local employment services and to receive claims for unemployment compensation. Benefit payments to unemployed workers began in January, 1938. Because of nationwide employment concerns during the period of World War II, the State Employment Service, by Presidential Executive Order, was taken over under direct Federal control from January 1, 1942, through November 16, 1946. On August 6, 1949, the name of the Commission was changed by legislation to the Maine Employment Security Commission. On July 1, 1972, as part of a reorganization of State Government by the Legislature, the Commission was placed within the Department of Labor. On July 6, 1978, the Maine Employment Security Commission was reorganized as a higher authority appeal tribunal with limited administrative responsibility; the administrative arm of the organization became an integral part of the Department of Labor directly under the supervision of the Commissioner of Labor. On March 25, 1980, legislation established the Bureau of Employment Security as a separate entity within the Department of Labor. On September 23, 1983 the Employment Security Commission's name was changed to the Unemployment Insurance Commission.

**PROGRAM:** The Program of this Bureau is implemented through its four component divisions.

**The Division of Administrative Hearings.** The Division of Administrative Hearings is a unit of the Department which services requests for adjudicatory hearings pursuant to the Administrative Procedures Act. Hearings are held in locations from Kittery to Fort Kent. For the convenience of the parties, telephone hearings are held in about 40 percent of the cases, when there are no disputed facts or when parties are situated long distances from each other.

Consistent with its primary responsibility to the Department of Labor programs, the division offers its services to other departments in the executive branch. It also hears cases for the Department of Mental Health and Mental Retardation involving the right to refuse treatment and grievances by recipients of services from MH&MR's contracted and licensed programs and it hears Maine State Housing Authority cases under its energy and fuel assistance programs.

The goals of the division are to provide a full opportunity for the parties to present the facts and law regarding a dispute, and to hear and issue decisions in the most efficient manner possible. The division places high value on training of its staff and the use of automation to speed the decision-making process.

## LABOR

In 1993-94 the Division produced a video on "How to Prepare For Your Appeal Hearing." The video will be available to claimants, employers and attorneys at local employment offices and upon request it will be mailed to interested parties.

The division is comprised of a director and Chief Administrative Hearing Officer, 10 Administrative Hearing Officers, and 9 support staff. In FY 93 the division issued 6,962 unemployment compensation decisions.

The expenditures of this division amounted to \$1,062,975.76 in FY 93, and are, for administrative purposes, included with those of the Department of Labor, Bureau of Employment Security.

**Job Service Division.** The most important responsibility of the Maine Job Service is to locate suitable employment for job seekers and to provide qualified workers for employers' job openings. Emphasis is placed on services to veterans and other special applicant groups in securing employment. This so-called "Labor Exchange" is a free service offered to both applicants and employers.

The Maine Job Service is an integral part of a nationwide network of Public Employment Agencies that receives 100% of its funding from the Federal Government. During this past fiscal year, the Job Service operated 18 local offices located throughout the State.

The Job Service offers a wide variety of services which can be categorized into 2 major programs; an Applicant Services Program and an Employer Services Program. A summary of the major features of each of these programs is as follows:

### **Applicant Services Program.**

*Work Registration:* A complete work history is collected on every applicant who comes into the Job Service for service. This registration card contains sufficient information to help match an applicant's qualifications against an employer's job requirements. During this program year, the Job Service registered over 142,000 applicants.

*Job Placement:* The Maine Job Bank facilitates this placement process by providing a computerized listing of job order information to Job Service staff and job seekers with a statewide inventory of job openings. During this past year, the Job Service made approximately 63,000 referrals which resulted in over 13,500 successful placements. The Job Service also utilizes a computerized Job Matching System. This highly sophisticated system automatically matches people with jobs by encoding special data on the applicant's qualifications and the employer's specific job requirements.

*Counseling:* Employment counseling is the process whereby a trained counselor works with clients who have problems in the vocational area. Goals are established that will assist and enhance the employment possibilities of the clients. Job Service held over 1,200 counseling interviews this past year.

### **Employer Services Program.**

In order to place applicants, Job Service puts a great deal of emphasis on getting to know employers and to meet their employment needs. The Employer Services Program includes 3 functions:

*Employer Visitation:* The objective of this program is to maintain a regular schedule of employer contacts in order to establish a close working relationship with the employers so that they can become acquainted with their specific employment needs. Services were requested from over 4,750 employers.

*Exclusive Referral:* Approximately 205 of the largest employers in the State have entered into agreements with the local Job Service office whereby the Job Service is the exclusive referral agent for the employer. In effect, everyone hired by that company has to first go through the Job Service. This particular program has proven to be an effective method for placing applicants in jobs, and it has relieved the employers from many of the personnel activities associated with hiring personnel.

*Positive Recruitment:* This program offers employers the use of Job Service staff and facilities in conducting a major recruitment drive. It has been most helpful to new employers moving into an area who have not yet established a base of operations.

### **Other Programs.**

*Trade Adjustment Assistance (TAA):* The TAA program is administered by the Job Service to provide a full range of employment services to eligible applicants (displaced from their jobs as a direct result of foreign trade). During the time period July 1, 1993 to June 30, 1994, training programs have been approved representing \$1,503,000. Three of our applicants have relocated at a cost of \$3,385.

*Testing:* Job Service administers several validated United States Employment Tests that can assess an applicant's aptitudes and vocational interests as well as determine the individual's probability of success in a particular job or job family. Employment counselors interpret the results of the tests for applicants making vocational choices and exploring careers. Various aptitude and performance tests were administered to 815 individuals this year.

*Targeted Jobs Tax Credit (TJTC):* TJTC was reauthorized after a 10 month delay. During FY 94 2,894 applicants were found eligible for the program and 1,097 employers were issued tax credit certifications.

## LABOR

*Strategic Training for Accelerated Reemployment (STAR):* This is a state funded training program administered by the Job Training system. The Job Service Division determines eligibility and completed 4,374 such determinations in FY 1994.

The expenditures of the Job Service Division amounted to approximately \$8 million in FY 1994, and are, for administrative purposes, included with those of Department of Labor, Bureau of Employment Security.

**Division of Economic Analysis and Research.** The Division of Economic Analysis and Research is responsible for developing and maintaining State and area labor market and occupational information programs, and providing the Department with economic, management, and actuarial analyses for overall program planning and delivery.

The Division consists of two major operational branches: (1) Programs and Operations Research; and (2) Field Services. In addition, there is a Demographic/Economic Research Group, headed by the State Labor Economist, involved in labor market evaluation and an Operations Unit provides administrative support to the Division.

The program activities involve the disciplines associated with social science and economic research. The results of this research are disseminated to a wide array of users in both the public and private sectors. Data is published as developed and used in functional analyses and studies prepared to assist policy-makers and managers in social, economic, and business planning.

**Labor Force, Industry Employment Statistics.** Survey results were processed, and estimates developed monthly regarding employment for all workers in manufacturing and non-manufacturing by industry, and wages for production workers in manufacturing by industry for Maine and the Portland and Lewiston-Auburn Metropolitan Statistical Areas. Civilian labor force estimates, including the number of people employed and unemployed, were developed by month on a current basis for Maine statewide, 35 labor markets areas, 16 counties, and over 500 minor civil divisions.

**Occupational Statistics.** Research was conducted to determine staffing patterns in mining, construction, finance, insurance and real estate, and services. Wage surveys were made covering occupations and pulpwood and logging industries. In addition, agricultural wage surveys were conducted for Maine's apple, blueberry, and vegetable harvests. Results were published, disseminated, and incorporated in the management and delivery of other programs.

**Labor Market Information Field Services.** Staff was maintained at the Department's local offices in Augusta, Lewiston, Portland and Bangor to cover the specific labor market information needs of the Department, other public agencies, and a variety of user groups in Maine's 35 labor market areas. Maine employers were assisted with information for affirmative action, labor availability, wage settlements, federal procurement preference eligibility, and for business planning. Special impact analyses were conducted in response to sudden changes in industry employment. Economic analyses highlighting industry trends and outlook were prepared for Maine's educational and employment and training communities. Special emphasis has been given during the last year to assist Maine workers with the realities caused by economic slowdown and recession.

**Management Information.** A series of monthly analyses and reports were made to the Department leadership on the activities of the Job Service and Unemployment Compensation programs. Research was conducted on proposals and legislative documents associated with the Employment Security Law. Actuarial research was conducted providing projections of the Unemployment Compensation Fund under various economic assumptions. Other economic projections were made for workload planning and projected unemployment compensation trust fund loans.

**Census Data Program.** In May 1983 the Division was designated as the organization responsible for the State's Census Data Program. The Division provides program management to a statewide network of affiliates offering an information service on U.S. Bureau of the Census materials. This year the Division was selected as the lead agency for the Business and Industry Data Center, BIDC, which is a more comprehensive role in the dissemination of not only census data, but labor market information. The selected affiliates, including public, college, and University of Maine libraries, Regional Planning Commissions, Councils of Governments and other state departments are located from Sanford to Fort Kent. In the program year ending 1994, the Census Data Center and affiliate network responded to more than 14,000 requests.

**Unemployment Compensation Division.** The Unemployment Compensation Program is intended to partially insure workers against loss of wages during periods of temporary unemployment. It is not welfare or relief, but is an insurance program for the benefit of qualified unemployed workers. The Unemployment Compensation Division of the Maine Department of Labor, is headed by a Division Director who is responsible for the operations of 15 local offices and an Interstate claims office.

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Unemployment compensation workloads encompassed a wide variety of activities during State of Maine fiscal year 1994. The number of initial claims for unemployment benefits under the regular State program totaled 115,618. There were 717,023 continued claims filed which resulted in \$104,266,208 paid under the State Unemployment Insurance (UI) program.

With regard to the Unemployment Compensation for Federal Employees (UCFE) program, 8,252 payments were made and \$1,448,765 was compensated. Former military personnel were paid \$675,084 for 2,508 weeks compensated under the Unemployment Compensation for Ex-Service-members (UCX) Program. The Dislocated Workers Benefits (DWB) program is intended to provide benefits to certain qualified workers who have become structurally unemployed and are undergoing training for new jobs. There were 1,430 initial claims and 19,476 payments for a total of \$3,138,740 compensated under the DWB program.

*The Extended Benefits (EB) Program* provides additional unemployment benefits during periods of high unemployment when claimants exhaust regular benefits. The EB Program was in effect during FY 94. There were 7,224 initial claims and 21,622 payments made under the EB Program in FY 94 and \$2,703,017 was compensated.

*The Emergency Unemployment Compensation (EUC) Program* was enacted in 1991 to provide payments to individuals who have exhausted regular or extended benefits. There were 32,537 initial claims and 390,429 payments made under the EUC Program in FY 94 and \$57,889,336 was compensated.

*Special Payment Unit:* The Special Payment Unit of the Benefits Section processed 5,394 payments for a total of \$915,887 in trade readjustment allowances (TRA) as provided under the Trade Act. Payments for the Dislocated Workers Benefit program are also processed in this unit.

*Claims Adjudicated:* Claims Adjudicators in the division's 15 local offices and the Interstate Office rendered 75,600 nonmonetary determinations to adjudicate disputed claims. The number of benefit appeal cases disposed of by the Agency's Administrative Hearings Division totaled 6,044 while an additional 869 cases were heard and disposed of at the Commission's higher authority appeals level.

In the Benefit Payment Control program, utilizing the automated cross-match system of wage record and benefit payment files, 9,733 claim audits were mailed to employers during FY 94. The employers responded by returning 96.0% of the audits for review. Fraud investigators and local office claims adjudicators through a combined effort of using the cross-match, employer protests of charges, anonymous tips, and quality control audits issued 752 determinations relative to fraud and misrepresentation resulting in \$960,385 in overpayments, and issued 6,653 determinations which accounted for \$1,960,243 in nonfraud payments. With the assistance from the District Attorney's Office, 83 cases for misrepresentation resulted in court convictions.

The Unemployment Compensation Division has established a Quality Control Unit for post-review of benefit payments through a random selection of active claims, conducting an in-depth audit of all benefit payments and related procedures relative to the selected claims. The audit is designed to detect any benefit claims which were improperly filed and the results of these audits will be used to further improve operation procedures. The Quality Control Unit in FY 94 audited 580 claims cases. These audits resulted in the issuance of 34 determinations relative to fraud and misrepresentation amounting to \$5,162 in overpayments. In addition, 97 determinations were issued which accounted for \$4,940 in nonfraud overpayments.

By the end of FY 94, the number of active employer accounts were 36,144 and payroll data submitted by these employers generated a total of 2,329,416 wage items processed by the Wage Record Unit. Field and central office activities produced 8,398 employer status determinations of which 4,902 involved newly liable employer accounts. A total of 1,710 field audits were conducted resulting in a net receipt due of \$845,191 in under-reported contributions. Net contributions received in FY 94 totaled \$110,719,905 and the Fund balance was \$28,151,413 as of April 30, 1994.

*Eligibility Review Program:* The Eligibility Review Program (ERP) provided special assistance eligibility interviews to aid claimants in development of work search plans and the solution of reemployment problems. During FY 94, 18,986 ERP interviews were conducted.

The Unemployment Compensation Division's Cost Model Unit, through the use of accurate workload projections and with factors developed by the Cost Model management studies, provided a scientific base for fiscal and staff management planning and development and control which enabled the division to adjust staff and other resources to changes in workload.

The division's Internal Security Unit is designed to assure management that adequate safeguards are maintained in both the tax collections and benefit payments. The unit monitors both the automated and manual systems on an ongoing basis and develops strategies to prevent and detect improper use of agency resources

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**Financing the Unemployment System.** Both the benefit costs and administrative costs of the Unemployment Insurance Program are financed through a payroll tax on most of the State's employers.

*Unemployment Compensation Fund Status—1994:* The Unemployment Compensation Fund balance was \$50,792,413, as of December 31, 1993.

The administrative expenditures of the Unemployment Compensation Division amounted to approximately \$15.2 million in FY 94 and are, for administrative purposes, included with those of the Department of Labor, Bureau of Employment Security.

The above finances of this division were extracted from the internal cost accounting of the Bureau of Employment Security, and reflect the division costs for the twelve (12) month period ending June 30, 1994.

### PUBLICATIONS:

#### Publications.

1. Maine Labor Market Digest (Free—Monthly)
2. Maine Occupational Needs to the Year 2005 (\$9.00)
3. Maine Occupational Staffing Patterns by Industry: (Free)
  - a. Wholesale and Retail Trade, Public Utilities, and Selected Transportation Industries
  - b. Manufacturing
  - c. Construction, Finance, Insurance and Real Estate, and Services
  - d. Government
  - e. Education
  - f. Hospitals
  - g. Agricultural Services
4. Where Do I Begin: Job Hunting in Maine (\$3.00)
5. Technical Services Monographs (Varying Fees)
6. Maine Labor Force By County and Labor Market Area (Free)
7. Maine Occupational Statistics for Affirmative Action Planning, 4 Volumes (\$20.00 each)
8. The Maine Employment and Earnings Statistical Handbook (\$15.00)
9. Occupational Profiles (3 volume set—\$49.50)
10. Maine Directory of Occupational Licensing (\$30.00)
11. Diversity and Community (\$5.00)
12. County Highlights from the 1990 Census For:
  - Income
  - Poverty
  - Education
  - Earnings
13. Civilian Labor Force Estimates—1992-93 (\$8.00)

Various minimal fees are assessed for some of the above publications. These fees are based on printing and handling charges only.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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BUREAU OF EMPLOYMENT SECURITY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	12,746,397				12,746,397	
Health Benefits	1,481,661				1,481,661	
Retirements	2,112,746				2,112,746	
Other Fringe Benefits	112,257				112,257	
Other Contract Services—State	721,622		55,664		665,958	
Computer Services—State	-710,111		359,636		-1,069,747	
Other Contractual Service	4,178,571		183,190		3,995,381	
Rents	561,171		235		560,936	
Commodities	459,348		12,730		446,618	
Grants—Subsidies—Pensions	166,795,379				55,616,426	111,178,953
Purchase of Land	53,519				53,519	
Building Improvements	1,006,619				1,006,619	
Interest—Debt Retirement	1,252				1,252	
Transfers to Other Funds	270,369		4,167		266,202	
<b>TOTAL EXPENDITURES</b>	<b>189,790,800</b>		<b>615,622</b>		<b>77,996,225</b>	<b>111,178,953</b>

## HUMAN RESOURCE DEVELOPMENT COUNCIL

WILLIAM J. KIELTYKA, CHAIR

MARY LOU DYER, EXECUTIVE DIRECTOR

*Central Office:* Hospital Street, Augusta

*Telephone:* 287-3377

*Mail Address:* State House Sta. #55, Augusta, Maine 04333

*Established:* July 1, 1987

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 171; Citation: 26 M.R.S.A., Sec. 2005

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The major responsibilities of the Maine Human Resource Development Council, as mandated by Public Law 97-300 (The Job Training Partnership Act) and established by Executive Order are broken into three areas:

- (1) Advisory  
Develop and recommend policy for human resource development activities on a state-wide basis.
- (2) Coordination  
Coordinate activities and linkages with other state agencies and private industry.
- (3) Review  
Review and certify local human resource development plans written in response to the Council's recommendations and make recommendations on these plans to the Governor.

**ORGANIZATION:** The Maine Human Resource Development Council, authorized by the Job Training Partnership Act as amended in 1992 and by Executive Orders 16 FY 86/87 and 5 FY 88/89, is a 30-member advisory group appointed by the Governor. Membership encompasses representation of the private sector, the legislative, state and local government, local education, organized labor, community organizations, the JTPA—eligible population and the general public.

The Council and its Committees meet throughout the year to formulate job training policy recommendations to the Governor. The Council director reports to the Commissioner of Labor.

**PROGRAM:** The Maine Human Resource Development Council (MHRDC) is charged with seeing that the Governor's human resource development goals are achieved by recommending to the Governor



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strategies which will achieve his goals within a single, comprehensive statewide approach to the delivery of all human resource development programs.

Each of the Governor's human resource development goals with related objectives are referred to a committee of the MHRDC. Each committee makes recommendations on the action state agencies should take so that each of the Governor's goals and objectives will be achieved. The MHRDC operates a multi-agency planning process so that programs are developed in response to the MHRDC recommendations.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Employment and Training Programs.

## MAINE LABOR RELATIONS BOARD

MARC P. AYOTTE, EXECUTIVE DIRECTOR

*Central Office:* State Office Bldg., Augusta; *Floor:* 7

*Telephone:* 287-2015

*Mail Address:* State House Sta. #90, Augusta, Maine 04333

*Established:* 1972

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 180; Citation: 26 M.R.S.A., Sect. 968

*Average Count—All Positions:* 6

*Legislative Count:* 6

**PURPOSE:** The Maine Labor Relations Board was established to improve the relationship between public employers and their employees by providing a uniform basis for recognizing the right of public employees to join labor organizations of their own choosing and to be represented by such organizations in collective bargaining for terms and conditions of employment. State, county, municipal, school department, university and judicial employees come within the Board's jurisdiction pursuant to the provisions of the Municipal Public Employees Labor Relations Law, the State Employees Labor Relations Act, the University of Maine Labor Relations Act, or the Judicial Employees Labor Relations Act.

If employers and employee organizations are unable to agree on appropriate bargaining units, Board hearing examiners fashion such units through the unit determination process. Once an appropriate unit is constituted and absent voluntary recognition by the public employer, the Board conducts a representation election to determine whether a majority of unit employees wish to be represented by an employee organization for purposes of collective bargaining. Established bargaining units may be modified by agreement of the public employer and the bargaining agent or through the unit clarification process before a Board hearing examiner. Unit employees seeking to terminate an organization's status as their bargaining agent may petition the Board to conduct a decertification election. The Board's staff conducts unit proceedings and representation elections, subject to review by the Board.

The Maine Labor Relations Board is comprised of a public representative, who serves as the Chair, an employee representative and an employer representative. Each primary member has two alternates and an alternate replaces a primary member who is unavailable or unable to serve on a particular case. The Board adjudicates alleged unfair labor practices, referred to as "prohibited acts" under the four labor relations statutes, in addition to conducting appellate reviews of representation matters.

The various labor relations statutes administered by the Board prohibit public employees from engaging in work stoppages, strikes or slowdowns and provide dispute resolution procedures in lieu of the self-help options available to employees and employers in the private sector. The dispute resolution procedures include mediation, fact finding, interest arbitration, and, in the case of judicial employees, an option for mediation-arbitration.

The Board and its executive director are responsible for the administration and assignment of members of the Panel of Mediators. Services of members of the Panel are available to parties in both private and public sectors.

The State Board of Arbitration and Conciliation is also administered by the MLRB Executive Director. This Board furthers harmonious labor-management relations by endeavoring to settle disputes, strikes and lockouts between employers and employees. The Board serves as a Board of Inquiry or a

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Board of Conciliation in the private sector and as a Board of Arbitration in both the private and public sectors. The Board is primarily engaged in resolving grievance arbitration disputes in the public sector.

**ORGANIZATION:** The Maine Labor Relations Board (MLRB) was first established as a Public Employees Labor Relations Board in 1972. Prior to the existence of the Board, the Municipal Public Employees Labor Relations Act of 1969 was administered by the Commissioner of Labor and Industry, but governmental reorganization in 1972 terminated this relationship. In 1975 the Board became the Maine Labor Relations Board and acquired responsibility for administering the Municipal Public Employees Labor Relations Law, the State Employees Labor Relations Act, and the Panel of Mediators. In 1976 statutory amendments required the Board to administer the University of Maine Labor Relations Act as of July 1, 1976, and amendments covering employees of the Maine Maritime Academy as of October 1, 1976. Bargaining rights were extended to county employees in September of 1981 and to judicial department employees in July of 1984. The MLRB initially consisted of three members, one representing each of the elements of public sector labor, public sector management and the general public interest, with the member representing the general public interest serving as chairman. These members, and their alternates (provisions for whom were made in subsequent legislation), are appointed by the Governor and serve for terms of four years.

**PROGRAM:** The municipal sector continues to be the most diversified and most active of all sectors utilizing the services of the Maine Labor Relations Board. During FY 94, 17 voluntary agreements relative to bargaining units were received, compared with 22 in the prior fiscal year, demonstrating that organizational efforts may have saturated much of the municipal, educational and state sectors. Sixteen unit determination or clarification petitions were filed during FY 94, compared with 12 such filings in FY 93.

There were 14 election requests received by the Board in FY94. In addition to this, the Board received 2 decertification/certification requests. With respect to election activities, there were 22 election requests in all requiring attention during the fiscal year; this compares with 20 in FY 93 and 21 in FY 92. In all, Board officials conducted or were scheduled to conduct 11 elections pursuant to the various petitions filed.

The activities of the Panel of Mediators are summarized for purposes of this report and are more fully reviewed in the Annual Report of the Panel of Mediators submitted to the Governor. The number of new requests this fiscal year remained steady at 114 compared with 115 last year. There were 37 carry-over matters from the FY 93 filings which required mediation activity in FY94. The success ratio for the Panel has exceeded 70 percent of matters handled by its members over the past several years. The success rate in FY 94 rose to 75.2 percent for mediations, including carry-overs, that were concluded in FY 94.

Fact-finding is the second step in the three-tiered process of statutory dispute resolution. Fact finding requests increased moderately in FY 94 to 26; up from 24 requests in FY 93. The range in the Fiscal Years 1988 through 1992 had been 15 filings in FY 88 to 34 in FY 91.

The Board received 45 prohibited practice complaints in FY 94. This compares to 38 in FY 93, 35 in FY 92, and 28 in FY 91. The administration and processing of these complaints involves both the Board and its staff in the details of docketing, arranging hearings before the Board members, processing prehearing conferences, arranging for hearing locations, scheduling posthearing memoranda, meeting for deliberation of cases, research, and preparation involved with the decisions themselves.

During the past year, the Maine Labor Relations Board had requests for services in the many areas of responsibility under the various statutes that it administers or under which it has a role. The most significant development affecting Board operations over the past year was the reduction to 80% time for two members of the Board's staff—an attorney and a clerical employee.

### PUBLICATIONS:

- The Municipal Public Employees Labor Relations Act
- The State Employees Labor Relations Act
- The University of Maine Labor Relations Act
- The Judicial Employees Labor Relations Act
- The Rules and Procedures of the Maine Labor Relations Board
- Index and Abstracts of MLRB Prohibited Practice and Representation Appeals Decisions, 1973-88

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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MAINE LABOR RELATIONS BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	235,887	193,474	42,413			
Health Benefits	19,374	19,374				
Retirements	33,085	33,085				
Other Fringe Benefits	8,965	8,965				
Computer Services—State	4,151	4,151				
Other Contractual Service	32,061	15,969	16,092			
Commodities	3,520	3,520				
Grants, Subsidies, Pensions	13	13				
Transfer to Other Funds	4,644		4,644			
<b>TOTAL EXPENDITURES</b>	<b>341,700</b>	<b>278,551</b>	<b>63,149</b>			

## BUREAU OF LABOR STANDARDS

**WILLIAM A. PEABODY, DIRECTOR**

*Central Office:* Hallowell Annex, Central Building

*Telephone:* 624-6400

*Mail Address:* State House Sta. #45, Augusta, Maine 04333-0045

*Established:* 1873

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 170; Citation: 26 M.R.S.A., Sec. 41

*Average Count—All Positions:* 69.5

*Legislative Count:* 32

### *Organizational Units:*

Board of Boiler Rules  
Board of Occupational Safety and Health  
Administration Division  
Research & Statistics Division  
Commission on Safety and Health  
in the Maine Workplace

Minimum Wage, Child Labor, Bedding,  
Stuffed Toys Division  
Boiler, Elevator, Tramway Division  
Safety Division  
Board of Elevator & Tramway Safety

**PURPOSE:** The Bureau of Labor Standards was established to assure that work be done in a safe and healthful environment and that workers receive a fair wage for their endeavors. It is responsible for collecting, assorting and arranging statistical details relating to all departments of labor and industrial pursuits in the State; to trade unions and other labor organizations and their effect upon labor and capital; to the character of industrial accidents and their effect upon the injured, their dependent relatives and upon the general public. The Bureau enforces State laws regulating the employment of minors, and the payment of wages; State laws established for the protection of health, lives and limbs of operations in workshops and factories; and those enacted for the protection of working people, including the review and approval of employer substance abuse testing policies.

**ORGANIZATION:** The nucleus of the Bureau of Labor Standards was established in 1873 as an activity under the direction of the Secretary of State to collect and print statistics on manufacturing, mining, commercial and industrial interests, together with the valuation and appropriations of municipalities. In 1887, a separate department, the Bureau of Industrial and Labor Statistics was established by the Legislature.

In 1911, this was changed to the Department of Labor and Industry with added responsibilities for enforcing laws regulating employment of children, minors and women, the protection of the physical well-being of factory workers and the payment of wages. The Department remained as a separate entity, with new duties and powers added from time to time, until 1972 when, in the reorganization of State Government, it became the Bureau of Labor and Industry within the new Department of Manpower Affairs. In 1975, the name of the Bureau was changed to the Bureau of Labor. In 1981 the name of the

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Bureau of Labor was changed to Bureau of Labor Standards. This was necessary because the name of the Department of Manpower Affairs was changed to the Department of Labor.

The Bureau is divided into five divisions each under the direction of a division director. The Deputy Bureau Director serves as head of the Administration Division. All supervisors report to the Bureau Director who is appointed by the Commissioner of Labor.

**PROGRAM:** Reports from each Division are shown below. Reports for associated boards and commissions are presented separately.

**Administration Division.** This division provides policy direction for the Bureau, including financial management.

**Research and Statistics Division.** The Bureau Director's authority to collect and distribute statistical data concerning the labor and industrial pursuits in the state is carried out through Research and Statistics Division. The Division conducts six major programs. Each program performs special studies upon request.

**Census of Fatal Occupational Injuries (CFOI):** CFOI is a project funded by the U.S. Department of Labor, Bureau of Labor Statistics in an effort to combine fatality data from various State departments. Its goal is to obtain a more accurate count of work-related fatal injuries and to improve occupational fatality data by using multiple source documents. The results are published in *The Report of Fatal Occupational Injuries in Maine*.

**Census of Maine Manufactures:** The Census survey collects data relative to the value of products, capital expenditures, exports and imports, and workers covered by union contracts from all manufacturing firms operating in the state. Additional information concerning employment and gross wages is supplied by the Bureau of Employment Security, Division of Economic Analysis and Research. The results are published in the annual *Census of Maine Manufactures*.

**Construction Wage Rates:** The data collected under the Construction Wage Rate survey are tabulated and used primarily to set minimum wage rates on State Funded Construction projects. The data collected is also published annually in a pamphlet entitled *Maine Construction Wage Rates*. This publication presents the high, median, low and average rates by occupation and type of construction.

**Labor Relations:** The Division conducts an on-going survey of local unions operating in the state. Files are also maintained on major contracts, National and Maine Labor Relations Board elections, and work stoppages. The major output of this effort is an annual publication, the *Directory of Maine Labor Organizations*.

**Occupational Safety and Health Survey (OSH):** This survey is one of two programs conducted in cooperation with the U.S. Department of Labor, Bureau of Labor Statistics. The survey collects data on occupational injury and illness records from a sample of Maine employers. The results are published in the annual *Occupational Injuries and Illnesses in Maine*.

The Division also provides assistance to Maine employers in complying with the U.S. Occupational Safety and Health Administration recordkeeping requirements. This includes distribution of recordkeeping supplies, telephone consultation, and recordkeeping seminars. During fiscal year 1994, the Division conducted 15 recordkeeping presentations reaching 470 people.

**Census of Case Characteristics (CCC):** This program, formerly the Supplementary Data Systems (SDS), codes selected data from the Workers' Compensation First Report of Occupational Injury or Disease. The resulting tabulations are published annually in the *Characteristics of Work-Related Injuries and Illnesses in Maine*.

**Division of Minimum Wage, Child Labor and Stuffed Toys.** The Division investigated a total of 664 complaints alleging wage, child labor, rest break and other violations. A total of 436 of these complaints was found to be valid. A total of 2,789 routine inspections was performed resulting in 1,952 labor law violations. A total of 88 employers did not pay the required minimum wage and overtime and paid back \$62,574.86 to their employees. The Division was able to resolve unpaid wage complaints and obtain payment for 234 employees for a total of \$127,732.20. This includes employees' final paychecks due upon termination of employment, vacation pay earned, unfair agreements and health insurance premiums illegally deducted from wages.

A total of \$13,651.10 was paid from the Maine Wage Assurance Fund to 41 employees as a result of 10 employers closing without having the assets to pay final wages.

A total of 4,189 work permits were processed for minors under 16, 3,563 which were actually approved. Work permits are required for anyone under the age of 16 to be employed in most businesses. Although there is no legal requirement for working papers for minors 16 and older, a total of 600 certificates of age for minors 16 and older was approved, giving a total of 4,163 in working papers approved. A total of 215 child labor violations was found during inspections of Maine businesses. One

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business was prosecuted for child labor violations resulting in \$5,250 in penalties.

There were 623 certificates issued to manufacturers and importers of stuffed toys resulting in \$34,530 in revenue for the State. A total of 525 certificates were issued to manufacturers and importers of bedding; upholstered furniture for a total of \$34,410.

The following is a statistical summary of Division activities:

Inspections	2,789
Violations	1,952
Work Permits and Certificates of Age	4,163
Minimum Wage & Overtime Paid to Employees	\$ 62,574.86
Unpaid Wages, Vacation Pay & Insurance	\$127,732.20
Severance Pay Paid to Employees	\$655,133.00
Wage Assurance Paid to Employees	\$ 13,651.10
Registration Fees, Bedding & Uph. Furniture	\$ 34,410.00
Registration Fee, Stuffed Toys	\$ 34,530.00

**Boiler, Elevator, Tramway Division.** The purpose and objectives of this Division are to protect the citizens and visitors of the State from unnecessary mechanical hazards in the operation of boilers, elevators and tramways by ensuring that reasonable design and construction are used; accepted safety devices are provided; personnel employed in the installation, repair, inspection and operation are trained and qualified; periodic maintenance, inspections and repairs are made which are deemed essential for their safe use; and that the statutes and rules formulated by the Board of Boiler Rules and the Elevator and Tramway Safety Board are enforced.

The Boiler Division was established in 1935 and the Elevator Division in 1951. In 1968 the same individual was appointed director of both divisions. Tramway responsibilities were added in 1977. The inspectors are qualified to inspect and perform duties related to each area.

Boiler responsibilities are divided into three areas, Boiler Inspection and Certification, Welder Qualification and Certification, Boiler Operators and Stationary Engineers Examining and Licensing.

**Boiler Inspection and Certification:** This program has been most active in the certification of new utility and cogeneration plant installations. Design changes and technological advances have raised questions which affect National Standards and the need for solutions. The Division has attempted to become knowledgeable in all areas of concern and provide input to National Standards Committees.

**Welder Certification:** As the changes in welding technology and demand for certified, qualified welders increase, the Division's workload is being directly affected, both in numbers and technological expertise.

**Boiler Operations and Stationary Engineers:** Applications for examination for all classes of licenses have increased over the year.

The Division, in support of the above activities, has also increased its educational and speaking engagements in order to inform those in the boiler industry of the requirements for boiler and pressure vessel fabrication, installation, operation, inspection and repair. A four-day seminar at the Maine Maritime Academy has attracted international attention and the ninth annual event enrolled over 200 participants. Staff members served on several vocational schools' and institutions' advisory committees and spoke to several professional organizations and students attending technical and engineering schools.

The Elevator and Tramway Safety program continues to address the increase in new installation of elevators and tramways (ski-lifts). New technology has also affected the design of this equipment. Handicapped and disabled access requirements have had an impact on new installations of elevator, vertical and incline lifts.

Pertinent statistics for the fiscal year ending June 30, 1994 are as follows:

Boilers: approximately 3,000 in Maine are covered by The Statutes	
Boiler Certificates Issued	3,183
Boiler Inspector Certificates Issued	9
Welder Certificates Issued	1,034
Engineer and Operator Examinations	661
Engineers Licenses Issued	794
Operators Licenses Issued	776
ASME and National Board Shop Surveys	2

Total Income	\$107,271.66
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Elevators and Tramways: approximately 2,000 in Maine are covered by the Statutes

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Tramway Certificates Issued	70
Elevator Certificates Issued	1,996
New Elevators Installed	97

Total Income	\$256,772.52
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Elevator Plan Review—118	\$10,507.00
Elevator Mechanics—78	4,680.00
Elevator Variance Requests—7	\$525.00
Elevator Code Book—1	\$15.90
Boiler Code Books—94	\$765.00

**Safety Division.** The Division consists of four programs involving safety and health issues. The staff includes a Division Director, an Assistant Division Director, 6 clerical, and 20 field people.

The enforcement program is responsible for enforcing the Rules and Regulations adopted by the Occupational Safety and Health Board in the Public Sector. Enforcement of the safety and health rules and regulations adopted by the Board became effective July 1, 1979. Compliance officers of the Safety Division visit places of public employment provided by the State, State agency, county, municipal corporation, school district or other public corporation or political subdivision. Citations requiring corrections are issued when violations of the regulations are found.

A 7-C-1 Consultation Contract with the Federal Occupational Safety & Health Administration was signed in October, 1978. Under this program three Consultation Officers have been assigned to conduct consultative inspections for private industry upon request. The purpose of the program is to inspect, issue recommendations, and consult without penalties so that conditions may be corrected prior to an enforcement inspection by Federal Compliance Officers.

The Safety Training and Education program staff conducts training programs in the public and private sectors. These include training in the workplace, informational programs, and inspections. The staff provides training aids and material safety data sheets to employers and employees, and assists the Department of Human Services with the public right-to-know law.

A training contract was signed with the United States Mine Safety and Health Administration which became effective January 1, 1984. The purpose of this program is to train employers and employees involved in sand, gravel, and mining operations.

The Education and Training Unit funded 23 occupational safety and health training proposals by private entities. The projects covered a wide range of topics, including a Whole Farm Safety Notebook, Improving Productivity Through the Application of Ergonomic Principles, and Workplace Safety For School, HealthCare, and Public Safety Personnel in Washington County. A special emphasis program, The Safety and Health Compact, has been developed to provide training and raise the level of awareness for private sector employers. Two compact sessions of 8 days have been conducted with a total of 26 companies being trained.

Additional resources have been utilized to emphasize and increase the training provided to employers and employees. The Division provided speakers for meetings, conducted training programs, and developed the "Safety Begins With ME." program.

The pertinent statistics for FY 94 are as follows:

Compliance Inspections	396
State Agencies	86
Municipalities	206
School Districts	75
Water/Sewer Districts	12
Counties	17
Citations Issued	5,203
Chemical Substance Inspections	86
Consultations Visits	880
Workers Trained	12,454
Mine Safety Program	3,088
Safety Education & Training Fund	9,366

### LICENSES, PERMITS, ETC.:

Boiler Inspection Certificates

## LABOR

Boiler Inspectors Certificate of Authority  
 Boiler Operators License  
 Boiler Operator Permit  
 Boiler Engineer License  
 Welders Certificate of Qualification  
 Elevator Inspection Certificate  
 Tramway Inspection Certificate  
 Elevator Inspectors Certificate of Authority  
 Tramway Inspectors License  
 Wire Rope Inspector Qualification  
 Elevator Mechanics License  
 Registration: Bedding & Stuffed Toys  
 Permit: Handicapped Workers, Employment of Minors.

### PUBLICATIONS:

Guide to Maine Minimum Wage Law (free)  
 Maine Labor Laws Specifically Applicable to Youth (free)  
 Hazardous Occupations and Operations Subject to a Minimum Age of 18 Years (free)  
 Bedding; Upholstered Furniture Law (free)  
 Stuffed Toy Law (free)  
 Work Permits and Certificates of Age (free)  
 Boiler Rules and Revised Boiler Law (\$3.00)  
 Elevator and Tramway Rules of Maine (\$4.00)  
*Census of Maine Manufactures*, annual, free, mailing list maintained  
*Characteristics of Work-Related Injuries and Illnesses in Maine*, annual, free, mailing list maintained.  
*Directory of Maine Labor Organizations*, annual, free, mailing list maintained.  
*Occupational Injuries & Illnesses in Maine*, annual, free, mailing list maintained.  
*Labor Relations in Maine*, annual, free, mailing list maintained.  
*Maine Construction Wage Rates*, annual, free, mailing list maintained.  
*The Report of Fatal Occupational Injuries in Maine*, annual, free, mailing list maintained.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF LABOR STANDARDS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,477,399	637,243	720,913		119,243	
Health Benefits	183,829	77,824	89,348		16,657	
Retirements	243,692	103,293	120,733		19,666	
Other Fringe Benefits	14,586	4,683	7,398		2,505	
Other Contract Services—State	121,826	43	119,133		2,650	
Computer Services—State	169,232	25,148	129,023		15,061	
Other Contractual Service	277,256	110,677	119,963		46,616	
Rents	31,389	10,683	10,251		10,455	
Commodities	55,749	5,343	31,777		18,629	
Grants—Subsidies—Pensions	123,260		120,927		2,333	
Building Improvement	3,790		3,790			
Interest—Debt Retirement	14	11				3
Transfers to Other Funds	50,747		42,771		7,976	
<b>TOTAL EXPENDITURES</b>	<b>2,752,769</b>	<b>974,948</b>	<b>1,516,027</b>		<b>261,794</b>	

## PANEL OF MEDIATORS

MARC P. AYOTTE, EXECUTIVE DIRECTOR

*Central Office:* State Office Bldg., Augusta; *Floor:* 7  
*Mail Address:* State House Sta. #90, Augusta, Maine 04333

*Telephone:* 287-2015

*Established:* 1976

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; *Umbrella:* 12; *Unit:* 187; *Citation:* 26 M.R.S.A., Sect. 892

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Panel of Mediators was established to assist in effectuating the public policy of the State of Maine to provide a full and adequate facility for the settlement of disputes between employers and employees or their representatives and other disputes subject to settlement through mediation. Mediation procedures, as provided in the statute, shall be followed whenever either party to a controversy requests such services and the Maine Labor Relations Board or its Executive Director finds that the dispute is subject to settlement through mediation and that it is in the public interest to mediate.

**ORGANIZATION:** The Panel of Mediators, originally established in 1951, came under the administrative auspices of the Maine Labor Relations Board in 1973, at which time the number of members on the Panel was increased from the previous figure of five to consist of not less than five nor more than ten impartial members appointed by the Governor for terms of three years. There are currently a full complement of appointees to the Panel of Mediators.

**PROGRAM:** This fiscal year, the number of new requests for mediation services remained at the same high level experienced last year; however, the Panel's overall caseload increased during the fiscal year.

New mediation requests received during FY 1994 remained steady at 114 (115 last year). In addition, there were 37 matters carried over from FY 1993 that required mediation activity in FY 1994. Thus, the number of matters filed, pending, and requiring attention in FY 1994 reached a total of 151, compared to 141 in the previous year.

There have been repeated positive comments from practitioners and users regarding the quality and competence of various State mediators. The competence of the Panel is reflected in the 75.2% settlement rate achieved by the Panel for matters filed in or carried over to FY 1994. The settlement rate for the past several fiscal years has exceeded 70% of the matters mediated, a rate considerably in excess of the settlement rate for the years 1975-1981.

The most significant development affecting Panel operations in recent years has been the introduction of a user fee system to fund *per diem* and necessary expenses incurred in providing mediation services. This was the second full fiscal year in which the user fee system has been in effect.

The most difficult issues in Maine public sector negotiations in FY 1994 were those having fiscal impact, especially wages and health care financing. Given the dramatic rise in the cost of health care nationally over the past few years, it is not surprising that health insurance funding continues to be among the thorniest issues facing negotiators in Maine.

**FINANCES, FISCAL YEAR 1994:** 26 MRSA, Sec. 965, Sub-section 2, ¶C provides that expenditures of this unit shall be borne by the Maine Labor Relations Board and are, therefore, included in its financial display.



## MAINE OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

ROLANDA KLAPATCH, CHAIRPERSON

JAMES F. NIMON, EXECUTIVE DIRECTOR

*Central Office:* 57 Winthrop Street, Hallowell

*Telephone:* 624-6200

*Mail Address:* State House Sta. #71, Augusta, Maine 04333

*Established:* August, 1978

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 184; Citation: 26 M.R.S.A., Sect. 1452

*Average Count—All Positions:* 4

*Legislative Count:* 2

**PURPOSE:** The MOICC was established in 1978 under Federal law to coordinate and support the development, maintenance and operation of a comprehensive career, occupational and economic data-based systems, and to promote communication, coordination, and cooperation among those agencies responsible for vocational education, and employment and training programs, as well as for economic development activities, through the use of the systems. The 112th Legislature, in its first regular session, also called upon the MOICC to facilitate the use of career and occupational information through promotion and support of career education programs and activities in both school and nonschool settings. In its second regular session the 112th Legislature mandated that the MOICC serve as the standard principal source of occupational information for vocational and technical program planning, and as a principal source of information for the career counseling of technical college students.

**ORGANIZATION:** The MOICC was created through the Federal Education Amendments of 1976. Its mandate was subsequently broadened through the enactment of the Youth Employment and Demonstration Projects Act of 1977, the Career Education Incentive Act of 1977, and the Comprehensive Employment and Training Act, as amended in 1978. Executive Orders signed in 1978 and 1979 further mandated the establishment of the Committee. In May, 1982 the Governor signed into law a bill establishing the MOICC within state statute, and designating its membership. The statutory members consisted of the Commissioners of the Departments of Labor, Education, and Human Services, and the Director of the State Development Office. In accordance with the provisions of legislation passed in the 112th and 113th Legislatures, the membership was expanded to include the Director of the State Planning Office and the Chairs of the State Board of Education, the Technical College Board of Trustees, and the Maine Human Resource Development Council. The 113th Legislature abolished the State Development Office (SDO) and authorized the Department of Economic and Community Development (DECD) to assume its functions. The Commissioner of DECD replaced the Director of the SDO as a statutory member of the MOICC. Although not prescribed in the law, a Steering Committee has been retained as part of the overall structure of the MOICC. The law also designates the Commissioner of the Department of Labor as the Committee's Chairperson. Under both Federal and State law, the intent is not to make the MOICC a data collection or generation agency, but rather to coordinate the development and maintenance of a comprehensive career and occupational system of information built upon existing sources of data to meet the common needs of the member agencies.

**PROGRAM:** During FY 94, the Career Information Delivery System (CIDS) served approximately 75,000 individuals at 230 sites throughout the State. The majority of the sites were schools, but other sites included college campuses, JTS Service Deliverers, and Technical Colleges. In addition, other career information products were distributed to elementary and junior high schools throughout the State. The computerized version of CIDS consists of various cross-referenced data files containing information on educational institutions, occupational descriptions and trends, military training opportunities, and financial aid. The information in all the files is national, state, and local in scope. A component added to the OIS was the State Training Inventory (STI). The STI is designed to provide institutional training information from secondary to four year college programs, trade schools, special licensing schools, and hospital based training programs. The pilot version contains data for the six New England states, New York, and New Jersey.

The computerized Occupational Information System, containing occupational supply, demand and related information, which was developed by the MOICC in 1983 to serve vocational administrators and planners, continued to be used by the Bureau of Applied Technology and Adult Learning and the Technical Colleges in planning programs attuned to labor market trends.

## LABOR

As part of its services, the MOICC continued the operation of the Work Education Resource Center. The Center, located at the MOICC office in Hallowell, contains the most extensive collection of career education and information materials in the State. The publications and materials at the Center were made available on a loan basis to approximately 250 schools and agencies throughout the course of the year.

In conjunction with the Bureau of Employment and Training Programs, MOICC staff coordinated and designed a series of video tapes that feature topics of importance to career counseling within the Jobs Training environment. During FY 94, two of a projected eight video tapes were produced including companion facilitator guides and workbooks.

As a result of the Annual Conference held in June 1993, MOICC staff pulled together a focus group to develop an Adult Portfolio. The initial efforts of this work group have been rewarded by the awarding of a Special Purpose grant for FY 95 to develop, print, and assist in the field testing of a prototype product.

Through partial funding from MOICC, an extensive Occupational Licensing Directory was developed by the Division of Economic Analysis and Research. This was the first substantial updating of this product since 1988. This marked the first time that MOICC had been an active and contributing partner in the development of this product.

As well as offering new publications, MOICC continues to produce a quarterly newsletter. The MOICC NEWSLETTER provides up-to-date career and occupational information to more than 2000 counselors, trainers and others interested in career and occupational information.

In the closing week of fiscal year 1994, the MOICC sponsored the sixteenth annual Career Education Conference. This event brought together teachers, counselors, and other human resource personnel from all over the State to learn about the need for school-to-work programs in our schools due to changing needs of the labor market.

MOICC staff made over 30 presentations to students, counselors, parent groups, unemployed individuals, and counselor education students during the year. In addition, over 100 personnel attended one of four 2-day Improved Career Decision Making (ICDM) workshops sponsored by MOICC.

### PUBLICATIONS:

- The Maine Job Box—No Fee
- The MOICC Newsletter—No Fee
- Maine Works—No Fee
- The Top 40 Career Hits in Maine—No Fee
- Career Perspectives—No Fee
- The Maine Guide—No Fee
- Planning To Realize Educational Potential—No Fee

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE OCCUPATIONAL INFORMATION COORDINATING COMMITTEE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	145,439	76,533	5,597		63,309	
Health Benefits	13,137	6,659	622		5,856	
Retirements	23,515	12,262	1,237		10,016	
Other Fringe Benefits	834	282	44		508	
Other Contract Services—State	91,337	4,285	82,756		4,296	
Computer Services—State	45,537	39,139			6,398	
Other Contractual Service	32,231	18,106	-2,957		17,082	
Rents	35	35				
Commodities	36,747	4,056	1,594		31,097	
Grants—Subsidies—Pensions	50,007	9,507	5,000		35,500	
Transfers to Other Funds	8,283		3,237		5,046	
<b>TOTAL EXPENDITURES</b>	<b>447,102</b>	<b>170,864</b>	<b>97,130</b>		<b>179,108</b>	

## LABOR

### BOARD OF OCCUPATIONAL SAFETY AND HEALTH

WILLIAM PEABODY, CHAIR

*Central Office:* Hallowell Annex, Central Building  
*Mail Address:* State House Sta. #45, Augusta 04333-0045

*Telephone:* 624-6460

*Established:* 1975

*Sunset Review Required by:* June 30, 2000

*Reference: Policy Area:* 04; *Umbrella:* 12; *Unit:* 179; *Citation:* 26 M.R.S.A., Sect. 564

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board was established to formulate and adopt reasonable rules and regulations for safe and healthful working conditions in places of public employment provided by the State, State agency, county, municipal corporation, school district or other public corporation or political subdivision.

The rules and regulations so formulated must conform as far as practicable with nationally recognized standards of occupational safety and health. A public hearing must be held after suitable notice has been published prior to the adoption of regulations.

**ORGANIZATION:** The Board of Occupational Safety and Health was created in 1976. It consists of ten members, nine appointed by the Governor and one being the Director of the Bureau of Labor Standards.

The Bureau of Labor Standards is empowered to enforce the rules and regulations adopted by the Board.

**PROGRAM:** The Board met 4 times in FY 94 to review and propose regulations for adoption and otherwise assist the Bureau's enforcement activities.

Compliance officers of the Bureau's Safety Division visited places of public employment provided by the State, State agency, county, municipal corporation, school district or other public corporation or political subdivisions. Citations requiring corrections were issued when violations of the regulations were found.

#### **PUBLICATIONS:**

Safety and Health Standards (free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Labor Standards.

### STATE ADVISORY COUNCIL (Labor)

ROLANDA KLAPATCH, ACTING COMMISSIONER

*Central Office:* 20 Union Street, Augusta 04330  
*Mail Address:* P.O. Box 309, Augusta, Maine 04332-0309

*Telephone:* 287-3788

*Established:* 1936

*Sunset Review Required by:* June 30, 2000

*Reference: Policy Area:* 04; *Umbrella:* 12; *Unit:* 173; *Citation:* 26 M.R.S.A., Sect. 1082

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Advisory Council's objectives are to aid the Department in formulating policies and discussing problems related to the administration of the Employment Security Law, and to assure impartiality and freedom from political influence in solving these problems. It may also make recommendations to the Legislature for changes which will aid in accomplishing the objectives of the Employment Security Law.

## LABOR

**ORGANIZATION:** Established by law in 1936, the State Advisory Council is composed of an equal number of members representing employers, employees, and the general public. The law was amended July 26, 1941 to limit the Advisory Council to not more than six members, and was further amended August 13, 1947 to limit the State Advisory Council to not more than nine members equally representing employers, employees, and the general public.

**PROGRAM:** The State Advisory Council met on September 5, 1993; January 27, 1994; February 18, 1994; February 23, 1994 (continuation of February 18, 1994 meeting); and March 24, 1994.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of The Bureau of Employment Security.

### **WORKFORCE DEVELOPMENT CENTERS (TWELVE COUNTY SERVICE DELIVERY AREA) GEORGE R. EZZY, EXECUTIVE DIRECTOR**

*Central Office:* Old Nurses Building, AMHI Complex, Augusta      *Telephone:* Senate 287-3378  
*Mail Address:* Hospital Street, State House Sta. #124, Augusta, Maine 04333

*Established:* July 1, 1993

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 158S; Citation: Title 26 1401

**PURPOSE:** The 12-County Service Delivery Area, recently renamed Workforce Development Centers, provides employment and training services to citizens in Androscoggin, Aroostook, Franklin, Kennebec, Knox, Lincoln, Oxford, Sagadahoc, Somerset, Waldo, Washington and York Counties pursuant to the Job Training Partnership Act (JTPA) as amended in 1992 by Public Law 102-367, the Maine Training Initiative (MTI) Law (26 MRSA Sec. 2005), the Health Occupation Training Project (26 MRSA Sec 2151 et. seq. (1988) as amended by Public Law C. 577), and the Strategic Training for Accelerated Reemployment Program (26 MRSA, Sec. 2015-A (1988), as amended by Public Law C541).

**ORGANIZATION:** The Workforce Development Centers operates as a division within the Maine Department of Labor. The unit is funded through JTPA federal funds and state job training funds. The programs are overseen by a Private Industry Council of twenty-two (22) members with representation from all counties served.

**PROGRAM:** The unit provides directly or through contracts with other agencies basic education, occupational training and job placement services to eligible applicants, both youth and adult. Programs are operated in accordance with requirements of Federal and State legislation and are subject to performance standards established by the United States Secretary of Labor. Customer services are provided on an individualized need basis with emphasis on customer choice.

**PUBLICATIONS:** The Workforce Development Centers annually publishes a plan for each of its programs. These documents are available to anyone by writing, the Executive Director, Workforce Development Centers, Hospital Street, State House Station #124, Augusta, Maine 04333, or by calling (207) 287-3378.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## LABOR

WORKFORCE DEVELOPMENT CENTERS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,262,656				1,262,656	
Health Benefits	150,047				150,047	
Retirements	198,805				198,805	
Other Fringe Benefits	13,489				13,489	
Other Contract Services—State	-65,867				-65,867	
Computer Services—State	168,508				168,508	
Other Contractual Service	401,141				401,141	
Rents	26,994				26,994	
Commodities	45,745				45,745	
Grants—Subsidies—Pensions	6,146,514				6,146,514	
Building Improvements	100,885				100,885	
Interest—Debt Retirement	5				5	
Transfers to Other Funds	63,258				63,258	
<b>TOTAL EXPENDITURES</b>	<b>8,512,180</b>				<b>8,512,180</b>	

## MAINE UNEMPLOYMENT INSURANCE COMMISSION

### JOHN B. WLODKOWSKI, ESQ., CHAIR

*Central Office:* 175 Lancaster Street, Room 220, Portland  
*Mail Address:* P. O. Box 856, Portland, Maine 04104-0856

*Telephone:* 822-0200  
*FAX:* 822-0205

*Established:* 1936

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 04; Umbrella: 12; Unit: 172; Citation: 26 M.R.S.A., Sect. 1081

*Average Count—All Positions:* 7

*Legislative Count:* 0

**PURPOSE:** The Maine Unemployment Insurance Commission was established to hear and decide higher authority appeal cases involving disputed claims for unemployment compensation benefits and challenged determinations of employer status and liability under the Employment Security Law. The Commission may promulgate, amend or rescind rules, require reports, make investigations, and take other actions as necessary or suitable. The Commission conducts public hearings, upon proper petition or upon its own initiative, to determine the seasonal nature of an industry for unemployment benefit purposes.

**ORGANIZATION:** The Maine Unemployment Insurance Commission consists of three members: a representative of labor; a representative of employers; and a representative of the general public who shall be impartial and an attorney admitted to the practice of law in the state and is the chair of the Commission. The three members are appointed by the Governor, subject to review by the Joint Standing Committee on Labor and to confirmation by the Senate, and hold office for a term of six years, or until a successor has been duly appointed and confirmed.

**PROGRAM:** The Unemployment Insurance Commission conducted adjudication hearings in all parts of the State in FY 94. The Commission traveled to 13 separate local unemployment offices and other local facilities in an attempt to minimize travel difficulties that might prevent claimants and employers from pursuing their rights to a fair hearing. In addition, the Commission also conducted telephone hearings to accommodate out-of-state parties and others located in areas of the State where caseloads warrant only infrequent visits. Through the use of telephone hearings, split hearings are avoided, and parties are able to have the benefit of direct confrontation.

The largest number of cases that came before the Commission during the fiscal year were disputed unemployment benefit appeals. The Commission also considered waiver requests of overpayments pursuant to 26 M.R.S.A., 1051(5). Also, the Commission held hearings for tax offsets, under 36 M.R.S.A., Section 5276(A).

In accordance with 26 M.R.S.A., Section 1044(2), the Commission also considered attorney fees charged to claimants and fees paid by the Commissioner as a result of Court action. Another major area

## **LABOR**

of activity for the Commission during the fiscal year was consideration of Unemployment Tax Assessment and employer liability appeals. Further, the Commission, pursuant to 26 M.R.S.A., Section 1251(1), determined, after public hearing, whether certain industries were to be deemed "seasonal" industries, and the periods within which employment in those industries would be classified as "seasonal employment."

In addition to its adjudicatory duties, the Commission, in accordance with 26 M.R.S.A., Section 1082(2) undertook a significant amendment of the Rules Governing the Administration of the Employment Security Law. Affected areas included definitions, reporting requirements, adjudicatory procedures, seasonality, deputy determinations, voluntary leaving to avoid domestic abuse, discharge for misconduct, and standard of proof for unemployment fraud. The Commission also adopted a new set of procedures and rules relating to approved training.

Looking toward FY 95, the Commission anticipates continued increase in demand in its adjudicatory function and the need to continue refinement of the regulations in several areas.

### **LICENSES, PERMITS, ETC.:**

The Unemployment Insurance Commission approves training programs for participation by claimants in accordance with 26 M.R.S.A., Sections 1192(6) and (6-C).

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Department of Labor, Bureau of Employment Security.

## LEGISLATURE

# LEGISLATURE

DENNIS L. DUTREMBLE, PRESIDENT OF THE SENATE

JOHN L. MARTIN, SPEAKER OF THE HOUSE, January 1, 1975–February 3, 1994

DAN A. GWADOSKY, SPEAKER OF THE HOUSE, February 3, 1994 to present

*Central Office:* State House, Augusta, Floor: 3

*Mail Address:* State House Sta. #115, Augusta, Maine 04333

*Established:* 1820

*Reference:* Policy Area: 00; Umbrella: 30; Unit: 260; Citation: Maine Constitution, Article IV

*Average Count—All Positions:* 203

*Telephone:* Senate 287-1540

House 287-1400

*Legislative Count:* 80

### *Organizational Units:*

Senate

House of Representatives

Legislative Council

(Office of) Executive Director of  
The Legislative Council

(Office of) Revisor of Statutes

(Office of) Fiscal and Program Review

(Office of) Policy and Legal Analysis

Law and Legislative Reference Library

**PURPOSE:** “To make and establish all reasonable laws and regulations for the defense and benefit of the people of this State, not repugnant to this Constitution, nor to that of the United States.”

Maine Constitution, Article IV, Part Third, Section I

**ORGANIZATION:** The organization of the Legislature of Maine is determined largely by the Constitution of Maine, by Maine Statutes, and by legislative rules. At present, the Senate consists of 35 members, each of whom is elected from a single member district; and the House of Representatives consists of 151 members, each of whom is elected from a single member district. The House has two additional non-voting members who are elected by the Penobscot Indian Nation and the Passamaquoddy Tribe respectively to represent their tribes at the Legislature. The Legislature is organized into 19 Joint Standing Committees by joint rule. Current Joint Standing Committees are: Aging, Retirement and Veterans; Agriculture; Appropriations and Financial Affairs; Audit and Program Review; Banking and Insurance; Business Legislation; Education; Energy and Natural Resources; Fisheries and Wildlife; Housing and Economic Development; Human Resources; Judiciary; Labor; Legal Affairs; Marine Resources; State and Local Government; Taxation; Transportation; and Utilities. In addition, two joint select committees—the Joint Select Committee on Corrections and the Joint Select Committee on Rules—were established by Joint Order.

**PROGRAM:** The 116th Legislature met in its second regular session on January 5, 1994 and adjourned Sine Die on April 14, 1994.

During this session the Legislature considered 447 legislative documents, including bills, resolves, constitutional resolutions, and initiated bills.

537 bills and 43 Resolves were chaptered into law, and one constitutional resolution was adopted.

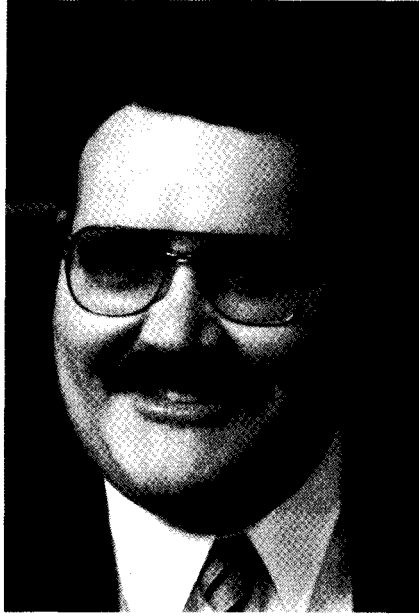
### **PUBLICATIONS:**

Legislature, State of Maine: Senate and House Registers.

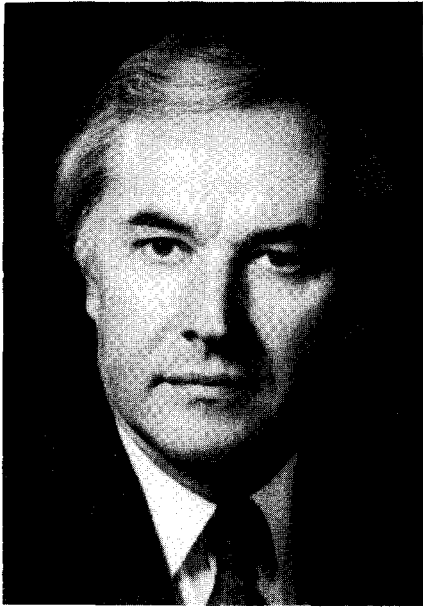
Contains the State Constitution, Joint, Senate and House Rules, a Directory of Senators and Representatives, committee assignments and memoranda. (Prepared by the Secretary of the Senate and the Clerk of the House.)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Legislative Council.

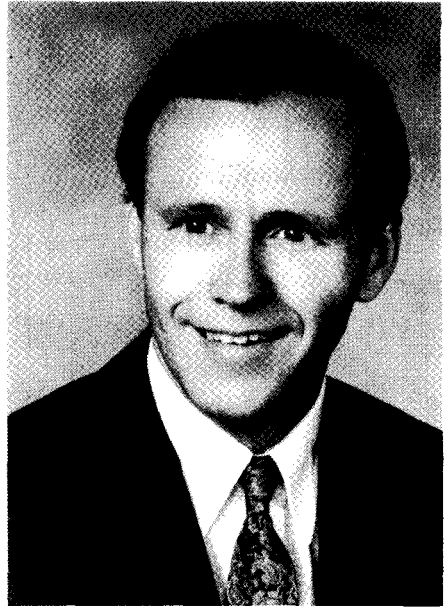
LEGISLATURE



**Dennis L. Dutremble**  
*President of the Senate*



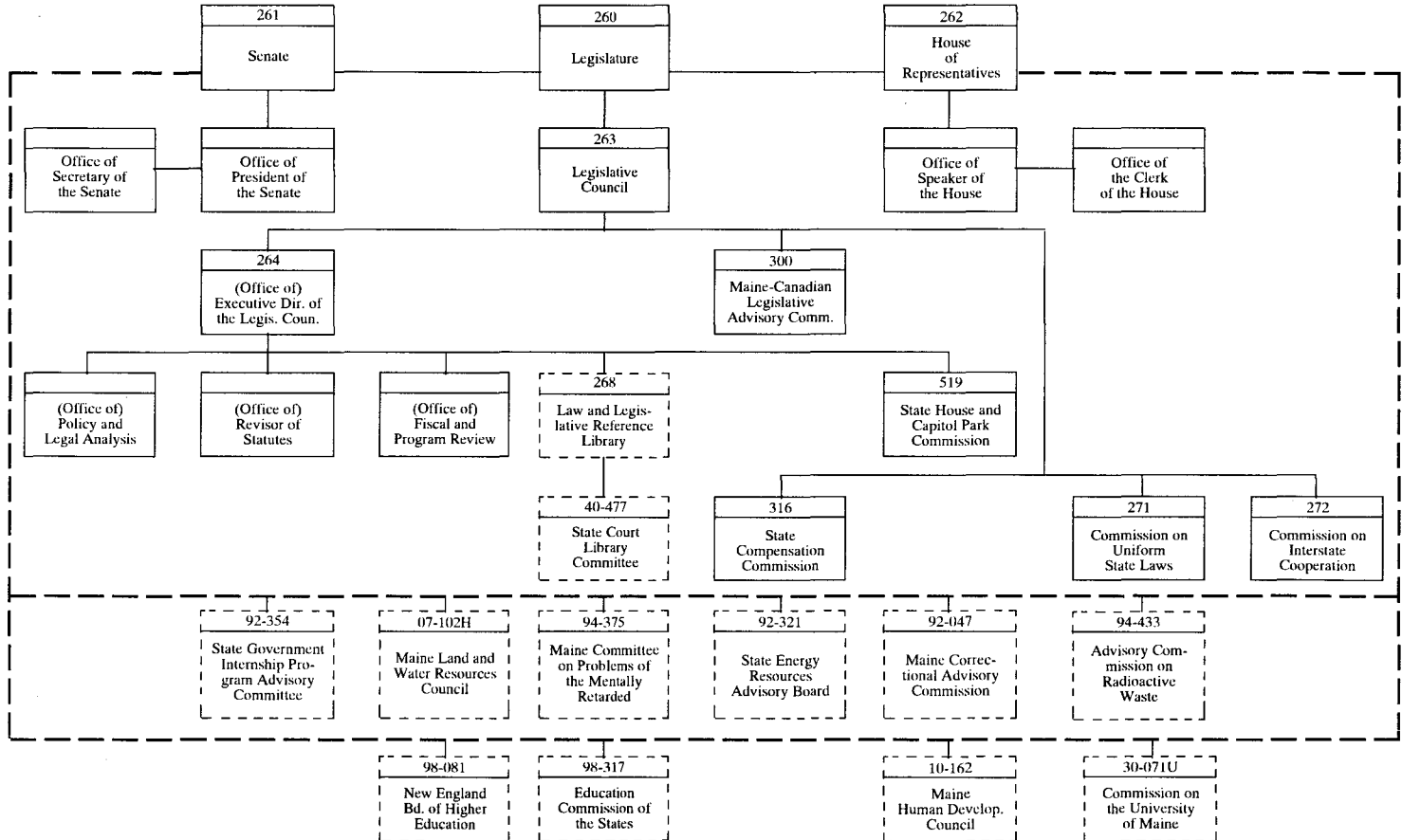
**John Martin**  
*Speaker of the House  
of Representatives*  
(1/1/75–2/3/94)



**Dan A. Gwadosky**  
*Speaker of the House  
of Representatives*  
(2/3/94–present)



# ORGANIZATIONAL CHART LEGISLATIVE DEPARTMENT



LEGISLATURE

# LEGISLATURE

## CONSOLIDATED FINANCIAL CHART FOR FY94 LEGISLATIVE DEPARTMENT

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	6,275,581	6,275,581				
Health Benefits	1,085,820	1,085,820				
Retirements	928,215	928,215				
Other Fringe Benefits	60,890	60,890				
Other Contract Services—State	334,721	306,525	28,196			
Computer Services—State	198	198				
Other Contractual Service	2,611,068	2,604,784	6,238	46		
Rents	256,042	256,042				
Commodities	210,537	210,537				
Grants—Subsidies—Pensions	200,484	200,484				
Building Improvements	53,643	53,643				
Interest—Debt Retirement	317	317				
Transfer to Other Funds	1,514		1,512	2		
<b>TOTAL EXPENDITURES</b>	12,019,030	11,983,036	35,946	48		

## LEGISLATURE

### SENATE

**DENNIS L. DUTREMBLE, PRESIDENT OF THE SENATE**  
**JOY J. O'BRIEN, Secretary of the Senate**

*Central Office:* State House, Augusta; Floor 3

*Telephone:* 287-1540

*Incoming WATS—SESSION ONLY—1-800-423-6900*

*Mail Address:* State House Sta. #3, Augusta, Maine 04333

*Established:* 1820

*Statutory Authority:* Maine Constitution, Article IV, Part Second

*Reference:* Policy Area: 00; Umbrella: 30; Unit: 261; *Citation:* Maine Constit., Art. IV, Part 2  
Sec. 1-8

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The Senate is the upper chamber of the Maine Legislature, and serves as the final confirming body of all bills passed before they are sent to the Governor.

Under Article IV, Part Third, Section 9 of the Constitution of Maine, the Senate may originate all bills except those proposed for the purpose of raising revenue; it may, however, amend bills for the raising of revenue, provided that the amendment is not in fact used to introduce a new bill for the raising of revenue.

Under Article IV, Part Second; Section 7, the Senate is empowered to try all impeachments.

The Senate is the sole judge of the qualifications of its members; it maintains sole authority to punish or censure its own members; it has the power to imprison persons who are not Senators for contempt; it determines its own rules for Senate proceedings; and it maintains a permanent journal of its own proceedings.

By Constitutional Resolution, passed during the First Regular Session of the 107th Legislature and adopted by the Voters in November, 1975, the Senate is empowered to confirm all gubernatorial nominations requiring Legislative approval and formerly confirmed by the Executive Council.

**ORGANIZATION:** The Senate, has remained constant in its form of organization as a Constitutional body since its establishment in 1820.

As defined under Article IV, Part Second, Section 1 of the Constitution, the Senate currently consists 35 Senators. Each Senator is elected for a term of two years, and members are limited to four consecutive terms. A Senator must be a citizen of Maine for at least one year, be a resident of the district for at least 3 months prior to the election and continue to reside within the district during his term, and be at least 25 years of age at the time of election. The Constitution requires that the Senate be reapportioned every 10 years, by the Senate itself or, if the Senate fails to do so within the required time, by the Maine Supreme Judicial Court. In 1993 the Legislature failed to adopt a reapportionment plan; thus a plan was promulgated by the Maine Supreme Judicial Court pursuant to the Maine Constitution.

The Senate elects a President, who presides over all its proceedings; a Secretary, who serves as chief administrative officer, and an Assistant Secretary. The two major political parties in the Senate each elect their own leaders and assistant leaders who, by statute (3 M.R.S.A., Section 168), are permitted to hire their own staff assistants.

**PROGRAM:** The Senate convened its Second Regular Session of the 116th Maine Legislature on Wednesday, January 5, 1994. During its First Regular Session, the Senate considered 447 documents, 32 Joint Orders, 19 Joint Resolutions and several gubernatorial appointments to various boards and commissions.

The Senate adjourned Sine Die on April 14, 1994. The Senate convened for Confirmation sessions on May 11 and July 29, 1994..

#### **PUBLICATIONS:**

Senate Advance Journal and Calendar (Available daily when the Senate is in session, free of charge.)

Legislative Public Hearing Schedule (Available weekly during regular sessions, free of charge. Available on location.)

Legislative Record (Horseblanket); (A complete record of legislative action, including debates, available free of charge.)

Senate and House Register (Published biennially; lists all legislators and their addresses; Senate, House and Joint Rules; Committees; Staff; Press; and includes the Constitution of Maine. \$1.00)

## LEGISLATURE

Maine's Path of Legislation (free of charge. Available on location.)  
Legislative Roster (seating plan with photos)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Legislative Council.

## HOUSE OF REPRESENTATIVES

**JOHN L. MARTIN, SPEAKER (1/1/75 to 2/3/94)**

**DAN A. GWADOSKY, SPEAKER (2/3/94 to Present)**

**JOSEPH W. MAYO, Clerk of the House**

*Message Service:* 1-800-423-2900

*Telephone:* 287-1400

*Central Office:* State House, Augusta; *Floor:* 3

*Mail Address:* State House Sta. #2, Augusta, Maine 04333

*Established:* 1820

*Statutory Authority:* Maine Constitution, Article IV, Part First

*Reference: Policy Area:* 00; *Umbrella:* 30; *Unit:* 262; *Citation:* Maine Const., Art. IV, Part First

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The House of Representatives is the lower house of the Maine Legislature.

The House of Representatives has, by Article IV, Part Third, Section 9 of the Maine Constitution, the sole power to originate bills for the raising of revenue and, by Article IV, Part First, Section 8 of the Maine Constitution, the sole power to impeach, although impeachments are tried in the Senate.

The House is the sole judge of the qualifications of its own members, determines its own rules for House proceedings, may alone punish its own members, keeps a journal of its proceedings, and has the power to imprison persons who are not House members for contempt.

**ORGANIZATION:** The basic constitutional organization and functions of the House of Representatives have remained constant since its establishment in 1820.

The House of Representatives consists of 151 members elected from single member districts for terms of 2 years. Members are limited to four consecutive terms. A Representative must be a citizen of the United States for at least 5 years prior to the election, have been a resident of Maine for at least one year, be a resident of his election district at the time of his nomination for placement on a primary, general or special election ballot, have been a resident of his election district for 3 months prior to his election and continue to be a resident of that district during his term, and be 21 years of age when he is elected.

The Constitution of Maine requires that the House of Representatives be reapportioned by the House itself or, if this is not done within the required period of time, by the Supreme Judicial Court. In 1993 the Legislature failed to reapportion itself and therefore a apportionment plan was promulgated by the Maine Supreme Judicial Court pursuant to the Maine Constitution.

The House elects a Speaker who presides over its proceedings, a clerk and assistant clerk. The individual political parties in the House elect their own leaders and assistant leaders. By statute (3 MRSA 168) the leadership of the House is permitted to hire its own assistants.

The Office of the Speaker of the House has assumed the duties of the Maine Canadian Advisory Office.

**PROGRAM:** The House convened its second regular session of the 116th Maine Legislature on Wednesday, January 5, 1994. During the second regular session in 1994, 447 Legislative Documents, 15 House-sponsored Joint Orders, and 17 House-sponsored Joint Resolutions were considered. House members submitted 417 proposed amendments to the Clerk for reproduction prior to consideration by the House of Representatives during the session. The House adjourned from the first regular session on April 14, 1994, after meeting for 40 legislative days.

## LEGISLATURE

The first regular session of the 117th Maine Legislature will be convened on Wednesday, December 7, 1994.

### **PUBLICATIONS:**

House Advance Journal and Calendar—(published on each Legislative day during regular and special sessions). Available to the public at no charge on pickup at the Clerk's Office; also available by mail subscription through Legislative Document Service.

Weekly Legislative Report—(published weekly during regular or special sessions). Edited by the Clerk of the House. Lists all bills printed. Also lists bills enacted and resolves finally passed. Available to the public at no charge on pickup at the Clerk's Office, also available by mail subscription through Legislative Document Service.

Weekly Legislative Calendar—(published weekly) Edited by the Clerk of the House. Lists meetings of legislative committees and the subjects these committees are considering when the Legislature is not in regular session. Also lists meetings of commissions which include legislators in their memberships. Scheduled meetings of public bodies of interest to legislators are included. Available to the public at no charge on pickup at the Clerk's Office; also available by mail subscription through Legislative Document Service.

Senate and House Registers—(published biennially). Lists all legislators with key biographical information, photos, addresses, license plate numbers, districts, etc. Includes Maine Constitution, Joint Rules, House and Senate rules, Committee Rosters. Available to the public at a cost of \$1.00 if picked up in the Clerk's Office or \$2.00 if mailed.

House and Senate Roster and Seating Arrangement—(published biennially). Edited by the Clerk of the House and Secretary of the Senate. Contains photos of all legislators. Available to the public at no charge.

Legislative Record—available in proof form by mail subscription through Legislative Document Service. Bound copies available on loan through State Library.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Legislative Council.

## **(OFFICE OF) EXECUTIVE DIRECTOR OF THE LEGISLATIVE COUNCIL**

**SARAH C. TUBBESING, EXECUTIVE DIRECTOR**

**RICHARD N. SAWYER, JR., ADMINISTRATIVE SERVICES DIRECTOR**

*Central Office:* State House, Room 340, Augusta

*Telephone:* 287-1615

*Mail Address:* State House Sta. #115, Augusta, Maine 04333

*Reference:* Policy Area: 00; Umbrella: 30; Unit: 264

**See submission for Legislative Council.**

## LEGISLATURE

### MAINE-CANADIAN LEGISLATIVE ADVISORY COMMISSION

GEORGETTE B. BERUBE, CHAIRMAN

*Central Office:* State House, Augusta; *Floor:* 4

*Telephone:* 287-1300

*Mail Address:* State House Sta. #107, Augusta, Maine 04333

*Established:* February 3, 1978

*Reference:* Policy Area: 00; *Umbrella:* 30; *Unit:* 300; *Citation:* 3 M.R.S.A., Sect. 227

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The purpose of the Commission is to advise the Legislature in carrying out of its powers and duties.

**ORGANIZATION:** Created in February of 1978, the Maine-Canadian Legislative Advisory Commission consists of 8 members, 4 appointed by the Speaker of the House (2 for a term of one year and 2 House members who shall hold office until their legislative terms expire) and 4 appointed by the President of the Senate (2 for a term of one year and 2 Senators who shall hold office until their legislative terms expire). At least one member appointed by the President of the Senate and one member appointed by the Speaker of the House shall be fluent in the French language.

Members serve without compensation but may be reimbursed for travel and per diem expenses at the current rate for state employees. Four members shall constitute a quorum. The Commission shall designate one of its members as chairman.

The New England and Eastern Canada Legislative Commission consists of 2 House members and 2 Senators who are appointed to the Maine-Canadian Legislative Advisory Commission.

**PROGRAM:** The Commission was inactive during Fiscal Year 1994.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Legislative Council.

### MAINE-CANADIAN LEGISLATIVE ADVISORY OFFICE

*Central Office:* State House, Augusta; *Floor:* 4

*Telephone:* 287-1697

*Mail Address:* State House Sta. #107, Augusta, Maine 04333

*Established:* February 3, 1978

*Reference:* Policy Area: 00; *Umbrella:* 30; *Unit:* 299; *Citation:* 3 M.R.S.A., Sect. 223

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The director of the Maine-Canadian Legislative Advisory Office is mandated to be "concerned with strengthening all areas of regional cooperation between the Legislature of Maine and the legislative bodies of Maine's neighboring Canadian Provinces, and with encouraging economic, cultural and educational exchange between Maine and these provinces." (P.L. 1978 c.605) The Office has served as a liaison between the Legislature of Maine and the provincial parliaments of Quebec and the Atlantic Provinces.

## LEGISLATURE

**ORGANIZATION:** The Maine-Canadian Legislative Advisory Office and its Advisory Commission were created on February 3, 1978.

### PROGRAM:

**Information Service.** The Maine-Canadian Office acts as a clearing house for information on Maine for Canadian officials and for information on Eastern Canada for Maine officials. The office provided speaker recommendations for a number of trade conferences, names of Canadian suppliers and purchasers for Maine industries, and assisted in projects involving the pairing of communities in Western Maine with those in the Beauce region of Quebec.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE-CANADIAN LEGISLATIVE ADVISORY OFFICE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	10,678	10,678				
Health Benefits	107	107				
Retirement	1,301	1,301				
Other Fringe Benefits	11	11				
Other Contractual Service	616	616				
<b>TOTAL EXPENDITURES</b>	12,713	12,713				

## STATE HOUSE AND CAPITOL PARK COMMISSION

EARLE J. SHETTLEWORTH, CHAIR

*Central Office:*

*Telephone:* 287-1615

*Mail Address:* State House Sta. #65, Augusta, Maine 04333

*Established:* April 28, 1988

*Reference:* Policy Area: 00; Umbrella: 30; Unit: 579; Citation: 3 MRSA, Sec. 901

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Commission has the statutory authority to approve any architectural, aesthetic and decorative alterations to the State Capitol Building and shall develop plans to preserve and develop the aesthetic and historical integrity of the State Capitol Building and adjacent grounds.

**ORGANIZATION:** The State Capitol Commission comprises 10 voting members and 5 ex officio members as follows:

Voting members include the Director of the Maine Historic Preservation Commission; six members of the public (4 of whom are appointed jointly by the Speaker of the House and the President of the Senate, and 2 by the Governor); the Governor; Speaker of the House; President of the Senate or their representatives; and the Director of the State House and Capitol Park Commission.

Ex officio members: The Director of the Maine State Museum; the Director of the Maine Arts Commission; the Director of the Bureau of Public Improvements; the Chairman of the Capitol Planning Commission; and the Executive Director of the Legislative Council.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## LEGISLATURE

STATE HOUSE AND CAPITOL PARK COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contract Services—State	117,169	117,169				
Other Contractual Service	3,508	3,508				
Commodities	6,707	6,707				
<b>TOTAL EXPENDITURES</b>	127,384	127,384				

## COMMISSION ON UNIFORM STATE LAWS

**ROBERT C. ROBINSON, CHAIRPERSON**

*Central Office:* 12 Portland Pier, Portland

*Telephone:* 772-6565

*Mail Address:* 12 Portland Pier, P.O. Box 568, Portland, Maine 04112

*Established:* August 20, 1955

*Sunset Review:* Not Established

*Reference:* Policy Area: 00; Umbrella: 30; Unit: 271; Citation: 3 M.R.S.A., Sect. 241

**PURPOSE:** The Commission on Uniform State Laws was established to examine subjects on which uniformity of legislation among the states is desirable and to bring to the State of Maine the benefit of the serious study and research of judges, lawyers and legal scholars gathered from throughout the entire country as members of the National Conference of Commissioners on Uniform State Laws to determine what uniformity in the law will best serve the several States.

**PROGRAM:** The Maine Commission on Uniform State Laws is an active participant in the National Conference of Commissioners on Uniform State Laws in its work as a Committee of the whole and on its drafting and review subcommittees. Some of the important uniform or model legislation recently developed and adopted by the Conference include: Amendments to Rights of the Terminally Ill Act; Employment Termination Act of 1991; Victims of Crime Act of 1992; Unincorporated Non-Profit Associations Act of 1992; Intestacy Wills and Donative Transfers Act; Uniform Partnership Act; and Uniform Commercial Code: Articles 2, 2A, 3, 4, 4A, 8.

The Commission, like its counterparts in other states, works through appropriate legislative committees and committees of the Maine Bar Association to review these pieces of legislation and determine if it is in the best interests of the State of Maine to adopt legislation which is uniform with other states in these areas.

### **PUBLICATIONS:**

Copies of any of the Uniform or Model Acts are available upon request.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

COMMISSION ON UNIFORM STATE LAWS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contractual Service	13,916	13,916				
<b>TOTAL EXPENDITURES</b>	13,916	13,916				



## LEGISLATURE

### COMMISSION ON INTERSTATE COOPERATION (VACANT), CHAIRMAN

*Central Office:* State House, Augusta; *Floor* 2

*Telephone:* 287-1615

*Mail Address:* State House Sta. #115, Augusta, Maine 04333

*Established:* 1939

*Reference:* Policy Area: 00; *Umbrella:* 30; *Unit:* 272; *Citation:* 3 M.R.S.A., Sect. 201

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Commission on Interstate Cooperation serves to carry forward the participation of the State of Maine as a member of the Council of State Governments. To carry out this participation, the Commission is authorized to undertake activities designed to enable Maine to do its part in forming a more perfect union among the various governments in the United States.

**ORGANIZATION:** The Maine Commission on Interstate Cooperation was established in 1939 by P.L. 1939, c. 250. The form of organization established in 1939 has remained unchanged up to the present time.

The Commission consists of 9 regular members: 3 state officials appointed by the Governor, 3 members of the Senate appointed by the President of the Senate and 3 members of the House appointed by the Speaker of the House. The Governor, the President of the Senate and the Speaker of the House are ex officio members of the Commission.

**PROGRAM:** The Commission continues to serve as a clearinghouse for information on State programs of national and international interest. It also serves as the Maine affiliate for the Council of State Governments, which is a joint agency of all the state governments, and serves as a coordinator of the activities of the National Conference of State Legislatures. Members of the Commission represented Maine at a number of regional and national conferences during the year.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

COMMISSION ON INTERSTATE COOPERATION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
EXPENDITURES						
Other Contractual Service	120,758	120,758				
<b>TOTAL EXPENDITURES</b>	120,758	120,758				

## LEGISLATURE

### LEGISLATIVE COUNCIL

REP. DAN A. GWADOSKY, CHAIR

SEN. DENNIS L. DUTREMBLE, VICE-CHAIR

SARAH C. TUBBESING, EXECUTIVE DIRECTOR

*Central Office:* State House, Augusta; *Floor:* 3

*Telephone:* 287-1615

*Mail Address:* State House Sta. #115, Augusta, Maine 04333

*Established:* 1973

*Reference:* Policy Area: 00; *Umbrella:* 30; *Unit:* 263; *Citation:* 3 M.R.S.A., Sect. 161

*Average Count—All Positions:* 203

*Legislative Count:* 80

**PURPOSE:** The Legislative Council is responsible for overall management of the Legislative branch. Its general powers and duties are set out in both statute (3 M.R.S.A §162) and the Joint Rules adopted by the Legislature at the beginning of each biennium. These include: approval of all legislative budgets and provision for financial oversight of legislative funds; establishing salary and benefit schedules for all legislative employees, except as otherwise provided by law; planning and overseeing projects designed to improve the organization, operation, and physical facilities of the Legislature; allocation of work to Legislative committees when the Legislature is not in session; appointment of the directors of the non-partisan offices, including the Executive Director of the Legislative Council, the State Law Librarian, the Revisor of Statutes, and the Directors of the Offices of Fiscal and Program Review and Policy and Legal Analysis. The Council also has the authority to adjust the salaries of the Constitutional Officers within the salary ranges specified in 3 MRSA §162-B.

**ORGANIZATION:** The Legislative Council consists of the ten elected members of leadership: the President of the Senate, the Speaker of the House, and the Majority and Minority Floor Leaders and Majority and Minority Assistant Floor Leaders for both the House and Senate. The Council Chair and Vice-Chair are elected by the Legislative Council at the beginning of each legislative biennium and serve for the entire biennium. By tradition, the chairmanship alternates every two years between the House and Senate.

#### PROGRAM:

**Office of the Executive Director of the Legislative Council,** *Sarah C. TUBBESING, Executive Director; Richard N. Sawyer, Jr., Administrative Services Director; Telephone: 287-1615.* The primary statutory functions of the Executive Director include direction and supervision of the non-partisan legislative staff offices, whose respective organization and activities are described below; responsibility for implementing policy decisions of the Legislative Council; and acting as executive officer of the Legislature when it is not in session.

The Office manages general administrative services for the entire Legislature including personnel and payroll administration, accounting and budgeting, scheduling legislative hearing rooms, and overall management and operation of the legislative computer systems and coordination of computer applications development. In addition, the Office coordinates the work of the Committee Clerks during the Legislative Session.

**Law and Legislative Reference Library,** *Lynn E. Randall, State Law Librarian, Telephone: 287-1600.* The Law and Legislative Reference Library provides comprehensive legislative reference service and a substantial collection of legal materials for use by the Legislature and its committees, all agencies of state government, the judiciary, attorneys and citizens of Maine. The State Law Librarian coordinates records management activities within the Legislature.

The Library was created by action of the Legislature in 1971, with the transfer of functions formerly performed by the law section of the Maine State Library. The nonpartisan State Law Librarian is appointed by the Legislative Council for a term of 3 years.

**Public Services.** The Library provides reference, research, interlibrary loan and circulation services by telephone, through the mail and in person. The Library is a member of URSUS, the University System's online public access catalog and information gateway; and a public access terminal in the Library enables users to search the Library's collection as well as the collections of the university libraries, the Maine State Library, Bangor Public Library; and Bates, Bowdoin and Colby. Library users may also search MaineCat, a CD-ROM system which provides access to bibliographic records of a

## LEGISLATURE

number of Maine libraries. During this fiscal year 7,989 volumes were loaned, and information and research assistance was provided in response to 6,538 requests.

Special services include computer access to the legislative bill status system and WESTLAW, an automated general legal database. To support legislative research the library staff can search a variety of online databases for bibliographic, scientific, technical, legislative, and business information.

The Library's special resources include biographical information on legislators and members of Maine's legal community and an extensive collection of newspaper clippings on topics of legislative interest. The Library also has the most complete collection of Maine legislative materials available anywhere. Legislative committee files, which include any written testimony distributed at the public hearing, are transferred to the Library at the end of each session. The Library staff compiles legislative histories on request and lends completed histories.

The Library is a U.S. Government Documents Depository and receives over 1,400 federal documents annually.

The Library offers an interlibrary loan service to obtain legal materials not in the Library's collection. Requests are electronically relayed to and received from libraries throughout the country via OCLC. During this fiscal year the Library requested 317 titles and loaned 916 titles to other libraries.

**Educational and Consultative Services.** Staff conducted numerous instructional sessions for legislative and state agency personnel, judicial law clerks, librarians and students on general Library orientation, legal research and bibliography, and government documents.

**Technical Services.** To facilitate cataloguing, the Library subscribes to OCLC, a national computer system which enables libraries all over the country to share catalogue records. Technical services staff contribute original catalog records to OCLC and to URSUS.

Records for materials received on a continuing basis, such as court reports, codes, journals and updates to topical works, have been standardized and expanded to include complete acquisition and holdings information. Catalog records for these materials are being added to URSUS, and information about the extent of our serial holdings is maintained in the Maine Union List of Serials, also on URSUS.

New acquisitions are entered and tracked on an online system designed by Library staff.

**Publications From Law and Legislative Reference Library:** List of publications ordered and received distributed periodically to legislative staff. *Access to Health Care, Workers' Compensation, Legal Resources for non-Lawyers and Compilation of Proposed Legislation to Reduce the Size of the Maine Legislature or to Create a Unicameral Legislature*, bibliographies all available on request. *LLRL: Law and Legislative Reference Library*, a brochure describing Library resources and services, available on request.

**Office of Fiscal and Program Review, John Wakefield, Director, Telephone: 287-1635.** Established in 1962 as the Legislative Finance Office, the Office of Fiscal and Program Review collects, researches and analyzes fiscal and program information related to the operation of state government. The Office examines revenues and expenditures, evaluates fiscal and program information, makes financial projections regarding the effects of legislation, analyzes appropriation and allocation requests, and conducts compliance reviews..

The Office provides staff support for the Joint Standing Committee on Appropriations and Financial Affairs; the Joint Standing Committee on Taxation; the Joint Standing Committee on Audit and Program Review; the Joint Standing Committee on Transportation in its review of the Highway Fund; and other legislative committees and commissions as requested.

**Publications From Office of Fiscal and Program Review:**

Compendium of Fiscal Information: Publication #25, May, 1994 (Free; available on request).

Reports of the Joint Standing Committee on Audit and Program Review.

**Office of Policy and Legal Analysis, Martha E. Freeman, Director, Telephone: 287-1670.** The Office was first established in 1973 to provide nonpartisan research, analysis and support service to Joint Standing and Select Committees of the Legislature, to study committees and commissions that operate under the oversight of the Legislative Council, and to individual legislators. The Office drafts bills and provides staff assistance to legislative committees, which includes analyses of legislation, preparation of research documents, facilitation of committee decision-making, and drafting of committee amendments and new drafts.

When the Legislature is not in session, the Office provides staff support for studies that have been approved and funded by the Legislative Council or established by law. The Office works in cooperation with the Office of Revisor of Statutes to draft initial bills for introduction into a legislative session.

## LEGISLATURE

### Publications From Office of Policy and Legal Analysis:

The Office prepares reports for study committees, boards, and commissions; and Legal Issue Summaries written by the staff for general reference. Copies of Office publications, including all study reports and a complete index, are available in the Law and Legislative Reference Library. General reference publications by the Office include:

1. Joint Standing Committee Bill Summaries.
2. Legislators Handbook: A Guide for Maine Legislators: Procedures, Services & Facts.

**Office of the Revisor of the Statutes**, *Margaret Matheson, Revisor of Statutes; State House, Station 7, Telephone: 287-1650.* The Office of Revisor of Statutes was originally created by Public Law 1929, chapter 367 and later established as the Office of Legislative Research in 1947. The Office reassumed its original name in 1986.

The Office performs four primary functions: legislative drafting and editing, engrossing, publication of statutes, and maintenance of a statutory database. The Office is the point where all legislative instruments, including bills and amendments, are initially filed and then produced in final form for introduction, it serves as clerk of the Committee on Bills in the Second Reading for both the House and Senate; and it is responsible for examining all bills in Second Reading for both the House and Senate, and for engrossing all bills prior to their enactment. In addition, the Office tracks legislation by title and section number to detect potential duplication and conflicts. The Office also publishes all laws enacted during each legislative session as the Laws of Maine and assists the commercial publishers of the Maine Revised Statutes by providing materials for the supplementary pamphlets and pocket parts.

### Publications From Office of Revisor of Statutes:

1. Maine Revised Statutes Annotated—Consists of 34 volumes of text resulting from the tenth revision of 1964, plus republished volumes, supplementary pamphlets and pocket supplements used in the updated system. (Available to the public from West Publishing Company, P.O. Box 64526, St. Paul, Minnesota, at current price.)
2. Laws of Maine. Multi-volume set contains all Session Laws and related documents of each Legislative session. Limited copies are available at no charge from Revisor's Office at time of publication. Subsequent copies are available through the Law and Legislative Reference Library.
3. Chaptered Laws. Individual copies of laws enacted in the current biennium may be obtained from the Engrossing Division at 287-1649.

## PUBLICATIONS:

See entries under each individual Legislative staff agency report.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

LEGISLATIVE COUNCIL	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	6,275,581	6,275,581				
Health Benefits	1,085,820	1,085,820				
Retirements	928,215	928,215				
Other Fringe Benefits	60,890	60,890				
Other Contract Services—State	217,552	189,356	28,196			
Computer Services—State	198	198				
Other Contractual Service	2,472,886	2,466,602	6,238	46		
Rents	256,042	256,042				
Commodities	203,830	203,830				
Grants—Subsidies—Pensions	200,484	200,484				
Building Improvements	53,643	53,643				
Interest—Debt Retirement	317	317				
Transfer to Other Funds	1,514		1,512	2		
<b>TOTAL EXPENDITURES</b>	<b>11,756,972</b>	<b>11,720,978</b>	<b>35,946</b>	<b>48</b>		

## MARINE RESOURCES

# DEPARTMENT OF MARINE RESOURCES

**WILLIAM J. BRENNAN, COMMISSIONER**

**E. PENN ESTABROOK, Deputy Commissioner**

*Central Office:* Baker Bldg., Winthrop St., Hallowell

*Telephone:* 624-6550

*Mail Address:* Statehouse Sta. #21, Augusta, Maine 04333-0021

*Established:* 1867

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 01; Umbrella: 13; Unit: 188; Citation: 12 M.R.S.A., Sect. 6021

*Average Count—All Positions:* 163

*Legislative Count:* 167.5

*Organizational Units:*

Bureau of Administration

Bureau of Marine Sciences

Bureau of Marine Development

Bureau of Marine Patrol

**PURPOSE:** The Department of Marine Resources was established to conserve and develop marine and estuarine resources of the State of Maine by conducting and sponsoring scientific research, promoting and developing the Maine commercial fishing industry, and by advising agencies of government concerned with development or activity in coastal waters.

Through the authority vested in its Commissioner, the Department of Marine Resources is empowered to conserve and develop the marine resources of the State, and to enforce the laws relating to marine resources. By statute the Department has the authority to acquire and hold real property; to accept funds, subject to the approval of the Governor; to enter into reciprocal enforcement agreement with other states, interstate regional authorities and the Federal Government; to enforce relevant sections of the Wetlands Control Law and advise state and federal agencies on the ecological effects of dredging, filling and otherwise altering coastal wetlands; to cooperate, consult and advise with other appropriate state agencies on all interrelated matters involving the coast and its marine resources; to assist the industry in the promotion and marketing of its products; to close contaminated shores, waters and flats; to make regulations to assure the conservation of renewable marine resources in any coastal waters or flats of the State; and to hold hearings and to publish notices as may be required by law. The Commissioner of Marine Resources also serves as an ex-officio member of the Atlantic Sea Run Salmon Commission.

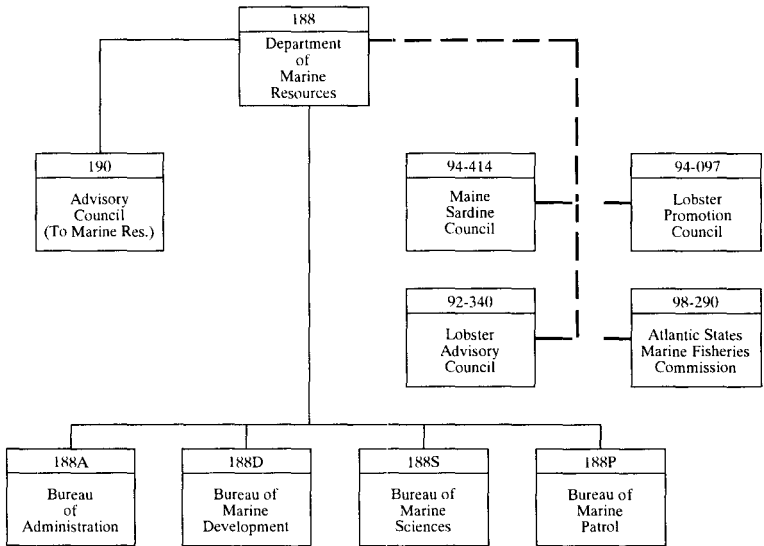
**ORGANIZATION:** The Department of Marine Resources originated in 1867 with the establishment of Commissioners of Fisheries. In 1895, the Commissioners were renamed Commissioner of Inland Fisheries and Game and a new Commissioner of Sea and Shore Fisheries was authorized, representing the first clear distinction between inland and coastal natural resources. In 1917, the Commissioner was replaced by a Commission of Sea and Shore Fisheries, and in 1931, the Commission became the Department of Sea and Shore Fisheries and the post of Commissioner was reestablished. Both the Advisory Council of the Department of Sea and Shore Fisheries and the Atlantic Sea Run Salmon Commission were created in 1947. In State Government reorganization legislation of 1973, the 106th Legislature established the Department of Marine Resources, along with an expanded Marine Resources Advisory Council. Additional duties and responsibilities were assigned to the agency and its Council, along with those which previously were the responsibility of the Department of Sea and Shore Fisheries and its Advisory Council. A new eleven-member Lobster Advisory Council was established by the Legislature to assist the Commissioner on matters related to the lobster industry.

**PROGRAM:**

During the past three years state government has undergone significant changes. The department has experienced change in the number of functions it is enabled to carry out as a part of that process. While several fisheries and marine resource programs have been eliminated or modified to one degree or another, the basic capability of the department to meet its missions have remained in place. The department continues to focus on conservation and management of the marine resources of the state, on boating safety, on seafood safety and quality control, on marine education, and on market assistance. The department has focused its research program on topics that are important to industry and fisheries managers.

MARINE RESOURCES

ORGANIZATIONAL CHART  
DEPARTMENT OF MARINE RESOURCES  
UMB 13



Approved by the Bureau of the Budget

# MARINE RESOURCES

## CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF MARINE RESOURCES

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	4,333,041	3,340,948	554,177		437,916	
Health Benefits	511,462	390,824	72,082		48,556	
Retirementss	932,153	769,029	92,316		70,808	
Other Fringe Benefits	44,508	34,163	5,940		4,405	
Other Contract Services—State	154,067	22,966	111,262		19,839	
Computer Services—State	48,058	37,085	5,838		5,135	
Other Contractual Service	1,068,603	696,295	225,821		146,487	
Rents	47,812	29,277	16,317		2,218	
Commodities	411,620	255,195	100,438		55,987	
Grants—Subsidies—Pensions	250,329	211,460	36,986		1,883	
Building Improvements	134,384	47,260	52,837		34,287	
Interest—Debt Retirement	4,880	3,836	983		61	
Transfer to Other Funds	34,798		21,098		13,700	
<b>TOTAL EXPENDITURES</b>	<b>7,975,715</b>	<b>5,838,338</b>	<b>1,296,095</b>		<b>841,282</b>	

## MARINE RESOURCES

During the preceding biennium, the department completed construction of a fisheries research laboratory in Boothbay Harbor. The new laboratory replaces facilities originating from the turn of the century which, because of age and use, were causing safety concerns for staff. The new facility takes the agency into modern technology with capability to work with fisheries issues of the day.

### Resource Topics

Significant fisheries management issues have occupied large amounts of time by the commissioner and staff involving both the New England Fisheries Management Council and the Atlantic States Marine Fisheries Commission. The fisheries involved include lobster, herring, groundfish, shrimp, striped bass, menhaden, scallops, mahogany quahogs, and others. The scallop and groundfish plans as put forth by the New England Council have caused significant concern with regard to the impact that they would have on Maine's fishing fleet. Much energy has gone into guiding the process so that both fisheries management objectives and maintenance of the fleet could be attained. There will be continued demands on agency time to participate in development of federal and interjurisdictional fisheries management plans.

Aquaculture continues to grow and is now a significant component of the fisheries contribution to the state's economy. Most of the finfish development is concentrated in the eastern portion of the state in the Cobscook Bay area. Shellfish is more evenly distributed with significant concentration in the Damariscotta River area. Nori, which is a variety of seaweed, is being grown in the Cobscook Bay area. This points out that as the industry develops new techniques, opportunities for economic growth of the industry will continue.

### PUBLICATIONS:

Please see the text for the Department of Marine Resources, Bureau of Marine Development for information pertaining to publications in market assistance.

Please see the Department of Marine Resources, Bureau of Marine Sciences for information on the Fishermen's and science Library and on other publications of the bureau.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from the accounts of the Department as recorded in the files of the Bureau of the Budget's MFASIS system.

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contract Services—State	462	462				
Other Contractual Service	2,411	2,411				
Commodities	1,794	1,794				
Interest—Debt Retirement	19	19				
<b>TOTAL EXPENDITURES</b>	4,686	4,686				

## BUREAU OF ADMINISTRATION

SAM S. JONES, DIRECTOR

*Central Office:* Baker Bldg., Winthrop St., Hallowell

*Telephone:* 624-6550

*Mail Address:* Statehouse Sta. #21, Augusta, Maine 04333-0021

*Established:* 1978

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 01; Umbrella: 13; Unit: 188A; Citation: 12 M.R.S.A., Sect. 6021

*Legislative Count:* 10

**PURPOSE:** The Bureau of Administration was established to perform administrative functions of the Department of Marine Resources (DMR) and to advise government agencies concerned with development or activity in coastal waters. Its primary responsibilities are to receive, control and expend funds



## MARINE RESOURCES

received from legislative appropriations, private sources, federal programs and dedicated revenue sources, including fees from approximately thirty-seven types of licenses and permits. Detailed records are maintained on all receipts and expenditures as well as licenses, purchases of goods and services, equipment, payroll, personnel, allotments and encumbrances, statistics on landings, fleet management, special information and federal-state programs.

Duties also include coordination of public hearings for regulation changes, and aquaculture leases following APA procedures; Collective Bargaining matters; preparation and supervision of the departmental budget and work programs, contracts, Financial Orders and actions taken on personnel matters; statistics; data processing; telephone and reception; contact with other central service agencies; fleet management and keeping the Commissioner aware of the status of all departmental financial and administrative matters.

**ORGANIZATION:** The Bureau of Administration, established through the authority vested in the Commissioner of Marine Resources, is composed of four sections; Personnel, Licensing, Special Services, Accounting. The Accounting and Personnel Sections provide services for all bureaus of the department in finance, personnel, equipment, purchasing, processing of license applications and revenues; the Special Services Section oversees the administration of federal and other revenue contracts and projects, department contracts for special services, and coordination of public hearings and aquaculture leases; liaison with the New England Fishery Management Council is provided by bureau personnel; the licensing section handles license sales, receptions, statistics, data processing, and inquiries from the public; the state's financial records of the Atlantic States Marine Fisheries Commission are administered by the Bureau; provides liaison with the Legislature and various types of communications for the marine fishing industry.

**PROGRAM:** The Bureau of Administration's program consists of carrying out directives of the Commissioner of Marine Resources in performing his/her statutory responsibilities, complying with all State and federal laws and regulations concerning administrative matters. The Bureau provides data needed for departmental decisions, represents the Commissioner in matters concerning administration, assists in preparing short and long-range plans, manages budgeting, accounting and audit processes, and provides assistance during State and federal audits.

Aquaculture leasing: As of June 30, 1993, the Department has granted a total of 1268 acres to various individuals, partnerships, companies or corporations to culture marine organisms in, on and under coastal waters. Shellfish [primary use] leases presently account for 220 acres and finfish [primary use] aquaculture make up 781 acres.

### LICENSES, PERMITS, LEASES, ETC.:

Commercial Fishing (Non-Resident)	Scallop (Boat)
Commercial Fishing (Single Operator)	Scallop (Hand)
Commercial Fishing (With Crew)	Scallop (Non-Commercial)
Commercial Shellfish	Sea Urchin (Boat)
Importing Marine Species Permit	Sea Urchin (Hand)
Lobster and Crab Fishing (Class I)	Sea Urchin (Tender)
Lobster and Crab Fishing (Class II)	Seaweed (Non-Resident)
Lobster and Crab Fishing (Class III)	Seaweed (Resident)
Lobster and Crab Fishing (Over Age 70)	Seaweed (Supplemental)
Lobster and Crab Fishing (Under Age 18)	Shellfish Sanitation Certificate
Lobster Meat Permit	Shellfish Transportation
Lobster Transportation	Shellfish Transportation (Supplemental)
Lobster Transportation (Supplemental)	Tuna Permit (Non-Resident)
Marine Worm Dealers	Weir Permit (Unorganized Townships)
Marine Worm Dealers (Supplemental)	Wholesale Seafood (Supplemental)
Marine Worm Diggers	Wholesale Seafood (With Lobsters)
Mussel (Boat)	Wholesale Seafood (Without Lobsters)
Mussel (Hand)	Special License For:
Quahog (Mahogany)	Aquaculture-Research-Education
Retail Seafood Dealer	

## MARINE RESOURCES

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF ADMINISTRATION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	301,985	301,985				
Health Benefits	34,887	34,887				
Retirementss	45,382	45,382				
Other Fringe Benefits	2,282	2,282				
Other Contract Services—State	48	48				
Computer Services—State	16,981	16,981				
Other Contractual Service	17,944	17,944				
Rents	2,776	2,776				
Commodities	3,593	3,593				
Interest—Debt Retirement	1,434	1,434				
<b>TOTAL EXPENDITURES</b>	427,312	427,312				

## ADVISORY COUNCIL (TO MARINE RESOURCES)

ARTHUR JODLIN, CHAIRMAN

MICHAEL M. HASTINGS, Vice Chairman

*Central Office:* Baker Bldg., Winthrop St., Hallowell

*Telephone:* 624-6550

*Mail Address:* Statehouse Sta. #21, Augusta, Maine 04333-0021

*Established:* August 13, 1947

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 01; Umbrella: 13; Unit: 190; Citation: 12 M.R.S.A., Sect. 6024

**PURPOSE:** It is the broad responsibility of the Advisory Council (to Marine Resources) to provide advice to the Commissioner on policy matters affecting the fishing industry and to outline the problems and needs of the segments of the industry they represent. In addition, certain specific duties were established by law in 1973 including the approval of aquaculture lease permits, changes in fishing regulations, and related matters.

**ORGANIZATION:** The Advisory Council of the Department of Sea and Shore Fisheries was created in 1947. In the State Government reorganization legislation of 1973, the 106th Legislature established the Department of Marine Resources, along with an expanded Marine Resources Advisory Council. Additional duties and responsibilities were assigned to the agency and its Council, along with those which previously were the responsibility of the Department of Sea and Shore Fisheries and its Advisory Council. Under the 1973 statute, the Marine Resources Advisory Council was enlarged from five members to nine, appointed by the Governor and representing various segments of the fishing industry.

**PROGRAM:** The Council met three times this year to provide advice to the Commissioner on policy matters affecting the industry and to outline the problems and needs of the Maine fishing industry.

In addition to meeting its broad responsibilities, the Council also performed specific duties established by law, including advice and consent on regulatory actions.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$1,147.84 in FY 94 and are, by administrative decision, included with those of the Bureau of Administration, Department of Marine Resources.

## BUREAU OF MARINE DEVELOPMENT

HAROLD C. WINTERS, DIRECTOR

*Central Office:* Baker Bldg., Winthrop St., Hallowell

*Telephone:* 624-6550

*Mail Address:* Statehouse Sta. #21, Augusta, Maine 04333

*Established:* 1957

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 01; Umbrella: 13; Unit: 188D; Citation: 12 M.R.S.A., Sect. 6021

*Average Count—All Positions:* 26.5

*Legislative Count:* 26.5

**PURPOSE:** The common theme for all divisions and programs of this Bureau is the development of Maine's marine fisheries industries. This theme is addressed, for example, through efforts in restoring lost fish runs (e.g. alewives), groundfish industry expansion, a variety of technical services to seafood processors, and market development through trade and consumer education and assistance. The services of the Bureau, then, reflect the very complex and diverse Maine fishing industry. The programs discussed below are organized to be of service to that industry.

**ORGANIZATION:** The Bureau of Marine Development is comprised of four major divisions each of which is responsible for several programs: Anadromous Fish, Industry Services, Marine Education, and Marketing. The Bureau's activities involve a multitude of issues ranging from marine science to marine education to market analysis.

### PROGRAM:

*Anadromous Fish Division:* This division is responsible for the management, enhancement, and restoration of anadromous fish resources to the rivers of Maine. Anadromous fish are those species which attain their growth in the marine environment but return to freshwater to spawn. Species of major interest include striped bass, American shad, alewife, blueback herring, Atlantic salmon, sturgeon, and rainbow smelt. The dependency of these species on both freshwater and the marine environment requires coordinated cooperative management between the Department of Marine Resources, Inland Fisheries and Wildlife, and the Atlantic Sea Run Salmon Commission. Although each agency is charged with management of specific fish species or groups of species, the mutual support of each other's programs has enhanced numerous fish species and fisheries of collective interest.

The goals of the Anadromous Fish Division are to maintain existing fish runs at optimal levels, restore anadromous fish runs to river systems which historically supported these species, and conduct research on life histories and habitat requirements to improve management capabilities. Historically abundant anadromous fish runs were decimated by the construction of impassable dams, water pollution, and overfishing. With the remarkable improvement in water quality in recent years and the regulatory authority to control fishing activity, the major remaining obstacle to restoration of river fisheries is numerous dams which lack upstream and downstream fish passage facilities.

*Shad and Alewife Management:* During the spring of 1993, over 45,000 adult alewives were truck stocked or selectively released into various Maine watersheds to provide a spawning stock for reestablishing alewife runs and/or to augment existing low level spawning runs. A total of 7,448 alewives were stocked in various lake systems of the Androscoggin River above tidewater. Major stocking sites and numbers of fish stocked were Brunswick Headpond (757), Tripp Pond (3,299), Taylor Pond (2,621), Marshall Pond (617), and Lower Range Pond (911). In addition, 580 adult American shad were transferred from the Connecticut River at Holyoke, Massachusetts, and released into the Androscoggin River just below Lewiston Falls during 1993.

*Striped Bass:* Historically, a native population of striped bass was found in the Kennebec River and its tidal tributaries. This population was first impacted by the construction of the Augusta Dam in 1837. There continued to be a limited striped bass resource in the estuarial complex of the Kennebec and Androscoggin Rivers until the late 1930's at which time it is thought that the striped bass population was exterminated by pollution. Since 1977, water quality has improved significantly because of pollution abatement efforts. A restoration program for striped bass in the Kennebec River was initiated in 1982. From 1982-1991, a total of 263,735 fall fingerling striped bass have been stocked in the estuarial complex of the Kennebec River. During 1991, 10,942 were stocked. Since 1984, the program has been a cooperative effort involving the Maine Department of Marine Resources, the U.S. Fish and Wildlife Service, and a private Maine sportsmen's group. Striped bass fry are obtained from a hatchery on the

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Hudson River, transferred to the USF&WS hatchery in North Attleboro, Massachusetts, and reared to fall fingerlings (3"-5") before being transported and stocked into the Kennebec. It was hoped that when these fish reached maturity they would spawn in the estuarial complex of the Kennebec and reestablish a native population. The first evidence of natural reproduction in the Kennebec River in over 50 years was documented in 1987 with the capture of young-of-the-year striped bass in Merrymeeting Bay and one in the Eastern River. In each consecutive year from 1987 through 1992, wild young-of-the-year striped bass have been collected in the lower Kennebec River and Merrymeeting Bay area.

*Androscoggin River:* The Brunswick fishway, located on the Androscoggin River at head-of-tide, was operated by Division staff for the eleventh consecutive year. This fishway was built by the Central Maine Power Company in conjunction with the redevelopment of the Brunswick Hydroelectric Dam and is one of the most modern fish passage facilities in the State of Maine. Major species which utilize the fishway include alewives, American shad, Atlantic salmon, brook trout, brown trout, striped bass, and numerous resident freshwater species. The run of alewives (5,202) passed through Brunswick in 1993 represented a substantial decrease over the 1992 run of 45,050. Commercial fishermen harvested very few alewives in the lower Androscoggin River in 1993.

*Kennebec River:* An agreement was reached between the majority of hydroelectric dam owners and the state fishery agencies on an interim restoration plan for the Kennebec River above Augusta. The dam owners agreed to fund an interim trap and truck program for shad, salmon, and alewives and to provide for downstream passage at specific dams in 1991. Construction of fish passage facilities at dams upstream of the Augusta Dam would be initiated in the late 1990's. As a result of this agreement the following lakes were stocked with the following number of alewives: Lake George (2,021); Sebasticook Lake, (17,281); Plymouth Pond (3,199), Pattee Pond (4,450), Pleasant Pond (2,224), Lovejoy Pond (699), Douglas Pond (3,504), and Unity Pond (3,125). These alewives were transferred from the Androscoggin River below the Augusta dam.

American shad were transferred from the Connecticut River at Holyoke during 1993. A total of 880 adult shad were released in the Kennebec River at Sidney.

After negotiations with the developer of Edwards Dam in Augusta, interim upstream fish passage was provided in the fall of 1988. The experimental device pumps fish and water from below the dam to a sorting tank from which Anadromous Fish Management Division personnel trap and release desirable species into the impoundment above the dam. During the spring/summer of 1990, 745 alewives were lifted to the headpond with this apparatus. Because of poor performance of the fish pump and lack of DMR manpower, the pump was not operated in 1991 or 1992. During 1993, a large run of Alewives occurred below the Augusta Dam. The fish pump was operated in the tailrace of the upper powerhouse. Of the total 40,620 fish collected below the dam, 6,565 were collected in the fish pump and 34,055 were seined below the dam.

During his 1990 State of the State Address to the Maine Legislature, Governor McKernan announced his intention to seek the purchase and removal of the Augusta Dam. This historic action will have significant beneficial effects on the fishery resources of the Kennebec River. All species of fish will once again have full passage to 17 miles of restored riverine habitat above Augusta. For 153 years, the Augusta Dam has caused irreparable damage to the fishery resources and fishermen of the Kennebec River valley. Although significant efforts will be required before a negotiated settlement is finalized, the prospects for a fully restored river in the near future are extremely encouraging.

*Fish Passage Improvement:* The fish passage improvement project was continued this year with the U.S. Fish and Wildlife Service involving cooperative funding under P.L. 89-304, the Anadromous Fish Conservation Act of 1965. Project activities include repair, maintenance, and operation of seventeen (17) Department fishways and five (5) IF&W fishways which pass anadromous species. Sixteen (16) privately owned fishways were also checked for physical damage or passage deficiencies. Effort will be placed on stream clearance as juvenile anadromous species start their movement to the sea.

*Hydropower Development:* A large amount of staff time was devoted to meetings with developers and state permitting agencies to assure appropriate protective measures for fisheries were included in development plans. A proposal by Bangor Hydro-Electric Company for a major new dam (Basin Mills) on the lower Penobscot River will have far reaching consequences for anadromous fish runs on Maine's largest river. Considerable staff time has been devoted to the review of this major proposal.

*Miscellaneous Activities:* In addition to hydropower permit reviews, personnel continued to evaluate other water resource development projects, wetlands applications, waste discharges, highway construction proposals, and industrial development that had potential for adverse impact on anadromous fish resources.

Staff also provided technical assistance to 34 coastal towns which manage alewife fisheries. Diminishing alewife returns in recent years has caused the DMR to institute more restrictive conserva-

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tion measures to reverse the decline in these important runs. Since 1988, DMR has increased the weekly no fishing period from 24 to 48 hours and shortened the fishing season by ten days.

Anadromous fish staff continued to participate in interstate meetings involving plan development and implementation for interstate management of shad and river herring, striped bass, Atlantic sturgeon, and bluefish.

Staff devoted considerable effort to dissemination of information to the public. The Division revised and updated a summary of laws/regulations governing sport and commercial harvest of marine/anadromous fish resources, participated in numerous speaking engagements to civic and conservation groups, participated in statewide sportsmen shows in Bangor and Augusta, and assisted the Marine Education Division in preparation of educational materials concerning anadromous fish resources.

**Marketing Division.** The primary purpose of the Division of Marketing is to assist in the positioning of Maine's seafood and aquaculture industry products competitively with regard to market share and consumer concerns both domestically and internationally.

**DMR's Marketing Division Goals are:** 1) to expand distribution opportunities of Maine seafood and aquaculture products into new major domestic market areas as well as increase exporting of Maine products by developing foreign market opportunities; 2) to capitalize on the success of the Maine Certified Seafood Program in maintaining and expanding market share, including expansion of the Program to include additional seafood species; and 3) to assure that Maine is represented in national debates on seafood quality and safety issues.

*Directory of Maine Wholesale Seafood Dealers/Processors:* The Division provides a directory to seafood buyers upon request for a fee of \$5. This popular directory contains a listing of all Maine licensed wholesale seafood dealers and processors who care to be listed. The directory contains detailed data on each dealer and processor such as their complete product listing, address, telephone and FAX numbers, contact person, the type of shipping they do, and if they export. The directory also lists the support services we offer.

*Marketing Memorandum:* The Division puts out a bi-monthly Marketing Memorandum containing seafood leads domestically and internationally as well as general market information. This memo serves both the commercial fishing industry and the seafood buyers who are looking for sources of supply of Maine quality seafood. Most of the memo's international leads are obtained from the U.S. Department of Commerce—National Marine Fisheries Service. This has substantially increased the number of possible international contacts for Maine's industry. The benefits of this are two-fold: international markets offer greater demand for under-utilized species in the U.S. and, the Maine industry is offered an opportunity to contribute to efforts towards reducing the National balance of trade deficit.

*Maine Certified Seafood Program:* The Maine Certified Seafood Program is a voluntary industry driven quality control/merchandising program that provides product standards for groundfish and for farm-raised salmon products as well as processing plant standards. Product that meets or exceeds the Program standards has the Program Trademark/label attached to the product or container. This Trademark assures the seafood buyer and the consumer that they are purchasing high quality fish. In 1987, the Program received a national award for "Marketing Excellence" in the generic category. One judge in announcing the award said the Program is recognized and recommended by such organizations as National Fisheries Institute, Food Marketing Institute, U.S. Food & Drug, and the New England Fisheries Development Association. The continued success of the Program is credited to the "Team Approach" shared by Program participants, their accounts, and DMR's Marketing Division which offers: Consistent high quality product under a Program trademark; Retail Seafood Training System; point of purchase material which consists of consumer seafood information pamphlets, recipe cards, posters and information on product labeling; a planned year-round aggressive promotional seafood program.

*Domestic Market Development:* The Maine Certified Seafood Program, known in the beginning as "Catch The Taste," started in the Portland, Maine area in the fall of 1981. Due to its continued success over the years, the Program has expanded into the mid-west, mid-Atlantic, and the metro New York areas.

*Maine Seafood:* The Division continues to assist Maine dealers/processors in introducing other Maine species such as mussels, shrimp, crabmeat, etc. into major market areas where our Maine Certified Fresh quality seal is already known. We continue work with our industry people in establishing product quality standards in order to expand the number of species under the quality seal so that Maine can capitalize on its reputation for quality seafood.

*International Markets:* Globalization of the marketplace has the Division taking a new look at the international market. Today, the international market has a real influence on the domestic market. Maine quality seafood is very much in demand worldwide, especially in the Far East and European markets.

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**Seafood Trade Shows:** After five years of continued success with the Maine Street/USA pavilion, it was time for a change. This year the Marketing Division, with the assistance from Maine companies, developed an all-new presentation, a block-style European pavilion which consisted of four 75' rows of Maine companies. The new pavilion had twenty-two companies participate. Seafood buyers were taken by the two large 40' overhead banners that displayed the Maine Certified Seafood trademark and the Maine Lobster Promotion Council logo along with the wording of Maine/USA. Blue aisle carpet, Maine Quality Seafood buttons, and seafood sampling helped to contribute to the success and high traffic count again this year. Our high profile campaign, Maine/USA assists Maine companies in getting business from companies throughout the world!

**Maine's Retail Seafood Training System:** The Division has been working with retail store personnel over the past eleven (11) years to assist them in the development of their seafood programs. Working with our industry and with the retail seafood industry, we realized the need for a complete video/manual training system since we are limited in the number of seafood training seminars we can offer. Our seafood training system consists of four videos: Seafood Quality—Seafood Storage & Handling—Seafood Case Set—Seafood Merchandising. The system also includes a seafood manual that describes each phase in much more detail along with additional seafood information. These videos received an award from the International Television Association in the Training Category.

**Seafood Information & Education:** The Division continues to develop and to continually re-evaluate information in the areas of quality evaluation, storage and handling, merchandising, and preparation and cooking. An all new Maine Seafood Cookbook was developed and offers consumers numerous quick, easy, and healthy recipes. This unique cookbook with the nutritional breakdown on each recipe is available for \$5.95.

**Seafood Promotional Material:** The Division offers a series of seafood recipe pamphlet or card "Masters." Our "Masters," which are camera-ready art, have been very popular as it offers retailers the opportunity to personalize these pamphlets or cards by adding their name or logo. This series of seafood recipe pamphlets or cards also offers consumers nutrition data on each recipe. An assortment of Maine seafood posters are also available for promotional purposes.

**Miscellaneous Activities:** Other work, as required, was carried out, including numerous meetings with industry, state, and federal officials; preparation of reports, position papers, and activities involving a wide range of fisheries problems.

**Marine Education Division.** The Marine Education Division was established by the legislature to provide schools and the general public with current, valid marine information, text materials, opportunities, guidance and access to the scientific activities conducted by DMR, exemplary programs for teachers and school students, teacher training projects and consultant services in marine education. The ultimate goal of this division is to develop a marine literate citizenry that can better understand the problems in utilizing and managing Maine's marine resources. To accomplish these tasks the following programs and projects are in progress:

The Education Division provided teacher training in the form of recertification courses, "in-service workshops" and presentations at educational conferences. Once teachers have been properly trained, they are supplied with the essential materials and live animals to present a unit in aquatic/marine education to their students. Those teachers in the vicinity of Augusta borrow from the Hallowell office, while those near Boothbay utilize the aquarium facility in Boothbay Harbor. For those communities that are removed from the Department of Marine Resources' complexes, a 100-gallon touch tank and a 40 gallon aquarium serve as resource tanks. The touch tank has served the communities of Lincoln, Lewiston, Hampden, and Brunswick during the 93-94 school year. The smaller tank has been utilized by teachers in Auburn, Richmond, Naples, and Harrison. Numerous schools have also benefitted in the borrowing of live animals from our facilities. This program has become well established and very well received by teachers eager to present the "Sea Comes to the Classroom."

Text and supplemental curriculum materials; teacher's guides; field trips to the research lab; various field programs; and a newsletter were made available as resources to those seeking more information or to expand their programs. Slide shows and video programs were also available from our Lending Library to help provide additional information about marine topics.

**Curriculum Design Services:** Consultant services to help teachers alter their science programs to include marine units were provided. As a part of the re-orientation, the school's teaching staff were offered in-service courses and workshops. These programs were specifically designed to emphasize the local marine environment, the fisheries and fisheries management activities in the area. The teachers were encouraged to utilize local marine resources and to develop the skills necessary to place their students in an active learning environment when utilizing these resources. This included building upon the students own experiences with the marine environment.

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*Teacher Training:* Summer courses offered by DMR's Education Division have three basic functions: 1) to provide teachers the opportunity to develop the skills and techniques necessary to conduct meaningful field activities; 2) to provide teachers with background information on Maine's marine resources; 3) to help teachers develop and field-test marine activities that focus upon the Gulf of Maine and will help their students to better understand the values of this area; and 4) to provide teachers with recertification credits.

*Aquatic Education—Marine:* The Wallop-Breaux Federal Grant Funds for recreational fisheries education were utilized to develop materials that emphasized the near-shore environment. Several hands-on teacher recertification courses, printed resource materials, and media programs were developed as part of this project. The establishment of a public aquarium in Boothbay Harbor is nearing completion. This 2,000 square foot facility will provide school groups and the public with the opportunity to learn about Maine's marine resources. A professional educator will provide "instruction about recreational and commercial fisheries as well as educating visitors about the variety of organisms found in the touch tank.

*Informational and Educational Materials:* The Education Division maintains a Newsletter, slide programs and video shows on a wide variety of marine topics. These are made available free of charge to anyone seeking information about Maine's marine resources. Curriculum materials are also available for a minimum fee.

**Industry Services Division.** This Division was established within the Bureau of Marine Development to consolidate Department functions that are industry and resource oriented but do not emphasize research. Activities include the practical application of research findings, inter-agency coordination, shellfish sanitation, regulatory permitting functions, marine resource management, and development.

Environmental impacts are reviewed and advisory comments and observations processed for state and federal licensing agencies for the following: wetlands and streams alterations, waste discharge applications, highway construction proposals, rivers and harbors maintenance projects, port development, hydroelectric projects and petroleum development in both the offshore and coastal areas.

*Shellfish Management:* There are 102 towns on the Maine Coast where clams can be found in their flats in varied quantities, sixty-nine with soft clam habitat free of substantial pollution sources. Forty-three towns have conservation programs and ordinances approved by DMR as provided by state statute. The towns may determine residency requirements and regulate the numbers of harvesters, time, area and the amount and size of clams harvested. DMR's resources scientists work with shellfish committees, town officials, diggers, dealers and other concerned residents to develop shellfish management plans and ordinances to implement the programs.

Area biologists work with the towns developing shellfish management programs and ordinances to enforce management measures. Towns are advised in methods for conducting clam population surveys and evaluating data gathered by town employees, shellfish harvesters, volunteers, or others aiding the towns. The most effective and productive management methods used by towns in carrying out management programs have been the closing and opening, or rotation, of clam flats based on survey findings, and limiting the destruction of small clams by selectively controlling digging pressure. See *Publications* for summaries of municipal management.

Meetings are held with individual towns and groups of towns in planning and implementing conservation programs.

*Area Biologists:* In addition to guiding the municipal clam management programs, area biologists review each application for marine wetlands alteration, construction and dredging activity to be licensed by the Land Bureau of the Maine Department of Environment Protection. The Bureau advises DEP and the Federal Consistency Coordinator of the State Planning Office of the potential effect of such projects on productive marine marsh and intertidal areas with populations both of commercial significance, such as clams, mussels and marine worms, and those that contribute in a more general way to the productivity of the coastal ecosystems.

Similarly, the area biologists inform the Water Bureau of the Maine DEP of the shellfish areas impacted by licensed wastewater discharges on marine resources. A major effort for the area biologists has been preparing sanitary survey reports of shellfish growing areas. The reports are part of the Division's expanding capability and involvement in shellfish growing area classification.

*Classification of Shellfish Growing Areas:* As part of the agreement Maine has with the Interstate Shellfish Sanitation Conference (ISSC) and the Food and Drug Administration, the sanitation of areas from which shellfish are harvested are classified according to standards recognized internationally. Compliance with the standards is essential to assure public health concerns for the consumer and is required by states and nations participating in the ISSC receiving Maine shellfish.

## MARINE RESOURCES

The growing area program serves the shellfish industry from two microbiological laboratories, one in Lamoine serving the area east of the Penobscot River and one at the DMR facilities in Boothbay Harbor. The Eastern Maine Laboratory is at Lamoine State Park. Staff collect and monitor water and shellfish samples from shellfish harvesting areas on a regular basis to assure current assessment of the areas' quality. The laboratory also plays a role in the Bureau of Marine Sciences' marine biotoxin (PSP or "red tide") monitoring program.

The facility in Boothbay Harbor serves similar functions except for marine biotoxin monitoring. Both laboratories process shellfish and water collected from shellfish dealers as part of the Seafood Technology Services' seafood quality assurance and sanitation monitoring program. In addition to the program coordinator, there is a staff of three devoted to shellfish growing area classification functions and the microbiological laboratory with its staff of three.

There was a phased program to comply with increased intensity of shellfish growing area assessment initiated by the ISSC in 1986. The effort resulted in reclassifying parts of the shellfish producing areas traditionally harvested throughout the coast. Some areas previously unavailable were made open to harvesting but the net change was a loss of harvest area due to the discovery of pollution sources. The department is working with the Department of Environmental Protection to identify those pollution sources that may be corrected with financial assistance to return resources to safe harvesting conditions.

*Seafood Technology Services:* This activity has previously been identified as, "Seafood Quality Management Services." This is a continuing activity that provides technical assistance, consulting services, quality evaluation and inspection services to the seafood industry. Two distinct programs were in force during 1993. First, the Shellfish Sanitation Program, which provides standards for the handling and processing of shellfish by wholesale dealers. The applicable regulations follow guidelines developed by the tripartite Interstate Shellfish Sanitation Conference (ISSC), which is made up of representatives from state and federal agencies and the shellfish industry. Second, the Maine Groundfish Quality Assurance and Maine Salmon Quality Assurance programs provide a voluntary fresh fish inspection service to Maine processors.

The Shellfish Sanitation Program serves as an important control point in the link between the harvester and the consumer. Staff responsibilities include evaluation and certification of wholesale shellfish dealers. In addition, the staff monitors the operation of privately operated depuration plants designed to cleanse shellfish from moderately polluted areas. Samples of shellfish are routinely collected from wholesale dealers to further check their acceptability. The Department cooperates with other state and federal agencies in this program.

The Maine Groundfish Quality Assurance Program has served to further the efforts of the Department to improve the quality of fish landed or processed in the state through an active inspection program and numerous quality assurance projects. Maine fresh groundfish processors who participated in this voluntary inspection program were able to take advantage of the Department's marketing of "Maine Certified Fresh Fish" in conjunction with the Marketing Division. Following guidelines similar to the groundfish quality assurance program, regulations were developed for both the salmon and mussel industries. Inspection personnel played a key role in developing these regulations.

Inspection personnel have undergone rigorous training this past year. As a result, all field people have been standardized to do inspection work based on Food & Drug Administration standards. One field inspector has been trained as a standardization officer. Staff for the past year has been at a maximum of four with three field people and an office-based program supervisor. In addition to regular duties, staff has also attended available training sessions this past year in anticipation of increased duties under the mandatory federal seafood inspection.

Staff members continue to work with industry and other government agencies to provide information on seafood quality assurance and for the protection of public health.

*Oil Spill Response:* One scientist is currently preparing documentation of marine resources and industries that would be endangered by spills of hazardous materials in the marine environment. The information is being entered into the Department of Conservation's computer based Geographic Information System. The system will make current information available to the agencies responsible for containing and removing from the marine environment spilled oil and other hazardous materials.

### LICENSES:

Permits Available Through the Industry Services Division:

*Shellfish Sanitation Certificates.* Holders of a wholesale seafood license and/or a shellfish transportation license may apply through the division to be certified to buy, sell, ship, transport and



## MARINE RESOURCES

process shellfish both intra- and interstate. Also certificates for controlled depuration are issued to appropriate wholesale seafood license holders to harvest shellfish from restricted areas. transport and depurate them within standards set by regulation.

*Permits to Import Live Organisms.* Permits for introduction into coastal waters or to possess such animals are obtained through the division as provided by Title 12 section 6671 and DMR Regulations Chapter 24.

*Municipal Shellfish Conservation in Closed Areas.* As provided by 12 M.R.S.A. section 6621 subsection 3, paragraph C may be permitted through applications to this division.

### PUBLICATIONS:

A summary of the municipal shellfish management ordinances is published every six months in the *Commercial Fisheries News*, as required by Title 12 section 6676. A summary compiled annually in June is available from the division.

Camera-ready Masters of Lobster, Mussels, Shrimp, Seafood, Cusk, Cod, Haddock, Hake, Pollock, Flounder Recipe Pamphlets .....	\$2.50 each.
Fresh Maine Cod & Fresh Maine Cusk Posters (17" x 22") .....	\$1.50 each.
Shrimp Newburg, Shrimp Jambalayah, Fresh Maine Hake, Fresh Maine Pollock and Maine Seafood Posters .....	\$2.00 each.
Seafood Training Manual/Videos .....	\$87.00 set.
Embroidered Maine Lobster Emblem .....	\$.75 each.
Salmon and Steelhead Recipe Card "Master Set" .....	\$11.00 set.
Maine Fish Recipe Card "Master Set" .....	\$18.00 set.
Wholesale Seafood Dealers/Processors Directory .....	\$5.00 each.
(Orders of 12 or more .....	\$4.95 each)
Seafood Cookbook—The <i>Maine Seafood Adventure</i> .....	\$5.95 each.
ABC Fish of the Gulf of Maine .....	\$2.00
A Teacher's Guide to Marine Life of The Gulf of Maine .....	\$5.00
Estuarine Studies .....	\$2.00
Field Testing Manual for Water Quality .....	\$2.00
Field Trip in The Classroom .....	\$2.00
Once Upon the Coast of Maine (color book) .....	\$3.00
The American Lobster .....	\$2.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF MARINE DEVELOPMENT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	892,353	816,164	76,189			
Health Benefits	103,514	94,556	8,958			
Retirementss	138,214	125,771	12,443			
Other Fringe Benefits	5,958	5,090	868			
Other Contract Services—State	98,883	6,812	92,071			
Computer Services—State	14,660	14,660				
Other Contractual Service	162,740	128,696	34,044			
Rents	9,918	7,377	2,541			
Commodities	98,426	59,900	38,526			
Grants—Subsidies—Pensions	196,035	191,035	5,000			
Building Improvements	39,876	32,564	7,312			
Interest—Debt Retirement	496	339	157			
Transfer to Other Funds	5,176		5,176			
<b>TOTAL EXPENDITURES</b>	1,766,249	1,482,964	283,285			

## MARINE RESOURCES

### BUREAU OF MARINE PATROL

JOSEPH E. FESSENDEN, COLONEL, CHIEF OF MARINE PATROL

Central Office: Baker Bldg., Winthrop St., Hallowell

Telephone: 624-6550

Mail Address: Statehouse Sta. #21, Augusta, Maine 04333-0021

Established: 1978

Sunset Review Required by: June 30, 1996

Reference: Policy Area: 01; Umbrella: 13; Unit: 188P; Citation: 12 M.R.S.A., Sect. 6025

Average Count—All Positions: 50.5

Legislative Count: 47.5

**PURPOSE:** The Bureau of Marine Patrol is one of the oldest law enforcement agencies in the State and was established to protect, manage and conserve the renewable marine resources within the territorial limits of the State of Maine. Over the years the Legislature has expanded the areas of responsibility to the enforcement of other laws and regulations of the State of Maine. Personnel are authorized to enforce all laws of the State of Maine with primary emphasis on marine resources, the protection of life and property, and to arrest and prosecute all violators and serve all processes pertaining to those laws and regulations.

**ORGANIZATION:** The Wardens Service, so named in 1947, was originally established as Fish Wardens in 1843, and was appointed by the Governor and Council. In 1917 the appointment authority was transferred to the Commissioner of Sea and Shore Fisheries (renamed Commissioner of Marine Resources in 1973). The Bureau has been an integral segment of the Department throughout its existence.

Field offices are located in South Portland and Lamoine. Office hours are 8:00 A.M. to 5:00 P.M., Monday through Friday.

**PROGRAM:** The Bureau enforces the state's marine fisheries laws and boating registration and safety laws, environmental laws in cooperation with the Department of Environmental Protection, conduct search and rescue operations on coastal waters, enforce all marine related criminal laws and is a general service agency to coastal residents and visitors.

Bureau of Marine Patrol personnel patrolled 35,826 miles in vehicles; spent 8,456 hours on patrol boats; patrol officers received 2,198 complaints; and encountered 3,188 violations of Marine Resources laws, boat laws and related criminal laws during 1993.

#### PUBLICATIONS:

A pamphlet containing marine resource laws is published bi-annually following adjournment of the first regular session of each Legislature. This pamphlet is provided at no cost to the public.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF MARINE PATROL	TOTAL FOR	General Fund	Special	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS		Revenue Funds			
EXPENDITURES						
Salaries and Wages	1,502,706	1,423,323	79,383			
Health Benefits	181,511	169,820	11,691			
Retirementss	483,872	470,882	12,990			
Other Fringe Benefits	22,904	21,028	1,876			
Other Contract Services—State	5,833	4,333	1,500			
Computer Services—State	4,328	3,446	882			
Other Contractual Service	359,628	352,607	7,021			
Rents	8,571	8,547	24			
Commodities	69,215	59,462	9,753			
Grants—Subsidies—Pensions	3,973	3,973				
Building Improvements	52,254	7,401	44,853			
Interest—Debt Retirement	887	887				
Transfer to Other Funds	2,166		2,166			
TOTAL EXPENDITURES	2,697,848	2,525,709	172,139			

## BUREAU OF MARINE SCIENCES

JEAN CHENOWETH, ACTING DIRECTOR

*Central Office:* McKown Point, West Boothbay Hbr., Maine 04575

*Telephone:* 633-9500

*Mail Address:* P.O. Box 8, West Boothbay Harbor, Maine 04575

*Established:* 1946

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 01; Umbrella: 13; Unit: 188S; Citation: 12 M.R.S.A., Sect. 6021

*Average Count—All Positions:* 78.5

*Legislative Count:* 27

**PURPOSE:** The Bureau of Marine Sciences is the primary State agency engaged in scientific research and development to conserve and manage the marine and estuarine resources of the State of Maine. The primary responsibilities of the Bureau are to conduct and sponsor scientific research which may include biological, chemical, technological and hydrological research and development, provide information on stock levels and environments of commercially valuable marine organisms, establish and maintain effective surveillance and inspection of consumable resources in order to assure public health and safety and provide technical and scientific information, services and assistance to the public, industry and governments.

