

# MAINE STATE LEGISLATURE

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STATE OF MAINE

**DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES**

**Bureau of the Budget**  
State House Station #58  
Augusta, Maine 04333

To: Committee on Appropriations & Financial Affairs  
From: Melissa L. Gott, State Budget Officer *MLG*  
Date: November 20, 2013  
Subject: Biennial Report on the Provision of Housing and Food to State Employees

The State Budget Officer is required by 5 M.R.S.A., Section 8-F, to approve rules and regulations established by each department that must carry out the purposes of sections 8-B and 8-C concerning the provision of housing and food to employees. The following departments are affected by 5 M.R.S.A., Section 8-B and 8-C, and therefore subject to the provision:

Agriculture, Conservation and Forestry

During the winter months from approximately late October to late January, a seasonal employee from the seed potato certification program is assigned to a Test Farm in Homestead, Florida. This person stays at the farmhouse to provide continual oversight of the test crop thereby ensuring proper management, including irrigation and pest control. The employee is provided furnished living quarters and receives half the per diem rate because there are kitchen facilities. This employee is an Agricultural Worker I at pay range 14.

The department also maintains 44 housing units throughout the State in the Bureau of Parks and Lands, and seven (7) housing units in the Bureau of Forestry and is in compliance with 5 M.R.S.A., Section 8-B.

Department of Corrections

The department maintains three (3) housing units for the Maine State Prison. They continue to use the state approved housing policies which are in compliance with the State Guidelines.

Department of Inland Fisheries & Wildlife

The Department maintains 20+ housing units throughout the state and is divided into three segments: 1) Warden Services, 2) Hatcheries, and 3) Public Information & Education-Maine Wildlife Park. The Department continues to use the policies set forth in the "Guidelines on State Housing".

Housing & Food  
Page Two  
11/20/13

Department of Transportation

The Department maintains housing units as part of the function of the Maine State Ferry Service. The Ferry Service has developed and maintained a set of housing policies since 1994 (see attached Maine State Ferry Service Policy Memorandum on Crew Quarters Regulations). These policies are in full compliance with the policies as set forth in the "Guidelines on State Housing". This housing is on the islands served by the ferry service, and is for crew members who do not reside on the island, but must layover and/or remain on call during their assigned schedule.

I have enclosed for the Council's review the aforementioned "Guidelines on State Housing" as developed by the Bureau of the Budget to provide uniformity in department rules and regulations.

If you should have any questions regarding this report, please do not hesitate to contact the Budget Office at (207) 624-7810.

Thank you.

MLG/kb

cc: Grant Pennoyer, Director, Office of Fiscal & Program Review  
H. Sawin Millett, Jr., Commissioner, Administrative & Financial Services

Subject: **Crew Quarters Regulations**

1. **SCOPE:** This Policy Memorandum is applicable to all Crew Members utilizing state owned Crew Quarters.
2. **PURPOSE:** To define regulations for all Crew Quarters.
3. **CREW QUARTERS REGULATIONS:**
  - A. Soiled linens are to be collected and deposited at the terminal to be picked up.
  - B. Each person is responsible for keeping the Crew Quarters clean and ready for the next crew.
  - C. Before leaving, the heat is to be turned down; gas, water and lights are to be turned off and all perishable food items are to be removed.
  - D. Doors are to be locked when no one is in the Crew Quarters. Should any personal belongings be taken and the Crew Quarters not locked, no claim will be honored for reimbursement. Any legitimate claim for lost personal items should be made through the Rockland office.
  - E. No alcohol beverages are permitted in the Crew Quarters or on State property.
  - F. No smoking is allowed in the Crew Quarters.
  - G. No persons except Ferry Service personnel are allowed in the Crew Quarters overnight unless authorized by the Manager.
  - H. Telephone calls will be made in accordance with the State/MSEA contract. This information will be submitted to the Rockland office weekly.