**ORGANIZATION:** The Bureau of Marine Sciences was established administratively in 1946 and is the oldest continuously operating marine research agency in the Gulf of Maine. The Bureau is organized to reflect its administrative, fisheries science, public health and technical service functions. The Director's Office includes the Director, Maintenance & Operations, Secretariat and the Office of Technical Information and Public Services (TIPS). The research activities of the Bureau are organized into four research divisions: Lobster and Crab Fisheries Division, Pelagic Fisheries Division, Benthic/Demersal Fisheries Division, and Fisheries/Health Division which report to the Director.

### PROGRAM:

**Facilities:** The Bureau of Marine Sciences is located on a peninsula in Boothbay Harbor called McKown Point. At the turn of the 20th century, Boothbay Harbor was home to a large and productive fishing industry; now it is largely populated by seasonal residents and tourists.

The Bureau operates the only major fisheries research laboratory in the United States that is located on the Gulf of Maine. Carpentry and machine shops are available for the fabrication, repair and maintenance of laboratory facilities, instruments, sampling gear, boats, marine engines and motor vehicles. The laboratory is equipped with a large number of PC-DOS micro-computers and two computer terminals linked to an IBM 370 mainframe computer at the University of Maine. There is an array of software, disc storage facilities, and plotting equipment. A large proportion of research programs at the laboratory use computer equipment and there is an ongoing computer training program for all of the staff. A word processor operator is available to serve the Bureau's needs. During Fiscal Year 93, work was completed on a new laboratory-office complex and public aquarium on site. The laboratory also operates a multi-purpose library.

**Director's Office:** The Director is responsible for long range strategic planning of laboratory research and facility development, initiation and development of research projects and programs, staff assignments, personnel supervision including performance appraisal, coordination and management of research and facility operations, quality assurance for research and other Bureau activities, and the Director assigns budgets and monitors expenditures.

**Personnel:** Staff are assigned tasks appropriate to their professional skills, knowledge, and abilities. Task statements and performance standards (TS/PS) are reviewed annually for each staff member and Annual Performance Appraisals are based upon these mutually agreed upon TS/PS.

**Office of Technical Information and Public Services:** The Office of Technical Information and Public Services (TIPS) answers marine oriented questions, by phone or by mail, for the industry and the general public. Printed materials are available, free of charge.

Another function of the TIPS office is the specialized marine library with more than 2,000 books and monographs and approximately 500 serial titles. One section of the library called the Fishermen's Library is devoted to information on fishing gear, gear technology and fisheries production and is available to the fishing industry. It may be visited or accessed by mail. Books and videos may be borrowed for up to 3 weeks. Lists of titles and videos are available on request.

## MARINE RESOURCES

The TIPS office produces the monthly DMR page in Commercial Fisheries News; produces a yearly information display for the Fishermen's Forum in Rockport, Maine; and coordinates DMR efforts in the Marine Mammal Stranding Network.

### **Lobster And Crab Fisheries Division:**

*Sampling the Catch:* Maine recognizes the socio-economic importance of its nearshore lobster fishery and the need to have current resource information for assessment purposes. Accordingly, since August 1966, DMR has gathered detailed catch and effort data along with associated biological information by means of a statistically rigorous commercial port sampling program. During 1993, the fourth year after two consecutive annual minimum size increases (1/32" carapace length), samples were collected from 311 lobster boats which landed catches at 49 randomly selected dealers located from Kittery to Cutler. The total catch sampled weighed about 27 tons, was composed of 42,419 lobsters and was valued at \$123,060 (ex-vessel price). Findings from the survey included:

The 1993 catch-per-unit-effort values of 0.94 lbs./trap-haul and 163.2 lbs./boat-day; landed lobsters had an average carapace length of 89.5 mm (3.52 in.) and weight 571.1 g (1.26 lbs.), which is very similar to the 1992 sizes; 1993 prices/lb. averaged \$3.31 for hardshells, \$2.15 for softshells, and \$3.29 for selects (these prices correlate well with the overall 7.8% decrease in ex-vessel value reported for Maine landings by the National Marine Fisheries Service in 1993; the incidence of culls was 11.8%, of which 6.7% and 5.1% had missing and regenerative claws, respectively; wire traps accounted for a record-breaking 93% of all traps fished in 1993, while 44.7% of all traps had two parlors; 49.6% of the landed lobsters were females; and 7) new recruits (83-94 mm CL, .99-1.41 lbs.) comprised 85.7% of the catch.

*Sea Sampling:* In the ninth year of the sea-sampling program, 18 trips were taken aboard lobster boats fishing from the ports of Cape Porpoise (5), Boothbay Harbor (7), and Tenants Harbor (6). The total catch of all lobsters in number from all areas was 11,834 of which 542 legal-sized lobsters weighed 5,549 lbs. The sublegal to legal ratio was 1.47:1. Cull rates were 22.0% for sublegals and 12.6% for legals.

Of 206 berried females sampled, 72.8% were v-notched. Conversely, only 25.48% of 591 v-notched females were egg-bearing. Based on the morphometric relation of abdominal width to carapace length, which is an index of sexual maturity, we estimated that 29 to 41% of the v-notched females, depending on sampling area, would be immature.

*Gear Selectivity Study:* In view of recent concern among some industry members about the increase in escape vent size adjusted to correspond with the larger minimum legal size, a study was initiated to investigate the catch rates of legal and sub-legal sized lobsters in traps fitted with the former legal vent size of 1-3/4 in. and the present escape openings of 1-7/8 in. (oblong) and 2-3/8 in. (circular). Preliminary results from both research and commercially fished traps indicate traps with larger vents caught significantly fewer sub-legals, but similar numbers of legal lobsters compared to the 1-3/4 in. vented traps.

*Supporting activities:* Additional activities of the Lobster and Crab Fisheries Division have included: 1) monitoring of bottom seawater temperatures in the Boothbay; 2) collection of juvenile lobsters at an intertidal sampling site for purposes of determining relative abundance levels, growth rates, and movement patterns; 3) monitoring the relationship and population levels of rock crab, lobster, and green crab with research traps off DMR's dock in Boothbay Harbor; 4) attending meetings of the Atlantic States Marine Fisheries Commission Lobster Scientific Committee; 5) furnishing information and advice to industry members regarding lobster diseases, shipment and storage, establishing new seawater systems and trouble-shooting existing systems; 6) referring manuscripts for various scientific journals, and 7) discussing various aspects of marine biology and lobster research findings/management with school groups, interested public, fishing industry members, and the news media.

### **Pelagic Fisheries Division:**

#### **HERRING:**

**Resource Monitoring:** A primary objective of this Division is to monitor the status of the U.S. East Coast Atlantic herring resource. Resource Monitoring activities are funded in part by the U.S. Department of Commerce as part of the state-federal Interjurisdictional Fisheries Program.

Resource monitoring activities are performed on a regular basis and include: 1) the collection and compilation of landings and catch information from the Maine commercial fishery, and 2) the calculation of annual catch-at-age estimates and other parameters required to assess stock size and age composition. Landings data are recorded for each load of herring that enters Maine's processing sector, whether it is sold to a sardine plant or used for bait and whether it is landed in Maine or trucked in to Maine from other states or from Canada. This information is obtained from the Maine Sardine Council, processing plants, and National Marine Fisheries Service port agents. Information on landings aboard foreign-owned processing ships are also recorded. These statistics are entered in a computerized database according to area caught, month, and gear type and summarized in an annual report which is completed each spring.

## MARINE RESOURCES

Some of the data in this report are combined with biological information obtained from commercial catch samples and incorporated into an annual assessment of the U.S. herring stock (see following two sections). A total of 34,742 metric tons of herring were recorded as landed in Maine in 1993, an increase of almost 7,000 tons from 1992. Most of the catch was made with purse seines in the central and western sections of the Maine coast, and from Jeffreys Ledge, and was caught between May and November. Herring landed in Maine in 1993 was utilized almost equally to supply the six canneries which are still active, and used as lobster bait. An additional 6,647 tons were processed aboard Russian ships which received permission from the State to purchase herring from U.S. fishermen and to anchor in State waters.

*Herring Sample Processing:* Samples are processed for length, weight, sex, state of maturity, gonad weight, and age composition. All data are compiled for computer entry and archived on disk. The Department of Marine Resources uses information on state of maturity to establish spawning closure dates and uses all the data, together with catch statistics, to perform an annual assessment of stock size by age (see below).

*Stock Assessment & Management:* Resource assessment activities are performed cooperatively with the U.S. National Marine Fisheries Service in Woods Hole, MA and applied through the actions of the Atlantic Herring Technical Advisory Committee which reports to the Atlantic States Marine Fisheries Commission (ASMFC) Sea Herring Section. The Pelagic Fisheries Division leader serves on this committee and is the chairman of the Atlantic Herring Plan Development Team which started work in 1991 on a joint ASMFC/New England Fishery Management Council management plan for the U.S. east coast herring stock. Herring assessment and management information is provided regularly to Maine herring industry representatives who are members of advisory committees at the state and regional levels. Although no formal assessment of the resources was performed in 1993, it remains at an extremely high level of abundance.

*Larval Herring Research:* On-going research to investigate the processes and mechanisms that influence the transport of larval herring from coastal spawning grounds into estuaries and embayments along the coast and factors affecting their survival continued during 1993-94. A second project focused on size and shape characteristics of larval herring otoliths (tiny calcium carbonate structures in the inner ear) as possible indicators of spawning origin.

### *MENHADEN:*

Atlantic menhaden management activities during 1993-94 were conducted through participation in the Atlantic States Marine Fisheries Commission's Atlantic Menhaden Advisory Committee. Advice was provided the Committee concerning how much menhaden could be harvested from the Gulf of Maine for sale to foreign processing ships during 1994 without endangering the resource.

### *NORTHERN SHRIMP:*

*Resource Monitoring:* The shrimp project in 1993-1994 continued monitoring the northern shrimp population in the western Gulf of Maine and conducted research relating to the resource and the fishery. The program this year consisted of four tasks: 1) sampling the Maine commercial shrimp fishery; 2) participating in assessment activities of the Atlantic States Marine Fisheries Commission's (ASMFC) Northern Shrimp Technical Committee (NSTC); 3) analyzing the results of a study of the distribution patterns of shrimp and pre-recruit groundfish inside 50 fathoms between Cape Ann, MA and Schoodic Point, ME, and 4) conducting a second year of cruises related to task #3 as funded by the NOAA Saltonstall/Kennedy Program.

The shrimp fishery sampling program consisted of collecting catch and effort information from shrimp fishermen and biological data from the shrimp catch between Winter Harbor and York Harbor from December 1993 through April, 1994. This information is to be compiled in a data report and will be used in the annual shrimp stock assessment performed by the NSTC. The 1993 NSTC summer shrimp survey consisted of sampling with an otter trawl at randomly selected stations in the western Gulf of Maine using a fine-mesh shrimp research trawl. Estimates of catch per tow and length frequency were made for each station for shrimp and the finfish by-catch. The results of the survey provide the primary information for the annual NSTC northern shrimp assessment that forms the biological basis for managing the Gulf of Maine shrimp stock.

*Research:* A study of the age structure of several species of groundfish and the distribution patterns of shrimp and pre-recruit groundfish inside 50 fathoms between Schoodic Point, ME and Cape Ann, MA was started in 1992. This study is supported in 1992-93 by NOAA's Saltonstall/Kennedy (S/K) Program and the Northeast Fisheries Science Center (NEFSC) at Woods Hole, MA.

The research continued in 1993-94 with a second grant from the S/K Program. The objective of the project is to determine the relative seasonal locations of shrimp and pre-recruit groundfish. This information may allow the inshore shrimp fishery to be managed so as to minimize impact on the groundfish stocks while optimizing the inshore shrimp fishery for gear type and yield.

## MARINE RESOURCES

A third proposal to the S/K Program was prepared and submitted in 1993 and was accepted with support beginning in October, 1994. This project will examine ways to reduce the retention of juvenile finfish and small shrimp that pass through a grate into the cod end of the net during commercial shrimp fishing in the Gulf of Maine.

### ENVIRONMENTAL MONITORING:

The environmental monitoring project provides Department scientists, governmental, university, and consulting researchers, and the public with accurate information on the environmental factors affecting fisheries and coastal resources in the Gulf of Maine. The project continues to monitor atmospheric and oceanographic conditions at the Department's laboratory in Boothbay Harbor, a project begun in 1905.

Currently, observations are recorded for eleven environmental factors: air temperature, barometric pressure, harbor sea surface and bottom temperatures, precipitation, relative humidity, salinity, solar radiation, tide height, wind speed and wind direction are recorded at 15 minute, hourly, and daily intervals. Monthly and annual summaries of the first six factors listed above are distributed to various U.S., Canadian, and state governmental agencies, academic institutions, aquaculture companies, environmental consulting firms, and the news media. In addition, the environmental monitoring project is regularly called upon to provide customized subsets of its eighty-nine year old environmental database or to assist in the acquisition and archival of data sets from other sources.

In 1993, the project was able to return to full operation with the restoration of primary wind and solar radiation sensors using equipment and deployment methods that are virtually identical to those employed before construction of the new laboratory complex.

### Fisheries/Health Division:

#### TOXICOLOGY:

*Paralytic Shellfish Poison (PSP):* Approximately 3,000 PSP assays were conducted in the past FY. Extensive testing of ocean quahogs from the Jonesport area indicated that levels of toxicity exceeded quarantine (80 ug/100 g of tissue) in the month of July and quahogs remained toxic until the end of August. Most of the state remains closed to quahog harvesting due to our inability to certify their safety. The quahog sampling program is supported by a percentage of the quahog tax receipts.

The hepatopancreas of American lobsters from Cutler, Beals, S.W. Harbor and Corea, Maine was examined to investigate the possible risk to public health due to PSP.

*Diuretic Shellfish Poison (DSP):* DSP continues to be a restriction to the marketing of Maine oysters in the Netherlands. Maine is continuing to investigate the best method for monitoring for DSP.

*Annesic Shellfish Poison (ASP: Domoic Acid):* Maine is conducting a limited monitoring program, in cooperation with the USFDA lab in Boston for domoic acid. The USFDA has accepted the interim standard in Canada of 20 ppm of domoic acid. Domoic acid in shellfish continues to present a potential public safety problem. Little is known about temporal and spatial variations in domoic acid concentrations in Maine shellfish, and their overall significance to public health.

### Benthic and Demersal Fisheries Division:

#### MARINE WORM RESEARCH:

The objectives of this program are to understand the biology, ecology and population dynamics of Maine's two commercially harvested baitworms, the sandworm (*Nereis virens*) and the bloodworm (*Glycera dibranchiata*), in order to successfully manage this multimillion dollar resource. The marine worm program's activities for the preceding year can be divided in the following categories: 1) industry requests, problems and concerns; 2) resource data collection; and 3) studies of the life history, ecology, anatomy and physiology of the bloodworm, *Glycera dibranchiata*.

*Minimum Size:* Another issue which has repeatedly surfaced since the inception of the marine worm program 20 years ago is a minimum size requirement for bloodworms as a means of conservation. The possibility of employing size restrictions have been extensively examined numerous times with negative results. For soft-bodied organisms, such as these, it is almost impossible to set and enforce standards since length and weight are salinity dependent. The reproductive strategy of the bloodworm and sandworm must also be considered in management plans of these species. The worms reach a certain age at which they become sexually mature, spawn and die. Neither species spawn more than once. Therefore, regardless of size, if a worm is harvested prior to spawning, which it must for a marketable product, it cannot provide new recruits to the community. Biologically, the size at which the worm is harvested is unimportant. Once it is removed from the population it cannot reproduce. Before any conservation measures can be employed, worm migration and local movement must be determined.

*Landings:* Marine worm landings data and dealer lists are continually updated. The dealer list is of use when people contact DMR regarding where they may purchase worms.

## MARINE RESOURCES

**Other Research:** Numerous public inquiries about the worm industry and how it functions have been answered. Lectures have been delivered to student and other groups on DMR's worm research.

**Mussel Seed Conservation and Management:** As part of the DMR mussel regulations (Chapter 12), Seed Mussel Conservation Areas have established in the following locations: Jordan River, Trenton/Lamoine; West Bay, Gouldsboro; Narraguagus Bay, Milbridge/Harrington; and Harrington River, Milbridge/Harrington. The purposes of the conservation program are to provide a consistent source and supply of quality seed mussels for grow-out on leased bottom sites, and lend insight into the relationship of percent of crop removal and occurrence of seed sets. Each year, the conservation areas, which represent a large mussel population and demonstrated consistent seed sets, are assessed for determination of mussel size, density, standing crop, and environmental conditions. An aerial photography/computer digitizer method, used in conjunction with mussel samples collected at the areas, are utilized for determining an estimate of volume of mussel stocks at the sites. Additionally, harvesting permits are issued through the seed harvesting permit system. By monitoring the volume of seed mussels harvested and preventing the complete removal of the standing crop, thereby encouraging future seed sets, DMR intends to provide long-term conservation and management of these productive areas.

**Groundfish Ecology:** A project entitled ecology of groundfish along the coast of Maine continued during this last year. The project is supported by state monies and federal funds made available through the Sportsfish Restoration Act. The project is a five year program with a series of different jobs. These jobs include: 1) Sea sampling on charter sports fishing boats, 2) Compilation of data from the Gulf of Maine on groundfish spawning grounds, location of these grounds and information on the fecundity of the various species of fish, 3) Documentation of the occurrence of juvenile fish along the coast and 4) Mapping selected fishing grounds, in conjunction with the Maine Geological Survey, using sidescan sonar.

**Collection of Landings Data:** DMR's port agent coordinated data collection, the compilation of fisheries landings information, and the collection of biological herring samples, with the National Marine Fisheries Service (NMFS) port agents in Rockland and Portland. The DMR's port agent collected commercial fisheries landings data from dealers and other commercial sources in Knox, Waldo, and Hancock Counties. Data collection sources are reviewed annually and updated.

The exchange of commercial landings information is beneficial to both the state and federal government. Landings information collected by DMR and NMFS are integrated in the formation of the Maine Landings report. This report aids the fishing industry in making plans for expansion based upon what future marine species might be available for commercial harvest. The landing information is also used in deriving state-federal matching funds available for research needs.

**Green Sea Urchin Study:** A fishery for green sea urchin *Stronglyocentrotus droebachiensis* has expanded rapidly in Maine since 1987. Landings and value have increased from 1,440,161 lbs. valued at \$236,391.00 (1987) to 41,073,687 lbs. valued at \$26,519,733 (1993). This intense fishery nearly equals lobsters in lbs. landed and ranks second in landed value. Growing concern that the fishery was in need of regulation, prompted the Department of Marine Resources to initiate a sea urchin literature search which would yield information pertinent to the management of this important fishery. Management regulations were initiated through a task force consisting of Department and industry representatives (dealers, processors, divers, draggers) and numerous regulations have been implemented to date. These regulations include: 1) a licensing requirement for hand harvesters, draggers, and boat tenders; 2) limited entry—a freeze in the purchase of hand and dragging licenses during 1994, 1995, 1996, 1997, 1998; 3) a substantial surcharge associated with the purchase of all sea urchin license fees; 4) a 2-inch size restriction (with 10% tolerance); 5) no night harvesting; 6) the development of 2 harvest zones with a staggered 4-1/2 month closed season in each zone; and 7) a requirement that buyers and processors must maintain log books. It is anticipated that increased license revenues will generate about \$400,000 for research. The lack of research positions to conduct this vital research within the Department of Marine Resources will probably necessitate the contracting of sea urchin research to outside sources. Presently, a \$19,000.00 program involving sea urchin law enforcement research is underway.

### PUBLICATIONS:

The Marine Resources Laboratory operates a "Fishermens Library" as part of their overall library facilities. Books and articles on various aspects of fishing are available on a library loan basis to the general public.

## MARINE RESOURCES

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF MARINE SCIENCES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,635,997	799,476	398,605		437,916	
Health Benefits	191,550	91,561	51,433		48,556	
Retirementss	264,685	126,994	66,883		70,808	
Other Fringe Benefits	13,364	5,763	3,196		4,405	
Other Contract Services—State	48,841	11,311	17,691		19,839	
Computer Services—State	12,089	1,998	4,956		5,135	
Other Contractual Service	525,880	194,637	184,756		146,487	
Rents	26,547	10,577	13,752		2,218	
Commodities	238,592	130,446	52,159		55,987	
Grants—Subsidies—Pensions	50,321	16,452	31,986		1,883	
Building Improvements	42,254	7,295	672		34,287	
Interest—Debt Retirement	2,044	1,157	826		61	
Transfer to Other Funds	27,456		13,756		13,700	
<b>TOTAL EXPENDITURES</b>	3,079,620	1,397,667	840,671		841,282	



## DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

SUE W. DAVENPORT, COMMISSIONER

JAMIE P. MORRILL, Associate Commissioner, Programs

RONALD R. MARTEL, Associate Commissioner, Administration

*Central Office:* State Office Bldg., Augusta; *Floor:* 4

*Telephone:* 287-4200

*Mail Address:* Statehouse Sta. #40, Augusta, Maine 04333

*Established:* 1939

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 191; Citation: 34B M.R.S.A., Sect. 1201

*Average Count—All Positions:* 2,112.5

*Legislative Count:* 1,073.5

*Organizational Units:*

Affirmative Action Office  
Bureau of Children with Special Needs  
Developmental Disabilities Office  
Division of Mental Health  
Division of Mental Retardation  
Office of Advocacy

Aroostook Residential Center  
Augusta Mental Health Institute  
Bangor Mental Health Institute  
Bath Children's Home  
Elizabeth Levinson Center  
Pineland Center

**PURPOSE:** The Department of Mental Health and Mental Retardation was established to enhance the quality of life for persons with mental illness and developmental disabilities by helping them to meet their needs for personal, social, educational, vocational and economic development, to enable them to function at maximum levels of potential and maintain their dignity as human beings and citizens in a free society; and to profit from the variety of options open to all citizens of the State of Maine.

Its mission is to support and empower individuals and families to enjoy an improved quality of life through effective stewardship of public resources.

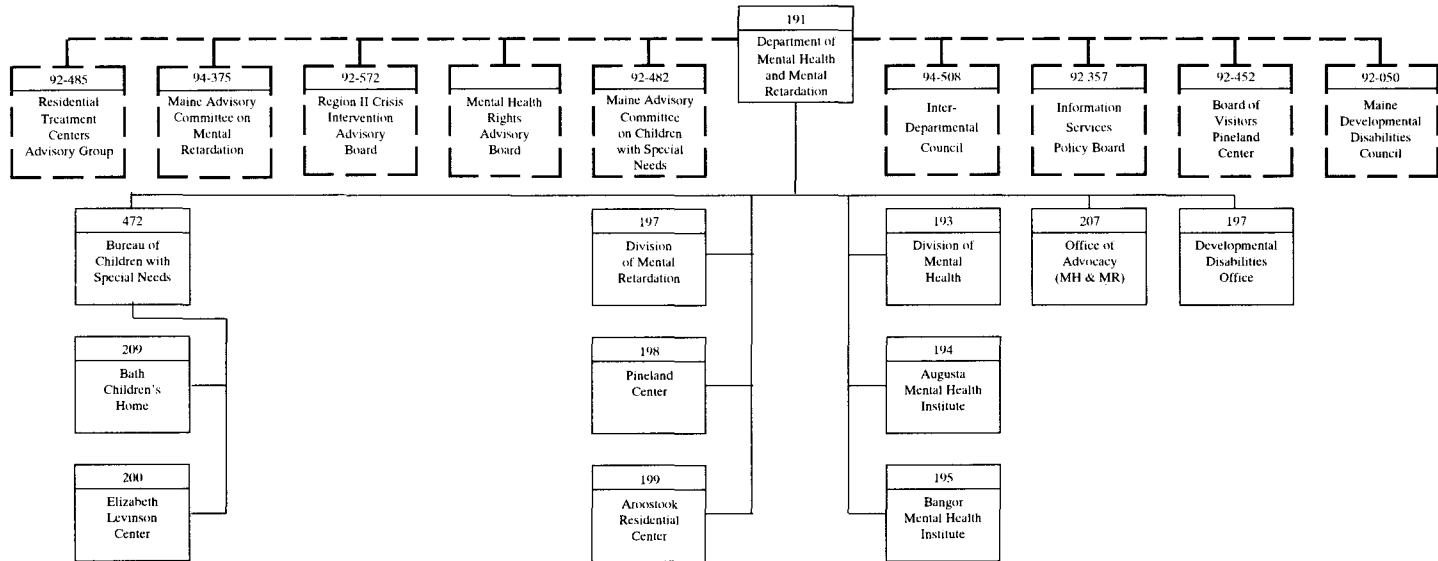
The primary responsibilities of the Department are to develop, operate and provide a broad spectrum of facilities, programs, direct services and advocacy services for persons under its jurisdiction. The Department also exercises general supervision, management of research, quality assurance and planning, grounds, buildings and property, employees and patients of the State institutions within its jurisdiction.

**ORGANIZATION:** The Department of Mental Health and Mental Retardation was established in 1939 as the Department of Institutional Services. Its present composition and designation evolved out of the development of a separate Department of Corrections by the Legislature in 1981. Intradepartmental divisions provide for the general administration, planning and management of Mental Health, Mental Retardation and Children's Services as required by statute. Additionally, the Legislature has established a number of advisory committees and councils that serve in an adjunct capacity to provide public input to the department's planning and decision-making processes.

Within the central administration the Commissioner provides the overall policy direction to each division, bureau and facility and the department's management infrastructure; the Associate Commissioner for Programs provides planning and policy direction for programs and services offered through the Department's Divisions, Bureaus and institutions or contracted for through private agencies. The Associate Commissioner for Administration is responsible for all of the department's financial affairs as well as personnel and employee relations.

**PROGRAM:** Specific program information pertaining to FY 94 is included in separate reports prepared by the Department's subdivisions.

# **ORGANIZATIONAL CHART** **DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION** **UMB 14**



MENTAL HEALTH AND MENTAL RETARDATION

Approved by the Bureau of the Budget

# MENTAL HEALTH AND MENTAL RETARDATION

## CONSOLIDATED FINANCIAL CHART FOR FY94 DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	55,201,442	37,478,976	17,345,026		377,440	
Health Benefits	6,548,836	4,587,623	1,925,189		36,024	
Retirementss	9,966,282	6,865,823	3,034,428		66,031	
Other Fringe Benefits	658,507	449,951	204,768		3,788	
Other Contract Services—State	2,895,132	1,318,223	1,425,810		151,099	
Computer Services—State	42,818	27,188	15,630			
Other Contractual Service	4,593,348	3,367,533	1,101,790		124,025	
Rents	482,083	266,625	214,830		628	
Commodities	4,338,508	2,716,268	1,590,370		31,870	
Grants—Subsidies—Pensions	72,767,722	67,903,266	1,095,138		3,636,043	133,275
Purchase of Land	146,292	141,022	5,270			
Building Improvements	179,124	79,259	99,865			
Interest—Debt Retirement	23,945	16,605	7,340			
Transfer to Other Funds	324,553	114,987	199,733		9,833	
<b>TOTAL EXPENDITURES</b>	<b>158,168,592</b>	<b>125,333,349</b>	<b>28,265,187</b>		<b>4,436,781</b>	<b>133,275</b>

## MENTAL HEALTH AND MENTAL RETARDATION

### LICENSES, PERMITS, ETC.:

#### License:

Acadia Healthcare, Inc.  
Acadia Hospital-Aspenledge  
Alternate Choice  
Amity Center  
Androscoggin Home Health  
Area IV—100 Pine Street  
Aroostook Mental Health Center  
Bath-Brunswick Mental Health Association  
Blanchard & Assoc.  
Catholic Charities of Maine  
(Holy Innocents, St. Michaels, Marriage & Family Counseling and  
CC/ME Community Support Services)  
Charlotte White Center  
City of Portland  
Community Counseling Center  
Community Health & Counseling Services  
Counseling Services, Inc.  
Creative Health Foundation  
Crisis and Counseling Centers, Inc.  
Drug Rehab/Day One  
Families United of Washington County  
Goodwill Industries  
Home Counselors, Inc.  
Ingraham Volunteers  
Institute of Spontaneity  
Kennebec Valley Medical Center  
Kennebec Valley Mental Health Center  
Kennebec Valley Regional Health Agency  
Kids Peace National Center for Kids in Crisis  
Medical Care Development  
Mid-Coast Mental Health Center  
Motivational Services, Inc.  
North American Family Institute  
Northeast Occupational Exchange  
OHI—Three Hudson  
Portland Help Center  
Project Atrium  
R.A.F.T.S.  
Rumford Group Home  
Rural Health Partners  
St. Mary's Hospital/Sisters of Charity Health System, Inc./Genesis R.T.F.  
S.A.D. 15: #31 Treatment Program  
Shalom House, Inc.  
Smith House Inc.  
Spurwink — CSL  
Sweetser Children's Services — CSL  
Together Place, Inc.  
Tri-County Mental Health Services  
Washington County Psychotherapy Associates  
YWCA  
York County Shelter  
Youth Alternatives  
Youth & Family Services, Inc.

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from Department accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## MENTAL HEALTH AND MENTAL RETARDATION

DEPARTMENT OF MENTAL HEALTH & MENTAL RETARDATION (Chief Administrative Unit)	TOTAL FOR		Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS	General Fund				
<b>EXPENDITURES</b>						
Salaries and Wages	2,710,191	2,710,191				
Health Benefits	267,572	267,572				
Retirements	464,049	464,049				
Other Fringe Benefits	23,042	23,042				
Other Contract Services—State	140,002	140,002				
Computer Services—State	8,544	8,544				
Other Contractual Service	468,981	468,981				
Rents	21,642	21,642				
Commodities	40,343	40,343				
Grants—Subsidies—Pensions	48,942	48,942				
Interest—Debt Retirement	2	2				
<b>TOTAL EXPENDITURES</b>	<b>4,193,310</b>	<b>4,193,310</b>				

### OFFICE OF ADVOCACY (MH & MR)

RICHARD A. ESTABROOK, ESQ., CHIEF ADVOCATE

*Central Office:* State Office Bldg., Augusta; *Floor:* 4

*Telephone:* 287-2205

*Mail Address:* Statehouse Sta. #60, Augusta, Maine 04333

*Established:* 1975

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 207; Citation: 34-B M.R.S.A., Subsec. 1205

*Average Count—All Positions:* 13.5

*Legislative Count:* 13.5

**PURPOSE:** The Office of Advocacy is established within the Department of Mental Health and Mental Retardation to investigate the claims and grievances of clients of the Department. The Office also advocates for compliance with all laws, administrative rules and regulations, and institutional and other policies relating to the rights and dignity of these clients, and acts as a monitor of restrictive and intrusive treatments. In addition, the Office of Advocacy is designated investigatory agent of the Department under the mandate of the Adult Protective Services Act (22 M.R.S.A., Sect. 3470 *et seq.*).

**ORGANIZATION:** Presently Pineland has 1.5 advocate positions, AMHI has 2, and BMHI has 1. In addition there are 7 community advocate positions for persons with mental retardation who reside in the community. One community advocate also serves persons at the Levinson Center. There is also one advocate serving clients of the Bureau of Children with Special Needs. One chief advocate supervises all of the advocates.

The community advocates and the advocates at Pineland: (1) investigate allegations of abuse exploitation, and neglect pertaining to persons with mental retardation; (2) approve and monitor the utilization of aversive behavior modification plans both at Pineland and in the community; (3) represent clients at inter-disciplinary team meetings at which programs for treatment, services, goals and habilitation are planned, developed, and recorded; (4) seek ways to implement and enforce the rights of persons with mental retardation under the Community Consent Decree, state law, and federal law; and (5) review policies and actions of the Bureau's regional offices and at Pineland and suggest ways to deliver high quality care to persons with mental retardation.

The three advocates based in the state's two major mental health institutions (1) investigate allegations of abuse, exploitation, and neglect; (2) assist in the investigation, prosecution, and resolution of patient grievances; (3) attend treatment team meetings to aid in having the patient's treatment desires met; and (4) review and suggest policies and practices which encourage humane care. In addition, the advocates at AMHI advocate for compliance with the provisions of the AMHI Consent Decree.

The Office of Advocacy administers a contract under which civil legal services may be provided to clients and patients of the Department.

## MENTAL HEALTH AND MENTAL RETARDATION

**PROGRAM:** The Office of Advocacy has provided assistance or information to upwards of 2,000 people with mental health difficulties and/or mental retardation through investigations of alleged abuse, review of aversive programming, representation of clients at Interdisciplinary Team Meetings, and Pupil Evaluation Team meetings. The Office has been actively involved in the implementation of the AMHI Consent Decree and regulations assuring mentally ill patients' rights, and actively enforces those rights. The office is also actively involved in the enforcement of the Community Consent Decree, which is a modernized version of the old Pineland Consent Decree. A major goal of the Office is to be able to provide to the Department suggestions which will not only impact upon individual client's lives, but will also aid the Department and clients in general through helpful systematic changes.

### **PUBLICATIONS:**

Pineland Center Clients' Rights Handbook—free from Advocate, Pineland Center, Box C, Pownal, Maine 04069.

Patients' Rights at Augusta Mental Health Institute—free from Patient Advocate, Augusta Mental Health Institute, P.O. Box 74, Augusta, Maine 04330.

Patient Rights at Bangor Mental Health Institute (in French/English)—free from Patient Advocate, Bangor Mental Health Institute, P.O. Box 926, Bangor, Maine 04401.

Rights of Recipients of Mental Health Services, free, obtainable from the Chief Advocate, State House Station #40, Augusta, Maine 04333, or any of the advocates in the mental institutions.

Copies of the AMHI Consent Decree and the Pineland Consent Decree, free, obtainable from Chief Advocate, State House Station #40, Augusta, Maine 04333.

The Office of Advocacy and each individual advocate working for the Office of Advocacy maintains a substantial library of information regarding clients' rights. These materials are available for on-site use and in many cases are available for loan to individuals involved in service provision for clients of the Department of Mental Health & Mental Retardation.

In addition copies of all documents and laws referred to in the Department's regulations, "Rights of Recipients of MH Services," are available for inspection at each office of an advocate with the Office of Advocacy.

**FINANCES, FISCAL YEAR 1994:** The following financial displays were generated from Department accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF ADVOCACY (MH&MR)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	412,701	412,701				
Health Benefits	48,114	48,114				
Retirements	74,075	74,075				
Other Fringe Benefits	4,971	4,971				
Computer Services—State	25	25				
Other Contractual Service	24,010	24,010				
Commodities	430	430				
Grants—Subsidies—Pensions	1,821	1,821				
<b>TOTAL EXPENDITURES</b>	566,147	566,147				

## MENTAL HEALTH AND MENTAL RETARDATION

### AROOSTOOK RESIDENTIAL CENTER

TERRY L. SANDUSKY, M.S., DIRECTOR

*Central Office:* Lombard St. Ext., Presque Isle  
*Mail Address:* Box 1285, Presque Isle, Maine 04769

*Telephone:* 764-4104

*Established:* 1972

*Sunset Review Required by:* June 30, 1994

*Reference: Policy Area:* 03; *Umbrella:* 14; *Unit:* 199; *Citation:* 34-B M.R.S.A., Sect. 5403

*Average Count—All Positions:* 21.0

*Legislative Count:* 21.0

**PURPOSE:** The primary purpose of the Center is to provide residential services and behavioral training aimed at increasing functional independence to help the adult client learn to live in the mainstream of society.

Specific objectives include the provision of the following:

- A. Respite care to families who are in need of either temporary or emergency placement of their family member with mental retardation or autism in the Center's two (2) available respite care beds;
- B. Transitional programming for Pineland Center residents;
- C. Transitional programming for all residents from more restrictive residential environments to less restrictive residential placements;
- D. Independent living training to help individuals live in their own apartments; and
- E. Basic teaching activities in such areas as daily living skills, basic household cleanliness, personal hygiene, individual and group social and recreational skills and overall community socialization.

**ORGANIZATION:** The Aroostook Residential Center began operation in October 1972.

Pre-admission evaluations are conducted by the regional office of the Division of Mental Retardation with final screening conducted by the facility's Admissions Committee. Decisions to admit are based on specific program recommendations developed through a multi-disciplinary approach. All admissions require certification of eligibility for intermediate care facility for mentally retarded services after twenty-one (21) days.

Following admission, the resident is assigned a specific staff member who is responsible for the implementation of the resident's individual program plan. Quarterly monitoring and staff reviews are conducted to assess program effectiveness. Modification of the resident's program is made as the need arises and implemented by Center staff.

A professional experienced in mental retardation program administration directs the activities of the direct service staff and coordinates resident related activities between the Center and community agencies. The direct service staff provide primary support and instruction to each resident.

**PROGRAM:** The Center operates on a 24 hour per day/seven days per week basis. Residents must be 18 years or older and experiencing behavioral adjustment difficulties.

The Center has also focused on enhancing its behavior management capabilities. Contracts for expanded professional services, i.e., psychology, speech therapy, occupational and physical therapy, give the staff significant consultative support. As a result, the Center has been able to manage more difficult and complicated behavior.

Compliance with the standards for licensure as an intermediate care facility for the mentally retarded provides the initiative for developing a more intensive behavior stabilization program. Additional Federal revenues to the general fund generated as a result of the operation of a seven-day program equals approximately 50% of the Center's operating costs.

These services have helped to stabilize requests for Pineland Center admissions by providing services to Aroostook County residents closer to home, thus avoiding down state placement. Other Contract Services—State

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## MENTAL HEALTH AND MENTAL RETARDATION

AROOSTOOK RESIDENTIAL CENTER	TOTAL FOR					
	ALL	General	Special	Highway	Federal	Misc.
	FUNDS	Fund	Revenue Funds	Fund	Funds	Funds
<b>EXPENDITURES</b>						
Salaries and Wages	481,140	481,140				
Health Benefits	51,607	51,607				
Retirements	92,464	92,464				
Other Fringe Benefits	5,448	5,448				
Other Contract Services—State	107,701	107,701				
Other Contractual Service	51,696	51,696				
Rents	5,335	5,335				
Commodities	53,187	53,187				
Grants—Subsidies—Pensions	6,904	6,904				
Building Improvementss	4,051	4,051				
Interest—Debt Retirement	35	35				
<b>TOTAL EXPENDITURES</b>	<b>859,568</b>	<b>859,568</b>				

## AUGUSTA MENTAL HEALTH INSTITUTE

LINDA BRESLIN, SUPERINTENDENT

*Central Office:* Hospital Street, Augusta

*Telephone:* 287-7200

*Mail Address:* Box 724, Augusta, Maine 04330

*Established:* 1834

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 194; Citation: 34-B M.R.S.A., Sect. 3201

*Average Count—All Positions:* 615

*Legislative Count:* 64

### *Organizational Units:*

Admission Units—North and South  
Pre-Discharge Units—North and South  
Forensic Treatment Unit  
Alternate Living Program (Forensic)  
Geropsychiatric Unit  
Senior Rehabilitation Unit  
Office of Information Services

Staff Development  
Hospital and Business Services  
Health Sciences Library  
Professional Departments  
Psychiatry, Nursing, Social Work  
Psychology, Rehabilitation Services  
Chaplaincy

**PURPOSE:** The Augusta Mental Health Institute is mandated to treat adults who require intensive 24-hour psychiatric services from the following counties: Androscoggin, Cumberland, Franklin, Kennebec, Knox, Lincoln, Oxford, Sagadahoc, Somerset, Waldo and York. All services are provided without regard to race, creed, color, sex, national origin, ancestry, age, physical handicap or ability to pay.

The Augusta Mental Health Institute is the only facility, for these counties, mandated and equipped to provide care and treatment in a hospital setting to the following categories of patients: those who require involuntary hospitalization; those who require a secure setting; those who require extended periods of inpatient treatment and/or rehabilitation; those committed under the criminal statutes for observation, care and treatment; and those who require certain highly specialized programs not available elsewhere. The demand for mandated services is such that every effort is made to divert voluntary admissions to more appropriate settings in an effort to assure suitable accommodations for those most in need. In some cases, the lack of appropriate community alternatives requires that Augusta Mental Health Institute accept additional acute patients on a voluntary basis.

**ORGANIZATION:** The Augusta Mental Health Institute was established in 1840 as the Maine Insane Hospital, and was the only public mental hospital in Maine until the opening of a second hospital in Bangor in 1901. In 1913, its name was changed to Augusta State Hospital and in 1973 to its present designation. Throughout most of its history the Institute provided the only public mental health services, except for the Veterans' Administration Hospital, to the people of southern and central Maine. The



## MENTAL HEALTH AND MENTAL RETARDATION

development of the community mental health centers in the 1960's resulted in a redefinition of the Institute's role. It stands today as a necessary and valuable part of the comprehensive mental health system which provides a broad range of services to Maine residents.

The Augusta Mental Health Institute is organized on a system of functional treatment units in order to meet, as effectively and efficiently as possible, the needs of mental health consumers in the counties previously mentioned. Each of the functional units is responsible for the total treatment and rehabilitation of its patients:

Each unit team is led by a physician who oversees treatment plan development, implementation and delivery of care, as well as providing clinical services for which the physician is privileged. A Nurse Manager organizes daily care of patients and oversees professional practice of nursing staff, including the practice of Mental Health Workers. A member of the professional staff (either Social Worker, Psychologist, Nurse or Rehabilitation Counselor) is assigned to each patient as the patient's coordinator of care (Team Coordinator). It is that person's responsibility, under the direction of the Physician, to coordinate the delivery of services on behalf of the specific patients assigned to them and to facilitate the patient's return to community life and treatment when that is indicated.

- A. **Admissions Units:** These two 24-bed units are geographically linked to specific parts of the state within AMHI's catchment area with the intent that smooth transition between the hospital and the community will be achieved. The admissions units provide timely assessment and treatment of patients so that their psychiatric stability is achieved to the degree that they are no longer imminently dangerous to self or others. The primary goal is that patients will have an understanding of the nature of their illness or conditions that led to their admission. Further, it is hoped that patients will have an understanding of the treatments being utilized. The final goal of the unit is that patients will be linked to community treatment and supportive services when symptoms that necessitated admission have been relieved.
- B. **Pre-Discharge Units:** As patients near a 30-day length of stay, if continuation of hospitalization is expected, a patient may be transferred to that Admission Unit's partner unit (Pre-Discharge) so that active treatment and discharge planning can continue. The Pre-Discharge Units have additional goals of enhancing practical skills which will enable people to expand the possibilities for active participation in community life when discharge from the hospital occurs.
- C. **Social Learning Program:** This program serves patients whose psychiatric illnesses have been severe and persistent, and who do not currently possess the skills of living which would make community placement a viable option in the immediate future. These patients require specialized treatment interventions to address these deficits. They are not in the main a current danger to either themselves or others. The goal of this program is the achievement of more independent living outside of the hospital. The treatment environment replicates aspects of community life so that skills can be acquired with the support of the hospital's professional staff which will lean toward community placement.
- D. **Geropsychiatric Units:** This program structure is a "medical-therapeutic community model." The therapeutic functions of such a model include support, validation, involvement, containment and structure. This model, when flexibly implemented, results in a biopsychosocial treatment approach. It promotes a safe environment and reality testing, with staff creating the necessary structure.
- E. **Forensic Treatment Unit:** This 27-bed unit is divided into a 6-bed maximum security section and a 21-bed medium security section. The 6-bed section serves as an admission area, as well as providing short-term intensive diagnostic and treatment services in a secure setting for individuals referred from the courts for observation, care and treatment. This section also accommodates civil admissions from State and County correctional facilities. Those found Not Criminally Responsible by Reason of Mental Disease or Defect (NGRI's) or Incompetent to Stand Trial are generally treated on the medium security area unless otherwise indicated.
- F. **Senior Rehabilitation Unit:** This program provides holistic primary health services for older patients in need of intermediate or skilled nursing home levels of care. The long-term health services of the Unit are aimed toward the promotion, maintenance and restoration of optimal physical, mental, social and spiritual function, with emphasis on maximum independence in activities of daily living and maintaining life with dignity and comfort. In addition to medical factors, psychological issues, patient and family preferences, psychosocial issues and ethical principles of health care are addressed.
- G. **Centralized Service Departments:** All disciplines are departmentally organized, their personnel being assigned by the department head to specific treatment units on a regular basis or for

## MENTAL HEALTH AND MENTAL RETARDATION

time-limited, specific functions or tasks. Psychiatry, Social Work, Psychology, Nursing, Rehabilitation and Medical Clinic personnel are assigned to specific units as regular daily members of the treatment team, subject to review of their privileges or ability to practice. Chaplaincy, Dentistry, Laboratory, Pharmacy, Radiology, Physical Therapy, Nutrition, as well as administrative and physical plant support are all provided from a centralized staff or by contractual arrangements and assigned to units or patients as required. In addition, an extensive Staff Development Program is provided for all staff and a Learning Resource Center provides patient-focused library/rehabilitation services. A centralized vocational team provides assessment, referral and some job coaching capacity. Finally, a Dual Diagnosis Program provides inpatient support for patients who experience substance abuse related problems in addition to psychiatric illness.

**PROGRAM:** During FY 1994, Augusta Mental Health Institute moved ahead with a major Total Quality Management initiative. This has involved refocusing the quality program toward looking at major organizational processes that require improvement. Currently, a number of Process Action Teams (PATs) are functioning to address these major areas with staff involvement from all levels of the organization.

Along with the TQM initiative has been a major emphasis on development of a revised mission, vision and set of guiding principles. This process began with a staff retreat and at this point has involved input from hundreds of staff who have reviewed the written documents. The goal of this process is that programs and consequent resource allocation will closely follow the stated mission and vision.

AMHI's current census capacity is at 206. Downsizing during FY 94 has centered on the Nursing Facility which currently has 20 residents. These residents should all have successful community placements by this fall of 1994, and AMHI will no longer continue operating a Nursing Facility.

With regard to accreditation, licensing and certification, AMHI successfully completed Medicare certification for its 3 admitting areas with a total of 64 beds. Full State Licensure was retained throughout this period and preparation is being made for the triennial JCHHO visit anticipated in the fall of 1994.

Other initiatives this year have involved increased collaboration with community providers as efforts are made to place patients who have been hospitalized for a number of years. Working with the Division of Mental Health, AMHI supports movement among community-based hospitals in the region to develop involuntary inpatient capacity which ultimately may permit AMHI to greatly reduce acute services.

Because of the variety of programs offered at AMHI, we function as an important teaching resource for physicians, psychologists, social workers, nurses, occupational/recreational therapists, as well as for students in other health related areas. Formal educational programs include Grand Rounds, which brings in nationally known experts, as well as State and local presenters to provide a fresh and stimulating professional environment. This combines with AMHI's secondary function as a site for presentations sponsored by the Department of Mental Health and Mental Retardation, as well as providing a meeting site for the Maine State Alliance for the mentally ill, which encourages and strengthens that very productive relationship with families of the mentally ill.

As FY 95 begins, AMHI is poised to engage in collaborative partnerships with its multitude of customers, including consumers, families, community providers, legislators and the public in general. This approach is one more step toward development of a comprehensive integrated mental health system as envisioned under the Consent Decree and Settlement Agreement.

### **LICENSES, PERMITS, ETC.:**

- CNA Certification
- NAPPI Certification
- CPR Certification

### **PUBLICATIONS:**

- 1) "Guide"
- 2) Program Description Brochure
- 3) Mission Vision, Valuer Pamphlet
- 4) Introduction to Quality Improvement
- 5) Tools for Improving Quality and Introduction to Statistical Process Control

## MENTAL HEALTH AND MENTAL RETARDATION

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

AUGUSTA MENTAL HEALTH INSTITUTE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	16,692,042	7,156,466	9,535,576			
Health Benefits	1,886,807	842,661	1,044,146			
Retirements	3,002,967	1,326,659	1,676,308			
Other Fringe Benefits	223,129	102,000	121,129			
Other Contract Services—State	947,525	124,558	822,967			
Computer Services—State	15,957	4,848	11,109			
Other Contractual Service	1,196,011	554,832	641,179			
Rents	224,448	88,177	136,271			
Commodities	1,380,251	581,497	797,763		991	
Grants—Subsidies—Pensions	904,165	450,512	453,653			
Purchase of Land	132,892	132,892				
Building Improvements	44,662	16,805	27,857			
Interest—Debt Retirement	22,034	15,186	6,848			
Transfer to Other Funds	115,060	46,055	68,997		8	
<b>TOTAL EXPENDITURES</b>	26,787,950	11,443,148	15,343,803		999	

### BANGOR MENTAL HEALTH INSTITUTE N. LAWRENCE VENTURA, SUPERINTENDENT

*Central Office:* Hogan Road, Bangor  
*Mail Address:* Box 926, Bangor, Maine 04401

*Telephone:* 941-4000

*Established:* 1885

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 195; Citation: 34-B M.R.S.A., Sect. 3201

*Average Count—All Positions:* 569.5

*Legislative Count:* 99.5

*Organizational Units:*

Institute Services

Rehabilitative Services

Personnel

Quality Assurance

Adult Psychiatric Program

Program on Aging

**PURPOSE:** Bangor Mental Health Institute provides patient-centered multi-disciplinary treatment, habilitation and rehabilitation to adults with psychiatric illness severe enough to require psychiatric hospital services and for whom no alternative treatment setting is available.

Our service area is eastern and northern Maine. We value and strive to:

- Empower and facilitate patients toward personal growth, goal setting and effective functioning.
- Empower and facilitate all staff toward professional growth and increased job satisfaction.
- Respect individual rights and dignity.
- Continually improve the services we provide.

The Bangor Mental Health Institute is part of a comprehensive system of mental health services in Northern and Eastern Maine which includes community mental health centers with multiple branch offices, community hospitals and private providers. It is the only hospital serving two-thirds of the state's geographic area that provides services for those mentally ill patients who cannot be managed in less restrictive settings, such as community mental health outpatient programs and community hospital inpatient programs, boarding homes, or nursing homes.

## MENTAL HEALTH AND MENTAL RETARDATION

**ORGANIZATION:** The Bangor Mental Health Institute was established in 1901 as the Eastern Maine Insane Hospital. In 1913, it was redesignated the Bangor State Hospital, and in 1931, was placed within the Department of Health and Welfare. In 1939, the Hospital was placed under the Department of Institutional Service, now the Department of Mental Health and Mental Retardation. Its present name was established by the Legislature in 1973.

The Bangor Mental Health Institute is a 232-bed psychiatric hospital with 569.5 full-time equivalent staff positions authorized. The Institute is organized by specific functional treatment programs with 12 in-patient wards (units), two halfway houses and a Day Hospital.

The Institute is organized by specific functional treatment programs, with 11 inpatient wards (units) and 2 Halfway Houses. The Adult Psychiatric Program consists of 147 beds which are located in 8 residential programs organized into 4 units. Those units include an Admission Unit which provides short term acute care and crisis management. The units K1, K2, K3, and C2 are for longer term patients and are organized in a leveling system in accordance with the patients' level of functioning and programs developed to address those needs. The Halfway House program provides transitional living services for patients preparing to leave the Institute. The Forensic Program (ward) provides treatment for persons found innocent by reasons of mental disease, as well as persons admitted from jails and correctional facilities (Ward C3).

Additionally, the Community Link and Support Program (CLASP) provides transitional treatment and rehabilitation programs to address the needs of the long term chronic, dependent patient attempting reentry to community agencies, as well as intensive medication/psychiatric services for those transitioning patients who require a level of care not available in the community. There are approximately 60 patients utilizing this service, the vast majority of whom are out of the hospital and living in the community.

The Program on Aging provides psychiatric treatment and rehabilitation for 110 (85 inpatients and 25 outpatients) elderly, mentally ill patients, close to half of the total population of Bangor Mental Health Institute. This program holds a unique position in the health care community due to its ability to provide both acute and long-term care for the mentally and physically ill aged of eastern and northern Maine. It is accredited by JCAHO as a psychiatric program and portions are licensed by the Department of Human Services as a psychiatric hospital (68 beds) and skilled nursing care facility (17 beds).

The inpatient population consists of elderly patients in these categories: a) psychiatric patients needing acute care and treatment; b) psychiatric patients requiring long-term care and rehabilitation; c) organically impaired patients needing behavioral management throughout the progressive course of illness; d) physically, chronically ill patients with significant nursing care needs whose behavioral problems cannot be managed in other settings. All patients in the Program on Aging carry a psychiatric diagnosis, and most also have diagnosed physical conditions requiring nursing services.

Individual and group treatment programs emphasize normalization of social roles, acquisition of adaptive coping mechanisms, and skills learning. This is represented by patient growth in a wide range of behaviors, from mere participation in one's personal hygiene to homemaking skills and leisure time activities. All treatment teams are composed of members of five basic disciplines (psychiatry, nursing, social work, psychology, and recreation therapy). As a patient's needs require, all of the rehabilitation disciplines and dietary are represented on the teams. The patient/guardian, and with permission, the patient's family are also members of the treatment planning team.

The inpatient programs within the Program on Aging are organized into four functional units, from highest to lowest level. There are three wards (50 beds) which are licensed as a psychiatric hospital and three wards (50 beds) licensed as a nursing facility. The **Gero-PSYCH ASSESSMENT AND TREATMENT UNIT** (P-4—18 beds) is the unit by which most patients come to the Program on Aging. The focus on this unit is to provide comprehensive assessment by the full treatment team and to accomplish short term treatment and return to the preadmission environment. The **THERAPEUTIC COMMUNITY UNIT** (P-8 and P-9) is designed for patients who are primarily ambulatory and capable of self-care, who need longer term treatment for their active psychiatric problems. These are the psychiatric hospital units. The **ADAPTIVE LIVING SKILLS UNIT** (P-10) is designed for patients who have Alzheimer's Disease or other dementias and who need assistance and supervision in activities of daily living and a special environment to maintain or improve their level of functioning. The **PSYCHO-SOCIAL NURSING HOME UNIT** (P-3 and P-6) is designed and staffed for patients with severe and prolonged mental illness and coexisting physical illnesses requiring significant amounts of hands-on care and psycho-social nursing to meet their basic treatment needs. Many have late stage dementias. A few have spent nearly all of their adult life in a psychiatric hospital. These two units are licensed as nursing facility units.

The Program on Aging Day Hospital serves up to 25 or 30 out-patients from the greater Bangor area. The purpose of this program is to reduce demand for inpatient beds by providing day time treatment

## MENTAL HEALTH AND MENTAL RETARDATION

programs for patients at risk of hospitalization and for patients transitioning out to community living, but who require the continued treatment during the initial phases of community living. Program on Aging professional staff provide clinical consultation to the Citizens Interest Group Finson Road Group Home, an eight bed boarding care facility for former Program on Aging patients and people 65 and over who are at risk of psychiatric hospitalization.

The Program is fortunate this year to have recruited and hired a geriatric psychiatrist, Dr. Christine Emigh. We are looking forward to serving the special needs of this growing segment of the population.

Major clinical departments providing clinical and administrative services are Office of the Superintendent, the Office of the Clinical Director, including psychiatrists and other medical specialists and consultants; the Department of Nursing, including Nursing Education; the Department of Psychology, and the Department of Social Work and Rehabilitative Services which include Chaplaincy, Occupational Therapy, Physical Therapy, Therapeutic Recreation, Education, Library and Volunteer Services. Other clinical departments that provide essential services to patients are the Medical Clinic, Dental Services, Lab, X-Ray, and the Pharmacy.

**PROGRAM:** Bangor Mental Health Institute (B.M.H.I.) continues to provide integrated mental health services as part of Maine's mental health system. In order to enhance linkages with community programs, B.M.H.I. Administration and staff have worked closely with the Community Health and Counseling Services Board and Aroostook Mental Health. Other B.M.H.I. departments are also working to improve coordination of services with community programs such as Social Work with Aftercare to ease the transition of patients to the community; Rehabilitative Services with Growth Resource Center, Vocational Rehabilitation, Phoenix, Together Place, and Penobscot Valley Industries to expand and coordinate vocational services for mental health consumers, and Program on Aging professional staff working with Bureau of Maine's Elderly and Maine Health Care Association and the Citizens' Interest Group to provide increased communication and advocacy for improved mental health services for older citizens of Maine.

Throughout the year there has continued to be an emphasis on transitional services, including community linkages and support and day programming for patients who are on leave, trial visit, or for recently discharged patients. The transitional focus has been, in part, a response to the burgeoning demand for limited bed space at B.M.H.I.

The Institute is accredited as a psychiatric hospital by the Joint Commission on Accreditation of Health Organizations. The Admissions Unit continues to be certified by the Health Care Financing Administration (HCFA).

The Program on Aging again received renewed Medicaid certification as an Intermediate Care Facility (I.C.F.), under applicable state and federal standards.

The Benchmark Vocational Program has provided nearly 4,386 hours of service to BMHI patients over the past year, with an average of 47 patients being served each month.

The Institute also serves as the location for a number of state, regional, and local offices, including Environmental Protection, Office of Energy Resources, Worker's Compensation, Bureau of Taxation, Division of Mental Retardation—Region II, Pre-Release Center, and Inland Fisheries and Wildlife.

### PUBLICATIONS:

Patient's Handbook—B.M.H.I.	(Free to citizens, patients)
Staff Handbook	(Free to staff)
Patients' Rights Manual	(Free to citizens, patients)
Employee Benefits	(Free to staff)
Bi-Weekly Newsletter	(Free to staff, patients and citizens)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## MENTAL HEALTH AND MENTAL RETARDATION

<b>BANGOR MENTAL HEALTH INSTITUTE</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	14,592,493	6,780,480	7,809,450		2,563	
Health Benefits	1,700,990	819,676	881,043		271	
Retirements	2,620,191	1,261,671	1,358,120		400	
Other Fringe Benefits	165,341	81,668	83,639		34	
Other Contract Services—State	870,025	360,143	507,476		2,406	
Computer Services—State	6,170	1,649	4,521			
Other Contractual Service	920,640	490,740	429,900			
Rents	100,595	46,026	54,569			
Commodities	1,592,248	807,318	784,908		22	
Grants—Subsidies—Pensions	1,168,033	611,388	556,645			
Purchase of Land	13,400	8,130	5,270			
Building Improvements	105,988	37,568	68,420			
Interest—Debt Retirement	1,178	686	492			
Transfer to Other Funds	198,904	68,932	129,874		98	
<b>TOTAL EXPENDITURES</b>	<b>24,056,196</b>	<b>11,376,075</b>	<b>12,674,327</b>		<b>5,794</b>	

## **BATH CHILDREN'S HOME**

### **HOLLY B. STOVER, DIRECTOR**

*Central Office:* 103 South Street, Bath

*Telephone:* 443-9575

*Mail Address:* 103 South Street, Bath, Maine 04530

*Established:* February, 1866

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 209; Citation: 34 M.R.S.A., Sect. 2951

*Average Count—All Positions:* 18.0

*Legislative Count:* 18.0

**PURPOSE:** The Bath Children's Home is a state facility which provides a long-term residential setting for adolescents of this state, ages 15-20, who are homeless or at risk of homelessness. Most reasons for placement fall under the general categories of lack of appropriate shelter and care, potential or actual abuse or neglect, and family crisis and upheaval.

**ORGANIZATION:** The Bath Children's Home, originally called the Children's Asylum, was founded in 1864. The Home was established as a State institution called the Bath Military and Naval Orphan Asylum by a Private and Special Law of 1866, and until 1929, supervision of the Home was vested in Trustees. In 1929 when the Home was placed under the Department of Health and Welfare, its name was changed to the Military and Naval Children's Home. In 1939 it was transferred to what is now the Department of Mental Health and Mental Retardation. Its name was changed to the Bath Children's Home in 1990.

Services are delivered in the format of an independent living program called the Transitional Housing Demonstration Program. The Program can house up to sixteen females and up to eight males, for whom there is little prospect of return to families or foster care. The Program's focus is on the teaching of independent living skills within a "level" system that promotes and rewards individual achievement. The program encompasses public school education or GED, therapeutic services in the community, health education, pre-vocational work experiences, dormitory and apartment living, and 24-hour supervision. Residents may stay in the program for up to two years. Residents who achieve the top levels of program functioning live with minimum supervision in model apartments within the building. They practice new independent living skills by managing their own budgets, school and work schedules, food preparation and decision-making.

The programs receive referrals for admittance from a wide variety of sources: The Department of Human Services, school social workers, juvenile intake officers, ministers, and parents seeking

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voluntary placement of children. All referrals are received and reviewed in consultation with the Bureau of Children with Special Needs, Department of Mental Health and Mental Retardation, and such agencies or parents as may be involved in the placement. The admissions procedure requires the completion of a program application, appropriate authorizations, releases, acknowledgments, appropriate historical information, medical information, behavioral summaries, clearly written plan summarizing program commitment for all concerned, services to be provided, and plans for discharge. All planning is reviewed at a minimum of every three months. The youth remains at the Home until the situation that necessitated placement is resolved or the family or legal guardian indicates that the child is to be returned home or to a more appropriate placement.

### PROGRAM:

The Bath Children's Home is developing new programs, policies and procedures of child care management as social change moves the Home from a history of custodial care to a required emphasis on the therapeutic management and facilitation of personal growth and development for residents. All youth displaced from their families carry a degree of emotional disturbance to their placement at the Home. The pervasive themes of physical and sexual abuse, family violence, alcoholism, and chemical abuse mark a majority of the youth placed in the Home.

Care is given during intake to accept those youths who can benefit from services at the Home and to refer those requiring less restrictive programming or more intensive programming to other institutions.

No youth is refused appropriate services at the Home because of financial reasons. Payment for services is on a sliding fee scale. Preference is extended to children of veterans if other conditions are met and space is limited.

The Bureau of Children with Special Needs Advisory Committee provides advice and direction to the Director of the Home. The Commissioner of the Department of Mental Health and Mental Retardation appoints members to this 15-member committee.

The facility is handicapped accessible.

### PUBLICATIONS:

Small program description pamphlet (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BATH CHILDREN'S HOME</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	408,751	408,751				
Health Benefits	54,959	54,959				
Retirements	82,600	82,600				
Other Fringe Benefits	6,237	6,237				
Other Contract Services—State	3,568	3,568				
Computer Services—State	135	135				
Other Contractual Service	32,296	32,296				
Rents	6,993	6,993				
Commodities	55,326	55,326				
Grants—Subsidies—Pensions	21,956	21,956				
Interest—Debt Retirement	212	212				
<b>TOTAL EXPENDITURES</b>	<b>673,033</b>	<b>673,033</b>				

## BUREAU OF CHILDREN WITH SPECIAL NEEDS

ROBERT E. DURGAN, Ph.D., DIRECTOR

*Central Office:* State Office Bldg., Augusta, 4th Floor

*Telephone:* (207) 287-4250

*Mail Address:* Statehouse Station #40, Augusta, Maine 04333

*Established:* 1985

*Sunset Review Required by:* June 30, 1994

*Reference: Policy Area:* 03; *Umbrella:* 14; *Unit:* 472; *Citation:* 34-B M.R.S.A., Sect. 6204

*Average Count—All Positions:* 62.5

*Legislative Count:* 60.5

**PURPOSE:** The Bureau's legislative mandate is to serve "children in need of treatment," with particular reference to children aged "0 to 5 years who are developmentally disabled or who demonstrate developmental delays," and to children aged "6 to 20 years who have treatment needs related to mental illness, mental retardation, developmental disabilities or emotional and behavioral needs that are not under current statutory authority of existing state agencies." Through the development of definitions, explicit statements of departmental priorities and procedures, the conduct of needs assessments and program evaluations, and the presentation of specific children's service plans to biennial sessions of the Legislature, the Bureau is charged with expanding and improving services to Maine children with special needs who comprise its clients, and to their parents.

**ORGANIZATION:** The Bureau of Children with Special Needs came into existence in September, 1985, as the result of action by the first session of the 112th Maine Legislature. It succeeds the Office of Children's Services, established in 1973 by administrative action of the department. With the creation of the new bureau, the development and delivery of children's services was elevated to equivalent status and visibility with the department's other two main organizational units—the Divisions of Mental Health and Mental Retardation. Financial and staff resources of these two divisions relating to children have been reassigned to the Bureau of Children with Special Needs; in addition, the Infant Development Center in South Portland and the Elizabeth Levinson Center (an intermediate care facility serving children with severe handicapping conditions) in Bangor joined the Bath Children's Home, in Bath, as programs under the administrative jurisdiction of the Bureau.

**PROGRAM:** During 93-94, Grants developed or administered by the Bureau of Children with Special Needs totaled approximately \$9.7 million. Services purchased through these grants fall primarily into the following categories:

- Mental Health Services
- Residential Treatment Services
- Case Management
- Homebased Family Services
- Crisis Intervention
- Early Intervention Services
- Day Treatment Services
- Other Family Support Services

In the majority of instances, funds from the Bureau are combined with those of other children-oriented programs or agencies, such as public schools, the Department of Human Services, the Department of Corrections and the Department of Education. As a result, a major focus of the bureau's central office is devoted to continuation and strengthening of Maine's successful 13 year effort to coordinate child and family services between state agencies.

Approximately 14,000 children receive services in programs that are assisted by Bureau grants. The Bureau also competes for appropriate federal grants and currently operates a federally-funded Transitional Housing Demonstration Program for adolescents at the Bath Children's Home. Additionally the Bureau has received federal funds to develop and implement a system of care for children with severe emotional disturbances and their families in Cumberland, York, Penobscot, Piscataquis, Hancock, and Washington Counties.

### PUBLICATIONS:

Bureau of Children with Special Needs Biennial Plan (1993-94)

Maine Comprehensive Mental Health Services Plan (PL 102-321), 1993



## MENTAL HEALTH AND MENTAL RETARDATION

Rights of Recipients of Mental Health Services Who Are Children in Need of Treatment, 1989  
Rights of Children Who Have Special Needs: Annual Status Report, 1994  
BCSN Brochure

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF CHILDREN WITH SPECIAL NEEDS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,595,295	1,397,978			197,317	
Health Benefits	170,430	150,159			20,271	
Retirements	263,248	228,810			34,438	
Other Fringe Benefits	20,105	18,042			2,063	
Other Contract Services—State	151,710	33,250			118,460	
Other Contractual Service	229,823	198,478			31,345	
Rents	1,527	1,527				
Commodities	46,000	23,193			22,807	
Grants—Subsidies—Pensions	9,068,141	7,757,121			1,222,285	88,735
Interest—Debt Retirement	8	8				
Transfer to Other Funds	3,934				3,934	
<b>TOTAL EXPENDITURES</b>	11,550,221	9,808,566			1,652,920	88,735

## OFFICE OF COMMUNITY SUPPORT SYSTEMS

*Central Office:* Greenlaw Bldg., Augusta Mental Health Institute; Floor: 2 Telephone: 287-4230  
*Mail Address:* Statehouse Sta. #165, Augusta, Maine 04333

*Established:* January 16, 1984

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 249; Citation: 34B M.R.S.A., Sect. 3004

**PURPOSE:** The Office of Community Support Systems (now Community Mental Health Services) was established to promote and support the development, implementation and management of comprehensive systems of services for persons with severe and persistent serious mental illness and to ensure the integration and maintenance of a decent quality of life for such persons through the development of community support service systems in the local mental health service areas.

**ORGANIZATION:** The Office of Community Mental Health Services within the Division of Mental Health was established in January 1984, evolving from the federally-funded Community Support Systems Project, part of a national initiative to assess, plan, and develop community support systems for persons discharged from state psychiatric hospitals. As community-based services to persons with serious mental illness became a more predominant direction within the mental health system, the scope of these services grew to encompass a broader population including persons with mental illness who may have been institutionalized only briefly or not at all. The Director of the Division of Mental Health appoints the Director of the Office, consistent with Personnel Law. Crisis Stabilization Program Staff, who work in the regional mental health service areas, report to the Manager of the Crisis Programs.

**PROGRAM:** The Office of Community Mental Health Services (CMHS) works directly with consumers of community mental health services and their families and mental health service providers. Through contracts and technical assistance, CMHS has promoted the growth of the community system throughout the state. Through technical assistance, staff support, and contracts, CMHS has also promoted the

## MENTAL HEALTH AND MENTAL RETARDATION

development of peer support and advocacy groups, including the statewide AMI-ME chapter of the National Alliance for the Mentally Ill.

CMHS fulfills the DMH grant management role for community adult mental health services for both Federal and State funding. The Office contracts directly with over 80 community-based individuals and agencies in the provision of crisis/emergency, residential, vocational, community support/case management, deafness, geriatric, outpatient, inpatient, and social club services.

In addition, CMHS provides technical assistance and training to provider agencies and organizations either directly or through conferences, workshops, or other types of training and development activities. This enables providers to improve service delivery and design new programs.

The three Crisis Stabilization Program sites continue to provide 24-hour crisis intervention services and short-term emergency and respite housing services to persons with serious mental illness to avert unnecessary institutionalization. There has been increased capacity statewide in crisis programs through contracts with community agencies and the beginning of the CLASS (Community Linkage Assessment and Stabilization Services) program. These services attempt to divert unnecessary AMHI admissions through use, in part, of local community inpatient services. Additionally, comprehensive community support services have been developed in the most populous areas of Maine.

CMHS also works with local and regional groups to conduct needs assessment and planning for service system development and to monitor existing services.

Goals and objectives are contained in the State mental health report which is updated annually.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Mental Health.

### DEVELOPMENTAL DISABILITIES OFFICE

SUE W. DAVENPORT, COMMISSIONER

PETER R. STOWELL, EXECUTIVE DIRECTOR

*Central Office:* Nash Building, Augusta;

*Telephone:* 287-4213

*Mail Address:* Statehouse Sta. #139, Augusta, Maine 04333

*Established:* 1971

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 191D; Citation: 34B M.R.S.A., Sect. 1211

*Average Count—All Positions:* 4

*Legislative Count:* 0

**PURPOSE:** The Department of Mental Health and Mental Retardation is designated as the sole agency of the State to administer any statewide plan for the construction, equipment, maintenance or operation of any facility for the provision of care, treatment, diagnosis, rehabilitation, training or related services; which plan is required under provision of PL 101-496, "The Developmental Disabilities Assistance and Bill of Rights Act of 1990."

The Developmental Disabilities Office provides staff support to the Maine Developmental Disabilities Council. The Developmental Disabilities Office assists the Council in improving and enhancing the network of services available to persons with developmental disabilities of all ages in Maine.

**ORGANIZATION:** The Department of Mental Health and Mental Retardation is designated as the Administering agency for the Developmental Disabilities Council by 34B M.R.S.A. 1211 para. 4.

The Office is composed of an Executive Director, a Policy Analyst, a Developmental Disabilities Planner and a Secretary.

The Office assists the Maine Developmental Disabilities Council in examining the issues germane to the Council's mission and purpose.

**PROGRAM:** Please reference the Maine Development Disabilities Council.

## MENTAL HEALTH AND MENTAL RETARDATION

### PUBLICATIONS:

All FREE (limited availability on asterisked items)

- DD Council Brochure
- Insights: A Handbook for Parents of Children with Disabilities (Fourth Edition)\*
- Three-year State Plan
- Jargon and Acronyms: A Booklet of Descriptions and Definitions\*
- Special Education for Parents: Rights and Responsibilities
- Just Like Me: Disability Awareness Activities
- Caring for Families Who Care: The Report of the Family Contribution Study Advisory Committee
- The "1990 Report"

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are included with those of the Division of Mental Retardation.

### ELIZABETH LEVINSON CENTER

KATHI MURRAY, DIRECTOR

*Central Office:* 159 Hogan Rd., Bangor

*Telephone:* 941-4400

*Mail Address:* 159 Hogan Rd., Bangor, Maine 04401-5697

*Established:* September 23, 1971

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 200; Citation: 34B M.R.S.A., Sect. 6252

*Average Count—All Positions:* 49

*Legislative Count:* 49

**PURPOSE:** The Elizabeth Levinson Center serves medically fragile children with severe and profound mental retardation ages birth through twenty in a combined residential and medical program. Referrals for admission come from the Division of Mental Retardation & Bureau of Children with Special Needs' regional offices, Family Support Committees of Medical Centers throughout the State, Educational Programs and parents or guardians.

The primary purpose of the Center is evaluation and treatment for children with severe and profound mental retardation and multiple medical disabilities. The secondary purpose of the facility is to offer Respite Care to those parents whose children cannot be served in the community.

The children are accepted to the facility through the Interdisciplinary Team (IDT) process and approved by the Medicaid criteria. All children receive judicial certification for six to twenty-four months. Each program is monitored and implemented by medical, nursing and psychological staff. Parents are provided with specific training to assist their child with integration into community and school programs. Community support services are identified and arranged for parents on discharge.

**ORGANIZATION:** The Elizabeth Levinson Center was created in 1971 as the Regional Care Facility for children with severe or profound mental retardation. It is operated by the Bureau of Children with Special Needs and overall supervision of the Department of Mental Health & Mental Retardation. The name was changed to Elizabeth Levinson Center in 1973. The entire staff are State employees; medical, dental, hospital and psychological services are contracted with community agencies.

**PROGRAM:** The Center continues to provide residential and medical treatment to children with severe or profound mental retardation.

Referrals for admission are accepted from the five Division of Mental Retardation's and Bureau of Children with Special Needs' regional offices, Family Support Committees of Medical Centers throughout the State, Educational Programs and parents or guardians. Elizabeth Levinson Center Social Worker makes an intake visit to the home and school program. The parent and child attend an admission meeting at the Center with the Interdisciplinary Team (IDT). A service contract is developed with goals,

## MENTAL HEALTH AND MENTAL RETARDATION

objectives, responsibilities and discharge plans. A tentative date of admission is established. Upon admission, an Individual Program Plan (IPP) is developed by IDT and monthly program reviews are conducted. Parents are encouraged to participate in the child's IPP and attend quarterly reviews by the IDT to increase the potential for easier transition back to the home.

ELC offers expanded outreach services in rural areas, inservice education for Bureau and Center staff, staff training for area public schools and community agencies.

Education programs for all Elizabeth Levinson Center residents are provided by local school programs (Bangor, Brewer, Holden).

### **PUBLICATIONS: (Free)**

Elizabeth Levinson Center included in BCSN Brochure

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ELIZABETH LEVINSON CENTER	TOTAL FOR		Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS	General Fund				
<b>EXPENDITURES</b>						
Salaries and Wages	1,160,876	1,160,876				
Health Benefits	160,357	160,357				
Retirements	217,870	217,870				
Other Fringe Benefits	12,763	12,763				
Other Contract Services—State	54,991	54,991				
Computer Services—State	1,561	1,561				
Other Contractual Service	64,767	64,767				
Rents	7,258	7,258				
Commodities	104,853	104,853				
Grants—Subsidies—Pensions	136,461	136,461				
<b>TOTAL EXPENDITURES</b>	1,921,757	1,921,757				

## **DIVISION OF MENTAL HEALTH**

**LINDA BRESLIN, DIRECTOR**

*Central Office:* Greenlaw Bldg., Augusta Mental Health Institute

*Telephone:* 287-4230

*Mail Address:* Box 724, Augusta, Maine 04333

*TTY:* 287-7285

*Established:* 1959

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 193; Citation: 34B M.R.S.A., Sect. 3001

*Average Count—All Positions:* 20

*Legislative Count:* 18

*Organizational Units:*

Interstate Compact on Mental Health

Office of Community Mental Health Services

**PURPOSE:** The Division of Mental Health is charged with expanding community mental health services, encouraging the participation of community residents in these programs, gaining increased understanding of community mental health service needs, and securing State and local financial support. To implement these community mental health programs, the Division cooperates with other State agencies, municipalities, persons, unincorporated associations, and non-stock corporations. In the name of the Department of Mental Health and Mental Retardation, it may adopt and promulgate rules, regulations, and standards relating to the administration and licensing of the services, authorized, as well as make financial grants to be used in the conduct of mental health services. The Division is also mandated to promulgate rules aimed at protecting and enhancing the rights of recipients of mental health

## MENTAL HEALTH AND MENTAL RETARDATION

services. The Director of the Division of Mental Health is the administrator of the Interstate Compact on Mental Health, which provides the legal basis for the interstate transfer of hospitalized patients when it is to the benefit of the patient, his/her family, and society as a whole, disregarding the legal residence of the patient.

**ORGANIZATION:** The Division of Mental Health was created in 1959 to provide centralized direction and administration for mental health programs in Maine. The Commissioner of the Department of Mental Health and Mental Retardation appoints the Director of the Division of Mental Health, subject to personnel laws and with the advice of the Maine Commission on Mental Health. Legislation regarding Maine's participation in the Interstate Compact on Mental Health was enacted in 1957. In this past year, Departmental adult mental health community and inpatient services were brought together organizationally within the Division of Mental Health, now encompassing the Office of Community Mental Health Services, the Bangor Mental Health Institute, and the Augusta Mental Health Institute. The Division's goals, objectives, and accomplishments are detailed in its biennial mental health report.

**PROGRAM:** The primary goal of the Division of Mental Health is the development and enhancement of a comprehensive, integrated system of quality mental health services responsive to the needs of Maine's citizens with mental illness throughout the state. Certain values and principles guide this development of a system of care: individualized services, availability of a comprehensive range of services and supports, flexibility in service provision, coordination of needed services and supports, locally relevant services, long-term continuity and commitment to priority populations, and involvement of primary consumers and their families in policy and planning. While the primary priority population group to be served by DMH State funds has been defined as adults with severe and prolonged mental illness, emphasis has also been placed on meeting the special needs of those who are also, for example, elderly, substance-abusing, deaf, and/or Native American.

Emphasizing individual choice and participation, the focus of DMH initiatives continues to be community-based and consumer-centered. This has involved increasing collaboration and coordination among all sectors and aspects of the mental health service delivery system. In addition, far-reaching systemic mandates, such as those issuing from the August, 1990 settlement of a class action law suit filed by AMHI patients, as well as the implementation of the legislatively supported original Board Pilot Project, are inextricably woven into mental health system directions.

During FY 1994, progress toward a comprehensive community-based quality mental health service system has continued. Participation by consumers of mental health services and their families in the planning and implementation of the services and system has been fundamental to the work of the Division. The pilot project Southern Maine Regional Mental Health Board, which will assume the mental health authority role for York and Cumberland Counties in the next fiscal year, became operational, with the consumer and family-dominated Board hiring staff and opening an interim office.

Statewide systems of case management and psychiatric crisis stabilization programs have been developed, and the focus is now on the enhancement of these services. Two major new 24-hour mobile psychiatric crisis outreach programs were added to the system in FY'94, one each in Bangor and Rumford. Funding was requested of the legislature and was approved for a variety of crisis programming throughout the state for FY'95. Efforts to increase the number of hospitals, in addition to the two State Mental health institutes, accepting involuntary psychiatric admission continue to be pursued so that persons requiring hospitalization may stay as close to their homes and communities as possible. Three private hospitals, in Aroostook, Kennebec, and Cumberland Counties, currently accept involuntary admissions.

With a broad, intensive effort, 230 community support/case management workers throughout the state continue to be trained in the Individualized Support Plan (ISP) process which is based on consumer choice and preference. Class members have been notified of ISP availability, and both class members and non-class members are now beginning to take part in that process. A statewide system of ISP mentors has been established within mental health community support agencies to facilitate the local implementation of the process. These mentors, who meet regularly with Division staff, provide technical assistance and consultation to mental health workers using the ISP process.

Housing and residential services for adults with severe and prolonged mental illness have continued to expand as new supported/subsidized housing options have been developed throughout the state in collaboration with other State agencies, departments, and advisory boards, as well as a variety of community agencies: 1) the development of the Bridging Rental Assistance Program creating shallow rental assistance vouchers for about 60-70 persons statewide; 2) the award of a 6-bed residence in the

## MENTAL HEALTH AND MENTAL RETARDATION

Bangor area; 3) assistance with a HUD Section 811 application for the Brunswick coastal area and the award for an independent living facility for 7 persons with mental illness; 4) sponsorship of a HUD Section 811 program in the Tri-County area for 14 persons; and 5) collaboration on two major Shelter Plus Care applications—the Bangor Shelter Plus Care grant for 66 persons and the Portland Shelter Plus Care for 60 persons.

Maine continues to make aggressive use of federal funding opportunities for housing, including those available through the federal McKinney Homelessness Act's programs. McKinney PATH formula grant funds continue to provide support for outreach case management services to homeless persons with serious mental illness in shelters and other sites. The Division emphasizes a focus on integrated community housing options whenever possible. It works closely with the Maine State Housing Authority, which has responded creatively by developing special financing programs to encourage housing for individuals with disabilities and/or very low incomes. A statewide training and certification program for staff in DMH-funded psychiatric residential programs continues.

The DMH Office of Geriatric Services averaged approximately two training events per month on geriatric mental health, on topic areas such as difficult behaviors and psychopharmacology, to a wide variety of providers including staff of residential care facilities and nursing homes, State guardians, Adult Protective Services workers, crisis stabilization staff, and staff of Area Agencies on Aging. An initiative was undertaken, in conjunction with the Department of Education and Cultural Services and the State Board of Nursing, to expand the CNA curriculum to include a mental health component, and a four-day training session was developed for Health Occupation Instructors. In-service training was organized and held for staff in the Gorham Manor specialized nursing facility unit, as well as a continuation of in-service education for staff providing mental health services under DMH-contracts in general.

In a joint effort with the Department of Human Services, the first mobile psychogeriatric team was established for southern Maine in Androscoggin County, serving that county's thirteen nursing facilities. A 33-bed nursing facility was awarded in Waterville as a result of the FY '93 Request for Proposals and is due to become operational the end of 1995. An additional 18 NF beds are being developed in the Freeport area. The Joint Advisory Committee for Mental Health Services to Elderly Persons, as part of its ongoing activities, developed another geriatric mental health public service announcement, which starred a consumer member of the JAC.

Additional efforts to meet the needs of individuals with serious mental illness who also have other special needs or concurrent disorders have continued. For example, a pilot project summer camp was held for 16 deaf persons with mental retardation/mental illness. This experience was so successful for both campers and referring programs that a mid-winter get-together was held, and plans are being made for another summer camp in FY '95. A variety of educational and information efforts also took place, such as the seventh annual statewide deafness conference, updated resource guide to deaf services in Maine, release of and premiere for the mental health rights videotape for deaf persons, and collaborative workshops on supported employment/vocational services, as well as a documentary on public television regarding the deaf community and its needs and the philosophical differences in service delivery.

Vocational systems change for adults with severe mental illness is characterized by a focus on individual choice and individualized supportive services, as well as by collaboration among public service systems and the business and educational communities. The Individualized Ongoing Support Program continues to grow significantly in both the numbers of consumers involved and the number of vocational providers. There has been a 52% increase in providers over the prior year, representing a major step in the Division's efforts to increase the options available to consumers of mental health services. A non-profit organization has been established to provide technical assistance, collateral funding, and small loans to persons with psychiatric disabilities who wish to start their own businesses. In addition, two awards have been made as the result of an RFP for proposals promoting the hiring of individuals with psychiatric disabilities in community businesses. The Management Information System for Supported Employment Services, for both fee-for-service and contract providers, is now completely on line. Tracking and monitoring services for type, cost, frequency, and outcomes on both the individual and aggregate levels, this MIS will be invaluable in the implementation of performance-based contracting. Employment standards for DMHMR Licensing were drafted by a broadly representative workgroup and will be finalized and implemented during the next fiscal year. Enrollment in the MH-Tech Scholarship Program doubled this past year, providing tuition reimbursement to students with psychiatric disabilities enrolled in Maine technical colleges, universities, and other colleges.

Continuing to work toward the enhancement and expansion of the pool of mental health professionals in Maine, the Departmental human resource development initiative, in collaboration with the university and technical college systems, implements requirements and curricula for the certification of

## MENTAL HEALTH AND MENTAL RETARDATION

adult mental health services personnel statewide. This certification includes the Mental Health Rehabilitation Technician series (I-IV), the Substance Abuse Rehabilitation Technician, the Employment Specialist, and the Consumer Case Manager positions. In addition, adult mental health service provision rests on the expectation of a common psychosocial rehabilitation orientation and knowledge base, available through this program, among all mental health personnel. The credentialing process is slated to be fully effective in FY '95. The Departmental human resources development office has also developed training modules for private, non-profit service boards of directors—encompassing internal communication, strategic planning, etc.—which will be implemented in FY'95.

The Division of Mental Health has continued its work to collaborate on a client-based information system. With the mental health staff component in place, the focus continues on the development and implementation of an individual client data component and a participatory process for the research, quality assurance, and information processes and systems.

### PUBLICATIONS:

- Annual mental health reports
- Rights of Recipients of Mental Health Services
- Mental Health Licensing Review Protocol
- Guardianship
- GERO Training Manuals: Topics in Aging and Mental Health
- Understanding Difficult Behavior
- Report of the Task Force on Mental Health Services to Elderly Persons
- RESOURCES: A Guide to Deaf Services
- Biennial Report to Maine Legislature on Mental Health Services to Deaf Persons
- Homelessness and Persons with Mental Illness, 1992.
- Recommendations and Report of the Task Force on Persons with Mental Disorders Involved with the Criminal Justice System, 1993.
- Psychiatric Emergency and Crisis Stabilization Services, January 1993.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DIVISION OF MENTAL HEALTH	TOTAL					
	FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	585,364	542,374			42,990	
Health Benefits	68,819	64,856			3,963	
Retirements	95,863	88,611			7,252	
Other Fringe Benefits	8,964	8,295			669	
Other Contract Services—State	177,261	158,136	5,682		13,443	
Other Contractual Service	197,461	174,801	11,925		10,735	
Rents	5,843	5,843				
Commodities	151,311	150,708	513		90	
Grants—Subsidies—Pensions	22,972,205	21,472,948	59,840		1,394,877	44,540
Interest—Debt Retirement	10	10				
Transfer to Other Funds	944		155		789	
<b>TOTAL EXPENDITURES</b>	<b>24,264,045</b>	<b>22,666,582</b>	<b>78,115</b>		<b>1,474,808</b>	<b>44,540</b>

## MENTAL HEALTH AND MENTAL RETARDATION

### DIVISION OF MENTAL RETARDATION

PAUL P. PETERSON, Ph.D., DIRECTOR

*Central Office:* State Office Bldg., Augusta; *Floor:* 4  
*Mail Address:* Statehouse Sta. #40, Augusta, Maine 04333

*Telephone:* 287-4242

*Established:* July 1, 1969

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 197; Citation: 34-B M.R.S.A., Sect. 5201

*Average Count—All Positions:* 161

*Legislative Count:* 157

**PURPOSE:** The Division of Mental Retardation was established to assure that services and programs available to the citizens of Maine are equally available to individuals with mental retardation and individuals with autism and their families. The Division is responsible for the planning, promotion, coordination and development of the complete and integrated statewide community programs for persons with mental retardation and autism. The Division serves as liaison, coordinator and consultant to several state departments in accomplishing the provision of such comprehensive services. It also serves as Public Guardian and/or Conservator for citizens with mental retardation in need of this service.

**ORGANIZATION:** The Division of Mental Retardation was established in 1969. Central Office staff include a Director, a Manager of Field Operations, a Manager of Resource Development, a Guardianship Program Manager, Management Analysts and clerical support. The Division is responsible for the operation of the Aroostook Residential Center. In addition, community mental retardation programs are supported through grants by the Division to private, non-profit agencies. Administratively, the State has been divided into five regions with an Administrator in each. Community case management staff assist individuals in obtaining services, assist agencies in securing finances and developing programs, review all cases referred to and from institutions and provide program planning services to consumers.

**PROGRAM:** During FY 94 several significant activities were undertaken. First, the Division, through the development of community options, reduced the number of people living at Pineland Center. A census reduction of 53 people was experienced. Second, a 90% reduction in emergency admissions occurred also through the development of community alternatives.

Changes in individual plans, community awareness of sexual abuse against persons with mental retardation, expanded efforts into supported employment are other activities undertaken during FY 94.

#### **PUBLICATIONS:**

- Directory of Programs Serving Maine Citizens with Mental Retardation
- Pineland Consent Decree (Appendices A & B)
- Questions and Answers on Guardianship
- Division of Mental Retardation Brochure
- "A Plan for People"
- Comprehensive Plan
- Development of Community Services

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.



## MENTAL HEALTH AND MENTAL RETARDATION

DIVISION OF MENTAL RETARDATION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	4,327,842	4,193,272			134,570	
Health Benefits	522,694	511,175			11,519	
Retirements	739,305	715,364			23,941	
Other Fringe Benefits	59,859	58,837			1,022	
Other Contract Services—State	68,262	47,725	3,747		16,790	
Computer Services—State	5	5				
Other Contractual Service	856,138	764,952	9,241		81,945	
Rents	19,761	1,371	17,762		628	
Commodities	42,818	37,357	1,826		3,635	
Grants—Subsidies—Pensions	36,809,846	35,765,965	25,000		1,018,881	
Interest—Debt Retirement	44	44				
Transfer to Other Funds	5,087		99		4,988	
<b>TOTAL EXPENDITURES</b>	<b>43,451,661</b>	<b>42,096,067</b>	<b>57,675</b>		<b>1,297,919</b>	

### PINELAND CENTER

PAUL P. PETERSON, Ph.D., SUPERINTENDENT

*Central Office:* Pineland Center, New Gloucester, Maine

*Telephone:* 688-4811

*Mail Address:* Box E, Pownal, Maine 04069-0902

*Established:* March 6, 1907

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 14; Unit: 198; Citation: 34-B M.R.S.A., Sect. 5402

*Average Count—All Positions:* 402.5

*Legislative Count:* 402.5

#### *Organizational Units:*

Client Services  
Volunteer Services  
Personnel

Information Services  
Clinical Services  
Support Services

**PURPOSE:** Pineland Center, an institution providing housing, treatment, care and training to persons with mental retardation or developmental disabilities, is part of a network of community and institutional services administered by the Department of Mental Health and Mental Retardation. Pineland Center is licensed by the State of Maine as an Intermediate Care Facility for the Mentally Retarded.

The objectives of Pineland Center include the provision of:

- a. A residential and treatment program based on the individual's specific needs and directed toward the goal of community integration;
- b. Training in dressing, grooming, eating, toileting, communication, socialization, and other activities of daily living;
- c. Medical and nursing care and therapy to maintain or improve health status;
- d. Evaluation and treatment through physical, occupational, communication, psychological and recreation therapies to maintain or increase independence and skills;
- e. Information to families, guardian and correspondents;

**ORGANIZATION:** Pineland Center, located in the town of New Gloucester in Cumberland County, was established in 1907 as the Maine School for the Feeble Minded, governed by a Board of Trustees. In 1925, the name of the institution was changed to Pownal State School. The Board was replaced by a committee of the Department of Health and Welfare in 1931, which governed the institution until 1939 when it was placed within the then Department of Institutional Services. This department later became the current Department of Mental Health and Mental Retardation. This institution's current name, Pineland Center, was authorized by the Legislature in 1973.

## MENTAL RETARDATION

**PROGRAM:** The census was 171 at the beginning of the fiscal year. At the conclusion of the fiscal year the census was 117. Of the total 20 admissions/readmissions to Pineland Center, 16 were emergency related, 2 respite, 2 voluntary readmissions.

Pineland Center continued to offer training opportunities to its staff during FY94 on topics ranging from quarterly medication updates, the MANDT system, infection control/universal precautions, T.B., sexual harassment awareness, behavior policy updates, privacy issues, and client specific training on O.T., P.T., communication therapy and behavioral programs.

The Transition Team (formed during FY92) has been extremely busy during FY94. A contract was developed with the Training Resource Center (Portland) to provide a part-time staff person who would act as a resource person to provide information and services to Pineland employees relating to their dislocation from Pineland. Resume development, stress management workshops, job search and development workshop, State Human Resource consultations, 5 workshops dealing with the psychological impact of unemployment, and ongoing job announcements from the State Job Service as well as newspapers and private sources were all provided free of charge to Pineland workers. A Waiver Home Provider team was developed to provide information and training for persons interested in caring for clients in their home.

Pineland Center continued to offer its meeting/training facilities to a number of outside groups on a weekly/monthly/quarterly basis: Pineland Parents and Friends, Board of Visitors, Human Rights and Assurance Committee, Maine Human Resources Committee, etc.

### PUBLICATIONS:

Appendix "A" Pineland Center Standards	No Charge
Rights of the Retarded (A Summary of the Consent Decree)	No Charge
A Brief History of Pineland Center	No Charge
Pineland Observer	No Charge
Pineland Communicator	

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

PINELAND CENTER	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	12,234,747	12,234,747				
Health Benefits	1,616,487	1,616,487				
Retirements	2,313,650	2,313,650				
Other Fringe Benefits	128,648	128,648				
Other Contract Services—State	374,087	288,149	85,938			
Computer Services—State	10,421	10,421				
Other Contractual Service	551,525	541,980	9,545			
Rents	88,681	82,453	6,228			
Commodities	871,741	862,056	5,360		4,325	
Grants—Subsidies—Pensions	1,629,248	1,629,248				
Building Improvements	24,423	20,835	3,588			
Interest—Debt Retirement	422	422				
Transfer to Other Funds	624		608		16	
<b>TOTAL EXPENDITURES</b>	19,844,704	19,729,096	111,267		4,341	

## DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

JANE E. TITCOMB, COMMISSIONER

*Central Office:* Gardiner Annex, Northern Ave., Gardiner  
*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8700

*Established:* October 3, 1973

*Sunset Review Required by:* 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 027; Citation: 10 M.R.S.A., Sect. 8001

*Average Count—All Positions:* 228.5

*Legislative Count:* 10

### *Organizational Units:*

#### *Divisions:*

Administrative Services Division  
Licensing and Enforcement Division

#### *Bureaus:*

Bureau of Banking  
Securities Division  
Bureau of Insurance  
    General Lines Agent Examination  
    Advisory Board  
    Life Agent Examination Advisory  
    Board  
    Mandated Benefits Advisory  
    Commission  
Bureau of Consumer Credit  
    Protection  
    Council of Advisors on  
    Consumer Credit

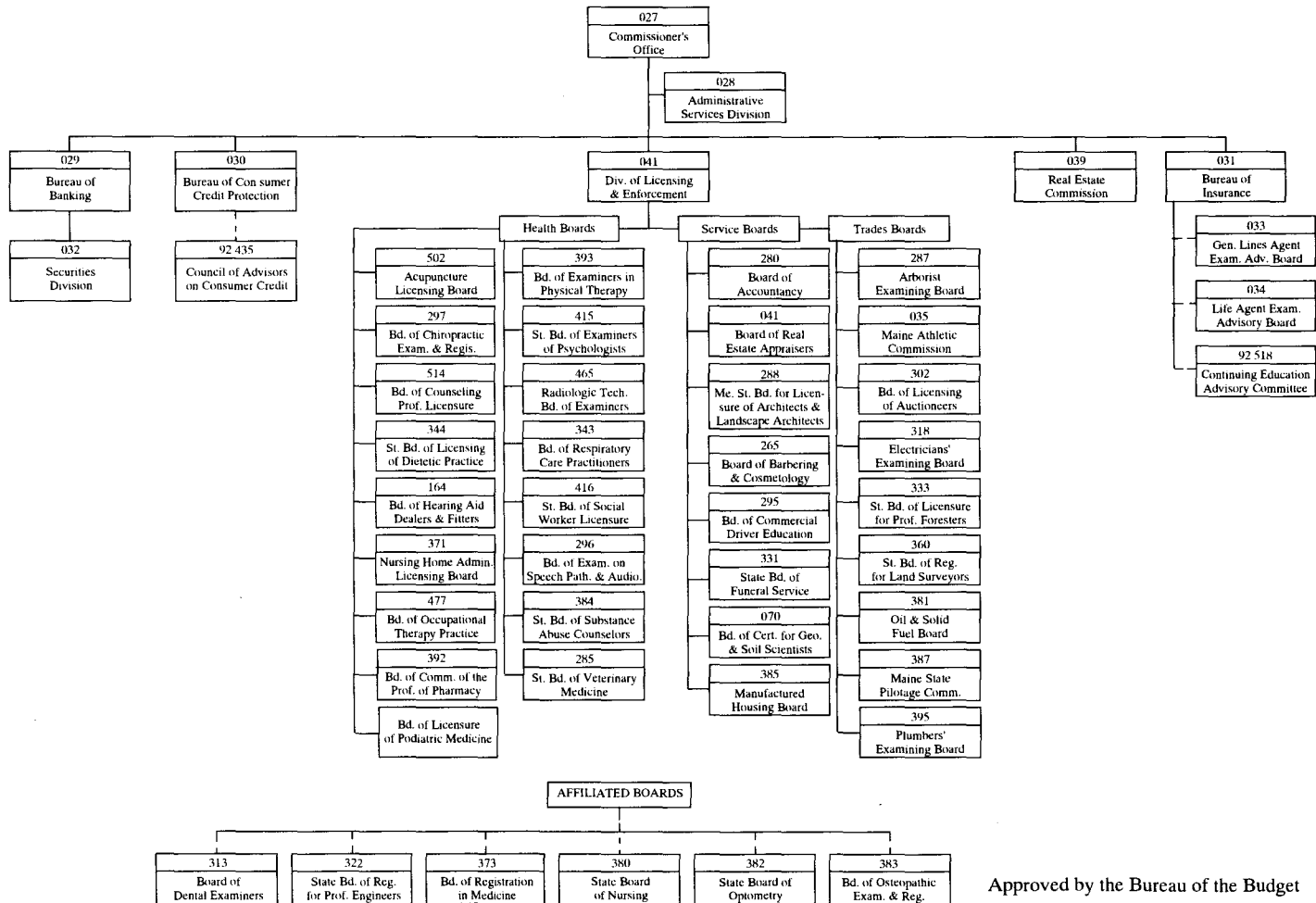
#### *Commissions:*

Maine Athletic Commission  
Real Estate Commission  
Maine State Pilotage  
Commission

#### *Boards:*

Acupuncture Licensing Board  
Arborists Examining Board  
Board of Accountancy  
Board of Counseling Professionals Licensure  
Board of Licensing of Auctioneers  
Board of Certification of Geologists and  
    Soil Scientists  
Board of Chiropractic Examination and  
    Registration  
Board of Commercial Driver Education  
Board of Commissioners of the Profession  
    of Pharmacy  
Board of Registration of Dietetic Practice  
Board of Examiners in Physical Therapy  
Board of Funeral Services  
Board of Hearing Aid Dealers and Fitters  
State Board of Licensure of Professional  
    Foresters  
State Board of Registration for Land  
    Surveyors  
Board of Licensure of Podiatric Medicine  
State Board of Substance Abuse  
    Counselors  
Board of Respiratory Care Practitioners  
Electricians Examining Board  
Manufactured Housing Board  
Nursing Home Administrators Licensing  
    Board  
Occupational Therapy Board of Practice  
Oil and Solid Fuel Board  
Plumbers Examining Board  
Radiologic Technology Board of  
    Examiners  
State Board of Barbering and Cosmetology  
State Board of Examiners of Psychologists  
State Board of Examiners on Speech  
    Pathology and Audiology  
State Board of Social Worker Licensure  
State Board of Veterinary Medicine  
Board of Real Estate Appraisers  
Maine State Board for Licensure of Architects  
    and Landscape Architects

**ORGANIZATIONAL CHART  
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION  
UMB 02**



PROFESSIONAL AND FINANCIAL REGULATION

Approved by the Bureau of the Budget

# PROFESSIONAL AND FINANCIAL REGULATION

## CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	5,952,458		5,952,458			
Health Benefits	680,127		680,127			
Retirements	971,183		971,183			
Other Fringe Benefits	72,539		72,539			
Other Contract Services—State	869,922	375	869,547			
Computer Services—State	396,108		396,108			
Other Contractual Service	2,322,828	36,819	2,286,009			
Rents	119,875		119,875			
Commodities	204,355	6	204,349			
Grants—Subsidies—Pensions	79,536		79,536			
Building Improvements	89,898		89,898			
Interest—Debt Retirement	156		156			
Transfer to Other Funds	65,373		65,373			
<b>TOTAL EXPENDITURES</b>	<b>11,824,358</b>	<b>37,200</b>	<b>11,787,158</b>			

## PROFESSIONAL AND FINANCIAL REGULATION

### AFFILIATED BOARDS:

Board of Dental Examiners  
State Board of Registration for Professional Engineers  
Board of Registration in Medicine  
Medical Specialty Advisory Committee on Anesthesiology  
Medical Specialty Advisory Committee in Emergency Medicine  
Medical Specialty Advisory Committee on Obstetrics and Gynecology  
State Board of Nursing  
State Board of Optometry  
Board of Osteopathic Examination and Registration

**PURPOSE:** The Department serves the public by examining and overseeing state-chartered financial institutions; regulating bank holding companies; regulating insurance companies, agencies and agents, grantors of consumer credit, the real estate industry, and commercial boxing and wrestling; approving the sale in Maine of oil and solid fuel heating equipment; and licensing and regulating numerous professions and occupations.

The Department protects Maine consumers through its licensing, examining, and auditing activities; by conducting programs aimed at increasing voluntary compliance with State laws; by investigating possible violations of law; and by undertaking enforcement actions. The Department responds to consumer complaints and requests for information and conducts educational and outreach programs to make consumers aware of their rights under Maine laws.

In order to encourage the development of sound ethical businesses which serve the needs of Maine citizens, the Department fosters a healthy business environment through competent, impartial and efficient regulation.

**ORGANIZATION:** The Department of Business Regulation was created in October 1973, as part of State government reorganization designed to consolidate related agencies along functional lines and to strengthen executive direction. Agencies originally placed under the jurisdiction of the Department were the Bureau of Banking, the Bureau of Insurance, the Real Estate Commission, the Maine State Boxing Commission (renamed Maine Athletic Commission), the State Running Horse Racing Commission, and the Land Damage Board (renamed State Claims Board), later transferred by statute to the Department of Finance. The Administrative Services Division was established by the Commissioner in 1974 and by statute in C. 553, P.L. 1983. The Special Session of the 106th Legislature established the Bureau of Consumer Protection (renamed the Bureau of Consumer Credit Protection) to enforce the Maine Consumer Credit Code, which became effective on January 1, 1975.

The 107th Legislature transferred the Oil Burner Men's Licensing Board (renamed the Oil and Solid Fuel Board) and the Electricians' Examining Board from the Department of Public Safety. The Special Session of the 107th Legislature established the Central Licensing Division and transferred the Board of Examiners on Speech Pathology and Audiology and the State Board of Examiners of Psychologists from independent agency status to the Department. The 108th Legislature created the Board of Registration of Substance Abuse Counselors and the Manufactured Housing Board and transferred the Board of Examiners of Arborists from an independent agency status to the Department. In its second session, the 108th Legislature transferred the Social Worker Registration Board from an independent agency status to the Department. The 109th Legislature transferred the Board of Registration for Professional Foresters, the Board of Certification for Geologists and Soil Scientists and the Board of Examiners in Physical Therapy from an independent agency status to the Department. It also created the Auctioneers Advisory Board.

The First Session of the 110th Legislature attached the State Board of Registration for Professional Engineers, the State Board of Registration for Land Surveyors and the Penobscot Bay and River Pilotage Commission to the Department. It also created the Commercial Driver Instructors Licensing Board and transferred the Registration of Charitable Solicitors from the Secretary of State to the Department.

The Second Session of the 110th Legislature transferred from the Department of Human Services to the Department of Business Regulation: the Plumbers Examining Board, the Board of Hearing Aid Dealers and Fitters, and the Board of Funeral Service, all effective July 1, 1983.

The First Session of the 111th Legislature, at the Department's request, enacted Public Law Chapters 171, 413 and 553. The first completely reorganized the Real Estate Commission, its staff and functions. The second conformed the statutes of all boards within or affiliated with the Department to the Administrative Procedure Act and recent Federal and State court decisions, and standardized many of the powers and procedures of the licensing boards.

## PROFESSIONAL AND FINANCIAL REGULATION

It created a new Division of Licensing and Enforcement to include the Department's Computer Services Section; provided that the Superintendents of the three bureaus be General Fund responsibilities, took the Manufactured Housing Board and Athletic Commission out of the General Fund and made them dedicated accounts, and renamed the Department the Department of Business, Occupational and Professional Regulation.

The Second Session of the 111th Legislature created and placed within the Department the Board of Occupational Therapy Practice; it placed within the Department the Penn Bay Pilotage Commission and extended the Department's authority over the remaining six attached licensing boards. It reviewed and to some extent standardized the per diem and expenses of licensing board members and provided that legislators could not be licensing board members.

The First Regular Session of the 112th Legislature transferred the Board of Administrators of Medical Care Facilities from independent status to this Department, effective June 4, 1985; and it created the Board of Registration of Dietetic Practice and the Board of Respiratory Care Practitioners and placed them within the Department, both effective September 19, 1985.

The Second Regular Session of the 112th Legislature conducted the first ever audit and program review of the Department and left it fundamentally unchanged. The audit was useful in every respect. It redefined important relationships, eliminated outdated statutory provisions, and helped the Department in the areas of housing and personnel.

The process repealed the Itinerant Photographers Registration Act and defined for all licensing boards the definition of a "public member."

The Legislature also transferred the Radiologic Technologist Board from Human Services, the Veterinarians Board from Agriculture, and the Barbers Board from affiliated status, and put them within this Department, effective 7/16/86. It affiliated with the Department the boards which license chiropractors, dentists, medical doctors, nurses, optometrists, osteopaths, pharmacists and podiatrists. It directed that by 1990 all licensing boards be physically located in the Capital area. It created statutory standards to be met by groups seeking additional licensing boards. The registration of Sellers of Business Opportunities was transferred to the Securities Division of the Bureau of Banking.

During 1987, the First Session of the 113th Legislature enacted legislation placing the Board of Accountancy within the Department and strengthening the Board's licensing law. The Legislature also passed legislation significantly revising the licensing statute used by the Real Estate Commission and created a new licensing board to regulate acupuncturists. In 1988, the Legislature approved legislation transferring the Board of Commissioners of the Profession of Pharmacy to the Department.

In 1989, the First Session of the 114th Legislature approved bills proposed by the Department which strengthened the disciplinary powers of the licensing boards, provided limited confidentiality of investigative records, and brought the Board of Chiropractic Examination and the Board of Registration for Land Surveyors within the Department. The Legislature also created a new board to license counselors. In 1990, pursuant to a federal mandate, legislation was enacted and signed into law which requires real estate appraisers to be licensed by a new State board in the Department.

In 1991, the First Session of the 115th Legislature approved legislation combining the Board of Barbers with the Board of Cosmetology in recognition of their similar functions.

In 1992, the Second Session of the 115th Legislature eliminated the Board of Licensure of Railroad Personnel.

In 1994, the Second Session of the 116th Legislature transferred the Examiners of Podiatrists from independent agency status to the Department. The board was renamed the Board of Licensure of Podiatric Medicine.

**PROGRAM:** The Commissioner is the administrative head of the Department and, as such, budgets for the Department, initiates and coordinates all planning, directs the activities of the Department's two divisions and those of all units and employees not part of a major subdivision. The Commissioner directs the day-to-day management of the Department.

The Commissioner is responsible for reviewing the operation of agencies within and affiliated with the Department, and to assure that each "complies fully with its statutory and public service responsibilities." However, the Commissioner lacks authority "to exercise or to interfere with the exercise of discretionary regulatory or licensing authority" which is vested by statute directly in the Bureaus, Boards and Commissions of the Department.

In the case of affiliated boards, the Commissioner and the Department act as a liaison with the Governor and with other units of state government. Affiliated boards prepare their own budgets and submit them through the Department.

## PROFESSIONAL AND FINANCIAL REGULATION

The Commissioner develops the Department's legislative program, and coordinates it within the Department and with the Administration.

### LICENSES, PERMITS, ETC.:

See individual agencies.

### PUBLICATIONS:

See reports of component units.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contract Services—State	375	375				
Other Contractual Service	2,584	2,584				
Commodities	6	6				
<b>TOTAL EXPENDITURES</b>	2,965	2,965				

## BOARD OF ACCOUNTANCY

**CLIFTON FLETCHER, CHAIRPERSON**

**CHERYL HERSOM, Regulatory Board Coordinator**

**SANDRA LEACH, Board Clerk**

*Central Office:* Gardiner Annex, 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 624-8563

*FAX:* 624-8637

*Established:* 1967

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 280; Citation: 32 M.R.S.A., Sect. 3971

*Average Count—All Positions:* 1

*Legislative Count:* 0

**PURPOSE:** The Board of Accountancy was established to protect the public through regulation of the practice of public accounting in the State of Maine so as to establish and maintain a high standard of integrity and dignity in the profession. The primary responsibilities of the Board are to examine, certify and register qualifying applicants for a certificate to practice public accounting in the State; to revoke, suspend or refuse to renew any registration permit after proper notice and hearing; to promulgate and amend rules of professional conduct; and to make available a register of Certified Public Accountants, Public Accountants and firms other practitioners registered by the Board, Board members, regulations of the Board, rules of professional conduct, and laws relating to the practice of accounting.

**ORGANIZATION:** The Board of Accountancy, as established by Title 5, section 12004, subsection 1, shall consist of 5 members appointed by the Governor. Each member of the board shall be a citizen of the United States and a resident of this State. Three members shall be persons registered in accordance with subchapter III and whose principal occupation has been in active practice as a certified public accountant for at least the 5 preceding years. One member shall be a person registered in accordance with subchapter IV and whose principal occupation has been in active practice as a noncertified public accountant for at least the 5 preceding years. One member of the board shall be a representative of the



## PROFESSIONAL AND FINANCIAL REGULATION

public. Appointments shall be for 3-year terms, except that the terms of 2 members other than the public member shall expire each calendar year and appointments of less than 3 years may be made in order to comply with this limitation. Any vacancy occurring during a term shall be filled by appointment for the unexpired term. Upon the expiration of his term of office, a member shall continue to serve until his successor shall have been appointed and shall have qualified, and the successor's term shall be 3 years from the date of the expiration, regardless of the date of his appointment. No person may be eligible to serve more than 3 full consecutive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 3-year term shall be deemed a full term. The Governor shall remove from the board any member whose permit to practice has become void, revoked or suspended, and may, after hearing, remove any member of the board for cause.

**PROGRAM:** The duties of the Board of Accountancy include holding Certified Public Accountant (CPA) and Public Accountant (PA) examinations, issuing CPA and PA certificates, issuing annual permits to practice to qualified certificate holders, investigating complaints against certificate holders and taking appropriate action where necessary.

During the FY 1994, the Board of Accountancy held 7 meetings to conduct business.

**EXAMINATION STATISTICS:** During FY 94, the Board conducted 2 examinations which were held in November 1993 and May 1994. A total of 203 candidates were examined in November and 188 candidates were examined in May.

**LICENSING STATISTICS:** The Board currently has 1,292 licensed CPA's, 65 PA's and 364 Firm/Branch Offices. A total of 116 new licenses were issued during FY 94 including 65 CPA's, 24 Permits to Practice, 5 Transfer of Credits and 22 firm/branch offices.

**COMPLAINTS:** During FY 94, 15 new complaints were brought before the Board of which 7 complaints were dismissed, 1 adjudicatory hearing was held, 4 consents were issued, 2 Board Orders were issued, \$500.00 was collected in fines, two cease & desist agreements were issued and one complaint was referred to the Attorney General's office.

### LICENSES, PERMITS, ETC.:

Certification:

Public Accountants

Certified Public Accountants

Annual Registrations:

Offices

Public Accountants

Certified Public Accountants

### PUBLICATIONS:

State Laws

Board Rules

Licensee Roster—May be requested in various formats such as: lists, mail labels, and diskettes (nominal fee)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BOARD OF ACCOUNTANCY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	23,669		23,669			
Health Benefits	4,944		4,944			
Retirements	3,470		3,470			
Other Fringe Benefits	78		78			
Other Contract Services—State	22,358		22,358			
Other Contractual Service	21,801		21,801			
Commodities	14		14			
Transfer to Other Funds	10		10			
<b>TOTAL EXPENDITURES</b>	76,344		76,344			

## PROFESSIONAL AND FINANCIAL REGULATION

### ACUPUNCTURE LICENSING BOARD

VICKI COHN POLLARD, CHAIR  
DIANE BRADSTREET, Board Clerk  
ALEX SEVERANCE, Coordinator

Central Office: 122 Northern Ave., Gardiner  
Mail Address: Statehouse Sta. #35, Augusta, Maine 04333

Telephone: 582-8723  
TDD: 624-8563  
FAX: 624-8637

Established: 9/29/87

Sunset Review Required by: June 30, 1995

Reference: Policy Area: 01; Umbrella: 02; Unit: 502; Citation: 32 M.R.S.A., Sect. 12406

Average Count—All Positions: 0

Legislative Count: 0

**PURPOSE:** The Acupuncture Licensing Board was established to protect the public interest through the regulation of the practice of acupuncture in the State of Maine. The primary responsibilities of the Board are to issue licenses to qualified applicants, to issue biennial renewal of licenses, to investigate written complaints brought before the Board, to answer correspondence, to maintain financial records, and to set fees for biennial licensure of acupuncturists.

**ORGANIZATION:** There is within the Department of Professional and Financial Regulation the Acupuncture Licensing Board as established in Title 5, chapter 379. The Board consists of 5 members appointed by the Governor. Three members shall be licensed acupuncturists, one member shall be a licensed, practicing medical or osteopathic doctor and one member shall be a member of the public who is not licensed to practice any healing art or science and who is not an acupuncturist. Appointments shall be for 3-year terms.

**PROGRAM:** During FY 1994 the Board met (four) 4 times for the purposes of reviewing applications, reviewing continuing education and acting on complaints. In the course of FY 94, the Board received one new complaint and referred one to the Attorney General's Office. There are currently 45 individuals licensed as acupuncturists in the State of Maine. In June 1989, the 114th Legislature enacted emergency Legislation to broaden the licensure requirements for persons currently practicing acupuncture. This allowed the Board to grandfather in numerous individuals who, under the original requirements, did not qualify for licensure.

#### LICENSES, PERMITS, ETC.:

Licensed Acupuncturists

#### PUBLICATIONS:

Laws and Rules

List of licensed acupuncturists (nominal fee)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ACUPUNCTURE LICENSING BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contractual Service	707		707			
Transfers to Other Funds	762		762			
<b>TOTAL EXPENDITURES</b>	1,469		1,469			

## **ADJUSTER LICENSE ADVISORY BOARD**

**BRIAN K. ATCHINSON, SUPERINTENDENT**

*Central Office:* Northern Ave., Gardiner, Me. 04345

*Telephone:* 582-8707

*Mail Address:* Statehouse Sta. #34, Augusta, Maine 04333

*Established:* 1989

*Sunset Review Required by:* June 30, 1997

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 036; *Citation:* 24A M.R.S.A., Sect. 1525

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The purposes of the Adjuster License Advisory Board are to make recommendations to the superintendent with respect to the scope, type and conduct of written examinations for license, and the approval of Pre-Licensing Courses.

**ORGANIZATION:** The board consists of 5 members, to be appointed by the superintendent of the Bureau of Insurance for terms of 3 years each, on a staggered term system so as to prevent the terms of more than 2 members from expiring in any one year. No person shall be eligible for appointment to such a board unless he or she is active on a full-time basis as an adjuster, and is a resident of this State. No person may be reappointed to a board for more than one 3-year term.

In appointing members to the adjuster advisory board, the superintendent, so far as practicable, constitute the board that it shall at all times include at least one adjuster who is an employee of an insurer, one public adjuster, one member or employee of an independent adjusting firm and one member who represents the public.

The board may consult with the superintendent with respect to possible legislation or regulatory measures designed or intended to improve the quality and nature of the lines of insurance and aspects of the insurance business within its concerns. The written reports of the board must be matters of public record, and available from the superintendent upon request.

Lastly, the members of the board serve without compensation, but with the superintendent's approval may be reimbursed for their reasonable travel expenses in attending any meeting called or approved by the superintendent.

**PROGRAM:** The Adjuster License Advisory Board met once during Fiscal Year 93-94 to review and revise Workers' Compensation questions. This Board remains on call as needed.

### **LICENSES, PERMITS, ETC.:**

This Board issues no licenses itself, but participates in preparation of examinations used as a basis for licensing by the Bureau of Insurance.

**FINANCES, FISCAL YEAR 1994:** 24-A M.R.S.A., Section 1526, provides that expenditures of this unit shall be borne by the Bureau of Insurance and are, therefore, included in its financial display.

## **DIVISION OF ADMINISTRATIVE SERVICES (Professional and Financial Services)**

**LINDA S. GILSON, DIRECTOR**

**PAUL A. SAWYER, Director, Planning and Management Information Systems**

*Central Office:* Gardiner Annex, Gardiner, Maine 04345

*Telephone:* 582-8700

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Established:* 1974

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 028; Citation: 10 M.R.S.A., Sect. 8003

*Average Count—All Positions:* 15.0

*Legislative Count:* 0

**PURPOSE:** This Division was established to provide administrative support services for all of the bureaus, boards and commissions within the Department and for the Department itself.

Its major responsibilities are Accounting, Budgeting, Personnel Management and Purchasing. The Division provides centralized accounting and budgeting, centralized purchasing and property recording, and centralized personnel services, including the preparation of payrolls and related recordkeeping. Most reports required of the Department, and of small agencies within it, are prepared by this Division.

The Information Systems Support Services section was established as part of the Administrative Services Division for the purpose of coordinating automation and electronic communication initiatives, to create and administer a comprehensive computer network enhancing each agencies' ability to fulfill their mission and to administer a centralized licensing database. Using a planning committee, consisting of representatives of each agency, the committee studies issues, sets standards and develops policies relating to the Department's automation and communication initiatives.

**ORGANIZATION:** This division consists of a Director, a personnel assistant, one Accountant II, one Accountant I, one Account Clerk II and one Receptionist.

Within the Administrative Services Division there are three functional units. The first is Financial which provides centralized accounting, budgeting and fiscal services for the department as well as the centralization of purchasing and property accounting. The second section, Personnel, is responsible for all personnel transactions for the department including the preparation of payrolls, affirmative action, contract administration, and Workers' Compensation. The last section, Information Systems Support Services, is responsible for the coordination of automation and electronic communication within the department.

The staff of the Information Systems Support Services section consists of a Director, Account Clerk I, Programmer Analyst, 2 Information Systems Support Specialists, and a Data Control Specialist.

**PROGRAM:** The Administrative Services Division provides the services described above for the entire Department of Professional and Financial Regulation. Additionally, the Division is responsible for ordering and arranging for the services provided to all units by outside staff agencies, the landlord, and by private parties and vendors. It has continued to computerize its functions through the MFASIS System and the Budget C????? in order to provide better and more varied management information reports.

The Information Systems Support Services section program includes administration of the Department's centralized licensing database (approximately 116,000 licensee records). The section provides quality control for licensing system data as well as printing of licenses and renewal notices, as well as printing of rosters and mailing labels for the licensing agencies and the public. Support Services provided by this section include training, local area network administration, micro computer support, coordinating the acquisition of hardware and software, limited software programming and facilitating the sharing of resources. Consistent with this effort a desktop publishing facility is maintained for use by agencies within the Department. Finally this section coordinates telecommunications services and equipment for all agencies and data communications with host systems.

### **PUBLICATIONS:**

Department of Professional and Financial Regulation, Affirmative Action Plan ..... no charge  
Department of Professional and Financial Regulation, Expense Account Manual ..... no charge  
The Gardiner Gazette, Newsletter ..... no charge

## PROFESSIONAL AND FINANCIAL REGULATION

Requests and mailing labels for all licensees are printed upon request. Lists are available in many formats and can be as brief or as complete as necessary. The Division has also recently begun providing information on 51/4'' and 31/2'' diskettes in ASCII or DIF format for those who wish to have the data for use with their own computer systems. These materials are available for a nominal fee.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>DIVISION OF ADMINISTRATIVE SERVICES</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	422,766		422,766			
Health Benefits	42,151		42,151			
Retirements	65,209		65,209			
Other Fringe Benefits	4,207		4,207			
Other Contract Services—State	95,328		95,328			
Computer Services—State	1,510		1,510			
Other Contractual Service	194,567		194,567			
Rents	98,222		98,222			
Commodities	99,936		99,936			
Building Improvements	60,101		60,101			
Interest—Debt Retirement	12		12			
Transfer to Other Funds	303		303			
<b>TOTAL EXPENDITURES</b>	<b>1,084,312</b>		<b>1,084,312</b>			

## ARBORIST EXAMINING BOARD

**GARY FISH, CHAIRPERSON**

**NAN WESCOTT, Board Clerk**

**DIANNE SAWYER, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* (207) 624-8563

*FAX:* 624-9637

*Established:* 1933

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 287; Citation: 32 M.R.S.A., Sect. 2001

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Arborist Examining Board was established to provide examinations, licenses and enforcement of the statutes relative to arborists in Maine. The primary responsibilities of the Board are to determine policy; issue rules and regulations; compile and maintain an up-to-date list of all licensed arborists; collect and expend fees; issue, renew and revoke licenses; and prepare and give scheduled examinations.

**ORGANIZATION:** The Arborist Examining Board, created in 1933, is comprised of six members appointed by the Governor—one a plant pathologist from either the State or University of Maine staff, two licensed commercial arborists, one public member; one member from the Bureau of Forestry; and one member with the state registration of pesticides from the Department of Agriculture; all are appointed for a five year term.

By action of the 108th Legislature (Chapter 360 PL 1977 and Chapter 682 PL 1978) the Arborist Examining Board was placed under the Department of Professional & Financial Regulation essentially for the purpose of collecting fees, issuing licenses, and maintaining records of finances and lists of licensed arborists. Licenses are issued on an annual basis.

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**PROGRAM:** During FY93-94 the Arborist Examining Board met 6 times, conducted 3 examination sessions and examined 31 applicants. In the past year the Board received 12 new complaints, 2 were dismissed, 2 Board orders, cease/desist and 15 were referred to the Attorney Generals Office for unlicensed practice. At the present there are 401 licensed Arborists; 4 Masters; 2 Regular Masters; 359 First Class; and 36 Apprentice Arborists.

### LICENSES, PERMITS, ETC.:

Regular Arborists; Master, Restricted Arborist; Apprentice, First Class, Master; Licensed in their specialty field of Utility or Landscape.

### PUBLICATIONS:

Lists, labels or diskettes of licensed arborists can be purchased through the Arborist Examining Board, Division of Licensing and Enforcement. For further information you may contact the board at 582-8723.

Laws and Rules are free of charge upon request.

Arborist Study Guide—\$2.50

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ARBORIST EXAMINING BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	375		375			
Other Contractual Services	2,035		2,035			
<b>TOTAL EXPENDITURES</b>	2,410		2,410			

## MAINE STATE BOARD FOR LICENSURE OF ARCHITECTS, LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS

**ROBERT HOWE, CHAIRPERSON**

**CHERYL HERSOM, Regulatory Board Coordinator**

**SANDRA LEACH, Board Clerk**

*Central Office:* Gardiner Annex, 122 Northern Ave., Gardiner

*Mail Address:* State House Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

TDD: 624-8563

FAX: 624-8637

*Established:* 1945

*Sunset Review Required by:* June 30, 1997

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 288; *Citation:* 32 M.R.S.A., Sect. 211

*Average Count—All Positions:* 1

*Legislative Count:* 0

**PURPOSE:** The Maine State Board for Licensure of Architects, Landscape Architects and Interior Designers was established to protect the public and maintain high professional standards through the examination and licensure of persons who wish to practice architecture, Landscape Architecture, and interior design in the State of Maine. The primary responsibilities of the Board are to examine all applicants who desire to use the title 'architect', 'landscape architect', or 'interior designer,' and engage in performing the functions of each; to issue licenses and renewals thereof, upon payment of specified fees, to applicants who have satisfactorily met statutory requirements. The Board makes such rules as may be desirable or necessary to establish standards and verify qualifications of applicants for licensure,

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and employs legal advice and such other assistance as it may deem necessary. Also, records of its proceedings and a register of all applicants for licensure are kept by the Board.

**ORGANIZATION:** Appointments shall be for 3-year terms, except that no more than 3 members' terms may expire in any one calendar year. Appointments for terms of less than 3 years may be made in order to comply with this limitation. Upon expiration of a member's term, he shall serve until his successor is qualified and appointed. The successor's term shall be 3 years from the date of the expiration, regardless of the date of his appointment. Any vacancy shall be filled by appointment for the unexpired term. A member may be removed by the Governor for cause.

The Board annually elects its officers. The Board must meet at least once a year to conduct its business; additional meetings may be held as necessary to conduct the business of the Board and may be convened at the call of the chair or a majority of the board members.

**PROGRAM:** The Board, in accordance with the Maine Administrative Procedure Act, makes rules for the protection of the public health, safety, and welfare, as necessary for the performance of its duties of establishing and maintaining high standards of professional qualifications and ethical conduct, and verifying qualifications of applicants for licensure/certification as architects, landscape architects and interior designers.

**ARCHITECTS:** The practice of architecture consists of rendering or offering to render service to clients by consultations, investigations, technical submissions and a coordination of structural factors concerning the aesthetic or structural design and administration of construction contracts or any other service in connection with the designing or administration of construction contracts for buildings located inside the State that have as their principal purpose human occupancy or habitation, regardless of whether the persons are performing one or all of these duties, or whether they are performed in person or as the directing head of an office or organization performing them.

**LANDSCAPE ARCHITECTS:** A person may not use the title "landscape architect" or profess to be a landscape architect or sign drawings or specifications as a landscape architect unless that person is duly licensed by the Board. The practice of landscape architecture consists of rendering or offering to render services to clients by consultations and technical submissions for the purposes of landscape preservation, development and enhancement. These services must apply artistic and scientific principals to the research, planning, design and management of both natural and built environments.

**INTERIOR DESIGNERS:** A person may not use the title "certified interior designer" unless certified by the Board. Interior design services means services that do not require the services of a licensed architect or engineer and that involve the preparation of working drawings, plans and specifications relative to building elements that are not necessary for the structural stability and mechanical and electrical integrity of the construction.

During FY 1994 the Board held 6 meetings to conduct business.

**EXAMINATION STATISTICS:** During FY 94, the board conducted two architect examinations. The December 1993 architect examination was limited to two divisions with a total of 9 candidates taking 13 divisions. The June 1994 architect examination tested 9 candidates taking 52 divisions. Two landscape architect examinations were conducted in FY 94. The December 1993 landscape architect examination was offered to one person taking 4 divisions. The June 1994 landscape architect examination tested 4 candidates taking 14 divisions.

**COMPLAINTS:** During FY 94 the board received no new complaints. A previous complaint was referred to the Attorney General's Office.

**LICENSING STATISTICS:** The Board currently has 1,064 licensed architects and 127 licensed landscape architects. A total of 56 new licenses were issued: 45 architects by NCARB certification, 4 architects by reciprocity, 6 architects by examination, and 1 landscape architect by examination.

Effective October 13, 1993, the Board recognized the certification of interior designers. The certification process will take place once rules have been formally adopted by the Secretary of State's Office.

### LICENSES, PERMITS, ETC.:

Licensure:

Architects and Landscape Architects

Certification:

Interior Designers

## PROFESSIONAL AND FINANCIAL REGULATION

### PUBLICATIONS:

Architect, Landscape Architect and Interior Design Laws

Architect, Landscape Architect and Interior Design Rules

License Roster—May be requested in various formats such as: lists, mail labels, and diskettes (nominal fee)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE STATE BOARD FOR LICENSURE OF ARCHITECTS, LANDSCAPE ARCHITECTS AND INTERIOR DESIGNERS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	22,629		22,629			
Health Benefits	3,301		3,301			
Retirements	3,470		3,470			
Other Fringe Benefits	78		78			
Other Contract Services—State	4,706		4,706			
Other Contractual Service	13,125		13,125			
Commodities	46		46			
<b>TOTAL EXPENDITURES</b>	<b>47,355</b>		<b>47,355</b>			

## MAINE ATHLETIC COMMISSION

AIME MORIN, CHAIRPERSON

MARY-ANN CAMPBELL, Board Clerk

DIANNE SAWYER, Coordinator

Central Office: 122 Northern Ave., Gardiner

Mail Address: Statehouse Sta. #35, Augusta, Maine 04333

Telephone: 582-8723

TDD: 207-624-8563

FAX: 207-624-8637

Established: 1939

Sunset Review Required by: June 30, 1997

Reference: Policy Area: 01; Umbrella: 02; Unit: 035; Citation: 32 M.R.S.A., Sect. 13501

Average Count—All Positions: 0

Legislative Count: 0

**PURPOSE:** The Maine Athletic Commission was established to regulate all boxing contests and exhibitions in the State of Maine, so as to ensure the safe pursuit of boxing as a sport and to provide appropriate recreation and entertainment for the public. In 1977, professional wrestling was added to the Commission's jurisdiction. In 1987, amateur and professional kick-boxing was added to the Commission's jurisdiction. The primary responsibilities of the Commission are to promulgate all necessary rules and regulations; to license all participants in professional boxing and kickboxing contests and exhibitions held in Maine and all officials for amateur contests and exhibitions; to license officials for professional wrestling contests for mental or physical reasons; to recommend revocation of licenses to the Administrative Court under the Administrative Procedures Act; and to ensure payment into the Commission Account by promoters of five percent of gross receipts from boxing, wrestling and kick boxing contests and exhibitions.

**ORGANIZATION:** The Maine State Boxing Commission was created by Legislative Act in 1939. Under State government reorganization legislation, effective October 3, 1973, the Commission was placed within the Department of Professional & Financial Regulation. On May 16, 1977 the Governor approved a Legislative name-change to the Maine Athletic Commission from the Maine State Boxing Commission.

The Commission consists of five members appointed by the Governor, for terms of three years. The



## PROFESSIONAL AND FINANCIAL REGULATION

members may be removed by the Governor for just cause. So far as is practicable, four of the members must be persons interested in, and familiar with boxing. The fifth member must be a public member, who is not engaged in the business of boxing. The Department of Professional and Financial Regulation employs personnel and provides administrative assistance as required.

**PROGRAM:** During FY 93-94 the Athletic Commission held a total of 9 board meetings. As of June 1994, there were a total of 158 licensees consisting of 57 Boxers, 21 Judges, 6 Managers, 13 Promoters, 12 Referees, 40 Seconds, 6 Timekeepers, 2 Knockdown Timekeepers, and 1 Matchmaker.

During the year there were 13 boxing shows, both amateur and professional and 7 wrestling shows. During the events there was a total of 134 new licenses issued; 52 Boxers, 13 Judges, 2 Knockdown Timekeepers, 0 Matchmakers, 6 Managers, 11 Promoters, 10 Referees, 36 Seconds, 4 Timekeepers.

During the year the Commission received 1 complaint which resulted in a license suspension and a fine of \$1,000 was imposed.

### LICENSES, PERMITS, ETC.:

<i>Boxing</i>	<i>Wrestling</i>	<i>Kickboxing</i>
Referee	Referee	Assistant Scorekeeper
Manager	Matchmaker	Judge
Second	Manager	Kickboxer
Timekeeper	Timekeeper	Knockdown Timekeeper
Boxer	Promoter	Kickjudge
Promoter		Matchmaker
Knockdown timekeeper		Manager
Judge		Promoter
		Referee
		Second
		Timekeeper

### PUBLICATIONS:

Lists, labels or diskettes of licensee's of the Maine Athletic Commission can be purchased through Division of Licensing and Enforcement. For further information you may contact the Commission at 582-8723, ext. 48629 or 48635.

Laws and Rules are free upon request.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE ATHLETIC COMMISSION	TOTAL FOR	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS					
<b>EXPENDITURES</b>						
Salaries and Wages	3,185		3,185			
Computer Services—State	340		340			
Other Contractual Service	6,575		6,575			
Commodities	126		126			
Transfer to Other Funds	253		253			
<b>TOTAL EXPENDITURES</b>	10,479		10,479			

## BOARD OF LICENSING OF AUCTIONEERS

**ELSIE M. ANDREWS, CHAIRPERSON**  
**MARY-ANN CAMPBELL, Board Clerk**  
**DIANNE SAWYER, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner  
*Mail Address:* State House Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* September 14, 1979

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 302; Citation: 32 M.R.S.A., Sect. 271

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board of Licensing of Auctioneers was established to administer statutes relative to auctioneering in Maine. The primary responsibilities of the Board are to determine policy; issue rules; compile and maintain an up-to-date list of licensed auctioneers; collect fees; and issue, renew and suspend licenses.

**ORGANIZATION:** The Advisory Board of Licensing of Auctioneers was originally created in 1979 and composed of 3 members, 2 of whom are auctioneers and one public member appointed by the governor for three year terms. In FY 87 the board became a full licensure board and during the 115th Legislative Session the Board membership was increased to 5 members: 3 auctioneers and 2 public members.

**PROGRAM:** During FY 93-94 the Board of Licensing of Auctioneers held 7 meetings. The Board issued 34 new licenses and, as of June 1994 there were a total of 358 people licensed with the Board: 287 Resident and 71 Non-Resident Auctioneers.

As of June 1994, the Board received 6 new complaints, 9 were dismissed. Disciplinary action was taken on one complaint which resulted in an order and restitution in the payment of 10,200.

### LICENSES, PERMITS, ETC:

Resident Auctioneers  
 Non-Resident Auctioneers

### PUBLICATIONS:

Lists, labels or diskettes of licensed auctioneers can be purchased through the Board, Division of Licensing and Enforcement. For further information you may contact the board at 582-8723, ext. 48629 or 48635.

Laws and Rules are free upon request.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BOARD OF LICENSING OF AUCTIONEERS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	975		975			
Computer Services—State	35		35			
Other Contractual Service	4,176		4,176			
Transfer to Other Funds	427		427			
<b>TOTAL EXPENDITURES</b>	5,613		5,613			

## BUREAU OF BANKING

**H. DONALD DeMATTEIS, SUPERINTENDENT**  
**COLETTE L. MOONEY, Deputy Superintendent**  
**DONALD GROVES, Deputy Superintendent**  
**STEPHEN L. DIAMOND, Securities Administrator**

*Central Office:* 124 Northern Ave., Gardiner

*Telephone:* 582-8713

*Mail Address:* Statehouse Sta. #36, Augusta, Maine 04333

*Securities Division:* Statehouse Sta. \$121, Augusta, Maine 04333

*Telephone:* 582-8760

*Established:* 1827

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 029; Citation: 9-B, M.R.S.A., Sect. 121

*Securities Division:* 9-B, M.R.S.A., Sect. 212-A

*Average Count—All Positions:* 43

*Legislative Count:* 10

**PURPOSE:** The Bureau of Banking was established to supervise all financial institutions chartered by the State in a manner to maintain and promote safe and sound financial practices; strength, stability and efficiency of financial institutions; security of deposit and share funds; reasonable and orderly competition; and development and expansion of financial services advantageous to the public welfare; and to assure that investors and the general public have the full and accurate information needed to make investment decisions, and that transactions in securities be effected fairly and honestly.

The Bureau has the power and responsibility to promulgate rules and regulations to govern the activities, operations, and procedures of financial institutions; to conduct an on-site examination of each financial institution supervised by the Bureau at least once every 36 months; to require reports and information necessary for proper supervision; to summon persons and subpoena witnesses in connection with Bureau matters; to order any person to cease violating any law or regulation or cease engaging in any unsafe and unsound financial practice; to approve or deny applications for new charters and applications by existing financial institutions to branch, merge, acquire, consolidate, relocate offices or convert to another charter. The Bureau is also required to register and to require bonding of issuers and sellers of money orders by persons other than financial institutions authorized to do business in Maine.

Within the Bureau of Banking, there is created a Securities Division headed by an Administrator appointed by the Superintendent of Banking who, under the direction of the Superintendent, has charge of the enforcement of the Maine Securities Act and makes any necessary investigations under that Act.

**Securities Division.** The functions of the Securities Division are to administer and enforce the Revised Maine Securities Act; to review applications to register securities for sale in Maine and to deny registration to offerings which are made on unfair, unjust or inequitable terms or which involve illegal activities or which would work a fraud on purchasers; to review filings for exemptions from registration; to license securities brokers, dealers and sales representatives transacting business in Maine, as well as persons acting as investment advisers in Maine; to suspend or revoke such licenses for misconduct as defined in the Securities Act; to respond to consumer complaints; to investigate possible violations of the law, and when warranted by the circumstances, to issue cease and desist orders or refer matters to the Attorney General for civil or criminal action. Effective July 16, 1986, the Bureau was given responsibility for administering and enforcing the Business Opportunity Law and the State Commodity Code.

### ORGANIZATION:

**Banking.** From the date of Maine's statehood until 1831, only occasional committees were appointed by the Legislature to examine certain banks whenever deemed expedient. In 1831, the Legislature directed the Governor and Council to appoint two Commissioners who were required to examine each incorporated bank at least once a year. The powers and duties of the Commissioners were gradually broadened to include authorization to supervise every state bank and savings bank in the State and to set forth procedures to guard against unsafe practices. In 1868, the two Bank Commissioners were replaced with a single examiner of banks and insurance companies charged with making annual examinations of banks and insurance companies. Two years later, a separate office of Insurance Commissioner was created, with the provision that this person could not at the same time serve as the Examiner of Banks. In 1909, legislation was enacted granting general supervisory powers over banks, mergers and new charters under a public convenience and advantage standard. The title of Bank Examiner was also changed back to Bank Commissioner. The Commissioner was empowered to hire one

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or more clerks, one of whom would be named Deputy Commissioner, thus marking the beginning of the Banking Department. Since 1909, powers and duties have been expanded to include supervision and regulation of credit unions.

Under the plan for State government reorganization, the Bureau of Banks and Banking was placed within the Department of Business Regulation, effective October 3, 1973. The title of Bank Commissioner was changed to Bank Superintendent and the statutes provided for one or more Deputy Superintendent. The Bureau of Banks and Banking became known as the Bureau of Banking when the new Maine Banking Law took effect October 1, 1975. The licensing of small and large loan companies, home repair dealers and salesmen, motor vehicle dealers and authority in the area of credit cost disclosures and non-deposit industrial loan companies were transferred to the Bureau of Consumer Protection within the Department of Business Regulation, effective June 28, 1974. The last of the remaining industrial banks went out of existence during the early months of 1976. In 1977, Chapter 22, Section 221 was amended to change the examination period from one year to 18 months. In 1986 the examination period was extended to the current 36 month requirement.

In early 1985, a reorganization of the administrative staff of the Bureau was implemented. The Banking Division was divided into two functional groups with the responsibility for coordination and development of each area delegated to a Deputy Bank Superintendent. The Deputy Superintendent of Examination supervises the Bureau's professional field staff, and coordinates and monitors examinations and problem bank supervision. The Deputy Superintendent of Research/Administration is responsible for the development of the Bureau's data base, bank monitoring systems, legislative/rule-making activities and manages the office staff. A Financial Analyst position was also added to the Bureau's administrative staff, recognizing the need for more comprehensive, continuous analysis of changes in the financial services industry and the Bureau's role in monitoring these developments. The 1987 Agency Review conducted by the Joint Standing Committee on Audit and Program Review recommended that the Bureau increase the visibility of its role as the State's regulator of financial institutions and its complaint mediation process. The Bureau has developed a Consumer Outreach Program and employs two individuals in this program.

**Securities Division.** The law of the State of Maine relating to "Dealers in Securities" was enacted in 1913, two years after Kansas enacted the first "blue sky" law. This law was administered by the Bank Commissioner. Following several minor revisions, the law was amended in 1931 to include an expanded definition of the term "securities" and to provide for a full-time securities examiner and later to provide for a Securities Division. In 1967, the law was changed substantially to provide for the registration of securities, to add civil liability and anti-fraud provisions to the Act, and to increase penalties for violations. A 1973 amendment to the Maine Securities Act gave the Superintendent of Banking authority to exempt certain dealers, agents, securities and transactions, and a 1977 amendment authorized an expanded exemption for Maine corporations. Significant amendments effective in 1980 and 1981 also redefined certain terms, provided new or expanded exemptions, and added new enforcement authority. In 1984 the securities law was further amended to accommodate electronic registration of agents.

In 1985, the One-Hundred-and-Twelfth Legislature passed An Act to Revise the Maine Securities Act. The new law, based on a modified version of the draft Revised Uniform Securities Act, became effective September 19, 1985. Among the many changes brought about by this legislation, the Revised Act expanded the enforcement authority of the State, required the licensing of investment advisers, and provided for the registration of securities by notification, coordination, and qualification.

Legislation enacted in 1986 gave the Securities Division enforcement powers with respect to the sale of certain types of business opportunities and commodity contracts. During the same legislative session, the Takeover Bid Disclosure Law, which had been administered by the Division, was repealed because of concern over its constitutionality. In 1989, the Legislature transferred from the Superintendent of Banking to the Securities Administrator responsibility for directing the activities of the Securities Division.

**PROGRAM:** The Bureau's program is primarily implemented through its Banking and Securities Divisions.

**Banking.** Statutes require the examination of state-chartered financial institutions once every three years; during fiscal year 93-94, the Bureau conducted 27 safety and soundness examinations and 23 specialized examinations. A computer based system also monitors bank performance between on-site visits. To further inform Maine consumers about more complex aspects of financial services, the Consumer Outreach Program produced and distributed over 19,000 copies of educational booklets: "A Consumer's Guide to Understanding Mortgage Points and Other Settlement Costs" (1988), "A Student's Guide to Banking and Personal Money Management" (1989), "A Guide to the Maine Bureau of

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Banking's Consumer Outreach Program" (1990), and "A Consumer's Guide to Home Mortgage Financing in the 1990's" (1990). Consumer Outreach also has produced four videos, "Applying for a Loan" (1989), "Adventures in Money Management" (1990), "Students Ask Questions" (1991), and "Students Ask Questions II" (1992). During FY 93-94, the Bureau filled 210 video rental requests and made 80 educational presentations at Maine schools on financial topics important to young adults. Over 119 Maine high schools, middle schools and colleges utilized the Bureau's booklets, videos and in-school talks during the recently completed fiscal year.

The Bureau's complaint resolution program responded to over 1,100 consumer complaints and/or inquiries. The Bureau has also developed a voluntary program for resolution of complaints involving federally chartered banks not subject to the direct supervision of the Bureau of Banking. Through these efforts, the Bureau has effected over \$168,000 in restitution to Maine consumers.

During fiscal year 1994, 22 letters of notification to open, close, or relocate branches were processed; 11 to establish new or close existing ATM locations. In addition, the Bureau gave three banks permission to purchase the branches of other banks; in a separate transaction, permission was granted to establish a limited-time branch and an in-school branch. In other application activity, the Bureau approved the formation of, or investment in, six subsidiary corporations, the acquisition of two Maine financial institutions and the acquisition of a controlling interest in another. Applications for a federal credit union to convert to a state charter and for the formation of a holding company and acquisition of a financial institution were pending at year end. In addition, the comment period on four notifications will not close prior to the fiscal year end.

Maine's financial institutions continue to operate satellite facilities networks. There are now approximately 300 shared satellite facilities available in this state, and nationwide networks are now accessible to Maine consumers travelling throughout the country.

Administrative personnel of the Bureau participated in programs offered by industry groups, professional associations and federal regulatory agencies. Advanced examiner training involved several examiners attending interagency schools designed to increase the level of expertise in bank examination and supervision. One principal examiner also serves as an instructor at schools sponsored by the Education Foundation of State Bank Supervisors, and one serves on the Board of Directors of a national organization of financial examiners. The scope of examination responsibilities also includes electronic data processing, bank holding companies, and formal compliance review.

**Securities Division.** During fiscal year 1993-94, the Securities Division experienced substantial increases in all of its registration and licensing activities. With respect to securities offerings, the Division received and processed 6,158 applications to register securities, an increase of 30% over the previous year. Similarly, exemption filings for private placements increased 19% to 206, and exemption filings for offerings to existing security holders increased 24% to 149.

During this fiscal year, the Division cleared one offering for the public sale of common stock by a small Maine corporation, a manufacturer of electronic instrumentation systems for industrial and commercial uses. The Division received 15 exemption filings for private offerings of securities by small Maine corporations, an increase of 36% over the previous year.

The number of securities professionals licensed in Maine also showed substantial growth. As of June 30, 1994, there were 814 licensed broker-dealers, 26,796 licensed sales representatives, and 313 licensed investment advisers. These represent annual increases of 7%, 32%, and 16% respectively. In connection with the Division's review of licensing applications, 453 sales representative applications, 27 broker-dealer applications, and 3 investment adviser applications were withdrawn as a result of objections or questions raised by the Division.

Along with several other states, the Division settled the largest lawsuit in its history, brought against a company allegedly engaged in fraudulent practices in the sale of junk-bond mutual funds to several thousand Maine residents. The settlements led to the creation of a nationwide restitution fund consisting of approximately \$33 million. Although money has not been distributed from the fund, the Division believes that the share going to Maine residents will be in the vicinity of \$500,000.

Largely through cooperative enforcement actions with other state and federal securities regulatory actions, the Division collected a record \$640,048.50 in civil penalties. These penalties were obtained in connection with 12 different enforcement cases. The Division also obtained \$47,140.43 in restitution for Maine investors in four cases and brought three administrative actions resulting in cease and desist orders against out-of-state unregistered and unlicensed entities.

A major development during the fiscal year was the growth in the sale of mutual funds on bank premises. To minimize the possibility that bank customers will confuse securities, which inevitably carry some risk, with federally insured bank products, the Division promulgated a rule prescribing certain

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requirements for broker-dealers doing business in banks. The rule was issued in conjunction with a similar regulation promulgated by the Superintendent of Banking to govern the conduct of state chartered banks entering into agreements with broker-dealers.

Fiscal year 1994 marked the first time that the Division's expenses were funded directly by certain fees it collects. Money generated from other fees, as well as from civil penalties, goes into the General Fund for other unrelated programs. During this past fiscal year, \$4 million was obtained for the General Fund.

### LICENSES, PERMITS, ETC.:

License:

- Broker-Dealer
- Sales Representative
- Investment Adviser
- Negotiable Money Orders (Company and Agent)

### PUBLICATIONS:

- Maine Bureau of Banking Regulations and Bulletins—(\$65.00)
- Annual Updates—Regulations and Bulletins—(\$20.00 per year)
- Report of the Superintendent, Bureau of Banking, for the Ten Year Period June 30, 1972-June 30, 1982—(\$5.00)
- Report of the Superintendent, Bureau of Banking, Status of Maine's Financial Institutions ( 1/15/ 85 to 1/15/90)—(\$5.00 each) (1/15/91, 1/15/92 and 1/15/93—\$10.00 each)
- Bureau of Banking-Consumer Outreach Program—(Free\*)
- Consumer's Guide to Understanding Mortgage Points and Other Settlement Costs—(Free\*)
- Student's Guide to Banking and Personal Money Management—(Free\*)
- Consumer's Guide to Home Mortgage Financing in the 1990's—(Free\*)
- Revised Maine Securities Act—(Free)
- Investor Alert—(Free)
- The Risks of Penny Stock Investing—(Free)
- A Brief Guide to Mutual Fund Investing—(Free)
- An Investor's Guide to Reading the Mutual Fund Prospectus (published by Investment Company Institute)—(Free)

### VIDEOS

- "Applying For a Loan," "Adventures in Money Management," "Students Ask Questions," and "Students Ask Questions II"—Free rental; purchase—\$10.00
- "Calling for Your Dollars" (on avoiding investment scams)—(Free rental; not available for purchase)

\*Free to Maine residents only; non-Maine residents—\$1.50 per publication.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>BUREAU OF BANKING</b>						
<b>EXPENDITURES</b>						
Salaries and Wages	1,133,701		1,133,701			
Health Benefits	117,490		117,490			
Retirements	189,044		189,044			
Other Fringe Benefits	14,437		14,437			
Other Contract Services—State	1,688		1,688			
Computer Services—State	22,546		22,546			
Other Contractual Service	254,556		254,556			
Rents	374		374			
Commodities	20,397		20,397			
Grants—Subsidies—Pensions	3,863		3,863			
Building Improvements	930		930			
Transfer to Other Funds	10,557		10,557			
<b>TOTAL EXPENDITURES</b>	1,769,583		1,769,583			

## STATE BOARD OF BARBERING & COSMETOLOGY

ROBERT McLAUGHLIN, CHAIRPERSON

CHERYL HERSOM, Regulatory Board Coordinator

MARY GENTNER, Board Clerk

*Central Office:* Gardiner Annex, 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta. #62, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1937

*Sunset Review Required by:* June 30, 1997

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 265; *Citation:* 32 M.R.S.A., Sect. 351

*Average Count—All Positions:* 7.0

*Legislative Count:* 0

**PURPOSE:** The purpose and major goal of the State Board of Barbering and Cosmetology is to protect the public through regulation of the practice of barbering and cosmetology in the State of Maine and to maintain high professional standards. To do so the Board is authorized to examine and certify applicants for license for the practice of barbering, cosmetology, manicuring and aesthetics, and instruction of barbering and cosmetology in the State of Maine; to issue and renew such licenses to each barber, cosmetologist, manicurist, aesthetician, establishment, instructor, apprentice, and student. The board shall have the authority, after a hearing in conformance with Title 5, section 9051, et seq., to refuse to issue or renew a registration or license. The Administrative Court Judge has the power to suspend or revoke the license of any establishment, licensee, or instructor found guilty of violating any provision of this section or of violating any lawful order, rule or regulation rendered or adopted by the board; to keep a register of all persons to whom licenses are issued.

**ORGANIZATION:** The State Board of Cosmetology originated in 1933. In 1937 the State Board of Hairdressers and Barbers was created and in 1961 the regulation of hairdressers and barbers was split with the creation of two separate regulating Boards. In 1986, the Board of Barbers became an internal board under the Department of Professional and Financial Regulation. In 1991, the Board of Cosmetology became an internal board under the Department of Professional and Financial Regulation and the Board of Barbers and the Board of Cosmetology were merged together forming the State Board of Barbering and Cosmetology. The Board now consists of eleven members: two are consumer members representing the public, five are active cosmetologists and four are active barbers. The members are appointed by the Governor for a term of three years. The selection of a board chairperson is performed at the first meeting of the board each year.

**PROGRAM:** During FY 94, the board held 4 board meetings, conducted 23 cosmetology, manicurists, and aesthetics exams, 2 barber exams and 12 instructor exams.

**COMPLAINT STATISTICS:** During FY 94, 12 new complaints were filed with the Board. Seven complaints were dismissed, 1 Board Order was issued with a fine of \$800.00, 3 consent agreements were executed, the Board levied fines in the amount of \$2,100.00; 3 licenses were placed on probation, and 1 informal conference was held.

**INSPECTION STATISTICS:** A combined total of 3,272 establishment and booth establishment inspections were conducted.

**EXAMINATION STATISTICS:** Of the 37 examinations which were conducted for various types of licensure, 24 barber candidates were examined, 352 cosmetology candidates were examined, 18 cosmetology instructors were examined, 32 manicurists were examined, and 8 aestheticians.

**LICENSING STATISTICS:** During FY 94, the board issued the following various new licenses, registrations and permits: 12 apprentice cosmetologists, 7 apprentice aestheticians, 4 apprentice manicurists, 157 establishments, 183 booth establishments, 15 student barbers, 555 student cosmetologists, 6 student manicurists, 9 student aestheticians, 16 cosmetology instructors, 1 barber temporary work permit, 8 manicurist temporary work permits, 72 cosmetology temporary work permits, 93 cosmetologists licenses, 6 barber licenses, 20 manicurist licenses, and 7 aesthetician licenses.

As of June 30, 1994, the board has the following active licensees: Cosmetologists 8,472; Barbers 765; Manicurists 166; Aestheticians 26; Establishments 2,284; Booth Establishments 682; Apprentice Manicurists 2; Apprentice Cosmetologists 17; Apprentice Barbers 5; Student Cosmetologists 654; Student Manicurists 6; Student Aestheticians 9; Student Barbers 16; Temporary work permits Cosme-

## PROFESSIONAL AND FINANCIAL REGULATION

tology 105; Temporary Work Permits Manicurists 10; Temporary Work Permits Aestheticians 1, Temporary Work Permits Barber 3, Instructor Cosmetologist 152; Instructor Barber 8; Demonstrator licenses 4.

### LICENSES, PERMITS, ETC.:

#### LICENSES

- Aesthetician
- Barber
- Cosmetology
- Demonstrator
- Establishment
- Establishment—Booth
- Manicurist
- Instructor—Cosmetology
- Instructor—Barber

#### REGISTRATION

- Apprentice Aesthetician
- Apprentice Barber
- Apprentice Cosmetologist
- Apprentice Manicurist

#### PERMITS

##### Students:

- Aesthetician
- Barber
- Cosmetologist
- Manicurist

##### Temporary Work Permits:

- Aesthetician
- Barber
- Cosmetologist
- Manicurist

### PUBLICATIONS:

#### Laws:

- State Board of Barbering and Cosmetology

#### Rules:

- Establishment rules
- Barber Instructor rules
- Cosmetology Instructor rules
- Apprentice and Manicurist rules
- Rules of Practice
- Licensure fees rules

#### Rosters:

- Licensee rosters may be purchased in various formats such as: lists, mail labels and diskettes for a nominal fee.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.



## PROFESSIONAL AND FINANCIAL REGULATION

BOARD OF BARBERING AND COSMETOLOGY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	148,529		148,529			
Health Benefits	20,918		20,918			
Retirements	22,225		22,225			
Other Fringe Benefits	1,777		1,777			
Other Contract Services—State	12,242		12,242			
Other Contractual Service	65,572		65,572			
Rents	-70		-70			
Commodities	417		417			
Transfer to Other Funds	1,911		1,911			
<b>TOTAL EXPENDITURES</b>	<b>273,521</b>		<b>273,521</b>			

## STATE BOARD OF CERTIFICATION FOR GEOLOGISTS AND SOIL SCIENTISTS

**ANDREWS L. TOLMAN, CHAIRPERSON**  
**CHERYL HERSOM, Regulatory Board Coordinator**  
**SANDRA LEACH, Board Clerk**

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*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* October 3, 1973

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 070; Citation: 32 M.R.S.A., Sect. 4907

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The State Board of Certification for Geologists and Soil Scientists was established to institute a certification process by which professional geologists and soil scientists could be defined by educational and experienced background as qualified to practice a profession in the State of Maine. The primary responsibilities of the Board are to examine, certify and grant certificates, upon payment of proper fees, to applicants who qualify to practice as geologists or soil scientists in the State; to renew all certificates annually upon application and payment of renewal fees; to adopt, amend or repeal rules and regulations to carry out State laws relating to geologists and soil scientists; to receive and expend moneys derived from fees and other sources; and to receive and investigate complaints and violations of these laws and make findings thereon.

**ORGANIZATION:** The State Board of Certification for Geologists and Soil Scientists was established in 1973 as a result of two years of effort and study by a group of earth scientists. This group recognized the need for defining the professional capabilities of an earth scientist whose primary involvement is with the public sector, since, as earth resources development increases in Maine, there is an increase in demand for highly professional evaluation of those resources.

The Board, within the Professional and Financial Regulation, consists of seven members, including the State Geologist and the State Soil Scientist with the State Soil and Water Conservation Commission, ex officio, and five members appointed by the Governor, for terms of five years. One of the appointed members represents the public at large; two must be certified geologists; and two must be certified soil scientists. An office for the Board has been maintained at the Department of Professional and Financial Regulation.

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**PROGRAM:** During FY 94 the Board held 4 meetings to conduct business.

**EXAMINATION STATISTICS:** During FY 94, the Board conducted 3 geologist examinations resulting in 19 new licensees. The soil scientist examination is administered on demand resulting in 2 new licensees.

**LICENSING STATISTICS:** Currently 229 geologists and 94 soil scientists are certified in the state.

**COMPLAINTS:** During FY 94 the Board received 3 complaints: resulting in 2 closed cases and 1 case currently open.

### LICENSES, PERMITS, ETC.:

Certification:

Geologists

Soil Scientists

### PUBLICATIONS:

Laws and Rules (free)

Licensee Roster—May be requested in various formats such as: Lists, Mail Labels, and Diskettes (nominal fee)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS System.

STATE BOARD OF CERTIFICATION FOR GEOLOGISTS AND SOIL SCIENTISTS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	595		595			
Other Contract Services—State	258		258			
Other Contractual Service	1,648		1,648			
Transfer to Other Funds	90		90			
<b>TOTAL EXPENDITURES</b>	2,591		2,591			

## BOARD OF CHIROPRACTIC EXAMINATION & REGISTRATION

ARTHUR SELANDER, CHAIR

LINDA DUFFY, Board Clerk

ALEX SEVERANCE, Coordinator

Central Office: 122 Northern Ave., Gardiner

Mail Address: Station 35, Augusta, Maine 04333

Telephone: 582-8723

TDD: 207-624-8563

FAX: 207-624-8637

Established: 1923

Sunset Review Required by: June 30, 1994

Reference: Policy Area: 01; Umbrella: 02; Unit: 297; Citation: 32 M.R.S.A., Sect. 501

Average Count—All Positions: 1

Legislative Count: 0

**PURPOSE:** The Board of Chiropractic Examination and Registration was established to protect the public through regulation of the practice of chiropractic in the State of Maine so as to maintain high professional standards. The primary responsibilities of the Board are to examine and license qualified applicants to practice in Maine.

**ORGANIZATION:** The Board of Chiropractic Examination and Registration, established in 1923, consists of 7 members appointed by the Governor, for terms of 3 years, 2 of which are public members.

## PROFESSIONAL AND FINANCIAL REGULATION

Each chiropractic member must be a graduate of a legally chartered chiropractic school, college or university having the power to confer degrees in chiropractic, and must have been at the time of appointment engaged in active practice for a period of at least three years in the State. The Board annually elects one of its members as chairman and one as secretary and treasurer.

**PROGRAM:** The Board met two times in FY 94 to review applications and to conduct its business. The Board promulgated rules for Chiropractic Assistants and adopted a Code of Ethics on March 23, 1994. The Board issued certificates for Chiropractic Assistants. During FY 94 the Board received 6 new complaints, 5 dismissed, 1 Board Order, 2 adjudicatory hearings, 2 probations. The Board through Statute changed its name to the Board of Chiropractic Licensure.

### LICENSES, PERMITS, ETC.:

License:

To practice chiropractic in Maine

### PUBLICATIONS:

“Laws and Rules Governing the Practice of Chiropractic”—No charge.

List of all licensees—At cost.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BOARD OF CHIROPRACTIC EXAMINATION &amp; REGISTRATION</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	17,377		17,377			
Health Benefits	3,317		3,317			
Retirements	2,792		2,792			
Other Fringe Benefits	295		295			
Other Contract Services—State	675		675			
Other Contractual Service	8,163		8,163			
Commodities	993		993			
<b>TOTAL EXPENDITURES</b>	<b>33,612</b>		<b>33,612</b>			

## BOARD OF COMMERCIAL DRIVER EDUCATION

**RONALD WELTON, CHAIRPERSON**

**CHERYL HERSOM, Regulatory Board Coordinator**

**MARLENE McFADDEN, Board Clerk**

*Central Office:* Gardiner Annex, 122 Northern Ave., Gardiner, Me. 04345 *Telephone:* 582-8723

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* January 1, 1982

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 295; Citation: 32 M.R.S.A., Sect. 9552

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board of Commercial Driver Education was created for the purpose of examining and licensing commercial driver education schools and instructors as well as investigating all complaints of noncompliance with or violation of the law and/or established rules and regulations.

**ORGANIZATION:** The Board of Commercial Driver Education is composed of 5 members appointed by the Governor. Two members are representatives of Class A schools, as defined in section 9601, one

## PROFESSIONAL AND FINANCIAL REGULATION

is a representative of Class B schools, as defined in section 9601, one member is a public representative and one member is the Director of the Division of Motor Vehicles or his designee.

The term of office of each member is 4 years, except that, of the 3 school members on the first board appointed under this subchapter, one was appointed for 2 years and one for 3 years.

**PROGRAM:** The Board of Commercial Driver Education strives to improve consumer awareness of commercial driver education facilities, to improve communications between commercial schools and the Board; and to provide an in-service training program for staff development in all commercial driver education schools.

The Board evaluates the qualifications of applicants; examines and licenses commercial driver education schools and instructors; investigates all complaints; and conducts hearings when necessary.

The Board of Commercial Driver Education held 8 meetings to conduct business during FY 94.

**LICENSING STATISTICS:** The Board issued 54 Class A School, 1 Class B School, 28 Class A Branch Schools, 103 Class A Instructor, 28 Class B Instructor, 1 Tractor Trailer School, and 2 Tractor Trailer licenses.

The Board received 22 new complaints, 6 dismissed, 3 Board Orders, 1 adjudatory hearing, 2 consents, 1 revocation of license, 1 suspension, 3 probationers, and \$2,900 in fines.

### LICENSES, PERMITS, ETC.:

- Class A Commercial Schools
- Class B Commercial Schools
- Class A Branch Schools
- Class B Branch Schools
- Class A Commercial Instructors
- Class B Commercial Instructors
- Tractor Trailer Schools
- Tractor Trailer Instructors

### PUBLICATIONS:

Commercial Driving Instruction Laws (Free)

Board of Commercial Driver Education Rules (Free)

Licensee Roster—May be requested in various formats such as: Lists, Mail labels, and diskettes (nominal fee)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BOARD OF COMMERCIAL DRIVER EDUCATION</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	70		70			
Other Contrac Services—State	1,007		1,007			
Computer Services—State	845		845			
Other Contractual Service	2,798		2,798			
Commodities	69		69			
Transfer to Other Funds	59		59			
<b>TOTAL EXPENDITURES</b>	<b>4,848</b>		<b>4,848</b>			

## BUREAU OF CONSUMER CREDIT PROTECTION

WILLIAM N. LUND, Superintendent

Central Office: Gardiner Annex, 122 Northern Ave.,  
Gardiner, Maine 04345

Telephone: 582-8718

Toll-free Consumer Line: 1-800-332-8529

Mail Address: Statehouse Sta. #35, Augusta, Maine 04333-0035

Established: 1975

Sunset Review Required by: June 30, 1997

Reference: Policy Area: 01; Umbrella: 02; Unit: 030; Citation: 9-A M.R.S.A., Sect. 6-103

Average Count—All Positions: 15

Legislative Count: 0

**PURPOSE:** The Bureau of Consumer Credit Protection was established to protect the citizens of Maine from unfair and deceptive practices with respect to consumer credit. The primary responsibility of the Bureau is to implement the Maine Consumer Credit Code. The Code requires the Bureau to promote the development of equitable consumer credit practices; encourage competition among credit grantors; and assure that the regulation of consumer credit transactions in Maine conforms to the policies of the federal Truth-in-Lending Act.

In addition, the Bureau is responsible for administration of consumer-related State Acts concerning Collection Agencies, Simplified Consumer Loan Contracts, Credit Reporting Agencies, Credit Services Organizations, rent-to-own companies and pawnbrokers.

**ORGANIZATION:** The Maine Consumer Credit Code, enacted by the 106th Legislature, became effective on January 1, 1975 and provided for the establishment of an independent Bureau of Consumer Protection within the Department of Business Regulation. All personnel of the Division of Personal and Consumer Finance of the Bureau of Banking were absorbed by the Bureau of Consumer Protection. The 110th Legislature changed the name of the agency to the Bureau of Consumer Credit Protection.

**PROGRAM:** The Bureau's activities include three (3) basic functions: A comprehensive examination program, a consumer complaint division and a consumer education program.

The examination staff, consisting of 4 field examiners and supervisory personnel, expend the majority of their time in the examination of financial institutions and mortgage banking companies. Collection agencies, credit reporting agencies, credit services organizations, rental/purchase companies, pawnbrokers, and large retail creditors are also examined on a regular basis. The trend of centralization of records at out-of-state locations by large retailers has continued, resulting in a requirement for increased out-of-state travel for the examination staff.

During FY '94, 627 creditors, 9 collection agencies, 6 credit services organizations and 1 credit reporting agency were examined. During this period, creditors refunded \$252,443.47 to consumers as a result of violations discovered during the examination process. The Bureau cited 808 violations of Truth-in-Lending Laws and 232 Consumer Credit Code violations after reviewing 35,052 transactions. The Bureau negotiated 4 Assurances of Discontinuance and 1 Administrative Order involving violations of lender, credit reporting and collection laws.

The Bureau's Complaint Division responded to approximately 4,000 consumer grievances, including 345 formal written complaints. Many were mediated informally, by telephone, while others required conferences, hearings and/or formal resolutions. As a result of the efforts of the Complaint Division, an additional \$93,049.69 was credited and refunded to consumers.

The Examination Staff and the Complaint Division once again cooperated on several investigations during FY '94, when consumer inquiries concerning creditor practices led to full-scale examinations of those creditors, large refunds to various classes of borrowers, and disciplinary sanctions imposed on several companies.

The Bureau fulfilled its consumer education responsibilities by speaking to a variety of groups and organizations, including many seminar panel appearances and service club presentations. The Bureau continued a distribution network with officials of the ASPIRE program, and informational brochures were provided to persons and groups seeking assistance under that program. The office also supplied a permanent member to the Department of Labor's RETI (Rapid Employment and Training Initiative) team, which provided counseling to displaced workers statewide.

The Bureau licensed or registered the following creditors and businesses in FY 94:

## PROFESSIONAL AND FINANCIAL REGULATION

Supervised Financial Organizations (banks, credit unions—including branches) .....	525
Supervised Lenders (122 Main offices; 44 branches) .....	166
Other Creditors (excluding branches)* .....	825
Sales Finance Companies (45 Main offices; 8 branches) .....	53
Collection Agencies .....	70
Credit Service Organizations .....	15
Credit Reporting Agencies .....	15

..... Total 1,669

\*This year's "other creditor" tally includes the following categories:

Insurance Premium Finance Companies (5 Main offices) .....	5
Mobile Home Dealers (32 Main offices) .....	32
New Car Dealers (148 Main offices; 6 branches) .....	154
Used Car Dealers (89 Main offices; 3 branches) .....	92
Rent-to-own Merchants .....	25
Pawnbrokers .....	35

### LICENSES, PERMITS, ETC.:

License:

Collection Agencies  
Supervised Lenders-Consumer Credit Code

Registration:

Consumer Credit Code Notification  
Credit Services Organizations  
Credit Reporting Agencies  
Rent-to-Own Companies  
Pawnbrokers

### PUBLICATIONS:

Down Easter Guide to Credit Cards (free to Maine residents)  
Down Easter's Pocket Credit Guide (free to Maine residents)  
Cut Rate Auto Financing (free to Maine residents)  
Downeaster Consumer Guide to Credit Bureaus and Credit Reports (free to Maine residents)  
Creditor Update—Quarterly Newsletter for businesses (free to interested parties)  
Down Easter's Guide to Debt Collections and Repossession (free to Maine residents)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF CONSUMER CREDIT PROTECTION	TOTAL FOR ALL	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	FUNDS					
EXPENDITURES						
Salaries and Wages	461,145		461,145			
Health Benefits	45,304		45,304			
Retirements	79,290		79,290			
Other Fringe Benefits	4,030		4,030			
Other Contract Services—State	5,181		5,181			
Computer Services—State	21,713		21,713			
Other Contractual Service	136,062		136,062			
Rents	144		144			
Commodities	4,522		4,522			
Grants, Subsidies, Pensions	430		430			
Interest—Debt Retirement	5		5			
Transfer to Other Funds	4,728		4,728			
<b>TOTAL EXPENDITURES</b>	762,554		762,554			

## BOARD OF COUNSELING PROFESSIONALS LICENSURE

LOA SULLIVAN, CHAIRPERSON

LAUREL MORAN, Secretary

MARY BRETON, Board Clerk

ALEX SEVERANCE, Coordinator

Central Office: 122 Northern Ave., Gardiner

Mail Address: Statehouse Sta. #35, Augusta, Maine 04333

Telephone: 582-8723

TDD: 207-624-8563

FAX: 207-624-8637

Established: 1989

Sunset Review Required by: 1999

Reference: Policy Area: 01; Umbrella: 02; Unit: 514; Citation: P.L. 465

Average Count—All Positions: 0

Legislative Count: 0

**PURPOSE:** The Board of Counseling Professional Licensure was created in the second session of the 114th Legislature in order to ensure that the public is protected by a common code of standards and ethics among those who represent themselves as professional counselors qualified to assess and treat intrapersonal and interpersonal and other dysfunctional behaviors, and to assist in the overall development and adjustment of those served.

**ORGANIZATION:** The Board's full complement will consist of 13 members, 12 of them appointed by the Governor to 3 year terms. Eight members must be licensed counseling professionals under the following designations:

- 2 Professional Counselors
- 2 Clinical Professional Counselors
- 2 Marriage and Family Therapists
- 2 Pastoral Counselors
- 2 Registered Professional Counselors (not qualified for licensure)
- 2 Representatives of general public (not currently practicing counseling or receiving compensation for counseling services.)

One member, appointed by the Chancellor of the University System, must be a member of the university faculty involved in the training of counselors.

**PROGRAM:** The Board met monthly during FY 94. The National Counselor Exam was offered in September and April and the Professional Examination Service Exam was offered in November and May to candidates seeking licensure. The Board accepted applications under the Existing Counselor provision in the statute which allows an applicant to become licensed without taking the exam. Another function of the Board is to register individuals who are not licensed but who are engaged in the procedures of counseling. Six complaints were filed. Two complaints were dismissed. One referred to the Attorney General's Office. The Board presently has a total of 948 counselors.

### LICENSES, PERMITS, ETC:

- Licensed Professional Counselor
- Licensed Clinical Professional Counselor
- Licensed Marriage and Family Therapist
- Licensed Pastoral Counselor
- Registered Counselor

### PUBLICATIONS:

- Laws of the Board of Counseling Professionals—Free
- Roster of Licensees and Registrants—at cost

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## PROFESSIONAL AND FINANCIAL REGULATION

BOARD OF COUNSELING PROFESSIONALS LICENSURE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
EXPENDITURES						
Salaries and Wages	9,520		9,520			
Health Benefits	1,269		1,269			
Retirements	1,032		1,032			
Other Fringe Benefits	86		86			
Other Contract Services—State	3,010		3,010			
Other Contractual Service	14,200		14,200			
Rents	75		75			
Commodities	20		20			
Transfer to Other Funds	2,717		2,717			
<b>TOTAL EXPENDITURES</b>	31,929		31,929			

### BOARD OF DENTAL EXAMINERS

**ROGER A. KAY, D.D.S., PRESIDENT**

**WILLIAM C. CADDOO, D.M.D., VICE-PRESIDENT**

**ROSS WYMAN, D.D.S., SECRETARY-TREASURER**

*Central Office:* 2 Bangor Street, Augusta, Maine 04333

*Telephone:* 287-3333

*Mail Address:* Statehouse Station #143, Augusta, Maine 04333

*Established:* 1891

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 313; Citation: 32 M.R.S.A., Sect. 1071

*Average Count—All Positions:* 1

*Legislative Count:* 0

**PURPOSE:** The Board of Dental Examiners was established to protect the lives and health of the people of the State of Maine through regulation of the practice of dentistry so as to maintain high professional standards. The primary responsibilities of the Board are to license qualified applicants for a certificate to practice dentistry, dental hygiene, or denture technology or radiography in Maine; collect payment of specified fees to register dentists and dental hygienists biannually, denture technologists annually and radiographers every five years who are practicing in the State; to make such rules, not contrary to the law, as the Board deems necessary for the performance of its duties; to investigate all complaints and all cases of noncompliance with, or violations of, the provisions of laws relating to dentists and to institute or cause to be instituted appropriate proceedings in connection therewith; and to affiliate with the American Association of Dental Examiners as an active member.

**ORGANIZATION:** The Board of Dental Examiners, originally established in 1891 as the Board of Examiners for Dentists, consists of five members of the dental profession, a consumer and a dental hygienist for a term of five years, all appointed by the Governor. Dentist members must be graduates of a reputable dental college and have been in the practice of dentistry in Maine for at least ten years immediately preceding the appointment. The dental hygienist member must be a graduate of an accredited dental hygiene college and have been practicing dental hygiene in the State for at least 6 years immediately preceding appointment. The Board, at its annual meeting, elects from its members a president, a vice-president and a secretary-treasurer. The National Board and the Northeast Regional Board serve as examinations for licensure.

**PROGRAM:** The Board of Dental Examiners met at least monthly in Augusta with lengthy agendas. Agenda items included: interviews for licensure; consumer complaints, dentist complaints; advertising; discussions of complaints with recommendations to the Department of the Attorney General for prosecution in Administrative Court or investigation by that department; and informal hearings with dentists, consumers and their attorneys.



## PROFESSIONAL AND FINANCIAL REGULATION

Sixteen dentists became newly licensed in the State of Maine during the fiscal year 1994. A total of 933 are currently registered for the biennium 1994-1995. Of these, 317 list out of state residences or practices. The Board issued 73 new licenses to dental hygienists in the past fiscal year. While 1010 currently hold dental hygiene licenses in Maine, 152 of these reside out of state. Dental radiography licenses now number a total of 623 of which 64 were issued for the first time during the 1994 fiscal year.

Since January of 1991 per legislative mandate, in order to renew the license, dentists are required to submit evidence of successful completion of forty continuing education credits earned during the two years prior to application for renewal. A similar requirement for dental hygienists is twenty credits per biennium. Dentists and hygienists who are not actively practicing in the State may be excused from this requirement by submitting to the Board an affidavit certifying that they will render no services during the term of the biennium. Such a license is stamped INACTIVE STATUS.

The Board now issues permits to those dentists who administer anesthesia/sedation in the course of their practice. Forty-eight such permits have been issued. A committee made up of Oral Surgeons, evaluates the facility, equipment and personnel of each office before the permanent anesthesia/sedation permit can be issued.

### LICENSES, PERMITS, ETC.:

Certificate of Ability to practice:

- Dentistry
- Dental Hygiene
- Denture Technology
- Dental Radiography
- Anesthesia/Sedation

### PUBLICATIONS:

Laws Relating to the Practice of Dentistry, Dental Hygiene and Denture Technology (Free).  
Newsletter mailed to all Maine licensed dentists and dental hygienists.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>BOARD OF DENTAL EXAMINERS</b>						
<b>EXPENDITURES</b>						
Salaries and Wages	28,882		28,882			
Health Benefits	2,727		2,727			
Retirements	3,945		3,945			
Other Fringe Benefits	1,413		1,413			
Other Contract Services—State	4,977		4,977			
Computer Services—State	9,721		9,721			
Other Contractual Service	20,536		20,536			
Rents	2,742		2,742			
Commodities	1,532		1,532			
<b>TOTAL EXPENDITURES</b>	76,475		76,475			

PROFESSIONAL AND FINANCIAL REGULATION

**STATE BOARD OF LICENSING OF  
DIETETIC PRACTICE**

**CECE OHMART DAY, CHAIRPERSON**  
**PATRICIA BEAUDOIN, Board Clerk**  
**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner, Me. 04345  
*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* September 19, 1985

*Sunset Review Required by:* June 30, 1995

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 344; *Citation:* 32 M.R.S.A., 9903

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board was established in Fiscal 1986 in order to recognize the professional qualifications of dietitians and dietetic technicians and to assure the availability to the public of information regarding those who hold themselves out to be dietitians and dietetic technicians.

**ORGANIZATION:** Under the Department of Professional and Financial Regulation, the Board of Licensing of Dietetic Practice consists of two public members, two dietitians and a dietetic technician. All members of the Board are appointed by the Governor.

**PROGRAM:** The State Board of Licensing of Dietetic Practice held 3 meetings in FY 94. Two instances of unlicensed practice were brought to the attention of the Board which were referred to the AG's Office because the Board lacked jurisdiction. The action taken by that office was to enter into Consent Agreements with both parties which included collecting fines and back licensure fees. There are currently 204 licensed dietitians; 130 dietetic technicians; and 12 temporary dietetic technicians licensed. The Board received no complaints for FY 1994.

**LICENSES, PERMITS, ETC.:**

Licensed:

Dietitians  
Dietetic Technicians  
Temporary Dietitians  
Temporary Dietetic Technicians

**PUBLICATIONS:**

1. Register of Dietitians and Dietetic Technicians. (fee: at cost)
2. Board of Licensing of Dietetic Practice Act and Rules.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF LICENSING OF DIETETIC PRACTICE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	420		420			
Other Contractual Service	2,012		2,012			
Transfer to Other Funds	2,034		2,034			
<b>TOTAL EXPENDITURES</b>	4,466		4,466			

## ELECTRICIANS' EXAMINING BOARD

BLAINE BROOKS, CHAIRPERSON

NAN WESCOTT, Board Clerk

DIANNE SAWYER, Coordinator

*Central Office:* 122 Northern Ave., Gardiner

*Mail Address:* State House Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1953

*Sunset Review Required by:* June 30, 2000

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 318; *Citation:* 32 M.R.S.A., Sect. 1151

*Average Count—All Positions:* 8

*Legislative Count:* 0

**PURPOSE:** The Electricians' Examining Board was established to protect life and property from hazards arising from the use of electricity for light, heat, power and other purposes, and to insure the competency of electricians through examinations; to issue licenses to those qualified to hold the title of Master electrician, Journeyman electrician, Limited electrician, Apprentice, Journeyman-In-Training, or Helper electrician; to investigate all complaints of noncompliance with or violation of the law and Board standards; and to suspend or revoke the license of any electrician found to be guilty, after hearing, of fraud, deceit, negligence or misconduct.

**ORGANIZATION:** The Electricians' Examining Board was created in 1953, and administered by the Division of State Fire Prevention, to grant general electrical certificates enabling persons to practice any type of electrical work. In 1955, the law was changed to authorize the Board to grant specific licenses. In 1965, the Board introduced a new concept whereby inspectors were assigned to investigate all licenses and installation of any electrical work. In 1973, under State government reorganization legislation, the Board was transferred to the Department of Public Safety, and in 1975, the 107th Legislature transferred the Board to the Department of Business Regulation (renamed the Department of Business, Occupational and Professional Regulation) (renamed the Department of Professional & Financial Regulation).

The Board consists of the Commissioner of the Department of Professional and Financial Regulation or her representative, and six members appointed by the Governor; one master electrician, one inside electrician from organized labor, one electrical inspector, one master electrician from the education field, one person experienced in the electrical field and two representatives of the public. All appointive members, except the two public members, have at least ten years experience in the electrical field. The Board meets at least twice a year. At the first meeting in each calendar year the appointive members elect a chairman.

**PROGRAM:** During FY 93-94 the Electricians' Examining Board held 15 meetings, conducted 6 examination sessions and examined 511 applicants. In the past year the State Inspectors conducted a total of 887 inspections of commercial, educational, industrial and residential facilities. In addition, a large number of license checks and other investigations were made. The total dollar amount of savings to the consumers, as a result of the inspectors work, was \$135,025. A total of 3006 Permits were issued of which 714 were temporary.

As of June 1994, 672 new licenses were issued; 105 Masters, 8 Corporations, 55 Limited, 106 Journeyman, 393 Helpers, and 5 Apprentices.

As of June 1994 there were a total of 7,383 individuals licensed with the Board: Masters, Corporations, Limited, Journeyman, Apprentices, Journeyman-in-Training and Helpers.

### LICENSES, PERMITS, ETC.:

#### License:

- Apprentice Electrician
- Helper Electrician
- Journeyman Electrician
- Inactive Journeyman Limited Master
- Limited Electrician
- Master Electrician
- Electrical Permits
- Certifications

## PROFESSIONAL AND FINANCIAL REGULATION

### PUBLICATIONS:

Lists, labels or diskettes of licensed Masters, Corporations, Limited, Journeyman, and Helpers can be purchased through the Electricians' Examining Board, Division of Licensing and Enforcement. For further information you may contact the board at 582-8723, ext. 48610 or 48611.

Laws and Rules are free of charge upon request.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>ELECTRICIANS' EXAMINING BOARD</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	173,858		173,858			
Health Benefits	25,422		25,422			
Retirements	26,563		26,563			
Other Fringe Benefits	1,817		1,817			
Other Contractual Service	39,465		39,465			
Rents	105		105			
Commodities	948		948			
Transfer to Other Funds	403		403			
<b>TOTAL EXPENDITURES</b>	268,581		268,581			

## STATE BOARD OF LICENSURE FOR PROFESSIONAL FORESTERS

**RONALD LOVAGLIO, CHAIRPERSON**  
**(VACANT), Board Clerk**  
**DIANNE SAWYER, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner  
*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* 1975

*Sunset Review Required by:* June 30, 1997

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 333; *Citation:* 32 M.R.S.A., Sect. 5004

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The purpose of the State Board of Licensure for Professional Foresters is to protect the public by improving the standards relative to the practice of forestry; to protect the public from unqualified practitioners; and to help insure the proper management of the forest resources of the State. The Board implements these goals by licensing professional foresters, and has the power to revoke or suspend the license of a professional forester for cause.

**ORGANIZATION:** The Board of Licensure for Professional Foresters was created in 1975 and consists of five Licensed Professional Foresters and one public member appointed by the governor. During the 115th Legislative Session, the appointment terms were changed from 5 to 3 years to conform to other boards within the Division of Licensing and Enforcement.

Each year the board elects a chairperson, vice-chairperson and executive secretary.

**PROGRAM:** During FY 93-94 the Board of Licensure for Professional Foresters met 4 times, 2 examination sessions were conducted and 15 applicants were examined and 13 passed the examination. In the past year, the Board reviewed 5 new complaints. The complaints were for unlicensed practice and they were referred to the Attorney General's office

## PROFESSIONAL AND FINANCIAL REGULATION

As of May 1994 there are 967 Licensed Professional Foresters and 16 interns.

### LICENSES, PERMITS, ETC.:

License:

Licensed Professional Forester  
Registered Forestry Interns

### PUBLICATIONS:

Lists, labels or diskettes of licensed professional foresters can be purchased through the Board, Division of Licensing and Enforcement. For further information you may contact the board at 582-8723, ext. 09.

Laws and Rules are free of charge upon request.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF LICENSURE FOR PROFESSIONAL FORESTERS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	960		960			
Other Contract Services—State	175		175			
Other Contractual Service	3,146		3,146			
<b>TOTAL EXPENDITURES</b>	4,281		4,281			

## STATE BOARD OF FUNERAL SERVICE

**RICHARD BIBBER, CHAIRPERSON**

**CHERYL HERSOM, Regulatory Board Coordinator**

**MARLENE McFADDEN, Board Clerk**

*Central Office:* Gardiner Annex, 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1903

*Sunset Review Required By:* June 30, 1993

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 331; Citation: 32 M.R.S.A., Sect. 1451

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The State Board of Funeral Service was established to protect the public through regulation of the practice of funeral service in the State of Maine. The primary responsibilities of the Board are to examine and license qualified applicants for a license to practice funeral service; to inspect funeral establishments; and to revoke or refuse to renew any license after proper notice and hearing.

**ORGANIZATION:** The State Board of Funeral Services consists of 8 members, 6 of whom are persons licensed for the practice of funeral service for 10 consecutive years or who have had 10 consecutive years experience as an embalmer or funeral director in this State immediately preceding their appointment, and two of whom must be a representative of the public. Members are appointed by the Governor for terms of 4 years. In the case of vacancy by any reason, the vacancy is filled by appointment for the unexpired term, as is provided in original appointments.

The Board may adopt rules consistent with law governing the care, preparation, transportation, cremation, burial or disposition of dead human bodies, and governing funeral service, including licensing and registration of resident trainees.

## PROFESSIONAL AND FINANCIAL REGULATION

**PROGRAM:** The Board of Funeral Service held 9 meetings to review applications and conduct routine Board business. The Board completed rule-making establishing an inactive status of licensure, 12/15/93.

**LICENSING STATISTICS:** The Board presently licenses 4 directors, 0 embalmer, 160 funeral homes, 253 practitioners, 219 attendants, and 20 trainees.

**COMPLAINTS:** 7

The Board received 7 new cases, 1 dismissed, 1 each adjudicatory hearing/Board Order/reprimand, \$250 fines

### **LICENSES, PERMITS, ETC.:**

Licenses Active and Inactive:

Practitioner  
Funeral Director  
Embalmer

Registration:

Funeral Home  
Practitioner Trainee  
Funeral Attendant

### **PUBLICATIONS:**

Licensee Roster—May be requested in various formats such as: lists, mail labels, and diskettes for a nominal fee.

The following are available upon request for free:

Board of Funderal Service Statutes  
Board of Funeral Service Rules and Regulations  
Board of Funeral Service Related Statutes

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF FUNERAL SERVICE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	6,431		6,431			
Health Benefits	62		62			
Retirements	804		804			
Other Fringe Benefits	108		108			
Other Contractual Service	8,240		8,240			
Commodities	51		51			
<b>TOTAL EXPENDITURES</b>	15,696		15,696			

## **GENERAL LINES AGENT EXAMINATION ADVISORY BOARD BRIAN K. ATCHINSON, SUPERINTENDENT**

*Central Office:* Northern Ave., Gardiner, Me. 04345

*Telephone:* 582-8707

*Mail Address:* Statehouse Sta. #34, Augusta, Maine 04333

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 033; Citation: 24A M.R.S.A., Sect. 1525

*Average Count—All Positions:* 0

*Legislative Count:* 0

## PROFESSIONAL AND FINANCIAL REGULATION

**PURPOSE:** The main purposes of the General Lines Agent Examination Advisory Board are to make recommendations to the superintendent with respect to the scope, type and conduct of written examinations for license and approval of pre-licensing courses.

**ORGANIZATION:** The General Lines Agent Examination Advisory Board consists of 5 members, to be appointed by the superintendent of the Bureau of Insurance for terms of 3 years each, on a staggered term system so as to prevent the terms of more than 2 members from expiring in any one year. No person shall be eligible for appointment to such a board unless he or she is active on a full-time basis in the general lines insurance business and is a resident of the State. No person may be reappointed to a board for more than one 3-year term. In appointing members to the general lines advisory board, the superintendent, so far as practicable, must appoint persons with prior experience in the education and training of fire, casualty or surety insurance agents or prospective agents; and, so far as practicable, the superintendent must also constitute the board so that it at all times includes members who are experienced in the fire, casualty or surety insurance business, 2 of whom are representatives of general lines agents, one of whom is a representative of the domestic mutual insurers, other than life insurers, one of whom is the representative of other insurers authorized to do a property, casualty or surety insurance business in this State, and one of whom shall represent the public.

The board may, in addition, consult with the superintendent with respect to possible Legislation or regulatory measures designed or intended to improve the quality and nature of the solicitation and servicing of property, casualty or surety insurance by licensed general lines agents.

The written reports of the board must be matters of public record, and available from the superintendent upon request.

Lastly, the members of the board serve without compensation, but with the superintendent's approval may be reimbursed for their reasonable travel expenses in attending any meeting called or approved by the superintendent.

**PROGRAM:** During FY 93-94, the General Lines Agent Examination Board met once to review and approve pre-licensing courses. This Board remains on call as needed.

### **LICENSES, PERMITS, ETC.:**

The Board issues no licenses itself, but participates in preparation of examinations used as a basis for licensing by the Bureau of Insurance.

**FINANCES, FISCAL YEAR 1994:** 24A MRSA, Section 1526, provides that expenditures of this unit shall be borne by the Bureau of Insurance and are, therefore, included in its financial display.

## **BOARD OF HEARING AID DEALERS AND FITTERS**

**DALE LALONE, CHAIRMAN**

**DIANE BRADSTREET, Board Clerk**

**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1969

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 164; Citation: 32 M.R.S.A., Sect. 1660A

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board of Hearing Aid Dealers and Fitters was established to protect the public by regulating the practice of selling and fitting of hearing aids in the State of Maine.

Trainee permits are issued by the Board to qualified applicants at least 30 days prior to the next scheduled exam date. During this period, the trainee is required to work under the direct supervision of a licensed hearing aid dealer and fitter or a physician.

## PROFESSIONAL AND FINANCIAL REGULATION

The Board currently uses the testing services provided by the International Hearing Society to qualify applicants followed by an oral and practical examination established by the Board as part of the licensing requirement. Full exams are scheduled at least twice a year.

A business license is issued to any qualified corporation, partnership, trust, association or other like organization engaged in the business of selling or offering for sale hearing aids at retail in the State.

All licenses expire annually on January 31st.

**ORGANIZATION:** The Board consists of 9 members; 5 licensed hearing aid dealers and fitters, one licensed physician, an audiologist, a member of the Maine Committee on Aging, and one representative of the public.

All members of the Board are appointed by the Governor. The term of office of each member shall be 3 years. A vacancy in the office of a member shall be filled by appointment for the unexpired term. The members of the Board shall annually designate one such member to serve as chairman and another to serve as secretary-treasurer.

**PROGRAM:** The Board met 5 times during FY 94. They also examined 15 trainees, and conducted a seminar for continuing professional education of licensees. The Board presently licenses 106 hearing aid dealers and fitters, 50 businesses and 7 trainees.

In the course of FY 94, the Board received 7 new complaints, one case was dismissed, one consent agreement was executed and fined one licensee \$1,750.00.

### LICENSES, PERMITS, ETC.:

License:

Business

Hearing Aid Dealers and Fitters

Permit:

Trainee

### PUBLICATIONS:

Rules and Laws

Roster—at cost

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BOARD OF HEARING AID DEALERS AND FITTERS</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	1,875		1,875			
Other Contract Services—State	607		607			
Other Contractual Service	2,183		2,183			
Commodities	18		18			
<b>TOTAL EXPENDITURES</b>	<b>4,683</b>		<b>4,683</b>			



## PROFESSIONAL AND FINANCIAL REGULATION

### BUREAU OF INSURANCE

BRIAN K. ATCHINSON, SUPERINTENDENT

*Central Office:* Northern Ave., Gardiner, Me. 04345

*Telephone:* 582-8707

*Mail Address:* Statehouse Sta. #34, Augusta, Maine 04333

*Established:* 1870

*Sunset Review Required by:* June 30, 1996

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 031; *Citation:* 24A M.R.S.A., Sect. 200

*Average Count—All Positions:* 78.5

*Legislative Count:* 0

#### *Organizational Units:*

General Lines Agent Examination Advisory Board  
Life Agent Examination Advisory Board  
Continuing Education Advisory Board  
Adjuster License Advisory Board  
Property and Casualty Division  
Examination Division  
Consumer Services Division  
Securities Division

Administrative Division  
Licensing Division  
Life and Health Division  
Actuarial Division  
Legal Division  
Market Conduct Division  
Self-Insurance Division  
Financial Analysis Division  
Workers' Compensation Division

**PURPOSE:** To regulate all insurance companies granted a certificate of authority in Maine, to protect the public, and to license insurance agents, brokers, consultants and adjusters in the public interest. To accomplish these purposes the Bureau is empowered to license insurance companies to operate in the State of Maine. It also licenses non-profit hospitals, medical or other health service organizations, health maintenance organizations, medical utilization review entities, third-party administrators, advisory organizations and reinsurance intermediaries/managers. The Bureau registers preferred provider organizations, risk purchasing groups, risk retention groups, managing general agents and employee leasing plans.

The Bureau examines domestic insurers not less than once every five years to insure the soundness of the insurance company's financial position. In addition, the Bureau has certain limited responsibilities for the examination of alien and foreign insurers. The Bureau also audits the annual statements of insurance companies, and examines and issues licenses to all qualified applicants for licenses as insurance agents, brokers, consultants, corporations and adjusters. Also, the Bureau is responsible for the administration of the rate-regulatory law of the State of Maine, and all policy forms and contracts used in Maine must be filed by insurance companies for approval by the Bureau.

The Bureau is responsible for authorizing and reviewing self-insurance status for both individual and group self-insurers for workers compensation.

The Bureau may seek suspension or revocation of licenses in instances where insurance companies, agents, brokers, consultants or adjusters have failed to comply with the lawful regulations of the Bureau or the statutory provisions of Title 24 or of Title 24-A.

**ORGANIZATION:** In 1868 a State Bank and Insurance Examiner was appointed and charged with making annual examinations of banks and insurance companies. Two years later, in 1870, the Office of the Insurance Commissioner was created, with the provision that this person could not at the same time serve as the Examiner of Banks. The Office of the Insurance Commissioner became the Insurance Department in 1959.

Under the plan for State Government reorganization, the Insurance Department became the Bureau of Insurance and was placed within the Department of Business Regulation, currently known as the Department of Professional and Financial Regulation, effective October 3, 1973.

**PROGRAM:** The program of this Bureau is implemented through its divisions.

**Actuarial Division.** The Actuarial/Statistical Division consists of a Life and Health Actuary, a Property and Casualty Actuary, an actuarial assistant and a statistician. The Life and Health Actuarial Unit analyzes and regulates health insurance rate filings and evaluates reserve levels held by life and health insurers, non-profit health service organizations and health maintenance organizations. The unit

## PROFESSIONAL AND FINANCIAL REGULATION

maintains data bases for and evaluates mandated health benefits and credit life and health insurance rates. The Property and Casualty Actuarial Unit analyzes and regulates rate levels for property and casualty insurance, evaluates reserve levels for workers' compensation self insured trust plans and property and casualty insurance companies and evaluates the medical liability Rural Access and Demonstration Projects.

**Workers' Compensation Division.** The Workers's Compensation Division consists of a supervisor and a senior rate analyst. The division reviews rate, form and statistical plan filings for workers' compensation insurance, maintains data bases to monitor workers' compensation system costs and competition in the insurance market. This division receives and resolves complaints and disputes involving workers' compensation rating.

**Administrative Unit.** The Administrative Unit provides clerical support for the Superintendent and two Deputy Superintendents. Major responsibilities include operation of the switchboard and organization and maintenance of administrative and legislative files.

**Consumer Services Division.** The Consumer Services Division handled 2,405 complaints and 11,120 inquiries during fiscal year 1993-94. Four hundred and thirty (430) hearings were scheduled on cancellation or nonrenewal of insurance policies; 384 hearings were held with 260 cases decided in favor of the insured and 124 for the company and 46 hearings were canceled because either the insurer agreed to continue the policy in force or at the request of the insured. The division returned approximately \$2,023,333 in claims and returned premium to consumers.

**Examination Division.** The Examination Division completed 2 domestic insurance company examinations and 3 policy reserve valuations.

**Financial Analysis Division.** The Financial Analysis division licensed 5 insurance companies, 1 HMO, approved 1 surplus lines insurer, accredited 2 reinsurers, approved 6 reinsurers to reinsure self-insured programs, suspended 3 insurance company licenses, dissolved 1 domestic insurance company and merged a foreign HMO into a domestic HMO. The division performed reviews that resulted in approving various transactions (i.e. extended authority, name changes, redomestications, etc.) for 52 insurance companies. Statistical reports were compiled on insurance written in the State of Maine and conducted financial analyses on all insurance companies licensed in Maine at year end 1993.

**Legal Division.** The Legal Division provides in-house legal support services to the Superintendent and Bureau staff as necessary. It participates in the drafting of proposed legislation, rules, bulletins, administrative decisions, and other documents; participates in administrative hearings; handles enforcement actions; and assists in the analysis of regulatory issues in which the Bureau is involved. The Legal Division works in close cooperation with the Office of the Attorney General.

**Licensing Division.** During fiscal year 1993-94, the Licensing Division processed licenses for 12 new companies, 1,290 new agents, 267 adjusters, 153 brokers, 2 new consultants and 294 new agencies. There were 1,287 agent terminations. There are currently 8,388 licensed agents, 1,399 adjusters, 1,163 brokers, 67 consultants, and 794 companies. There are 17 road service organizations, 3 medical companies, 5 health maintenance organizations, 33 medical utilization review entities, 8,388 Licensed Agents, 1,487 Agencies, 100 Self-insurers, 120 Risk Purchasing Groups, 67 third party administrators, 1,730 agencies, 132 self insurers, 141 risk purchasing groups, 47 risk retention groups, 66 surplus lines companies, 18 advisory organizations, and 12 employee leasing companies.

The Bureau administered or caused to be administered approximately 1,343 examinations for occupational licenses. Assessment Systems, Inc. performed approximately 1,199 of these examinations on behalf of the Bureau.

**Life and Health Division.** The Life and Health Division received, during fiscal year 1993-94, 7,889 policy forms/rate filings for review; 1,032 of which required further correspondence; 1,125 forms/rate filings were subsequently disapproved and 6,764 approved or placed on file. This Division also processed 471 consumer requests for information or help concerning problems of marketing, claim settlement, or coverage. Articles on life and health insurance were written for the quarterly newsletter and several pieces of legislation were drafted. The division also processed 17 license applications to perform medical utilization review of which 5 were approved.

**Market Conduct Division.** The Division concluded 16 enforcement action cases involving violations of Maine Statutes resulting in the suspension and/or revocation of 4 agents' licenses. The division assisted the Legal and Actuarial Divisions in 45 other enforcement actions. Penalties of \$78,350 and restitutions of \$9,194 were ordered. Insurance premiums of \$128,323 and claims of \$1,405 were recovered for the consumer.

Seventeen consumer guides were distributed, including 3 updated guides. In addition, a quarterly newsletter, *Maine Insurance UPDATE*, is being distributed to insurance agents and companies.

## PROFESSIONAL AND FINANCIAL REGULATION

The educational and outreach program, through 16 video presentations, informed 890 Maine retired citizens on proper insurance coverage and cautioned them about unfair sales practices.

**Property and Casualty Division.** The Property and Casualty Division received 2,628 rate, rule and form filings, and wrote 3,573 items of correspondence. It responded to 6,118 telephone inquiries from consumers and insurance practitioners. Approximately 40% of these calls involved assistance to consumers. The division collected \$96,710 in filing fees.

Residual market activities focused on overseeing the activities of the Maine Automobile Insurance Plan. The staff assisted in the development of consumer brochures and contributed to the *Maine Insurance Update*. Personnel participated in legislative activities and provided assistance to the Governor's office..

**Securities Division.** The Division consists of a full-time Financial Analyst and part-time services of a Statistician II and clerical support. The duties falling to this unit will include evaluation of equity and debt markets, valuations and credit worthiness of businesses, and monitoring of emerging investment trends.

**Self-Insurance Division.** The Self-insurance Division reviews and evaluates applications for Workers' Compensation Self-Insurance Authority. Its mission is to apply the rules and regulations governing self-insurance in a fair, consistent, and timely manner to assure that Maine businesses who self-insure workers' compensation risk do so in an effective and responsible manner.

The division processed 51 applications for self-insurance, including 7 group applications. Of these, 39 were approved, 9 withdrawn, 2 denied and 1 remains pending. The total number of self insured employers is approximately 1,150. The division also coordinates the filing of documents, reports and information with other agencies and departments.

### LICENSES, PERMITS, ETC.:

#### License:

- Insurance Agents (Res. & Nonres.)
- Insurance Brokers (Res. & Nonres.)
- Insurance Adjuster (Res. & Nonres.)
- Insurance Consultants (Res. & Nonres.)
- Surplus Lines Insurance Brokers
- Insurance Agencies (Res. & Nonres.)
- Road Service Co. & Agents
- Insurance Companies
- Fraternal Companies
- Inter-Insurers
- Health Maintenance Organization
- Non-profit Hospital, Medical Associations
- Medical Utilization Review Entities
- Third-Party Administrators
- Advisory Organizations
- Reinsurance Intermediary—Broker
- Reinsurance Intermediary—Manager

#### Authority:

- Self-Insurer Worker's Compensation Exposure
- Surplus Line Insurance Companies

#### Approvals:

- Reinsurers For Self-Insured Programs

#### Registration:

- Preferred Provider Organizations
- Risk Purchasing Groups
- Risk Retention Groups
- Third-Party Prescription Programs
- Employee Leasing
- Managing General Agents
- Multiple Employer Welfare Arrangements

### PUBLICATIONS:

*Consumer Guide to Term Life Insurance.* December, 1990 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 4 pgs.

## PROFESSIONAL AND FINANCIAL REGULATION

*Consumer Guide to Universal Life Insurance.* December, 1990 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 4 pgs.

*Consumer Guide to HIV Antibody Testing.* February, 1991 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 10 pgs.

*Long Term Care, Nursing Home Care, and Home Health Care Comparison Chart.* 1994 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 19 pgs.

*Medicare Supplement Insurance Comparison Chart.* June, 1993 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 11 pgs.

*Consumer Guide to Car Insurance.* June, 1992 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 18 pgs.

*Consumer Guide to Homeowners Insurance.* Dec., 1992 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 14 pgs.

*Consumer Guide to Youthful Drivers.* March, 1990 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 4 pgs.

*Consumer Guide to Cancellation or Nonrenewal Personal Automobile and Property Insurance.* January, 1990 Maine Bureau of Insurance, SHS #34, Augusta ME 04333. 4 pgs.

*What Can I Do If I Lose My Group Health Insurance?*, May, 1994, Maine Bureau of Insurance, SHS #34, Augusta, ME 04333. 7 pgs.

*Consumer Guide to Avoiding Insurance Problems.* March 1990, Maine Bureau of Insurance, SHS#34, Augusta, ME 04333. 4 pgs.

*Consumer Guide to Understanding Your Health Insurance Plan.* Jan. 1990, Maine Bureau of Insurance, SHS #34, Augusta, ME 04333. 4 pgs.

*Consumer Guide to Day Care Liability.* Dec. 1991, Maine Bureau of Insurance, SHS #34, Augusta, ME 04333. 6 pgs.

*Consumer Guide to Introduction to Insurance.* April 1991, Maine Bureau of Insurance, SHS #34, Augusta, ME 04333, 13 pgs.

*Consumer Guide to Mobile Home Insurance.* March 1991, Maine Bureau of Insurance, SHS #34, Augusta, ME 04333, 6 pgs.

*Consumer Guide to Snowmobile Insurance.* Dec. 1991, 8 pgs.

*1994 Guide to Health Insurance for People with Medicare.* 31 pgs.

**These are only given out after a completed application for the exams is received:**

*A Guide to Preparing for the State of Maine Insurance General Lines Consultants Examination.* Prepared by the General Lines Insurance Advisory Board, Maine Bureau of Insurance, State House Station #34, Augusta ME 04333. 7 Pgs.

*A Guide to Preparing for the State of Maine Insurance Adjustors Examination.* Prepared by the General Lines Advisory Board. Maine Bureau of Insurance, State House Station #34, Augusta ME 04333. 7 Pgs.

### ALL PUBLICATIONS ARE FREE.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF INSURANCE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,189,907		2,189,907			
Health Benefits	243,833		243,833			
Retirements	363,627		363,627			
Other Fringe Benefits	27,816		27,816			
Other Contract Services—State	501,158		501,158			
Computer Services—State	144,601		144,601			
Other Contractual Service	809,291		809,291			
Rents	15,432		15,432			
Commodities	54,825		54,825			
Grants—Subsidies—Pensions	21,280		21,280			
Building Improvements	25,259		25,259			
Interest—Debt Retirement	45		45			
Transfer to Other Funds	20,446		20,446			
<b>TOTAL EXPENDITURES</b>	4,417,520		4,417,520			

## STATE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS

DAVID CHITTIM, CHAIRPERSON  
(VACANT), Board Clerk  
DIANNE SAWYER, Coordinator

Central Office: 122 Northern Avenue, Gardiner, Maine  
Mail Address: Statehouse Sta. #35, Augusta, Maine 04333

Telephone: 582-8723  
TDD: 207-624-8563  
FAX: 207-624-8637

Established: 1967

Sunset Review Required by: June 30, 2002

Reference: Policy Area: 01; Umbrella: 02; Unit: 360; Citation: 32 M.R.S.A., Sect. 13902

Average Count—All Positions: 0

Legislative Count: 0

**PURPOSE:** The State Board of Licensure for Professional Land Surveyors was established to protect the public through regulation of the practice of land surveying in the State of Maine so as to maintain high professional standards. The Board is authorized to conduct examinations and certify those persons qualified to hold the titles of Land Surveyor or Land Surveyor-in-Training; to verify credentials of applicants for a certificate; to keep a roster of the names of all professional land surveyors; to make rules and regulations, consistent with the laws of the State, as reasonably necessary for the proper performance of its duties; to conduct hearings and investigations upon receipt of complaints pertaining to land surveying; to refer cases to the Administrative Court for disciplinary actions where warranted; and to revoke the certificate of any registered land surveyor who is found guilty of fraud, deceit, gross negligence, incompetency or misconduct.

Effective September, 1989, the Board, through legislation of the 114th Legislature, became known as the Board of Licensure of Professional Land Surveyors. This legislation made the Board internal to the Department of Professional and Financial Regulation, which will now provide all staffing for the Board. In addition, the new law stiffened licensure requirements, greatly increase the Board's disciplinary powers and provide adequate funding to carry out the Board's legislative mandate.

**ORGANIZATION:** Public Law 1967, c. 423 created the Maine Board of Registration for Land Surveyors as an affiliated board of the Department of Business, Occupational and Professional Regulations. Effective September 1989, the Board, through Legislation of the 114th Legislature, became known as the Board of Licensure for Professional Land Surveyors as an internal board to the Department of Professional and Financial Regulations. The board now consists of five licensed professional land surveyors and two public members appointed by the Governor for five year terms.

**PROGRAM:** During FY 93-94, the Board of Licensure for Professional Land Surveyors met 7 times, conducted 2 examination sessions, examined 64 applicants and issued 32 new licenses. As of June 1994 there are 783 Licensed Professional Land Surveyors and 559 Land Surveyors-in-training.

As of June 1994, 8 new complaints had been received, resulting in 4 dismissed complaints and 4 are under investigation. These were conducted by Adjudicatory Hearings and informal conferences ending in \$1,100 in fines.

### LICENSES, PERMITS, ETC.:

Professional Land Surveyor  
Land Surveyor-in-Training

### PUBLICATIONS:

Lists, labels or diskettes of licensed professional land surveyors can be purchased through the Board, Division of Licensing and Enforcement. For further information you may contact the board at 582-8723, ext. 48609.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## PROFESSIONAL AND FINANCIAL REGULATION

STATE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,505		1,505			
Other Contract Services—State	2,538		2,538			
Other Contractual Service	8,089		8,089			
<b>TOTAL EXPENDITURES</b>	12,132		12,132			

## DIVISION OF LICENSING AND ENFORCEMENT

**GERALDINE L. BETTS, Regulatory Board Administrator**

**KAREN L. BOSSIE, Administrative Secretary**

*Central Office:* 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* July 30, 1976

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 041; Citation: 10 M.R.S.A., Sect. 8003

*Average Count—All Positions:* 16.5

*Legislative Count:* 0

**PURPOSE:** Most, if not all, Maine Occupational and Professional Licensing Boards are too small to develop, or to afford by themselves, specialized technical services, or even adequate administrative procedures. Also, because Licensing Boards meet annually and additionally when necessary, they are not in a position to supervise their employees nor to coordinate their legislative programs and to communicate effectively with their appointing authority. This division assists to do all of those things for Licensing Boards within the Department and to enable the Commissioner to meet his responsibility to see that each Licensing Board “meets its statutory and public service responsibility.”

**ORGANIZATION:** The staff of the Division of Licensing and Enforcement consists of:

- 1 Regulatory Board Administrator
- 3 Regulatory Board Coordinators
- 1 Case Compliance Coordinator
- 1 Administrative Secretary
- 1 Receptionist
- 1 Account Clerk
- 12 Clerk Typist IIIs
- 11 Clerk Typist IIs
- 1 Clerk Typist I
- 15 Inspectors

Since its inception in 1983, the Division has grown from 16 professional licensing and regulatory boards to 34 licensing and regulatory boards. Each board falls into one of the following three categories: Trade Boards, Service Boards, or Health Boards. Each of these sections is supervised by a Regulatory Board Coordinator. Most Clerk Typists are assigned up to five professional licensing boards. The Division maintains over 70,000 licensee files.

The Division is also responsible for administering the State's law licensing Transient Sellers of Consumer Merchandise, Door-to-Door Home Construction Contractors, registration of massage therapists, and the Maine Charitable Solicitations Act.

**PROGRAM:** The Division provides administrative assistance to Boards and assists them in matters pertaining to examinations, investigations, disciplinary actions, and enforcement. By means of the Department's Computer Services Section, the clerks issue all original and renewal licenses, and maintain and sell licensee rosters.

## PROFESSIONAL AND FINANCIAL REGULATION

**COMPLAINT STATISTICS:** During FY 94, the Division opened 296 new complaints. Approximately 94 cases were dismissed, 13 cases referred to the Office of the Attorney General, and 136 cases are pending. Fifty-three cases were disposed by means of various disciplinary actions, which may include fines and licensure suspensions, taken by boards.

**CURRENT REGISTRATION STATISTICS:** Transient Sellers of Consumer Merchandise: 21 companies and 76 employees. Charitable Solicitations: 742 charitable organizations and 77 professional fund raisers. Massage Therapist: 324. Statistics relevant to specific boards may be found under the caption of the board within this book.

### LICENSES, PERMITS, ETC.:

- Charitable organization
- Professional fund-raiser
- Commercial co-venturer
- Itinerant Vendor (company)
- Itinerant Vendor (individual)
- Massage Therapists
- Door-to-Door Home Construction Contractors

**PUBLICATIONS:** Rosters of all licenses of Boards, Bureaus or Commissions are printed upon request. Lists are available in many formats and can be as brief or as complete as necessary. Enabling statutes and the Rules of all Boards within the Department are published regularly. These materials are free or available for a nominal fee.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>DIVISION OF LICENSING AND ENFORCEMENT</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	320,653		320,653			
Health Benefits	57,212		57,212			
Retirements	53,922		53,922			
Other Fringe Benefits	4,275		4,275			
Other Contract Services—State	8,551		8,551			
Computer Services—State	84,805		84,805			
Other Contractual Service	129,726		129,726			
Rents	1,630		1,630			
Commodities	8,494		8,494			
Grants—Subsidies—Pensions	541		541			
Interest—Debt Retirement	6		6			
Transfer to Other Funds	2,715		2,715			
<b>TOTAL EXPENDITURES</b>	<b>672,530</b>		<b>672,530</b>			

## LIFE AGENT EXAMINATION ADVISORY BOARD

BRIAN K. ATCHINSON, SUPERINTENDENT

*Central Office:* Northern Ave., Gardiner, Me. 04345

*Telephone:* 582-8707

*Mail Address:* Statehouse Sta. #34, Augusta, Maine 04333

*Established:* 1989

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 034; Citation: 24A M.R.S.A., Sect. 1525

*Average Count—All Positions:* 0

*Legislative Count:* 0

## PROFESSIONAL AND FINANCIAL REGULATION

**PURPOSE:** The purposes of the Life Agent Examination Advisory Board are to make recommendations to the superintendent with respect to the scope, type and conduct of written examinations for license.

**ORGANIZATION:** The board consists of 5 members, to be appointed by the superintendent of the Bureau of Insurance for terms of 3 years each, on a staggered term system so as to prevent the terms of more than 2 members from expiring in any one year. No person shall be eligible for appointment to such a board unless he or she is active on a full-time basis in the life insurance business, and is a resident of this State. No person may be reappointed to a board for more than one 3-year term.

In appointing members to the life advisory board, the superintendent, so far as practicable, must appoint persons with prior experiences in the education and training of life insurance agents or prospective agents; and so far as practicable, the superintendent shall so constitute the board that it shall at all times include one general agent or manager of a life insurance agency within this State, and one salaried home office officer or employee of a domestic life insurer.

The board may consult with the superintendent with respect to possible legislation or regulatory measures designed or intended to improve the quality and nature of the of the solicitation and servicing of life insurance by licensed life agents. The written reports of the board must be matters of public record, and available from the superintendent upon request.

Lastly, the members of the board serve without compensation, but with the superintendent's approval may be reimbursed for their reasonable travel expenses in attending any meeting called or approved by the superintendent.

**PROGRAM:** During FY 93-94, the Life Agent Examination Advisory Board met twice to develop and review Annuity Limited Examination questions. This Board remains on call as needed.

### **LICENSES, PERMITS, ETC.:**

This Board issues no licenses itself, but participates in preparation of examinations used as a basis for licensing by the Bureau of Insurance.

**FINANCES, FISCAL YEAR 1994:** 24-A M.R.S.A., Section 1526, provides that expenditures of this unit shall be borne by the Bureau of Insurance and are, therefore, included in its financial display.

## **MANUFACTURED HOUSING BOARD**

**ROGER TIMMONS, CHAIRMAN**

**DAVID F. PREBLE, Executive Director**

*Central Office:* 122 Northern Ave., Gardiner, Me. 04345

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1977

*Sunset Review Required by:* June 30, 1997

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 385; *Citation:* 10 M.R.S.A., Sect. 9003

*Average Count—All Positions:* 3.5

*Legislative Count:* 0

**PURPOSE:** The Manufactured Housing Board was established in December of 1977 to ensure that manufactured housing is safe from hazardous defects; provide uniform performance standards for construction and installation of manufactured housing; and provide a safe and sanitary environment for occupants residing in mobile home parks.

**ORGANIZATION:** The Manufactured Housing Board is currently comprised of nine members, all appointed by the Governor. Members of the Board include: one manufactured home owner *not* residing in a park or other similar rental community; two manufactured home owners residing in a park or other



## PROFESSIONAL AND FINANCIAL REGULATION

similar rental community; one professional engineer; one dealer; one owner or operator of a mobile home park with 15 or fewer lots; one owner or operator of a mobile home park with more than 15 lots; one builder of manufactured housing; and one code enforcement officer. The term of office for members is four years.

**PROGRAM:** During the fiscal year 1993-94, the Manufactured Housing Board licensed 42 new dealers, 16 new manufacturers, 10 new mechanics, and 62 mobile home park owners.

The Board issued 493 seals of approval for new State-certified manufactured housing (modular). One thousand five hundred ninety-four (1,594) Federal certified manufactured housing (mobile) were manufactured or shipped into the State of Maine.

The Board investigated eighty (80) complaints involving Federal certified manufactured homes under the State Administrative Agency (SAA) program.

The Board's staff conducted 49 park inspections for compliance with Board rules to provide tenants with a safe and decent place to reside.

The Board met eighteen (18) times during the year.

During FY 93, the Board filed 14 complaints for licensee disciplinary action; dismissed 4 complaints; issued six (6) compliance orders and 13 consent agreements; held 10 adjudicatory hearings, 5 appeal hearings on license denials, and 1 informal conference; collected fines totalling \$12,000; closed 9 executed consent agreements; suspended 3 licenses; and referred 4 complaints to the Attorney General's office for prosecution.

### LICENSES, PERMITS, ETC.:

- Dealers
- Manufacturers
- Mechanics
- Mobile Home Parks

### PUBLICATIONS:

- Manufactured Housing Act 10 M.R.S.A., Part II, Chapter 951
- Regulation for Licensing Manufacturers, Dealers and Mechanics
- Regulation for State Certification of Manufactured Housing
- Regulation for Consumer Complaint Handling for Federal Certified Manufactured Housing Units.
- Rules of the Department of Professional and Financial Regulation Relating to Mobile Home Parks.
- Regulation of Mobile Home Parks; Landlord and Tenant, 10 M.R.S.A., Chapter 953.
- Manufactured Home Installation Standard, Chapter 900
- Manufactured Housing Warranties, 10 M.R.S.A., Chapter 213

All of the publications listed above are free.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MANUFACTURED HOUSING BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	99,276		99,276			
Health Benefits	12,022		12,022			
Retirements	15,626		15,626			
Other Fringe Benefits	556		556			
Other Contract Services—State	5,914		5,914			
Computer Services—State	480		480			
Other Contractual Service	43,792		43,792			
Commodities	664		664			
Transfer to Other Funds	4,297		4,297			
<b>TOTAL EXPENDITURES</b>	182,627		182,627			

## BOARD OF LICENSURE IN MEDICINE

EDWARD DAVID, M.D., J.D., CHAIRMAN

BRINTON T. DARLINGTON, M.D., SECRETARY-TREASURER

*Central Office:* 2 Bangor Street, Augusta

*Telephone:* 287-3601

*Mail Address:* State House Sta. #137, Augusta, Maine 04333

*Established:* 1895

*Sunset Review Required by:* June 30, 2004

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 373; Citation: 32 M.R.S.A., Sect. 3263

*Average Count—All Positions:* 8

*Legislative Count:* 0

**PURPOSE:** The Board of Licensure in Medicine was established to safeguard the lives and health of the people of the State of Maine through regulation of the practice of medicine so as to maintain high professional standards. The primary responsibilities of the Board are to determine the qualifications of, examine, certify and register candidates desiring admission to medical practice in Maine; to license, register and biennially reregister, upon documentation of certain continuing medical education requirements, professional conduct and standards, and payment of specified fees, physicians and surgeons practicing medicine in Maine; to set standards of practice for physicians and surgeons and promulgate rules and regulations as deemed necessary; to conduct and operate medical education programs for physicians licensed in Maine; to conduct and operate programs of financial assistance to medical students; to investigate complaints and allegations of non-compliance with the laws relating to physicians and surgeons and the rules and regulations adopted by the Board; and to hold hearings and take disciplinary action as required, in the form of probation or censure, fine or suspension, or report its findings to the Attorney General for prosecution in the Administrative Court for suspension or revocation.

The Board is also authorized to approve training programs for physician's assistants; to determine the qualifications of, certify, register and biennially reregister physician's assistants and their supervising physicians. Until July 1, 1994, the Board has various responsibilities in connection with administration of the Board of Examiners of Podiatrists.

**ORGANIZATION:** As established in 1895, the Board of Licensure in Medicine consisted of six members appointed by the Governor with the advice and consent of the Council, for terms of six years. Today, members are appointed by the Governor only. In 1975, the Legislature increased the Board membership to seven by authorizing the appointment of a public member. In 1983 the Board again was enlarged by one physician and one public member for a total of membership of nine. A third public member position was created by the Legislature effective July 1, 1991. The current composition of the Board is seven physicians and three public members appointed to staggered six year terms by the Governor. To be qualified for appointment, physician members must be graduates of legally chartered colleges or universities which confer degrees allopathic medicine and must have actively engaged in the licensed practice of medicine in Maine for at least five years preceding appointment. Members of the public are not qualified for appointment if they or an immediate member of their household earns income from activities related to the practice of medicine. The Board meets in July of uneven-numbered years and elects a chairman and a secretary-treasurer. Regular meetings are required by law to be held each year in March, July and November. The Board may meet more often and in fact presently schedules monthly meetings. Legislation passed in 1994 changed the name to Board of Licensure In Medicine.

Two members of the Board together with three other appointees of the Governor constitute the Board of Examiners of Podiatrists Until July 1, 1994.

To aid in the formulation of rules and regulations governing Physician Assistants/Physician Extenders, the Board has appointed a Physician Assistant Advisory Committee consisting of two Board members, representatives of the Physician Assistant profession, and licensed physicians employing and supervising physician extenders in their Maine practices.

Pursuant to PL 90 Chapter 931, as amended the Board of Licensure in Medicine, jointly with the Board of Osteopathic Licensure, impaneled Medical Specialty Advisory Committees in the specialties of Anesthesiology, Emergency Medicine, Obstetrics/Gynecology, and Radiology. The recommendations of these committees were adopted as Chapters 20, 22, 24, and 26 of the rules of both boards as medical practice parameters and risk management protocols for guidance of physician specialists during the Medical Liability Demonstration Project being conducted in Maine between January, 1992 and December, 1996. These specialty advisory committees will continue to advise both agencies as the demonstration project progresses.

## PROFESSIONAL AND FINANCIAL REGULATION

### PROGRAM:

**Meetings.** Due to its increasingly heavy calendar, the Board held nine public meetings during the year. Statutorily required meetings were held in July, November, and March and additional meetings were held in August, September, December, January, February, and May. Meetings are open to the public and are announced through newspapers and the *Weekly Legislative Calendar*. They are normally scheduled on either the second Tuesday or Wednesday of a month and are usually held at the Board's offices in Augusta. The Board may lawfully convene at other times and places when deemed in the public interest. Any person may receive a meeting agenda one week in advance of any meeting by making a telephone request to the Board's office. The Board has a number of standing committees which met in work session from time to time throughout the year. The recommendations and reports of all advisory committees and standing committees of the Board are rendered and acted upon at public meetings of the Board. The Board also participates in a Joint Conference Committee with the Maine Board of Nursing to exchange views with that agency in matters where the practice of medicine and practice of nursing overlap.

**Licensure:** This fiscal year, the Board has used two nationally standardized exams, the Federal Licensing Exam "FLEX" and the United States Medical Licensing Exam "USMLE." "FLEX" is being phased out so the standardized exam in the future will be the "USMLE" and when indicated, the "Special Purpose Examination" (SPEX) as its tools for validating an applicant's competency in basic science and clinical skills. In addition to the requirement for passage of one or more comprehensive written examinations after medical school and postgraduate training, prior to licensure for practice in Maine, a physician must submit to an extensive background investigation to verify credentials and qualifications stated on the application, past professional conduct and demonstrated character. As well, an oral examination by a Board representative must be passed.

During the past year, the Board issued the following licenses for medical practice by physicians in Maine:

Permanent License:	236
Intern/Resident Certificate:	172
Camp Physician:	58
Locum tenens in Maine Practice:	1
Temporary/Emergency Shortage:	159

Fifteen licenses previously withdrawn or lapsed were reinstated to former licensees returning to a Maine practice.

Total Certified Physician Assistants registered for practice at year end was 238 along with 290 Certified Nurses serving as extenders of the practice of their licensed supervising physician.

**License Reregistration Renewal:** Pursuant to 32 M.R.S.A. §3280, all physicians must apply for renewal of their Maine license and be approved for renewal by the Board every even numbered year. 4,378 licenses were approved for renewal in 1992. Of these, 2,823 were registered for active practice within the state. The balance of 1,555 were registered "inactive" as practicing elsewhere or retired. 208 physicians withdrew their license from registration and 586 did not reapply and their license was ruled lapsed. Nineteen applications for renewal remained under investigation at the close of the year. License registration renewal for all licensees will be due again on June 30, 1994. As a result of Legislation passed in 1994, beginning in January 1995, license renewal will occur every two years in the month of the licensee's birthdate.

**Complaints, Investigations, and Discipline:** The Board of Licensure in Medicine is empowered to discipline its licensees for grounds specified in the Maine Medical Practice Act. The Board receives allegations of misconduct from the public, from hospital governing bodies, from the profession, from other state and national agencies, and law enforcement agencies. If grounds for discipline are found by the Board, it may file a complaint in the Maine Administrative Court seeking revocation or suspension of license. For less serious offenses, the Board may, on its own motion, issue letters of warning, censure, or reprimand; impose fines, or order a license suspension of up to 90 days.

During the past year, the Board received 128 new complaints:

Carried over from prior year (1992):	105
New complaints received from the public	
or filed on the Board's own motion:	128
Dismissed for lack of merit or insufficient	
evidence of grounds for discipline:	90
Remaining under investigation, hearing, of	
pending Court trial at year end:	143
Disciplinary sanctions imposed:	7

## PROFESSIONAL AND FINANCIAL REGULATION

### Other Activities:

- Pursuant to PL 1990 Ch. 931 as amended, on January 1, 1992 the Board of Licensure in Medicine and Board of Osteopathic Licensure jointly announced the opening of a Medical Liability Demonstration Project in the medical specialties of Anesthesiology, Emergency Medicine, Obstetrics and Gynecology, and Diagnostic Radiology. Four hundred one of four hundred twenty-four physicians practicing in Maine in these four specialties applied to participate in this innovative project which will continue until December 31, 1996. The project will attempt to measure whether medical practice in accordance with practice parameters and risk management protocols as adopted by the two physician licensing Boards will decrease the cost of the practice of defensive medicine and enhance the quality of care. National interest in this project has developed and the Board continues to be in contact with health researchers and policy analysts throughout the country who are interested in monitoring and evaluating the effects of this project. The demonstration project continues amidst great national interest.

- The Board continued its financial support for and close working relationship with the Committee on Physician Health of the Maine Medical Association. The Committee operates, under contract and protocols with the Board, a program of identification, assessment, medically supervised recovery, or assistance in finding career alternatives for physicians who are or may become impaired by poor health, age, or abuse of drugs or alcohol.

### LICENSES, PERMITS, ETC.:

#### License:

License to Practice Medicine and Surgery  
 Certificate of Reregistration  
 License to Practice Medicine and Surgery as a Camp Physician  
 License to Practice Medicine and Surgery as Locum Tenens  
 Temporary License to Practice Medicine and Surgery  
 Temporary Educational Permit  
 Physician Assistant Certificate of Qualification  
 Physician/Physician Extender Certificate of Registration

### PUBLICATIONS:

*"What You Should Know about the Licensing, Regulation, and Discipline of Physicians in Maine,"*  
 (Free) (Brochure co-produced with Maine Board of Osteopathic Licensure explaining to the public the authority and procedures of the two Boards in regulating the practice of medicine by physicians).

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BOARD OF REGISTRATION IN MEDICINE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	206,793		206,793			
Health Benefits	16,386		16,386			
Retirements	31,359		31,359			
Other Fringe Benefits	2,584		2,584			
Other Contract Services—State	50,738		50,738			
Computer Services—State	47,534		47,534			
Other Contractual Service	92,486		92,486			
Rents	30		30			
Commodities	3,288		3,288			
Grants—Subsidies—Pensions	52,942		52,942			
Building Improvements	2,606		2,606			
Interest—Debt Retirement	8		8			
<b>TOTAL EXPENDITURES</b>	506,754		506,754			

## **NURSING HOME ADMINISTRATORS LICENSING BOARD**

**ROBERT ARMSTRONG, CHAIRPERSON**  
**DIANE BRADSTREET, Board Clerk**  
**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner, Me. 04345  
*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* 1973

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 371; Citation: 32 M.R.S.A., Sect. 63A

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** It is the purpose of the Board to adopt and amend rules including, but not limited to, standards for courses of study for administrators, standards and procedures for the issuance, revocation and suspension of licenses of administrators and for the investigation of written charges and complaints filed with the board relating thereto, and establishment of licensure fees. Furthermore, the board may determine conditions and procedures, or establish rules or regulations, by which it may issue temporary licenses to administrators of medical care facilities other than hospitals. These licenses may be issued for periods of less than one year, and they may not be renewed or reissued beyond this one year period.

**ORGANIZATION:** The State Board of Licensure of Administrators of Medical Care Facilities Other Than Hospitals was renamed and reconstituted by Chap. 233 of the Public Laws of the first session of the 112th Legislature, effective June 4, 1985. The board was transferred from the Department of Human Services to the Department of Professional and Financial Regulation. The Board consists of 8 members appointed by the Governor. One member must be a hospital administrator with not less than 5 years active practice in the State as a hospital administrator. One member must be a registered nurse with not less than 5 years active practice in nursing homes in the State. Two members are to be representatives of the public. Three remaining members are nursing home administrators with not less than 5 years of active experience in the State. One member must be an administrator of an intermediate care facility for the mentally retarded with not less than 5 years of active practice in that capacity.

The term of office of the members is 3 years. A member cannot be appointed for more than 3 consecutive full terms.

**PROGRAM:** The Board held meetings monthly throughout FY 94. There are two written examinations given each year. Licenses are granted when all the qualifications have been met. The Board requires 24 continuing education hours every year to meet the requirements for license renewal.

The present rules require that the Continuing Education Certificates for 24 hours be attached to the administrator relicensing request. The Board has received many requests for information on the requirements for temporary licenses, permanent licenses and reciprocity. All applications were acted on at Board meetings.

There are: 256 Licensed Administrators

2 Temporary Administrators

In the course of FY 94, the Board received three new complaints, one case was dismissed and currently have three open cases.

### **LICENSES, PERMITS, ETC.:**

License:

Administrator

Temporary Administrator

### **PUBLICATIONS:**

Continuing Education Guidelines (free)

Rules and Statutes Concerning the Board (free)

## PROFESSIONAL AND FINANCIAL REGULATION

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>NURSING HOME ADMINISTRATORS LICENSING BOARD</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	1,740		1,740			
Other Contract Services—State	750		750			
Other Contractual Service	7,806		7,806			
<b>TOTAL EXPENDITURES</b>	10,296		10,296			

### STATE BOARD OF NURSING

**RICHARD L. SHEEHAN, R.N., M.S., CHAIRPERSON**  
**JEAN C. CARON, R.N., EXECUTIVE DIRECTOR**

*Central Office:* 35 Anthony Ave., Augusta

*Telephone:* 624-5275

*Mail Address:* State House Station #158, Augusta, ME 04333

*Established:* 1915

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 380; Citation: 32 M.R.S.A., Sect. 2151

*Average Count—All Positions:* 7

*Legislative Count:* 0

**PURPOSE:** The State Board of Nursing was established to protect the public through regulation of the practice of nursing in the State of Maine so as to maintain high professional standards. The primary responsibilities of the Board, by law, are to license, by examination or endorsement, all applicants qualified to practice as registered professional nurses or as licensed practical nurses; to renew annually the licenses of all qualified registered nurses and practical nurses; to investigate complaints of unsafe nursing practice or any violation of laws relating to nursing; and determine, in collaboration with the Attorney General, if the case should be presented for a formal hearing by the Administrative Court; to adopt rules and regulations governing licensure of nurses and other matters within its jurisdiction; to prescribe curricula and establish standards for educational programs preparing persons for licensure as registered professional nurses or as licensed practical nurses; to approve such nursing educational programs in the State as meet the requirements of law and the standards established by the Board; to survey all such nursing educational programs as deemed necessary to determine that the requirements of the law and Board standards are being maintained; to deny or withdraw approval from such nursing educational programs for failure to meet requirements; to approve the credentials of registered nurses who have completed an educational program that prepare registered nurses to perform services in the diagnosis of illness or prescription of therapeutic or corrective measures, when those services are delegated by a licensed physician; and to approve programs of training and instruction that prepare certified nursing assistants to perform selected nursing services when such services are delegated by a registered professional nurse.

**ORGANIZATION:** The State Board of Nursing was originally created as the Board of Examination and Registration of Nurses in 1915 and received its present name in 1959. From 1947 until 1961, the Board's office was located in Lewiston. In 1961, the office was moved to Portland, and in 1973, it was relocated to Augusta.

In 1985, the Board of Nursing was increased from seven to nine members, as follows: five registered professional nurses, two licensed practical nurses, and two representatives of the public. All members are appointed by the Governor for terms of five years. The Board annually elects from its membership a chairman and a secretary. Also, the Board appoints and employs an executive director, assistant executive director, and other qualified persons, not members of the Board.

## PROFESSIONAL AND FINANCIAL REGULATION

**PROGRAM:** During fiscal year 1993-94, the Board met in six regular sessions and one special session for a total of twelve days. In addition, Board members participated in committee meetings; served as proctors for licensure examinations; served as visitors on site visits to educational programs in nursing; served on committees of the National Council of State Boards of Nursing; and represented the Board in conferences or meetings with individuals or groups on matters pertinent to Board business.

**Licensure of Nurses.** A major responsibility of the Board of Nursing is the licensure of practitioners of nursing. The law provides that licensure as a registered professional nurse or as a licensed practical nurse in this State may be obtained by examination or endorsement of a license legally issued by the licensing authority of another state or country. Every license must be renewed annually, if the licensee is practicing nursing in Maine.

With the implementation of Computer Adaptive Testing (CAT) on April 1, 1994, we closed the chapter on paper-and-pencil testing. CAT is a testing method which uses computer technology and measurement theory. The National Council Licensure Examination (NCLEX) administered via CAT uses standard NCLEX multiple-choice questions. With CAT, each candidate's test is unique: it is assembled interactively as the individual is tested. As the candidate answers each question, the computer calculates a competence estimate based on all earlier answers. The test questions, which are stored in a large item bank and classified by test plan area and level of difficulty, are then scanned and the one determined to measure the candidate most precisely in the appropriate test plan area is selected and presented on the computer screen. This process is repeated for each question, creating an examination tailored to the individual's knowledge and skills while fulfilling all NCLEX test plan requirements. The examination continues in this way until a pass or fail decision is made. CAT provides greater measurement efficiency, as it administers only those questions which will offer the best measurement of the candidate's competence.

During 1993-94, the examination for registered nurse licensure was administered on July 7-8, 1993 and February 2-3, 1994 and the examination for practical nurse licensure on October 13, 1993.

### EXAMINATION FOR REGISTERED NURSE LICENSURE

July 1, 1993 - June 30, 1994

	First Time Writers	Pass	Fail	Repeat Writers	Pass	Fail
Candidates from Schools in:						
Maine	680	580	61	52	34	18
Other States	43	39	14	0	0	0
Foreign	4	2	2	0	0	0
Total	<u>727</u>	<u>621</u>	<u>77</u>	<u>52</u>	<u>34</u>	<u>18</u>

### EXAMINATION FOR PRACTICAL NURSE LICENSURE

July 1, 1993 - June 30, 1994

	First Time Writers	Pass	Fail	Repeat Writers	Pass	Fail
Candidates from Schools in:						
Maine	44	44		7	3	4
Other States	4	4		0	0	0
Foreign	1	1		0	0	0
Total	<u>49</u>	<u>49</u>		<u>7</u>	<u>3</u>	<u>4</u>

### NURSES LICENSED BY ENDORSEMENT

#### REGISTERED AND PRACTICAL NURSES LICENSED IN MAINE

July 1, 1993 - June 30, 1994

Registered Nurses		Licensed Practical Nurses	
From Other States	554	From Other States	93
From Other Countries:		From Other Countries:	
with examination	0	with examination	0
without examination	122	without examination	3
Total	676	Total	96

## PROFESSIONAL AND FINANCIAL REGULATION

	Registered Nurses	Practical Nurses
Licensed by:		
Examination	655	52
Endorsement	676	96
Renewal	6,835	2,047
Reinstatement	229	118
Total	8,395	2,313

**Nursing Education.** A second major responsibility of the Board of Nursing is approval of all basic educational programs in nursing that prepare persons for licensure in Maine, either as registered professional nurses or as licensed practical nurses. Each educational program is visited on the average of once every four to six years. The criteria for approval are contained in the *Board's Rules and Regulations, Chapter 7 Standards for Educational Programs in Nursing*.

Currently, Maine has twenty Board-approved educational programs in nursing: fifteen to prepare registered professional nurses and five to prepare practical nurses. The name and location of these programs follows.

Baccalaureate degree nursing programs include the University of Southern Maine School of Nursing, Portland; St. Joseph's College Department of Nursing, North Windham; Husson College/Eastern Maine Medical Center, Bangor; University of Maine School of Nursing, Orono; University of Maine at Fort Kent Division of Nursing; and Westbrook College Nursing Program, Portland.

Associate degree nursing programs include Central Maine Medical Center School of Nursing, Lewiston; University of Maine at Augusta Division of Nursing; Kennebec Valley Technical College ADN Program, Fairfield; Northern Maine Technical College ADN Program, Presque Isle; Central Maine Technical College ADN Program, Auburn; Eastern Maine Technical College ADN Program, Bangor; Southern Maine Technical College ADN Program, South Portland; and the University of New England Division of Nursing, Biddeford.

In addition, the University of Southern Maine School of Nursing has a generic Masters in Nursing Options Program for Non-Nurses.

Educational Programs in practical nursing are offered at N.M.T.C., E.M.T.C., K.V.T.C., C.M.T.C. and S.M.T.C.

### SUMMARY OF BOARD ACTION

A brief summary of Board action in FY 93-94 follows:

- reviewed and accepted for filing the quarterly financial reports and the annual financial statement.
- approved applications for admission to the examinations for registered nurse and practical nurse licensure and reviewed results and statistical reports on each series and form.
- received 57 complaints of illegal or unsafe nursing practice and took the following actions: took no action/dismissed complaint (26); terminated probation (7); fined for practicing during lapsed license status (103); reinstated license (2); reinstated license on probation (7); placed license on probation (3); denied license reactivation (1); issued a reprimand (1); issued a warning (2); accepted voluntary surrender of license (6); suspended license with fine (1).

### LICENSES, PERMITS, ETC.:

License:

Registered Professional Nurse

Licensed Practical Nurse

Provisional License (pending Maine licensure for graduates of foreign nursing schools)

Permit:

90 day authorization to practice, pending Maine licensure

Provisional license, pending Maine licensure for graduates of foreign nursing schools

### PUBLICATIONS:

Law Regulating the Practice of Nursing (free to Maine citizens)

Rules and Regulations of the Maine State Board of Nursing (\$5.00)

Prescribed Curriculum for Nursing Assistant Training Programs (\$10.00)

Standardized Medication Course For Certified Nursing Assistants (\$5.00)



## PROFESSIONAL AND FINANCIAL REGULATION

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF NURSING	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	168,867		168,867			
Health Benefits	20,274		20,274			
Retirements	28,400		28,400			
Other Fringe Benefits	2,741		2,741			
Other Contract Services—State	39,291		39,291			
Computer Services—State	31,084		31,084			
Other Contractual Service	76,097		76,097			
Rents	906		906			
Commodities	2,657		2,657			
Building Improvements	1,002		1,002			
Transfer to Other Funds	2,081		2,081			
<b>TOTAL EXPENDITURES</b>	373,400		373,400			

## BOARD OF OCCUPATIONAL THERAPY PRACTICE

**JANICE CORSON, CHAIRPERSON**  
**PATRICIA BEAUDOIN, Board Clerk**  
**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner  
*Mail Address:* Statehouse Station #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* April 12, 1984

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 477; Citation: 32 M.R.S.A., Sect. 2271

**PURPOSE:** It is the purpose of this chapter to provide for the regulation of persons offering occupational therapy services in order to safeguard the public health, safety and welfare, to protect the public from incompetent and unauthorized persons; to assure the highest degree of professional conduct on the part of occupational therapists and occupational therapy assistants; and to assure the availability of occupational therapy services of high quality to persons in need of those services.

**ORGANIZATION:** The Board consists of 5 members appointed by the Governor. The persons appointed to the board, other than the public member, must have been engaged in rendering occupational therapy services to the public, teaching or research in occupational therapy for at least 2 years immediately preceding their appointments. At least 3 board members shall be occupational therapists. The 4th member shall be either an occupational therapist or an occupational therapy assistant, if available. These members shall at all times be holders of valid licenses for the practice of occupational therapy in the State, except for the members of the first board, all of whom shall fulfill the requirements for licensure of this chapter. The remaining member shall be a representative of the public.

All members are appointed for 3 year terms

**PROGRAM:** The Board met 3 times during FY 94. There are 397 occupational therapists, 30 occupational therapy assistants, 7 temporary occupational therapists, and 7 temporary occupational therapy assistants for a total of 441 licensees. No new complaints were received, 1 was dismissed and 2 were referred to the AG's Office.

## PROFESSIONAL AND FINANCIAL REGULATION

### LICENSES:

Temporary Occupational Therapist  
Permanent Occupational Therapist  
Temporary Occupational Therapy Assistant  
Permanent Occupational Therapy Assistant

### PUBLICATIONS:

Occupational Therapy Practice Act and Rules (free)  
Roster of Licensees (fee)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BOARD OF OCCUPATIONAL THERAPY PRACTICE</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	350		350			
Other Contractual Service	1,707		1,707			
<b>TOTAL EXPENDITURES</b>	2,057		2,057			

## OIL AND SOLID FUEL BOARD

**JAMES G. CAREY, CHAIRPERSON**  
**MARY ANN CAMPBELL, Board Clerk**  
**DIANNE SAWYER, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner  
*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* 1955

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 381; Citation: 32 M.R.S.A., Sect. 2311

*Average Count—All Positions:* 4

*Legislative Count:* 0

**PURPOSE:** The Oil and Solid Fuel Board was established to protect life and property from fire hazards in the installation of oil and solid fuel burners and related equipment and to insure competency of oil and solid fuel burner installers. The Board is authorized to prescribe minimum requirements for safety from fire in the installation of oil and solid fuel burners and related equipment; to ensure the competence of oil and solid fuel burner installers through examination; to license those qualified to hold the titles of Master Oil Burner Technician, Journeyman Technician, Apprentice Oil Technician, Master Solid Fuel Technician, or Apprentice Solid Fuel Technician; to investigate all complaints of noncompliance with or violation of the law or Board standards; and to recommend suspension or revocation to the Administrative Court under the APA of all licensees found to be guilty of fraud, deceit, negligence or misconduct.

**ORGANIZATION:** The Oil and Solid Fuel Board, created in 1955, was originally administered by the Division of State Fire Prevention. In 1969, the Board introduced a new concept whereby inspectors were assigned to investigate all licensees and oil burner installations. In 1973, under State government reorganization legislation, the Board was transferred to the Department of Public Safety, and in 1975, the 107th Legislature transferred the Board to the Department of Business Regulation (renamed the Department of Professional and Financial Regulation).

The Board consists of five members appointed by the Governor for terms of four years, the Commissioner of Public Safety or his designee, and the Commissioner of Professional and Financial Regulation, or designee. Nominees for appointment of the oil burner technician members may be

## PROFESSIONAL AND FINANCIAL REGULATION

recommended to the Governor by the Maine Oil Dealers Association. Three of the appointive members must be oil burner men who are active in the trade, one must be a representative of the solid fuel burning industry, and one of the appointive members must be a representative of the public. The Board annually elects its own chairman.

By action of the Second Session of the 109th Legislature, the name of the Board was changed to the Oil and Solid Fuel Board.

**PROGRAM:** During FY 93-94, the Oil and Solid Fuel Board held 11 meetings, conducted 10 examination sessions and examined 291 applicants.

The Oil and Solid Fuel Inspectors conducted a total of 330 inspections of commercial, educational, and residential facilities. As of June 1994, a total of 307 telephone and written complaints were investigated to determine if there were any violations. From those investigations 3 complaints were filed with the Board. From those complaints, the Board issued 3 Board orders, 1 suspension and fines totaling \$15,850. They also made a total of 233 license checks. The total dollar amount of savings to the consumer, as a result of the inspector's work, was \$52,885.

During the year, 652 new licenses were issued; 93 Masters, 161 Journeyman, 343 Apprentices and 55 manufacturers.

As of June 1994 there were a total of 4,416 licensed with the Board: 1742 Masters, 1300 Journeyman, 1245 Apprentices and 129 manufacturers.

### LICENSES, PERMITS, ETC.:

License:

- Oilburner Technician Apprentice
- Oilburner Technician Journeyman
- Oilburner Technician Master
- Solid Fuel Apprentice
- Solid Fuel Master
- Manufacturer Registration

### PUBLICATIONS:

Lists, labels, or diskettes of licensed Masters, Journeymen, Apprentices, and manufacturers can be purchased through the Oil and Solid Fuel, Division of Licensing and Enforcement. For further information you may contact the board at 582-8723, ext. 48629 or 48635.

Laws and Rules are free upon request.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>OIL AND SOLID FUEL BOARD</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	106,530		106,530			
Health Benefits	16,697		16,697			
Retirements	17,209		17,209			
Other Fringe Benefits	1,045		1,045			
Other Contractual Service	26,314		26,314			
Rents	30		30			
Commodities	951		951			
Grants—Subsidies—Pensions	480		480			
Transfer to Other Funds	695		695			
<b>TOTAL EXPENDITURES</b>	<b>169,951</b>		<b>169,951</b>			

## PROFESSIONAL AND FINANCIAL REGULATION

### STATE BOARD OF OPTOMETRY

RICHARD WALLINGFORD, O.D., PRESIDENT

WILLIAM BEEAKER, O.D., SEC.-TREAS.

Central Office: 24 Stone Street, Augusta, ME 04333

Telephone: 287-2535

Mail Address: State House Station #113, Augusta, ME 04333

Established: 1909

Sunset Review Required by: June 30, 1995

Reference: Policy Area: 01; Umbrella: 02; Unit: 382; Citation: 32 M.R.S.A., Sect. 2415

Average Count—All Positions: 0

Legislative Count: 0

**PURPOSE:** The State Board of Optometry was established to protect the public through regulation of the practice of optometry in the State of Maine so as to maintain high professional standards. The primary responsibilities of the Board are to examine, and license qualified applicants to practice the profession of optometry and to hold the title of Licensed Optometrist in the State of Maine, upon payment of specified fees; to renew all licenses annually upon payment of a specified fee and presentation of evidence that the applicant has attended an educational program approved by the Board; to revoke, refuse or suspend any license for violation of the laws relating to optometry; to investigate all complaints and cases of non-compliance with optometrist laws, rules and regulations, conduct hearings and bring all such cases to the notice of the proper prosecuting officer; and to enforce standards established by law and make such other reasonable rules and regulations, consistent with the law, as the Board deems necessary.

**ORGANIZATION:** The State Board of Optometry was established in 1909 as the State Board of Registration and Examination in Optometry and received its present name in October, 1973. The Board consists of six members appointed by the Governor, for terms of five years. Five of the members must be resident optometrists engaged in actual practice for a period of at least five years prior to their appointment, and one member must be a consumer member having no pecuniary interest in optometry or optical products. The Board annually elects from its members a president and a secretary-treasurer.

**PROGRAM:** The Board of Optometry held 5 meetings in FY 94 on 8/27/93, 11/10/93, 2/9/94, 4/6/94 and 6/8/94. Maine Board Examinations were scheduled for 8/26/94. The Board issued 172 active licenses, 19 non-active licenses, and 57 auxiliary office licenses.

#### LICENSES, PERMITS, ETC.:

License:

Optometrist

Diagnostic Drug License

Therapeutic Drug License

#### PUBLICATIONS:

“The Maine Optometry Law”, 1985—free on request

“Rules of Practice”—free on request

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF OPTOMETRY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,000		1,000			
Other Contract Services—State	7,900		7,900			
Computer Services—State	135		135			
Other Contractual Service	9,981		9,981			
Commodities	67		67			
Transfer to Other Funds	2,944		2,944			
<b>TOTAL EXPENDITURES</b>	22,027		22,027			

## BOARD OF OSTEOPATHIC LICENSURE

LOUIS A. HANSON, D.O., CHAIRMAN

DONALD K. McFADDEN, D.O., Secretary/Treasurer

SUSAN E. STROUT, Executive Secretary

Central Office: 2 Bangor St., Augusta, Me.

Telephone: 287-2480

Mail Address: State House Station #142, Augusta, Maine 04333

Established: 1919

Sunset Review Required by: June 30, 1994

Reference: Policy Area: 01; Umbrella: 02; Unit: 383; Citation: 32 M.R.S.A., Sect. 2561

Average Count—All Positions: .1

Legislative Count: 0

**PURPOSE:** The Board of Osteopathic Licensure was established to protect the public through regulation of the practice of osteopathic medicine by maintaining high professional standards. Its primary responsibilities are to examine, certify and register qualified applicants for a certificate to practice osteopathic medicine in Maine. Upon payment of specified fees, the Board can issue, renew, withhold, suspend or revoke all licenses. Furthermore the Board makes such rules and regulations and a code of ethics, consistent with the law, as it may deem necessary. At its annual meeting in every even year, the Board prepares and distributes these rules and regulations, and code of ethics to each licensed osteopathic physician practicing in Maine.

**ORGANIZATION:** The Board of Osteopathic Licensure, when it was established in 1919, consisted of five members appointed by the Governor with the advice and consent of the Council, for terms of five years. In 1976, the Legislature increased the Board to six members, all to be appointed by the Governor, five of which must be graduates of a legally chartered college of osteopathic medicine and must, at the time of appointment, have been actively engaged in professional practice in Maine for at least five years. In 1989, the legislature increased the laymembership of the Board to two. The Board currently has eight members. The Board meets monthly. A chairman and a secretary-treasurer are chosen by and from the members of the Board.

**PROGRAM:** Revision of the statutes relating to the Board of Osteopathic Licensure in 1973 specified an increase in the registration fee from four to twenty-five dollars per year voted in the June 1982 meeting to become effective January 1983. The Board, at its meeting on July 8, 1987, made plans for increasing the registration fee to increase the revenue to meet the increased expenses. Revised statutes also specify one annual meeting instead of two meetings as required previously, with special meetings authorized as called by the chairman of the Board.

Re-registration fees have been increased to \$400 biennially, beginning in January, 1992.

Continuing medical education requirements were increased from ten hours to fifty hours annually. Individual files have been established for each physician as an aid in processing and documenting hours as submitted by applicants. Most professional societies and teaching institutions submit lists of courses attended with the hours of credit allowed. Each file is credited according to the report given. Occasionally, the Board has to pass judgment on proposed courses of study which are not tabulated on the acceptable listing. The Board insists that at least forty percent of the courses attended for credit must be osteopathic or that the program provides a majority of osteopathic speakers; the remaining hours may be either osteopathic or medical. All practicing osteopathic physicians in the State of Maine must annually document all attendance at meetings acceptable to the Board. This provides the public with assurance that osteopathic physicians keep current with advances in osteopathic medicine as well as medicine at large.

Election of officers at the June meeting at the Board office in Augusta, Maine: Louis A. Hanson, D.O., Chairman, William E. Wyatt, D.O., Vice-Chairman, and Donald K. McFadden, D.O., Secretary for the coming year.

### LICENSES, PERMITS, ETC.:

License:

To Practice, including Physician's Assistants—41

Certificate:

Of Renewal, including Physician's Assistants—442

Temporary Educational Permits:

To practice osteopathic medicine—18

## PROFESSIONAL AND FINANCIAL REGULATION

### PUBLICATIONS:

List of licensed osteopathic physicians in Maine—\$20.00

Rules and Regulations governing Physician's Assistants/Extenders—\$10.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BOARD OF OSTEOPATHIC EXAMINATION & REGISTRATION	TOTAL FOR	General Fund	Special	Highway Fund	Federal Funds	Misc. Funds
	ALL FUNDS		Revenue Funds			
EXPENDITURES						
Salaries and Wages	16,012		16,012			
Health Benefits	160		160			
Retirements	2,078		2,078			
Other Fringe Benefits	173		173			
Other Contract Services—State	6,440		6,440			
Computer Services—State	5,230		5,230			
Other Contractual Service	17,252		17,252			
Commodities	685		685			
Interest—Debt Retirement	80		80			
Transfer to Other Funds	560		560			
TOTAL EXPENDITURES	48,670		48,670			

## BOARD OF COMMISSIONERS OF THE PROFESSION OF PHARMACY

**DOUGLAS W. LIBBY, R.Ph., President**

**SUSAN A. GREENLAW, Board Clerk**

**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner, Maine

*Mail Address:* State House Station #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1877

*Sunset Review Required by:* June 30, 1999

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 392; *Citation:* 32 M.R.S.A., Sect. 2851

*Average Count—All Positions:* 1

*Legislative Count:* 0

**PURPOSE:** The Board of Commissioners of the Profession of Pharmacy was established to protect consumers of pharmaceutical services in the State of Maine and to insure high standards of professional practice in pharmacy. The Board is authorized to process applications, examine and license pharmacies and pharmacists in the State of Maine qualified to use the title Registered Pharmacist or Qualified Assistant Pharmacist; to make rules and regulations, consistent with the law, as may be necessary for the regulation and practice of the profession of pharmacy; to regulate the sale of poisons and to adopt schedules of poisons of which a written record must be kept by the retailer; to regulate and control the sale, character and standards of all drugs, poisons or medicines and to inspect during business hours all apothecaries, dispensaries, stores or places where they are manufactured, stored, distributed, compounded, dispersed or retailed; to secure samples of drugs and cause them to be analyzed, to prevent the sale of such drugs, poisons or medicines as do not conform to the laws of the State; to keep a record of the names of all persons examined and registered. The Board also prosecutes all complaints against any person registered as an apothecary, received in writing and signed, for the violations of any of the requirements of the law to be performed by a registered apothecary and suspends or revokes the store license if found guilty of a violation after hearing.

## PROFESSIONAL AND FINANCIAL REGULATION

**ORGANIZATION:** The Board of Commissioners of the Profession of Pharmacy was established in 1877 as the Commission of Pharmacy and received its present name in 1957. The Board consists of seven members, including five pharmacists and two public members, all serving three year terms and appointed by the Governor. A president and a secretary are elected annually by the Board from its membership.

**PROGRAM:** The Board of Commissioners of the Profession of Pharmacy met 12 times during FY94. Current licenses include:

- Pharmacist—1,102
- Qualified Assistant—13
- Drug Outlets—270
- Wholesale Distributors—170
- Manufacturers—96
- Wholesalers—28
- Mail Order Drug Outlet—70
- Inactive Pharmacist—64

Reciprocity was granted to 37 pharmacists, licensure by score transfer was granted to 5 pharmacists. Fourteen candidates took and passed the NABPLEX.

The Board responded to 12 complaints; 8 were dismissed and 3 resulted in consent agreements. The Board collected \$6,000 in fines.

The Board also entered into consent agreements for inefficient continuing education credits which resulted in \$50 fines per missed credit and two for one makeup on continuing education. The Board usually meets monthly at its headquarters at 122 Northern Avenue, Gardiner, Maine.

### LICENSES, PERMITS, ETC.:

License:

- Pharmacy
- Pharmacist
- Qualified Assistant Pharmacist
- Wholesaler
- Manufacturer
- Distributor
- Mail Order Pharmacy

### PUBLICATIONS:

Laws Relating to Pharmacy Title 32, Chapter 117, and the Rules revised 1992—Free  
Roster of Licensees (at cost)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BOARD OF COMMISSIONERS OF THE PROFESSION OF PHARMACY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,030		2,030			
Other Contract Services—State	3,975		3,975			
Computer Services—State	53		53			
Other Contractual Service	29,512		29,512			
Commodities	594		594			
<b>TOTAL EXPENDITURES</b>	<b>36,164</b>		<b>36,164</b>			

## BOARD OF EXAMINERS IN PHYSICAL THERAPY

ALLAN BROWN, PT, CHAIRMAN

LINDA DUFFY, Board Clerk

ALEX SEVERANCE, Coordinator

Central Office: 122 Northern Ave., Gardiner, Me. 04345

Mail Address: Statehouse Station #35, Augusta, Maine 04333

Telephone: 582-8723

TDD: 207-624-8563

FAX: 207-624-8637

Established: 1955

Sunset Review Required by: June 30, 1997

Reference: Policy Area: 01; Umbrella: 02; Unit: 393; Citation: 32 M.R.S.A., Sect. 3112

Average Count—All Positions: 0

Legislative Count: 0

**PURPOSE:** By law the primary responsibilities of the Board are to review credentials of, examine, and license qualified applicants for licensure as physical therapists or physical therapist assistants in Maine; authorize issuance of initial certificates of licensure and biennial license renewals; promulgate rules and regulations as necessary; order investigation of complaints of noncompliance with or violation of the law governing the practice of physical therapy or rules adopted by the Board; conduct hearings and take disciplinary action as required or report its findings to the Administrative Court for prosecution; and to establish reasonable fees for the conduct of its business.

**ORGANIZATION:** Under the Department of Professional and Financial Regulation, the Board of Examiners in Physical Therapy consists of two physical therapists, one physical therapist assistant, one public member and one physician. The Board quorum is three members. Each member is appointed by the Governor and serves a four-year term of office. The Board elects a chairman and a secretary for a two-year term.

**PROGRAM:** The Board held 5 meetings in Fiscal Year 1994.

**Examinations:** The Board held the written ASI examination 3 times in fiscal year 1994.

**Licensure:** There are 1,060 licensees; 913 physical therapists, 113 physical therapy assistants, 19 temporary physical therapists, and 15 temporary physical therapist assistant.

One new complaint filed. One complaint dismissed. The Board had rule changes to Chapter 1 which were effective March 23, 1994. The Board made changes to their existing rules to clarify language regarding verification forms, reference and temporary permits.

### LICENSES, PERMITS, ETC.:

License:

Physical Therapists

Physical Therapist Assistants

Temporary Physical Therapists

Temporary Physical Therapist Assistants

### PUBLICATIONS:

1. Register of physical therapists and physical therapist assistants licensed in the State of Maine. (fee)
2. Physical Therapist Practice Act and Rules. (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.



## PROFESSIONAL AND FINANCIAL REGULATION

BOARD OF EXAMINERS IN PHYSICAL THERAPY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	475		475			
Other Contract Services—State	4,108		4,108			
Other Contractual Service	9,019		9,019			
<b>TOTAL EXPENDITURES</b>	13,602		13,602			

## MAINE STATE PILOTAGE COMMISSION

**ARTHUR FOURNIER, CHAIRPERSON**

**(VACANT) Commission Clerk**

**DIANNE SAWYER, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1969

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 387; Citation: 38 M.R.S.A., Sect. 89

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine State Pilotage Commission was established to provide a system of state pilotage devoted to the preservation and protection of lives, property, and vessels entering or leaving specified waters. The primary responsibilities of the Commission are to establish and determine qualifications and conduct examinations, upon payment of specified fees, of any person applying to act as a pilot in the waters of Seguin Island to Bath, Penobscot Bay, Penobscot River, Frenchman's Bay, Eastport Harbor, Cobscook Bay, Penamquan River and Friar Roads; to issue and renew licenses, upon payment of specified fees, and suspend or revoke any pilot's license in accordance with statutory requirements; to select only such number of pilots as are necessary to permit adequate pilotage in the above areas; to establish rates of pilotage and collect pilotage fees for such vessels as are subject to such fees under law; to make, establish and enforce rules and regulations consistent with the law relative to all pilots licensed by the Commission and to parties employing such pilots; and to investigate, hear and decide complaints against any pilot or made by any pilot for any misbehavior or breach of rules and regulations.

The 113th Legislature passed a law changing the Maine State Pilotage Commission's jurisdiction. The jurisdiction now includes all Maine coastal waters and navigable waters with the exception of the Piscataqua River, those waters specifically exempted by the Maine State Pilotage Commission and Portland Harbor.

**ORGANIZATION:** The Maine State Pilotage Commission (September 1985) (formerly The Penobscot Bay and River Pilotage Commission, created in 1969), consists of five members appointed by the Governor, for terms of three years. Three shall be licensed pilots representing Penobscot Bay and River, Bar Harbor-Eastport and Bath; one shall represent the marine industry interests; and one, with a marine background, shall represent the public. Legislative action attached this Commission to the Department of Business Regulation effective July 1, 1981.

**PROGRAM:** During FY 93-94 the Maine State Pilotage Commission held 2 meetings. As of May 1994, there were a total of 16 Pilots licensed by the Commission. In the past year, the Commission received 1 new complaint. Action was taken that resulted in a consent agreement and a letter of warning.

### **LICENSES, PERMITS, ETC.:**

Licenses:

Licensed Pilot

## PROFESSIONAL AND FINANCIAL REGULATION

### PUBLICATIONS:

Lists, labels or diskettes of licensed pilots can be purchased through the Pilotage Commission, Division of Licensing and Enforcement. For further information you may contact the board at 582-8723, ext. 48609.

Laws and Rules are free of charge upon request.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE STATE PILOTAGE COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contractual Services	555		555			
<b>TOTAL EXPENDITURES</b>	555		555			

## PLUMBERS' EXAMINING BOARD

**RICHARD DOYLE, CHAIRPERSON**

**(VACANT), Board Clerk**

**DIANNE SAWYER, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta.#35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1937

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 395; Citation: 32 M.R.S.A., Sect. 3401

*Average Count—All Positions:* 4

*Legislative Count:* 0

**PURPOSE:** To preserve and protect the health of the people of the State of Maine by insuring the existence of adequate and high quality plumbing installations, the Board is empowered to examine and license persons performing plumbing in the State of Maine; to appoint and remove such employees as deemed necessary to carry out the intent of the Legislature; and to investigate all complaints of noncompliance with or violation of the law or Board standards; and to recommend suspension or revocation to the Administrative Court under the APA of all licensees found to be guilty of fraud, deceit, negligence or misconduct.

**ORGANIZATION:** The Plumbers Examining Board consists of five members appointed by the Governor; two master plumbers, two journeyman plumbers and one consumer. Exams are given at least six times a year. The Board meets at least once a year and whenever necessary to conduct the business of the Board. Legislative action transferred this Board from the Department of Human Services to the Department of Business Regulation (renamed the Department of Professional and Financial Regulation) July 1, 1982.

**PROGRAM:** During FY 93-94 the Plumbers' Examining Board met 6 times, conducted 6 examination sessions and examined 256 applicants. In the past year the Board received 8 complaints, 4 are under investigation. Four informal conferences were held and all resulted in consent agreements and \$1,500 in fines were levied. One complaint was heard in court and a \$250 fine was adjudged. The State Inspector conducted a total of 358 inspections of commercial, educational, industrial and residential facilities. In addition, 869 license checks and other investigations were made. The total dollar amount of savings to the consumers, as a result of the inspectors work was \$20,965.

During the year 270 new licenses were issued; 163 Trainee Plumbers, 31 Journeyman, 49 Masters, 3 Corporations and 24 Journeyman-in-Training.

## PROFESSIONAL AND FINANCIAL REGULATION

As of June 1994 there are 32 Corporations, 62 Journeyman-in-Training, 798 Journeyman, 2,070 Master Plumbers and 634 Trainee Plumbers making a total of 3,596 licensed plumbers.

### LICENSES, PERMITS, ETC.:

License:

Corporation  
Journeyman  
Master  
Journeyman-in-training  
Trainee

### PUBLICATIONS:

List of licensed Master and Journeyman Plumbers, labels or diskettes can be purchased through the Plumbers Examining Board, Division of Licensing and Enforcement, Department of Professional and Financial Regulation for a fee. For further information you may contact the board at 582-8723, ext. 48609.

Laws and Rules free of charge upon request.

A copy of Part I of the Maine State Plumbing Code (Internal Code) can be purchased for a fee of \$7.50 through the Board for the purpose of taking the Plumbers Exam or for Plumbers in general. However, anyone else can purchase a copy of the Maine State Plumbing Code (Part I-Internal and Part II-External (septic systems) for a fee by contacting the Division of Health Engineering at 289-5687.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>PLUMBERS' EXAMINING BOARD</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	60,644		60,644			
Health Benefits	11,094		11,094			
Retirements	9,897		9,897			
Other Fringe Benefits	1,458		1,458			
Other Contractual Service	9,797		9,797			
Commodities	19		19			
<b>TOTAL EXPENDITURES</b>	<b>92,909</b>		<b>92,909</b>			

## BOARD OF LICENSURE OF PODIATRIC MEDICINE

**JAMES N. WHIPPLE, D.P.M., CHAIRMAN**

**MARY BRETON, Board Clerk**

**ALEX SEVERANCE, Coordinator**

*Central Office:* Gardiner Annex, 122 Northern Ave., Gardiner, ME 04345    *Telephone:* 582-8723

*Mail Address:* State House Sta. #35, Augusta, Maine 04333

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1933

*Sunset Review Required by:* June 30, 2005

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 396; Citation: 32 M.R.S.A., Sect. 3601

**PURPOSE:** The Board of Examiners of Podiatrists was established to protect the public through regulation of the practice of podiatry in the State of Maine so as to maintain high professional standards. The Board is authorized to conduct examinations of candidates for licensure to practice podiatry; to verify credentials of applicants; to license, and renew licensure biennially upon documentation of

## PROFESSIONAL AND FINANCIAL REGULATION

continuing education activities and payment of specified fees, to maintain a roster of licensed podiatrists; to establish standards of practice; to conduct hearings and investigations upon receipt of complaints pertaining to podiatry; and to file complaints in the Administrative Court for suspension or revocation of a License to Practice Podiatry.

**ORGANIZATION:** The Board of Examiners of Podiatrists was established in 1933. Public Law Ch. 600, effective 4/7/94, changed the name of the board to the Board of Licensure of Podiatric Medicine and moved the Board from the Board of Registration in Medicine to the Department of Professional and Financial Regulation's Division of Licensing and Enforcement. Public Law Ch. 600 also changed the organization of the Board to include four licensed podiatrists and one public member.

**PROGRAM:** The Board met in July 1993, January 1994 and March 1994. They issued 7 new licenses for a total of 89 licensees. The Board dismissed one complaint and one is proceeding to adjudicatory hearing.

### LICENSES, PERMITS, ETC.:

License:

License to Practice Podiatric Medicine and Surgery

### PUBLICATIONS:

Podiatric Practice Act, Board Rules (free)

Roster of Licensees—available upon request at cost

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

EXAMINERS OF PODIATRISTS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	300		300			
Other Contract Services—State	95		95			
Computer Services—State	376		376			
Other Contractual Service	947		947			
Transfer to Other Funds	417		417			
<b>TOTAL EXPENDITURES</b>	2,135		2,135			

## STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

WILLIAM A. LOTZ, PE, CHAIRMAN

JOHN K. BUTTS, PE, Secretary

Central Office: Terminal Building, Augusta State Airport

Telephone: 287-3236

Mail Address: Statehouse Sta. #92, Augusta, Maine 04333

Established: 1935

Reference: Policy Area: 01; Umbrella: 02; Unit: 322; Citation: 32 M.R.S.A., Sect. 1301

Average Count—All Positions: 1

Legislative Count: 1

**PURPOSE:** The State Board of Registration for Professional Engineers was established to protect the public through regulation of the practice of engineering in the State of Maine so as to maintain high professional standards. The Board is authorized to examine, certify and grant certificates to applicants

## PROFESSIONAL AND FINANCIAL REGULATION

who satisfactorily qualify as professional engineers or engineers-in-training in the State, upon payment of specified fees; to publish and distribute a roster of all registered professional engineers; to make rules and regulations not inconsistent with State laws relating to engineers; to investigate complaints of alleged violations of such laws, conduct hearings, subpoena witnesses and institute disciplinary action as warranted.

**ORGANIZATION:** The State Board of Registration for Professional Engineers, established in 1935, is composed of five professional engineers and one representative of the public, appointed by the Governor for terms of five years. The Board annually elects from its membership a chairman, vice-chairman and a secretary. The latter may or may not be a member of the Board.

**PROGRAM:** During FY 1994, 234 candidates successfully completed the requirements for registration as Professional Engineers. Of that number, 96 qualified through written examination, 114 by Comity with other jurisdictions, and 24 by oral examination. These candidates are rapidly registered as their credentials have been previously gathered and verified. As of June 13, 1994, a total of 4969 engineers were registered.

During FY 1994, 290 applicants were examined for certification as Engineer-in-Training. Of those examined, 170 passed.

The Board maintains membership in the National Council of Examiners for Engineering and Surveying (NCEES). Members fully participate in the activities of the Council. Several serve on Council Committees and in some cases serve as chairman of a committee. Individual members of the Board also maintain membership in the several state and national engineering societies. These efforts help in keeping abreast of the activities of the engineering profession.

The Board used the Uniform Written Examination as provided by the NCEES for both the Fundamental (EIT) and the Principles and Practice (PE) examinations. These examinations are made available to the State Boards that desire to use them and are graded and returned by the NCEES at cost. Boards of all 50 states, the District of Columbia and 4 territorial jurisdictions use the NCEES examinations. This is an aid in attaining better uniformity in conducting comity among the several state boards and assume minimum competence to practice.

Two periods of written examinations are given each year by the Board, in the fall and in the spring. Fall examinations were given at Augusta on October 29, 1993 for 85 Professional Engineer candidates. On October 30, 1993, for 130 Engineer-in-Training candidates. Of those taking the P.E. exam, 37 passed. Of those taking the EIT exam, 70 passed.

Spring examinations were given at Augusta. On April 15, 1994, 109 candidates sat for the P.E. exam in Augusta. Also on April 16, 1994, 160 candidates sat for the EIT exam at either Augusta or Orono. Of those taking the P.E. exam, 45 passed. Of those taking the EIT exam, 100 passed.

All but 6 of the 30 oral candidates who sat for examination were found qualified and registered as Professional Engineers.

The Board held 4 meetings during FY 94. These were held September 14, 1993, January 13, March 8, and June 16, 1994.

### LICENSES, PERMITS, ETC.:

#### Registration:

- Professional Engineer Registration
- Engineer-in-Training Certification

### PUBLICATIONS:

"Fifty-first Report With Roster of Professional Engineers" as of December 31, 1993 (\$10.00)

"Supplement to the Fifty-first Report with Roster of Professional Engineers" as of December 31, 1994 (\$10.00)

"Title 32, Revised Statutes of Maine, Chapter 19 Professional Engineers, Bylaws and Rules and Regulations of the State Board of Registration for Professional Engineers"

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## PROFESSIONAL AND FINANCIAL REGULATION

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	24,552		24,552			
Health Benefits	2,789		2,789			
Retirements	3,423		3,423			
Other Fringe Benefits	378		378			
Other Contract Services—State	51,001		51,001			
Computer Services—State	1,061		1,061			
Other Contractual Service	35,288		25,288			
Rents	80		80			
Commodities	872		872			
Transfer to Other Funds	2,214		2,214			
<b>TOTAL EXPENDITURES</b>	121,658		121,658			

## STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS

**STEPHEN McKAY, CHAIRMAN**

**LINDA DUFFY, Board Clerk**

**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner, Me. 04345

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1968

*Sunset Review Required by:* June 30, 1999

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 415; *Citation:* 32 M.R.S.A., Sect. 3821

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The State Board of Examiners of Psychologists was established to assure the citizens of Maine of the highest standards of practice of psychology. The Board reviews applications for licensing, administers examinations, both written and oral, and determines those to be licensed. The Board conducts hearings and takes disciplinary action as mandated by statute.

**ORGANIZATION:** The State Board of Examiners of Psychologists is composed of nine members, 6 psychologists, 1 psychological examiner and 2 public members. Members of the Board are appointed by the Governor for a term of 3 years. The members elect a chairman and secretary yearly.

**PROGRAM:** The Board met 12 times for business in FY94. The Board administers the written exam twice a year. They also conducted 19 oral examinations. There are currently 390 licensed psychologists, 92 psychological examiners, 3 temporary examiners, and 7 conditional psychologists. The Board received 21 complaints, 4 were dismissed, 1 adjudicatory hearing/censure, 2 Board orders, 3 consent agreements, 1 referral to Attorney General's Office.

### LICENSES, PERMITS, ETC.:

License:

Psychologist

Psychological Examiner

Temporary Psychologist

Temporary Psychologist Examiner

Conditional Psychologist

Conditional Psychologist Examiner

## PROFESSIONAL AND FINANCIAL REGULATION

### PUBLICATIONS:

Roster of licensees (fee)  
Rules (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,975		2,975			
Other Contract Services—State	16,126		16,126			
Other Contractual Service	14,819		14,819			
Transfer to Other Funds	287		287			
<b>TOTAL EXPENDITURES</b>	34,207		34,207			

## RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

**CHARLES KEOGH, CHAIR**

**SUSAN A. GREENLAW, Executive Secretary**

**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Station #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* 1983

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 465; Citation: 32 M.R.S.A., Sect. 9853

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Radiologic Technology Board of Examiners was established to protect the public from the effects of excessive and improper exposure to ionizing radiation. The primary responsibilities of the Board are to examine and license radiographers, nuclear medicine technologists, and radiation therapy technologists upon payment of specified fees; to renew all licenses biennially upon payment of specified fees; to investigate all complaints and all cases of non-compliance with the law relating to licensing; to make and adopt such rules consistent with the law; and to hold regular meetings at least once per year to conduct its business.

**ORGANIZATION:** The Radiologic Technology Board of Examiners, established in 1983, consists of 12 members: 2 radiologists; 3 radiographers; one nuclear medicine technologist; one radiation therapy technologist; one radiation physicist; 2 licensed practitioners who are not radiologists; one representative of the Department of Professional and Financial Regulation who shall be the executive secretary and nonvoting member; and one public member who shall not be affiliated with the medical or any allied health profession.

**PROGRAM:** The Radiologic Technology Board of Examiners met 4 times during FY94. Licenses are currently held in the following three major categories:

Radiographer—1,047

Radiation Therapy Technologist—37

Nuclear Medicine Technologist—33

No complaints were received during FY 94.

## PROFESSIONAL AND FINANCIAL REGULATION

### LICENSES, PERMITS, ETC.:

#### License:

Radiographic Technologist  
Nuclear Medicine Technologist  
Radiation Therapy Technologist

#### Permits:

Special Permit in Nuclear Medicine  
Temporary Permits

### PUBLICATIONS:

90-465 CMR 1 "Medical Radiation Technology Licensing Rules" — no charge.

90-465 CMR 2 "Educational Requirements for Limited Licensure"—no charge.

Roster—at cost.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Other Contract Services—State	60		60			
Other Contractual Service	3,577		3,577			
<b>TOTAL EXPENDITURES</b>	3,637		3,637			

## BOARD OF REAL ESTATE APPRAISERS

**CARL HUBBARD, CHAIRPERSON**

**CHERYL HERSOM, Regulatory Board Coordinator**

**MARY GENTNER, Board Clerk**

*Central Office:* Gardiner Annex, 122 Northern Ave., Gardiner

*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723

*TDD:* 207-624-8563

*FAX:* 207-624-8637

*Established:* April 10, 1990

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 298; Citation: 32 M.R.S.A., Sect. 13967

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The Board licenses real estate appraisers in order to assure that uniform, competent guidelines are established for the rendering of real estate appraisals and to fulfill the federal mandate required by Title XI of the Federal Financial Institution's Reform, Recovery and Enforcement Act of 1989, Public Law 101-73.

**ORGANIZATION:** The Board consists of seven members appointed by the Governor. Each member must be a citizen of the United States and a resident of the State of Maine. The composition of the board consists of one representative of a mortgage lending organization, one public member and five members who specialize in appraisal work, including at least one residential and one commercial real estate appraiser. After July 1, 1993, the appraiser positions must be filled by a licensed real estate appraiser, a state-certified residential appraiser, a state-certified general appraiser, and two members at large.

**PROGRAM:** On December 31, 1992 the licensing law for Real Estate Appraisers went into effect. During FY 94 the board held 12 meetings.



## PROFESSIONAL AND FINANCIAL REGULATION

**EXAMINATION STATISTICS:** During FY 94, 6 appraisers, 6 state-certified residential and 6 state-certified general exams were held. A total of 80 appraisers, 50 state-certified residential and 33 state-certified general candidates were tested.

**LICENSING STATISTICS:** The total number of active licensees as of June 30, 1994, is as follows: 424 appraisers, 233 state-certified residential, 319 state-certified general, and 25 registered appraisers. There are 5 candidates pending examination.

**RECIPROCITY:** During FY 94, the board has established reciprocal agreements with the states of Arizona, Arkansas, Connecticut, Colorado, Georgia, Hawaii, Kentucky, Mississippi, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Vermont, West Virginia, Wyoming, Utah and Rhode Island.

**COMPLAINTS:** The board received a total of 12 new complaints during FY 94 of which; 6 were dismissed, 2 had disciplinary action, 3 adjudicatory hearings, 3 board orders, 3 consent agreements and the board levied fines in the amount of \$1,200.00.

### LICENSES, PERMITS, ETC.:

Licensed Real Estate Appraiser  
State-Certified General Real Estate Appraiser  
State-Certified Residential Real Estate Appraiser  
Temporary License  
Registered Appraiser Trainee

### PUBLICATIONS:

Real Estate Appraisal Licensing and Certification Laws (Free)  
Licensee Roster—May be requested in various formats such as: Lists, Mail Labels, and Diskettes (nominal fee)  
Board of Real Estate Appraisers Rules 1990 (free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BOARD OF REAL ESTATE APPRAISERS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,995		1,995			
Other Contract Services—State	10,550		10,550			
Other Contractual Service	33,839		33,839			
Rents	75		75			
Commodities	105		105			
Transfer to Other Funds	1,615		1,615			
<b>TOTAL EXPENDITURES</b>	48,179		48,179			

## REAL ESTATE COMMISSION

LOWELL T. SHERWOOD, JR., CHAIRMAN  
CAROL J. LEIGHTON, Director

Central Office: Gardiner Annex, Northern Ave., Gardiner  
Mail Address: Statehouse Sta. #35, Augusta, Maine 04333

Telephone: 582-8727

Established: March 25, 1937

Sunset Review Required by: June 30, 1997

Reference: Policy Area: 01; Umbrella: 02; Unit: 039; Citation: 32 M.R.S.A., Sect. 13062

Average Count—All Positions: 11

Legislative Count: 0

## PROFESSIONAL AND FINANCIAL REGULATION

**PURPOSE:** The Commission is charged with supervising real estate licensees in a manner to insure that they meet standards of conduct which will promote public understanding and confidence in the business of real estate brokerage. Primary responsibilities of the Commission are to license qualified applicants as real estate agencies, real estate brokers, real estate associate brokers, sales agents, timeshare agents, home service contract companies and home service sales agents; to investigate alleged violations of the law; impose sanctions; prescribe curricula and standards for real estate educational programs and the Commission is authorized to defray the cost of an educational course for licensees and/or the public.