## GUIDELINES ON STATE HOUSING

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

(3) Any facilities that are not insulated (exterior walls, roof and windows) and are needed for employees who qualify for housing as a condition of their employment, should be insulated at State expense. Before any direct billings to employees for fuel and electricity (where the facility is heated electrically) occurs, proper insulation should be completed.

H. Rent Determination.

(1) Rents should be based on 5% of structure's insured value (i.e., the Actual Cash Value, unless the building is insured at Replacement Cost and this is less than the Actual Cash Value) to recover the costs of capital, insurance and maintenance. In some cases a structure will be insured for only a demolition value. When this occurs, the department should establish a rental charge based on a review of similar employee housing within the state and equitable treatment for the employees involved. The insured value should not include the value of State-owned furnishings. For those facilities which must have the fuel and utilities billed to the State, the rent should also recover these expenses (by prorating the cost of fuel and utilities on a square foot basis).

(2) Over a period of twelve months, a multi-unit dwelling must derive at least 75% of the projected maximum rental. If less than 75% of the yearly revenue is received, the rental rates should be adjusted so that all costs to the State are recovered, or the provision of Section B should be followed. A shortfall of projected revenue resulting from the provision of housing as a condition of employment should not force the adjustment of the established rentals as long as 75% of the units are occupied.

(3) Employees occupying residences rented/leased by the State from private parties should not be charged a rent in that this practice should occur only when housing is provided as a condition of employment.

I. Shared Residences.

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

(2) Rooms other than those regularly utilized and charged to the host employees who are occupied by nonofficial guests visiting employees with the approval of the head of the institution or facility should be charged at a daily rate of at least one-thirtieth of the full rent for the residence.

J. Rental Responsibility. No reduction in rent is allowed for any absence. If the resident employee is off the State payroll, he continues, nevertheless, to be responsible for the rental charge until he officially gives up his assigned quarters and vacates the premises of all his personal property.

- K. Repairs and Maintenance. Repairs and maintenance should be carried out as needed to keep the structure in adequate condition. Major rehabilitation should be undertaken only when the structure is necessary for "the effective management and operating of the State department or institution" and when economically feasible.
- L. Rentals to other than State Employees. Rentals to non-State employees should not occur in accordance with the provisions of Section A.
- M. Updating Rental Charges. It is the responsibility of each agency providing housing to update the rental charges in accordance with the above Sections A through L at the beginning of each fiscal year. The revised charges shall be collected by the agency. The Bureau of the Budget shall be notified of the rental charge for all units of housing on copies of the form provided with this guideline. Any exceptions to this policy shall be approved by the appropriate agency head and the Budget Officer.

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

1. State Department, Agency or Institute: \_\_\_\_\_
2. Housing Facility's

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Unit Number: \_\_\_\_\_  
 City: \_\_\_\_\_, ME Zip Code: \_\_\_\_\_

3. Please check one: \_\_\_\_\_ House \_\_\_\_\_ Apartment
4. Number of rooms (excluding baths): \_\_\_\_\_
5. Number of Occupants \_\_\_\_\_
6. Employee's Name: \_\_\_\_\_
7. Employee's Classification: \_\_\_\_\_
8. Employee's pay range and merit service step: \_\_\_\_\_

9. COMPUTATION OF COST from July 1, \_\_\_\_\_ to June 30, \_\_\_\_\_

Month	Water	Electricity	Fuel	Sewer	Telephone
July					
August					
September					
October					
November					
December					
January					
February					
March					
April					
May					
June					
<b>TOTAL =</b>					

**Grand Total =** \_\_\_\_\_

### 10. MAINTENANCE COSTS:

Insured Value of Facility \$ \_\_\_\_\_ X 5 = \_\_\_\_\_

Total Cost per Year = \_\_\_\_\_

Submitted by (Head of Department): \_\_\_\_\_

NOTE: One form must be submitted for each facility and returned to the Bureau of the Budget, 58 State House Station, Augusta, ME 04333-0058 or via fax at (207) 624-7826.