**ORGANIZATION:** The Real Estate Commission, originally created in 1937, was reorganized pursuant to P.L. 1983, c. 171 effective in September of 1983. The Commission now includes four members whose vocation for at least five years prior to appointment has been that of a real estate broker or associate broker; and two public members with no professional or financial connection with the real estate business. Members are appointed by the Governor, subject to confirmation by the Senate, for three year terms and not more than one member from any one county may serve simultaneously. The members of the Commission are responsible for policy and rulemaking and serve as an adjudicatory panel hearing complaints filed by the director against licensees and to hear appeals of administrative decisions rendered by the director. The director is appointed by the Commissioner of the Department of Professional and Financial Regulation with the advice of the Real Estate Commission. The director is responsible for management of the Commission's affairs within guidelines adopted by the Commission and for carrying out duties allocated to the director by law.

**PROGRAM:** Twenty-one (21) meetings of the Commission were held, including eighteen (18) adjudicatory hearings. The Commission prepared and distributed to all licensees a newsletter on a quarterly basis, and distributed consumer information.

**Enforcement.** This part of the program is designed to promote compliance with licensing laws and to encourage resolution of consumer complaints filed against real estate licensees. One hundred and forty-five (145) cases were under investigation during the year, seventy-seven (77) of which were closed. Because of its enforcement process, the Commission was able to influence resolution of complaints resulting in financial benefits to consumers totaling \$2,000. In addition, the following penalties were imposed through consent agreements or by Commission order: Four (4) licenses were suspended, three (3) licenses were revoked, one (1) license was denied and \$32,050 in fines were imposed.

**Licensing.** This part of the program includes processing of applications, licensing and administration of license examinations. The following is a breakdown of applications processed:

### **Real Estate Licensees**

Record modification applications	2,052	
Renewal license applications	4,772	
License examination applications	901	
New license applications	956	
Total applications processed		8,681

On June 30, 1994, the following licenses were in effect:

### **Real Estate Agencies**

Individual Proprietors	1,046	
Corporations	513	
Branch Offices	94	
Partnerships/Associations	39	
Total Agencies		1,692

### **Active Licenses**

Brokers	2,854	
Associate Real Estate Brokers	1,353	
Sales Agents	835	
Timeshare Agents	20	
Total Active Licensees		5,062

### **Inactive Licenses**

Real Estate Brokers	1,303	
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## PROFESSIONAL AND FINANCIAL REGULATION

Real Estate Associate Brokers	2,398	
Sales Agents	20	
Total Inactive Licenses		5,062
<b>Home Service Contracts</b>		
Sales Agents	112	
Companies	5	
Total Home Service		117
<b>TOTAL ALL LICENSES</b>		10,592

License examinations were administered forty-one (41) times at the Commission office in Gardiner to seven hundred sixteen (716) examinees.

**Education and Examinations.** This part of the program includes dissemination of information to encourage compliance with licensing laws, prescribing curriculum for the sales agent course, associate broker course and designated broker course, approving courses for continuing education and maintaining a valid bank of license examination questions. During the year the Commission continued its program of allowing course instructors the opportunity to review the license examination bank. Further, the Education Director met with prelicense course sponsors and instructors. During the year the Commission revised its licensing handbook.

### LICENSES, PERMITS, ETC.:

License:

- Real Estate Agency
- Real Estate Broker
- Real Estate Associate Broker
- Sales Agent
- Branch Office
- Time Share Agent
- Home Service Contract Company
- Home Service Contract Sales Agent
- Home Service Contract Sales Associate

### PUBLICATIONS:

- Real Estate Licensing Law and Rules—Free
- Catalog of Continuing Education Programs—Free
- Buyer/Seller Informational Booklet—Free
- Real Estate Licensing Handbook—Free
- Quarterly Newsletter—Free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>REAL ESTATE COMMISSION</b>						
<b>EXPENDITURES</b>						
Salaries and Wages	243,350		243,350			
Health Benefits	27,135		27,135			
Retirements	41,217		41,217			
Other Fringe Benefits	2,790		2,790			
Other Contract Services—State	537		537			
Computer Services—State	23,391		23,391			
Other Contractual Service	88,918		88,918			
Rents	100		100			
Commodities	1,941		1,941			
Transfer to Other Funds	1,716		1,716			
<b>TOTAL EXPENDITURES</b>	431,095		431,095			

## PROFESSIONAL AND FINANCIAL REGULATION

### BOARD OF RESPIRATORY CARE PRACTITIONERS

JAMES SMITH, CHAIRMAN

MARY BRETON, Board Clerk

ALEX SEVERANCE, Coordinator

Central Office: 122 Northern Ave., Gardiner

Mail Address: Statehouse Sta. #35, Augusta, Maine 04333

Telephone: 582-8723

TDD: 207-624-8563

FAX: 207-624-8637

Established: September 19, 1985

Sunset Review Required by: June 30, 1998

Reference: Policy Area: 01; Umbrella: 02; Unit: 343; Citation: 32 M.R.S.A., 9703

Average Count—All Positions: 0

Legislative Count: 0

**PURPOSE:** Under the Department of Professional and Financial Regulation, the Board of Respiratory Care Practitioners exists to safeguard the public health, safety and welfare by protecting the public from incompetent and unauthorized conduct on the part of respiratory care practitioners.

**ORGANIZATION:** Operating in conjunction with the Department's Division of Licensing and Enforcement, the Board of Respiratory Care Practitioners consists of three respiratory care practitioners and two public members all appointed by the Governor. The Board meets at least once a year and at other times as needed.

**PROGRAM:** The Board met monthly during FY-94. The total number of licensees to date is: 226 respiratory therapists; 272 respiratory care technicians; 14 temporary respiratory care technicians (graduates) and 6 respiratory care trainees.

Areas of consideration to the Board were complaints, continuing education, new regulations and correspondence.

The Board received 3 new complaints, 3 were dismissed.

#### LICENSES, PERMITS, ETC.:

Temporary Technician (graduate)

Permanent Respiratory Therapist

Permanent Respiratory Care Technician

Respiratory Care Trainee

#### PUBLICATIONS:

1. Register of Respiratory Therapists and Respiratory Care Technicians licensed in the State of Maine (nominal fee)
2. Respiratory Care Practitioners Practice Act and Rules

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BOARD OF RESPIRATORY CARE PRACTITIONERS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,680		1,680			
Computer Services—State	140		140			
Other Contractual Service	3,708		3,708			
Transfer to Other Funds	850		850			
<b>TOTAL EXPENDITURES</b>	6,378		6,378			

## STATE BOARD OF SOCIAL WORKER LICENSURE

**KIM-ANNE PERKINS, CHAIRPERSON**  
**PATRICIA BEAUDOIN, Board Clerk**  
**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner  
*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* 1969

*Sunset Termination Scheduled to Start by:* June 30, 1989

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 416; *Citation:* 32 M.R.S.A., Sect. 7026

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The Maine State Board of Social Worker Licensure was established to provide for the regulation of persons offering social work services in order to safeguard the public health, safety and welfare, to protect the public from incompetent and unauthorized persons and to assure the highest standards of practice on the part of the social worker.

The Board is authorized to evaluate the qualifications and supervise examinations of applicants, to grant licenses to those who satisfactorily qualify, investigate or cause to investigate all complaints made to it and all cases of noncompliance with this chapter. The board may adopt rules as may be reasonably necessary in carrying out its duties and the administration thereof. Hearings may be conducted to assist with investigations, to determine whether grounds exist for suspension, revocation or denial of a license, or as otherwise deemed necessary in fulfilling the Board's responsibilities.

**ORGANIZATION:** The Board was created in 1969. There are 7 members appointed by the Governor, including two consumer members. Terms of office are for three years and all members hold office until their successors are appointed and qualified.

**PROGRAM:** The Board met monthly during FY 94. The ASI/AASSWB national examination was offered in October and February with a total of 323 candidates sitting for the exam. Of those sitting, 310 passed. During FY 94, 22 new complaints were filed. Ten complaints were dismissed. One adjudicatory hearing was held. One Board Order was issued; one license was suspended; one consent agreement was executed and one license was revoked. The Board collected \$1,600 in fines. The Board issued 530 new licenses and presently has a total of 3,281 social workers licensed.

### **LICENSES, PERMITS, ETC.:**

- Licensed Social Worker
- Licensed Social Worker/Conditional I and II
- Licensed Master Social Worker
- Licensed Master Social Worker/Conditional I and II
- Licensed Clinical Social Worker

### **PUBLICATIONS:**

- Roster—publishing fee

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## PROFESSIONAL AND FINANCIAL REGULATION

STATE BOARD OF SOCIAL WORKER LICENSURE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	42,452		42,452			
Health Benefits	5,620		5,620			
Retirements	6,581		6,581			
Other Fringe Benefits	397		397			
Computer Services—State	228		228			
Other Contractual Service	14,232		14,232			
Commodities	23		23			
<b>TOTAL EXPENDITURES</b>	69,533		69,533			

## BOARD OF EXAMINERS ON SPEECH PATHOLOGY AND AUDIOLOGY

**NANCY STEEVES, CHAIR**  
**SUSAN A. GREENLAW, Board Clerk**  
**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner  
*Mail Address:* Statehouse Sta.#35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* 1976

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 296; Citation: 32 M.R.S.A., Sect. 6010

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board of Examiners on Speech Pathology and Audiology was established in 1976 to license speech pathologists and audiologists with appropriate credentials and to help assure the availability of the highest possible quality speech pathology and audiology services to the communicatively handicapped people of this state. The Board provides regulatory authority over persons offering speech pathology and audiology services to the public.

The Board generally holds monthly meetings for the purpose of reviewing all applications to assure that only qualified applicants become licensed; reviews application forms for prior approval of continuing education activities with accredited sponsorship; reviews applications for the registration of speech pathology aides under the licensed speech pathologist.

Hours submitted by the licensee to satisfy the continuing education requirements for license renewal must be approved by the Board. Audits may be conducted by the Board.

Permanent licenses expire biennially on February 28th. Temporary licenses shall expire one year from date of issuance and may only be renewed once. Registrations remain in effect until the Board is notified in writing of termination.

**ORGANIZATION:** The Board of Examiners on Speech Pathology and Audiology is composed of 7 members who are representative of the following: 2 are appointed from the professional field of speech pathology, 2 are appointed from the professional field of audiology, 1 is a physician with specialized training in the field of otolaryngology, and 2 are appointed from the public. Members of the board are appointed by the Governor for a term of 3 years. The members elect a chairperson and a secretary

**PROGRAM:** The Board of Examiners on Speech Pathology and Audiology met 10 times during FY 94. Current licenses include:

- Permanent Speech pathologist—331
- Temporary Speech Pathologist—41
- Permanent Audiologist—49
- Temporary Audiologist—4

## PROFESSIONAL AND FINANCIAL REGULATION

Speech Pathologist/Audiologist—2  
No complaints were received during FY 94.

### LICENSES, PERMITS, ETC.:

Speech Pathology  
Speech Pathology, temporary  
Audiology  
Audiology, temporary  
Speech Pathology and Audiology  
Speech Pathology and Audiology, temporary  
Speech Pathology Aide Registration

### PUBLICATIONS:

Law and the Rules of the Maine Board of Examiners in Speech Pathology and Audiology are available.

Roster—Publishing fee.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BOARD OF EXAMINERS ON SPEECH PATHOLOGY AND AUDIOLOGY</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	1,200		1,200			
Other Contractual Service	4,065		4,065			
<b>TOTAL EXPENDITURES</b>	5,265		5,265			

## STATE BOARD OF SUBSTANCE ABUSE COUNSELORS

**KEITH J. McCULLOUGH, CHAIRMAN**

**DIANE BRADSTREET, Board Clerk**

**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner, Me. 04345  
*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* 1977

*Sunset Review Required by:* June 30, 1997

*Reference: Policy Area:* 01; *Umbrella:* 02; *Unit:* 384; *Citation:* 32 M.R.S.A., Sect. 6201

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The State Board of Substance Abuse Counselors was established to assess and improve the competence of, and provide licensure for persons working as alcohol abuse or drug abuse counselors in Maine.

**ORGANIZATION:** The State Board of Substance Abuse Counselors, created in 1977 and constituted in 1978, is comprised of eleven members. Nine members shall be appointed by the Governor. One member must be the Director of the Office of Substance Abuse or a designee. One member, appointed by the Chancellor of the University of Maine System, shall be a member of the university faculty involved in the training of substance abuse counselors. Of these 11 members, 5 members shall be licensed substance abuse counselors. Two members must be nonproviders, one of whom must be a family member of a consumer of substance abuse services or a consumer of substance abuse services who has abstained

## PROFESSIONAL AND FINANCIAL REGULATION

from the use of alcohol and other drugs for a period of at least 2 years. One shall be a public member. One member shall be a representative of a regional alcohol and drug abuse council.

**PROGRAM:** The Board met 21 times during FY 94 for the purposes of conducting oral examinations, reviewing continuing education and investigating complaints. In the course of FY 94, the Board received ten new complaints, 5 complaints were dismissed, two consent agreements were executed and the Board issued one license suspension.

There are: 315—Licensed Substance Abuse Counselors  
20—Associate Substance Abuse Counselor  
472—Registered Substance Abuse Counselors

### LICENSES, PERMITS, ETC.:

Registered Substance Abuse Counselor  
Licensed Substance Abuse Counselor  
Associate Substance Abuse Counselor

### PUBLICATIONS:

Laws and Rules  
List of licensed, registered and associate counselors

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF SUBSTANCE ABUSE COUNSELORS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contract Services—State	4,463		4,463			
Computer Services—State	280		280			
Other Contractual Service	7,889		7,889			
<b>TOTAL EXPENDITURES</b>	12,632		12,632			

## STATE BOARD OF VETERINARY MEDICINE

**GAIL GIBSON, DVM, CHAIRMAN**  
**SUSAN GREENLAW, Board Secretary**  
**ALEX SEVERANCE, Coordinator**

*Central Office:* 122 Northern Ave., Gardiner  
*Mail Address:* Statehouse Sta. #35, Augusta, Maine 04333

*Telephone:* 582-8723  
*TDD:* 207-624-8563  
*FAX:* 207-624-8637

*Established:* February 22, 1905

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 01; Umbrella: 02; Unit: 285; Citation: 32 M.R.S.A., Sect. 4854

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Board of Veterinary Medicine was established to protect the public interest through the regulation of the practice of veterinary medicine in the State of Maine in order to maintain high professional standards. The primary responsibilities of the Board are to administer State Board examinations in veterinary medicine and issue licenses to qualified applicants who have successfully completed the examinations; to issue certificates of yearly registration to licensed veterinarians; to administer State Board examinations to qualified animal medical technicians and issue certificates of registration; to issue yearly renewal registration to registered animal medical technicians; to investigate written complaints brought before the Board; to issue temporary licenses to qualified applicants until



## PROFESSIONAL AND FINANCIAL REGULATION

such time as the State Board examination results are released; to answer correspondence and maintain financial records; to issue and set fees for annual registration of all veterinarians holding a Maine Veterinary license; and to issue and set fees for Animal Medical Technicians.

**ORGANIZATION:** The Board of Veterinary Examiners, established in 1905, remained an independent entity until October 1973 when legislation assigned the Board to the Department of Agriculture. The 112th Legislature transferred the Board in September of 1986 to the Department of Professional and Financial Regulation.

Prior to action by the 107th Legislature, the Board consisted of three members, appointed by the Governor with the advice and consent of the Council, for terms of three years, with the Board electing its own secretary and president from its members. Effective October 1, 1975, the name was changed to the Board of Veterinary Medicine, and its membership expanded to five members, all veterinarians, appointed by the Commissioner of Agriculture for terms of five years. The 107th Legislature added a sixth (and public) member to the Board, to serve a 5-year term. This legislation became effective July 29, 1976.

**PROGRAM:** The Board of Veterinary Medicine met 4 times during FY 94. The Board conducted two state examination for veterinary applicants and two national examinations for animal technicians. Current licenses include:

Veterinarian—552

Veterinary Technician—332

The Board responded to 11 complaints, all resulting in dismissal.

### LICENSES, PERMITS, ETC.:

Registration:

Animal Medical Technicians

License:

Veterinarians

### PUBLICATIONS:

Laws and Rules relating to Maine Veterinary Practice—(free)

List of Licensed Veterinarians and Registered Animal Technicians—(nominal fee)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF VETERINARY MEDICINE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
EXPENDITURES						
Salaries and Wages	1,210		1,210			
Other Contract Services—State	3,140		3,140			
Other Contractual Service	5,736		5,736			
Commodities	75		75			
Transfer to Other Funds	282		282			
<b>TOTAL EXPENDITURES</b>	10,443		10,443			

## DEPARTMENT OF PUBLIC SAFETY

ALFRED SKOLFIELD, JR., ACTING COMMISSIONER

*Central Office:* 36 Hospital Street, Augusta

*Telephone:* 624-7068

*Mail Address:* Statehouse Sta. #42, Augusta, Maine 04333

*Established:* 1971

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 219; Citation: 25 M.R.S.A., Sect. 2901

*Average Count—All Positions:* 632

*Legislative Count:* 515

*Organizational Units:*

Bureau of State Police  
Office of the State Fire Marshal  
Bureau of Capitol Security  
State Bureau of Identification  
Bureau of Liquor Enforcement  
Maine Drug Enforcement Agency

Maine Criminal Justice Academy  
Board of Trustees Criminal Justice Academy  
Bureau of Highway Safety  
Maine Highway Safety Commission  
Emergency Medical Services  
Emergency Communication Bureau  
Missing Children Information Clearinghouse

**PURPOSE:** The Department of Public Safety was established to promote the safety and well-being of Maine citizens by coordinating and efficiently managing the law enforcement responsibilities of the State. The Department is empowered to coordinate and manage the law enforcement responsibilities of the State as vested in the State Police, the Maine Criminal Justice Academy, the Capitol Security Police Force, the State Fire Marshal, the Bureau of Liquor Enforcement, the Maine Drug Enforcement Agency, and Maine Emergency Medical Services.

**ORGANIZATION:** The Department of Public Safety was created in 1971 in State Government reorganization legislation to consolidate the former Department of State Police, the Enforcement Division of the State Liquor Commission, the State representatives and employees of the Vehicle Equipment Safety Commission, the Division of State Fire Prevention of the Department of Insurance and the Law Enforcement and Criminal Justice Academy, under the Commissioner of Public Safety.

In 1978 the 108th Legislature added the Bureau of Capitol Security to the organization of the Department. Executive Order 6 Fy 80/81 transferred responsibility for administering the Highway Safety Program in Maine from the Department of Transportation. Through this Executive initiative, the Bureau of Safety was removed from the Department of Transportation with the Maine Highway Safety Committee reorganized to advise the Department of Public Safety and the Governor on highway safety matters. In 1990 the Legislature changed the name to the Bureau of Highway Safety.

The Maine Drug Enforcement Agency and the Maine Drug Enforcement Agency Advisory Board were created by the 113th Legislature to develop, coordinate and carry out a Statewide Drug Enforcement Program.

Beginning on January 1, 1989 the E911 Advisory Committee was established to assist and advise the Department in the implementation of a statewide E911 system. Chapter 566, P.L. 1993, created the Emergency Services Communication Bureau within the Department which is responsible for statewide implementation and management of the E911 system.

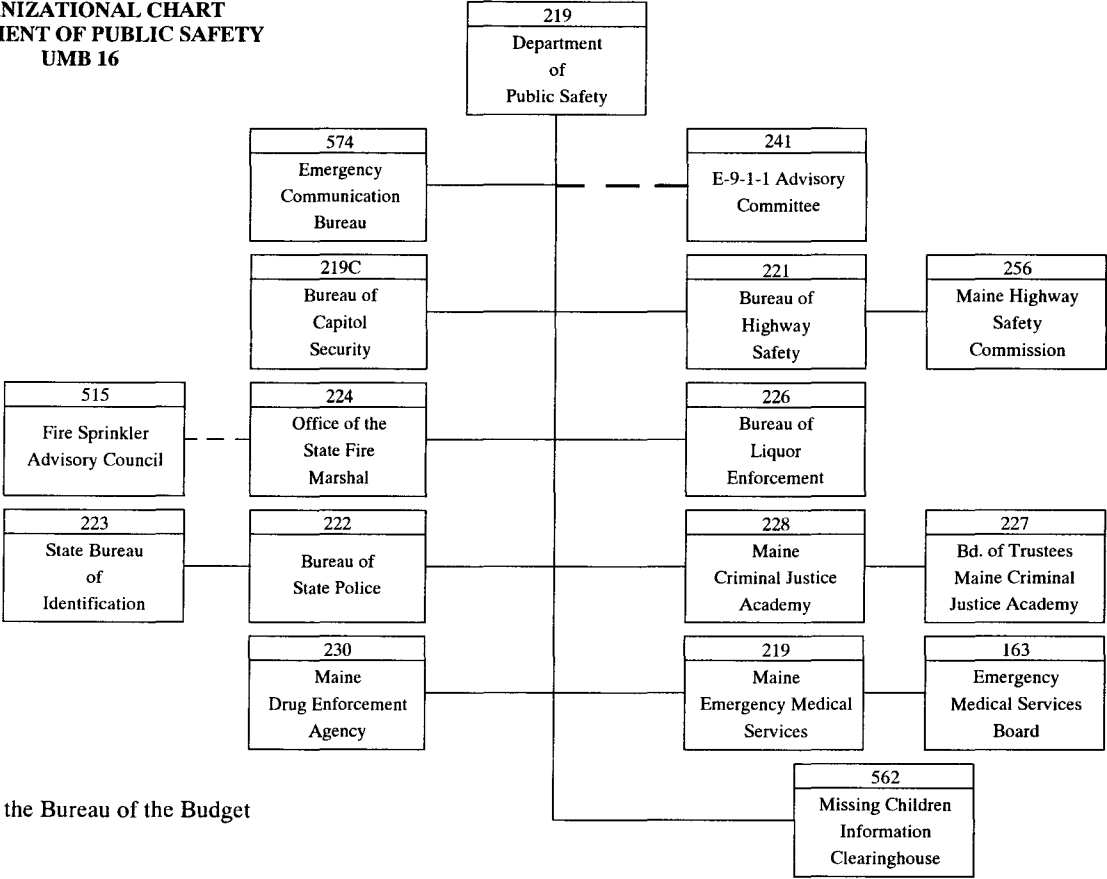
Chapter 588, P.L. 1991, transferred the responsibility for Maine Emergency Medical Services from the Department of Human Services to the Department of Public Safety.

During 1993, the 116th Legislature created the Missing Children Information Clearinghouse requiring the Department to collect, process, maintain and disseminate accurate and complete information related to missing children. July of 1993 saw all Liquor Licensing functions transferred from the Bureau of Alcoholic Beverages and Lottery Operations to the Bureau of Liquor Enforcement within the Department.

**PROGRAM:** Other than Administration, the activities of the Department during FY 94 are discussed in the individual reports of its components.

**Administration.** Effective with fiscal year 1980, the 109th Legislature funded the program entitled the "Commissioner's Office" following the appointment by the Governor of the first civilian Commissioner of the Department of Public Safety. This program included the Commissioner and the Director, Administrative Services. The Department further formed an Administrative Services Division, com-

**ORGANIZATIONAL CHART  
DEPARTMENT OF PUBLIC SAFETY  
UMB 16**



Approved by the Bureau of the Budget

# PUBLIC SAFETY

## CONSOLIDATED FINANCIAL CHART FOR FY93 DEPARTMENT OF PUBLIC SAFETY

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	18,728,159	3,206,894	3,644,078	11,274,136	603,051	
Health Benefits	2,034,076	215,130	412,667	1,339,152	67,127	
Retirements	5,810,950	1,035,221	1,038,489	3,620,463	1156,777	
Other Fringe Benefits	325,603	25,354	65,487	225,887	8,875	
Other Contract Services—State	2,891,250	676,280	280,143	87,352	1,835,687	11,788
Computer Services—State	349,318	64,202	10,163	269,760	5,193	
Other Contractual Service	4,314,990	1,175,132	731,938	2,119,652	286,725	1,543
Rents	332,056	105,195	18,522	206,244	2,095	
Commodities	678,434	201,624	103,340	345,559	27,911	
Grants—Subsidies—Pensions	1,823,609	36,043	96,571	1,108,123	582,872	
Building and Improvement	2,096,399	160,492	323,055	1,484,485	128,367	
Equipment	22,970			6,236		16,734
Interest—Debt Retirement	9,442	906	367	8,070	99	
Transfer to Other Funds	343,070		72,143	242,903	28,024	
<b>TOTAL EXPENDITURES</b>	<b>39,760,326</b>	<b>6,902,473</b>	<b>6,796,963</b>	<b>22,338,022</b>	<b>3,692,803</b>	<b>30,065</b>

## PUBLIC SAFETY

mencing in fiscal year 1980, to provide a full range of support services to the Bureaus and Divisions of the Department in the areas of Finance, Personnel, and Audit, as described below.

**Finance Office:** This office provides accounting and budgetary services to the organizational units of the Department, which include the processing of bills for payment, preparation of purchase orders, maintenance of accounting records and transactions, maintenance of accounts receivable, preparation of bills and charges for services, analysis of expenditures and revenues, preparation of work programs and allotments, maintenance of vehicle accident and industrial accident reports, preparation of financial reports and comparative financial data, and the maintenance of capital equipment and real property inventory control records.

**Personnel Office:** This office administers all procedures for the recruitment, hiring, promotion, transfer, discipline, training, classification and pay, and labor relations for 632 employees in the department who comprise 88 different authorized classifications. The Personnel Office has undertaken its first State Police Recruitment initiative since 1989. 1,700 applications were processed resulting in 47 trooper applicants enrolled in the 43rd Training Academy.

**Audit:** This office is responsible for the external audit of all National Highway Traffic Administration project grants in the State of Maine in accordance with National Highway Traffic Safety Administration guidelines, the applicable highway safety plan, the HS-1 project grant contract and the requirements of Office of Management and Budget Circulars A-102, A-87, and A-128; and, the internal audit of the Bureau of Safety Planning and Administration function and Highway Safety Program in compliance with Office of Management and Budget circular A-128.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

DEPARTMENT OF PUBLIC SAFETY (Chief Administrative Unit)	TOTAL FOR					
	ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,119,818	220,132	121,855	659,320	118,511	
Health Benefits	111,387	16,482	11,980	68,616	14,309	
Retirements	262,070	36,512	18,855	186,954	19,749	
Other Fringe Benefits	16,206	1,979	1,913	10,850	1,464	
Other Contract Services—State	1,004,998	493,401	99,210	11,280	389,319	11,788
Computer Services—State	6,421	2,246	940	3,235		
Other Contractual Service	276,588	108,057	20,638	128,611	17,739	1,543
Rents	4,122	1,425	804	1,833	60	
Commodities	39,134	14,391	8,343	9,120	7,280	
Grants—Subsidies—Pensions	14,305		23	968	13,314	
Building Improvements	7,719	1,300			6,419	
Equipment	16,734					16,734
Interest—Debt Retirement	40		3	37		
Transfer to Other Funds	25,264		4,827	12,877	7,560	
<b>TOTAL EXPENDITURES</b>	<b>2,904,806</b>	<b>895,925</b>	<b>289,391</b>	<b>1,093,701</b>	<b>595,724</b>	<b>30,065</b>

## BUREAU OF CAPITOL SECURITY

### DONALD SUITTER, CHIEF

*Central Office:* State Office Bldg., Augusta

*Telephone:* 287-3477

*Mail Address:* Statehouse Sta. #42, Augusta, Maine 04333

*Established:* 1977

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 219C; Citation: 25 M.R.S.A., Sect. 2901A

*Average Count—All Positions:* 10.5

*Legislative Count:* 10.5

## PUBLIC SAFETY

**PURPOSE:** The Bureau of Capitol Security is charged with the securing of buildings and properties during and after the hours of operation and the enforcement of all State Laws and departmental rules and regulations as they pertain to the Capitol Complex and Augusta Mental Health Institute Complex. The Bureau is also charged with supplying the control of traffic flow and parking at the Capitol Complex and the Augusta Mental Health Institute Complex. As of July 1, 1991 this Bureau supplies watchperson coverage to both the Stevens School Complex in Hallowell, Me. and the Capitol Complex.

**ORGANIZATION:** The Bureau of Capitol Security was established by the Legislature in 1977 as a branch of the Department of Public Safety. Prior to 1977, the Capitol Security responsibility was part of the Bureau of Public Improvements. In its present form the Bureau is made up of an administrative head with the title of Director, one supervisor (Sergeant), 5.5 security officers, one Clerk Typist, and two watchperson positions.

**PROGRAM:** During the fiscal year 1994, the Bureau of Capitol Security processed over 2,900 incidents, investigated 36 automobile accidents, issued over 1,300 parking tickets, which generated over \$8,000.00 to the State's General Fund, and dealt with several controversial Legislative hearings.

The major objective of the Bureau of Capitol Security for the fiscal year 1995 is to continue meeting the security needs for designated state facilities.

### LICENSES, PERMITS, ETC.:

Capitol Area Activity Permit.

Other licenses and permits as specified in individual reports.

### PUBLICATIONS:

Capitol Area Security Regulations.

Rules and Regulations relating to parking on State Property.

Other licenses and permits as specified in individual reports.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF CAPITOL SECURITY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	241,971	241,400	571			
Health Benefits	31,457	31,457				
Retirements	39,893	39,804	89			
Other Fringe Benefits	4,725	4,725				
Other Contract Services—State	60	60				
Computer Services—State	18	18				
Other Contractual Service	11,324	11,324				
Rents	634	634				
Commodities	7,054	7,054				
Transfer to Other Funds	9		9			
<b>TOTAL EXPENDITURES</b>	<b>337,145</b>	<b>336,476</b>	<b>669</b>			

## **BOARD OF TRUSTEES OF THE MAINE CRIMINAL JUSTICE ACADEMY , CHAIRMAN**

*Central Office:* 93 Silver Street, Waterville

*Telephone:* 877-8000

*Mail Address:* 93 Silver Street, Waterville, Maine 04901

*Established:* 1969

*Sunset Review Required by:* June 30, 2002

*Reference: Policy Area:* 06; *Umbrella:* 16; *Unit:* 227; *Citation:* 25 M.R.S.A., Sect. 2802

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The primary responsibilities of the Board of Trustees of the Maine Criminal Justice Academy are as follows: to certify and to set the standards for certification of graduates of the Academy, to promulgate the standards for recruitment of Academy students and, finally, to prescribe the content of the curriculum. Furthermore, the Board of Trustees is empowered to certify and set standards for the certification of sheriffs, Maine police chiefs, law enforcement officers, and corrections officers.

**ORGANIZATION:** In 1975, the 107th Legislature increased the membership of the Board of Trustees from 11 to 12 and added to the powers and duties of the Board the training and certification of sheriffs and State Police enlisted personnel. The Legislature also removed the position of Academy Director from the classified service.

The Academy Board of Trustees currently consists of 15 members as follows: the Commissioner of Public Safety, the Attorney General, the Game Warden Colonel in the Department of Inland Fisheries and Wildlife, and the Commissioner of Corrections, all ex officio; and the following members who are appointed by the Governor; a commissioned officer of the State Police, a county sheriff, a chief of a municipal police department, two officers of municipal police departments, an educator, a representative from a criminal justice agency not involved in the general enforcement of Maine criminal laws, a representative of a federal law enforcement agency, a citizen, a municipal officer and one non-supervisory corrections officer representing a state or county correctional facility. All board members serve three year terms except for those ex officio members (or their designees) who remain on the board during their term of office.

It is the Commissioner of Public Safety's responsibility to supervise the training programs of the Academy, to employ, subject to the Personnel Law, all personnel required to operate the Academy, to lease, rent or acquire adequate facilities at a location determined by the Board of Trustees, to conduct the Academy's training programs, and finally, to accept any federal funds that might be made available to the Academy. The Commissioner and the Board of Trustees jointly appoint a director whose statutory duty is to plan, direct and supervise day-to-day operations of the Academy and to carry out the policies of the Trustees.

**PROGRAM:** See the Maine Criminal Justice Academy.

### **LICENSES, PERMITS, ETC.:**

Basic Certificate (full-time law enforcement/corrections personnel)

Chief/Sheriff Certification

Instructor Certification

Course Certification

Reserve Officer Certification

Certificate of Eligibility (Law Enforcement, Corrections, Reserve Officer)

Municipal Ordinance Prosecutor's Certification

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Maine Criminal Justice Academy.

## MAINE CRIMINAL JUSTICE ACADEMY

MAURICE C. HARVEY, DIRECTOR

*Central Office:* 93 Silver Street, Waterville

*Telephone:* 877-8000

*Mail Address:* 93 Silver Street, Waterville, Maine 04901

*Established:* 1973

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 228; Citation: 25 M.R.S.A., Sect. 2801

*Average Count—All Positions:* 20

*Legislative Count:* 12

**PURPOSE:** The Maine Criminal Justice Academy was established to provide a central training facility for all law enforcement and corrections personnel of the State and for other criminal justice personnel; to promote the highest levels of professional law enforcement performance; and to facilitate coordination and cooperation between various law enforcement and criminal justice agencies.

**ORGANIZATION:** The Maine Criminal Justice Academy was created in 1969 by the 104th Legislature as the Maine Police Academy, under a Board of Commissioners, to provide a facility and training for Maine Law Enforcement Officers. In 1970, the Academy was renamed Maine Law Enforcement and Criminal Justice Academy and its authority broadened to include participation by all criminal justice personnel. In 1971, the Legislature passed a mandatory police training law which required that all full-time municipal police officers employed after September 23, 1971, complete a basic police school at the Academy within one year of their appointment.

That same year, under State Government reorganization, the Board of Commissioners was redesignated Board of Trustees and the Academy was placed within the new Department of Public Safety. In 1973, the Academy received its present name, and in 1974, legislation was enacted to clarify the mandatory in-service training requirements and provide an enforcement provision to the mandatory police training law. In 1978, the Maine Legislature amended the statute to provide for mandatory training of all State and County Correctional Officers. The statute requires a minimum of 80 hours of entry level training. In 1983 the Legislature further amended the training act to include required training for reserve or part-time law enforcement officers. This amendment applied to municipal or county officers who have been given the power to arrest and the authority to carry a weapon.

An important revision occurred in 1990 which expanded the authority of the Board by including all State law enforcement agencies. A new requirement was also implemented that required a pre-service training course of a minimum of 100 hours to law enforcement officers prior to assuming law enforcement authority. Finally, the 115th Legislature broadened the power of the Board of Trustees to decertify law enforcement and corrections officers who have been convicted or engaged in conduct that is prohibited by state law.

The administrator of the Academy is the Director, who is appointed jointly by the Commissioner of the Department of Public Safety and the Academy Board of Trustees. The Academy Director has the statutory duty to plan, direct and supervise the day-to-day operations of the Academy and carry out the policies of the Trustees. The Director also reports to the Commissioner, who has the administrative authority over the Academy.

**PROGRAM:** During FY 94 the Trustees certified 78 Law Enforcement Officers, 127 Corrections Officers and 396 Pre-Service Officers. They also waived 9 law enforcement training requirements. The "Board" issued 40 Instructor Certificates. They recognized 8 Chiefs and Sheriffs who met the required experience, training and education for Executive Certification. The Academy sponsored 346 specialized and refresher in-service courses that were conducted for approximately 5,976 law enforcement and corrections officers. Also during FY 94, outside agencies utilized the Academy's facilities with 2,474 persons in attendance.

### LICENSES, PERMITS, ETC.:

Doppler Traffic Radar Certificate

Intoxilyzer Operation Certificate

Aircraft Speed Enforcement Observer Certificate

Accident Reconstruction Specialist Certificate

Canine Handler Team Certification



## PUBLIC SAFETY

Drug Recognition Technician Certification  
Canine Handler Team Evaluator's Certification

### PUBLICATIONS:

Administrative Provisions Manual  
Newsletter  
All Points Bulletin  
Report to the Legal Affairs Committee

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE CRIMINAL JUSTICE ACADEMY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	502,143	249,667	135,504		116,972	
Health Benefits	65,946	35,075	16,858		14,013	
Retirements	83,796	41,178	23,701		18,917	
Other Fringe Benefits	4,327	2,613	990		724	
Other Contract Services—State	180,484	38,590	116,215		25,679	
Computer Services State	15,255	8,760	6,495			
Other Contract Services	177,891	89,644	67,970		20,277	
Rents	19,317	13,577	5,505		235	
Commodities	72,555	48,465	19,824		4,266	
Grants—Subsidies—Pensions	298,433	530			297,903	
Building Improvements	33,402		33,402			
Interest—Debt Retirement	59	42	17			
Transfer to Other Funds	4,829		2,924		1,905	
<b>TOTAL EXPENDITURES</b>	1,458,437	528,141	429,405		500,891	

## MAINE DRUG ENFORCEMENT AGENCY

ROGER H. STRICKER, DIRECTOR

*Central Office:* Pownal

*Telephone:* 688-2246

*Mail Address:* RR 1, Box 1432, New Gloucester Rd., Pownal, Maine 04069

*Established:* September 29, 1987

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 230; Citation: 25 M.R.S.A., Sect. 2955

*Average Count—All Positions:* 12

*Legislative Count:* 8

**PURPOSE:** The purpose is to provide a central administrative structure for the establishment, coordination, and control of specialized narcotics and narcotics related investigative units within the State of Maine. The investigative staff of the Agency are drawn from the ranks of state, county, and local law enforcement agencies. In addition to the consolidation of investigatory resources, the Maine Drug Enforcement Agency also integrates state and federal prosecuting personnel with the day-to-day case work of investigators. The prosecutors assist in the development of priorities and establishment of investigatory strategies.

**ORGANIZATION:** The Maine Drug Enforcement Agency was created by the 113th Legislature by passage of 25 M.R.S.A. Chapter 353. Funding of the Agency was established by the Anti-Drug Abuse Act of 1986. This Agency has been placed within the organizational structure of the Department of Public Safety, and requires that it be managed by a Director who reports to the Commissioner of Public Safety.

## PUBLIC SAFETY

It further allows the creation of investigative task forces for the purpose of conducting narcotics related criminal investigations.

**PROGRAM:** MDEA has maintained active investigations from the eight field offices. As a result of the Marijuana Eradication Program, which MDEA coordinates, Maine has seized more cultivated marijuana than all the other New England States combined. The Pharmaceutical, Intelligence and Asset Removal Units have enhanced their methods and as a result, contribute greatly to Maine's drug strategy.

The goals and aspirations of the Agency remain constant . . . terminate drug trafficking organizations by incarcerating their members, seizing their drugs, obtaining their illegally gained assets and assist all county, local and Federal agencies in accomplishing this mission.

Maine's drug enforcement agency, MDEA, is coordinating sophisticated investigative and prosecutorial functions so as to reduce drug trafficking and abuse as well as related criminal activities such as money laundering, tax evasion and corruption.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE DRUG ENFORCEMENT AGENCY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	349,138	208,504	140,634			
Health Benefits	38,454	25,572	12,882			
Retirements	52,738	30,517	22,221			
Other Fringe Benefits	4,682	3,472	1,210			
Other Contract Services—State	1,501,174	130,380	7,295		1,363,499	
Computer Services—State	38,144	38,144				
Other Contractual Service	562,093	472,701	36,474		52,918	
Rents	17,445	17,445				
Commodities	28,055	27,221	78		756	
Grants, Subsidies, Pensions	13,422	13,422				
Interest—Debt Retirement	388	388				
Transfer to Other Funds	12,510		2,251		10,259	
<b>TOTAL EXPENDITURES</b>	2,618,243	967,766	223,045		1,427,432	

### E-9-1-1 ADVISORY COMMITTEE

ALFRED SKOLFIELD

, COMMISSIONER

*Central Office:* 36 Hospital Street, Augusta

*Telephone:* 624-7062

*Mail Address:* Statehouse Sta. #42, Augusta, Maine 04333

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 241; Citation: 25 MRSA Sect. 2925

*Average Count, All Positions:* 13

*Legislative Count:* 0

**PURPOSE:** The E-9-1-1 Advisory was statutorily charged with the responsibilities of:

- Advising the Department of Public Safety on activities relating to the establishment of an Enhanced 9-1-1 System.
- Reviewing and commenting on rules proposed by the Department of Public Safety regarding Enhanced 9-1-1.
- Assisting the department in providing public information about the implementation and operation of the E-9-1-1 System.

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**ORGANIZATION:** The E-9-1-1 Advisory Committee is composed of 13 members; one appointed by the Public Utilities Commission; one appointed by the Commissioner of Public Safety; and 11 appointed by the Governor, including one who is a municipal official, one who is a chief of a municipal police department, one who is the chief of a municipal fire department, one who is a county sheriff, one who represents small telephone companies, one who represents the largest provider of local exchange telephone services, one who represents a direct provider of emergency medical services, one dispatcher and 3 to represent the public-at-large.

**PROGRAM:** The Advisory Committee has met on the third Tuesday of each month since the initial meeting.

The Committee has focused on implementation of the E 9-1-1 system based on the implementation plan submitted by a consultant in 1992. This past year, discussion and work has focused on legislation necessary to provide an ongoing source of financial support for 9-1-1 Enhanced in the state and a structure in which to accomplish that. LD 1419 resulted, and was passed into law as Public Law 566. Under this chapter a Bureau of Emergency Services Communications is created within the Department of Public Safety, staffed by a Director and two others, advised by a 9-1-1 Enhanced Council and funded by a two cents per subscriber telephone line per month charge. The membership of the current advisory committee will continue on as the newly established Council. A contract was established with the consultant that has provided services to the project, NetWorks, Inc. to continue staff support through transition to the new Bureau and staff. Plans are underway to initiate a public information program to better inform the public safety community of progress made in the development of the 9-1-1 enhanced system.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Public Safety.

## MAINE EMERGENCY MEDICAL SERVICES BOARD

KEVIN K. MCGINNIS, MPS, EMT-P, Director

*Central Office:* 16 Edison Drive, Augusta, ME 04330

*Mail Address:* 16 Edison Drive, Augusta, ME 04330

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 163; Citation: 32 MRSA Sect. 88

*Average Count, All Positions:* 6

*Legislative Count:* 6

**PURPOSE:** Maine Emergency Medical Services is the central agency responsible for insuring an effective statewide emergency medical services system. Further, Maine EMS is charged with the coordination and integration of all State activities concerning emergency medical services in the overall planning, evaluation, coordination, facilitation and regulation of emergency medical services systems. Maine EMS coordinates the hospital and prehospital (ambulance and first responder) providers of emergency medical care through systems of medical treatment protocols, quality assurance, medical direction, training, technical assistance, and planning. Maine EMS licenses or otherwise authorizes all ambulance and first responder services, EMS personnel, EMS vehicles, EMS instructors and training institutions. Though technically a unit within the Department of Public Safety, Maine EMS also works closely with units within the Department of Human Services, consistent with the EMS role within the health care delivery system.

Included in the Maine EMS system are approximately 240 ambulance and first responder services providing emergency medical care at the First Responder through Paramedic levels, specialty air medical and rescue transportation services, 4,000 licensed prehospital EMS personnel, 41 acute care hospitals, 450 EMS vehicles, and 1500 emergency physicians, nurses, vehicle operators, dispatchers and others.

**ORGANIZATION:** The 13 member Maine Emergency Medical Services Board is the sole EMS rule-making authority and also provides policy direction for Maine EMS. The Board consists of representatives of 6 EMS regions as well as representation of specific functions within the EMS system (e.g. emergency physician, emergency nurse, not-for-profit ambulance service). The Commissioner of the

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Department of Public Safety generally oversees the activities of Maine EMS and, with the Board, hires the State EMS Director who, in turn, hires and oversees the activities of Maine EMS staff and contracts with the 6 regional EMS programs for local EMS system coordination. The Maine EMS Physician Advisory Board, as a function of statute and general agreement, creates and oversees medical protocols followed by prehospital providers and those who direct them by radio from local emergency departments. The State EMS Director reports to both the Commissioner of Public Safety and the State EMS Board.

The EMS statute creates 6 regional EMS Councils consisting of members representative of EMS constituents within each region. Each Council hires a staff, including a regional coordinator and others, which contracts with Maine EMS to provide local training, quality assurance, medical direction, critical incident stress debriefing, and coordinating services. These regional programs employ an additional 15-20 FTE system support staff.

The Maine EMS Board meets at least quarterly by law, but its practice is to meet monthly, on the first Wednesday of the month at 9:30 a.m. in Augusta. The Board is appointed by the Governor and elects its own chairperson. The Physician Advisory Board consists of the State EMS Medical Director, appointed by the EMS Board, and 6 regional medical directors, each appointed by a regional council and approved by the Board. A member of the Maine Chapter of the American College of Emergency Physicians is also on the Physician Advisory Board. Regional EMS Councils meet regularly, some as often as monthly. Annual reports for the Councils are on file at Maine EMS.

**PROGRAM:** Programmatic goals are adopted at least every 2 years by the Maine EMS Board, reviewed and prioritized annually, and guide regional EMS program contracts and central office staff activities. During the year, Maine EMS initiated a long-range strategic planning process which culminate in January, 1995 with a strategic plan.

The emphasis on Maine EMS has been "facilitation first, regulation second." This reflects the patient-oriented approach of most EMS providers whose goals for self-improvement and quality assurance exceed minimum standards. To this end, beyond basic system coordination and regulation, Maine EMS has developed the Journal of Maine EMS, a voluntary service Standard Operating Policies and Procedures manual, offers a variety of specialty training programs (Mass Casualty Incident Management, Ambulance Vehicle Operators, Volunteer Ambulance Service Management, and Prehospital Infection Control). This past year, MEMS has worked with the Maine Hospital and Medical Associations, among several others, to establish a prehospital "Do Not Resuscitate" system to aid in the management of terminally ill patients when the ambulance is called.

Since 1988, the number of communities served by Critical Care/Paramedic level services has doubled across the State. The Maine EMS system produces over 100 training courses for licensure each year, with an additional 1200 continuing education programs, and 50 specialty training programs.

All of these activities support a system which responds to 130,000 calls annually, a volume which has been steadily increasing over the past 10 years.

### LICENSES, PERMITS, ETC.:

- Ambulance Vehicle Licenses
- Emergency Medical Service Vehicle Authorization
- Ambulance and First Responder (Non-Transporting) Service Licenses and Permits
- First Responder, Ambulance Attendant, Emergency Medical Technician, EMT-Intermediate, EMT-Critical Care, and Paramedic Licensure
- EMS Instructor/Coordinator Certification
- EMS Training Facility Authorization
- Air Ambulance and Water Ambulance Service and Vehicle Licenses

### PUBLICATIONS:

- Director of Emergency Medical Services, free.
- Laws and Regulations—Maine EMS System, free.
- Journal of Maine EMS*, free for EMS providers within the State.
- Maine EMS Prehospital Treatment Protocols, \$5.00.
- Standard Operating Policies and Procedures model manual, \$15.00.
- Maine EMS Data System manual, free.
- Prehospital "Comfort Care/Do Not Resuscitate" brochure, free.

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Maine EMS "Comfort Care/Do Not Resuscitate" patient/provider information kit, free to physicians and others providing care to terminally ill patients.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Public Safety.

### OFFICE OF THE STATE FIRE MARSHAL

DENNIS LUNDSTEDT, STATE FIRE MARSHAL

LADD G. ALCOTT, Assist. State Fire Marshal

*Central Office:* 317 State Street, Augusta

*Mail Address:* Statehouse Sta. #52, Augusta, Maine 04333-0052

*Established:* 1973

*Reference: Policy Area:* 06; *Umbrella:* 16; *Unit:* 224; *Citation:* 25 M.R.S.A., Sect. 2396

*Average Count—All Positions:* 37.5

*Telephone:* 287-FIRE

*FAX:* 287-5163

*Sunset Review Required by:* June 30, 2002

*Legislative Count:* 0

**PURPOSE:** The primary function of the Office of the State Fire Marshal is to protect the lives and property of the citizens of Maine through an inspectional program aimed at identifying and correcting life safety hazards and the investigation of explosions, suspicious and fatal fires.

The Office of State Fire Marshal was established to enforce all laws, ordinances, rules and regulations promulgated by the Commissioner of Public Safety directed toward and concerned with the protection of the public in the following areas:

1. The prevention of fires.
2. The suppression of arson and investigation of cause, origin, and circumstance of fires and explosions.
3. The storage, transportation, sale, and use of combustibles, flammables, and explosives.
4. The installation, maintenance or sale of automatic or other fire alarm systems and fire extinguishing equipment.
5. The construction, maintenance, and regulation of fire escapes.
6. The means and adequacy of exits in the case of fire from all buildings.
7. Gathering and evaluating statistics concerning the number, cause, and other related information of fire occurring in the State.

**ORGANIZATION:** The Division of State Fire Prevention was created in 1937 to combat the increasing fraudulent insurance claims resulting from set fires. The last four and a half decades have seen a substantial growth in the area of responsibility of the State Fire Marshal's Office which replaced the Division of State Fire Prevention. The scope of its statutory and regulatory authority has broadened to include a host of activities relating to life safety as well as fire prevention.

On July 1, 1972, the Division of State Fire Prevention was transferred to the newly created Department of Public Safety and in 1973, the name of the Bureau was changed to the Office of State Fire Marshal.

Eleven full-time fire investigators continue to provide timely response to emergency situations and fire scene investigations. Our abilities to effectively investigate incendiary fires have, in most instances, kept pace with their frequency of occurrence.

The Inspection Division has utilized seven full-time inspectors during the past fiscal year who have conducted in excess of 7,000 inspections. The greatest demand for fire safety inspection services continues to be from day care and residential care programs administered by the Department of Human Services.

The Fire Protection Division, with two full-time staff and one part-time staff, continued to see growth in the number of facilities requiring review for compliance with barrier-free access standards.

**PROGRAM:** The Fire Protection Division had the scope of their duties expanded to include the administration of an insurance fund established to aid in the remediation of leaking storage tanks for flammable liquids.

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Consistent and cost-effective capabilities of the two Accelerant Detection canines has led to a training grant award from State Farm Insurance. This grant, administered by the Criminal Justice Academy, has allowed other states to participate in Maine's training and certification regimen. Fire investigators provide teaching assistance during each session.

### LICENSES, PERMITS, ETC.:

#### License:

- Fire Sprinkler System Contractor.
- Traveling Circuses, Carnivals, Amusement Shows, & Mechanical Rides.
- Theaters & Motion Picture Houses.
- Motor Vehicle Racing.
- Fireworks Display.
- Fireworks, Competent Operator.
- Dance

#### Permit:

- Construction Permits & Plans Review.
- Explosives, User
- Flammable Liquids, Above-Ground.
- Fire Sprinkler System Permits & Plans Review.
- Barrier-Free Construction Permits & Plans Review.

#### Certificates:

- Explosives Transportation.
- Explosives Storage.
- Responsible Managing Supervisor-Fire Sprinkler System.

#### Registration:

- Inspector-Fire Sprinkler System.

### PUBLICATIONS:

- Rules and Regulations for Flammable and Combustible Liquids (\$5.00).
- Rules for the Manufacture, Transportation, Storage, and Use of Explosives (\$5.00).
- Laws for the Fire Service (\$5.00).
- Rules and Regulations Governing Storage and Display of Fireworks (No Fee).
- Maine Safety Rules for Amusement Devices and Midways (No Fee).
- Rules and Regulations Governing the Tents and Equipment of Circuses and Traveling Amusement Shows (No Fee).
- Rules and Regulations Relating to Structures Used by The Public at Spectators During Motor Vehicle Racing (No Fee).

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

OFFICE OF THE STATE FIRE MARSHAL	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	996,562		996,562			
Health Benefits	131,986		131,986			
Retirements	164,768		164,768			
Other Fringe Benefits	18,994		18,994			
Other Contract Services—State	46,201		46,201			
Computer Services—State	2,474		2,474			
Other Contractual Service	229,512		229,512			
Rents	5,351		5,351			
Commodities	30,657		30,657			
Grants—Subsidies—Pensions	29,903		29,903			
Building Improvements	91,292		91,292			
Interest—Debt Retirement	229		229			
Transfer to Other Funds	10,098		10,098			
<b>TOTAL EXPENDITURES</b>	1,758,027		1,758,027			

## PUBLIC SAFETY

### MAINE HIGHWAY SAFETY COMMISSION

JOAN PENDEXTER, CO-CHAIRMAN

RONALD BAILEY, VICE-CHAIRMAN

*Central Office:* 397 Water St., Gardiner, Maine

*Telephone:* 624-8756

*Mail Address:* Statehouse Sta. #42, Augusta, Maine 04333

*Established:* 1957

*Sunset Review Required by:* June 30, 2002

*Reference: Policy Area:* 06; *Umbrella:* 16; *Unit:* 256; *Citation:* 25 M.R.S.A., Sect. 2902

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine Highway Safety Commission is established to advise the Commissioner of Public Safety on those matters relating to highway safety. The Commission serves as liaison between the Maine Department of Public Safety, Maine communities and citizens. The objective is the development of effective local involvement in Highway Safety Programs and the development of greater mutual understanding of the total highway safety effort.

**ORGANIZATION:** The Maine Highway Safety Committee was established in 1957 with members appointed by the Governor. In the organization of the Department of Transportation in 1972, the Committee was transferred to the Department, with the Commissioner authorized to retain the members in an advisory capacity for no more than two years, and with authority to create a new advisory committee as he deems necessary, subject to approval of the Governor. The Maine Highway Safety Committee was re-established administratively in 1974 to consist of not more than twenty-five members selected by the Commissioner from State, civic, religious, industrial and similar groups and organizations with interests relating to highway safety, serving at the pleasure of the Commissioner. Executive Order 6 FY 80/81 (signed on 12/13/80) transferred the Committee to the Department of Public Safety with members again appointed by the Governor. In 1987, the 113th Legislature changed the name to the Maine Highway Safety Commission. The duties, however, remain the same.

**PROGRAM:** The Maine Highway Safety Commission program involves regular meetings of the full commission, usually on a quarterly basis. The Commission is further divided into sub-committees, such as Driver and Occupant Safety; Public Information and Education; Transportation Safety; Medical, Pedestrian and Cycle Safety, and Alcohol and Other Drugs, that meet as needed. Major objectives of the year have been to assist in lowering alcohol-related accidents, promotion of occupant restraint use, increasing public information activities, and promoting driver safety in general. In planning for fiscal year 95, the Commission has selected driver education, occupant restraint use, and public information as major areas of concern.

#### **PUBLICATIONS:**

1. How To Spot Drunk Drivers Guide.
2. Don't Guess, Call EMS
3. Vince and Larry on Belts and Bags.
4. Under 21—Drinking/Driving Law Brochure.
5. Maine's New Tougher OUI Law.
6. Maine's Child Restraint Law.
7. Maine's Liquor Laws And You.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$2,016.00 in FY94 and are, by administrative decision, included with those of the Bureau of Safety.

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**BUREAU OF HIGHWAY SAFETY**  
**RICHARD E. PERKINS, DIRECTOR**

*Central Office:* 397 Water St., Gardiner, Maine  
*Mail Address:* Statehouse Sta. #42, Augusta, Maine 04333

*Telephone:* 624-8756

*Established:* December 13, 1980

*Sunset Review Required by:* June 30, 2002

*Reference: Policy Area:* 06; *Umbrella:* 16; *Unit:* 221; *Citation:* Exec. Order 6 FY 81

*Average Count—All Positions:* 9.0

*Legislative Count:* 7.0

**PURPOSE:** The Bureau of Highway Safety was created by Executive Order to be responsible for the state's highway safety program and was authorized to: develop and implement a process for obtaining information about the highway safety programs administered by other state and local agencies; provide and facilitate the provision of technical assistance to other State Agencies and political subdivisions to develop highway safety programs; and provide financial and technical assistance to other State Agencies and political subdivisions in carrying out highway safety programs.

**ORGANIZATION:** The Bureau of Highway Safety was originally initiated in the Department of Transportation in 1974 and, during an organizational change to provide more effective and efficient government, was placed within the Department of Public Safety in December, 1980. In 1990, the legislature changed the name to the Bureau of Highway Safety.

**PROGRAM:** The Bureau of Highway Safety's major objective is the planning, development, implementation, and evaluation of the Section 402, Title 23 U.S.C. Highway Safety Program in the State of Maine. To this end, the Bureau is involved in a working relationship with other State, county, and municipal agencies. Activities in this area include, but are not limited to, motor vehicle occupant restraints, child restraints, speed enforcement, enforcement training programs, alcohol and other drug countermeasures, emergency medical services, driver training, motorcycle and bicycle safety, pedestrian safety, pupil transportation safety, identification and surveillance of accident locations, traffic records systems, and traffic engineering services. The Bureau provides financial and technical assistance in carrying out these programs.

The Bureau also directs the Defensive Driving program in the State of Maine.

**PUBLICATIONS:**

1. How To Spot Drunk Drivers Guide.
2. Don't Guess, Call EMS
3. Vince and Larry on Belts and Bags
4. Under 21—Drinking/Driving Law Brochure.
5. Maine's Tougher OUI Law.
6. Maine's Child Restraint Law.
7. Maine's Liquor Laws and You.
8. Drugs and Driving in Maine
9. Motorcycling in Maine

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.



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BUREAU OF HIGHWAY SAFETY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc.
<b>EXPENDITURES</b>						
Salaries and Wages	218,541		12,726	144,506	61,309	
Health Benefits	22,946		1,512	19,644	1,790	
Retirements	30,269		2,076	25,473	2,720	
Other Fringe Benefits	2,397		224	1,900	273	
Other Contract Services—State	9,301		7,302	304	1,695	
Computer Services—State	179,091			173,898	5,193	
Other Contractual Service	124,694		6,295	38,873	79,526	
Rents	1,428			1,402	26	
Commodities	5,704		769	2,137	2,798	
Grants—Subsidies—Pensions	302,780		32,330		270,450	
Building Improvements	71,856		21,696		50,160	
Interest—Debt Retirement	13			8	5	
Transfer to Other Funds	4,907		255	3,370	1,282	
<b>TOTAL EXPENDITURES</b>	973,927		85,185	411,515	477,227	

## STATE BUREAU OF IDENTIFICATION

**COL. ALFRED SKOLFIELD, CHIEF, STATE POLICE**

**CAPT. CHARLES LOVE, DIRECTOR STAFF MANAGEMENT**

*Central Office:* 36 Hospital Street, Augusta

*Telephone:* 624-7009

*Mail Address:* Statehouse Sta. #42, Augusta, Maine 04333

*Established:* 1937

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 223; Citation: 25 M.R.S.A., Sect. 1541

*Average Count—All Positions:* 18

*Legislative Count:* 15

**PURPOSE:** The purpose of the State Bureau of Identification is to be the central repository of criminal history record information for the State of Maine, to provide that information to agencies and persons as authorized by law, to cooperate with other states and the national bureau in Washington, D.C. in order to develop and carry on an interstate, national and international system of identification, to gather data and provide statistics on crime in Maine and to maintain all State Police criminal and civil investigative reports for State Police personal use and others as authorized by law.

**ORGANIZATION:** The State Bureau of Identification is a bureau within the Bureau of the Maine State Police and is under the direction of the State Police, Director of Staff Management who is appointed by the Chief of the Maine State Police. The State Bureau of Identification is composed of three divisions. The **State Bureau of Identification/Identification Division** was created by the Legislature in 1937 and is the central repository of criminal history record information for the State of Maine. It is currently maintained by a staff of eleven persons. The **Uniform Crime Reporting Division**, added by Legislature in 1974 to gather data and provide statistical information about crime in Maine, is staffed by two people. Added administratively in 1976 was the **State Police Investigative Records Division**. It maintains all State Police criminal and civil investigative reports and is staffed by one person.

**PROGRAM:** The Identification Division is developing the software to computerize its record system. This will bring about changes as we not only continue to maintain and provide complete and accurate criminal history record information, but also capture the information in such a way that enables us to provide statistical and research data on crimes, the offenders and the criminal justice process to the criminal justice community and to others.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of State Police.

## **BUREAU OF LIQUOR ENFORCEMENT & LICENSING**

**JOHN S. MARTIN, DIRECTOR**

**RICHARD W. ALLEN, Deputy Chief, Liquor Enforcement**

**LYNN CAYFORD, Deputy Chief, Liquor Licensing**

*Central Office:* 397 Water Street, Gardiner, Maine 04345

*Telephone:* 287-3571

*Mail Address:* Statehouse Sta. #42, Augusta, Maine 04333

*Established:* 1972

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 226; Citation: 22 M.R.S.A., Sect. 2902

*Average Count—All Positions:* 32

*Legislative Count:* 32

**PURPOSE:** The mission of the Bureau of Liquor Enforcement is to regulate and enforce Maine State Liquor Laws and the Rules and Regulations governing liquor licensed establishments to insure compliance. July 1, 1993, as a result of a mandate of the Legislature, all licensing authority of the Maine State Liquor Commission, as well as the collection of excise taxes was transferred to the Bureau of Liquor Enforcement. It is now the responsibility of the Bureau of Liquor Enforcement to also license agency liquor stores and to hold hearings on appeals from cities and towns which deny liquor licenses. The Bureau will also be promulgating Rules and Regulations for the operation of licensed premises. The Bureau will license annually approximately 4,000 liquor establishments and presently 185 agency liquor stores. Approximately 14 million dollars is collected by the Bureau from licensing/excise taxes and fines.

Liquor Enforcement Officers spend many hours investigating complaints of alleged violations in a covert capacity. This method of investigation has proven to be most successful in the area of illegal sale (selling liquor without having a license) and furnishing (providing alcoholic beverages to underage people). These officers are constantly working with State and local officers, other law enforcement agencies, attorneys, professional organizations and the citizens of the State of Maine.

**ORGANIZATION:** With the establishment of the Maine Liquor Commission in 1933, the role of Liquor Enforcement became apparent.

Under State Personnel Law in 1947, candidates seeking enforcement positions were subject to State examinations. Six years later in 1953, the Division of Liquor Enforcement and Licensing within the State Liquor Commission was created. However, in 1971 due to government reorganization, the Enforcement Division of the State Liquor Commission was placed under the newly created Department of Public Safety, being named the Bureau of Liquor Enforcement.

In 1973 the Bureau devised a Standard Operating Procedure Manual (SOP) establishing Bureau procedures pertaining to its method of operation. That same year, the State was divided into five (5) field areas (Portland, Augusta, Lewiston, Bangor, Presque Isle). Each area was supervised by a Liquor Enforcement Officer II (Sergeant). In recent years Augusta and Lewiston have been combined and in 1992, Presque Isle (Aroostook County) was combined with the Bangor area.

The year 1973 brought mandatory training to the Bureau requiring all officers to attend the Basic Police Training conducted at the Maine Criminal Justice Academy, the same training that all municipal and county officers receive.

**Premise Inspection Warning System.** In 1974, the Bureau of Liquor Enforcement implemented a license premise inspection system whereby all premises are inspected annually by the Bureau of Liquor Enforcement for compliance. Also, the system was devised to aid and assist license holders in the operation of their establishments.

In 1977, the officers of the Bureau of Liquor Enforcement were granted full arrest powers by the Legislature.

**Reorganization:** July 1, 1993, by mandate of the Legislature, all licensing authority was transferred to the Bureau of Liquor Enforcement with the Department of Public Safety. Due to reorganization, three new licensing inspector positions were created from transfer of personnel from the State Liquor Commission and the Bureau is now scrutinizing all liquor license establishments to see if they are

## PUBLIC SAFETY

presently in the category of license which fits their operation. This also allows a more direct contact with new applicants and provides the Bureau with diagrams of new license premises. Also, the Legislature created new license categories and revenue source which the Bureau will be monitoring and reporting back to the Standing Committee of Legal Affairs in the 1995 Legislative Session.

**PROGRAM:** The Bureau of Liquor Enforcement in July of 1990, developed an approved training program for seller/servers of alcoholic beverages. It meets the criteria which was established by the Maine Legislature, addressing such topics as the problems associated with drunk driving, alcohol, alcoholism, providing alternatives (food, non-alcoholic beverages), prevention and intervention techniques regarding sales to minors and visibly intoxicated persons plus other types of violations, policies and guidelines, identifying false, fraudulent or altered ID's and making seller/servers aware of their liabilities (administratively and civilly). Of the thousands that have been training in this program, less than 1% have been found in violations of the Maine State Liquor Laws.

Effective October 1993, the Maine Legislature mandated the Bureau to provide training on the Maine Liquor Laws to the instructors of the Alcohol Seller/Server Educational Courses. The Instructors are now attending this training once biennially.

Additionally, the Bureau is now monitoring the Alcohol Seller/Server Educational Courses. Our responsibility is to ensure these courses are meeting the criteria established by the Legislature. The monitor advises the course providers on the instruction material and reports to an advisory committee chosen by the Commissioner of the Department of Public Safety. Each program must submit to the Bureau, a list of all those who have completed the training. The Bureau is now maintaining a record of those trained.

Other activities include officers providing training on liquor laws at both the Maine State Police Academy and the Basic Police School at the Maine Criminal Justice Academy for local and county police officers, along with in-service schools held by municipal departments throughout the State. The Bureau presently has four instructors certified by the Maine Criminal Justice Academy.

Liquor Enforcement Officers meet with civic groups and are involved in schools around the State addressing liquor related problems in our communities. We also have one officer conducting the D.A.R.E. Program. He is past President of the Maine D.A.R.E. Association.

The Bureau of Liquor Enforcement and Licensing has a Top Quality Management Council, and at present, has Process Action Teams working on Bureau improvements.

### **LICENSES, PERMITS, ETC.:**

- B.A.S.I.C. Program Certification

- Retail on-premise license (19 types)

- Retail off-premise licenses (Retail stores—beer & wine)

- Agency liquor stores

- Wholesale licenses (beer/wine)

- Certificate of Approval Holders Manufacturer License

- Permits for catering—bottle clubs—importation permit for churches and industrial users of alcohol

### **PUBLICATIONS:**

- New Licensees Quick Reference Booklet (No Fee)

- Retail Licensee List—price varies according to size

- Publication of lawbook and rules—\$2.00 per copy

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## PUBLIC SAFETY

<b>BUREAU OF LIQUOR ENFORCEMENT</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	816,710	816,710				
Health Benefits	96,548	96,548				
Retirements	151,695	151,695				
Other Fringe Benefits	11,843	11,843				
Other Contract Services—State	7,951	7,951				
Computer Services—State	4,058	4,058				
Other Contractual Service	93,838	91,318			2,520	
Rents	2,273	2,273				
Commodities	14,891	14,863				28
Grants—Subsidies—Pensions	11,240	11,240				
Building and Improvements	82,556	79,108			3,448	
Interest—Debt Retirement	31	31				
Transfer to Other Funds	14					14
<b>TOTAL EXPENDITURES</b>	<b>1,293,648</b>	<b>1,287,638</b>			<b>6,010</b>	

## MISSING CHILDREN INFORMATION CLEARINGHOUSE

**COL. ALFRED SKOLFIELD, Chief, State Police**

**CAPT. CHARLES LOVE**

*Central Office:* 36 Hospital Street, Augusta, Maine

*Telephone:* 624-7097

*Mail Address:* Statehouse Sta. #42, Augusta, Maine 04333

*Established:* July 1993

*Reference:* Policy Area: 06; Umbrella: 16; Unit: 562; Citation: 25 M.R.S.A., Sect. 2155

*Average Count—All Positions:* 20 hour position

**PURPOSE:** The Missing Children Information Clearinghouse was established as a central repository of information regarding missing children. The information is collected and disseminated.

**ORGANIZATION:** The Missing Children Information Clearinghouse, by law, is the responsibility of the Commissioner of Public Safety. The Commissioner has designated the Commander of the Criminal Investigation Division II to oversee the operation of the Clearinghouse. The Clearinghouse is staffed by a 20 hour per week Clerk Typist II position.

## BUREAU OF STATE POLICE

COL. ALFRED SKOLFIELD, CHIEF

LT. COL. MALCOLM T. DOW, Deputy Chief

Central Office: 36 Hospital Street, Augusta

Telephone: 624-7000

Mail Address: Statehouse Sta. #42, Augusta, Maine 04333

Established: 1925

Sunset Review Required by: June 30, 2002

Reference: Policy Area: 06; Umbrella: 16; Unit: 222; Citation: 25 M.R.S.A., Sect. 1501

Average Count—All Positions: 472

Legislative Count: 414

### Organizational Units:

Field Divisions	Public Information Office
Office of Planning and Research	Traffic Safety
Training and Special Services	Criminal Division
Crime Laboratory	Organized Crime Unit
Executive Security	Management Information Services/Data Processing
Radio Communications	Community Relations
Internal Affairs	UCR/Investigative Records
Administrative Licensing	Fleet Services
Commercial Vehicle Enforcement	

**PURPOSE:** The primary mission of the State Police is to safeguard the constitutional rights, liberty, and security of its citizens by enforcing the motor vehicle and criminal statutes of Maine and to provide professional aid in times of need and distress. The Bureau of State Police was established to patrol the highways, especially outside the compact portion of cities and towns, and to assume the same powers and duties as the sheriffs in their respective counties, whereby every officer has the power to investigate and prosecute violators of any law throughout the State. Executive security is also provided for the Governor and family on a twenty-four hour basis.

**ORGANIZATION:** The State Police was established as an independent branch of State government in 1925. The responsibilities of the State Police were previously handled by the individual sheriff's departments. In 1931 a reorganization act was passed by the Legislature designating the Chief as executive head of the State Police under the direction of the Governor. Six years later, the Division of Highway Safety and the State Bureau of Identification were created by the Legislature, under the control of the State Police. Then, in 1939, the Bureau of Criminal Investigation and the Communications Division were established, along with the division of the State into six districts. Because of the increased demand for State Police services, over the next twenty years the Department was constantly amid change, with various major reorganizations which occurred in 1954, 1961, 1966 and again in 1968. In 1971, the Legislature incorporated the State Police into the Department of Public Safety. With this adoption, the Bureau now falls under direct supervision of the Commissioner of Public Safety.

For operational purposes, the State is divided into two field divisions, each under the direction of a Captain. These divisions are comprised of a total of eight troops located throughout the State. Patrol officers assigned to these troops provide law enforcement services throughout the rural areas of the State including accident investigation, and enforcing motor vehicle and criminal statutes.

**PROGRAM:** The program of the Bureau of State Police is illustrated through the activities of the component divisions.

**Fleet Services Division.** The Fleet Services Division operates State Police garages in Augusta, Houlton, Orono, and South Portland. Nine mechanics are responsible for performing virtually all aspects of automotive maintenance and repair. Rebuilt components are kept available throughout the year, so that the down time for the cruisers are kept to a minimum. A major undertaking is the replacement of cruiser frames. This results in the salvaging of nearly brand new cars that would have been declared total losses and would not be replaced. Replacement of major body panels such as doors, fenders, and windshields is a common occurrence.

**Criminal Division.** The Criminal Division, commanded by a captain, is responsible for Criminal Investigations and the Crime Laboratory.

## PUBLIC SAFETY

***Criminal Investigations:*** The Maine State Police has by statute original and concurrent jurisdiction to enforce the criminal laws of Maine and to investigate any non-compliance. Criminal investigations dealing with major crimes such as homicides are the responsibility of the northern, central and southern Criminal Investigation Divisions (CIDs) with central headquarters in Augusta.

The primary function of each CID is to investigate homicides, suspicious deaths, other major crimes within its respective geographical areas, and to assist uniformed personnel and other law enforcement agencies with criminal investigations they are conducting. Other major crimes investigated include: burglary, bank robbery, forgery, conspiracy, escapes, deceptive business practices, kidnapping, rape, aggravated assaults, extortion, terrorizing, and gross sexual crimes, etc. In addition, each CID coordinates investigations and prosecutions, as necessary, with the Maine Department of the Attorney General; assists in the training of State and local police in criminal investigative techniques; and provides detectives for speaking engagements before various civic groups and schools.

In addition to State Police investigation requests, the CIDs assist other in-State and out-of-state criminal justice agencies. Much of the work done by the detectives is facilitated by State Police Officers assigned to the field divisions.

***Crime Laboratory:*** The scientific examination of evidence submitted to the Maine State Police Crime Laboratory has been one of the most persuasive forms of testimony available to all law enforcement agencies within the State. Positive connections can be established between the suspect and the victim or between the suspect and the crime scene. Equally important, innocent suspects, towards whom circumstance has pointed the finger of suspicion, can be exonerated by the use of scientific evidence and expert testimony.

One responsibility of the Crime Laboratory is to provide personnel trained in the collection, preservation and documentation of physical evidence at major crime scenes. Evidence is then assigned to the appropriate laboratory section for examination. In addition, Crime Laboratory personnel provide instructor support to the Maine Criminal Justice Academy (MCJA) in all aspects of the Forensic Sciences.

***Photography Section:*** The photography section provides photographic support for all field activities. In addition to recording major crime scenes the section provides fingerprint photography for the Crime Laboratory's fingerprint section and meets the needs of the other Laboratory sections as well.

In addition, the photography technician conducts training sessions and schools to familiarize law enforcement officers with proper crime scene coverage and use of photographic equipment.

The Photography Section provides the full service of all photo lab functions.

***Firearms Section:*** Firearms examinations deal with answering questions relating to the use of firearms in the commission of a crime. The examinations include identifying the gun from which a questioned bullet was fired, functional and operational tests of firearms, determination of the distance from which a shot was fired by gunpowder, shot pattern tests, and the determination of the type of weapon used in firing a questioned bullet or cartridge case.

Toolmark identification, by using the same principles used in firearms identification, can identify the tools that made the marks left by pry bars, screwdrivers, chisels, hammers and other objects used by criminals at the scene of a crime.

Serial number restoration is a method of restoring obliterated numbers, identifying altered or restamped serial numbers in metal objects by use of chemical means and microscopic examination.

***Latent Fingerprint Section:*** The Latent Fingerprint Section is capable of examination of most items, regardless of texture, for latent fingerprint impressions by powder and chemical means. Fingerprint examination provides law enforcement with the only unchangeable and infallible means of positive identification. Being adapted to the field of criminal identification, the fingerprint presents a means of identifying offenders by the examination of tiny, almost indiscernible impressions left carelessly behind. Fingerprints are also used to identify missing persons and resolve uncertainty by establishing the identity of victim(s) involved in tragic accidents.

Footwear/tire comparison is the examination of class and accidental characteristics found on the thread of the respective item.

***Forensic Chemistry Section:*** The Forensic Chemistry Section of the Crime Laboratory is responsible for the examination, identification and comparison of several types of physical evidence that are encountered in criminal investigations.

Capabilities of the Forensic Chemistry Section is as follows:

### Blood

- Determination of the presence of blood in trace amounts and in visible stains on clothing, weapons, vehicles, etc.
- Determination of the species of bloodstains
- Determination of the blood group (ABO) of bloodstains

## PUBLIC SAFETY

**Executive Security:** Officers assigned to the Executive Security section of the Unit are given the responsibility of providing security to the Governor. In addition to their assigned duties, the officers also provide security to visiting dignitaries, the Senate and House of Representatives and various hearings as the particular situation or need dictates.

**Attorney General's Investigations:** Officers assigned to the Attorney General section of the Unit are assigned primarily those cases referred to the Investigative section and involve a typical criminal complaint, including the investigation of government officers, physicians, and attorneys charged with malpractice and other offenses of an administrative nature.

**Field Divisions:** The Field Force of the Maine State Police is divided into two divisions, with each division being commanded by a division captain.

The First Field Division, consisting of Troops A, B, D, and G, and the Second Field Division, consisting of Troops C, E, F, and J, had an active year with a continual increase in demands for service.

All troops are actively involved in Federally funded Speed Enforcement and Operating Under the Influence (OUI) programs. These troops also have personnel conducting Drug Abuse Resistance Education (DARE) programs throughout the state.

These activities were in addition to the daily enforcement of motor vehicle and criminal laws, assisting motorists and other agencies, and other calls for service.

The division captains are charged with the planning, coordinating and directing of the activities within a respective division. Responsibilities include: periodic inspections of property and personnel; and insuring State Police officers work in harmony with other law enforcement agencies.

The following is a breakdown of the Field Force:

### Division I

Troop A (Alfred)—responsible for York and southwest Oxford counties

Troop B (Gray)—responsible for Cumberland, southwest Androscoggin and central Oxford counties and Interstate 95 from Scarborough to Brunswick.

Troop D (Thomaston)—responsible for Sagadahoc, Knox, Lincoln, Waldo, southern Kennebec and central Androscoggin counties, and Interstate 95 from Brunswick to the Gardiner toll of the Maine Turnpike.

Troop G (South Portland)—responsible for the Maine Turnpike.

### Division II

Troop C (Skowhegan)—responsible for Franklin, Somerset, northern Kennebec and northern Androscoggin counties, and Interstate 95 from Augusta to Newport.

Troop E (Orono)—responsible for Penobscot and Piscataquis counties and Interstate 95 from Newport to Sherman.

Troop F (Houlton)—responsible for Aroostook County, and Interstate 95 from Sherman to Houlton (Canadian Border)

Troop J (E. Machias)—responsible for Hancock and Washington counties.

**Internal Affairs.** The Maine State Police Internal Affairs Division is responsible for the investigation or the administration of investigations of all allegations of misconduct on the part of State Police Officers. Close liaison was maintained with the various members of the criminal justice community as well as with members of the private and business sectors.

**Administrative Licensing:** The Licensing Section of the Maine State Police is responsible for the enforcement, licensing and administration of over 800 Beano and Games of Chance organizations Statewide. It also maintains close and effective cooperation with other law enforcement agencies. Routine inspections of licensed games are made as frequently as possible with all complaints fully investigated.

Enforcement activities include conducting investigations, premise inspections, conducting special workshops, conducting audits, and conducting new application investigations.

The State Police accepts applications, investigates backgrounds and issues licenses for private investigators and private security guard services. Similar background investigations are conducted for non-resident concealed weapon applicants plus ex-felons who may only apply for non-concealable firearms permits. During FY 1994 responsibilities were expanded to include investigations of prospective handgun purchases as mandated by the Brady Bill.

### **Communications and Radio Maintenance.**

**Communications:** The Maine State Police, Communications Division, located at State Police Headquarters in Augusta, functions as a support service to law enforcement statewide on a twenty-four hour basis. Its primary responsibilities include, but are not limited to:

## PUBLIC SAFETY

1. Provide radio dispatch for the Maine Department of Public Safety (State Police, State Fire Marshal, Liquor Enforcement, Capitol Security and the Criminal Justice Academy), the Department of Marine Resources, and the Department of the Attorney General as well as several other State and federal agencies.
2. Act as a receiving point for complaints from the public on traffic accidents and reported crimes.
3. Record pertinent data of and make assignments to investigate these complaints and motor vehicle accidents.
4. Relay police type information to the police community through general broadcasts over the police radio systems.
5. Provide general information and direction to the public upon request.
6. Seek information for and assist all units on the radio system in any way possible so they might be more effective in accomplishing their tasks.
7. Operate and maintain a computerized message switch for the transmission of police teletype messages throughout the State and the Nation.

**Management Information Systems.** The Management Information Unit is responsible for accurate and timely reporting of administrative and statistical computer systems for Public Safety. The areas of responsibility include: Data Entry, Computer Operations, Program Development and Program Maintenance.

**Planning & Research.** The Maine State Police Planning and Research Office has as its prime functions:

1. Provide management support at both the administrative and operational levels.
2. Continual evaluation of current agency operations and programs to determine if they are meeting the intended organizational goals.
3. Responsibility for carrying out a continuing program of research and planning projects of a variety of types to strengthen the operations of the Maine State Police and to improve its effectiveness and efficiency in the future.
4. Responsibility for providing input into State and federal plans for research and for planning projects and securing special grants for such purposes, in addition to the preparation of Agency and inter-agency plans.
5. Responsibility for carrying out the established priorities for research as determined by the Chief of the Maine State Police.

Responsibilities include:

1. Focus time and attention on administrative and procedural planning as well as operational planning.
2. Provide its full resources to any commander or staff member. Assist any member of the Maine State Police or allied police agency when called upon for its many varied services. Furnish the public with services which fall within its jurisdiction.
3. Perform detailed research and special studies relating to agency operations, including coordination of State Police evaluation projects.
4. Make recommendations relative to present and future needs. Studies and analyzes existing trends.
5. Writes projects; prepare initial budgetary data and coordinate all federal funding through the National Highway Traffic Safety Administration.

**Traffic Safety.** The Traffic Division is responsible for the administration of Accident Reconstruction, Accident Records, Air Enforcement, Fleet Safety Program, and Motor Vehicle Inspection.

*Accident Reconstruction:* The Accident Reconstruction Program continues to be active and, like many other programs, has been effected by promotions, transfers, and current working schedules and contracts.

The reconstruction program averages more than 200 cases each year, ranging from speeding to motor vehicle manslaughter. Although all reconstructionists are assigned duties with the Field Troops, the technical, supervisory, and administrative functions of all reconstructionist activity are assigned to the Traffic Division and the Senior Accident Reconstructionist Specialist.

*Accident Records:* The Accident Records Section is maintained in compliance with Maine Motor Vehicle Laws, and as such receives, reviews, processes, and maintains files of all accidents reported in Maine. Reports from every police agency in the State, are checked for completeness, accuracy, and compliance with the guidelines of the Accident Reporting Manual.

All reports, more than 44,500 annually, are kept in microfilm files and are made available to interested parties in compliance with the Maine Law. Annual sales of accident report copies exceed \$45,000.



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The Accident Records Section also maintains separate files on all fatal motor vehicle accidents and is responsible for daily updates of fatal accident statistical data. Constant coordination is maintained with the Bureau of Safety, the Governor's Highway Safety Representative, the Maine Department of Transportation, and the Department's Data Processing Unit to insure up to date accident data.

*Air Wing:* The State Police Air Wing consists of one full time pilot with duties including: aircraft enforcement of the speed limit, marijuana eradication, coastal smuggling, aircraft smuggling, aircraft theft, criminal surveillance, aerial searches, administrative transportation, maintenance of aircraft, proficiency training, and instruction to other agencies. The State Police aircraft are based in the greater Portland area, with a state-wide response time of 1 hour in most cases.

*Fleet Safety Program:* The Director of the Traffic Division also serves as the Chairman of the State Police Fleet Safety Board. All fleet accidents and reports of fleet vehicle damage are forwarded to the Fleet Safety Board for review, and those records are maintained within the Traffic Division.

The Fleet Safety Board, made up of sworn personnel, reviews all reports in compliance with State Police Policy and makes decisions regarding the preventability of the events. The Board also makes frequent recommendations to the Chief regarding overall fleet vehicle safety.

Individual officer files are also maintained by the Board and it is these files that are the basis for the issuance of the Safe Driver Award pins that are worn on the State Police Uniform.

*Motor Vehicle Inspection:* The Motor Vehicle Inspection Unit, consisting of nine uniformed officers, is responsible for the monitoring and licensing of the 2,024 inspection stations and 7,103 certified inspection mechanics in the State. The inspection officers must inspect each of the 2,450 school buses twice a year. Their duties also include motor vehicle inspection complaint investigations, speaking engagements, vehicle autopsy, accident reconstruction, and providing instructors at the Maine Criminal Justice Academy.

**Commercial Vehicle Enforcement:** The Commercial Vehicle Enforcement Unit has the responsibility of enforcing the size, weight, and other laws as they apply to commercial vehicles using Maine's roadways. Many inspections were conducted with the assistance of federal funds received from the Motor Carrier Safety Assistance Program. Permanent weigh stations in Kittery and York were in regular use throughout the year, as were portable scales, which can be set up and made operational in minutes virtually anywhere in the state. State Police weigh stations are often used in conjunction with the Federal Office of Motor Carrier Safety and other state and federal agencies.

*Hazardous Materials:* The Traffic Division continues to be involved in hazardous materials safety and enforcement. The major concerns for the Traffic Division is the safe transportation of hazardous materials over the highways. The Hazardous Materials Coordinator works cooperatively with Maine Department of Environmental Protection and the Maine Bureau of Civil Emergency Preparedness on matters concerning the overall safety of the public.

*Training/Special Services.*

*State Police Training:* The primary training program is the Maine State Police School which prepares recruits to perform the responsibilities of State Police Trooper. The School is staffed by a cadre of State Police officers who administer the 18-week education and training program required for recruits who comprise a training troop.

In addition to various in-service training programs, the State Police Training Officer coordinates women and minority recruitment programs, law enforcement orientation programs for high school students, and State Police participation in the NESPAC (New England State Police Administration Compact) Non-Commissioned Officers Academy.

Support and instruction were provided in the areas of:

1. The Maine Warden School.
2. Municipal/County Basic Police Schools.
3. Corrections classes.
4. Administration of Physical Aptitude Test (PAT's) for applicant and special team members.
5. Instruction at the New England State Police Schools (NESPAC), FTO, NCO and Homicide.
6. Two full-time canine trainers, provided training to State, County and Municipal K-9 Teams throughout the year.
7. Women's Orientation Programs were conducted at the Academy.
8. Firearms Re-qualification for all members of the department.
9. Participated in several career day activities at the high school and college level.

*Special Services:* State Police Special Services is comprised of the Canine Unit, Hostage Negotiation Team, the Tactical Team, and the Underwater Recovery Team.

*Canine Unit:* The Maine State Police Canine Unit consists of two full time trainers with handlers assigned to all the troops and several of the other units. The canines and their personnel are used for

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tracking, drug searches, backing up other officers, to conduct building searches, evidence searches, and to search for cadavers.

**Tactical Team:** The Maine State Police Tactical Team consists of specially trained Troopers who, for the most part, are centrally located within the State in order to ensure maximum Team mobility. The purpose of the Team is to respond to extreme emergencies in which serious injury or death could neutralize the effect of any person(s) threatening the lives and safety of the public.

The Team responded to numerous requests for assistance from local, county, and State agencies with requests ranging from:

- Armed individuals
- Barricaded individuals threatening the lives of others or the public
- Hostage situations

The Team was able to accomplish each mission without injury or loss of life.

**Underwater Recovery Team:** The Maine State Police Underwater Recovery Team (URT) was established to assist in selected areas of criminal investigations and to provide URT services to any policy agency making a request that may include, but is not limited to, the recovery of murder victims, evidence relating to a crime, and vehicles.

When assistance in the search and recovery of presumed and known drowning victims is requested by the U.S. Coast Guard, Maine Department of Marine Resources, the Maine Department of Inland Fisheries and Wildlife, or any other agency, the URT responds as is appropriate.

### LICENSES, PERMITS, ETC.:

License:

BEANO—GAMES OF CHANCE—Private Investigators, Security Guards and Weapon Licensing

The Department reviews applications and, upon qualification issues licenses for private investigators under MRSA, Title 32, Section 6051-6066 and for security guards under Title 32, Section 3761-3783.

### PUBLICATIONS:

Laws, Rules and Regulations Relating to Games of Chance (Free)

Laws, Rules and Regulations Relating to Beano (Free)

Motor Vehicle Inspection Manual (\$3.50)

Personal Property Record & Inventory (Free)

Illustrated Black and White Brochure pertaining to the duties of the Trooper (Free)

The Maine Department of Public Safety (Free)

The Maine State Police "Annual Report" (Free)

Private Investigator (Free)

Private Security Guard (Free)

Crime In Maine 1992 (Free)

Laws, Rules and Regulations Relating to Carry Concealed Firearms (Free)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>BUREAU OF STATE POLICE</b>						
<b>EXPENDITURES</b>						
Salaries and Wages	14,483,276	1,470,481	2,236,226	10,470,310	306,259	
Health Benefits	1,535,352	9,996	237,449	1,250,892	37,015	
Retirements	5,025,721	735,515	806,779	3,408,036	75,391	
Other Fringe Benefits	262,429	722	42,156	213,137	6,414	
Other Contract Services—State	141,081	5,898	3,920	75,768	55,495	
Computer Services—State	103,857	10,976	254	92,627		
Other Contractual Service	2,839,050	402,088	371,049	1,952,168	113,745	
Rents	281,486	69,841	6,862	203,009	1,774	
Commodities	480,384	89,630	43,669	334,302	12,783	
Grants—Subsidies—Pensions	1,153,526	10,851	34,315	1,107,155	1,205	
Building Improvements	1,809,574	80,084	176,665	1,484,485	68,340	
Equipment	6,236			6,236		
Interest—Debt Retirement	8,682	445	118	8,025	94	
Transfer to Other Funds	285,439		51,779	226,656	7,004	
<b>TOTAL EXPENDITURES</b>	<b>28,416,093</b>	<b>2,886,527</b>	<b>4,011,241</b>	<b>20,832,806</b>	<b>685,519</b>	

## SECRETARY OF STATE

# DEPARTMENT OF THE SECRETARY OF STATE

G. WILLIAM DIAMOND, SECRETARY OF STATE  
JANET E. WALDRON, ASSISTANT SECRETARY OF STATE

*Central Office:* Nash School, Augusta; *Floor:* 2

*Telephone:* 626-8400

*Mail Address:* Statehouse Sta. #148, Augusta, Maine 04333

*Established:* 1820

*Sunset Review Required by:* June 30, 1992

*Reference: Policy Area:* 00; *Umbrella:* 29; *Unit:* 250; *Citation:* 5 M.R.S.A., Sect. 81

*Average Count—All Positions:* 441.5

*Legislative Count:* 436

### *Organizational Units:*

- Office of the Secretary of State
- Bureau of Corporations, Elections and Commissions
- Bureau of Motor Vehicles
- Maine State Archives
  - County Records Board
  - Local Government Records Board
  - Maine Historical Records Board
  - Municipal Records Board

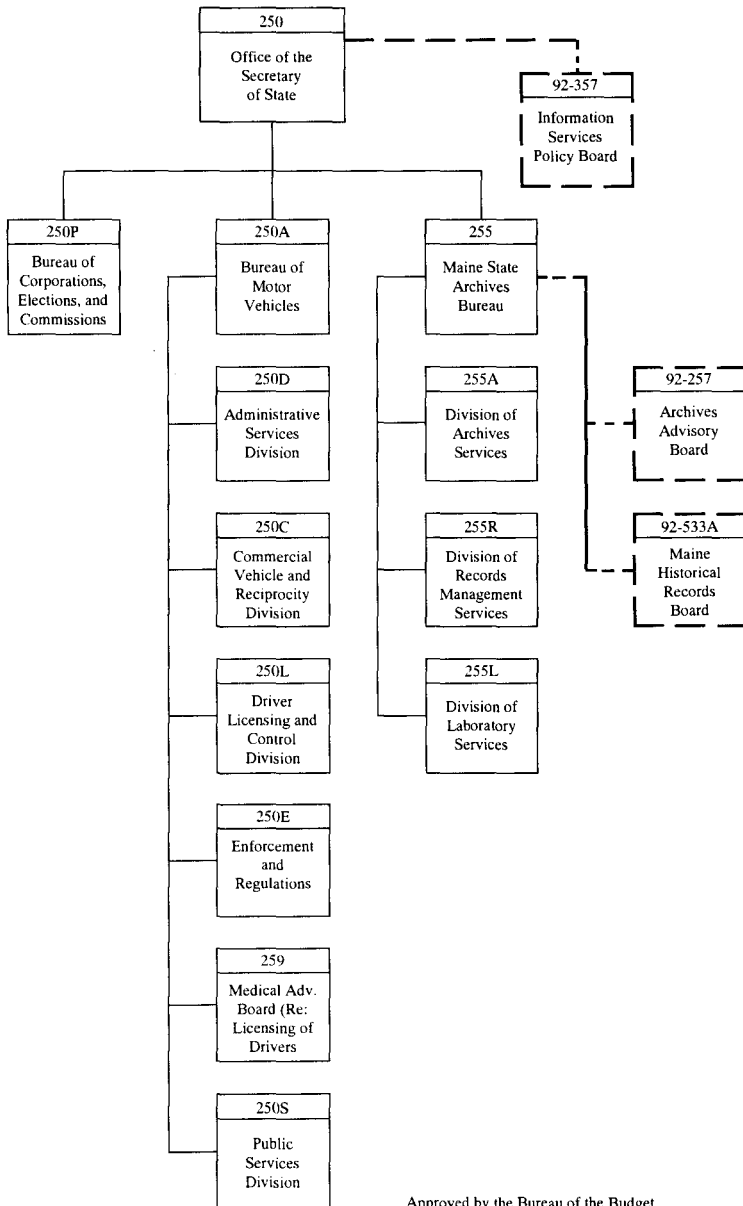
**PURPOSE:** A constitutional officer, the Secretary of State serves as executive head of the Department of the Secretary of State, and is authorized to keep his office at the seat of government, have the custody of the state seal and preserve all records in such office at the expense of the State; to keep and preserve the records of all the official acts and proceedings of the Governor, Senate and House of Representatives, and, when required, lay the same before either branch of the Legislature, and perform such other duties as are enjoined by the Constitution or required by law. The Secretary of State attends the Governor, Senate, and House of Representatives as they shall respectively require; appoints all notaries public and provides written notice of expiration of commissions to notaries public, files notice of their qualification and notifies registers of probate and clerks of judicial courts where the officer resides of appointment and qualification; prepares commissions for appointees and certificates of election to office for presentation to the Governor under the seal of the State; distributes printed information, instructions, ballots and blanks for all election returns required by law to clerks of the several towns; files articles of incorporation; files UCC transactions and performs other receiving, filing and recording functions for which legal fees may be collected; registers lobbyists; files rules adopted pursuant to the Administrative Procedures Act; annually registers motor vehicles and issues licenses for operators thereof; issues certificates of title, license new and used car dealers. The Office of the Secretary of State is responsible for the overall financial, personnel, and administration of the Department's subdivisions and recommends to the Legislature such changes as may be required to modernize and improve the functions and services provided by the Department.

**ORGANIZATION:** The Secretary of State, as established by the Constitution of the State of Maine in 1820, is elected biennially by joint ballot of both Houses of the Legislature. In 1862, certificates of incorporation were required to be deposited with the Secretary of State, leading to the formation of a Corporation Division in 1870. The Elections Division originated in 1891 when the Secretary of State became responsible for printing and distributing ballots to towns, providing returns and performing other duties relating to elections. The Bureau of Motor Vehicles was established in 1905 to provide for the registration of motor vehicles by the Secretary of State. In 1919 registration of legislative counsel and employers became a function of the Secretary of State. In 1963, the State adopted the Uniform Commercial Code to be administered by the Secretary of State, becoming a function of the Corporation Division. Also in 1963, the Department of the Secretary of State was first recognized under law, with the Secretary of State designated as its executive head. The Maine State Archives, created in 1965 and administered by the State Archivist, was made a bureau of the Department in 1973. The Administrative Procedures Act became effective July 1, 1978.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Corporations, Elections, and Commissions.

# SECRETARY OF STATE

## ORGANIZATIONAL CHART DEPARTMENT OF SECRETARY OF STATE UMB 29



Approved by the Bureau of the Budget

# SECRETARY OF STATE

## CONSOLIDATED FINANCIAL CHART FOR FY 94 DEPARTMENT OF THE SECRETARY OF STATE

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	9,691,637	1,356,318	359,002	7,976,317		
Health Benefits	1,374,917	167,659	59,778	1,147,480		
Retirements	1,603,677	232,861	57,503	1,313,313		
Other Fringe Benefits	127,909	12,741	7,432	107,736		
Other Contract Services—State	724,873	28,688	16,862	541,650	137,673	
Computer Services—State	596,463	20,883	50,496	525,084		
Other Contractual Service	3,253,388	192,319	55,377	2,989,177	16,515	
Rents	197,597	48,930		148,667		
Commodities	1,426,609	89,665	51,533	1,285,298	113	
Grants—Subsidies—Pensions	172,338	582		171,756		
Building Improvements	700,006	126,123	40,967	518,151	14,765	
Interest—Debt Retirement	319			319		
Transfers to Other Funds	896,122		32,923	855,870	7,329	
<b>TOTAL EXPENDITURES</b>	20,765,855	2,276,769	731,873	17,580,818	176,395	

## MAINE STATE ARCHIVES

JAMES S. HENDERSON, STATE ARCHIVIST

*Central Office:* L-M-A Bldg., Augusta

*Telephone:* 287-5790

*Mail Address:* Statehouse Sta. #84, Augusta, Maine 04333

*Established:* 1965

*Sunset Review Required by:* June 30, 1992

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 255; Citation: 5 M.R.S.A., Sect. 94

*Average Count—All Positions:* 15

*Legislative Count:* 15

*Organizational Units:*

Office of the State Archivist

Archives Advisory Board

Division of Archives Services

Advisory Committee on Judicial Records

Division of Records Management Services

Local Government Records Board

**PURPOSE:** The powers and duties of the State Archivist include responsibility for establishing rules, standards and procedures governing the creation, use, maintenance, retention, preservation and disposal of State records. Under this general authority, the Maine State Archives assists the three branches of State government, and county and municipal government agencies, in making their operations more efficient and economical through the application of modern records management techniques, including the establishment of disposition schedules under which agencies may systematically destroy records having no permanent value to the State; providing technical assistance in a variety of specialized fields such as files, forms, general paperwork procedures and office equipment management; and providing centralized storage and retrieval facilities for records that must be temporarily retained, but which need not be maintained in high-cost office space.

Professional archival services include the selection and preservation of records that have permanent value to the State, accompanied by the application of specialized methodology and techniques designed to make such records readily accessible for use by the government and public. These in turn include the identification and arrangement of records; the development of finding aids in the form of inventories, indexes and guides to specific record groups or series; direct reference assistance to in-person users or in response to mail requests; publication by microfilm or printing of selected records having a high public demand.

The Photoduplication Laboratory, in cooperation with the Division of Records Management Services, audits State microform and other photographic applications for feasibility and economy; and serves as a standards laboratory to ensure that all State filming of records meets standards of quality established by Maine State Archives rules. The Restoration Laboratory is responsible for decontaminating, humidifying, deacidifying, repairing and laminating records on a selective basis.

**ORGANIZATION:** The Maine State Archives was created in 1965. The agency was designated as a central staff agency by the Legislature in 1973 and its jurisdiction extended to the counties and municipalities. By order of the Supreme Judicial Court, the Advisory Committee on Judicial Records was established in 1975 to exercise general direction over the implementation of program services to the Courts similar to those provided to the Executive Branch. Joint Order, 107th Legislature, 1975 directed the Legislative Council to exercise like supervision over the establishment of a comprehensive records program for the Legislative Branch.

The Maine State Archives is comprised of two operating Divisions: the Division of Records Management Services, and the Division of Archives Services. The Office of the State Archivist is organized to supervise overall administrative and programming responsibility, and exercise general control over publications, and agency participation in intergovernmental and public activities.

The Archives Advisory Board and the Local Government Records Board are, together with the State Archivist, solely responsible for authorizing the destruction of government records in their respective jurisdictions.

**PROGRAM:** Continuing efforts were made to strengthen and improve services to meet the needs of the general public whose use of the agency's facilities has increased dramatically. The staff has conducted workshops and seminars to assist beginning researchers as well as more advanced users; and the agency has cooperated with both national and local organizations who are interested in the preservation of the State's documentary heritage.

## SECRETARY OF STATE

Additionally, strategic planning for electronic records management continued. The State Archivist and the Director of Records Management Services actively participated in Bureau of Information Services sponsored programs for electronic records throughout State government. This effort is essential for the retention of historically valuable electronic records documenting the official activities of the State. The Records Management Director attended an Institute on Electronic Records Management at The University of Pittsburgh.

**Federal Grants.** The Archives completed the initial planning funded by the National Endowment for the Humanities U.S. Newspaper project. Publications designed to foster coordinated, cooperative planning to preserve the state's cultural resources were distributed to several hundred historical societies, museums and libraries throughout Maine.

**Professional Development Activities.** The Maine State Archives participates in several professional associations, including the Association of Records Managers and Administrators, the Society of American Archivists, the National Association of Government Archivists and Records Administrators (NAGARA), and the New England Archivists (NEA). Continuing education opportunities are provided for professional staff. Connections to the Internet have expanded professional contacts dramatically.

**Other Public Services.** While the Maine State Archives must necessarily concentrate its program services in the field of government records preservation and management, the agency actively supports and participates in the activities of the broader cultural community. Cooperative agreements were made with the Maine State Library in pursuing and receiving an NEH grant for newspaper preservation, and with the Maine State Museum in continuing support for the Cultural Resources Information Center. Cooperation and technical assistance to Maine historical societies has been limited by budget constraints. Records Management consulting and manuals are available to all governmental agencies including counties and municipalities, free of charge. A lecture/slide presentation is also available.

A free, publicly accessible computer bulletin board was established to provide electronic access to information about the Archives and its holdings. Users may call 207-287-5797 to log on.

### **LICENSES, PERMITS, ETC.:**

The State Archivist, with the Archives Advisory Board is solely responsible for authorizing the destruction of State records having no permanent value (M.R.S.A., Title 5, §95, sub-§9). Action taken by the State Archivist and the Archives Advisory Board is evidenced by the issuance of an executed *Request for Approval to Dispose of Records* (Form MSA 2. 1073) or *Request for Approval to Establish Records Disposition Schedule* (Form MSA 22. 1073).

### **PUBLICATIONS:**

Informational brochures describing record holdings related to general public interest, including military history, family history, local history, public lands, Judicial and Legislative records. Free.

#### **Reference Publications:**

Documentary Conservation: Guidelines for Restoration-Preservation of Documentary Papers, Maps, Books. \$1.00

Counties, Cities, Towns and Plantations of Maine — A Handbook of Incorporations, Dissolutions and Boundary Changes. \$5.00

Lands and Forests: Maine and the Nation — A Select Bibliography. \$1.00

Public Record Repositories in Maine. \$5.25

Microfilm List — Maine Town and Census Records. \$1.00

Archives of The Legislature of Maine: Legislative Index Series 1820-1825; 1826-1830; 1831-1835; 1841-1845. \$5.25 each

The Inaugural Addresses of the Governors of Maine, Volume I 1820-1862. (To be published)

#### **Documentary Publications:**

Dubros Times: Selected Depositions of Maine Revolutionary War Veterans. \$3.00.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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MAINE STATE ARCHIVES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	389,657	389,657				
Health Benefits	49,958	49,958				
Retirements	66,226	66,226				
Other Fringe Benefits	2,010	2,010				
Other Contract Services—State	21,464	5,092			16,372	
Computer Services—State	2,336	2,336				
Other Contractual Service	28,852	28,195	78		579	
Rents	6,381	6,381				
Commodities	26,796	22,164	4,519		113	
Grants—Subsidies—Pensions	582	582				
Building Improvements	3,384		3,384			
<b>TOTAL EXPENDITURES</b>	597,646	572,601	7,981		17,064	

## DIVISION OF ARCHIVES SERVICES

SYLVIA J. SHERMAN, DIRECTOR

*Central Office:* Cultural Bldg., Augusta

*Telephone:* 287-5795

*Mail Address:* Statehouse Sta. #84, Augusta, Maine 04333

*Established:* 1971

*Sunset Review Required by:* June 30, 1992

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 255A; Citation: 5 M.R.S.A., Sect. 95

**PURPOSE:** The Division of Archives Services is established under the authority of the State Archivist to preserve, maintain, service and make available to the government and the public the permanently valuable records of the State.

**ORGANIZATION:** The Division became fully operational when construction of the Maine State Archives facility was completed in 1971.

**PROGRAM:** The creation of finding aids in the form of computerized indices for important record series has continued. Among these are the early records of the Executive Council, the Legislature, Washington and Kennebec County Courts, as well as the agency's extensive collection of maps. Preliminary sorting of correspondence from officers of Maine Civil War regiments and other materials relating to the impact of the Civil War on Maine has been nearly completed. Interest in the agency's Civil War holdings has increased dramatically due to the popularity of the motion picture *Gettysburg* and the documentary series *Civil War Journal* on the Arts & Entertainment Network. One segment of this series featured Maine General Joshua L. Chamberlain, for which The Maine State Archives provided materials.

Other researchers using the Archives facility continued to reflect a broad variety of interests, with a significant increase in the number of individuals seeking information about birth parents, adopted children and other living relatives. The staff has continued to explore ways to facilitate research via computerized informational systems.

The elimination of the position of Conservator has meant that certain basic conservation responsibilities such as monitoring temperature, humidity and other environmental controls, and performing very basic repairs or other preservation measures have been undertaken by various staff members. A comprehensive review of the agency's conservation needs is underway with the assistance of a professional consultant and a significant change in the agency's approach to its overall conservation program is anticipated.

Staff have participated in or conducted various workshops, seminars and other meetings relating to archival research, conservation and other specialized topics.



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**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Maine State Archives.

### **DIVISION OF RECORDS MANAGEMENT SERVICES**

**NINA M. OSIER, DIRECTOR**

*Central Office:* Cultural Bldg., Augusta

*Telephone:* 287-5790

*Mail Address:* Statehouse Sta. #84, Augusta, Maine 04333

*Established:* 1971

*Sunset Review Required by:* June 30, 1992

*Reference: Policy Area:* 00; *Umbrella:* 29; *Unit:* 255R; *Citation:* 5 M.R.S.A., Sect. 95

**PURPOSE:** The Division of Records Management Services is established under the authority of the State Archivist to assist other State agencies in the effective management of their current and semi-current records by means of retention-disposition schedules, by technical assistance to improve procedures for maintaining, storing and servicing records, and by provision of centralized photoduplication services.

**ORGANIZATION:** The Division became operational when construction of the Maine State Archives facility was completed in 1971.

**PROGRAM:** Priority emphasis has continued to be placed on the development of retention-disposition schedules for current records generated by all agencies of State Government, including a continuous review of prior-approved schedules. These schedules provide for the orderly disposition of records at the expiration of prescribed retention periods. Work has also continued on the establishment of general retention-disposition schedules that apply to large classes of facilitative records common to all agencies in State government, allowing the early destruction of copies which lack continuing value.

Most scheduling work is accomplished through interaction with a network of Departmental Records Officers and Assistant Records Officers throughout the Executive Branch of State Government. A principal tool is the Records Management Expenditure Request, without which records storage equipment and imaging equipment (micrographics or optical disk) can neither be purchased nor leased. The Bureau of Purchases has cooperated with the Bureau in requiring this form, which is issued after it has been determined that the equipment is needed, that it is cost-effective for its intended application, and that the records involved are covered by up-to-date disposition schedules.

During Fiscal Year 1994 more than 100,000 references were provided to State agencies by the Maine State Records Center. The Records Center provides safe, environmentally controlled storage for semicurrent records (including computer tapes, computer disks, and microform records as well as paper files). District Court and Superior Court records have continued to arrive, alleviating severe storage problems at the various court buildings throughout the state.

Records Management provided support in the form of staff time to the Local Government Records Board, which is the regulatory authority for local government records retention. Assistance was also provided to the Advisory Committee on Judicial Records. The Division has continued to work with the Office of Information Services to ensure the preservation of permanently valuable electronic records throughout State government.

By law, the Maine State Archives must furnish copies of archival materials in its possession. This service is provided by the Photoduplication Laboratory, which also microfilms paper records that are too fragile to be handled. A microfilm copy is generated for safe Search Room use. During Fiscal Year 1994 the Photoduplication Laboratory provided extensive centralized microfilm and photographic services for government records at the request of State agencies, as well as direct service to the public at an established fee rate.

The Photoduplication Laboratory continues to stabilize, duplicate and preserve the thousands of images in our holdings which date from the 1860's and range from poor to excellent condition.

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### PUBLICATIONS:

Available to the general public: *Information Resources in Maine State Government* (A Listing of Official Records by Agency). Free.

Available to State employees: *Guidelines for Your Records Management Program* (instructions in how to correctly complete retention schedules and other Records Management forms—useful only to Executive Branch employees). Free.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Maine State Archives.

## BUREAU OF MOTOR VEHICLES

GREGORY C. HANSCOM, DEPUTY SECRETARY OF STATE

*Central Office:* 101 Hospital Street, Augusta

*Mail Address:* Statehouse Sta. #29, Augusta, Maine 04333

*Established:* 1905

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 250A; Citation: 29 M.R.S.A., Sect. 51A

*Average Count—All Positions:* 387

*Telephone:* 287-2761

*FAX:* 287-6304

*Sunset Review Required by:* June 30, 1992

*Legislative Count:* 380.5

**PURPOSE:** The Bureau of Motor Vehicles was established to provide for the public safety and better regulation of traffic through effective administration of the laws of the State of Maine relating to motor vehicles and to the operators and operation thereof. Under the auspices of the Secretary of State, the Bureau provides the general public with an avenue, through a main office and thirteen branches throughout the State, where motor vehicle registration and operator licenses may be obtained; makes determinations to insure that applicants applying for operator licenses have the abilities, knowledge and necessary skills for safe vehicle operation; investigates and licenses motor vehicle and trailer dealers; conducts hearings on violations of Motor Vehicle Laws to determine if the individual's privilege to operate or register a vehicle within the State of Maine should be suspended, withheld or revoked or whether his privilege should be reinstated and whether the individual should be held responsible under the Financial Responsibility Law and be required to carry liability insurance for a period of three years. The Bureau provides a method of titling 1983 model year and newer vehicles, and collects Sales Tax due when a vehicle purchased from other than a dealer is registered.

**ORGANIZATION:** The Bureau of Motor Vehicles was organized in 1905 for the purpose of issuing lifetime licenses. In 1911, the Legislature changed the registration and licensing from a lifetime issue to an annual issue. In the 1920's, the Bureau had grown to the extent that it became headed by a Chief Clerk and had a Registration and Licensing Section and a Court Records Section. In 1935, the requirement for semi-annual inspection of motor vehicles became a responsibility of the Bureau, and in 1939, an Examination Section was added to administer the required rule on new licenses. In 1942, the Bureau was reorganized and placed under the direction of the Director of Motor Vehicles, with an Assistant Director named in 1943. This organizational structure remained until 1970 when the Bureau was reorganized into four Bureaus; namely, Public Services; Finance and Administration; Data Processing and the Bureau of Driver Licenses. Several minor structural changes were made between 1970 and 1976 when the Bureau was reorganized into the Executive Section and three Bureaus. Subsequently, duties and responsibilities were added and the Bureau evolved into its present structure, the Executive Office and five Bureaus: Administrative Services, Driver Licensing and Control, Enforcement and Regulation, Commercial Vehicles and Reciprocity, and Public Services.

In FY 93 the main office operations of the Bureau, located in the D.O.T. Building, were moved into a new office building on 101 Hospital Street.

In FY 94 all computer programming and related functions were transferred from the Administrative Services Division to a newly created division, the Information Services Division.

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**PROGRAM:** The Bureau continues to provide Licensing, Registration and Title services to the public through 13 Branch Offices, 28 Examination Stations, 6 Mobile Examination Stations (servicing 22 locations), 2 Mobile Photo-License Units (servicing 24 locations), the Main Office and 424 Municipal Agents.

### LICENSES, PERMITS, ETC.:

#### License:

Car Dealer (New & Used)	Salvage Yard
Equipment Dealer	Titles—1983 and newer vehicles
Loaner	Trailer Dealer (light and heavy)
Motor Vehicle Operator (All classes)	Transporter
Motorcycle Dealer	

#### Registration:

Antique Auto	Motor Home
Bus	Motorcycle/Moped
Car	Municipal
Conservation Registrations	National Guard
Disabled Veteran	Pearl Harbor Survivor
Equipment	Prisoner of War
Firefighter	Street Rod
Handicap	Trailer
Horseless Carriage	Truck Tractor
IRP Plates	
Legislative Plates	
Long-term Trailer	

#### Permits, etc:

- 55-Ft. Trailer Permits
- Fuel Use Permits (Annual and 3-day trip)
- Highway Crossing Permit (golf carts, etc.)
- Island Use Only
- Motor Vehicle Operator Permit (All classes)
- 100K Permits
- Operating Authority Permit, including S.S.R.S. receipts
- Overdimensional Permit
- Regional Fuel Tax Agreement (ME, NH and VT)
- Short Term Gross Weight Permit
- Special Gross Weight Increase
- State Identification Cards
- Transit (allows one-way trip of unregistered vehicle)

### PUBLICATIONS:

Title 29—Motor Vehicle Laws—\$10 fee  
For copies contact: Swan Island Press  
Box 930  
Dresden, Maine 04342  
Tel: 207-737-2120

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

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<b>BUREAU OF MOTOR VEHICLES</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	8,287,890		311,573	7,976,317		
Health Benefits	1,200,097		52,617	1,147,480		
Retirements	1,364,266		50,953	1,313,313		
Other Fringe Benefits	114,453		6,717	107,736		
Other Contract Services—State	676,655		13,704	541,650	121,301	
Computer Services—State	575,580		50,496	525,084		
Other Contractual Service	3,031,674		26,561	2,989,177	15,936	
Rents	148,667			148,667		
Commodities	1,290,533		5,235	1,285,298		
Grants—Subsidies—Pensions	171,756			171,756		
Building Improvements	532,916			518,151	14,765	
Interest—Debt Retirement	319			319		
Transfers to Other Funds	888,833		25,634	855,870	7,329	
<b>TOTAL EXPENDITURES</b>	<b>18,283,639</b>		<b>543,490</b>	<b>17,580,818</b>	<b>159,331</b>	

## PUBLIC SERVICES BUREAU (MOTOR VEHICLES)

**CATHERINE DiBenedetti, DIRECTOR**

*Central Office:* 101 Hospital Street., Augusta

*Mail Address:* Statehouse Sta. #29, Augusta, Maine 04333

*Telephone:* 287-3556

*FAX:* 287-5219

*Established:* 1970

*Sunset Review Required by:* June 30, 1992

*Reference: Policy Area:* 00; *Umbrella:* 29; *Unit:* 250S; *Citation:* 29 M.R.S.A., Sect. 51A

*Average Count—All Positions:* 93

*Legislative Count:* 0

**PURPOSE:** The purpose of the Division of Public Services is to administer those Motor Vehicle Laws of this state pertaining to the registration of all types and classes of motor vehicles.

**ORGANIZATION:** The Division of Public Services was established as one of four Bureaus in 1970 and reorganized in 1978 into a Division. The Division of Public Services is presently organized to include the registration of all classes and types of vehicles; the Municipal Agent Program, the administration of 13 branch offices located throughout the state which issue registrations, operators licenses, state Identification Cards, overdimensional permits and Fuel Use Identification Decals, and two Mobile Units that travel throughout the State to issue operators licenses and State ID Cards.

**PROGRAM:** During the past fiscal year, this Division was involved in providing general day to day services in the Registration and Licensing. Highlights of the operation include plans to improve branch office efficiency and improve customer service.

During FY94 the issuance of conservation (environmental plates) began; the Caribou branch office was re-located; and a point of sale computerized system was developed.

The initial phase of an electronic exchange of registration data from four town offices to the Bureau was established.

### **LICENSES, PERMITS, ETC.:**

Fuel Use Identification Decals

Highway crossing permits (golf carts, etc.)

Island Use Only Registrations

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Motor Vehicle Operators License (All classes)  
Short Term Gross Weight Permit (Booster)  
Special Gross Weight Increase  
State Identification Card  
Transit Permit (Allows one-way trip of unregistered vehicle)  
Vehicle Registrations (All classes)

### **PUBLICATIONS:**

Brochure covering Registration & License Requirements (no fee)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Motor Vehicles.

## **ADMINISTRATIVE SERVICES DIVISION (MOTOR VEHICLES)**

**PETER C. BRAZIER, DIRECTOR**

*Central Office:* 101 Hospital Street, Augusta

*Mail Address:* Statehouse Sta. #29, Augusta, Maine 04333

*Established:* 1943

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 250D; Citation: 29 M.R.S.A., Sect. 51

*Average Count—All Positions:* 68

*Telephone:* 287-2762

*FAX:* 287-6304

*Sunset Review Required by:* June 30, 1992

*Legislative Count:* 0

**PURPOSE:** The Division of Administrative Services provides those services that are supportive to the other organizational elements of the Motor Vehicle Division. Included are financial and management support services to all Divisions of Motor Vehicles in the areas of budgeting, accounting, payroll, personnel management, data processing, central files, micro filming, plate manufacturing, central stores and supply, mail handling and facilities management.

**ORGANIZATION:** The Administrative Services Division evolved from the Finance and Administrative Bureau which had the responsibility for all of the Support Activities with the exception of Data Processing. Data Processing came within the organizational framework in 1976.

**PROGRAM:** The primary function and activities of the Division of Administrative Services were continued during the past year and highlighted by work on a registration agent electronic reporting system and a "point of sale" reporting system for branch offices. The Division continued to review and make improvements in the areas of fiscal management, budget, and work program during FY '94.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Motor Vehicles.

## SECRETARY OF STATE

### ENFORCEMENT AND REGULATION DIVISION WILLIAM DOWLING, DIRECTOR

*Central Office:* 101 Hospital Street, Augusta

*Telephone:* 287-5409

*Mail Address:* Statehouse Sta. #29, Augusta, Maine 04333

*Established:* 1980

*Sunset Review Required by:* June 30, 1992

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 250E; Citation: 5 M.R.S.A., Sect. 81

*Average Count—All Positions:* 61

*Legislative Count:* 0

**PURPOSE:** The Division of Enforcement and Regulation is established to provide services in the areas of Title and Anti-Theft, Auto Theft, Dealer Licensing, Salvage Yard Licensing, and the enforcement of dealer, title and license fraud violations on a state-wide basis. Such operations include the issuance of titles to vehicles upon proper ownership requirements and to perform investigations and enforce laws in areas responsible to the Secretary of State.

**ORGANIZATION:** The Enforcement and Regulation Division was established by the reorganization of Examinations and Enforcement in FY 1983. This reorganization was required because of the additional functions of Title and Anti-Theft and Salvage Yard licensing requirements. The entire Division function is related to regulation and enforcement of several areas under the jurisdiction of the Secretary of State established by law.

The Enforcement and Regulation Division has four major functions. These functions include Dealer Licensing, Title and Anti-Theft, Salvage Yard Licensing and Enforcement and Investigations. During FY 82, Title and Anti-Theft was added to this Division because of the close relationship between dealer licensing and the titling of motor vehicles. This allows the Secretary of State to have better control over the aspects of dealer licensing and title and anti-theft. These four functions made up both a substantial administration as well as a moderate number of field personnel.

**PROGRAM:** In the area of dealer licensing, many changes have taken place, both administratively and legislatively. Dealer information is automatically updated on our computer system which allows ready access to enforcement people and administrative personnel. Motor Vehicle investigators in 1978 were given limited enforcement powers to ensure that dealer and titling laws are being complied with. Since that time their enforcement authority has broadened to include enforcement powers in most areas responsible to the Secretary.

#### **LICENSES, PERMITS, ETC.:**

##### **Licenses:**

- New and used car dealer
- Equipment dealer
- Motorcycle dealer
- Boat or snowmobile trailer dealer
- Heavy trailer
- Loaner
- Transporter
- Salvage
- Vehicle Auction

#### **PUBLICATIONS:**

- Rules and Regulations — no fee
- Title Manual

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Motor Vehicles.

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**INFORMATION SERVICES DIVISION  
(Motor Vehicles)**

**DAVID A. SCHULZ, DIRECTOR**

*Central Office:* 101 Hospital Street, Augusta

*Mail Address:* Statehouse Sta. #29, Augusta, Maine 04333

*Established:* 1993

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 250I; Citation: 29 M.R.S.A., Sect. 547

*Average Count—All Positions:* 10

*Telephone:* 287-8590

*FAX:* 287-8705

*Legislative Count:* 0

**PURPOSE:** The Information Services Division provides those data processing services that are supportive to the other organizational elements of the Bureau of Motor Vehicles (BMV). Included are computer programming and systems analysis. The Information Services Division also maintains the BMV computer equipment and software.

**ORGANIZATION:** The Information Services Division separated from the Administrative Services Division in 1993. The keypunch operation remains with the Administrative Services Division.

**PROGRAM:** The Information Services Division retained all current DP programs, and worked with contractors to install a new communication system to exchange data with the DDP mainframe. The Division is also developing a dial-in record check system and supporting BMV's involvement with the emissions control program, Problem Driver Pointer System and Driver License Reciprocity program.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Motor Vehicles.

**MEDICAL ADVISORY BOARD**

**DR. TED JOZEFOWICZ, CHAIRMAN**

*Central Office:* 101 Hospital Street, Augusta; Floor: 1

*Mail Address:* Statehouse Sta. #29, Augusta, Maine 04333

*Established:* 1971

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 259; Citation: 29 M.R.S.A., Sect. 547

*Average Count—All Positions:* 0

*Telephone:* 287-2879

*Sunset Review Required by:* June 30, 1992

*Legislative Count:* 0

**PURPOSE:** The Medical Advisory Board was established to advise the Secretary of State on medical criteria and vision standards relating to the licensing of drivers. It assists the Secretary of State in determining whether a person is qualified to be licensed as a motor vehicle operator. When the Secretary of State has cause to believe that a licensed driver or applicant may not be physically or mentally qualified to be licensed, he may obtain the advice of the Board. The Board formulates its advice from records and reports or may cause an examination and confidential report to be made by one or more members of the Committee or any other qualified person it may designate. The licensed driver or applicant may cause a written report to be forwarded to the committee by a physician of his choice, which must be given due consideration by the Committee.

**ORGANIZATION:** The Medical Advisory Board was authorized in 1971 to consist of five members appointed by the Secretary of State. To date, there are 7 members on the Board.

**PROGRAM:** The last meeting of the Medical Advisory Board was held in Augusta on June 2, 1994.

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### **PUBLICATIONS:**

Rules and Regulations: No Fee  
Physical, Emotional and Mental Competence to Operate a Motor Vehicle.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## **DRIVER LICENSING AND CONTROL DIVISION**

**ROBERT O'CONNELL, JR., DIRECTOR**

*Central Office:* 101 Hospital Street, Augusta

*Mail Address:* Statehouse Sta. #29, Augusta, Maine 04333

*Established:* 1920

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 250L; Citation: 29 M.R.S.A., Sect. 530

*Average Count—All Positions:* 121

*Telephone:* 287-2576

*FAX:* 287-5455

*Sunset Review Required by:* June 30, 1992

*Legislative Count:* 0

**PURPOSE:** The Division of Driver Licensing and Control was established with an ultimate objective of assuring the safety of the licensee and other users of the highways through improved attitudes and driving performance. This objective is accomplished through effective administration of the laws pertaining to the operation of motor vehicles; issuance of operators licenses, including the photo license and identification card program; through records of convictions or adjudications as transmitted from the courts; through traffic accident records; by identifying those drivers who are reckless or negligent and habitual or frequent violators of traffic laws and/or accident involvement. Administrative hearings are conducted on violations of the motor vehicle laws to determine if the individual's privilege to operate and/or register motor vehicles should be suspended, revoked, withheld or reinstated and whether an individual involved in traffic accidents should be responsible under the Financial Responsibility Law and be required to carry liability insurance.

**ORGANIZATION:** The Division of Driver Licensing and Control was established as a result of reorganization within the Division of Motor Vehicles. It originated as the Court Records Section in the early 1920's, and remained such until 1970 when it was formed into a Bureau of Driver Improvement and Financial Responsibility. In 1976 the Bureau of Driver Examination was merged with Driver Improvement and Financial Responsibility, creating the Bureau of Driver Licensing and Control. In 1978 the Bureau of Driver Licensing and Control was formed into a Division. In 1991 the Examination Section was moved to the Division of Driver Licensing and Control.

**PROGRAM:** The primary functions and activities of the Driver Licensing and Control Division were the examination of drivers for licensure; processing abstracts of convictions or adjudications of violations of the Motor Vehicle Laws as transmitted from the District or Superior Courts, applying those convictions or adjudications to driver history records; case review of individual driver records for appropriate administrative action against repeat violators under the point system or suspending the license or registration as mandated by law; reviewing individual reports of traffic accidents and invoking the provisions of the Financial Responsibility Law against uninsured motorists involved; suspension of licenses based on administrative determination that a person operated a motor vehicle with an excessive blood-alcohol level or was under the legal drinking age and was operating a motor vehicle with a blood-alcohol level of .02% or more; conducting administrative hearings as requested by the individual to whom license suspension action was taken either by reason of convictions or uninsured accidents. Hearings were also conducted for those persons suspended under the Implied Consent Law for refusal to submit to a chemical test after arrest for operating under the influence of intoxicating liquor and for those suspended administratively under the drunk driving or teenage drinking and driving laws.

The Division recently revised the Maine Point System with an effective date of 7/1/90. Also in FY 90 the Division began conducting Lemon Law hearings.



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This Division is also responsible for the suspension of registrations of vehicles which fail to comply with the inspection/maintenance (emissions testing) requirements.

### **LICENSES, PERMITS, ETC.:**

Motor Vehicle Operators License—Class A, B, & C  
Motor Vehicle Learner's Permit

### **PUBLICATIONS:**

Rules & Regulations: No Fee  
The Maine Point System and Administrative License Suspension  
Rules for Hearings  
Driver License Examination Rules  
Functional Ability Profiles Governing the Physical, Mental and Emotional Competence to Operate a Motor Vehicle  
Rules for the Suspension of Commercial Drivers Licenses  
Rules for the Suspension of Licenses for Failure to Comply with Child Support Orders

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Motor Vehicles.

## **COMMERCIAL VEHICLES AND RECIPROCITY DIVISION**

**GARRY R. HINKLEY, DIRECTOR**

*Central Office:* 101 Hospital Street, Augusta  
*Mail Address:* Statehouse Sta. #29, Augusta, Maine 04333

*Telephone:* 287-8600  
*FAX:* 622-5332

*Sunset Review Required by:* June 30, 1992

*Reference:* Policy Area: 00; Umbrella: 29; Unit: 250C; Citation: 29 M.R.S.A., Sect. 51A

*Average Count—All Positions:* 31

*Legislative Count:* 0

**PURPOSE:** The purpose of the Division of Commercial Vehicles and Reciprocity is to administer commercial vehicle laws. These include Registration requirements, the International Registration Plan, Commodity Permits, Short-term Gross Weight Increase Permits, Long-Term Trailers, and Fuel Use Identification Decals including the Regional Fuel Tax Agreement with the States of New Hampshire and Vermont. Further, the Division administers the Federal Heavy Vehicle Use Tax Program, other Tax Programs, Operating Authority Permits, For-hire Insurance, the Overdimensional Permits including the New England Transportation Consortium. The Division also establishes and maintains motor vehicle reciprocity agreements between the State of Maine and other jurisdictions.

**ORGANIZATION:** The Division of Commercial Vehicles and Reciprocity was established in 1984 as a result of the increased responsibility and requirements relating to the licensing and regulation of commercial vehicles. The Division administers the registration of commercial vehicles; the issuance of commodity permits, booster permits, increased gross weight permits, and duplicates and replacements; the Fuel Use Identification Decal program including the Regional Fuel Tax Agreement; the Long-term trailer program; the Federal Heavy Vehicle Use Tax Program; For-hire Insurance; Operating Authority Permits including the Single State Registration System; and Overdimensional Permits including the New England Transportation Consortium.

In 1989, the Division was reorganized to include the Operating Authority program previously administered by the State Police, and the Overlimit Permit program previously administered by the

## SECRETARY OF STATE

Department of Transportation. The purpose of this reorganization was to provide a single point of contact for the trucking industry; to increase administrative efficiency; and to improve the State's database on commercial vehicles.

**PROGRAM:** The Division of Commercial Vehicle continues to administer the Regional Fuel Tax Agreement with the States of New Hampshire and Vermont. Maine presently has over 3,000 companies as RFTA members, with approximately 85,000 decals issued for New Hampshire, and 82,000 for Vermont. The Division also administers the Fuel Use Identification program. In all, over 300,000 vehicles are licensed for fuel use reporting in Maine, and licensing fees generate over \$1.5M for the Highway Fund.

As required by federal law, the Division also administers the proof of payment requirement for the Federal Heavy Vehicle Use Tax. Owners of vehicles registered for 55,000 pounds or more must show proof of HVUT payment. There are approximately 7,000 vehicles registered in Maine for which proof must be submitted.

The Division of Commercial Vehicle oversees the issuance of various commercial vehicle credentials for highway use including commercial vehicle registrations, long-term trailer registrations, and general commodity permits. Commercial vehicle registrations and permits generate approximately \$20M annually for the Highway Fund.

In 1989, Maine entered into the New England Transportation Consortium, a five-state compact for the issuance of overdimensional permits. The purpose of this compact is to facilitate the interstate movement by truck of non-divisible, oversized or overweight loads. The compact permits the trucker to contact a single state to move an overlimit load in up to five states. The compact states developed a uniform set of procedures for the movement of overlimit non-divisible loads. The compact is considered a national model.

The Division continued to implement the International Registration Program for the base state registration of interstate trucks.

The Division implemented the Single State Registration System, a base-state program for the filing of ICC authority and motor liability insurance.

The Division continues to implement Single Point Contact to provide better service to the trucking industry.

### **LICENSES, PERMITS, ETC.:**

- Fuel Use Identification Decals; 3 Day Fuel Trip Permits
- Regional Fuel Tax Agreement Decals (Maine, New Hampshire & Vermont)
- Long-term Trailer Registrations
- Short-term Gross Weight Increase Permits
- Gross Weight Special Increase Permits
- Commercial Vehicle Registrations; IRP Registrations and Trip Permits
- 100K General Permits
- Operating Authority Permits, including SSRS receipts
- Overdimensional Permits
- 53 Foot Trailer Permits

### **PUBLICATIONS:**

- Laws for the Operation of Commercial Vehicles—Free
- International Registration Plan Manual—Free
- Rules for the Operation of Overlimit Vehicles—Free
- Operating Authority Rules—Free
- Other rules relative to the Operation of Commercial Vehicles—Free
- Single State Registration System rules—Free
- Fuel Tax License Procedures—Free

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Motor Vehicles.

## **BUREAU OF CORPORATIONS, ELECTIONS, AND COMMISSIONS**

**GARY COOPER, DEPUTY SECRETARY OF STATE**

*Central Office:* State Office Bldg., Augusta; *Room:* 221  
*Mail Address:* Statehouse Sta. #101, Augusta, Maine 04333

*Telephone:* 287-3676

*Established:* 1979

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 00; *Umbrella:* 29; *Unit:* 250P; *Citation:* 5 M.R.S.A., Sect. 81

*Average Count—All Positions:* 42.5

*Legislative Count:* 40.5

**PURPOSE:** The Bureau of Corporations, Elections, and Commissions is that portion of the Department of State responsible for elections, corporations, and a variety of central filing activities. The Bureau has significant contact with the public in many areas including the following: conduct of state elections; corporation filings; Uniform Commercial Code (UCC) filings; oversight of the Administrative Procedures Act (state agency rule-making); recording of appointments to state offices, boards and commissions; secretariat to the Governor's Board of Executive Clemency; and disclosure of financial information by executive employees.

**ORGANIZATION:** The Bureau executes its responsibilities through a Divisional structure. The Deputy Secretary of State is the Administrative head of the Bureau and the Directors of the two Divisions report directly to the Deputy. Each Division Director is responsible for the functioning of his or her area and for the selection, supervision, rating and discipline of personnel. Overall operational responsibility for the Bureau rests with the Deputy.

**PROGRAM:** The Bureau installed a Local Area Network (LAN), corporations database with an imaging component during this fiscal year. All areas of the Bureau are able to offer improved service because of the LAN. The Bureau receives approximately \$3.2 million each year, with income exceeding expenses by at least \$1.5 million. The Bureau receives approximately 14,800 phone calls, 3,700 walk-in visitors, 6,200 written requests for information, and receives 120,000 documents requiring action.

### **DIVISION OF CORPORATIONS AND ELECTIONS**

**REBECCA WYKE, DIRECTOR**

*Central Office:* State Office Bldg., Augusta; *Room:* 221.

*Telephone:* 287-2002

*Mail Address:* Statehouse Sta. #101, Augusta, Maine 04333

*Established:* 1989

*Sunset Review Required by:* June 30, 2002

#### **CORPORATIONS**

*Reference:* Policy Area: 00; *Umbrella:* 29; *Unit:* 250P; *Citations:* Maine Constitution Art. 4 pt. 3 §14. Maine Revised Statutes Annotated (M.R.S.A.); Marks: Title 10 Ch. 301-A; Uniform Commercial Code: Title 11 Art. 9; Corporations generally: Titles 13, 13-A, 13-B; Business corporations: Title 13-A; Non-profit corporations: Title 13 Ch. 81, Title 13-B; Cooperatives: Title 13 Ch. 85, 87; Title 35-A Ch. 37; Religious societies: Title 13 Ch. 93; Uniform Limited Partnership Act: Title 31 Ch. 11.

#### *Organizational Units:*

Corporate Examining Section

Reporting and Information Section

Uniform Commercial Code (UCC) Filing Section

**Purpose:** This subdivision executes all statutory responsibilities assigned to the Secretary of State regarding corporate and limited partnership filings, mark registrations, and Uniform Commercial Code (UCC) filings.

**Program:** This subdivision is basically a repository for all records required by statute relating to domestic and foreign corporations, both profit and non-profit, and limited partnerships. The Corporate Examining Section reviews all corporate documents for completeness prior to filing. The Reporting and

## SECRETARY OF STATE

Information Section receives all periodic reports and provides information to the public concerning the status of corporations, marks, and limited partnerships. The UCC (Uniform Commercial Code) Filing Section receives hundreds of daily filings and other transactions concerning security interests in personal property.

### ELECTIONS

*Reference: Policy Area: 00; Umbrella: 29; Unit: 250P; Citations: Federal statute: Voting Rights Act of 1965, as amended; Maine Constitution: Constitution enrolled: Art. 10 §6; Elections: Art. 2; Art. 4 pt. 1 §5; Art. 4 pt. 2 §3; Art. 4 pt. 3 §17-22; Initiative legislation: Art. 4 pt. 3 §18; Proclamations: Art. 4 pt. 3 §18. Maine Revised Statutes Annotated (M.R.S.A.): Title 21-A.*

**Purpose:** This subdivision supervises and administers all State elections and the application of the provisions of the State's election laws.

**Program:** With a strong emphasis on increasing voter participation in elections, the subdivision provides municipalities with extensive assistance in election practices, and strives to formulate and implement the best possible procedures to ensure honest, efficient and fair elections. This subdivision is responsible for ensuring the production and distribution of the ballots for statewide elections and conducting recounts.

### DIVISION OF RULES AND COMMISSIONS DON WISMER, DIRECTOR

*Central Office: State Office Bldg., Augusta; Room: 221.*

*Telephone: 287-4184;*

*Executive Disclosure Filings: 287-4181; Pardons, Notaries, Commissions: 287-4173*

*Mail Address: Statehouse Sta. #101, Augusta, Maine 04333*

*Established: 1989*

*Sunset Review Required by: June 30, 2002*

*Reference: Policy Area: 00; Umbrella: 29; Unit: 250P; Citations: International agreement: Convention Abolishing the Requirement of Legalisation (sic) for Foreign Public Documents (commonly known as The Hague Convention), 1861, governing the issuance of apostilles certifying that the official who signed a document was a valid officeholder at the time of signing; Maine Constitution: Pardons: Art. 5 Pt. 1 §11; Record-keeping: Art. 5 Pt. 2 §4. Maine Revised Statutes Annotated (M.R.S.A.): Notaries public: Title 4 Ch. 19, §82; Appointments (public officers): Title 5 §6; Financial disclosure (executive employees): Title 5 §19; Administrative Procedure Act: Title 5 Ch. 375, 377-A; Telephone solicitation registration: Title 10 Ch. 225; Pardon filings: Title 15 §2166.*

#### *Organizational Units:*

Administrative Procedure Act (APA) Section  
Notaries, Pardons, and Commissions Section

**Purpose:** This Division is concerned with a variety of administrative and filing tasks. All commissions, such as notaries public, boards and committees, etc., are filed here in their official form. Documents relating to pardons are kept here, and this is where authentications and apostilles are processed. The Division advises state agencies on rulemaking requirements, including public notice and procedural matters, and processes and files the resulting rules. The Division also administers the Executive Financial Disclosure requirements of state law for state agency officials.

**Program:** For the Administrative Procedure Act (APA), the Division ensures that A.P.A. procedures mandated by statute are followed by state agencies; keeps rules in proper order for rapid access; makes rules as widely accessible to the public as possible, through newspaper advertising and, eventually, promulgation through electronic formatting; works toward a uniform codification of State rules. For Executive Financial Disclosure, the Division implements and enforces the requirement that appropriate State executives file financial disclosure statements in a timely fashion; and keeps the statements in accessible order for public scrutiny. For Notaries, Pardons and Commissions, the Division keeps signature and swearing-in records for notaries public, various state officials, and appointees to boards and commissions, both as an official record and for authentications and apostilles; provides an accurate report of vacant and filled appointed positions; issues notary commissions so that notarial services are available to the public statewide; keeps notary records in accessible order for authentications, renewals,

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and other purposes; provides continuing education for notaries; gathers submitted paperwork by case for the pardon hearings; and tape records hearings and files the tapes for legal and public access.

### **LICENSES, PERMITS, ETC.:**

#### Filings:

Miscellaneous Filings

#### **Division of Corporations and Elections:**

##### Filings:

Domestic Profit & Nonprofit Corporations

Foreign Profit & Nonprofit Corporations

Limited Partnerships

Marks

Uniform Commercial Code

Initiative Petitions

Nomination Petitions for Candidates Not Affiliated with a Party

Party Nomination Petitions for Primary Elections

#### **Division of Rules and Commissions:**

##### Commissions:

Notary Public

##### Filings:

Administrative Rules and Regulations

Executive (state agency) financial disclosure

Miscellaneous Filings

### **PUBLICATIONS:**

#### **Division of Corporations and Elections:**

Incorporating in the State of Maine

Maine Law on Business Corporations (Title 13-A with Title 5 §86 and Title 13 ch. 22)

Maine Law on Cooperatives (Title 13 ch. 85, 87 and Title 35-A ch. 37)

Maine Law on Foreign Business Corporations (Title 13-A ch. 12, 13)

Maine Law on Foreign Nonprofit Corporations (Title 13-B ch. 12, 13)

Maine Law on Independent Local Churches (Title 13 ch. 93 sub-ch. II)

Maine Law on Limited Partnerships (Title 31, ch. 11)

Maine Law on Marks (Title 10 ch. 301-A)

Maine Law on Nonprofit Corporations (Title 13 ch. 81)

Maine Law on Nonprofit Corporations (Title 13-B with Title 5 §86)

#### **Elections:**

Candidate List for Current Election

Constitution of the State of Maine

Election Law

House and Senate District Maps

Intent and Content Booklet for Referendum

List of Cities, Towns, Plantations, Unorganized Townships with voting precincts

List of County Commissioner Districts

List of State House of Representatives Districts

List of State Senate Districts

Maine Voter Information Guide

Members of the Legislature

Municipal Clerks List

Municipal Registrar List

Municipalities, their county, and the House and Senate district in each

Registered and Enrolled Voters

Running for Office in Maine

State and County Officials

Tabulations, General Elections (each is a separate publication)

Tabulations, Primary Elections (each is a separate publication)

#### **Division of Rules and Commissions:**

A Guide to the Rulemaking Process for State Agencies

Board and Commission vacancies

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Maine Notary Public Law and Rules  
 Maine's Administrative Procedure Act  
 Notary Public Guide  
 Telephone Solicitation Law and Rules

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF CORPORATIONS, ELECTIONS AND COMMISSIONS</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	1,014,090	966,661	47,429			
Health Benefits	124,862	117,701	7,161			
Retirements	173,185	166,635	6,550			
Other Fringe Benefits	11,446	10,731	715			
Other Contract Services—State	26,754	23,596	3,158			
Computer Services—State	18,547	18,547				
Other Contractual Service	192,862	164,124	28,738			
Rents	42,549	42,549				
Commodities	109,280	67,501	41,779			
Building Improvements	163,706	126,123	37,583			
Transfers to Other Funds	7,289		7,289			
<b>TOTAL EXPENDITURES</b>	<b>1,884,570</b>	<b>1,704,168</b>	<b>180,402</b>			

## DEPARTMENT OF TRANSPORTATION

DANA F. CONNORS, COMMISSIONER

*Central Office:* Transportation Bldg., Augusta; *Floor:* 3  
*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Telephone:* 287-2551

*Established:* 1972

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 17; Unit: 229; Citation: 23 M.R.S.A., Sect. 4205

*Average Count—All Positions:* 2602.5

*Legislative Count:* 1003.5

*Organizational Units:*

Bureau of Finance and Administration  
Bureau of Maintenance & Operations  
Bureau of Planning  
Bureau of Project Development  
Bureau of Public Affairs & Human Resources  
Management  
Bureau of Transportation Services  
Office of Audit

Office of Environmental Services  
Office of Legal Services  
Office of Policy Analysis  
Maine Aeronautics Advisory Board  
Maine Port Authority  
Maine State Ferry Advisory Board  
Maine Transportation Capital  
Improvement Planning Commission

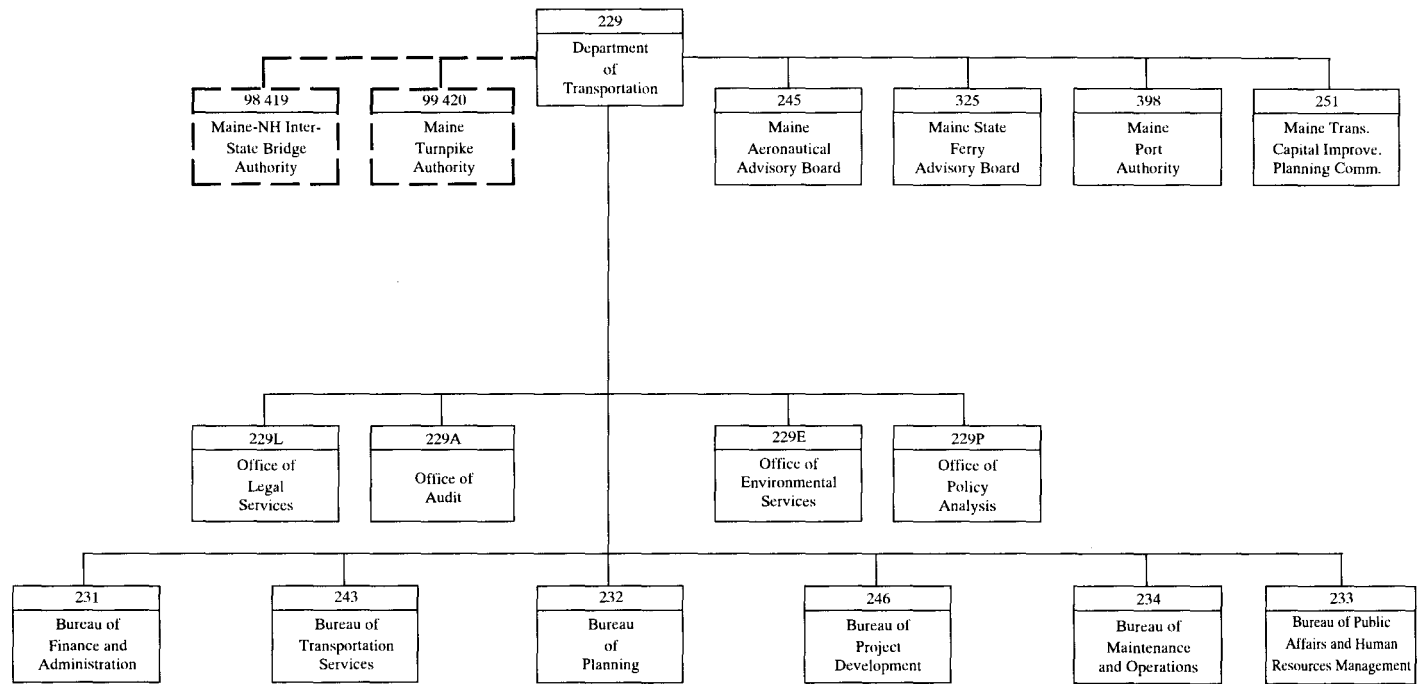
**PURPOSE:** The Department of Transportation was established to plan and develop adequate, safe and efficient transportation facilities and services which will contribute to the economic growth of the State of Maine and the well-being of its people.

Through the authority vested in the Commissioner of Transportation, the primary responsibilities of the Department are to develop comprehensive, environmentally compatible, balanced plans and policies to meet present and future needs for adequate, safe and efficient transportation facilities in the State of Maine. The Department also assists in the development, operation and maintenance of services and facilities and stimulates active support for, and develops, administers and promotes transportation safety actions throughout the State. The Department assists in the planning, construction, operation and maintenance of an internal highway system which will consider scenic value, safety aspects, environmental and economic implications and compatibility with national, regional and local programs, and which is designed to meet present and future needs of the State of Maine. Also, the Department acquires, constructs, operates and maintains harbor facilities, as required, to support and implement the planned development of coastal resources, ports and harbors, and operates and maintains safe, adequate and efficient port and water transportation facilities essential to the well-being of Maine citizens and the economic growth of the State. Other responsibilities of the Department are to administer laws relating to aeronautics, advance interest in aeronautics, and plan, develop, assist and advise in the development of aviation resources within the State. Furthermore the Department accepts, receives and administers for the State, all federal or other moneys intended for transportation or which would further or advance the intent or purposes for which the Department was established.

**ORGANIZATION:** The Department of Transportation originated in 1905 with the establishment of a Commissioner of Highways, appointed by the Governor, to compile statistics, disseminate knowledge, investigate the securing of better highways and advise county and town officers concerning the best and most economical means of building and maintaining highways and sidewalks. In 1907, the Commissioner became supervisor of a new State Highway Department, created to apportion money to political subBureaus, plan road improvements and let contracts for road construction. In 1913, both the Department and the office of Commissioner of Highways were abolished with the establishment of the State Highway Commission, consisting of three members appointed by the Governor.

With the major expansion of the State's highway system and increasing State responsibility for highway construction, maintenance and allied activities, the Commission grew to encompass a large central office in Augusta and seven Bureaual offices located throughout the State. In State Government reorganization legislation of 1972, the Commission was abolished, and all of its units, functions and activities were incorporated into a new Department of Transportation headed by a Commissioner appointed by the Governor. The legislation also consolidated within the Department other independent, transportation-oriented agencies of the State, including the Department of Aeronautics and the Maine Port Authority. The Department established a Maine State Ferry Advisory Board in 1975 and in June, 1976, the Department moved to a new transportation building on Child Street. This move consolidated all the various bureaus and Bureaus into one location. In 1979 the Legislature created the Bureau of

# **ORGANIZATIONAL CHART DEPARTMENT OF TRANSPORTATION UMB 17**



Approved by the Bureau of the Budget



# TRANSPORTATION

## CONSOLIDATED FINANCIAL CHART FOR FY94 DEPARTMENT OF TRANSPORTATION

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	64,610,490	150,910	403,531	45,697,821	10,628,042	7,730,186
Health Benefits	8,707,436	17,223	50,323	6,455,364	1,077,465	1,107,061
Retirements	10,617,663	26,364	70,796	7,478,447	1,774,589	1,267,467
Other Fringe Benefits	787,079	1,979	633	673,562	2	110,903
Other Contract Services—State	14,119,529	24,298	385,471	-1,803,599	9,870,821	5,642,538
Computer Services—State	-8,847,150	78,747	-7,297	677,844	-35,120	-9,561,324
Other Contractual Service	51,018,191	57,745	165,921	29,781,083	1,130,609	19,882,833
Rents	1,838,532		152,911	744,326	281,195	660,100
Commodities	13,400,616	469	55,585	9,589,216	1,579,462	2,175,884
Grants—Subsidies—Pensions	30,702,259	653,069	3,358	23,488,528	4,015,376	2,541,928
Purchases of Land	13,863,822		19,500	3,046,616	8,717,720	2,079,986
Building Improvements	3,362,801		414,014	969,340	1,748,192	231,255
Equipment	85,967,311		3,679,103	5,446,029	58,613,842	18,228,337
Interest—Debt Retirement	21,815,778			21,500,131	1	315,646
Transfers to Other Funds	3,138,470	1,294,345	24,677	1,652,963	1,840	164,645
<b>TOTAL EXPENDITURES</b>	<b>315,102,827</b>	<b>2,305,149</b>	<b>5,418,526</b>	<b>155,397,671</b>	<b>99,404,036</b>	<b>52,577,445</b>

## TRANSPORTATION

Public Transportation and in December, 1980, the Bureau of Safety, the Vehicle Safety Commission and the Maine Highway Safety Committee were transferred to the Department of Public Safety. In February, 1981, the Legislature authorized the Commissioner to organize the Department into such bureaus, Bureaus and other units as he deems necessary to fulfill the duties of the Department, provided at all times there shall be the Bureaus of: Finance and Administration; Transportation Services; Planning; Project Development; and Maintenance and Operations. The Department's organizational chart reflects these Bureaus and other units administratively established by the commissioner.

**PROGRAM:** The program of the Department is accomplished through its statutorily and administratively created units and the various activities of these units are individually reported in subsequent entries.

**LICENSES, PERMITS, ETC.:** Listed under the separate units of the Department.

**PUBLICATIONS:** Listed under the separate units of the Department.

**FINANCES, FISCAL YEAR 1994:** The expenditures of the Chief Administrative Unit are, by administrative decision, included with those of the Bureau of Finance and Administration, Department of Transportation.

### MAINE AERONAUTICAL ADVISORY BOARD

**PHILIP KEMP, CHAIRMAN**

**RONALD L. ROY, Director, Air Transportation Bureau**

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-3185

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* March 27, 1978

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 17; Unit: 245; Citation: 6 M.R.S.A., Sect. 302

*Average Count—All Positions:* 5

*Legislative Count:* 0

**PURPOSE:** The board was established to advise the department on matters relating to aeronautics and to submit to the commissioner an annual report which includes recommendations for change to the aeronautical laws and comments upon the present and future needs of that service. Written reports and comments will be available to the public.

**ORGANIZATION:** The Maine Aeronautical Advisory Board, was created as a board within the Department of Transportation comprised of 5 members; one person from the Maine Airport Association; one person from the Maine Pilot's Association; and 3 persons appointed by the Commissioner of Transportation, one of whom shall not represent an interest in aviation. The members representing the aviation organizations are appointed by their respective board of directors and all members serve a term of office of 2 years. Vacancies in membership are filled in the same manner as the original appointment. The director of the Air Transportation Bureau is an ex officio member of the board and serves a term of one year. The board meets at the call of the chairman, or at the call of at least 3 members of the board, and there are at least 3 meetings held a year. Members serve without compensation or expenses.

**PROGRAM:** The Maine Aeronautical Advisory Board continues to be concerned with bringing the benefits and advantages of aviation to the attention of the general public and improving the State's role in State-wide aviation matters. The Board makes recommendations and proposes initiatives to improve the air transportation system and will make recommendations on potential legislation.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## TRANSPORTATION

### OFFICE OF ENVIRONMENTAL SERVICES WILLIAM REID, DIRECTOR

*Central Office:* Transportation Bldg., Augusta  
*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333-0016

*Telephone:* 287-5735

*Established:* 1992

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 17; Unit: 229E; Citation: 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 30

*Legislative Count:* 0

**PURPOSE:** To advise the Commissioner of Transportation on environmental matters; recommend environmental policy; recommend and participate in environmental resource protection, conservation, and mitigation measures; provide technical support; coordinate internal environmental policies; provide liaison with regulatory and resource agencies; obtain permits; provide assistance regarding compliance with environmental laws and regulations.

**ORGANIZATION:** The Office of Environmental Services was created in October 1992 in order to better serve the public's environmental and transportation interests. The Office has department-wide responsibilities and authority.

**PROGRAM:** The Office has nine major areas of operational responsibility. They are: 1) Administrative/Clerical; 2) Environmental Studies; 3) Planning/NEPA; 4) Permits; 5) Water Resources; 6) Mitigation; 7) Landscape; 8) Hazardous Wastes; and 9) Compliance Assistance.

The Office provides required environmental documentation for Transportation Improvement Program activities, assesses impacts, coordinates with natural and cultural resource agencies, recommends resource protection and mitigation measures, obtains environmental permits, manages landscape and mitigation projects, administers the well claims program, conducts and manages hazardous waste site assessments, conducts water quality monitoring and research activities, provides erosion/sedimentation control expertise, conducts and attends environmental training, assists in achieving compliance, and shares management responsibilities for roadside vegetation. The Office has made study recommendations regarding environmental compliance and mitigation and these studies are in the process of being initiated.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are included with those of the Bureau of Project Development, Department of Transportation.

### MAINE STATE FERRY ADVISORY BOARD PHILO HUTCHESON, CHAIRPERSON, ISLESBORO RUSSELL W. SPINNEY, DEPUTY COMMISSIONER—DOT

*Central Office:* Transportation Bldg., Augusta  
*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Telephone:* 287-2841

*Established:* 1975

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 17; Unit: 325; Citation: 23 M.R.S.A., Sect. 4301

*Average Count—All Positions:* 9

*Legislative Count:* 0

**PURPOSE:** The Maine State Ferry Advisory Board was established to advise the Department of Transportation on matters relating to the State Ferry Service and shall submit to the Commissioner of Transportation an annual report which shall include recommendations for change to the State Ferry Service and comments upon the present and future needs of that service.

## TRANSPORTATION

**ORGANIZATION:** The Maine State Ferry Advisory Board shall consist of one person from each of the island municipalities and plantations served by the State Ferry System and three members appointed by the Commissioner of Transportation.

**PROGRAM:** The major topics of discussion during the year were financial status of the Ferry Service, General Fund cutbacks, new fare structure, bicycle rates, solid waste needs, emergency trip rates, tariff changes, and assignment of new vessels.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Finance and Administration, Department of Transportation.

## BUREAU OF FINANCE AND ADMINISTRATION

**ROBERT F. SCOTT, DIRECTOR**

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-2641

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* 1972

*Sunset Review Required by:* June 30, 2003

*Reference: Policy Area:* 07; *Umbrella:* 17; *Unit:* 231; *Citation:* 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 201.5

*Legislative Count:* 199

### *Organizational Units:*

Financial Management Bureau  
Systems & Support Services

Computer Services Bureau  
Financial Analysis Bureau

**PURPOSE:** The Bureau of Finance and Administration is established to provide administrative and financial management support and services essential to the successful accomplishment of the goals and responsibilities of the Department of Transportation. The responsibilities of the Bureau include technical assistance and support that enables maximum utilization of computer services in both engineering and data processing fields, accounting and budgetary functions, purchasing services, services of the Transportation Reference Center, Central Supply and Reproduction, and the Photographic Lab.

**ORGANIZATION:** The Bureau of Finance and Administration originated as the Bureau of Accounts and Administration of the former State Highway Commission, established in 1913. In the State Government reorganization of 1972, the Commission was abolished and the functions of the Bureau were transferred to the new Department and assigned to the Department's Bureau of Administrative Services. In accordance with the recommendations of the Ernst & Whinney Management Study, the title of the Bureau was changed by Legislative action in February, 1981, to Finance and Administration and has been reorganized to include the Bureaus of Financial Management, Systems and Support Services, Computer Services, and Financial Analysis.

**PROGRAM:** The Bureau is in the process of developing uniform systems to standardize all financial subsystems within the areas of Financial Management, Accounting, and Budgeting. Models are being developed to assist in the areas of financial projections and cash management. Through professional and technical training, the Bureau continues to become more capable of effectively and efficiently maintaining a high level of accountability of the Transportation Programs.

The Computer Services Division continues to provide automation support to the Department at large in the areas of production, data entry, business systems (payroll, personnel and accounting), engineering systems, application development, personal computers and office automation. The last year saw activities initiated in improving our fleet management and inventory management applications, expanding Local Area and Wide Area Network connectivity, replacement of aging equipment in the Department's Maintenance Division Offices, and involvement in the Federally mandated metrication effort and ISTE Management Systems.

## TRANSPORTATION

### PUBLICATIONS:

Specification Books  
Plans

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF FINANCE AND ADMINISTRATION (Transportation)	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	5,810,018		253,331	4,820,116	736,571	
Health Benefits	637,626		31,773	519,050	86,803	
Retirements	963,908		44,546	790,541	128,821	
Other Fringe Benefits	47,791		633	47,158		
Other Contract Services—State	1,499,649		293,840	437,488	768,321	
Computer Services—State	28,701		-7,797	36,498		
Other Contractual Service	1,686,227		103,708	1,497,879	84,640	
Rents	116,041		7,399	108,239	403	
Commodities	393,621		15,954	396,518	-18,851	
Grants—Subsidies—Pensions	35,467		-9,388	25,217	19,638	
Purchases of Land	297,035		19,500	277,535		
Building Improvements	269,567			259,390	10,177	
Interest—Debt Retirement	49			49		
Transfers to Other Funds	1,016,475		22,134	994,424	-263	
<b>TOTAL EXPENDITURES</b>	<b>12,802,175</b>		<b>775,813</b>	<b>10,205,833</b>	<b>1,820,529</b>	

## OFFICE OF INTERNAL AUDIT , DIRECTOR

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-2902

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* 1981

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 17; Unit: 229A; Citation: 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 7

*Legislative Count:* 0

**PURPOSE:** To provide advice to the Commissioner of Transportation on audit matters; perform financial and performance internal audits of the Department of Transportation and external audits of contracts and grants negotiated with recipient organizations; and develop and implement the necessary plans and programs to accomplish internal and its external audits of financial operations and internal controls, including compliance with certain provisions of Federal and State laws and regulations.

**ORGANIZATION:** The Office of Audit was established in June, 1981 in response to one of the Ernst & Whinney Management Study recommendations.

**PROGRAM:** Internal audits were conducted to provide financial and compliance audit coverage of applicable programs. To comply with the Single Audit Act of 1984 enacted by Congress, the audit for the fiscal year ended June 30, 1993, was conducted jointly with the Department of Audit.

External audits provided support to management and program staff over the administration of contracts with consultants, railroads, utilities, public transportation agencies and political subBureaus.

## TRANSPORTATION

The Office represents the Department through appointment to the advisory committee assisting the Commissioner of Administrative and Financial Services in implementing and administering the Maine Uniform Accounting and Auditing Practices for Community Agencies which were adopted to regulate applicable grant processes as provided under the provisions of 5 MRSA, Chapter 148-B, as amended.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this Office are, by administrative decision, included in the financial display for the Bureau of Finance and Administration, Department of Transportation.

### OFFICE OF LEGAL SERVICES

THOMAS G. REEVES, CHIEF COUNSEL

*Central Office:* Transportation Bldg., Augusta  
*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Telephone:* 287-2681

*Established:* 1972

*Sunset Review Required by:* June 30, 2003

*Reference: Policy Area:* 07; *Umbrella:* 17; *Unit:* 229L; *Citation:* 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 25

*Legislative Count:* 0

**PURPOSE:** The primary purpose of the Office of Legal Services is to provide the necessary legal counsel for the Department of Transportation. Accordingly, the Office represents the Department in litigation, provides legal opinions, reviews contracts, and prepares title reports.

**ORGANIZATION:** The Office of Legal Services originated in 1962 as the Legal Division of the former State Highway Commission which was transferred to the new Department of Transportation in the State Government reorganization of 1972. In December, 1980, the responsibility for investigating and processing accident and damage claims received by the Department and the review of processing of Workmen's Compensation claims was transferred from the Bureau of Safety to this office. In June, 1981, the name of the Division was changed to the Office of Legal Services by administrative action.

**PROGRAM:** During this fiscal year the Office represented the Department in eminent domain, tort, contract, and administrative litigation and workers' compensation claims. The Office rendered advice and counseling services, drafted contracts, leases and legislative documents, wrote opinions and performed research in connection with the activities of the Department. The Office processed 230 new State Claims Commission referrals; 16 cases were presented for hearing and 123 were settled. The Office also completed and updated for the Department 3,699 title abstracts. Fifty-two projects comprising 112 title abstracts were prepared for the Attorney General's Office, Land for Maine's Future Board (Bureau of Planning); Depts. of Inland Fisheries & Wildlife, Environmental Protection, Human Services and Public Safety; and Bureaus of Public Lands, Parks & Recreation, General Services, Public Improvements and Taxation. \$151,897.03 of outstanding accounts receivable are currently being handled by the Office.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this Office are, by administrative decision, included in the financial display for the Bureau of Finance and Administration, Department of Transportation.

## TRANSPORTATION

# BUREAU OF MAINTENANCE AND OPERATIONS

JOHN E. DORITY, DIRECTOR

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-2661

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* 1980

*Sunset Review Required by:* June 30, 2003

*Reference: Policy Area:* 07; *Umbrella:* 17; *Unit:* 234; *Citation:* 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 1,617.5

*Legislative Count:* 167

### *Organizational Units:*

Highway Maintenance Bureau  
Bridge Maintenance Bureau  
Traffic Engineering Bureau

Engineering & Management Bureau  
Motor Transport Service  
Radio Operations Section

**PURPOSE:** The responsibilities of the Bureau of Maintenance and Operations are the summer maintenance of 15,872 lane miles of State and State Aid highways; the winter maintenance of 8,093 lane miles of State Highways; the maintenance of approximately 2,800 bridges on State, State-aid, and town highways; the coordination of the State-aid highway construction program; the installation and maintenance of traffic control devices on State and State-aid highways; the management of an equipment fleet for the Department of Transportation; the management of the Department's communication system; and the maintenance of safety rest areas and roadside picnic areas.

**ORGANIZATION:** The Bureau of Maintenance and Operations organization has remained the same, undergoing no changes in its structure or mission since the last report.

### **PROGRAM:**

#### **Highway Maintenance Division**

*Winter Maintenance:* This past winter had frequent storms for the first twomonths but ended with little activity with a net result of near normal snow removal costs. However, we had two major ice storms which caused major traffic delays in Portland and Bangor for several days. These storms are an infrequent event for Maine.

A new evaporator unit was purchased for the Oakfield Lot to test the feasibility to evaporate floor drain water. This unit reduces floor drain water by 95%.

*Summer Maintenance:* Our normal maintenance paving programs went late into the Fall due to a late start. We paved in excess of 500 miles of highway under the Maintenance Paving Program.

**Safety Rest Areas.** The Department continues its operations of twelve (12) major Rest Areas, six (6) Information Centers throughout the State and its operations of 103 roadside picnic areas.

**Radio Operations Section.** We continue to purchase new mobile radios to replace obsolete units. This year we purchased approximately 25 new units. There were over 1,000 repairs accomplished during the year.

We continue to have problems with our Sugarloaf Tower, but through continued cooperation with private industry, we hope to have these resolved next year.

Our plans for 1994 include continual updating of mobile radios, some antenna upgrades at town sites and at the speed reduction signs on the Interstate system, and various other improvements as time and funding allows.

**Bridge Maintenance Division.** The Bridge Maintenance Division is responsible for maintenance of approximately 2800 bridges and the biennial inspection of approximately 3800 bridges.

Bridge Maintenance annually removes winter sand and flushes state maintained bridges with exposed decks. Approximately 400 bridges received various degrees of maintenance repairs such as touch-up painting, repair of structural steel, concrete and timber, repair of accident damage, and channel maintenance. Major improvements included replacing 11 wearing surfaces, completely painting 6 bridges, major rehabilitation work on 14 bridges and replacing rails and curbs on several bridges was accomplished.

Bridge painting has become a very difficult and costly activity due to environmental and worker safety regulations. Repairs to structural steel require similar attention due to presence of lead paint on nearly all our steel bridges. Major modifications of procedures for painting and structural steel repairs has been undertaken in order to maintain an effective maintenance program.

Maintenance of the ferry transfer bridges was continued for the Ports and Marine Transportation Division.

## TRANSPORTATION

Bridge inspection was performed under Appropriation 95 with federal participation. Inspections were accomplished with the Bridge Maintenance Inspection staff and temporary assignment of Bridge Design and Bridge Construction staff. The twelve member volunteer dive team have completed the initial inspection of over 300 bridges that require underwater inspection.

**Traffic Engineering Division.** The Traffic Engineering Division continues to maintain and install traffic control devices. The division also has designed traffic control projects for street lighting, signing, and traffic signals. In the maintenance of our traffic control devices, the pavement marking program continues to utilize federal funds through a force account project which reimburses approximately 90% of the cost of this program. Our program continues to place markings at railroad crossings, high accident locations, and intersections, applies centerline and edgeline markings annually on the Interstate system and to approximately 6,000 miles of centerline, and 1,500 miles of edgeline on conventional highways. The high volume Interstate roadway is painted twice during the marking season.

The Sign Shop fabricated approximately 15,656 signs that were installed on Interstate and conventional highways or used in construction and maintenance areas throughout the State.

The electrical crews installed 5 new flashing beacons and continues to maintain approximately 98 flashing beacons, 6 dynamic message signs, 40 Interstate flashing speed limit signs, 106 street light locations, and 15 traffic signals statewide. Emphasis has been placed on upgrading and updating Interstate street light systems.

The Divisions design technicians developed plans for 30 traffic signal projects, 3 major signing projects and provided traffic control plans to the Bureau of Project Development for more than 175 projects throughout the State.

The Division Traffic Engineers continue to field review traffic related citizen requests and complaints regarding speed limits, signing, striping, and operational problems as well as business signs. They maintain and upgrade signing and address safety issues throughout the divisions as well as supervise the signing crews with installation of highway and Official Business Directional signs.

**Motor Transport Service.** Motor Transport has been evaluating a number of quality lubricants to extend maintenance intervals and reduce overall costs for the performance of preventative maintenance. Two lubricants were selected for recommendation to the Bureau of Purchases but a last minute failure of one of the products resulted in a search for a replacement product and extension of the testing program with final results expected later this year. Installation of the new steel grit blast and recovery system has been delayed due to budgetary constraints with evaluation to occur later this year.

In the meantime, Motor Transport Service is exploring the possibility of privatizing the snowplow and truck body sandblasting and painting programs. Additionally, new coatings and materials are being researched and tested to reduce corrosion and the need for maintenance on these items. To this end, Motor Transport Service has purchased three "concept" trucks equipped with various innovative accessories or materials and/or coatings that could possibly provide a long range cost savings to the Department.

To provide better vehicle identification especially in daylight storms with white out conditions a new lighting configuration was evaluated last winter and was found to be highly effective for this purpose. This new lighting configuration will be retrofitted on current interstate equipment and will be installed as standard on any new vehicles which are purchased. The first closed end lease of light vehicles provided to be so successful that a second lease was developed to replace additional vehicles with extremely high mileage.

Authorization has been received to prepare for replacement of Highway Maintenance equipment. Specifications will be reviewed and revised in preparation for a bid release in the Spring of 1995. This purchase will replace high usage equipment that has gone beyond its cost effective service life.

The Building Maintenance Unit has completed the first floor remodeling work on the Child Street, DOT Building and is currently finishing remodeling work on the third floor.

The Fuel and Waste Management Unit is currently working with Owens Corning to convert older single wall fiberglass underground storage tanks to the new double wall system with integral leak detection system.

**Engineering and Management Division.** This division develops and monitors budgets, programs, and construction of the Department's Collector Road Program, a statewide capital improvement paving, rehabilitation and reconstruction effort on 3,775 miles of rural state aid highways. It also develops budgets and tracks work programs for eighty-five million dollars of work per year done by various divisions of the Bureau of Maintenance and Operations. Additional responsibilities for this division are the direction and oversight of a statewide maintenance and operation inventory of highway features like culverts and guardrail to aid the Bureau with better management of resources through prioritization of maintenance activities, and providing training and support services for information management needs both in the Augusta office and the Bureau's seven area division offices.



## TRANSPORTATION

### LICENSES, PERMITS, ETC.:

Permit:

Road Opening

Driveway Entrance

Studded Tires

Certificate:

Fuel Oil exemption

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BUREAU OF MAINTENANCE AND OPERATIONS</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Salaries and Wages	39,173,920		150,200	31,898,468	1,018,805	6,106,447
Health Benefits	5,878,028		18,550	4,914,313	34,157	911,008
Retirements	6,377,211		26,250	5,211,847	135,576	1,003,538
Other Fringe Benefits	574,452			487,198	30	87,224
Other Contract Services—State	695,578		50,000	586,073	30,844	28,661
Computer Services—State	-9,104,309			556,231	318	-9,660,858
Other Contractual Service	44,935,646			26,268,511	167,440	18,499,695
Rents	1,114,626			494,836	2,579	617,211
Commodities	11,939,028		35,000	8,734,642	1,463,255	1,706,131
Grants—Subsidies—Pensions	22,328,974	173,642		21,912,162		243,170
Purchases of Land	262,295			241,077	21,218	
Building Improvements	287,665			287,665		
Equipment	6,116,698		167,889	5,512,711	436,098	
Interest—Debt Retirement	316,674			1,195		315,479
Transfers to Other Funds	539,607		797	435,491		103,319
<b>TOTAL EXPENDITURES</b>	<b>131,436,093</b>	<b>173,642</b>	<b>48,686</b>	<b>107,542,420</b>	<b>3,310,320</b>	<b>19,961,025</b>

## BUREAU OF PLANNING

PAUL J. MINOR, DIRECTOR

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-3131

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* 1972

*Sunset Review Required by:* July 1, 1993

*Reference: Policy Area:* 07; *Umbrella:* 17; *Unit:* 232; *Citation:* 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 56

*Legislative Count:* 0

*Organizational Units:*

Transportation Information Systems Division  
Program Management Division

Statewide Multimodal Planning Division

**PURPOSE:** The Bureau of Planning, within the Maine Department of Transportation has taken on expanded responsibilities to adequately address the planning requirements defined in ISTEA and the CAAA Amendments at the federal level and the Sensible Transportation Policy Act (STPA) at the State level.

In order to accomplish the requirements as referenced in the above legislation, the Bureau of Planning is in the process of reorganization. The four (4) major areas of reorganization include the Transportation Information Systems Division, Transportation Management Systems Division, Statewide Multimodal Planning Division and the Transportation Improvement Program/Management Division.

## TRANSPORTATION

Through these Divisions, the Bureau is responsible for conducting systematic and comprehensive transportation planning activities with the ultimate goal of providing for the safe, efficient, economical and environmentally sound movement of people and goods over the State's transportation network. This effort is being carried out by actively soliciting citizens input into the planning process through the so-called Regional Transportation Advisory Committee (RTAC) process.

In addition to responding to requests for professional and technical assistance in the transportation planning realm from other State agencies, municipalities, and development groups, the Bureau provides guidance to top management in addressing immediate action or response to transportation issues as they arise.

**ORGANIZATION:** In the State Government reorganization of 1972, the State Highway Commission was abolished and functions of the Division of Planning and Traffic were transferred to the new Department of Transportation, to be assumed by the Department's administrative Bureau of Transportation Planning and Services. The Bureau has continued to undergo revisions in its organizational structure to align for present and projected future demands of a state transportation network. Reorganization is being accomplished to comply with and meet the challenge of the Federal Intermodal Surface Transportation Efficiency, the Clear Air Act Amendment and the State's new Sensible Transportation Policy Act.

**PROGRAM:** The Bureau is continuing to restructure for the purpose and mandate of the transportation planning function of the Department and the programs of its divisions are as follows;

**Statewide Multimodal Planning Division.** The Division is responsible for transportation planning within the State, specifically for continuing transportation planning efforts in the Portland and Lewiston-Auburn, Bangor, and Kittery urban areas. Special transportation studies are also undertaken in rural and urban areas when necessary. Efforts required by this Division have been greatly expanded to include the development of management systems, Regional Transportation Advisory Committee (RTAC) coordination and multi-modal planning. In addition, the this Division provides the Department of Environmental Protection with traffic engineering reviews in connection with the Site Location Law.

**Program Management.** This Division is responsible for the development of the Federal/State highway MDOT biennial Transportation Investment Program and for Planning Bureau oversight of the implementation of programmed projects by the Bureau of Project Development. This function includes the evaluation of candidate capital improvement projects for highways, bridges, rail-highway grade crossings and high accident locations; formulation of improvement strategies for candidate projects; establishing project priorities; financial analysis of funding needs and of available fund sources; and selection of projects allocating available resources to meet the goals of the biennial program. In addition, the Division completed the development of the 1994-95 biennium Transportation Investment Program and provided planning information to the Bureau of Project Development for implementation of the 1994-95 program.

**Transportation Information Systems Division:** This Division is responsible for the collection and compilation of data related to highways. Included are traffic volumes, vehicle classification, vehicle weights, speed monitoring, traffic accidents, and roadway inventory. In addition to providing information in the above areas in FY 93, the Division developed: the annual Highway Performance Monitoring System (HPMS) Report; the Highway Safety Improvement Program (HSIP) Report; the engineering portion of the Highway Safety Annual Work Program; and the annual certifications and reports for the 55/65-Speed Monitoring Program, and the Size and Weight Enforcement Program.

### **PUBLICATIONS:** (Free)

- Transportation Investment Program
- Highway Safety Improvement Program
- Traffic Volume Report

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are included with those of the Bureau of Finance and Administration, Department of Transportation.

## TRANSPORTATION

### OFFICE OF POLICY ANALYSIS

GEDEON G. PICHER, DIRECTOR

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-2827

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* 1980

*Sunset Review Required by:* June 30, 2003

*Reference: Policy Area:* 07; *Umbrella:* 17; *Unit:* 229P; *Citation:* 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 5

*Legislative Count:* 0

**PURPOSE:** To provide intensive analysis of selected areas and programs within the Department in order to assist the Commissioner in determining policy direction for the Department.

**ORGANIZATION:** The Office was administratively established in November, 1980 in response to one of the Ernst & Whinney Management Study recommendations. A permanent Director was assigned. Later a permanent Planning & Research Associate was added. Appropriate personnel from within other Bureaus and Divisions are assigned on a temporary basis to satisfy the analysis requirements.

**PROGRAM:** Recently completed projects include a Highway Cost Allocation Study, a Railroad Bridge Study, a 100,000 Lb. General Commodity Permit Study, a 100,000 Lb. Special Commodity Vehicle Study, a motor fuel tax evasion study, a study of MDOT posted roads policy, and an analysis of motorist aid systems. Current or planned work efforts include analysis of weigh-in-motion data, National Truck Uniformity Efforts, a study of oversize/overweight permitting, Truck Issues Activity and related legislation, and National Highway Program Development and Financing coordination with the Maine Congressional Delegation.

The Office of Policy Analysis assists in the Department's implementation of the Intermodal Surface Transportation Efficiency Act of 1991 requirements.

**National Uniformity Efforts.** Nationwide uniformity in the areas of truck registration, fuel tax payments, operating authority, permits, and vehicle dimensions is sought. The Office of Policy Analysis is actively implementing uniformity measures for the State.

**Truck Issues Activity.** Coordination of the activities of the activities of the AASHTO Domestic Freight Policy-Truck Size & Weight Subcommittee and activity related to the AASHTO heavy vehicle issues work with the Permanent International Association of Road Congresses, NAFTA truck size and weight issues and border crossing needs, the Maine Truck Issues Advisory Committee, the Experimental Vehicle Committee, and other efforts related to truck issues.

**New England Consortium Policy Committee.** The Consortium, consisting of representatives of five New England States, including Maine, conducts research on transportation-related projects of regional significance. Studies have included such topics as Truck Permitting and Modern Methods of Bridge Deck Testing. The Policy Committee resolves policy questions as well as prioritizing suggested projects and matching them with available funds.

**New England Transportation Initiative (NETI).** The Director of the Office of Policy Analysis is the Policy Committee member from Maine for this regional transportation policy study.

**Intelligent Vehicle Highway Systems (IVHS).** The Office of Policy Analysis is the lead agency for a NH/VT/ME transparent borders study effort for Commercial vehicle operations. It also provides the Maine Members of the Steering Committee and Board of Directors of the I-95 Corridor Coalition, which is engaged in promoting IVHS technology in concert with the private sector on I-95 in the northeast.

#### LICENSES, PERMITS, ETC.:

Experimental Vehicle Permits

#### PUBLICATIONS:

Maine Highway Cost Allocation Final Report, February 1989

Laws for the Operation of Commercial Vehicles, Revised July 1994

Motor Fuel Tax Evasion Comm. Final Report, Feb. 1991

Maine Truck Size and Weights — Legislative History — March 1985

Report on Compliance with Vehicle Weight Laws, Jan. 1990

## TRANSPORTATION

Local Bridges — Condition and Management Strategy — Feb. 1985

Final Report of the Truck Issues Advisory Committee, March 1986

Experimental Vehicle Program — Guidelines for Application, Office Review and Vehicle Testing  
— 1989

Publications are available and free upon request.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this Office are, by administrative decision, included in the financial display for the Bureau of Finance and Administration, Department of Transportation.

### MAINE PORT AUTHORITY

DANA F. CONNORS, CHAIRMAN

*Central Office:* Transportation Bldg., Augusta; *Floor:* 3

*Telephone:* 287-2551

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* 1951

*Sunset Review Required by:* June 30, 2003

*Reference: Policy Area:* 07; *Umbrella:* 17; *Unit:* 398; *Citation:* 23 M.R.S.A., Sect. 4420

*Average Count—All Positions:* 5

*Legislative Count:* 0

**PURPOSE:** The Maine Port Authority was established to initiate and implement programs which will encourage and assist in the development, expansion and utilization of ports and port facilities in the State of Maine. The Authority is authorized to acquire, construct and operate piers and terminal facilities within the State through the proceeds of the sale of revenue bonds; and to conduct other allied activities in connection with port development as deemed necessary or desirable within the purview of the Authority as defined by public law.

**ORGANIZATION:** The Maine Port Authority originated in 1929 with the creation of the Port of Portland Authority to acquire, construct and operate piers and terminal facilities at the Port of Portland. In 1951, the Authority received its present name and its powers were expanded to include jurisdiction over the port at Bar Harbor. At that time, ferry service was installed by the Authority between Bar Harbor and Nova Scotia. In 1957, the Authority was given responsibility for operation of a ferry line between the mainland and the towns of North Haven, Vinalhaven, Islesboro and Swan's Island, in conjunction with a new Advisory Committee of Ferry Service, consisting of seven members appointed by the Governor. In 1959, the State's ferry service was further extended to include Long Island Plantation and the islands of Casco Bay, and in 1969, the powers of the Authority were expanded to include jurisdiction over development of all ports within the State.

State Government reorganization of 1972 placed the Authority within the newly-established Department of Transportation and transferred its powers and duties, except those relating to development of Maine ports and facilities and the conduct of allied activities, directly to the Department under the Division of Ports & Marine Transportation.

The Maine Port Authority consists of a board of 5 directors, who broadly represent the coastal areas of the State. Four directors are appointed by the Governor. The remaining director is the Commissioner of Transportation, who serves as chairman of the board of directors. The directors elect a treasurer and such other officers as the board of directors may from time to time deem necessary.

**PROGRAM:** The Maine Port Authority has a continuing interest in the potential development of all ports in Maine; and is available to participate in port activities where sound economic justification can be shown.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Transportation Services.

## TRANSPORTATION

### BUREAU OF PROJECT DEVELOPMENT

THEODORE H. KARASOPOULOS, DIRECTOR, BUREAU OF PROJECT  
DEVELOPMENT AND CHIEF ENGINEER

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-2055

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* 1972

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 17; Unit: 246; Citation: 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 703

*Legislative Count:* 630.5

*Organizational Units:*

Right-of-Way

Construction

Design

Technical Services

Office of Chief Engineer

**PURPOSE:** The primary responsibility of the Bureau of Project Development is to develop the Department's capital improvement projects, once funding has been approved, through to construction completion. Certain Divisions within the Bureau, primarily, Technical Services, and Right-of-Way, also serve the Department and the public in non-project-related activities according to their particular expertise.

**ORGANIZATION:** The project development concept was begun as a part of the Department's reorganization in 1972 when the Project Development Unit was formed as part of the Bureau of Highways. In line with changes suggested by the Ernst & Whinney Management Study, the Bureau of Highways was abolished and several new Bureaus established, among them the Bureau of Project Development. The internal organization of the Bureau includes the divisions of Design, Right-of-Way, Construction, and Technical Services. Each serves the major goals and responsibilities of the Bureau with some activities directly in support of the other Project Development Divisions. Also, demands are placed upon these Divisions for services by other units of the Department, other State agencies and the public.

The Office of Chief Engineer shares office staff with the Director—Bureau of Project Development.

**PROGRAM:** The Bureau of Project Development advanced 120 projects to the construction stage during the fiscal year. These projects had a contract value of approximately \$70 million. The Department's overall capital improvement program continues to emphasize improvements to the existing transportation network rather than additions to it. Conscious efforts are made throughout the project development process to minimize the impact that construction of a project will have on both the surrounding natural environment and abutting property owners. The general goal is to provide the transportation system user with the most cost efficient improvement possible. Development of transportation improvement projects continues at a steady pace. However, Federal funds for these projects remain in very short supply. Other programs and activities at the Bureau level are summarized as follows:

**Design.** This Division continues to deliver projects for construction to contract award with the help of consultant engineering services and computer aided design drafting (CADD). The first two contracts of the \$165,000,000 for the Portland bridge replacement project were awarded with the two major contracts on schedule for being advertised for bids in July and September of 1994. Design work is also nearing completion on the \$35,000,000 Waterville-Winslow By-pass and the \$44,000,000 Topsham-Brunswick By-pass. Preliminary design for the \$200,000,000 replacement of the Carlton Bridge in Bath has progressed towards a public hearing for the Fall of 1994.

The Division has been and will continue to implement the philosophy of Total Quality Management into the operation of the Division and the production of its product.

**Right-of-Way.** This Division supports the Department's capital improvement efforts in several ways. Direct support of the project development process for highway and bridge improvements required the preparation of Right-of-Way plans for 32 projects involving the appraisal and negotiations of 517 parcels with a total appraised value of \$2,805,750.00. Other related activities include the preparation of State Claims Commission Hearings and Superior Court cases. Responsibilities outside the development of capital improvement projects occupied a great deal of the Right-of-Way Division's resources. Division personnel removed 2632 illegal and abandoned signs without compensation and issued 10,212

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Official Business Directional Sign Permits. Approximately 1000 permits accommodating utilities within the Highway Right of Way and over 2300 requests for information regarding highway rights-of-way were processed. Seven (7) parcels/pieces of excess Departmental real estate were sold for a total price in excess of \$27,000.

**Construction.** During Fiscal Year 1994, the Construction Division, through its administratively created divisions, assumed contract administration, construction engineering and construction inspection responsibility for seventy-three contracts amounting to an estimated \$67,245,000.00 as follows:

- 10 Complete Highway Construction Contracts
  - 1 Complete Highway Construction, Traffic Signals and Bridge Widening Contract
  - 1 Complete Highway Construction and Bridge Widening Contract
  - 1 Complete Highway Construction and Resurfacing Contract
  - 4 Complete Highway Construction and Traffic Signal Contracts
- 18 Highway Paving Contracts
  - 1 Highway Paving and Traffic Signal Contract
  - 1 Highway Paving and Safety Contract
  - 1 Highway Paving, Bridge Rehabilitation and Bridge Wearing Surface Contract
  - 1 Highway Paving and Recycling Contract
  - 1 Highway Paving and Traffic Signal Contract
  - 1 Pavement and Bridge Rehabilitation Contract
  - 1 Highway Paving, Rehabilitation and Safety Contract
- 3 Highway Safety Contracts
  - 1 Highway Rehabilitation Contract
  - 1 Pavement Crack Sealing Contract
  - 1 Intersection and Traffic Signal Contract
- 6 Traffic Signal Contracts
  - 2 Traffic Operational Improvement Contracts
- 6 Bridge and Approach Contracts
  - 1 Bridge Bascule Span Substructure Contract
  - 1 Environmental Rehabilitation Contract
  - 1 Excavate and Rehabilitation Sewer Trenches Contract
- 3 Ferry Terminal Contracts
  - 1 Intermodal Transfer Facility Contract
  - 1 Culvert Replacement Contract
  - 1 Park and Ride Expansion Contract
- 2 Roadside Improvement Contracts
  - 1 Portable Cofferdam Contract

**Technical Services.** This Division consists of four major subdivisions: Research and Development, Geotechnical, Testing and Survey, plus the Maine Local Roads Center.

The Research and Development subdivision is responsible for research concerning materials and methods used in the construction and maintenance of highways and bridges. In addition to formal research, it provides a wide variety of support services to the department such as concrete and bituminous mix designs, technical reviews, problem solving, specifications, design recommendations, survey, new product evaluation, and pavement management and bridge management. It also administers a continuing program to evaluate experimental products that are incorporated in construction projects.

Research and Development is subdivided into four sections: Roadway, Structure, Pavement Management and Bridge Management.

Contracts were entered into with the University of Maine for the following Research Projects: Superstructure Design using LRFD & HS25, Scour Formulae for Maine Rivers, Humanized Standards/Public Participation. Contracts were extended with the University of Maine on the following Research Projects: Tire Fills Below Groundwater Table, Existing Aggregate Base Drainage Performance, Existence and/or Extent of Alkali-Silica Reaction in MDOT Structures, Rumble Strips for Improving Safety on Rural Highways. Also extended was a pooled fund study entitled "Coastal Tidal Hydraulics."

The Geotechnical Subdivision is the geotechnical trouble-shooting branch for the Department of Transportation, with specific expertise in subsurface exploration, sensitive soils engineering, hydrology and geology. Project specific soils reports, drainage studies and engineering solutions to geotechnical problems as well as reviews of pertinent geologic conditions were prepared to provide MDOT's Construction and Design Division and contractors with cost effective solutions to geotechnical engineering dilemmas.

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Geophysical capacities further augment the Geotechnical Staff's abilities to accurately predict geologic profiles and soil conditions for cost saving design. Additionally, the Geotechnical Section provides an on-going monitoring of previously constructed projects to gain experience for future engineering solutions to specific design problems.

The Testing subdivision is comprised of two sections: Field Quality Control (FQC) and the Central Laboratory. Each of the sections provide testing services to other operating divisions within MDOT and to other subdivisions within TSD. Prior to the 1993 construction season, the Independent Assurance unit, with three permanent employees, was transferred from the FQC section to the Physical Lab portion of the Central Laboratory section.

As its name implies, the Field Quality Control section performs, exclusively, tests and other services (such as concrete and bituminous plant inspections) in the field to ensure the quality of materials incorporated into MDOT construction projects. During the 1993 calendar year the FQC section performed approximately 10,200 tests directly benefiting the Capital Improvement Program and 250 tests for clients not included in the Capital Improvement Program. This work was performed with a staff of 21 permanent and 12 seasonal personnel.

The Central Laboratory performs physical and chemical testing on a wide variety of aggregate, bituminous, cement, concrete, soils, and structural construction materials. It also performs some field evaluations and testing such as concrete bridge deck coring and voltmeter surveys. The laboratory is accredited by the American Association of State Highway and Transportation Officials (AASHTO) and participates in proficiency sample and on-site inspection programs administered by the AASHTO Materials Reference Laboratory and the Cement and Concrete Materials Reference Laboratory. During the 1993 calendar year, with a staff of 20 permanent and 3 seasonal personnel, the Central Laboratory performed a total of approximately 14,400 tests—11,400 Capital Improvement and 3,000 Non-Capital Improvement.

The Survey Subdivision consists of five Engineering/Technical sub-units which directly support the Department's Transportation Investment Program and provide various services for the entire Department.

The five sub-units of Survey are as follows: Field Survey, Control Survey, P.E. Processing, Control Adjustment, and Photogrammetry. The Field Survey sub-unit, consisting of twelve survey crews, routinely performs all project related preliminary, preconstruction and construction survey activities. These activities currently are of sufficient magnitudes that the services of 6-9 consultant survey crews are utilized on an as-needed basis. The Control Survey sub-unit, 1-2 crews, provides statewide survey control for the entire Department. It also conducts special surveys such as those related to Right-of-Way Control, Noise and Hydrographic Surveys. The Photogrammetry sub-unit provides aerial photo coverage and mapping for the entire Department on an as-needed basis. The Control Adjustment sub-unit processes and adjusts all raw field survey data from the Control Survey crews. The P.E. Processing sub-unit processes and edits all survey data from the survey crews and transmits finished products to the Design Division.

The Maine Local Roads Center provides training, technical assistance, and information to those municipal people who are responsible for constructing, maintaining, and managing local roads and bridges in Maine. Administered by the Maine Department of Transportation in cooperation with the University of Maine, the Maine Local Roads Center is one of 56 Technology Transfer Centers established by the Local Technical Assistance Program and the Federal Highway Administration. The Center receives guidance and program direction from an Advisory Committee representing all levels of Maine government—from town road commissioners and town managers to MDOT and University of Maine representatives.

### **LICENSES, PERMITS, ETC.:**

Permit:

- Outdoor Advertising
- Utility Location

### **PUBLICATIONS:**

- Effective Use of Slab Backslope Protection Systems
- Corrosion of Submerged Steel Structures
- Shoulder Paving Policy Review
- Recycled Glass/Ceramics Products as an Aggregate Substitute
- Computer Mediated Decision Making

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Gabion Installations and MDOT Design Practices

\*Work Zone Traffic Control

\*Drainasge, Drainage, Drainage

\*Each of these publications are available to municipal personnel for \$5.00 each, all other publications are free.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF PROJECT DEVELOPMENT	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	17,844,955			8,979,237	8,699,235	166,483
Health Benefits	1,963,909			1,022,001	938,207	3,701
Retirements	2,979,262			1,476,059	1,479,351	23,852
Other Fringe Benefits	139,178			139,206	-28	
Other Contract Services—State	11,151,913			-2,827,160	8,945,919	5,033,154
Computer Services—State	49,538			85,115	-35,636	59
Other Contractual Service	3,201,245			2,014,693	920,049	266,503
Rents	419,472			141,251	278,213	8
Commodities	906,597			458,056	134,564	313,977
Grants—Subsidies—Pensions	2,948,191			947,064	2,000,420	707
Purchases of Land	10,134,084			2,528,004	7,606,080	
Building Improvements	567,993			422,285	145,708	
Equipment	78,298,806		3,511,214	-62,413	58,165,598	16,684,407
Interest—Debt Retirement	21,498,888			21,498,887	1	
Transfers to Other Funds	260,920			223,048		37,872
<b>TOTAL EXPENDITURES</b>	152,364,951		3,511,214	37,045,333	89,277,681	22,530,723

## BUREAU OF PUBLIC AFFAIRS AND HUMAN RESOURCES MANAGEMENT

JANE L. LINCOLN, DEPUTY COMMISSIONER

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-2551

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* 1989

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 17; Unit: 229H; Citation: 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 35

*Legislative Count:* 0

*Organizational Units:*

Bureau of Personnel and Training  
Bureau of Public Affairs and Mapping

Bureau of Employee Relations and Equal  
Opportunity  
Bureau of Special Projects

**PURPOSE:** To support and advise the Commissioner of Transportation in matters of legislative liaison, the internal and external human resources, public affairs, programs and policies in the areas of affirmative action, equal opportunity, labor relations, personnel and training, and special projects.

**ORGANIZATION:** The unit was administratively established in 1989 to include the functions and activities of the Bureaus indicated under Organizational Units.

### PROGRAM:

**Bureau of Employee Relations and Equal Opportunity.** Labor Relations activities involve representation of the Department at all levels of the appeals process applying union contracts statewide, investigating and recommending a course of action in grievance resolution at all lower levels of the



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grievance procedure, and representing the Commissioner at Department-head level and also at the Bureau of Employee Relations. The Division works in conjunction with the legal staff in preparing and presenting grievances at arbitration. Staff also provides instruction to supervisors at all levels in interpretation and application of the provisions of our four Union contracts; investigates, recommends, and participates in disciplinary hearings; makes recommendations of all complaints of alleged employee misconduct or other complaints against employees received from outside normal supervisory channels. This Division also represents the Department at the bargaining table for each set of contract negotiations. The Division of Equal Opportunity develops and implements MDOT programs for internal equal employment opportunity, affirmative action and Title VI, Section 504, external programs for Disadvantaged/Women Business Enterprises, EEO Contract Compliance, On-the-Job Training; and strives to further improve the internal and external coordination of equal opportunity activities. The internal Equal Employment Opportunity Program placed increased emphasis on training of supervisory employees in affirmative action/EEO management. The external Affirmative Action emphasis has resulted in increased awareness and certification and participation of firms owned and controlled by minorities and women in Federal-aid contracts with MDOT, and pre-entry training of women and minorities into the construction industry. Additionally, this Division is responsible for the implementation of the Americans With Disabilities Act both in relationship with the Department itself and its contractors.

**Division of Personnel and Training, Health and Safety.** This Division provides the traditional administrative functions of recordkeeping and processing of personnel transactions as well as Staff Development and Training and Health, Safety and Industrial Accident Prevention and Administration necessary for a labor/intensive work force. The primary goal is to provide employees who are properly classified, paid, motivated and trained to perform the various missions of the Department in a safe and efficient manner. This requires planning for present and future needs, ensuring proper selection and placement, and development of a variety of supervisory, career development, orientation and personnel safety training programs and policies.

**Personnel.** This Division implemented and continues to administer the Governor's Voluntary Cost Savings Programs, the Maine State Government Family and Medical Leave Policy, the Mandatory Shutdown and Discretionary Time Off Program and the one hour reduction of work week schedule. The Division provides technical guidance to departmental bureaus on staffing and internal reorganization strategies to cost effectively meet new federal and state mandates. This Division continues to pursue a policy of career assistance and counseling for DOT employees and the public. In this time of high unemployment and a stagnant labor market, DOT takes pride in providing information, guidance and direction to potential employees on ways to enter the state job force.

**Safety.** Eight full-time division safety officers and a headquarters staff of four manage the safety and workers compensation efforts for the department. These efforts include State OSHA compliance, accident investigation, conducting safety training programs and implementing and monitoring safety policies and procedures. Coordinates a variety of medical surveillance testing. The safety department has reduced DOT's lost time and total injuries by 25% over 3 years.

**Training.** Computer software training in spreadsheets, databases and word processing has been instituted as a regular event, with some 400 trainee days having been scheduled to date. A two-day workshop on Effective Communication Skills was presented in twelve locations around the state, accommodating approximately 250 employees. Using Human Resources personnel and volunteer facilitators from various areas of the Department, we presented TQM awareness sessions in groups of 50 to 100 participants, for a total of about 2200 employees. We now have five individuals prepared and approved by State Training to conduct Process Action Team training and we continue to present "Transition to Supervision," "New Employee Orientation/Prevention of Sexual Harassment" and many required health and safety topics.

**Division of Public Affairs and Mapping.** The Division is responsible for creating, conducting and evaluating external and internal public information programs. Typical efforts included preparation and distribution of news releases, pamphlets, booklets and other printed material; authorship of speeches and presentations; publication of an employee newsletter; editing of material prepared by other Bureaus/Divisions/Offices; support services for various special events; and, other special projects as assigned. In addition, the Division creates and distributes general and specialized maps for Departmental use and distribution to the general public. Major mapping efforts include: County Inventory Maps showing transportation features by MDOT designation, and Urban Maps showing large-scale details within urban areas of Maine. Other specialized maps are created as needed to meet Departmental needs. The Office also provides graphic arts support for all MDOT Bureaus, Offices and Divisions.

**Division of Special Projects.** The Director of Special Projects performs professional policy analysis and development work overseeing, formulating, evaluating and coordinating a wide variety of

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local and statewide transportation initiatives for the Department. The Director may serve as principal technical information resource for critical issues before legislative committees, local government leaders, task forces, and ad hoc committees.

This Division researches and provides answers to the many inquiries received from legislators and citizens throughout the state. This action requires considerable coordination with other departmental offices, and many times with other state agencies in order to insure that correct, timely and complete replies are made to the questions posed.

The Division of Special Projects develops, evaluates and presents alternative approaches and strategies for departmental policies, procedures, goals, objectives and legislative initiatives, and represents the department in support of these issues.

### PUBLICATIONS:

D/WBE Program (annual), free  
D/WBE Directory (updated monthly), free  
OJT Program (annual), free  
D/WBE Certification Guide (annual), free  
Contractor and Subcontractor Equal Employment Opportunity Handbook, (annual), free  
County Maps (Large Scale \$2.00, Small Scale \$.50)  
Urban Maps (\$1.50)  
Minor Civil Division Maps: (Large Scale \$2.00, Medium Scale \$.50, Small Scale—Free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included in the financial display for the Bureau of Finance and Administration, Department of Transportation.

## MAINE TRANSPORTATION CAPITAL IMPROVEMENT PLANNING COMMISSION

DANA F. CONNORS, COMMISSIONER

*Central Office:* Transportation Bldg., Augusta *Floor:* 3  
*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Telephone:* 287-2551

*Established:* September 29, 1987

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 17; Unit: 251; Citation: 23 M.R.S.A., Sect. 4501

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** To advise, consult and assist the commissioner on activities of State Government relating to transportation capital improvement planning. The commission shall be solely advisory in nature. The commission shall not become involved in the preparation or any aspect of the implementation of the department's biennial transportation improvement program.

**ORGANIZATION:** The commission shall consist of no more than 17 members. Membership shall include one representative from each of the State's 8 designated planning and economic development regions who shall be appointed by the Governor and who shall serve as representatives of local government or regional planning agencies. In addition to these members, the Governor shall appoint one representative on the commission for each of the following areas: Air passenger or cargo service, rail service, truck service, surface passenger transportation, marine passenger service, marine cargo service and economic or community development. To the extent possible, the Governor shall consider representatives who are active members of established corridor committees. At least 2 members of the commission shall be current members of the joint standing committee of the Legislature having jurisdiction over transportation, consisting of one member from the House of Representatives appointed by the Speaker of the House to serve at his pleasure and one member from the Senate appointed by the President of the Senate to serve at his pleasure.

**PROGRAM:** To assist the Department in the preparation of a transportation capital improvement plan that identifies long-range capital improvement needs for the State's highways and bridges, ferries and related facilities, cargo ports, airports, public buses and related facilities, and rail facilities. The capital improvement plan shall only address needs that are of a State-wide significance. The needs to be addressed shall exclude those items to be addressed in the Department's current biennial transportation improvement program. The capital improvement plan shall set forth goals, objectives, schedules, and a budget that provides a balanced State-wide response to the needs identified. The plan shall be updated every two years and serve as advocate for the public in promoting policies which address the long-term transportation capital improvement needs of the entire State.

Early in 1989, a consultant was hired by the Department to assist the Commission in the development of the State's first long-range multimodal transportation improvement plan entitled "Transportation To The Year 2000," which was finalized in the summer of 1990. The plan identified the goals, objectives, issues, and strategies associated with all modes of transportation and consolidated the various needs in a long-range comprehensive multimodal improvement plan. With the consultant acting as a facilitator, the Commission met on several occasions during FY 93 and updated the plan as required by law. The updated plan, which was finalized in January of 1993, is entitled "Transportation To The Year 2002."

**PUBLICATIONS:**

Free—Transportation To the Year 2002. "A Capital Improvement Plan for Maine" 1993

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## **BUREAU OF TRANSPORTATION SERVICES**

**RUSSELL W. SPINNEY, DEPUTY COMMISSIONER**

*Central Office:* Transportation Bldg., Augusta

*Telephone:* 287-2841

*Mail Address:* Statehouse Sta. #16, Augusta, Maine 04333

*Established:* June 25, 1981

*Sunset Review Required by:* June 30, 2003

*Reference: Policy Area:* 07; *Umbrella:* 17; *Unit:* 243; *Citation:* 23 M.R.S.A., Sect. 4206

*Average Count—All Positions:* 80.5

*Legislative Count:* 7

**PURPOSE:** The Bureau of Transportation Services was established to plan and develop adequate, safe and efficient integrated public transportation facilities and services which contribute to the economic growth of the State of Maine and the well being of its people, with particular emphasis to low income, elderly, and handicapped individuals. The Bureau conducts a continuing analysis of the amount and quality of air service being provided in the State. The Bureau promotes the advancement of aviation interests, airport development, administers the operation and maintenance of the Augusta State Airport and marine infrastructure projects such as dredging.

The Bureau undertakes and directs planning studies in regard to the development and improvement of cargo handling facilities at Maine Ports, the development of the Fish Pier Construction Program, and the State Ferry Service. The Bureau also undertakes a continuing analysis of the Maine Port traffic, pier and wharf construction, and cruise ship activities. The Bureau is also charged with the responsibility of developing a biennial capital improvements program for ports and the ferry service and administers the operation and maintenance of the State Ferry Service, and the port and pier facilities within the jurisdiction of the Department.

The Bureau reviews, in cooperation with the Department of Human Services and Mental Health and Corrections, an annual operations plan developed in each of eight regions into which the State has been divided. The objectives include achieving maximum feasible coordination of funds among all state agencies that sponsor transportation, encourage the participation of private transportation operators in the service to the greatest possible extent. State assistance includes: planning and technical assistance to regional operators in the development of annual operations plans, capital assistance for the acquisition of equipment and operating assistance to defray operating deficits for essential service.

The Bureau administers the Local Rail Freight Assistance programs of the Federal Railroad Administration which provides assistance in the rehabilitation of light density lines that might otherwise

be abandoned and the Railroad/Highway Grade Crossing Improvement Program of the Federal Highway Administration. An approved state rail plan is required to maintain eligibility, and periodic updates are required to establish project eligibility and approval. In addition, the Bureau has been assigned the responsibility of administering the rail safety laws of the State including accident investigations, and a continuing review of the condition of the rail lines within the State in addition to those specific areas designated by law. The Bureau manages leased, abandoned railroad rights of way and state-owned rail lines.

The Bureau also provides the resource for participation by the State of Maine in regulatory matters affecting transportation, which includes the submission of statements (testimony) before federal regulatory agencies, in particular the Interstate Commerce Commission, Civil Aeronautics Board, and the Federal Maritime Commission.

**ORGANIZATION:** The Bureau of Transportation Services includes the Bureaus of Air Transportation, Rail Transportation, Ports and Marine Transportation, and Highway Mass Transportation. The programs and activities of the several Bureaus are as follows.

#### **PROGRAM:**

**Air Transportation Division.** During this fiscal year, programs continued in fulfilling the objectives of Bond Issues for Capital Improvements to airports. Combined Federal, State and local funds allowed for a total program of \$7.2 million. An additional \$632,792 was allocated from State and local funds to meet local needs and for the engineering and design of future airport projects. The Air Transportation Bureau recorded 20 aircraft accidents, 3 searches for missing aircraft, and conducted 43 airport safety inspections. Thirty-five (35) sponsors of publicly-owned airports were reimbursed \$87,104 for a portion of their snow removal costs. The Division registered 1,038 aircraft, 68 airports, and 3 heliports, and collected \$203,082 in excise taxes. The Maine Department of Transportation continued its contractual agreement with the FAA for the inspection of airports and for the updating of the Airport Master Records. During this fiscal year the Division concentrated on implementation of the State of Maine Aviation Systems Plan and the upgrade of facilities at the Augusta State Airport. The Augusta State Airport met the needs of the flying public by providing service from one commuter airline. Total passenger enplanements and deplanements were approximately 11,000.

**Highway Mass Transportation Division.** During fiscal year 1994, the Division continued to provide for the development and maintenance of a surface transportation system serving the needs of the general public with an emphasis placed on the needs of the State's low income, disabled and elderly persons. The Division administers programs funded by Federal Transit Administration and in the State's General Fund in cooperation with Metropolitan Planning Organizations and private and public transit providers throughout the State.

**Ports & Marine Transportation Division.** During fiscal year 1994, the Division continued efforts to improve cargo shipping opportunities at ports in Searsport, Portland and Eastport. Those efforts included participating in expansion of Eastport's cargo facilities, further advancing the permitting of the Sears Island Dry Cargo Terminal and assistance to the City of Portland in expansion of its International Marine Terminal.

During the fiscal year, the Maine State Ferry Services' fleet modernization program was completed with the introduction of the CAPTAIN NEAL BURGESS on the North Haven/Rockland Route. The islands of North Haven and Swan's Island are now served with new 17-vehicle/250-passenger ferries. Vinalhaven is served by 2 17-vehicle/250 passenger ferries and Islesboro is served by a 30-vehicle/250 passenger ferry. Two additional ferries are available for service to Matinicus and as back-up to those in regular service.

**Rail Transportation Division.** During fiscal year 1994, designated operator Maine Coast Railroad (MC) provided regular freight service on the State-owned Rockland Branch between Brunswick and Rockland. MC also provided excursion service between Wiscasset and Newcastle and on the State-owned Lower Road between Brunswick and Augusta.

The Division also administered reconstruction of the 1.5-mile Atlantic Branch in downtown Rockland. When completed in fiscal 1995, the track will allow MC to provide cement shipment from Dragon Products in Thomaston to a transloading site for shipment by barge to southern markets.

The Division will be administering completion of LRFA projects begun in fiscal 1994 on Bangor and Aroostook Railroad (BAR) and St. Lawrence & Atlantic Railroad (SLR) totalling \$850,000 in Federal Grant funds. The Division also received two new grants in fiscal 1994 totalling \$1 million, which will be expended on BAR and SLR for track rehabilitation.

The Division will be assisting the Construction Division in overseeing construction of a \$2.5 million rail/track intermodal facility on SLR in Auburn. \$2 million in Federal funding was awarded for the project in fiscal 1994.

During fiscal year 1994, the Division's two track inspectors, in conjunction with their federal counterpart, provided safety inspections over the entire State rail system at least twice. Additionally, the inspectors conducted numerous courtesy inspections of industrial track facilities that are not regulated by any governmental agency.

Fiscal year 1994 saw continued efforts toward initiation of AMTRAK passenger service between Boston and Portland. Time estimates now call for service inception in late fiscal 1995 or early fiscal 1996.

#### LICENSES, PERMITS, ETC.:

##### Permit:

- Dispersal of Chemicals by Aircraft
- Firing or Launching of Rocket or Missile
- Commercial Temporary Landing Area—Land
- Commercial Temporary Landing Area—Seaplane

##### Certificate:

- Aircraft Registration
- Certificated Air Carrier Airport Registration
- Commuter Air Carrier Airport Registration
- Commercial Registration—General Aviation I—Airport, Seaplane Base, Heliport
- Noncommercial Registration—Heliport
- Noncommercial Registration—General Aviation II—Airport, Seaplane Base
- Airport Dealer's Registration—Franchise
- Airport Dealer's Registration—Broker

#### PUBLICATIONS:

- Guidelines for the Development of Annual Operations Plan
- Public Transportation Management Plan
- Ferry Service Tariff — No Fee
- Maine Ports — Brochure — No Fee
- Railroad Transportation Policy and Plan—No Fee
- Ferry Service Schedule—No Fee
- Analysis and Action Strategy for Select Surface Passenger Transportation in Maine—No Fee
- A Study of Casco Bay Ferry Services—No Fee
- Planning Study of Maine Coastal Port and Harbor Needs—No Fee

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from the unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BUREAU OF TRANSPORTATION SERVICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,781,597	150,910			173,431	1,457,256
Health Benefits	227,873	17,223			18,298	192,352
Retirements	297,282	26,364			30,841	240,077
Other Fringe Benefits	25,658	1,979				23,679
Other Contract Services—State	772,389	24,298	41,631		125,737	580,723
Computer Services—State	178,920	78,747	500		198	99,475
Other Contractual Service	1,195,073	57,745	62,213		-41,520	1,116,635
Rents	188,393		145,512			42,881
Commodities	161,370	469	4,631		494	155,776
Grants—Subsidies—Pensions	5,389,627	479,427	12,746	604,085	1,995,318	2,298,051
Purchases of Land	3,170,408				1,090,422	2,079,986
Building Improvements	2,237,576		414,014		1,592,307	231,255
Equipment	1,551,807				7,877	1,543,930
Interest—Debt Retirement	167					167
Transfers to Other Funds	1,321,468	1,294,345	1,566		2,103	23,454
<b>TOTAL EXPENDITURES</b>	<b>18,499,608</b>	<b>2,131,507</b>	<b>682,813</b>	<b>604,085</b>	<b>4,995,506</b>	<b>10,085,697</b>

## (OFFICE OF) TREASURER OF STATE

SAMUEL D. SHAPIRO, STATE TREASURER

MAURICE F. STICKNEY, Deputy Treasurer

*Central Office:* State Office Bldg., Augusta; *Floor:* 3  
*Mail Address:* Statehouse Sta. #39, Augusta, Maine 04333

*Telephone:* 287-2771

*Established:* 1820

*Sunset Review Required by:* June 30, 2001

*Reference:* Policy Area: 00; Umbrella: 28; Unit: 248; Citation: 5 M.R.S.A., Sect. 121

*Average Count—All Positions:* 19

*Legislative Count:* 19

**PURPOSE:** A constitutional officer, the Treasurer of State is authorized to receive and keep records of all items of income accruing to the State; to deposit such items in banks, reconciling said balances and temporarily investing idle funds; to sell bonds of the State as provided by law and keep records pertaining to such debt; to maintain monthly exhibits concerning these monies; to enter into contracts or agreements with banks for custodial care and servicing of negotiable securities belonging to the State; and to establish accounts with such banks for servicing State agencies. Effective January 1979 the Treasurer undertook the administration of the Abandoned Property Program. The Treasurer also serves on the Maine Municipal Bond Bank, Maine State Housing Authority, Maine State Retirement System, Finance Authority of Maine, Health and Higher Education Loan Authority Boards, Maine Court Facilities Authority, Maine Education Loan Authority and the Maine School Building Authority.

**ORGANIZATION:** The Treasurer of State, established by the Constitution of the State of Maine in 1820, is elected biennially by joint ballot of both Houses of the Legislature. The chief clerk in the office of the Treasurer of State is designated by law as the Deputy Treasurer of State, to perform the duties of the office of Treasurer in the event of a vacancy or other absence.

### PROGRAM:

**Cash Management.** In a typical year, nearly 3,200,000 State checks are distributed by the Treasurer's office through the State and federal postal system to payees. They represent all state disbursements except for unemployment compensation. These checks are valid for 180 days from the date of issue. Upon request, checks may be validated for an additional period.

Other duties include stop payment orders and the provision of photocopies of cancelled checks. The department also processes claims for checks that are lost in the mails, or which bear forged endorsements, and issues new checks to authorized payees. Each year several hundred delete and make-over checks will be handled. Approximately forty demand deposit accounts with Maine banks are maintained and administered by the office. These bank accounts are reconciled by Treasury employees and utilized by various departments, agencies and liquor stores in every sizeable Maine community for the deposit of income to the credit of the State. Two of these accounts are also used for disbursements.

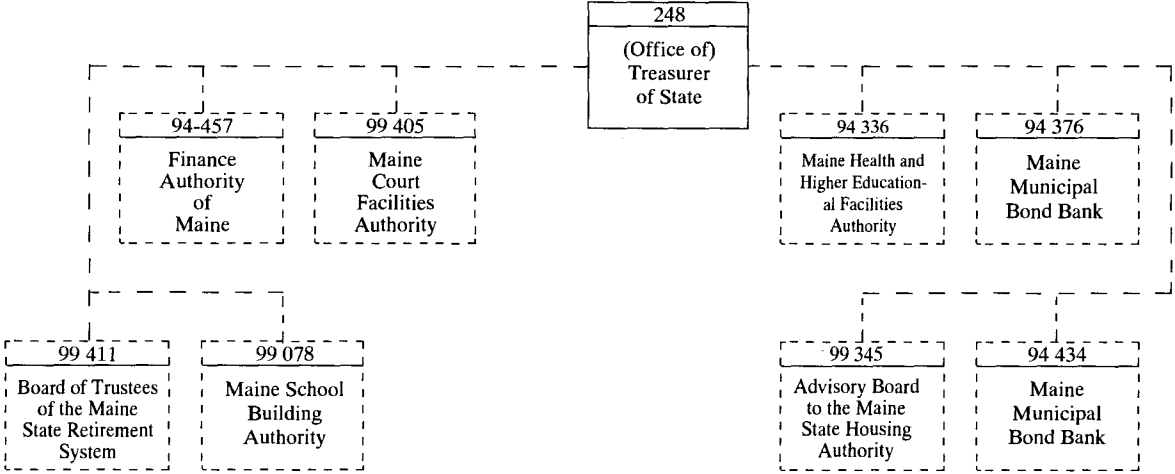
The basic unit of cash income management is the cash receipt. State agencies file over 40,000 of these reports each year together with the funds or deposit tickets from a State bank depository. This office processes these reports so that State income can be properly recorded.

Bad checks received by agencies of the State — those checks lacking proper signatures, having insufficient funds, or otherwise defective — are returned to the office. These return items are classified and charged back to the State agency which accepted them. In a year's time, an average of 3,500 bad checks will be processed.

**Investment Management.** Both short-term and long-term investment programs are administered by the department. Every working day, the cash position of all State funds is determined. A minimum uninvested balance is calculated as an inherent part of this program. A portion of this available balance is sufficient to compensate the banks for their costs in providing banking services to the State. Any excess cash is immediately invested in certificates of deposit with Maine banks, prime commercial paper, U.S. Government securities which mature in less than 24 months and prime banker acceptances and repurchase agreements with Maine banks.

A bidding process is followed for bank certificates of deposit to obtain the highest interest yield for the State. Safety and liquidity are important considerations in determining the different forms and maturities of investments. The economic value of investments in Maine is considered in determining the level of such investments within the State. Each year over twenty million dollars of investment earnings are received and credited to the State as a result of this short-term investment program.

**ORGANIZATIONAL CHART  
(OFFICE OF) TREASURER OF STATE  
UMB 28**



Approved by the Bureau of the Budget

TREASURER

# TREASURER

## CONSOLIDATED FINANCIAL CHART FOR FY 94 TREASURY DEPARTMENT

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	507,414	469,908	37,506			
Health Benefits	57,391	52,283	5,108			
Retirements	85,325	79,527	5,798			
Other Fringe Benefits	4,075	3,760	315			
Other Contract Services—State	116,081	2,842				113,239
Computer Services—State	11,716	4,357	2,282			5,077
Other Contractual Service	265,469	139,191	1,809			124,469
Rents	1,666	923				743
Commodities	29,557	28,475				1,082
Grants—Subsidies—Pensions	69,426,545	200	69,426,345			
Building Improvements	10,968					10,968
Interest—Debt Retirement	77,005,495	66,005,495				
Transfers to Other Funds	5,152		5,152			
<b>TOTAL EXPENDITURES</b>	147,526,854	77,786,961	69,484,315			255,578



## TREASURER

Long-term investments comprise the various trust funds, principally the Governor Baxter Trust, the Lands Reserved Trust, and the Common Trust. A contract for custody and management has been entered into with a Maine bank. Periodically, the State Treasurer and the other officials designated by law supervise these investments and meet with the trust officers from the bank. Recordkeeping and general administrative details are carried out by the staff of the department. Income from the trusts is turned over to the various State departments and local municipalities at regular intervals.

The department has several investment custodian responsibilities as well. Construction contractors may deposit securities as collateral for the payment of retainage. The recordkeeping and payment duties are carried out by the office staff. Similarly, escheated estates, guaranty deposits, and unclaimed and liquidating dividends are administered by the department. Court orders, correspondence and general supervision are maintained to insure the effective discharge of these responsibilities.

**Debt Management.** Short-term and long-term borrowing is a major program. In a typical year, notes and bonds will be sold to provide funds for State needs. This office prepares the proposals, obtains the necessary approvals, obtains printing of the bonds or notes, receives bids, and delivers and closes the sale. Records are maintained of maturities and interest payments on the nearly \$544,705,000 of outstanding State debt. The payments to the fiscal agent for notes, bonds and coupons that mature are initiated here. In 1984 Registered Bonds replaced Coupon Bonds. There is currently over \$510,000,000 of Registered Bonds outstanding.

Providing information services to credit rating agencies, banks, investors, underwriters, and others is part of this program. These activities are conducted on a continual basis throughout the year.

An important part of the duties of Treasurer derives from membership on various state boards and commissions that effect the size of state debt. A member of all such boards, the Treasurer is able to monitor the size of all debt affecting the State and may comment on and bring influence to bear on the creation of additional debt. The Treasurer is an ex officio member of the Maine Municipal Bond Bank, the Board of Trustees of the Maine State Retirement System, the Finance Authority of Maine, the Maine School Building Authority, the Maine Health Facilities Authority, the Maine State Housing Authority, the Maine Court Facilities Authority, and the Maine Education Loan Authority.

**General Management.** Miscellaneous financial responsibilities have been assigned to the department through the years. For example, the State-Local Revenue Sharing program is administered by the office of the Treasurer. Each month 5.1% of the amounts collected from the income and sales taxes are placed in a special account. The following month these funds are paid to municipalities as State assistance.

**Abandoned Property.** The Treasurer implemented an abandoned property division to protect the interests of the citizens of the State of Maine who may be owners of such property. Holders must annually report these properties to the Treasurer. The division has a supervisor, 4 examiners and an office staff of 3. In 1994 \$2,910,482 of abandoned property was reported to the Treasurer of which \$819,666 was paid to the owners by the State. An on-going effort is made to find the owners of remaining funds. The funds are custodial and the Treasurer will honor claims indefinitely.

### PUBLICATIONS:

**Official Statements** prior to sales of State bonds and notes, no charge.

Abandoned Property Listing — Maine Citizens — no charge — on location State Treasury.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

# TREASURER

(OFFICE OF) TREASURER OF STATE (Chief Administrative Unit)	TOTAL FOR ALL FUNDS	Special General Fund	Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	507,414	469,908	37,506			
Health Benefits	57,391	52,283	5,108			
Retirements	85,325	79,527	5,798			
Other Fringe Benefits	4,075	3,760	315			
Other Contract Services—State	116,081	2,842				113,239
Computer Services—State	11,716	4,357	2,282			5,077
Other Contractual Service	265,469	139,191	1,809			124,469
Rents	1,666	923				743
Commodities	29,557	28,475				1,082
Grants—Subsidies—Pensions	69,426,545	200	69,426,345			
Building Improvements	10,968					10,968
Interest—Debt Retirement	77,005,495	77,005,495				
Transfers to Other Funds	5,152		5,152			
<b>TOTAL EXPENDITURES</b>	147,526,854	77,786,961	69,484,315			255,578

## ANIMAL WELFARE BOARD

JEANENE WILSON, DISTRICT HUMANE AGENT

*Telephone:* 287-3846

*Mail Address:* State House Sta. #28, Augusta, Maine 04333-0028

*Established:* 1974

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: AGR; Unit: 001S; Citation: 7 M.R.S.A., Sect. 3903-3906

*Average Count—All Positions:* 2

*Legislative Count:* 2

**PURPOSE:** The Animal Welfare Board is authorized to enforce both criminal and civil statutes regarding the humane treatment of pet animals. Its staff of full and part-time humane agents investigates complaints of cruelty to pet animals, bringing charges and prosecuting such cases in court when necessary. The Board's agents may also seek civil seizure orders from the court, by which they are authorized to take animals into custody. Part-time agents are appointed on a geographic basis to supplement the activities of the full-time agents throughout the state.

The Board is authorized to adopt rules relevant to the discharge of its duties.

**ORGANIZATION:** The position of State Humane Agent was authorized by the Legislature in 1921 to enforce the State's "Cruelty to Animals" laws. Persons desiring to be Agents, upon approval, were licensed for four years by the Governor and Council. In 1973, the Legislature created the Division of Animal Welfare in the Department of Agriculture, effective January 1, 1974, and gave the Commissioner of Agriculture authority to administer all cruelty to animals statutes, and to appoint Humane Agents as either full-time or part-time unclassified personnel of the State.

With the advent of the Animal Welfare Board, the Division of Animal Welfare was repealed (together with the Animal Welfare Advisory Board). The Division's full-time staff became staff to the Board, with the Division Director becoming the Board's Executive Director. All part-time agents serving at the time became appointees of the Board.

Legislation creating the Animal Welfare Board (P.L. 1983, c. 308) became effective on March 1, 1984. The Board exercises the enforcement authority formerly held by the Division of Animal Welfare. The Department of Agriculture, Food and Rural Resources, within which the Board is located, is authorized to carry out the related administrative responsibilities and functions. By statute, the Board's membership is comprised of four representatives of agricultural organizations, four representatives of humane societies, a veterinarian and the Commissioner of Agriculture, Food and Rural Resources or his designee. Legislation separating the Animal Welfare Board from the Department of Agriculture, Food & Rural Resources (PL 1990 c. 308) became effective July 14, 1990, making the Animal Welfare Board an independent agency. PL 1991 c. 779 moved the AWB back to Department of Agriculture, Food and Rural Resources effective April 1, 1992.

Effective April 1, 1992. The Board's membership was changed to five members; two members representing humane societies; two members representing the general public; one veterinarian with experience in both large and small animal practice who is or has been licensed to practice in this State; and the Commissioner of Agriculture, Food and Rural Resources or his designee.

The Animal Welfare Board meets each month. (Date and meeting place designated in Public Advertisement.)

## ANIMAL WELFARE UNIT

THOMAS EDDY, DISTRICT HUMANE AGENT

*Telephone:* 287-3846

*Mail Address:* State House Sta. #28, Augusta, Maine 04333-0028

*Established:* 1992

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 01; Umbrella: AGR; Unit: 001S; Citation: 7 M.R.S.A., Sect. 3906C

*Average Count—All Positions:* 2

*Legislative Count:* 2

## INDEPENDENT AGENCIES—REGULATORY

**PURPOSE:** The Commissioner of the Department of Agriculture, Food and Rural Resources formed the Animal Welfare Unit to carry out the related administrative responsibilities and functions in dog licensing and animal facility licensing. This Unit is responsible for the inspections of licensed animal facilities and investigation of complaints alleging abuse of or cruelty to animals in these facilities. The Unit assists municipalities administratively with dog licensing requirements and animal control officer's responsibilities in accordance with Animal Welfare laws, rules and regulations.

**ORGANIZATION:** The Animal Welfare Unit consists of one full-time humane agent in charge of licensing, inspecting and monitoring animal facilities. The Unit has one full-time account clerk II for daily administration of the office.

The Animal Welfare Advisory Committee (PL 1991 c. 779) was formed to advise the commissioner on matters pertaining to this unit and animal welfare issues. The Committee consists of six members; one municipal clerk; one animal control officer; one member representing licensed animal shelters; one member representing licensed boarding or breeding kennels; one member representing licensed pet shops; one member representing humane societies; and the Commissioner of Agriculture, Food and Rural Resources or his designee.

**PROGRAM:** Animal Welfare staff is charged with the responsibility of explaining laws, rules and regulations pertaining to the welfare of pet animals to the general public law officers and public officials, to ensure the sale of healthy animals from pet shops, breeding kennels and animal shelters; and to ensure owners of animals, healthy and safe boarding facilities.

Animal Welfare is active in the Rabies Work Group for the State of Maine.

Animal Welfare promotes education for animal control officers and municipal town clerks through yearly conferences and through a course to police officers at the Criminal Justice Academy.

### **LICENSES, PERMITS, ETC.:**

- Boarding Kennel License
- Breeding Kennel License
- Animal Shelter License
- Research Facility License
- Pet Shop License
- Pig Scramble Permit
- Calf Scramble Permit

### **PUBLICATIONS:**

State of Maine—Animal Welfare Laws/Rules and Regulations (\$2.00 general public, free to municipalities and law enforcement)

State of Maine—Rabies Management Manual (\$2.00 general public, free to municipalities and law enforcement)

State of Maine—Rabies Public Health Fact Sheet (free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Public Service.

## CHILDREN'S RESIDENTIAL TREATMENT COMMITTEE

*Central Office:* Augusta

*Telephone:* 287-5060

*Mail Address:* c/o Freda Plumley, Dept. of Human Services,  
State House Sta. #11, Augusta, Maine 04333

*Established:* September 19, 1985

*Reference:* Policy Area: 03; Umbrella: 90; Unit: 484; Citation: 22 M.R.S.A., Sect. 8151

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Children's Residential Treatment Committee is an interdepartmental committee. It is a subcommittee established to develop and coordinate the State's role in contracting for the placement of children in need of treatment in residential treatment centers.

**ORGANIZATION:** The Committee is composed of the Commissioner of Education; the Commissioner of Human Services; the Commissioner of Mental Health and Mental Retardation and the Commissioner of Corrections or their designees.

**PROGRAM:** The Committee is responsible to develop overall state policies for placement of children in need of treatment in residential treatment centers. The Committee is charged to develop a plan to implement those policies and determine the number of children who need residential treatment services. The committee has worked in conjunction with the Residential Treatment Centers Advisory Group to develop a needs assessment format and rate setting regulations and contract procedures. The Committee recommends to the four departments a coordinated approach to residential treatment rate setting, contract development and program management.

**PUBLICATIONS:**

Regulations Relating to Rate Determination and Contract Development for Children Placed in Residential Treatment Centers. (free)

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## STATE BOARD OF EDUCATION

**MARJORIE MURRAY MEDD, CHAIR**

**PETER GEIGER, Vice Chair**

*Central Office:* Education Bldg., Augusta

*Telephone:* 287-5800

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* August 6, 1949

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 90; Unit: 077; Citation: 20A M.R.S.A., Sect. 401

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The State Board of Education is authorized to act in an advisory capacity to the Commissioner of Education in matters concerning State Laws relating to education. In addition, the Board is delegated specific powers to make recommendations to the Legislature for the efficient conduct of the public schools; to approve the formation of School Administrative Districts; to establish requirements for approval and accreditation of elementary and secondary schools; to adjust subsidy to an administrative unit when the expenditures for education in such unit show evidence of manipulation

## INDEPENDENT AGENCIES—REGULATORY

to gain an unfair advantage or are adjudged excessive; to grant permission for administrative units to enter into agreements for cooperative educational purposes; to act upon articles of agreement for creation of an Interstate School District; to develop and adopt a plan for the establishment of regional technical and vocational centers; to approve standards for school construction; to approve projects for State construction aid; to approve the formation of community school districts; to approve isolated secondary schools; to obtain information regarding applications for granting degrees and make recommendations to the Legislature; to recommend funds to the Bureau of the Budget for equalization of educational opportunity; to serve as the State agency for administering Federal funds; to serve as an appeals board for unclassified personnel; and to establish the certification standards for teachers and other educational personnel.

**ORGANIZATION:** The State Board of Education originated in 1846 as the Board of Education, consisting of one member from each county of the State. The Board was abolished in 1850 and recreated in 1869 as the State Board of Education, with a membership comprising the Superintendent of Common Schools (established 1854) and County Supervisors of Public Schools (established 1869). In 1872, the Board was again abolished along with the county supervisors, and its functions shifted to the superintendent who, in 1923, was designated Commissioner of Education. The Department of Education was created in 1931 in a major State Government reorganization. However, it was not until 1949 that the State Board of Education was reestablished, this time consisting of ten members, five of whom were appointed by various interests in the State and five appointed by the Governor. At this point, the Board was delegated great authority over education activities of the State, including appointment of the Commissioner of Education and personnel of the department. In 1957, authority to appoint all ten members of the Board was transferred to the Governor with the advice and consent of the Council. Effective July 1, 1972 the State Board of Education was changed to consist of 9 members. Since January 1, 1977, the Governor appoints members for five year terms subject to review by the Joint Standing Committee on Education and to confirmation by the Legislature.

**PROGRAM:** The State Board recently initiated a plan for a results based initial certification process. As a result of the plan, Maine was chosen to be in the National Network for Teacher Licensure Reform sponsored by the National Association of State Boards of Education (NASBE) which included a grant from MET Life Foundation, technical assistance from NASBE and other national experts. Other financial support was received from the Maine Department of Education, the University of Maine System, and the Maine State Board of Education. Three pilot sites were funded to develop a new system for initial teacher certification.

The State Board with the Department of Education organized a task force on Year Round Education, resulting from the August 1992 report of the task force on year round utilization of school facilities—a group which was also initiated by the State Board. The task force studied the issues, barriers and resources needed for the implementation of an alternative calendar for educating Maine students for 180 days. The task force conducted a conference on year round education in September 1993 and a regional symposium in May 1994.

Another major initiative of the State Board was the report describing school funding issues which Maine faces in the 1990s and recommendations for revising the State's funding formula for schools.

The State Board carried out its statutory requirements in granting teacher education program approval to institutions of higher education. The State Board reviewed the teacher preparation programs and granted five year program approval to the College of the Atlantic, two year approval to the University of Maine at Presque Isle and extended approval of the middle level teacher preparation program at the University of Maine at Machias to a full five year approval.

Higher education programs offered by out-of-state institutions to Maine students leading to degrees require approval from the State Board. Programs receiving approval in 1993 were: Boston College Graduate School of Social Work, Boston, Massachusetts—Master of Social Work degree, renewal of prior approval; Andover Newton Theological School, Newton Centre, Massachusetts—Master of Divinity degree, renewal of prior approval; University of South Carolina, Columbia, S.C.—Master of Library and Information Science, initial approval; Loyola University Institute for Ministry, New Orleans, Louisiana—Master of Pastoral Studies and Master of Religions Education degrees, initial approval; Fresno Pacific College, Fresno, CA—mathematics and science course for elementary school teachers in cooperation with the AIMS Foundation, initial approval; Simmons College, Boston, Massachusetts—degree of Master of Science and Certificate of Advanced Graduate Study, both in Primary Health Care Nursing, in cooperation with Westbrook College, initial approval; Lesley College, Cambridge, Massachusetts—Master of Science in Environmental Education, in cooperation with the Audubon Expedition Institute, renewal of prior approval.

## INDEPENDENT AGENCIES—REGULATORY

The State Board is responsible for approving new school construction projects which involve state monies and for establishing rules and regulations to prioritize funding.

### LICENSES, PERMITS, ETC.:

#### Certification and Placement Section

##### Certification:

Teachers	School Principal
School Nurse	School Superintendent
Driver Education	Counselor
School Psychologists	Vocational Instructor
Curriculum Supervisors	Reading Specialist
Psychological Examiners	Special Education Consultant
Teachers Special Education	Speech & Hearing Clinicians
School Library Media Specialist	Director of Special Education

### PUBLICATIONS:

Brochure: "Your Schools Won't Make The Grade Without You"

Brochure: "Putting Education in Its Place"

A supply available for free; but, brochure may be reproduced locally.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
STATE BOARD OF EDUCATION						
EXPENDITURES						
Salaries and Wages	17,160	17,160				
Other Contract Services—State	513	513				
Other Contractual Service	46,606	46,606				
Rents	45	45				
Commodities	688	688				
Interest—Debt Retirement	7	7				
<b>TOTAL EXPENDITURES</b>	<b>65,019</b>	<b>65,019</b>				

## ADVISORY COUNCIL ON ENERGY EFFICIENCY BUILDING PERFORMANCE STANDARDS

*Central Office:* 219 Capitol St., Augusta, Maine

*Telephone:* 624-6800

*Mail Address:* State House Station #130, Augusta, Maine 04333

*Established:* September 14, 1979

*Sunset Review:* Not Established

*Reference:* Policy Area: 00; Umbrella: 90; Unit: 347; Citation: 10 M.R.S.A., Sect. 1414

**PURPOSE:** The Advisory Council oversees the development and implementation of the Energy Efficiency Building Performance Standards as required under 10 MRSA Chapter 214. The Council must approve all standards and amendments thereto adopted by the Director of the Energy Conservation Division pursuant to that chapter.

**ORGANIZATION:** The ten-member Advisory Council is appointed by the Governor and is made up of a divergent representation of building/energy sector expertise and interest. These include: industry and commercial representatives, an engineer, a building inspector, two elected county or municipal officials, a residential and a non-residential building contractor, and an architect.

## INDEPENDENT AGENCIES—REGULATORY

**PROGRAM:** The Advisory Council developed rules for “Energy Efficiency in Subsidized Multi-Family Housing,” in 1993. The Council did not meet during FY’94 as no changes to the Energy Efficiency Standards were proposed.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Energy Conservation Division.

## MAINE HEALTH CARE FINANCE COMMISSION

**ROSALYNE S. BERNSTEIN, CHAIRMAN**

**W. JOHN WIPFLER, Executive Director**

*Central Office:* 9 Green Street, Augusta

*Telephone:* 287-3006

*Mail Address:* State House Sta. #102, Augusta, Maine 04333

*Established:* September 23, 1983

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 03; Umbrella: 90; Unit: 460; Citation: 22 M.R.S.A., Sec. 383

*Average Count—All Positions:* 25

*Legislative Count:* 30

**PURPOSE:** The Commission was created to design and administer the hospital payment system established by the 111th Maine Legislature. The purposes of this system are to (1) limit future increases in the cost of hospital care in Maine; (2) promote greater equity among those who must pay hospitals; and, (3) assure that the essential financial requirements of all Maine hospitals are met.

**ORGANIZATION:** The Commission is composed of five members appointed by the Governor subject to review by the Joint Standing Committee on Human Resources and confirmation by the Legislature. The members are Rosalyn S. Bernstein of Portland, Chair, Elinor Goldblatt of Auburn, Vice-chair, Harvey Picker of Camden, Richard Dalbeck of Cape Elizabeth and Robert Strong of Bangor.

The Commission is empowered to appoint an Executive Director and General Counsel, as well as to employ such other staff as it deems necessary. The Executive Director is authorized to appoint a Deputy Director and carry out all administrative and technical responsibilities delegated to him by the Commission.

The staff is divided into four components. The Division of Policy Development and Evaluation’s staff is responsible for the formulation and refinement of the conceptual and technical underpinnings of the payment system. The Division of Financial Operation’s staff is responsible for the computation of the revenue limits assigned to each hospital, the processing of all applications for interim adjustments and the preparation of all proposed compliance and settlement orders. The Division of Research and Data Management’s staff is responsible for the development and administration of the financial and clinical data systems that the Commission is required to establish. The Legal Division represents the Commission and the Executive Director in all legal proceedings involving the Commission and provides legal assistance in the preparation of rules.

The Commission and its staff regularly consult with the members of four advisory bodies. The Hospital Advisory Committee is composed of two representatives of hospitals with 55 or fewer beds, two representatives of hospitals of moderate size and two representatives of large hospitals. The Payor Advisory Committee is composed of a representative of the Department of Human Services, a representative of Blue Cross and Blue Shield of Maine, a representative of a commercial insurer, and a representative of self-insured employer groups. The Professional Advisory Committee is composed of two allopathic physicians, two osteopathic physicians, two registered nurses and a hospital employee, other than a nurse or physician, who is directly engaged in the delivery of patient care. The Consumer Advisory Committee is composed of seven members who are broadly representative of consumer interests and concerns.



## INDEPENDENT AGENCIES—REGULATORY

**PROGRAM:** The Commission administers a hospital financial regulatory system which establishes revenue limits and has been in effect since October 1, 1984. The system has four principle purposes: 1) to limit appropriately the rate of increase in the cost of hospital care; 2) to protect the quality and accessibility of hospital care by assuring a financially viable hospital system; 3) to provide for greater equity among payers; and 4) to assure access to hospital services regardless of ability to pay. The Commission is also responsible for the development and maintenance of an inpatient hospital discharge database, an ambulatory services database and a hospital outpatient services database.

The manner in which the Commission limits the rate of increase in hospital costs is by establishing an annual revenue limit, or ceiling, for each hospital. Each hospital's limit is the maximum amount that hospital may charge in the given year for the services it renders to all patients. Since the establishment of the system, hospital costs in Maine have increased at a slower rate than in its neighboring states, New Hampshire and Vermont, or the United States as a whole. For example, hospital net patient service revenue per capita increased 74% in Maine from 1984 to 1992, as compared with increases of 108%, 96% and 85% in New Hampshire, Vermont and the United States respectively.

With the revenue limits set by the Commission, Maine hospitals statewide were able to earn operating margins of \$21 million and \$39 million in the two most recent years for which complete data are available. The constraints imposed by the regulatory system apparently have been sufficient to assure lower rates of increase in the cost of hospital services in Maine while assuring the financial viability of an efficient and effective hospital system.

### **LICENSES, PERMITS, ETC.:**

The Commission does not have the authority to issue licenses or permits. It regulates the charges hospitals are permitted to make for the services they provide to patients and defines the obligations of the Department of Human Services, Blue Cross and Blue Shield, and other payors and purchasers.

### **PUBLICATIONS:**

- 1) The rules promulgated by the Commission are available upon request. A fee will be charged to defray the cost of copying and postage.
- 2) Health Care Matters is a quarterly newsletter reporting on trends and issues affecting the hospital industry and the regulatory system.
- 3) The Annual Report.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE HEALTH CARE FINANCE COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,035,603		1,035,603			
Health Benefits	98,747		98,747			
Retirements	181,364		181,364			
Other Fringe Benefits	10,328		10,328			
Other Contract Services—State	16,214		16,214			
Computer Services—State	3,796		3,796			
Other Contractual Service	164,459		164,459			
Rents	2,575		2,575			
Commodities	11,395		11,395			
Building and Improvements	2,899		2,899			
Transfers to Other Funds	8,314		8,314			
<b>TOTAL EXPENDITURES</b>	1,535,694		1,535,694			

## MAINE STATE COMMISSION FOR HIGHER EDUCATION FACILITIES ACT OF 1963

LEO G. MARTIN, COMMISSIONER

FRED DOUGLAS, Director of Higher Education Services

*Central Office:* Department of Education, Augusta

*Telephone:* 287-5813

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* 1967

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 90; Unit: 080; Citation: 20-A M.R.S.A., Sect. 10501-10502

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The major goal of the Maine State Commission for Higher Education Facilities Act of 1963 is to ensure adequate opportunity for higher education and enable the most equitable and efficient use of educational resources through provision of comprehensive planning and financial assistance to all public and private post-secondary education institutions in the State of Maine.

The Maine State Commission for Higher Education Facilities Act of 1963 is authorized to conduct, either directly or through other appropriate agencies or institutions, comprehensive planning to assist the higher education institutions in Maine, to establish or to amend plans, rules and regulations agreeable to the Act, and to accept and disburse all monies in accordance with said Act.

The Maine State Commission for Higher Educational Facilities may establish plans and rules or amend existing plans and rules in accordance with the United States Higher Education Facilities Act of 1963, Public Law 77-204, as amended by Public Law 89-752, Section 3 and requirements of the Federal Government established under the Act as amended. It may also accept and disburse all moneys in accordance with the act.

**ORGANIZATION:** The Higher Education Facilities Act of 1963 necessitated the formation of a State Commission to administer the federal funds allotted for post-secondary school construction and equipment grants in Maine. Governor John H. Reed designated the existing State Board of Education to serve as this Commission.

The Maine State Commission for Higher Education Facilities Act of 1963 was authorized by Executive Order in 1967. The Division of Higher Education Services, administers all funds made available through the Facilities Act now conducted within the framework of the Higher Education Act of 1965.

**PROGRAM:** Financial Assistance to Construct or Remodel Facilities to meet the needs of the Handicapped (Title VII, HEA).

Funds have been authorized to enable institutions to construct and/or remodel facilities to meet codes for areas for the handicapped. During FY94 no funds were actually appropriated and thus, no activity was conducted.

**FINANCES, FISCAL YEAR 1994:** No funds were available in FY94.

## LOCAL GOVERNMENT RECORDS BOARD

JAMES S. HENDERSON, CHAIRMAN

*Central Office:* LMA Building, Augusta, Maine

*Telephone:* 287-5790

*Mail Address:* State House Sta. #84, Augusta, Maine 04333

*Established:* September 30, 1989

*Sunset Review:* Not Established

*Reference:* Policy Area: 00; Umbrella: 90; Unit: 517; Citation: 30A M.R.S.A., Sect. 1704

**PURPOSE:** The Local Government Records Board was created as a policy-making body to the Legislature to provide standards, procedures and regulations for the effective management of local government records, following as far as practicable, those established by the State Archivist under the Archives and Records Management Law. The membership of the Board is constituted to provide expertise to deal with the special problems and needs that are unique to government record keeping at the local level. Program services are provided to local government agencies by the Maine State Archives in accordance with the policies established by the Board to the extent that the State Archivist deems desirable in his administration of the State program and facilities.

**ORGANIZATION:** The Local Government Records Board was created in 1989 to establish standards, procedures and regulations for the effective management of local government records. The Board consists of seven members, including the State Archivist as Chairman ex-officio and the State Registrar of Vital Statistics, and five local government officials appointed by the Governor for terms of three years. Two of the appointed members must be municipal officials recommended by a statewide municipal association (one of these officials must represent a municipality of not more than 3,500 persons), two must be county officials, and one must be a school district or school department official. Members serve without compensation.

**PROGRAM:** The Board acts upon requests to destroy specified records submitted by various local government agencies. In cooperation with the Local Government Records Board, the Maine State Archives provides technical assistance to local government agencies in such areas as microfilming standards, conservation concerns, and records management problems.

On October 1, 1990 the Board adopted administrative rules establishing standards for the retention and disposition of records by local government agencies. These rules combined, updated, and expanded the disposition schedules established by the Municipal Records Board and the County Records Board (which the LGRB replaced). The Board's rules were most recently updated on October 1, 1992. Administrative rules adopted on this date expanded the Board's disposition schedule to provide retention periods for school department records, and for numerous licenses and permits not covered previously. Relief of serious storage problems should result, as local government agencies will be able to dispose of records that are of no further value—either by confidential destruction, or by transfer to other authorized institutions.

During Fiscal Year 1994 a disposition schedule for water and sanitary district records was drafted. This draft will be offered for public comment as part of the Board's administrative rulemaking process during Fiscal Year 1995.

### LICENSES, PERMITS, ETC:

The Local Government Records Board is responsible for authorizing the destruction of local government records having no permanent value (30-A M.R.S.A., Section 1703). Procedures for the disposition of such records are prescribed by the Board in accordance with the Administrative Procedures Act. Action taken by the Local Government Records Board is evidenced by the issuance of an executed *Request for Disposition of Local Government Records*.

**FINANCES, FISCAL YEAR 1994:** 30-A MRSA Sections 1705 and 1706 provides that expenditures of this unit shall be borne by the Maine State Archives and are, therefore, included in its financial display.

## PUBLIC UTILITIES COMMISSION

CHARLES A. JACOBS, ADMINISTRATIVE DIRECTOR

*Central Office:* 242 State St., (Old M.V. Bldg.), Augusta; *Floor:* 2  
*Mail Address:* State House Sta. #18, Augusta, Maine 04333-0018

*Telephone:* 287-3831

*Established:* 1913

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 01; *Umbrella:* 65; *Unit:* 407; *Citation:* 35-A M.R.S.A., §103-7

*Average Count—All Positions:* 68.5

*Legislative Count:* 68.5

*Organizational Units:*

Administrative Division  
Legal Division

Consumer Assistance Division  
Technical Analysis Division  
Finance Division

**PURPOSE:** The Public Utilities Commission's purpose is to protect the public by ensuring that utilities operating in the State of Maine provide adequate and reliable service to the public at rates that are reasonable and just. The Commission is a quasi-judicial body which rules on cases involving rates, service, financing, and other activities of the utilities it regulates. The Commission also has investigatory and rulemaking authority. The Commission currently has jurisdiction over 155 water utilities, 13 electric utilities, 1 gas utility, 19 telephone utilities, 10 water carriers, 136 COCOTS and 9 competitive interchange carriers.

The Commission is divided into five operating divisions with respective powers and duties as follows:

**Administrative Division.** The Administrative Division is responsible for fiscal, personnel, contract and docket management, as well as physical plant. The Division provides support services to the other divisions and assists the Commission in coordinating its activities. The Division has primary responsibility for public information and assists the General Counsel of the Legal Division in providing information to the Legislature.

Included within the Administrative Division are the Information Resource Center and the Computer System Management Section.

**Consumer Assistance Division.** The Consumer Assistance Division (CAD) receives, analyzes and responds to complaints from Maine utility customers. The CAD assists individual customers in resolving their disputes with the utility and analyzes those complaints to determine what utility practices, if any, need to be corrected. The Division analyzes utility rate filings and prepares data requests and testimony on quality of service issues in major rate cases. In addition, the Division participates in Commission-initiated investigations and other cases which relate to quality of service, energy conservation and low income payment matters.

**Legal Division.** The Legal Division represents the Commission before federal and State appellate and trial courts and agencies. It provides hearings examiners and staff attorneys in cases before the Commission and assists in preparing and presenting Commission views on legislative proposals. Examiners preside over Commission proceedings, rule on questions of procedure and evidence, and prepare written recommended decisions for the Commission. Staff attorneys organize and present the staff's case before the Commission, cross-examine the cases of other parties, file briefs on the issues, and engage in negotiations with the parties for the settlement of all or some of the issues in a case. Complete legal services are provided by the Division on all legal aspects of matters within the Commission's jurisdiction from major rate cases to individual consumer complaints.

**Finance Division.** The Finance Division is responsible for conducting financial investigations and analysis of telephone, electric, gas and water utilities, and for conducting other research about Maine utilities. The Division analyzes all applications of utilities to issue stocks, bonds or notes. The Division prepares testimony and other material concerning fuel clauses, cost of capital, rate base, revenues, expenses, depreciation and rate design for rate cases. The Division assists in the preparation of questions for cross-examination on accounting and finance matters, presents direct testimony, evaluates rate case exhibits and advises the Commission on financial and economic issues.

**Technical Analysis Division.** The Technical Analysis Division provides expert advice to the Commission on questions of engineering, economics, science, mathematics, statistics, and other technical elements of policy analysis. When assigned to litigated cases as advocates, staff technical

## INDEPENDENT AGENCIES—REGULATORY

analysts work with consultants and other staff in all elements of case advocacy, and often testify as expert witnesses. When assigned as advisors, they help the Commission and hearing examiners to understand and analyze the technical aspects of the evidence presented, and assist them in writing examiners reports and Commission orders. Specific tasks include preparing and reviewing cost allocations and rate design proposals, analyzing and evaluating utility planning and operating decisions, reviewing plans and specifications for major utility construction projects, inspecting system improvements on site, monitoring utility reports, evaluating technical performance, and reviewing standards of service. The Division also advises the Commission and CAD on line extensions, inspects gas pipelines to ensure safe operation, and investigates gas explosions and electrical accidents involving loss of human life. Technical analysts use computer modeling and data analysis techniques as needed, and keep abreast of relevant professional developments.

**ORGANIZATION:** The Public Laws of 1913, effective by Proclamation, after referendum on October 30, 1914, created the Public Utilities Commission. It was organized December 1, 1914. The Act abolished the Board of Railroad Commissioners, established in 1858, and conferred upon the Public Utilities Commission all powers vested in that Board, as well as the State Water Storage Commission, including custody and control of all records, maps, and papers pertaining to the offices of the Railroad Commissioners and the State Water Storage Commission, the latter of which was not legally abolished until 1916. In addition, the Commission acquired jurisdiction over all "public utilities," and through subsequent legislation any person, firm, or corporation operating motor buses or trucks transporting passengers or freight for-hire over any street or highway in Maine. Pursuant to Chapter 469 of the Public Laws of 1981, the Commission's jurisdiction over for-hire freight and passenger surface transportation was removed and transferred to the Bureau of State Police and the Department of Transportation, effective January 1, 1982. The Commission retains jurisdiction over the transportation of passengers and property for compensation by vessel in Casco Bay under Chapter 174 of the Private and Special Laws of 1963.

Chapters 207 and 617 of the Public Laws of 1983 specifically exempted dealers of gas in liquid form from Commission jurisdiction, which had not been previously exercised. Central tanks serving more than 10 customers are still subject to PUC jurisdiction. Chapter 304 of the Public Laws of 1983 deregulated one-way paging service. Chapter 802 of the Public Laws of 1983 conferred PUC jurisdiction over cable TV systems providing service like telephone companies and pole attachment charges for cable TV systems.

The present Public Utilities Commission consists of three members appointed by the Governor subject to review by the Legislative Committee having jurisdiction over public utilities and to confirmation by the Legislature, for terms of six years. One member is designated by the Governor as Chairman, and all three members devote full time to their duties.

**PROGRAM:** During 1993 the Commission processed a major rate case of Central Maine Power Company (CMP). The Commission held six public witness hearings from Wells to Belfast and received hundreds of letters and telephone calls from customers concerned about CMP's request for an increase in rates. In its decision, the Commission found that CMP's request for an increase of \$83.5 million or 10 percent was unreasonable. The Commission approved a rate increase of approximately \$26 million or 3 percent. The Commission also concluded the first phase of an investigation of CMP's management of its contracts with qualifying facilities (QF's). The Commission concluded CMP had not negotiated aggressively on behalf of customers in management of two QF contracts and, as a result, implemented a \$4 million downward adjustment to CMP's return on equity in the rate case. Also in the CMP rate case decision, the Commission initiated a follow-up proceeding to implement an alternative rate plan or "ARP." The Commission directed the parties to establish the precise parameters of a plan and listed a series of issues the parties should address.

In 1993 the Commission approved special rates for Central Maine Power Company and Bangor Hydro-Electric Company that permit reduced electric rates for industrial customers who, based on those reduced rates, are able to increase their electrical consumption. These "incremental energy sales" provide additional revenues, use up some of the surplus capacity currently available and, therefore, benefit all rate payers. Incremental energy contracts were approved for Sunday River Ski Area, Saddleback, and Keyes Fibre. The Commission also approved "load retention rates" in certain circumstances where it was clear a large customer would have left the system unless a lower rate had been available.

In 1993, a wholesale customer (Madison Electric Works) of a major utility (CMP) went out to bid for its power supply. As a result of this bidding process, Madison Electric Works selected Northeast Utilities Service Company as a supplier and filed a petition with the Commission for approval of the

## INDEPENDENT AGENCIES—REGULATORY

contract. Kennebunk Light and Power District and Fox Island Electric Cooperative, Inc. went through a similar bidding process selecting CMP as their supplier. These activities mark the beginning of wholesale competition in the electric industry in Maine.

In the summer of 1993, the Commission published a proposed rule seeking comments on two alternatives to change basic service calling areas in Maine. The Commission held workshops and hearings throughout the State on this proposed rule and heard from hundreds of citizens. The Commission ultimately selected a variation of the "Community Choice" option and published a final rule in June of 1994. The rule is designed to better align basic service calling areas with the needs of telephone customers.

In the fall of 1992, the Commission initiated a formal investigation of Hampden Telephone Company's affiliated interest transactions, insider transactions and management and accounting practices. In January 1994, the Commission accepted a stipulation signed by the parties to this proceeding that included provisions relating to the repayment of certain expenses, the development of a comprehensive set of written policies and procedures and a code of conduct for the Company, an audit of the Company by an accountant selected by the PUC, certain limitations on travel related expenditures, and a reduction in annual operating revenues of \$5,000 per year.

In January of 1994, the Commission concluded Phase III of a proceeding relating to a request from the Portland Water District for an increase in rates resulting principally from the Federal Safe Drinking Water Act. The central issue in this case was not the increase in rates, but whether the Commission would allow the continuation of the city/town rate differential. The Commission decided that the city/town differential should be reduced.

In 1993, the Commission initiated major efforts to encourage public participation in its proceedings, develop a Total Quality Management Program, and streamline its litigated proceedings.

During FY 93/94, the Commission's Consumer Assistance Division (CAD) received 5,230 contacts from utility customers, a 17% decrease compared to the prior year. 1,273 of these contacts were complaints, 3,846 were requests for information, and 111 were referrals to other agencies or organizations. Complaints decreased 23% from the prior year and requests for information decreased 16%. These decreases in the Consumer Assistance Division's caseload result primarily from: 1) Some utilities doing a better job handling routine customer complaints thus preventing them from reaching the CAD; 2) fewer CMP rate increase and rate design complaints, and 3) CAD's refusing to take repeat cases from customers unless there was a significant change in the customer's circumstances. Investigations of consumer complaints by CAD resulted in refunds of \$151,096 to customers in 1993.

### LICENSES, PERMITS, ETC.:

Order Approving Schedules of Rates, Terms and Conditions.

Electric Utilities — Certificate of Public Convenience and Necessity to construct, own, or contract for major generation or transmission facilities; to convert generation to a different fuel; or to rebuild or relocate major transmission facilities.

Providers of Telephone, Electric or Gas Utility Services—Application for approval to provide telephone, electric or gas service in a municipality in which an existing utility is furnishing or authorized to furnish service upon declaration by the Commission that the public convenience and necessity requires a second public utility.

Carriers of Passengers and Freight by Water in Casco Bay — Application for Certificate of Convenience and Necessity to provide service.

### PUBLICATIONS:

Annual Report to Joint Standing Committee on Utilities of the Maine Legislature. (No Charge)

Rules (No Charge). Additional sets of rules with binders—\$25.00

\*Decisions and Orders—(Semi-Annual Fee \$120.00—mailed monthly)

\*Agenda—(Annual Fee \$72.00—mailed weekly)

\*Docket—(Annual Fee \$28.00—mailed monthly)

\*Consumer Assistance Division Annual Report (No Charge)

At Your Service: A Guide To The Rights And Responsibilities Of Residential Utility Customers (No Charge)

Do You Have A Utility Complaint? (No Charge)

\*There is no charge for parties or interested persons in cases.

## INDEPENDENT AGENCIES—REGULATORY

**FINANCES, FISCAL YEAR 1994:** The consolidated financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

### CONSOLIDATED FINANCIAL CHART FOR FY 94 PUBLIC UTILITIES COMMISSION

	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	2,488,095		2,488,095			
Health Benefits	242,217		242,217			
Retirements	447,499		447,499			
Other Fringe Benefits	26,815		26,815			
Other Contract Services—State	523,966		523,966			
Computer Services—State	2,424		2,424			
Other Contractual Service	341,929		341,929			
Rents	11,897		11,897			
Commodities	61,175		61,175			
Grants—Subsidies—Pensions	29,629		29,629			
Building and Improvements	37,652		37,652			
Interest—Debt Retirement	28		28			
Transfers to Other Funds	134,345		134,345			
<b>TOTAL EXPENDITURES</b>	4,347,671		4,347,671			

## JOINT COMMITTEE OF LICENSURE- CERTIFICATION FOR SCHOOL PSYCHOLOGICAL SERVICE PROVIDERS

*Central Office:*

*Telephone:* 287-5800

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* July, 1985

*Reference:* Policy Area: 01; Umbrella: 90; Unit: 487; Citation: 32 M.R.S.A., Sect. 3840

**PURPOSE:** The purpose of the Joint Committee of Licensure-Certification for School Psychological Services is to develop coordinated standards for school psychologists and school psychological examiners based on the licensing requirements of the Board of Examiners of Psychologists and certification standards established by the State Board of Education.

**ORGANIZATION:** The joint committee consists of six members. Three (3) members appointed by the State Board of Examiners of Psychologists from the present membership and three (3) members appointed by the State Board of Education from the present membership. Chair and Vice-Chair are elected annually in September on a rotating basis.

**PROGRAM:** Joint Committee of Licensure-Certification for School Psychological Service Providers: The purpose of this committee is to develop coordinated standards for school psychologists and school psychological examiners based upon the licensing requirements of the Board of Examiners of Psychologists and certification standards established by the State Board of Education. The committee consists of six members. Three are appointed by the State Board of Examiners of Psychologists from the present membership and three by the State Board of Education from the present membership. Chair and vice-chair are elected annually in September on a rotating basis.

## INDEPENDENT AGENCIES—REGULATORY

During the 1992-93 school year, the Joint Committee has met 3 times with the Task Force on School Psychological Service Providers. The Task Force was originally convened in 1991 by Commissioner Bither at the request of the Joint Standing Committee on Education. The Standing Committee requested that a group be formed to review and resolve the disagreement regarding LD 791—a bill to create two credentials not requiring licensure.

The Task Force submitted L.D. 800, a compromise of the groups originally in disagreement on June 2nd, L.D. 800, now Public Law 207, was signed by Governor McKernan and will go into effect 90 days after the legislature adjourns. Public Law 207 permits the Department of Education to issue a certificate based on requirements to be developed by a nine member advisory committee. This Advisory Committee will replace the Joint Committee of Certification and Licensure.

**FINANCES, FISCAL YEAR 1994:** 32 M.R.S.A., Sec. 3840 provides that expenditures of this unit shall be borne by the Department of Education and the State Board of Examiners of Psychologists and are, therefore, included in its financial display.

## WORK CENTER PURCHASES COMMITTEE

**RICHARD B. THOMPSON, Division of Purchases, Chairman**

*Central Office:* State Office Bldg., Augusta

*Telephone:* 289-3521

*Mail Address:* State House Sta. #9, Augusta, Maine 04333

*Established:* June 14, 1985

*Reference:* Policy Area: 03; Umbrella: 90; Unit: 486; Citation: 5 M.R.S.A., 1826C

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Committee seeks to expand the market for goods and services provided by rehabilitation facilities (work centers) which employ workers with disabilities.

**ORGANIZATION:** The Committee consists of the Director of the Division of Purchases, the Director of the Bureau of Rehabilitation, a representative of the Department of Mental Health and Mental Retardation, a representative of work centers, a disabled person, and a representative of the business community. The Committee members are appointed by and serve at the pleasure of the Governor. Members serve without compensation except for reimbursement of necessary expenses incurred by non-state employees.

**PROGRAM:** In June, 1985, "An Act to Provide Expanded Markets for Procedure and Services for Rehabilitation Facilities and Work Centers," was signed into law. With the appointment of five members by the Governor, the Work Center Purchases Committee met for the first time in December, 1985.

Over the course of several meetings, the Committee drafted rules for qualifying work centers, identifying products and services for set aside, competitive bidding, awarding contracts, and settling grievances. After a public hearing, the Work Center Purchases Committee Rules were adopted effective May 25, 1986.

Activity of the Committee has centered around custodial services contracts. Significant success has occurred using Work Centers to perform these services to agencies located outside of the Capital complex.

**FINANCES, FISCAL YEAR 1994:** 5 M.R.S.A., Sect. 1826-C, provides that expenditures of this unit shall be borne by the Division of Purchases, Bureau of Rehabilitation and the Department of Mental Health and Mental Retardation.



## WORKERS' COMPENSATION BOARD

### BOARD OF DIRECTORS

Lawrence W. Carr, Jr.  
Debra J. Chaloux  
Mark R. Dionne  
James H. Mackie

Susan M. Pinette  
Cheryl H. Russell  
Eugene Sanborn  
Charles R. Weeks

**Staff:** James H. McGowan, Executive Director

*Central Office:* Deering Bldg., Augusta; Floor: 1

*Telephone:* 287-3751

*Mail Address:* State House Sta. #27, Augusta, Maine 04333-0027

*District Offices:*

24 Stone Street, Augusta, Maine 04330

287-2308, 1-800-400-6854

106 Hogan Road, Bangor, Maine 04401

941-4550, 1-800-400-6856

One Vaughn Place, 10 Washburn Ave., Suite 110,  
Caribou, Maine 04736

498-6428, 1-800-400-6855

140 Canal Street, Lewiston, Maine 04240

783-5490, 1-800-400-6857

62 Elm Street, Portland, Maine 04101

822-0840, 1-800-400-6858

*Established:* 1992

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 01; Umbrella: 90; Unit: 351; Citation: 39-A M.R.S.A., Sect. 151

*Average Count—All Positions:* 113.5

*Legislative Count:* 113.5

**PURPOSE:** The Workers' Compensation Board, created by the Workers' Compensation Act of 1992, is responsible for administering the duties and provisions outlined in the Act.

**ORGANIZATION:** Policy is established by an eight member Board having an equal number of employee and employer representatives. The Governor appoints these directors from nominees submitted by the AFL-CIO and the Maine Chamber of Commerce and Industry or other bona fide organization or association of employers. These appointments are subject to review by the Joint Standing Committee on State and Local Government with confirmation by the Senate.

The agency is administered by an executive director. Regional offices are located in Portland, Lewiston, Augusta, Bangor, and Caribou. The Central Office is in Augusta. Mediation and formal hearings are conducted at these and other offices. Some hearings are held at locations closer to the residence of the injured worker.

**PROGRAM:** The Board was created by the Workers' Compensation Act of 1992 which took effect on January 1, 1993. The Board is the successor to the Workers' Compensation Commission. The agency processes first reports of injury and other reports received from employers located throughout the State. It takes an active role in monitoring benefit payment information, attempts to resolve disputes informally through troubleshooting and mediation, and schedules hearings in front of hearing officers in order to formally adjudicate disputes which could not be resolved informally. It also investigates fraud and abuse.

#### MAJOR BOARD ACTIVITIES DURING THE FISCAL YEAR

During its first few months of operation, the Board established a new budget and a revised organization to administer the new workers' compensation system. Established were new levels of deputy and assistant director positions which better reflect the administrative needs under the new Act. During fiscal year 1994, the Board selected an Executive Director, a General Counsel, ten Hearing Officers, and filled the remaining troubleshooter and mediator positions. A total of 50 Board meetings were held during the fiscal year to work on issues related to implementing and monitoring the new Act. Examples of activities included adopting emergency rules and regulations, hiring personnel, and policy discussions relating to such diverse issues as independent contractors, provisional orders, the closure of the Appellate Division including the transfer of the balance of cases to the Law Court, independent medical examiners, the confidentiality of the Board's records, chiropractic issues, arbitration guidelines, and penalty provisions of the Act and the role of the Abuse Unit. The Board also issued a new Medical Fee Schedule, a new copy fee schedule, and a new Weekly Benefit Table. The agency also implemented systems to support troubleshooting, mediation, and other operational functions of the reform statute; implemented an electronic data interchange system in cooperation with a large insurance carrier;

## INDEPENDENT AGENCIES—REGULATORY

developed a plan to migrate our computer systems to open systems, client/server, relational database technology.

### ADMINISTRATIVE FUND ASSESSMENT

The Board's budget is funded by an annual assessment on insurance companies and self-insured employers. The Workers' Compensation Act of 1992 and P.L. 1993, c. 619 require a pro-rata distribution of the assessment. The assessment for FY94 issued in the amount of \$6,000,000 actually generated about \$5,800,000. The Board reduced its assessment for fiscal year 1995 from \$6,000,000 to \$5,750,000 due to a projected surplus at the end of FY 94. The majority of the projected surplus was created by a number of positions which were vacant during a portion of the fiscal year and by sound financial management practices requiring accountability from all staff.

### FIRST REPORTS OF INJURIES

First Reports of Injuries are filed by employers whenever an injured employee loses one or more days from work. Calendar year statistics are shown here. They indicate that the number of disabling cases have been decreasing from a high of 26,693 in 1990 to a low of 16,969 in 1993 (see chart).

Year	Disabling First Reports	Average Employment
1984	*23,620	445,700
1985	23,296	459,100
1986	24,336	477,400
1987	25,528	503,600
1988	26,431	527,500
1989	26,006	546,120
1990	26,693	539,250
1991	21,919	515,050
1992	19,161	513,570
1993	16,969	**518,700

\*Estimate

\*\*Preliminary

### DISPUTE RESOLUTION PROCESS

The new statute established a three-tier dispute resolution process (troubleshooting, mediation, and formal hearings or arbitration) in an effort to reduce litigation. Although it is still very early, statistics for calendar year 1993 indicate a decrease in litigation.

**Troubleshooting.** In calendar year 1993, the first tier of the system administered by ten troubleshooters had 14,788 cases referred to it and the total actually processed amounted to 10,607 disputed cases, leaving a balance of 4,181, or about 418 per troubleshooter as a caseload.

**Mediation.** The second tier in the dispute resolution process is administered by five mediators and the Assistant Director of Mediation Services who also conducts mediations. In addition, the agency has utilized the services of three contract mediators during fiscal year 1994. Of the 14,788 cases assigned to the troubleshooters, 4,478 of them went on to the mediation level. The total cases processed by the mediators in calendar year 1993 amounted to 2,652, leaving a balance of 1,826 or 365 cases per full-time mediator. If the three contract mediators are considered, the caseload per mediator drops to 228 cases.

**Formal Hearing.** During 1993, 4,209 formal hearing cases were initiated. During 1993, the temporary Hearing Officers disposed of 8,955 cases by decision or dismissal. The net of these filings, dispositions, and prior pending cases was 2,486. The new Hearing Officers began their duties with a historically low backlog of approximately 2,486 pending cases.

**Arbitration.** The new statute also provides that any case requiring a hearing may be heard by an arbitrator mutually agreed upon in writing by the parties. In early 1994, the Workers' Compensation Board issued guidelines for the arbitration of pending workers' compensation claims as provided by statute. As of June, 1994, 117 plans had been submitted, with decisions having been issued in 68 cases.

### ABUSE INVESTIGATION UNIT

The Abuse Investigation Unit, initially created in 1986, investigates complaints or allegations of fraud and illegal or improper conduct, and violations of the Workers' Compensation Act. In FY-93/94, the Abuse Investigation Unit received over 450 reports of abuse and requests for assessments of penalties.

### APPELLATE DIVISION

The Appellate Division of the Workers' Compensation Commission, initially established in 1982, was abolished by the Workers' Compensation Act of 1992. In its final year of operation in 1993, the Appellate Division issued a record number of 345 decisions and 236 dismissals. The year concluded with

## INDEPENDENT AGENCIES—REGULATORY

196 cases pending for discretionary review by the Workers' Compensation Board. The Board declined further review in all cases. The parties have a right to petition the Maine Supreme Judicial Court for review in these cases.

### INDEPENDENT CONTRACTORS

P.L. 1993, c. 120 requires the Board to review applications for the purpose of making a predetermination of whether the status of an individual worker, group of workers, or a job classification associated with an employer is that of an employee or an independent contractor. This responsibility was transferred from the Department of Labor. The Board started reviewing applications in November, 1993 and through June, 1994 the Board had reviewed 368 applications, approved 362, and disapproved a total of 6. The majority of the applications were submitted by landowners in order to have loggers predetermined as independent contractors. A few applications were submitted by electricians, trucking companies, and plumbers, and other occupations of a miscellaneous nature.

### OFFICE OF MEDICAL AND REHABILITATION SERVICES

The Office of Medical and Rehabilitation Services works with the health care and vocational rehabilitation policies in the Maine workers' compensation system. The emphasis of health care policies is on utilization review, treatment protocols, and medical fee schedule. The Maine workers' compensation Medical Fee Schedule is updated annually. Treatment parameters for the most common diagnoses found in work-related injuries are being compiled. The Office of Medical and Rehabilitation Services conducts hearings to determine eligibility and reasonableness of vocational rehabilitation services. The Unit certifies Vocational Rehabilitation Providers to serve as Board-approved facilities, administers the Employment Rehabilitation Fund, accepts applications, approves and determines payment amounts, and assesses reimbursements owed by employers and insurers.

### BENEFITS ADMINISTRATION

**Central Files Division.** This Division maintains approximately 1.5 million files. All Board case file activity begins and ends in this Division.

**Notices of Controversy/Petitions Division.** This Division receives and assigns Notices of Controversy and Petitions to Claims Resolution Specialists, Mediators, Hearing Officers, and Regional Offices. In 1993, this Division processed 29,527 Notices of Controversy.

**Coverage Division.** This Division monitors workers' compensation coverage of employers. Approximately 55,641 proof of employer insurance coverage forms were processed in 1993. In 1994, electronic transfer of this information allowed the reassignment of three coverage specialist positions to audit employers who appear to have no recorded insurance coverage.

Additionally, this Division processes First Reports of Injury, reviews employer requests for waivers of workers' compensation insurance, and assists in processing applications for Predetermination of Independent Contractor Status.

**Payments Division.** This Division monitors lost-time cases, reviews Hearing Officer decisions, processes Wage Statements, Memorandums of Payment, Discontinuances, Modification Forms, and audits files for employer/insurer compliance with the Act.

In 1993, the approximate number of forms processed were as follows:

Memorandum of Payment	18,394
Wage Statements	14,066
Discontinuances	18,677
Agreements	894
Hearing Officer Decisions	8,835
Interim/Final Reports	11,895
Miscellaneous Forms	3,068
Approximate Number of Forms Processed	75,829

### LICENSES, PERMITS, ETC.:

Permission to self-insure as an individual and permission to self-insure as a group was transferred to the Bureau of Insurance, Department of Professional and Financial Regulation (formerly Department of Business Regulation) effective July 3, 1980 per Chapter 577, P.L. 1979 (from the former Workers' Compensation Commission).

The Workers' Compensation Board issues optional predetermination of independent contractor status relating to workers' compensation coverage.

## INDEPENDENT AGENCIES—REGULATORY

### PUBLICATIONS:

“Annual Report on the Status of the Maine Workers’ Compensation System”, July 1993. (Free)  
 Paperback, *Maine Workers’ Compensation Act and Rules and Regulations* (1992). (Single copy is free; \$1.50 for each additional copy.)

Pamphlet, “Facts for Injured Workers.” (First four copies are free; 50¢ for each additional copy.)

Weekly Benefit Table. (\$2.50 each)

Medical Fee Schedule. (\$6.00 each)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit’s accounts as recorded in the files of the Bureau of the Budget’s MFASIS system.

WORKERS' COMPENSATION BOARD	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	3,013,314		3,013,314			
Health Benefits	339,925	-238	340,163			
Retirements	476,735		476,735			
Other Fringe Benefits	43,221		43,221			
Other Contract Services—State	77,257		77,257			
Computer Services—State	9,357		9,357			
Other Contractual Service	560,186	-599	560,785			
Rents	67,416		67,416			
Commodities	110,801		110,801			
Grants—Subsidies—Pensions	78,245		78,245			
Building and Improvements	2,832		2,832			
Interest—Debt Retirement	1		1			
<b>TOTAL EXPENDITURES</b>	4,779,290	-837	4,780,127			

## ARCHIVES ADVISORY BOARD

, CHAIRMAN

ANN THOMAS, Secretary

*Central Office:* Library-Museum-Archives Building, Augusta  
*Mail Address:* State House Station #84, Augusta, ME 04333-0084

*Telephone:* 289-5790

*Established:* 1965

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 00; Umbrella: 92; Unit: 257; Citation: 5 M.R.S.A., Sec. 96

*Average Count—All Positions:* 0

**PURPOSE:** The Archives Advisory Board's primary function is to advise the State Archivist in his administration of the law pertaining to archives, and to perform other such duties as may be prescribed by law.

**ORGANIZATION:** The board consists of 9 public members appointed by the Governor as advisors for overlapping terms of 6 years. Each advisor serves for the term of the appointment and thereafter until his/her successor is appointed and qualified. In case of the termination of an advisor's service during his term, the Governor must appoint a successor for the unexpired term. Advisors serve without compensation, but receive their necessary expenses.

**PROGRAM:** The Archives Advisory Board has met periodically during the fiscal year to advise the State Archivist on the disposition of records, retention, schedules and on administrative matters of concern.

### LICENSES, PERMITS, ETC.:

The Archives Advisory Board, with the State Archivist, is responsible for authorizing the destruction of State records having no permanent value (M.R.S.A., Title 5, §9). Action taken by the State Archivist and the Archives Advisory Board is evidenced by the issuance of an executed *Request for Approval to Dispose of Records* (Form MSA 2.1073) or *Request for Approval to Establish Records Disposition Schedule* (Form MSA 22.1073).

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Maine State Archives.

## MAINE ADVISORY COMMITTEE ON CHILDREN WITH SPECIAL NEEDS

JANE WEIL, CHAIRPERSON

*Central Office:* Room 411, State Office Building, Augusta  
*Mail Address:* State House Station #40, Augusta, Maine 04333

*Telephone:* 287-4250

*Established:* September 19, 1985

*Reference:* Policy Area: 03; Umbrella: 92; Unit: 482; Citation: 34B M.R.S.A., 6241

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** To act in an advisory capacity to the Commissioner of the Department of Mental Health and Mental Retardation, and to the Director of the Bureau of Children with Special Needs, in assessing programs, planning future activities and developing the means to meet the needs of children in need of treatment and their families.

## INDEPENDENT AGENCIES—ADVISORY

**ORGANIZATION:** The committee shall consist of 15 members appointed by the Governor, with due consideration given in the appointments to including parents or relatives of children in need of treatment, providers of service to these children and representatives of state agencies concerned with children.

The chairperson is named by the Governor and members shall serve for staggered three year terms.

**PROGRAM:** The Committee meets bi-monthly. During the past year, the Committee assisted the Bureau in reviewing and disseminating a proposed "initiative" regarding expanded services to children in need of treatment. The Committee also monitored legislation related to children's services and—as appropriate—provided information to the commissioner and the legislature on significant proposals related to programs or funding. The Committee, as required by law, conducted an extensive survey of the status of services to children with special needs and their families and is presenting same to the Executive Department and the Legislature.

### **PUBLICATIONS:**

Bureau of Children with Special Needs Biennial Plan (1993-94)

Maine Comprehensive Mental Health Services Plan (PL 102-321), 1993

Rights of Children Who Have Special Needs: Annual Status Report, 1994

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$3,000 in FY94 and are, by administrative decision, included with those of Bureau of Children with Special Needs.

## **MAINE CHOICE ADVISORY BOARD**

**BERNARD L. MILLER, CHAIRMAN**

**TIMOTHY P. AGNEW, CHIEF EXECUTIVE OFFICER**

*Central Office:* One Weston Court, Augusta

*Mail Address:* Statehouse Sta. #119, Augusta, Maine 04333

*Established:* July, 1989

*Reference:* Policy Area: ; Umbrella: 92; Unit: 524; Citation: 20-A M.R.S.A., c. 430-A

*Average Count—All Positions:* 0

*Telephone:* 623-3263

800-228-3734

*Sunset Review Required by:* June 30, 2001

*Legislative Count:* 0

**PURPOSE:** The Maine Choice Program was established to provide financial assistance to superior students seeking post-secondary education in nursing and allied health occupation programs, including nurse practitioner and physician's assistant programs. The program provides interest-free loans of up to \$2,500 per academic year.

**ORGANIZATION:** The Maine Choice Advisory Board consists of 10 members, including: the Chief Executive Officer of the Finance Authority of Maine or the Chief Executive Officer's designee, the Director of Health Planning and Development or the Director's designee, the Commissioner of Labor or the Commissioner's designee, the Director of the State Planning Office or the Director's designee, a member of the Maine Health Policy Advisory Council appointed by its chair, 2 representatives of the nursing profession appointed by the Governor, 2 representatives of other allied health professions appointed by the Governor and one consumer appointed by the Governor.

The Board advises FAME's Chief Executive Officer and FAME's Board of Directors on operations of the program and the amount of appropriations needed to operate the program effectively, selects the finalists to receive loans and determines underserved regions and subject areas.

**PROGRAM:** The Maine Choice Program recognizes graduating secondary school seniors and students enrolled in nursing programs or programs in allied health occupation programs such as nurse practitioner and physician assistant programs. Preference is given to students enrolled in a health care program that

## INDEPENDENT AGENCIES—ADVISORY

has been determined by the Maine Choice Advisory Board to be in an underserved health care region or subject area.

Those students designated as Maine Choice Scholars by the Maine Choice Advisory Board are entitled to loans of up to \$2,500 per academic year, which are automatically renewable for subsequent years provided that the student maintains a certain grade point average.

Student loans made under the Maine Choice Program are interest free. In addition, borrowers are entitled to forgiveness of 25% of their loans for each completed year of employment in the State in the health care profession in which the student is educated. There is currently no available funding for this program

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. For further financial information, contact the Finance Authority of Maine.

## COUNCIL OF ADVISORS ON CONSUMER CREDIT

NEIL SHANKMAN, CHAIR

*Central Office:* Gardiner Annex, 122 Northern Ave., Gardiner, Maine 04345

*Mail Address:* State House Sta. #35, Augusta, Maine 04333-0035

*Telephone:* 582-8718

*Established:* 1973

*Sunset Review:* Not Established

*Reference:* Policy Area: 01; Umbrella: 92; Unit: 435; Citation: 9-A M.R.S.A., Sect. 6-301

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The council advises and consults with the administrator of the Bureau of Consumer Credit Protection concerning the exercise of the Superintendent's powers under the law and may make recommendations to the Superintendent. Members of the council may assist the administrator in obtaining compliance with the law.

**ORGANIZATION:** The Council of Advisors on Consumer Credit consists of 12 members, who are appointed by the Governor. One of the advisors is designated by the Governor as chair. In appointing members of the council, the Governor must seek to achieve a fair representation from the various segments of the consumer credit industry and the public. The term of office of each member of the council is 4 years. A member chosen to fill a vacancy arising otherwise than by expiration of term is appointed for the unexpired term of the member whom the new member is to succeed. A member of the council is eligible for reappointment.

Members of the council serve without compensation but are entitled to reimbursement of expenses incurred in the performance of their duties.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Consumer Credit Protection, Department of Professional and Financial Regulation.

## MAINE CRITICAL AREAS ADVISORY BOARD

ALISON DIBBLE, CHAIR

HARRY R. TYLER, JR., Program Manager

*Central Office:* 184 State Street, Augusta

*Telephone:* 624-6041

*Mail Address:* State House Sta. 38, Augusta, Maine 04333

*Established:* 1974

*Sunset Review:* Not Established

*Reference:* Policy Area: 00; Umbrella: 92; Unit: 308; Citation: 5 M.R.S.A., Sect. 3313

*Average Count—All Positions:* 1

*Legislative Count:* 0

**PURPOSE:** The purpose of the Maine Critical Areas Advisory Board is to advise the State Planning Office on the Critical Areas Programs, especially in deciding which areas are to be included on the Register of Critical Areas. This Register is an inventory of natural features of unusual significance because of their natural, scenic, or scientific values.

**ORGANIZATION:** The Critical Areas Advisory Board was created in 1974 by the Act Establishing a State Register of Critical Areas, 5 M.R.S.A. Sections 3310-3314. The Board consists of 11 members. The director of the State Planning Office serves ex officio while the 10 other members are appointed by the Governor.

**PROGRAM:** Since 1974, the Maine Critical Areas Program has been an effort to identify and protect Maine's most significant natural features, including scenic areas and areas important to the fields of zoology, hydrology, geology, and botany. An official list of these valuable areas, called the Register of Critical Areas, is maintained by the program under the guidance of the eleven member Maine Critical Areas Advisory Board. The program works with landowners on a voluntary basis to conserve unique natural areas. In recognition of its valuable work, the program was honored in 1980 with the U.S. Department of the Interior Achievement Award for outstanding contribution to the conservation of the nation's natural resources.

The Critical Area Advisory Board met two times in FY 91 and discussed the Critical Areas Program's funding level, criteria for endangered and threatened plants, designation of Heritage Coastal Areas, and data management. Due to budgetary constraints, the Critical Areas Program was suspended by the Maine Legislature from January 1, 1992 to June 30, 1992.

The program continued the statewide inventory process to identify and document natural areas of statewide significance. Recent inventories have documented over 600 candidate Critical Areas to which a significant number of rare plant areas were added. Under a ten-year conservation agreement with the International Paper Co., Bomantown and Oxbow Townships in western Maine were inventoried in FY 91 with the cooperation of the Natural Heritage Program and financial assistance of The Nature Conservancy.

In FY 91 four areas were added to the Register of Critical Areas. At the end of FY 90 the Register contained a listing of 653 areas. The listing of Qualified-but-Unregistered areas contains 44 areas. The program has been working with the Natural Heritage Program, established in Maine state government in January 1989, to better manage its data. Discussions regarding location and consolidation of CAP and NHP functions took place throughout FY 91 and 92.

In cooperation with Office of Endangered Species of the U.S. Fish & Wildlife Service, the program monitored the major populations of the Small Whorled Pogonia, a federally endangered orchid. The population of Furbish's Loosewort was inventoried during the summer of 1991. The program also has a mandate to issue an official listing of endangered and threatened native plants species.

In FY 91, the annual Critical Areas Awards were presented by the Governor to Robbins Lumber Co., Richard Clark, and Martin Rasmussen.

In FY 93, the Critical Areas Program was suspended by the Maine Legislature and the State Planning Office. Staff resources was used to convene the 1993 Natural Areas Association Conference held in Orono. The Critical Areas Program continues to provide considerable assistance to many landowners, government agencies, developers, and conservation organizations. The program advised landowners of the significance of areas they own, appropriate management for these areas, and sources of expert management assistance for specific problems. The program provided information to developers about areas sensitive to development and requiring special attention. Many State and federal agencies also



## INDEPENDENT AGENCIES—ADVISORY

received technical assistance from the program. Private non-profit conservation organizations, such as The Nature Conservancy, Maine Audubon Society and Maine Coast Heritage Trust use the program's information and data base.

**PUBLICATIONS:** Publications of the Critical Areas Program of the State Planning Office contributed to by the Maine Critical Areas Advisory Board include:

**Brochures:**

Critical Areas Program	Alcids	Piping Plover
Least Terns	Leach's Storm Petrel	Horseshoe Crab
Black Terns	Oysters	Sassafrass
Nodding Pogonia	Mountain Laurel	Terns
Orchids	Eider Ducks	Eskers
Rhododendron	Intertidal Marine Invertebrates	Wading Birds
Waterfalls	Shagbark Hickory	Gorges
Atlantic White Cedar	Tupelo	Whitewater rapids
Sand Beaches	Furbish Lousewort	Fossils
Alpine Vegetation	Old-Growth White Pine	White Oak

*The Landowner's Options: A Guide to the Voluntary Protection of Land in Maine*, a booklet.  
Scenic Inventory of Mainland Sites of Penobscot Bay—May 1990

**FINANCES, FISCAL YEAR 1994:** Expenditures are, by administrative decision, included with those of the State Planning Office.

## ADVISORY COUNCIL ON DEFERRED COMPENSATION PLANS

**H. SAWIN MILLETT, JR., COMMISSIONER**  
**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**

*Central Office:* State Office Bldg., Augusta; Floor: 3

*Telephone:* 624-7800

*Mail Address:* State House Sta. #78, Augusta, Maine 04333

*Established:* 1973

*Sunset Review:* Not Established

*Reference:* Policy Area: 00; Umbrella: 92; Unit: 311; Citation: 5 M.R.S.A., Sect. 884

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** Administration of the deferred compensation program with State departments, agencies, boards, commissions or institutions is under the direction of the Department of Administrative and Financial Services. The Advisory Council on Deferred Compensation Plans was established to review the operations of the program and to advise the Department on matters of policy.

**ORGANIZATION:** The Advisory Council on Deferred Compensation Plans, established in 1973, consists of seven members, including the Commissioner of Administrative and Financial Services as Chairman, the Insurance Superintendent and the Superintendent of Banking, ex officio, or their designees, the Executive Director of the Maine State Retirement System, 3 classified State employees appointed by the Governor as follows: one employee from the Maine State Employees Association, one employee of the American Federation of State, County and Municipal Employees, and one employee from the Maine State Troopers Association. Employee representatives are appointed for terms of 3 years. The Council is required to meet at least once a year.

## INDEPENDENT AGENCIES—ADVISORY

**PROGRAM:** In conjunction with the Advisory Council on Deferred Compensation Plans, the Department of Administrative and Financial Services conducted open enrollment on a monthly basis.

**PUBLICATIONS:** *Maine State Employees Deferred Compensation Plan Booklet. Rev. 1989*

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## MAINE DEVELOPMENTAL DISABILITIES COUNCIL

JEAN C. MANNING, CHAIR

PETER R. STOWELL, EXECUTIVE DIRECTOR

*Central Office:* Nash Bldg., Augusta

*Telephone:* 287-4213

*Mail Address:* State House Sta. #139, Augusta, Maine 04333

*Established:* October 1, 1974

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 92; Unit: 050; Citation: 34B M.R.S.A., Sect. 1211

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The primary purpose of the Maine Developmental Disabilities Council is to improve and enhance the network of services available to persons with developmental disabilities of all ages in Maine. The Council serves as an advocate for persons with developmental disabilities by providing a public forum for consumers, parents and family members to meet with state agency representatives and other providers to address the service needs of persons with developmental disabilities.

**ORGANIZATION:** The Maine Developmental Disabilities Council was established in 1971 by an Executive Order and by statute in 1981 as the Maine State Planning and Advisory Council on Developmental Disabilities. In 1994 its name was changed to its present designation. The Council consists of twenty-one members appointed by the Governor or serving by virtue of their positions in state government. Appointees are persons with developmental disabilities, parents or guardians of such persons, representatives of higher educational facilities, and other groups concerned with services to persons with developmental disabilities in Maine. Those who serve by virtue of their positions are representatives of the three principal state agencies that serve persons with developmental disabilities. Council membership reflects a regional distribution across the State, as well as an attempt to equitably represent disabilities associated with the target population.

The Council is staffed by an Executive Director, a Policy Analyst, a Planner, and a Secretary. Administrative support is provided as needed by the Department of Mental Health and Mental Retardation. Other sources of manpower, such as consultants, special projects, etc. are utilized as needed. The Council's committees assist in determining its annual activities. The Government and Public Affairs Committee is responsible for reviewing legislation relating to persons with developmental disabilities and for formulating the Council's federal and state legislative program. The Planning and Evaluation Committee oversees the development and implementation of the State Plan. The Council's Executive Committee reviews issues to be brought before the Council and sets the agenda for monthly meetings.

**PROGRAM:** The following is a sample of Council activities as it addressed the objectives of year two of the Three Year State Plan for meeting the needs and preferences of people with developmental disabilities. Priority areas selected for the second year of the Three Year State Plan are Child Development, Community Living, Employment and System Coordination and Community Education. As examples of its activities in 1993, the Council participated in:

1. **Family Support.** The development of a network of family support services continues to be the major emphasis of the Council. Elements of family support have been addressed in all four priority areas. Under the Community Living priority area the Council sponsors a yearly Family

Support Conference to provide educational opportunities for people with disabilities and their families to reflect on current values of independence, self-determination, and inclusion in all components of community life. Under the System Coordination and Community Education priority areas, the Council also provides funding for public awareness activities to school age children in public school settings that emphasize similarities, capacities, gifts, talents, and aspirations of people with disabilities.

2. **Maine Meeting Place.** The Council financially assists York County Parent Awareness to continue with expansion of its electronic bulletin board and communication network to be accessible by people with disabilities and their families. People with disabilities and their families receive accurate, timely, up-to-date information through the Board called the Maine Meeting Place or MMP, on a wide variety of topics, including health insurance and Medicaid, assistive technology, laws and regulations, family support and networking, community inclusion, adults with disabilities, transition and education issues, early intervention, and information on specific disabilities such as autism, Down Syndrome, and other disabilities. YCPA currently provides electronic bulletin board services to more than 800 families who are linked up to MMP. A Policy Review Board also continues to meet to oversee the expansion of the Maine Meeting Place.
3. **Maine Advocacy Services.** The Council assists Maine Advocacy Services to train 20-40 parents of children with disabilities in federal and state laws pertaining to special education including Section 504 and P.L. 94-142, administrative and legal remedies, training in advocacy strategies. In addition, Maine Advocacy Services provides follow-up training and supervision of all interested parent advocates who participated in the program last year. Contents of the parent advocate training program include project information, a lecture series, a review of special education regulations, and other issues related to special education. The related curriculum is accompanied by a manual for the use of parent advocates being trained.
4. **Family Counseling Program.** The Council gives funding to the Bureau of Children with Special Needs to provide counseling services to families who have a child(ren) in need of treatment. The Council also gives funding to the Bureau of Mental Retardation for provision of counseling services to families who have a member with mental retardation and/or autism. The need for counseling services is related to the presence of a person with disabilities in the family and the family dynamics around finances, health care, stress, economic opportunity, sibling relationships, marital relationships, or other areas of family living.
5. **Information Services.** The Council gives funding to Maine Parent Federation for the provision of information services to families who have pre-school age children and adult family members with disabilities. Activities as part of the program include providing a comprehensive network of information services for families requests received via the telephone and through the mail, responding to requests for material from the SPIN (Special-needs Parents Information Network) library, and distributing the "Parent Connection" newsletter to new families.
6. **Technical Assistance to Family Support Groups.** The Council gives funding to Maine Parent Federation for the development and enhancement of family support groups. The groups give both informational as well as emotional support to parents who have children with disabilities. Activities include helping groups establish themselves, facilitating them in their decision-making processes, helping them establish and clarify organizational goals, and helping them devise conflict resolution strategies when competing organizational agendas create discord.
7. **Funding Assistance to Family Support Groups.** The Council has set aside funds to assist support groups concerned with issues affecting a family member with a disability. The Council's intent is to help family support groups develop or expand their activities, not to replace existing funds. A small amount of money is available to groups with no formal structure as well as to established groups with other financial resources. Applications are received from groups interested in single-age or cross-age issues or in single-disability or cross-disability issues. Expenditures that are eligible for funding include: child care, refreshments, speakers, newsletters, postage, space rental, supplies, brochures and resource directories.
8. **Self-Advocacy.** The Council gives funding to the Center for Community Inclusion, University Affiliated Program (UAP), located at the University of Maine at Orono. The primary focus of the project is to include expansion of the UAP's capacity to serve people with mental retardation in a self-advocacy movement. Activities will include setting up a Project Advisory Committee of individuals with mental retardation to oversee the project, training a network of self-advocacy leaders at a two-day retreat, and building on and expanding existing self-advocacy networks located throughout the state.

## INDEPENDENT AGENCIES—ADVISORY

### PUBLICATIONS:

ALL FREE (limited availability on asterisked items)

- DD Council Brochure
- Insights: A Handbook for Parents of Children with Disabilities (Fourth Edition)\*
- Three Year State Plan
- Jargon and Acronyms: A Booklet of Descriptions and Definitions\*
- Special Education for Parents: Rights and Responsibilities
- Just Like Me: Disability Awareness Activities
- Caring for Families Who Care: The Report of the Family Contribution Study Advisory Committee\*
- The “1990 Report”

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are included with those of the Bureau of Mental Retardation.

## DISPLACED HOMEMAKERS ADVISORY COUNCIL

GILDA E. NARDONE, DIRECTOR

*Central Office:* University of Maine at Augusta

*Telephone:* 621-3437

*Mail Address:* Stoddard House, UMA, Augusta, ME 04330-9410

*Established:* October 1977

*Sunset Review:* Not Established

*Reference: Policy Area:* 04; *Umbrella:* 92; *Unit:* 390; *Citation:* 26 M.R.S.A., Sect. 1604

*Average Count—All Positions:* 0

*Legislative Count:* 0

**ORGANIZATION:** The Displaced Homemakers Program operates through a contractual agreement with the Maine Department of Labor in conjunction with the University of Maine System. A statewide Advisory Council, appointed by the Governor, works with Program staff.

**PROGRAM:** In FY 94, the Maine Displaced Homemakers Program continued to offer a full range of pre-training/pre-employment and self-employment services through a statewide toll-free resource line and fourteen Regional Resource Centers throughout the state.

Nearly 1,000 individuals were served by the Program through comprehensive intake assessment, information and referral, training courses and workshops, support groups, placement assistance, and follow-up services.

The Program continued to work cooperatively with a wide range of human service, education and training, economic development, and advocacy organizations on a community, state, regional, and national level. Collaborative self-employment and workforce readiness Projects were provided to AFDC recipients in Androscoggin and Somerset Counties, refugees in the Greater Portland area, and unemployed parents in York County in partnership with Coastal Enterprises, Inc. and others. Other special activities during the Program's 15th Anniversary year included a conference on Trade and Technical Careers for Women, a Financial Management workshop series, and a Divorce Information series offered throughout the state via Interactive Television. Three staff continued to serve on the Governing Board of Women Work! The National Network for Women's Employment.

### PUBLICATIONS:

Single copies of “Venturing Forth: A Guide for Women Considering Starting a Small Business” and the Program's Annual Report are available free of charge.

**FINANCES, FISCAL YEAR 1993:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The following display has been provided by the unit from its own accounting records.

## MAINE COMMISSION ON DOMESTIC ABUSE

ALFRED SKOLFIELD, JR., COMMISSIONER

*Central Office:* Augusta

*Mail Address:* 36 Hospital St., Augusta, ME 04333

*Telephone:* 624-7068

*Established:* 1990

*Reference: Policy Area:* 03; *Umbrella:* 92; *Unit:* 539; *Citation:* 19 M.R.S.A. 770-B

**PURPOSE:** The Maine Commission on Domestic Abuse shall advise and assist the executive, legislative and judicial branches of State Government on issues related to domestic abuse. The commission may make recommendations on legislative and policy actions, including training of various law enforcement officers, prosecutors and judicial officers responsible for enforcing and carrying out the statutory provisions relating to domestic abuse.

**ORGANIZATION:** The Commission is composed of 12 members appointed by the Governor. The Governor shall name the chair from among the following appointed members:

- (1) Two members who are representatives of the statewide coalition of family crisis services;
- (2) Two members who are representatives of the family counseling profession, one of whom has experience counseling abusers;
- (3) One member who is a representative of the Maine Commission for Women;
- (4) Two members who are attorneys with experience in domestic relations cases, one of whom has experience representing victims of domestic abuse;
- (5) One person who was a victim of domestic abuse and used the court system;
- (6) One member who is a district attorney or assistant district attorney;
- (7) One member who is chief of a municipal police department;
- (8) One member who is a county sheriff; and
- (9) The Commissioner of Public Safety or the commissioner's designee.

**B.** In addition, the Chief Justice of the Supreme Judicial Court is requested to appoint one person to serve the commission in an advisory capacity.

**PROGRAM:** The Maine Commission on Domestic Abuse has undertaken activities in the areas of criminal justice, legislation and medical profession education during the last year.

The Commission discussed the impact of various pieces of legislation on the state and federal level on domestic abuse and testified both for and against proposed bills. The Commission is studying the Model Code on Domestic and Family Violence with the hope of introducing similar legislation next year in Maine.

The Commission strongly believes that it is essential to educate the public and policy makers on the negative effects of domestic abuse or violence, and more importantly emphasize the fact that it is against the law. The Commission recognizes that there is a lack of factual data concerning incidences of domestic abuse and continues to work toward developing data sources.

The Commission supported a project in Maine's rural health centers to increase identification and treatment of domestic abuse. Members of the Commission also approached the Edmund S. Muskie Institute of Public Affairs to encourage the Institute to pursue other research projects.

The Commission worked with health care centers to develop a patient questionnaire to collect data. The project started at one facility and the interested group is continuing on its own. Their goal is to use the questionnaire in all 21 centers throughout Maine.

**FINANCES, FISCAL YEAR 1994:** Expenditures are included within the Department of Public Safety.

## EDUCATIONAL LEAVE ADVISORY BOARD

NANCY J. KENNISTON, *Director of Human Resources*

*Central Office:* State Office Bldg., Augusta; *Floor:* 2  
*Mail Address:* State House Sta. #4, Augusta, Maine 04333

*Telephone:* 287-3761 (Voice)  
287-4537 (TDD)

*Established:* 1973

*Reference:* Policy Area: 02; Umbrella: 92; Unit: 284; Citation: 5 M.R.S.A., Sect. 723

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Educational Leave Advisory Board was established in 1973 to review and authorize requests from classified and unclassified employees for educational leave. From 1973 to 1991, all educational leave requests that had a duration of one work week or more required advance approval by the Board. In 1991, the Educational Leave law was amended to require advance approval by the Board for educational programs that require position leave for thirty (30) days or more. With this amendment, educational leaves for less than thirty days may be approved by the employing agency. The Educational Leave Advisory Board is also responsible for establishing rules and administrative procedures for submitting and processing educational leave requests and for maintaining records of employee requests for educational leave and the terms and disposition of these requests.

**ORGANIZATION:** In 1989, the membership of the Educational Leave Advisory Board was increased from three to five members. The members of the Board are: the Director, Bureau of Human Resources as Chair, the Commissioner (or designee) of the Department of Education, the manager of human resource development within the Bureau of Human Resources, and two State employee members, one of whom must be a bargaining unit employee. The State employee members are appointed by the Governor for a three-year term. Members of the Board receive no compensation for their services.

**PROGRAM:** During FY 93-94, the Educational Leave Advisory Board processed six (6) requests for educational leave. All requests were approved, and one approved request was cancelled prior to the leave date.

Four (4) requests were submitted by employees of the Department of Human Services and two (2) requests were submitted by employees of the Department of Mental Health & Mental Retardation. All six (6) requests were for Masters of Social Work.

- Two (2) requests were approved for part-time leave with pay.
- Two (2) requests were approved for full-time leave with partial pay.
- One (1) request was approved for full-time leave without pay.
- One (1) request (cancelled) was approved for part-time leave without pay.

### **PUBLICATIONS:**

Guidelines for Educational Leave (first issued 7/2/74).

**FINANCES, FISCAL YEAR 1994:** Except for scholarships approved from the Educational Leave Scholarship Fund, this unit is not authorized to receive or expend funds. To date, the Educational Leave Scholarship Fund is unfunded.

## **FIRE SPRINKLER ADVISORY COUNCIL**

**DENNIS LUNDSTEDT, STATE FIRE MARSHAL**  
**LADD G. ALCOTT, Assistant State Fire Marshal**

*Central Office:* 317 State Street, Augusta

*c/o Office of State Fire Marshal*

*Telephone:* 287-FIRE

*FAX:* 287-5163

*Mail Address:* State House Station #52, Augusta, Maine 04333-0052

*Established:* January 1, 1990

*Sunset Termination Starting by:* January 1, 1990

*Reference:* Policy Area: 06; Umbrella: 92; Unit: 515; Citation: 5 M.R.S.A., Sect. 12004-I

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The principal function of the Fire Sprinkler Advisory Council is to enable a greater degree of life and property protection for the citizens of Maine. Specifically, the council is responsible to:

1. Advise the State Fire Marshal concerning practices in the fire sprinkler system industry and the rules necessary to implement such practices.
2. Make recommendations to the State Fire Marshal regarding forms and procedures for certification, registration and licensure, and plan reviews and fees charged for those reviews.
3. Advise the State Fire Marshal as to future changes that may be required to further protect the health, safety and welfare of Maine citizens.

**ORGANIZATION:** The Commissioner of Public Safety appointed a 7-member council to advise the State Fire Marshal on all matters pertaining to automatic fire sprinkler systems. The council consists of two persons who were actively engaged in management of a fire sprinkler system business for at least five years prior to their appointments; one journeyman sprinkler fitter; one person from a municipal fire department within Maine, nominated by the Maine Fire Chiefs Association; one representative from the Professional Firefighters of Maine; one person involved in building construction design, and who is either a fire protection engineer or a mechanical engineer licensed in the state; and one representative from the property insurance industry, nominated by the Superintendent of Insurance.

**PROGRAM:** The council continued to advise the State Fire Marshal's Office in several areas relating to industry compliance with technical standards.

A majority of sprinkler system technical standards were updated and adopted as rules in accordance with the Maine Administrative Procedures Act.

**FINANCES, FISCAL YEAR 1994:** No funds were appropriated or expended during FY 94.

## **ADVISORY COMMITTEE FOR THE TRAINING OF FIREFIGHTERS**

**SOUTHERN MAINE TECHNICAL COLLEGE**  
**FIRE SERVICE TRAINING AND EDUCATION**

**WAYNE H. ROSS, PRESIDENT**

**WILLIAN C. WARREN, VICE PRESIDENT/ACADEMIC DEAN**

**STEVE HASSON, STATE FIRE ADMINISTRATOR**

*Central Office:* Howe Hall, SMTC

*Telephone:* 767-9500

*Mail Address:* Fort Road, So. Portland, Maine 04106

*Established:* 1959

*Sunset Review:* Not Established

*Reference:* Policy Area: 02; Umbrella: 92; Unit: 326; Citation: 20A M.R.S.A., Sect. 9002

*Average Count—All Positions:* 0

*Legislative Count:* 0

## INDEPENDENT AGENCIES—ADVISORY

**PURPOSE:** The Advisory Committee provides the Maine Technical College System and Southern Maine Technical College with recommendations for the Firefighter's Training Program in carrying out the administration of section 9001.

**ORGANIZATION:** The committee consists of 17 members appointed by the system president as follows: one municipal chief, one call chief and one volunteer chief recommended by the Maine Fire Chief's Association, Inc.; one municipal firefighter, one call firefighter and one volunteer firefighter recommended by the Maine State Federation of Firefighters, Inc.; two members recommended by the Maine Municipal Association, Inc., including one city or town manager and one selectman; one member of an industrial or institutional fire brigade recommended by the Maine Safety Council; one representative from the field of insurance recommended by the Maine Insurance Association, Inc.; two members recommended by the Professional Firefighters of Maine; one member from the general public; two members from SMTC's Fire Science Craft Committee; and two members from EMTC's Fire Science Craft Committee.

**PROGRAM:** The Maine Technical College System's Advisory Committee on Fire Training and Education met once during FY 94, advising MTCS and Southern Maine Technical College administrators and staff on a variety of fire safety issues.

*Fire Training and Education:* The Maine Fire Training and Education (MFT&E) program employs a staff of 3 full-time administrators, 3 full-time secretaries, 3 half-time coordinators, 9 part-time field supervisors, and 100 part-time instructors and evaluators to help make citizens of Maine safer from fire. Courses offered range from basic, hands-on training for new fire department members, to college-level fire technology education for senior fire officers. Additional courses and services offered include:

- Training teachers in the "Learn Not To Burn" fire safety education program
- Providing consultation services to municipal officials and fire chiefs on a variety of public fire protection issues
- Assisting fire departments in specifying new fire apparatus, and providing acceptance tests for newly-purchased fire trucks
- Testing local firefighters and awarding State Firefighter Certification, based on National Firefighter Qualification Standards
- Providing a wide range of industrial fire education programs to private industry in Maine, for a fee.

During FY 94, MFT&E delivered the following services:

Service	# Courses	Hrs. Instruction	# Students	S/C Hrs.*
Local Field				
Delivery Courses	111	1,637	1,388	20,466
Officer Training				
Courses	19	228	459	5,508
Technical Con-				
sultation Services	2	73	NA	NA
Fire Science Assoc.				
Degree Courses	17	765	505	22,725
Fire Academies	6	475	160	13,387
Fire Cert. Testing	10	120	136	1,632
Ind. Fire Ed./Trng.	22	199	4,295	12,341
Apparatus Spec's				
and Testing Services	9	48	NA	
TOTALS	192	3,541	6,943	76,059

\*Student completion hours.

### LICENSES, PERMITS, ETC.:

1. Provisional Firefighter I
2. Firefighter I
3. Provisional Firefighter II
4. Firefighter II
5. Provisional Fire Instructor I
6. Fire Instructor I through IV



**PUBLICATIONS:**

1. Maine's Fire Chiefs Directory—\$5.00
2. Fire Fighter I Curriculum — \$40.00
3. Driver/Operator Curriculum — \$30.00
4. Fire Fighter I Student Manual — \$20.00
5. Fire Command—Student Manual — \$10.00

**FINANCES, FISCAL YEAR 1994:** 20-A MRSA Sect. 9002, provides that expenditures of this unit shall be borne by the Maine Technical Colleges—Board of Trustees and are, therefore, included in its financial display.

## MAINE HISTORICAL RECORDS ADVISORY BOARD

JAMES S. HENDERSON, STATE COORDINATOR

*Central Office:* L-M-A Bldg., Augusta

*Telephone:* 287-5790

*Mail Address:* State House Sta. #84, Augusta, Maine 04333

*Reference:* Policy Area: ; Umbrella: 92; Unit: 533; Citation: GFY89, Sec. 7

**PURPOSE:** The Maine Historical Records Advisory Board (MHRAB) was created by Executive Order in 1989, in accordance with the National Historical Publications and Records Commission (NHPRC) statutes and regulations to address historical records issues of statewide concern. The Board has responsibility for promoting the NHPRC grant program, including assisting applicants, developing proposals, and reviewing grant applications; monitoring legislation concerning public or historical records administration; providing leadership and coordination among existing archives and records management institutions; sponsoring and encouraging educational and public awareness programs relating to historical records; promoting the publication of historical records.

**ORGANIZATION:** The Maine Historical Records Advisory Board was created in 1989 to provide advice for state historical projects records and to make funding recommendations to the National Historical Publications and Records Commission.

It consists of from seven to eleven members appointed by the Governor for three year, renewable terms. The majority of the members shall have experience in the administration of historical records or in a field of research or activity which makes extensive use of historical records. The Maine State Archivist and the Director of the Maine Historical Society shall be members, and, as required by NHPRC regulation, one of them is appointed by the Governor to act as MHRAB State Coordinator serving a renewable four year term. The Maine State Archives serves as fiscal agent for the MHRAB. Board members serve without compensation.

**PROGRAM:** The Board, through its grant from the National Historical Publications and Records Commission (NHPRC), held meetings in locations outside Augusta to improve public understanding of its role and of the need to properly preserve historical documents for public use. The grant includes funds for workshops to train local citizens and repository staff. During the year meetings were held in Machias and Farmington, in addition to Augusta.

The Board meets for preliminary grant reviews and for final grant recommendations. It proposed, and received, a \$50,000 grant from the NHPRC for regranting to smaller, local historical records repositories. The grant also provides funds to help institutions connect to statewide computer networks and to develop curriculum ideas to bring historical records into expanded use. Acting as an advisory board to the State Archivist, the Board made recommendations for awards for archaeological research funded by the Odiorne Fund.

**LICENSES, PERMITS, ETC.:**

Recommendations to National Historical Publications and Records Commission regarding Maine grant proposals to that Commission.

## INDEPENDENT AGENCIES—ADVISORY

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE HISTORICAL RECORDS ADVISORY BOARD	TOTAL FOR					
	ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	944				944	
Retirements	147				147	
Other Fringe Benefits	14				14	
Other Contract Services—State	625				625	
<b>TOTAL EXPENDITURES</b>	1,730				1,730	

## MAINE HIV ADVISORY COMMITTEE

*Established: 1986; Reconstituted: 1993*

*Reference: Policy Area: 03; Umbrella: 92; Unit: 510; Citation: 5 M.R.S.A., Chapter 501, Sect. 12004*

**PURPOSE:** This committee was originally mandated to advise the Department of Human Services on content and dissemination of educational materials, crises that may develop, coordination of services to people living with AIDS, AIDS related complex and Human Immunodeficiency Virus infection and the families and people providing care for these people, and AIDS related policy and proposed rules. In 1993, the Legislature revised the committee's mandate and organizational structure to more effectively provide input and guidance around HIV/AIDS related issues to encompass all of state government. As acknowledgement of the broader interface sought by the legislative reform, the committee was redesignated under its new title: *The HIV Advisory Committee to the State of Maine (ME HIVAC)*.

**ORGANIZATION:** This committee is comprised of not less than 27 nor more than 31 members appointed by the Governor. It is headed by a Chair and Co-Chair. It is advisory only, having no responsibility or jurisdiction over activities, implementation or results of action taken by any state agency; it represents a wide cross section of persons knowledgeable of issues and problems in their fields; it may only make recommendations based on review and consideration of issues of concern brought before the committee via public issue and/or governmental inquiry. It is expected that this committee assists in acquiring support, including funding, for essential services and problems.

**PROGRAM:** The Committee currently meets on a monthly basis to consider areas covered under the "Purpose" section of the document. The Committee is broken down into several sub-committees: Executive, Patient Services, Policy/Legislative, and Education.

Sub-committees meet to give specific recommendations to the Committee as a whole in order to assist the Committee in its efforts to advise the State on HIV/AIDS legislation and policy. Long range plans involve collaboration with both governmental and non-governmental agencies and organizations to facilitate in the development of a comprehensive five (5) year HIV/AIDS Prevention & Intervention Strategic Plan for the State of Maine.

**Role of the Department:** As a result of the 1993 legislative action DHS is no longer the exclusive focus of the committee's attention, **and is no longer responsible for providing any staff support for committee activities.** As of January 1, 1994 all staff support obligations were assumed by the Portland Chapter of the American Red Cross, through its ME HIVAC Staff Liaison, Ms. Trish Macomber, under the direction of Mr. Ed Suslovic, Chairman, ME HIVAC. The Department has retained its seat on the committee, with the Bureau of Health (BOH) Director of the Office on AIDS serving as the formal DHS representative.

**FINANCES, FISCAL YEAR, 1994:** The expenditures of this unit are, by administrative decision, included with those of the Legislature.

## INFORMATION SERVICES POLICY BOARD

MARY LOU DYER, CHAIR, Bureau of Employment and Training, Department of Labor  
MARY N. CLOUTIER, Bureau of Information Services

*Central Office:* State Office Building; *Floor:* 4, Room 422

*Mail Address:* State House Sta. #145, Augusta, Maine 04333

*Established:* July 1, 1986

*Reference:* Policy Area: 00; Umbrella: 92; Unit: 357; Citation: 5 M.R.S.A., Sect. 1891

*Average Count—All Positions:* 0

*Telephone:* 624-7840

*FAX:* 207-287-4563

*Sunset Review Required by:* 2000

*Legislative Count:* 0

**PURPOSE:** The Information Service Policy Board was created to assist the Bureau of Information Services in providing policy for the various State agencies on information services issues, including computer programming, information collection and storage, data retrieval and transmission of information. The Board is charged with developing standards on the acquisition of equipment, the acquisition of computer programs, the development of computer systems and programs, computer operations and any other standards deemed necessary. Additionally, the Board is responsible for assisting in the development of a comprehensive plan, developing rules and policies, acting as an appeals board on actions taken by the Bureau and regularly reviewing information processing and telecommunications operations.

**ORGANIZATION:** The Board consists of 16 voting members and 2 advisory members. The voting members consist of the following administrators or their major policy influencing designees: the Commissioner of Administrative & Financial Services; Commissioner of Human Services; Commissioner of Labor; Commissioner of Transportation; Commissioner of Economic & Community Development; Secretary of State; Executive Director of the Maine State Retirement System; Executive Director of the Maine State Housing Authority; Executive Director of the Finance Authority of Maine; one member appointed by the Governor from the Executive Department; one member appointed by the Governor representing a criminal justice agency of State Government; one member appointed by the Governor representing a natural resource agency of State Government; two members appointed by the Governor representing the remaining state agencies of State Government; and two members appointed by the Governor who are administrators or managers of data processing systems in the private sector. The advisory members are appointed by the Legislative Council and the Chief Justice of the Supreme Court. The Information Services Policy Board must meet at least 4 times annually.

**PROGRAM:** Meeting three times throughout the summer of 1993, the ISPB developed the following Vision, Mission and Values statements:

Our vision is an environment where superior information management forms a cornerstone for quality public services that are convenient, effective, responsive and accessible.

The mission of the ISPB is to provide leadership, oversight, and strategic planning for information technology throughout Maine State Government. Consistent with its statutory authority, the Board develops and approves architecture principles, standards, rules, policies and fees. The Board, in partnership with the Director of the Bureau of Information Services conducts strategic planning initiatives and regular operational reviews.

The values of the ISPB are:

- **CUSTOMER NEEDS:** Engaging in an unrelenting quest to learn what the needs of all our customers are and develop ways to meet those needs;
- **EMPLOYEES:** Constantly supporting state employees through the provision of appropriate training and equipment leading to a relationship that combines trust, empowerment and accountability;
- **EMPLOYEE INNOVATION:** Creating an environment that encourages innovation without fear of reprisal for failure;
- **ARCHITECTURAL PRINCIPLES:** Providing a strong philosophical basis for all of the State's technological decisions;
- **BUSINESS PROCESS IMPROVEMENT:** Aggressively endorsing the development and ongoing support of programs that encourage ongoing evaluation and improvement of business processes;

## INDEPENDENT AGENCIES—ADVISORY

- **COLLABORATION:** Delivering services by collaboration with other public agencies and private organizations;
- **DEVELOPMENT:** Fostering the careful nurturing of the development of people who work in State government as well as the agencies in which they work.

These statements were adopted at the Board's September meeting, and were successfully presented to the Maine Total Quality Management Council in January 1994. The Council invited the ISPB to return with proposals to enhance information management throughout Maine State government.

Consequently, the Board chartered a Public Access Work Group (PAWG) in March to investigate enhancements in the delivery of State public information and services. To this end, the PAWG submitted a matching grant request to the National Telecommunications and Infrastructure Administration for \$155,000 to establish networked kiosks throughout the State. Initially, the kiosks will offer America's Job Bank services and Women, Infants and Children (WIC) information. Motor Vehicles and Environmental Protection information is projected to follow. The PAWG is also investigating additional agency collaboration opportunities to better serve the public.

In addition, the ISPB met 4 times in facilitated work sessions during May-June 1994 to develop measurable goals and objectives consistent with the vision, mission and value statements. During regularly scheduled meetings the Board also:

- 1) approved a Division of Data Processing rate reduction and a \$1,555,500 one time rebate,
- 2) sponsored a highly successful conference held at the Augusta Civic Center 3/3-4 entitled "Information Revolution and Reinventing Government,"
- 3) endorsed the work of the interdepartmental E-Mail Committee, and charged this group to develop draft standards, and
- 4) met with the PAWG to establish priorities and strategies.

### **PUBLICATIONS:**

Architectural Principles

Standards: Policy on the Administration of Standards  
Database Management System  
Data Networking  
Departmental Operating System  
Systems Development Life Cycle Methodology  
Policy on Fees for Information

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Information Services.

## **LOBSTER ADVISORY COUNCIL**

**DAVID COUSENS, CHAIRMAN**

**WILLIAM J. BRENNAN, Commissioner, Marine Resources**

*Central Office:* Baker Bldg., Winthrop St., Hallowell

*Telephone:* 624-6550

*Mail Address:* State House Sta. #21, Augusta, Maine 04333-0021

*Established:* 1979

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 01; Umbrella: 92; Unit: 340; Citation: 12 M.R.S.A., Sect. 6462

**PURPOSE:** The purpose of the legislation which created the Lobster Advisory Council was to help conserve and promote the prosperity and welfare of the State and its citizens and the lobster fishing that helps to support them. More specifically, the Lobster Advisory Council will help to accomplish these goals by fostering and promoting better methods of conserving, utilizing, processing, marketing and studying the lobster.

The council advises the commissioner on activities of the department that relate to the lobster industry. The council also investigates problems affecting the lobster industry and makes recommenda-

## INDEPENDENT AGENCIES—ADVISORY

tions to the commissioner and the Marine Resources Advisory Council concerning its investigations. Lastly, the council reviews current lobster research programs and plans for research on the lobster stock, and submits to the commissioner and Marine Resources Advisory Council, annually, its recommendations on those programs and plans.

**ORGANIZATION:** Created effective September 14, 1979, the Lobster Advisory Council consists of eleven members. Each member is appointed by the Governor. Eight members of the council must be holders of lobster and crab fishing licenses and shall represent Maine's eight coastal counties. Two members must be holders of wholesale seafood licenses and are primarily dealers in lobsters. One member must be a member of the general public and shall not hold any license under this subchapter. All members shall be appointed for a term of 3 years, except a vacancy shall be filled by the commissioner for the unexpired portion of the term. Members shall continue to serve until their successors are appointed. Members serve without compensation, but shall be reimbursed for their actual expenses, including travel at a mileage rate equal to that for state employees. Expenses of the council shall not exceed \$2,000 a year. A quorum shall be 6 members of the council, if at least 4 of them are lobster and crab fishing license holders. The council annually chooses one of its members to serve as chairman for a one-year term. The council may select other officers and designate their duties. They meet at least 4 times a year at regular intervals and it may meet at other times at the call of the chairman or the commissioner.

**PROGRAM:** The Lobster Advisory Council met two times during FY 1994. A total of \$105,000 was granted from the Lobster Fund for the purchase of seed and female lobsters, for young-of-the-year and juvenile lobster research and for maintenance of the state's blue lobster stock.

**FINANCES, FISCAL YEAR 1994:** 12 M.R.S.A., Sect. 6462 provides that expenditures of this unit, which amounted to \$476.76 in FY 94, shall be borne by Maine Department of Marine Resources and are, therefore, included in its financial display.

## MAINE MARKETING ADVISORY BOARD

WAYNE D. SMITH

*Central Office:* 1 Vaughn Place, Caribou  
*Mail Address:* P.O. Box 145, Caribou, Maine  
*Established:* September 23, 1983

*Telephone:* 498-6130  
*Recorder:* 800-462-8818

*Reference:* Policy Area: 01; Umbrella: 92; Unit: 463; Citation: 7 M.R.S.A., Sect. 1008B

**PURPOSE:** The Maine Marketing Advisory Board advises the Commission on operation of the Potato Market Advisory Program, an initiative designed to reduce destructive price competition in potato marketing and reduce highly variable short run pricing of potatoes.

**ORGANIZATION:** The Board consists of six members; three representing potato growers, two representing Maine potato dealers, and one representing an agricultural lending institution.

**PROGRAM:** The Market Advisory Program was amended by the 111th Legislature in its second regular session (sec P.L. 1984 Chapter 829) to eliminate mandatory minimum prices and provisions requiring licensing of first handlers of Maine round white potatoes.

Under this program, newsletters are mailed weekly to subscribers in the potato industry in twenty-three states, five Canadian provinces and the Netherlands. These newsletters provide up to the minute pricing information from all the major areas across the country and supplies the reasons for many recent changes in price. Growers are also kept abreast of current market conditions and are provided with an

## INDEPENDENT AGENCIES—ADVISORY

analysis of market trends and consumer preferences. In addition growers are made aware of acreage and production changes in major areas, U.S.D.A. reports are analyzed so that producers are aware of what impact all the numbers will have on their farming operations.

This program also provides a pre-recorded message to growers that is updated twice daily. Recordings are on an eight hundred phone line (800/462-8818) and report current market conditions and prices from all over the country.

### **PUBLICATIONS:**

Weekly Newsletter to potato growers, \$70 per year.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are included with those of the Bureau of Agricultural Marketing.

## MAINE MEDICAL LABORATORY COMMISSION

**PHILIP W. HAINES, Dr. P.H., CHAIRPERSON**

*Central Office:* Human Services Bldg., Augusta

*Telephone:* 289-2727

*Mail Address:* State House Sta. #12, Augusta, Maine 04333

*Established:* 1975

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 03; Umbrella: 92; Unit: 359; Citation: 22 M.R.S.A., Sect. 206

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** To encourage the development of private medical laboratories in Maine while safeguarding the public health. The department (Commissioner or his designee) with the approval of this Commission, decides on the issuance of a license to operate private medical laboratories. The Commission advises on the enactment of appropriate rules and standards for laboratories, and may suggest changes in law.

**ORGANIZATION:** This Commission of eight professionals, three consumer members and the Chairperson oversees the application of the Maine Medical Laboratory Act. Members are appointed by the Governor for three year terms, with staggered expiration dates. Support is provided by staff from the Department of Human Services' Health and Environmental Testing Laboratory.

**PROGRAM:** During FY 93 the Commission conducted business by mail. The number of licensed laboratories is now 24.

1989 saw the enactment of legislation concerning labs performing maternal serum alpha-fetoprotein screening and lab services performing health screening tests. During 1989/90, rules were promulgated concerning health screening laboratory services, but time constraints prevented completion of rules regarding maternal serum alpha-fetoprotein testing. 1992 saw enactment of Legislation concerning performance of tests without physician order. Rulemaking is in process for this provision. In addition, the new requirements of the Federal Clinical Laboratory Improvement Act of 1988 and its effect on State regulatory programs are leading to additional workload within the laboratory regulatory programs. Legislation may be prepared to bring State law into conformity with the Clinical Laboratory Improvement Act of 1988.

### **LICENSES, PERMITS, ETC.:**

License:

Private Medical Laboratory

Health Screening, Laboratory Service

## INDEPENDENT AGENCIES—ADVISORY

### **PUBLICATIONS:**

1. Copy of Revised Medical Laboratory Act—free
2. Application forms to operate a medical laboratory—free
3. Rules and Regulations—free

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to less than \$500.00 in FY 93 and are, by administrative decision, included with those of the Bureau of Health, Department of Human Services.

## **PETROLEUM ADVISORY COMMITTEE**

*Central Office:* Attorney General's Office  
*Mail Address:* State House Sta. #6, Augusta, Maine 04333  
*Reference:* Policy Area: ; Umbrella: 92; Unit: 552

*Telephone:* 626-8854

**PURPOSE:** To assist the Department of the Attorney General in formulating recommendations to the Legislature as to whether additional legislation is needed to further limit or curtail the activity of refiners operating retail outlets.

**ORGANIZATION:** The Petroleum Advisory Committee is composed of seven members. The Governor appoints five members as follows: one refiner, one wholesaler, one retailer, one member of the Maine Oil Dealers Association and one member of the Maine Petroleum Association from nominations by each of those associations. The President of the Senate appoints one Senator and the Speaker of the House appoints one Legislator serving on the joint standing committee of the Legislature having jurisdiction over business legislation matters.

**PROGRAM:** The Petroleum Advisory Committee meets on an as needed basis. During the past year meetings were held to discuss amendments to the Petroleum Market Share Act and to review the annual report describing the concentration of retail outlets in the State or in sections of the State without disclosing the name of any particular retailer or retail outlet.

**PUBLICATIONS:** FREE: Annual Report to the Legislature concerning levels of concentration in Maine's retail petroleum markets.

**FINANCES, FISCAL YEAR 1994:**

## **BOARD OF VISITORS — PINELAND CENTER**

**WILLIAM J. FLAHIVE, Ph.D., CHAIRPERSON**

*Central Office:* State Office Bldg., Augusta: Floor: 4;  
*Mail Address:* State House Station, #40, Augusta, Maine 04333  
*Established:* April 8, 1983

*Telephone:* 287-4223

*Reference:* Policy Area: 03; Umbrella: 92; Unit: 452; Citation: 34B M.R.S.A., Sect. 1403

*Average Count—All Positions:* 0

*Legislative Count:* 0

## INDEPENDENT AGENCIES—ADVISORY

**PURPOSE:** The Board of Visitors shall have the right to inspect the institution and to make recommendations relative to the management of the institution to the Commissioner of the Department of Mental Health and Mental Retardation. Copies of all recommendations must be sent to the members of the Joint Standing Committee on Health and Institutional Services. Board Members shall appear before the Committee on Health and Institutional Services upon request.

**ORGANIZATION:** A five-person Board is appointed by the Governor for a term of one year and shall be eligible for reappointment. No member of the Legislature can serve on the Board of Visitors. Members do not receive compensation.

**PROGRAM:** In FY 94 the Board of Visitors at Pineland Center met regularly with a prepared agenda of items. The Board worked closely with the Superintendent in reviewing client and staffing levels. The members of the Board met with staff members to discuss programs and concerns. Some members of the Board met with the Consumer Advisory Board as well as Legislative Committees. The minutes of the Board and its activities were kept.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Pineland Center.

## POLICY REVIEW BOARD (Department of Administrative & Financial Services)

JANE L. LINCOLN, CHAIRPERSON

*Central Office:* State Office Bldg., Augusta; *Floor:* 2                      *Telephone:* 287-4459 (voice)  
*Mail Address:* State House Station #4, Augusta, Maine 04330                      287-4537 (TDD)  
*Established:* July 1, 1986                      *Sunset Review Required by:* June 30, 2000  
*Reference:* Policy Area: 00; *Umbrella:* 92; *Unit:* 358; *Citation:* 5 M.R.S.A., Sect. 7041  
*Average Count—All Positions:* 0                      *Legislative Count:* 0

**PURPOSE:** The Policy Review Board was established to advise and assist the Commissioner of Administrative and Financial Services and the Director of Human Resources on matters affecting personnel in Maine State Service. In addition to general policy development, the Board is directed by its enacting legislation to review, study and develop policy for specific program areas including: longevity incentive, educational leave and job performance evaluation. Policy recommended or approved by the Board may be subject to collective bargaining negotiations.

**ORGANIZATION:** The Policy Review Board was established on July 1, 1986. The Board is comprised of the Commissioners of Transportation, Human Services, Mental Health and Mental Retardation, Conservation and Labor (or the designees of these named Commissioners), a representative from the Office of the Governor and two members chosen from private sector personnel systems. The Commissioner of Administrative and Financial Services serves as an ex-officio, non-voting member. The private sector members serve a two-year term.

**PROGRAM:** The Board's concerns continued to include:

- Review of the participation levels and savings that resulted from the Voluntary Cost Savings Programs centrally administered by the Bureau of Human Resources.
- Assessment of civil service, compensation and collective bargaining issues, with the specific purpose of finding workable ways to maximize employee productivity and to provide the flexibility needed to adapt to change in tough financial times.
- Review of the participation levels and salary/benefit savings that resulted from the Seventy Percent Retirement Program.



## INDEPENDENT AGENCIES—ADVISORY

- Review of the negotiated agreements, policies and regulations related to the mandatory and discretionary time off without pay required to fund general salary increases for July and October, 1991.
- Review of the current laws, rules and regulations that govern the resolution of grievances and disputes of career employees not covered by the collective bargaining process.
- Review of the new policy for the reassignment of employees as a reasonable accommodation under the Americans With Disabilities Act.
- Review of the new Maine State Government Family Medical Leave Policy.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are included with those of the Bureau of Human Resources.

## POLICY REVIEW BOARD (Governor Baxter School for the Deaf)

*Central Office:* Mackworth Island, Falmouth  
*Mail Address:* P.O. Box 799, Portland, Maine 04104

*Established:* November, 1983

*Reference: Policy Area:* 02; *Umbrella:* 92; *Unit:* 467; *Citation:* 20-A M.R.S.A., Sect. 7503

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Governor shall appoint a 7-member Policy Review Board to review and make recommendations relative to the Governor Baxter School for the Deaf. The board shall have access to the school, but may not participate in the administration of the day-to-day operations of the school. The board shall make annual recommendations to the commissioner relative to the management of the school, with copies being sent to the members of the joint standing committee of the Legislature having jurisdiction over education. The board's specific duties include, but are not limited to:

- A. Making policy recommendations to the superintendent and the commissioner;
- B. Reviewing policy development by the superintendent and commissioner;
- C. Reviewing the implementation of policy;
- D. Reviewing staff recruitment, retention, promotion and evaluation policies and procedures;
- E. Holding hearings for staff, parents, students, alumni, special education directors and general public and otherwise soliciting the opinions of individuals in those groups concerning the operation and role of the school; and
- F. Conducting exit interviews with the staff members terminating employment with the school.

**ORGANIZATION:** The Governor shall appoint a 7-member Policy Review Board.

- A. The term of office shall be 3 years.
- B. The initial appointments shall be as follows:
  - (1) Three members for 3 years;
  - (2) Two members for 2 years; and
  - (3) Two members for one year.
- C. Replacements for board members who do not complete their term of office shall be for the remainder of the unexpired term.
- D. No member of the Legislature may serve on the board.
- E. The board members shall be representative of a broad range of professionals, parents and citizens interested in the education of deaf and hearing impaired students. They may include:
  - (1) Professionals not employed by the Governor Baxter School for the Deaf who serve deaf and hearing impaired students;
  - (2) Parents of deaf and hearing impaired students at the Governor Baxter School for the Deaf and in school administrative unit programs;

## INDEPENDENT AGENCIES—ADVISORY

- (3) Representatives of handicap advocacy groups;
- (4) School administrative unit administrators or special education directors;
- (5) Members of the deaf and hearing impaired community; and
- (6) Interested citizens.

**PROGRAM:** This report is arranged under the headings of the general duties of the Board.

**A. Making Policy recommendations to the Superintendent GBSD and the Commissioner.**

During the past year the school administrative team and staff have worked diligently to develop a wide range of policies affecting the students, staff and operation of the school. The policies are designed to standardize procedures and provide guidance for all involved with GBSD programs, while at the same time allowing flexibility to serve the unique and changing needs of clients served by the GBSD. The Board recognizes the variety of clients served (LEA's, students, deaf community) and the importance of addressing the unique requirements of each. Policies were examined to determine if the needs of GBSD students were being met, and also were compared to the practices of local LEA's. Several of the policies were totally new to address new or evolving issues.

**B. Reviewing policy development by the Superintendent and the Commissioner.**

The Board has reviewed policies as detailed in "A" previously. These policies have been developed by the Superintendent through the Administrative Team with significant input in most cases from all interested staff. A strong effort has been made to include student input and participation where appropriate and where a desire has been expressed by students or parents.

The Board has not formally received any policy for review or input from the Commissioner.

**C. Reviewing the implementation of policy.**

Members of the Board have been taking an active role in reviewing the effects of policy implementation. This is accomplished through random and coordinated visits to the school, discussion with students and staff, and meetings with the Superintendent and Administrative team both within and outside of Board meetings.

**D. Reviewing staff recruitment, retention, promotion and evaluation policies and procedures.**

The Board is continually apprised of the progress in recruiting the retaining staff. Due to the nature of the state personnel system, promotion and evaluation systems are difficult areas for the Board to become involved in. The Board has encouraged the Superintendent to develop, with the cooperation of the Administrative Team and affected staff, evaluation procedures above and beyond state standard performance evaluations.

**E. Hold hearings for staff, parents, students, alumni, special education directors, and general public and otherwise soliciting the opinions of individuals in those groups concerning the operation and role of the school.**

The Board is committed to seeking the input of all interested personnel. The Board annually has held one formal meeting with high school students to discuss their concerns and seek input concerning any operation of the school, usually in June. Such a meeting was held in Fiscal Year 1993.

**F. Conduct exit interviews with the staff members terminating employment with the school.**

The Board regularly conducts interviews via a standard format with departing employees. Response to requests for information has been variable.

**PUBLICATIONS:**

1. Annual Report dated June 1, 1991-May 31, 1992
2. Minutes of Board Meetings throughout year.

**FINANCES, FISCAL YEAR 1994:** No board member received any pay from the school. Travel expenses were covered under the administrative section of the school's budget.

## POLLUTION PREVENTION ADVISORY COMMITTEE

ROBERT DAIGLE, CHAIR

*Central Office:* AMHI, Ray Bldg., Augusta

*Telephone:* 287-4152

*Mail Address:* State House Station #17, Augusta, ME 04333

*Established:* 1991

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 05; Umbrella: 92; Unit: 557; Citation: 38 M.R.S.A., Sect. 343-D

**PURPOSE:** The Pollution Prevention Advisory Committee serves as a review body to assess the progress in the reduction of toxics use, toxics release, and hazardous waste. The Committee also advises the commissioner on the effectiveness of the Office of Pollution Prevention, the toxic use and hazardous waste reduction program, and the technical and environmental assistance program.

**ORGANIZATION:** The Committee consists of 15 voting members. The Governor appoints 4 representatives from the business community, 2 elected or appointed municipal officials, and 2 representatives of organized labor. The President of the Senate appoints one member from a public health organization, one member from an environmental organization, and one public member. The Speaker of the House appoints one member from a public health organization, one member from an environmental organization, and one public member. The Commissioner or the Commissioner's designee is a voting member. The Commissioner of Labor, the Director of the Maine Emergency Management Agency, and the Executive Director of the Maine Waste Management Agency serve as ex officio members and do not vote on Committee matters.

**PROGRAM:** In 1993, the Committee worked with the Office of Pollution Prevention in the continued development of the Toxic and Hazardous Waste Reduction Guidelines and Reporting Packets and established a small business technical assistance program. The Committee also reviewed regulations for consistency with pollution prevention philosophies and provided legislative testimony on pollution prevention. Finally, the Committee also participated in multimedia "Total Quality Management" programs.

**FINANCES, FISCAL YEAR 1994:** The expenses for this unit are, by administrative decision, included with those of the Bureau of Hazardous Materials and Solid Waste Control.

## ADVISORY COMMISSION ON RADIOACTIVE WASTE

REP. JAMES MITCHELL, CHAIR

*Central Office:* Casco Bank Building, Augusta

*Telephone:* 287-3059

*Mail Address:* State House Sta. #120, Augusta, Maine 04333

*FAX:* 287-5863

*Established:* 1985

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 05; Umbrella: 92; Unit: 433; Citation: 38 M.R.S.A., Sect. 1453

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The Advisory Commission has two purposes: to advise the Governor, the Legislature and other pertinent state agencies on radioactive waste management issues; and to provide public information and opportunities for public input in order to increase public understanding of radioactive waste issues.

## INDEPENDENT AGENCIES—ADVISORY

To achieve its purposes, it is authorized to monitor, report on and, when appropriate, make recommendations concerning developments in Maine and elsewhere.

**ORGANIZATION:** The Legislature established the Advisory Commission on Radioactive Waste in 1985 as a successor to the Low-Level Waste Siting Commission. In 1994, the Legislature revised the Advisory Commission's membership and responsibilities.

The Advisory Commission has 16 members, appointed by three authorities for varying terms. They are:

Three administrators, the Commissioner of Environmental Protection, the Commissioner of Human Services and the State Geologist. Each may appoint a designee; each serves while holding state office.

Six legislators, three Senators appointed by the President of the Senate and three Representatives appointed by the Speaker of the House. From each house, two must represent the majority party and one the minority party; all serve two-year terms ending a month after November elections.

Three licensee members, one appointed by the Governor from a commercial nuclear power facility in Maine, one appointed by the President of the Senate and one appointed by the Speaker of the House, serving staggered two-year terms.

Four public members, two appointed by the Governor, one appointed by the President of the Senate and one appointed by the Speaker of the House, serving staggered two year terms.

**PROGRAM:** The Advisory Commission on Radioactive Waste follows local, national and international developments in both high-level and low-level radioactive waste management. It provides information and recommendations to state officials, radioactive waste generators and the general public.

**High-level Radioactive Waste.** Since 1987, the U.S. Department of Energy has been studying Yucca Mountain, Nevada, as a possible site for a national high-level radioactive waste repository. If Yucca Mountain is not suitable, federal law directs DOE to so report to Congress, which would then have the option of reopening the national site search that led to nomination of two potential repository sites in Maine in early 1986.

DOE does not expect to open a high-level waste repository to accept spent nuclear fuel from power plants until at least 2010. The Maine Yankee nuclear power plant's spent-fuel storage capacity was designed in the expectation that DOE would take spent fuel beginning in 1998. In 1994, Maine Yankee received Nuclear Regulatory Commission permission to rerack its spent-fuel pool for the third time, moving fuel assemblies closer together to provide storage capacity through 2008, the year the plant's operating license expires.

Portsmouth Naval Shipyard in Kittery, Maine, removes spent fuel from nuclear submarines. A 1993 court order stopped the practice of sending this spent fuel to a DOE facility in Idaho and triggered a national DOE study of submarine spent-fuel management. While the study goes on, spent fuel will probably remain in storage at Portsmouth Naval Shipyard.

**Low-level Radioactive Waste.** Under federal law, providing low-level radioactive waste disposal capacity is a state responsibility, to be carried out by individual states or by groups of states united in regional compacts, according to a timetable set in the law. Maine policy was to seek an out-of-state disposal facility if possible, and to build an in-state facility if necessary.

During 1993 and early 1994, legislators and governors in Texas, Vermont and Maine, plus voters in Maine, approved an interstate compact under which Maine and Vermont generators will be allowed to dispose of low-level radioactive waste in a facility to be built in west Texas. Senator George Mitchell introduced legislation for the required Congressional approval of the compact in May 1994.

With state approval of the Texas compact, the Maine legislature repealed the sections of state law establishing the Maine Low-Level Radioactive Waste Authority as the agency to plan, site, build and run a Maine low-level waste disposal facility. The Authority was disbanded as of June 30, 1994.

Maine low-level waste generators have been storing waste on-site since the beginning of 1993, when access to out-of-state commercial disposal facilities ended as provided under the federal law. The Texas facility is expected to open in 1997.

The Advisory Commission's duties include monitoring and reporting on progress on the Texas facility. If it appears that Texas will be unable to provide a facility, the Advisory Commission is authorized to propose legislation to re-start Maine's in-state siting program.

**Public Information.** The Advisory Commission publishes a newsletter, *Update*, approximately monthly and provides fact sheets and other documents as needed. A 24-hour telephone answering machine lets constituents ask questions and express concerns any time. Visitors are welcome to use the library in the Advisory Commission's Augusta office.

**PUBLICATIONS:**

*Update* newsletter on Radioactive Waste published monthly—Free.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Hazardous Materials and Solid Waste Control, Department of Environmental Protection.

## **RADIOLOGICAL EMERGENCY PREPAREDNESS COMMITTEE**

**DAVID D. BROWN, CHAIRMAN**

*Incoming WATS: Emergency Only: 1-800-452-8735*

*Central Office: State Office Bldg., Augusta*

*Telephone: 289-4080*

*Mail Address: State House Station #72, Augusta, Maine 04333*

*Established: 1981*

*Sunset Review Required by: June 30, 2001*

*Reference: Policy Area: 01; Umbrella: 92; Unit: 400; Citation: 37B M.R.S.A., Sect. 954*

*Average Count—All Positions: 1*

*Legislative Count: 0*

**PURPOSE:** Radiological Emergency Preparedness, Chapter 444, P.L. 1981 “An Act to Establish an Emergency Radiological Response System” was enacted in June 1981. This act established the Radiological Emergency Preparedness Committee to oversee Nuclear Emergency Planning and manage annual funding which, originally was set at \$50,000, Legislative action increased the amount to \$140,000 for FY 94. The monies are obtained by a fee which is paid by the nuclear reactor license holder.

Rulemaking (Rule Number 87-462) established secondary emergency planning zones around nuclear power plants. The committee allocated funds in the FY 94 budget for secondary EPZ Planning.

The REP Committee has completed its thirteenth annual budget. Monies from the budget (\$140,000), were used to enhance emergency public notification, communications and planning within the sixteen (16) primary and eleven (11) secondary EPZ towns around the Maine Yankee Nuclear Power Plant.

The Maine Emergency Management Agency provides the REP Committee administrative and financial services.

**PROGRAM:** The Radiological Emergency Preparedness (REP) Committee reviews the budget subdivisions, equipment requests and Emergency Operations Plans and Training as prepared and accomplished by the Maine Emergency Management Agency (MEMA). MEMA recommends policy for the REP committee to approve in order to accomplish an orderly and functional Emergency Contingency Planning Process. The Emergency Contingency Planning Process is a federally (NRC and FEMA) regulated process which is examined on an annual basis by NRC and FEMA. There are many federal requirements for off-site emergency preparedness and it is MEMA's responsibility on the state's behalf to ensure compliance.

**LICENSES, PERMITS, ETC.:** MEMA issues Training Certificates to offsite emergency preparedness personnel when they accomplish training objectives.

**PUBLICATIONS:**

1. Planning information for an emergency at the Maine Yankee Plant or other regional emergency (free-distributed to 30,000 residents)
2. Maine Yankee Radiological Incident Plan—eight volumes. (Not for general distribution to public)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## INDEPENDENT AGENCIES—ADVISORY

RADIOLOGICAL EMERGENCY PREPAREDNESS COMMITTEE	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	33,157		33,157			
Health Benefits	5,626		5,626			
Retirements	5,379		5,379			
Other Fringe Benefits	250		250			
Other Contract Services—State	2,157		2,157			
Computer Services—State	925		925			
Other Contractual Service	26,676		26,676			
Rents	3,811		3,811			
Commodities	4,855		4,855			
Grants—Subsidies—Pensions	141,676		141,676			
Building Improvements	7,490		7,490			
Interest—Debt Retirement	22		22			
Transfer to Other Funds	1,031		1,031			
<b>TOTAL EXPENDITURES</b>	233,055		233,055			

## RESIDENTIAL TREATMENT CENTERS ADVISORY GROUP

*Central Office:*

*Telephone: 287-5060*

*Mail Address: c/o Freda Plumley, Dept. of Human Services, SHS #11, Augusta, Maine 04333*

*Established: September 19, 1985*

*Reference: Policy Area: 03; Umbrella: 92; Unit: 485; Citation: 22 M.R.S.A., Sect. 8154*

**PURPOSE:** To consult with the Children's Residential Treatment Committee on the development of overall state policies for placement of children in need of treatment in residential treatment centers. The Children's Residential Treatment Centers Committee is composed of the Commissioner of Education; the Commissioner of Human Services; the Commissioner of Mental Health and Mental Retardation; and, the Commissioner of Corrections, or their designees.

**ORGANIZATION:** The Advisory Group is composed of a representative from each residential treatment center and 2 members who represent community mental health services. Additional members may be added at the request of the Children's Residential Treatment Committee resulting in the addition of a representative of the Maine Association of Directors Services for Exceptional Children.

**PROGRAM:** The Residential Treatment Centers Advisory Group meets on a quarterly basis, or more frequently as needed, with the Children's Residential Treatment Committee. During the past year, meetings were held with a broad range of children's services providers to encourage an ongoing dialogue and working relationship between public and private agencies serving children.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## COMMISSION ON SAFETY AND HEALTH IN THE MAINE WORKPLACE

MARY LOU DYER, CHAIR

CHARLES A. MORRISON, VICE CHAIR

*Central Office:* Hallowell Annex, Central Building

*Telephone:* 624-6400

*Mail Address:* State House Sta. #45, Augusta, Maine 04333-0045

*Established:* July 1, 1985

*Sunset Review:* Not Established

*Reference: Policy Area:* 04; *Umbrella:* 92; *Unit:* 489; *Citation:* 26 M.R.S.A., Sect. 63, sub-2 A

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Commission on Safety and Health in the Maine Workplace was created by Public Law 1985, Chapter 372, to consist of knowledgeable citizens who will examine safety attitudes, programs and procedures in Maine's workplaces; identify initiatives to reduce the frequency, severity and cost of work-related injuries and illnesses; and promote and improve best-practice safety programs. The Commission is charged with making recommendations to the Legislature, the Governor, educators, safety professionals, employers and workers on a continuing basis, for actions that will improve employer, worker and public attitudes toward safety in the workplace. It seeks to create continuing public/private and employer/employee partnerships in the area of workplace safety and health. The Workers' Compensation Reform Act of 1987 (Public Law 1987 Chapter 559, effective 11-20-87) added the responsibility for reviewing requests made by employers, to the Safety Loan Fund, which had previously been within the purview of the Occupational Safety Loan Review Panel.

**ORGANIZATION:** The Commission consists of not more than twelve members, three with expertise and professional qualifications in the field of occupational safety and health, two representatives of private employers, two representatives of employees, and additional members as the Governor deems necessary and appropriate, all knowledgeable in the area of workplace safety and health. The Commissioner of the Department of Labor is an ex officio member and serves as Vice Chair. Staff is provided by the Bureau of Labor Standards.

**PROGRAM:** The Commission held 7 meetings during the year. The group reviewed 3 Occupational Safety Loan requests and recommended that the Commissioner of Labor approve 2 of these loans. One loan was not approved. These loans totaled \$28,914.00.

The Commission continued in its advisory role to the Bureau of Labor Standards with particular interest in the special emphasis programs: the Maine Safety Compact and the Cumulative Trauma Disorder Program. The Commission continued the three subcommittees created in FY 93 to study in further detail and to promote action in the three major areas covered in the Commission's Report released in June 1992. These subcommittees are:

- 1) Educational Improvements, which is working with the educational community to improve elementary, secondary, and post-secondary education in the areas of occupational safety and health;
- 2) The State as an Employer, which is looking to make the State a model employer in terms of its occupational safety and health performance;
- 3) Targeting and Evaluation, which is seeking new and creative ways to use data to focus the Commission's and the Bureau's efforts and to evaluate actions in a way which will lead to improving the programs.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Labor Standards, Department of Labor.

## SUBSTANCE ABUSE SERVICES COMMISSION

JOSEPH PY, D.O., CHAIRPERSON

*Central Location:* 24 Stone Street, Augusta

*Telephone:* 287-2595

*Mail Address:* State House Station #159, Augusta, Maine 04333

*Established:* 1993

*Reference:* Policy Area: 00; Umbrella: 92; Unit: 577; Citation: 5 M.R.S.A., Sect. 20065

**PURPOSE:** The Substance Abuse Services Commission was established for the following purposes: (1) to oversee the Office of Substance Abuse in the development and implementation of significant policy matters relating to substance abuse; (2) to advise, consult and assist State Government officials and agencies and the Judicial Council; and (3) to serve as an advocate on substance abuse prevention, review and evaluate state and national policies and programs and inform the public about substance abuse issues by means of studies, reports, workshops, and/or conferences.

**ORGANIZATION:** The Substance Abuse Services Commission was established by P.L. 1993, chapter 410, Part LL, subchapter IV-A (effective June 30, 1993). This Commission replaces the Maine Council on Alcohol and Drug Abuse Prevention and Treatment.

The Commission consists of 17 members selected from the fields of medicine, law, public elementary, secondary and post-secondary schools, nongovernmental substance abuse prevention and treatment agencies, private sector employers, and persons affected by or recovering from alcoholism or drug dependency. One member is chosen from nominations made by the National Council on Alcoholism and Other Drug Dependency in Maine, Inc. Two members must be current members of the Maine Legislature: one from the House of Representatives, appointed by the Speaker of the House, and one from the Senate, appointed by the President of the Senate, to serve at their pleasure. All other members are appointed by the Governor.

The Governor designates the chairperson from among the members appointed to the Commission. The Commission may elect other officers from its members as it considers appropriate.

**PROGRAM:** During Fiscal Year 1994, the new Commission has been developing its operational structure and establishing working committees. The Commission reviewed policy issues, and co-sponsored public information discussions on health care reform as it relates to substance abuse care issues, and other topics.

**FINANCES, FISCAL YEAR 1994:** 5 M.R.S.A., Sec. 20065 provides that expenditures of this unit shall be borne by the Office of Substance Abuse and are, therefore, included in its financial display.

## ADVISORY BOARD OF THE LICENSING OF TAXIDERMISTS

WILLIAM J. VAIL, COMMISSIONER OF INLAND FISHERIES & WILDLIFE

*Central Office:* 284 State Street, Augusta

*Telephone:* 289-3371

*Mail Address:* 284 State Street, Augusta, ME. 04333

*Established:* 1990

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 92; Unit: 540; Citation: 12 M.R.S.A., Sect. 7355

**PURPOSE:** The Advisory Board for the Licensing of Taxidermists was established to advise the Commissioner regarding implementation of Section 7354, 7355, 7356, and 7357, and any related rules and assist in the development of and in conducting examinations.

**ORGANIZATION:** The Advisory Board for the Licensing of Taxidermists, established by Title 5, Subsection 12004-I, Subsection 23A, shall consist of the following five residents of Maine:



## INDEPENDENT AGENCIES—ADVISORY

- A. Two employees of the Department, appointed by the Commissioner,
- B. Two licensed taxidermists with expertise in the art of taxidermy appointed by the Governor, and
- C. One member of the general public with no affiliation to the art of taxidermy appointed by the Governor.

All members, except State employees, are entitled to receive compensation as provided in Title 5, Chapter 379.

**PROGRAM:** The Advisory Board for the Licensing of Taxidermists met 3 times in FY94. The Board passed 9 applicants and denied 0. The categories of licenses are as follows:

General	0
Birds	2
Fish	2
Mammals & Head	1
Birds/Fish	0
Birds and Mammal/Head	2
Fish and Mammals/Head	2

### **LICENSES, PERMITS, ETC.:**

- General Taxidermy License
- Mammal & Head Taxidermy License
- Bird Taxidermy License
- Fish Taxidermy License

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Inland Fisheries and Wildlife.

## **TELECOMMUNICATIONS RELAY SERVICES ADVISORY COUNCIL**

**WILLIAM NYE, CHAIRPERSON**

**CLAY JORDAN, VICE CHAIRPERSON**

*Telephone: 781-3165*

*Mail Address: P.O. Box 799, Portland, Maine 04104*

*Established: 1990*

*Reference: Umbrella: 92; Unit: 538; Citation: 35-A M.R.S.A., wCh. 87*

**PURPOSE:** The Maine Telecommunications Relay Services Advisory Council, as established by Title 5 section 12004-a, subsection 74-A-1, is an independent agency to evaluate telecommunications relay services in the State of Maine and provides advice to providers of telecommunications relay services. It also reviews the development of training standards and the quality and availability of relay services.

The 1990 legislative mandate, PL 851, created the statewide telecommunications relay services known as the Maine Relay Services. Through the bidding process, the Public Utilities Commission selected AT&T to provide the relay services on January 1, 1991. The original center was established in Clifton Park, NY and only recently moved to Virginia to improve the services to Maine. The center is at 831 Park Ave., Norton, VA 24273. Voice telephone is 1-800-457-1220; by TTY it is 1-800-437-1220. Dean Jenkins is the center manager.

**ORGANIZATION:** The Maine Telecommunications Relay Services Advisory Council consists of 11 members as follows: Director of the Division of Deafness, Chair of the Advisory Council to the Division of Deafness, Representative from the Public Utilities Commission, Representative from the Public Advocate's Office, Representative from the State Association for the deaf, Representative from the

## INDEPENDENT AGENCIES—ADVISORY

Maine Center on Deafness, Representative from AT&T Relay Center, Representative from Telephone Association of Maine, and Two members from the General Public who rely on TTY's for telecommunications.

The PUC provides technical assistance to the advisory council when required. Members do not receive compensation for their services. Members annually elect chair and vice-chair persons. The council meets at the call of the chair but no fewer than 4 times during the calendar year.

**PROGRAM:** The AT&T Dual Party Relay Services provides assistance through relay operators known as "communication assistants" or CA's to deaf, hard of hearing, or speech impaired persons who rely on telecommunications devices or TTY's. The relay CA's will verbally relay TTY messages to hearing individuals who do not have TTY's. Calls from hearing persons will be relayed via TTY to deaf, hard of hearing, or speech impaired persons.

The Advisory Council has been instrumental in carrying out three annual evaluations which allowed the PUC to renew the contract with AT&T as the sole provider. Public hearings were held in three locations in Maine inviting users to participate in evaluating the relay services. Random mailings to survey consumers who used the relay service were helpful in assessing the consumer satisfaction. In addition, meetings with local telephone companies have been held at the request of the council to discuss improvement of customer information and directory assistance for users.

Sub-committees on Directory Issues, Evaluation, TTY Discounts, and Legislative Issues were active in the past three years on a variety of assignments. In addition, recruitment of an Outreach overseer is now pending with AT&T. The council is active in assisting AT&T in reviewing options.

### **PUBLICATIONS:**

Maine Relay Services Evaluation 1991, 1992, and 1993

**FINANCES, FISCAL YEAR 1994:** Interpreter services for meetings are provided by the Legislative Council Administrator.

## **TRAVEL INFORMATION ADVISORY COUNCIL**

**MARION FULLER BROWN, CHAIRMAN**

*Central Office:* c/o William McFarland, Supervisor, Rights-of-Way Control,  
Department of Transportation,

State House, Augusta, Maine

*Telephone:* 287-2616

*Mail Address:* State House Sta. #16, Augusta, Maine 04333

*Established:* October 1977

*Sunset Review:* Not Established

*Reference:* Policy Area: 07; Umbrella: 92; Unit: 379; Citation: 23 M.R.S.A., Sect. 1904

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The purpose of the Travel Information Advisory Council is to advise the Department of Transportation on the implementation of the Maine Travel Information Law, which provides for the implementation of new sign systems and new means to provide tourist and traveler information along highways in the State of Maine.

**ORGANIZATION:** The Travel Information Advisory Council has 9 members appointed by the Governor for two-year terms as follows: one representing the lodging industry, one representing the restaurant industry, one representing the recreational industry, one representing the Keep Maine Scenic Committee, one representing environmental organizations, one representing nonprofit historical and

## INDEPENDENT AGENCIES—ADVISORY

cultural institutions, one representing the general public and one representing sign design and fabrications artisans. All members are appointed by the Governor with the chairman being designated.

**PROGRAM:** The Advisory Council will continue to be involved in implementing the program of off-premise business directional signs which will allow for a tasteful yet functional tourist information system throughout the state. The Council plans to work closely with the Department in drafting a new approach to tourist and vacation services for the State of Maine, which will include not only the standardized directional signs, but new manned information centers, and annotated maps.

### **LICENSES, PERMITS, ETC.:**

Official Business Directional Sign Permits

**PUBLICATIONS:** The Department of Transportation, in conjunction with the Advisory Council, has prepared regulations for off-premise business signs which are available from the Right of Way Division of the Department of Transportation.

**FINANCES, FISCAL YEAR 1994:** 23 M.R.S.A., Section 1925 provides that expenditures of this unit shall be borne by the Department of Transportation.

## SPECIAL VETERANS SERVICES

*Central Office:* Division of Veterans Services/Augusta, ME  
*Mail Address:* State House Sta. #117, Augusta, Maine 04333

*Telephone:* 626-4471

*Established:* 10/1/89

*Reference: Umbrella:* 92; *Unit:* 523

*Average Count—All Positions:* 1

*Legislative Count:* 1

### **PURPOSE:**

The Special Veterans Services was established to serve as a Resource Agency responsible for developing and presenting a response to federal agencies concerning veterans and their exposure to radiation and toxic chemicals.

The Special Veterans Services actively seeks out veterans who may have been exposed to radiation and toxic chemicals and attempts to involve them in available programs and act as an ombudsman for them.

### **ORGANIZATION:**

The Commission on Vietnam and Atomic Veterans was created in October 1989 and administered under the Division of Veterans Services. The Commission was dissolved in 1991, however, at the time it had one paid employee, a Veterans Counselor. The Veterans Counselor continued to accomplish the goals and missions of the Commission. On June 7, 1993 the law was changed to reflect the name of the program as "Special Veterans Services." The Veterans Counselor is located in the office of the Division of Veterans Services at Camp Keyes, Bldg. 7, Rm. G8 of the ground floor.

### **PROGRAM:**

**Vietnam and Atomic Veterans and Their Families:** The Special Veterans Services has actively sought out veterans who may have been exposed to radiation and toxic chemicals and attempted to involve them in available programs and acted as an ombudsman for them. During this fiscal year the Special Veterans Services has composed a list of 685 names of veterans who claim to have been exposed.

## INDEPENDENT AGENCIES—ADVISORY

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

COMMISSION ON VIETNAM AND ATOMIC VETERANS	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	28,550	28,550				
Health Benefits	2,640	2,640				
Retirements	5,799	5,799				
Other Fringe Benefits	105	105				
<b>TOTAL EXPENDITURES</b>	37,094	37,094				

## BOARD OF VISITORS — MAINE CORRECTIONAL CENTER

ROBERT BOURQUE, CHAIRMAN

*Central Office:* State Office Bldg., Room 400, Augusta

*Telephone:* 287-2711

*Mail Address:* State House Station #111, Augusta, Maine 04333

*Established:* November 22, 1982

*Reference:* Policy Area: 03; Umbrella: 92; Unit: 449; Citation: 34-A M.R.S.A., Sect. 3002

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** To visit Maine Correctional Center and provide appropriate comment, advice, and recommendations to the Governor, Commissioner, and appropriate Legislative Committees.

**ORGANIZATION:** A Chairman and four members are appointed by the Governor.

**PROGRAM:** During the year, members of the Board visited the facility as a committee and also individually. The Board is particularly concerned with consequences, programmatic and institutionally, associated with severe overcrowding and results of new legislation.

The Board of Visitors will continue to provide periodic review. As overcrowding problems ease, Board members will be interested in program improvements.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## BOARD OF VISITORS — MAINE STATE PRISON

PETER JONITIS, CHAIRPERSON

*Central Office:* State Office Bldg., Room 400, Augusta

*Telephone:* 287-2711

*Mail Address:* State House Station #111, Augusta, Maine 04333

*Established:* November 22, 1982

*Reference: Policy Area:* 03; *Umbrella:* 92; *Unit:* 450; *Citation:* 34-A M.R.S.A., Sect. 3002

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The purpose of the Board of Visitors is to visit the Maine State Prison and provide appropriate comment, advice, and recommendations on management to the Governor, Commissioner of Corrections, and appropriate legislative committees.

**ORGANIZATION:** A five-person Board is approved by the Governor for a term of one year and shall be eligible for reappointment. The members for the Board of Visitors, Maine State Prison, Thomaston were:

Peter Jonitis, Chairperson

Daniel P. McGuirl

(Vacant)

(Vacant)

(Vacant)

**PROGRAM:** During the year, members of the Board visited the facility as a committee and also individually. The Board is particularly concerned with consequences, programmatic and institutionally, associated with severe overcrowding and results of new legislation.

The Board of Visitors will continue to provide periodic review. As overcrowding problems ease, Board members will be interested in program improvements.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## BOARD OF VISITORS — MAINE YOUTH CENTER

PRISCILLA HARE, CHAIRPERSON

*Central Office:* State Office Bldg., Room 400, Augusta

*Telephone:* 287-2711

*Mail Address:* State House Station #111, Augusta, Maine 04333

*Established:* October 1982

*Reference: Policy Area:* 03; *Umbrella:* 92; *Unit:* 448; *Citation:* 34-A M.R.S.A., Sect. 3002

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** To monitor program, rights, and administrative issues concerned with the Maine Youth Center; and to report to the Commissioner and appropriate Legislative Committees, as well as the Governor's Office.

**ORGANIZATION:** The Chairman and committee members are appointed by the Governor.

## INDEPENDENT AGENCIES—ADVISORY

### PROGRAM:

1. Visitations to Maine Youth Center.
2. Meetings with appropriate members of the staff as well as residents.
3. Written reports including observations and recommendations to the Commissioner and Superintendent.
4. Meetings to review observations and recommendations with the Commissioner, Chief Advocate, and various other representatives of the Department and/or institutions.

The Board of Visitors of the Maine Youth Center has conducted a series of monthly visits, meetings, and individual visits as part of its activities. In general, these activities have resulted in an observation that the Maine Youth Center is a well managed institution, there are no apparent issues related to the disregard for the rights of residents on the part of staff, there is an active and well structured program for the youth assigned to custody, and the administration and staff have been most open and responsive to the inquiries of the Board.

Other issues such as those concerned with the needs of the program, improved systems of accessing funds for educational, clinical and medical services, the future of the Maine Youth Center with regard to the findings of the Jail Monitoring Committee and adequate support to the administration of the Center, are among those addressed in the Board's written reports.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## WASTE MANAGEMENT ADVISORY COUNCIL

**WILLIAM SHOOK, CHAIR**

**FERG LEA, VICE CHAIR**

*Central Office:* 160 Capitol Street, Augusta

*Telephone:* 287-5300

*Mail Address:* State House Sta. #154, Augusta, Maine 04333

*Established:* June 29, 1987

*Reference:* Policy Area: 01; Umbrella: 92; Unit: 531; Citation: 38 M.R.S.A., Sect. 2104

*Average Count—All Positions:* 13

*Legislative Count:* 0

**PURPOSE:** The Waste Management Advisory Council was established in 1989 to provide information and advice to the Maine Waste Management Agency. Through the expertise of its members, the Council reviews the activities and progress of the Agency as it develops the State waste management and recycling plan, develops its programs, delivers its services and in facility siting and evaluation activities.

**ORGANIZATION:** The Council consists of 13 members, with 2 members each representing municipal governments, statewide and local environmental organizations, the recycling industry, and the waste disposal industry, one member representing industrial waste generators and 3 members from the general public. The Commissioner of Environmental Protection is an ex officio member. All members, except the Commissioner, are appointed for a 3-year term. The Council is required to meet at least four times a year. Staff support is provided by the Maine Waste Management Agency.

**PROGRAM:** During this year, the Council met on a monthly basis. The Council assisted the Agency in the development of new initiatives including the economic benefits of recycling, and legislation affecting solid waste management. Other issues considered by the Council have been market development, the Waste Management and Recycling Plan and efforts to site a special waste landfill.

Markets for recyclables and methods of improving the marketability of Maine's recyclables is a high priority for the Council. Other priorities are the reduction and management of packaging, education, and assistance for businesses, industries and municipalities to develop further Maine's comprehensive waste management infrastructure.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## WHITEWATER SAFETY COMMITTEE

**HERBERT VERNON, CHIEF WARDEN (COLONEL)**

**PARKER K. TRIPP, Deputy Chief Warden (Major)**

*Central Office:* 284 State St., Augusta

*Telephone:* 287-2766

*Mail Address:* State House Sta. #41, Augusta, Maine 04333

*Established:* June, 1983

*Sunset Review Required by:* June 30, 1995

*Reference:* Policy Area: 05; Umbrella: 92; Unit: 453; Citation: 12 M.R.S.A., Sect. 7367

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Committee shall advise the Commissioner of Inland Fisheries and Wildlife in establishing and reviewing safety requirements for whitewater trips, develop a safety information program and review the safety records of whitewater guides and outfitters. The Committee shall submit a written report annually on each outfitter's safety record to the Commissioner of Inland Fisheries & Wildlife.

**ORGANIZATION:** The Whitewater Safety Committee was established by the First Regular Session of the 111th Legislature in 1983. It is composed of 8 members: 2 members of the whitewater guides board designated by the board; 2 commercial whitewater outfitters and 2 whitewater guides designated by the Governor; and 2 members from the general public, one designated by the President of the Senate and one designated by the Speaker of the House of Representatives. Terms shall be staggered so that the term of one member in each category expires each year.

**PROGRAM:** The committee held one meeting in FY 94 discussing such matters as the review of safety records of the various companies in the industry, possible regulation changes that would be aimed at public safety, and preparation of the annual safety report to the Commissioner.

### **PUBLICATIONS:**

The Committee prepares an annual report (Whitewater Safety Committee Report) to the Commissioner summarizing and analyzing accidents and recommending changes in statutes, regulations, and policies concerning whitewater safety.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of Bureau of Warden Services.

## ATLANTIC STATES MARINE FISHERIES COMMISSION

JOHN H. DUNNIGAN, EXECUTIVE DIRECTOR  
WILLIAM J. BRENNAN, Comm. of Marine Resources

*Telephone:* (202) 452-8700

*Central Office:* 1776 Massachusetts Avenue, N.W., Suite 600, Washington, D.C. 20036

*Mail Address:* State House Sta. #21, Augusta, Maine 04333-0021

*Established:* May 5, 1942

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 05; Umbrella: 98; Unit: 290; Citation: 12 M.R.S.A., Sect. 4603

*Organizational Units:*

All of the 15 Atlantic Coast States.

**PURPOSE:** The Commission's main focus is to provide for better utilization of the fisheries—marine shell and anadromous—through an interstate compact of the 15 Atlantic coastal states.

Although the states determine all policy in their respective jurisdictions, the Commission provides a forum for discussion and resolution of common problems and assists the states in developing joint programs. In addition, the Commission participates in the Interstate Fisheries Management Program, whose goal is uniform management and protection of the Nation's fisheries resources and viable commercial and recreational fishing industries.

**ORGANIZATION:** The Atlantic States Marine Fisheries Commission (ASMFC) was established by a compact entered into by the various Atlantic Coastal States beginning in 1941. The Congressional Consent Act was signed by the President on May 5, 1942, and the Commission met and organized in New York on June 5, 1942.

The participating States are Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida. Each is represented by a member of the administrative agency in charge of marine fisheries, a legislative member appointed by its Committee or Commission on Interstate Cooperation, and a person appointed by the Governor. Maine's three Commission members are the Commissioner of the Department of Marine Resources, a member from the Legislature, and a member from industry. The Commission is supported by appropriations from the member States based on the value of their respective commercial and recreational catches.

ASMFC operates through boards and committees comprised of groups of states. The National Marine Fisheries Service (NMFS) of the Department of Commerce is designated as the primary research agency of the Commission, cooperating with the research agencies of each state and the U.S. Fish and Wildlife Service for that purpose.

**PROGRAM:** To keep abreast of the major activities in Congress, the headquarters for the NMFS and fisheries organizations in Washington, D.C., close liaison is maintained with Congressional Committees and other important organizations.

Contract funds from NMFS and USF&WS are used to reimburse travel expenses of state biologists, managers, and administrators who participate in the various committees that have been established to develop regional management programs for certain Atlantic coast species. Lobster, shrimp, striped bass, bluefish, Atlantic Sturgeon, American shad and river herring programs are of special concern to Maine.

The Commission, through its Amendment Number One authority, continued to regulate the northern shrimp fishery in the Gulf of Maine. The ASMFC Northern Shrimp Section, comprised of the Commissioners from Maine, New Hampshire, and Massachusetts, promulgated regulations for the conduct of this fishery for the 1992 season including mesh size regulations.

In recent years the Commission has accelerated, reinforced and promoted its activities in relation to the National Oceanographic and Atmospheric Administration (NOAA) and the National Marine Fisheries Service (NMFS), particularly with respect to the Interjurisdictional Fisheries Management Program and the Grant-In-Aid programs operated under P.L. 99-659, the Interjurisdictional Fisheries Act of 1986, P.L. 89-304, the Anadromous Fish Conservation Act of 1965 and P.L. 103-206, the Atlantic Coastal Fisheries Cooperative Management Act. Other federal programs concerning state fisheries



## INDEPENDENT AGENCIES—INTERSTATE COMPACT

administrators and commercial and sport fisheries monitored by ASMFC include Wallop-Breaux Aquatic Resources Trust Fund (P.L. 98-369), Coastal Zone Management, administration of the Marine Mammal Act, Endangered Species Act, Fisheries Statistics Program, and other Administration-sponsored fisheries legislation.

In 1976, the Fishery Conservation and Management Act was signed into law, creating P.L. 94-265. This Act provides for exclusive U.S. management authority of all fisheries (except highly migratory species, i.e., tuna) within the 200-mile Fishery Conservation Zone. The legislation also established national standards for conservation and management through creation of eight Regional Fishery Management Councils. ASMFC is represented on all three Atlantic Coast Regional Councils (New England, Mid-Atlantic, and South Atlantic), and reports on important Council decisions, including development of Fishery Management Plans and joint venture proposals that will impact fishing industries along the Atlantic Coast.

Through its executive office, ASMFC maintains active liaison with all Washington-based fisheries organizations of professional or industry status, including the American Fisheries Society, the International Association of Fish and Wildlife Agencies, the Sport Fishing Institute, the National Fisheries Institute, the Shellfish Institute of North America, the National Fish Meal and Oil Association, the Fisheries Products Division of the National Food Processors Association, as well as other resource, environmental, conservation and user groups.

ASMFC also participates in a wide variety of meetings that stress environmental, ecological, natural resource and conservation issues of direct concern to state fisheries administrators. The Executive Director has access to the deliberations of fishery advisory bodies such as the National Oceanic and Atmospheric Administration's Marine Fisheries Advisory Committee (MAFAC), to which he is a consultant, and the President's National Advisory Committee on Oceans and Atmosphere (NACOA).

The Commission has continued its cooperative agreement with the National Marine Fisheries Service to administer the Interjurisdictional Fisheries Management Program. This program is known as "The Interstate Fisheries Management Program" and includes state/federal projects involving Northern Shrimp, Shad and River Herring, Sciaenids, Northern Lobster, Atlantic Menhaden, Striped Bass, Atlantic Sturgeon, Blue Fish, Summer Flounder, Cooperative Statistics Program, and related activities such as interstate shellfish transportation and fish/shellfish disease control. During the past year, the major focus of the Commission's interstate program has expanded to address P.L. 103-206, the Atlantic Coastal Fisheries Cooperative Management Act. This Act essentially supersedes the Atlantic Striped Bass Conservation Act and applies the striped Bass standards, procedures, and penalties to all other species for which the Commission has adopted interstate plans. The new act further requires the Commission to develop and adopt new interstate fishery management plans as necessary. It establishes affirmative obligations on the states to implement the Commission's Fishery Management Plans or be subject to a federal moratorium on all fishing for the species in question within the offending state until it comes back into compliance. The Commission is charged to adopt standards and procedures to ensure that fishery resources are conserved, that the best scientific information is used in the plans, and that the public has adequate opportunity to participate in the process. The striped bass resource, which has been the focus of federal legislation and the Commission's interstate management efforts will now come under the umbrella of P.L. 103-206 for management purposes. During 1993, the Maryland juvenile index of striped bass was 39.6, the highest on record for the Maryland portion of Chesapeake Bay. This record recruitment is attributed to favorable climatic conditions and a continued increase in the size of the spawning stock. Because of the overall improved status of striped bass on the Atlantic seaboard, states from Maine to North Carolina have been able to continue relaxation of restrictions on the commercial and recreational fisheries. Recent attempts by the DR to reduce the minimum size from 36" to 34" met with widespread opposition. Because of current management successes with striped bass, recreational fishermen believed that large numbers of legal size fish (36") were available to fishermen and that there was no need to reduce the minimum size to 34". The states of New Hampshire and Massachusetts also opted to maintain a 36" minimum size for the 1994 fishing season. The Commission will continue to actively monitor state regulations and enforcement as required by federal law. The striped bass issue has continued to define a new and strengthened role for the Commission in interstate fisheries management programs.

Whereas the Fisheries Conservation Management Act clearly defines management responsibility of the Regional Councils only in the Fisheries Conservation Zone, territorial sea fisheries management authority resides clearly with the states and the ASMFC under the auspices of P.L. 103-206. The ASMFC was recognized by the federal government as the appropriate institutional mechanism to assure that such authority was retained collectively by the states, provided the states acted responsively in matters of resource conservation.

## INDEPENDENT AGENCIES—INTERSTATE COMPACT

The ASMFC has continued to compile and distribute a comprehensive monthly legislative update. This covers all the major federal legislation in the marine area, and helps the member states keep abreast of what is going on in Washington. The Commission has also been more active than ever before in federal legislation action that affects states' programs and their funding, as well as legislation favoring fishing industry needs.

**PUBLICATIONS:** Leaflet Series entitled "Marine Resources of the Atlantic Coast" for information and cost per leaflet write: Atlantic States Marine Fisheries Commission, 1776 Massachusetts Avenue, N.W., Suite 600, Washington, D.C. 20036.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ATLANTIC STATES MARINE FISHERIES COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Other Contractual Services	18,229	18,229				
<b>TOTAL EXPENDITURES</b>	18,229	18,229				

## EDUCATION COMMISSION OF THE STATES

**HON. JIM EDGAR, GOVERNOR OF ILLINOIS, CHAIRPERSON**

**State of Maine Contact: LEO G. MARTIN, Commissioner, Education**

*Telephone: 303-299-3600*

*Central Office: ECS Suite 2700, 707 17th St., Denver, CO 80202-3427*

*Mail Address: ECS Suite 2700, 707 17th St., Denver CO 80202-3427*

*or State House Sta. #23, Augusta, Maine 04333*

*Established: 1966*

*Sunset Review: Not Established*

*Reference: Policy Area: 02; Umbrella: 98; Unit: 317; Citation: 20A M.R.S.A., Sect. 603*

*Average Count—All Positions: 60*

*Legislative Count: 0*

**PURPOSE:** Since education in the United States is primarily a state and local responsibility, the Education Commission of the States (ECS)—a nonprofit organization—was formed by inter-state compact in 1966 to further working relationships among governors, state legislators and educators for the improvement of education at all levels. Forty-nine states, Puerto Rico, American Samoa, and the Virgin Islands are members of ECS. In its work with the states, the commission serves as a forum, a resource and a catalyst. It provides information on state-related education activities and, when appropriate, suggests options and alternatives to meet specific state needs. The commission also serves as a liaison between the states and the federal government. ECS conducts policy research, surveys and special studies; maintains an information clearinghouse; organizes state, regional and national forums; provides technical assistance to states; and fosters nationwide leadership and cooperation in education.

**ORGANIZATION:** The Legislature of each ECS member jurisdiction adopts the Compact for Education, an agreement between the states and an enabling act, the instrument by which each member puts the agreement into effect. Seven representatives from each state constitute the operating body of the commission. These commissioners include the governor, two members of the state legislature selected by the respective houses and four persons selected by the governor who are active in education. All ECS commissioners meet annually. One commissioner from each member-state serves on the ECS Steering Committee, which is responsible for policy decisions between annual meetings.

Based in Denver, Colorado, the commission has a staff of about 55 persons.

## INDEPENDENT AGENCIES—INTERSTATE COMPACT

**PROGRAM:** ECS implements its program through five departments. Policy and Program Studies, Re: Learning, State Relations and Clearinghouse, Communications and Administration. The four primary vehicles ECS uses to influence policy change and public opinion to carry out their mission of promoting a quality education for all students are: 1) *Constituent Contacts*, running the gamut from parents and teachers to governors and federal representatives; 2) *Commissioners*, 371 in the national network, including all the governors, more than 130 state legislators, school board members, college presidents, educators and other education leaders; 3) *Networks*, including five formal networks of education and political leaders, featuring state policy-makers, professional associations, legislators, governors; 4) *Technical Assistance to States*, on various education issues.

### **PUBLICATIONS:**

State Education Leader

Periodic Reports on Elementary, Secondary and Higher Education Finance, Governance and Legal Issues.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Department of Education.

## **MAINE-NEW HAMPSHIRE INTERSTATE BRIDGE AUTHORITY**

**DANA F. CONNORS, COMMISSIONER OF TRANSPORTATION**

*Mail Address:* P.O. Box 747, Portsmouth, N.H. 03801

*Established:* 1936-37

*Sunset Review:* Not Established

*Reference: Policy Area:* 07; *Umbrella:* 98; *Unit:* 419; *Citation:* 1937 P&SL, Chap. 18

*Average Count—All Positions:* 6

*Legislative Count:* 0

**PURPOSE:** The Authority has responsibility to maintain, reconstruct, and operate an interstate bridge for vehicular, railroad, and other traffic over the Piscataqua River between Kittery, Maine, and Portsmouth, New Hampshire.

**ORGANIZATION:** The Authority consists of six members, three of whom, including the Commissioner of the Department of Transportation of the State of Maine, are appointed by the Governor of the State of Maine, and three of whom, including the Commissioner of the Department of Transportation of the State of New Hampshire, are appointed by the Governor of the State of New Hampshire with the advice and consent of the Council. The Authority is empowered to elect a Chairman, Vice Chairman, Treasurer, Assistant Treasurer, and Clerk from the membership.

The Maine-New Hampshire Interstate Bridge Authority is a body corporate and politic created by the laws of the States of Maine and New Hampshire and by a compact entered into by said states which was consented to by the Congress of the United States.

**PROGRAM:** Throughout the year the Authority has maintained and operated the Maine-New Hampshire Interstate Bridge and has revised its mandate in accordance with the above purpose.

**FINANCES, FISCAL YEAR 1994:** The State accounting records for FY93 do not contain any account assigned to this unit.

## NEW ENGLAND BOARD OF HIGHER EDUCATION

BENNETT KATZ, CHAIRMAN OF MAINE DELEGATION  
SENATOR JOHN J. O'DEA, VICE CHAIR OF THE BOARD

*Central Office:* 45 Temple Place, Boston, Mass. 02111

*Telephone:* (617) 357-9620

*FAX:* (617) 338-1577

*Maine Delegation Liaison Office:* Division of Higher Education Services,  
Department of Education, Augusta

*Telephone:* 287-5803

*Mail Address:* State House Sta. #23, Augusta, Maine 04333

*Established:* 1955

*Sunset Review:* Not Established

*Reference:* Policy Area: 02; Umbrella: 98; Unit: 081; Citation: 20A M.R.S.A., Sect. 11002

*Average Count—All Positions:* 20

*Legislative Count:* 0

**PURPOSE:** The New England Board of Higher Education is a congressionally authorized regional, non-profit agency that seeks to encourage cooperation and efficient use of educational resources among the region's six states and 260 public and private colleges and universities. Basic funding comes from the six states, private foundations and New England corporations. The Board seeks to increase New England educational opportunities and services; promote regional coordination and cooperation among New England state governments and public and private institutions of higher education; analyze and publish regional information related to higher education; and sponsor studies and forums on regional public policy.

**ORGANIZATION:** Of the 8 members who represent the State of Maine, two are ex officio, the Chancellor of the University of Maine and the Commissioner of Education. Four others are named by the Governor for 2-year terms, one is a member of the Senate appointed by the President of the Senate and another is a member of the House of Representatives appointed by the Speaker of the House. All members receive their actual expenses incurred in the performance of their official duties.

**PROGRAM:** The New England Board of Higher Education (NEBHE) sees the following as primary in achieving its purposes: to provide a facility and staff capable of continuous research and evaluation relevant to higher education in New England; to serve as a center for the collection and dissemination of information pertinent to the institutions and agencies concerned with higher education; to serve as an administrative and fiscal agent for higher educational contracts and agreements among the institutions and governments in New England; to provide consultative services on educational topics of major regional significance to the institutions, agencies and governments of New England; and to serve as a vehicle for the regional implementation of federally and privately financed programs related to higher education.

Although programmatic directions are flexible in response to changing educational needs, the Board anticipates that the following basic programs will continue to be included among NEBHE's services to the region: New England Commission on Higher Education and the Economy, New England Regional Student Program, New England Commission on Academic Health Centers and the Economy of New England, Task Force on Minority Student Enrollment and Retention, Commission on Legal Studies and Practice in New England, International Education and the Economy of New England, research and compilation of enrollment, program, tuition and cost data at institutions of higher education in the region.

Basic operating funds of the Board are provided by the six state governments of New England through legislative appropriations based upon population. The Board also receives federal grants, as well as gifts from private sources of financial support for both general and specific purposes. The Board's fiscal operations are fully accountable to the public.

Each state is represented on the Board by members of academic, professional, governmental and citizen groups appointed by the Governor and Legislature of each state. Each state delegation annually elects a chairman who serves on the Board's Executive Committee.

The Maine Delegation to the New England Board of Higher Education for FY '94 is as follows:

Bennett Katz, Augusta, Chairman of the Maine Delegation

## INDEPENDENT AGENCIES—INTERSTATE COMPACT

J. Michael Orenduff, Chancellor, University of Maine System  
Representative Stephen Simonds, Joint Committee on Education, Augusta, ME  
Senator John J. O'Dea, Senate Chair, Joint Committee on Education, Maine  
John Fitzsimmons, President, Maine Technical College System  
Sandra J. Kearns, Adjunct Faculty, St. Joseph's College, Kennebunk  
Sally H. Maxwell, South Portland  
Leo Martin, Commissioner, Maine Department of Education

### PUBLICATIONS:

*Connection: New England's Journal of Higher Education and Economic Development*

A Quarterly magazine which is devoted to discussion of the region's higher education community and its link to regional economic prosperity. (Subscription \$12.00/yr.)

*New England Regional Student Program Enrollment Report* (Free)

*New England Regional Student Program Offerings (Undergraduate and Graduate)* (\$2.00)

*New England Higher Education and the Economy:*

*Commission Prospectus* (\$2.00)

*Issues Reports* (\$1.00)

*Preliminary Report, A Threat to Excellence* (\$3.00)

*Business and Academia*, Hoy and Bernstein (\$12.00)

*New England's Vital Resource: The Labor Force*, Hoy and Bernstein (\$12.00)

*Financing Higher Education: The Public Investment* (\$19.95)

*Renewing Excellence* (\$5.00)

Biomedical Research & Technology: A Prognosis for International Economic Leadership (\$5.00)

*Equity and Pluralism: The Report of the Task Force on Black and Hispanic Enrollment and*

*Retention in New England Higher Education* (\$5.00)

Law and the Information Society, the report of the Commission on the Legal Profession and the Economy of New England (\$5.00)

New Choices Facing College and University Pension Funds, a collection of commentaries on the opening of the college retirement fund market (\$15.00)

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit.

## NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

DEBRAH J. RICHARD (is a member of NEIWPCC from Maine;  
MARTHA KIRKPATRICK serves on the Executive Committee)

*Central Office:* 85 Merrimac Street, Boston, Mass. 02116

*Telephone:* (617) 367-8522

*Location:* AMHI — Ray Building, Augusta

*Mail Address:* State House Station #17, Augusta, Maine 04333

*Established:* 1947

*Sunset Review:* Not Established

*Reference:* Policy Area: 05; Umbrella: 98; Unit: 428; Citation: 38 M.R.S.A., Sect. 532

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The New England Interstate Water Pollution Control Commission has three broad functions: (1) the coordination of interstate water pollution control efforts of the New England States and that part of New York affecting New England waters; (2) the education and training of personnel for careers in water pollution control, and (3) public information.

## INDEPENDENT AGENCIES—INTERSTATE COMPACT

**ORGANIZATION:** The 80th U.S. Congress, in 1947, passed legislation allowing for the formation of interstate water pollution control agencies. The New England States responded at once. In that same year, Connecticut, Rhode Island, and Massachusetts formed the New England Interstate Water Pollution Control Commission. Shortly after, Vermont, Maine, New Hampshire and New York (because of interstate waterways connecting it with the New England States) joined by signing the Commission's new Compact Agreement.

**PROGRAM:** Maine benefits more than any other member State from one of the key functions of the NEIWPCC, the training of wastewater treatment plant operators. The Commission's New England Regional Wastewater Institute, founded in 1969, is housed on the campus of Southern Maine Technical College in South Portland. Thus, the school benefits Maine's economy by its presence, insures a skilled workforce for the numerous municipal and industrial wastewater treatment plants now operating in this state, and lists more Maine residents among its graduates than residents from any other state.

The Commission's primary task is to coordinate the activities of its member states in their fight against water pollution. It encourages personal communication and information exchange through quarterly meetings, and its professional staff provides a variety of services to member states.

### PUBLICATIONS:

The NEIWPCC — A descriptive brochure  
NEIWPCC Annual Report  
Turn on Youth  
The State of Maine WPCF Directory  
Water Connection—newsletter  
NEI Environmental Information Catalogue—all publications and materials listed  
The NEIETC—descriptive brochure  
Maine's JETCC Training Bulletin  
LUSTLine Bulletin

ALL FREE

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit.

## NORTHEASTERN INTERSTATE FOREST FIRE PROTECTION COMMISSION

**RICHARD E. MULLAVEY, EXECUTIVE SECRETARY**

**SUSAN J. BELL, CHAIRMAN, MAINE COMMISSIONERS**

*Central Office:* AMHI—Harlow Building

*Telephone:* 287-2791

*Mail Address:* State House Sta. #22, Augusta, Maine 04333

*Established:* 1949

*Sunset Review:* Not Established

*Reference: Policy Area:* 05; *Umbrella:* 98; *Unit:* 327; *Citation:* 1949 P&SL, Chap. 75

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Northeastern Interstate Forest Fire Protection Commission was established to promote effective prevention and control of forest fires in the Northeastern Region of the United States and adjacent areas in Canada. The primary functions of the Commission are to provide mutual aid; to coordinate forest fire protection plans; to consult and advise on prevention and control of forest fires; to provide centralized training in uniform forest fire protection methods; and to request research assistance from the U.S. Forest Service.

**ORGANIZATION:** The Northeastern Interstate Forest Fire Protection Commission was established under the Northeastern Interstate Forest Fire Protection Compact of which the State of Maine became

## INDEPENDENT AGENCIES—INTERSTATE COMPACT

a contracting state in 1949. Maine's representation on the Commission consists of three members, including, ex officio, the Director of the Bureau of Forestry or designee and a legislator appointed by the Maine Commission on Interstate Cooperation; the third member is a citizen appointed by the Governor for a term of three years.

**PROGRAM:** The activities of the Northeastern Interstate Forest Fire Protection Commission during FY 94 included the annual Commission meeting in Quebec, Emergency Incident Management Training in Merrimack, N.H. in February, and a full "Training Needs Assessment" of all member states. In addition, an equipment meeting was held for Compact Member States to test equipment compatibility and response.

The Compact conducted Joint Forest Fire Prevention activities including a Smokey Bear caravan which travelled through all member states and provinces. A communications van was purchased and will be fully equipped.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Forestry.

## ST. CROIX INTERNATIONAL WATERWAY COMMISSION

FRANCIS A. BROWN, MAINE CO-CHAIR  
LEE SOCHASKY, EXECUTIVE DIRECTOR

*Central Office:* St. Stephen, N.B.

*Mail Address:* P.O. Box 610, Calais, Maine 04619

*Established:* September 29, 1987

*Reference:* Policy Area: 05; Umbrella: 98; Unit: 497; Citation: 38 M.R.S.A., Sect. 994

*Average Count—All Positions:* 0

*Telephone:* (506) 466-7550

*FAX:* (506) 466-7551

*Sunset Review Required by:* June 1995

*Legislative Count:* 0

**PURPOSE:** The State of Maine and the Province of New Brunswick, Canada, concurrently passed legislation in 1987 enabling the creation of an international commission to develop and to facilitate the implementation of a cooperative resource and recreation management plan for the boundary waters and shorelands of the St. Croix River system. The State of Maine and the Province of New Brunswick have agreed to cooperatively manage the shared resources of this water corridor in order to preserve a mutual heritage and enhance future benefits.

**ORGANIZATION:** The Commission is an independent, international body with eight members, four of which represent the State of Maine and four the Province of New Brunswick. An Executive Director and an Administrative Assistant serve as staff to the Commission. As warranted, the Commission is also served by working committees and other advisory bodies comprised of government personnel, private citizens and representatives of user interests from both sides of the international waterway.

**PROGRAM:** In 1993 the Commission adopted a final text for the Waterway's recommended international management plan, following a three year period in which the plan underwent public and governmental review and extended voluntary implementation. In accordance with the enabling legislation, the plan was subsequently submitted to the Premier of New Brunswick, whose government approved it in January 1994, and to the Governor of Maine, who is considering appropriate action.

The management plan addresses conservation and development within a shoreland corridor of the St. Croix in the terms of natural, cultural, recreational and economic goals. In addition to developing the plan, the Commission has a responsibility to facilitate its implementation in Maine and New Brunswick, which in the last year included these actions:

## INDEPENDENT AGENCIES—INTERSTATE COMPACT

In **land management**, the Commission assisted New Brunswick to develop a shoreland zoning plan for the province's side of the St. Croix which, if adopted in late 1994 as anticipated, will establish a Canadian precedent. The Commission also supported the acquisition of a 14-mile conservation easement on Spednic Lake by the Land for Maine's Future Board to benefit the development of a transboundary St. Croix Conservation Area and assisted governments and communities with public access planning at other locations.

In **water management**, the Commission continued to coordinate a volunteer lake water quality monitoring program for the State and also completed a second year of baseline water quality testing on the watershed's lakes in cooperation with agencies in both countries. On the St. Croix estuary, the Commission assisted with the startup of a volunteer water quality monitoring program and coordinated a public/private initiative to assess and reduce bacteria levels at local Maine clam beds, toward their potential re-opening for harvest.

In **resource management**, in conjunction with governmental and local partners in both countries, the Commission began a multi-year recreational fisheries development program for the St. Croix boundary waters, drawing upon seed funding from a Canada-N.B. cooperation agreement and in-kind contributions from the participants. The program will particularly benefit the system's Atlantic salmon, landlocked salmon and smallmouth bass fisheries.

In **economic development** the Commission helped to initiate and contributed to a study to identify small business development opportunities compatible with the St. Croix's heritage values and is encouraging action on the study's findings. It also supported initiatives to expand the interpretation of the St. Croix Island International Historic Site, which can have both cultural and economic benefits to the area.

In **information services**, the Commission continued to serve as an information clearinghouse for governments, local officials, residents, researchers and waterway users. It delivered a number of local and regional public presentations and issued news articles on current St. Croix topics.

Other activities are profiled in the Commission's 1993 annual report.

### PUBLICATIONS:

1. St. Croix International Waterway: A Heritage—A Future. Plan for long-term cooperative management of the St. Croix International Waterway. 1993. 60p.
2. St. Croix International Waterway: A Heritage—A Future. A Preliminary Plan for Long-term Cooperative Management of the St. Croix International Waterway. 1990. 142p.
3. St. Croix International Water Commission 1993 Annual Report. 6p.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ST. CROIX INTERNATIONAL WATERWAY COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Grants—Subsidies—Pensions	10,000	10,000				
<b>TOTAL EXPENDITURES</b>	10,000	10,000				



## **ADAPTIVE EQUIPMENT LOAN PROGRAM FUND BOARD**

**PATTEN WILLIAMS, CHAIRMAN**

**TIMOTHY P. AGNEW, CHIEF EXECUTIVE OFFICER**

*Central Office:* c/o Finance Authority of Maine, 83 Western Ave., Augusta *Telephone:* 623-3263

*Mail Address:* P.O. Box 949, Augusta, Maine 04332-0949

*FAX:* 623-0095

*Established:* 1988

*Reference: Policy Area:* ; *Umbrella:* 94; *Unit:* 178; *Citation:* 10 M.R.S.A., Sect. 371

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** To help persons with disabilities become more independent and more productive members of the community. This is accomplished with the help of an innovative lending program that was financed with proceeds from a general obligation bond approved by Maine voters in 1988. The program makes available direct loans to borrowers at rates and terms that are specifically tailored to meet the financial needs of individual borrowers.

Business entities may also borrow from the Adaptive Equipment Loan Fund to help make businesses accessible to disabled individuals and more suitable for employing individuals with disabilities.

**ORGANIZATION:** The Adaptive Equipment Loan Board consists of nine (9) members. Seven (7) members are appointed by the Governor and confirmed by the Maine State Legislature. Of these, one member must be a commercial lender, one member must be a certified public accountant, and the remaining five must have a range of disabilities. The remaining two members are the Commissioner of the Maine Department of Human Services or the Commissioner's designee and the Treasurer of State or the Treasurer's designee.

The Adaptive Equipment Loan Board contracts with Alpha One, a non-profit community based organization offering services to persons with disabilities, to provide initial assistance to program applicants and a determination of the appropriateness of the equipment to be purchased. The Adaptive Equipment Loan Board contracts with the Finance Authority of Maine to provide administrative assistance, financial analysis and management, and legal counsel.

**PROGRAM:** The Adaptive Equipment Loan Board provides low interest loans to assist disabled persons in becoming more productive members of the community. Businesses may also borrow from the Adaptive Equipment Loan Fund to make their facilities more accessible to physically challenged individuals. Proceeds from Adaptive Equipment Loans may also be used to enable a business to make physical and structural changes necessary to allow a business to hire disabled workers. Loans under the Adaptive Equipment Loan Fund may be for up to \$50,000 for a term of up to twenty (20) years. The interest rate on these loans varies from 0% to the prime rate and is determined based upon the borrower's ability to repay the loan.

### **PUBLICATIONS:**

Program Brochure (free)

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. For further financial information, contact the Finance Authority of Maine.

## MAINE ARTS COMMISSION

PETER PLUMB, CHAIRMAN

*Central Office:* 55 Capitol Street, Augusta; *Floor:* 1 & 2  
*Mail Address:* State House Sta. #25, Augusta, Maine 04333

*Telephone:* 287-2724  
*FAX:* 287-2335

*Established:* May 11, 1966

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 94; Unit: 088; Citation: 27 M.R.S.A., Sect. 401

*Average Count—All Positions:* 9

*Legislative Count:* 8

**PURPOSE:** The Maine Arts Commission was established by the Legislature to “take such steps as may be necessary and appropriate to encourage and stimulate public interest and participation in the cultural heritage and programs of our state and to expand the state’s cultural resources...and to encourage and assist freedom of artistic expression and the well being of the arts.” The Commission is an independent state agency and has developed the following mission statement: The Maine Arts Commission provides leadership in developing quality in the arts. The Commission supports art that both affirms and challenges our culturally diverse communities. The Maine Arts Commission recognizes the dynamic relationship among artists, presenters, and audiences, and supports the essential role of the artist. In 1993 the Commission adopted a Long Range Plan which positions the Commission to work with the available resources to maximize the achievement and attainment of its mission.

**ORGANIZATION:** The Maine Arts Commission consists of not less than 15 nor more than 21 members, broadly representative of all artistic and cultural fields, to be appointed by the Governor from among citizens of Maine who are widely known for their competence and experience in connection with these fields. In making such appointments, due consideration must be given to the recommendations made by representative civic, educational and professional associations and groups concerned with or engaged in artistic and cultural fields generally.

The term of office of each member is 3 years. Other than the chairman, no member of the commission who serves 2 full 3-year terms shall be eligible for reappointment during the one-year period following the expiration of his second such term. The Governor designates a chairman and a vice-chairman from the members of the Commission, to serve as such at his/her pleasure. The chairman is the presiding officer of the Commission. All vacancies are filled for the balance of the unexpired term in the same manner as original appointments. The members of the Commission do not receive any compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the Commission.

**PROGRAM:** The Commission appoints advisory panels to work in conjunction with the Agency staff while making grant funding determinations. All of the granting activity of the Agency is presented to the Commission for ratification or rejection. Similarly, the Commission initiates many Agency activities.

**Grants.** The Maine Arts Commission funds grants to artists and organizations through the following four programs:

- Project grants fund arts projects on a competitive basis for activities which are consistent with the agency mission. Maine resident artists and nonprofit organizations are eligible to apply under the Project Grant category.
- Advancement grants fund arts organizations on a competitive basis to advance their organizational, artistic, financial and/or managerial futures. Technical Assistance Advancement Grants may also be awarded. The Rural Arts Initiative, a special Advancement Grant category funded through the Expansion Arts Program at the National Endowment for the Arts, provides stabilization grants to rural arts organizations in Maine.
- Education grants fund artist in residence projects, collaborations between artists, schools and cultural institutions, professional development in the arts for teachers, ethnic arts education initiatives, Maine Touring Artist grants and other special programs.
- Direct grants provide direct support to individual Maine artists. The Individual Artist Fellowship program rewards artistic excellence. The Traditional Arts Apprenticeship program preserves and nurtures artistic traditions.

**Community Arts Development.** The Community Arts Development program consists of support for cultural assessment and planning, grants to rural and underserved communities and traditional arts mentor programs.

## INDEPENDENT AGENCIES—OTHER

**Art in Public Spaces**—also includes the One Percent for Art Program.

The cornerstone of the Maine Arts Commission's Art in Public Spaces program is the Percent for Art law enacted by the Maine State Legislature in 1979. The Law mandates that one percent of the construction costs of most state-funded buildings will be set aside for the purchase of art work for the building's public areas.

The Traditional Art Mentor Program is a special technical assistance program funded in 1994 by the Folk Arts Program of the National Endowment for the Arts and is designed to match experienced consultants with emerging artists and community-based organizations interested in documenting and presenting traditional culture.

**Advocacy and Information.** Advocacy and Information is a major new component of the Agency to address concerns for improved communication between the Commission and the arts field, and among artists and arts organizations themselves. Over the next two years, the Commission plans a broad-based cultural census in partnership with other organizations. This census will be an in-depth economic, demographic and anecdotal study of Maine's cultural life.

### PUBLICATIONS:

*Newsletter:* A summary of the important issues facing the arts in Maine, a quarterly publication.

*Maine Touring Artists Program* a booklet which provides a qualitative list of the performing, visual and literary artists that have been approved for participation in the program.

*Guide to Grants and Services:* revised and republished on a yearly basis.

*New England Touring Program:* A booklet listing performing arts attractions available to audiences in the six state region.

*Percent for Art Bulletin:* provides news of Percent for Art Commissions, both competitions and awards. Published on as needed basis.

Additional publications regarding specific initiatives are regularly produced: *Basket Trees Basket Makers, 1992, Individual Artists Fellowship Documentation (1995)* and *Guide To Community Cultural Planning (1995)*.

All are available from the Commission at no cost.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE ARTS COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	302,246	203,494			98,752	
Health Benefits	32,899	22,031			10,868	
Retirements	52,108	35,873			16,235	
Other Fringe Benefits	3,503	2,341			1,162	
Other Contract Services—State	12,729	105	1,669		10,955	
Other Contractual Service	73,941	19,689	684		53,568	
Rents	681	98			583	
Commodities	2,654	91			2,563	
Grants—Subsidies—Pensions	736,182	177,025	14,545		544,612	
Transfers to Other Funds	6,333		76		6,257	
<b>TOTAL EXPENDITURES</b>	<b>1,223,276</b>	<b>460,747</b>	<b>16,974</b>		<b>745,555</b>	

## ATLANTIC SEA RUN SALMON COMMISSION

RAY B. OWEN, CHAIRMAN

*Central Office:* Hedin Hall, B.M.H.I., Bangor

*Mail Address:* 650 State St., Bangor, Me. 04401-5654

*Telephone:* (207) 941-4449

*FAX:* (207) 941-4443

*Established:* 1947

*Sunset Review Required by:* June 30, 1996

*Reference: Policy Area:* 05; *Umbrella:* 94; *Unit:* 289; *Citation:* 12 M.R.S.A., Sect. 6251-A

*Average Count—All Positions:* 9

*Legislative Count:* 5

*Organizational Units:*

Technical Advisory Committee

**PURPOSE:** The Atlantic Sea Run Salmon Commission was established for the purposes of undertaking research, planning, management, restoration and propagation of the Atlantic sea run salmon in the State. The Commission has authority to adopt regulations regarding the taking of Atlantic sea run salmon, but its authority is limited to regulation of the time, method, number, weight, and length of salmon and the locations from which they may be taken.

**ORGANIZATION:** The Commission is composed of five members, including the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife, ex officio, and three public members appointed by the Governor, for a term of four years. The Commissioner of Inland Fisheries and Wildlife is permanent Chairman of the Salmon Commission, with sole authority over administration and financial matters.

The rules and regulations of the Commission governing the taking of Atlantic salmon within the jurisdiction of the State of Maine are enforced by the Warden Service of the Department of Inland Fisheries and Wildlife in inland waters, and by the Marine Patrol of the Department of Marine Resources in tidal waters.

A bilateral Cooperative Agreement between the Atlantic Salmon Commission and the U.S. Fish and Wildlife Service was executed in 1990. The duties and responsibilities of the two signatories were delineated and a Technical Advisory Committee was established. The Technical Advisory Committee is composed of 4 members assigned by the Commission and 4 members assigned by the U.S. Fish and Wildlife Service, and a non-voting member assigned by the Penobscot Indian Nation. The purpose of the committee is to advise the cooperators on technical matters relative to the Atlantic salmon restoration program in Maine, to review and comment on proposals for cooperative research, and to provide assistance in developing and updating a salmon restoration plan.

**PROGRAM:** Overall, Atlantic salmon returns to Maine rivers in 1993 were slightly lower than those of 1992. The ASRSC estimates that about 3,500 adult Atlantic salmon returned to Maine rivers in 1993. The 1-salmon-per-season statewide angling rule adopted by the Commission in 1992 significantly reduced the rod kill, with higher numbers of fish caught and released than ever before. Adult returns and sport catches in Maine's 7 small rivers with native salmon runs (mostly located in Washington County) remained disappointingly low and much below the long-term average. Reduced marine survival of salmon during their first winter at sea has been identified as one of the major causes of these low returns to Maine rivers in recent years. Similar declines in salmon survival and adult returns to many North American salmon rivers have also been documented.

In 1992 the Atlantic Salmon Commission and U.S. Fish & Wildlife Service (USFWS) implemented a recovery program for the Atlantic salmon runs in Maine's 7 rivers with native salmon populations. A portion of this program depends upon the collection of river-specific broodstock for use in future restocking efforts. Adult salmon were collected utilizing a portable weirs on the Dennys and Machias Rivers, while parr were collected from several Maine rivers. Native salmon parr collected in 1993 were used for genetics studies or will be reared to the adult stage in order to provide a source of juvenile salmon for restocking purposes in future years.

During the 1993 field season, 486 adult Atlantic salmon were collected from the Penobscot River for broodstock purposes. In November, USFWS personnel obtained over 2 million eggs from these fish for future restocking efforts in Maine.

During the spring of 1994, approximately 600,000 smolts, 50,000 parr, and 1.00 million fry were released into salmon rivers throughout the state; all of these salmon were produced at the 2 USFWS hatcheries.

## INDEPENDENT AGENCIES—OTHER

The Commission is cooperating with the Canadian Department of Fisheries and Oceans in an effort to institute a salmon restoration program on the Aroostook River and a program to introduce salmon to the Upper St. John River. As part of that effort, the Department of Fisheries trucked 166 salmon from the lower St. John River to the lower Aroostook; an additional 200 salmon were trucked to the Upper St. John River in 1993.

The Commission continued an intensive research program funded by a grant from the National Marine Fisheries Service (NMFS) on the Atlantic salmon population and habitat of the Narraguagus River. This program involves enumerating adult salmon returns annually, enumerating and tagging wild salmon parr, and detailed salmon habitat and water quality monitoring studies. With funding by the NMFS, Commission staff also participated in a continuing study to evaluate the timing and magnitude of the interception of Maine Atlantic salmon in distant commercial fisheries by sampling of the commercial salmon catches at West Greenland in the summer of 1993.

The Commission has received federal funding through the USFWS-Endangered Species Program to carry out monitoring and assessment studies of Maine's native Atlantic salmon runs. The magnitude and scope of these studies was delineated in a Prelisting Recovery Plan which was prepared by the ASRSC and USFWS in 1992. Much of the ongoing assessment activities involve providing historical and current Maine Atlantic salmon habitat and population data to the two federal agencies which must act upon (by October 1, 1994) an existing petition to list the Atlantic salmon in New England under the Endangered Species Program.

### LICENSES, PERMITS, ETC.:

Resident and non-resident licenses authorized under MRSA, Title 12, Chapter 680, subsection 6255. A license is required to fish for, take, possess, ship or transport Atlantic salmon from all inland and designated tidal waters of 12 Maine rivers.

Atlantic Salmon License—resident and non-resident.

### PUBLICATIONS:

1. Maine Atlantic Sea Run Salmon Commission, Regulations, 1994, (no cost).
2. Atlantic Salmon River Management Plans (\$2.00 each; \$12.00 for a complete set of 9).
  - Aroostook River (includes Upper St. John River, Meduxnekeag River and Prestile Str.)
  - St. Croix River
  - Dennys River
  - Machias and East Machias Rivers
  - Narraguagus and Pleasant Rivers
  - Union River (and minor coastal drainages east of the Penobscot River
  - Penobscot River
  - Sheepscot River
  - Saco River

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

ATLANTIC SEA RUN SALMON COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	249,821	53,405	12,569		183,847	
Health Benefits	25,548	4,166	918		20,464	
Retirements	39,023	7,021	1,770		30,232	
Other Fringe Benefits	1,969	156	91		1,722	
Other Contract Services—State	6,016				6,016	
Computer Services—State	2,018	14	4		2,000	
Other Contractual Service	27,503	6,788	4,636		16,079	
Rents	1,286	164	276		846	
Commodities	11,370	442	1,783		9,145	
Building and Improvements	17,740				17,740	
Transfers to Other Funds	6,081		1,017		5,064	
<b>TOTAL EXPENDITURES</b>	<b>388,375</b>	<b>72,156</b>	<b>23,064</b>		<b>293,155</b>	

## BAXTER STATE PARK AUTHORITY

SUSAN BELL, CHAIR

IRVIN C. CAVERLY, JR., DIRECTOR

Central Office: 64 Balsam Drive, Millinocket, ME

Telephone: 723-9616

Mail Address: 64 Balsam Drive, Millinocket, ME 04462

Established: 1933

Sunset Review Required by: June 30, 1995

Reference: Policy Area: 05; Umbrella: 94; Unit: 293; Citation: 12 M.R.S.A., Sect. 901

Average Count—All Positions: 33

Legislative Count: 0

**PURPOSE:** The Baxter State Park Authority was established to operate and maintain Baxter State Park for the use and enjoyment of the people of Maine in accordance with the wishes of its donor, former Governor Percival P. Baxter, that this park "... shall forever be retained and used for state forest, public park and public recreational purposes ... shall forever be kept and remain in the natural wild state... shall forever be kept and remain as a sanctuary for beasts and birds."

The primary responsibilities of the authority are to operate and maintain various campgrounds, campsites and rustic log cabins within the 202,064 acre wilderness park; to protect the wildlife, fauna, and flora within the park for the enjoyment of present and future generations; to receive and expend monies from the trusts and other income for maintenance and operation of the park; to acquire additional land for the park as authorized by law; to establish rules and regulations as necessary for the protection and preservation of the park, monuments, and structures thereon and for the protection and safety of the public; and to exercise police supervision over the park.

**ORGANIZATION:** Baxter State Park is the result of a dream of former Governor Percival P. Baxter who donated the first parcel of land in 1931 and over the years added various parcels until the final acquisition in 1962 brought the area to its present size of 201,018 acres. In 1992, 1,046 acres were purchased from an adjoining landowner to bring the Park to its current size of 202,064 acres. In addition to the various gifts of land, he also left two sizeable trust funds to carry out the operation and maintenance of the park without the need of State funding, the only exception being road maintenance by the Department of Transportation from funds collected through gasoline taxes.

While Baxter State Park bears the name "State", it is separately administered, free from any connection with the larger state park system (Bureau of Parks and Recreation or the Department of Conservation). The Baxter State Park Authority, a three-person authority consisting of the Attorney General, the Director of the Bureau of Forestry and the Commissioner of Inland Fisheries and Wildlife, has full power in the control and management of the park and in the exercise of all Trust obligations.

Operation of the park is financed in part from use fees, entrance fees, etc. but the majority of the funds are obtained from trusts established by Governor Baxter, namely the original trust established in 1945 and the larger fund established through his will in 1969 administered by the Boston Safe Deposit and Trust Company. Park operations were financed through the State's General Fund until 1971 when it became self-sufficient, as it was felt that the main purpose of Governor Baxter's bequests was to release the State from any obligation for Baxter Park operating costs, except road maintenance.

Responsibility for the operation of Baxter State Park is delegated from the Authority to the Park Director who supervises the managers of the following divisions; Forestry; Park Operations; and Information Education.

**PROGRAM:** Baxter State Park, being a wilderness area, has many problems unique to itself as far as other parks within Maine are concerned, such as types of campers and hikers, camping facilities, the type of area, and the responsibility for lost persons. The park encompasses 202,064 acres with campgrounds, outlying sites, group areas, and cabins. These overnight facilities have a daily capacity of 1,046 for the 1989 season with a potential seasonal capacity of 144,870. Although during peak use months of July and August the Park will frequently be filled to capacity, the average capacity used over the season from May 15 to October 15 will be around 50%.

The following use statistics are presented on a calendar year basis in order to better reflect a full season's operation:

## INDEPENDENT AGENCIES—OTHER

**Statistical Use Information:**    **1993**                      **1992**                      **1991**                      **1990**                      **1989**                      **1988**  
**SUMMER SEASON (5-15—10-15)**

**USE—BY TYPE:**

Day Use	54,335	53,919	49,402	50,012	49,195	48,746
Transient	4,249	4,122	5,177	4,318	6,570	5,964
Camper	24,508	24,197	24,755	23,205	24,869	22,877
Lodge Guests	—	—	—	—	—	744
<b>TOTAL PEOPLE</b>	<b>83,902</b>	<b>82,527</b>	<b>79,334</b>	<b>77,535</b>	<b>80,634</b>	<b>77,587</b>

**MISCELLANEOUS:**

Camper Days	70,595	73,960	68,147	64,823	65,033	62,211
Average Stay (Days)	2.88	3.0	2.7	2.2	2.62	2.71
Number of Vehicles	32,950	32,546	28,191	27,381	28,476	27,498
Recreational Visitor Days	153,687	157,108	149,465	123,790	120,798	116,921

**WINTER SEASON (12-1—4-1)**

**1992/93                      1991/92                      1990/91                      1989/90                      1988/89                      1987/88**

**USE—BY TYPE:**

Day Use	—	—	1,984	1,097	1,299	1,448
Campers	1,554	621	2,435	1,895	1,810	1,622
<b>TOTAL PEOPLE</b>	<b>1,554</b>	<b>621</b>	<b>4,419</b>	<b>2,992</b>	<b>3,109</b>	<b>3,070</b>

**Financial Information:**    **1992/93**                      **1991/92**                      **1990/91**                      **1989/90**                      **1988/89**                      **1987/88**

**REVENUE:**

Net from Operations	\$ 667,926	\$1,575,627	\$1,441,795	\$1,443,127	\$ 452,052	\$ 348,404
Trust Fund	889,162	710,000	1,093,309	1,028,000	860,000	860,000
Miscellaneous	6,103	13,357	15,427	18,740	14,186	11,729
Forestry	105,481	93,548	82,923	14,797	2,854	(2,758)
<b>TOTAL</b>	<b>\$1,668,672</b>	<b>\$1,642,010</b>	<b>\$1,559,477</b>	<b>\$1,345,589</b>	<b>\$1,225,444</b>	<b>\$1,064,259</b>

**EXPENDITURES:**

Personal Services	\$ 979,564	\$ 951,343	\$ 892,346	\$ 833,273	\$ 733,488	\$ 665,812
All Other	609,037	471,690	423,554	463,540	371,416	294,099
Capital	55,467	90,155	125,255	130,537	116,460	35,757
<b>TOTAL</b>	<b>\$1,664,068</b>	<b>\$1,513,188</b>	<b>\$1,441,155</b>	<b>\$1,427,350</b>	<b>\$1,221,364</b>	<b>\$ 995,668</b>

### **LICENSES, PERMITS, ETC.:**

**Licenses:**

The Baxter State Park Authority is authorized to issue non-resident fishing licenses on behalf of the Department of Inland Fisheries and Wildlife.

**Permits:**

The Baxter State Park Authority authorizes the issuance of Entrance Permits for day use, overnight use, and seasonal use. The Authority also authorizes the issuance of advance reservations for all overnight facilities in Baxter State Park.

The Baxter State Park Authority issues permits to allow individuals to carry out research activities which have been reviewed and approved by the Director of BSP.

**Certificates:**

The Baxter State Park Authority authorizes the award of certificates of appreciation for volunteers who provide services to Baxter State Park.

**Contracts:**

The Baxter State Park Authority issues contracts for the following services: Operation of Daicey Pond and Kidney Pond Campgrounds, Rubbish Removal and Janitorial, Interpretive and Informational Education Services, Firewood Bundle Preparations, Roadside Mowing and Forest Management Operations. Search and Rescue services are provided by Maine Dept. of Inland Fisheries and Wildlife.

## INDEPENDENT AGENCIES—OTHER

### PUBLICATIONS:

- Annual Report—Baxter State Park—free
- Baxter State Park Management Plan—free
- Baxter State Park Maps (DeLorme)—\$5.20; (Steve Clark)—\$4.75
- Legacy of a Lifetime—History of Baxter State Park—\$8.50
- Numerous books and guides on Nature, Recreation, Ecology, etc. Available at Baxter State Park Headquarters—\$2.00 to \$4.00

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BAXTER STATE PARK AUTHORITY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	764,910		764,910			
Health Benefits	82,087		82,087			
Retirements	123,652		123,652			
Other Fringe Benefits	8,914		8,914			
Other Contract Services—State	163,163		163,163			
Other Contractual Service	246,793		246,793			
Rents	75,798		75,798			
Commodities	123,218		123,218			
Grants—Subsidies—Pensions	51		51			
Purchase of Land	6,000		6,000			
Building Improvements	49,467		49,467			
Interest—Debt Retirement	11		11			
<b>TOTAL EXPENDITURES</b>	1,644,064		1,644,064			

## COMMISSION ON BIOTECHNOLOGY AND GENETIC ENGINEERING

**PETER N. MOSHER, CHIEF EXECUTIVE**

*Central Office:* Department of Agriculture, AMHI, Augusta

*Telephone:* 287-3117

*Mail Address:* State House Sta. #28, Augusta, Maine 04333

*Established:* 1988

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 307; Citation: 7 M.R.S.A., Sec. 2, Chap. 8-C

**PURPOSE:** The Commission on Biotechnology and Genetic Engineering was established in 1989. The purpose of the Commission is:

- to serve as a resource and a repository for expertise and information on biotechnology and genetic engineering;
- to encourage research designed to further new and more extensive uses of the resources of the State and to promote and encourage advancement of research in biotechnology and genetic engineering;
- to evaluate and determine the adequacy of Federal regulations and State rules affecting biotechnology and genetic engineering;
- to formulate and coordinate State policies affecting the biotechnology and genetic engineering industries;
- to serve as a liaison between the State and Federal agency on matters affecting the biotechnology and genetic engineering industries;



## INDEPENDENT AGENCIES—OTHER

to assess potential risk to the public and to the environment created by the use of biotechnology and genetic engineering for products and waste products;

to study, analyze and review Federal and State laws governing the release of any by-products of these industries into the environment;

to establish standards for the issuance and renewal of permits for the release into the environment of these by-products; and

to adopt rules pursuant to the Maine Administrative Procedures Act, Title 5, Chapter 375 and to take such other actions as determined appropriate to carry out the purpose of this chapter.

**ORGANIZATION:** The Commission is composed of eleven members, including members from industry, academic and regulatory agencies in the fields of agriculture, marine resources and forestry. The Commission elects its own chairman and such other officers as it determines necessary from among the membership. The Commission meets at the call of the chairman or at the request of any three members.

**PROGRAM:** The Commission on Biotechnology & Genetic Engineering was established in 1989 and a workplan developed and submitted to Legislature. The Commission prioritized the goals and activities described in the workplan. As its first priority, the Commission decided to review federal and state regulatory oversight to determine if existing laws and rules are adequate to protect the citizens and environment in Maine. This task will be completed in 1992.

The Commission has reviewed and approved several federal permits to move genetically engineered potatoes into Maine and to release these potatoes into the environment in field trials.

The Commission in discussion with the Attorney General's Office concluded that it does not have rulemaking authority and subsequently the Department submitted legislation to give the Commission this authority. The legislation was tabled by the Legislature and will be resolved in the future.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Bureau of Agricultural Production.

## BLUEBERRY ADVISORY COMMITTEE

CARY NASH, CHAIRPERSON

*Central Office:* Coburn Hall, University of Maine, Orono

*Telephone:* 581-1475

*Mail Address:* University Campus, 5715 Coburn Hall, Orono, Maine 04469-5715

*Established:* 1945

*Sunset Review Required by:* June 30, 1991

*Reference: Policy Area:* 01; *Umbrella:* 94; *Unit:* 426; *Citation:* 36 M.R.S.A., Sect. 4312

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Blueberry Advisory Committee was originally constituted in 1945 when the Blueberry Tax program was initiated for the purpose of providing supplemental funds for research and extension programs at the University of Maine.

The function of the Advisory Committee was to work with the Director of the Maine Agricultural Experiment Station and the Director of the Cooperative Extension Service in an advisory capacity. While the function of the Committee remains essentially the same, legislation enacted in 1984 changed the status of the Committee by having the committee members appointed by the Maine Blueberry Commission instead of by the University of Maine. In 1985 legislation was passed to delete the words "University of Maine" from the name of the Blueberry Advisory Committee. In essence the Blueberry

## INDEPENDENT AGENCIES—OTHER

Advisory Committee is a standing Committee of the Blueberry Commission and reports to the Commission.

**ORGANIZATION:** The Blueberry Advisory Committee consists of seven members who serve staggered terms of four years. Members of the Advisory Committee may not be reappointed for successive terms. Committee members elect their own chairman and meetings are scheduled in conjunction with the Directors of the Maine Agricultural Experiment Station and the Cooperative Extension Service. The Blueberry Commission has also designated the Executive Director of the Commission to act as an ex-officio member of the Advisory Committee.

**PROGRAM:** Activities and program are included with the report of the Maine Blueberry Commission.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## MAINE BLUEBERRY COMMISSION

IVAN HANSCOM, CHAIRPERSON

EDWARD J. McLAUGHLIN, Executive Director

*Central Office:* Coburn Hall, Univ. of Me., Orono

*Telephone:* 581-1475

*Mail Address:* University Campus, 5715 Coburn Hall, Orono, Maine 04469-5715

*Established:* 1977

*Sunset Review Required by:* June 30, 2001

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 294; Citation: 36 M.R.S.A., Sect. 4312-B

*Average Count—All Positions:* 1

*Legislative Count:* 0

**PURPOSE:** In 1945, the blueberry industry of the state requested the Legislature to establish an industry tax to generate dedicated revenue to be used for the purpose of research and extension programs relating to the production and marketing of blueberries. Over the years, this tax has been increased for the purpose of advertising and promoting the use of blueberries. The Blueberry Commission has the responsibility for allocation and administration of blueberry tax funds. Currently the tax is at the rate of 1/2 cent per pound from blueberry growers and 1/2 cent per pound from processors or shippers for a total of 1¢ per pound of blueberries produced or processed in the state.

**ORGANIZATION:** Legislation passed in 1984 provided that the Blueberry Commission consist of eight members appointed by the Commissioner of Agriculture, Food, and Rural Resources. The Commission elects a chairman from among its members and employs an executive director to handle the administrative responsibilities of the blueberry tax programs.

This legislation also provides for a Blueberry Advisory Committee of seven members who are appointed by the Blueberry Commission. The Advisory Committee works with the University of Maine to develop research and extension programs to serve the interests of the blueberry industry.

**PROGRAM:** The 1984 legislation provides that blueberry tax revenue be allocated as follows: 30% for research and extension programs at the University of Maine; 25% for market development and promotion; no more than 15% for administration; and the balance of funds to be used for research or promotion as may be determined by the Commission.

Most of the research and all of the extension activities are programmed through the Maine Agricultural Experiment Station and the Cooperative Extension Service at the University of Maine. The Experiment Station maintains a research farm known as Blueberry Hill in the town of Jonesboro. In recent years, and largely due to new technology generated through the Agricultural Experiment Station, the production of blueberries in Maine has approximately tripled from a 5-year average of 19 million pounds prior to 1981 to a 5-year average of 56 million pounds in 1992. The wild blueberry industry in Maine contributed approximately \$110 million to Maine's economy in 1992.

## INDEPENDENT AGENCIES—OTHER

Market development and promotion activities are carried out primarily through the allocation of funds to trade organizations such as The Wild Blueberry Association of North America (WBANA). These organizations conduct blueberry promotions for the export market as well as national promotion for the domestic markets. Special emphasis is given to major processors, the food service trade such as restaurants, bakeries, lunch programs, and more recently export markets.

Other activities funded by the Commission include exhibits at trade shows, fairs and participation at the Eastern States Exposition in West Springfield, Massachusetts, the seventh largest agricultural exposition in the world. Some activities are carried out in cooperation with the Bureau of Marketing in the Department of Agriculture, Food and Rural Resources.

Faced with large production increases, both in Maine and other blueberry producing areas, the promotional programs funded by the Blueberry Commission have been a major factor in marketing blueberries commensurate with the increased production.

**PUBLICATIONS:** Bulletins and Newsletters published by the Commission, the Maine Agricultural Experiment Station and the Cooperative Extension Service at the University of Maine, Orono, Maine.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE BLUEBERRY COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	39,297		39,297			
Health Benefits	2,727		2,727			
Retirements	8,230		8,230			
Other Fringe Benefits	713		713			
Other Contract Services—State	3,162		3,162			
Other Contractual Service	6,589		6,589			
Commodities	6,995		6,995			
Grants—Subsidies—Pensions	571,213		571,213			
Transfers to Other Funds	3,324		3,324			
<b>TOTAL EXPENDITURES</b>	642,250		642,250			

## STATE CIVIL SERVICE APPEALS BOARD

ANNALEE Z. ROSENBLATT, CHAIRPERSON

*Central Office:* State Office Bldg., Augusta; *Floor:* 3

*Mail Address:* State House Sta. #78, Augusta, Maine 04333

*Established:* July 1, 1986

*Reference:* Policy Area: 00; Umbrella: 94; Unit: 388; Citation: 5 M.R.S.A., Sect. 7081

*Average Count—All Positions:* 0

*Telephone:* 624-7803 (Voice)

287-4537 (TDD)

*Sunset Review Required by:* June 30, 2000

*Legislative Count:* 0

**PURPOSE:** The State Civil Service Appeals Board is established to mediate grievances and disputes and to hear and resolve classification appeals which are filed by employees of the State who are excluded from the collective bargaining process pursuant to 26 MRSA, §§979 and 1021 to 1034.

**ORGANIZATION:** On July 1, 1986, the State Civil Service Appeals Board was established to perform grievance and appeal functions formerly performed by the State Personnel Board. The Board consists of 5 members of the public who have experience in personnel management or labor relations. Appointments to the Board are made by the Governor with review by the Joint Standing Committee on

## INDEPENDENT AGENCIES—OTHER

State Government and confirmation by the Legislature. One member of the Board is designated by the Board as a chairman. Each appointment is for a term of four years until a successor has been appointed and qualified.

**PROGRAM:** The Appeals Board met three (3) times during FY '94. The meeting was held to hear and decide the Board's jurisdiction for an appeal case.

**PUBLICATIONS:**

State Civil Service Appeals Board Procedures for Appeal (free). May be obtained through the Office of the Commissioner.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Office of The Commissioner.

## MAINE STATE CULTURAL AFFAIRS COUNCIL

ELAINE M. ALBRIGHT, ACTING CHAIR

*Central Office:* c/o Maine Arts Commission

*Mail Address:* c/o Maine Arts Commission

*Established:* 1990

*Reference: Umbrella:* 94; *Unit:* 546; *Citation:* 12 M.R.S.A., Sect. 552

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine State Cultural Affairs Council shall ensure a coordinated, integrated system of cultural resources programs and projects, and shall ensure the support of cultural heritage institutions and activities of the State. (Title 5, section 12004-G, subsection 7-A)

**ORGANIZATION:** The Maine State Cultural Affairs Council shall consist of the chair of the State Cultural Affairs Council, the chair and vice-chair from the Maine Arts Commission, the Maine Historic Preservation Commission, the Maine Library Commission and the Maine State Museum Commission. Nonvoting members include a staff member of the Office of the Governor and the directors of the four cultural agencies.

**PROGRAM:** The Cultural Affairs Council in its third year of existence continued to implement the charge given in 27 MRSA Sect. 552 by:

- 1). Meeting on a regular basis to coordinate the broader programs and projects of state cultural agencies
- 2). Planning for a coordinated budget request for the FY 96-97 biennium
- 3). Publishing the annual report of the Cultural Affairs Council for Fiscal Year 1993
- 4). Hosting the day-long "Maine Cultural Affairs Conference" in Rockport jointly with the Maine Community Cultural Alliance, a non-profit support organization. Individual registration fees covered all expenses.

**FINANCES, FISCAL YEAR 1994:** All expenditures of this unit are provided by the four cultural agencies. There were no significant expenses this year.

## **ECONOMIC DEVELOPMENT & BUSINESS ASSISTANCE COORDINATING COUNCIL**

**COMMISSIONER MICHAEL W. AUBE, CHAIR**

*Central Office:* 33 Stone Street

*Telephone:* 287-2656

*Mail Address:* State House Station #59, Augusta, Maine 04333

*Established:* April 9, 1992

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 571; Citation: 5 M.R.S.A., §13001

**PURPOSE:** The Economic Development & Business Assistance Coordinating Council was established to develop a long term economic development plan for the State and to coordinate and oversee economic development and business assistance services throughout the State. The Council's responsibilities include identification of regions throughout the State for the purpose of developing regional economic development strategies; and creation of a regionally based delivery system for economic development and business assistance services.

**ORGANIZATION:** The Council is composed of 17 members, specified by statute, which include the Commissioners of the Departments of Economic & Community Development, Labor, Education, Environmental Protection, and Transportation; the Director of the State Planning Office; the Chief Executive Officers of the Maine Development Foundation, and the Finance Authority of Maine; the President of the Maine Science & Technology Foundation; the President of the Maine World Trade Association; 1 representative each from the University of Maine system, the University of Southern Maine, and the Maine Association of Regional Councils; the President of the Maine Technical College System; and the Executive Directors of the Small Business Development Center Program, the Maine State Housing Authority, and the Maine State Retirement System.

The Council is chaired by the Commissioner of the Department of Economic & Community Development for the term ending January 1, 1996. Thereafter, the Council will biennially elect a chair.

**PROGRAM:** During FY '94, the Council sponsored sixty public Citizen Forums at twenty regional sites throughout the state in order to gather citizen input and advice concerning regional problems, opportunities and regional service delivery. Additional research was completed and reports produced on the history of regionalization in Maine, the efforts of other states in this area, and the economic structure of the state's various regions. A statewide survey was conducted to identify gaps and overlaps in the availability of economic development and business assistance resources and services. Additionally, a conference for economic development service providers was held to explore the characteristics and function of a regionally based economic delivery system. The Council met throughout the year to consider input derived from the Citizen Forums and its staff research, and developed a report to the Legislature which included recommendations concerning regional boundaries and the parameters of a regional service delivery system.

**PUBLICATIONS:** Council Report to the Legislature (free)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Commissioner's Office/Administration.

## MAINE ECONOMIC GROWTH COUNCIL

SENATOR ROCHELLE PINGREE, CO-CHAIR

COMMISSIONER MICHAEL W. AUBE, CO-CHAIR

*Central Office:* 33 Stone Street

*Telephone:* 287-2656

*Mail Address:* State House Station #59, Augusta, Maine 04333

*Established:* June 30, 1993

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 573; Citation: 10 M.R.S.A., §929-A

**PURPOSE:** The Maine Economic Growth Council was established to develop, maintain and evaluate a long term economic plan for the State. The Council's responsibilities include the development of a long-range plan, goals, benchmarks and alternative strategies for a sustainable state economy. Additionally, the Council will monitor progress in accomplishing the State's goals and benchmarks, and recommend changes in the plan to reflect the dynamics of the international, national and state economy.

**ORGANIZATION:** The Council is composed of 19 members, appointed for staggered terms. The Commissioner of the Department of Economic & Community Development is a permanent member; the remaining 18 members are jointly appointed by the Governor, President of the Senate and Speaker of the House of Representatives. Fourteen members are appointed from the public to represent a broad range of expertise in areas including labor, environment, business and education; also appointed to the Council are four members of the Legislature having a demonstrated interest in economic development.

The Council is currently co-chaired by Senator Rochelle Pingree and Michael Aube, Commissioner of the Department of Economic & Community Development.

**PROGRAM:** The Council met throughout the FY '94 to plan and organize its work program, study similar programs existing in other states, and develop a draft vision statement and goals for Maine. The Council selected a 100 member advisory committee to assist in developing the State's vision statement. Eight vision sessions, involving more than 300 people, were held throughout the State in order to give the public an opportunity to review and comment upon the draft vision and goals. The Council met to review the public feedback and developed a final draft which includes a long-term vision for Maine and six goal categories. Six goal committees were created to assist in fully developing each of the six goal categories for the State. Total membership in the goal committees consists of 196 people representing all geographic areas of the state and a diversity of interests.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Commissioner's Office/Administration.

## MAINE EDUCATION ASSISTANCE BOARD

BENTON L. MILSTER, CHAIRMAN

TIMOTHY P. AGNEW, CHIEF EXECUTIVE OFFICER

*Central Office:* One Weston Court, Augusta

*Telephone:* 287-2183

*Mail Address:* State House Sta. # 119, Augusta, Maine 04333

800-228-3734

*Established:* July 12, 1989

*Sunset Termination Starting by:* January 1, 2001

*Reference:* Policy Area: ; Umbrella: 94; Unit: 458; Citation: 10 M.R.S.A., Sect. 1013

*Average Count—All Positions:* 9

*Legislative Count:* 0

**PURPOSE:** The Maine Education Assistance Board was established as an advisory board to the Finance Authority of Maine to provide policy and administrative recommendations for the administration of a comprehensive, consolidated program of financial assistance to Maine post-secondary students and their

## INDEPENDENT AGENCIES—OTHER

parents. In addition to administering a variety of grant and loan programs to assist with the costs of higher education, including medical education, the Maine Education Assistance Board is directed to establish a program of outreach and counseling designed to encourage students at the secondary level to aspire to post-secondary education.

**ORGANIZATION:** The Maine Education Assistance Board consists of seven members including: the Commissioner of Education or the Commissioner's designee and six members appointed by the Governor and confirmed by the Maine State Legislature. The members must include a trustee, director, officer or employee of an institution of higher education in the State; a member of a statewide organization representing the chief executive officers of public and private post-secondary institutions; a student financial aid administrator; a high school guidance counselor; a representative of a state financial institution who is active in student lending; and a member who represents the interests of the consumers of the program.

The Maine Education Assistance Board operates in conjunction with the Maine Education Assistance Division established within the Finance Authority of Maine, which provides staff assistance to the Board.

**PROGRAM:** The Maine Education Assistance Division maintains and administers a range of programs designed to provide financial assistance to Maine students and families. These programs include:

**Federal Family Education Loan Program.** The Federal Family Education Loan Program includes the Stafford Loan Program, the Unsubsidized Stafford Loan Program, the Supplemental Loan for Students Program (SLS) and the Supplemental Loan for Parents Program (PLUS). These several programs provide education loans to students and parents based on financial need. The loans are guaranteed by the Finance Authority of Maine and the federal government and, in some cases, repayment of these loans may be deferred until after the student has been out of school for six months.

**Maine Student Incentive Scholarship Program.** Through this program, grants are available to Maine residents based on financial need. For FY 1991, grants will be \$500 for students attending public institutions and \$1,000 for students attending private institutions. FAME will award grants totalling almost \$5,000,000 to more than 7,500 students.

**Blaine House Scholars Program.** Through this program, interest free loans of up to \$1,500 per year are available for high school seniors entering college who have demonstrated superior academic performance, college students in training to become teachers and for teachers who are continuing their education. Blaine House Scholars Loans may be forgiven at a rate of 25% per year for return service as a teacher in the State of Maine.

**Paul Douglas and Robert C. Byrd Scholarship Programs.** The Maine Education Assistance Division administers two small federal programs with limited funding, one a loan for students training to become teachers and the other is a scholarship program for exceptional entering students in their freshmen year of college.

### PUBLICATIONS:

Program Brochures

Maine Guaranteed Student Loan Program Annual Report

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. For further financial information, contact the Finance Authority of Maine.

## MAINE EDUCATIONAL LOAN AUTHORITY

WALTER H. MOULTON, CHAIRMAN

RICHARD H. PIERCE, EXECUTIVE DIRECTOR

*Central Office:* 526 Western Avenue, Augusta  
*Mail Address:* P.O. Box 510, Augusta, Maine 04332-0510

*Incoming WATS:* 1-800-922-MELA  
*Telephone:* (207) 623-2800

*Established:* April 28, 1988

*Sunset Review Required by:* June 30, 1992

*Reference:* Policy Area: 02; Umbrella: 94; Unit: 434; Citation: 20A M.R.S.A., Sect. 11414

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine Educational Loan Authority (MELA) was established to assist students and their families to achieve their goals in the area of higher education.

**ORGANIZATION:** The Maine Educational Loan Authority is a public body, corporate and politic, and an instrumentality of the State. Established in 1988, it functions as an administratively independent authority within the current organizational structure of the State government, but receives no appropriations from the Legislature for its operations. The Authority has 7 members, 5 of whom are appointed by the Governor. The 6th Member is the president of the secondary market created pursuant to section 11407; the 7th is the State Treasurer. The chairman is elected by the members, and the executive director is chosen in like manner.

**PROGRAM:** Immediately after being created by the 113th Legislature in late Spring of 1988, the Maine Educational Loan Authority undertook to implement its initial program. This is a supplemental educational loan program which was funded by \$35,000,000 worth of tax exempt bonds issued in July of 1988. These funds are from a private source and use no state monies. In May of 1992, the Authority refunded its initial offering and issued \$60,900,000 worth of tax exempt bonds in order to continue its loan program.

The MELA Loan Program makes loans in amounts up to the full cost of education annually available to eligible students. These are for Maine residents going to school in or out of the State of Maine and Canada or out-of-state residents attending Maine institutions of higher education. These loans are available to students and parents based solely on the credit worthiness of the applicant. Interest rates are both set or variable and repayment may be "interest only" while the student is in school. Borrowers may take up to 20 years to repay the loan. Undergraduate and graduate students are both eligible.

In the future the Authority hopes to expand its range of programs designed to assist families in financing higher education.

### PUBLICATIONS:

Maine Educational Loan Authority, Official Statement (Educational Loan Revenue Bonds—Series 1992A-1, 1992A-2, 1992A-3, and 1992A-4)

MELA (Maine Educational Loan Authority): 1994 Educational Loan Information Brochure—Free

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. For extensive financial data, see The Maine Educational Loan Authority Annual Report which contains the Authority's audited statements based on the calendar year.



## STATE EMERGENCY RESPONSE COMMISSION

DAVID D. BROWN, CHAIRMAN

*Central Office:* MEMA

*Telephone:* 287-4080

*Mail Address:* State House Sta. #72, Augusta, Maine 04333

*Established:* 1987

*Reference:* Policy Area: 06; Umbrella: 94; Unit: 410; Citation: 37B M.R.S.A., Sect. 792

**PROGRAM:** This is a Commission reorganized by PL 464. It was first established by Executive Order. Established by Federal Mandate (PL 99-499) 1986. Maine Statutes Title 37B, Chapter 13 outlines the Commission's responsibilities and other provisions related to hazardous materials in Maine. The Commission is responsible for coordinating and implementing emergency planning, reporting and compiling appropriate information. The Commission is also responsible for supervision of Maine's sixteen (16) Local Emergency Planning Committees (LEPC).

**PUBLICATIONS:** Various hazardous materials, publications for handling, storage, response and training.

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to receive or expend funds.

## GOVERNOR'S COMMITTEE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES

VALERIE LANDRY, CHAIRMAN

RONALD F. HANSON, Executive Secretary

*Central Office:* 35 Anthony Avenue, Augusta

*Telephone:* 624-5306

*Mail Address:* 35 Anthony Avenue, Augusta, Maine 04333-0150

624-5322 (TTY)

*Established:* 1969

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 03; Umbrella: 94; Unit: 334; Citation: 26 M.R.S.A., Sect. 799

*Average Count—All Positions:* 3

*Legislative Count:* 3

**PURPOSE:** The Committee conducts an on-going program to promote employment of disabled persons. In carrying out this function the Committee works with employers, public and private agencies, the community and consumers to identify needs and resources that affect employment opportunities for disabled citizens. The Committee is also charged with the provision of technical assistance as it related to architectural barrier removal and to be advocates for people with disabilities on issues which interfere with equal opportunity for employment.

**ORGANIZATION:** The Maine Committee provides a state program in cooperation with the President's Committee on Employment of People With Disabilities, which was established by an Act of Congress in 1947.

The Maine Committee received its first legal status through an Executive Order, on November 4, 1968. Its statutory authority was provided through an Act "Establishing the Governor's Committee on Employment of the Handicapped" which was enacted by the 104th Legislature, on June 30, 1969. This legislation was amended by the 111th Legislature based on recommendations of the Audit and Program Review Committee. The Committee is composed of 18 members appointed by the Governor to 3 year terms.

### **PROGRAM:**

The Committee is charged with the responsibility of informing the public on the laws and regulations relating to architectural barriers. To that end, voluminous materials are mailed to various individuals/organizations on issues of accessibility.

## INDEPENDENT AGENCIES—OTHER

The Committee reviews legislative proposals affecting the rights of people with handicaps, offers testimony, and introduces legislation to enhance the quality of life of Maine's citizens with disabilities and provides technical assistance and training on the effects and benefits of the Americans with Disabilities Act..

In addition, the Committee provides technical assistance to employers on job site modifications and how to utilize the Job Accommodation Network (JAN) that will provide information and data on how best to make a work site accessible.

The Committee provides employer awareness training to any employer interested in learning about the benefits of hiring the disabled while dispelling the myths and stereotypes around disability.

To accomplish the many goals of the Committee, monthly and semimonthly meetings were held along with various meetings of sub-committees. The Committee also spearheads the Blaine House Tea to honor and commemorate the kickoff of National Disability Employer Awareness Month.

### **GOALS FY 93/94:**

- (1) To increase employment opportunities by using print and electronic media.
- (2) To conduct disability awareness training for employers.
- (3) To provide technical assistance to the general public, employers, architects and consumers on barrier removal.
- (4) To develop and provide training to individuals and entities on how to conduct accessibility assessments.
- (5) To provide training on ADA by broadening the base of trainers within the Committee.
- (6) To provide disability etiquette training to employers, providers, other members of the general public.

### **LICENSES, PERMITS, ETC:**

International Symbol of Access

**PUBLICATIONS:** The only publications that the Governor's Committee publish are:

1. Parking Reminders (Free)
2. Copies of the Uniform Federal Accessibility Standards (UFAS) (Free)

The following are available at no charge:

1. Job Accommodation Network (JAN)
2. Posters promoting disability issues.

These publications are available free from the President's Committee on Employment of the Handicapped or through Maine's Governor Committee upon request.

**FINANCES, FISCAL YEAR 1994:** The expenditures for this unit amounted to \$3,283.29 in FY 94 and are, by administrative decision, included with those of the Bureau of Rehabilitation.

## COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

**ROBERT P. McARTHUR, CHAIRMAN**

**MARILYN E. CANAVAN, Director**

*Central Office:* State Office Bldg., Augusta; Floor: 2  
*Mail Address:* State House Sta. #135, Augusta, Maine 04333

*Established:* 1976

*Reference:* Policy Area: 00; Umbrella: 94; Unit: 270; Citation: 1 M.R.S.A., Sect. 1002

*Average Count—All Positions:* 3.0

*Telephone:* 287-6219

*Sunset Review:* Not Established

*Legislative Count:* 3.0

## INDEPENDENT AGENCIES—OTHER

**PURPOSE:** The Commission on Governmental Ethics and Election Practices is an independent commission established to guard against corruption or undue influencing of the election process and against acts or the appearance of misconduct by Legislators.

The general duties of the Commission are to investigate and make advisory recommendations to the appropriate body of any apparent violations of the ethical standards set by the Legislature; to administer and investigate any violations of the requirements for campaign reports and campaign financing; to conduct, in conjunction with the Attorney General and the Chair of the Legislative Council, an ethics seminar for Legislators after the general election and before the convening of the Legislature, and to administer the lobbyist disclosure law.

The law also authorizes the Commission to issue advisory opinions and guidelines on problems or questions possibly involving conflicts of interest in matters under consideration by, or pertaining to, the Legislature; to investigate complaints filed by Legislators alleging conflict of interest against any other Legislator, including the holding of hearings and the public issue of findings of fact and opinion; and to administer the sources of income disclosure law.

**ORGANIZATION:** The Commission on Governmental Ethics and Election Practices was created on January 1, 1976 by P.L. 1975, Chapter 621. This chapter at the same time repealed the statutory authorization for the Committee on Legislative Ethics, which was created in 1971 by P.L. 1971, Chapter 146. The Committee on Legislative Ethics consisted of the Presiding Officers of both Houses of the Legislature, together with the majority and minority floor leaders of both Houses. The powers and duties of the Committee were significantly affected by P.L. 1973, Chapter 773, although the basic organization of the Committee was not changed by that law. Most of the duties concerning Legislative ethics were assigned to the new Commission on Governmental Ethics and Election Practices in 1976. The Commission was also assigned certain duties in the area of elections, including the responsibility for making findings of fact and opinion on the final determination of election results in primary, general and special elections for county, state or federal offices that are appealed. Pursuant to P.L. 1993, and pursuant to P.L. 1993, Chapter 446, the Legislature transferred responsibility for the administration of the lobbyist disclosure laws from the Secretary of State to the Commission.

In 1992, the composition of the Commission was changed by P.L. 1991, Chapter 880. That law increased the membership from 7 to 9 by adding two minority appointments. Commission members are appointed by members of Legislative leadership as follows: The President of the Senate and the Speaker of the House each appoint one member; the floor leaders of the 2 major parties in both the Senate and the House each appoint one member, and the assistant State minority leader and assistant House minority leader each appoint one member. The Chair is selected by the affirmative vote of at least 6 of the 8 members. Each member serves a two-year term, or until a successor is appointed and qualified. A person may not be appointed to the Commission who is a member of the Legislature or who was a member of the previous Legislature, or who was a declared candidate for an elective county, state or federal office within 2 years prior to the appointment, or who holds an elective county, state or federal office, or who is an officer of a political committee, party committee or political action committee.

By 1 M.R.S.A. Section 1006, the Commission may call for assistance in the performance of its duties from the Attorney General, the Secretary of State, the Department of Audit or any law enforcement agency in Maine.

### PROGRAM:

**Meetings, Complaints, Report Audits:** During FY 1994, the Commission held 4 meetings. Eight complaints were filed with the Commission, none of which resulted in Commission determinations. Five of these complaints were deemed not relevant to the Commission's jurisdiction and three remained unresolved as of June 30, 1994. The Commission ruled on the lateness of the filings of 34 candidates for state/county office, 2 political action committees (PACs), and 35 registered lobbyists, and assessed a total of \$1,910 in late fees. The staff conducted limited audits on the reports of 300 candidates and 70 PACs.

**Advisory Opinions:** The Commission issued 9 opinions, two of which involved potential conflicts of interest; 7 of which dealt with the financing of political campaigns.

**Information:** The staff distributed 3,484 filing notices, processed 4,532 filings and filled 421 requests for copies of the laws administered by the Commission.

**Objectives Deferred:** Due to budgetary constraints, the Commission again deferred plans to conduct workshops on campaign financing for candidates and political action committees. Additionally, the Commission postponed plans to compile more detailed statistics on the financing of political campaigns.

## INDEPENDENT AGENCIES—OTHER

### PUBLICATIONS:

The Commission distributes copies of the campaign reports and finances law, the laws governing political action committees (PACs) and lobbyists, the Maine Code of Fair Campaign Practices, and the legislative ethics law.

Other publications include:

Filing schedules for registered lobbyists, PACs, party committees, and candidates for state, county, and federal office

Registration and reporting forms for lobbyists, PACs, party committees, and candidates; sources of income statements for legislators and legislative candidates

Roster of registered PACs

Roster of candidate treasurers

Docket of registered lobbyists/employers

Compliance manual for candidates

Summaries of campaign contributions/expenditures for:

State, county and gubernatorial candidates

State political action committees

Annual report of lobbyist compensation

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	84,425	84,425				
Health Benefits	7,305	7,305				
Retirements	13,573	13,573				
Other Fringe Benefits	783	783				
Other Contract Services—State	1,108	1,108				
Other Contractual Service	11,297	11,297				
Rents	256	256				
Commodities	5,602	5,602				
<b>TOTAL EXPENDITURES</b>	124,349	124,349				

## FACILITY SITING BOARD

RONALD BLUM, M.D., CHAIR

*Central Office:* 160 Capitol Street, Augusta

*Telephone:* 287-5300

*Mail Address:* State House Sta. #154, Augusta, Maine 04333

*Established:* September 30, 1989

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 532; Citation: 38 M.R.S.A., Sect. 2104

**PURPOSE:** The Facility Siting Board was created to conduct a site screening and selection process for disposal facilities owned, operated or controlled by the Agency. It conducts this process consistent with the waste management plan and 38 MRSA Sec. 2154 and makes all final decisions on the choice of specific sites for Agency facilities.

**ORGANIZATION:** The Board consists of 5 members appointed by the Governor, subject to review by the Energy and Natural Committee of the Legislature and to confirmation by the Legislature. The Agency's Office of Siting and Disposal Operations provides staff to the board.

## INDEPENDENT AGENCIES—OTHER

**PROGRAM:** During 1993-94, the Board has reviewed the application of a permit for a landfill site in T2R8 near Lincoln. The Board directed Staff to undertake investigation and prepare and submit permit applications seeking approval to develop a landfill on site.

### **LICENSES, PERMITS, ETC.:**

38 MRSA §2154—Recommendation for the Location of Special Waste Landfill

**FINANCES, FISCAL YEAR 1994:** This unit is not authorized to use or expend funds.

## FINANCE AUTHORITY OF MAINE

**LAWRENCE E. DWIGHT, CHAIRMAN**

**TIMOTHY P. AGNEW, CHIEF EXECUTIVE OFFICER**

*Central Office:* 83 Western Ave., Augusta

*Mail Address:* P.O. Box 949, Augusta, Maine 04332-0949

*Established:* 1983

*Reference: Policy Area:* 01; *Umbrella:* 94; *Unit:* 457; *Citation:* 10 M.R.S.A., Sect. 964

*Average Count—All Positions:* 32

*Telephone:* 623-3263

*FAX:* 623-0095

*Sunset Review Required by:* June 30, 2001

*Legislative Count:* 0

**PURPOSE:** The Finance Authority of Maine (FAME), an independent State agency, was established in 1983 to assist business development and create new employment opportunities for Maine people. The Authority accomplishes this important charge by working closely with the State's lending, financial, economic development and business communities in the formulation and implementation of financial services and programs that help to fill financing gaps that exist in the State's capital delivery system.

To better meet the needs of the business community, FAME offers a wide array of business assistance programs, ranging from traditional loan insurance for both small and larger businesses, to tax credits for investments in dynamic, growth oriented, manufacturing or export related firms. The Authority has established taxable and tax exempt bond financing programs that allow well established firms to access capital at very favorable rates and terms. In some case, FAME can provide direct financial assistance to help small businesses meet their capital requirements. The Finance Authority of Maine continues to develop new programs and services which are directed toward supporting Maine businesses in their ongoing efforts to start up, expand and compete more effectively in an increasingly global marketplace.

In April of 1990, the Authority assumed responsibility for administering the State's higher education finance programs. Through loans, grants and other scholarship programs, FAME helps students and their families to meet the costs associated with higher education. In addition, the Authority administers an extensive outreach and counseling program which is designed to encourage young people to aspire to and pursue higher education.

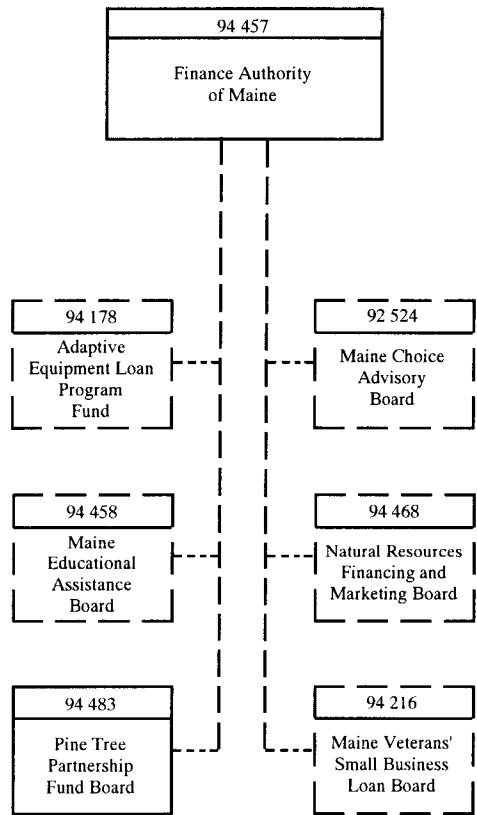
**ORGANIZATION:** The Finance Authority of Maine (FAME) incorporates three former State loan guarantee agencies and adds a new dimension to the State's financial assistance programs for small business, that of natural resource financing. FAME is also responsible for developing and implementing new financial programs and services to better meet the needs of business, both large and small, throughout Maine. The three former agencies folded into FAME in 1983 are the Maine Guarantee Authority (MGA), the Maine Small Business Loan Authority and the Veterans' Small Business Loan Authority.

The Maine Education Assistance Division was added to FAME in April 1990 to provide direct financial support to students pursuing higher education, as well as a counseling and outreach program, to assist and encourage students in their efforts to continue their education.

FAME receives direct appropriations for certain higher education grant and loan programs, and limited appropriations for business development and natural resource programs. The Authority derives

INDEPENDENT AGENCIES—OTHER

ORGANIZATIONAL CHART  
FINANCE AUTHORITY OF MAINE



Approved by the Bureau of the Budget 94 457

## INDEPENDENT AGENCIES—OTHER

most of its operating revenues for its business finance programs from insurance premiums and service and application fees charged in connection with other financial assistance programs and services offered by the Authority.

The Finance Authority of Maine is overseen by a fifteen member Board of Directors that has the following makeup;

- two members from the Natural Resources Financing & Marketing Board
- two members from the Maine Education Assistance Board
- two veterans
- one Certified Public Accountant
- one commercial lender
- one attorney
- three members-at-large

—three state members to include the Commissioner of the Department of Economic and Community Development, a natural resource commissioner and the State Treasurer.

Members of the FAME Board are appointed by the Governor and are subject to review and confirmation by the State Legislature. Each member, other than the State members, serves for a term of four years. A Chief Executive Officer is appointed by the Governor, subject to review and confirmation by the Maine State Legislature, to supervise and direct the administrative and technical activities of the Authority on a day-to-day basis.

As organized, FAME consists of three broad divisions; Business Development, Natural Resources Financing & Marketing, and the Maine Education Assistance Division. These divisions are supported by an Office of General Counsel and divisions of External Affairs and Finance.

### PROGRAM:

**BUSINESS DEVELOPMENT DIVISION.** This statutorily established division maintains and administers several programs which are utilized individually or in combination with other financing mechanisms, to assist in business development in the State of Maine. These programs include:

**Small Business and Veterans' Small Business Loan Insurance Program.** The Small Business Loan Insurance Program is designed to help those small businesses that cannot obtain conventional commercial financing. FAME loan insurance provides additional security to financial institutions while encouraging greater lending activity. Under the Small Business Loan Insurance Program, FAME can insure up to 90% of a small business loan, to a maximum insurance exposure of \$1,000,000. If the borrower is an eligible wartime veteran, the Authority may insure up to 100% of a loan of \$75,000 or less and up to 90% of a loan up to a maximum exposure of \$1,100,000.

FAME's Small Business Loan Insurance Programs are administered in cooperation with lending institutions. Lenders originate loans, provide construction or interim acquisition financing without loan insurance and maintain their regular banking relationship with the borrower. Most prudent business activities are eligible for FAME's loan insurance coverage including lines of credit and working capital. Refinancing that provides significant benefits to the borrower is also eligible for loan insurance.

To be eligible for consideration under the Authority's Small Business Loan Insurance Programs, a business must employ 50 or fewer employees or have gross annual sales of \$5 million or less. The Authority typically responds to a lender's loan insurance request within 10 business days. Loan decisions are based primarily on a borrower's demonstrated ability to repay the debt. Other considerations include the public benefit of the project being financed and the adequacy of the collateral being offered to secure the loan.

**Commercial Loan Insurance Program.** The Commercial Loan Insurance Program is designed to promote economic development and enhance employment opportunities for Maine people by providing creditworthy business borrowers with access to capital who otherwise would be denied by a lender due to an unacceptable level of credit risk. This loan insurance program is similar to the Authority's Small Business Loan Insurance Programs. However, it is available to larger firms and it allows FAME to insure larger commercial loans.

Under the program, FAME may insure up to 90% of a commercial loan, not to exceed \$7,000,000, for most types of business projects. There is a \$2,500,000 limitation on recreational projects. Loan proceeds may be used for the purchase of, and improvements to, real estate, fishing vessels, machinery and equipment and working capital. Refinancing, that provides significant benefits to the borrower, is also eligible for loan insurance consideration. FAME loan insurance may not be used to insure construction loans or housing projects. Projects with greater than 25% retail or 35% professional office space and are not eligible for loan insurance coverage under this program.

## INDEPENDENT AGENCIES—OTHER

The Commercial Loan Insurance Program is administered in cooperation with lending institutions. Lenders originate loans, provide construction or interim acquisition financing without loan insurance and hold a minimum 10% of the loan uninsured. Throughout participation in this program, borrowers and lenders maintain their regular banking relationship.

### *Eligible Criteria*

- The borrower must demonstrate loan repayment ability.
- The business being financed must be located in Maine.
- Collateral must be sufficient to meet statutory loan to value standards.
- The project must demonstrate public benefits such as job creation and retention, increase in municipal tax base, etc.

**Working Capital Loan Insurance Program.** In order to provide support for the working capital needs of Maine business, loans for working capital may be insured under both the Small Business Loan Insurance Programs and the Commercial Loan Insurance Program.

For working capital loans secured predominantly by assets other than accounts receivable and inventory, FAME can provide loan insurance of up to \$1,000,000 under the Small Business Loan Insurance Program and up to \$7,000,000 under the Commercial Loan Insurance Program. The Authority can also provide loan insurance on loans that are secured predominantly by accounts receivable and inventory. However, special loan insurance limitations and terms do apply.

**Non-traditional Lenders' Loan Insurance Program.** The Finance Authority of Maine can also insure loans from non-traditional lenders. Individuals, trusts and other organizations that are not ordinarily in the business of making loans may apply to FAME for insurance on up to 80% of commercial loans. The Authority's maximum insurance exposure may not exceed \$200,000 per borrower under the Non-traditional Lenders' Loan Insurance Program. If the lender has the right to take a future equity position in the business being financed the insurance is limited to 50% of the loan.

**Economic Recovery Loan Program.** The Economic Recovery Loan Program is a direct lending program designed to assist small businesses in their efforts to remain viable during difficult economic times. The program serves as a *supplemental* financial resource to help business access the capital required to become more productive and more competitive. The program is available to assist both existing firms as well as new business ventures. However, in considering loan applications, the Authority will look to support creditworthy projects that demonstrate substantial public benefit and that have utilized other sources of capital.

Most small businesses are eligible to apply for assistance under the Economic Recovery Loan Program. The business must be located in Maine and the borrower must demonstrate that there is a reasonable likelihood that the loan will be repaid. Further, the borrower must show that every effort has been made to access all other available sources of capital, including conventional lender financing as well as owners' equity.

Because the Economic Recovery Loan Program is meant to supplement conventional lending sources, borrower requests should be the minimum amount necessary to complete the project under consideration, preferably not to exceed \$200,000. In cases where there exists substantial public benefit, larger loans may be considered. The interest rate on these loans will not exceed *Wall Street Prime* plus 4%. Interest rates and terms may be structured to meet specific borrower needs.

**Maine Job Start Program.** The Maine Job Start Program is a revolving loan program designed to provide the eligible small business person with the necessary capital to start, strengthen or expand a "micro" business operation. The Maine Job Start Program is a direct loan program targeted at those borrowers who cannot obtain financing (even with loan insurance) through conventional lending sources.

The maximum loan under this program is \$10,000. The term of each loan depends on applicant need, the business plan and the useful life of the collateral being financed. The interest rate on Job Start Loans is 2% below the prime interest rate, fixed at the date FAME issues a loan commitment. In order to qualify for a loan under the program, applicants must meet certain low income and net worth criteria.

**Occupational Safety Loan Program.** The Finance Authority of Maine, in cooperation with the Maine Department of Labor, administers the Occupational Safety Loan Fund Program. This program provides targeted direct loans to Maine businesses seeking to make workplace safety improvements. Under this program, a business may borrow up to \$50,000 for a period of up to 10 years. The interest rate paid by the borrower is fixed at 3%.

To be eligible for a loan under this program, the business must be located in the State of Maine. Proceeds from the loan must be used to purchase, improve, install or erect equipment which reduces workplace hazards or promotes the health and safety of employees. Borrowers must exhibit a reasonable ability to repay the loan from the cash flow of the business.



## INDEPENDENT AGENCIES—OTHER

**Underground Oil Storage Tank Removal & Replacement Program.** FAME's Underground Oil Storage Tank Removal & Replacement Program provides 100% loan insurance to lenders, or direct loans to business borrowers, for the removal, replacement and disposal of underground tanks for oil, petroleum products or petroleum by-products. In order to qualify for these programs a borrower must be the owner of an underground oil storage tank which has been used to store oil for consumption by the business or for sale or distribution.

Loan proceeds must be used for the removal, replacement and/or disposal of storage tanks for oil, petroleum products or petroleum by-products, or for installation of air quality equipment required by State law. Removal of existing tanks and installation of new systems must be completed in accordance with applicable State and federal regulations. A mortgage or security interest and other collateral is required on a case-by-case basis. Personal guarantees will be required where applicable.

**Overboard Discharge Replacement Program.** FAME's Overboard Discharge Replacement System Program provides 100% loan insurance to lenders for the removal, rehabilitation or replacement of certain waste water disposal systems which result in discharges into fresh or salt water ("overboard discharges").

The borrower must be the owner of a waste water disposal system utilized by a business which produces overboard discharges. Loan proceeds must be used for removal, rehabilitation or replacement of a privately owned waste water disposal system utilized by a business. The system must currently result in an overboard discharge.

The maximum insured loan under this program is \$1,000,000. Interest rates and loan terms are negotiated between the borrower and lender. However, the loan term may not exceed 10 years.

**Waste Reduction and Recycling Loan Program.** The Authority will periodically, upon accrual of sufficient funds, request that businesses intending to finance projects designed to reduce and recycle waste submit proposals for loans of up to \$50,000. The proposals will be ranked by the Maine Waste Management Agency in accordance with criteria designed by the Agency to achieve the goals of the State's Waste Management and Recycling Plan. Interest rates on loans are fixed at 8% or 4%, with the lower rate available to projects receiving 50% or more of the financing from sources other than the Authority.

**Waste Oil Furnace Loan Program.** The Finance Authority of Maine can provide an interest rate subsidy to approved lenders who make loans to borrowers to purchase and install an approved waste oil boiler or furnace. Loans may be for up to \$5,000 for a term of up to five (5) years. The loan may provide for an interest rate of up to thirteen percent (13%) per annum. The borrower is required to pay an effective interest rate of three percent (3%) per annum on the loan. The Authority will provide a subsidy in an amount which, when invested by the approved lender at an assumed annual return of six percent (6%) per annum, will provide the lender with an overall rate of return of thirteen percent (13%).

**Revenue Obligation Securities Program.** The Finance Authority of Maine is authorized to issue tax-exempt Industrial Revenue Bonds (IRB's) to finance any project authorized under the United States Internal Revenue Code, Section 103, including manufacturing facilities, solid waste projects and loans for non-profit corporations. Proceeds from the sale of Industrial Revenue Bonds may be used for land, buildings, machinery and equipment, financing and interest charges, engineering, legal services, surveys, cost estimates and studies.

The advantage of this type of financing lies in the relatively low financing rates it affords. The specific rate is determined by a number of factors, including the bond markets, the creditworthiness of the bond beneficiary and the size of the bond issue.

**Investment Banking Services.** For borrowers seeking larger amounts of capital for major commercial projects, the Authority can assist in suggesting and pursuing financing alternatives. Through its contacts with bond underwriters, international banks, and buyers of taxable and tax-exempt securities, the Finance Authority of Maine can help ensure that Maine businesses have available to them the best possible financial programs and services.

**SMART-E Bond Program.** The Secondary Market Tax-Exempt (SMART-E) Bond Program is a tax-exempt financing program designed specifically for eligible manufacturing companies. Assets that can be financed with loan proceeds include land and depreciable assets. Applicants for this program must demonstrate a strong likelihood that they will be able to repay the debt. The maximum size loan under this program is \$7,000,000.

Under this program, FAME finances up to 90% of a loan by "pooling" it with other similar loans and selling tax-exempt bonds to finance the loans. To attract more favorable interest rates and terms on these bond sales, each loan in the pool is secured by the Authority's loan insurance or a combination of the Authority's loan insurance and a bank letter of credit, or other comparable forms of credit enhancement.

## INDEPENDENT AGENCIES—OTHER

The program benefits eligible borrowers by providing them with a low, fixed or variable interest rate on 90% of a loan for up to 15 years. The interest rates on these loans are significantly below conventional commercial interest rates because interest payments made to the buyers of the bonds are exempt from State and federal income taxes. These savings are passed on to the borrower in the form of reduced interest rates.

The program works in cooperation with lending institutions which must originate loans, provide construction or interim acquisition financing, and agree to maintain at least 10% of the loan uninsured. Participating lenders must also agree to service the entire loan.

**SMART Bond Program.** The Secondary Market Taxable (SMART) Bond Program is similar to the SMART-E Bond Program. It is available (with some exceptions) to those businesses that are not eligible for tax-exempt financing. The process begins when a lending institution provides a business with a loan commitment for acquisition of real estate, equipment or other fixed assets. After reviewing the credit application, FAME may commit to insuring up to 90% of the loan. FAME then helps to place the loan with investors who agree to purchase the insured portion of the loan.

Because of the high credit rating associated with FAME's loan insurance, the SMART Bond is a marketable security that will sell at favorable rates and terms. Actual interest rates depend on market conditions at the time of sale. Applicants under the SMART Bond Program must demonstrate a strong likelihood that they will be able to repay the loan. The maximum loan under this program is \$7,000,000.

### PUBLICATIONS:

1990 Annual Report of the Finance Authority of Maine  
1989 Annual Report of the Finance Authority of Maine  
1988 Annual Report of the Finance Authority of Maine  
1987 Annual Report of the Finance Authority of Maine  
1986 Annual Report of the Finance Authority of Maine  
1985 Annual Report of the Finance Authority of Maine  
1984 Annual Report of the Finance Authority of Maine  
1987 Patterns of Growth in Maine Businesses by Size of Employment  
1986 A Strategy for Investing in the Natural Resources Industries of Maine  
1986 The Natural Resource Industries of Maine—An Assessment and Statistical Portrait  
1986 New Directions in State Financial Assistance to Business  
1986 A Survey of Business Finance in Maine  
*FAME FORECAST* (Newsletter)  
FAME Program Brochures

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. For extensive financial data, please call or write the Finance Authority of Maine for a copy of their audited annual financial statements ending June 30, 1993.

## MAINE HEALTH AND HIGHER EDUCATIONAL FACILITIES AUTHORITY

WALTER MOULTON, CHAIRMAN

ROBERT O. LENNA, Executive Director

*Central Office:* 45 University Drive, Augusta, ME 04330

*Mail Address:* P.O. Box 2268, Augusta, ME 04338

*Established:* 1971

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 03; Umbrella: 94; Unit: 336; Citation: 22 M.R.S.A., Sect. 2054

*Average Count—All Positions:* 3

*Legislative Count:* 0

## INDEPENDENT AGENCIES—OTHER

**PURPOSE:** To assist private, non-profit hospitals, non-profit nursing and boarding homes, community health facilities for-profit nursing and boarding homes, and private, non-profit institutions for higher education within the State of Maine in both short and long term financing for the construction and equipping of health-care and educational facilities, the refinancing of existing indebtedness and student loans by providing access to the tax-exempt and taxable bond markets. To provide credit enhancement to assist these borrowers.

**ORGANIZATION:** The Authority consists of twelve members, the Bank Superintendent, the Commissioner of Human Services, the Commissioner of Educational and Cultural Services and Treasurer of State who serve as ex-officio members, and eight other members who are residents of the State of Maine and are appointed by the Governor. The Executive Director, who is not a member, is responsible for the day-to-day activities of the Authority.

**PROGRAM:** Bonds, notes or any other obligations of the Authority while utilizing the moral obligation reserve fund of the state do not constitute an obligation of the State of Maine or any political subdivision within the State. Each bond issue of the Authority is secured solely by the revenues derived from the project financed by the proceeds of said issue. Bonds of the Authority may be secured by a gross pledge of the revenues derived from the project. In addition, the Authority may take title to the project and lease it back to the hospital, nursing or boarding home, or institution for higher education or may take a mortgage on the project. Each hospital, nursing or boarding home, or institution for higher education agrees, among other things, to pay the Authority sufficient monies at all times to pay principal and interest on the outstanding bonds.

The Authority does not receive any appropriations from the State. It derives its revenues from fees charged the hospitals, nursing and boarding homes, community mental health facilities, community health facilities, and institutions for higher education using its financing capabilities.

During FY 94, the Authority issued \$206,801,250 in bonds on behalf of 8 hospitals, 1 community mental health facility, 18 nursing and boarding homes, 1 community health facility, and 3 institutions of higher education. The Authority charged origination and loan servicing fees based on type of loan, financing, and borrower.

### **PUBLICATIONS:**

Annual Report—Audit

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit.

## MAINE HIGH RISK INSURANCE ORGANIZATION

**JAMES DIVIRGILIO, Chairman of Board of Directors**

*Mail Address:* State House Station 11, Augusta 04333

*Established:* September 29, 1987

*Reference: Policy Area:* 03; *Umbrella:* 94; *Unit:* 495; *Citation:* 24A M.R.S.A., Sect. 6052

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The purpose of this organization is to provide health insurance to Maine residents who are unable to obtain insurance due to health problems.

**ORGANIZATION:** A seven-member Board of Directors is appointed by the Governor. The Board contracts with an insurer to administer the program. The Board receives staff support from the Bureau of Medical Services.

## INDEPENDENT AGENCIES—OTHER

**PROGRAM:** The Maine High Risk Insurance Organization began operations in September 1988. Over the course of its five year history its largest subscriber membership was 440 individuals, in 1991. Due to budget constraints, enrollment was capped at 375 enrollees in April 1992, achieved through attrition. With the passage of Chapter 447, An ACT to Amend the Laws Regarding Health Insurance and Health Care Services, in 1993, the MHRIO will terminate coverage of its remaining enrollees by January 1, 1995. Provision was made in this legislation for MHRIO enrollees to convert to a private insurance plan, as of December 1993. The law protects those individuals from being rejected, or charged a premium rate, based on their health status. The MHRIO Board will terminate its administrative duties by January 1, 1997, once all administrative issues and outstanding claims payments are resolved.

### PUBLICATIONS:

A brochure describing the program and containing an application and rate table is available at no charge.

Annual Report

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The following display has been provided by the unit from its own accounting records.

#### For the year ended June 30, 1993

Premium Income	\$ 806,117
Expenses:	
Claims incurred	1,524,298
Loss adjustment expense	(22,097)
General and administrative expenses	101,286
Underwriting loss	(672,305)
Investment income	104,387
Net loss	(567,918)
Appropriated funds	1,387,465
Membership assessments	(4,331)
Net (decrease) increase in fund balance	(823,878)
Fund balance, beginning of year	1,781,134
Fund balance, end of year	\$2,605,012

## MAINE HISTORIC PRESERVATION COMMISSION

**DR. RICHARD WILL, CHAIRMAN**

**EARLE G. SHETTLEWORTH, JR., Executive Director**

*Central Office:* 55 Capitol St., Augusta, Floor: 1

*Telephone:* 287-2132

*Mail Address:* State House Sta. #65, Augusta, Maine 04333

*Established:* 1971

*Sunset Review Required by:* June 30, 1998

*Reference:* Policy Area: 02; Umbrella: 94; Unit: 089; Citation: 27 M.R.S.A., Sect. 502

*Average Count—All Positions:* 18.5

*Legislative Count:* 4

**PURPOSE:** The purpose of the Maine Historic Preservation Commission is to administer the National Historic Preservation Act of 1966, and to assist other private and governmental programs within the purposes of this Commission, whose policy is to preserve the architectural, historic and environmental

## INDEPENDENT AGENCIES—OTHER

heritage of the people of the State, and to promote the cultural, educational and economic benefits of those resources. The Commission is charged with the development of a state plan for historic preservation, a state historic resources inventory and entering on the National Register of Historic Places all buildings, sites and districts in the State of Maine that meet the criteria for such designation. In addition, the Commission is responsible for reviewing the impact of all federally funded or licensed projects upon those sites so designated.

The 50% state matching grants available for the restoration of National Register properties are also administered by the Maine Historic Preservation Commission.

**ORGANIZATION:** The Maine Historic Preservation Commission was created by the 105th Legislature in 1971 as an independent State commission. In 1973, the Commission was placed in the Department of Educational and Cultural Services for administrative purposes, and in 1979 it became a bureau of the Department. In 1990 the 114th Legislature established the Commission as an independent agency.

The Maine Historic Preservation Commission consists of 11 members made up as follows: Commissioner or representative of the Department of Transportation, Commissioner or representative of the Department of Conservation, and 9 representatives from among citizens of Maine, one of whom shall be elected chairman, who are known for their competence, experience and interest in this field. Among the public members, all of whom are appointed by the Governor, there must be at least one prehistoric archaeologist, one historic archaeologist, one historian, one architectural historian, and one architect. In making these appointments, due consideration must be given to the recommendations made by the representative professional, civic and educational associations and groups concerned with or engaged in the field of historic preservation.

The term of office of each member is 5 years. Each member serves for the term of his/her appointment and thereafter until his/her successor is appointed and qualified, but in any event no more than 2 consecutive terms. All vacancies are filled for the balance of the unexpired term in the same manner as the original appointments.

**PROGRAM:** During FY 94, the Maine Historic Preservation Commission expanded the National Register of Historic Places by nineteen individual sites and three historic districts. The Commission sponsored three prehistoric archaeological surveys, three historic archaeological surveys, and eight architectural inventories of Maine communities.

The Historic Preservation provision of the Economic Recovery Tax Act of 1981 has required extensive staff time in certifying historic buildings and advising owners on acceptable restoration techniques. As in past years a great deal of staff time has been spent in reviewing federally funded projects that might have an impact upon the State's historic resources, as well as offering advice and services to countless communities, groups, and individuals with concerns in the area of historic preservation.

**Federal Grants.** The Commission, during FY 94, awarded the following grant monies on a matching basis to private organizations, municipalities, and State agencies for the identification and restoration of historic sites and structures:

Administration	\$336,000
Prehistoric Archaeological Surveys	10,639
Historic Archaeological Surveys	8,095
Architectural Surveys	52,825
Local Certified Governments	45,284
Total	<hr/> \$452,843

### LICENSES, PERMITS, ETC.:

Under 27 MRSA 374 any party wishing to excavate an archaeological site listed on the National Register of Historic Places which is state-owned or, if not state-owned, is subject to a preservation agreement between the landowner and the Maine Historic Preservation Commission, must apply in writing for an Excavation Permit to the Director of the Maine Historic Preservation Commission. If such a permit is granted, it must be co-signed by the Director of the Maine Historic Preservation Commission, the Director of the State Museum, and (if involving a state-owned site) the Director of the agency with primary jurisdiction. If a site which is not state-owned is involved, permission to excavate in writing from the landowner must accompany the permit application.

## INDEPENDENT AGENCIES—OTHER

### PUBLICATIONS:

The following booklets are part of a continuing series documenting Maine's historic, architectural and archaeological heritage. Sponsored by the Maine Historic Preservation Commission, each study may be ordered free of charge on a one per person basis by writing to the Maine Historic Preservation Commission, 55 Capitol Street, Augusta, Maine 04333.

Beard, Frank A., *200 Years of Maine Houses: A Guide for the House Watcher* (1981)

Hunt, H. Draper and Clancy, Gregory K., *The Blaine House, A Brief History and Guide* (1983).

Shettleworth, Earle G., Jr. and Beard, Frank A., *A Guide to the Maine State House* (1981).

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE HISTORIC PRESERVATION COMMISSION	TOTAL FOR ALL	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
	FUNDS					
<b>EXPENDITURES</b>						
Salaries and Wages	366,942	112,896	95,031		159,015	
Health Benefits	50,783	11,385	17,409		21,989	
Retirements	64,580	21,047	15,644		27,889	
Other Fringe Benefits	2,820	880	1,193		747	
Other Contract Services—State	41,274	1,275	19,486		20,513	
Other Contractual Service	65,636	12,937	13,365		39,334	
Rents	683				683	
Commodities	66,365	3,787	3,502		59,076	
Grants—Subsidies—Pensions	132,825	32,674	-966		101,117	
Transfers to Other Funds	7,567		2,310		5,257	
<b>TOTAL EXPENDITURES</b>	<b>799,475</b>	<b>196,881</b>	<b>166,974</b>		<b>435,620</b>	

## MAINE HUMAN RIGHTS COMMISSION

**BRIAN E. THIBEAU, CHAIRPERSON**

**PATRICIA E. RYAN, Executive Director**

*Central Office:* Hallowell Annex

*Telephone:* 624-6050

*Mail Address:* State House Sta. #51, Augusta, Maine 04333

*Established:* 1971

*Reference: Policy Area:* 03; *Umbrella:* 94; *Unit:* 348; *Citation:* 5 M.R.S.A., Sect. 4561

*Average Count—All Positions:* 12

*Legislative Count:* 9

**PURPOSE:** The Maine Human Rights Commission was established to promote the full enjoyment of human rights and personal dignity by all inhabitants of the State of Maine; to keep in review all practices and their causes infringing on the basic human right to a life with dignity so that corrective measures may be recommended and implemented; and to prevent discrimination in employment, housing or access to public accommodations on account of race, color, sex, physical or mental disability, religion, ancestry or national origin, and in employment, discrimination on account of age; and in housing, discrimination on account of source of income and familial status; and in the extension of credit, on account of age, race, color, sex, marital status, ancestry, religion or national origin; and in education, discrimination because of sex, physical or mental disability, national origin and race. The Maine Human Rights Act also prohibits discrimination because of filing a claim or asserting a right under the Worker's Compensation Act or retaliation under the Whistleblower's Act.

The Commission is authorized to investigate all conditions and practices within the State which allegedly detract from the enjoyment, by each inhabitant of the State, of full human rights and personal dignity; to investigate all forms of invidious discrimination, whether carried out legally or illegally, and

## INDEPENDENT AGENCIES—OTHER

whether by public agencies or private persons, and to recommend measures calculated to promote full enjoyment of human rights and personal dignity. In carrying out these duties, the Commission has the power to maintain offices, hold meetings, hire staff, hold hearings, make rules and regulations, utilize voluntary services of individuals and organizations, create advisory agencies or councils, require posting of notices and to issue publications and reports.

**ORGANIZATION:** The Maine Human Rights Commission, created in 1971, consists of five members, no more than three of whom may be of the same political party, appointed by the Governor with confirmation by the legislature, for terms of five years. The Governor designates the chairperson of the Commission from among its members. The Commission appoints a full-time executive director.

### PROGRAM:

**Discrimination Complaints.** During fiscal year '94, 809 new complaints were filed with the Maine Human Rights Commission. In addition, 814 complaints were carried over from the previous fiscal year. During fiscal year '94, the Commission closed 758 cases, leaving a total of 865 cases active at year end.

Of the 758 cases closed by the Commission, 161 resulted in pre-determination settlements; 155 were administratively dismissed; and 440 resulted in Commission determinations. Of these determinations, 81 were reasonable grounds findings and 359 were no reasonable grounds findings.

**Litigation.** The Commission is represented in the courts of the State of Maine by the Commission Counsel. The Department of the Attorney General may, at the request of the Commission, represent the Commission in selected cases.

Ten cases were referred for litigation evaluation, and one was filed in Superior Court during FY 94. Nine cases in litigation were closed during FY 94 as a result of settlement or court decision. There are presently 3 cases in court, two cases to be filed, and an additional eleven cases are under review for litigation.

**Public Education and Information.** The Commission speaks to groups upon request, when possible, in an effort to educate people about the provisions and remedies under the Maine Human Rights Act.

**Interagency Cooperation.** The Commission continues to work with such federal agencies as the Equal Employment Opportunity Commission, the Department of Housing and Urban Development, the Department of Justice, Office of Special Counsel, and the Office of Federal Contracts & Compliance in order to assure that the human rights of all citizens receive fullest protection of the law. The Commission has contracts and worksharing agreements with the Equal Employment Opportunity Commission; Department of Justice; and the Department of Education, Office of Civil Rights. In addition, the Commission has worked closely and cooperatively with the State's affirmative action officer, and affirmative action officers throughout State government, Commissioners of major departments of State government, the Office of the Attorney General, as well as the Maine Chamber of Commerce, the Maine Women's Lobby, ALPHA-1, and the Governor's Committee on Employment of People With Disabilities.

### PUBLICATIONS:

Pre-Employment Inquiry Brochure

Sexual Harassment Poster—\$2.00 plus tax

Sexual Harassment Brochure

Procedural Regulations

Employment Regulations & Poster

Equal Educational Opportunity Regulations/Procedural Rules

Public Accommodation Regulations Relating to Handicap Discrimination in Public Conveyances

Regulations on Accessibility Requirements for Public Accom. and Places of Public Employment—

\$2.50 plus tax

Maine Human Rights Act—\$5.00 plus tax

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## INDEPENDENT AGENCIES—OTHER

MAINE HUMAN RIGHTS COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	353,625	255,122			98,503	
Health Benefits	35,003	22,665			12,338	
Retirements	59,343	43,013			16,330	
Other Fringe Benefits	1,517	1,195			322	
Other Contract Services—State	5,912	112			5,800	
Other Contractual Service	46,442	33,244	832		12,366	
Rents	1,288	788			500	
Commodities	2,000	1,966			34	
Transfers to Other Funds	6,243		35		6,208	
<b>TOTAL EXPENDITURES</b>	511,373	358,105	867		152,401	

## MAINE INDIAN TRIBAL-STATE COMMISSION

**BENNETT KATZ, CHAIRMAN**  
**DIANA SCULLY, EXECUTIVE DIRECTOR**

*Central Office:* 6 Mayflower Road, Hallowell  
*Mail Address:* P.O. Box 87, Hallowell, Maine 04347

*Telephone:* 622-4815

*Established:* April 1980

*Sunset Review Required by:* June 30, 1994

*Reference:* Policy Area: 00; Umbrella: 94; Unit: 409; Citation: 30 M.R.S.A., Sect. 6212

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** Pursuant to the Maine Indian Claims Settlement Act, the Maine Indian Tribal-State Commission has the following responsibilities:

1. **Review Effectiveness of Act.** The Commission is required to continually review the effectiveness of the Act and the social, economic and legal relationship between the Passamaquoddy Tribe and the Penobscot Nation and the State; and to make reports and recommendations to the Legislature, the Passamaquoddy Tribe and the Penobscot Nation, as it deems appropriate. (30 MRSA §6212, sub-s3)
2. **Make Recommendations about Land Acquisitions.** No lands held or acquired by or in trust for the Passamaquoddy Tribe or the Penobscot Nation, other than those designated in the Act, may be included in Passamaquoddy or Penobscot Indian territory, except upon recommendation of the Commission and approval by the State through the enactment of law. (30 MRSA §6205, sub-s5)
3. **Promulgate Fishing Regulations.** The Commission has authority to promulgate fishing rules on certain ponds, rivers and streams adjacent to or within Indian territory. All fishing laws and regulations of the State remain applicable to these waters until the Commission adopts its own rules. (30 MRSA §6207, sub-s3)
4. **Study Fish and Wildlife Management.** In order to protect fish and wildlife stocks on lands and water within Indian territory, the Commission is required to undertake studies (in consultation with the Passamaquoddy Tribe, the Penobscot Nation, landowners, and state officials) about the implementation of fish and wildlife management policies on non-Indian lands; and to make recommendations to the Commissioner of Inland Fisheries and Wildlife and the Legislature. (30 MRSA §6207, sub-s8)

**ORGANIZATION:** The Tribal-State Commission consists of nine members. Four are appointed by the Governor of the State subject to review by the Joint Standing Committee on Judiciary and to confirmation by the Legislature. Two are appointed by the Passamaquoddy Tribe and two by the Penobscot Nation. The ninth member, the chairperson, is selected by majority vote of the eight appointed members. The



## INDEPENDENT AGENCIES—OTHER

chairperson serves for a term of four years and the other eight members serves for a term of three years and may be reappointed.

**PROGRAM:** The annual budget of the Maine Indian Tribal-State Commission is funded jointly by the Passamaquoddy Tribe, the Penobscot Nation and the State of Maine. The Commission contracts for management services, including a part-time Executive Director.

The Commission's over-riding priorities are to deepen the understanding by Tribal and State leaders of the key concepts and issues underlying both the settlement and on-going Tribal-State relations; to promote a relationship between the State and the Tribes that is based on open communications and mutual trust and respect; and to increase the public's understanding and appreciation of the Wabanaki People. To address these over-riding priorities, the Commission:

- Sponsors meetings and workshops so that Tribal and State leaders can share and explore their perceptions about the key concepts and issues underlying the settlement and Tribal-State relations;
- Presents testimony to the Maine Legislature about legislation that potentially affects Tribal-State relations;
- Assists State and Tribal officials in efforts to increase access by the Tribes to state and federal resources; and
- Has sponsored and raised private funds for a video about the Wabanaki People of Maine.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE INDIAN TRIBAL- STATE COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,500	1,500				
Other Contract Services—State	16,348	11,481	4,867			
Other Contractual Service	2,018	2,018				
Grants—Subsidies—Pensions	-5,000		-5,000			
Transfer to Other Funds	97		97			
<b>TOTAL EXPENDITURES</b>	14,963	14,999	-36			

## COMMISSION ON INVESTMENT CAPITAL

MICHAEL W. AUBE, CO-CHAIR

SHEPARD LEE, CO-CHAIR

*Central Office:* 33 Stone Street, Augusta;

*Mail Address:* State House Sta. #59, Augusta, Maine 04333

*Telephone:* 287-2656

*Established:* April 24, 1990

*Sunset Termination Effective:* December 31, 1993

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 541; Citation: 5 M.R.S.A., Sect. 13064

**PURPOSE:** The Commission on Investment Capital was established to undertake a comprehensive evaluation of the investment capital needs of the State, including an analysis of the sources and magnitude of the current capital investments in all sections of the State's economy, an analysis of the obstacles to capital investments in the State, the identification of sources of funds in the State that may be used to leverage new capital investments, and a review of the impact and opportunities resulting from foreign investment in the State.

## INDEPENDENT AGENCIES—OTHER

**ORGANIZATION:** The Commission is composed of 17 members, including the Commissioner of Economic and Community Development, the Director of the Maine State Housing Authority, the Chief Executive Officer of the Finance Authority of Maine, the Executive Director of the Maine State Retirement System, the Director of the Maine Municipal Bond Bank, 2 Senators, 3 members of the House of Representatives, 6 members of the public appointed by the Governor, and one member of the public appointed jointly by the President of the Senate and the Speaker of the House of Representatives.

The Commission is co-chaired by the member of the public appointed jointly by the President of the Senate and the Speaker of the House of Representatives, and the Commissioner of Economic and Community Development.

**PROGRAM:** The Commission and a report committee met throughout Fiscal Year 1994 to research issues of capital availability. A report of their findings was presented to the Legislature in October 1993. The Commission sunset became effective December 31, 1993.

### **PUBLICATIONS:**

Commission Report

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Commissioner's Office/Administration.

## JUDICIAL COUNCIL

**DANIEL E. WATHEN, CHIEF JUSTICE, CHAIR, EX OFFICIO**

**MURROUGH H. O'BRIEN, Executive Secretary**

*Central Office:* 38 High St., Portland  
*Mail Address:* Box 370, Portland, Maine 04112

*Telephone:* 774-4130; 1-800-427-4130  
*FAX:* 774-5018

*Established:* 1935

*Reference:* Policy Area: 00; Umbrella: 94; Unit: 356; Citation: 4 M.R.S.A., Sect. 451

*Average Count—All Positions:* 0

*Legislative Count:* 1 part-time

**PURPOSE:** The purpose of the Judicial Council is to make a continuous study of the organization, rules, and methods of procedure and practices of the judicial system of the State, the work accomplished and the results produced by that system and its various parts. The Council is also charged with the responsibility to monitor, adopt as necessary and work to implement the recommendations of the Commission to Study the Future of Maine's Courts. The Council also conducts, in conjunction with the Office of the State Court Administrator, the Maine Criminal Justice Sentencing Institute.

**ORGANIZATION:** The Council consists of the following members: the Chief Justice of the Supreme Judicial Court (Chair, ex officio), the Chief Justice of the Superior Court, the Attorney General, the Chief Judge of the District Court, the Dean of the University of Maine Law School, the co-chairs of the Legislative Judiciary Committee, together with an active or retired Justice of the Supreme Judicial Court, one Justice of the Superior Court, one Judge of the District Court, one Judge of a Probate Court, one Clerk of Courts, two lawyers, six laypersons, and four persons who served on or participated in the activities of the Commission to Study the Future of Maine's Courts, the latter to be appointed by the Governor for such periods not exceeding four years, as he may determine. The executive secretary, a part-time contract employee, provides all executive services to the Council.

**PROGRAM:** The program of the Judicial Council consists of a continuous study of the work of the various courts in Maine, the problems with which they are confronted and ways in which the system can

## INDEPENDENT AGENCIES—OTHER

be improved. The Council meets three to four times a year, at which time it considers various issues relating to the conduct of the business of the courts.

The Judicial Council has undertaken many major studies and programs aimed at improving the operations of the courts. These have included the 1971 study of the Superior Court, numerous studies on indigent defense, court financing, the probate court, studies relating to the establishment of the District Court, and various other reforms. The Judicial Council prepares legislation to implement reforms and appears before legislative committees in support of this legislation and in connection with other legislation affecting the courts.

During 1993-94, the Council took over the work of the Commission to Study the Future of Maine's Courts and, through its Futures Implementation Committee, began the process of implementing the Study's many recommendations for court reforms and improvements.

### **PUBLICATIONS:**

A Citizen's Guide to the Maine Courts, 1987. Out of print.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit amounted to \$4,568 in FY 94 and are, by administrative decision, included with those of the Judicial Branch.

## MAINE LIBRARY COMMISSION

**ELAINE ALBRIGHT, CHAIR**  
**J. GARY NICHOLS, Secretary**

*Central Office:* Cultural Bldg., Augusta

*Mail Address:* State House Station #64, Augusta, Maine 04333

*Established:* 1973

*Reference:* Policy Area: 02; Umbrella: 94; Unit: 082; Citation: 27 M.R.S.A., Sect. 111

*Average Count—All Positions:* 0

*Incoming WATS:* 1-800-452-8784

*Telephone:* 287-5600

*Sunset Review Required by:* June 30, 1998

*Legislative Count:* 0

**PURPOSE:** The main function of the Maine Library Commission is to review recommendations of the State Librarian with regard to the policies and operations of the Maine State Library and the State's library program. The Commission also gives advice and makes recommendations with regard to the administration of federal funds.

**ORGANIZATION:** The Maine Library Commission is broadly representative of the State's libraries and consists of a representative from public, school, academic, special, institutional and handicapped libraries, a trustee representative, one representative from each of the library districts and three representatives from the State at large of whom one is a representative of the disadvantaged. The directors of the area reference and resource centers are ex-officio members. Effective FY 91 the Maine Library Commission was given policy-making authority and became part of the newly established Maine State Cultural Affairs Council.

**PROGRAM:** The Maine Library Commission held 6 meetings during FY 94. Areas of special interest included the following: state aid to local library units; the sharing of resources among libraries; back-up reference services; direct free access to major resource libraries.

Other activities of note included the review and recommendations regarding the allocation of state and federal funds.

**FINANCES, FISCAL YEAR 1994:** 27 M.R.S.A., Sect. 111 provides that expenditures of this unit, which amounted to \$1,103.88 in FY 94, shall be borne by Maine State Library.

# MAINE STATE LIBRARY

J. GARY NICHOLS, STATE LIBRARIAN

*Incoming WATS:* 1-800-452-8793; 1-800-452-3561; 1-800-762-7106

*Central Office:* Cultural Bldg., Augusta; *Floor:* 1, 2 & 3

*Telephone:* 287-5600

*Mail Address:* State House Station #64, Augusta, Maine 04333

*Established:* 1837

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 02; *Umbrella:* 94; *Unit:* 075; *Citation:* 20A M.R.S.A., Sect. 202

*Average Count—All Positions:* 59

*Legislative Count:* 48

*Organizational Units:*

Reference and Information Division

Library Development Services Division

**PURPOSE:** The broad goal is consistent with the federal Library Services and Construction Act and the major functions of the Maine State Library. This broad goal was developed jointly by the Maine State Library staff, the Maine Library Commission/Library Services and Construction Act Advisory Council, the Maine Library Association, the Maine Educational Media Association and the Maine Library Trustees Association.

This broad goal is as follows: the development and coordination of services and resources of all types of libraries/media centers in order to achieve equalization of access to total library resources for all Maine people.

**ORGANIZATION:** During FY 94 the Maine State Library included the two major divisions of Reference and Information and Library Development.

Effective FY 91 the Maine State Library was removed from the Department of Education. The authority over the Maine State Library was transferred to the Maine Library Commission, which became part of the newly established Maine State Cultural Affairs Council.

**PROGRAM:** The program of the Maine State Library is reported by several components:

**Reference and Information.** This is a public service activity which maintains a non-fiction collection of over 400,000 library items encompassing a wide variety of subject material to meet the needs of individuals, school, and public libraries and state agencies. This service is provided in person, by telephone, WATS and by mail. Special resources and services include a substantial genealogical collection, the Maine Author Collection, newspaper clipping files, the Governor Baxter papers, the Avery Collection of lumbering photographs, and federal and state documents. On an annual basis, this service circulates over 150,000 books, processes 50,000 in-house reference questions and mails over 18,000 books to school and public libraries. Technical Assistance and Library Information for Maine (TALIMAINE) links Maine with over 300 national and international computer-based data files on a wide variety of subjects. This division also includes Collection Services, which orders and prepares approximately 10,000 new items a year for circulation and is responsible for maintenance and preservation of the collection. Most materials are processed through computerized cataloging systems which produce catalog cards and offers access to holdings of many other libraries. Collection Services also provides over 72,000 sets of catalog cards for 170 public libraries throughout Maine.

**Library Development Division.** This division provides leadership in the development and coordination of public libraries, school library media centers, regional library districts and area reference and resource centers to meet the library and information needs of the people of the State. Major activities include:

**Maine Regional Library Systems.** The Maine Regional Library System encourages all types of libraries—public, school, academic and special—to better serve their communities through cooperative efforts among themselves and the Maine State Library. Specific activities include the following: direct state aid to local public libraries; the support of area reference and resource centers which share their resources with nearly 300 libraries throughout Maine, back-up reference help, direct free access to major resource libraries and consultant services to library district councils and individual libraries. Maine libraries complete over 45,000 interlibrary loan transactions annually. This is one of the highest per capita rates in the country.

**Handicapped Services.** As one of 56 regional libraries in the Library of Congress National Library Service for the Blind and Physically Handicapped, the Maine State Library provides recorded books and

## INDEPENDENT AGENCIES—OTHER

periodicals and equipment on which to play them to visually handicapped people. Over 140,000 talking books are circulated each year to 3,700 registered borrowers. Other services to the handicapped included the circulation of 60,000 large print items and a reference service relating to all handicaps.

**Institutional Library Services.** The Maine State Library maintains a consultant service for Maine's nine correctional, mental health and special educational institutions to assist them in developing their library programs and to encourage and facilitate their cooperation with each other as well as with other libraries. The State Library further assists by awarding Federal grants based on, and designed to augment, the institutions' budgeted library programs.

**Books-by-Mail Services.** Books-By-Mail is a service provided for the approximately 220,000 Maine residents who live in small communities which do not have local libraries. This service is available to adults, juveniles, the housebound, handicapped and working people who may request books from their homes. Selections are made from annotated catalogs which are mailed to individual borrowers. Over 50,000 Books-by-Mail items are mailed annually to 12,000 rural Maine residents.

**Video Services.** The Video Services section provides videos to community groups, nursing homes and other institutions through their local public library.

**Instructional Television.** Television programs are acquired through this program for use in schools. More than 20,000 Educational Video Services (EVS) programs are taped annually and distributed to more than 200 school systems and other agencies. Technical and consulting services on the purchase and utilization of television equipment are also available on request.

**School Library/Media Services.** Federal funds are distributed on a per capita basis to all public schools for the purchase of library and instructional materials and equipment. Workshops, technical services, and consulting services are made available on the utilization and development of libraries and media centers for all schools in Maine. This includes the review of new school library construction.

**Information Exchange/Media Services.** This service accesses state and national educational computer data bases for solving problems in classroom instruction, program development, proposal writing and other education topics.

### PUBLICATIONS:

**THE MAINE ENTRY**—A cooperative publication for Maine libraries and media centers (Maine State Library/Maine Library Association/Maine Educational Media Association)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the bureau of the Budget's MFASIS system.

MAINE STATE LIBRARY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	1,449,655	1,216,536			233,119	
Health Benefits	185,288	145,971			39,317	
Retirements	244,205	204,011			40,194	
Other Fringe Benefits	11,089	9,202			1,887	
Other Contract Services—State	98,164	62,768	100		35,296	
Computer Services—State	2,539	324			2,215	
Other Contractual Service	341,565	65,114	23,616		252,835	
Rents	5,787	2,270	970		2,547	
Commodities	219,811	112,788	13,364		93,659	
Grants—Subsidies—Pensions	577,916	239,585	2,090		336,241	
Building and Improvements	30,524				30,524	
Transfers to Other Funds	35,744		1,617		34,127	
<b>TOTAL EXPENDITURES</b>	<b>3,202,287</b>	<b>2,058,569</b>	<b>41,757</b>		<b>1,101,961</b>	

## MAINE LOBSTER PROMOTION COUNCIL

W. WILLIAM ANDERSON, CHAIRMAN

SUSAN BARBER, EXECUTIVE DIRECTOR

*Central Office:* 382 Harlow Street, Bangor, Maine 04401

*Telephone:* 947-2966

*Mail Address:* The Maine Lobster Promotion Council, 382 Harlow Street, Bangor, Maine 04401

*Established:* June 30, 1991

*Sunset Review Required by:* June 30, 1996

*Reference: Policy Area:* 01; *Umbrella:* 94; *Unit:* 097; *Citation:* 12 M.R.S.A., Sect. 6455

*Average Count—All Positions:* 2.0

*Legislative Count:* 2.0

**PURPOSE:** To market and promote the sale of Maine lobster in local, regional, national and world markets year-round: to encourage education and training of all customers including the wholesale, retail and food service as well as end consumers, about how to handle, prepare, serve, promote and sell Maine lobster.

**ORGANIZATION:** The Maine Lobster Promotion Council, a non-profit, professional association of the Maine Lobster Industry, was founded in 1991 by mandate of the 115th Maine Legislature. The Council is made up of three (3) harvesters, three (3) dealers, three (3) public members, and the Commissioner of the Department of Marine Resources as an Ex Officio member.

**PROGRAM:** The Maine Lobster Promotion Council (MLPC) has been working hard to develop new markets and expand existing markets for Maine lobster, and increase consumer awareness.

MLPC has launched an intensive promotion campaign to educate consumers on the health benefits of eating lobster. MLPC is publishing recipes for lobster that go beyond the traditional method of boiling or steaming. During FY 94, the Council was very active in its advertising campaign, and attended four trade events, three of which were national/international in scope. Additionally, the Council's promotional materials were sent to two additional trade shows overseas. As a result of these efforts, over 750 leads were distributed to the Industry members, resulting in actual sales of Maine Lobster. Our in-store promotional campaigns were launched in supermarkets in Maine, Texas and Kentucky. The Council also participated in public relations events: the 6th annual Lobster Dip in Portland, the Governor's Ski Challenge at Sugarloaf, the Southern Women's Show in Nashville, the Maine Lobster Festival in Rockland, and the Governor's Lobster Lunch kicking off the State's new tourism campaign.

Additionally, the MLPC was a sponsor of the First International Lobster Congress, had its signature photo published in the award-winning National Fisheries Institute 1994 Calendar of which 29,000 were printed and distributed, and appeared on six television segments. The issue of contaminated tomalley was defused by the MLPC.

### PUBLICATIONS:

Consumer Brochure—single copy free, SASE\*

Nutritional and Recipe Brochure—single copy free, SASE\*

Annual Report, available for on location review at MLPC office

Press Kit (For Media Distribution only)

Lobster Tales Newsletter—single copy free, SASE\*

Directory of Dealers & Processors

Food Service Mailer—single copy free

List of Direct Shippers to Consumers—single copy free, SASE\*

Poster—\$5.00 includes postage

Lobster Cutout, single copy, free, SASE\*

Stovetop Lobster Bake, single copy free, SASE\*

List of Promo Materials, single copy free, SASE\*

\*SASE: Send self-addressed, stamped envelope for free single copy

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

## INDEPENDENT AGENCIES—OTHER

LOBSTER PROMOTION COUNCIL	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	7,543		7,543			
Health Benefits	324		324			
Retirements	932		932			
Other Fringe Benefits	62		62			
Other Contract Services—State	135,154		135,154			
Other Contractual Services	91,210		91,210			
Rents	1		1			
Commodities	9,544		9,544			
Grants—Subsidies—Pensions	13,370		13,370			
Building and Improvements	3,390		3,390			
Transfer to Other Funds	6,844		6,844			
<b>TOTAL EXPENDITURES</b>	<b>268,374</b>		<b>268,374</b>			

## MARINE RESEARCH BOARD

### CHRISTOPHER HEINIG, ACTING CHAIRMAN

*Central Office:* 87 Winthrop St., Augusta, Maine

*Telephone:* 621-6350

*Mail Address:* State House Sta. #147, Augusta, Maine 04333

*Established:* July, 1989

*Sunset Review:* Not Established

*Reference:* Policy Area: 00; Umbrella: 94; Unit: 522; Citation: 5 M.R.S.A., Sect. 13127 et seq.

**PURPOSE:** The Marine Research Board was established in 1989 by the 114th Legislature to identify basic and applied marine research needs within the Gulf of Maine of interest to the state and to develop a competitive grants program to address those needs. The board will also foster cooperation between marine research agencies and institutions to efficiently carry out marine research. The Board's focus will be on basic and applied scientific research rather than technological development or technology transfer.

**ORGANIZATION:** As provided by 1989 Public Law #529, the Board is a functional unit within the Maine Science and Technology Foundation. The Board is composed of 15 members. The membership includes one representative of the University of Maine System, one representative of the Association for Research in the Gulf of Maine, 2 representatives of nonprofit environmental organizations, one representative of independent higher education institutions, one representative from the public-at-large, 2 representatives of the scientific community, and 2 representatives of marine resource industry. Serving ex-officio are the Commissioners of the Departments of Conservation, Environmental Protection, and Marine Resources, and the Directors of the State Planning Office and Sea Grant. Members of the Board are nominated by the Governor and require confirmation by the Legislature; the Chair of the Board is annually appointed by the Governor. Board members are appointed for 3-year terms and may not serve for more than 2 consecutive terms.

**PROGRAM:** The Marine Research Board is responsible for developing strategies to implement legislatively mandated activities. In addition to prioritizing marine research needs, other mandated activities, subject to availability of funds, include a bibliography of marine research relevant to the Gulf of Maine, identification of research facility needs, sponsorship or hosting of conferences or publication of periodic reports relating to marine research, and the competitive marine research grants program.

The Board has completed its initial identification of marine research needs of relevance to the state. These needs and other priorities are part of the priority research statement and action plan document submitted to the Governor and the Legislature in 1991, as required by law.

## INDEPENDENT AGENCIES—OTHER

### **PUBLICATIONS:**

Marine Research Priority and Action Plan, 1991

**FINANCES, FISCAL YEAR 1994:** 5 MRSA, Sect. 13127 et seq. provides that expenditures of this unit, shall be borne by Maine Science and Technology Foundation.

## **ADVISORY COMMITTEE ON MEDICAL EDUCATION**

**JOHN LaCASSE, CHAIRMAN**

**TIMOTHY P. AGNEW, CHIEF EXECUTIVE OFFICER**

*Central Office:* One Weston Court, Augusta;

*Telephone:* 289-2183

*Mail Address:* State House Sta. #119, Augusta, Maine 04333

*Established:* May 1978

*Sunset Review Required by:* June 30, 2000

*Reference:* Policy Area: 02; Umbrella: 94; Unit: 093; Citation: 20A M.R.S.A., Sect. 11807

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Advisory Committee on Medical Education advises the Chief Executive Officer of the Finance Authority of Maine in the development of a plan for medical education in disciplines not available in the State of Maine. This plan is to include the development of a coordinated mechanism for the administration of the program, the projected number of student seats needed and projected costs in all professional health fields, recommendations for the future need of the professional health contract program, the development of sites for student clinical training, the percentage of the total amount expended for the purchase of the seats at the contract schools that will return with the student undertaking clinical education in Maine, development of incentives to practice in underserved areas and recommendations for utilizing contract funds to provide assistance to Maine residency programs.

**ORGANIZATION:** The Advisory Committee on Medical Education consists of 15 members who are recommended by the Chief Executive Officer to the Joint Standing Committee on Education for its final approval. Members are appointed for 2 year terms. Membership of the Advisory Committee includes representatives from those health care agencies and associations, public and private, whose activities are relevant to the objective of the plan, as determined by the Chief Executive Officer.

**PROGRAM:** The Advisory Committee on Medical Education is authorized to make recommendations to the Chief Executive Officer relative to implementation of the Post Graduate Health Professions Program. Issues under examination focus on access to post graduate medical, dental, optometric, and veterinary doctoral programs in out-of-state institutions; budget recommendations; legislative policy; student indebtedness; and Program impact on the Maine Health Care system in providing access to health care to the people of Maine.

**PUBLICATIONS:** Annual Report — Advisory Committee on Medical Education January 1990.

**FINANCES, FISCAL YEAR 1994:** The Advisory Committee on Medical Education has no appropriated funds and, therefore, had no expenditures for FY 93.



## MAINE ADVISORY COMMITTEE ON MENTAL RETARDATION

BARBARA MARGIN, CHAIRPERSON

*Central Office:* State Office Bldg., Augusta; *Floor:* 4

*Telephone:* 287-4242

*Mail Address:* State House Sta. #40, Augusta, Maine 04333

*Established:* 1989

*Sunset Review Required by:* June 30, 1994

*Reference: Policy Area:* 03; *Umbrella:* 94; *Unit:* 375; *Citation:* 34-B M.R.S.A., Sect. 1210

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The main purpose of the Maine Advisory Committee on Mental Retardation is to serve in an advisory capacity to the Commissioner and the Director of the Division of Mental Retardation in assessing present programs, planning future programs and in developing means to meet the needs of persons with mental retardation.

**ORGANIZATION:** The Maine Advisory Committee on Mental Retardation is composed of 11 members, consisting of one member from the House of Representatives appointed by the Speaker of the House and one member from the Senate appointed by the President of the Senate, and 9 representative citizens appointed by the Governor, who designates a chairman. Appointments are made for 3 years. Members of the committee serve without pay but are reimbursed for expenses on the same basis as state employees.

**PROGRAM:** The Committee holds monthly meetings that are well attended by membership. The Committee's major initiative this year is the active participation and coordination of multiple planning endeavors under way impacting on services to persons with mental retardation, including supporting families.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Division of Mental Retardation (MH&MR).

## MAINE MUNICIPAL BOND BANK

STEPHEN R. CROCKETT, CHAIRMAN

ROBERT O. LENNA, Executive Director

*Central Office:* 45 University Drive, Augusta

*Telephone:* 622-9386

*Mail Address:* Box 2268, Augusta, Maine 04338

*Established:* 1972

*Sunset Review Required by:* June 30, 2001

*Reference: Policy Area:* 00; *Umbrella:* 94; *Unit:* 376; *Citation:* 30-A MRSA, Sect. 5901

*Average Count—All Positions:* 5

*Legislative Count:* 0

**PURPOSE:** The Maine Municipal Bond Bank was established to reduce overall long-term borrowing costs of governmental units within the State for capital improvement projects through lower interest rates and reduced processing costs of bond issues. The Bond Bank is empowered to issue bonds and notes in its own name and to use the proceeds therefrom to directly purchase the bonds or notes of governmental units. The result is to combine a number of smaller bond issues into a single attractive package which the Maine Municipal Bond Bank then offers to the national market.

## INDEPENDENT AGENCIES—OTHER

**ORGANIZATION:** The Maine Municipal Bond Bank, established in 1972, consists of a five-member Board of Commissioners, including the Treasurer of State and the Superintendent of Banks and Banking, ex officio, and three Commissioners appointed by the Governor, for terms of three years. The Board elects one of its members as chairman and appoints an Executive Director who also serves as both secretary and treasurer.

No State appropriations are allocated to the Maine Municipal Bond Bank. The Bank pays all costs of issuance on behalf of local governmental units using the Bank's General Bond Resolution, except for local bond counsel, a pro-rated share of underwriter's sales commission and any negative arbitrage on the moral obligation reserve fund. Operating expenses are covered by bond premiums and income from investment of reserve and operating funds.

**PROGRAM:** In October of 1993, the Maine Municipal Bond Bank issued \$29,000,000 which assisted 18 governmental units finance their capital projects. In February of 1994, the Bond Bank issued \$12,380,000 which assisted 1 governmental unit finance its capital project. In May of 1994 another bond offering was issued in the amount of \$24,670,000 which helped 20 governmental units finance their capital projects. All issues were rated Aa by Moody's Investors Service, Inc., and A+ by Standard & Poor. Concurrently with the bond issues, the Maine Municipal Bond Bank assists governmental units, particularly the smaller units, with their long-term financial plans and debt management problems.

### **PUBLICATIONS:**

Annual Report

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE MUNICIPAL BOND BANK	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Grants—Subsidies—Pensions	113,637	113,637				
<b>TOTAL EXPENDITURES</b>	113,637	113,637				

## MAINE STATE MUSEUM COMMISSION

### **C. LILA SEGAL, CHAIR**

*Central Office:* Cultural Bldg., Augusta

*Telephone:* 287-2301

*Mail Address:* State House Sta. #83, Augusta, Maine 04333

*Established:* 1965

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 02; *Umbrella:* 94; *Unit:* 085; *Citation:* 27 M.R.S.A., Sect. 82

*Average Count—All Positions:* 0

*Legislative Count:* 0

**PURPOSE:** The Maine State Museum Commission was established to formulate policies and exercise general supervision over the State Museum; to make recommendations to the Legislature, as necessary, to improve the functions of the Museum; and to delegate powers necessary for the administration of laws relating to the State Museum.

**ORGANIZATION:** The Maine State Museum Commission consists of fifteen members, especially qualified and interested in the several fields of museum activity, appointed by the Governor for terms of six years.

## INDEPENDENT AGENCIES—OTHER

The Commission meets regularly to formulate policies and to exercise general supervision of Museum activities.

Permanent records of the Commission meetings are maintained and are audited according to state law. Also, the Commission serves as the appointing authority of the Museum Director.

**PROGRAM:** The Maine State Museum Commission held regular meetings during FY 94.

All gifts, bequests, and other donations offered the Maine State Museum and recommended by the Museum's professional staff were formally and legally accepted on behalf of the State. The Commission also reviewed and approved purchases of artifacts for the Museum's permanent collections. Staff recommendations for deaccessioning of items not pertinent to the collections of the Museum were considered and upon approval were disposed of in a manner consistent with the Museum's policy.

The Commission reviewed and approved the budget and programs submitted by the Museum Director.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Maine State Museum.

## MAINE STATE MUSEUM

JOSEPH R. PHILLIPS, DIRECTOR

*Central Office:* Cultural Bldg., Augusta

*Telephone:* 287-2301

*Mail Address:* State House Sta. #83, Augusta, Maine 04333

*Established:* 1972

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 02; *Umbrella:* 94; *Unit:* 073; *Citation:* 27 M.R.S.A

*Average Count—All Positions:* 21.5

*Legislative Count:* 20.5

*Organizational Units:*

Administration and Education Division

Research and Collections Division

Design and Preparation Division

**PURPOSE:** The State Museum is charged in its Declaration of Policy "...to present through the use of its collections and activities the proud heritage and unique historical background, and to preserve and exhibit the environmental and cultural background, and to preserve the environmental and cultural richness of the State..."

The State Museum is responsible for providing a coordinated and integrated system of cultural resources, programs and projects, to encourage and stimulate public interest in the advancement of education and to support the cultural and historical heritage, institutions and activities of Maine at both the State and local level.

**ORGANIZATION:** In 1836, the Legislature approved and in 1837 established the basic concept of a State Museum. That early museum, however, was subject to the availability of display space in the Capitol and the willingness of various State departments to assume unpaid curatorial functions in addition to their primary functions. The first official State Museum was established in 1919, from which time it was administered by the Commissioner of Inland Fisheries and Game until 1945, when operations were suspended. Increased public interest caused the Legislature to recreate the Museum in 1957 under the Department of Economic Development. Transferred to the State Park and Recreation Commission in 1963, the State Museum did not become an independent, professionally-staffed agency until creation of the Maine State Museum Commission in 1965. The establishment of this agency was soon followed by the allocation, via a bond issue referendum, of funds to create the so-called State Cultural Building to provide a permanent home for the new Maine State Museum, State Library and State Archives.

In 1972, as a result of the general reorganization of State Government, the Museum became the State Museum (Bureau) of the Department of Educational and Cultural Resources (changed to Cultural

## INDEPENDENT AGENCIES—OTHER

Services in 1973), under a director appointed by the independent, policy-setting Maine State Museum Commission with the approval of the Commissioner of Educational and Cultural Services.

During FY90, the Museum participated in an intensive study of the organizational placement of the four cultural bureaus in State Government. The review resulted in legislation which returned the Museum to independent agency status effective July, 1990 (FY 91). The Maine State Cultural Affairs Council was established at that time to coordinate the resources, programs and projects of the Maine State Museum, Maine Arts Commission, Maine Historic Preservation Commission, and Maine State Library.

### PROGRAM:

**Education:** General attendance at the Maine State Museum again totaled over 73,000 visitors this fiscal year under the central program of exhibiting and interpreting Maine's fascinating history. Special lectures on Civil War history, and "Maritime Archaeology in the Northeast" complemented an evening winter lecture series, "The Nations of Maine: Historic Turning Points for Maine's Indians, Franco-Americans and Yankees." Staff members continued to provide lectures to history-oriented organizations throughout the state on a limited basis.

**Collections:** The Museum acquired 112 historic and natural history collections consisting of 1,603 items in FY 94. Six archaeological collections were also acquired including over 30,000 artifacts. Eighty-eight collections were donations from Maine citizens. All collection items were either made in Maine or are accompanied by a strong history of Maine use. Some particularly significant acquisitions include a collection of 47 hand-carved spruce gum boxes made by lumbermen from northern Maine. The Museum was also fortunate to acquire from one individual another 26 spruce gum boxes, 800 Maine patent medicine artifacts and 230 objects associated with the Maine Grange. The total of 73 spruce gum boxes gives us the largest museum collection anywhere of this rare folk art tradition. The following brief descriptions represent a small sample of the wide variety of artifacts acquired by the Museum during FY94. A fine oil painting entitled, *Delano Park, Cape Elizabeth*, by Maine artist, John Calvin Stevens was donated for display in the Blaine House. Also, the first snowmobile to be registered in the state was donated to the Museum. Archaeological collections included prehistoric Indian tools from different sites in Warren, Munsungun Lake area, and Deer Isle. In addition, a large collection of historic ceramics, glassware and jewelry from the 18th and 19th centuries was excavated from a house site in Brunswick. Finally, several rare Maine minerals including a five-color tourmaline specimen were acquired.

**Conservation:** A "Disaster Control Plan" was developed as a guide for staff and volunteer training. Disaster kits were assembled and located in strategic areas to provide appropriate materials for dealing with many kinds of property damage accidents to museum artifacts or facilities. Funded in part by the Save Maine's Colors campaign, the fragile flag collection in the central storage facility has been photographed in as-is condition and condition data recorded. The Museum's entire quilt collection was also photographed.

**Exhibitions:** The most negative impact of staff and budget reductions has been manifested in the slower pace of new exhibit preparation. In FY 94 the first installation of our revived **Curator's Choice** changing exhibit areas was unveiled. Special showings of **Maine Quilts** and **Civil War Artifacts** were presented. Renovation of the large **Natural History** area commenced with an initial focus on upgrading the electrical and flowing water infrastructure. Planning and research and collecting continued for the next major exhibit: **Maine Home Life and the American Dream, 1820-1917**. A second attempt was made to secure federal grant support for this exhibit.

**Friends of the Maine State Museum:** This non-profit support organization completed its second year of service "to benefit the Maine State Museum and its mission to preserve Maine's heritage." The Friend's most significant contributions this year include sponsorship of the winter and special lectures, and expansion of the Save Maine's Colors campaign to raise funds for preservation of the state's historic flags. An encampment of civil war re-enactors was held in Capitol Park to educate the public and dramatize this campaign.

**Membership:** This program has grown to 1,400 members in its second year. Members receive the Museum newsletter *Broadside* and other services funded exclusively by annual dues.

**Publications:** Scholarly work continued on the archaeology book *12,000 Years in Maine*, and the Friends initiated work on *An Illustrated History of Maine*. Volunteers and staff members have contributed drawings for a pre-school coloring book of Maine's animals, plants, and human history.

**Outreach:** The Museums last "Sunset Review" by the Audit & Program Review Committee found that, "Museum statutes provide a clear directive for the Museum to pursue outreach activities." And, "While the Museum is to be commended for its present accomplishments, the Committee finds that there is further public need for outreach programming." One way the Museum Commission has met this need

## INDEPENDENT AGENCIES—OTHER

is through a collaborative effort with the Maine State Archives and Maine Association of Museums entitled the Cultural Resources Information Center. This center, managed on a half time basis by a Museum Educator, has completed its second year as an information clearinghouse, outreach and support services provider for the archival and historical institutions of Maine.

**Awards:** Kennebec Valley Chamber of Commerce 1994 Community Service Award.

### LICENSES, PERMITS, ETC.:

Any person, agency or institution desiring to excavate an archaeological site on State-controlled land which is listed on the National Register of Historic Places shall submit a written application for a permit to the Maine Historic Preservation Commission, the Maine State Museum and to the agency controlling the property. (27 MRSA §371-378 inclusive).

### PUBLICATIONS:

Greenleaf, Moses: A SURVEY OF MAINE IN REFERENCE TO ITS GEOGRAPHICAL FEATURES, STATISTICS AND POLITICAL ECONOMY Facsimile reprint of 1829 edition with biographical introduction. Text only. 469 pp. ISBN 0-913764-00-0				cloth binding	14.00
Sullivan, James: THE HISTORY OF THE DISTRICT OF MAINE Facsimile reprint of 1795 edition with biographical introduction and Osgood Carleton map. 421 pp. ISBN 0-913761-01-9				cloth binding	14.00
Churchill, Edwin A.: HAIL BRITANNIA: MAINE PEWTER AND SILVERPLATE, 1992, Illustrated 69 pp. ISBN 0-913764-22-1				cloth binding	19.99
ISBN 0-913764-21-3					9.99
Willoughby, C.C.: INDIAN ANTIQUITIES OF THE KENNEBEC VALLEY Ed. by Arthur E. Spiess. Illus. 160 pp. ISBN 0-913764-13-2				cloth binding	22.00
Rivard, Paul E.: LION 1987. Illus. 64 pp.					1.50
Rivard, Paul E.: MAINE SAWMILLS, 1990 Illus. 62 pp. ISBN 0-913764-20-5					4.50

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE MUSEUM	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	615,619	597,361	18,258			
Health Benefits	68,311	65,010	3,301			
Retirements	100,134	97,147	2,987			
Other Fringe Benefits	4,822	4,490	332			
Other Contract Services—State	24,377	16,361	8,016			
Computer Services—State	50	50				
Other Contractual Service	51,275	45,506	5,769			
Rents	3,428	3,159	269			
Commodities	108,114	49,174	58,940			
Grants—Subsidies—Pensions	62,141	10,344	51,797			
Interest—Debt Retirement	1	1				
<b>TOTAL EXPENDITURES</b>	1,038,272	888,603	149,669			

## NATURAL RESOURCE FINANCING AND MARKETING BOARD

SAMUEL G. DAVIDSON, CHAIRMAN

TIMOTHY P. AGNEW, CHIEF EXECUTIVE OFFICER

*Central Office:* 83 Western Ave., Augusta

*Telephone:* 623-3263

*Mail Address:* P.O. Box 949, Augusta, Maine 04332

*Established:* 1983

*Sunset Review Required by:* June 30, 2001

*Reference: Policy Area:* ; *Umbrella:* 94; *Unit:* 468; *Citation:* 10 M.R.S.A., Sect. 964

*Average Count—All Positions:* 3

*Legislative Count:* 0

**PURPOSE:** The Natural Resource Financing & Marketing Board was established to provide assistance and advice to the Finance Authority of Maine's Board of Directors and staff in developing programs and policies designed to help natural resource based businesses to expand production and markets, improve product quality and add value to natural resource products.

**ORGANIZATION:** The Natural Resource Financing & Marketing Board consists of 8 members including the Commissioners of Conservation, Marine Resources, and Agriculture, and the State Treasurer, along with four members appointed by the Governor and subject to confirmation by the Legislature.

**PROGRAM:** In assisting natural resource enterprises, FAME utilizes all of the programs available to businesses generally, as well as the following targeted programs:

**Natural Resource Entrants Loan Insurance Program.** FAME is authorized to insure up to 90% of a loan to an eligible borrower made by either a lender or the seller of the agricultural or fishing enterprise. The borrower must meet certain eligibility criteria, including a net worth of \$100,000 or less, and the insured loan amount may not exceed \$225,000.

**Agricultural Operating Loan Insurance Program.** This variation on FAME's Small Business Loan Insurance Program is designed to assist agricultural enterprises in obtaining seasonal lines of credit. It is generally used to insure up to 75% of loans which are used to pay for the costs associated with raising crops. The term of the loan is linked to the expected time between when the loan is required and when the crop is actually sold. The term cannot exceed 15 months and FAME's insurance exposure may not exceed \$250,000.

**Natural Resources Capital Investment Program.** This program was established to provide assistance to natural resource projects designed to increase the State's capacity to produce, harvest, store, process, distribute, market and improve the quality of natural resource products. The program is authorized to provide direct loans for up to 45% of the costs of such projects, and is designed to leverage other sources of capital. This program does not currently have any loan funds available.

**Potato Marketing Improvement Program.** The Finance Authority of Maine, in cooperation with the Department of Agriculture, administers the Potato Marketing Improvement Fund (PMIF) Program. The program provides direct loans to potato growers and packers to construct modern storages, packing lines and sprout inhibitor facilities as part of the industry's plan to improve the quality and marketing of Maine potatoes. The fund provides long-term, fixed rate loans at attractive, below market interest rates to help finance construction of or improvements to storage and packing facilities. As a participatory loan program, it is restricted to financing between 45% and 55% of the costs of eligible construction and improvements. Other lenders or the applicant must finance the remaining funding needs. Funds cannot be used for working capital, refinancing, or non-project related equipment. PMIF funds may only be used for permanent financing after a project is completed.

**Linked Investment Program for Agriculture and Small Business.** In cooperation with the State Treasurer's Office, the State of Maine agrees to make investments of up to \$8,000,000 in State funds at a reduced rate of return for certain agricultural and commercial loans. Investments are limited to \$200,000 per business for a term of 1 year, with the option of a 1 year renewal for most program participants. In turn, the financial institution in which the State funds are invested agrees to finance an eligible agricultural or small business borrower at a comparably reduced rate of return. These loans are approved and made by lenders according to their regular lending policies. The State Treasurer makes compensating investments at a reduced rate of return only to provide interest rate savings to the business borrower. State investments **do not** constitute loan collateral.

## INDEPENDENT AGENCIES—OTHER

**Export Financing Services.** FAME's financial services can help Maine businesses begin or expand their export marketing efforts. Working Capital Insurance from FAME provides additional security to lenders while encouraging greater lending activity for international business ventures. Export Credit Umbrella Insurance, provided by the Export-Import Bank of the United States (Eximbank) and administered by FAME, reduces international credit risk, allows an exporter to offer credit terms to foreign buyers in a competitive market, and offers the opportunity for businesses to obtain current cash flow against foreign receivables. With these insurance programs, either FAME or Eximbank becomes responsible for up to 100% of a loan made by a financial institution to the exporter.

**Maine Seed Capital Tax Credit Program.** In order to encourage equity investments in young, dynamic business ventures the Authority may authorize State income tax credits to investors in an amount equal to 30% of the cash equity they provide to certain Maine businesses.

***ELIGIBLE BUSINESSES MUST:***

- Be for profit and organized as a corporation, partnership, or joint venture.
- Have annual sales in the last 12 month period for which financial statements are available of no more than \$2,000,000.
- Be the full-time professional activity of at least one of the principal owners.
- Be a manufacturer *or*;
- Sell, or project to sell, more than 60% of their goods or services outside Maine *or* bring capital into the State, in the ordinary course of business, at least equal to the amount of the credit being sought.

***ELIGIBLE INVESTORS MUST:***

- Own less than 50% of the business for which application for a tax credit is being made. However, investors may participate in the operation of the business.
- Not be the principal owner or an immediate relative of a principal owner.

***ELIGIBLE INVESTMENTS MUST:***

- Be in cash and used for fixed assets, research and development, or working capital, and not for repayment of equity investment.
- Be at risk in the business, which means the investment is unsecured and unguaranteed and remains in the business for at least 5 years with no principal paid to the investor during that period.
- Be made only after application for the tax credit.
- Be limited to a maximum of \$600,000 per business.

***TAX CREDITS:***

- Are available to investors who provide up to \$100,000 per business. There is no limit on the number of businesses in which an investor can invest and receive tax credits.

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. For further financial information, contact the Finance Authority of Maine for a copy of their audited financial statements.

## PINE TREE PARTNERSHIP FUND BOARD

PROF. RICHARD HILL, CHAIRMAN

TIMOTHY P. AGNEW, CHIEF EXECUTIVE OFFICER

*Central Office:* 83 Western Ave., Augusta

*Mail Address:* P.O. Box 949, Augusta, Maine 04332-0949

*Established:* 1985

*Reference: Policy Area:* ; *Umbrella:* 94; *Unit:* 483; *Citation:* 10 M.R.S.A., Sect. 351

*Average Count—All Positions:* 0

*Telephone:* 623-3263

*FAX:* 623-0095

*Legislative Count:* 0

**PURPOSE:** To provide research and development grants to small Maine businesses, advance existing technology or introduce new products into the marketplace.

**ORGANIZATION:** The Pine Tree Partnership Fund Board consists of seven (7) members as follows: The Chairman of the Finance Authority of Maine or the Chairman's designee; the Director of Energy Resources or the Director's designee; the President of the Maine Development Foundation or the President's designee; a member of the Senate recommended by the President of the Senate and appointed by the Governor; a member of the House of Representatives recommended by the Speaker of the House of Representatives and appointed by the Governor; and two (2) members of the public appointed by the Governor, who shall be knowledgeable and have favorable reputations for skill, knowledge and experience in the development of technological innovation.

The Finance Authority of Maine provides technical and underwriting assistance in the administration of the program.

**PROGRAM:** The Pine Tree Partnership Board periodically solicits proposals for grants. Maine small businesses employing 30 or fewer employees and having a net worth not exceeding \$250,000 may apply for grants of up to \$15,000 in any twelve month period. The applicant must contribute matching funds in an amount equal to the grant to the project. In some instances the Board will accept in-kind services or property in lieu of matching funds. The Board evaluates each application in accordance with several criteria, including: whether the research proposed is reasonably likely to assist in advancing existing technology or introducing new products into the marketplace; whether the research is well designed and capable of producing results; the qualification of the applicant to conduct the research; and the availability of adequate resources to conduct the research.

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. For further financial information, contact the Finance Authority of Maine.



## INDEPENDENT AGENCIES—OTHER

# STATE BOARD OF PROPERTY TAX REVIEW

*Central Office:* State Office Building, Augusta  
*Mail Address:* State House Sta. #49, Augusta, Maine 04330  
*Established:* July 1, 1986

*Telephone:* 287-4699  
*FAX:* 287-4032  
*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 00; *Umbrella:* 94; *Unit:* 391; *Citation:* 36 MRSA, Sect. 271  
*Legislative Count:* .5

**PURPOSE:** The Board has been established to hear and determine tax abatement appeals arising under (1) the tree tax law (36 MRSA 571 et seq), (2) the farm and open space law (36 MRSA 1101 et seq), and (3) as provided in 36 MRSA 272, 843, 844 & 2865.

**ORGANIZATION:** The Board is established under 5 MRSA 12004 and consists of 15 members appointed by the Governor. Except for appointments made at the formulation of the board, the term of each member is for three years. An appointment to fill a vacancy shall be for the remainder of the unexpired term. Membership is divided equally among attorneys, real estate brokers, engineers, retired assessors and public members. The chairman, who is elected by the body, assigns five members to hear a given appeal with three constituting a quorum. Such hearings are held de nov. After hearing the Board has the power to raise, lower or sustain the original finding.

**PROGRAM:** This Board held its annual meeting on June 16, 1994.

Hearings held and decisions rendered	—	62
Cases withdrawn	—	33
Pending cases	—	90
Total cases		185

In addition, the administrative staff received numerous inquiries which were resolved by telephone or correspondence.

### PUBLICATIONS:

State Board of Property Tax Review—Rules of Procedure

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

STATE BOARD OF PROPERTY TAX REVIEW	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	22,376	22,376				
Health Benefits	31	31				
Retirements	965	965				
Other Fringe Benefits	100	100				
Other Contract Services—State	4,225	4,225				
Computer Services State	2,506	2,506				
Other Contractual Service	20,617	20,617				
Commodities	2,445	2,445				
<b>TOTAL EXPENDITURES</b>	53,265	53,265				

## MAINE PUBLIC UTILITY FINANCING BANK

H. DONALD DE MATTEIS, CHAIRMAN

ROBERT O. LENNA, Executive Director

*Central Office:* 45 University Drive, Augusta

*Mail Address:* Box 2268, Augusta, Maine 04338

*Established:* 1981

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 401; Citation: 35-A M.R.S.A., Sect. 2904

*Average Count—All Positions:* 2

*Telephone:* 622-9386

*Legislative Count:* 0

**PURPOSE:** The Maine Public Utility Financing Bank was established to foster and promote by all reasonable means the provision of adequate markets and the lowest possible costs for borrowing money by public utilities.

All expenses incurred in carrying out this purpose shall be payable solely from revenues or funds available to the bank. The Bank cannot incur any indebtedness or liability on behalf or payable by the State.

**ORGANIZATION:** The Bank is under direction of a Board of Commissioners comprised of the Commissioners of the Maine Municipal Bond Bank who shall be commissioners ex officio. The Board of Commissioners shall elect one of its members as chairman, one as vice-chairman and shall appoint an executive director who shall also serve as both secretary and treasurer.

**PROGRAM:** In April of 1991 the Maine Public Utility Finance Bank issued \$10,000,000 on behalf of the Maine Public Service Company to finance their capital projects. This issue was rated Aaa by Moody Investors' Service, Inc.

### **PUBLICATIONS:**

Audit Report

**FINANCES, FISCAL YEAR 1994:** The State records do not contain any accounts assigned to this unit. Operating expenses will be covered by fees and charges to the participating public utility.

## (BOARD OF TRUSTEES OF THE) MAINE STATE RETIREMENT SYSTEM

DAVID WAKELIN, CHAIR, BOARD OF TRUSTEES

CLAUDE R. PERRIER, EXECUTIVE DIRECTOR

*Central Office:* 1 Central Plaza, Augusta

*Mail Address:* State House Sta. #46, Augusta, Maine 04333

*Established:* 1942

*Reference:* Policy Area: 00; Umbrella: 94; Unit: 411; Citation: 5 M.R.S.A., Sect. 17101

*Average Count—All Positions:* 101

In Maine only (800)-451-9800

*Telephone:* (207) 287-3461

*FAX:* (207) 287-1032

*Sunset Review Required by:* June 30, 2000

**PURPOSE:** As of June 30, 1994, the Maine State Retirement System administered over two hundred retirement systems. These include the Legislative Retirement System, the Judicial Retirement System, the system that covers both public school teachers and State employees, and the approximately 250 separate systems covering various political subdivisions that choose to participate in the MSRS, which

## INDEPENDENT AGENCIES—OTHER

under MSRS law are called participating local districts (PLDs). The MSRS is also responsible for the payment of benefits from the Governors Retirement Fund.

In addition to administering these public pension systems, the MSRS is also responsible for administering the State Group Life Insurance Program. This program provides life insurance benefits for both active and retired State employees, public school teachers, and many PLD employees, and for members and retirees of the Legislative and Judicial Retirement Systems.

**ORGANIZATION:** The responsibility for the operation of the Maine State Retirement System, including all the various retirement systems and the State Group Life Insurance Program, is held by the MSRS Board of Trustees, which is composed of eight members. State law specifies the Board's composition. The State Treasurer fills the one non-voting position. The seven voting positions include three positions that are to be filled by MSRS members. One of these three is to be a teacher member elected by the Maine Education Association; the second is to be a State employee elected by the Maine State Employees' Association; the third is to be a PLD member appointed by the Maine Municipal Association.

The remaining four voting Board members are all appointed by the Governor. Two of them are to have training or experience in investments, accounting, banking, or insurance, or as actuaries; one is to be chosen from a list of nominees submitted by the Maine Retired Teachers' Association; and one is to be an MSRS retiree, chosen from nominees of State and PLD retirees.

The Board members as of June 30, 1994 are:

David S. Wakelin, Chair	Governor's Appointment
John H. Kimball, Vice Chair	Maine Education Association
William C. Bullock Jr.	Governor's Appointment
George A. Eurgoyne	Maine State Employees' Association
Eunice Cotton	Governor's Appointment (State Retiree)
Charles M. Jackson	Maine Municipal Association
Grover B. MacLaughlin	Governor's Appointment (MRTA)
Samuel Shapiro, State Treasurer	Ex-officio Member

The Board employs an actuary, which as of June 30, 1994, is the firm of Milliman and Robertson. The actuary prepares annual valuations of the assets and liabilities of each of the more than two hundred systems administered by the Board. For the State employee and teacher system, and for the Judicial and Legislative systems, the actuary also provides information and recommendations as to sound and appropriate actuarial assumptions, which the Board utilizes, together with valuation information, to determine the Systems' funding requirements.

The Board's management of MSRS investments is governed by its detailed investment policy, which states the Board's underlying investment philosophy and goals and establishes guidelines and criteria for choice of investment types, for asset allocation among investment types, for investment manager selection and evaluation, and for allotment of investment funds to investment managers. The Board employs the firm of Ennis and Knupp to assist in development and implementation of investment policy.

The Board is the final administrative decision-maker in matters involving the rights, credits, and benefits of members. It has established an administrative appeals process for the making of such decisions, through which the relevant factual information and legal requirements are identified and analyzed. In decisions on disability retirement appeals, a statutorily created three-person Medical Board provides recommendations as to the medical aspects of disability.

The Board of Trustees appoints the Executive Director of the MSRS, who is responsible for the work of the MSRS staff, including the Information Systems, Finance, Basic Services and Ancillary Services Divisions. The Executive Director also oversees the System's investments and the work of the System's investment advisors and coordinates actuarial work with the System's consulting actuary.

**PROGRAM:** Membership in the MSRS includes both active and inactive members. Active members are those who are currently working for an MSRS participating employer and who are, therefore, contributing to the MSRS. As of June 30, 1994, there are approximately 48,100 active members in the MSRS.

Inactive members are those who have contributed in the past and whose contributions remain with the System but who are not contributing presently because they are not working for an MSRS participating employer. As of June 30, 1994, there are approximately 41,600 inactive members in the MSRS.

## INDEPENDENT AGENCIES—OTHER

The MSRS benefits payroll has increased in recent years, with a total of 25,810 people receiving a benefit either as a service retiree, a beneficiary, or a disability retiree. The total monthly benefits payroll as of June 30, 1994, was \$19.9 million.

Those looking for more details concerning either the membership, finances, or benefits of the MSRS are invited to contact the System's Communications Group for information.

### PUBLICATIONS:

Maine State Retirement System Laws—Free  
Annual Report of the Maine State Retirement System—Free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

(BOARD OF TRUSTEES OF THE) MAINE STATE RETIREMENT SYSTEM	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	3,697,303					3,697,303
Health Benefits	172,010					172,010
Retirements	262,269					262,269
Other Fringe Benefits	16,139					16,139
Other Contract Services—State	738,749					738,749
Computer Services—State	118,956					118,956
Other Contractual Service	711,083					711,083
Rents	111,705					111,705
Commodities	370,002					370,002
Grants—Subsidies—Pensions	55,878					55,878
Transfers to Other Funds	-6,105,197	147,445				-6,252,642
<b>TOTAL EXPENDITURES</b>	<b>148,897</b>	<b>147,445</b>				<b>1,452</b>

## SACO RIVER CORRIDOR COMMISSION

**BARBARA A. RICKER, EXECUTIVE DIRECTOR**

*Central Office:* Trafton Street, Cornish, Maine  
*Mail Address:* Box 283, Cornish, Maine 04020

*Telephone:* 625-8123

*Established:* 1973

*Sunset Review Required by:* June 30, 1995

*Reference: Policy Area:* 05; *Umbrella:* 94; *Unit:* 412; *Citation:* 38 M.R.S.A., Sect. 954

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The purpose of the Saco River Corridor Commission is best described by the Act which created both the Commission and the Saco River Corridor. "An Act to Establish the Saco River Corridor" states that "In view of the dangers of intensive and poorly planned development, it is the purpose of this Act to preserve existing water quality, prevent the diminution of water supplies, to control erosion, to protect fish and wildlife populations, to prevent undue extremes of flood and drought, to limit the loss of life and damage to property from periodic floods; to preserve the scenic, rural and unspoiled character of the lands adjacent to these rivers; to prevent obstructions to navigation; to prevent overcrowding; to avoid the mixture of incompatible uses; to protect those areas of exceptional scenic, historic, archaeological, scientific and educational importance; and to protect the public health, safety and general welfare by establishing the Saco River Corridor and by regulating the use of land and water within this area." The Corridor area, totalling approximately 300 miles of river front, includes the Saco River from Saco Bay to the New Hampshire border, the Ossipee River from its confluence with the Saco River to the New Hampshire border, and the Little Ossipee River from its confluence with the Saco River to the New Hampshire border at Balch Pond.

## INDEPENDENT AGENCIES—OTHER

The Saco River Corridor Commission is, then, essentially a regionally administered regulatory agency responsible for enforcing the land use provisions of the Saco River Corridor Act. It is a function of this Commission to review applications for permits and variances filed under the provisions of this Act and to ensure the continuing land and water quality of the Saco River Corridor.

**ORGANIZATION:** The Saco River Corridor Commission is a single-unit agency consisting of one regular and one alternate member from each of the twenty municipalities in the three counties whose jurisdiction includes lands or bodies of water encompassed by the Saco River Corridor. These forty members are appointed for a staggered three year term to serve on the Commission by the various elected officials within the municipalities with lands in the Corridor. The Commission members are the decision making body of the organization, while the staff, presently consisting of an Executive Director and a part-time administrative assistant, provides support services to the Commission, to applicants, and to various municipal officials concerned with the Saco River Corridor Act, with the river, or with other state-related matters.

**PROGRAM:** In order to promote orderly growth within the Corridor, the “Saco River Corridor Act” established a permit procedure for development activities within the statutorily defined corridor. With available resources, the Commission staff provides assistance to applicants both in working out a reasonable and acceptable site plan and in completing the necessary permit application forms. During this fiscal year, the Commission conducted 4 public hearings held 8 regular meetings. Members considered a total of 41 applications for permits or variances for development activities within the Corridor and also considered 32 amendments to permits previously granted. Commission staff travelled 1,953 miles in performing site inspections and other Commission business.

The development proposals reviewed by the Commission continue to reflect a diversity of uses for the river and its adjacent lands, and the Commission's discussions and decisions regarding various applications are, in part, a reflection of a major purpose of the Saco River Corridor Act: the assurance that diversity of use is balanced by the avoidance of the mixture of incompatible uses.

During the past fiscal year, the Commission adopted amendments to its standards governing expansions of existing nonconforming uses and structures. It is also considering but has not yet adopted changes in its performance standards governing multi-unit residential dwellings. The Commission continues to coordinate any enforcement efforts with the Office of the Attorney General. Although the Commission's primary function is regulatory, it also continues its historic role as an advocate for the river and its surrounding environment.

Of continuing concern to the Commission and its staff is its ability to administer the Saco River Corridor Act efficiently and to maintain high standards in its public service efforts, despite its limited resources. The Commission staff continues to assist valley citizens and municipal officials in matters relating to state laws and regulations. Because the Commission office is located in a rural community, and because the community and its neighbors are, for the most part, without professional town managers, planners or other full-time government officials, the Commission staff is often sought by area citizens to provide direction or advice concerning environmental laws and regulations.

In summary, the Commission's first responsibility continues to be protection of the river for the people of the State of Maine through the regulatory program outlined by the statute. This program is maintained in a manner in which Corridor property owners and municipal officials have the opportunity to take a leadership position in promoting sound land use practices.

### LICENSES, PERMITS, ETC.:

#### Permits:

- Building — within the statutorily defined corridor

- Filling or excavating — within the statutorily defined corridor

#### Amendments:

- Changes in activity proposed in original permit

- Extension of deadline for completion of construction

#### Certificates of Compliance:

- (where required by conditions of the permit or variance)

### PUBLICATIONS:

1. Copies of “An Act to Establish the Saco River Corridor” (\$10.00).

## INDEPENDENT AGENCIES—OTHER

2. *The Saco River Corridor: The View From the Valley* — the original plan explaining the background and development of the Corridor concept and containing the proposal which resulted in the Saco River Corridor Act. Although this document is out of print, it can be reproduced upon request at a cost of \$16.95.
3. *The Saco River: A Survey of Recreational Use*—1977—\$14.95
4. Informational pamphlet (free).

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The following display has been provided by the unit from its own accounting records.

SACO RIVER CORRIDOR COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Revenue Funds	Highway Fund	Special Federal Funds	Misc. Funds
EXPENDITURES						
Grants—Subsidies—Pensions	10,000	10,000				
TOTAL EXPENDITURES	10,000	10,000				

## MAINE SARDINE COUNCIL

JEFFREY H. KAELIN, EXECUTIVE DIRECTOR

*Central Office:* 470 North Main Street, Brewer  
*Mail Address:* P.O. Box 337, Brewer, Maine 04412

*Telephone:* 989-2180  
*Fax:* 207-989-2154

*Established:* 1951

*Sunset Review Required by:* June 30, 1996

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 414; Citation: 32 M.R.S.A., Sect. 4167

*Average Count—All Positions:* 8.5

*Legislative Count:* 0

**PURPOSE:** The Maine Sardine Council was established to promote, develop and stabilize the Maine sardine industry. Its primary responsibilities are to foster and promote better methods of production, packing, merchandising and advertising in the industry through publicity, sales promotion, quality control, export market expansion, market and technical research and development, cooperation and joint projects with state and federal agencies and national and international trade and service organizations, plus other related activities; and to staff and maintain headquarters, purchase necessary supplies and equipment, and employ contractors for various services as deemed prudent. Rather than employ a sizable staff, it has been the policy of the Council to engage contractors for all but routine activities.

**ORGANIZATION:** In 1951, Maine sardine packers asked the Legislature to tax them at the rate of 25 cents a standard case to provide the industry, made up mostly of small firms, with much needed marketing and quality control services that could be financed only on a cooperative basis. The Maine Sardine Council, made up of seven active packers appointed by the Commissioner of Sea and Shore Fisheries (now Commissioner of Marine Resources) to serve five-year terms, was then established. The Council was charged with responsibility for administering the various industry development programs and allocating tax funds in conformance with general State fiscal and contractual regulations. An office was established in Augusta, and in 1955, the Council was expanded to include a rented Quality Control and Research Laboratory in Bangor. In 1963, the purchase of a building in Brewer to house this activity was implemented. In 1976, the Council office was consolidated with the Quality Control and Research Laboratory building at Brewer, Maine. At the request of the industry, the tax was increased to 30 cents per case in 1981 to help make up part of the budgetary shortfall that was a result of the low volume of sardine production in 1980. Because only six companies were packing sardines in Maine, the 113th Legislature agreed to legislation that reduces the number of packers making up the Council to no fewer

## INDEPENDENT AGENCIES—OTHER

than five. The 114th Legislature reduced that number to no fewer than three since the number of members had shrunk to five. At that time, the Legislature authorized the appointment of alternate members to make it easier for the Council to establish a quorum at their business meetings. During 1993, after one sardine company diversified into other seafood products, the number of sardine companies operating in Maine, and represented on the Maine Sardine Council, was reduced to four. In 1991, the 115th Maine Legislature, at the request of the industry, increased the tax to 35 cents per case and broadened it to include other canned herring products, at 15 cents per case, for the first time. In 1994, the 116th Maine Legislature agreed to reorganize the Maine Sardine Council as an incorporated public instrumentality of the State. Effective July 1, 1994 Council employees are no longer state employees and the Council is no longer constrained by the budget, accounts and control, and purchasing requirements of Maine State Government. With these changes, the legislature also transferred to the Council, from the State, all of its property, land, and buildings. All funds derived from the sardine State tax are collected by the State Tax Assessor and are now transferred to the Council on a monthly basis. A fee continues to be paid by the Council, to the Tax Assessor's office, for this service.

**PROGRAM:** Most of the activities of the Maine Sardine Council were pursued during FY 93 with varying degrees of emphasis as required. Beginning around 1960, the industry has been faced with a declining supply of fish for canning and, therefore, tax income has decreased accordingly. Market limitations have also been a factor in this eroding financial situation. Major items of expense include the financing of the Quality Control and Research Laboratory at Brewer and the development of programs to meet State and Federal requirements for pollution control, plant sanitation and safety, and the U.S. Food and Drug Administration's (FDA) food inspection and labeling regulations. Recent FDA interest in the establishment of a National Seafood Inspection Program and the implementation of a mandatory nutrition labeling program has also demanded the attention of Council staff during fiscal year 1993. In recent years, formerly active consumer and market research and advertising programs have been curtailed. During fiscal year 1987 and 1988, however, the Council developed a new quality promotion campaign, producing new promotional material for the first time in several years. Council staff also has participated in food trade shows again since fiscal year 1987. During fiscal year 1992, the Council completed a video for use in classrooms. It is designed to increase the demand for sardines with young people in markets across the country.

**Fisheries Conservation and Management:** Since the enactment of the Fisheries Conservation and Management Act in 1977, much staff time has been devoted to representing the Maine Sardine Industry at New England Fisheries Management Council meetings and Herring Oversight Committee meetings. In recent years, more emphasis has been placed on the New England coastal states' management of the herring resource inasmuch as most of the herring processed today is caught in waters under state control. Accordingly, the Atlantic States Marine Fisheries Commission is also active in coordinating the management of these stocks today. During fiscal year 1987 the Maine and Canadian sardine industries established the U.S./Canada Sardine Industry Working Group whose goal is to better understand and manage the transboundary herring stocks from which both countries, the State of Maine, and the Provinces of New Brunswick realize significant economic benefits. Current activities continue to support those goals.

**Sardine Industry Production:** During the 1993 season, ending January 1, 1994, the industry's production of sardines decreased slightly to 612,908 cases from the 745,985 cases packed in 1992. Steaks, kippers, and other canned herring production during 1993 increased from the 202,807 cases packed during 1992 to 311,390 cases. Since 1991, significant numbers of small fish have been available from the Bay of Fundy and Grand Manan regions of Canada while fish availability on the Maine Coast continues to be a problem for the industry. Coastal herring harvests during 1992 improved significantly for the first time since 1981, however. A conservative estimate of the wholesale value of the Maine Sardine Industry's production again exceeded \$40 million during the 1993 season making the Maine Sardine Industry one of the most significant value-added industries in the State.

### LICENSES, PERMITS, ETC.:

Maine law empowers the Maine Sardine Council to develop regulations governing the use of a State of Maine trademark when used in the processing and sale of Maine Sardines. During Fiscal Year 1987, the Council adopted a quality seal which remains in use today. During Fiscal Year 1990, the Maine Legislature transferred the authority to operate the Maine Sardine Quality Grading Program from the Maine Department of Agriculture to the Maine Sardine Council. The program was also expanded to

## INDEPENDENT AGENCIES—OTHER

include the mandatory grading of other canned herring products packed in Maine for the first time. This quality control program is also being used currently to certify the quality of product being exported to certain foreign markets. During 1994, new rules regulating the Maine Sardine Quality Grading Program will be promulgated and implemented.

### PUBLICATIONS:

Comic Book “Ricky and Debbie in Sardineland”—free  
Nutrition and Recipe Brochure, “The Maine Sardine Story”—free  
Video Promotion Kit, “The Sardine Show”—free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit’s accounts as recorded in the files of the Bureau of the Budget’s MFASIS system.

MAINE SARDINE COUNCIL	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	156,752		156,752			
Health Benefits	19,637		19,637			
Retirements	25,339		25,339			
Other Fringe Benefits	1,253		1,253			
Other Contract Services—State	6,813		6,813			
Other Contractual Service	33,119		33,119			
Rents	2,010		2,010			
Commodities	4,399		4,399			
Grants, Subsidies, Pensions	45,500		45,500			
Building and Improvements	1,800		1,800			
Interest—Debt Retirement	1		1			
Transfers to Other Funds	6,792		6,792			
<b>TOTAL EXPENDITURES</b>	303,415		303,415			

## MAINE SCIENCE AND TECHNOLOGY FOUNDATION

CHARLES L. JOHNSON III, CHAIRMAN

*Central Office:* 87 Winthrop St., Augusta

*Mail Address:* State House Station #147, Augusta, Maine 04333

*Established:* July 1993

*Reference:* Policy Area: 00; Umbrella: 94; Unit: 112; Citation: 5 MRSA Sect. 13122-A

*Average Count—All Positions:* 6

*Telephone:* 621-6350

*Legislative Count:* 0

**PURPOSE:** The Maine Science and Technology Foundation is a partnership between business, labor, education and government. The purpose of the Foundation is to encourage, stimulate, and support: research and development of relevance to the State; technology transfer activities that increase the competitiveness of businesses and public institutions of higher education in the State; effective and efficient application of technologies in the public and private sectors; scientific and technological education and training; and the development of new commercial products and the fabrication of such products in the State.

**ORGANIZATION:** The Foundation is governed by a board of directors representing industry, research, education, and government. The board consists of a minimum of 12 directors from the private sector, a



## INDEPENDENT AGENCIES—OTHER

maximum of 10 directors from the public and educational sectors, and one director from labor. In addition, the board includes two members from the joint standing committee having jurisdiction over economic development matters who are appointed by the President of the Senate and the Speaker of the House of Representatives.

**PROGRAM:** The Foundation's major programs and activities are summarized below:

- A. Centers for Innovation (CFIs):** These industry led and driven joint efforts between Maine industry, academic/research institutions, and state government are designed to help key industries use technology for greater competitiveness through a wide array of programs. Centers have been created in three areas: Maine Aquaculture Innovation Center to promote and assist aquaculture industry; Center for Technology Transfer to assist metals and electronics industry; and the Center for Innovation in Biomedical Technology to provide assistance to biomedical technology industry. Together, these initiatives will leverage almost \$1 million this year for Maine industries and institutions.
- B. Experimental Program to Stimulate Competitive Research (EPSCoR):** It has the following programs:
  - *Research Excellence Partnership:* This consortium of research institutions has joined together to improve competitive research in Maine through equipment sharing, networking, and technical assistance. The Partnership also serves as the science advisor to the Foundation and helps coordinate Maine's involvement with the EPSCoR programs of the National Science Foundation, the Department of Energy, and the Department of Defense.
  - *Maine Space Grant Consortium:* This consortium of research institutions, private industry and public officials provides leadership in improving research infrastructure in the area of space technology, technology transfer to businesses and serves as an advisory body to the Foundation in Maine's involvement with the NASA EPSCoR program.
  - *Maine Research Internships for Teachers and Students (MERITS):* In conjunction with the Maine Mathematics and Science Alliance, the MSTF funds summer internships in for-profit and not-for-profit research and development organizations for high school students and provides research fellowships to Maine teachers to improve their teaching skills and to participate in conferences and professional meetings.
  - *Researcher Enhancement Program:* Under this program, research grants are provided to Maine researchers to enhance their research capabilities and competitiveness, enable them to conduct original research, and become nationally competitive.
- C. Marine Research Board:** The Foundation has fiduciary responsibility for the Marine Research Board.

### PUBLICATIONS:

- Enhancing the Small Business Innovation Research (SBIR) Program in Maine—1988
- Research and Development Activity in Maine: A Second Look—1988
- Technology Development, Transfer, and Application Priorities for Maine Wood Products Industries—1989
- Economic Trends and Technology Issues in the Maine Food Processing Section—1989
- A Science and Technology Vision for Maine—1991
- Maine's Science and Technology Plan: A First Step Towards A Productive Future—1992
- Maine Energy Education and Research Plan—1992
- A Survey of Select Research and Development Strengths in Maine—1992
- Directory of Extension Service Providers—1992
- Implementation Plan Developing a Balanced Environment for Sciences, Engineering, Mathematics, and Technology—1993
- A Study of 27 Selected Maine Firms with Defense and Commercial Markets—1994
- An Assessment of Maine Service Providers and Four Maine Defense Companies Offering Technology, Management, and Marketing Assistance—1994
- Modernization Partnership Provider Profiles—1994

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The following display has been provided by the unit from its own accounting records.

## INDEPENDENT AGENCIES—OTHER

MAINE SCIENCE AND TECHNOLOGY COMMISSION	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	167,764.29	117,730.68			50,033.61	
Other Fringe Benefits	50,869.12	33,625.56			17,243.56	
Administrative Expenses	162,368.92	85,700.32			76,668.60	
Grants	2,596,587.71	953,604.55			1,642,983.16	
<b>TOTAL EXPENDITURES</b>	2,977,590.04	1,190,661.11			1,786,928.93	

## MAINE WASTE MANAGEMENT AGENCY

**SHERRY F. HUBER, DIRECTOR**

*Central Office:* 160 Capitol Street, Augusta;

*Telephone:* 287-5300

*Mail Address:* State House Sta. #154, Augusta, Maine 04333

*Established:* September 30, 1989

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 01; Umbrella: 94; Unit: 310; Citation: 38 M.R.S.A., Sect. 2102

*Average Count—All Positions:* 16

*Legislative Count:* 0

**PURPOSE:** The Maine Waste Management Agency was created in 1989 to implement an integrated approach to solid waste management. The Agency's responsibilities are to develop a state waste management and recycling plan; promote and assist recycling and waste reduction in order to accomplish the state's recycling goals of 25% in 1992 and 50% in 1994; develop generic siting criteria and select sites for use by the Agency; and review applications for new and expanded waste disposal facilities for consistency with the siting criteria and the plan.

**ORGANIZATION:** The Agency is organized into three offices.

**Office of Planning—**The Office of Planning's responsibilities include the preparation of the State Solid Waste Management and Recycling Plan and its bi-annual update; research and analysis of recycling and disposal issues; planning and policy development; program coordination; monitoring state and federal legislative affairs; and data management.

**Office of Waste Reduction Recycling's** responsibilities include administering financial and technical assistance programs to municipalities and businesses; market development and assistance, and recycling public education. The Office also provides technical assistance to State Government and the University System.

**Office of Siting and Disposal Operations—**The Office of Siting and Disposal Operations' principle responsibilities are to site, construct and operate Agency disposal facilities and to assist municipalities to do the same on a local and regional basis, consistent with capacity needs identified in the state plan. The Office also is responsible for developing siting criteria designed to identify appropriate disposal sites and conducting an open, accessible and public site selection process.

### **PROGRAM:**

**Office of Planning.** The office revised and adopted the municipal reporting forms for assessing recycling progress and evaluating best management practices, conducted market research, prepared an economic and costs analysis of recycling and disposal activities, and continued its responsibilities for household hazardous planning for batteries and paint, and toxics reduction in packaging.

**Data Management.** As part of updating the 1992 Waste Management and Recycling Plan, the office compiled over 450 town solid waste management progress reports and updated a data management system.

## INDEPENDENT AGENCIES—OTHER

**Policy Development.** The office assessed the role recycling plays in Maine's economy by contributing to a regional values added analysis. In addition, the office assisted the Attorney General's Office in defending the state's right to collect a fee on out-of-state waste.

**Legislative Initiatives.** The office monitored over 30 bills dealing with solid waste.

**Multi-state Initiatives.** The office participated in the Toxics Clearinghouse, a regional decision making forum for implementing state toxics reduction in packaging laws, established an interstate Battery Management Task Force, and assumed leadership positions in the Coalition of Northeast Governors' Source Reduction Task Force and the Northeast Recycling Council.

**Office of Waste Reduction and Recycling:** The office provided assistance to Maine's municipalities, businesses and citizens in the following areas.

**Recycling Progress.** Maine municipalities and businesses recycled in excess of 30% of the municipal solid waste stream, thereby exceeding the State's 1992 recycling goal of 25%. 340 towns have recycling programs, up from only 60 in 1988. 72% of Maine people are recycling today compared to 42% in 1990.

The office provided recycling financial and technical assistance to municipalities and businesses; assistance with marketing and market development, and recycling education programs all designed to help Maine achieve its recycling goal.

### **Increasing Recycling Recovery**

- \$5.2 million in recycling grants awarded to Maine towns and cities; since 1990, \$12 million has been awarded to 370 municipalities.
- First Annual Maine Recyclathon provides training and education for recycling operators.
- 94 Maine towns are recycling over 35% of their municipal solid waste.
- Agency undertakes intensive technical assistance effort to help towns improve their recycling programs.
- Additional emphasis on assisting towns to recycle bulky waste and other hard-to-dispose materials.

### **Market Development**

- Maine Marketing Cooperative triples volumes of materials marketed to 700 tons per month and over \$20 million of private investment.
- Maine joins Buy Recycled Business Alliance and promotes buying recycled by towns, businesses, and citizens.
- Three Maine businesses receive \$130,000 in low interest loans in 1993.
- Market prices for certain materials improved considerably; corrugated cardboard is over \$80/ton.
- Stone and Webster's Auburn recycled pulp plant breaks ground; will recycle 250 tons of office paper a day 1995.

### **Education**

- K-12 waste management curriculum developed for Maine schools
- Agency publishes over 40 fact sheets, 6 technical assistance publications, 3 newsletters, and other educational material
- Agency hosts 15 workshops that serve 960 municipal and business officials in 1993

### **Composting**

- The Maine Compost Team conducts 5 demonstration compost projects in 1993-94 to spur composting and receives the Governor's special teamwork award
- Maine state cafeteria composts food preparation waste
- Blaine House composts yard and leaf waste
- Agency pilots examine composting of wood waste, school waste, residential food waste, and mixed paper and fish waste
- Two workshops assist municipal officials with starting leaf and yard waste composting
- 400 master composters are trained; they will train over 10,000 households in backyard composting
- Seafood waste workshop attracts 140 attendees who learn how to manage fish wastes

**Office of Siting and Disposal Operations:** The Office conducted extensive evaluations of a landfill site located in T2-R8, Penobscot County as preparation for filing applications for permits.

### **LICENSES, PERMITS, ETC.:**

38 MRSA §2157—Review and Approval of New or Expanded Solid Waste Disposal Facilities.

38 MRSA §1721—Approval of Formation of a Disposal District

## INDEPENDENT AGENCIES—OTHER

### PUBLICATIONS:

#### NEWSLETTERS (*Current*)

Waste Clips

*Waste Line* (bulky waste mgt.) newsletter (current)

*Waste Watcher* Newsletter (quarterly) (current)

Maine Recyclathon

#### GUIDES/PUBLICATIONS/DIRECTORIES

Bulky Waste & Transfer Station Manual

Countdown to Landfill Closure

Municipal Recycling Programs in ME (directory)

Model Graphics

Office Paper Recycling Guide

Recycling: A Guide for Maine Towns

Waste Management Services Directory

#### LAW/PLAN/REPORTS/STUDIES

Battery Management Plans

Compendium of Waste Mgt. Laws

Highlights; Waste Mgt. & Recycling Plan

Polycyclic Aromatic Hydrocarbons (PAH) in Animal Bedding

Recycling and the Maine Economy Graphics

Seafood Waste: Cost or Opportunity?

Waste Paint Report

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE WASTE MANAGEMENT AGENCY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Salaries and Wages	120,616		120,616			
Health Benefits	9,168		9,168			
Retirements	11,161		11,161			
Other Fringe Benefits	1,598		1,598			
Other Contract Services—State	20,347		20,347			
Computer Services—State	14,064		14,064			
Other Contractual Service	41,410		41,410			
Rents	1,131		1,131			
Commodities	4,309		4,309			
Transfers to Other Funds	1,686		1,686			
<b>TOTAL EXPENDITURES</b>	<b>225,490</b>		<b>225,490</b>			

## WELLS NATIONAL ESTUARINE RESEARCH RESERVE MANAGEMENT AUTHORITY

MORTON K. MATHER, CHAIR, WELLS RESERVE MANAGEMENT AUTHORITY  
JAMES T. LIST, MANAGER, WELLS NATIONAL ESTUARINE RESEARCH RESERVE

*Central Office:* Laudholm Farm, Wells  
*Mail Address:* RR #2, Box 806, Wells, Me 04090  
*Established:* 1990

*Telephone:* 646-1555

*Reference:* *Umbrella:* 94; *Unit:* 335; *Citation:* P&S 89, Ch. 108

**PURPOSE:** The Wells National Estuarine Research Reserve was established in 1984 pursuant to Section 315 of the Federal Coastal Zone Management Act of 1972, as amended. The objective of the Act is protection and management of estuarine resources. Wells Reserve addresses this mission through environmental education, research, and resource management programs.

**ORGANIZATION:** The Wells National Estuarine Research Reserve Management Authority was established by the State legislature in 1990. The Authority is governed by a board of directors composed of the Commissioner of Conservation, or the commissioner's designee; the Regional Director of Region 5 of the United States Fish and Wildlife Service or the director's designee; a representative of the Town of Wells, as designated by the town's board of selectmen; a representative of the Laudholm Trust, as designated by the board of trustees; and a public member with an established reputation in the field of marine or estuarine research, appointed by the Governor for a term of 3 years. In addition, the following members are *ex officio* nonvoting members: the Director of the State Planning Office or the director's designee and the Director of the office of Ocean and Coastal Resources Management, National Oceanic and Atmospheric Administration or the director's designee.

A Reserve Manager serves as chief executive to the Authority. He supervises staff with program responsibility in the areas of research and education. Committees to the Authority assist staff in program administration.

Partial program funding is provided by the Sanctuaries and Reserves Division/Office of Coastal Resource Management/National Ocean Service/National Oceanic and Atmospheric Administration.

Laudholm Trust, a public charity with over 3,000 members, provides match for federal grants and further program funding.

### PROGRAM:

**Manager's Office.** The Reserve Manager oversaw all staff and activities of the Reserve, formulated Reserve policy and regulations, and coordinated finances and budget preparation. He serves as president of the National Estuarine Research Reserve Association and as a member of the Corporation of the Bermuda Biological Station for Research, Inc. He is a Governor appointee to the Marine Research Board. He also served on the Marine Policy Committee of the Land & Water Resources Council; the Open Space, Wetlands, and Natural Habitat Task Group of the State Comprehensive Outdoor Recreation Plan; and on the Wells Harbor Management Plan Committee.

Wells Reserve sponsored the semi-annual meeting of the New England Estuarine Research Society and hosted two meetings of the Regional Association for Research on the Gulf of Maine.

Reserve staff cooperated with the Wells Harbor Committee to coordinate a beach clean-up in observance of Earth Day.

**Operations and Management.** Reserve headquarters are located on the site of the national historic landmark, Laudholm Farm. A visitor center, with exhibits and a gift shop, is open to the public from 10:00 a.m. to 4:00 p.m. seven days a week July through October and May through June. For the remainder of the year, the visitor center is open Monday through Friday. Parking is available seven days a week year around, from 8:00 a.m. to 5:00 p.m. Seven miles of interpretive trails are open dawn to dusk year around.

**Resource Management.** Federally endangered piping plovers and state-endangered least terns returned for the second year after a twenty year absence to nest on Laudholm Beach in Wells Reserve. Staff cooperated with National Wildlife Refuge personnel to post and patrol the area. Staff also cooperated with Maine's tern/plover group to erect protective nest enclosures.

Graduate students performed censuses of deer and wading birds on the Reserve and documented biological changes brought on by restored tidal flow to a salt marsh.

## INDEPENDENT AGENCIES—OTHER

Reserve and fire department personnel repeated a prescribed burn intended to encourage re-establishment of native meadow plant species.

A Maine Conservation Corps crew constructed an elevated boardwalk crossing the ocean dune at Laudholm Beach. The Reserve collaborated with the Town of Wells to restore an overwashed area of Laudholm Beach.

The U.S. Army Corps of Engineers (ACE) report aimed at mitigating ecological damage caused by the 1962 dredge of Wells Harbor recommended isolating the dredge disposal area (formerly saltmarsh) with a moat as a means of wildlife habitat enhancement. The Reserve Management Authority requested that the ACE re-evaluate its chosen option. Dim prospects for required local match put the project on indefinite hold.

U.S. Fish and Wildlife staff planned a wetland restoration project on the Reserve. The project will plug a ditch to restore the water table in a former seasonal wooded wetland.

**Research and Monitoring.** The Reserve's Research Coordinator lectured at Antioch New England and the University of New Hampshire.

Research staff presented a paper on the recovery of a salt marsh from the effects of roadway impoundment at the annual meetings of the American Society of Limnology and Oceanography and Society of Wetland Scientists.

Staff scientists monitored food web dynamics in the Reserve's estuaries and Wells Bay.

Researchers from the University of New Hampshire and Boston University continued collection of meteorologic and hydrologic data at Wells Reserve to construct a water budget for Wells Bay.

Researchers from the Southern Maine Medical Center collected data on the prevalence and viability of Lyme disease at Wells Reserve.

**Citizen Monitoring.** Volunteers collected samples and recorded *E. coli* levels, water and air temperature, chlorophyll, phytoplankton, salinity, and dissolved oxygen. These parameters are measured at a minimum of 12 sites twice monthly.

**Education.** Education staff served on the Gulf of Maine Council's Committee on Education and Participation; Maine's Shore Steward Trust; and the Wells school system's Science Curriculum Revision Committee. Staff also codirected a science and mathematics academy for the State Systemic Initiative (SSI) funded by the National Science Foundation to enhance science instruction statewide.

Reserve staff taught graduate courses in Ecological Research Methods and Marine Ecology at the Reserve.

Wells Reserve's curriculum outreach program traveled to seventeen schools in nine school systems. The program uses estuarine ecology to provide a month of science instruction to pupils in grades Kindergarten through sixth grade. Staff presented the Reserve's outreach program at the National Science Teachers Association.

Staff and volunteers conducted 20 fourth grade school programs at the Reserve during fall and spring, serving almost 1,200 pupils. A corps of 30 docents was trained to lead this program.

Twenty youngsters, age 7-9 filled fourteen morning sessions of the summer Junior Researcher program. Thirteen 9-11 year-old pupils attended two five-day sessions of the Advanced Junior Researcher program. The programs provide in-depth instruction in estuarine habitats and processes.

Staff also trained volunteer docents, who guided natural history tours for 5,800 visitors. Earth Day, Estuary Day, Coastweeks, and Wetlands Month were celebrated with special programming, field trips, and newspaper publicity. Seven thousand visitors to the annual Laudholm Nature Crafts Fair viewed special exhibits on the education, research, and volunteer programs of Wells Reserve. Overall public visitation to Wells Reserve was 30,000 for the year.

Thousands of people viewed Reserve exhibits at Portland's Deering Oaks Festival and the Common Ground Fair.

Wells Reserve produced a series of evening seminars entitled "On the Edge" on the subject of sustainability of the coastal environment. The series started March 18 and ran for six weeks. Continuing education credits were available to participants.

The Reserve's Outreach Program was featured in a Portland television station's "Color Me Green" environmental series. The Reserve was featured weekly in cable television information spots. Newsletters were mailed quarterly to 3,200 members of the Laudholm Trust.

## PUBLICATIONS: REPORTS

1. Laudholm Trust/Wells Reserve Annual Report—free

## INDEPENDENT AGENCIES—OTHER

2. *Precipitation, Streamflow and Water Characteristics (Physical and Chemical) of the Webhannet River Estuary, Wells, Maine* (technical report): Larry G. Ward, Department of Earth Sciences/Jackson Estuarine Laboratory/University of New Hampshire.
3. *Recovery of a New England Salt March from the Effects of Roadway Impoundment* (research abstract): Dionne, M., R. Cook and S. Linnell, Wells National Estuarine Research Reserve, Wells, Maine.
4. *Comparison of Habitat Use by Estuarine Fish Assemblages in the Acadian and Virginian Zoogeographic Provinces* (Article in *Estuaries*): Ayvazian, S.G., L.A. Deegan and J.T. Finn, University of Massachusetts at Amherst.
5. *Are Critical Habitats Determined by Life History Strategies or Habitat Availability?* (Research Report to the Wells National Estuarine Research Reserve): Deegan, L.A., J.T. Finn, S.C. Murphy, and S.G. Ayvazian.
6. *Little River Fish Habitat Survey* (technical report): Little, Michael, Antioch Graduate School.
7. *A Study of Surface Zonation of Foraminifera at Wells and Little River Marshes, Wells, Maine* (technical report): Quigley, Wendolyn C., Boston University.
8. GUIDES TO EXHIBITS—free—*The Estuary, The Beach, The Upland, The Saltmarsh*.
9. ADULT TRAIL GUIDE—*Estuarine Journey*—\$4.00
10. CHILDREN'S TRAIL GUIDES—\$3.00 each—*Life at Laudholm Farm, Nature's Quiet Song, Searching through the Seaweed, Raindrops to the Sea, Mountains to Sand, In Living Soil, Home Is My Favorite Habitat, Life on the Edge, A Wild Family, A Trip to Long Ago*.
11. "Trails and Habitats of Wells National Estuarine Research Reserve"—free

### FINANCES, FISCAL YEAR 1993:

	Program Services		Supporting Services	Total	December 31, 1991
	Education	Research	General and Administrative		Total
<b>EXPENSES</b>					
Salaries	\$ 77,600	\$27,831	\$ 98,978	\$204,409	\$166,481
Payroll taxes and benefits	17,319	6,415	22,822	46,556	39,906
Books and periodicals	—	—	—	—	662
Contracted services	17,247	31,020	5,378	53,645	21,514
Docent and volunteer expenses	2,868	—	427	3,295	2,625
Insurance	—	—	4,293	4,293	3,004
Miscellaneous	—	171	234	405	295
Monitoring materials	—	2,456	—	2,456	4,336
Postage	113	—	2,468	2,581	1,528
Printing	6,923	—	1,713	8,636	13,341
Professional fees	—	—	6,500	6,500	5,624
Repairs and maintenance	660	682	8,509	9,851	13,719
Subscriptions and memberships	—	850	2,047	2,897	2,790
Supplies	6,797	691	5,942	13,430	13,077
Travel	2,848	1,033	6,441	10,322	10,916
Utilities	—	—	20,697	20,697	15,397
<b>TOTAL EXPENSES</b>	<b>\$132,375</b>	<b>\$71,149</b>	<b>\$186,449</b>	<b>389,973</b>	<b>\$315,215</b>

## MAINE WORLD TRADE ASSOCIATION

GORDON POW, CHAIRMAN

DANIEL W. MARRA, PRESIDENT

*Central Office:* 77 Sewall Street, Augusta

*Mail Address:* 77 Sewall Street, Augusta, Maine 04333

*Established:* 1980 original organization; 1990 statutory authority

*Reference: Umbrella:* 94; *Unit:* 534

*Telephone:* 622-0234

**MISSION:** The mission of the Maine World Trade Association is to ensure that trade policy and assistance programs within Maine are driven by the State's international needs as determined by a working public/private partnership. The Association offers a continuing forum to share public and private expertise and exchange ideas, and it will ensure that quality educational and technical services are provided to Maine businesses that compete, or seek to compete, worldwide.

**Goals:**

- 1) To increase Maine's international economic activity;
- 2) To act as the catalyst for the development and coordination of international programs and assistance within the State of Maine;
- 3) To highlight the importance of international trade as a public policy priority and to increase appreciation of the relevance to Maine of the international economy;
- 4) To provide a network for internationally minded companies;
- 5) To ensure the availability of information necessary to transacting international business or making effective international policy decisions;
- 6) To support the development and availability of the overall infrastructure conducive to international business.

**ORGANIZATION:** The Maine World Trade Association (MWTa) is a private non-profit organization set up to assist Maine companies that are doing business internationally, or seeking to do so. It provides counseling and training to both member and nonmember clients. The Association has a fifteen member Board of Directors. Seven are private sector representatives, seven are Cabinet level public representatives and the president serves as the fifteenth director. The private sector directors are elected by the Associations members from among its members, five public sector directors are automatically appointed by virtue of the departments they head, and two public sector directors are appointed by the Governor from the list of ex officio public sector members specified in the Association's enabling legislation. This public/private effort, that is unique in the country, brings together the complementary resources and expertise of the two sectors.

In FY '94 the Association provided over 400 cases of one-on-one technical assistance to Maine firms. The Association also provided training to nearly 1,400 individuals through its training courses and seminars.

**PUBLICATIONS:**

—*Maine World Trade Wise*—monthly newsletter of the Association

—*Maine World Trade Association International Commerce Training Guide*

—*Guide to International Services and Directory of Exhibitors* (14th Annual Maine World Trade

Day)

—Written materials from any training course are available as supplies last

—Company Readiness to Export (CORE) Evaluation

*FY'94 Training Courses & Seminars:*

Bureau of Export Administration Export Controls Workshop

ISO 9000 For Marketing and Management

ISO 9000 For Quality Managers and Management

1994 Maine Conference on International Trade

UCP 500—New Rules Covering Your Letter of Credit

NAFTA: Practices and Procedures

Maine World Trade Day—Succeeding Internationally

ISO 9000 Collaborative Training Program Informational Program



**INDEPENDENT AGENCIES—OTHER**

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>MAINE WORLD TRADE ASSOCIATION</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Grants—Subsidies—Pensions	150,000	150,000				
<b>TOTAL EXPENDITURES</b>	150,000	150,000				

## MAINE ADVOCACY SERVICES

PAUL K. VESTAL, JR., EXECUTIVE DIRECTOR

*Central Office:* 32 Winthrop Street

*Mail Address:* P.O. Box 2007, Augusta, Maine 04338-2007

*Established:* July 1, 1977

*Reference:* Policy Area: 03; Umbrella: 99; Unit: 475; Citation: 5 M.R.S.A., Sec. 19501

*Average Count—All Positions:* 19

*Telephone:* 626-2774

*Legislative Count:* 0

**PURPOSE:** To provide protection and advocacy services for people of all ages who have a disability and who meet enabling legislation eligibility criteria. Specifically, MAS provides:

1. Advocacy assistance for:
  - a. All persons who are developmentally disabled and have a disability rights-related complaint;
  - b. persons with mental illness residing in facilities for their care and/or treatment, and persons released from such facilities within 90 days, who have a disability rights-related complaint;
  - c. recipients of independent living services; and
  - d. persons with learning disabilities.
2. Information and referral for rights and services related to disability.
3. Training on disability-related rights and services for people with disabilities and their family members.
4. Legal representation to eligible clients.

**ORGANIZATION:** MAS is a private non-profit agency with a governing Board of Directors. It is designated by the Governor to serve as the federally mandated Protection and Advocacy system for persons with developmental disabilities and mental illness. In 1991, MAS was awarded a competitive federal grant to represent recipients of independent living services. With its state appropriation, MAS provides assistance to persons with learning disabilities, as mandated in its state enabling statute. In 1989, the Legislature amended the state Protection and Advocacy statute, 5 MRSA Sec. 19501, to comply with changes in applicable federal law and to clarify the Protection and Advocacy system's authority to represent minors and adults under public guardianship.

MAS has a staff of 19, including 9 advocates, 3 attorneys, 3 program directors, 3 support staff, and 1 director.

**PROGRAM:** In federal FY 92 and FY 93, MAS represented 1,142 individuals with disabilities. Approximately 3,000 additional persons with mental illness were represented as part of an ongoing settlement agreement of a class action suit. MAS also provided information and referral services to 1,292 persons who were not eligible for or did not require direct representation. Training on legal rights and appropriate services were also provided to people with disabilities and family members.

### PUBLICATIONS:

*Parents as Advocates: A Guide to Special Education in Maine* (free to consumers and families).

*Questions and Answers on Your Rights under the AMHI Settlement Agreement* (free).

*Disability Civil Rights Education and Advocacy* (free).

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The following display has been provided by the unit from its own accounting records and was reproduced from the Supplemental Financial Information Section of Maine Advocacy Services, Inc.'s most recent audited financial statements for the year ended September 30, 1993.

# INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

## MAINE ADVOCACY SERVICES FINANCIAL STATEMENT YEAR ENDED SEPTEMBER 30, 1993

Expenditures	DDPA	MHPA	DCREA	STATE	MISC	TOTAL
Personnel Costs	139,636	222,395	75,107	11,567	6,303	455,008
Travel	6,815	5,331	1,949	1,058	371	15,524
Conferences	3,028	6,644	1,136	750		11,558
Training & Education	1,515	1,670	1,016	705	152	5,058
Rent	15,779	18,760	4,774	631		39,944
Supplies & Postage	4,289	6,379	629	175		11,472
Telephone	17,792	25,370	6,897	1,138		51,197
Insurance	5,082	7,749	634			13,465
Advertising	628	394	1,305	39		2,366
Litigation	4,098	1,183	1,450	10		6,741
Contracted Services	8,207	12,302	1,059			21,568
Equipment Purchase	1,996	2,609	559			5,164
Repairs	2,281	3,328	306			5,915
Other	1,724	2,196	2,049			5,969
<b>Total Expenditures</b>	<b>212,870</b>	<b>316,310</b>	<b>98,870</b>	<b>16,073</b>	<b>6,826</b>	<b>650,949</b>

## CENTRAL MAINE TECHNICAL COLLEGE

**WILLIAM J. HIERSTEIN, PRESIDENT**

**RICHARD H. LEE, JR., Vice President/Dean of Instruction**

*Central Office:* 1250 Turner St., Auburn

*Telephone:* 784-2385

*Mail Address:* 1250 Turner St., Auburn, Maine 04210

*Established:* 1964

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 02; Umbrella: 99; Unit: 440; Citation: 20A M.R.S.A., Sect. 10103

*Average Count—All Positions:* 85

*Legislative Count:* 0

**PURPOSE:** The primary mission of Central Maine Technical College (CMTC) is to provide individuals and the community with high quality, up-to-date technical and vocational education, while simultaneously developing within its students the capacity to grow and to adapt to the changing needs of business and industrial technologies. The College believes it serves its students and the community best by educating competent and responsible workers who are not only skilled in up-to-date techniques, but who have a solid foundation in mathematics, science, communication and critical thinking skills, as well as the broader knowledge implied by the Associate Degree.

**ORGANIZATION:** Central Maine Technical College was established as the Androscoggin State Vocational Institute on July 5, 1964, and enrolled students in four programs: Building Technology, Auto Mechanics, Industrial Electricity, and Drafting in September, 1964. In 1965, the State Board of Education renamed the institution Central Maine Vocational-Technical Institute. Originally, the Institute leased a building in Lewiston. In January of 1966, it was relocated to its present campus, on a 110 acre site donated to the Institute by the City of Auburn. The first class numbered 47 students. CMTC has expanded in terms of programs offered, in terms of students served, and in terms of classroom facilities.

The College offers 19 programs of study: Architectural and Civil Engineering Technology, Automotive Technology, Automotive Technology—Ford ASSET, Building Construction Technology, Business Administration and Management, Culinary Arts, Electromechanical Technology, General

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

Technology, Graphic Arts/Printing Technology, Machine Tool Technology, Mechanical Drafting Technology, Medical Transcription, Medical Laboratory Technology, Nursing (includes PRN option), Occupational Health and Safety, Office Information Management, Radiologic Technology, Robotics Technology, Trade and Technical Occupations, Welding/Fabrication Technology. CMTC awards certificates, diplomas and associate degrees to those students who have successfully completed program requirements.

The CMTC campus includes three residence halls, a vehicle maintenance building, and the initial building, Jalbert Hall, which has sustained five additions to house educational activities and administrative offices. A building to house the Culinary Arts program was completed in January of 1989. Kirk Hall opened in 1993, and houses Nursing, Allied Health, and Occupational Health and Safety programs, child care facilities, classrooms, science, health and fitness facilities, a 230-seat auditorium and a large multipurpose room.

As with the other technical colleges, CMTC is governed by the Board of Trustees of the Maine Technical College System. In June of 1989, the 114th Legislature enacted legislation that changed the name of the college from Central Maine Vocational-Technical Institute to Central Maine Technical College.

**PROGRAMS:** Central Maine Technical College's program offerings are divided into 3 categories: catalog programs, continuing education coursework, and special community interest programs.

**Catalog Programs.** These are programs designed to provide technical education at the postsecondary level for entry into trade, industrial and business positions. Curricula for these programs are designed to meet current requirements for the specific career for which students are preparing. Courses are developed with the advice of faculty and advisory committees. In FY 1994, CMTC added four catalog programs in response to community needs. Medical Laboratory Technology, Medical Transcription, Office Information Management and Robotics Technology. Programs undergo revision periodically to insure that their objectives and content are consistent with industry and student needs. Technical courses are supplemented with courses in mathematics, science, communication, social studies and the humanities. The Associate Degree Nursing program is accredited by the National League for Nursing. The Associate Degree program in Architectural and Civil Engineering Technology is accredited by the Technology Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. The Automotive Technology program has been designated Automotive Service Excellence, "Master Certified," by the National Automotive Technicians Education Foundation. The Graphic Arts/Printing Technology Program is accredited by PrintED. CMTC is fully accredited by the New England Association of Schools and Colleges, Inc., and awards Certificates, Diplomas, and Associate Degrees.

**Continuing Education.** Through this division, courses are offered to employed and unemployed individuals who are not formally enrolled in a program of the College. Courses are designed to increase the individuals' options and abilities by providing instruction in new or advanced technology. Continuing education offerings provide the community with higher skilled, more employable workers. These courses draw on assets of the catalog programs and on materials provided through outside trade, industry and academic sources.

**Special Community Interest Programs.** These are usually programs of short duration and intense content, offered in cooperation with outside interest groups including employers, labor organizations, national and local professional societies, federal agencies, colleges, and other trade and professional groups. Usually, CMTC serves a catalytic role and provides a place to hold meetings. These programs may be presented at CMTC, or off campus locations, but under the sponsorship or cosponsorship of CMTC. Programs have been organized through CMTC and presented over a large area of the State of Maine. Programs are not limited strictly to trades, but also encompass what are usually considered professions.

**Student Performance Data.** CMTC employs one and five year student follow-ups to assess student performance as employees in the occupations for which they were trained. These figures have been used in determining new and revised program directions and objectives. Overall results have shown that CMTC is placing trained personnel in real employment need areas, and that a very high percentage of those employed, stay employed in either their major career trained field, or in closely allied fields.

During FY 94 approximately 1100 students were enrolled at CMTC for credit coursework and more than 500 persons were taking non-credit courses through the College's Continuing Education Division.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

### **LICENSES, PERMITS, ETC.:**

Associate Degree in Applied Science  
Diploma  
Certificate of Completion

### **PUBLICATIONS:**

CMTC Catalog of Technical Programs  
CMTC Student Handbook (current each year)  
CMTC Program Brochures (illustrated folders which describe each of the programs offered)  
CMTC Continuing Education Division Bulletin (issued twice each year)  
CMTC Newsletter (issued semiannually)  
CMTC Student Yearbook (prepared annually)

All but the last of these publications are available without charge and may be obtained by addressing requests to the College.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Board of Trustees of the Maine Technical College System.

## **CIVIL AIR PATROL**

**COLONEL CRAIG R. TREADWELL, WING COMMANDER**

**CAPTAIN THOMAS P. PERKINS, Vice Commander**

*Central Office:* Naval Reserve Center, Augusta; *Floor:* 2  
*Mail Address:* P.O. Box 10369, Portland, Maine 04104-0369

*Telephone:* 207-622-7722  
*or,* 207-773-8839  
*FAX:* 780-9658

*Established:* 1941

*Sunset Review:* Not Established

*Reference:* *Policy Area:* 06; *Umbrella:* 99; *Unit:* 238; *Citation:* 6 M.R.S.A., Sect. 301

*Average Count—All Positions:* 0

*Legislative Count:* 0

### *Organizational Units:*

A. Wing Headquarters—Augusta, Maine

B. Subordinate Units:

1. Auburn Composite Squadron—Auburn
2. Augusta-Gardiner Composite Squadron—Augusta
3. Bangor-Brewer Composite Squadron—Bangor
4. County Composite Squadron—Presque Isle
5. Down-East Patrol Composite Squadron—Trenton
6. Cumberland County Composite Squadron—South Portland
7. Pinetree Senior Squadron—Auburn
8. Waterville Composite Squadron—Waterville
9. Machias Composite Squadron—Machias
10. Leavitt Cadet Squadron—Turner

**PURPOSE:** The Civil Air Patrol (CAP) provides an organization to aid United States citizens through the voluntary contribution of their efforts, services and resources for the maintenance of aerospace supremacy and to assist in meeting local, state and national emergencies, particularly air search and rescue. To accomplish the purposes for which it was chartered, CAP:

(1) Conducts a continuous nationwide internal and external program of aerospace education, including the coordination of workshops conducted at local schools, colleges and universities.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

(2) Conducts a comprehensive cadet program, including an International Air Cadet Exchange, special activities, and supervision of encampments at Air Force installations.

(3) Maintains an emergency services capability to meet the requests of the Air Force and state and local officials for search and rescue, disaster relief, and other support missions.

(4) Conducts a comprehensive Senior Training Program to provide qualified personnel at all levels of CAP.

(5) Assists local, state, and other Federal agencies in emergency operations.

(6) Conducts a flight management program for assigned aircrew members and manages an aircraft maintenance program for corporate owned aircraft.

(7) Maintains a nationwide communications capability to support emergency services operations and to conduct official CAP business.

**ORGANIZATION:** The Civil Air Patrol (CAP) is the official auxiliary of the U.S. Air Force, and is a nonprofit corporation which functions in accordance with its constitution, bylaws, regulations, and other directives issued by its National Headquarters. It was formed on December 1, 1941, and incorporated by the United States Congress on July 1, 1946. On May 26, 1948, the Civil Air Patrol became an auxiliary of the United States Air Force. The Secretary of the Air Force has been given authority to furnish assistance to the CAP and to accept and utilize the services in the fulfillment of noncombat missions of the Air Force.

The Organization consists of the National Headquarters at Maxwell Air Force Base in Alabama; eight regional headquarters—Northeast, Middle East, Great Lakes, Southeast, North Central, Southwest, Rocky Mountain, and Pacific; and fifty-two wings—one for each state, the District of Columbia, and Puerto Rico. A wing is comprised of a wing headquarters unit and all subordinate units within geographical boundaries of a state. Wing Commanders are appointed by the National Headquarters and have command authority over all CAP units and members thereof, within their respective wings. The squadron is the community level organization of the CAP, and includes three types: Senior Squadrons, composed of senior members only; Cadet Squadrons, composed primarily of cadets with a minimum of three seniors to meet supervisory, administrative and training requirements; and Composite Squadrons, composed of both senior and cadet members conducting both senior and cadet programs.

**PROGRAM:** The activities of the Maine Wing Civil Air Patrol (CAP) are administered by the Wing Headquarters located in Augusta at the Naval Reserve Center, Capital Park, with a field organization consisting of ten squadrons located throughout the State.

At the Wing Headquarters a mission control center is maintained in operational status with telephone and radio communications facilities and other equipment to organize, plan and conduct air search operations and other support missions on a local or state-wide basis.

During search missions a mobile command post may be established in a forward operating area to provide on-scene control of mission personnel and resources.

During the last fiscal year aircraft and personnel of the Maine Wing CAP spent in excess of three thousand hours searching the state. Every aircraft flying is required to have an Emergency Locator Transmitter (ELT) beacon aboard. When one of these transmits because of a crash, malfunction or human error it is necessary to dispatch search aircraft or ground ELT search teams to locate the signal source because it is being transmitted on a distress frequency. Maine Wing aircraft located several non-distress aircraft by means of ELT signals. Maine Wing is also involved in the Erradication Flight with DEA.

Six corporate aircraft are presently located in the State of Maine: one Cessna 172, Bar Harbor—one Cessna 172, Presque Isle—one Cessna 182, one Cessna 172, Portland—one Cessna 172, Bangor and one Cessna 182—Augusta State Airport.

Four VHF Repeater Stations are maintained and operated by the Maine Wing at Libby Hill, Auburn, Cadillac Mountain, Bar Harbor and Presque Isle, Maine as part of our communications network. Fixed land, ground mobile and air mobile radio stations are used to support our long range and short range communications networks which span the state. Also one HF Packet Station is located in Franklin, Maine.

The Civil Air Patrol Aerospace Education program continues to make available guest speakers and material concerning aviation past, present, and future. A flight simulator is available at Wing Headquarters for flight personnel to use and increase their proficiency.

Cadets of the Maine Wing gained insight into the U.S. Air Force by attending a week long encampment at the Bog Brook National Guard training area, Maine during the summer.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

### **PUBLICATIONS:**

Publications concerning Civil Air Patrol and prices are available from "The Bookstore," National Headquarters, Civil Air Patrol, Maxwell Air Force Base, Alabama 36112.

**FINANCES, FISCAL YEAR 1994:** 6 MRSA, Section 16 provides that expenditures of this unit, shall be borne by the Department of Transportation. By administrative decision, these funds are included with those of the Bureau of Transportation Services.

## **MAINE COURT FACILITIES AUTHORITY**

**ROBERT O. LENNA, EXECUTIVE DIRECTOR**

*Central Office:* 45 University Drive, Augusta  
*Mail Address:* Box 2268, Augusta, Maine 04338

*Telephone:* 622-9386

*Established:* September 29, 1987

*Sunset Review:* Not Established

*Reference: Policy Area:* 00; *Umbrella:* 99; *Unit:* 405; *Citation:* 4 M.R.S.A., Sect. 1602

*Average Count—All Positions:* 2

*Legislative Count:* 0

**PURPOSE:** The Maine Court Facilities Authority was established to assist Maine courts in financing the construction and equipping of their facilities by providing access to the tax exempt bond market.

**ORGANIZATION:** The Authority consists of five members, one of which is the Treasurer of the State of Maine (ex-officio). The Executive Director of the Maine Municipal Bond Bank shall serve as the Executive Director of the Court Authority.

**PROGRAM:** In September, 1993 the Authority issued \$16,255,000 in bonds for the purchase of a courthouse in York County. The 1988 and 1990 series of bonds were also advance refunded with approximately \$14,000,000 of the proceeds of the 1993 issue.

### **PUBLICATIONS:**

Annual Report—Audit

**FINANCES, FISCAL YEAR 1994:** This unit did not receive or expend funds in FY 94.

## **MAINE DEVELOPMENT FOUNDATION**

**EDWARD B. DINAN, CHAIRMAN**  
**HENRY BOURGEOIS, President**

*Central Office:* 45 Memorial Circle, Augusta  
*Mail Address:* 45 Memorial Circle, Augusta, Maine 04330

*Telephone:* 622-6345

*Established:* 1977

*Sunset Review Required by:* June 30, 1996

*Reference: Policy Area:* 01; *Umbrella:* 99; *Unit:* 399; *Citation:* 10 M.R.S.A., Sect. 916

*Average Count—All Positions:* 10

*Legislative Count:* 0

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

**PURPOSE:** The Maine Development Foundation is a nonprofit economic development corporation created by the Maine legislature in 1977 to capitalize on the interests, resources, and efforts of the public and private sectors.

Today, the foundation serves as Maine's nonpartisan advocate for a vital economy that has the capacity to grow and be self-sustaining. The mission of the foundation is to help the economy grow by:

- Building the leadership capacity of Maine people;
- Creating a vision and benchmarks for the economy that are broadly accepted by Maine people;
- Providing a common ground where diverse Maine people can share ideas, explore opportunities, and act on issues affecting the Maine economy; and
- Promoting new ideas about the changing Maine economy.

**ORGANIZATION:** Enabling legislation (10 M.R.S.A. §915-928) for the Maine Development Foundation was passed by the 108th Legislature and took effect in October, 1977.

The Foundation has the powers of a private corporation, which allows the board of directors the freedom to establish and change the activities of the Foundation as it sees fit, and act decisively to take advantage of economic development opportunities. All but two of the Foundation's board of directors are elected by contributors to the Foundation. The board includes both public and private members. This is designed to encourage the active participation of private business and local development interests, and establish the public/private partnership at the board level. This partnership has improved the Foundation's access to the private sector's ability to generate new business activity and has helped organize public and private resources to stimulate additional business activity in Maine.

The board of directors consists of fifteen people: twelve elected by the incorporators and two appointed by the Governor. Of these fourteen, seven must come from among the public sector incorporators and seven from among the private sector incorporators. The president is appointed by the other directors and is the fifteenth director.

The Foundation is financed equally by membership dues, fee for service, contracts, and grants. Individuals, corporations, counties, cities, towns, and other organizations can become incorporators by contributing to the Foundation. Minimum contributions are \$50/year for public incorporators and \$250/year for private incorporators.

**PROGRAM:** The Foundation's programs for 1994 include the following:

**Leadership Maine.** *Leadership Maine* builds the leadership capacity of CEOs and senior managers from business, government, and the non-profit community. Women and men from throughout Maine participate in an intensive, on-site, 11-day program to build leadership skills, learn about the Maine economy, and expand networks. Last year's graduates are part of a formal alumni association with special programs designed for their unique needs.

**Maine Economic Growth Council.** The *Maine Economic Growth Council* is working on a plan to develop, monitor, and evaluate Maine's economic growth. Staffed by the foundation, the council is unique in three ways: (1) its focus on accountability, establishing performance benchmarks for our economy; (2) its involvement of Maine citizens to ensure that the vision, goals, and benchmarks are widely understood and accepted; and 3) its independence and permanence, allowing it to monitor and evaluate the extent to which the vision is being achieved. The council will present its recommendations to the Legislature in January, 1995.

**Maine Aspirations Foundation.** The *Maine Aspirations Foundation* works to raise the aspirations of Maine youth by increasing their personal expectations; expanding their career, educational, and personal choices; and improving their academic performance. The foundation is managed by MDF. It is unique in its work in communities to establish partnerships of business people, educators, parents, and youngsters who receive assistance over several years to implement fundamental changes in support of youth aspirations.

**Sustainable Communities.** *Sustainable Communities* is working to develop new understanding about how sustainable economic development can be fostered in rural communities. The project is a partnership among the communities of Cobscook Bay and greater Farmington, the Maine Community Foundation, and MDF. It is supported by the Ford Foundation.

**Maine Community Exchange.** The *Maine Community Exchange* is building a better relationship between Aroostook and Cumberland County leaders to address problems of education, government, social services, and the economy. Over 20 Cumberland County leaders visited The County in May, 1994 to meet with their peers and exchange ideas. A similar event is planned for an Aroostook County delegation to visit the greater Portland area.



## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

**Institute on Maine's Economic Future.** The *Institute on Maine's Economic Future* provides training for policy makers to learn about the Maine economy. Modeled after an award-winning foundation effort from the mid-80s, this new program focuses on long-term issues and begins with a session and bus tours for newly elected legislators. In addition to legislators, participants include state agency heads as well as municipal officials.

**Manufacturing Network.** The *Manufacturing Network* will help manufacturers obtain services from state and federal agencies as well as from non-profit and educational organizations. It will also provide assistance for joint purchasing of goods and services.

**Maine Economic Renaissance.** The *Maine Economic Renaissance*, planned for early summer, 1995, will use a retreat setting to promote new ideas about the changing Maine economy and the role of leadership in furthering economic growth.

### PUBLICATIONS:

*Program Report*, The Maine Development Foundation.

*Program Report*, Maine Aspirations Foundation, November 1992.

*Helping Children Succeed: A Handbook of Programs, Schools and Resources* which are making a difference, limited quantity available, first copy is free, each additional copy is \$3.50.

**FINANCES, FISCAL YEAR 1994:** This unit does not receive a direct general fund appropriation.

## EASTERN MAINE TECHNICAL COLLEGE

**DARREL W. STAAT, PRESIDENT**

**JOYCE HEDLUND, Vice President/Academic Dean**

*Central Office:* 354 Hogan Rd., Bangor

*Mail Address:* 354 Hogan Rd., Bangor, Maine 04401

*Telephone:* 941-4600

*Established:* 1966

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 02; Umbrella: 99; Unit: 441; Citation: 20A M.R.S.A., Sect. 10103

*Average Count—All Positions:* 106

*Legislative Count:* 0

**PURPOSE:** Eastern Maine Technical College is dedicated to teaching the applied aspects of technology and providing its graduates with a strong work ethic essential to success in today's technological market. To meet these objectives the curricular aims are three-fold.

First, students are given concentrated education and training in their area of technology that enable them to obtain and hold jobs in their occupational area or in a related area. Second, mathematics and communications are given special attention. Technicians need to be proficient in both of these skills in order to keep up with developments on the job and to seek further formal education should they so desire. Finally, the third aim has to do with social understanding and responsibility. Courses in psychology, sociology, economics, and human relations are among the graduation requirements designed to develop understanding and appreciation of the complex problems faced by an evolving society.

**ORGANIZATION:** EMTC started operation as a school in September 1966. Space was rented from the Bangor city school system, and classes were held on the third floor of the old high school building in Bangor. Shop space for Automotive and Building Construction programs was obtained from Rapaport Brothers on Oak Street.

The first entering class numbered 90 students. An appropriation of \$1,000,000 was made available by the 102nd Legislature to construct a new facility on a 95 acre tract off Hogan Road and work began in fall 1966. The shop areas for Machine Tool, Automotive, and Building Construction were completed and occupied in September 1967. The classroom and administrative spaces became available in January 1968.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

Further legislative appropriations made possible an addition to the Building Construction shop and a laboratory wing. In 1971 these resulted in the inauguration of four new programs: Environmental Control, Foods Technology, Medical Laboratory Technology, and Practical Nursing. In 1974, the first class in Radiologic Technology was graduated.

The first dormitory and eating facility was opened for occupancy in fall 1969. Another dormitory having facilities for both men and women was completed in 1975. The two dorms provided living facilities for approximately 200 students. A large building originally owned by the Bangor Mental Health Institute was donated to EMTC and converted into a much needed athletic facility. This was ready for use in 1974.

Programs in Heating, Refrigeration/Air Conditioning and Welding were implemented in 1979 in a modern building which also houses a 150-seat lecture hall. A new Automotive and Heavy Equipment Shop was completed in the fall of 1986.

In June 1989, the 114th Maine Legislature enacted a bill that changed the name of the college from Eastern Maine Vocational-Technical Institute to Eastern Maine Technical College. EMTC is governed by the Board of Trustees of the Maine Technical College System.

**PROGRAM:** During FY 1994, Eastern Maine Technical College offered the following fifteen (15) full-time educational programs: Applied Science in General Technology, Automotive and Heavy Equipment, Building Construction, Business Management, Electronics, Electrical Power, Foods Technology, Machine Tool, Medical Laboratory, Medical Radiography, Associate Degree Nursing, Practical Nursing, Refrigeration and Air Conditioning, Technical Studies, and Welding. Part-time course offerings numbered 290 during the year.

Enrollment for the Fall 1993 semester totaled 636 matriculated students while 933 part-time students were served through the evening programs. The Continuing Education Division also provided customized training and education for over 16 area businesses. EMTC employs 55 full-time faculty members and 80 adjunct faculty members.

The graduating class of 1993 enjoyed a placement rate of 75 percent in spite of recessionary times.

Over 490 students received \$1,397,000 in financial aid during 1993-94. Qualified students were awarded financial aid from programs such as Pell Grant, Supplemental Educational Opportunity Grant, College Work Study, Stafford Student Loan, and private scholarships. Financial counseling and planning services were available to students and their families throughout the year.

EMTC began the Tech Prep Program in October 1992. Articulation agreements were renewed with Thomas College, Husson College, and the University of Maine. The Electronics and Electrical Power programs have entered into articulation agreements with the University of Maine School of Engineering Technology. Fifty-nine (59) credits will be waived or offset at the university. Through the state-funded Reskilling Project, the College added a one-year diploma Pipefitter program in the Welding Department and an Administrative Assistant program. The Welding Center has expanded and now offers tensile testing. Women Unlimited offered its second EMTC program with great success. The Automotive and Heavy Equipment Program has been approved to offer credentials in Automotive Technology and Truck, Diesel and Heavy Equipment Technology.

### LICENSES, PERMITS, ETC.:

- Associate Degree in Applied Science
- Diploma
- Certificate

### PUBLICATIONS:

- Eastern Maine Technical College—Catalog 1994-96
- Student Handbook 1993-94
- Adult and Continuing Education. A listing of credit and non-credit courses (updated by semester).
- Residential Life Handbook
- All publications are available without charge at the college.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Board of Trustees of the Maine Technical College System.

## ENERGY TESTING LABORATORY OF MAINE

SOUTHERN MAINE TECHNICAL COLLEGE

WAYNE H. ROSS, PRESIDENT

WILLIAM C. WARREN, Vice President/Academic Dean

CARL FLINK, Director, ETLM

Telephone: 767-9630/9631

FAX: 207-767-2731

Central Office: Tripp Bldg., Southern Maine Technical College, Fort Road

Mail Address: Southern Maine Technical College, Fort Road, So. Portland,  
Maine 04106

Established: 1976

Sunset Review: Not Established

Reference: Policy Area: 02; Umbrella: 99; Unit: 424; Citation: 20-A M.R.S.A., Sect. 10201

Average Count—All Positions: 7

Legislative Count: 0

**PURPOSE:** The Energy Testing Laboratory of Maine is a nationally accredited and recognized laboratory. Its reports are recognized by the International Conference of Building Officials (ICBO) and by the Southern Building Code Congress International, Inc. (SBCCI).

In addition to the recognition of these two regional code organizations, ETLM reports are accepted by twenty-four states, and the Province of Alberta, Canada.

ETLM was created in 1976 to test for safety central heating equipment for the Maine Oil Burner Men's Licensing Board, now the Maine Oil and Solid Fuel Board. That program led to expanded activities, including the testing of central heating appliances, radiant stoves and other devices. Since its creation, the Lab has tested and listed more than 600 different appliances in its Product Listing Directory. It has done work for more than 200 companies from the United States, and nineteen foreign countries.

ETLM which has always been located on the grounds of the Southern Maine Technical College evolved from the heating and air-conditioning program of SMTC.

**ORGANIZATION:** Effective July 5, 1983, ETLM became an integral part of SMTC and has the authority, among others, to conduct tests, list products, supply labels, make reports, provide consultant services, conduct educational programs, and provide other services consistent with the overall goals and objectives of ETLM.

The goals and objectives of ETLM are to provide those services which, among others, will meet the safety needs of industry and the public regarding the quality of construction of products tested by ETLM, the maintenance of high standards for testing conducted by ETLM, and the provision of educational and other consultant services, and will merge with the educational goals and objectives of SMTC.

**FINANCES, FISCAL YEAR 1994:** The Laboratory receives fees to cover expenses, which are included in the Southern Maine Technical College account for Energy Testing Programs and therefore reflected in the financial display for the Board of Trustees of the Maine Technical College System.

## GREATER PORTLAND PUBLIC DEVELOPMENT COMMISSION

GEORGE W. CROCKETT, CHAIRMAN  
EDWARD LANGLOIS, VICE CHAIRMAN

*Central Office:* Ten Free Street, Portland, Maine  
*Mail Address:* P.O. Box 4510, Portland, Maine 04112  
*Reference:* Umbrella: 99; Unit: 367

*Telephone:* (207) 775-7271

**PURPOSE:** The mission of the Greater Portland Public Development Commission is to contribute to the creation and maintenance of employment opportunities in the cities of Portland and South Portland by providing assistance to private and public enterprises when conventional resources are not available. This may be accomplished through direct loans, loan guarantees, acquisition and leasing of facilities and grants to non-profit agencies to further the mission of the Commission.

**ORGANIZATION:** The Commission was created by Special Act of the Legislature and is managed by five Commissioners appointed by the Governor upon consultation with the City Councils of Portland and South Portland.

**PROGRAM:** The Commission remained active in its economic development activities in Portland and South Portland. Grants were provided to the Greater Portland Economic Development Council to support that organization's development efforts and to the City of Portland to help fund its study of the City's Industrial and Commerce Sector and report regarding the same. The Commission has provided loan guaranties to support the Narrow Gauge Railroad project in Portland and has granted an easement to the City of South Portland over real estate it owns in that City, to facilitate the extension of a greenbelt walkway. The Commission has also provided a loan guaranty to Yale Cordage, Inc., manufacturer of rope and cord in Portland.

**PUBLICATIONS:**

Brochure describing activities of the Commission. No fee.

**FINANCES, FISCAL YEAR 1994:** No financing received from state.

## STATE HEALTH STATION

JO A. GILL, STATE EMPLOYEE HEALTH INSURANCE PROGRAM, BUREAU OF HUMAN RESOURCES, EXECUTIVE DIRECTOR  
ELSIE MCGILLICUDY, Occupational Health Nurse

*Central Office:* State Office Bldg., Augusta; *Floor:* 2  
*Mail Address:* State House Sta. #103, Augusta, Maine 04333  
*Reference:* Policy Area: 00; *Umbrella:* 99; *Unit:* 903  
*Average Count—All Positions:* 1

*Telephone:* 287-4034

*Legislative Count:* 0

**PURPOSE:** The State Health Station is responsible for coordinating occupational health and safety policies and programs; organize and deliver health education and risk reduction programs; and oversee health station services including providing direct patient care.

**ORGANIZATION:** The State Employee Health Insurance Program provides centralized administration of the Health Station. A Public Health Nurse I provides professional nursing services in a generalized public health program, determining potential employee health care needs, and instruction/consultation to state employees in an assigned geographic location. Duties in this position have been expanded in compliance with the Bureau's statutory mandate to establish policies to provide programs to promote the health and safety of state employees.

**PROGRAM:** Purpose of the Health Station is to provide emergency nursing care and first aid to employees/visitors of the Capitol complex, offer blood pressure screenings, and provide basic health education services.

In response to demand for expanded occupational health and safety services, the Health Station conducts CPR and first aid training, program development, and presents training and educational programs on occupational health risk exposure.

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are included with those of the State Employee Health Insurance Program.

## MAINE HISTORICAL SOCIETY

ELIZABETH J. MILLER, DIRECTOR

*Central Office:* 485 Congress St., Portland  
*Mail Address:* 485 Congress St., Portland, Maine 04101  
*Established:* 1822

*Telephone:* 774-1822

**Note:** Sunset Review conducted by Audit and Program Review Committee in 1986-87; L.D. 1406 authorized continuation of appropriation.

*Reference:* Policy Area: 02; *Umbrella:* 99; *Unit:* 176; *Citation:* 1822 P&SL Chap. 118

*Average Count—All Positions:* 10

*Legislative Count:* 0

**PURPOSE:** Incorporated by the State of Maine in 1822, the Maine Historical Society is a charitable, educational, non-profit corporation. It devotes its resources to the discovery, identification, collection, preservation and interpretation of materials which document the history of Maine and its people.

**ORGANIZATION:** Just two years after Maine achieved statehood, the legislature passed a bill in 1822 incorporating the Maine Historical Society, charging it to collect and preserve the history of the new State. Governor Albion K. Parris presided over the first meeting in Maine's first State House in Portland. During its first 100 years, the Society maintained a close relationship with Bowdoin College, housing

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

its collections at the College until 1881 and conducting its Annual Meetings at commencement time until the early 20th century.

Throughout the 19th century, special State appropriations supported a variety of publications projects, including the *Documentary History of Maine*. The State appropriation has been given since the 1940's, in support of the Society's overall historical and educational endeavors.

Through the efforts of civic leader, philanthropist, and scholar James Phinney Baxter, the Society moved its collections and many of its programs to Portland in 1881. Baxter provided space in the new Portland Public Library built in 1889.

In 1901 the Society opened the Wadsworth-Longfellow House, left to the Society through the bequest of Anne Longfellow Pierce. The House, childhood home of famed poet Henry Wadsworth Longfellow, was Maine's first historic site museum. In 1907, the Society opened its Library at 485 Congress Street, adjacent to the Wadsworth-Longfellow house.

In 1992, the Society purchased 489 Congress Street and began plans to expand exhibition and program space, additional storage for collections, and, eventually, new quarters for administrative offices. In 1994, it initiated a capital campaign for the expansion of programs and services, creating the Center for Maine History.

Today, the Society's organization stretches throughout Maine. Its Editorial Office for the *Quarterly* is at the University of Maine at Orono. The Society's Trustees and membership are active in historical and genealogical groups around the State. Staff members participate in a wide range of collaborative efforts in the State and New England region, including the Maine Association of Museums, the Maine Library Association, Maine Historical Records Advisory Board, the New England Archivists, the Society of Maine Archivists, the New England Studies Program at University of Southern Maine, the Academic and Cultural Collaborative of Maine, the Costume Society of America—New England Chapter, and the New England Museum Association.

The Society is organized into three major areas: Library Services, Museum Services, and Administrative and Development Services. A Board of Trustees and twelve standing committees advise and support the Society staff in its work.

**PROGRAM:** The MHS collections, educational programs, and publications support the study and teaching of state and community history.

**Library Services.** The Society maintains the State's foremost collection of books, manuscripts, maps and special research materials, including 125,000 books and 2 million archival items spanning the 15th to 20th centuries. All aspects of Maine's social, economic, political, and cultural history are documented. Of particular note are the personal papers of Maine's civic and business leaders, early proprietary and town records, shipping and maritime records, account books and business records, and genealogical research collections. The library also includes cartographic and land surveys, architectural and engineering drawings, photographs, prints, and broadsides.

Key acquisitions in FY-1994 included the purchase of the John Mead Gould Diaries, Drummond & Drummond Business Papers, Henry Goddard Thomas Papers, and a wide variety of town and family histories.

With support from the National Historical Publications and Records Commission and the Benton L. Hatch Bequest, the Society completed a 2½-year manuscripts project, cataloging unprocessed archival material and entering catalog information into the state's MaineCat system. Key collections cataloged included the Henri Benoit Business Papers, Business and Professional Women's Club Records, Walter Goodwin Davis Genealogy Collection, Milliken-Tomlinson Business Records, and the Maine Missionary Society Records.

**Library Collections Use.** During FY-1994, use of the collections declined slightly from the previous year, due in large part to continued staff reductions. Approximately 4100 researchers consulted the library in person, while staff and volunteers also responded to approximately 2500 telephone and mail inquiries. Research topics included genealogical and community history, architecture and historic preservation, land use and environmental issues, military history, political history, history of technology and medicine, art and music history. State agencies served regularly include the Maine State Museum, Maine State Library, Maine State Archives, Maine Historic Preservation Commission, and the University of Southern Maine.

**Museum Services.** The Society maintains the Wadsworth-Longfellow House, built in 1785-86 by Revolutionary War General Peleg Wadsworth and childhood home of poet Henry Wadsworth Longfellow. In FY-1994, the Society opened its Maine History Gallery, adjacent to the House, at 489 Congress Street.

The Museum Collections include the Wadsworth-Longfellow House collection of approximately 1000 artifacts and works of art original to the three generations who lived in the House from 1786 to 1901.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

The Museum Collections also include approximately 8200 artifacts and works of art documenting Maine's material culture from colonial to modern times. Categories include fine and folk art, furniture, metalware, textiles and costumes, glassware, military and naval artifacts, and Native American materials. Key acquisitions in FY-1994 included Westbrook College's transfer of its Clothing Collection, approximately 1800 garments and accessories worn by Maine men, women, and children in the 19th and 20th centuries; two mid-19th century quilts; and a scale model of the S.S. Portland.

Approximately 10,000 visitors toured the Longfellow House historic site and Maine History Gallery. The House was open for guided tours June through October and special December holiday open house. The Maine History Gallery was open year-round. Approximately 1500 school children from southern and western Maine communities visited free-of-charge during special tours in December, April, May, and June. Communities served both on-site and in the schools include Portland, Falmouth, Yarmouth, Cape Elizabeth, Scarborough, Kennebunk, Limerick, Poland, Bridgton, and Brunswick.

**Exhibition Services.** The Society continued its major exhibition program inaugurated in FY-1993, at 489 Congress Street with "Upstream and Downeast: 200 Years of Commerce, Trade and Recreation in Maine," "Downtown Evolution: Maine's Downtowns in Transition," "Flora, Fauna, and Stuffed Birds: 150 Years of the Portland Society of Natural History," "A Goodly Vessel: Ships and Shipbuilding in Casco Bay," and "Take ME Out to the Ballgame: A History of Baseball in Maine."

Loans to special exhibitions were made to the Maine State Museum, York Institute Museum (Saco), Spring Point Museum (South Portland), Limerick Historical Society, Tate House (Portland), Baptist Church of Greene, and Penobscot Marine Museum (Searsport).

**Other Educational Services.** In FY-1994, the Society continued its Albion K. P. Meserve Grant-in Aid Program for Town History inaugurated in FY-1993. Grants were made to the Woolwich Historical Society, Sedgwick-Brooklin Historical Society, and Town of Gouldsboro Village Library for new town history publications.

The Society hosted musical performances by several immigrant groups to Maine in collaboration with Maine Arts' New Year's Portland festivities. "The Children's Hour: Celebrating Henry Wadsworth Longfellow's Birthday" featured poetry readings for family audiences. The Society continued its "Small Wonders: Miniatures, Dolls and Trains" special event of displays and lectures. It also continued its technical support activities, with staff presentations to the Maine Association of Museums, Maine Genealogical Society, and several community groups.

Other educational programs included a 4-part class on Maine history, classes and workshops on Maine genealogy, and several gallery talks.

The Society held its 172nd Annual Meeting at Bowdoin College, Brunswick, site of the Society's headquarters from 1822 to 1881.

### PUBLICATIONS:

In FY-1994, the Society continued its publication of the *Maine Historical Society Quarterly* with articles on family life and gender roles in the Civil War Era, the Franco-American community in Dexter, the International Paper Company Strike of 1910, Margaret Chase Smith, and rural life in the 1920's. Christopher S. Beach, University of Maine at Farmington, won the James Phinney Baxter Award for his article "Conservation and Legal Politics: The Struggle for Public Water Power in Maine, 1900-1923."

Previous Maine Historical Society publications which are still in print include:

*"My Best Wearing Apparel: Maine Women and Fashion*, edited by Laura F. Sprague (\$5.00).

*The Declaration of Independence: Vision For A Democratic Society* Teacher's Manual, edited by Elizabeth J. Miller. (\$5.00)

*Maine in the Age of Discovery*, Roger Howell, Jr., and Emerson W. Baker, II (\$4.00).

*The Maine Bicentennial Atlas* (\$6.00) and various bibliographical guides (\$4.00).

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE HISTORICAL SOCIETY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Grants—Subsidies—Pensions	24,761	24,761				
<b>TOTAL EXPENDITURES</b>	24,761	24,761				

## MAINE HOSPICE COUNCIL

KANDYCE POWELL, EXECUTIVE DIRECTOR

*Central Office:* 295 Water St., Augusta

*Telephone:* 626-0651

*Mail Address:* 295 Water St., Augusta, Maine 04330

*Established:* 1984

*Reference: Policy Area: ; Umbrella: 99; Unit: 516; Citation: 22 MRSA, Ch. 1680, Sec. 2*

**PURPOSE:** The purpose of the Maine Hospice Council is to provide technical, administrative and educational support to the state's 27 hospices. The support takes the form of educational programs for hospice volunteers staff and other health care workers as well as advocacy, oversight in standards of care, ethical guidelines of care, certification assistance and assistance in growth and development.

**ORGANIZATION:** The Maine Hospice Council was not created by statute. It was incorporated in 1984. However, funding for the Council office was made possible by state government in 1989. The Council is overseen by a volunteer Board of Directors comprised of 13 members, representing various disciplines.

The full council is represented by members of all 27 hospices and the Board of Directors. The council is staffed by one full-time director and one part-time administrative assistant.

**PROGRAM:** The past year was spent guiding the Hospice Licensure bill through the legislative process; providing technical workshops to address issues surrounding the Medicare Hospice Benefit; and offering educational workshops to the public on various issues dealing with Hospice and palliative care. Two very successful workshops were "Current Perspectives on Grief" and the Maine Cancer Pain Symposium: "The Challenge is Change—The Answer is You."

The Council continues to offer placement opportunities for graduate students with five MSW students enthusiastically assisting this year with the Licensure Bill.

Minority Hospice access issues and the Maine Cancer Pain Initiative study group remain priorities.

The educational video "On Life and Living: The Hospice Experience", sponsored by the Maine Hospice Council and produced by Joe Levinger (a graduate student) won the National Hospice Organization's (NHO) President's Award in October 1993 and has since won three other national and international awards. It is used extensively as an educational tool and is presently under contract with a national marketing company (Aquarius Productions).

**Development:** The Maine Hospice Council was successful in drafting a Hospice Licensure Bill which was enacted on April 15, 1994. This bill provides minimum standards for consumer protection as well as providing a statutory definition of Hospice.

The Executive Director of the Maine Hospice Council was reappointed as the New England regional representative on the NHO Legislative Committee, so the hospice community in Maine continues to have a voice in health care reform.

The Maine Hospice Council also provides technical support to agencies seeking hospice program development and Medicare Hospice certification.

**Support:** Throughout the year, the Maine Hospice Council has provided a variety of technical, educational and administrative support to local hospice agencies. The Council also offered educational information about Hospice to health care professionals in other agencies/institutions in order that they might work collaboratively with local hospice programs. Resource materials, training and technical support are ongoing services.

### LICENSES, PERMITS, ETC.:

—Certificate of Participation (For Volunteer Trainees and/or education session participants)

—L.D. #1821—An Act To Develop Standards For The Licensure Of Hospice Programs, enacted April 15, 1994, Chapter 692 of Public Law.

### PUBLICATIONS:

- Standards of a Hospice Program—Free
- Maine Hospice Guide—Free
- Maine Hospice Brochure—Free
- Hospice Resource Bibliography—Free to Hospices/\$2.50 all others
- ACS & NCI booklet—"Questions & Answers About Pain Control"—Free



## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

- Other ACS booklets—various topics—Free
- “Women, Children & AIDS: A time to Know (E. Me. AIDS Network)—Video—2 wk. rental—\$5 to MHC members/\$10 to all others (+ s/h)
- Other videos/cassettes—2 wk. rental—\$5 to MHC members/\$10 to all others (+ s/h)
- NHO Medicare Certification Training Videos—2 wk. rental—\$5 to MHC members/\$10 to all others (+ 2 s/h)
- “On Life & Living: The Hospice Experience”—\$35 hospice pgms./\$50 ea. all others
- “Helping to Control Cancer Pain” (Purdue Frederick) Video—2 wk. rental
- “Your Pain and How to Live with It!” (Andrea Bowen, M.A.) Video—2 wk. rental
- AHCPR Guidelines for the Management of Cancer Pain—Free
- MCH’s Newsletter, *Mainelink*, published twice/yr.—Free

**FINANCES, FISCAL YEAR 1994:** 22 M.R.S.A., Chapter 1680, Sect. 2—1989 provides that expenditures of this unit, which amounted to \$49,020 in FY 94, shall be borne by the General Fund and are, therefore, included in its financial display.

## MAINE STATE HOUSING AUTHORITY

DAVID LAKARI, DIRECTOR AND CHAIRMAN

*Incoming WATS:* 1-800-452-4603 (TDD)

*Incoming WATS:* 1-800-452-4668 (Voice)

*Central Office:* 353 Water Street, Augusta

*Telephone:* 626-4600

*Mail Address:* P.O. Box 2669, Augusta, Maine 04338-2669

*FAX:* 626-4678

*Established:* 1969

*Sunset Review Required by:* June 30, 1998

*Reference: Policy Area:* 03; *Umbrella:* 99; *Unit:* 346; *Citation:* 30 M.R.S.A., Sect. 4601A

*Average Count—All Positions:* 95

*Legislative Count:* 0

### *Organizational Units:*

Office of the Director

Finance

Development

Management

Home Ownership

Federal Funds Administration

**PURPOSE:** The Maine State Housing Authority was established to assist Maine residents in securing housing which is decent, safe, independently selected, designed and located with reference to particular needs and available at costs which are affordable; to have available a wide range of privately-planned, constructed and operated housing; to have available such additional publicly-planned, constructed and operated housing as needed to achieve the purposes of the law; to have available from financial institutions, resources for home construction, mortgages and other additional resources from the sale of bonds by the Authority; to have available informational and educational programs concerning housing programs and techniques; and generally, to do all things possible to encourage and assist efforts to provide decent housing in a desirable and healthful living environment for all Maine citizens, particularly for the elderly, those of lower income, those with special housing needs, and first-time homebuyers.

**ORGANIZATION:** The Maine State Housing Authority “is a public body, corporate and politic and an instrumentality of the State.” Established in October 1969, it functions as an administratively independent authority within the current organizational structure of the State government, but receives no general fund appropriations from the Legislature for its operations. The Authority has 7 commissioners, 5 of whom are appointed by the Governor and confirmed by the Legislature. The 6th Commissioner, the director of the State Authority, is the chairman. The Director is appointed by the Governor and confirmed by the Legislature. The 7th commissioner is the State Treasurer.

**PROGRAM:** As the Maine State Housing Authority entered FY 93, it continued its position as one of the state’s largest financial institutions. By year-end 1993, the Authority had assets of \$1,106,917,637 and fund balances of \$120,898,773.

The Authority has been a participating agency in HUD’s Section 8 program since its inception in late 1974, and in calendar year 1993 received from the Federal Government \$50,954,067 in Section 8 rent

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

supplement funds. The subsidies, received from HUD, are applied among newly constructed, substantially rehabilitated or existing rental units meeting HUD's standards. The funds are restricted in the use to making up the difference between HUD-established fair market rents and 30% of an eligible tenant's income. Permanent financing for new construction or substantial rehabilitation of the units subsidized under the Section 8 program must come from private sources or housing finance agencies such as the Authority. At the end of 1993, the Authority had 7,400 such units occupied in approximately 200 apartment complexes. The new construction, substantial rehabilitation portion of the Section 8 program has been ended by the Federal government. During 1984 the Authority started the Rental Loan Program which has provided financing for more than 2,000 apartment units in new or substantially rehabilitated buildings. The Authority also operates an important single family loan program, providing low interest rate loans to low and moderate income families. The program has helped 25,000 families buy a home, including more than 16,000 buying their first homes since 1982. In 1993 this program provided \$95 million in low interest rate loans to help 1,600 Maine families become homeowners.

The Authority has also implemented the Housing Opportunities for Maine (HOME) Program. This program combines dedicated receipts from a portion of the real estate transfer tax which is used only for program, not administrative, funding with the Authority's tax-exempt bonding capacity to generate funds for single family mortgage purchase or improvement loans, multi-family mortgage purchase or improvement loans, homeless shelters, and a variety of other housing programs for low and moderate income Maine people. The program in 1993 used a total of \$4.3 million in funds, and generated \$107 million in low-interest rate housing loans to help 2,200 Maine households.

During 1990 the MSHA began programs financed through General Obligation bonds; these programs help purchase land for affordable housing, preserve existing low-income housing, create municipal housing opportunity zones, provide mortgage insurance, and help house developmentally disabled people. The Authority also operates several other programs, including those removing underground oil storage tanks; weatherization, low income home energy assistance, and replacing central heating systems in homes of low income people; making housing more accessible for the physically disabled, providing reverse annuity mortgages for elderly homeowners, and transitional housing for the homeless.

In view of the continuing need to improve the housing situation in Maine, the Authority's Commission and staff plan to continue their efforts, making use of both existing programs and new programs as they become available to "promote a concerted effort to upgrade housing conditions and standards within this State." One of the new efforts in 1992 and 1993 involved modifying certain programs to make use of a new funding source, the federal HOME program. Programs to repair low-income substandard homes and apartments already have been modified to meet federal HOME requirements, and a new program to finance acquisition and rehabilitation of small apartment properties, called SHARP, has been developed.

### **PUBLICATIONS:** Maine Housing Authority Annual Reports (1973-1993 inclusive).

Maine State Housing Authority, Official Statements (Mortgage Bonds—1972 Series A, through 1993 B).

"Maine Housing News"

Homebuyers Handbook

Maine Rental Housing Guide

Various program brochures

For availability, contact the Authority.

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. For extensive financial data, see the Maine State Housing Authority Annual Report which contains the Authority's audited financial statements based on the calendar year.

## MAINE INSURANCE GUARANTY ASSOCIATION

**RANDALL KEEP, CHAIRPERSON**  
**PAUL M. GULKO, Executive Secretary**

*Central Office:* Maine Mutual Fire Insurance Company, 551 Main Street, P.O. Box 729,  
Presque Isle, Maine 04769 *Telephone:* 764-6611  
*Mail Address:* One Bowdoin Square, Boston, Mass. 02114; Tel. No. (617) 227-7020 1-800-852-2003  
*Established:* May 9, 1970 *Sunset Review:* Not Established  
*Reference:* Policy Area: 00; Umbrella: 99; Unit: 353; Citation: 24-A M.R.S.A., Sect. 4436  
*Average Count—All Positions:* 0 *Legislative Count:* 0

**PURPOSE:** The Maine Insurance Guaranty Association is an organization created by statute whereby all licensed property and casualty insurance companies are required to belong. The purpose of the guaranty association is to pay covered claims of insolvent property and casualty insurance companies that wrote business in Maine.

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit.

## KENNEBEC VALLEY TECHNICAL COLLEGE

**BARBARA W. WOODLEE, PRESIDENT**  
**DENNIS NORMANDIN, Vice President/Academic Dean**

*Central Office:* 92 Western Ave., Fairfield *Telephone:* 453-5000  
*Mail Address:* 92 Western Avenue, Fairfield, Maine 04937  
*Established:* 1969 *Sunset Review Required by:* June 30, 2002  
*Reference:* Policy Area: 02; Umbrella: 99; Unit: 442; Citation: 20A M.R.S.A., Sect. 10103  
*Average Count—All Positions:* 70 *Legislative Count:* 0

**PURPOSE:** Kennebec Valley Technical College is dedicated to the belief that each individual be provided an opportunity for the development of skills and knowledge leading to productive employment and self-fulfillment. The College offers associate degree and diploma programs to meet the needs of part-time and full-time students. In addition, continuing education courses are offered to accommodate the changing needs of Maine's employers.

Kennebec Valley Technical College strives to create a skilled work force through cooperative efforts with regional industries, businesses, services, and health care organizations. The College endeavors to provide graduates with occupational and academic competencies which include analytical problem-solving, communication, and interpersonal skills critical in today's marketplace.

Further, Kennebec Valley Technical College strives to maintain the highest academic standards of teaching and learning through a continuous process of self-assessment and improvement. The College views as key to its mission an environment which is both physically safe and supportive of student growth and achievement.

**ORGANIZATION:** Kennebec Valley Technical College (KVTC), formerly known as Kennebec Valley Vocational-Technical Institute, was authorized when the 104th Legislature appropriated monies

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

for a state vocational and technical institute in Waterville. KVTC began operations in the fall of 1970 using equipment and facilities of the Regional Vocational Center in Waterville. Emphasis was directed toward short-term intensive programs.

KVTC occupied and renovated the Gilman Street High School in September 1978. This greatly enlarged the classroom, office and laboratory space available. In May of 1979, the Legislature approved the establishment of the Institute directly under the State of Maine, Bureau of Vocational Education, along with the other five (5) vocational-technical institutes (VTIs). During the summer of 1980, KVTC purchased 60 acres of land and buildings adjacent to I-95 in Fairfield. Programs were offered at both the Fairfield and Waterville sites. In October of 1986, construction was completed on a new multi-purpose classroom building at the Fairfield campus. The name was changed from Kennebec Valley Vocational-Technical Institute to Kennebec Valley Technical College in 1989. All of KVTC's programs are now based in Fairfield.

In May 1993, construction was completed on a new classroom building, which will provide much needed space as KVTC's enrollment continues to grow. The building houses academic programs and provides additional space for KVTC's Learning Center, computer laboratories, Admissions Office, and Financial Aid Office.

**PROGRAM:** KVTC offers the following programs: Automated Office Technology, Electrical Construction Technology, Business Administration, Medical Assistant, Respiratory Therapy, Health Information Technology, Radiologic Technology, Fluid Power Technology, Nursing, Physical Therapist Assistant, Industrial Electrical/Electronic Technology, Applied Electronics, Occupational Therapy Assistant, Educational Technician, the EMS Academy, the Lineworker Technology Program and the Pulp Program. Also offered are a variety of short-term adult education courses from 30 to 200 hours in length to meet the needs of adults requiring upgrading, and/or retraining. A full-time four year apprenticeship program is offered to carpenters/millwrights/ironworkers. Growth has been increasing to the point that KVTC's programs are fully subscribed.

### **GOALS:**

KVTC endeavors to meet the following goals in its programs and services:

1. Provide quality programs and services that are relevant to the educational and economic needs of Maine citizens.
2. Provide opportunities and assistance for the economically and educationally disadvantaged and handicapped.
3. Contribute to economic development and growth of the region and State.
4. Strengthen the relationship with secondary and post-secondary schools.
5. Continually strive to provide for the highest quality of educational instruction.
6. Provide quality administrative services.

The stated goals and objectives of KVTC's Long Range Plan provides for growth and expansion.

KVTC provided education to 790 degree/diploma candidates and 2,726 nondegree students during FY 1993. Placement of graduates has averaged 93 percent. Although enrollment in programs is not limited to Maine students, the College draws most of its students from the 150,000 citizens residing within a 60 mile radius of Waterville. Continuing Education courses cover a wider geographical area, from Jackman to Rockland. KVTC is fully accredited by the New England Association of Schools and Colleges. The Occupational Therapy Assistant Program is accredited by the American Occupational Therapy Association. The Nursing Program is accredited by the National League for Nursing and the Maine State Board of Nursing. The Physical Therapist Assistant Program is accredited by the Commission on Accreditation for Physical Therapy Education. The Business Administration and Automated Office Technology programs are accredited by the Association of Collegiate Business Schools and Programs.

### **LICENSES, PERMITS, ETC.:**

KVTC awards diplomas to all students satisfactorily completing all one school year program requirements. Certificates are presented in the short term programs.

The Associate Degree is granted to all students satisfactorily completing the two-year Business Administration, ADN (Registered Nursing), Automated Office Technology, Emergency Medical Technology, Physical Therapist Assistant, Industrial Electrical/Electronic Technology, Educational Technician, Respiratory Therapy, Health Information Technology, Applied Electronics, and Occupational Therapy Assistant programs.

**PUBLICATIONS:**

KVTC catalog is revised bi-annually. It is sent to all interested students, guidance counselors, and various agencies. Providing general information of the College's programs, application procedures, courses, etc. — free.

A Student Handbook is provided to each entering freshman. Contains general information, school policies, regulations, and procedures — free.

Assorted brochures which provide general information of the College's regular and Continuing Education courses are sold to interested citizens.

Newsletter (In-House)—quarterly

College Viewbook—free

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Board of Trustees of the Maine Technical College System.

## MAINE LOW-LEVEL RADIOACTIVE WASTE AUTHORITY

**THOMAS EASTLER, CHAIRMAN**

**MATTHEW SCOTT, EXECUTIVE DIRECTOR**

*Central Office:* 99 Western Ave., Suite 6, Augusta  
*Mail Address:* P.O. Box 5139, Augusta, Maine 04332

*Telephone:* 626-3249; 1-800-422-4911

*Established:* 1987

*Sunset Review Required by:* June 30, 1997

*Reference:* Policy Area: 05; Umbrella: 99; Unit: 496; Citation: 38 MRSA, Sect. 1501

*Average Count—All Positions:* 10

*Legislative Count:* 0

**PURPOSE:** In creating the Maine Low-Level Radioactive Waste Authority, the Legislature has expressed its intent to develop, "*if necessary*", a site for the location of a low-level radioactive waste disposal facility within the State. The Authority has the responsibility, "*if necessary*", to coordinate and oversee the planning, siting, construction, operation, maintenance, closure, post-closure observation and maintenance, and long-term institutional control of a facility or facilities with sufficient capacity to dispose of only the low-level radioactive waste generated within Maine and for which Maine is responsible and to provide for termination of the license for the facility or facilities.

**ORGANIZATION:** The first regular session of the 113th Legislature created the Maine Low-Level Radioactive Waste Authority; it came into existence in September, 1987. The Maine Low-Level Radioactive Waste Authority is a body corporate and politic and is an instrumentality of the State. The Authority is established to become a self-supporting agency that receives its operating funds from assessment of generators of low-level radioactive waste within the state.

The Maine Low-Level Radioactive Waste Authority shall consist of seven members, including the State Geologist, ex officio, and six public members appointed by the Governor subject to review by the joint standing committee of the Legislature having jurisdiction over energy and natural resources and confirmation by the Legislature. The Governor shall select a chairman from among the six public members. Among the members there shall be at least one person knowledgeable in the field of construction engineering; one person knowledgeable in the environmental field; one person knowledgeable in the field of public administration; and one person knowledgeable in the field of business. The appointments shall reflect some geographical diversity. There also would be two additional members appointed to the Authority within 30 days after selection of a disposal site. These two members shall be appointed by the Governor from among a list of candidates nominated by the municipal officers of the municipality or municipalities in which the site is located or, in the case of selection of a site in the unorganized territories, the county commissioners of the county or counties in which the site is located. Those 2 members are also subject to review by the joint standing committee of the Legislature having

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

jurisdiction over energy and natural resources and confirmation by the Legislature. The two members representing the area selected for a disposal site shall be residents of the area in which the site is to be located. No member, except the State Geologist, may be a state employee while serving as a member of the authority.

The appointed members shall each serve four-year terms except for the terms of the initial six appointments. Persons appointed to fill vacancies shall be appointed in the same manner as the person whom they are replacing to complete the unexpired term of the former member. No member may serve more than two consecutive full terms.

For purposes of the Maine Sunset Act, the authority shall be considered an independent agency with its first justification report due no later than October 31, 1996.

**PROGRAM:** The Authority's focus during this fiscal year was to downsize its program, based on the public ratification, in November 1993, of the referendum to enter into a compact with Texas. This essentially completed the Authority's mission. Emergency legislation was introduced early in 1994 to terminate the Authority. L.D. 1951 became public law (Chapter 664) on April 12, 1994.

All contracts were terminated, all funding ceased, and a plan was initiated for a transition period for three staff to carry out the closing. All activity will cease on June 30, 1994. The compact among Maine, Vermont and Texas is now before the U.S. Congress to be ratified. This is the last Annual Report for the Maine Low Level Radioactive Waste Authority.

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The Authority however must have an independent audit performed by a CPA and report to the Treasurer of the State each year. This annual report is also submitted to the Governor, Legislature and Advisory Commission as required by State statute. The Authority did submit a 1993 fiscal year report and another will be done for 1994.

## MAINE MARITIME ACADEMY

THE HONORABLE JOSEPH SEWALL, CHAIRMAN, BOARD OF TRUSTEES

THE HONORABLE KENNETH M. CURTIS, PRESIDENT

*Central Office:* Castine, Maine

*Telephone:* 326-4311

*Mail Address:* Castine, Maine 04420

*Established:* 1941

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 02; Umbrella: 75; Unit: 370; Citation: 1941 P&SL Chap. 37

*Average Count—All Positions:* 200

*Legislative Count:* N.A.

**Organizational Units:**

Board of Trustees

Academic Division

Board of Visitors

Administrative Division

Office of the President

Student Affairs Division

Training Division

External Services Division

**PURPOSE:** Maine Maritime Academy is a college specializing in ocean and marine oriented programs at the undergraduate and graduate level, with emphasis on engineering, transportation, management, and ocean studies, as well as preparing officers for the merchant marine and the uniformed services of the United States. The Mission of the college is to provide an educational environment which stimulates intellectual curiosity, fosters professional competency, encourages rigorous self-discipline, and develops leadership potential through a learning environment which emphasizes active student involvement in both the curricular and co-curricular educational process. The college provides public service to the State while perpetuating Maine's heritage of the sea.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

**ORGANIZATION:** The administrative organization of Maine Maritime Academy is structured to fulfill the mission set forth in its Charter. This is accomplished through five divisions listed in the organizational units above.

Under the policy guidance furnished by the Board of Trustees, the President of the Academy is the principal executive, being assisted by five division heads, each of whom oversees their respective operating departments. The operation of the Academy is subject to review by the Federal Government through the Maritime Administration, under regulations prescribed in 46 CFR, 310A. Fiscally, the Academy is supported by state appropriations, student fees and a subsidy of \$100,000 from the Maritime Administration. The Training Ship "State of Maine" is made available to the Academy by the Maritime Administration, which funds major repairs. The Academy pays the cost of operating the ship on training cruises and while in port in Castine from its operating budget.

The Academy, through its Board of Trustees, is empowered to provide and maintain a nautical school for the instruction of students in the science and practice of navigation and in practical seamanship, steam, diesel and electrical engineering, radio and radio communication, and of ship operation, ship construction, and ship and boat design; to provide books, stationary apparatus and other supplies; to hire instructors and other employees, determine compensation, establish charges for students, regulate and manage the school, acquire and dispose of property, and arrange for actual sea experience for its students; to borrow money not in excess of \$4,000,000 in the aggregate at any time outstanding for the construction of any buildings, improvement, or equipment; and to mortgage its property and pledge its revenues.

From its pre-World War II beginning as a nautical training school, Maine Maritime has become a diverse and dynamic institution of higher education.

**PROGRAM:** Academy enrollment in the spring of 1994 was 650. Of this number, 120 were seniors, 150 juniors, 159 sophomores, 181 freshmen, and 40 graduate students. Students from the State of Maine represented 60 percent of the total. Other students came from 25 states and 10 foreign countries. The Bachelor of Science degree was awarded to 120 students in May 1993. Associate in Science degrees went to 15 students, with Master of Science degrees to 19.

Nearly 80 percent of the Class of 1994 is now professionally employed in a wide range of marine and non-marine related companies. Twenty members of the Class of 1994 accepted active duty commissions in the U.S. Navy.

The annual training cruise was conducted in the months of May and June aboard the *T.V. State of Maine*. Ports of call included Dublin, Ireland; Southampton, England; Bermuda, Philadelphia, and Portland.

During the year the Academy was designated by the federal government to receive a new training vessel. After undergoing major renovations, the present *USNS Harkness* is expected to be at Castine during 1995. New campus facilities include a privately-funded Student Center, and the Bath Iron Works Center for Advanced Technology, housing a computerized navigation and shiphandling simulator, and laboratories for steam, diesel, and gas turbine operations training as well as a humanities lecture hall. An all-weather, synthetic turf athletic field has been installed, and a graduate student housing complex is under construction.

At the Bachelor of Science degree level, Power Engineering Technology supplements the traditional marine engineering majors. This course of study prepares graduates for positions as plant engineers, operating engineers, and plant managers in the shoreside power production industry.

The Academy makes a significant contribution to marine research on the Gulf of Maine by operating the 80-foot oceanographic research vessel *Argo Maine*. This vessel is operated in cooperation with the University of Maine, Maine Department of Marine Resources, Maine Geological Survey, and Bigelow Laboratory for Ocean Sciences. The Academy also owns and operates the historic Arctic schooner *Bowdoin*. She provides training for students leading to an auxiliary sail license, aids in student recruitment and public information, and serves as an enduring symbol of Maine's seafaring heritage.

The Corning School of Ocean Studies at Maine Maritime Academy was dedicated in September 1991. Students in this four-year, B.S. degree program are preparing for careers in resource management, aquaculture, and environmental protection.

### LICENSES, PERMITS, ETC.

Bachelor of Science degree.

Master of Science in Maritime Management degree.

Associate in Science degree.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

### PUBLICATIONS:

Maine Maritime Academy Catalog	(no charge)
<i>Maine Maritime Academy—The Formative Years 1941-1966</i> by Howard C. Jordan	\$5.00
Maine Maritime Academy Viewbook	(no charge)
Cruise Planning Manual for the Research Vessel <i>ARGO MAINE</i>	(no charge)
<i>Mariner</i> (Alumni Magazine)	(no charge)

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

MAINE MARITIME ACADEMY	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Grants—Subsidies—Pensions	6,472,200	6,472,200				
<b>TOTAL EXPENDITURES</b>	6,472,200	6,472,200				

## NORTHERN MAINE TECHNICAL COLLEGE

**DURWARD R. HUFFMAN, PRESIDENT**

**TIMOTHY D. CROWLEY, Vice President/Academic Dean**

*Central Office:* 33 Edgemont Dr., Presque Isle

*Mail Address:* 33 Edgemont Dr., Presque Isle, Maine 04769

*Established:* 1961

*Reference:* Policy Area: 02; Umbrella: 99; Unit: 443; Citation: 20A M.R.S.A., Sect. 10103

*Average Count—All Positions:* 98

*Telephone:* 768-2700

800-535-NMTC

*Sunset Review Required by:* June 30, 2002

*Legislative Count:* 0

**PURPOSE:** The mission of NMTC is to provide quality instruction in various technical and occupational specialties. Graduates receive specific technical-vocational training and the general education necessary to obtain and/or upgrade their employment in their chosen occupation. These services are delivered to full and part-time students in many different settings on the main campus, Loring Air Force Base, six satellite locations and various businesses and industries in Northern Maine.

**ORGANIZATION:** Northern Maine Technical College (NMTC), is a State of Maine supported, accredited, postsecondary institution, governed by the Board of Trustees of the Maine Technical College System under provisions of Title 20-A, Chapter 431 M.R.S.A.

The College began classes in 1963 and is located on an 87 acre tract adjacent to Skyway Industrial Park in Presque Isle. The first new permanent building was completed in 1970. The college continues to move forward in its efforts to replace the old obsolete airbase buildings. A new facility which houses the Nursing and Electrical-Electronics programs was occupied in 1987, and a classroom/administrative building named in honor of John L. Martin, Speaker of the Maine House of Representatives, was occupied in December 1992. A 46-bed residential life building was occupied in August 1993.

Four occupational programs were offered initially with an enrollment of 70 students. In 1993-94 NMTC offered instruction in 19 occupational programs. NMTC offers two-year Associate Degree, two-year Diploma and one-year or less Certificate programs.

**PROGRAM:** NMTC served 1,183 full- and part-time students in 19 different technical programs during FY 94. Commencement figures indicated that 325 students completed college programs. Annual job



## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

placement figures for the 1991-92 class were favorable with over 84 percent of the available graduates being gainfully employed.

During FY 94 over 300 people were served by offering courses at Loring Air Force Base and at satellite locations.

Additionally, the continuing education division continued to offer numerous special programs such as:

- Basic Blueprint Reading
- National Electric Code Update
- Tax Seminars
- Class I Driving Academy
- Women's Career Exploration Program
- Clerical Office Procedures
- Electrical/Electronic Training
- Customized Computer Instruction
- Forty-hour Hazmat Training
- Childcare Assistant Training
- EMT Advanced Training

About 400 students participated in non-credit courses. Over 8,000 individuals used campus facilities for general meetings, workshops, and seminars.

### **LICENSES, PERMITS, ETC.:**

Associate Degree

Diploma

Certificate

Graduates of the Practical and Associate Degree Nursing programs are qualified to sit for the LPN and RN licensure exams respectively. Graduates from the Plumbing and Heating and Electrical Construction programs may elect to sit for the appropriate trade exam. Other graduates may also seek licensure or certification in selected fields associated with their program or studies.

### **PUBLICATIONS:**

Pamphlets describing the occupational programs

Student Handbook

College Catalog

Financial Aid Brochure

Admissions Requirement Information Sheet

Full-Time and Part-Time Schedules — 2 times per year

Campus Overview Sheet

College Viewbook

(These publications are all free.)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Board of Trustees of the Maine Technical College System.

## PASSAMAQUODDY INDIAN HOUSING AUTHORITY

PAMELA F. FRANCIS

*Central Office:* PL. Pt. Perry, Maine 04667

*Telephone:* 853-6021

*Mail Address:* Box 339, Perry, Maine 04667

*Established:* 1968

*Reference: Umbrella:* 99; *Unit:* 437

*Average Count—All Positions:* 35

*Legislative Count:* 0

**PURPOSE:** To provide decent, safe and sanitary homes for the Passamaquoddy Tribe at Pleasant Point, Perry, Maine 04667.

**ORGANIZATION:** 5 Commissioners appointed by Tribal Council and 1 executive director to supervise staff.

**PROGRAM:** The PPPRHA oversees the management of 144 housing units. Utilized \$3,000,000 in HUD Comprehensive Improvement Assistance Program monies. Supervise staff of 35. We also have an additional 45 units in development stage. Other grants we manage include RISE, Drug Elimination, Transition House and CIAP.

### LICENSES, PERMITS, ETC.:

Tax Exempt Certificate—State of Maine

## PINE TREE LEGAL ASSISTANCE, INC.

NAN HEALD, EXECUTIVE DIRECTOR

ELINOR G. MILLER, Assistant Director

*Central Office:* 88 Federal Street, Portland

*Telephone:* 774-4753

*Mail Address:* P.O. Box 547, Portland, Maine 04112

*Sunset Review:* Not Established

*Reference: Policy Area:* 03; *Umbrella:* 99; *Unit:* 479; *Citation:* P.L. 1983, C. 477B

**PURPOSE:** Pine Tree Legal Assistance, Inc. is a Maine not-for-profit corporation incorporated to provide free legal assistance to low income persons with civil legal problems.

**ORGANIZATION:** PTLA is governed by a 36 member Board of Directors composed of attorneys appointed by the Maine State Bar Association and of eligible clients appointed by low income organizations. The Program is administered by an Executive Director and Assistant Director located in a Central Office in Portland and additionally maintains local service offices in Augusta, Bangor, Portland and Presque Isle; Farmworker and Native American components in Bangor; and outreach locations in Lewiston and Machias. PTLA is a co-sponsor of the Volunteer Lawyers Project (VLP) with the Maine State Bar Association and the Maine Bar Foundation. The VLP has a toll free number, (800) 442-4293.

**SERVICE OFFICES:** Augusta area (Androscoggin, Franklin, Kennebec, Knox, Lincoln, Oxford and Somerset Counties: 622-4731). Bangor area (Hancock, Penobscot, Piscataquis, Waldo and Washington counties: 942-8241). Portland area (Cumberland, Sagadahoc and York counties: 774-8211). Presque Isle area (Aroostook county: 764-4349). Lewiston Outreach (784-1558). Machias Outreach: (255-8656). Farmworker and Native American Units: (942-0673).

**PROGRAM:** Pine Tree Legal Assistance, Inc. receives its funding, about \$2.7 million in calendar 1993, from a number of governmental and private sources. The Program's primary funding source is the Legal

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

Services Corporation, which distributes federal funds to legal services programs nationwide. Additional funding comes from the State of Maine, United Way, the Maine Bar Foundation's IOLTA Program, and other private sources. Pine Tree provides free legal assistance to Maine citizens and groups at or below 125% of the Federal poverty level and estimates a client eligible population of 230,000 persons or 19% of the state's population.

PTLA provides direct legal services to eligible clients throughout the state. In 1993 its six area offices and all special units (including the Volunteer Lawyers Project) closed 18,786 legal matters for eligible clients. Through the basic field offices, Farmworker Unit and Native America Unit, 7,979 eligible clients received legal assessment or simple advice, printed informational materials, referral to another source of help or brief service by PTLA staff. Substantial legal representation was provided in 1,299 cases, including representation before the Maine District Court, the Maine Superior Court, the Maine Supreme Judicial Court and before local and state administrative agencies, legislative committees, review boards, advisory councils, federal district and appellate courts, and federal agencies. An additional 150 cases were closed for clients referred through a contract with the Maine Departments of Mental Health and Mental Retardation and Corrections, and 173 cases were closed for clients who were victims of domestic violence under the Cumberland County United Way grant. The Rural Access Project closed 81 cases in Oxford and Androscoggin counties. The Family Law Project provided assistance to 1,150 prose clients around the state. The Volunteer Lawyers Project handled 9,180 calls; of those calls, 1,816 cases were referred to volunteer lawyers for representation. A total of 7,165 cases were closed by the VLP in 1993; substantial legal representation was provided in 1,275 of those cases.

Because staffing shortages prevent PTLA from representing all eligible clients with legal needs, PTLA accepts cases for representation based on a case acceptance priority plan. Cases involving termination or denial of governmental benefits and cases involving landlord/tenant and other housing problems generally receive the highest priority. Of all cases closed by PTLA's local service offices in 1993, 4,207 or 36% were in the housing area; 2,802 or 24% were in the government benefits area; 1,447 or 12% were in the family law area; 695 or 6% were in the consumer law area, and the remaining 2,470 or 21% cases in the areas of employment, health, education, individual rights, juvenile, and other miscellaneous areas. The case priorities for the Volunteer Lawyers Project complement those of PTLA. Of all cases closed by the VLP in 1993, 4,313 or 60% were in the family law area; 978 or 14% were in the consumer law area; 923 or 13% were in the government benefits area; 451 or 6% were in the housing area, and the remaining 500 or 7% cases were in the areas of education, employment, health, individual rights, and other miscellaneous areas.

### PUBLICATIONS:

Pine Tree maintains client education materials, which are available at no charge to income eligible callers in several substantive areas of the law including consumer, family, housing, education, employment, government benefits and health care. These brochures may be obtained by calling any of Pine Tree's local service offices or by calling the Volunteer Lawyers Project at (800) 442-4293. The most popular brochures cover landlord-tenant, General Assistance, and family law issues.

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The following display has been provided by the unit from its own accounting records.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

### PINE TREE LEGAL ASSISTANCE, INC. SUPPORT, REVENUE AND EXPENSES — STATE OF MAINE FUNDS July 1, 1993 — June 30, 1994

#### SUPPORT & REVENUE

State of Maine Grant Award	\$148,050
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#### EXPENSES

##### Salaries, Wages & Benefits

Lawyers	36,420
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Non-lawyers	50,929
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Employee Benefits & Payroll Taxes	26,057
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<b>Sub-Total</b>	<b>\$113,406</b>
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Contracted Services	740
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Travel & Meetings	1,036
-------------------	-------

Space & Occupancy	7,699
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Office & Consumable Support	4,293
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Telephone	7,996
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Equipment Rental & Maintenance	1,036
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Litigation & Court Costs	-0-
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Library Maintenance	2,221
---------------------	-------

Insurance	1,629
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Other Expenses	7,994
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<b>Sub-Total</b>	<b>34,644</b>
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<b>TOTAL</b>	<b>148,050</b>
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<b>Excess (Deficiency) of Support &amp; Revenue over Expenses</b>	<b>0</b>
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<b>Fund Balance</b> , at beginning of year	<b>0</b>
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<b>Fund Balance</b> , at year end	<b>0</b>
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**Please Note:** Pine Tree's fiscal year runs January 1 to December 31. Therefore, our financial statements are audited on that basis and the above statement is not final and absolute because year end distributions can be only approximately calculated.

## MAINE PUBLIC BROADCASTING CORPORATION

ROBERT H. GARDINER, PRESIDENT

*Central Office:* 1450 Lisbon St., Lewiston

*Telephone:* 783-9101

*Mail Address:* 1450 Lisbon St., Lewiston, Maine 04240

*Established:* July 1, 1992

*Reference:* Umbrella: 99; Unit: 561;

**PURPOSE:** The mission of Maine Public Broadcasting is to engage the minds and enrich the lives of people in Maine and beyond with programs that inform, educate, entertain and inspire.

**ORGANIZATION:** The Maine Public Broadcasting Corporation is made up of: Maine Public Television, Maine Public Television PLUS and Maine Public Radio. Producing studios and administration offices are located in Lewiston, Bangor and Portland.

**PROGRAM:** Maine Public Broadcasting completed its second fiscal year as Maine's unified public broadcasting entity in a strong financial position and with over 44,000 members of Maine Public Television and more than 12,000 members of Maine Public Radio.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

Among the year's activities and programs designed to better serve the people of Maine are:

- The addition of WMEF-FM, Fort Kent, to Maine Public Radio's network of six public radio stations.
- Channel 39, Lewiston, and Channel 30, Bangor, were added to Maine Public Television PLUS stations.
- Local programming efforts in public affairs coverage of local issues and political campaigns were expanded on both Maine Public Television and Maine Public Radio. Maine Public Radio's program "Maine Things Considered" received numerous awards. The most prestigious being the *Best Newscast* in the Nation award from the Public Radio News Directors Association.
- Outreach efforts throughout the state were established to enhance Maine's early childhood education through Maine Public Television's Early Childhood Project, made possible by a grant from the Farmers Home Administration. Maine Public Television's success with the project was acknowledged by PBS by the awarding of its distinguished "ELMO" award to MPTV's Early Childhood Project.
- Public use of Maine Public Television reached record levels with 285,000 households using the service every week. Public radio use also increased to 103,000 people per week, with both the Portland and Bangor stations ranking in the top five stations in the nation for cumulative reach.

### PUBLICATIONS:

*Viewfinder*—Program guide, Maine Public Television—Membership fee, \$35.00

*Airplay*—Program guide, Maine Public Radio—Membership fee, \$35.00

*Directline*—Quarterly newsletter to teachers, librarians concerning educational program opportunities—Free

Annual Report—Free

MPBC "Partnership Brochure"—Free

Learning Blocks Brochure—Free

### FINANCES, FISCAL YEAR 1994:

**INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT**

**MAINE PUBLIC BROADCASTING  
UNAUDITED REVENUE & EXPENSE STATEMENT  
AS OF JUNE 30, 1994**

<b>Revenue</b>		<b>Expenses</b>	
DEVELOPMENT		Broadcasting	\$3,059,339
Membership TV	2,515,693	Engineering	1,640,144
Membership Radio	778,649	Marketing & Development	2,294,705
Matching Gift TV	21,721	Administration	1,391,662
Matching Gift Radio	10,133	Misc. Projects & Services	1,408
Corp. Donations TV	9,500	Sub-Total Operating Expenses	8,387,258
Underwriting TV	451,676	Strategic Initiatives	
Underwriting Radio	196,127		8,387,258
Major Gifts	238,572	Grant Expenditures	313,881
Foundations TV	63,590	Sub-Total Expenses	8,701,139
Foundations Radio		Capital Improvement Fund	443,656
Town Donations TV	27,895	TOTAL EXPENDITURES	9,144,795
Other Donation TV		Estimated Revenue/Expense	180,836
Other Donations Radio	152		
Subtotal Development	4,313,708		
MARKETING			
Auction	588,080		
Special Events TV	3,500		
Guide Ads TV	18,707		
Guide Ads Radio	576		
Subtotal Marketing	610,863		
GOVERNMENTAL			
State Appropriation	2,230,157		
CPB Grants TV	1,376,895		
CPB Education Service Grant			
CPB Grants Radio	358,443		
PBS Grants	3,530		
Subtotal Governmental	3,969,025		
OTHER			
Projects TV	8,026		
Projects Radio	5,625		
Projects Engineering	1,278		
Rentals	57,145		
Interest	25,647		
Miscellaneous	20,433		
Subtotal Other	118,154		
Sub-Total Revenue	9,011,750		
GRANTS			
Early Childhood Project	313,881		
New FMHA			
Subtotal Grants	313,881		
TOTAL REVENUE	9,325,631		

## SLUDGE AND RESIDUALS UTILIZATION RESEARCH FOUNDATION

DAROLD WOOLEY, CHAIRPERSON

*Central Office:* 11 Coburn Hall, U. of Maine, Orono;

*Telephone:* 207/581-1490

*Mail Address:* 11 Coburn Hall, U. of Maine, Orono, Maine 04469

*Established:* April 28, 1988

*Sunset Review:* Not Required

*Reference: Policy Area:* 05; *Umbrella:* 99; *Unit:* 309; *Citation:* 38 M.R.S.A., Sect. 1380

*Average Count—All Positions:* 7 Members of Board of Trustees

*Legislative Count:* 0

- PURPOSE:** A. Promote, conduct, facilitate and fund research into sludge and residuals utilization; and  
B. Establish and operate a clearinghouse for information on the beneficial uses of sludge and residuals and any health or environmental consequences.

**ORGANIZATION:** The board of trustees consists of eight members as follows: one member from the Department of Environmental Protection; one from the Department of Agriculture, Food and Rural Resources; one from the Maine Waste Management Agency; one from an environmental interest group; one from the Maine Wastewater Control Association; one from the Maine Municipal Association; one representing users of sludge or residuals; and one representing generators of sludge or residuals. Members are appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over natural resources and to confirmation by the Legislature. Each member serves a term of three years (except for staggered appointments in the organizational year) and may be reappointed to additional terms. The Governor shall appoint a successor to fill a vacancy for an unexpired term from the same representational group as was represented by the predecessor trustee.

The members elect a chairperson, vice-chairperson, treasurer, and clerk at the first meeting of every fiscal year. The terms of office are one year but members may be elected to additional terms.

**PROGRAM:** During the past fiscal year, the Foundation carried out its mission through management and information clearinghouse activities. The clearinghouse produced two newsletters, the *SRURF Update* and a research report, *Chemical Changes in Soils and Soil Solutions Resulting from Application of Wood Ash to Forest Soils*. A second report is being printed by the Maine Agricultural Experiment Station.

Membership renewals at the end of the fiscal year amounted to \$400.

No new research projects were begun during the fiscal year. However, a study of the solubility of heavy metals in wood ash received partial Foundation support. The results were reported in the July, 1993 newsletter.

The Clearinghouse responded to information requests from citizens and the media, both in Maine and from other states. A meeting of researchers and wood ash generators was held at the University of Maine Nov. 10, 1992. A presentation about the Foundation and the need for wastewater sludge research was delivered to a training session organized by the Joint Environmental Training Coordinating Council in November, 1992.

**PUBLICATIONS:** The following publications are free: fact sheets on two research projects; a brochure describing the mission of the SRURF; four issues of the *SRURF Update* newsletter.

A research report on chemical changes in wood ash amended soils is available for \$5.00.

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The following display has been provided by the unit from its own accounting records.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

### SLUDGE AND RESIDUALS UTILIZATION RESEARCH FOUNDATION

#### EXPENDITURES:

Administrative Costs—Research Grants \$14,036.27

**TOTAL EXPENDITURES** \$14,036.27

## SOUTHERN MAINE TECHNICAL COLLEGE

WAYNE H. ROSS, PRESIDENT

WILLIAM C. WARREN, Vice President/Academic Dean

*Central Office:* Fort Rd., So. Portland

*Telephone:* 767-9500

*Mail Address:* Fort Rd., So. Portland, Maine 04106

*Established:* 1946

*Sunset Review Required by:* June 30, 2002

*Reference:* Policy Area: 02; Umbrella: 99; Unit: 444; Citation: 20A M.R.S.A., Sect. 10103

*Average Count—All Positions:* 176

*Legislative Count:* 0

**PURPOSE:** Southern Maine Technical College is dedicated to provide a high quality program of instruction which not only recognizes the importance of technical knowledge and development of skills, but, in addition, the need to develop work and social habits and attitudes. The College believes in an integrated technical and related education as necessary throughout the occupational curriculum to enable students to develop a self-awareness and social responsibility to successfully compete in a chosen occupational field.

**ORGANIZATION:** Southern Maine Technical College was founded in 1946 and was operated as a day school for six years in the Vickery-Hill Building in Augusta as the Maine Vocational Institute. An ever-increasing enrollment, however, and the rapid growth of the technological sciences, necessitated more comprehensive facilities. During the summer of 1952 the Institute was moved to the former site of Fort Preble in South Portland. In 1964 the addition of other vocational-technical institutes within the state required the name to be changed to Southern Maine Vocational-Technical Institute (SMVTI). In 1989, the 114th Maine Legislature enacted Public Law, Chapter 443, "An Act to Enhance the Status of Vocational-Technical Education in Maine," officially changing the names of the Vocational-Technical Institutes to Technical Colleges. Effective September 30, 1989, by recommendation of the Board of Trustees, SMVTI became Southern Maine Technical College.

The present SMTC campus of approximately 68 acres now consists of 44 buildings, ranging from the technical instruction facilities to residence halls. A total of 13 departments comprise the 34 technical programs on campus.

The programs now being offered include:

Applied Marine Biology & Oceanography  
Automated Office Management  
Automotive Technology  
Building Construction  
Cardiovascular Technology  
Computer Technology  
Culinary Arts  
Dietetic Technician  
Drafting  
Early Childhood Education  
Electrical Technology  
Electronics Technology

Environmental Technology  
Extended Studies  
Heating & Air Conditioning  
Hotel-Motel-Restaurant Management  
Industrial Electricity  
Industrial Electronics Technology  
Law Enforcement Technology  
Local Government Administration  
Practical Nursing  
Machine Tool Technology  
Marine Science Engineering  
Medical Assistant



## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

Medical Transcriptionist  
Nautical Science  
Nursing  
Plant & Soil Technology  
Plumbing  
Pollution Abatement Technology

Radiation Therapy  
Radiologic Technology  
Registered Nursing  
Respiratory Therapy  
Surgical Technology

Many of the programs have several options in depth or specialization, thereby meeting the educational and financial needs of the students and allowing the College to maintain maximum efficiency of facilities and personnel.

SMTC is governed by the Board of Trustees of the Maine Technical College System, under provisions of Title 20-A, Chapter 431, M.R.S.A.

**PROGRAM:** The 1993-94 year at Southern Maine Technical College brought record levels of enrollment in both the regular day programs and through the Continuing Education Division.

Enrollment of regular day students, deferred admissions, deferred degree and special students totalled 2,524 in the fall of 1993. Freshmen enrollment totaled 862. Over 10,000 persons were served through the Adult and Continuing Education Division in courses for upgrading, retraining and apprentices. The Division also provided courses for over 29 area industries, businesses, trade associations, Job Training Partnership Act programs, and communities to assist in upgrading personnel. These courses were offered in-plant and on campus and were specifically designed for the industry.

Approximately 700 students received \$3 million in student financial aid during 1993-94. Needy students applied for a variety of student assistance programs, including Pell Grant, Federal Supplemental Educational Opportunity Grant, Federal College Work Study, SMTC Student Labor, SMTC grants/scholarships, Federal Family Education Loan Programs, and various State Scholarships. Applications for student aid increased by 6% over the previous year to a record number of 1,429 applications.

In 1993, 78% of the graduates responding to the annual follow-up survey reported that they had found employment; of those graduates, 79% were working in jobs related to their major. Twenty-one percent of the graduates responding to the survey indicated that they were pursuing some level of additional education. Related employment statistics for Automotive Technology, Building Construction, Computer Technology, Dietetic Technology, Electrical Technology, Hotel, Motel & Restaurant Management, Nautical Science, Nursing, Plant & Soil Technology, Trade & Technical Occupations, Surgical Technology, Fire Science, Heating & Air Conditioning, Machine Tool, Marine Engineering, Radiation Therapy, and Respiratory Therapy were 80% or greater. The average hourly wage for all programs was \$10.03 with the highest entry-level wage reported at over \$18.00 per hour.

This past year has been an exciting one at SMTC. Both administration and faculty demonstrated a determination to provide an integrated technical and related education to enable students to develop a self-awareness and social responsibility to successfully compete in a chosen occupational field. Our dedicated support staff continue to contribute much to the quality and success of the college.

### LICENSES, PERMITS, ETC.:

Associate Degree in Applied Science  
Diploma  
Certificate of Completion

### PUBLICATIONS:

No charge for any of the following publications:

Campus Map  
SMTC Viewbook  
Admissions Policies, Procedures, & Applications  
Tour Schedules  
Institutional Fact Sheet  
"The Point" Alumni Newsletter

Program Brochures as follows:  
Applied Marine Biology & Oceanography  
Automated Office Management  
Automotive Technology

Building Construction  
Cardiovascular Technology  
Computer Technology  
Culinary Arts  
Dietary Technician  
Drafting  
Early Childhood Education  
Electrical Technology  
Electronics Technology  
Environmental Technology  
Extended Studies  
Heating, Air Conditioning

Hotel-Motel-Restaurant Mgt.  
Industrial Electricity  
Law Enforcement Technology  
Local Government Administration  
Machine Tool Technology  
Marine Science Engineering  
Medical Assistant  
Medical Transcriptionist  
Nautical Science

Nursing  
Plant and Soil Technology  
Plumbing  
Pollution Abatement Technology  
Radiation Therapy  
Radiologic Technology  
Respiratory Therapy  
SMTC Catalog, 1991-93

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Board of Trustees of the Maine Technical College System.

## **BOARD OF TRUSTEES OF THE MAINE TECHNICAL COLLEGE SYSTEM**

**JAMES W. DONOVAN, CHAIRMAN**

*System Office:* 323 State Street, Augusta, ME

*Telephone:* 287-1070

*Mail Address:* 323 State St., Sta. #131, Augusta, Maine 04333

*Established:* June 28, 1985

*Sunset Review Required by:* June 30, 2002

*Reference: Policy Area:* 02; *Umbrella:* 99; *Unit:* 480; *Citation:* 20A M.R.S.A., Sect. 12702

**PURPOSE:** The Board of Trustees of the Maine Technical College System was established by P.L. 1985 Chapter 695 to be the policy-making authority of the system, to develop and adopt policies for the operation of the system; establish the administrative council; and approve programs and policies recommended by the system president and the administrative council; to prepare and adopt a biennial, line-category, operating budget; to develop and adopt personnel policies and procedures.

**ORGANIZATION:** The Board of Trustees of the Maine Technical College System, as established by Chapter 695, P.L. 1985, consists of 13 members. Twelve are from the fields of business, industry, labor, education and the general public, and one is a student from one of the technical colleges. The Commissioner of Education, the Commissioner of Economic and Community Development, and the Commissioner of Labor serve ex officio.

**PROGRAM:** P.L. 1985 Chapter 695, "AN ACT to Establish the Maine Vocational-Technical Institute System" was signed into law on April 16, 1986. Chapter 695 set in motion the reorganization of the statewide network of vocational-technical institutes — up until then operated as subsidiaries of the Bureau of Vocational Education, under the governance of the State Board of Education — into the Maine Vocational-Technical Institute System, an autonomous postsecondary educational institution governed by an independent Board of Trustees of the Maine Vocational-Technical Institute System.

In 1989, the 114th Maine Legislature enacted Public Law, Chapter 443, "An Act to Enhance the Status of Vocational-Technical Education in Maine," which officially changed the name of the Maine Vocational-Technical Institute System to the Maine Technical College System, and clearly defined the System's role in postsecondary education.

The Maine Technical College System (MTCS) constitutes a "public instrumentality of the State" but not a "line" State agency, included in or attached to a cabinet department; its status vis-a-vis State government is similar to that of the Maine Maritime Academy and the University of Maine System. P.L. 1985, Chapter 695 defines the basic mission of the Maine Technical College System in the following terms: "To provide associate degree, diploma, and certificate program, directed at the educational,

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

occupational, and technical needs of the state's citizens and the work force needs of the state's employers." The law further defines the primary goals of postsecondary vocational technical education and MTCS as follows: "to create an educated, skilled, and adaptable labor force which is responsive to the changing needs of the economy of the state, and to promote local, regional, and statewide economic development."

The MTCS represents an investment of approximately \$100 million that has helped meet the technical training needs of the State of Maine for over 40 years. The first institute was established after World War II to provide vocational and technical training to returning veterans.

Today, the MTCS offers certificate, diploma, and associate degree programs in over 65 different program areas—including culinary arts, business management, accounting, data processing, computer programming, secretarial science, electronic technology, allied health technologies, nursing, construction trades, marine trades, welding technology, graphic arts, occupational safety & health, lineworker technology, boat building, fire science, law enforcement, plumbing, heating, air conditioning, and automotive technology.

The six Technical Colleges have a clear sense of mission, an excellent placement record, and a strong base of support at the local and regional level. The colleges have consistently enjoyed strong support from the Legislature and the voters of Maine. In 1989, Maine voters approved a \$20.2 million general fund bond issue for capital improvements at each of the six campuses.

The MTCS System Office, set up by legislation to provide statewide coordination and leadership to the six colleges, operates at 323 State St., Augusta. The six-college system consists of Central Maine Technical College in Auburn, Eastern Maine Technical College in Bangor, Kennebec Valley Technical College in Fairfield, Northern Maine Technical College in Presque Isle, Southern Maine Technical College in South Portland, and Washington County Technical College in Calais and Eastport. In the spring of 1994, the 116th Maine Legislature approved and funded a seventh technical college to be located in York County. York County Technical College will begin enrolling students in the Fall of 1995.

Student aid is made available to MTCS students through College Work Study, Pell Grants, State Scholarship Grants, State Student Incentive Grant funds, along with individual scholarships offered at the respective colleges. Remedial programs are offered through federal vocational funds. JTPA programs are funded at the Technical Colleges under the eight percent education coordination and grants set aside of the JTPA Title II(A) funds.

In the spring of 1992, the Board of Trustees approved a unifying Vision Statement for the Maine Technical College System. The statement was developed with input from administrators, faculty, staff, students and college advisory groups from across the six-college System.

### **Maine Youth Apprenticeship Program**

The Maine Youth Apprenticeship Program was established in 1992 as a pilot project serving high schools and businesses in Southern Maine. The Center for Youth Apprenticeship was established as a nonprofit corporation at Southern Maine Technical College with responsibility for administering the program, which provides an additional education option, through a partnership between business and education, for high school students to receive a combination of academic learning and structured work-based learning that prepares them directly for career-related employment or continued education.

The goals of the Maine Youth Apprenticeship Program are: (1) to provide a sequential education and training program that enhances opportunities for Maine youth to become highly skilled and productive members of the workforce; (2) to provide a skilled and educated workforce for Maine businesses to increase their competitiveness in the global economy; and (3) to enhance the economic future of the state and improve its productivity and competitive position in a world economy by creating a skilled and educated work force.

A Skill Standards Board was established in state law to advise the director of the program on industry skill standards that must be mastered in order for a student to be awarded a Certificate of Skill Mastery. The Board consists of representatives from business and industry, organized labor, and education, as well as two youth apprentices, two business members participating in the program, and a member of the State Apprenticeship and Training Council.

The program expanded in Cumberland County and into York County and the Bangor, Lewiston/Auburn and Kennebec Valley regions in the 1993-94 academic year. The Maine Legislature approved additional funds for expansion into Aroostook and Washington counties in 1994/95.

### **PUBLICATIONS:**

1991-1993 Progress Report of the Maine Technical College System—free  
Maine Technical College System Viewbook

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

Maine Technical College System: Contract Training for Business, Industry and Service Organizations (brochure)—free  
Imagine Yourself: Careers for Women in Trades and Technology—free  
Maine Technical College System brochure—free  
Course catalogs for each campus — free  
Skills for the 21st Century report—free  
Maine Technical College System Newsletter (issued 3 times per year)—free

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

<b>BOARD OF TRUSTEES OF THE MAINE VOCATIONAL- TECHNICAL INSTITUTES</b>	<b>TOTAL FOR ALL FUNDS</b>	<b>General Fund</b>	<b>Special Revenue Funds</b>	<b>Highway Fund</b>	<b>Federal Funds</b>	<b>Misc. Funds</b>
<b>EXPENDITURES</b>						
Grants—Subsidies—Pensions	26,356,167	24,492,497	469,497			1,394,173
Interest—Debt Retirement	256,850					256,850
<b>TOTAL EXPENDITURES</b>	26,613,017	24,492,497	469,497			1,651,023

## MAINE TURNPIKE AUTHORITY

**ROBERT K. PACIOS, CHAIRMAN**  
**PAUL E. VIOLETTE, EXECUTIVE DIRECTOR**

*Central Office:* 430 Riverside St., Portland

*Telephone:* 207-871-7771

*Mail Address:* 430 Riverside St., Portland, Maine 04103

*Established:* 1941

*Sunset Review Required by:* June 30, 2003

*Reference:* Policy Area: 07; Umbrella: 99; Unit: 420; Citation: 23 M.R.S.A., Sect. 1963

*Average Count—All Positions:* 350

*Legislative Count:* 0

**PURPOSE:** This Authority was created to facilitate vehicular traffic in Maine by constructing, operating and maintaining the turnpike.

**ORGANIZATION:** The Authority consists of 4 members plus the commissioner of the Department of Transportation who is an ex officio member. These 4 members are appointed by the Governor subject to confirmation by the Legislature. The Governor appoints a chairman from this group of 4. The Authority is empowered to elect a secretary-treasurer and an executive director.

The Maine Turnpike Authority is a body both corporate and politic, and is an independent agency created by the Legislature.

**PROGRAM:** Throughout the year the Authority has maintained and operated the Turnpike through its collection of tolls, and supplements selected D.O.T. programs for access roads to the Turnpike and along the corridor.

### **LICENSES, PERMITS, ETC.:**

The Maine Turnpike Authority issues permits which authorize oversize loads and overlimit loads. The fee for the permits is \$10.00.

**PUBLICATIONS:** Maine Turnpike *Rules & Regulations* Governing the use of Turnpike.

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit.

## BOARD OF TRUSTEES UNIVERSITY OF MAINE SYSTEM

**PATRICIA M. COLLINS, Chair**

**J. MICHAEL ORENDUFF, Chancellor**

*Central Office:* 107 Maine Ave., Bangor

*Telephone:* 947-0336

*Mail Address:* University of Maine System, 107 Maine Avenue, Bangor, Maine 04401

*Established:* 1865

*Sunset Review Required by:* June 30, 1999

*Reference:* Policy Area: 02; Umbrella: 78; Unit: 421; Citation: 1967 P&SL Chap. 229

*Average Count—All Positions:* 4,130

### *Organizational Units:*

Board of Trustees

Office of the Chancellor

System Wide Services

University of Maine (UM)

University of Southern Maine (USM)

University of Maine at Farmington (UMF)

University of Maine at Fort Kent (UMFK)

University of Maine at Machias (UMM)

University of Maine at Presque Isle (UMPI)

University of Maine at Augusta (UMA)

**PURPOSE:** The University of Maine System is the state university of Maine. It provides undergraduate, graduate, and professional education in a variety of fields, conducts research and performs public service for the people of the State.

The University of Maine System was established to “develop, maintain and support a structure of public higher education in the State of Maine which will assure the most cohesive system possible for planning, action and service in providing higher education opportunities...” (M.R.S.A., Title 20, § 2251). Its Board of Trustees is authorized to provide through its institutions an organized program of instruction, research, and service and award academic degrees; to ensure the academic freedom of its faculty; to recognize the eligibility of all Maine citizens with high school diplomas or equivalent for the benefits of higher education; to assign a high priority of funds to programs in support of citizens considered economically, educationally, socially, and culturally disadvantaged; to research and evaluate the effectiveness of the delivery of higher education opportunities; to maximize the use of federal funds to further the mission of the University; and to make effective use of available resources for the operation of programs for the nontraditional, part-time learner.

Further, the Board of Trustees is empowered by its charter to appoint a Chancellor as chief administrative and academic officer and, on the nomination of the Chancellor, appoint campus Presidents; approve and prepare the operating and capital budgets of the University; accept the responsibility for governance and planning for public higher education; enter into contracts with the State and municipalities; appoint instructional personnel; establish the qualifications for admission; establish a college of medicine; and annually report all receipts and expenditures on account to the Legislature.

**ORGANIZATION:** The 103rd Legislature, recognizing the need for a more cohesive system of public higher education, voted to combine all units of the State College system and OPAL — Orono, Portland, Augusta, Law School. The result was the creation of the consolidated University of Maine System in 1968, with a single Board of Trustees.

The Portland and Augusta branches remained under the Orono campus's administrative umbrella at the time of the 1968 merger, but Portland became a separate campus in 1970 and Augusta followed one year later. Portland and Gorham were made a single institution in 1972 and in 1978 the name was changed from University of Maine at Portland/Gorham to the University of Southern Maine. In 1986 the

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

University of Maine was renamed the University of Maine System and the University of Maine at Orono's name was changed to University of Maine.

### PROGRAM:

**Instruction.** The University of Maine System is a multi-campus system providing a comprehensive program of offerings. Program levels include the associate, baccalaureate, master's, certificate for advanced study and doctoral programs, including the professional degree in law. Academic programs include offerings in arts and sciences, agriculture, forestry, technology, business, education, life sciences, engineering, law and nursing.

Fall 1993 enrollment in all University programs totaled 31,661 and 5,239 persons were awarded degrees in 1992/93. Growth in numbers of part-time and adult learners reflects significant changes in the missions of all of the campuses. While the full-time, day-time, campus-based and younger student is still central in the Trustees' concerns and plans, the emphasis on part-time learners has led to better integration of all types of students.

The University carries out its general mission to the State by assigning specific activities to each of its seven campuses and their respective academic and administrative units. These responsibilities have been established on the basis of such criteria as: 1) insuring a solid core of general studies; 2) building centers of excellence and expertise in specialized fields; and 3) responding to the unique cultural, agricultural, and industrial needs of regions.

**Public Service.** Public service activities bring the University System into close contact with Maine residents through the use of campus facilities, research capabilities, and faculty talent in direct support of community and individual needs throughout the State. A major example: Cooperative Extension is a product of federal, state, and county governments and relates directly to the family, homemaker, and youth by providing educational and informational assistance to individuals, families, and communities. Public service activities are supported and encouraged on each campus and include the use of University faculty in elementary and secondary schools, direct aid by faculty experts to business and industry, the application of new research technologies, and the communication of information of importance to the citizens of Maine.

**Research.** Research is encouraged on each of the campuses of the University System as appropriate to that campus's portion of the University mission to expand skills, teaching, and competence, to increase knowledge of Maine resources and to improve their utilization, and to assist the local economy. Much research and development has proved extremely productive and useful. The two major centers for research at Orono and at Southern Maine have made an impressive record in both basic and applied research. Responding to both community and individual requests, University research unquestionably has benefited Maine's business, agriculture and government.

### UNIVERSITY OF MAINE SYSTEM FULL-TIME REGULAR EMPLOYEES JUNE 1994

#### BY EMPLOYEE CATEGORY

Faculty	1,226
Professional and Administrative	1,239
Classified	1,665
Total	4,130

#### BY SOURCE OF FUNDING

Educational and General	3,047
Auxiliary Enterprise	339
Restricted	744
Total	4,130

#### PUBLICATIONS:

- (1) *The Chancellor's Report*, University of Maine System (free)
- (2) Chancellor's Newsletter, University of Maine System (free)
- (3) University of Maine System Profile (free)
- (4) University of Maine System Admissions Brochure (free)
- (5) Financial Report, University of Maine System (free)

# INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

- (6) Directory of Public Service Programs in the University of Maine System (free)
- (7) University of Maine System Facts & Figures (free)

**FINANCES, FISCAL YEAR 1994:** The Bureau of the Budget does not maintain comprehensive fiscal data relative to this unit. The following display has been provided by the unit from its own accounting records.

## UNIVERSITY OF MAINE SYSTEM STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES FOR THE YEAR ENDED JUNE 30, 1994

	Current Funds			
	Unrestricted Operations	Appropriated/ Designated	Restricted	Total
<b>REVENUES AND OTHER ADDITIONS:</b>				
Tuition and fees	\$ 78,518,548	\$ —	\$ —	\$ 78,518,548
Governmental appropriations-state	132,725,585	—	—	132,725,585
Governmental appropriations-federal	50,000	—	6,195,725	6,245,725
Governmental grants and contracts-state	—	—	13,354,934	13,354,934
Governmental grants and contracts-federal	—	—	37,272,544	37,272,544
Private gifts, grants and contracts	—	241,382	11,675,436	11,916,818
Endowment income	1,326	44,207	1,789,060	1,834,593
Investment income	2,301,010	—	324,615	2,625,625
Change in gain or (loss) on investments (Note 4)	—	—	—	—
Recovery of indirect costs	4,128,088	—	4,128,088	—
Educational sales and services	8,976,381	8,916,393	44,000	17,936,774
Auxiliary enterprises	45,160,209	—	45,160,209	—
Expended for plant facilities	—	—	—	—
Retirement for indebtedness	—	—	—	—
<b>Total revenues and other additions</b>	<b>\$271,861,147</b>	<b>\$ 9,201,982</b>	<b>\$70,656,314</b>	<b>\$351,719,443</b>
<b>EXPENDITURES AND OTHER DEDUCTIONS:</b>				
Educational and general—				
Instruction	\$ 90,423,517	\$ 3,530,998	\$ 5,756,513	\$ 99,811,028
Research	7,491,475	1,852,224	18,574,223	27,917,922
Public service	6,998,099	5,633,848	15,911,691	28,543,638
Academic support	33,329,233	221,080	2,168,533	35,718,846
Student services	21,893,154	237,183	701,045	22,831,382
Institutional support	27,617,754	473,367	261,226	28,352,347
Operation and maintenance of plant	22,567,092	1,424	14,004	22,582,520
Depreciation	—	—	—	—
Student aid	7,543,805	208,095	25,872,840	33,624,740
Auxiliary enterprises	40,367,456	—	—	40,367,456
<b>Total expenditures and other deductions</b>	<b>\$258,331,585</b>	<b>\$12,158,219</b>	<b>\$69,260,075</b>	<b>\$339,749,879</b>
<b>TRANSFERS</b>	<b>(13,461,574)</b>	<b>3,983,649</b>	<b>(1,412,989)</b>	<b>(10,890,914)</b>
<b>Net increase (decrease) for the year</b>	<b>67,988</b>	<b>1,027,412</b>	<b>(16,750)</b>	<b>1,078,650</b>
<b>Fund balance—beginning of the year</b>	<b>718,554</b>	<b>42,617,922</b>	<b>13,199,302</b>	<b>56,535,778</b>
<b>Fund balance—end of the year</b>	<b>\$222,786,542</b>	<b>\$43,645,334</b>	<b>\$13,182,552</b>	<b>\$57,614,428</b>

The accompanying notes and summary of significant accounting policies are integral parts of these financial statements.

UNIVERSITY OF MAINE SYSTEM  
SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES  
JUNE 30, 1994 AND 1993

The University of Maine System ("the University") consists of seven campuses and a central administrative office. All activities of the University are included in the accompanying financial statements. The University of Maine System is exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code. Not included are several independent organizations which operate for the benefit of the University, including the University of Maine Foundation (1935, P.&S.L., Chapter 10) (Note 9) and several other foundations and alumni associations. These organizations are non-profit entities controlled by separate Governing Boards whose goals are to support the University. They receive funds primarily through donations and contribute funds to the University for student scholarships and institutional support.

**SIGNIFICANT ACCOUNTING POLICIES**

**Basis of Presentation**

The financial statements of the University are prepared on the accrual basis of accounting except for interest on student loans and workers' compensation benefits which are recorded when received or paid. These departures from the accrual basis of accounting do not have a material effect on the accompanying financial statements. The statement of revenues, expenditures and changes in fund balances is a statement of financial activities related to the current reporting period.

To the extent that current funds are used to finance other fund groups, the amounts so provided are accounted for as (1) transfers of a non-mandatory nature; or (2) interfund borrowings, according to the terms of the various arrangements. The accompanying financial statements reflect various interfund transfers which are substantially comprised of items which are not mandated by external sources, but rather by University policy.

**Fund Accounting**

The University follows fund accounting procedures by which resources for various purposes are classified for accounting and reporting purposes in accordance with activities or objectives specified. This is done in accordance with regulations, restrictions, or limitations imposed by donors or sponsoring agencies outside the University, or in accordance with directives issued by the Board of Trustees.

A fund is a self-balancing set of accounts for recording assets, liabilities, a fund balance, and changes in the fund balance. Separate accounts are maintained for each fund group to ensure compliance with limitations and restrictions placed on the use of resources.

The following funds are restricted by external sources and accordingly are not available for unrestricted purposes: Current Restricted Funds, Loan Funds, Endowment Funds, and Retirement of Indebtedness Funds.

**Current Funds**

Current Appropriated Funds represent reserves established principally to meet obligations for employee benefit programs and auxiliary enterprises.

Current Designated Funds are unrestricted funds for which the Board of Trustees or administration stipulates a specific use, thereby "designating" them for that purpose only. However, the Board of Trustees may at any time redesignate the funds for another use.

Current Unappropriated Funds, derived from educational and general operations of the University and from appropriations, gifts and grants, may be used at the discretion of the Board of Trustees or their designees to meet current expenditures for any purpose.

Current Restricted Funds, derived from appropriations, gifts or grants may be used only to meet current expenditures for the purposes specifically identified by the donors or by sponsoring agencies.

**Loan Funds**

Loan Funds, derived from Federal appropriations, gifts, grants and matching funds provided by the University, may be used only for providing loans to students and others specified by the donors or by sponsoring agencies.

**Endowment Funds**

Endowment Funds are subject to the restrictions of gift instruments requiring that the principal be invested and only the related investment income be used to meet current expenditures. Quasi-endowment Funds, established from time to time by the Board of Trustees, serve the same purposes as Endowment Funds, but both principal and income of Quasi-endowment Funds may be expended.



## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

### Plant Funds

Plant Funds, derived from appropriations, gifts, grants and University funds so designated by the Board of Trustees, may be used to meet expenditures for construction of additional facilities, major renovations, major equipment and retirement of indebtedness arising therefrom.

### Restricted Gifts and Grants

The University records restricted revenues from gifts when they are received and grants at the time the services have been performed.

### Endowment Fund Investments

Endowment Fund investments and investment activity are recorded at market value as determined by the University's Investment Advisors. Fluctuations in market value are reflected in the financial statements as unrealized appreciation or depreciation on investments.

The University follows the pooled investment concept for its endowments whereby all invested funds are included in one investment pool, except for investments of certain endowment funds that are otherwise restricted. Investment income is allocated to each fund participating in the pool based on its pro-rata share of the pool.

### Investment in Plant

Plant assets are stated at cost when purchased or constructed at fair market value when acquired by gift. Plant Fund assets are depreciated in a manner which does not require the funding of the depreciation, but allows for the depreciation to accumulate in the Investment in Plant subsection of the Plant Fund. Depreciation is recorded on a straight line basis over the estimated useful lives of the related assets principally as follows:

	YEARS
Buildings	30 - 60
Improvements	20 - 40
Equipment and Library Books	5 - 15

Expenditures for maintenance, repairs and minor renewals and replacements are expensed as incurred; major renewals and replacements are capitalized. Equipment is removed from the financial statements when it become fully depreciated. When land, buildings and improvements are retired or otherwise disposed of, the asset and accumulated depreciation accounts are adjusted and any resulting gain or loss is reflected in the statement of changes in fund balance.

## OTHER SIGNIFICANT ACCOUNTING POLICIES

The University has an incentive budgeting policy whereby campuses receive the net savings achieved during the year. The favorable variances of actual performance in relation to budget are awarded to the campuses to be used for high priority unfunded programs (80%) and for maintenance reserves (20%). Such amounts are reflected in Designated and Appropriated Fund Balances.

The accompanying financial statements include financial instruments for which the carrying value approximates fair market value. Such financial instruments include cash equivalents and short-term investments, restricted grants receivable, bonds payable, and deposits with Trustee. Endowment fund investments are carried at market value. It is not practical to estimate the fair market value of Loan fund notes receivable as these instruments are not readily marketable under Federal guidelines.

Certain prior year items in the accompanying financial statements have been reclassified, without effect on total fund balances, to conform to the current year's format. Other significant accounting policies are set forth in the accompanying notes to the financial statements.

# BOARD OF TRUSTEES OF THE MAINE VETERANS' HOMES

STEVEN C. GAUDETTE, CHAIRMAN

*Central Office:* Cony Road, RFD #2, Augusta

*Telephone:* 622-2454

*Mail Address:* Cony Road, RFD #2, Augusta, Maine 04330

*Established:* 1977

*Sunset Review:* Not Established

*Reference:* Policy Area: 06; Umbrella: 99; Unit: 397; Citation: 37B M.R.S.A., Sect. 603

**PURPOSE:** The Board of Trustees of the Maine Veterans' Homes was established to plan, build and manage homes for veterans, their spouses, widows, and widowers. There are currently three State Veterans Homes with a total of 280 Medicaid Certified beds.

The 115th Maine Legislature approved construction of two additional Veterans Homes, one in Eastern and one in Western Maine, of up to 120 beds each. At this time, a new 120-bed home is under construction at Bangor and a 90-bed home is being built at South Paris.

**ORGANIZATION:** The Board of Trustees of the Maine Veterans' Homes was established in 1977 and consists of ten members appointed by the Governor for overlapping terms of three years under limitations provided by Statute.

The Board elects a Chairman, Vice Chairman and Secretary from its members. The members of the Board serve without pay, but may be reimbursed for expenses. The Board must meet at least six times annually.

**PROGRAM:** The Maine Veterans Home has a 120-bed nursing home in Augusta, a 40-bed nursing home in Caribou, and a 120-bed nursing home in Scarborough. Two new homes are in construction. A 120-bed home at Bangor will have a 40-bed special care unit. A 90-bed home at South Paris will have a 30-bed special care unit. All are Medicaid and Medicare certified Facilities. The homes accept for admission war time veterans and the spouse, widow or widower of such veteran, in need of nursing home care.

The Maine Veterans Home—Augusta is a clinical resource for training in geriatric medicine of graduate medical students studying in the specialty of Family Practice medicine at the Maine-Dartmouth Family Practice Residency Program. The Maine Veterans Home—Scarborough is a clinical resource for training in geriatric medicine of graduate medical students studying in the specialty of Family Practical Medicine and Internal Medicine at the Maine Medical Center. Both Homes are also clinical resources in geriatric nursing education for Registered Nurses, Licensed Practical Nurses and nurse aides. These educational functions fulfill, in part, the goal of the Maine Veterans Home to provide patient service, education and research in geriatric and rehabilitative medicine.

**FINANCES, FISCAL YEAR 1994:** The following financial display was generated from this unit's accounts as recorded in the files of the Bureau of the Budget's MFASIS system.

BOARD OF TRUSTEES OF THE MAINE VETERANS' HOMES	TOTAL FOR ALL FUNDS	General Fund	Special Revenue Funds	Highway Fund	Federal Funds	Misc. Funds
<b>EXPENDITURES</b>						
Interest—Debt Retirement	181,925					181,925
<b>TOTAL EXPENDITURES</b>	181,925					181,925

## WASHINGTON COUNTY TECHNICAL COLLEGE

RONALD P. RENAUD, PRESIDENT

*Central Office:* River Rd., Calais

*Telephone:* 454-2144

*Mail Address:* RR#1, Box 22c, Calais, Maine 04619

*Established:* 1969

*Sunset Review Required by:* June 30, 2002

*Reference: Policy Area:* 02; *Umbrella:* 99; *Unit:* 445; *Citation:* 20A M.R.S.A., Sect. 10103

*Average Count—All Positions:* 60

*Legislative Count:* 0

**PURPOSE:** The primary purpose of Washington County Technical College (WCTC) is to provide post-secondary vocational-technical education for citizens of Maine. Full-time instruction is offered in 16 occupational programs. Part-time instruction is provided to upgrade and retrain those already in the work force.

**ORGANIZATION:** Washington County Technical College (WCTC), formerly known as Washington County Vocational-Technical Institute, was established in 1969. Located on the outskirts of Calais, on a hillside overlooking the St. Croix River, the campus ranges over 400 acres of rolling, open fields fringed by a thick evergreen forest. Modern, functional buildings house the classrooms, shops and library. Several occupational programs are offered at the Calais campus and the Maine Trades Center in Eastport: Automotive Technology, Building Construction, Boatbuilding Technology, Diesel Technology, Food Service, Heating, Heavy Equipment, Maintenance, Heavy Equipment Operation, Plumbing, Residential/Commercial Electricity, Marine and Industrial Coatings Technology, Marine and Recreation Mechanics, Medical Office Technology, Secretarial Studies, and Welding Technology. In 1993, WCTC began offering its first full-time Associate Degree program, in Office Information Systems. The College also offers the A.A.S. in trade and technical occupations and general technology. An aquaculture program is currently in the planning stages and is intended to support this important segment of the Downeast economy. Education at the College is enhanced by expanding offerings in related technical and general education courses.

WCTC is governed by the Board of Trustees of the Maine Technical College System under the provisions of Title 20-A, Chapter 431, M.R.S.A.

**PROGRAM:** WCTC, which is accredited by the New England Association of Schools and Colleges, enrolled 199 full-time and 254 part-time students in credit courses during the 1993-94 school year. Surveys indicate that most of the college's graduates are employed in the occupation for which they were trained. Over 1,000 other individuals were enrolled in educational activities provided by the Continuing Education Division.

**Child Care Center.** The campus child care center continues to provide services to the children of WCTC students and to members of the community through its cooperative relationship with the Washington-Hancock Community Agency. Campus-based child care also includes Headstart services sponsored by Action Opportunities, Inc.

**Home Construction.** The Building Construction Program undertook its ninth new home construction project, with assistance and funding from community sources. A ranch style home was built on campus and sold prior to completion. In addition to providing valuable construction experience for students in the Building Construction, Residential Electricity, Plumbing and Heating classes, the project seems to have spurred some additional new home construction in Calais.

**Mechanical Trades Department.** As part of the College's ongoing efforts to improve educational programs, major curriculum revision is occurring in the Mechanical Trades Programs. This restructuring into modules will reduce redundancy, enhance quality, increase flexibility, and expand program offerings to allow articulation which is currently being pursued with secondary vocational centers.

**Multi-purpose Building.** Construction of a multi-use facility, funded through a 1989 bond issue, began in the spring of 1992 and was completed in April of 1993. This facility houses WCTC's Food and Hospitality program and expanded educational, recreational, and cultural opportunities for students and the community served by WCTC.

**Accreditation.** The New England Association of Schools and Colleges has granted approval for WCTC to award the Association of Applied Science Degree. This is a major step forward for the College, and WCTC was pleased to award degrees to ten Office Information systems majors at Commencement.

## INDEPENDENT AGENCIES—NOT PART OF STATE GOVERNMENT

### **LICENSES, PERMITS, ETC.:**

Diploma  
Certificate  
Associate Degree

### **PUBLICATIONS:**

1. WCTC Catalog 1993-95 (Free)
2. WCTC Viewbook (Free)
3. Scuttlebutt (WCTC Marine Trades Center Newsletter)

**FINANCES, FISCAL YEAR 1994:** The expenditures of this unit are, by administrative decision, included with those of the Board of Trustees of the Maine Technical College System.

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